

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

TUESDAY, FEBRUARY 1, 2005

SESSION OF 2005

189TH OF THE GENERAL ASSEMBLY

No. 8

### HOUSE OF REPRESENTATIVES

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

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

#### PRAYER

REV. ROBERT BERGER, Chaplain of the House of Representatives, offered the following prayer:

Let us bow our heads in prayer:

Almighty God, by the labor of men, You govern and guide into perfection the work of Your creation. Hear the prayers of the members of this chamber who are among the chosen 11,000 elected since the beginning of our Commonwealth. May their deliberations; their argumentation; finally, their laws be of the interest of the people of this Commonwealth. May they be enabled by Your powerful protection to discharge their duties with honesty and ability. Give them wisdom in addressing the needs of this most diverse State in our nation. May they persevere towards justice and equity in the face of wicked problems, multiple solutions.

Bless each member here with the selflessness of the soldiers of our State, who have dedicated themselves to duty, honor, and country. Remind them and encourage them to do no less. In Your kindness and love, make up what is lacking in their efforts.

We pray to You, Lord, now and forever. Amen.

#### PLEDGE OF ALLEGIANCE

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

#### JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Monday, January 31, 2005, will be postponed until printed.

#### HOUSE BILLS INTRODUCED AND REFERRED

**No. 34** By Representatives GEORGE, PHILLIPS, DeWEESE, TIGUE, BELFANTI, RIEGER, BELARDI, CURRY, DeLUCA, FAIRCHILD, FRANKEL, HERMAN, KILLION, KIRKLAND, KOTIK, LaGROTTA, LEACH, MANN,

McCALL, McILHATTAN, MELIO, MUSTIO, PISTELLA, RAYMOND, STABACK, WALKO, WATSON, YUDICHAK, BENNINGHOFF, FABRIZIO, PETRARCA, DALEY, MUNDY, VEON, BLACKWELL, CRAHALLA, GRUCELA, THOMAS, YOUNGBLOOD, WANSACZ and GOODMAN

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for contributions to military family relief through individual income tax returns.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, February 1, 2005.

**No. 125** By Representatives GODSHALL, ARGALL, BASTIAN, BEBKO-JONES, BENNINGHOFF, BLACKWELL, BLAUM, BOYD, BUNT, CORNELL, COSTA, CRAHALLA, CURRY, DALLY, DENLINGER, DeWEESE, FICHTER, FRANKEL, GEORGE, GERGELY, GINGRICH, GOODMAN, GRUITZA, HARPER, HARRIS, HENNESSEY, HERMAN, HERSHEY, HUTCHINSON, KAUFFMAN, KILLION, LaGROTTA, LEACH, LEH, MANDERINO, MANN, McGILL, MELIO, S. MILLER, MUNDY, NAILOR, NICKOL, O'NEILL, PETRI, PISTELLA, PRESTON, PYLE, REICHLEY, ROHRER, ROSS, RUBLEY, SAINATO, SANTONI, SATHER, SAYLOR, SCHRODER, SOLOBAY, STERN, STURLA, E. Z. TAYLOR, THOMAS, TIGUE, TRUE, VEON, WALKO, WASHINGTON, WATSON, WHEATLEY, WILT and YUDICHAK

An Act providing for a Statewide Child Day-Care Resource and Referral System, for unannounced inspections of and liability insurance for certain facilities and persons that provide child day care; requiring criminal history record and child abuse record information for certain persons who reside in family day-care homes; conferring powers and duties on the Department of Public Welfare and law enforcement agencies; and providing for information on prospective child-care personnel.

Referred to Committee on HEALTH AND HUMAN SERVICES, February 1, 2005.

**No. 126** By Representatives GODSHALL, NICKOL, VEON, PHILLIPS, CALTAGIRONE, CLYMER, CRAHALLA, EACHUS, GEIST, HENNESSEY, KILLION, LEH, O'NEILL, PALLONE and RUBLEY

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, defining "alternative investment"; and further providing for administrative duties of the State Employees' Retirement Board.

Referred to Committee on FINANCE, February 1, 2005.

**No. 166** By Representatives GODSHALL, BENNINGHOFF, BALDWIN, BOYD, CAPPELLI, CLYMER, CREIGHTON, DENLINGER, FAIRCHILD, HERSHEY, HUTCHINSON, M. KELLER, KILLION, LEH, MAHER, McILHATTAN, PHILLIPS, PYLE, REED, REICHLEY, ROSS, SCAVELLO, SEMMEL, E. Z. TAYLOR, TURZAI, WATSON and YOUNGBLOOD

An Act amending the act of March 20, 2002 (P.L.154, No.13), known as the Medical Care Availability and Reduction of Error (Mcare) Act, providing for medical professional liability actions.

