

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, MARCH 24, 2004

SESSION OF 2004

188TH OF THE GENERAL ASSEMBLY

No. 16

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:

Eternal God, source of all being and author of all life, grant us courage fearlessly to contend against evil and to make no peace with oppression; and that we may reverently use our freedom, help us to employ it in the maintenance of justice in our communities and within this Commonwealth.

Today we ask Your blessing upon the schools, colleges, and universities of the Commonwealth. May they be lively centers for sound learning, new discovery, and the pursuit of wisdom, and grant that those who teach and those who learn may find You to be the source of all truth.

Bless this Assembly, O God, and send down upon those who hold office in this Commonwealth the spirit of wisdom, charity, and justice; that with steadfast purpose, they may faithfully serve in their offices to promote the well-being of all citizens. Strengthen those who spend their lives establishing equal protection of the law and equal opportunities for all. And grant that every one of us may enjoy a fair portion of the richness of this great land. All this we ask in Your most holy name. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Tuesday, March 23, 2004, will be postponed until printed.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2478 By Representatives RAYMOND, ARMSTRONG, BARRAR, BUNT, CRAHALLA, DeLUCA, HARRIS, KOTIK, LEH, MUSTIO, PAYNE, ROEBUCK, SCAVELLO, THOMAS, TIGUE and YOUNGBLOOD

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

Referred to Committee on LIQUOR CONTROL, March 24, 2004.

No. 2479 By Representative CAWLEY

An Act selecting, designating and adopting the oatmeal chocolate chip cookie as the official cookie of the Commonwealth of Pennsylvania.

Referred to Committee on STATE GOVERNMENT, March 24, 2004.

REPORT SUBMITTED

The SPEAKER. The Speaker acknowledges receipt of a report from the Public Employee Retirement Commission pursuant to HR 452.

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

BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.

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

HB 2218;
HB 2273;
HB 2319;
HB 2326;
HB 2329;
HB 2378;
HB 2396;
HB 2405;
HB 2406;
SB 751; and
SB 752.

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 2218, PN 3015; HB 2273, PN 3496; HB 2319, PN 3535; HB 2326, PN 3247; HB 2329, PN 3250; HB 2378, PN 3356; HB 2396, PN 3373; HB 2405, PN 3381; HB 2406, PN 3382; SB 751, PN 1432; and SB 752, PN 1433.

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 2218;
HB 2273;
HB 2319;
HB 2326;
HB 2329;
HB 2378;
HB 2396;
HB 2405;
HB 2406;
SB 751; and
SB 752.

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

CALENDAR

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 792, PN 924**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for a prototypical school facility design clearinghouse.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader.

Mr. S. SMITH. Mr. Speaker, I move that HB 792 be placed upon 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 HB 792 be taken off the table.

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

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, E. Z. TAYLOR; the gentleman from Philadelphia, Mr. John TAYLOR; and the gentlelady from Chester, Mrs. Carole RUBLEY. Without objection, those leaves will be granted.

The Chair recognizes the minority whip, who moves for leaves of absence for the gentleman from Northampton, Mr. ROONEY; the gentleman from Philadelphia, Mr. EVANS; the gentleman from Philadelphia, Mr. HORSEY; and the gentleman from Washington, Mr. DALEY. Without objection, those leaves will be granted.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—193

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

Donatucci	Leh	Rohrer	
Eachus	Lescovitz	Ross	Perzel,
Egolf	Levdansky	Sainato	Speaker

ADDITIONS—0

NOT VOTING—0

EXCUSED—10

Cruz	Freeman	Rubley	Taylor, E. Z.
Daley	Horsey	Ruffing	Taylor, J.
Evans, D.	Rooney		

LEAVES ADDED—3

Coleman	Josephs	LaGrotta
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LEAVES CANCELED—2

Daley	Rubley
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BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 121, PN 3548 (Amended) By Rep. ADOLPH

An Act authorizing investment tax credits for qualified alternative energy enterprises; establishing the Pennsylvania Clean Energy Fund; and making a transfer of funds.

ENVIRONMENTAL RESOURCES AND ENERGY.

HB 911, PN 3549 (Amended) By Rep. ADOLPH

An Act authorizing the incurring of indebtedness of \$50,000,000 for the clearance of streams, improvement of watercourse flow patterns, and abatement of flooding potential in this Commonwealth; defining the powers and duties of certain offices, agencies and political subdivisions; providing for the allotment of proceeds under this act, including Commonwealth grants; prescribing standards; establishing the Watercourse Flow Improvement Fund; creating the Watercourse Flow Improvement Sinking Fund; and making an appropriation.

ENVIRONMENTAL RESOURCES AND ENERGY.

HB 227, PN 3550 (Amended) By Rep. ADOLPH

An Act amending the act of December 3, 1998 (P.L.946, No.125), known as the Forest Lands Beautification Act, further providing for funding for the Forest Lands Beautification Restricted Account.

ENVIRONMENTAL RESOURCES AND ENERGY.

SB 255, PN 1471 (Amended) By Rep. ADOLPH

An Act relating to alternative fuels; establishing the Alternative Fuels Incentive Fund; authorizing grants and rebates to promote the use of alternative fuels; imposing duties on the Department of Environmental Protection; providing for an annual report; allocating funds collected from the utilities gross receipts tax; making an appropriation; and abrogating regulations.

ENVIRONMENTAL RESOURCES AND ENERGY.

BILL REPORTED AND REREFERRED TO COMMITTEE ON CONSUMER AFFAIRS

HB 2277, PN 3138

By Rep. ADOLPH

An Act establishing the Petroleum Energy Office; providing for its powers and duties and for duties of the Office of Attorney General; prohibiting certain conduct; establishing a right of action; and prescribing penalties.

ENVIRONMENTAL RESOURCES AND ENERGY.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 417, PN 3005**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing for exclusions from sales and use tax.

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

Mr. **NAILOR** offered the following amendment No. **A0674**:

Amend Sec. 1, page 1, line 16, by striking out “a clause” and inserting

clauses

Amend Sec. 1 (Sec. 204), page 2, line 2, by striking out “(64)” and inserting

(65)

Amend Sec. 1 (Sec. 204), page 2, by inserting between lines 9 and 10

(66) Fees charged by nonprofit humane organizations to transfer custody and possession of animals that are used as household pets.

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

The SPEAKER. On that question, the Chair recognizes the gentleman from Cumberland, Mr. Nailor.

Mr. NAILOR. Thank you, Mr. Speaker.

Mr. Speaker, this is an amendment that we passed before on some other bills as well. Many SPCAs (Societies for the Prevention of Cruelty to Animals) and humane organizations in Pennsylvania are required to pay tax, depending on whom they talk to at the Department of Revenue, on animals that are either sold or adopted from that agency. Others are told they do not have to pay the tax, and there is no uniformity. This amendment would make it tax free for the sales and use tax for animals, household pets, that are adopted out of humane organizations in the State of Pennsylvania, and I ask for a positive vote.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

(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 gentlelady from Chester, Mrs. Rubley. Her name will be added to the master roll.

CONSIDERATION OF HB 417 CONTINUED

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

The following roll call was recorded:

YEAS-194

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

NAYS-0**NOT VOTING-0****EXCUSED-9**

Cruz	Freeman	Rooney	Taylor, E. Z.
Daley	Horsey	Ruffing	Taylor, J.
Evans, D.			

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

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

NAYS—0

NOT VOTING—0

EXCUSED—9

Cruz	Freeman	Rooney	Taylor, E. Z.
Daley	Horsey	Ruffing	Taylor, J.
Evans, D.			

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 316, PN 3285**, 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 connection to water 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—193

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

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

NAYS—0

NOT VOTING—1

Josephs

EXCUSED—9

Cruz	Freeman	Rooney	Taylor, E. Z.
Daley	Horsey	Ruffing	Taylor, J.
Evans, D.			

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

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

The SPEAKER. The House will be temporarily at ease.

ARTICLE SUBMITTED FOR THE RECORD

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

Mr. GODSHALL. Thank you, Mr. Speaker.

I would like to submit for the record comments on HB 1315. Thank you.

The SPEAKER. The Chair thanks the gentleman.

(For article, see Appendix.)

VOTE CORRECTIONS

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

Mr. KENNEY. Mr. Speaker, to correct the record.

The SPEAKER. The gentleman is in order.

Mr. KENNEY. Thank you, Mr. Speaker.

Mr. Speaker, on Tuesday, March 23, I attended the Governor's manufacturing summit in Lancaster, and upon my return, I was not added to the master roll and was not recorded

on four votes, and I would like to be recorded in the affirmative on final passage of the following four bills: HB 2055, HB 2081, HB 2190, and HB 2447. Recorded in the affirmative, Mr. Speaker.

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

Mr. KENNEY. Thank you.

The SPEAKER. The Chair thanks the gentleman.

GUESTS INTRODUCED

The SPEAKER. There are a group of special guests in the balcony. They are St. Cecilia's fourth grade class. They are guests of the Speaker – they are in the balcony; would those guests please rise and be recognized – along with Representative George Kenney.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 606, PN 3088**, entitled:

An Act enabling certain counties and municipalities to develop comprehensive watershed storm water plans and to regulate storm water within designated watershed boundaries; imposing duties and conferring powers on the Department of Environmental Protection, on the Environmental Quality Board, on counties and on municipalities; and providing for financing.

On the question,

Will the House agree to the bill on third consideration?

Mr. **STEIL** offered the following amendment No. **A0125**:

Amend Sec. 4, page 4, line 9, by inserting after "railroads;"
or

Amend Sec. 4, page 4, lines 10 and 11, by striking out all of said lines and inserting
hospitals or other services.

Amend Sec. 4, page 5, by inserting between lines 1 and 2

"New land development." Any property under development for the purpose of creating residential building lots that has been granted a National Pollutant Discharge Elimination System permit.

Amend Sec. 6, page 10, lines 29 and 30; page 11, lines 1 through 12, by striking out all of said lines on said pages

Amend Sec. 6, page 11, line 13, by striking out "(e)" and inserting

(d)

Amend Sec. 6, page 11, line 22, by striking out "(f)" and inserting

(e)

Amend Sec. 6, page 11, line 28, by striking out "(g)" and inserting

(f)

Amend Sec. 6, page 12, line 11, by striking out "(h)" and inserting

(g)

Amend Sec. 6, page 12, line 16, by striking out "(i)" and inserting

(h)

Amend Sec. 7, page 14, by inserting between lines 4 and 5

(D) New land development that has been granted an NPDES permit for managing storm water through privately constructed and operated storm water facilities shall not be charged the fee or required to comply with

provisions of the comprehensive watershed storm water plan until such time as the building lots are conveyed to the ultimate owner.

On the question,

Will the House agree to the amendment?

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

Mr. STEIL. Thank you, Mr. Speaker.

Amendment A0125 to HB 606 clarifies the definition for "new land development" and also clarifies the applicability of the fee structure for those who hold NPDES (National Pollutant Discharge Elimination System) permits.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. COY. Would the gentleman, Mr. Steil, stand for interrogation?

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

Mr. COY. Thank you, Mr. Speaker.

Mr. Speaker, I am wondering with regard to your amendment which counties therefore this language would include.

Mr. STEIL. Thank you, Mr. Speaker.

The following amendment which we will do next, A0641, limits the bill entirely to class 2 and 2A counties, but that will be the next amendment.

Mr. COY. So this amendment does not restrict it to any particular counties?

Mr. STEIL. No.

Mr. COY. This amendment – another brief explanation, Mr. Speaker, because I was not—

Mr. STEIL. This amendment simply clarifies the definition of the applicability of the bill to new land development and further defines that those who hold NPDES permits are not subject to the fee structure that is contained in the primary bill.

Mr. COY. So, Mr. Speaker, if I understand this amendment then, if a business has an NPDES permit, they could opt out?

Mr. STEIL. That is correct, Mr. Speaker.

Mr. COY. So the only folks that would end up paying for this would be individuals, people that are not in business and therefore do not have an NPDES permit and could not opt out.

Mr. STEIL. Well, very few businesses actually have NPDES permits. Remember that the primary purpose of this bill is to be able for counties to go back and address storm water issues that are from old land development. Now, always in addressing that, the cost of addressing storm water issues is directly related to the commercial properties that are involved. Our encouragement always is for those commercial properties to manage storm water on their lands, and if they do that, then there is a provision in the bill that exempts them from certain fees.

However, many will not be able to do that or do not hold NPDES permits, so in fact, they will be subject to this. That is relatively rare. It is only large businesses that may hold NPDES permits.

Mr. COY. Mr. Speaker, could I have one moment, please?

The SPEAKER. The House will be at ease.

GUESTS INTRODUCED

The SPEAKER. While we are at ease, we have two special guests. They are the guests of the entire Philadelphia delegation. They are Peter Longstreth and Paul Deegan. They are both from PIDC (Philadelphia Industrial Development Corporation). Would those two guests please stand. They are already standing to be recognized.

We also have a special guest from Representative Kathy Manderino, to the left of the Speaker, Nayana Venkatramu. She is an LLM (master of laws) student at Penn Law School who is serving an internship with Representative Manderino's office. Would that guest please rise and be recognized.

CONSIDERATION OF HB 606 CONTINUED

Mr. COY. Mr. Speaker?

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

Mr. COY. Thank you, Mr. Speaker.

I have concluded my interrogation on the matter and support the amendment.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS-194

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

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

NAYS-0

NOT VOTING-0

EXCUSED-9

Cruz	Freeman	Rooney	Taylor, E. Z.
Daley	Horse	Ruffing	Taylor, J.
Evans, D.			

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

On the question,

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

Mr. STEIL offered the following amendment No. **A0641**:

Amend Title, page 1, line 1, by inserting after "Enabling" certain

Amend Table of Contents, page 2, lines 1 through 12, by striking out all of said lines and inserting

Section 8. Imposing fees on tax-exempt property.

Section 9. Duties of municipalities in regulating development of land.

Section 10. Entry upon land for surveys and examinations.

Section 11. Powers and duties of department and Environmental Quality Board.

Section 12. Permits.

Section 13. Preservation of existing rights and remedies.

Section 14. Grants.

Amend Sec. 3, page 3, line 16, by striking out "quality,"

Amend Sec. 3, page 3, line 18, by inserting after "drainage"

and the quality thereof consistent with State water quality standards

Amend Sec. 4, page 4, lines 18 through 20, by striking out all of said lines and inserting

"County." A county of the second class, second class A or county of the second class A that has adopted a home rule charter.

Amend Sec. 7, page 12, line 26, by striking out "and assessments"

Amend Sec. 7, page 12, line 28, by striking out "at reasonable and uniform rates"

Amend Sec. 7, page 13, line 5, by striking out "assessed"

Amend Sec. 7, page 13, lines 7 through 10, by striking out all of said lines and inserting

(A) The fee for residential property may be a flat fee.

(B) The fee for commercial and other nonresidential property may be imposed through a charge based upon impervious

Amend Sec. 7, page 13, line 12, by inserting after "commercial" or other nonresidential

Amend Sec. 7, page 13, line 20, by inserting after “commercial” or other nonresidential

Amend Sec. 7, page 13, line 29, by inserting after “commercial” or other nonresidential

Amend Sec. 7, page 14, lines 5 through 11, by striking out all of said lines and inserting

(ii) Shall be collected by the person, office or bureau that collects taxes imposed on real property by the county. The fee shall be listed as an additional and separate item on the bill for the collection of county real estate taxes. At the time that the county delivers the duplicate of the tax roll, the county shall provide to the person, office or bureau that collects county real estate taxes a list identifying the properties against which a fee is imposed and the amount of the fee.

