

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, MARCH 23, 2004

SESSION OF 2004

188TH OF THE GENERAL ASSEMBLY

No. 15

HOUSE OF REPRESENTATIVES

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

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

PRAYER

REV. JOSEPH A. HARMON, ESQ., Chaplain of the House of Representatives, offered the following prayer:

Let us pray:

O God, our help in ages past, our hope for years to come, we ask Your blessing this day upon all the people of this great Commonwealth of Pennsylvania. We thank You for the richness of our diversity, the strength of our character, and the compassion of our neighbors. You have blessed us, O God, with abundance; help us to be good stewards of Your creation. You have endowed us with a goodly heritage; help us not to forget our past but learn from our failures as well as our success.

Today we also ask Your blessing upon this House, its members and staff, those who have come before us, and those who shall come after us. We especially recall the service of Representative Roy Cornell, whose daughter this day will be sworn in to continue the good work that he began in this place. We ask Your blessing upon Sue and her family. May Sue Cornell know Your presence as she takes up the reins of leadership for the people of Hatboro, Montgomery County, and the 152d Legislative District, who have entrusted her with the awesome duties of her office. As she joins the ranks of this chamber, may she and all its members seek not their own good alone but the welfare of the people of this Commonwealth.

O God, our help in ages past, our hope for years to come, be now our guide while life shall last and our eternal home. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Monday, March 22, 2004, will be postponed until printed.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2394 By Representatives BARD, GODSHALL, ARMSTRONG, HALUSKA, DAILEY, BAKER, BALDWIN, BARRAR, CAPPELLI, CRAHALLA, EGOLF, FAIRCHILD, FORCIER, GOODMAN, HERMAN, HERSHEY, KILLION, LEH, MACKERETH, McILHATTAN, McNAUGHTON, O'NEILL, ROSS, RUBLEY, SATHER, SCAVELLO, THOMAS, WATSON, WRIGHT, WILT, CLYMER, E. Z. TAYLOR, BOYD and S. MILLER

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 medical professional liability insurance, for Medical Care Availability and Reduction of Error Fund and for extended claims; providing for filing of rates; and further providing for actuarial data.

Referred to Committee on INSURANCE, March 23, 2004.

No. 2460 By Representatives WATERS, JAMES, KIRKLAND, WASHINGTON, BARRAR, BELFANTI, COSTA, DALEY, DENLINGER, DONATUCCI, GOODMAN, HARHAI, LAUGHLIN, LEDERER, MANDERINO, MCGEEHAN, O'NEILL, PETRARCA, RIEGER, SOLOBAY, TANGRETTI, TIGUE, BEBKO-JONES, CASORIO, CURRY, DeLUCA, DeWEESE, GEORGE, GRUCELA, HERSHEY, LEACH, MAITLAND, MANN, MYERS, PAYNE, PISTELLA, ROONEY, SURRA, THOMAS, WALKO, BLAUM and WEBER

An Act limiting the availability of an individual's Social Security number under certain circumstances in order to prevent identity theft.

Referred to Committee on JUDICIARY, March 23, 2004.

No. 2461 By Representatives SCHRODER, ARMSTRONG, BARRAR, BENNINGHOFF, BOYD, CORRIGAN, CRAHALLA, DENLINGER, MANDERINO, O'NEILL, REICHLEY, T. STEVENSON, E. Z. TAYLOR, THOMAS and TIGUE

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, further providing for applicability of provisions relating to planned communities, for meetings and for quorums of unit owners' associations of planned communities, for proxies and for association records.

Referred to Committee on LOCAL GOVERNMENT, March 23, 2004.

No. 2462 By Representatives BEBKO-JONES, DAILEY, CRAHALLA, DALEY, LEDERER, LEACH, JOSEPHS, JAMES, FABRIZIO, CURRY, CAWLEY, GOOD, NICKOL, PISTELLA, ROONEY, SCHRODER, SOLOBAY, GEORGE, FREEMAN, GRUCELA, FRANKEL, MYERS, READSHAW, THOMAS, WASHINGTON, YOUNGBLOOD and TANGRETTI

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, providing for third-party reimbursement for services of registered nurse first assistants.

Referred to Committee on INSURANCE, March 23, 2004.

No. 2463 By Representatives DENLINGER, ARGALL, ARMSTRONG, BALDWIN, BARRAR, BOYD, CAPPELLI, CLYMER, CRAHALLA, CREIGHTON, DALLY, FAIRCHILD, GINGRICH, GOOD, HABAY, HERSHEY, HICKERNELL, HUTCHINSON, KILLION, KIRKLAND, LEH, MAHER, MARKOSEK, METCALFE, MILLARD, MUSTIO, NICKOL, PICKETT, REED, REICHLEY, ROHRER, RUBLEY, SAYLOR, SCHRODER, SEMMEL, STERN, R. STEVENSON, T. STEVENSON, THOMAS, TURZAI, WEBER and WILT

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further defining "taxable income" for purposes of the corporate net income tax.

Referred to Committee on FINANCE, March 23, 2004.

No. 2464 By Representatives O'NEILL, BELFANTI, CLYMER, CORRIGAN, CURRY, DALEY, DENLINGER, GEORGE, GINGRICH, GOOD, HARPER, HORSEY, KILLION, MUSTIO, REICHLEY, SOLOBAY, STEIL, THOMAS, TIGUE, WEBER and YOUNGBLOOD

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, further providing for tax levies.

Referred to Committee on FINANCE, March 23, 2004.

No. 2465 By Representatives O'NEILL, BELFANTI, CLYMER, CORRIGAN, CURRY, DALEY, DENLINGER, GEORGE, GINGRICH, GOOD, HARPER, HORSEY, KILLION, MUSTIO, REICHLEY, SOLOBAY, STEIL, THOMAS, TIGUE, WEBER and YOUNGBLOOD

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, further providing for township and special tax levies.

Referred to Committee on FINANCE, March 23, 2004.

No. 2466 By Representatives O'NEILL, BELFANTI, CLYMER, CORRIGAN, CURRY, DALEY, DENLINGER, GEORGE, GINGRICH, GOOD, HARPER, HORSEY, KILLION, MUSTIO, REICHLEY, SOLOBAY, STEIL, THOMAS, TIGUE, WEBER and YOUNGBLOOD

An Act amending the act of February 1, 1966 (1965 P.L.1656, No.581), known as The Borough Code, further providing for tax levies.

Referred to Committee on FINANCE, March 23, 2004.

No. 2467 By Representatives FORCIER, BAKER, BASTIAN, BEBKO-JONES, BENNINGHOFF, BIRMELIN, BOYD, BROWNE, BUXTON, CAPPELLI, CLYMER, COSTA, DALEY, DeWEESE, DIVEN, D. EVANS, FABRIZIO, GABIG, GOOD, HANNA, HERMAN, HESS, KILLION, LAUGHLIN, LEH, LYNCH, MARKOSEK, McCALL, METCALFE, PETRARCA, SAINATO, SANTONI, SATHER, SCAVELLO, STETLER, TIGUE, WATSON, WHEATLEY and WILT

An Act amending the act of December 18, 1984 (P.L.1005, No.205), known as the Municipal Pension Plan Funding Standard and Recovery Act, further providing for contents of actuarial valuation report.

Referred to Committee on FINANCE, March 23, 2004.

No. 2468 By Representatives GABIG, MAHER, EGOLF, PAYNE, BARRAR, GOOD, BOYD, LEDERER, CREIGHTON, THOMAS, HERSHEY, HALUSKA, ARMSTRONG and BUNT

An Act amending the act of February 22, 1855 (P.L.46, No.50), entitled "An act to incorporate the Farmers' High School of Pennsylvania," further providing for powers and duties of trustees in general.

Referred to Committee on JUDICIARY, March 23, 2004.

No. 2469 By Representative LYNCH

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, further providing for regulation of business.

Referred to Committee on COMMERCE, March 23, 2004.

No. 2470 By Representatives HASAY, CALTAGIRONE, ALLEN, ARGALL, BALDWIN, BARRAR, BELFANTI, BROWNE, BUNT, CAUSER, CIVERA, COY, CURRY, DALLY, DeWEESE, D. EVANS, FABRIZIO, GEIST, GODSHALL, GOOD, GRUCELA, GRUITZA, HALUSKA, HARHAI, HARHART, HERSHEY, HESS, JAMES, KIRKLAND, LaGROTTA, LEH, MAITLAND, MAJOR, MANN, MARKOSEK, McILHATTAN, NICKOL, PALLONE, PICKETT, RAYMOND, REED, REICHLEY, ROBERTS, ROONEY, RUBLEY, SAINATO, SAYLOR, SHANER, STAIRS, STERN, R. STEVENSON, SURRA, TANGRETTI, E. Z. TAYLOR, THOMAS, TIGUE, WASHINGTON, WILT, WOJNAROSKI and YOUNGBLOOD

An Act amending the act of May 16, 2002 (P.L.315, No.46), known as the Community Services Block Grant Act, establishing the Commonwealth Community Action Partnership Program; and making an appropriation.