Referred to Committee on JUDICIARY, February 1, 2005.

**No. 167** By Representatives GODSHALL, BENNINGHOFF, BALDWIN, BOYD, CAPPELLI, CLYMER, CORNELL, CRAHALLA, CREIGHTON, DENLINGER, FAIRCHILD, HERSHEY, HUTCHINSON, KILLION, LEH, MAHER, McILHATTAN, O'NEILL, PHILLIPS, PICKETT, PYLE, REED, REICHLEY, ROSS, RUBLEY, SCAVELLO, SCHRODER, SEMMEL, TRUE, TURZAI, WATSON, WILT, WRIGHT and YOUNGBLOOD

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, authorizing legislation to limit recovery of noneconomic and punitive damages in medical malpractice actions.

Referred to Committee on STATE GOVERNMENT, February 1, 2005.

**No. 168** By Representatives GODSHALL, PHILLIPS, BUNT, CAPPELLI, CREIGHTON, FAIRCHILD, HERMAN, HERSHEY, KILLION, TIGUE and YOUNGBLOOD

An Act amending the act of June 26, 1931 (P.L.1379, No.348), referred to as the Third Class County Assessment Board Law, further providing for assessment appeals.

Referred to Committee on JUDICIARY, February 1, 2005.

**No. 169** By Representatives GODSHALL, PHILLIPS, BUNT, CAPPELLI, CREIGHTON, FAIRCHILD, GEIST, HERMAN, HERSHEY, HESS, KILLION, McCALL, STABACK and TIGUE

An Act amending the act of May 21, 1943 (P.L.571, No.254), known as The Fourth to Eighth Class County Assessment Law, further providing for appeal hearings.

Referred to Committee on JUDICIARY, February 1, 2005.

**No. 170** By Representatives GODSHALL, PHILLIPS, BUNT, CAPPELLI, CLYMER, CRAHALLA, CREIGHTON, FAIRCHILD, GERGELY, KILLION, SCAVELLO, THOMAS and YOUNGBLOOD

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for possession of firearms by minor and for loss of property rights to Commonwealth; and providing for disposition of forfeited firearms.

Referred to Committee on JUDICIARY, February 1, 2005.

**No. 172** By Representatives J. TAYLOR, BARRAR, BELARDI, BUXTON, BEBKO-JONES, CALTAGIRONE, CREIGHTON, DeLUCA, DeWEESE, FLICK, FRANKEL, GEIST, GEORGE, HARRIS, HERMAN, JAMES, M. KELLER, W. KELLER, KIRKLAND, LEDERER, MANN, MARKOSEK, McGEEHAN, PETRONE, PHILLIPS, PRESTON, READSHAW, RUBLEY, SAINATO, SHANER, SOLOBAY, THOMAS, TIGUE, WATSON, WILT, YOUNGBLOOD, CAPPELLI, GOODMAN, SATHER, WALKO, ZUG, O'NEILL and REICHLEY

An Act establishing the Municipal Firefighter Education and Training Program.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, February 1, 2005.

**No. 173** By Representatives PAYNE, BELARDI, BOYD, CALTAGIRONE, CAPPELLI, GINGRICH, HARRIS, M. KELLER, KILLION, McILHATTAN, R. MILLER, MUSTIO, PALLONE, PHILLIPS, PICKETT, SCAVELLO, B. SMITH, E. Z. TAYLOR, TIGUE and GERGELY

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

Referred to Committee on STATE GOVERNMENT, February 1, 2005.

**No. 174** By Representatives NAILOR, RUBLEY, DeWEESE, ALLEN, BAKER, BALDWIN, BARRAR, BELARDI, BELFANTI, CALTAGIRONE, CAPPELLI, CASORIO, CAWLEY, CORRIGAN, CRAHALLA, CREIGHTON, CURRY, FABRIZIO, FLEAGLE, FREEMAN, GABIG, GEIST, GEORGE, GILLESPIE, GINGRICH, GOODMAN, GRUCELA, HARPER, HENNESSEY, HERMAN, HESS, M. KELLER, KILLION, KOTIK, LaGROTTA, LEACH, MAHER, MARSICO, McILHATTAN, MELIO, R. MILLER, S. MILLER, MUNDY, O'NEILL, PALLONE, PETRARCA, PHILLIPS, PICKETT, READSHAW, ROSS, SAINATO, SATHER, SCHRODER, SHANER, STABACK, E. Z. TAYLOR, THOMAS, TRUE, WALKO, WASHINGTON, WATSON, WILT, WOJNAROSKI, YOUNGBLOOD, ZUG and KAUFFMAN

An Act amending act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, exempting custody fees relating to pets from sales tax.

