

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

MONDAY, MARCH 29, 2004

SESSION OF 2004

188TH OF THE GENERAL ASSEMBLY

No. 17

HOUSE OF REPRESENTATIVES

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

THE SPEAKER PRO TEMPORE (PATRICIA H. VANCE) PRESIDING

PRAYER

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

Let us pray:

O God, the protector of all who trust in You, without whom nothing is strong, nothing is holy, make us deeply mindful of Your presence in our lives and so inform our thoughts and inspire our words that we may boldly perform the good works You would have us do.

As we give thanks for Your divine protection and care, we also give thanks for those who watch over and protect our streets and homes and people – the police officers, firefighters, and emergency medicine technicians of our cities, towns, and villages. Watch over them, we pray, in the dangerous and challenging work we have called them to do, that the citizens of this Commonwealth may live in security, safety, and health.

Lord, shine Your light upon this House today, and guide its leadership and members in the important work of legislation and government. Direct and prosper their consultations for the safety, honor, and welfare of all the people, that all things may be so ordered and settled by their endeavors, upon the best and surest foundations, that peace and happiness, truth and justice, liberty and piety may be established among us for all generations.

Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER pro tempore. Without objection, the approval of the Journal of Wednesday, March 24, 2004, will be postponed until printed.

JOURNALS APPROVED

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

Wednesday, October 1;
Monday, October 6;
Tuesday, October 7;
Wednesday, October 8;
Thursday, October 9;
Tuesday, October 14;
Wednesday, October 15;
Thursday, October 16;
Friday, October 17; and
Sunday, October 19, 2003.

Without objection, the Journals are approved.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2480 By Representatives SOLOBAY, ALLEN, BARRAR, BEBKO-JONES, BELARDI, BELFANTI, BUNT, BUXTON, CAPPELLI, CASORIO, CAUSER, CAWLEY, COSTA, CRAHALLA, DALEY, DeLUCA, DeWEESE, FICHTER, GEORGE, GINGRICH, GOOD, HARHAI, HARRIS, HERMAN, HESS, KENNEY, KIRKLAND, LaGROTTA, LESCOVITZ, MANDERINO, MARKOSEK, McGEEHAN, PAYNE, PICKETT, CORRIGAN, COY, CURRY, DALLY, DENLINGER, FABRIZIO, GEIST, GERGELY, GODSHALL, GOODMAN, HARPER, HENNESSEY, HERSHEY, HUTCHINSON, KILLION, KOTIK, LAUGHLIN, LEVDANSKY, MANN, McCALL, McILHATTAN, PETRARCA, PISTELLA, READSHAW, REICHLEY, SAINATO, SCAVELLO, SCRIMENTI, B. SMITH, R. STEVENSON, SURRA, E. Z. TAYLOR, TRAVAGLIO, WILT, YUDICHAK, MAJOR, WEBER, YOUNGBLOOD, GRUCELA, REED, RUBLEY, SANTONI, SCHRODER, SHANER, STABACK, T. STEVENSON, TANGRETTI, TIGUE, WALKO and WOJNAROSKI

An Act amending the act of July 31, 2003 (P.L.73, No.17), known as the Volunteer Fire Company and Volunteer Ambulance Service Grant Act, further providing for the expiration of authority to issue grants; and making appropriations for additional grants to volunteer fire companies and volunteer ambulance services.

Referred to Committee on FINANCE, March 26, 2004.

No. 2481 By Representatives PETRI, BELFANTI, CRAHALLA, CURRY, DALEY, DeWEESE, HERSHEY, O'NEILL, PAYNE and E. Z. TAYLOR

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, further providing for location, lines, grades and width of curbs and sidewalks or footpaths and costs.

Referred to Committee on LOCAL GOVERNMENT, March 26, 2004.

No. 2482 By Representatives STERN, MANN, FLEAGLE, ARMSTRONG, PAYNE, SAYLOR, T. STEVENSON, CAPPELLI, LAUGHLIN, FORCIER, DENLINGER, FAIRCHILD, WALKO, CAUSER, KOTIK, GEORGE, GEIST, BUNT, MARKOSEK, LEVDANSKY, YUDICHAK, KELLER, PALLONE, BELFANTI, CRAHALLA, SCHRODER, BENNINGHOFF, R. STEVENSON, FICHTER, SCAVELLO, TIGUE, GOODMAN, CORRIGAN, HESS, HARHAI, WILLIAMS, CAWLEY, BASTIAN, ROSS, SOLOBAY, SATHER, THOMAS, MAHER, S. H. SMITH, McCALL, COSTA, BAKER, TANGRETTI, REED, LEWIS, J. EVANS, GRUCELA, ROBERTS and YOUNGBLOOD

An Act establishing the State Railroad Infrastructure Bank and the State Railroad Infrastructure Bank Fund; and providing for the powers and duties of the Department of Community and Economic Development.

Referred to Committee on FINANCE, March 26, 2004.

No. 2483 By Representatives ZUG, WILT, GOOD, ALLEN, ARGALL, BALDWIN, BARRAR, BLAUM, BROWNE, BUNT, CAPPELLI, CAWLEY, CLYMER, COSTA, CRAHALLA, DAILEY, DALLY, EACHUS, D. EVANS, FAIRCHILD, FLEAGLE, FRANKEL, GEORGE, GINGRICH, GODSHALL, GRUCELA, HARPER, HENNESSEY, LEACH, MANN, McNAUGHTON, NAILOR, PALLONE, PAYNE, REICHLEY, SATHER, SAYLOR, B. SMITH, SOLOBAY, T. STEVENSON, STURLA, TANGRETTI, E. Z. TAYLOR, THOMAS, TIGUE, WATERS, YOUNGBLOOD and DeWEESE

An Act establishing the Independent Higher Education and Community Financing Program and the Board of Review.