Amend Sec. 7, page 14, lines 24 through 30; page 15, lines 1 through 15, by striking out all of said lines on said pages

Amend Sec. 7, page 15, line 16, by striking out “(6)” and inserting

(5)

Amend Sec. 7, page 15, line 20, by striking out “(7)” and inserting

(6)

Amend Sec. 7, page 15, line 25, by striking out “(8)” and inserting

(7)

Amend Sec. 7, page 16, line 21, by striking out “(9)” and inserting

(8)

Amend Sec. 7, page 16, line 24, by striking out “(10)” and inserting

(9)

Amend Sec. 7, page 16, line 27, by striking out “(11)” and inserting

(10)

Amend Sec. 7, page 16, line 29, by striking out “(12)” and inserting

(11)

Amend Sec. 7, page 17, line 10, by striking out “(13)” and inserting

(12)

Amend Sec. 7, page 17, line 12, by striking out “(14)” and inserting

(13)

Amend Sec. 7, page 17, line 13, by striking out “(15)” and inserting

(14)

Amend Sec. 7, page 17, line 14, by striking out “(16)” and inserting

(15)

Amend Sec. 7, page 17, line 16, by striking out “(17)” and inserting

(16)

Amend Bill, page 18, by inserting between lines 3 and 4 Section 8. Imposing fees on tax-exempt property.

(a) General rule.—Except as provided in subsection (b), real property that is exempt from the payment of real estate tax shall be subject to the fees and charges imposed in accordance with this act.

(b) Exempt property.—The following property shall be exempt from the fees imposed by this act:

(1) Property owned by the Commonwealth and its agencies.

(2) Property owned by a political subdivision.

(3) Property owned by a local authority.

Amend Sec. 8, page 18, line 4, by striking out “8” and inserting

9

Amend Sec. 9, page 18, line 13, by striking out “9” and inserting

10

Amend Sec. 10, page 18, line 18, by striking out “10” and inserting

11

Amend Sec. 11, page 19, line 2, by striking out “11” and inserting

12

Amend Sec. 12, page 19, line 9, by striking out “12” and inserting

13

Amend Sec. 13, page 19, line 15, by striking out “13” and inserting

14

Amend Sec. 14, page 20, lines 4 and 5, by striking out all of said lines

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Chair recognizes the gentleman, Mr. Steil, for an explanation.

Mr. STEIL. Thank you, Mr. Speaker.

This amendment is the amendment which limits application of the bill to class 2 and 2A counties only and any of those counties which might be home-rule counties.

Thank you, Mr. Speaker.

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

Mr. COY. Thank you.

Mr. Speaker, will the gentleman from Bucks County stand for interrogation?

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

Mr. COY. Thank you, Mr. Speaker.

Just for the record then, can you enunciate the counties that would be affected?

Mr. STEIL. Class 2 and 2A counties, and 2A counties – class 2, of course, is Allegheny County – 2A counties are Delaware, Montgomery, and Bucks.

Mr. COY. Thank you, Mr. Speaker.

I was not trying to put you on the spot. I was simply trying to make it clear for the record.

Secondly, Mr. Speaker, is the language that is proposed in the amendment, once more to clarify, an opt-in provision?

Mr. STEIL. I am sorry; I cannot hear you.

Mr. COY. I can barely hear, too.

The SPEAKER. The gentlemen are correct. Please keep the noise levels down. They are entitled to be heard.

Mr. COY. Thank you, Mr. Speaker.

So the language that you are putting in by the amendment affecting only those counties which you just enunciated is also language that is opt-in and not mandatory on the part of these counties.

Mr. STEIL. That is correct, Mr. Speaker. This bill is an optional bill. It provides an additional option for managing storm water to those counties only. There is no requirement that they adopt the provision of this legislation.

Mr. COY. And the adoption of the provisions would be by the local government involved.

Mr. STEIL. It would be by the county board of commissioners, yes.

Mr. COY. Thank you, Mr. Speaker.

Mr. Speaker, I concluded the interrogation. I support the amendment and urge members to vote for it.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. VITALI. I apologize. Would the maker of the amendment stand for brief interrogation.

The SPEAKER. The gentleman is standing, and he is ready to take the interrogation. The gentleman is in order and may proceed.

Mr. VITALI. And I have to confess, my attention perked up a bit when you said Delaware County, which is my county, and taxes. I am very concerned whenever taxes can be imposed upon my residents.

Could you just explain to me how this – again, I am asking you to repeat, and I know that, and I apologize – but could you just address the concern of potential taxes being imposed upon Delaware County residents?

Mr. STEIL. There are no tax implications upon Delaware County residents or any other residents covered by this act unless the county commissioners, as a matter of ordinance, adopt the provisions of this proposed act, and they may do that through a countywide referendum. Then there would be a fee which the county commissioners could adopt for residents.

Mr. VITALI. Oh, so in other words, unless the county approves a referendum, no additional taxes can be—

Mr. STEIL. That is correct. I would add, however, that there is no requirement that the county adopt a referendum. They could do it by ordinance under their power, but they have to take the action to adopt the provisions of this act and impose any fees along with that, but they could do that by referendum.

Mr. VITALI. Okay. Are we giving, for example, the Delaware County Board of Commissioners the option without referendum to impose new taxes, and if so, what are those new taxes?

Mr. STEIL. Well, each county would have to estimate it for itself. For most counties, we estimate that the fee for use of the public storm water drainage system, to manage all of the requirements under this, would be in the area of \$40 to \$50 a year.

Mr. VITALI. Okay. \$40 to \$50 per year per household?

Mr. STEIL. Per property, yes; per residential property, and then there is an additional fee based upon impervious surface coverage for commercial and industrial properties.

Mr. VITALI. Okay. Thank you. That concludes my questioning.

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

Mr. MICOZZIE. Thank you, Mr. Speaker.

Will the sponsor stand for interrogation?

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

Mr. MICOZZIE. Mr. Speaker, it is my understanding that the bill had included all of the counties; the bill that you had sponsored before, are still sponsoring, included all the counties of Pennsylvania. Can you tell me the rationale of only picking out counties 2 and 2A?

Mr. STEIL. Thank you, Mr. Speaker.

Certainly. The original legislation did contain an option for every county of every class in the State to utilize the provisions of this proposed legislation. Because the legislation really is applicable in those counties which are heavily developed and because it specifically is aimed at allowing the county the flexibility to find a way to fix storm water issues in heavily developed areas, we wanted to address the concerns of the rural counties of the State who were unsure about the impact of this legislation upon their counties, so since they did not have the heavily developed areas that the identified counties have, we decided to remove them from the legislation until such time as their legislators feel that it is prudent for them to be added to the provisions of this act.

Mr. MICOZZIE. So, Mr. Speaker, are you saying that the legislators from Delaware County and Montgomery County and Allegheny County have come to you and have requested, are saying to you that we as the legislators of those counties implore you to put this amendment in?

Mr. STEIL. The amendment A641, which restricts it to 2 and 2A counties, we did hold public hearings in several of these counties. Some of your county commissioners testified. We have received public comment, and we have received support from these 2 and 2A counties. We knew that is where the essential support for the legislation came, so that is why amendment 641 is being offered, to ensure that those counties who most benefit by the provisions are included.

Mr. MICOZZIE. Thank you, Mr. Speaker.

I have finished my interrogation. I have a comment.

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

Mr. MICOZZIE. Mr. Speaker, if we are going to have a comprehensive planning in the State of Pennsylvania as far as water management, I think every county should have the opportunity to place it on their ballot in a referendum and allow the residents of those different counties to make a decision of whether they want to have a storm water management program and pay for it.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Mr. MICOZZIE. I ask my colleagues, until that happens, I ask them not to support this piece of legislation.

The SPEAKER. The Chair thanks the gentleman.

MOTION TO RECOMMIT

The SPEAKER. Does the gentleman, Mr. Metcalfe, seek recognition? The Chair recognizes the gentleman, Mr. Metcalfe.

Mr. METCALFE. Thank you, Mr. Speaker.

Mr. Speaker, I would like to make a motion to recommit this bill, with amendments, to the Local Government Committee.

The SPEAKER. The gentleman is in order.

It has been moved by the gentleman from Butler, Mr. Metcalfe, that HB 606, along with all amendments, be recommitted to the Committee on Local Government.

On the question,

Will the House agree to the motion?

The SPEAKER. On that question, the Chair recognizes the gentleman from Bucks, Mr. Steil.

Mr. STEIL. What I would recommend to the gentleman is that, first of all, we adopt this amendment, A641, and then we are going to hold the bill over until Monday so that any members who have concerns can have those concerns addressed before Monday, and then we will vote on final passage on Monday.

So I would ask the gentleman to withdraw his motion at this time, let us adopt the amendments, review the legislation until Monday, address the questions that may occur, and then if on Monday he still feels the same way, we could at that time address the motion to table.

Mr. METCALFE. Mr. Speaker?

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

Mr. METCALFE. Thank you, Mr. Speaker.

I appreciate the gentleman's request, but I think there are a lot of concerns that have been expressed here. I know there are a lot of concerns that are being talked about by members as this amendment and the bill is being considered. I do not believe that it is going to give all of us who have concerns, major concerns, with this legislation time to address those between now and Monday even.

So I would ask that this would be recommitted to the Local Government Committee, where they could actually hold appropriate hearings and investigate some of these concerns a little bit further before we run this bill even next week.

The SPEAKER. Mr. Steil. The gentleman from Bucks, Mr. Steil.

Mr. STEIL. Thank you, Mr. Speaker.

I would ask the members to oppose the motion to recommit this bill at this time. Let us address the amendments. Let us include them. Let us discuss it until Monday, and then we will consider such a motion again on Monday.

So I would ask the members to oppose the motion at this time. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. COY. Thank you, Mr. Speaker.

Mr. Speaker, I would support the gentleman from Bucks County and ask that the members vote "no" on the motion to recommit.

There is another amendment to be considered, and as the gentleman from Bucks has indicated, we have agreed and requested, actually, to have the bill go over until Monday so that we can look at the bill as amended, have it reprinted, and make sure that all of us have a complete understanding.

But for now, I would oppose the motion and ask members to oppose the motion to recommit.

Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS-77

Adolph	Forcier	Maher	Rohrer
Bard	Gannon	Maitland	Samuelson
Barrar	Geist	Manderino	Sather
Birmelin	Gergely	Marsico	Scrimenti
Bunt	Godshall	McGeehan	Semmel

Buxton	Habay	McGill	Stairs
Causer	Haluska	McIlhatten	Stern
Civera	Hanna	Metcalfe	Stevenson, R.
Clymer	Harhart	Micozzie	Sturla
Coleman	Harris	Miller, S.	Surra
Cornell, S. E.	Hasay	Mustio	Tigue
Crahalla	Hess	Phillips	Turzai
Creighton	Hutchinson	Preston	Vitali
Dailey	Killion	Raymond	Walko
Dally	Kirkland	Readshaw	Weber
Denlinger	Kotik	Reed	Wilt
Egolf	Lescovitz	Reichley	Wojnarowski
Evans, J.	Lewis	Rieger	Yewcic
Fairchild	Lynch	Roberts	Zug
Flick			

NAYS-117

Allen	Donatucci	Levdansky	Saylor
Argall	Eachus	Mackereth	Scavello
Armstrong	Fabrizio	Major	Schroder
Baker	Feese	Mann	Shaner
Baldwin	Fichter	Markosek	Smith, B.
Bastian	Fleagle	McCall	Smith, S. H.
Bebko-Jones	Frankel	McIlhinney	Solobay
Belardi	Gabig	McNaughton	Staback
Belfanti	George	Melio	Steil
Benninghoff	Gillespie	Millard	Stetler
Biancucci	Gingrich	Miller, R.	Stevenson, T.
Bishop	Good	Mundy	Tangretti
Blaum	Goodman	Myers	Thomas
Boyd	Grucela	Nailor	Travaglio
Browne	Gruitza	Nickol	True
Butkovitz	Harhai	O'Brien	Vance
Caltagirone	Harper	Oliver	Veon
Cappelli	Hennessey	O'Neill	Wansacz
Casorio	Herman	Pallone	Washington
Cawley	Hershey	Payne	Waters
Cohen	Hickernell	Petrarca	Watson
Corrigan	James	Petri	Wheatley
Costa	Josephs	Petrone	Williams
Coy	Keller	Pickett	Wright
Curry	Kenney	Pistella	Youngblood
DeLuca	LaGrotta	Roebuck	Yudichak
Dermody	Laughlin	Ross	
DeWeese	Leach	Rubley	
DiGirolamo	Lederer	Sainato	Perzel,
Diven	Leh	Santoni	Speaker

NOT VOTING-0

EXCUSED-9

Cruz	Freeman	Rooney	Taylor, E. Z.
Daley	Horse	Ruffing	Taylor, J.
Evans, D.			

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

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS-171

Allen	Fairchild	Mackereth	Samuelson
Argall	Feese	Maher	Santoni

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

NAYS—23

Adolph	Donatucci	Lewis	Scrimenti
Barrar	Gannon	Mann	Stetler
Cawley	Godshall	Micozzie	Vitali
Civera	Harhart	Mundy	Waters
Crahalla	Killion	Raymond	Yudichak
Creighton	Kirkland	Reichley	

NOT VOTING—0

EXCUSED—9

Cruz	Freeman	Rooney	Taylor, E. Z.
Daley	Horsey	Ruffing	Taylor, J.
Evans, D.			

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

On the question recurring,

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

Mr. **GEORGE** offered the following amendment No. **A4805**:

Amend Title, page 1, line 6, by inserting after “financing”
and for waiver of use of certain grant or loan
funds

Amend Bill, page 19, by inserting between lines 27 and 28

Section 14. Waiver of use of grant and loan funds.

A municipality or authority receiving grants or loans from the Commonwealth or its agencies for the construction or repair of any storm water facility or flood control projects where the Commonwealth's funds are restricted from paying for the acquisition of property, a right-of-way or property removal or demolition necessary for the completion of a project, may receive a waiver to spend up to 5% of the grant or loan for these activities upon the approval of the appropriate Commonwealth agency.

Amend Sec. 14, page 20, line 4, by striking out “14” and inserting

15

Amend Sec. 15, page 20, line 6, by striking out “15” and inserting

16

On the question,

Will the House agree to the amendment?

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

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

Mr. Speaker, I think the gentleman, Mr. Steil, has approved this amendment, and rightfully so, for those of you especially that represent a rural area where you are constantly bothered with potential flooding. This amendment will allow 5 percent of the contract or the amount of money set aside for local use as far as ingress and regress and landtaking and things like that. If in fact we can allow for overrun, we ought to be able to allow for a community to get rid of this problem once and for all. But a community who has less than \$100,000 in their annual budget certainly cannot go out and take on these types of efforts, and this law has been with us for 60 years. It is about time we put it to work. Thank you.

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

The Chair recognizes the gentleman from Bucks, Mr. Steil.

Mr. **STEIL**. Thank you, Mr. Speaker.

The amendment is agreed to.

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

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—194

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

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

NAYS—0

NOT VOTING—0

EXCUSED—9

Cruz	Freeman	Rooney	Taylor, E. Z.
Daley	Horsey	Ruffing	Taylor, J.
Evans, D.			

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

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

BILL PLACED ON FINAL PASSAGE POSTPONED CALENDAR

The SPEAKER. The Chair is placing this bill on the final passage postponed calendar so that it can go over for the day and be reprinted for Monday.

* * *

The House proceeded to third consideration of **HB 994, PN 3497**, entitled:

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

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 gentlelady from Chester, Mrs. Rubley.

Mrs. RUBLEY. Thank you very much, Mr. Speaker.