Referred to Committee on FINANCE, February 1, 2005.

**No. 175** By Representatives NAILOR, GEORGE, GEIST, BAKER, BALDWIN, BELFANTI, BOYD, CALTAGIRONE, CORRIGAN, CRAHALLA, CREIGHTON, DeLUCA, FAIRCHILD, FRANKEL, FREEMAN, GABIG, GINGRICH, GOODMAN, GRUCELA, HARRIS, HENNESSEY, HERSHEY, HESS, HUTCHINSON, M. KELLER, W. KELLER, LEACH, LEDERER, MACKERETH, MANN, MARKOSEK, MARSICO, MELIO, R. MILLER, S. MILLER, O'NEILL, PALLONE, PETRARCA, PICKETT, PYLE, READSHAW, REED, ROHRER, RUBLEY, SAINATO, SATHER, SAYLOR, SCHRODER, STABACK,

T. STEVENSON, TANGRETTI, E. Z. TAYLOR, TIGUE, TRUE, WALKO, WANSACZ, WASHINGTON, WATSON, WHEATLEY, WILT, WOJNAROSKI and JOSEPHS

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

Referred to Committee on STATE GOVERNMENT, February 1, 2005.

**No. 177** By Representatives NAILOR, LEH, SOLOBAY, BELARDI, BELFANTI, BENNINGHOFF, BOYD, BUXTON, CALTAGIRONE, CAPPELLI, CAWLEY, CRAHALLA, CREIGHTON, DeWEESE, FABRIZIO, GABIG, GEIST, GEORGE, GINGRICH, GOODMAN, GRUCELA, HARRIS, HENNESSEY, M. KELLER, W. KELLER, MARSICO, McCALL, McILHATTAN, MELIO, R. MILLER, S. MILLER, PALLONE, PETRONE, PICKETT, READSHAW, RUBLEY, SAINATO, SATHER, SAYLOR, SHANER, B. SMITH, STABACK, THOMAS, TIGUE, WALKO, WANSACZ, WASHINGTON, WHEATLEY, WILT, WOJNAROSKI, MAJOR and RAYMOND

An Act amending the act of July 10, 1981 (P.L.214, No.67), known as the Bingo Law, further defining "bona fide member."

Referred to Committee on TOURISM AND RECREATIONAL DEVELOPMENT, February 1, 2005.

**No. 178** By Representatives DiGIROLAMO, ARGALL, BAKER, BALDWIN, BASTIAN, BEBKO-JONES, BLAUM, BROWNE, BUNT, CALTAGIRONE, CAPPELLI, CAUSER, CIVERA, CLYMER, CRAHALLA, CREIGHTON, CRUZ, DALEY, DeLUCA, FICHTER, FRANKEL, GEIST, GILLESPIE, GINGRICH, GODSHALL, GOODMAN, HARHART, HERSHEY, JAMES, M. KELLER, KENNEY, KIRKLAND, LaGROTTA, LEACH, LEDERER, LEH, MARSICO, McCALL, McGILL, MUNDY, O'NEILL, PALLONE, PHILLIPS, PICKETT, PISTELLA, RAYMOND, READSHAW, REICHLEY, RUBLEY, RUFFING, SCAVELLO, SCHRODER, B. SMITH, SOLOBAY, STABACK, TANGRETTI, E. Z. TAYLOR, THOMAS, WANSACZ, WASHINGTON, WATERS, WATSON, WRIGHT, YOUNGBLOOD and YUDICHAK

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for Office for Safe Schools; and encouraging the establishment of pupil harassment, bullying and intimidation policies.

Referred to Committee on EDUCATION, February 1, 2005.

**No. 179** By Representatives JAMES, WATERS, THOMAS, WASHINGTON, YOUNGBLOOD, KIRKLAND, CURRY, D. EVANS, RUFFING, WHEATLEY, WILLIAMS, BEBKO-JONES, BISHOP, CALTAGIRONE, PRESTON, CRUZ, BLACKWELL and JOSEPHS

An Act establishing standards of conduct for district attorneys in counties of the first class; providing for duties of the Supreme Court; and imposing penalties.