Referred to Committee on EDUCATION, March 26, 2004.

No. 2484 By Representatives PETRONE, DeWEESE, GERGELY, KOTIK, LaGROTTA, LAUGHLIN, LEACH, LYNCH, PALLONE, PISTELLA, ROONEY, SAINATO, THOMAS and YOUNGBLOOD

An Act authorizing a video lottery system at certain racetracks; providing for disbursements of revenues; imposing duties on the Division of the State Lottery; establishing an advisory committee; imposing a video lottery tax; and making an appropriation.

Referred to Committee on TOURISM AND RECREATIONAL DEVELOPMENT, March 26, 2004.

No. 2485 By Representatives STEIL, S. MILLER, CLYMER, CORRIGAN, CRAHALLA, CURRY, DALLY, GRUCELA, HARPER, HENNESSEY, HORSEY, MACKERETH, O'NEILL, ROSS, SCHRODER, E. Z. TAYLOR and WEBER

An Act amending the act of July 31, 1968 (P.L.805, No.247), known as the Pennsylvania Municipalities Planning Code, providing for an educational impact fee.

Referred to Committee on LOCAL GOVERNMENT, March 26, 2004.

No. 2486 By Representatives ROEBUCK, McCALL, THOMAS, CORRIGAN, COY, CURRY, DALEY, DENLINGER, DeWEESE, D. EVANS, FABRIZIO, GEIST, GEORGE, GERGELY, HENNESSEY, HERSHEY, JOSEPHS, KENNEY, KIRKLAND, KOTIK, LEDERER, MANDERINO, MANN, MYERS, PALLONE, PHILLIPS, SCAVELLO, SHANER, B. SMITH, TANGRETTI, J. TAYLOR, TIGUE, WALKO, WASHINGTON, WATSON and WEBER

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for passing and overtaking streetcars.

Referred to Committee on TRANSPORTATION, March 26, 2004.

No. 2487 By Representatives MAITLAND, NICKOL, BELFANTI, BENNINGHOFF, BOYD, CAWLEY, CLYMER, CRAHALLA, DeLUCA, DeWEESE, FLEAGLE, GEIST, GILLESPIE, GINGRICH, HENNESSEY, JAMES, MANN, S. MILLER, MUNDY, NAILOR, PAYNE, ROSS, SATHER, B. SMITH, STERN, E. Z. TAYLOR, J. TAYLOR, THOMAS, TIGUE, TRUE, VANCE, WATSON, WEBER, YOUNGBLOOD and SAYLOR

An Act amending the act of July 9, 1976 (P.L.817, No.143), known as the Mental Health Procedures Act, further providing for statement of policy, for provision for treatment and for persons who may be subject to involuntary emergency examination and treatment.

Referred to Committee on JUDICIARY, March 26, 2004.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 639 By Representatives FABRIZIO, BEBKO-JONES, SCRIMENTI, VEON, BIANCUCCI, CORRIGAN, COSTA, DONATUCCI, FICHTER, GEORGE, GERGELY, GOODMAN, JAMES, LaGROTTA, LEDERER, MANN, MARKOSEK, McCALL, MELIO, SURRA, TANGRETTI, J. TAYLOR, J. EVANS, THOMAS, DeWEESE, SAINATO, PALLONE, BROWNE, WALKO, TIGUE, HARHAI, HUTCHINSON, YOUNGBLOOD, KOTIK, STABACK, READSHAW, JOSEPHS and WASHINGTON

A Resolution memorializing Congress and the Department of Veterans Affairs to reconsider the negative impact of downsizing veterans medical centers, especially the Erie Veterans Medical Center in Erie, Pennsylvania.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, March 26, 2004.

No. 655 By Representatives MAITLAND, BALDWIN, DENLINGER, DiGIROLAMO, GINGRICH, McCALL, PALLONE, READSHAW, SCAVELLO, SOLOBAY, TIGUE and SATHER

A Resolution expressing opposition to amendments of March 12, 2004, to the Interstate Compact for Adult Offender Supervision.

Referred to Committee on JUDICIARY, March 29, 2004.

SENATE BILLS FOR CONCURRENCE

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

SB 200, PN 1460

Referred to Committee on EDUCATION, March 26, 2004.

SB 705, PN 1461

Referred to Committee on JUDICIARY, March 26, 2004.

SB 971, PN 1340

Referred to Committee on FINANCE, March 26, 2004.

SB 1026, PN 1472

Referred to Committee on APPROPRIATIONS, March 26, 2004.

BILLS REMOVED FROM TABLE

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

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

HB 1038;
HB 1929; and
HB 2120.

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

BILLS TABLED

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

Mr. S. SMITH. Madam Speaker, I move that the following bills be placed on the table:

HB 1038;
HB 1929; and
HB 2120.

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

BILLS REMOVED FROM TABLE

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

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

HB 835;
HB 1913;
HB 2071;
HB 2398;
HB 2429;
HB 2430;
HB 2437; and
HB 2438.

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 835, PN 3555; HB 1913, PN 3554; HB 2071, PN 2772; HB 2398, PN 3556; HB 2429, PN 3557; HB 2430, PN 3558; HB 2437, PN 3448; and HB 2438, PN 3449.

BILLS RECOMMITTED

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

Mr. S. SMITH. Madam Speaker, I move that the following bills be recommitted to the Appropriations Committee:

HB 835;
HB 1913;
HB 2071;
HB 2398;
HB 2429;
HB 2430;
HB 2437; and
HB 2438.