Referred to Committee on COMMERCE, March 23, 2004.

SENATE MESSAGE**ADJOURNMENT RESOLUTION
FOR CONCURRENCE**

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

In the Senate
March 22, 2004

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene on Monday, March 29, 2004, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, That when the House of Representatives adjourns this week, it reconvene on Monday, March 29, 2004, unless sooner recalled by the Speaker of the House of Representatives.

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

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

CALENDAR**RESOLUTION**

Mr. S. SMITH called up **HR 219, PN 1456**, entitled:

A Concurrent Resolution memorializing Congress to pass legislation to amend Title I of the Employee Retirement Income Security Act of 1974 to improve access and choice for entrepreneurs with small businesses with respect to medical care for their employees and provide workers employed in small businesses and self-employed workers with access to and choice of affordable health plan options similar to those now enjoyed by workers in corporate and union health plans.

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The Chair recognizes the majority leader.
Mr. S. SMITH. Mr. Speaker, I move that HR 219 be placed upon the table.

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

RESOLUTION REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.
Mr. S. SMITH. Mr. Speaker, I move that HR 219 be taken off the table.

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

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.
Mr. S. SMITH. Mr. Speaker, I move that the following bill be taken off the table: HB 205.

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 back upon the table: HB 205.

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 the following bills be taken from the table:

HB 1238;
HB 1274;
HB 1424;
HB 1912;
HB 1930;
HB 2149;
HB 2170;
HB 2171;
HB 2187;
HB 2230; and
SB 304.

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 1238, PN 1522; HB 1274, PN 1566; HB 1424, PN 3474; HB 1912, PN 3499; HB 1930, PN 2521; HB 2149, PN 3477; HB 2170, PN 2941; HB 2171, PN 2942; HB 2187, PN 2975; HB 2230, PN 3040; and SB 304, PN 319.

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 1238;
 HB 1274;
 HB 1424;
 HB 1912;
 HB 1930;
 HB 2149;
 HB 2170;
 HB 2171;
 HB 2187;
 HB 2230; and
 SB 304.

On the question,

Will the House agree to the motion?

Motion was agreed to.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. For the members of the Cornell family and friends, we have a few more administrative things that we have to do before we proceed to the swearing in. So just give us a few, about 10 more minutes; that is all.

GUESTS INTRODUCED

The SPEAKER. Representative Gingrich's sister, Anne Hayward, a teacher for Lancaster-Lebanon Intermediate Unit 13, and Jessica Barker, a student interested in constitutional law, are here today as guests of, as I said, Representative Gingrich. Anne is seated to the left of the Speaker, and Jessica is with the Parliamentarian. Would they please rise and be recognized.

The Chair welcomes guest pages Jessica White and Alex Irwin of Cocalico High School, Denver, Pennsylvania. They are the guests today of Representative Gordon Denlinger. They are down in front of the Speaker's rostrum. Would those guests please rise and be recognized.

The Chair welcomes guest pages Christine Delaney and Jim Dougherty, students from Trinity High School in Cumberland County. They are the guests of Representative Jerry Nailor and Representative Pat Vance. They are in the well of the hall of the House. Would those guests please rise and be recognized.

We have in the hall of the House a guest page today from Representative Bev Mackereth's district. The gentleman's name is Nick Brown. Nick is a senior at Dover High School. Would Nick please rise and be recognized.

We have guests here today for Representative Joseph Markosek – his neighbor and friend in the gallery, Don Charleton, from Monroeville, accompanied by a guest page, Steve Benz, also from Monroeville. He is a guest page today. Again, they are both guests of Representative Markosek. Would they please stand and be recognized.

We have guests today for the gentleman from Clearfield, State Representative Camille "Bud" George, who would like to introduce two distinguished guests in the gallery today. I am going to be introducing them. County commissioner chairman Mark McCracken and county commissioner Rex Reed are in town for the County Commissioners Association's spring meeting. Would they please rise and be recognized. They are celebrating their bicentennial this year. Welcome to the hall of the House.

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

HB 798, PN 930

By Rep. J. TAYLOR

An Act prohibiting any municipal pension or retirement system in a city of the first class from denying certain benefits to surviving spouses of police officers or certain employees upon a subsequent remarriage of the surviving spouse; and making repeals.

URBAN AFFAIRS.

SB 427, PN 1081

By Rep. J. TAYLOR

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, further providing for required contractual provision regarding home inspections and for reliance by buyer; and providing for engineers and architects.

URBAN AFFAIRS.

LEAVES OF ABSENCE

The SPEAKER. The Chair turns to leaves of absence.

The Chair recognizes the majority whip, who moves for a leave of absence for the gentlelady from Chester, Mrs. E. Z. TAYLOR; the gentleman from Allegheny, Mr. MAHER; the gentleman from Philadelphia, Mr. KENNEY; the gentleman from Lancaster, Mr. BOYD; the gentleman from Columbia, Mr. MILLARD; the gentleman from Indiana, Mr. REED. Without objection, those leaves will be granted.

The Chair recognizes the minority whip, who moves for a leave of absence for the gentleman from Lancaster, Mr. STURLA; for the gentleman from Northampton, Mr. ROONEY; the gentleman from Philadelphia, Mr. McGEEHAN; the gentleman from Northampton, Mr. GRUCELA; the gentleman from Westmoreland, Mr. TANGRETTI; the gentleman from Allegheny, Mr. RUFFING; the gentleman from Greene, Mr. DeWEESE; the gentleman from Philadelphia, Mr. HORSEY. The gentleman, Mr. Ruffing, is for the week.

GUESTS INTRODUCED

The SPEAKER. There is a group of guests here, guests of the Representative from Philadelphia, Mr. Jewell Williams. They are from St. Bridgets Grade School along with their pastor, Father Kelly. They are in the balcony. Again, they are from St. Bridgets where I attended when I was a small boy. Would those guests please rise.

SPECIAL ORDER OF BUSINESS**SWEARING IN OF NEW MEMBER**

The SPEAKER. Without objection, the House will now take up a special order of business, the swearing in of Representative-elect Sue Cornell. The Chair hears no objections.

ELECTION RETURNS PRESENTED

The SPEAKER. The Chair recognizes the Sergeant at Arms of the House of Representatives.

The SERGEANT AT ARMS. Mr. Speaker, Deputy Secretary Rapp.

The SPEAKER. The Chair recognizes Deputy Secretary Rapp.

Mr. RAPP. Good morning, Mr. Speaker.

I have the honor of presenting the returns for the special election held on March 9, 2004, in the 152d Legislative District.

The SPEAKER. The Chair thanks Deputy Secretary Rapp, and the clerk will read the returns.

The following election returns were read:

COMMONWEALTH OF PENNSYLVANIA

TO THE HONORABLE SPEAKER AND MEMBERS OF THE HOUSE OF REPRESENTATIVES OF THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA, GREETINGS:

I have the honor to present the official returns of the Special Election for Representative in the General Assembly of the Commonwealth of Pennsylvania held in the One hundred fifty-second Legislative District, as the same has been certified to and filed with my office by the Montgomery and Philadelphia County Boards of Elections. Susan E. Cornell, having received the highest number of votes in the Special Election, and having complied with the provisions of Article XVI of the Pennsylvania Election Code pertaining to Primary and Election Expenses, was duly elected a Representative in the General Assembly.

(SEAL) IN TESTIMONY WHEREOF, I have hereunto set my hand and the seal of the office of the Secretary of the Commonwealth at the city of Harrisburg, this twenty-third day of March in the year of our Lord two thousand four and of the Commonwealth the two hundred and twenty-eighth.

Pedro A. Cortés
Secretary of the Commonwealth

* * *

SPECIAL ELECTION
REPRESENTATIVE IN THE GENERAL ASSEMBLY
152ND LEGISLATIVE DISTRICT
MONTGOMERY AND PHILADELPHIA COUNTIES
MARCH 9, 2004

OFFICIAL RESULTS

VOTE
TOTALS

Democratic – Ross F. Schriftman 1,828
Republican – Susan E. Cornell 4,399

Commonwealth of Pennsylvania
Department of State
Bureau of Commissions, Elections and Legislation
March 23, 2004

CERTIFICATE ON ELECTION EXPENSES

COMMONWEALTH OF PENNSYLVANIA

TO THE HONORABLE SPEAKER AND MEMBERS OF THE HOUSE OF REPRESENTATIVES OF THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA, GREETINGS:

In accordance with the provisions of Section 1632(b) of the Pennsylvania Election Code [25 P.S. §3252(b)], I do hereby certify that the candidate who was elected Representative in the General Assembly from the 152nd District in the Special Election held March 9, 2004, Susan E. Cornell, has filed all of the reports and statements of contributions and expenditures required by the provisions of Article XVI of the Pennsylvania Election Code entitled "Primary and Election Expenses."