I am very pleased that the House is considering HB 994, the Transit Revitalization Investment District bill, referred to as TRID. I would like to thank Representative Rick Geist for his ongoing support to this bill and also express my appreciation to Representatives Stetler and Argall for their support. Also, the Delaware Valley Regional Planning Commission, 10,000 Friends of Pennsylvania, the Pennsylvania Environment Council, the Pennsylvania Planning Association, and other organizations have been instrumental in promoting this bill.

REMARKS SUBMITTED FOR THE RECORD

Mrs. RUBLEY. I would then like to offer my other comments for the record, if I may.

The SPEAKER. The gentlelady is in order and will send the comments down. They will be put in the record.

Mrs. RUBLEY submitted the following remarks for the Legislative Journal:

HB 994 authorizes partnerships between local governments, public transit agencies, including AMTRAK, and the private sector to encourage transit-oriented development (TOD) throughout Pennsylvania.

The bill would accomplish the following purposes:

- Promote local economic development and revitalization in conjunction with public transportation improvements.
- Stimulate multimunicipal cooperation, public-private partnerships, and community participation in transit-oriented development projects.

- Increase public transportation ridership and revenues to support local public transportation services, facilities, and maintenance activities.
- Establish a mechanism to capture the increase in real estate tax base added by new development for reinvestment in local transit facilities and communities, referred to as Value Capture areas.
- Encourage and support municipal and multimunicipal comprehensive plan implementation and consistency, using proposed grant funding as an incentive.
- Encourage greater community involvement in TRID designation and related planning and implementation activities.
- Promote flexible, cooperative, coordinated, and enhanced support for innovative transportation and development solutions through TRID implementation.
- Maximize use of existing Federal and Pennsylvania laws and programs that are consistent with TRID purposes.

The 21st Century Environment Commission recognized that the number one problem facing the Commonwealth as we move into the 21st century is the need to promote responsible land use, including the need to revitalize our older communities.

The final report contains many outstanding recommendations, including the need to develop transportation and infrastructure plans on a regional basis, encouraging transit-oriented development, ensuring that mass transit is accessible, safe, reliable, and affordable.

More recently the Brookings Institution Center on Urban and Metropolitan Policy issued its report "Back to Prosperity – A Competitive Agenda for Renewing Pennsylvania." One of its many recommendations calls for "Pennsylvania to fully assess the spatial impacts of its programs and make reinvestment in its older cities, boroughs, and older townships its explicit priority."

TRID offers the opportunity for local governments, transit agencies, and the private sector to work together to promote economic development, community revitalization, and increased transit ridership with its associated environmental benefits.

I urge my colleagues to support this bill. Thank you.

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

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

NAYS-0

NOT VOTING-0

EXCUSED-9

Cruz	Freeman	Rooney	Taylor, E. Z.
Daley	Horsey	Ruffing	Taylor, J.
Evans, D.			

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 1315, PN 3498**, entitled:

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

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-194

Adolph	Evans, J.	Lewis	Sainato
Allen	Fabrizio	Lynch	Samuelson

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

NAYS—0

NOT VOTING—0

EXCUSED—9

Cruz	Freeman	Rooney	Taylor, E. Z.
Daley	Horsely	Ruffing	Taylor, J.
Evans, D.			

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.

* * *

BILLS PASSED OVER TEMPORARILY

The SPEAKER. HB 2066 and HB 2163 will be over temporarily.

BILL ON CONCURRENCE IN SENATE AMENDMENTS AS AMENDED

The House proceeded to consideration of concurrence in Senate amendments to the following **HB 1206, PN 3537**, as further amended by the House Rules Committee:

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.

On the question,

Will the House concur in Senate amendments as amended by the Rules Committee?

The SPEAKER. It is moved by the gentleman, Mr. Maher, that the House do concur in the amendments.

Does the gentleman, Mr. Samuelson, desire recognition? The Chair recognizes the gentleman from Northampton, Mr. Samuelson.

Mr. SAMUELSON. Thank you, Mr. Speaker.

I just ask the maker of the motion to give a brief explanation of these amendments inserted by the House. My understanding is that they were put in by the Rules Committee yesterday, and if he could just give us a brief summary. Thank you.

The SPEAKER. The gentleman, Mr. Maher, indicates that he will stand and give a brief explanation.

Mr. MAHER. Thank you, Mr. Speaker.

Last year this body adopted Act 166 to provide uniformity on earned income tax definitions across all the local taxing jurisdictions of Pennsylvania. There has been some confusion arising in some of those jurisdictions as to whether or not active-duty military pay would now be subject to earned income tax. The amendment which was included in the Rules Committee yesterday is intended to clarify and make it crystal clear for all involved, among those 3,000 taxing jurisdictions, that active-duty military pay will remain exempt from local tax.

On the question recurring,

Will the House concur in Senate amendments as amended by the Rules Committee?

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

NAYS-0

NOT VOTING-0

EXCUSED-9

Cruz	Freeman	Rooney	Taylor, E. Z.
Daley	Horsey	Ruffing	Taylor, J.
Evans, D.			

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

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

RULES COMMITTEE MEETING

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

RESOLUTIONS REPORTED
FROM COMMITTEE

HR 577, PN 3472

By Rep. S. SMITH

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

RULES.

HR 593, PN 3393

By Rep. S. SMITH

A Concurrent Resolution designating April 24, 2004, as "Pennsylvania's Day of Remembrance of the Armenian Genocide of 1915-1923."

RULES.

SUPPLEMENTAL CALENDAR B

RESOLUTION

Mr. GEIST called up **HR 577, PN 3472**, entitled:

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

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-194

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

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

NAYS—0

NOT VOTING—0

EXCUSED—9

Cruz	Freeman	Rooney	Taylor, E. Z.
Daley	Horse	Ruffing	Taylor, J.
Evans, D.			

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

CALENDAR CONTINUED

RESOLUTION

Mr. GEIST called up **HR 581, PN 3473**, entitled:

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

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—194

Adolph	Evans, J.	Lewis	Sainato
Allen	Fabrizio	Lynch	Samuelson
Argall	Fairchild	Mackereth	Santoni
Armstrong	Feese	Maher	Sather
Baker	Fichter	Maitland	Saylor
Baldwin	Fleagle	Major	Scavello

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

NAYS—0

NOT VOTING—0

EXCUSED—9

Cruz	Freeman	Rooney	Taylor, E. Z.
Daley	Horse	Ruffing	Taylor, J.
Evans, D.			

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

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2163, PN 2934**, entitled:

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

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

Mr. **MAITLAND** offered the following amendment No. **A0597**:

Amend Title page 1, line 3, by removing the period after “motorcycles” and inserting
and for fleeing or attempting to elude police officer.

Amend Bill, page 1, by inserting between lines 14 and 15

Section 2. Section 3733(a) of Title 75 is amended and the section is amended by adding a subsection to read:

§ 3733. Fleeing or attempting to elude police officer.

(a) Offense defined.—Any driver of a motor vehicle who willfully fails or refuses to bring his vehicle to a stop, or who otherwise flees or attempts to elude a pursuing police officer, when given visual or audible signal to bring the vehicle to a stop, commits [a misdemeanor of the second degree. Any driver upon conviction shall pay an additional fine of \$500. This fine shall be in addition to and not in lieu of all other fines, court expenses, jail sentences or penalties] an offense as graded in subsection (a.2).

* * *

(a.2) Grading.—

(1) Except as provided in paragraph (2), an offense under subsection (a) constitutes a misdemeanor of the second degree. Any driver upon conviction shall pay an additional fine of \$500. This fine shall be in addition to and not in lieu of all other fines, court expenses, jail sentences or penalties.

(2) An offense under subsection (a) constitutes a felony of the third degree if the driver, simultaneously:

(i) commits a violation of section 3802 (relating to driving under influence of alcohol or controlled substance);

(ii) crosses a State line; or

(iii) causes an accident that results in serious bodily injury or death.

* * *

Amend Sec. 2, page 1, line 15, by striking out “2” and inserting
3

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

The **SPEAKER**. The Chair recognizes the gentleman, Mr. Geist.

Mr. **GEIST**. Thank you, Mr. Speaker.

This is an agreed-to amendment.

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

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

The following roll call was recorded:

YEAS—194

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

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

NAYS—0

NOT VOTING—0

EXCUSED—9

Cruz	Freeman	Rooney	Taylor, E. Z.
Daley	Horsey	Ruffing	Taylor, J.
Evans, D.			

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

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

Mr. **WILT** offered the following amendment No. **A0598**:

Amend Title, page 1, line 3, by removing the period after “motorcycles” and inserting
and for refunds of tax imposed upon liquid fuels or certain other fuels.

Amend Bill, page 1, by inserting between lines 14 and 15

Section 2. Section 9017(d) of Title 75 is amended and the section is amended by adding a subsection to read:

§ 9017. Refunds.

* * *

[(d) Off-highway recreational vehicles.—

(1) When the tax imposed by this chapter has been paid on fuel used in off-highway recreational vehicles within this Commonwealth, an amount equal to the revenue generated by the

tax, but not derived therefrom, may be appropriated through the General Fund to the Department of Conservation and Natural Resources. It is the intent of this chapter that all proceeds from the tax paid on fuel used in off-highway recreational vehicles within this Commonwealth be paid without diminution of the Motor License Fund.

(2) The Department of Conservation and Natural Resources shall biennially calculate the amount of liquid fuel consumed by off-highway recreational vehicles and furnish information relating to its calculations and data as may be required by the Appropriations Committee of the Senate and the Appropriations Committee of the House of Representatives.

(3) The General Assembly shall review the fuel consumption calculations of the Department of Conservation and Natural Resources to determine the amount of liquid fuels tax paid on liquid fuels consumed in the propulsion of off-highway recreational vehicles in this Commonwealth and may annually appropriate to the Department of Conservation and Natural Resources the amount so determined.

(4) Money appropriated under paragraph (3) shall be used for the benefit of motorized and nonmotorized recreational trails by the Department of Conservation and Natural Resources as provided in the Intermodal Surface Transportation Efficiency Act of 1991 (Public Law 102-240, 105 Stat. 1914).]

(d.1) Motorized recreational vehicles.—

(1) When the tax imposed by this chapter has been paid and the fuel on which the tax has been imposed has been consumed in the operation of motorized recreational vehicles on designated roads and bridges used as trails within and bordering on this Commonwealth, the amount of \$1,000,000 of the full amount of such taxes shall be refunded to the restricted account established in section 7706 (relating to restricted account) upon petition to the Board of Finance and Revenue.

(2) In accordance with prescribed procedures, the Department of Conservation and Natural Resources shall biennially calculate the amount of liquid fuels consumed by motorized recreational vehicles and furnish such information, relating to its calculations and data to the Board of Finance and Revenue. The board shall review the petition and motorized recreational vehicle fuel consumption calculations of the Department of Conservation and Natural Resources to determine the full amount of taxes paid and shall certify to the State Treasurer to refund annually \$1,000,000 of the full amount of such taxes to the restricted account established in section 7706.

(3) This money shall be used by the Department of Conservation and Natural Resources for the purposes established in section 7706, including the construction, reconstruction and maintenance of designated roads and bridges used as trails within and bordering on this Commonwealth on which motorized recreational vehicles are authorized by the Department of Conservation and Natural Resources or a municipality to operate and for safety enforcement of this chapter in State parks and State forests.

* * *

Amend Sec. 2, page 1, line 15, by striking out “2” and inserting
3

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

The following roll call was recorded:

YEAS—188

Adolph	Evans, J.	Lewis	Sainato
Allen	Fabrizio	Lynch	Santoni
Argall	Fairchild	Mackereth	Sather
Armstrong	Feese	Maher	Saylor

Baker	Fichter	Maitland	Scavello
Baldwin	Fleagle	Major	Schroder
Bard	Flick	Mann	Scrimenti
Barrar	Forcier	Markosek	Semmel
Bastian	Frankel	Marsico	Shaner
Bebko-Jones	Gabig	McCall	Smith, B.
Belardi	Gannon	McGeehan	Smith, S. H.
Belfanti	Geist	McGill	Solobay
Benninghoff	George	McIlhattan	Staback
Bianucci	Gergely	McIlhinney	Stairs
Birmelin	Gillespie	McNaughton	Steil
Bishop	Gingrich	Melio	Stern
Blaum	Godshall	Metcalfe	Stetler
Boyd	Good	Micozzie	Stevenson, R.
Browne	Goodman	Millard	Stevenson, T.
Bunt	Grucela	Miller, R.	Sturla
Butkovitz	Gruitza	Miller, S.	Surra
Buxton	Habay	Mundy	Tangretti
Caltagirone	Haluska	Mustio	Thomas
Cappelli	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	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	Keller	Preston	Williams
Dailey	Kenney	Raymond	Wilt
Dally	Killion	Readshaw	Wojnarowski
DeLuca	Kirkland	Reed	Wright
Denlinger	Kotik	Reichley	Yewcic
Dermody	LaGrotta	Rieger	Youngblood
DeWeese	Laughlin	Roberts	Yudichak
DiGirolamo	Leach	Roebuck	Zug
Diven	Lederer	Rohrer	
Donatucci	Leh	Ross	
Eachus	Lescovitz	Rubley	Perzel,
Egolf	Levdansky		Speaker

NAYS—6

Casorio	Manderino	Samuelson	Vitali
Josephs	Pallone		

NOT VOTING—0

EXCUSED—9

Cruz	Freeman	Rooney	Taylor, E. Z.
Daley	Horse	Ruffing	Taylor, J.
Evans, D.			

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

PARLIAMENTARY INQUIRY

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

Mr. THOMAS. Point of clarification, Mr. Speaker.

The SPEAKER. The gentleman will state his point.

Mr. THOMAS. Mr. Speaker, have we voted on the bill?

The SPEAKER. No, Mr. Thomas. That was the Wilt amendment. There is another Wilt amendment, from what we are told.

Mr. THOMAS. Okay. So the first vote that we took was not on 2163?

The SPEAKER. No, sir; it was not.

Mr. THOMAS. Okay. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

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

Mr. **WILT** offered the following amendment No. **A0610**:

Amend Title, page 1, line 3, by removing the period after “motorcycles” and inserting

and for registration of snowmobile or ATV.

Amend Bill, page 1, by inserting between lines 14 and 15

Section 2. Section 7711.1 of Title 75 is amended by adding a subsection to read:

§ 7711.1. Registration of snowmobile or ATV.

* * *

(g) Registration list.—A snowmobile registration list shall be furnished, at the cost of production, to Statewide not-for-profit Pennsylvania snowmobile organizations for use in providing registered snowmobile users with information regarding safety courses, educational programs and changes in law, regulation and policy related to snowmobile use in this Commonwealth.

Amend Sec. 2, page 1, line 15, by striking out “2” and inserting
3

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the gentleman from Carbon, Mr. McCall.

Mr. McCALL. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to the Wilt amendment.

I think the members should know that this is the precise language that passed the House of Representatives a few months ago. The Senate removed this language. This is all about privacy, Mr. Speaker. Here we are; we are going to require a State agency to provide private information to a private, nonprofit organization. I think in this day and age of privacy, we should not be providing this type of information to a public entity, and I would ask that we vote against the Wilt amendment.

The SPEAKER. The Chair thanks the gentleman.

The gentleman from Mercer, Mr. Wilt.