Referred to Committee on JUDICIARY, February 1, 2005.

**No. 180** By Representatives JAMES, WATERS, THOMAS, WASHINGTON, YOUNGBLOOD, KIRKLAND, CURRY, D. EVANS, RUFFING, WHEATLEY, WILLIAMS, BEBKO-JONES, BISHOP, CALTAGIRONE, PRESTON, CRUZ, BLACKWELL and JOSEPHS

An Act establishing standards of conduct for district attorneys; providing for duties of the Supreme Court; and imposing penalties.

Referred to Committee on JUDICIARY, February 1, 2005.

**No. 181** By Representatives JAMES, WATERS, THOMAS, WASHINGTON, YOUNGBLOOD, TANGRETTI, GOODMAN, MANDERINO, GEORGE, KIRKLAND, SHANER, CURRY, BUXTON, HENNESSEY, ROONEY, TIGUE, DeWEESE, WOJNAROSKI, BISHOP, WALKO, MUNDY, READSHAW, FRANKEL, W. KELLER, SOLOBAY, WHEATLEY, BEBKO-JONES, CALTAGIRONE, FABRIZIO, HARPER, PRESTON, CRUZ, BLACKWELL, JOSEPHS, PALLONE and LEDERER

An Act allocating a percentage of the net proceeds from all unclaimed funds from sheriffs' sales of residential real property to the Pennsylvania Housing Finance Agency for the purpose of assisting potential homebuyers with the financing and purchase of homes at sheriffs' sales; and establishing the Sheriffs' Sales Homeownership Assistance Fund and the Sheriffs' Sales Homeownership Assistance Program.

Referred to Committee on INTERGOVERNMENTAL AFFAIRS, February 1, 2005.

**No. 183** By Representatives ROSS, HERMAN, BALDWIN, BARRAR, BUNT, CALTAGIRONE, CAPPELLI, CAWLEY, CLYMER, CORRIGAN, CRAHALLA, FICHTER, FRANKEL, FREEMAN, GEIST, GERGELY, GINGRICH, GODSHALL, GRELL, GRUCELA, HENNESSEY, W. KELLER, MUNDY, MUSTIO, NAILOR, O'NEILL, PETRI, RUBLEY, SAYLOR, SCAVELLO, SCHRODER, THOMAS, TIGUE, WALKO, WATSON and YOUNGBLOOD

An Act amending the act of January 19, 1968 (1967 P.L.992, No.442), entitled, as amended, "An act authorizing the Commonwealth of Pennsylvania and the local government units thereof to preserve, acquire or hold land for open space uses," further providing for local taxing options; and providing for land trusts.

Referred to Committee on LOCAL GOVERNMENT, February 1, 2005.

**No. 184** By Representatives STAIRS, ROEBUCK, CREIGHTON, FLEAGLE, O'NEILL, SCAVELLO, BISHOP, CURRY, GRUCELA, KIRKLAND, PALLONE, SHANER, STURLA, ALLEN, BIANCUCCI, BOYD, BUNT, CALTAGIRONE, CAPPELLI, CORNELL, DALEY, FABRIZIO, FAIRCHILD, GEIST, GEORGE, GINGRICH, GOODMAN, HARPER, LEDERER, MANN, MARKOSEK, McCALL, McGEEHAN, MELIO, S. MILLER, PRESTON, REED, REICHLEY, SAYLOR, SCHRODER, B. SMITH, E. Z. TAYLOR, THOMAS, WALKO, WANSACZ, WASHINGTON, WILT and YOUNGBLOOD

An Act establishing the Pennsylvania Scholastic Achievement Award to recognize deserving Pennsylvania students and to motivate such students to attend qualified eligible institutions in this Commonwealth by providing them with a full tuition scholarship or a scholarship of an equivalent dollar amount.

Referred to Committee on EDUCATION, February 1, 2005.

**No. 185** By Representatives STAIRS, CALTAGIRONE, CORNELL, CRAHALLA, CREIGHTON, DALEY, J. EVANS, GEIST, GEORGE, HERSHEY, KENNEY, LEACH, LEDERER, MANDERINO, MCGILL, MELIO, PRESTON, REICHLLEY, SEMMEL, STERN, E. Z. TAYLOR, WILT and YOUNGBLOOD

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for contracts for sale of carbonated beverages, non-nutritious beverages and non-nutritious food.

Referred to Committee on EDUCATION, February 1, 2005.