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

COMMUNICATION FROM DEPARTMENT OF REVENUE

The SPEAKER pro tempore. The Speaker acknowledges, in accordance with Article XX of the Tax Reform Code, a report relative to malt beverage brewers in Pennsylvania.

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

COMMUNICATION FROM INDEPENDENT REGULATORY REVIEW COMMISSION

The SPEAKER pro tempore. The Speaker acknowledges receipt of the 2003 Annual Report of the Independent Regulatory Review Commission.

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

COMMUNICATION FROM PUBLIC EMPLOYEE RETIREMENT COMMISSION

The SPEAKER pro tempore. The Speaker acknowledges receipt of the 2003 annual report of the Public Employee Retirement Commission.

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

GUEST INTRODUCED

The SPEAKER pro tempore. The Chair is pleased to welcome to the hall of the House, as the guest of Representative Gordon Denlinger, David Lapp of Narvon, Pennsylvania, who is seated in the balcony. Would the gentleman please rise.

COMMUNICATIONS FROM GOVERNOR

APPROVAL OF HOUSE BILLS

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

HB 100, HB 349, HB 514, HB 1235, HB 1236, HB 1423, and HB 2004.

SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 2007, PN 3559**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

LEAVES OF ABSENCE

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

The Chair recognizes the majority leader, who moves that the following members be placed on leave for the day: the gentleman from Allegheny, Mr. MAHER; the lady from Montgomery County, Mrs. DAILEY; the lady also from Montgomery County, Ms. HARPER; the lady from Bucks County, Mrs. WATSON; the gentleman from Lycoming County, Mr. FEESE; the gentleman from Montgomery County, Mr. BUNT; the gentleman from Delaware County, Mr. GANNON; the gentleman from Philadelphia County, Mr. PERZEL; and also the gentleman from Philadelphia County, Mr. TAYLOR. Without objection, the leaves of absence are granted.

The Chair recognizes the minority whip, who moves that the following members be placed on leave for the day: the gentleman from Allegheny County, Mr. GERGELY; and the following gentlemen all from Philadelphia, Mr. CRUZ,

Mr. BUTKOVITZ, Mr. HORSEY. Without objection, the leaves of absence are granted.

As a correction to the leaves of absence, the gentleman from Philadelphia, Mr. Taylor, and the lady from Montgomery, Ms. Harper, are for the week. Without objection, those leaves are granted.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—187

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

ADDITIONS—3

Roebuck	Scrimenti	Waters
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NOT VOTING—0

EXCUSED—13

Bunt	Feese	Horsley	Perzel,
Butkovitz	Gannon	Maher	Speaker
Cruz	Gergely	Taylor, J.	
Dailey	Harper	Watson	

GUESTS INTRODUCED

The SPEAKER pro tempore. The Chair is also pleased to welcome to the hall of the House the junior firefighters who are attending the Pennsylvania Fire and Emergency Services Institute’s Youth Leadership Challenge. These firefighters are from across Pennsylvania and represent the future of emergency services in Pennsylvania. With them today are the Institute’s executive director, Tom Savage, and Vince Difilippo, who is chief of the Radnor Fire Company, chairperson of the Youth Leadership Retreat. Also with them is Fred McCutcheon, who is president of the Firemen’s Legislative Federation of Pennsylvania, who provided the funding for this program. Would they please rise.

CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mrs. FORCIER called up **HR 625, PN 3506**, entitled:

A Resolution designating July 21, 2004, as “Ride to Work Day” in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—182

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

Cornell, S. E.	Hershey	Pallone	Turzai
Corrigan	Hess	Payne	Vance
Costa	Hickernell	Petrarca	Veon
Coy	Hutchinson	Petri	Vitali
Crahalla	James	Petrone	Walko
Creighton	Josephs	Phillips	Wansacz
Daley	Keller	Pickett	Weber
Dally	Kenney	Pistella	Wheatley
DeLuca	Killion	Preston	Williams
Denlinger	Kotik	Raymond	Wilt
Dermody	LaGrotta	Readshaw	Wojnaroski
DeWeese	Laughlin	Reed	Wright
DiGirolamo	Leach	Reichley	Yewcic
Diven	Lederer	Rieger	Youngblood
Donatucci	Leh	Roberts	Yudichak
Eachus	Lescovitz	Rohrer	Zug
Egolf	Levdansky		

NAYS—0

NOT VOTING—8

Curry	Roebuck	Scrimenti	Washington
Kirkland	Rooney	Sturla	Waters

EXCUSED—13

Bunt	Feese	Horsley	Perzel,
Butkovitz	Gannon	Maher	Speaker
Cruz	Gergely	Taylor, J.	
Dailey	Harper	Watson	

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

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Mrs. FORCIER called up **HR 626, PN 3507**, entitled:

A Resolution designating the week of May 16 through 22, 2004, as “Emergency Medical Services Week” and May 19, 2004, as “Emergency Medical Services for Children Day” in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—184

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

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

NAYS—0

NOT VOTING—6

Kirkland	Roebuck	Washington	Waters
Preston	Scrimenti		

EXCUSED—13

Bunt	Feese	Horsey	Perzel,
Butkovitz	Gannon	Maher	Speaker
Cruz	Gergely	Taylor, J.	
Dailey	Harper	Watson	

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

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Mrs. FORCIER called up **HR 627, PN 3508**, entitled:

A Resolution designating May 2004 as "Motorcycle Safety and Awareness Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—183

Adolph	Egolf	Lynch	Rubley
Allen	Evans, D.	Mackereth	Ruffing
Argall	Evans, J.	Maitland	Sainato
Armstrong	Fabrizio	Major	Samuelson
Baker	Fairchild	Manderino	Santoni
Baldwin	Fichter	Mann	Sather
Bard	Fleagle	Markosek	Saylor
Barrar	Flick	Marsico	Scavello
Bastian	Forcier	McCall	Schroder
Bebko-Jones	Frankel	McGeehan	Semmel