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

For the information of the members, there have been various departments within this Commonwealth that have offered this opportunity to people that are paying fees, especially in a checkoff situation. You know, we think that in Pennsylvania we are asking our snowmobilers and ATVers (all-terrain vehicles) to pay a registration fee. Many of them have expressed an interest in receiving information from the department about places they can ride, and we just think that this is information that— I do not think anyone’s privacy is at risk here. This is just a mechanism for getting information out in the hands of people that are paying a \$25 fee to the State and really not getting much benefit for it at this point.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—112

Adolph	Evans, J.	Lescovitz	Rohrer
Allen	Fairchild	Lewis	Rubley
Argall	Feese	Lynch	Sather
Armstrong	Fichter	Maher	Saylor
Baker	Flick	Maitland	Scavello
Baldwin	Forcier	Mann	Schroder
Bard	Gabig	Marsico	Semmel
Barrar	Gannon	McGeehan	Smith, B.
Bastian	Geist	McGill	Smith, S. H.
Bebko-Jones	Gillespie	McIlhatten	Solobay
Benninghoff	Gingrich	McIlhinney	Stairs
Birmelin	Godshall	McNaughton	Steil
Boyd	Gruitza	Melio	Stern
Browne	Haluska	Micozzie	Stevenson, R.
Bunt	Hanna	Millard	Stevenson, T.
Buxton	Harhart	Miller, R.	Sturla
Cappelli	Harper	Mustio	Surra
Causar	Harris	O’Brien	Tangretti
Civera	Hasay	Oliver	Travaglio
Clymer	Hennessey	O’Neill	Turzai
Coleman	Herman	Payne	Watson
Cornell, S. E.	Hershey	Petri	Wilt
Crahalla	Hess	Phillips	Wojnarowski
Creighton	Hickernell	Pickett	Wright
Dailey	Hutchinson	Raymond	Zug
Dally	Kenney	Reed	
Denlinger	Killion	Reichley	
DiGirolamo	Leach	Rieger	Perzel,
Egolf	Leh		Speaker

NAYS—82

Belardi	Fleagle	Markosek	Scrimenti
Belfanti	Frankel	McCall	Shaner
Biancucci	George	Metcalfe	Staback
Bishop	Gergely	Miller, S.	Stetler
Blaum	Good	Mundy	Thomas
Butkovitz	Goodman	Myers	Tigue
Caltagirone	Grucela	Nailor	True
Casorio	Habay	Nickol	Vance
Cawley	Harhai	Pallone	Veon
Cohen	James	Petrarca	Vitali
Corrigan	Josephs	Petrone	Walko
Costa	Keller	Pistella	Wansacz
Coy	Kirkland	Preston	Washington
Curry	Kotik	Readshaw	Waters
DeLuca	LaGrotta	Roberts	Weber
Dermoddy	Laughlin	Roebuck	Wheatley
DeWeese	Lederer	Ross	Williams
Diven	Levdansky	Sainato	Yewcic
Donatucci	Mackereth	Samuelson	Youngblood
Eachus	Major	Santoni	Yudichak
Fabrizio	Manderino		

NOT VOTING—0

EXCUSED—9

Cruz	Freeman	Rooney	Taylor, E. Z.
Daley	Horse	Ruffing	Taylor, J.
Evans, D.			

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

GUESTS INTRODUCED

The SPEAKER. We have a group here from the Hamburg Elementary School. They are in the gallery. They are the guests of Representative David Argall. Would those guests please rise and be recognized by the House.

CONSIDERATION OF HB 2163 CONTINUED

On the question recurring,

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

Mr. HANNA offered the following amendment No. A0684:

Amend Title, page 1, line 2, by inserting after “for” where it appears the first time

suspension of registration, for

Amend Title, page 1, line 3, by removing the period after “motorcycles” and inserting

and for impoundment for nonpayment of fines.

Amend Sec. 1, page 8, lines 6 and 7, by striking out all of said lines and inserting

Section 1. Sections 1373(b), 3526 and 6309 of Title 75 of the Pennsylvania Consolidated Statutes are amended to read:
§ 1373. Suspension of registration.

* * *

(b) Suspension without hearing.—The department may suspend a registration without providing an opportunity for a hearing in any of the following cases:

(1) Upon the request or order of any court of record.

(2) The required fees have not been paid.

(3) An out-of-service order has been issued for the vehicle, the owner or the operator by the department or by the United States Department of Transportation.

(4) The vehicle is being operated in violation of section 4704(b)(1) (relating to inspection by police or Commonwealth personnel).

(5) Upon the order of any district justice under section 6309 (relating to impoundment for nonpayment of fines; vehicles or combinations with a gross vehicle weight rating of 17,001 pounds or more).

Amend Sec. 1, page 1, by inserting between lines 14 and 15

§ 6309. Impoundment for nonpayment of fines; vehicles or combinations with a gross vehicle weight rating of 17,001 pounds or more.

(a) General rule.—Upon issuance of a citation by a law enforcement officer for a violation that may result in the imposition of a fine in excess of \$250 imposed pursuant to section 1301 (relating to registration and certificate of title required), 1371 (relating to operation following suspension of registration), 4107(b) (relating to unlawful activities) or Chapter 49 (relating to size, weight and load), the [defendant shall be allowed 24 hours either to obtain the funds and pay the fine and costs of prosecution or to make arrangements with the issuing authority to pay in installments as provided by the Pennsylvania Rules of Criminal Procedure, during which time the defendant’s vehicle or combination shall be rendered temporarily inoperable by such police officer, sheriff or constable as the issuing authority shall designate. If the defendant neither makes payment nor makes

arrangements for payment within the 24-hour period or defaults on such payment, the issuing authority may issue an impoundment order and direct enforcement of the order by a police officer, constable or an impoundment official as authorized by the issuing authority] law enforcement officer who issued the citation shall immediately impound the defendant’s vehicle or combination and store it until the fine and costs of prosecution are paid or the citation is otherwise disposed of in accordance with law. In cities of the first class, the issuing authority shall direct enforcement of the impoundment order by the Philadelphia Parking Authority.

[(b) Storage.—Upon impoundment, the issuing authority shall forthwith notify the appropriate law enforcement officer of the county in which the violation occurred, who shall store the impounded vehicle or combination. In cities of the first class, notification shall be made to the Philadelphia Parking Authority, which shall store the impounded vehicle or combination.]

(c) Notice of impoundment.—The appropriate law enforcement officer shall give immediate notice by the most expeditious means and by certified mail, return receipt requested, of the impoundment and location of the vehicle or combination to the owner of the vehicle or combination and the owner of the load and any lienholders if the names and addresses of the owner and any lienholder are known or can be ascertained by investigation. In cities of the first class, the Philadelphia Parking Authority shall give immediate notice by the most expeditious means and by first class mail, proof of service, of the impoundment and location of the vehicle or combination to the owner of the vehicle or combination and the owner of the load and any lienholders if the names and addresses of the owner and any lienholder are known or can be ascertained by investigation.

(d) Costs.—The costs of the police officer, constable, impoundment official, appropriate law enforcement officer or the Philadelphia Parking Authority, reasonable storage costs and all other reasonable costs incident to seizure and impounding under [subsections (a) and (b)] subsection (a) shall be recoverable in addition to costs of prosecution.

(e) Recovery of impounded vehicle.—

(1) The owner of any vehicle or combination which has been impounded under this section may obtain possession of the vehicle or combination by:

(i) furnishing proof of valid registration and financial responsibility; and

(ii) paying all fines and costs associated with the impoundment of the vehicle or making arrangements with the appropriate judicial authority to make payments of all fines and costs by installments as provided by the Pennsylvania Rules of Criminal Procedure.

(2) Any vehicle or combination not recovered under this subsection may be sold as an unclaimed vehicle, combination or load under section 6310 (relating to disposition of impounded vehicles, combinations and loads) or the applicable local ordinance.

(f) Definition.—As used in this section, the term “costs” shall include reasonable fees.

On the question,

Will the House agree to the amendment?

AMENDMENT WITHDRAWN

The SPEAKER. That amendment has been withdrawn.

On the question recurring,

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

Mr. **REICHLEY** offered the following amendment No. **A0701**:

Amend Title, page 1, line 3, by removing the period after “motorcycles” and inserting
and for erection and maintenance of stop signs by local authorities.

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

Section 1. Sections 3526 and 6124 of Title 75 of the Pennsylvania Consolidated Statutes are amended to read:

Amend Sec. 1, page 1, by inserting between lines 14 and 15 § 6124. Erection of traffic-control devices at intersections.

The department on State-designated highways, including intersections with local highways, and local authorities on intersections of highways under their jurisdiction may erect and maintain stop signs, yield signs or other official traffic-control devices to designate through highways or to designate intersections at which vehicular traffic on one or more of the roadways should yield or stop and yield before entering the intersection. An engineering and traffic investigation is not required for local authorities to erect and maintain stop signs in a residence district if the roadway:

(1) is not a numbered traffic route; and

(2) is functionally classified by the department as a local highway.

Amend Sec. 2, page 1, line 15, by striking out “immediately.” and inserting
as follows:

(1) The amendment of 75 Pa.C.S. § 6124 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?

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

Mr. REICHLEY. Thank you, Mr. Speaker.

This amendment is also the subject of HB 2427, which was introduced. The effect of the amendment would be to remove the requirement that local officials obtain an engineering and traffic study before making a decision to erect or install stop signs on intersections which are truly composed of only local roads. This is not an attempt to interfere in the authority of PENNDOT or intervene in any discretion about an intersection between a local road and a State road.

I have a situation in my district where there are neighborhoods which are extremely busy, and the local officials like to bounce it back against the State, saying, well, we cannot put the stop sign in because PENNDOT requires us to go through these expensive studies, and this amendment would remove that objection that the local officials can post.

I believe this is an improvement and enables local authorities to enhance the safety on truly local intersections, and I would appreciate unanimous support of the amendment.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Blair, Mr. Geist.

Mr. GEIST. Thank you, Mr. Speaker.

I want to make the members aware of something here. I am going to personally vote “no” on this, and I am not going to stand up and tell people how to vote “yes” or “no” on it, but this is a local option on stop signs, and this really is a vote that

I think that you should think out how it affects you in your district when you make it. I personally am going to vote “no,” but I will not encourage anybody to make a vote either way on this.

I think that other Representatives may want to speak about this, but at this time I do not think this is a good “yes” vote.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. COHEN. Mr. Speaker, I want to speak in support of the Reichley amendment.

I know in the city of Philadelphia, inserting a new stop sign is a major obstacle. It is a difficult bureaucratic problem. We have the largest city government in the State, and I can imagine that in a smaller city government or township, borough government, it is also extremely difficult. I see no reason why it ought to be as difficult as it is now, and I believe the Reichley amendment is a positive step in the right direction, and I urge support of it.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Reichley.

Mr. REICHLEY. Thank you, Mr. Speaker.

Just to clarify one thing. This amendment is modeled after current law which allows local authorities to implement 25-mile-per-hour speed limits on truly local roads and local intersections, so it really is, to some degree, mimicking what this legislature has already put in place regarding speed limits.

I thank you for the support of the gentleman from Philadelphia and the rest of the members. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from York, Mr. Saylor.

Mr. SAYLOR. Thank you, Mr. Speaker.

I rise to oppose the amendment.

One of the things I think we need to take recognition in across our State is, one of the things that we constantly are facing is congestion, and while I think it sounds good to give local townships and municipalities the authority to put stop signs wherever they want to do it, we are the ones who have to deal with the liability and the issues that taxpayers are going to be calling us about, where these stop signs are. And think about it: everybody wants a stop sign in their neighborhood. They want it in their neighborhood, but they do not want it in your neighborhood, and that is the political pressure you are going to put municipalities under. Every township supervisor, every borough council member, is going to be hit with the idea, I want a stop sign because I need to slow these people down in my development; I need to slow them down on this road. And that is what you are going to get, because how are township supervisors and borough council members going to sit there and decide, well, why not give them to everybody who wants one?

It does not make political sense. The reason the State already has rules set up for how to put stop signs in is simply to control and make good, valued judgments on where these stop signs should be located. We are not just going to go haphazardly around this State putting up stop signs and red lights.

So I ask for a “no” vote on this amendment, because I think it is in the best interest of the taxpayers as a whole to make valued judgments rather than haphazard judgments as to where we are going to put stop signs.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. TANGRETTI. Thank you, Mr. Speaker.

Mr. Speaker, I would ask the sponsor of the amendment to stand for brief interrogation.

The SPEAKER. The gentleman indicates that he will stand for interrogation. The gentleman may proceed.

Mr. TANGRETTI. Mr. Speaker, I wonder if the gentleman could address the issue of liability. In a number of instances in my district when local officials have requested various traffic control devices and traffic studies were conducted by PENNDOT and were determined that they were warranted or were not warranted, there was always the discussion if they were not warranted and there was an accident, that the State could be held liable and/or the municipality could be held liable by those who were injured by virtue of that particular traffic device being installed.

My question again is, is there potential liability without the traffic study being conducted?

Mr. REICHLEY. I am sorry, Mr. Speaker. Is the question, is there liability to the State or to the local government?

Mr. TANGRETTI. Either or both.

Mr. REICHLEY. Mr. Speaker, while this amendment would not remove the ability or the discretion for a local government to conduct the traffic study or the engineering study – it is at the discretion of local governments still – the question of the liability is akin to what we have already authorized local governments to do for 25-mile-per-hour speed limits, where they can do it without the traffic study and the liability does not pertain to the local municipality. Is it advisable for a municipality to conduct it? I think they would get the advice of their own solicitor to evaluate whether, from their own perspective, they believe they should conduct that, so that if there is an accident upon an intersection where they did not decide to put the study in, that is up to them, but I think there is no incumbent liability upon the municipal government by not conducting a study.

Mr. TANGRETTI. Mr. Speaker, I am done with my interrogation. I would like to make a brief statement.

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

Mr. TANGRETTI. I am tending to vote “no,” only because, just again to repeat, on the number of instances where this has occurred in my district – that is, there have been requests for various traffic control devices to be installed – PENNDOT unequivocally has told us that without these studies that warrant the kinds of control devices that are requested, we are subjecting the State and the municipality to liability of court suits if in fact those control devices are not warranted by that study, and to remove the concept of a study, to remove the procedure of a study, I think exposes a liability, exposes the municipality and the State to significant possibility of a court suit.

So I would urge all members of the House to vote “no” on this amendment.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

LEAVE OF ABSENCE CANCELED

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

CONSIDERATION OF HB 2163 CONTINUED

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

Mr. DeLUCA. Thank you, Mr. Speaker.

Mr. Speaker, I rise to support this amendment. I think it is a great amendment, and I think what we are actually doing is giving our local municipalities, our local police departments, the right to put these stop signs where they perceive that it is a safety issue.

Now, in a lot of our municipalities, we have a lot of children who do not have the availability of sidewalks, who have to walk on the roads, and a lot of times it is a detriment to these young children. In the neighborhoods where they can put these stop signs and probably try to prevent the accidents from happening, we are saying, why do we not go through the process, and if this intersection does not have two or three accidents or two or three people getting killed, then it does not warrant a stop sign. That is totally ridiculous. We need to prevent the accidents from happening.

We talk about the liability. Let us talk about what happens when some individual, whether it is a senior citizen, whether it is a young child going to school, gets hurt, gets killed, or gets harmed. That should be our main focus here on this type of legislation, prevention, and who knows better than the people living in the neighborhood and also the local municipality officials and the local police departments?

This is a good amendment and we should pass his, and I wholeheartedly support it.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Montgomery, Mr. McGill.

Mr. MCGILL. Thank you, Mr. Speaker.

I rise in favor of the Reichley amendment.

As a former municipal official, it was always disheartening to tell somebody that we could not put a stop sign in a particular area that we deemed was necessary but it did not meet the warrants, and to be told you have to have a body count or a bag count in order to meet the requirements to get a stop sign in certain municipalities was always difficult.

So children begin to trust where the stop signs are. If there is a new development and in that development is a long and winding road and you can put a stop sign at an intersection in the middle of it where the schoolbus stops in the morning and allow these children to walk across the street safely because traffic is supposed to stop at that point, I think that is extremely valuable and that is what this amendment would allow to do.

