

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

MONDAY, OCTOBER 18, 2004

SESSION OF 2004

188TH OF THE GENERAL ASSEMBLY

No. 60

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (JOHN M. PERZEL) PRESIDING

PRAYER

REV. RON ERB, Guest Chaplain of the House of Representatives, offered the following prayer:

I am very thankful for the opportunity to pray today. Usually there are just a few pews empty and then a lot of people in the back, but today I have a lot of my congregation up there, and to my left are my wife and my daughter and my father, and I am very grateful to be accompanied by them. I want to thank Representative Scavello for making this possible.

Let us pray:

Father, we recognize the need for Your presence. We live in dangerous times, and we recognize that we have difficult problems to deal with. I thank You for the opportunity to stand in this place to speak to You on behalf of the men and women who, along with many others, lead this great Commonwealth.

You have said that requests, prayers, intercession, and thanksgiving should be made for all those in authority that we may live peaceful and quiet lives in all godliness and holiness, and I stand before them this day to do just that. It has been the prayer of my heart, O God, that Your presence would be felt in a very special way as these people do their work. I thank You for their willingness to give years of their life for public service.

I pray for the families of those in this chamber. The men and women in this House are often away from their own house because of pressing legislative commitments, and I pray for Your protection on their home, their spouse, and their children. May these families find peace from You when their loved one is here doing State business. I pray that You would renew marriages and help these Representatives to balance all their commitments of family and public service. Protect these men and women from those who desire to lead them to compromise their integrity and marriage vows.

Father, they are shepherds, and their flock is the 12 million people of this State. They watch over 2 to 3 million children, many of whom come from single-parent homes or who live in poverty. I pray that the laws they make and the example that they set would lead the way to justice for the poor, the unborn, the aged, and for all. I pray that they would uphold moral principles, take a stand for righteousness and oppose unrighteousness, for You have said righteousness exalts a nation, but sin is a disgrace to any people. I pray that You

would make these men and women the cornerstones of their people.

Father, You have said that by wisdom, kings reign and rulers make laws that are just; by wisdom, princes govern and all nobles who rule on earth. Therefore, I pray that You would give them wisdom as they discuss, debate, and decide important issues that affect all of us in Pennsylvania. Keep them from pride, greed, deceit, and fear, and let them rule by wisdom, knowledge, and understanding. Keep them from yielding to the pressure of those who may push them into laws that are unjust, unrighteous, or immoral.

Father, I pray that they would not listen to lies but that they would hear and yield to the truth, and I pray that each of them would come to know You personally, for it is in the name of the master I pray. 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 Thursday, October 7, 2004, will be postponed until printed.

JOURNALS APPROVED

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

Wednesday, June 16;
Thursday, June 17;
Monday, June 21; and
Tuesday, June 22, 2004.

Without objection, those will be approved.

GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House the guests of Representative Mario Scavello and Representative Kelly Lewis. They are Pastor Ron Erb of the Bible Fellowship Church in Mount Pocono, along with his wife, Carla, their daughter, Elizabeth, and his father, Richard Erb. The guests are seated to the left of the Speaker. Would they please rise and be recognized, along with the congregation of the Bible Fellowship Church of Mount Pocono. They are also

seated in the gallery. Would those guests please rise and be recognized.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2904 By Representatives CAWLEY, SOLOBAY, GEORGE, READSHAW, TIGUE, LEVDANSKY, PISTELLA, WILT, CURRY, HALUSKA, LAUGHLIN, LEACH, JOSEPHS, MUSTIO, SCHRODER, DALEY, CORRIGAN, MARSICO, KOTIK, YOUNGBLOOD, BELFANTI, DeWEESE, COSTA, YUDICHAK, REICHLEY, SCAVELLO, GRUITZA, KELLER, THOMAS, CALTAGIRONE, BASTIAN, BELARDI, HORSEY, HARHAI, DeLUCA, HESS and FREEMAN

An Act establishing the Flood Protection and Mitigation Tax Fund; and conferring powers and duties on the Pennsylvania Emergency Management Agency and the Pennsylvania Liquor Control Board.

Referred to Committee on FINANCE, October 18, 2004.

No. 2905 By Representatives VITALI, COHEN, CURRY, FABRIZIO, FRANKEL, FREEMAN, GEORGE, GERGELY, HARPER, HORSEY, JAMES, JOSEPHS, KIRKLAND, LEACH, LEVDANSKY, McCALL, McGEEHAN, MUNDY, PETRARCA, ROEBUCK, RUBLEY, SCAVELLO, STABACK, STURLA, TANGRETTI, THOMAS, WALKO, WANSACZ, WASHINGTON, WHEATLEY and YOUNGBLOOD

An Act providing for report on global warming impacts and economic opportunities, for greenhouse gases inventory, for greenhouse gases plan of action and for duties of the Department of Environmental Protection.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, October 18, 2004.

No. 2906 By Representatives CRAHALLA, GEIST, OLIVER, WALKO, BOYD, LEACH, E. Z. TAYLOR and KILLION

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing, in neighborhood assistance tax credit, for tax credits and for grant of tax credits; and providing, in neighborhood assistance tax credit, for carryover, carryback, refund and assignment of tax credits and for business firm or private company shareholder pass through.

Referred to Committee on URBAN AFFAIRS, October 18, 2004.

No. 2907 By Representatives MANN, PISTELLA, RUBLEY, BELARDI, TANGRETTI, FAIRCHILD, FABRIZIO, SOLOBAY, TIGUE, CAPPELLI, LAUGHLIN, GINGRICH, CAWLEY, YUDICHAK, GEIST, STABACK, BELFANTI, GOODMAN, SAYLOR, PETRARCA, FRANKEL, DENLINGER, HENNESSEY, KOTIK, WALKO, MANDERINO, BEBKO-JONES, BOYD, FREEMAN, SHANER, BASTIAN, HARPER, BROWNE, WASHINGTON, GOOD, LEACH, SCRIMENTI, YOUNGBLOOD, DALLY, J. TAYLOR, ARMSTRONG, KELLER and SAINATO

An Act amending the act of September 27, 1961 (P.L.1700, No.699), known as the Pharmacy Act, further providing for refusal to grant and revocation and suspension of licenses; and providing for the donation of unused prescription drugs.

Referred to Committee on HEALTH AND HUMAN SERVICES, October 18, 2004.

No. 2908 By Representatives LEACH, BROWNE, FABRIZIO, FRANKEL, GOODMAN, JAMES, JOSEPHS, SCRIMENTI and WASHINGTON

An Act amending the act of June 18, 1998 (P.L.622, No.80), entitled "An act providing for a procedure and method of execution; and making repeals," further providing for method of execution.

Referred to Committee on JUDICIARY, October 18, 2004.

No. 2909 By Representatives LEACH, BELFANTI, BROWNE, DENLINGER, GOODMAN, HENNESSEY, JOSEPHS, LEVDANSKY, MANDERINO, SCHRODER, TANGRETTI and WASHINGTON

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for benevolent gesture or admission by health care provider.

Referred to Committee on JUDICIARY, October 18, 2004.

No. 2910 By Representatives WILT, LEH, CREIGHTON, EGOLF, ARMSTRONG, BASTIAN, CLYMER, DENLINGER, HERSHEY, KILLION, LEWIS and YOUNGBLOOD

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing, in charter schools, for definitions, for administration, for establishment, for regional schools, for charters, for school staff, for funding, for tort liability, for nonrenewal and termination and for desegregation orders.

Referred to Committee on EDUCATION, October 18, 2004.