(SEAL) Witness my hand and the seal of the office of the Secretary of the Commonwealth this twenty-third day of March, 2004.

Pedro A. Cortés
Secretary of the Commonwealth

COMMITTEE APPOINTED TO ESCORT MEMBER-ELECT

The SPEAKER. The Chair appoints the majority leader, the Honorable Sam H. Smith, and the Democratic caucus secretary, Representative Jeff Coy, to escort Representative-elect Cornell to the well of the House for the purpose of taking the oath.

The committee will proceed with its duties.

FILMING PERMISSION

The SPEAKER. The Chair grants permission for Carolyn Kaster of the Associated Press to take still photographs of the swearing-in ceremony itself March 23, 2004.

Mr. S. SMITH. Mr. Speaker, we present the member-elect.
The SPEAKER. The Chair thanks the gentleman.

OATH OF OFFICE ADMINISTERED

The SPEAKER. The oath of office required by Article VI, section 3, of the Constitution of the Commonwealth of Pennsylvania will be administered by the Honorable Christopher R. Wogan, judge, Court of Common Pleas, Philadelphia, and a former member of this House of Representatives.

Judge Wogan.

JUDGE WOGAN. Thank you, Mr. Speaker.

And thank you as well for allowing me to give the oath of office to Representative-elect Sue Cornell, the daughter of our late colleague and good friend, Roy Cornell, who I know is very, very proud today as he looks down upon all of us.

Sue will find, as I believe that I did, that she is joining a great institution where she will have an unmatched ability to do good for her constituents, and the means to improve the lives of all Pennsylvanians will be at her disposal. This is where public policy is made for our 12 million citizens, and in working for their benefit, you will find the added bonus of becoming friends and working alongside of some of the finest men and women, both Democrats and Republicans, members and staff, that I know I was privileged to work with in this chamber for 21 years.

And no matter what I do in the future, and I think you will end up agreeing with me, you will also find no job or position will ever give you the sense of pride that you will experience in serving our citizens in this great institution, the lower chamber of the General Assembly.

Sue, I wish you the very, very best as you begin your service.

Miss CORNELL. Thank you.

JUDGE WOGAN. I know it is in here somewhere. This would not do; this was a marriage ceremony.

Miss CORNELL. Negative.

JUDGE WOGAN. Sue, please place your left hand on your Bible and raise your right hand and repeat after me.

I, Sue Cornell, do solemnly swear that I will support, obey, and defend the Constitution of the United States and the Constitution of this Commonwealth, and I will discharge the duties of my office with fidelity.

(Member asserted oath.)

JUDGE WOGAN. Congratulations, Representative Cornell.

Miss CORNELL. Thank you.

REMARKS BY SPEAKER

The SPEAKER. Being sworn in the first time, Sue, is always the true pleasure of being a member of the General Assembly. I think that you are going to find it a little difficult when we are sworn in in January, because you are only allowed four seats, so this time you are allowed to bring the whole family in. But in case you really did not see everything that went on already, we will be glad to get you a DVD (digital video disk) that you can play at home.

I copied Sam Smith when we had the eulogy for your father, and I was given one of his ties, so I thought that I would wear it here today as a symbol of how much we cared, all of us, Democrat and Republican, for your father, Roy Cornell. He was probably one of the most loved members of this General Assembly, and he was a very, very, very good man.

We know that your father is in heaven, Sue. We are not going to be so sure about the two members we sent to the Senate. Good afternoon. All right. There is a little symbolism in that. You have to think about that for a second.

I extend a warm welcome to everyone gathered here today in our beautiful chamber for today's ceremony on this very special occasion, the swearing in of our newest member, Sue Cornell.

On Tuesday, March 9, Sue was elected to represent the 152d Legislative District of Montgomery and Philadelphia Counties. She has just been sworn in by the Honorable Christopher R. Wogan, the Philadelphia Court of Common Pleas. We are so pleased that you could join us for this special ceremony, Judge. Thank you very, very much. It is always a pleasure to see a former colleague and a good friend.

For the first time as a member, welcome to the hall of the House, Sue. I encourage you to savor and remember this day and this moment for the rest of your life. There will never be another day quite like it in this magnificent place surrounded by family and friends – your son, Dylan; your mother, Judy Hogarty; and your other family members and friends. You have accepted the tremendous responsibility which was given to you by the people of your legislative district.

Becoming a member of this body is a special privilege, yet it is one that you have truly earned. In a little less than 2 months, you personally visited over 7,000 homes in your legislative district. That kind of devotion is truly remarkable, and we admire your dedication, your hard work, and your perseverance. That you possess these characteristics, to us in this chamber, is not surprising. Your predecessor had them all in spades. All of us in this chamber deeply care about the constituents who send us here, and one who was truly dedicated to those he served was your dad, Roy Cornell. He loved this institution and he loved you so much, Sue. I just know that he is looking down on this ceremony with enormous pride and joy, as a number of us here are, too.

The torch has passed from father to daughter, a rare event, a bittersweet moment, a historic event. Roy served these halls with great passion, understanding, and intelligence. He would want you to do the same. He was, in every sense of the word, a champion of his constituents. He would have you to defend them to the best of your ability. Roy stood firm when principle demanded that he stand firm. He compromised when the greater good could be obtained. He would hope that you, too, will negotiate and find the middle ground when necessary to do the will of the people that sent you here. Here in the House we all must steer our own course or blaze our own trail, but we must also take great care to learn and observe from those who sat here before us, and a lot can be learned about how best to serve people from the life of Roy Cornell.

As his daughter and as a legislator, you have a magnificent opportunity to make Pennsylvania a better, stronger, safer place for all of our citizens. Today, Sue, you embark on one of the most challenging and rewarding journeys of your life, a journey shared by the other 202 members of this body. Never forget that regardless of party and regardless of politics, we all share the same ultimate goals. We strive to bring into existence a greater good to ensure that all of the people of Pennsylvania have a better chance at a better life. By working hard to meet the needs of your constituents and by never ceasing to give careful, thoughtful consideration to measures which find their way before you here, you will be doing your part.

We look forward to working with you, Sue. Your energy, your enthusiasm, your friendly advice are always welcome, and my door to my office is always open.

Congratulations on becoming a member of the Pennsylvania House of Representatives, and good luck, Sue.

REMARKS BY MAJORITY LEADER

The SPEAKER. The Chair now recognizes the majority leader, the Honorable Sam Smith.

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

To Honorable Judge Wogan, it is a pleasure to have you in our presence once again.

To the members, to all the family and friends of our newest member, Sue Cornell, it is an honor and a pleasure to participate in this congratulatory swearing in for Sue Cornell.

Actually, Sue has helped to take a little load off of my back, being that she finally got the House Republicans back to the 109 we began this session with last November. My whip keeps kind of busting my chops about the fact that since I have been majority leader, we have only lost spaces, but of course, those were due to unforeseen and forces outside of our control. So, Sue, I want to give you a personal thanks for helping us get back to the 109 that we began this legislative session at.

You know, as you set on this new time in your life, Sue, you will be forging a legacy of leadership, and I am sure that you have used the memory of your father as a source of strength and energy to bring you to this day, and I am certain that it has to bring with it a certain bittersweet element of the day, and yet, you know, you worked hard through your campaign. You told the people of the district, of the 152d District in Montgomery County, that you understood the issues, and you do, and that you are willing to go work on those issues that are important to your constituents, the issues of open space and the medical malpractice issue that is important to many of us across the Commonwealth. The 7,000-plus personal contacts that you made over that short campaign is a testimony to your will and to your desire to work on behalf of the people of that legislative district and the people of Pennsylvania and your ability to bring about with you the friends and volunteers and the family members that go about actually making a campaign and truly giving it life through erecting the red, white, and blue signs throughout the district. I think the percentage of vote that you won by is a testimony to not only the organization and the people that you brought to the campaign but to you as an individual, as a candidate who put yourself forth as someone to go out and represent these people.

It is funny – a lot of people that have never run for public office, they do not know how personal it is to put your name on the ballot, and everyone here that sits in this hall certainly understands, and I am sure, Sue, that today you recognize it a little more than you even did in the past as you worked with your father, but it is very personal. You put your name on the ballot and you hold yourself out to win or lose, and sometimes that is a very difficult and personal thing to undertake, and you need to be especially congratulated under the circumstances of this special election for your fortitude and your hard work.