I also trust my local police department and my local elected officials that they will be able to recognize where these stop signs are needed. They live in the community; they work in the community, and they see what is going on in the neighborhoods where there are problems, and they can address this much better than the State can viewing it from Harrisburg.

So I would ask for an affirmative vote for the Reichley amendment.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Delaware, Mr. Micozzie. Does the gentleman, Mr. Micozzie, desire recognition on this issue? The gentleman waives off.

The Chair recognizes the gentleman from Monroe, Mr. Scavello.

Mr. SCAVELLO. Thank you, Mr. Speaker.

I rise in support of the Reichley amendment.

As a mayor of a small borough, on many occasions we were forced to go through this process at a cost to the taxpayers when our police recommended and our citizens wanted some stop signs at local intersections where it really saved children's lives, because in the rural areas, where the Representative said earlier, there are no sidewalks.

Also, I think it really should be left up to the local municipality. It will save taxpayers money and support our police.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

The gentleman from Cumberland, Mr. Nailor.

Mr. NAILOR. Thank you, Mr. Speaker.

I wonder if I could interrogate the maker of the amendment?

The SPEAKER. The gentleman indicates he will stand for interrogation. The gentleman may proceed.

Mr. NAILOR. Thank you, Mr. Speaker.

Just a few brief questions so I am clear on this. Who at the local level, the local government level, may decide where and when these stop signs can be put up in a municipality?

Mr. REICHLEY. On truly local intersections, Mr. Speaker, involving truly local roads?

Mr. NAILOR. Yes, that is correct.

Mr. REICHLEY. Mr. Speaker, that would be the local officials. Under current law, though, they have to request an engineering and a traffic study to meet PENNDOT regulatory requirements that would say that a stop sign should be installed at that location.

Mr. NAILOR. Would that engineering requirement still be required?

Mr. REICHLEY. This amendment only provides the municipality the option not to go through the study. If they want to do so, they still can, and they can refer to an engineering and traffic study for any kind of empirical data which they would like to utilize to come to a decision about the installation of a stop sign. But as some of the other speakers have mentioned, you have some situations where there are intersections or roadways which the residents, the police believe compels the installation of a stop sign and yet the local officials say, well, PENNDOT regs say it does not warrant it and therefore we cannot pass an ordinance to that effect.

Mr. NAILOR. Okay.

I think some of the questions that were asked of me in the past: Is there a standard procedure? What if the council president did not agree with the police chief or with the borough manager, would there be an argument or is there a standard procedure? And also, do the local citizens have an opportunity to provide input during this procedure, standard procedure?

Mr. REICHLEY. Thank you, Mr. Speaker.

It essentially is still in the hands of local governmental officials. They can choose to retain the decisionmaking authority to enact ordinances or warrants to install stop signs at local intersections or they can turn over that discretion to another township or borough employee, be it a police chief or a township traffic officer or engineer, but ultimately, the discretionary authority is still, even under the amendment, going to be in the hands of the local officials. It just does not place the regulatory hurdles in the way of the township officials or borough officials to install stop signs in a timely fashion.

Mr. NAILOR. Thank you, Mr. Speaker.

Could I speak on the amendment?

The SPEAKER. The gentleman is in order.

Mr. NAILOR. Thank you, Mr. Speaker.

I agree with the gentleman that sponsored the amendment with his intent to get it back to the local level, but I believe fairly strongly that we need to have some type of a standard procedure at that local level, number one, to make sure that the citizens have the opportunity to provide input and, number two, to make sure that there are not local arguments between the police department and the local borough manager or council over something that is this important, putting in public safety stop signs.

So I am going to vote against the amendment. Although I think the intent is good, it is not clear and needs to be further defined.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS-146

Adolph	Diven	Lynch	Sainato
Allen	Donatucci	Maher	Samuelson
Argall	Eachus	Maitland	Santoni
Baker	Fabrizio	Major	Sather
Bard	Feese	Manderino	Scavello
Barrar	Fichter	Mann	Schroder
Bebko-Jones	Fleagle	Markosek	Scrimenti
Belardi	Flick	McCall	Semmel
Belfanti	Forcier	McGeehan	Shaner
Benninghoff	Frankel	McGill	Smith, B.
Bianucci	Gabig	McIlhatten	Smith, S. H.
Bishop	Gannon	McIlhinney	Solobay
Blaum	George	Miller, S.	Stern
Browne	Gergely	Mundy	Stevenson, R.
Bunt	Gingrich	Mustio	Stevenson, T.
Butkovitz	Goodman	Myers	Sturla
Buxton	Grucela	Nickol	Surra
Caltagirone	Gruitza	O'Brien	Thomas
Cappelli	Hanna	Oliver	Tigue
Causer	Harhai	O'Neill	Travaglio
Cawley	Harhart	Pallone	Turzai
Civera	Harper	Payne	Veon
Clymer	Hasay	Petrarca	Walko
Cohen	Hennessey	Petrone	Wansacz
Coleman	Herman	Pickett	Washington
Cornell, S. E.	Hutchinson	Pistella	Waters
Corrigan	James	Preston	Weber
Costa	Josephs	Raymond	Wheatley
Coy	Kenney	Readshaw	Williams
Crahalla	Killion	Reed	Wilt
Creighton	Kirkland	Reichley	Wright

Dailey	Kotik	Rieger	Yewcic
Dally	Laughlin	Roberts	Youngblood
DeLuca	Leach	Roebuck	Zug
Dermody	Lederer	Rohrer	
DeWeese	Lescovitz	Ross	Perzel,
DiGirolamo	Lewis	Rublely	Speaker

NAYS—47

Armstrong	Gillespie	Mackereth	Staback
Baldwin	Godshall	Marsico	Stairs
Bastian	Good	McNaughton	Steil
Birmelin	Habay	Melio	Stetler
Boyd	Haluska	Metcalf	Tangretti
Casorio	Harris	Micozzie	True
Curry	Hershey	Millard	Vance
Denlinger	Hess	Miller, R.	Vitali
Egolf	Hickernell	Nailor	Watson
Evans, J.	Keller	Petri	Wojnarowski
Fairchild	Leh	Phillips	Yudichak
Geist	Levdansky	Saylor	

NOT VOTING—0

EXCUSED—10

Cruz	Freeman	Rooney	Taylor, E. Z.
Daley	Horsey	Ruffing	Taylor, J.
Evans, D.	LaGrotta		

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

GUESTS INTRODUCED

The SPEAKER. There are several guests to the left of the Speaker – Sam Marchi, the gentleman from Philadelphia; the wife of the chief of staff to the Speaker, Mrs. Kelly Preski; and Mrs. Sheryl Perzel. Would those guests please stand to be recognized.

CONSIDERATION OF HB 2163 CONTINUED

On the question recurring,

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

Mr. **TRAVAGLIO** offered the following amendment No. **A0710**:

Amend Title, page 1, line 3, by removing the period after “motorcycles” and inserting
and for authority to erect traffic-control devices.

Amend Bill, page 1, line 15, by striking out all of said line and inserting

Section 2. Section 6122 of Title 75 is amended by adding a subsection to read:

§ 6122. Authority to erect traffic-control devices.

* * *

(e) Costs.—The Commonwealth shall bear the cost of designing, constructing, installing and maintaining traffic-control signals on State-designated highways and at intersections of State-designated highways and local roads. The department shall reimburse local authorities for the costs incurred for electricity used for traffic signals located on State-designated highways.

Section 3. This act shall take effect as follows:

(1) The amendment of 75 Pa.C.S. § 1951 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?

AMENDMENT WITHDRAWN

The SPEAKER. The Chair rescinds. That one has been withdrawn.

Mr. Travaglio had two amendments. They are both withdrawn.

On the question recurring,

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

Mr. **GEORGE** offered the following amendment No. **A0716**:

Amend Title, page 1, line 3, by removing the period after “motorcycles” and inserting

and for waiver amount for vehicles failing certain emission equipment inspection.

Amend Bill, page 1, by inserting between lines 14 and 15

Section 2. Section 4531 of Title 75 is amended by adding a subsection to read:

§ 4531. Emission control systems.

* * *

(d) Waiver amount.—The waiver amount for vehicles failing the antitampering visual inspection of emission equipment shall be the same as section 4706 (relating to prohibition on expenditures for emission inspection program).

Amend Sec. 2, page 1, line 15, by striking out “2” and inserting
3

On the question,

Will the House agree to the amendment?

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

Mr. GEORGE. Mr. Speaker, if I can, I would ask that they listen very closely in that there is not anyone in here that does not want to make it cheaper for their constituents even though we do pass legislation that costs them money.

There is a matter in the bill called the waiver amount, and I want to remind everybody here that you are going to hear from both sides, from some individuals, and they are going to continue to talk about original equipment that is taken off, and so if the original equipment is taken off, then a waiver cannot be applied.

Now, I am talking about especially the areas of Allegheny, Philadelphia, et cetera, but if I may, to remind you, there are a lot of geniuses in here, but I do not know how many of them ever inspected a car, because the truth of the matter is, if a car comes into an inspection station and any original equipment is removed, it cannot be inspected for the safety inspection. So if you cannot legitimately inspect it and put a sticker on it, then what is the argument about a waiver on the air emissions test, because the truth of the matter is, one leads to the other.

You should not be performing an emissions test when you recognize by sight that equipment is taken off.

So I believe that we ought to apply this waiver in that it has nothing to do with equipment that is being torn off, and I would ask, since there is a waiver in the cities, I would ask you in the smaller counties, why is it you are not willing to give your constituency a waiver?

I would ask that we adopt this amendment.

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

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

It is currently, it has been, against Federal law to alter any vehicle, period. It is against the law. When we in Pennsylvania had compliance with the last court decree, this agreement was signed into law.

There is nobody in this House, by the way, who is more against the Feds telling us what to do than me, but if we pass this amendment, we could void current law and have the Feds administer the program in Pennsylvania.

Now, I believe that Katie McGinty – Secretary McGinty – and Secretary Biehler, and the Governor of Pennsylvania reached a very good compromise with the courts. That is what this compromise is about, and it is about us obeying the law that we signed.

We just passed a resolution to investigate these prices across the State. There is no need for us to pass this amendment at this time and void a law that was a consent decree from the bench agreed to by the administrative branch of government of Pennsylvania.

I strongly urge a “no” vote on this amendment. I do not want to revisit the emissions program on this floor of the House. We have been doing it for 26 years since I have been here.

A “no” vote is the only right vote on this amendment.

Thank you.

The SPEAKER. The Chair recognizes the gentleman, Mr. George, for the second time.

Mr. GEORGE. I will not need more than one more time, Mr. Speaker.

It is evident that the gentleman did not hear and it is evident that they do not understand the law. I said and repeat that you cannot inspect a safety item, put a safety sticker on a car, if in fact original equipment is off such as a catalytic converter, an air pump, the belt missing, or whatever.

Now, when we talk about waivers, we are talking about when you put an automobile on the test in your counties. I am fighting for those of you that have that test where it has got to be put on a machine; that if there is a \$150 waiver, that means after you put \$150 on and it still does not pass, there is no use putting any more money on.

Now, the gentleman sponsor said that the Governor and the Secretary of Transportation signed on. Yes, they did, but maybe we ought to know about the truth on this matter that that certain group took the State to court and the court decided that we were negligent and the court accepted what we offered, but what we offered does not clean up the air. What we offered costs the people a lot of money.

Now, if we are not going to clean up the air, then why would we put the cost on these people? It is up to you if you want to provide a waiver for your constituents. I think I would, but again, it is up to you, and I would hope at least some of you would recognize your obligation.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. CASORIO. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of the gentleman from Clearfield.

I, unlike – I, unlike – the chairman of the Transportation Committee, do want to revisit the auto emissions testing plan. Every single day of the year I would like to revisit that plan on behalf of my constituents who have been dealing with this unfair, unnecessary tax burden for years and years and years. Any kind of relief, any kind of waiver that we can give the individuals in my legislative district and throughout the Commonwealth, we should certainly take the opportunity to enact.

As we know, the air is fine in western Pennsylvania and throughout the Commonwealth. We need to revisit this issue and we need to provide some measure of relief for the taxpayers of the Commonwealth of Pennsylvania, and I would urge a “yes” vote on the gentleman’s amendment from Clearfield.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Luzerne, Mr. Hasay.

Mr. HASAY. Thank you, Mr. Speaker.

Mr. Speaker, I rise to support the George amendment.

I have many constituents that have older vehicles that when the exhaust needed to be replaced, they had taken some of the original equipment off such as a catalytic converter and put dual exhausts on their pickups and some of the older vehicles. So, Mr. Speaker, what happens now is, it is more costly to replace these parts than what the vehicle or the pickup is worth. Therefore, they cannot do anything with the vehicle except junk it or keep it on the farm.

So I think this is an important amendment to many of your constituents out there to save them the expense of this and support the George amendment.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Westmoreland, Mr. Pallone.

Mr. PALLONE. Thank you, Mr. Speaker.

Again, I rise in support of the George amendment for a lot of different reasons, but most importantly, because it might trigger a review of the ridiculous emission law that we have in Pennsylvania.

I know in my own legislative district some communities are exempt, some are not. It does not have a uniform application. It is not being implemented across the State equally or fairly, and if the George amendment causes us to revisit the emission testing program in Pennsylvania, then by all means, Mr. Speaker, we should do that as well as the benefit that we enjoy by implementing the George amendment.

Again, I support my colleagues and hope that they vote in favor of the George amendment.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Geist.

Mr. GEIST. Thank you, Mr. Speaker.

This is a very bad amendment although it is a very emotional amendment.

One hundred and fifty dollars does not make it if the cost of the parts is much greater if you have taken off a catalytic converter. We can argue that back and forth, but there is a much greater argument here.

I thought it would be a cold day in you know where when I have to stand at this microphone and defend Governor Rendell, but let me tell you why I am doing it. It would be great to kill the emissions program, and emotionally I would be the first person there to do it, but you cannot do it unless you are willing to give up about 20 cents a gallon that the Feds could withhold from the State of Pennsylvania, and that is what we are tinkering with when we tell that court what they can do with the consent decree that was signed by the State of Pennsylvania.

I do not agree with the group that took us to court. I have never agreed with this, but it is a decision and a compromise that we all had to live with.

If you want to vote to withhold gasoline tax money paid by Pennsylvanians from coming back to the State of Pennsylvania, then you would vote “yes” on this amendment. You would have to raise the enhancement of the revenue at the pump to cover that money.

We have already had a very bad year. Just yesterday the Secretary of Transportation had to cut projects in every one of our districts because we have not had the reauthorization of ISTEA (Intermodal Surface Transportation Efficiency Act) or TEA-3 (Transportation Equity Act). We have a very severe problem. There is not anybody in this room who does not have bridges in their district that are deficient. We have about 3200 deficient bridges across the State. We are about \$6 billion short of just fixing the system in Pennsylvania to bring it up to status quo. We should not be about the business of tampering with our liquid fuels revenue for the department. The Governor of Pennsylvania needs that revenue, the department needs that revenue, and we need that revenue.

I urge a “no” vote.