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

NAYS—0

NOT VOTING—7

Gabig	Hershey	Scrimenti	Waters
Hennessey	Roebuck	Washington	

EXCUSED—13

Bunt	Feese	Horsey	Perzel,
Butkovitz	Gannon	Maher	Speaker
Cruz	Gergely	Taylor, J.	
Dailey	Harper	Watson	

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

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Mr. GEIST called up **HR 630, PN 3523**, entitled:

A Resolution recognizing April 7, 2004, as "World Health Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-184

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

NAYS-0

NOT VOTING-6

Gabig	Roebuck	Washington	Waters
Kirkland	Scrimenti		

EXCUSED-13

Bunt	Feese	Horsely	Perzel,
Butkovitz	Gannon	Maher	Speaker
Cruz	Gergely	Taylor, J.	
Dailey	Harper	Watson	

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

GUESTS INTRODUCED

The SPEAKER pro tempore. The Chair is pleased to welcome to the hall of the House the Montgomery County Young Republicans, who are the guests of the Montgomery County delegation. They are located in the balcony. Would you please rise.

RESOLUTIONS PURSUANT TO RULE 35

Ms. WEBER called up **HR 633, PN 3526**, entitled:

A Resolution recognizing the week of May 9 through 15, 2004, as "National Police Week" and May 15, 2004, as "National Police Officers' Memorial Day."

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-185

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

NAYS—0

NOT VOTING—5

Kirkland	Scrimenti	Washington	Waters
Roebuck			

EXCUSED—13

Bunt	Feese	Horsey	Perzel,
Butkovitz	Gannon	Maher	Speaker
Cruz	Gergely	Taylor, J.	
Dailey	Harper	Watson	

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

* * *

Mr. HARHAI called up **HR 636, PN 3542**, entitled:

A Resolution designating May 15, 2004, as “Major General Jessica L. Wright Day” in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—183

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

Denlinger	Kotik	Raymond	Wilt
Dermody	LaGrotta	Readshaw	Wojnaroski
DeWeese	Laughlin	Reed	Wright
DiGirolamo	Leach	Reichley	Yewcic
Diven	Lederer	Roberts	Youngblood
Donatucci	Leh	Rohrer	Yudichak
Eachus	Lescovitz	Rooney	Zug
Egolf	Levdansky	Ross	

NAYS—0

NOT VOTING—7

Curry	Rieger	Scrimenti	Waters
Kirkland	Roebuck	Washington	

EXCUSED—13

Bunt	Feese	Horsey	Perzel,
Butkovitz	Gannon	Maher	Speaker
Cruz	Gergely	Taylor, J.	
Dailey	Harper	Watson	

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

STATEMENT BY MR. DALEY

The SPEAKER pro tempore. Could we please have some order in the House, please.

For what purpose does the gentleman, Mr. Daley, rise?

Mr. DALEY. On unanimous consent, Madam Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. DALEY. Thank you, Madam Speaker.

I would like to announce to the House of Representatives and all of Pennsylvania that is watching today on PCN (Pennsylvania Cable Network) that the California University of Pennsylvania women’s basketball program over the weekend played in the NCAA Division II championship game in St. Joe’s, Missouri, and they beat the tar out of Drury University, 75 to 72 – the women’s national championship in Division II.

As an alumni of California University and a member of the council of trustees and a supporter of the State System, as we all are, I wish our congratulations to the California University Fighting Vulcans. We will have them on the floor in a couple of weeks, and God bless you all.

The SPEAKER pro tempore. The Chair thanks the gentleman.

STATEMENT BY MR. MARKOSEK

The SPEAKER pro tempore. The gentleman, Mr. Markosek, is recognized under unanimous consent.

Could we please have order. It is impossible to hear what the gentleman is saying.

Mr. MARKOSEK. Thank you, Madam Speaker.

Madam Speaker, I rise today under unanimous consent to kind of commemorate an event that occurred in my own personal life, a significant event 25 years ago, but it was also a significant event not only for me personally but for most of the folks in Pennsylvania and in fact the world.

Twenty-five years ago this week I was a young engineer at the Westinghouse water reactor division in Monroeville when a staff person came in to a meeting that I was attending and announced that there had been an incident at the Three Mile Island nuclear plant which was located in Middletown, Pennsylvania.

At that time those of us in the nuclear industry were all very, very much interested in this, because there really had not been any significant accidents at any commercial nuclear plants prior to that. One of the things that happened immediately after that accident was the management of the Three Mile Island plant called upon many, many, many different areas of industry to come to Three Mile Island and help repair the plant. I was, I guess, fortunate enough – at least at the time I considered myself that, and I would still consider myself to be fortunate – to have been called upon to become one of the members of the recovery crew at Three Mile Island. It was an experience that, obviously, I will never forget.

I had been born and raised in Pennsylvania but had never traveled to Harrisburg prior to that. I had never seen the State capital prior to that. But having come down here— And it is interesting to note also that right after that accident, Governor Thornburgh ordered the evacuation of pregnant women, ordered the evacuation of many other people, and, of course, most citizens fear the unknown, so as a result, many people left on their own. It is ironic that folks like me and several thousand other people that worked in the nuclear industry were actually coming down here while everybody else that lived around here was leaving. We were coming down here to work on the plant, to straighten it out, to repair it, and to decontaminate it. I spent 3 weeks down here, and it was a very interesting and productive 3 weeks certainly in my life.