But today you bring about your own legacy. You bring about a fresh, bold outlook. Although something that you and I and a few other members in this have in common, having succeeded a parent to the legislature, you will find that there is always going to be a little bit of a comparison. You are always going to be compared a little bit to what your father did and this was the way your father did something or whatever. I know I experienced that same thing. And while I have been fortunate enough to have my father still be around to give me little bits of advice and some ideas about who is who and what is what, and

unfortunately, you do not have that blessing, I think you will still find strength in knowing what he did, and when people talk about your father, know that it is meant in such a way as to help you build your own legacy, for you to build your own record of accomplishment within this body, and it is something that over the years of having worked with your father, I know that is what really builds the potential for a great Representative, and you will certainly have the potential to fulfill that over the years.

You can count on our support. Something that you will find in this body, as you may recognize, is that you will have friends on both sides of the aisle, and while Judge Wogan started off looking at a marriage ceremony this morning, you know, it is not wholly inappropriate in some respects. While a term of office in the legislature is not till death do us part, it nevertheless is a deep and abiding bond that will live with you for the rest of your life no matter how long you are a member of the legislature, and it is a commitment of that kind of deep sincerity that a marriage ceremony also carries with us when you stood here and took the oath of office.

You also find that sometimes in this body – I have said this before at other swearing ins in the past year – sometimes it is not just what any one of us thinks, and I think what makes this body so great and what makes this country of ours great, not just the Commonwealth but this country, is that it is our collective wisdom, that it is not my idea or your idea or another member's individual idea, but it is sometimes when those ideas all meld together in the collective wisdom of this body – I guess I am going out on a limb here, but it could even include the collective wisdom of the Senate – that melds together to create the laws and the procedures that we live by, the policies that we live by in this Commonwealth, that they all meld together to help us be a better and stronger people, and we know that you bring to this body a portion of that collective wisdom that will help us as a body to move Pennsylvania forward.

So on behalf of the House Republican Caucus and the legislature in general, I do want to wish my best and sincere wishes and congratulations to you on a long and distinguished legislative career.

Congratulations, Sue.

The SPEAKER. The Chair thanks the gentleman.

REMARKS BY MR. COY

The SPEAKER. The Chair recognizes the Democrat caucus secretary, the gentleman from Franklin, Representative Jeff Coy.

Mr. COY. Thank you, Mr. Speaker.

Representative Cornell, welcome to the House of Representatives, and to all the members of the family and friends from Montgomery County that are with you today and other parts of the State, we also say welcome.

On behalf of the Democratic leader, Bill DeWeese, who is at another engagement as we speak, I offer welcome on behalf of all of my colleagues on the Democratic side of the aisle, the Democratic leadership, and all of us who try to represent in our own ways our legislative districts to the best of our ability.

It is hard not to talk about Roy Cornell today. As the Speaker did and as the majority leader did and as I said to you when we walked back the aisle, this is your day, and congratulations, but it is hard not to reflect on a good friend, Roy Cornell, and I think what he did probably as well as anybody I have ever

seen in 22 years here, Roy was able to walk across the aisle and speak with any one of us on an individual basis and make sense and make friends and, yes, make good government. And I guess if you can follow in that example and if, when your time is done here, they say the same thing about you, Sue, that will have been a wonderful accomplishment.

Judge Wogan said and referred to – and he is my good friend, too – referred to this as the lower chamber. I would rather say it is the people’s chamber; it is the people’s House of Representatives. The history that is displayed on the paintings and the portraits throughout this chamber are the most beautiful chambers that any of us have ever had an opportunity to serve in. It is a depiction of the history that represents a people of Pennsylvania that come from many, many different backgrounds and yet try to do the best they can for the people of this Commonwealth.

So as you begin your service today, a service that we trust will be for the best and we know will be for the best of the legacy started by your father but continuing today in his daughter, I am confident, as the Speaker said, there is a friendly set of eyes looking down saying, do a good job, and that is what we say to you, Sue – do a good job. You will make all these folks proud, and you will even improve the people’s House to a greater ability than any of us could individually. It is your day. Congratulations.

The SPEAKER. Sue, I want to congratulate you again, because you are the 28th female member of the General Assembly, and you also now have eclipsed Melissa Murphy Weber by being younger than her, and that makes her feel very, very proud, but welcome.

That concludes the swearing-in ceremony, but we would like to ask the members and guests to please remain in their seats.

The SPEAKER. Would Representative LeAnna Washington please come forward.

Ms. WASHINGTON. Thank you, Mr. Speaker.

Mr. Speaker, before we begin our celebration, I would like to ask all the women of the House of Representatives to stand so that we can welcome Sue to the House of Representatives.

PINE FORGE ACADEMY CHOIR PRESENTED

Ms. WASHINGTON. Thank you, Mr. Speaker.

Mr. Speaker, I would like to introduce to the members of the House of Representatives a choir that I first heard at our mayor’s inauguration in January.

We have with us today the Pine Forge Academy Choir. It is a coeducational Seventh-day Adventist boarding school that they come from serving students from the 9th through 12th grades. The school is committed to prepare students spiritually, intellectually, physically, and socially for services to God and to man. The campus is located in Berks County, Pennsylvania, on 575 acres of rolling hills and dales, intercepted by the winding, picturesque Manatawny Creek. Pine Forge Academy is the only historically black Seventh-day Adventist boarding school in the country.

As I said, I heard the choir at Mayor John Street’s inaugural, and I am very pleased that the members of the

House of Representatives will have the pleasure of being entertained by the Pine Forge Academy Choir today.

Thank you, Mr. Speaker.

(A musical program was presented by the Pine Forge Academy Choir.)

The SPEAKER. The Chair thanks the choir for their fine performance.

CONDOLENCE RESOLUTION

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

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

The clerk will read the resolution.

The following resolution was read:

COMMONWEALTH OF PENNSYLVANIA THE HOUSE OF REPRESENTATIVES

CONDOLENCE RESOLUTION

WHEREAS, The House of Representatives of Pennsylvania wishes to honor the memory of the Honorable George Miscevic, a former member of the House of Representatives who served the 39th Legislative District with honor and distinction and passed away at the age of seventy-two on December 24, 2003; and

WHEREAS, Mr. Miscevic was elected to the House of Representatives of Pennsylvania in 1974 and reelected in 1976, 1980 and 1982. He was loyal to the traditions of the Democratic party and went on to serve as a Pennsylvania State Auditor for ten years. Mr. Miscevic was also retired from the Water Treatment Plant and the Irvin Works of the US Steel Corporation. A United States Army veteran of the Korean War, he was also a graduate of the University of Pittsburgh; and

WHEREAS, In the highest tradition of service, Mr. Miscevic generously contributed his time and energy to numerous worthwhile endeavors which greatly enhanced the quality of life for the citizens of this Commonwealth. He truly exemplified the finest virtues of American life and earned deep respect and gratitude for his tireless efforts to benefit the community at large; now therefore be it

RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania proclaim with enduring sorrow the passing of the Honorable George Miscevic, beloved family member and dedicated public servant; and extend heartfelt condolences to his wife, Josephine Cancino Miscevic; daughters, Becky Lynn Lintelman, Bethann Zangrilli and Leesa Jean; and four grandchildren; and be it further

RESOLVED, That a copy of this resolution, sponsored by the Honorable David K. Levdansky, be transmitted to Mrs. Josephine Cancino Miscevic, 913 Scenery Drive, Elizabeth, Pennsylvania 15037.

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

On the question,
Will the House adopt the resolution?

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

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

The SPEAKER. The resolution has been unanimously adopted.

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

REMARKS BY MR. LEVDANSKY

GUESTS INTRODUCED

The SPEAKER. The Chair recognizes Representative Levdansky.

Mr. LEVDANSKY. Thank you, Mr. Speaker.

Before I offer a few words in memory of my predecessor, Representative Misceovich, let me first introduce the members of his beloved family that have traveled here to witness this today: his beloved wife, Josephine; his daughter, Leesa Misceovich, and her two children, Gibson and Berlin; his daughter, Becky, and her husband, Scott, and her two children, Taylor and Austin; and good family friends, Dorothy and Wayne Phillips. Thanks for coming.

Twenty years ago I made a commitment to public service, but unfortunately, it meant that I had to run against a fine gentleman who served the people of the 39th District for 8 years before me.

When I think about George Misceovich's life, I think about, really, a life of professional versatility. There are few men that I have met in my life that can claim to be master of so many trades. In addition to being a State Representative, George worked as a diesel mechanic; he was a teacher – he taught people, young kids, how to work with their hands at the Connelley School – he worked at U.S. Steel Irvin Works where he was both a union member and a foreman at one point in his career; and then he went on to become a legislator, and after 8 years of service here in the General Assembly serving the people of the 39th District, he went on to work as a field auditor for the Auditor General.