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

The following roll call was recorded:

YEAS-96

Barrar	Fabrizio	Manderino	Sather
Bebko-Jones	Fairchild	Mann	Scrimenti
Belardi	George	Markosek	Shaner
Belfanti	Gergely	McCall	Solobay
Biancucci	Goodman	McGeehan	Staback
Bishop	Gruela	McIlhattan	Stern
Blaum	Gruitza	Melio	Sturla
Buxton	Habay	Miller, S.	Surra
Caltagirone	Haluska	Mundy	Tangretti
Casorio	Hanna	Myers	Thomas
Causar	Harhai	Nickol	Tigue
Cawley	Harris	Oliver	Travaglio
Cohen	Hasay	Pallone	Veon
Coleman	Herman	Petrarca	Vitali
Corrigan	Hutchinson	Petrone	Walko
Costa	James	Pistella	Wansacz
Coy	Kirkland	Preston	Washington
Creighton	Kotik	Readshaw	Waters
DeLuca	Laughlin	Rieger	Wheatley
Dermody	Lederer	Roebuck	Williams
DeWeese	Lescovitz	Rubley	Wojnaroski
Diven	Levdansky	Sainato	Yewcic

Donatucci	Lynch	Samuelson	Youngblood
Eachus	Maitland	Santoni	Yudichak

NAYS-96

Adolph	Evans, J.	Lewis	Rohrer
Allen	Feese	Mackereth	Ross
Argall	Fichter	Maher	Saylor
Armstrong	Fleagle	Major	Scavello
Baker	Flick	Marsico	Schroder
Baldwin	Forcier	McGill	Semmel
Bard	Frankel	McIlhinney	Smith, B.
Bastian	Gabig	McNaughton	Smith, S. H.
Benninghoff	Gannon	Metcalfe	Stairs
Birmelin	Geist	Micozzie	Steil
Boyd	Gillespie	Millard	Stetler
Browne	Gingrich	Miller, R.	Stevenson, R.
Bunt	Godshall	Mustio	Stevenson, T.
Butkovitz	Good	Nailor	True
Cappelli	Harhart	O'Brien	Turzai
Civera	Harper	O'Neill	Vance
Clymer	Hennessey	Payne	Watson
Cornell, S. E.	Hershey	Petri	Weber
Crahalla	Hess	Phillips	Wilt
Curry	Hickernell	Pickett	Wright
Dailey	Keller	Raymond	Zug
Dally	Kenney	Reed	
Denlinger	Killion	Reichley	
DiGirolamo	Leach	Roberts	Perzel,
Egolf	Leh		Speaker

NOT VOTING-0

EXCUSED-11

Cruz	Freeman	LaGrotta	Taylor, E. Z.
Daley	Horsey	Rooney	Taylor, J.
Evans, D.	Josephs	Ruffing	

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

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

Mr. **GEORGE** offered the following amendment No. **A0717**:

Amend Title, page 1, line 3, by removing the period after “motorcycles” and inserting

and for emission inspection program.

Amend Bill, page 1, by inserting between lines 14 and 15

Section 2. Section 4706 of Title 75 is amended by adding a subsection to read:

§ 4706. Prohibition on expenditures for emission inspection program.

* * *

(b.9) Gas cap testing.—The department shall not require a separate gas cap test under this section if the vehicle is equipped with a gas cap approved by the department.

* * *

Amend Sec. 2, page 1, line 15, by striking out “2” and inserting

3

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

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

Mr. GEORGE. I thank you, Mr. Speaker.

Honestly, for all of you that supported that amendment, I thank you in that you need not go back home and cower. You did the right thing. I do not want to hear about who signed what. I want to hear about we were elected to do the job of the people.

Now, I am going to propose a second amendment. Now, there are counties in Pennsylvania, and again, forget who signed it and forget what the majority chairman is talking about, but in those counties that have to do emissions testing and spend \$20 or \$25 to put it on the machine and when it is over you may not have needed a gas cap – and those people involved in that procedure are people from Chester, Delaware, Montgomery, Philadelphia, Allegheny, Berks, Cumberland, Dauphin, Lancaster, Lebanon, Lehigh, Northampton, York, Blair, Cambria, Centre, Erie, Lackawanna, Luzerne, Lycoming, Mercer, and Bucks, not Clearfield – I am trying to help your people. I am trying to help you to help.

What this amendment says, if you do not want to spend \$20 for a machine, just buy a \$4 cap and let that be legal to spend the \$4 for a new cap rather than spend \$20 to find out you do not need a cap.

I urge you people from those counties to meet your obligation, if you will, please.

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

Mr. GEIST. Mr. Speaker, could we hold for just a moment while we confer?

The SPEAKER. The House will be temporarily at ease.

Does the gentleman, Mr. Yudichak, desire recognition on this amendment? The Chair recognizes the gentleman, Mr. Yudichak.

Mr. YUDICHAK. Thank you, Mr. Speaker.

I rise to endorse the Representative George amendment on the gas cap test and the emissions program.

I understand fully and I certainly appreciate the remarks by the majority chairman. I respect his leadership on the Transportation Committee immensely. There is no one in this chamber that has made the mistake that has been made at the Federal level and in the court system. There has been no vote by a member of this chamber to institute the policies that, unfortunately, the counties that Representative George has listed must enforce. We are talking about \$30 to \$40 in addition to a safety inspection cost on the residents, on the people, on our residents that we serve. It is unfortunate.

The folks that I have heard from the most are the shop owners, the mechanics, the folks that are in the field every day that said, what are you doing? What is the Federal government doing to us when we can really, we can really help air quality, we can institute the emissions program, meet the Federal guidelines, and we can do it cheaply, we can do it more effectively? But now you are asking us to buy a \$6,000 piece of machinery to send data to the Federal government when we can do that and we can help our customers, lifelong customers, instead of pricing them out of owning a car.

We need, we need to get serious about this emissions program. We need to pass the gas cap amendment that Representative George has offered. I would appreciate my colleagues' support.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Carbon, Mr. McCall.

Mr. McCALL. Thank you, Mr. Speaker.

Mr. Speaker, I would ask the members to oppose the George amendment.

Mr. Speaker, I think that the way the gentleman drafted the amendment, he drafted it improperly. Simply to say an approved gas cap by the department does not solve the problem. The fact of the matter is, it does not matter if it is an approved gas cap by the department. They are going to approve any gas cap that they think is going to work. The simple fact is that it has to be a working gas cap to prove that there is no evaporative loss coming out of the gas tank, and for the whole vapor loss recovery system to work, you have to have a functioning gas cap on the automobile.

I think the George amendment is inappropriately drafted, and I would ask the members to vote against the George amendment.

The SPEAKER. The Chair recognizes the gentleman from Blair, Mr. Geist.

Mr. GEIST. Thank you, Mr. Speaker.

I think the political world has been turned upside down.

I am at this microphone today defending the Governor of Pennsylvania and the system that was made in big courts and big government.

(A statement by Mr. Geist at this point was voluntarily withdrawn, and subsequent comments by Mr. George were deleted.)

Mr. GEIST. I will say that it is strange that we are having amendments on the floor of the House by people who are switching positions from longtime-held positions based upon a long history of amendments being offered in this House.

For all the reasons, even more so than the last amendment was bad, this one is even worse. There is no list of approved gas caps. The State has none. It is all based upon the test, and for that reason and that reason alone, I would ask for a "no" vote, and I am sure that I am probably going to get a note from the Governor inviting me to the mansion for lunch for defending his program.

The SPEAKER. The Chair thanks the gentleman.

The gentleman has asked that his remarks be stricken from the record.

Mr. GEORGE. Mr. Speaker?

The SPEAKER. I will instruct that they be stricken from the record.

The Chair recognizes the gentleman, Mr. George.

Mr. GEORGE. Thank you, sir.

Now, let me make this august body aware of one thing. Mr. Geist evidently insists that I am a switcheroo. Well, I will tell you, I have been here 30 years and I never heard him compliment a Democratic Governor before. Congratulations.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS-78

Barrar	Eachus	McGeehan	Staback
Bebko-Jones	Fabrizio	Melio	Surra
Belardi	George	Metcalfe	Tangretti
Belfanti	Gergely	Mundy	Thomas
Biancucci	Goodman	Myers	Tigue
Bishop	Grucela	Pallone	Travaglio
Blaum	Gruitza	Petrarca	Veon
Buxton	Habay	Petrone	Vitali
Casorio	Haluska	Pistella	Walko
Causer	Hanna	Preston	Wansacz
Cawley	Harhai	Readshaw	Washington
Cohen	Hasay	Rieger	Waters
Corrigan	James	Roberts	Wheatley
Costa	Kirkland	Roebuck	Williams
Coy	Kotik	Sainato	Wilt
DeLuca	Laughlin	Samuelson	Wojnaroski
Dermody	Lescovitz	Scrimenti	Yewcic
DeWeese	Lynch	Shaner	Youngblood
Diven	Mann	Solobay	Yudichak
Donatucci	Markosek		

NAYS-114

Adolph	Fairchild	Levdansky	Reichley
Allen	Feese	Lewis	Rohrer
Argall	Fichter	Mackereith	Ross
Armstrong	Fleagle	Maher	Rubley
Baker	Flick	Maitland	Santoni
Baldwin	Forcier	Major	Sather
Bard	Frankel	Manderino	Saylor
Bastian	Gabig	Marsico	Scavello
Benninghoff	Gannon	McCall	Schroder
Birmelin	Geist	McGill	Semmel
Boyd	Gillespie	McIlhattan	Smith, B.
Browne	Gingrich	McIlhinney	Smith, S. H.
Bunt	Godshall	McNaughton	Stairs
Butkovitz	Good	Micozzie	Steil
Caltagirone	Harhart	Millard	Stern
Cappelli	Harper	Miller, R.	Stetler
Civera	Harris	Miller, S.	Stevenson, R.
Clymer	Hennessey	Mustio	Stevenson, T.
Coleman	Herman	Nailor	Sturla
Cornell, S. E.	Hershey	Nickol	True
Crahalla	Hess	O'Brien	Turzai
Creighton	Hickernell	Oliver	Vance
Curry	Hutchinson	O'Neill	Watson
Dailey	Keller	Payne	Weber
Dally	Kenney	Petri	Wright
Denlinger	Killion	Phillips	Zug
DiGirolamo	Leach	Pickett	
Egolf	Lederer	Raymond	Perzel,
Evans, J.	Leh	Reed	Speaker

NOT VOTING-0

EXCUSED-11

Cruz	Freeman	LaGrotta	Taylor, E. Z.
Daley	Horsey	Rooney	Taylor, J.
Evans, D.	Josephs	Ruffing	

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

On the question recurring,

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

Mr. SOLOBAY offered the following amendment No. A0722:

Amend Title, page 1, line 2, by inserting after "providing" for the definition of "emergency vehicle" and

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

Section 1. The definition of "emergency vehicle" in section 102 of Title 75 of the Pennsylvania Consolidated Statutes is amended to read:

§ 102. Definitions.

Subject to additional definitions contained in subsequent provisions of this title which are applicable to specific provisions of this title, the following words and phrases when used in this title shall have, unless the context clearly indicates otherwise, the meanings given to them in this section:

* * *

"Emergency vehicle." A fire department vehicle, police vehicle, sheriff vehicle, ambulance, blood delivery vehicle, human organ delivery vehicle, hazardous material response vehicle, armed forces emergency vehicle, one vehicle operated by a coroner or chief county medical examiner and one vehicle operated by a chief deputy coroner or deputy chief county medical examiner used for answering emergency calls, or any other vehicle designated by the State Police under section 6106 (relating to designation of emergency vehicles by Pennsylvania State Police), or a privately owned vehicle used in answering an emergency call when used by any of the following:

- (1) A police chief and assistant chief.
- (2) A fire chief, assistant chief and, when a fire company has three or more fire vehicles, a second or third assistant chief.
- (3) A fire police captain and fire police lieutenant.
- (4) An ambulance corps commander and assistant commander.
- (5) A river rescue commander and assistant commander.
- (6) A county emergency management coordinator.
- (7) A fire marshal.
- (8) A rescue service chief and assistant chief.
- (9) Chief or operations director of a county hazardous materials response team.

* * *

Section 2. Section 3526 of Title 75 is amended to read:

Amend Sec. 2, page 1, line 15, by striking out all of said line and inserting

Section 3. This act shall take effect as follows:

- (1) The amendment of the definition of "emergency vehicle" in 75 Pa.C.S. § 102 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?

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

Mr. SOLOBAY. Thank you, Mr. Speaker.

Basically, this amendment will add to the definition of emergency vehicles, which would include the chief or chief operating director of county hazmat (hazardous material) teams.

LEAVE OF ABSENCE CANCELED

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

CONSIDERATION OF HB 2163 CONTINUED

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

The following roll call was recorded:

YEAS—193

Adolph	Egolf	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	McGeehan	Smith, S. H.
Belfanti	Gannon	McGill	Solobay
Benninghoff	Geist	McIlhatten	Staback
Biancucci	George	McIlhinney	Stairs
Birmelin	Gergely	McNaughton	Steil
Bishop	Gillespie	Melio	Stern
Blaum	Gingrich	Metcalfe	Stetler
Boyd	Godshall	Micozzie	Stevenson, R.
Browne	Good	Millard	Stevenson, T.
Bunt	Goodman	Miller, R.	Sturla
Butkovitz	Gruela	Miller, S.	Surra
Buxton	Gruitza	Mundy	Tangretti
Caltagirone	Habay	Mustio	Thomas
Cappelli	Haluska	Myers	Tigue
Casorio	Hanna	Nailor	Travaglio
Causar	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	Keller	Preston	Williams
Dailey	Kenney	Raymond	Wilt
Daley	Killion	Readshaw	Wojnaroski
Dally	Kirkland	Reed	Wright
DeLuca	Kotik	Reichley	Yewcic
Denlinger	Laughlin	Rieger	Youngblood
Dermody	Leach	Roberts	Yudichak
DeWeese	Lederer	Roebuck	Zug
DiGirolamo	Leh	Rohrer	
Diven	Lescovitz	Ross	
Donatucci	Levdansky	Rubley	Perzel,
Eachus	Lewis	Sainato	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—10

Cruz	Horse	Rooney	Taylor, E. Z.
Evans, D.	Josephs	Ruffing	Taylor, J.
Freeman	LaGrotta		

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

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

Mr. SOLOBAY offered the following amendment No. A0723:

Amend Title, page 1, line 2, by inserting after "providing"
for a special registration plate for veterans and
members of United States military airborne units
and

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

Section 1. Title 75 of the Pennsylvania Consolidated Statutes is amended by adding a section to read:

§ 1362. Special plates for United States military airborne units.

(a) General rule.—Upon application of any person who is a veteran of or a member of a United States military airborne unit, accompanied by a fee of \$20 which shall be in addition to the annual registration fee and by such documentation as the department shall require, the department shall issue to the person a special registration plate designating the vehicle so licensed as belonging to a person who is a veteran of or a member of a United States military airborne unit. The special registration plate may be used only on a passenger car or truck with a registered gross weight of not more than 9,000 pounds.

(b) Plate details.—The special registration plate shall display a set of jump wings and glider wings along with the letters "ABN" followed by a series of five digits. The first two or three digits of the five-digit series will denote the number of the division under which the person served.

Section 2. Section 3526 of Title 75 is amended to read:

Amend Sec. 2, page 1, line 15, by striking out all of said line and inserting

Section 3. This act shall take effect as follows:

(1) The addition of 75 Pa.C.S. § 1362 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?

The following roll call was recorded:

YEAS—193

Adolph	Egolf	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	McGeehan	Smith, S. H.
Belfanti	Gannon	McGill	Solobay
Benninghoff	Geist	McIlhatten	Staback
Biancucci	George	McIlhinney	Stairs
Birmelin	Gergely	McNaughton	Steil
Bishop	Gillespie	Melio	Stern
Blaum	Gingrich	Metcalfe	Stetler
Boyd	Godshall	Micozzie	Stevenson, R.
Browne	Good	Millard	Stevenson, T.