**No. 186** By Representatives STAIRS, FLEAGLE, CURRY, GRUCELA, LEACH, PALLONE, SHANER, BELFANTI, CALTAGIRONE, CAPPELLI, CRAHALLA, FABRIZIO, FREEMAN, GINGRICH, HARHAI, LEDERER, MELIO, PICKETT, REED, REICHLLEY, SAYLOR, E. Z. TAYLOR, J. TAYLOR, THOMAS, TIGUE, TRUE, WASHINGTON, WATSON, WILT and YOUNGBLOOD

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

Referred to Committee on EDUCATION, February 1, 2005.

**No. 187** By Representatives STAIRS, FLEAGLE, FLICK, CURRY, GRUCELA, LEACH, PALLONE, SHANER, BALDWIN, BELFANTI, CALTAGIRONE, CAPPELLI, CRAHALLA, FABRIZIO, FRANKEL, FREEMAN, GEIST, GINGRICH, HARHAI, JOSEPHS, LEDERER, MELIO, REED, REICHLLEY, SATHER, SAYLOR, STABACK, E. Z. TAYLOR, J. TAYLOR, THOMAS, TIGUE, TRUE, WASHINGTON and YOUNGBLOOD

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for school lunch and breakfast reimbursement.

Referred to Committee on EDUCATION, February 1, 2005.

**No. 189** By Representatives STAIRS, FLEAGLE, O'NEILL, CURRY, GRUCELA, LEACH, PALLONE, SHANER, BALDWIN, BELFANTI, CALTAGIRONE, CAPPELLI, CRAHALLA, FABRIZIO, FRANKEL, FREEMAN, GEIST, GINGRICH, HARHAI, HESS, JOSEPHS, LEDERER, MELIO, SAYLOR, E. Z. TAYLOR, J. TAYLOR, THOMAS, TRUE, WASHINGTON, WATSON, WILT and YOUNGBLOOD

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

Referred to Committee on EDUCATION, February 1, 2005.

**No. 190** By Representatives STAIRS, FLEAGLE, CURRY, GRUCELA, LEACH, PALLONE, SHANER, BALDWIN, BELFANTI, CALTAGIRONE, CAPPELLI, CRAHALLA, FRANKEL, FREEMAN, GEIST, GINGRICH, HARHAI, MELIO, SATHER, SAYLOR, STABACK, E. Z. TAYLOR, J. TAYLOR, THOMAS, WASHINGTON, WILT and YOUNGBLOOD

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for health services and comprehensive health records.

Referred to Committee on EDUCATION, February 1, 2005.

**No. 191** By Representatives STAIRS, FLEAGLE, CURRY, GRUCELA, LEACH, SHANER, YUDICHAK, BALDWIN, BELFANTI, CALTAGIRONE, CAPPELLI, CRAHALLA, FRANKEL, FREEMAN, GEIST, GINGRICH, HARHAI, MELIO, SAYLOR, B. SMITH, STABACK, E. Z. TAYLOR, J. TAYLOR, THOMAS, WANSACZ, WASHINGTON, WATSON, WILT and YOUNGBLOOD

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

Referred to Committee on EDUCATION, February 1, 2005.

**No. 192** By Representatives STAIRS, FLEAGLE, CURRY, GRUCELA, LEACH, SHANER, YUDICHAK, BELFANTI, CALTAGIRONE, CAPPELLI, CRAHALLA, FRANKEL, FREEMAN, GEIST, GEORGE, GINGRICH, HARHAI, JOSEPHS, LEDERER, MELIO, PETRARCA, SAYLOR, B. SMITH, STABACK, E. Z. TAYLOR, J. TAYLOR, THOMAS, WANSACZ, WASHINGTON, WATSON and YOUNGBLOOD

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for the establishment of a child health and nutrition advisory committee.

Referred to Committee on EDUCATION, February 1, 2005.

**No. 193** By Representatives FLICK, GEIST, BAKER, BALDWIN, GRELL, HENNESSEY, HERSHEY, HUTCHINSON, KILLION, McILHATTAN, MILLARD, R. MILLER, NAILOR, PHILLIPS, REICHLLEY, ROSS, RUBLEY, SAYLOR, SCHRODER, SEMMEL, T. STEVENSON, E. Z. TAYLOR, WATSON and WILT

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for contracting and for the applicability of Education Empowerment; and making a repeal.

Referred to Committee on EDUCATION, February 1, 2005.