But I have also got to share a few observations about 1984, and that was the year that I decided that I really wanted to be a State Representative. We are both from the Mon Valley, and the Mon Valley, those of you who are probably aware, is pretty strong Democratic country, so when you want to be a legislator in the Mon Valley, you are pretty much faced with the dilemma of running against an incumbent Democrat in the primary. We fought a good, hard political battle in 1984, but when I look back on it, our battles were never, ever personal. Oh, we had some differences of opinion on how to handle certain issues and we had a difference of political style and we both came from different generations, but we both shared common ethnic roots. George was a proud, 100-percent Serbian man and was very proud of that. I am half Polish and half Slovak. We both share traditional working-class values. The communities we are privileged to represent are working-class communities, and we

shared a common commitment to the values and the traditions of the Democratic Party.

I am happy to have had the opportunity to share some good times with George Misceovich as well, and I value his service to our mutual constituents and the political insights and even advice that he came to give me later on in his life so generously.

While his family and friends and constituents will miss him dearly, we should all realize that his spirit lives on in the people of the Mon Valley he was so proud to represent.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

The guests with Sue Cornell can now leave the hall of the House. The luncheon is ready for all you guys, and we will proceed with our business. Sue will be a few minutes behind because she has to vote.

MASTER ROLL CALL

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

(Members proceeded to vote.)

LEAVE OF ABSENCE CANCELED

The SPEAKER. The Chair notes the presence on the floor of the hall of the House of the gentleman from Allegheny, Mr. Maher. His name will be added to the master roll.

MASTER ROLL CALL CONTINUED

The following roll call was recorded:

PRESENT—188

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

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—15

Boyd	Grucela	Millard	Sturla
Cruz	Horsey	Reed	Tangretti
DeWeese	Kenney	Rooney	Taylor, E. Z.
Freeman	McGeehan	Ruffing	

LEAVES ADDED—1

Leh

LEAVES CANCELED—7

Boyd	Kenney	Millard	Tangretti
Grucela	McGeehan	Reed	

LEGISLATIVE FELLOWS INTRODUCED

The SPEAKER. The Legislative Fellowship Program, which is sponsored by the House of Representatives through the Bipartisan Management Committee, has an outstanding class of young people this year. Eleven students have been assigned to either a committee chairmanship or leadership office for a 13-week fellowship. I welcome to the hall of the House today the legislative fellows who began their internship in January. They are seated in the rear of the House.

Amala Abdur-Rahman, a political science major from Wilson College, assigned to Representative Jeff Coy. Would she stand and be recognized.

Matthew Aiesi, an environmental policy major from Elizabethtown College, assigned to Representative Steve Nickol.

Matthew DeAngelis, a political science major from Penn State University, assigned to Representative Bud George.

Valeen Gross, a political science major from King's College, assigned to Representative Jess Stairs.

Michael Hollenbush, a criminal justice major from Penn State Harrisburg, assigned to Representative Bob Belfanti.

Noreen Huth, a political science major from Susquehanna University, assigned to Representative Keith McCall.

Insiya Jiwanji, a political science major from Elizabethtown College, assigned to Representative Elinor Taylor.

Richard Rabuck, a political science major from Penn State University, assigned to Representative Joe Markosek.

Andrew Ritter, Jr., a political science major from York College, assigned to Representative Dennis Leh.

Jeb Wagner, a political science major from Millersville University, assigned to Representative Mike Veon.

Tammy Wilfong, a public policy/criminal justice major from Penn State University Harrisburg, assigned to Representative Mark Cohen.

ARCHIVAL INTERN INTRODUCED

The SPEAKER. One student was selected this semester to participate in the Archival Internship Program sponsored by the House of Representatives through the Bipartisan Management Committee. This bright and dedicated intern processed and inventoried committee records and members' papers. His work has helped the House Archives better document the historical significance of this institution: Mark Smeltzer, a junior at Penn State University, University Park Campus, who is majoring in political science and economics. Mark is the constituent of Representative John Pallone. Would he please rise and be recognized.

The House of Representatives thanks you very much for the hard work and dedication you put forth in your internships. Thank you all very, very much.

GUESTS INTRODUCED

The SPEAKER. Representative Wojnaroski has with him the Johnstown Fire Department, Local 463. They are his guests, and at this time we will recognize the Representative to introduce his guests. Mr. Wojnaroski.

If I could have pronounced all the names, I would have done it myself, Mr. Wojnaroski.

Mr. WOJNAROSKI. Mr. Speaker, it is my pleasure this morning to introduce to you four members of the Johnstown professional firefighters from Johnstown, PA. They are Art Martynuska, Randy Novosel – I am sorry, Mr. Speaker; I do not have on my glasses – Jeffry Murphy, and Clark Bornais.

Thank you very much, Mr. Speaker. A round of hands here for the Johnstown firefighters.

The SPEAKER. The Chair thanks the gentleman.

The guests will please rise and be recognized.

We have also a guest of Representative Ron Miller. I would like to introduce Jonathan Anzmann. Jonathan is a junior at the Southern York County School District and is shadowing Representative Ron Miller today. Would that guest please rise. He is also serving as a guest page here today. Please rise and be recognized.

DEMOCRATIC CAUCUS

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Cohen, for the purpose of an announcement.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, we are going to have a House Democratic caucus to go over some bills and have informal discussions.

ANNOUNCEMENT BY MS. WASHINGTON

The SPEAKER. Are there any further announcements?
Representative Washington.

Ms. WASHINGTON. Thank you, Mr. Speaker.

I would just like to remind my colleagues on both sides of the aisle that our Black History program will be at 1 o'clock in the rotunda, and, Mr. Speaker, I would like to thank you personally for your support.

The SPEAKER. The Chair thanks the gentlelady.

RECESS

The SPEAKER. This House will be in recess until 2 p.m.

AFTER RECESS

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

SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 1130, PN 3501**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

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

HB 2002, PN 2649

By Rep. B. SMITH

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for powers and duties of enforcement officers.

GAME AND FISHERIES.

HB 2003, PN 2650

By Rep. B. SMITH

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, further providing for powers and duties of waterways conservation officers.

GAME AND FISHERIES.

HB 2319, PN 3535 (Amended)

By Rep. HESS

An Act amending the act of November 6, 1987 (P.L.381, No.79), known as the Older Adults Protective Services Act, further providing for legislative policy; further defining "employee"; further providing for involuntary intervention by emergency court order and for grounds for denying employment; and providing for certificate of employability, for requirements concerning current facility employees, for comparison study by Department of Aging and for applicability relating to criminal history for employees.

AGING AND OLDER ADULT SERVICES.

HB 2437, PN 3448

By Rep. HERMAN

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, further providing for creation of recreation boards.

LOCAL GOVERNMENT.

VOTE CORRECTION

The SPEAKER. The Chair recognizes the gentleman from Tioga, Mr. Baker.

Mr. BAKER. Thank you, Mr. Speaker.

Mr. Speaker, I rise to correct the record.

The SPEAKER. The gentleman is in order.

Mr. BAKER. Thank you, Mr. Speaker.

Mr. Speaker, yesterday I tried to record my vote on HB 2330. Unfortunately, the switch malfunctioned, and I would like to be recorded in the affirmative.

The SPEAKER. The Chair thanks the gentleman.

LEAVE OF ABSENCE

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

LEAVES OF ABSENCE CANCELED

The SPEAKER. The Chair notes the presence on the floor of the hall of the House of the gentleman from Westmoreland, Mr. Tangretti, and the gentleman from Northampton, Mr. Grucela. Their names will be added to the master roll.

HOUSE BILLS**INTRODUCED AND REFERRED**

No. 2471 By Representatives WEBER, WATSON, ARMSTRONG, BALDWIN, BOYD, CAPPELLI, CLYMER, CORRIGAN, CRAHALLA, CREIGHTON, DeLUCA, DENLINGER, FABRIZIO, FICHTER, FRANKEL, GEIST, GEORGE, GOOD, GOODMAN, HALUSKA, HARRIS, HENNESSEY, KILLION, LEWIS, MANN, MARKOSEK, MARSICO, R. MILLER, O'NEILL, PETRARCA, PICKETT, ROSS, RUBLEY, SATHER, SCAVELLO, SEMMEL, B. SMITH, SOLOBAY, R. STEVENSON, TANGRETTI, E. Z. TAYLOR, TRUE, TURZAI, WATERS and S. MILLER

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 monthly, semimonthly and quarterly payment of taxes withheld by employers for purposes of personal income tax.

Referred to Committee on FINANCE, March 23, 2004.

No. 2472 By Representatives D. EVANS, DeWEESE and VEON

An Act amending the act of February 9, 1999 (P.L.1, No.1), known as the Capital Facilities Debt Enabling Act, adding and amending definitions; and further providing for borrowing limitations,

for bond terms and conditions, for the Capital Debt Fund, for registration of bonds, for appropriation for and limitation on redevelopment assistance capital projects and for funding and administration of redevelopment assistance capital projects.