No. 2912 By Representatives REICHLEY, TURZAI, RUBLEY, ARMSTRONG, BARRAR, BOYD, CAPPELLI, FAIRCHILD, FORCIER, GODSHALL, HARRIS, HICKERNELL, KILLION, LEH, S.MILLER, NAILOR, NICKOL, PICKETT, SAYLOR, SCHRODER, R. STEVENSON, WATSON and YOUNGBLOOD

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

Referred to Committee on JUDICIARY, October 18, 2004.

No. 2913 By Representatives REICHLEY, MUSTIO, READSHAW, BAKER, ADOLPH, ARMSTRONG, BARRAR, BUNT, DeWEESE, DONATUCCI, FAIRCHILD, FORCIER, GINGRICH, GOODMAN, KILLION, KOTIK, LAUGHLIN, LESCOVITZ, S.MILLER, PETRARCA, PICKETT, ROSS, SAINATO, SOLOBAY, WASHINGTON, WHEATLEY, YOUNGBLOOD, ZUG and E. Z. TAYLOR

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for a tax credit for donation of used computers; and further defining "taxable income" relating to the corporate net income tax.

Referred to Committee on FINANCE, October 18, 2004.

No. 2914 By Representatives REICHLEY, BUNT, FABRIZIO, FRANKEL, DeWEESE, GOODMAN, LEACH, MANN, WASHINGTON, LAUGHLIN and BALDWIN

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, requiring the Department of Health to provide notice of certified primary stroke treatment hospitals; and establishing a Statewide stroke database.

Referred to Committee on HEALTH AND HUMAN SERVICES, October 18, 2004.

No. 2915 By Representatives MARSICO, SOLOBAY, BLAUM, LEWIS, SCAVELLO, ARMSTRONG, BASTIAN, BOYD, BUXTON, CLYMER, DALLY, FAIRCHILD, FLEAGLE, GEIST, GINGRICH, HARRIS, HESS, MAITLAND, MANN, REICHLEY, SAYLOR, SCHRODER, B. SMITH, R. STEVENSON, WEBER, WILT, YOUNGBLOOD and BALDWIN

An Act amending Title 4 (Amusements) of the Pennsylvania Consolidated Statutes, further providing for net slot machine revenue distribution.

Referred to Committee on TOURISM AND RECREATIONAL DEVELOPMENT, October 18, 2004.

No. 2916 By Representatives KENNEY, CORRIGAN, E. Z. TAYLOR, ADOLPH, ALLEN, BAKER, BALDWIN, BARD, BASTIAN, BEBKO-JONES, BOYD, BUNT, CAPPELLI, CAUSER, CAWLEY, S. E. CORNELL, CRAHALLA, CREIGHTON, DAILEY, DALLY, DeLUCA, FABRIZIO, FRANKEL, GEORGE, GINGRICH, GODSHALL, GOOD, GOODMAN, GRUCELA, GRUITZA, HALUSKA, HANNA, HARPER, HARRIS, HERMAN, HERSHEY, HORSEY, HUTCHINSON, KELLER, KILLION, KIRKLAND, KOTIK, LEACH, LEH, LEWIS, MAITLAND, MAJOR, MANN, MARKOSEK, McCALL, McILHATTAN, R. MILLER, MUNDY, MUSTIO, O'NEILL, PALLONE, PAYNE, PETRI, READSHAW, REED, REICHLEY, RUBLEY, SAINATO, SANTONI, SATHER, SAYLOR, SEMMEL, STEIL, STERN, TANGRETTI, J. TAYLOR, TIGUE, TRUE, TURZAI, WATSON, WEBER, WOJNAROSKI, WRIGHT, YOUNGBLOOD, ZUG, PISTELLA and SOLOBAY

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, further providing for definitions and for administrative duties of board.

Referred to Committee on EDUCATION, October 18, 2004.

No. 2917 By Representatives FLEAGLE, DeWEESE, FAIRCHILD, LEVDANSKY, CAPPELLI, HENNESSEY, FEESE, GOOD, MAITLAND, CREIGHTON, BALDWIN, TIGUE, SCAVELLO, MUSTIO, HESS, GEORGE, BARRAR, BAKER, R. MILLER, ZUG, GRUCELA, PICKETT, BOYD,

E. Z. TAYLOR, CRAHALLA, SCHRODER, HERSHEY, LEWIS, DALEY, DENLINGER, YOUNGBLOOD, ARMSTRONG, REICHLEY, ROSS, KILLION, HARPER, HORSEY, GINGRICH, WEBER, HASAY and FREEMAN

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, authorizing appropriations to watershed associations.

Referred to Committee on LOCAL GOVERNMENT, October 18, 2004.

No. 2918 By Representatives FLEAGLE, BOYD and MYERS

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 compulsory school attendance and for home education program.

Referred to Committee on EDUCATION, October 18, 2004.

No. 2919 By Representatives EGOLF, ALLEN, ARMSTRONG, BAKER, BARRAR, BASTIAN, BOYD, BUNT, CAPPELLI, CAUSER, CAWLEY, DAILEY, DALLY, DeLUCA, DeWEESE, FEESE, FICHTER, FLEAGLE, FORCIER, GABIG, GEIST, GEORGE, GINGRICH, GOODMAN, HANNA, HARPER, HARRIS, HENNESSEY, HESS, HICKERNELL, HUTCHINSON, KELLER, KILLION, LEDERER, LEH, LESCOVITZ, MAHER, MANN, MARKOSEK, MARSICO, McNAUGHTON, METCALFE, MILLARD, R. MILLER, S. MILLER, MUSTIO, NAILOR, O'NEILL, PAYNE, PHILLIPS, PICKETT, PISTELLA, READSHAW, RIEGER, ROBERTS, ROHRER, SATHER, SAYLOR, SCAVELLO, SHANER, SOLOBAY, STABACK, STERN, R. STEVENSON, T. STEVENSON, TIGUE, VANCE, WALKO, WASHINGTON, WATSON, WILT, WOJNAROSKI, YOUNGBLOOD, ZUG, BALDWIN, REICHLEY and E. Z. TAYLOR

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 display of United States Flag and development of patriotism.

Referred to Committee on INTERGOVERNMENTAL AFFAIRS, October 18, 2004.

No. 2920 By Representatives BENNINGHOFF, HERMAN, ARGALL, ARMSTRONG, BOYD, CAUSER, CAWLEY, CRAHALLA, FAIRCHILD, GEIST, GINGRICH, HARRIS, HESS, HICKERNELL, S. MILLER, PETRARCA, REICHLEY, SAYLOR, SCAVELLO, SCHRODER, R. STEVENSON, E. Z. TAYLOR, TIGUE, WILT and YOUNGBLOOD

An Act amending Title 4 (Amusements) of the Pennsylvania Consolidated Statutes, further providing for the slot machine tax.

Referred to Committee on TOURISM AND RECREATIONAL DEVELOPMENT, October 18, 2004.

No. 2921 By Representatives B. SMITH, STABACK, GEIST, DeLUCA, ALLEN, R. MILLER, HERSHEY, JAMES, SCHRODER, HENNESSEY, WATSON, BENNINGHOFF,

SATHER, TRUE, RUBLEY, GINGRICH, BAKER, BARD, BASTIAN, CRAHALLA, CREIGHTON, DENLINGER, GILLESPIE, GOOD, HARRIS, HESS, KELLER, MAJOR, MARSICO, S. MILLER, O'NEILL, PICKETT, SCAVELLO, E. Z. TAYLOR, J. TAYLOR, WASHINGTON, YOUNGBLOOD, PISTELLA and BALDWIN

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, further providing for the fines and penalties applicable to ungraded misdemeanors, for chemical testing to determine amounts of alcohol or controlled substances and for operating a watercraft under the influence of alcohol or controlled substances.