Bunt	Goodman	Miller, R.	Sturla
Butkovitz	Grucela	Miller, S.	Surra
Buxton	Gruitza	Mundy	Tangretti
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	Keller	Preston	Williams
Dailey	Kenney	Raymond	Wilt
Daley	Killion	Readshaw	Wojnaroski
Dally	Kirkland	Reed	Wright
DeLuca	Kotik	Reichley	Yewcic
Denlinger	Laughlin	Rieger	Youngblood
Dermody	Leach	Roberts	Yudichak
DeWeese	Lederer	Roebuck	Zug
DiGirolamo	Leh	Rohrer	
Diven	Lescovitz	Ross	
Donatucci	Levdansky	Rubley	Perzel,
Eachus	Lewis	Sainato	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—10

Cruz	Horsey	Rooney	Taylor, E. Z.
Evans, D.	Josephs	Ruffing	Taylor, J.
Freeman	LaGrotta		

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

On the question recurring,

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

Mr. **DALLY** offered the following amendment No. **A0772**:

Amend Title, page 1, line 2, by inserting after "further" defining "school bus"; and further

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

Section 1. The definition of "school bus" in section 102 of Title 75 of the Pennsylvania Consolidated Statutes is amended to read: § 102. Definitions.

Subject to additional definitions contained in subsequent provisions of this title which are applicable to specific provisions of this title, the following words and phrases when used in this title shall have, unless the context clearly indicates otherwise, the meanings given to them in this section:

* * *

"School bus." A motor vehicle which:

(1) is designed to carry 11 passengers or more, including the driver; and

(2) is used for the transportation of preprimary, primary or secondary school students to or from public, private or

parochial schools or events related to such schools or school-related activities.

The term does not include a motor vehicle used to transport preprimary, primary or secondary school students to or from public, private or parochial schools or events related to such schools or school-related activities, which is designed to carry 11 to 15 passengers, including the driver, and which is registered in this Commonwealth as a bus prior to March 1, 1993, or a motor vehicle which is designed to carry 11 to 15 passengers, including the driver, and which was titled to any public, private or parochial school on or before March 1, 1993, and which is registered to that public, private or parochial school in this Commonwealth as a bus prior to September 15, 1993. For purposes of this definition, the term "school" shall mean an institution for the education or training of children, including, but not limited to, kindergarten, rehabilitation center, day-care center, Head Start center, group day-care home, family day-care home and summer camp.

* * *

Section 2. Section 3526 of Title 75 is amended to read:

Amend Sec. 2, page 1, line 15, by striking out "2" and inserting

3

On the question,

Will the House agree to the amendment?

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

Mr. DALLY. Thank you, Mr. Speaker.

The purpose of this amendment is to reconcile the difference between the Pennsylvania Code when it comes to defining "school" and the statutory, the present statutory scheme which does not provide for that definition.

There have been some enforcement problems with the PUC (Public Utility Commission) enforcing or attempting to enforce the law against schoolbus operators, and it is causing a great deal of cost for those operators because, in most cases, they are being exonerated, and a lot of it has to do with the confusion brought about by the lack of this definition in the Vehicle Code. So that is what this amendment does.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—193

Adolph	Egolf	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	McGeehan	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
Boyd	Godshall	Micozzie	Stevenson, R.
Browne	Good	Millard	Stevenson, T.
Bunt	Goodman	Miller, R.	Sturla

Butkovitz	Grucela	Miller, S.	Surra
Buxton	Gruitza	Mundy	Tangretti
Caltagirone	Habay	Mustio	Thomas
Cappelli	Haluska	Myers	Tigue
Casorio	Hanna	Nailor	Travaglio
Causar	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	Keller	Preston	Williams
Dailey	Kenney	Raymond	Wilt
Daley	Killion	Readshaw	Wojnaroski
Dally	Kirkland	Reed	Wright
DeLuca	Kotik	Reichley	Yewcic
Denlinger	Laughlin	Rieger	Youngblood
Dermody	Leach	Roberts	Yudichak
DeWeese	Lederer	Roebuck	Zug
DiGrolamo	Leh	Rohrer	
Diven	Lescovitz	Ross	
Donatucci	Levdansky	Rubley	Perzel,
Eachus	Lewis	Sainato	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—10

Cruz	Horsey	Rooney	Taylor, E. Z.
Evans, D.	Josephs	Ruffing	Taylor, J.
Freeman	LaGrotta		

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

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—193

Adolph	Egolf	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	McGeehan	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
Boyd	Godshall	Micozzie	Stevenson, R.
Browne	Good	Millard	Stevenson, T.
Bunt	Goodman	Miller, R.	Sturla
Butkovitz	Grucela	Miller, S.	Surra
Buxton	Gruitza	Mundy	Tangretti
Caltagirone	Habay	Mustio	Thomas
Cappelli	Haluska	Myers	Tigue
Casorio	Hanna	Nailor	Travaglio
Causar	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	Keller	Preston	Williams
Dailey	Kenney	Raymond	Wilt
Daley	Killion	Readshaw	Wojnaroski
Dally	Kirkland	Reed	Wright
DeLuca	Kotik	Reichley	Yewcic
Denlinger	Laughlin	Rieger	Youngblood
Dermody	Leach	Roberts	Yudichak
DeWeese	Lederer	Roebuck	Zug
DiGrolamo	Leh	Rohrer	
Diven	Lescovitz	Ross	
Donatucci	Levdansky	Rubley	Perzel,
Eachus	Lewis	Sainato	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—10

Cruz	Horsey	Rooney	Taylor, E. Z.
Evans, D.	Josephs	Ruffing	Taylor, J.
Freeman	LaGrotta		

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 2066, PN 3500**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further defining "collectible motor vehicle"; defining "I-CAR"; further providing for application for certificate of title, for transfer of vehicle ownership and for reconstructed vehicles; providing for titling and inspection of reconstructed, modified and specially constructed vehicles; further providing for required registration and certificate of title; providing for fees for reconstructed, modified and specially constructed vehicle inspection and for certificate of appointment for reconstructed vehicle inspection sites;

and further providing for issuance of certificate of inspection and for State replacement vehicle identification number plate.

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

The SPEAKER. Does the gentleman, Mr. George, still wish to offer his amendment?

Mr. GEORGE. I apologize, Mr. Speaker; I am deliberating.

Mr. Speaker, again, I guess they say a faint heart never won a fair lady, and I am still trying.

The SPEAKER. Okay.

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

Mr. **GEORGE** offered the following amendment No. **A0732**:

Amend Sec. 5 (Sec. 1165.1), page 5, line 13, by striking out all of said line

Amend Sec. 5 (Sec. 1165.1), page 5, line 14, by striking out “(iii)” and inserting

(ii)

Amend Sec. 5 (Sec. 1165.1), page 5, line 15, by striking out “(iv)” and inserting

(iii)

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

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

Mr. GEORGE. Mr. Speaker, if in fact a vehicle is demolished and the insurance company ascertains that it is junk, no matter how well you could bring it back to conformity, once it has the junk title, the only way it can go back on the highways is to have a reconstruction title, and the way that it has been done in this State for as long as I can remember, when you need a reconstruction permit, you go to either a State policeman or a garage inspector. They ascertain by what they can see, what they know, and photographs, and send in to the department. When that vehicle receives a title, it is not in the name of the original manufacturer. For example, it could be called the Geist rent-a-mobile, but it would no longer be called a Chevrolet. Now, that does not cost the individual a nickel by going to the garage inspector, by going to the State policeman, et cetera.

Now, what this legislation does, it states that there will be a contract group that will travel all over Pennsylvania when you or someone else is in need to get the conformance standards and to get the okay that the car now can receive recertification as a reconstructed. That could cost you \$100, \$200, \$300, or whatever; I do not know. And I am not against who might get the contract. I do not know, but I am just taking one little phrase out that does not insist that one contractor be given this contract. It allows the department to make that judgment whether there should be one of those regionally, whether there should be two dozen, because it is not going to cost the State any money. And please do not make this captive where only one organization or one contractor can place that charge upon you.

I ask that we adopt this amendment.

The SPEAKER. The Chair thanks the gentleman.

LEAVE OF ABSENCE

The SPEAKER. The Chair returns to leaves of absence. The gentleman, Mr. COLEMAN, is on a leave of absence for the remainder of the day. His name will be stricken from the master roll.

CONSIDERATION OF HB 2066 CONTINUED

The SPEAKER. The Chair recognizes the gentleman from Blair, Mr. Geist.

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

I rise to oppose this amendment.

The way that the bill is designed, you will be able to go in and get that plate instantly. There will be no more 2-month waiting period. You will go to an approved provider. That provider will take care of it on the spot. This is a huge improvement over business as usual and is a wonderful, wonderful thing for the people of Pennsylvania on their reconstructed titles.

I ask a “no” vote on this amendment, and that would be about it. It is quite simple.

The SPEAKER. The gentleman from Elk, Mr. Surra.

Mr. SURRA. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of the George amendment, and I generally agree with what the Transportation chairman just said. People should be able to go into an office or facility and have their reconstructed vehicle checked out and just leave with a plate.

What Representative George is attempting to do, instead of having a contract with one agency, one company, it would allow a number of different companies to bid on these contracts, and I am for competition, and I think we should. The more, the better.

This is a very difficult issue. This is one of those issues where it sounds like a good thing and then 6 months from now, once it is implemented, we are all going to say, wow, what did we do?

As we all know, the reconstructed title issue has become a difficult thing, and I think that we should allow more input, more companies to participate, and so I support the George amendment.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. George.

Mr. GEORGE. Thank you, Mr. Speaker.

Mr. Speaker, again, I am not attempting to obliterate the idea of a contractor. It never was done. All I am saying is, if you are going to put the price up, the gentleman, Mr. Geist, said it is convenient. All things that are convenient cost a lot more money.

So here we have a scenario where today you can do the same thing that you will need to do next month but you will do it at no cost, and next month you will pay maybe \$200 for someone to come 150 or 200 miles to look at your vehicle and do what has to be done.

Now, if you can wait another day or two, is it worth spending \$200? I do not tell them how many in this amendment. I simply allow it. If the department wants to put five in, they want to stay with one, it is up to them, but we should not be as a legislative body saying you should only have one, and I ask you to support the amendment.

The SPEAKER. The Chair thanks the gentleman.

GUESTS INTRODUCED

The SPEAKER. In the gallery we have with us the other half of the St. Cecilia's fourth grade class. Their bus broke down. They are the guests today here of the Speaker and Representative George Kenney. Would those guests please rise and be recognized.

CONSIDERATION OF HB 2066 CONTINUED

The SPEAKER. The gentleman from Carbon, Mr. McCall.

Mr. McCALL. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of the George amendment.

I do not think there is any reason at all or whatsoever that we should be single-sourcing this contract. I think we should give the administration as much flexibility as possible when it comes to the terms of this contract. I think part of the problem will be that in some of the rural areas of the State, with a single contract, that those rural areas will not get the service that they need and desire, and that if we give the administration flexibility by allowing a number of companies to bid this contract, I think it would behoove us and would help our constituents in getting the best service as possible. I think the fact that this simply says that they may do it, I think, is a good proviso in the law, and I would ask for support of the amendment.

The SPEAKER. The gentleman, Mr. Geist.

Mr. GEIST. Thank you, Mr. Speaker.

The reason that sole source was in there was to protect the sensitive list of VIN numbers (vehicle identification numbers). That is a very, very sensitive issue. That is why it was written in that way. You want to be able to make sure that those numbers do not get into the wrong hands, and that is why it was specifically spelled out that way.

Thank you, and I would urge a "no" vote.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS-177

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

Caltagirone	Habay	Mustio	Surra
Casorio	Haluska	Myers	Tangretti
Causar	Hanna	Nailor	Thomas
Cawley	Harhai	Nickol	Tigue
Civera	Harhart	O'Brien	Travaglio
Clymer	Harper	Oliver	True
Cohen	Harris	O'Neill	Turzai
Cornell, S. E.	Hasay	Pallone	Vance
Corrigan	Herman	Payne	Veon
Costa	Hershey	Petrarca	Vitali
Coy	Hess	Petri	Walko
Creighton	Hickernell	Petrone	Wansacz
Curry	Hutchinson	Phillips	Washington
Dailey	James	Pickett	Waters
Daley	Keller	Pistella	Watson
Dally	Kenney	Preston	Wheatley
DeLuca	Killion	Raymond	Williams
Denlinger	Kirkland	Readshaw	Wilt
Dermody	Kotik	Reed	Wojnaroski
DeWeese	Laughlin	Reichley	Wright
DiGirolamo	Leach	Riegner	Yewcic
Diven	Lederer	Roberts	Youngblood
Donatucci	Leh	Roebuck	Yudichak
Eachus	Lescovitz	Rohrer	Zug
Egolf			

NAYS-15

Argall	Hennessey	McNaughton	Weber
Baldwin	Lewis	Rubley	
Cappelli	Maher	Saylor	Perzel,
Crahalla	Marsico	Scavello	Speaker
Geist			

NOT VOTING-0

EXCUSED-11

Coleman	Freeman	LaGrotta	Taylor, E. Z.
Cruz	Horse	Rooney	Taylor, J.
Evans, D.	Josephs	Ruffing	

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

On the question,

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

Mr. **TRAVAGLIO** offered the following amendment No. **A0742**:

Amend Title, page 1, line 12, by inserting after "inspection"
, for authority to erect traffic-control devices

Amend Sec. 8, page 9, lines 3 and 4, by striking out all of said lines and inserting
Section 8. Sections 4727 and 6122 of Title 75 are amended by adding subsections to read:

Amend Sec. 8, page 9, by inserting between lines 10 and 11
§ 6122. Authority to erect traffic-control devices.

* * *

(e) Costs.—The Commonwealth shall bear the cost of designing, constructing, installing and maintaining traffic-control signals on State-designated highways and at intersections of State-designated highways and local roads. The department shall reimburse local authorities for the costs incurred for electricity used for traffic signals located on State-designated highways.

Amend Sec. 10, page 10, line 4, by striking out “§ 1165.2” and inserting

§§ 1165.2 and 6122(e)

On the question,

Will the House agree to the amendment?

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

Mr. TRAVAGLIO. This amendment provides that the Commonwealth shall bear the cost of designing, constructing, and initiating, installing, and maintaining traffic-control signals on State-designated highways and at intersections of State-designated highways and local roads. It requires the department to reimburse local authorities for the costs incurred in electricity for the traffic signals located on the State-designated roads.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Geist.

Mr. GEIST. Mr. Speaker, a question of the Chair, please.

Was there a fiscal note filed for this amendment?

The SPEAKER. We do not have one in our possession. We are going to check to see whether or not one was requested of the Appropriations chairman.

Mr. GEIST. The reason I ask that is, this would be a huge cost to the State of Pennsylvania, and we really do need a fiscal note.

The SPEAKER. The Appropriations chairman is calling his staff right now to see whether or not one was requested.

Perhaps the gentleman, Mr. Travaglio, could enlighten us. Was a fiscal note requested for this amendment, Mr. Travaglio?

Mr. TRAVAGLIO. I thought it was, but I am not sure.

The SPEAKER. Well, we are checking on it.

The House will be at ease.

AMENDMENT RULED OUT OF ORDER

The SPEAKER. The gentleman, Mr. Argall, indicates that there was never a fiscal note requested for this particular amendment, so the amendment is going to be ruled out of order.

Does the gentleman have an additional amendment on this particular bill?

Mr. TRAVAGLIO. Yes.

On the question recurring,

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

Mr. TRAVAGLIO offered the following amendment No. **A0743**:

Amend Title, page 1, line 10, by striking out “and” and inserting
; further providing for the fee for identification
cards; providing

Amend Bill, page 7, by inserting after line 30

Section 7. Section 1951 heading and (c) of Title 75 are amended to read:

§ 1951. Driver's license [and], learner's permit and identification card.