I can say this about the accident at Three Mile Island, looking back: Three Mile Island was an example of a nuclear plant that worked, not one that did not work, and there was obviously a significant cleanup, obviously significant costs involved, but the one thing that did happen at Three Mile Island is all of the backup, safety, the redundancy that was built into the plant, actually worked and saved the plant, saved the citizenry from this area from any significant harm. There was some slight amount of radiation released, but given past history we know that it was a very limited amount. It was an amount that at the time and even now is thought to have been insignificant in terms of public health. However, of course, as we know, there has been a long-lasting remainder of problems, particularly psychological results of that accident.

I can say a couple of other things about that, Madam Speaker, about the accident, some of the things that I recollect. One was it was my first-ever confrontation, if you will, or at least experience with the media, and the media did not do a very good job of covering Three Mile Island, unfortunately. Part of that was due to the fact that the nuclear industry sent us their spokesmen, mostly engineers, who were not very good at dealing with the public and spoke in kind of an engineerese, if you will, that most people cannot understand. I think that heightened the problems. But I recall walking, being sent down to the little town of Middletown to get supplies for our crew, the Westinghouse crew that was there at the time, and one of the things that happened while I was walking along the street was there was a crowd of people that had gathered, and I was wondering what was going on, and I walked up and there

was a police officer saying “Stand back; stand back.” And I thought there had been an auto accident there, and by the time I got up there, the people started walking along and moving along and nothing was there, and I asked one of the people standing there – there was a fellow with a camera – and I said, you know, “What’s going on? Why was everybody held up here?” And he said, “Well, we held everybody back.” He said, “We’re from the Los Angeles Times; I’m a photographer, and we needed to get a picture of a deserted street.” So you can see right from the start there that it was an indication to me that the media does not always handle these things correctly and sometimes even creates news that is actually not even there; they sensationalize, and none of us here in this room are surprised to hear that, I am sure.

There is another story I can tell about radiation, and I had never dealt with a lot of radiation issues before my time at Three Mile Island, but one of the things that I was able to do when I was there was operate a Geiger counter, a radiation detector, and I was standing no further than from where I am now to this wall away from the wall of the containment building at Three Mile Island. Now, inside that containment building was about several hundreds of thousands of gallons of highly radioactive wastewater that had spilled out of the reactor and into that containment building. However, standing this far away outside the building and operating a Geiger counter, there was no reading on the Geiger counter, and I asked the technician if he would show me what I was doing wrong or perhaps I had not operated this piece of equipment correctly, and he looked at it and he said, “It’s on.” And I said, “Well, why aren’t we getting any reading?” He said, “Because there isn’t any. None of that radiation is coming through that wall,” which was very hard for me to believe, but I think it says something about the safety of these plants, the fact that these containment buildings are built to withstand all of that radiation, which that did; it worked. It was a passive system; the containment building was something that no one had to turn on. But I think it was a good example, another example, of some of the aspects of that story that have never been told.

Also there was a great human interest story with Three Mile Island. You have to realize that during the accident, there were literally thousands of employees from various parts of the nation and the world from the nuclear industry that came to Three Mile Island at that time to work on the plant, and after a day or so of this, the operators of the plant realized that they would have to feed all these people and take care of them. There was a logistics problem in just taking care and dealing with that many people. One of the things they did was they set up kind of a MASH (mobile army surgical hospital) unit. The National Guard came in and set up tents where people could eat, and these tents were open 24 hours a day, as most of us who were working on the plant were working 24 hours a day and could go get something to eat at any time of the day or night. It might not be breakfast food at breakfast or it might not be dinner food at dinner, but nevertheless, you could go get something to eat. I recall going in for breakfast about 8 o’clock in the morning and having lima beans for breakfast. But it was something, and it was a way of dealing with the thousands of people that came in to work on that plant and to repair the plant.

And as we look back now 25 years later, we can say that, you know, the Three Mile Island situation has been finally cleared up. It has left a long-term, indelible mark on the psyche

of central Pennsylvania for sure, but I think it is important to note that even today, as then, we definitely need nuclear energy as part of our energy mix here. We cannot go it alone with just coal or oil or gas or even some of the renewable resources such as wind or sun. We definitely need those things, but they are all a part, and nuclear has to be a part of that as well, and if we are going to have energy independence, we need to have safe and reliable nuclear energy systems here in the United States, which we do in fact have. And the fact that there has only been one major accident here and nobody was harmed, nobody was killed, nobody was injured, I think speaks volumes to the safety of the nuclear industry.

There are a lot of other problems with it for sure and I am not going to debate them here today, but I thought it was interesting to note that 25 years ago – it is hard to believe it has been that long – that I was called upon to proudly serve on the Three Mile Island recovery team, and I can say today that I was very proud of that service and I think it was worthwhile, and we need to move on now to a bigger and brighter future.

Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Could we please have some quiet. It is almost impossible to hear what people are saying.

MEMBERS' PRESENCE RECORDED

The SPEAKER pro tempore. The Chair recognizes the presence on the floor of the House of the gentleman from Philadelphia, Mr. Waters, and the gentleman from Erie, Mr. Scrimenti, and asks that they be added to the master roll call.

STATEMENT BY MR. B. SMITH

The SPEAKER pro tempore. The Chair recognizes the gentleman from York County, Mr. Smith, on a point of personal privilege.

Mr. B. SMITH. Thank you, Madam Speaker.