Referred to Committee on GAME AND FISHERIES, October 18, 2004.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 895 By Representatives REICHLEY, MUSTIO, GEORGE, READSHAW, ARMSTRONG, BAKER, BOYD, BUNT, CAPPELLI, CAUSER, CAWLEY, DeWEESE, FAIRCHILD, FICHTER, FORCIER, GINGRICH, GODSHALL, GOODMAN, HARHART, HARRIS, HERSHEY, JAMES, KOTIK, LEDERER, LEH, MACKERETH, METCALFE, MILLARD, S. MILLER, O'NEILL, PAYNE, PETRARCA, PHILLIPS, PICKETT, ROBERTS, SATHER, SAYLOR, SOLOBAY, STABACK, R. STEVENSON, T. STEVENSON, WASHINGTON, WATSON, WILT, YOUNGBLOOD, MARSICO, EGOLF, BALDWIN and E. Z. TAYLOR

A Resolution requesting the Pennsylvania Congressional Delegation to work to permanently abolish the death tax.

Referred to Committee on FINANCE, October 18, 2004.

No. 896 By Representatives PISTELLA, DeWEESE, BARRAR, BEBKO-JONES, BROWNE, BUXTON, CRUZ, DALEY, DeLUCA, DiGIROLAMO, DONATUCCI, FABRIZIO, FICHTER, FRANKEL, FREEMAN, GERGELY, GOOD, GRUCELA, HARHAI, HARPER, JAMES, JOSEPHS, KIRKLAND, KOTIK, LAUGHLIN, LEACH, LEDERER, LESCOVITZ, LEVDANSKY, MANN, McGEEHAN, MUNDY, READSHAW, REICHLEY, ROBERTS, SOLOBAY, STABACK, TIGUE, WALKO, WASHINGTON, WHEATLEY, WILLIAMS, WOJNAROSKI and YOUNGBLOOD

A Resolution memorializing the Congress of the United States to reinstate in the Federal budget the \$58 million in funding for Operation Weed and Seed.

Referred to Committee on HEALTH AND HUMAN SERVICES, October 18, 2004.

SENATE BILL FOR CONCURRENCE

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

SB 1209, PN 1862

Referred to Committee on STATE GOVERNMENT, October 18, 2004.

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 from the table:

HB 2599;
HB 2775;
HB 2794;
HB 2826;
HB 2874;
SB 1149;
SB 1186;
HB 2694;
HB 2734;
HB 2745;
HB 166; and
HB 1977.

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 2599, PN 4499; HB 2775, PN 4460; HB 2794, PN 4280; HB 2826, PN 4354; HB 2874, PN 4478; SB 1149, PN 1675; SB 1186, PN 1760; HB 2694, PN 4216; HB 2734, PN 4121; HB 2745, PN 4137; HB 166, PN 186; and HB 1977, PN 3595.

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 2599;
HB 2794;
HB 2826;
HB 2874;
SB 1149;
SB 1186;
HB 2694;
HB 2734;
HB 2745;
HB 166; and
HB 1977.

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

COMMUNICATION FROM GOVERNOR

APPROVAL OF HOUSE BILL

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

HB 237.

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 gentleman from Warren, Mr. LYNCH. Without objection, that leave will be granted.

The Chair recognizes the minority leader, who moves for a leave of absence for the gentleman from Allegheny, Mr. WHEATLEY; the gentleman from Lawrence, Mr. LaGROTTA, for the week; the gentleman from Philadelphia, Mr. RIEGER; the gentleman from Allegheny, Mr. DIVEN; the gentleman from Philadelphia, Mr. CRUZ; the gentleman from Philadelphia, Mr. ROEBUCK; the gentleman from Philadelphia, Mr. OLIVER; the gentleman from Philadelphia, Mr. JAMES; the gentleman from Westmoreland, Mr. PALLONE; and the gentleman from Philadelphia, Mr. EVANS. 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—191

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

Cohen	Hennessey	Petrarca	Veon
Coleman	Herman	Petri	Vitali
Cornell, S. E.	Hershey	Petrone	Walko
Corrigan	Hess	Phillips	Wansacz
Costa	Hickernell	Pickett	Washington
Crahalla	Horsey	Pistella	Waters
Creighton	Hutchinson	Preston	Watson
Curry	Josephs	Raymond	Weber
Dailey	Keller	Readshaw	Williams
Daley	Kenney	Reed	Wilt
Dally	Killion	Reichley	Wojnaroski
DeLuca	Kirkland	Roberts	Wright
Denlinger	Kotik	Rohrer	Yewcic
Dermody	Laughlin	Rooney	Youngblood
DeWeese	Leach	Ross	Yudichak
DiGirolamo	Lederer	Rubley	Zug
Donatucci	Leh	Ruffing	
Eachus	Lescovitz	Sainato	Perzel,
Egolf	Levdansky	Samuelson	Speaker
Evans, J.			

ADDITIONS—0

NOT VOTING—0

EXCUSED—11

Cruz	James	Oliver	Roebuck
Diven	LaGrotta	Pallone	Wheatley
Evans, D.	Lynch	Rieger	

LEAVES ADDED—5

Horsey	Rooney	Williams	Youngblood
Mackereth			

LEAVES CANCELED—2

Diven	Pallone
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GUESTS INTRODUCED

The SPEAKER. The Chair welcomes Girl Scout Troop No. 884 of Whitmarsh and their troop leaders, Nancy Lee Walter and Jean Brosnan, along with Cub Scout Jacob Walter, who are the guests today of Representative Melissa Weber. They are in the balcony. Would those guests please rise and be recognized by the House of Representatives.

They are off to the left of the Speaker.

CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mr. CREIGHTON called up **HR 880, PN 4484**, entitled:

A Resolution designating the week of November 8 through 14, 2004, as "Freedom Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—191

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

NAYS—0

NOT VOTING—0

EXCUSED—11

Cruz	James	Oliver	Roebuck
Diven	LaGrotta	Pallone	Wheatley
Evans, D.	Lynch	Rieger	

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

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Ms. BARD called up **HR 883, PN 4503**, entitled:

A Resolution recognizing the week of October 17 through 23, 2004, as "National Primary Care Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—191

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

NAYS—0

NOT VOTING—0

EXCUSED—11

Cruz	James	Oliver	Roebuck
Diven	LaGrotta	Pallone	Wheatley
Evans, D.	Lynch	Rieger	

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

Ms. BARD called up **HR 884, PN 4504**, entitled:

A Resolution recognizing the week of October 6 through 13, 2004, as “National Physician Assistant Week” in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—191

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

NAYS—0

NOT VOTING—0

EXCUSED—11

Cruz	James	Oliver	Roebuck
Diven	LaGrotta	Pallone	Wheatley
Evans, D.	Lynch	Rieger	

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

Mr. SCRIMENTI called up **HR 888, PN 4505**, entitled:

A Resolution designating the month of October 2004 as “Pennsylvania Wine Month.”

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—191

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

NAYS—0

NOT VOTING—0

EXCUSED—11

Cruz	James	Oliver	Roebuck
Diven	LaGrotta	Pallone	Wheatley
Evans, D.	Lynch	Rieger	

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

* * *

Mrs. TAYLOR called up **HR 890, PN 4507**, entitled:

A Resolution designating the week of November 1 through 5, 2004, as “Adult Day Services Week” in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—191

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

Eachus	Lescovitz	Sainato	Perzel,
Egolf	Levdansky	Samuelson	Speaker
Evans, J.			