* * *

(c) Identification card.—The fee for an identification card shall be \$5 plus the cost of the photograph[.], except that if the person to whom the identification card is issued is an anatomical organ donor under

section 1510(c), then the fee and the cost of the photograph shall be waived.

* * *

Amend Sec. 7, page 8, line 1, by striking out “7” and inserting
8

Amend Sec. 8, page 9, line 3, by striking out “8” and inserting
9

Amend Sec. 9, page 9, line 11, by striking out “9” and inserting
10

Amend Sec. 10, page 10, line 2, by striking out “10” and inserting
11

Amend Sec. 10, page 10, line 4, by striking out “of 75 Pa.C.S. § 1165.2” and inserting

or amendment of 75 Pa.C.S. §§ 1165.2 and 1951 heading and (c)

On the question,

Will the House agree to the amendment?

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

Mr. TRAVAGLIO. This amendment provides, with regard to the issuance of nondriver ID cards, if the person to whom the identification card is issued is an organ donor, then the fee and the cost of the photograph would be waived.

Mr. GEIST. Thank you, Mr. Speaker.

We support this amendment.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS-192

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

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

NAYS—0

NOT VOTING—0

EXCUSED—11

Coleman	Freeman	LaGrotta	Taylor, E. Z.
Cruz	Horsey	Rooney	Taylor, J.
Evans, D.	Josephs	Ruffing	

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

On the question recurring,

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

The SPEAKER. Does the gentleman, Mr. Travaglio, desire recognition?

Mr. TRAVAGLIO. Waive the next two.

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

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

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

NAYS—0

NOT VOTING—0

EXCUSED—11

Coleman	Freeman	LaGrotta	Taylor, E. Z.
Cruz	Horsey	Rooney	Taylor, J.
Evans, D.	Josephs	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.

RESOLUTIONS PURSUANT TO RULE 35

Mr. WATERS called up **HR 621, PN 3502**, entitled:

A Resolution urging citizens to take precautions to prevent winter weather-related fires.

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS-192

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

NAYS-0

NOT VOTING-0

EXCUSED-11

Coleman	Freeman	LaGrotta	Taylor, E. Z.
Cruz	Horse	Rooney	Taylor, J.
Evans, D.	Josephs	Ruffing	

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

* * *

Mrs. VANCE called up **HR 622, PN 3503**, entitled:

A Resolution designating the month of April 2004 as "Pennsylvania Organ and Tissue Donor Awareness Month."

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-191

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

NAYS-1

Metcalfe

NOT VOTING-0

EXCUSED-11

Coleman	Freeman	LaGrotta	Taylor, E. Z.
Cruz	Horse	Rooney	Taylor, J.
Evans, D.	Josephs	Ruffing	

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

* * *

Mr. DENLINGER called up **HR 623, PN 3504**, entitled:

A Resolution condemning any and all reality television programming utilizing members of the Amish community and strongly urging any and all television networks from planning such programming.

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS-192

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

NAYS-0

NOT VOTING-0

EXCUSED-11

Coleman	Freeman	LaGrotta	Taylor, E. Z.
Cruz	Horsey	Rooney	Taylor, J.
Evans, D.	Josephs	Ruffing	

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

* * *

Mr. YUDICHAK called up **HR 624, PN 3505**, entitled:

A Resolution designating the month of April 2004 as "The Millennium Circle of The Luzerne Foundation Awareness Month" in Pennsylvania.

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS-192

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

Donatucci	Levdansky	Rubley	
Eachus	Lewis	Sainato	Perzel,
Egolf	Lynch		Speaker

NAYS—0

NOT VOTING—0

EXCUSED—11

Coleman	Freeman	LaGrotta	Taylor, E. Z.
Cruz	Horsey	Rooney	Taylor, J.
Evans, D.	Josephs	Ruffing	

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

* * *

Ms. WEBER called up **HR 632, PN 3525**, entitled:

A Resolution recognizing the month of April 2004 as “Autism Awareness Month” in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—192

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

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

NAYS—0

NOT VOTING—0

EXCUSED—11

Coleman	Freeman	LaGrotta	Taylor, E. Z.
Cruz	Horsey	Rooney	Taylor, J.
Evans, D.	Josephs	Ruffing	

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. SAMUELSON called up **HR 635, PN 3541**, entitled:

A Resolution designating the month of April 2004 as “Child Abuse Prevention Month” in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—191

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

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

NAYS—0

NOT VOTING—1

Miller, S.

EXCUSED—11

Coleman	Freeman	LaGrotta	Taylor, E. Z.
Cruz	Horsey	Rooney	Taylor, J.
Evans, D.	Josephs	Ruffing	

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

* * *

Mr. COSTA called up **HR 637, PN 3543**, entitled:

A Resolution designating March 27, 2004, as “St. Joseph Polish Benevolent Society Day” in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—192

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

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

NAYS—0

NOT VOTING—0

EXCUSED—11

Coleman	Freeman	LaGrotta	Taylor, E. Z.
Cruz	Horsey	Rooney	Taylor, J.
Evans, D.	Josephs	Ruffing	

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

SUPPLEMENTAL CALENDAR B CONTINUED

HR 577 RECONSIDERED

The SPEAKER. The Chair recognizes the gentleman, Mr. Feese, who moves that the vote by which HR 577, PN 3472, was passed on the 24th day of March be reconsidered.

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

The following roll call was recorded:

YEAS—192

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

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

NAYS—0

NOT VOTING—0

EXCUSED—11

Coleman	Freeman	LaGrotta	Taylor, E. Z.
Cruz	Horsey	Rooney	Taylor, J.
Evans, D.	Josephs	Ruffing	

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

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

The SPEAKER. The Chair recognizes the gentlelady, Mrs. Miller.

Mrs. MILLER. Thank you, Mr. Speaker.

Mr. Speaker, generally when we do resolutions, we are moving through them fairly rapidly, and when I had the opportunity to skim down through HR 577, it raised some concerns after the vote was actually taken.

I do not hold myself out to be an expert on the emissions testing in Pennsylvania or the court case, as our Transportation chairmen are. However, during the past several months I have been visited by a number of my local small businessmen who

operate garages, and they are providing a service to our constituents. This resolution is basically asking that the Legislative Budget and Finance Committee take a look at the charges that are being required of our constituents who are going in for these now mandatory emissions testing in certain counties, and one of the concerns that was raised to me by a number of my local businessmen is that the Department of Transportation has put out some figures that they say are totally unrealistic in costs. We are trying to compare urban vendors of this service with rural vendors of this service, and, Mr. Speaker, there is no way that we can compare costs of providing those kinds of services and say that it is apples and apples, that the cost has to be the same whether it is provided in an urban center where there are large populations or whether the small garages that are serving a smaller constituency have to charge the same amount even though their costs may exceed it by a considerable amount.

Mr. Speaker, those recent court actions expanding the automobile emissions have required some of our small garages to basically designate one of their stalls as they are doing their inspections and so forth and some of their employees, just restricting them for these types of emissions testing, and, Mr. Speaker, that is an exorbitant cost on some of these small businessmen.

Mr. Speaker, I am not suggesting that in any way we should do anything that would allow for collusion. I feel that our Attorney General's Office already has the power to investigate any collusion that is going on in the State of Pennsylvania. But, Mr. Speaker, to paint all of these small businessmen with the same broad brush and to imply through adoption of this resolution that our small garages are in fact price fixing in Pennsylvania I think does them a great disservice.

So, Mr. Speaker, at this point, in order to show my support for my small businessmen who are providing a service, providing the convenience that our constituents asked for when they asked us to reject centralized emissions testing a number of years ago so that they could visit their small local garages and have all of their automobile needs, maintenance, and inspections taken care of, I am going to be voting "no" on this resolution.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentlelady.

The Chair recognizes the gentleman, Mr. Geist.

Mr. GEIST. Thank you, Mr. Speaker.

The small garage owners, all the associations that worked with us on this resolution, have all checked off on it, everything from the new car dealers all the way down to Mr. Kulik's organization with the gas stations.

I would urge a "yes" vote on this, and let us get about the business of having this resolution work. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. CASORIO. Thank you, Mr. Speaker.

Mr. Speaker, I stand in support of the chairmen, both chairmen, who are on this resolution from the Transportation Committee. This is merely asking a study to be done whether the \$29 test or a \$59 test for the exact same test bears standard in Pennsylvania. It is a wide discrepancy of prices, Mr. Speaker. Yes, we have heard from our small garage owners, but quite frankly, the 60,000-plus people that I represent that are opposed to this test certainly, certainly, if we are going to enact this test,

and we have across this State, want some kind of price stability and price fairness, not a wide fluctuation of \$20, \$30, up to \$50 or \$60, Mr. Speaker.

When we voted on this the first time, many of us knew exactly what we were voting on, and I would request another unanimous vote on HR 577.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The gentleman from Cambria, Mr. Haluska.

Mr. HALUSKA. Thank you, Mr. Speaker.

Mr. Speaker, I kind of find it ironic that, you know, we want to do this study and we want to see where these prices are for emissions testing. Safety inspections have no set price. You can buy a car and get free safety inspections for the life of the car at some dealerships. Other places might charge \$20, \$25.

We fail to cap prescription drug prices; we fail to cap anything that professional services can charge, but now we are looking at taking small business owners and taking them to task for an investment they put in their equipment and everything and not let the private sector figure this out. You know, sooner or later these prices are going to come down and they are going to level out where people, you know, can afford these inspection prices. So I kind of think it is a lot to do about nothing.

On the question recurring,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS-187

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

Daley	Kirkland	Reichley	Wojnaroski
Dally	Kotik	Rieger	Wright
DeLuca	Laughlin	Roberts	Yewcic
Denlinger	Leach	Roebuck	Youngblood
Dermody	Lederer	Rohrer	Yudichak
DeWeese	Leh	Ross	Zug
DiGirolamo	Lescovitz	Rubley	
Diven	Levdansky	Sainato	Perzel,
Donatucci	Lewis	Samuelson	Speaker
Eachus			

NAYS-5

Egolf	Maher	Metcalfe	Miller, S.
Haluska			

NOT VOTING-0

EXCUSED-11

Coleman	Freeman	LaGrotta	Taylor, E. Z.
Cruz	Horse	Rooney	Taylor, J.
Evans, D.	Josephs	Ruffing	

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

The SPEAKER. There will be no further votes on the floor of the hall of the House today.

APPROPRIATIONS COMMITTEE MEETING

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

Mr. ARGALL. Thank you, Mr. Speaker.

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

The SPEAKER. The Chair thanks the gentleman.

Appropriations will meet in room 245 at the recess.

ANNOUNCEMENT BY MR. COHEN

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

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, there will be informal discussions in the House Democratic caucus room.

THE SPEAKER PRO TEMPORE (MATTHEW E. BAKER) PRESIDING

VOTE CORRECTIONS

The SPEAKER pro tempore. The Chair recognizes the lady from Chester, Mrs. Rubley.

Mrs. RUBLEY. Thank you very much, Mr. Speaker.

I would like to correct the record for two votes.

On HB 2163, amendment A716, my vote was incorrectly recorded. I would like to be recorded in the negative. On HB 2066, amendment 732, I would like to be recorded in the affirmative.

Thank you very much.

The SPEAKER pro tempore. The Chair thanks the lady, and her remarks will be spread upon the record.

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER pro tempore. The gentleman from Lehigh County, Mr. Semmel, is recognized.

Mr. SEMMEL. Thank you, Mr. Speaker.

I would like to submit some remarks for the record. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman. You may submit the remarks.

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

Thank you, Mr. Speaker.

I just want to thank the prime sponsors of the four important pieces of the support package for homeland-security-forces legislation passed yesterday, 4/23, as well as Chairman Tighe and the members of the House Veterans Affairs and Emergency Preparedness Committee for their hard work on these bills, as well as the members of this chamber for their affirmative votes on this package of bills.

In this post-September 11 world we live in, the duties of our military personnel abroad and the emergency services personnel on the homefront have been escalated to never-before levels, levels which indeed have a strenuous effect on the family and loved ones of these heroic individuals.

The bills passed yesterday by this body will assist in alleviating the burdens that are placed on these family members and will indeed have a positive effect on the duties of our heroic men and women in uniform.

We, the citizens of Pennsylvania and this nation, are the benefactors of the great sacrifices that these men and women and their families endure. Therefore, it is our duty to assist them in their noble endeavors during these turbulent times.

I once again would like to thank everybody for their part on the bills that were passed here yesterday.

Thank you, Mr. Speaker.

SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 2008, PN 3546**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

BILL REMOVED FROM TABLE

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

Mr. S. SMITH. Mr. Speaker, I move that HB 615 be removed from the table.

On the question,

Will the House agree to the motion?

Motion was agreed to.

BILL ON SECOND CONSIDERATION

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

HB 615, PN 716.

BILL RECOMMITTED

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

Mr. S. SMITH. Mr. Speaker, I move that HB 615 be referred to the Appropriations Committee.

On the question,

Will the House agree to the motion?

Motion was agreed to.

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 64, PN 3552 (Amended)

By Rep. STAIRS

An Act amending the act of January 25, 1966 (1965 P.L.1546, No.541), referred to as the Higher Education Scholarship Law, further providing for the length of scholarships; and making an appropriation.

EDUCATION.

HB 447, PN 525

By Rep. O'BRIEN

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for certain immunity for persons who donate vehicles and equipment to volunteer fire companies.

JUDICIARY.

HB 835, PN 3555 (Amended)

By Rep. O'BRIEN

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for scope of chapter relating to DNA data and testing, for the definitions of "DNA record" and "other specified offense," for DNA sample required upon conviction, delinquency adjudication and certain ARD cases and for expungement.

JUDICIARY.

HB 1273, PN 3553 (Amended)

By Rep. STAIRS

An Act establishing a fund to provide incentives for postgraduate Pennsylvania residence retention; and making an appropriation.

EDUCATION.

HB 1913, PN 3554 (Amended)

By Rep. STAIRS

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 disqualifications relating to teacher's certificate.

EDUCATION.

HB 2063, PN 2764

By Rep. O'BRIEN

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for sale or illegal use of certain solvents and noxious substances.

JUDICIARY.

HB 2071, PN 2772

By Rep. O'BRIEN

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

JUDICIARY.

HB 2188, PN 2976

By Rep. STAIRS

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing payments to school districts for Limited English Proficiency programs.

EDUCATION.

HB 2398, PN 3556 (Amended)

By Rep. O'BRIEN

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

JUDICIARY.

HB 2429, PN 3557 (Amended)

By Rep. O'BRIEN

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

JUDICIARY.

HB 2430, PN 3558 (Amended)

By Rep. O'BRIEN

An Act amending the act of June 29, 1953 (P.L.304, No.66), known as the Vital Statistics Law of 1953, providing for unidentified dead bodies and fetal remains.

JUDICIARY.

HB 2438, PN 3449

By Rep. O'BRIEN

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

JUDICIARY.

**RESOLUTION REPORTED
FROM COMMITTEE**

HR 585, PN 3348

By Rep. O'BRIEN

A Resolution memorializing the Congress of the United States to amend provisions of law relating to facilitation of law enforcement

exchange of DNA identification information to expand the types of DNA samples which are entered into the Combined DNA Index System (CODIS).

JUDICIARY.

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

HB 2472, PN 3562 (Amended)

By Rep. ARGALL

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.

APPROPRIATIONS.

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Goodman, from Schuylkill County.

Mr. GOODMAN. Mr. Speaker, I move that this House do now adjourn until Monday, March 29, 2004, at 1 p.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 1:44 p.m., e.s.t., the House adjourned.