Referred to Committee on APPROPRIATIONS, March 23, 2004.

No. 2473 By Representatives ROBERTS, DALEY, JOSEPHS, KIRKLAND, SAINATO, SOLOBAY and THOMAS

An Act amending Title 74 (Transportation) of the Pennsylvania Consolidated Statutes, providing for funding for new local transportation organization or transportation company.

Referred to Committee on TRANSPORTATION, March 23, 2004.

No. 2474 By Representatives STAIRS, MACKERETH, McILHATTAN, R. MILLER, T. STEVENSON, GRUCELA, SHANER, BAKER, BENNINGHOFF, BUNT, CAPPELLI, CAUSER, CRUZ, DALEY, DENLINGER, GEIST, GEORGE, HARRIS, HERSHEY, HESS, MAITLAND, MARKOSEK, NAILOR, PRESTON, REICHLLEY, RUBLEY, SAYLOR, SCAVELLO, SEMMEL, B. SMITH, STERN, E. Z. TAYLOR, WALKO and WILT

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 management information reports.

Referred to Committee on EDUCATION, March 23, 2004.

No. 2475 By Representatives DALLY, BROWNE, CORRIGAN, DALEY, DeWEESE, GEIST, GOOD, GRUCELA, HARRIS, HERMAN, KELLER, PALLONE, SCAVELLO and TIGUE

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

Referred to Committee on TRANSPORTATION, March 23, 2004.

No. 2476 By Representative PETRI

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for the disposition of complaints received and for investigating performance of county agency.

Referred to Committee on JUDICIARY, March 23, 2004.

No. 2477 By Representative PETRI

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for definitions; and providing for quality improvement of county agencies.

Referred to Committee on JUDICIARY, March 23, 2004.

LEAVES OF ABSENCE CANCELED

The SPEAKER. The Chair returns to leaves of absence and notes the presence on the floor of the House of the gentleman from Indiana, Mr. Reed. His name will be added to the master roll.

The Chair notes the gentleman from Lancaster, Mr. Boyd, on the floor of the hall of the House. His name will be added to the master roll.

The Chair notes that Mr. Millard is here on the floor of the hall of the House. His name will be added to the master roll.

GUESTS INTRODUCED

The SPEAKER. Please welcome to the floor of the House today Deann Kinsey. She is the guest of Representative Mary Ann Dailey. Mrs. Kinsey is a master's prepared nurse who is currently attending Bloomsburg University. She is here today to shadow Representative Dailey. She is seated to the left of the Speaker. Would that guest please rise and be recognized.

The gentlelady, Mrs. Harhart, has her niece. Sgt. Theresa Seng is coming to visit her at the Capitol today and requesting a floor pass. I would like to introduce her at this point in time. Theresa is in the United States Marine Corps, 4th Marine Corps District. She served in Iraq for 6 months and is now stationed at the Army Depot in New Cumberland. Would she please rise and be recognized.

REPORT OF COMMITTEE ON COMMITTEES

The SPEAKER. The Chair recognizes the gentleman, Mr. Hasay, who gives us the supplemental report of the Committee on Committees, which the clerk will read.

The following report was read:

March 23, 2004

SUPPLEMENTAL REPORT OF COMMITTEE ON COMMITTEES

AGRICULTURE & RURAL AFFAIRS

Due to appointment as Majority Chairman of the House Standing Committee on Agriculture & Rural Affairs, Representative Arthur Hershey resigns from the House Standing Committee on Agriculture & Rural Affairs. Representative Susan Cornell is appointed to fill the vacancy on the House Standing Committee on Agriculture & Rural Affairs.

CHILDREN & YOUTH

Representative Michael Turzai resigns from the House Standing Committee on Children & Youth. Representative Susan Cornell is appointed to fill the vacancy on the House Standing Committee on Children & Youth.

JUDICIARY

Representative Raymond Bunt resigns from the House Standing Committee on Judiciary. Representative Susan Cornell is appointed to fill the vacancy on the House Standing Committee on Judiciary.

VETERANS AFFAIRS & EMERGENCY PREPAREDNESS

Representative Russ Fairchild resigns from the House Standing Committee on Veterans Affairs & Emergency Preparedness. Representative Susan Cornell is appointed to fill the vacancy on the House Standing Committee on Veterans Affairs & Emergency Preparedness.

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.

CALENDAR CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2190, PN 3286**, entitled:

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, further providing for sale of real property owned by township.

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS-185

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

Civera	Harris	Payne	Veon
Clymer	Hasay	Petrarca	Vitali
Cohen	Hennessey	Petri	Walko
Cornell, S. E.	Herman	Petrone	Wansacz
Corrigan	Hershey	Phillips	Washington
Costa	Hess	Pickett	Waters
Coy	Hickernell	Pistella	Watson
Crahalla	James	Preston	Weber
Curry	Josephs	Raymond	Wheatley
Dailey	Keller	Readshaw	Williams
Daley	Killion	Reed	Wilt
Dally	Kirkland	Reichley	Wojnaroski
DeLuca	Kotik	Rieger	Wright
Denlinger	LaGrotta	Roberts	Yewcic
Dermody	Laughlin	Roebuck	Youngblood
DiGirolamo	Leach	Rohrer	Yudichak
Diven	Lederer	Ross	Zug
Donatucci	Lescovitz	Rubley	
Eachus	Levdansky	Sainato	
Egolf	Lewis	Samuelson	Perzel,
Evans, D.	Lynch	Santoni	Speaker

NAYS-7

Causar	Creighton	Hutchinson	Metcalfe
Coleman	Forcier	Maher	

NOT VOTING-0

EXCUSED-11

Cruz	Horse	McGeehan	Sturla
DeWeese	Kenney	Rooney	Taylor, E. Z.
Freeman	Leh	Ruffing	

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

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

* * *

The House proceeded to third consideration of **HB 2447, PN 3459**, entitled:

An Act amending the act of June 22, 1931 (P.L.594, No.203), referred to as the Township State Highway Law, adding a road, Logan Township, Blair County, to the State highway system.

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS-192

Adolph	Evans, D.	Lynch	Samuelson
Allen	Evans, J.	Mackereth	Santoni
Argall	Fabrizio	Maher	Sather
Armstrong	Fairchild	Maitland	Saylor

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

NAYS—0

NOT VOTING—0

EXCUSED—11

Cruz	Horsey	McGeehan	Sturla
DeWeese	Kenney	Rooney	Taylor, E. Z.
Freeman	Leh	Ruffing	

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.

ANNOUNCEMENT BY MR. HARHAI

The SPEAKER. Does the gentleman from Westmoreland, Mr. Harhai, seek recognition? The gentleman is recognized.

Mr. HARHAI. Thank you, Mr. Speaker.

The reason I rise is I am sponsoring a resolution for Maj. Gen. Jessica Wright, who hails from my hometown of Monessen, and I have a cosponsorship sheet here, and I want to make sure that everyone who wants to sign the sheet gets an

opportunity. I am going to leave it over with the clerks, and if you would like your name added, please feel free to do so. I just wanted to make you aware of it. She is the first woman Adjutant General in the State of Pennsylvania, and I am very proud of her, as we all are, and I want to give everyone ample opportunity to sign on.

Thank you. Thank you, Mr. Speaker.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2055, PN 3423**, entitled:

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

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

The Chair recognizes the gentleman, Mr. Yewcic.

Mr. YEWIC. Thank you, Mr. Speaker.

Last year a member of the Pennsylvania Guard who was deployed in Afghanistan and another in Iraq returned home from military service during their first enlistment period and were denied recognition as a veteran for veterans' preference benefits in the State of Pennsylvania. HB 2055 addresses that issue to allow the Pennsylvania Department of Military and Veterans Affairs to designate the time periods in which our guardsmen who are serving our country are entitled to these benefits.

I ask your support.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Tigue.

Mr. TIGUE. Thank you, Mr. Speaker.

Mr. Speaker, first of all, I would like to commend the members of the committee and the chairman as well as Representative Yewcic. For those of you who are paying attention, this is an important bill for all of our National Guard and Reserve troops who are in harm's way or have been in harm's way and have returned. This bill will allow them to receive the benefits to which they should be entitled.

Under the current law, our current National Guard's members and reservists who have served on active duty in Iraq and Afghanistan and on ships at sea and in combat areas do not qualify under our current law for veterans' benefits, but they do qualify under the Federal system. What this bill does is to bring them up on an equal footing, if you will, with those who are on active duty who served in the same places. In fact, some reservists have served more time than the active duty forces.

This is an important bill, and one thing I would recommend is we all get together and urge the Senate to pass this as quickly as possible, because a number of our young men and women, and some not so young, have returned, and they are entitled to these benefits.