NAYS—0

NOT VOTING—0

EXCUSED—11

Cruz	James	Oliver	Roebuck
Diven	LaGrotta	Pallone	Wheatley
Evans, D.	Lynch	Rieger	

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

Mrs. CRAHALLA called up **HR 891, PN 4514**, entitled:

A Resolution congratulating the United Ukrainian American Relief Committee, Inc., on the occasion of the 60th anniversary of its founding.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—191

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

Crahalla	Horsey	Pistella	Waters
Creighton	Hutchinson	Preston	Watson
Curry	Josephs	Raymond	Weber
Dailey	Keller	Readshaw	Williams
Daley	Kenney	Reed	Wilt
Dally	Killion	Reichley	Wojnaroski
DeLuca	Kirkland	Roberts	Wright
Denlinger	Kotik	Rohrer	Yewcic
Dermody	Laughlin	Rooney	Youngblood
DeWeese	Leach	Ross	Yudichak
DiGiroloamo	Lederer	Rubley	Zug
Donatucci	Leh	Ruffing	
Eachus	Lescovitz	Sainato	Perzel,
Egolf	Levdansky	Samuelson	Speaker
Evans, J.			

NAYS-0

NOT VOTING-0

EXCUSED-11

Cruz	James	Oliver	Roebuck
Diven	LaGrotta	Pallone	Wheatley
Evans, D.	Lynch	Rieger	

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

RESOLUTION PASSED OVER TEMPORARILY

The SPEAKER. The Chair temporarily passes over HR 892.

Mr. SOLOBAY called up **HR 893, PN 4516**, entitled:

A Resolution recognizing the week of November 7 through 13, 2004, as "National Radiologic Technology Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-191

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

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

NAYS-0

NOT VOTING-0

EXCUSED-11

Cruz	James	Oliver	Roebuck
Diven	LaGrotta	Pallone	Wheatley
Evans, D.	Lynch	Rieger	

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

Mrs. FORCIER called up **HR 894, PN 4517**, entitled:

A Resolution designating November 6, 2004, as "Ida Tarbell Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-191

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

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

NAYS-0

NOT VOTING-0

EXCUSED-11

Cruz	James	Oliver	Roebuck
Diven	LaGrotta	Pallone	Wheatley
Evans, D.	Lynch	Rieger	

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

* * *

Mr. DiGIROLAMO called up **HR 897, PN 4520**, entitled:

A Resolution recognizing the week of October 17 through 23, 2004, as "Credit Union Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-191

Adolph	Fabrizio	Lewis	Santoni
Allen	Fairchild	Mackereth	Sather
Argall	Feese	Maher	Saylor

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

NAYS-0

NOT VOTING-0

EXCUSED-11

Cruz	James	Oliver	Roebuck
Diven	LaGrotta	Pallone	Wheatley
Evans, D.	Lynch	Rieger	

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

* * *

Mr. SEMMEL called up **HR 898, PN 4521**, entitled:

A Resolution honoring all Pennsylvania veterans who served during war and peace on the occasion of Veterans Day, November 11, 2004.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—191

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

NAYS—0

NOT VOTING—0

EXCUSED—11

Cruz	James	Oliver	Roebuck
Diven	LaGrotta	Pallone	Wheatley
Evans, D.	Lynch	Rieger	

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

* * *

Mr. WOJNAROSKI called up **HR 899, PN 4522**, entitled:

A Resolution designating the month of November 2004 as "Alzheimer's Disease Awareness Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—191

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

NAYS—0

NOT VOTING—0

EXCUSED—11

Cruz	James	Oliver	Roebuck
Diven	LaGrotta	Pallone	Wheatley
Evans, D.	Lynch	Rieger	

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

URBAN AFFAIRS COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Taylor, for the purpose of an announcement of a committee meeting.

Mr. TAYLOR. Thank you, Mr. Speaker.

Mr. Speaker, at the declaration of recess I would like to call a meeting of the Urban Affairs Committee in the rear of the hall of the House.

The SPEAKER. The Chair thanks the gentleman.

Urban Affairs will meet in the rear of the hall of the House at recess.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Schuylkill, Mr. Argall, for the purpose of a committee announcement.

Mr. ARGALL. Thank you, Mr. Speaker.

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

The SPEAKER. The Chair thanks the gentleman.

Appropriations will meet in room 245 at the recess.

STATE GOVERNMENT COMMITTEE MEETING

The SPEAKER. Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, at the declaration of recess the members of State Government will meet in room 39 in the East Wing.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

State Government will meet in room 39, East Wing, at the recess.

REPUBLICAN CAUCUS

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

Mr. BUNT. Thank you, Mr. Speaker.

Mr. Speaker, at the declaration of the recess the Republican members will caucus immediately.

The SPEAKER. The Chair thanks the gentleman.

DEMOCRATIC CAUCUS

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

Mr. STABACK. Thank you, Mr. Speaker.

Mr. Speaker, there will also be an immediate meeting of the Democrat Caucus in the minority caucus room.

The SPEAKER. The Chair thanks the gentleman.

INSURANCE COMMITTEE MEETING

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

Mr. NICKOL. Announcement of a committee meeting, sir.

The SPEAKER. The gentleman is in order.

Mr. NICKOL. The House Insurance Committee will meet in room 60, East Wing, at the call of recess. We will be voting only one bill, so I do not expect a lengthy meeting.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

Insurance will meet in room 60, East Wing, at the recess.

RECESS

The SPEAKER. If there are no further announcements, this House is in recess until 3 p.m.

AFTER RECESS

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

RULES COMMITTEE MEETING

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

RESOLUTION REPORTED FROM COMMITTEE

HR 865, PN 4540 (Amended)

By Rep. S. SMITH

A Resolution authorizing a study with respect to the regulation and disposition of the reserves and surpluses of health insurers.

RULES.

BILLS ON CONCURRENCE REPORTED FROM COMMITTEE

HB 2396, PN 4464

By Rep. S. SMITH

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

RULES.

HB 2724, PN 4382

By Rep. S. SMITH

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

RULES.

HB 2762, PN 4410

By Rep. S. SMITH

An Act authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Conservation and Natural Resources, to convey to Anthony R. Domiano, Sr., and Anthony R. Domiano, Jr., a certain tract of land situate in the Borough of Archbald, Lackawanna County, in exchange for certain tracts of land; and authorizing the sale and transfer of ownership of Project 70 land located in Wharton Township, Fayette County.

RULES.

BILLS REREPORTED FROM COMMITTEES**HB 486, PN 564**

By Rep. ARGALL

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

APPROPRIATIONS.

HB 1470, PN 4226

By Rep. S. SMITH

An Act amending the act of July 22, 1974 (P.L.589, No.205), known as the Unfair Insurance Practices Act, further providing for definitions, for unfair acts and for exclusions.

RULES.

HB 2500, PN 4225

By Rep. ARGALL

An Act establishing a program to develop a disease management program to improve the health care of medical assistance recipients who are at risk of or diagnosed with certain ailments or chronic diseases that require frequent medical attention and to improve health care and health outcomes, reduce inpatient hospitalization and reduce the number of emergency room visits for medical assistance fee-for-service recipients diagnosed with certain illnesses.

APPROPRIATIONS.

HB 2501, PN 4483

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 a disease management tax credit.

APPROPRIATIONS.

HB 2561, PN 4461

By Rep. ARGALL

An Act authorizing and directing the Department of General Services, with the approval of the Pennsylvania Historical and Museum Commission and the Governor, to grant and convey to Luzerne County Historical Society, certain lands and building situate in the Borough of Forty Fort, County of Luzerne, Commonwealth of Pennsylvania.