I had not planned to make a speech on the 25th anniversary of the accident at Three Mile Island because I regard it as an infamous date, and I do appreciate Representative Markosek's remarks and the fact that he came to central Pennsylvania after the accident. But as an individual who was a resident of the Harrisburg area, of central Pennsylvania, at the time of the accident – I was a teacher at Cedar Cliff High School; I was a township supervisor in Newberry Township, which is the largest municipality on the west shore of Three Mile Island – I can tell you that our problems at Three Mile Island began that very first day when Metropolitan Edison lied to us and said there was no meltdown. Time proved that there was a meltdown, but that meltdown of trust began that very first day of the accident.

And the other thing that Representative Markosek is not aware of, for those of us who lived in the area at the time, was the fear of the unknown. We knew we were being lied to, we knew there were releases of radiation, but we did not know how much and we did not know what to believe. The accident

occurred on a Wednesday. On Friday there was a division among the NRC (Nuclear Regulatory Commission) as to whether there was a hydrogen bubble which may explode. Those individuals who lived in the area at the time remember the streams of people who evacuated because of their fear of the unknown. They also evacuated because Governor Thornburgh recommended an evacuation of children and pregnant women. Tough, tough decisions had to be made by families, and the Patriot-News recently had a memorable article in which they said they watched streams of people going to the railroad station to evacuate.

It is fitting that we have junior firefighters here today, because the one thing that I learned through the accident is that there were volunteers who stayed regardless of the fear of the unknown. I did not evacuate, but my family did. Because I was in charge of Newberry Township's police department and chairman of the board, I stayed.

I will share one story with you to indicate what people went through. Schools within a 5-mile radius were evacuated 15 miles away. I went back to the police station, and about 5 o'clock a truck driver came in because he went to Newberry Elementary School and could not find his child, and he had no idea where his child was because the child was supposed to be at Newberry Elementary School. That is just one example, and all you have to do to find out the fear of the unknown is talk to people who lived here at the time of the accident.

The accident was a wake-up call about nuclear power and the negative effects of living near a nuclear powerplant. Granted, improvements have been made. At the time of the accident there were only two sirens on the west shore of Three Mile Island to warn people about a nuclear accident. Many sirens have been improved. Many sirens have been added as a result of the accident.

Secondly, the evacuation plans were terrible. The evacuation plans approved by the utility in my area had my 10,000 residents congregating at an elementary school within the 5-mile radius – totally ridiculous – and they have been improved since. The firefighters in Newberrytown stayed. I had 75 firefighters, men and women, who stayed to help with an evacuation if necessary. You cannot imagine the psychological stress that people experienced as a result of the accident.

The media did a great job; they did a necessary job, and they knew that they were lied to, and that is why you had the stream of media coming to central Pennsylvania – because they did not believe what they were being told.

Lastly I want to say, this 25th anniversary is still a wake-up call to the dangers of nuclear power for populated areas. Improvements have been made, but the last thing I want to share with you is a quote that I gave at the United States Senate. I testified before the Energy Committee, Senator Gary Hart and Senator Simpson, and I said that the fallout of trust was like this: Loss of confidence is like loss of virginity; when it is gone, it is gone forever, and that is what nuclear plants must realize as a result of Three Mile Island.

The people in this area that experienced Three Mile Island remember what it was like 25 years ago. We will not forget.

Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

MEMBER'S PRESENCE RECORDED

The SPEAKER pro tempore. The Chair recognizes the presence on the floor of the House of the gentleman from Philadelphia, Mr. Roebuck, and asks that he be added to the master roll call.

FILMING PERMISSION

The SPEAKER pro tempore. The Chair wishes to advise the members that permission has been given to the following people: Patrick Mansell from WPSX, Penn State, for videotape with audio; Greg Grieco from PSU Public Information for still photographs; Rich Humber from WPSX for videotape with audio; and Bill Wallace from WPSX for videotape with audio.

RESOLUTION PURSUANT TO RULE 35

Mr. HERMAN called up **HR 600, PN 3438**, entitled:

A Resolution congratulating The Pennsylvania State University on the commencement of its sesquicentennial celebration and reaffirming its designation as Pennsylvania's land-grant university.

On the question,
Will the House adopt the resolution?

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman from Centre County, Mr. Herman.

Mr. HERMAN. Thank you very much, Madam Speaker.

And this is Penn State's day to shine under the Capitol dome, Madam Speaker, as we take up HR 600, which has been cosponsored by Representative Benninghoff and myself, Representative Hanna from Centre County, and so many of you in this House of Representatives who wish to convey congratulations to the Pennsylvania State University on its sesquicentennial celebration of its founding and also reaffirming its land-grant mission to the Commonwealth of Pennsylvania.

Madam Speaker, I thank you very much for holding this General Assembly together in this House, but we held a press conference under the Capitol dome where we all expressed how we are all so Penn State proud, but today, Madam Speaker, as we take up this HR 600, I wanted to make my remarks that I made in the Capitol rotunda in the press conference part of the official record for the essence of sparing the time, and I will submit those to the clerk on that occasion.

But I would like to read just one paragraph of HR 600 which re-sums why we are here today and going to be voting on this, hopefully unanimously. It says that "...In response to the interests of the State Agricultural Society, created by the General Assembly in 1851, in establishing an educational institution to bring general education and knowledge of modern farming methods to the farmers of this Commonwealth, the General Assembly first issued a charter to" what was then "the Farmers' High School of Pennsylvania in 1854;..." – 150 years ago, Madam Speaker. And today, 150 years later, that Farmers' High School has made the transformation from the Farmers' High School in Centre County to Penn State College, and now, governed by the board of trustees as the Pennsylvania State University.