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—192

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

NAYS—0

NOT VOTING—0

EXCUSED—11

Cruz	Horse	McGeehan	Sturla
DeWeese	Kenny	Rooney	Taylor, E. Z.
Freeman	Leh	Ruffing	

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.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair notes the presence in the hall of the House of John Cordisco, a former member of the House. He is in the rear of the House. He is the guest of Jacques and Pierre and also Representatives Tom Corrigan and Tony Melio. Would the guest please rise.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2081, PN 3424**, entitled:

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

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—192

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

Cornell, S. E.	Herman	Petri	Wansacz
Corrigan	Hershey	Petrone	Washington
Costa	Hess	Phillips	Waters
Coy	Hickemell	Pickett	Watson
Crahalla	Hutchinson	Pistella	Weber
Creighton	James	Preston	Wheatley
Curry	Josephs	Raymond	Williams
Dailey	Keller	Readshaw	Wilt
Daley	Killion	Reed	Wojnarowski
Dally	Kirkland	Reichley	Wright
DeLuca	Kotik	Rieger	Yewcic
Denlinger	LaGrotta	Roberts	Youngblood
Dermody	Laughlin	Roebuck	Yudichak
DiGirolamo	Leach	Rohrer	Zug
Diven	Lederer	Ross	
Donatucci	Lescovitz	Rubley	
Eachus	Levdansky	Sainato	Perzel,
Egolf	Lewis		Speaker

NAYS—0

NOT VOTING—0

EXCUSED—11

Cruz	Horse	McGeehan	Sturla
DeWeese	Kenny	Rooney	Taylor, E. Z.
Freeman	Leh	Ruffing	

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.

RULES COMMITTEE MEETING

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

**BILL ON CONCURRENCE
REPORTED FROM COMMITTEE**

HB 1206, PN 3537 (Amended) By Rep. S. SMITH

An Act amending the act of December 31, 1965 (P.L.1257, No.511), entitled "An act empowering cities of the second class, cities of the second class A, cities of the third class, boroughs, towns, townships of the first class, townships of the second class, school districts of the second class, school districts of the third class and school districts of the fourth class including independent school districts, to levy, assess, collect or to provide for the levying, assessment and collection of certain taxes subject to maximum limitations for general revenue purposes; authorizing the establishment of bureaus and the appointment and compensation of officers, agencies and employes to assess and collect such taxes; providing for joint collection of certain taxes, prescribing certain definitions and other provisions for taxes levied and assessed upon earned income, providing for annual audits and for collection of delinquent taxes, and permitting and requiring penalties to be imposed and enforced, including penalties for disclosure of confidential information, providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court," further providing for definitions; and providing for the applicability of 2002 amendments relating to definitions regarding earned income tax.

RULES.

LEAVE OF ABSENCE CANCELED

The SPEAKER. The Chair returns to leaves of absence and notes the presence on the floor of the House of the gentleman from Philadelphia, Mr. McGeehan. His name will be added to the master roll.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2285, PN 3425**, entitled:

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.

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

Mr. **SOLOBAY** offered the following amendment No. **A0643**:

Amend Title, page 1, line 7, by removing the period after "eligibility" and inserting
and for definitions.

Amend Sec. 2, page 2, line 20, by inserting after "1(A)"
, (d), (e) and (f)

Amend Sec. 2, page 2, line 21, by striking out "IS" where it appears the first time and inserting
are

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

(d) Upon receipt of such certification, the Commonwealth shall, from moneys payable out of the General Fund, pay to the political subdivision the sum of [\$50,000] \$100,000, adjusted in accordance with subsection (f) of this section. Within five days of receipt of said sum from the Commonwealth, the political subdivision shall pay such sum as a benefit to the surviving spouse, or if there is no surviving spouse, to the minor children of the firefighter, ambulance service or rescue squad member or law enforcement officer killed in the performance of duty. When no spouse or minor children survive, the benefit shall be paid to the parent or parents of such firefighter, ambulance service or rescue squad member or law enforcement officer.

(e) The Commonwealth of Pennsylvania shall pay out of the General Fund to the surviving spouse or, if there is no surviving spouse, the minor children of a National Guard member, State police officer or other law enforcement officer of the Commonwealth killed in the performance of his duties the sum of [\$50,000] \$100,000, adjusted in accordance with subsection (f) of this section. When no spouse or minor children survive, the benefit shall be paid to the parent or parents of such National Guard member, State police officer or other law enforcement officer of the Commonwealth. The benefit shall be payable whether or not the National Guard member or officer was killed within the Commonwealth of Pennsylvania.

(f) On July 1 of each fiscal year beginning after January 1, [1995] 2004, the Commonwealth shall adjust the level of the benefit payable immediately before July 1 under subsections (d) and (e) of this section to reflect the annual percentage change in the Consumer Price Index for All Urban Consumers, published by the United States Department of Commerce, Bureau of Labor Statistics, occurring in the one-year period ending on January 1 immediately preceding July 1.

Section 3. Section 2 of the act, amended October 16, 1981 (P.L.295, No.102), is amended to read:

Section 2. "Firefighter, ambulance service or rescue squad member or law enforcement officer" means a firefighter[,]; a member

of a volunteer fire company[.]; a member of an ambulance service or rescue squad[.]; a peace officer as defined in 18 Pa.C.S. § 501 (relating to definitions)[.]; a public servant concerned in official detention as defined in 18 Pa.C.S. § 5121 (relating to escape)[.]; an officer or employee of a State correctional institution[.]; guards or employees of county jails and prisons; or any other law enforcement officer of the Commonwealth of Pennsylvania or of any political subdivision thereof.

Section 4. This act shall take effect as follows:

(1) The amendment of sections 1(d), (e) and (f) and 2 of the act shall take effect in 60 days.

(2) The remainder of this act shall take effect immediately.

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

LEAVE OF ABSENCE CANCELED

The SPEAKER. Please add the gentleman, Mr. Kenney’s name to the master roll.

CONSIDERATION OF HB 2285 CONTINUED

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

The following roll call was recorded:

YEAS-194

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

Dally	Killion	Readshaw	Wojnaroski
DeLuca	Kirkland	Reed	Wright
Denlinger	Kotik	Reichley	Yewcic
Dermody	LaGrotta	Rieger	Youngblood
DiGirolamo	Laughlin	Roberts	Yudichak
Diven	Leach	Roebuck	Zug
Donatucci	Lederer	Rohrer	
Eachus	Lescovitz	Ross	Perzel,
Egolf	Levdansky	Rubley	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-9

Cruz	Horsey	Rooney	Sturla
DeWeese	Leh	Ruffing	Taylor, E. Z.
Freeman			

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

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

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

The Chair recognizes the gentleman from Venango, Mr. Hutchinson.

Mr. HUTCHINSON. Thank you, Mr. Speaker.

I am going to have brief remarks, and then I will submit some more remarks for the record.

The SPEAKER. The gentleman is in order.

Mr. HUTCHINSON. Mr. Speaker, I rise in support of HB 2285. Quite simply, this bill would provide State death benefits to families of emergency responders as well as National Guard members who suffer a heart attack or a stroke within 24 hours of a physical training exercise or an emergency response. This bill will bring our State death benefit into line with recent changes in the Federal death benefit for these very deserving individuals, and I ask for your support, and then I will also submit further remarks for the record.

The SPEAKER. The Chair thanks the gentleman.

REMARKS SUBMITTED FOR THE RECORD

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

Fighting an intense fire is a very strenuous and stressful job. Simply moving around while wearing heavy fire-retardant clothing and lugging heavy and awkward gear into a burning building takes a great deal of strength and stamina.

Now add to the equation a respirator, the rush of adrenaline, a few extra pounds and a few extra years – along with a respectful fear of danger – and you have got all the makings of a heart attack or stroke in the let-down hours following the emergency response.

The same type of circumstances can induce fatal heart attacks or strokes following a response to a serious auto accident, a face-off during a dangerous police incident, and after completing an intense military training exercise.

But more often than not in incidents of death by heart attack or stroke, under the current Firefighter, Ambulance Service, Rescue Squad, Law Enforcement or National Guard Line of Duty Death Benefits Act, it has been ruled such deaths were not a direct result of an injury sustained in the line of duty.

As a result, families receive no benefits even though the deaths were clearly triggered by the rigors of the job.

This situation is not right and must be corrected. We recognize that our emergency responders are our first line of defense here at home. They not only respond to fires, accidents, medical emergencies, and police incidents; since September 11, they have stepped into a new role – that of our protector against terrorist threats.

The families of these outstanding men and women also must not be neglected. They know that every time a call comes in, danger awaits. They know that each time their loved ones respond to an emergency, they may not return.

My legislation, HB 2285, clarifies and corrects this omission in Pennsylvania’s death benefits law. It brings State law into conformity with recently enacted Federal law that considers heart attacks and strokes within a 24-hour period to be a compensable line-of-duty death for the Federal death benefit program.