APPROPRIATIONS.

HB 2587, PN 4462

By Rep. ARGALL

An Act authorizing and directing the Department of General Services, with the approval of the Pennsylvania Historical and Museum Commission and the Governor, to grant and convey to Milton Area School District, certain lands and building situate in the Township of

West Chillisquaque, County of Northumberland, Commonwealth of Pennsylvania.

APPROPRIATIONS.

HB 2637, PN 3907

By Rep. ARGALL

An Act requiring hospitals to obtain certain information relating to criminal history from prospective employees; providing for grounds for denying employment and for certificate of employability; prescribing penalties; providing for provisional employees for limited periods; imposing certain requirements for current hospital employees; and providing for civil immunity under certain circumstances.

APPROPRIATIONS.

HB 2771, PN 4186

By Rep. ARGALL

An Act amending the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act, further providing for purpose of certain provisions, for definitions, for powers of the Department of Health, for administration and for issuance of license; and for the establishment of State clinical advisory committees.

APPROPRIATIONS.

HB 2789, PN 4275

By Rep. ARGALL

An Act authorizing and directing the Department of General Services, with the approval of the Department of Military and Veterans Affairs and the Governor, to grant and convey to the Borough of Doylestown, certain lands situate in the Borough of Doylestown, Bucks County.

APPROPRIATIONS.

HB 2795, PN 4289

By Rep. ARGALL

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for serious drug trafficking and violent repeat offenders not to possess, use, manufacture, control, sell or transfer firearms.

APPROPRIATIONS.

HB 2798, PN 4543

By Rep. ARGALL

An Act amending the act of February 1, 1966 (1965 P.L.1656, No.581), known as The Borough Code, further providing for borough powers to convey land.

APPROPRIATIONS.

HB 2856, PN 4404

By Rep. ARGALL

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, including podiatrists to the health care providers retention program; and making a related repeal.

APPROPRIATIONS.

SB 1190, PN 1769

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, extending the employment incentive tax credit.

APPROPRIATIONS.

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

SB 1209, PN 1885 (Amended) By Rep. CLYMER

An Act amending Titles 4 (Amusements) and 18 (Crime and Offenses) of the Pennsylvania Consolidated Statutes, further providing for definitions and for the Pennsylvania Gaming Control Board established; providing for applicability of other statutes and for review of deeds, leases and contracts; further providing for general and specific powers, for temporary regulations, for board minutes and records and for supplier and manufacturer licenses application; providing for manufacturer licenses; further providing for occupation permit application, for local land use preemption, for public official financial interest, for enforcement, for penalties and for corrupt organizations; and making related repeals.

STATE GOVERNMENT.

LEAVES OF ABSENCE

The SPEAKER. The Chair returns to leaves of absence.

The Chair recognizes the minority whip, who moves for a leave of absence for the following members: the gentleman from Philadelphia, Mr. HORSEY; the gentledady from Philadelphia, Ms. YOUNGBLOOD; and the gentleman from Northampton, Mr. ROONEY.

The Chair recognizes the majority whip, who moves for a leave of absence for the gentledady from York, Mrs. MACKERETH.

LEAVES OF ABSENCE CANCELED

The SPEAKER. The following names will be added to the master roll: the gentleman, Mr. Pallone, and the gentleman, Mr. Diven.

SUPPLEMENTAL CALENDAR B

**BILLS ON CONCURRENCE
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 2396, PN 4464**, entitled:

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

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

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

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

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

The following roll call was recorded:

YEAS—189

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

NAYS—0

NOT VOTING—0

EXCUSED—13

Cruz	LaGrotta	Oliver	Rooney
Evans, D.	Lynch	Rieger	Wheatley
Horsey	Mackereth	Roebuck	Youngblood
James			

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

Ordered, That the clerk inform the Senate accordingly.

* * *

The House proceeded to consideration of concurrence in Senate amendments to **HB 2724, PN 4382**, entitled:

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

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

The **SPEAKER**. It is moved by the gentleman, Mr. John Evans, that the House do concur in the amendments inserted by the Senate.

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

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

The following roll call was recorded:

YEAS—189

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

Donatucci	Leh	Sainato	Perzel,
Eachus	Lescovitz	Samuelson	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—13

Cruz	LaGrotta	Oliver	Rooney
Evans, D.	Lynch	Rieger	Wheatley
Horsley	Mackereth	Roebuck	Youngblood
James			

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

Ordered, That the clerk inform the Senate accordingly.

* * *

The House proceeded to consideration of concurrence in Senate amendments to **HB 2762, PN 4410**, entitled:

An Act authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Conservation and Natural Resources, to convey to Anthony R. Domiano, Sr., and Anthony R. Domiano, Jr., a certain tract of land situate in the Borough of Archbald, Lackawanna County, in exchange for certain tracts of land; and authorizing the sale and transfer of ownership of Project 70 land located in Wharton Township, Fayette County.

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

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

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

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

The following roll call was recorded:

YEAS—189

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

Browne	Godshall	Millard	Sturla
Bunt	Good	Miller, R.	Surra
Butkovitz	Goodman	Miller, S.	Tangretti
Buxton	Grucela	Mundy	Taylor, E. Z.
Caltagirone	Gruitza	Mustio	Taylor, J.
Cappelli	Habay	Myers	Thomas
Casorio	Haluska	Nailor	Tigue
Causser	Hanna	Nickol	Travaglio
Cawley	Harhai	O'Brien	True
Civera	Harhart	O'Neill	Turzai
Clymer	Harper	Pallone	Vance
Cohen	Harris	Payne	Veon
Coleman	Hasay	Petrarca	Vitali
Cornell, S. E.	Hennessey	Petri	Walko
Corrigan	Herman	Petrone	Wansacz
Costa	Hershey	Phillips	Washington
Crahalla	Hess	Pickett	Waters
Creighton	Hickernell	Pistella	Watson
Curry	Hutchinson	Preston	Weber
Dailey	Josephs	Raymond	Williams
Daley	Keller	Readshaw	Wilt
Dally	Kenney	Reed	Wojnaroski
DeLuca	Killion	Reichley	Wright
Denlinger	Kirkland	Roberts	Yewcic
Dermody	Kotik	Rohrer	Yudichak
DeWeese	Laughlin	Ross	Zug
DiGirolamo	Leach	Rubley	
Diven	Lederer	Ruffing	
Donatucci	Leh	Sainato	Perzel,
Eachus	Lescovitz	Samuelson	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-13

Cruz	LaGrotta	Oliver	Rooney
Evans, D.	Lynch	Rieger	Wheatley
Horsley	Mackereth	Roebuck	Youngblood
James			

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

Ordered, That the clerk inform the Senate accordingly.

SUPPLEMENTAL CALENDAR A CONTINUED

RESOLUTION PURSUANT TO RULE 35

Mr. COSTA called up **HR 892, PN 4515**, entitled:

A Resolution urging the National Football League to reevaluate its restrictions on local access to broadcasts of professional football contests within the Commonwealth of Pennsylvania.

On the question,
Will the House adopt the resolution?

Mr. S. SMITH offered the following amendment No. **A3979**:

Amend Sixth Whereas Clause, page 2, lines 3 through 5, by striking out all of said lines and inserting

WHEREAS, A large number of Pennsylvania's television broadcast markets are located within 75 miles of Baltimore, Maryland,

New York City and Buffalo, New York, and are subject to the National Football League's broadcast restrictions; and

Amend Seventh Whereas Clause, page 2, line 6, by inserting after "Ravens"

, New York Giants, New York Jets and Buffalo Bills

Amend Twelfth Whereas Clause, page 2, line 21, by striking out "blackouts of" and inserting restrictions on

Amend Thirteenth Whereas Clause, page 2, line 24, by striking out "blackout" and inserting broadcast

Amend Second Resolve Clause, page 3, line 2, by removing the period after "10022" and inserting

, each member of Congress and the Legislature of each state.