But still its commitment and dedication to the education of children throughout the Commonwealth of Pennsylvania and fulfilling its mission as Pennsylvania's singular land-grant institution in this State reaches all corners of Pennsylvania, Madam Speaker, through its agricultural research and its agricultural extension in making sure that Pennsylvania's number one industry is agriculture in this State. Their education commitment, their commitment to economic development and jobs, to its research facilities, to its State-related university status – all of this, Madam Speaker, goes such a long way to reaffirming its mission and its purpose in the Commonwealth of Pennsylvania, and with that, Madam Speaker, I encourage an affirmative vote for HR 600.

The SPEAKER pro tempore. The Chair thanks the gentleman.

REMARKS SUBMITTED FOR THE RECORD

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

Good afternoon.

I am State Representative Lynn Herman of Centre County, and we are...Penn State proud. I thank you for being with us on this very historic day for Penn State and the Commonwealth of Pennsylvania.

Immediately after this press conference, first the House of Representatives and then the State Senate will adopt resolutions congratulating The Pennsylvania State University on the start of its sesquicentennial celebration and its designation as Pennsylvania's land-grant university.

In response to the interests of the State Agricultural Society, the General Assembly established an educational institution whose mission was to bring general education and knowledge of modern farming methods to the farmers of Pennsylvania. The establishment of that institution, the Farmers' High School – and its subsequent designation as Pennsylvania's land-grant college – was one of the most significant actions undertaken by the Pennsylvania General Assembly in the 19th century.

Just a few months ago, as its chairman, I announced the revitalization of the House history caucus. The purpose of the history caucus is to encourage and promote the study of the history of America and Pennsylvania through the presentation of lectures and living-history exhibits in the State Capitol and throughout the Commonwealth. And today we celebrate a great moment in Pennsylvania history – the upcoming 150th anniversary of Penn State's founding and service to the Commonwealth of Pennsylvania.

Above the columns of Old Main are words from the July 2, 1862, act of Congress signed by Abraham Lincoln: "To promote liberal and practical education in the several pursuits and professions of life." This is followed by words from the April 1, 1863, act of the State legislature: "And the Faith of the state is hereby pledged to carry the same into effect."

That pledge is as binding to us today as it was in 1863. To quote from the House resolution, "...The missions of instruction, research, outreach and extension continue to be the focus of..." the university "and have grown to where the Commonwealth's land-grant university is now one of the most highly regarded research universities in the nation...."

Land-grant institutions have often been termed "democracy's colleges," and it is fitting that the first "democracy college" was established in Pennsylvania, the nation's "cradle of democracy." Clearly, the education provided at Penn State has made success possible for thousands of people here in Pennsylvania and throughout the nation.

As I mentioned earlier, today's events represent a preview of the sesquicentennial celebration of the university, which officially begins July 1. As the emcee of this press conference, I am delighted to have Penn State president Dr. Graham Spanier, vice chairman of the Penn State Board of Trustees, Mr. James Broadhurst, Senators Jake Corman and Michael O'Pake, and State Representatives Kerry Benninghoff and Bill DeWeese, and so many members of Penn State's official family with us today.

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

The following roll call was recorded:

YEAS-187

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

NAYS-0

NOT VOTING-3

Kirkland	Washington	Waters
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EXCUSED-13

Bunt	Feese	Horsey	Perzel,
Butkovitz	Gannon	Maher	Speaker
Cruz	Gergely	Taylor, J.	
Daley	Harper	Watson	

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

GUESTS INTRODUCED

The SPEAKER pro tempore. The gentleman, Mr. Herman, is recognized for the purpose of an introduction.

Could we please have some order. Mr. Herman would like to introduce some guests. Members will please take their seats.

Mr. HERMAN. Madam Speaker, today at the State Capitol there are many members of Penn State's family here to help celebrate the 150th anniversary of Penn State's founding and service to the Commonwealth of Pennsylvania, but there are a few here on the House floor. To your left and in the special seating arrangement, I would like to introduce you to the president of Penn State University, Dr. Graham Spanier, as well as the vice chairman of Penn State's Board of Trustees, Mr. James Broadhurst; Dr. Steele from the College of Agriculture; and so many others from Penn State's University Park and their leadership of the university. Madam Speaker, I would like to introduce them.

The SPEAKER pro tempore. Would the gentlemen please rise.

The Chair is pleased to welcome to the hall of the House, as the guests of Speaker John Perzel and State Representative George Kenney, St. Cecilia's Grade School fourth grade class from Fox Chase in Philadelphia. Would they please rise.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1120, PN 1322**, entitled:

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

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

The SPEAKER pro tempore. 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.

(Members proceeded to vote.)

LEAVE OF ABSENCE CANCELED

The SPEAKER pro tempore. The Chair notes the presence on the floor of the House of the lady from Bucks County, Mrs. Watson, and asks that she be added to the master roll call.

CONSIDERATION OF HB 1120 CONTINUED

On the question recurring,
Shall the bill pass finally?

The following roll call was recorded:

YEAS-189

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

NAYS-0

NOT VOTING-2

Kirkland Washington

EXCUSED-12

Bunt	Feese	Horsey	Perzel,
Butkowitz	Gannon	Maher	Speaker
Cruz	Gergely	Taylor, J.	
Dailey	Harper		

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.

GUEST INTRODUCED

The SPEAKER pro tempore. The Chair is pleased to welcome to the hall of the House, as the guest of Representative Kerry Benninghoff, Ryan Devlin, a student at Lock Haven University who is job shadowing Representative Benninghoff today. He is seated in the gallery. Would he please rise.

REPUBLICAN CAUCUS

The SPEAKER pro tempore. The Chair recognizes the lady, Mrs. Taylor, for the purpose of an announcement.

Mrs. TAYLOR. Thank you, Madam Speaker.

The majority Republican Caucus will meet at the call of the recess in the majority caucus room, and we will probably need maybe an hour and a half. Thank you.