This situation has been particularly serious for the families of volunteer firefighters who have suffered heart attacks upon returning from fighting an intense fire.

According to National Volunteer Fire Commission statistics, nearly half of all firefighter fatalities, though clearly caused by the rigors of the job, are not covered because they were heart related.

We are also facing a similar situation with members of the National Guard as they are put through more frequent, tougher training exercises in preparation for being activated to Iraq, Afghanistan, Kosovo, and other terrorist danger spots around the world.

Because Pennsylvania’s current law is ambiguous, specific cases are falling through the cracks. With this legislation, we can end a longstanding problem that has put the burden on families to fight for benefits they rightly deserve – a situation that grieving loved ones should never have to endure.

Specifically, HB 2285 establishes that a heart attack or stroke-related death of an emergency responder – police officers, firefighters, and emergency medical personnel – or a member of the National Guard in the line of duty or within 24 hours thereafter is compensable under the emergency responders’ death benefit act.

Again, we stand with our heroes and their families by providing help for the families of our protectors.

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-194

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

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

NAYS-0

NOT VOTING-0

EXCUSED-9

Cruz	Horse	Rooney	Sturla
DeWeese	Leh	Ruffing	Taylor, E. Z.
Freeman			

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

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

* * *

The House proceeded to third consideration of **HB 2348, PN 3426**, entitled:

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

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

Mr. S. SMITH offered the following amendment No. A0706:

Amend Sec. 1 (Sec. 7317), page 1, line 10, by inserting after "shall"

, because of the deferral of insurance coverage provided under this section.

Amend Sec. 1 (Sec. 7317), page 2, line 2, by striking out "referred to in this section." and inserting

upon reinstatement of the member's coverage.

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

The following roll call was recorded:

YEAS-194

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

NAYS-0

NOT VOTING-0

EXCUSED-9

Cruz	Horsey	Rooney	Sturla
DeWeese	Leh	Ruffing	Taylor, E. Z.
Freeman			

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

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS-194

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

Donatucci	Lederer	Rohrer	
Eachus	Lescovitz	Ross	Perzel,
Egolf	Levdansky	Rubley	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-9

Cruz	Horse	Rooney	Sturla
DeWeese	Leh	Ruffing	Taylor, E. Z.
Freeman			

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

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

RESOLUTIONS PURSUANT TO RULE 35

Mr. SAYLOR called up **HR 598, PN 3436**, entitled:

A Resolution directing the Joint State Government Commission to examine the availability and accessibility of influenza vaccine in Pennsylvania to determine the Commonwealth's readiness to address an influenza epidemic and to determine outreach needs to educate and encourage the citizens of this Commonwealth to take advantage of vaccines made available.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-194

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

Cornell, S. E.	Herman	Payne	Walko
Corrigan	Hershey	Petrarca	Wansacz
Costa	Hess	Petri	Washington
Coy	Hickernell	Petrone	Waters
Crahalla	Hutchinson	Phillips	Watson
Creighton	James	Pickett	Weber
Curry	Josephs	Pistella	Wheatley
Dailey	Keller	Preston	Williams
Daley	Kenney	Raymond	Wilt
Dally	Killion	Readshaw	Wojnarowski
DeLuca	Kirkland	Reed	Wright
Denlinger	Kotik	Reichley	Yewcic
Dermody	LaGrotta	Rieger	Youngblood
DiGirolamo	Laughlin	Roberts	Yudichak
Diven	Leach	Roebuck	Zug
Donatucci	Lederer	Rohrer	
Eachus	Lescovitz	Ross	Perzel,
Egolf	Levdansky	Rubley	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-9

Cruz	Horse	Rooney	Sturla
DeWeese	Leh	Ruffing	Taylor, E. Z.
Freeman			

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

* * *

Mr. BOYD called up **HR 612, PN 3479**, entitled:

A Resolution honoring the 100th anniversary of the Knights of Columbus Council No. 867 in Lancaster and observing Saturday, April 10, 2004, as "Knights of Columbus Council No. 867 Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-194

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

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

NAYS-0

NOT VOTING-0

EXCUSED-9

Cruz	Horse	Rooney	Sturla
DeWeese	Leh	Ruffing	Taylor, E. Z.
Freeman			

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

* * *

Mr. ARMSTRONG called up **HR 614, PN 3481**, entitled:

A Resolution designating the week of May 16 through 22, 2004, as "Emergency Medical Services Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-194

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

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

NAYS-0

NOT VOTING-0

EXCUSED-9

Cruz	Horse	Rooney	Sturla
DeWeese	Leh	Ruffing	Taylor, E. Z.
Freeman			

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

* * *

Mr. MCGEEHAN called up **HR 616, PN 3483**, entitled:

A Resolution urging the Philadelphia City Council and the Pennsylvania Public Utility Commission to conduct investigations and hearings regarding a proposed gas rate increase by the Philadelphia Gas Works.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-194

Adolph	Evans, D.	Lewis	Sainato
Allen	Evans, J.	Lynch	Samuelson
Argall	Fabrizio	Mackereth	Santoni

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

NAYS—0

NOT VOTING—0

EXCUSED—9

Cruz	Horsley	Rooney	Sturla
DeWeese	Leh	Ruffing	Taylor, E. Z.
Freeman			

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

* * *

Mr. WHEATLEY called up **HR 619, PN 3486**, entitled:

A Resolution designating March 14, 2004, as “Henry Highland Garnet Day” in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—194

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

NAYS—0

NOT VOTING—0

EXCUSED—9

Cruz	Horsley	Rooney	Sturla
DeWeese	Leh	Ruffing	Taylor, E. Z.
Freeman			

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

SUPPLEMENTAL CALENDAR A

RESOLUTIONS PURSUANT TO RULE 35

Mr. WHEATLEY called up **HR 628, PN 3509**, entitled:

A Resolution expressing condolences on the passing of Pittsburgh Battalion Chief Charles G. Brace and Master Firefighter Richard A. Stefanakis who lost their lives in fighting a fire at the Ebenezer Baptist Church in Pittsburgh's Hill District, commending the heroism and valor of the men and women who fought the Ebenezer Baptist Church fire and recognizing the members of the Ebenezer Baptist Church.

On the question,
Will the House adopt the resolution?

The SPEAKER. Please keep your noise levels down. The gentleman, Mr. Wheatley, is recognized and he would like to be heard. Please keep the noise levels down.

Mr. Wheatley.

Mr. WHEATLEY. Thank you, Mr. Speaker.

Mr. Speaker, I rise this afternoon to recognize a very tragic event that happened several weeks ago in my district.

On Saturday, March 13, as many of my colleagues may be aware, there was a four-alarm fire that destroyed a very historic church in my district, Ebenezer Baptist Church. It was one of the oldest Black Baptist churches in the city of Pittsburgh. This fire not only destroyed that building but it also took the lives of two very dedicated, very heroic, and very honorable men. Battalion chief Charles Brace and master firefighter Richard Stefanakis lost their lives in that fire, fighting that fire, and today I wanted to recognize their heroic actions and ask that my colleagues join with me in a moment of silence – if that is the will of the Speaker – a moment of silence to recognize their actions.

The SPEAKER. I would like to ask the members to stand for a moment of silence.

(Whereupon, the members of the House stood in a moment of silence.)

The SPEAKER. The Chair recognizes again the gentleman, Mr. Wheatley.

Mr. WHEATLEY. Thank you, Mr. Speaker.

And, Mr. Speaker, I just want this resolution to stand as my small token, my small token to the families of both of these gentlemen; and also to those 29 other men and women who fought this fire who were wounded, I wanted to show them a little small recognition and token of my appreciation; and also to the congregation of Ebenezer Baptist Church, who are at the moment looking forward to rebuilding their church again on that corner, on that same corner, where they will offer a room, a memorial room, for these fallen heroes. And any of my colleagues and any individuals who are watching this out on television who would want to contribute to that effort, I would ask that they would contact my office at 412-471-7760, and we will make sure they have all the information that they need to make their donation.

And again, I want to thank my colleagues in this show of recognition for this heroism. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—194

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

NAYS—0

NOT VOTING—0

EXCUSED—9

Cruz	Horse	Rooney	Sturla
DeWeese	Leh	Ruffing	Taylor, E. Z.
Freeman			

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

* * *

Mr. WHEATLEY called up **HR 629, PN 3510**, entitled:

A Resolution recognizing the month of April 2004 as “National Minority Health Month” in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—194

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

NAYS—0

NOT VOTING—0

EXCUSED—9

Cruz	Horse	Rooney	Sturla
DeWeese	Leh	Ruffing	Taylor, E. Z.
Freeman			

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

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

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 Montgomery, Miss Cornell.

Miss CORNELL. Mr. Speaker, I move that this House do now adjourn until Wednesday, March 24, 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 2:48 p.m., e.s.t., the House adjourned.