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

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

The Chair recognizes the gentleman, Mr. Smith, the majority leader, on amendment A3979.

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

Mr. Speaker, this is a heck of a resolution that the gentleman from Allegheny has put forth, and fundamentally we wanted to amend it just to make sure that it embodies all of Pennsylvania and not just those Steeler fans who may have been offended by their inability to watch their local favorite team. So what we really want to do here, Mr. Speaker, is make sure that all of the NFL (National Football League) fans across Pennsylvania, no matter who their real favorite football team is, a Steeler or an Eagle, that they would be able to voice their concerns to the NFL as well as urging other legislative bodies to see that perhaps something could change so that fans could watch the team that they really enjoy watching.

Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS-189

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

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

NAYS-0

NOT VOTING-0

EXCUSED-13

Cruz	LaGrotta	Oliver	Rooney
Evans, D.	Lynch	Rieger	Wheatley
Horsley	Mackereth	Roebuck	Youngblood
James			

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 adopt the resolution as amended?

The following roll call was recorded:

YEAS-189

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

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

NAYS-0

NOT VOTING-0

EXCUSED-13

Cruz	LaGrotta	Oliver	Rooney
Evans, D.	Lynch	Rieger	Wheatley
Horsley	Mackereth	Roebuck	Youngblood
James			

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

CALENDAR CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2299, PN 3199**, entitled:

An Act authorizing the establishment and maintenance of health savings accounts; exempting contributions from taxation; imposing restrictions on health savings accounts; and prescribing penalties.

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

Mr. **CIVERA** offered the following amendment No. **A3914**:

Amend Title, page 1, lines 1 through 4, by striking out all of said lines and inserting

Authorizing the establishment and maintenance of health savings accounts; providing an exclusion from State income tax; and imposing restrictions on health savings accounts.

Amend Bill, page 1, lines 10 through 15; pages 2 through 9, lines 1 through 30; page 10, lines 1 through 13, by striking out all of said lines on said pages and inserting

Section 2. Legislative intent.

It is the intent of the General Assembly to extend to health savings accounts established pursuant to section 223 of the Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. § 223) an exclusion from State income tax.

Section 3. Definitions.

The following words and phrases when used in this act shall have the meanings given to them in this section unless the context clearly indicates otherwise:

“Health insurance policy.” An individual or group health, sickness or accident policy or subscriber contract or certificate issued by an entity subject to any one of the following:

(1) The act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921.

(2) The act of December 29, 1972 (P.L.1701, No.364), known as the Health Maintenance Organization Act.

(3) The act of May 18, 1976 (P.L.123, No.54), known as the Individual Accident and Sickness Insurance Minimum Standards Act.

(4) 40 Pa.C.S. Ch. 61 (relating to hospital plan corporations) or 63 (relating to professional health services plan corporations).

“Health savings account.” As defined in section 223(d) of the Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. § 223(d)).

“Qualified medical expenses.” As defined in section 223(d) of the Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. § 223(d)).

Section 4. State income tax exclusion.

(a) General rule.—Any increase in the value of a health savings account and any payment or distribution from a health savings account that is used exclusively to pay qualified medical expenses shall be excluded from taxation under Article III of the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971.

(b) Nonqualified payments or distributions.—A payment or distribution from a health savings account that is used for any purpose other than to pay qualified medical expenses shall be included in income under Article III of the Tax Reform Code of 1971 to the extent that the amounts paid or distributed were not previously included in income. The cost recovery method shall be used to determine the portion of the payment or distribution to be included in income.

Section 5. Mandated benefits.

(a) General rule.—A health insurance policy that would qualify as a high deductible health plan under section 223(c)(2) of the Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. § 223(c)(2)) shall be subject to any provision of law mandating a minimum health insurance benefit or reimbursement.

(b) Construction.—Nothing in this act shall be construed to prohibit or prevent a health insurance policy that would qualify as a high deductible health plan under section 223(c)(2) of the Internal Revenue Code of 1986 from applying deductibles or copayments to benefits offered under these mandated minimum health insurance benefits.

Section 6. Applicability.

Section 4 shall apply to taxable years beginning after December 31, 2003.

Section 7. Effective date.

This act shall take effect in 60 days.

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

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

Mr. CIVERA. Thank you, Mr. Speaker.

Mr. Speaker, HB 2299 would permit Pennsylvanians to take advantage of health savings accounts. The amendment that we

are looking at at the moment, that is before us, would refine HB 2299 to explicitly bring our law into compliance with the Federal law. The HSAs (health savings accounts) receive personal contributions which are deductible from Federal income tax, and money in an HSA can be used for medical expenses. HSA contributions would be treated the same way as IRA (individual retirement account) contributions with respect to the Pennsylvania personal income tax.

Under the Federal statute which allows HSAs, an account owner can carry over balances from year to year, which allows younger and healthy persons to build up a reserve for a time when they might need more funds. HSAs are linked with high-deductible health plans which begin to pay when an agreed-upon deductible limit is reached. Employers can fund HSAs for their employees, and HSAs provide consumers with greater control over how their health-care dollar is spent.

Health insurers or advisers still are figuring out the details of how a health savings account should be structured, offered, and administered. This amendment and the bill to which it is being added would provide all participants with a maximum amount of flexibility to set up plans and accounts that meet individual needs. HSAs will not solve the health-care-cost crisis, but they do provide options that we should empower Pennsylvania to use. HB 2299 with the addition of this amendment does exactly that in a very simple, straightforward way and complies with what the Federal law is.

I would hope that you would support amendment A3914.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. COHEN. Thank you.

Mr. Speaker, I believe this is a meritorious amendment, but it is not on our screens. Could you see that it is placed on the screens?

The SPEAKER. The Chair apologizes. It is under Representative Nickol’s name, but it is on the screen. The number should come up.

For the information of the members, amendment A3914 was a technical change to amendment 3750.

The gentleman from Dauphin, Mr. Payne.

Mr. PAYNE. Thank you, Mr. Speaker.

As the prime sponsor I just want to let the members know, this is an agreed-to amendment.

Thank you very much.

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—189

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

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

NAYS—0

NOT VOTING—0

EXCUSED—13

Cruz	LaGrotta	Oliver	Rooney
Evans, D.	Lynch	Rieger	Wheatley
Horsley	Mackereth	Roebuck	Youngblood
James			

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?

Mr. SURRA. Mr. Speaker?

The SPEAKER. Mr. Surra. The Chair recognizes the gentleman.

Mr. SURRA. Mr. Speaker, on the bill.

The SPEAKER. The gentleman is in order.

Mr. SURRA. Mr. Speaker, I intend on voting for HB 2299 on final passage as it has been amended. However, I think it needs to be said that while health-care savings accounts may be an option for a few, for the vast majority of Americans, the 44 million people that have no health care, that are working for \$5, \$6, \$7, \$8 an hour, at the end of the day, at the end of the pay period, after they pay their rent, their car payment, their fuel and electric bills and their telephone bills and buy some sneakers for their children, Mr. Speaker, they do not have the money to put into a health-care savings account and they do not have the money to purchase even a high-deductible health care. That is the issue. And this may help with that problem, but it will put a very small dent in the problem of health care in America.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—189

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

Diven	Lederer	Ruffing	
Donatucci	Leh	Sainato	Perzel,
Eachus	Lescovitz	Samuelson	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—13

Cruz	LaGrotta	Oliver	Rooney
Evans, D.	Lynch	Rieger	Wheatley
Horsley	Mackereth	Roebuck	Youngblood
James			

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

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

SUPPLEMENTAL CALENDAR C

RULES SUSPENDED

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

Mr. CIVERA. Mr. Speaker, I move for an immediate suspension of the rules in order to bring up HR 865.