DEMOCRATIC CAUCUS

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

Mr. COHEN. Thank you, Madam Speaker.

Madam Speaker, the House Democrats will be meeting upon the call of the recess.

I would appreciate – Madam Speaker, point of personal privilege – I would appreciate information about whether we are going to be meeting after the recess.

The SPEAKER pro tempore. The Chair thanks the gentleman.

There will be no more votes after caucus; no more votes today.

Mr. COHEN. Thank you, Madam Speaker.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes the gentleman from Schuylkill County, Mr. Argall, for the purpose of an announcement.

Mr. ARGALL. Thank you, Madam Speaker.

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

The SPEAKER pro tempore. The House Appropriations Committee will meet at the declaration of the recess in room 245; room 245.

RECESS

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

AFTER RECESS

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

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

BILLS REREPORTED FROM COMMITTEE

HB 615, PN 716 By Rep. ARGALL

An Act regulating tattoo, body -piercing and corrective cosmetic artists; providing for powers and duties of the Department of Health; and imposing penalties.

APPROPRIATIONS.

HB 1158, PN 1371 By Rep. ARGALL

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for exemptions and special provisions for taxation.

APPROPRIATIONS.

HB 1159, PN 2734 By Rep. ARGALL

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for exemption for qualified disability trusts; and imposing duties on the Secretary of the Commonwealth and the Legislative Reference Bureau.

APPROPRIATIONS.

HB 1238, PN 1522 By Rep. ARGALL

An Act amending the act of February 11, 1998 (P.L.58, No.15), known as the Combustible and Flammable Liquids Act, further providing for self-service dispensing stations, for prohibition and for penalties.

APPROPRIATIONS.

HB 1274, PN 1566 By Rep. ARGALL

An Act providing for Commonwealth support for an Urban Teacher Loan Forgiveness Program for Pennsylvania residents who graduate from institutions of higher education and who apply their degrees to teaching in urban public schools in this Commonwealth.

APPROPRIATIONS.

HB 1424, PN 3474 By Rep. ARGALL

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, imposing a technology enhancement fee for convictions; and establishing the Juvenile and Criminal Justice Technology Enhancement Fund.

APPROPRIATIONS.

HB 1911, PN 2498 By Rep. ARGALL

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, authorizing certified registered nurse practitioners and physician assistants to verify a person's claim to have a disability which temporarily or permanently precludes the person from any form of employment or work-related activity; and providing for establishment of RESET and eligibility.

APPROPRIATIONS.

HB 1912, PN 3499 By Rep. ARGALL

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the person with disability plate and placard, for physical examinations by certified registered nurse practitioners and physician assistants, for reports on mental or physical disabilities or disorders and for determination of incompetency.

APPROPRIATIONS.

HB 1913, PN 3554 By Rep. ARGALL

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for disqualifications relating to teacher's certificate.

APPROPRIATIONS.

HB 1930, PN 2521 By Rep. ARGALL

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for probable cause arrests in misdemeanor sex offenses.

APPROPRIATIONS.

HB 2149, PN 3477 By Rep. ARGALL

An Act amending the act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code Act, adding a definition of "recreational cabin"; further providing for application of the act, for municipal administration and enforcement and for exemptions; and providing for municipal immunity.

APPROPRIATIONS.

HB 2170, PN 2941 By Rep. ARGALL

An Act amending the act of March 11, 1971 (P.L.104, No.3), known as the Senior Citizens Rebate and Assistance Act, further providing for the definition of "income."

APPROPRIATIONS.

HB 2171, PN 2942 By Rep. ARGALL

An Act amending the act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law, further providing for the definition of "income" as it pertains to the PACE and PACENET programs.

APPROPRIATIONS.

HB 2230, PN 3040

By Rep. ARGALL

An Act amending the act of July 3, 1985 (P.L.164, No.45), known as the Emergency Medical Services Act, further providing for support of emergency medical services.

APPROPRIATIONS.

HB 2319, PN 3535

By Rep. ARGALL

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

APPROPRIATIONS.

SB 304, PN 319

By Rep. ARGALL

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, further providing for classification and order or payment of claims against the estate of a decedent.

APPROPRIATIONS.

SB 319, PN 1030

By Rep. ARGALL

An Act authorizing the Commonwealth of Pennsylvania to join the Interstate Compact for Juveniles; providing for the form of the compact; imposing additional powers and duties on the Governor, the Secretary of the Commonwealth and the Compact; establishing the State Council for Interstate Juvenile Supervision; and making a repeal.

APPROPRIATIONS.

SB 907, PN 1174

By Rep. ARGALL

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

APPROPRIATIONS.

SB 975, PN 1302

By Rep. ARGALL

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

APPROPRIATIONS.

SB 989, PN 1428

By Rep. ARGALL

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

City of Lock Haven, Clinton County, in exchange for a certain tract of land situate in the City of Lock Haven, Clinton County.

APPROPRIATIONS.

**BILL REPORTED FROM COMMITTEE,
CONSIDERED FIRST TIME, AND TABLED****SB 1026, PN 1495** (Amended)

By Rep. ARGALL

An Act amending Title 64 (Public Authorities and Quasi-Public Corporations) of the Pennsylvania Consolidated Statutes, providing for economic development financing; further providing for money appropriated to the Department of Community and Economic Development for the Base Retention and Conversion Pennsylvania Action Committee; making a related repeal; and making an editorial change.

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 Speaker recognizes Mr. Harris from Juniata County.

Mr. HARRIS. Mr. Speaker, I move that this House now adjourn until Tuesday, March 30, 2004, at 11 a.m., e.s.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 2:31 p.m., e.s.t., the House adjourned.