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

On that question, the Chair recognizes the gentleman, Mr. Civera.

Mr. CIVERA. Thank you, Mr. Speaker.

Mr. Speaker, I would ask the members of the House to support suspension of the rules so we can bring up HR 865. It is a resolution that deals with some of the crises that we have with health insurance in the Commonwealth, and I think it is the most direct way to get some answers in the immediate future, and I would ask for a positive vote on suspension of the rules for HR 865.

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

The following roll call was recorded:

YEAS—189

Adolph	Egolf	Levdansky	Santoni
Allen	Evans, J.	Lewis	Sather
Argall	Fabrizio	Maher	Saylor
Armstrong	Fairchild	Maitland	Scavello
Baker	Feese	Major	Schroder
Baldwin	Fichter	Manderino	Scrimenti
Bard	Fleagle	Mann	Semmel
Barrar	Flick	Markosek	Shaner
Bastian	Forcier	Marsico	Smith, B.
Bebko-Jones	Frankel	McCall	Smith, S. H.
Belardi	Freeman	McGeehan	Solobay
Belfanti	Gabig	McGill	Staback
Benninghoff	Gannon	McIlhattan	Stairs
Bianucci	Geist	McIlhinney	Steil

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

NAYS—0

NOT VOTING—0

EXCUSED—13

Cruz	LaGrotta	Oliver	Rooney
Evans, D.	Lynch	Rieger	Wheatley
Horsley	Mackereth	Roebuck	Youngblood
James			

A majority of the members required by the rules having voted in the affirmative, the question was determined in the affirmative and the motion was agreed to.

RESOLUTION

Mr. CIVERA called up **HR 865, PN 4540**, entitled:

A Resolution authorizing a study with respect to the regulation and disposition of the reserves and surpluses of health insurers.

On the question,
Will the House adopt the resolution?

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

Mr. SAMUELSON. Thank you, Mr. Speaker.

This resolution was amended in the Rules Committee about a half an hour ago, and I just ask the sponsor to give us a summary of the amendments that were inserted by the Rules Committee today.

Mr. CIVERA. What we did with that amendment is to extend it and to deal with the social issues, which Representative DeLuca had such language and we put it into Rules, and it went beyond what we were originally doing with HR 865.

The SPEAKER. Mr. Civera.

Mr. CIVERA. Thank you, Mr. Speaker.

Mr. Speaker, I am pleased today to speak in favor of passage of HR 865. The resolution would direct the Legislative Budget and Finance Committee to examine the entire issue of health insurance reserves and surpluses and report back to the House by the end of this fiscal year.

The Republican Policy Committee has conducted hearings on health issues across Pennsylvania, and it is no secret that there is a great deal of skepticism throughout the Commonwealth about whether insurers, particularly Blue Cross and Blue Shield plans, are hoarding cash at the expense of their policyholders. Many members of the House share that skepticism. Questions have been raised about whether the insurers have amassed amounts far beyond what could be necessary even under the most extreme circumstances. While hundreds of pages of information have been filed with the Department of Insurance, we still do not have all the answers to those questions. It is time for us to take a step back and assess where we are in comparison with other States and make an objective review of not only the not-for-profit insurers but the others as well. Dramatic increases in premium costs and the very real concerns of families and business required us to do so.

We do not seek to become part of an ongoing dispute between the Blues and the department. This is a matter for the courts to resolve. At some point, however, it is likely that we will have to act. We have to be prepared to address the issue in a thoughtful and well-informed way. HR 865 will help us do that, and I urge all of my colleagues to support this resolution.

Thank you, Mr. Speaker.

The SPEAKER. The gentleman from Westmoreland, Mr. Tangretti.

Mr. TANGRETTI. Thank you, Mr. Speaker.

Mr. Speaker, I wonder if the gentleman from Delaware will answer a couple of quick questions.

The SPEAKER. The gentleman indicates he will.

Mr. TANGRETTI. Mr. Speaker, will the gentleman from Delaware explain the difference between the resolution's intent and what the department is doing now? I know that the Insurance Commissioner and her staff have been collecting data from the Blues, making some determinations about surpluses, determining what and collecting comments for the last 30 or 40 days, and I am curious as to whether this resolution will in fact slow the process down or will it enhance the process or complement the process. I just need to have a clarification.

Mr. CIVERA. My understanding is the department has the right to regulate the surpluses. What this resolution does, it takes it a step back to look into what further amounts could be and what further amounts could not be. So it gives them more of a broader scope of what the problem is and then exactly what the department is charged with without the resolution.

Mr. TANGRETTI. Then if I may, Mr. Speaker, can the gentleman then tell me, if the department determines, for example, the level of surplus, the minimum and maximum that they have been looking at, is determined by the department, are you suggesting then that the department then cannot implement that and make recommendations as to its disposition or—

Mr. CIVERA. No, this would not change anything.

Mr. TANGRETTI. So that the department, therefore, can in fact go forward with their investigation, with their inquiry, make a determination, and in fact can direct the Blues to do a number of things, if they so chose, and this has no effect on that.

Mr. CIVERA. Okay. This resolution does not change anything that presently is in the statute—

Mr. TANGRETTI. Okay.

Mr. CIVERA. —that deals with the Department of Insurance.

Mr. TANGRETTI. Thank you.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—189

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

NAYS—0

NOT VOTING—0

EXCUSED—13

Cruz	LaGrotta	Oliver	Rooney
Evans, D.	Lynch	Rieger	Wheatley
Horsey	Mackereth	Roebuck	Youngblood
James			

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

SUPPLEMENTAL CALENDAR D

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2501, PN 4483**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for a disease management tax credit.

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?

Mr. Reichley. The Chair recognizes the gentleman from Lehigh, Mr. Reichley.

Mr. REICHLEY. Thank you, Mr. Speaker.

Mr. Speaker, HB 2501 will be a significant step toward trying to bring price stabilization to health-care premiums here in Pennsylvania. The emphasis of the bill is to put the power in the hands of the consumer, that being the employers, who will be given a per-employee tax credit. With that tax credit they would be able to go to insurance companies to purchase disease management health care. This serves a dual purpose by stressing the need for preventative health care and wellness in chronic illnesses such as asthma, diabetes, heart disease and respiratory illnesses, and that by utilizing the tax credit, consumers can then go to the insurance companies and demand this kind of policy for the well-being of their employees and dependents, and hopefully this will stabilize prices at the same time. So I would appreciate the support of all the members.

At this time I also would like to extend my thanks to Chairman Leh and Representative Petri for moving the bill through the Finance Committee and to Shelley Lindner and the rest of the Finance Committee staff for helping out with this so much.

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—189

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

NAYS—0

NOT VOTING—0

EXCUSED—13

Cruz	LaGrotta	Oliver	Rooney
Evans, D.	Lynch	Rieger	Wheatley
Horsey	Mackereth	Roebuck	Youngblood
James			

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 **SB 1190, PN 1769**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, extending the employment incentive tax credit.

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—189

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

NAYS—0

NOT VOTING—0

EXCUSED—13

Cruz	LaGrotta	Oliver	Rooney
Evans, D.	Lynch	Rieger	Wheatley
Horsey	Mackereth	Roebuck	Youngblood
James			

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 return the same to the Senate with the information that the House has passed the same without amendment.

LEAVE OF ABSENCE

The SPEAKER. The Chair returns to leaves of absence and places the gentleman, Mr. WILLIAMS, on leave for the remainder of the day.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2500, PN 4225**, entitled:

An Act establishing a program to develop a disease management program to improve the health care of medical assistance recipients who are at risk of or diagnosed with certain ailments or chronic diseases that require frequent medical attention and to improve health care and health outcomes, reduce inpatient hospitalization and reduce the number of emergency room visits for medical assistance fee-for-service recipients diagnosed with certain illnesses.

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—188

Adolph	Egolf	Levdansky	Samuelson
Allen	Evans, J.	Lewis	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	Freeman	McGeehan	Smith, S. H.
Belfanti	Gabig	McGill	Solobay
Benninghoff	Gannon	McIlhattan	Staback
Biancucci	Geist	McIlhinney	Stairs
Birmelin	George	McNaughton	Steil

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

NAYS-0

NOT VOTING-0

EXCUSED-14

Cruz	LaGrotta	Rieger	Wheatley
Evans, D.	Lynch	Roebuck	Williams
Horsey	Mackereth	Rooney	Youngblood
James	Oliver		

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 2798, PN 4292**, entitled:

An Act amending the act of February 1, 1966 (1965 P.L.1656, No.581), known as The Borough Code, further providing for borough powers to convey land.

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

RULES SUSPENDED

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

Mr. NAILOR. Mr. Speaker, I move to suspend the rules for immediate consideration of amendment 3902.

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

The following roll call was recorded:

YEAS-188

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

NAYS-0

NOT VOTING-0

EXCUSED—14

Cruz	LaGrotta	Rieger	Wheatley
Evans, D.	Lynch	Roebuck	Williams
Horsey	Mackereth	Rooney	Youngblood
James	Oliver		

A majority of the members required by the rules having voted in the affirmative, the question was determined in the affirmative and the motion was agreed to.

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

Mr. **NAILOR** offered the following amendment No. **A3902**:

Amend Sec. 1 (Sec. 1201), page 4, line 22, by removing the period after "society" and inserting
for its exclusive use as a non-profit museum or historical society.

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

The **SPEAKER**. The gentleman, Mr. Cohen.

Mr. **COHEN**. Mr. Speaker, this amendment, too, is not on the screen.

The **SPEAKER**. Our people say it is, Mr. Cohen, but we will wait for a moment.

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

The following roll call was recorded:

YEAS—188

Adolph	Egolf	Levdansky	Samuelson
Allen	Evans, J.	Lewis	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	Freeman	McGeehan	Smith, S. H.
Belfanti	Gabig	McGill	Solobay
Benninghoff	Gannon	McIlhattan	Staback
Biancucci	Geist	McIlhinney	Stairs
Birmelin	George	McNaughton	Steil
Bishop	Gergely	Melio	Stern
Blaum	Gillespie	Metcalfe	Stetler
Boyd	Gingrich	Micozzie	Stevenson, R.
Browne	Godshall	Millard	Stevenson, T.
Bunt	Good	Miller, R.	Sturla
Butkovitz	Goodman	Miller, S.	Surra
Buxton	Grucela	Mundy	Tangretti
Caltagirone	Gruitza	Mustio	Taylor, E. Z.
Cappellio	Habay	Myers	Taylor, J.
Casorio	Haluska	Nailor	Thomas
Causer	Hanna	Nickol	Tigue
Cawley	Harhai	O'Brien	Travaglio
Civera	Harhart	O'Neill	True
Clymer	Harper	Pallone	Turzai
Cohen	Harris	Payne	Vance

Coleman	Hasay	Petrarca	Veon
Cornell, S. E.	Hennessey	Petri	Vitali
Corrigan	Herman	Petrone	Walko
Costa	Hershey	Phillips	Wansacz
Crahalla	Hess	Pickett	Washington
Creighton	Hickernell	Pistella	Waters
Curry	Hutchinson	Preston	Watson
Dailey	Josephs	Raymond	Weber
Daley	Keller	Readshaw	Wilt
Dally	Kenney	Reed	Wojnaroski
DeLuca	Killion	Reichley	Wright
Denlinger	Kirkland	Roberts	Yewcic
Dermody	Kotik	Rohrer	Yudichak
DeWeese	Laughlin	Ross	Zug
DiGirolamo	Leach	Rubley	
Diven	Lederer	Ruffing	
Donatucci	Leh	Sainato	Perzel,
Eachus	Lescovitz		Speaker

NAYS—0

NOT VOTING—0

EXCUSED—14

Cruz	LaGrotta	Rieger	Wheatley
Evans, D.	Lynch	Roebuck	Williams
Horsey	Mackereth	Rooney	Youngblood
James	Oliver		

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—188

Adolph	Egolf	Levdansky	Samuelson
Allen	Evans, J.	Lewis	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	Freeman	McGeehan	Smith, S. H.
Belfanti	Gabig	McGill	Solobay
Benninghoff	Gannon	McIlhattan	Staback
Biancucci	Geist	McIlhinney	Stairs
Birmelin	George	McNaughton	Steil
Bishop	Gergely	Melio	Stern
Blaum	Gillespie	Metcalfe	Stetler
Boyd	Gingrich	Micozzie	Stevenson, R.
Browne	Godshall	Millard	Stevenson, T.
Bunt	Good	Miller, R.	Sturla
Butkovitz	Goodman	Miller, S.	Surra

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

NAYS—0

NOT VOTING—0

EXCUSED—14

Cruz	LaGrotta	Rieger	Wheatley
Evans, D.	Lynch	Roebuck	Williams
Horsey	Mackereth	Rooney	Youngblood
James	Oliver		

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.

URBAN AFFAIRS COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Taylor, for the purpose of calling a meeting.

Mr. TAYLOR. Thank you, Mr. Speaker.

I would just like to remind the members of the Urban Affairs Committee that we will reconvene the meeting that was recessed, and this will happen immediately upon the call of recess in the back of the chamber.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

Urban Affairs will reconvene in the back of the chamber at the recess.

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

SB 1096, PN 1886 (Amended) By Rep. MICOZZIE

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, further providing for use of surplus notes, for lending of securities, repurchase agreements

and reverse repurchase agreements, for nonforfeiture law for individual deferred annuities and for eligible investments; deleting provisions relating to loans to companies; further defining "long-term care insurance" and "prepaid home health or personal care service policy"; providing for exempt prepaid home health or personal care service policies; and further providing for disclosure and performance standards for long-term care insurance.

INSURANCE.

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

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HB 2396, PN 4464

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

HB 2724, PN 4382

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

HB 2762, PN 4410

An Act authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Conservation and Natural Resources, to convey to Anthony R. Domiano, Sr., and Anthony R. Domiano, Jr., a certain tract of land situate in the Borough of Archbald, Lackawanna County, in exchange for certain tracts of land; and authorizing the sale and transfer of ownership of Project 70 land located in Wharton Township, Fayette County.

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

THE SPEAKER PRO TEMPORE (PATRICIA H. VANCE) PRESIDING

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 2761, PN 4544 (Amended) By Rep. J. TAYLOR

An Act providing for dispute resolution procedures relating to residential construction defects between contractors and homeowners or members of associations; and prescribing penalties.

URBAN AFFAIRS.

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 from Bucks County, Mr. O'Neill.

Mr. O'NEILL. Madam Speaker, I move that this House do now adjourn until Tuesday, October 19, 2004, at 11 a.m., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 4:16 p.m., e.d.t., the House adjourned.