**No. 195** By Representatives CURRY, BELARDI, BELFANTI, BUXTON, CALTAGIRONE, CAPPELLI, CAWLEY, CRAHALLA, CREIGHTON, DALEY, FABRIZIO, FREEMAN, GEORGE, KOTIK, LEACH, McILHATTAN,

MELIO, PISTELLA, PRESTON, STETLER, R. STEVENSON, STURLA, THOMAS, YOUNGBLOOD and YUDICHAK

An Act providing for the assessment of tax-exempt property, for payment by the Commonwealth to municipalities with tax-exempt property and for certain reduction in millage rate by municipalities.

Referred to Committee on FINANCE, February 1, 2005.

**No. 196** By Representatives FLICK, TIGUE, GABIG, YOUNGBLOOD, BARRAR, BUNT, GEIST, GILLESPIE, HARRIS, KAUFFMAN, KILLION, LaGROTTA, LEVDANSKY, MARKOSEK, McGEEHAN, MELIO, MICOZZIE, O'NEILL, PETRARCA, REICHLEY, SATHER, E. Z. TAYLOR, THOMAS, WALKO, WANSACZ and WILT

An Act providing for civil service preference for members of volunteer emergency service organizations.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, February 1, 2005.

### HOUSE RESOLUTION INTRODUCED AND REFERRED

**No. 43** By Representatives BISHOP, GEORGE, WASHINGTON, CALTAGIRONE, McGEEHAN, EACHUS, GOODMAN, BEBKO-JONES, KIRKLAND, DERMODY, McCALL, PISTELLA, PHILLIPS, SAINATO, MELIO, CAWLEY, TIGUE, WILLIAMS, HARPER, GRUCELA, THOMAS, BLACKWELL, JOSEPHS and JAMES

A Resolution memorializing the Congress of the United States to amend the Social Security Act to provide for long-term caregiver benefits.

Referred to Committee on AGING AND OLDER ADULT SERVICES, February 1, 2005.

### SENATE MESSAGE

#### JOINT SESSION

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

In the Senate  
January 31, 2005

WHEREAS, Pursuant to a request of the Governor dated January 3, 2005, the General Assembly adopted a concurrent resolution on Monday, January 24, 2005, authorizing a Joint Session to be held on Tuesday, February 8, 2005, for the purpose of hearing a budget address; and

WHEREAS, On January 27, 2005, the Governor, citing potential scheduling and out-of-State travel difficulties, requested that the date for the Joint Session and budget address be changed to Wednesday, February 9, 2005; now therefore be it

RESOLVED, (the House of Representatives concurring), That the Senate and House of Representatives meet in Joint Session, Wednesday, February 9, 2005, at 11:00 a.m. in the Hall of the House of Representatives for the purpose of hearing an address by His Excellency, Governor Edward G. Rendell; and be it further

RESOLVED, That a committee of three, on the part of the Senate, be appointed to act with a similar committee on the part of the House of Representatives, to escort His Excellency, the Governor of the Commonwealth of Pennsylvania, to the Hall of the House of Representatives.

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

On the question,

Will the House concur in the resolution of the Senate?

Resolution was concurred in.

Ordered, That the clerk inform the Senate accordingly.

### SENATE MESSAGE

#### ADJOURNMENT RESOLUTION FOR CONCURRENCE

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

In the Senate  
January 31, 2005

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the Senate recesses this week, it reconvene on Monday, February 7, 2005, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the House of Representatives recesses this week, it reconvene on Monday, February 7, 2005, unless sooner recalled by the Speaker of the House of Representatives.

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

On the question,

Will the House concur in the resolution of the Senate?

Resolution was concurred in.

Ordered, That the clerk inform the Senate accordingly.

### LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes the majority whip, who moves for a leave of absence for the gentlelady from Bucks, Mrs. WATSON. Without objection, that leave will be granted.

There are no further requests for leaves of absence.

### MASTER ROLL CALL

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

(Members proceeded to vote.)

The SPEAKER. For the information of the members, at this time the Speaker can challenge anyone who is not in their seats,

so can the majority and minority leaders of either side of the aisle challenge members who are not in their seats.

Representative Gingrich? The Chair apologizes. The light on the desk is not lit. The light is up on the board.

The following roll call was recorded:

**PRESENT—200**

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

**ADDITIONS—0**

**NOT VOTING—0**

**EXCUSED—2**

James Watson

**REPORT OF COMMITTEE ON COMMITTEES**

The SPEAKER. The clerk will read the following supplemental report of the Committee on Committees.

The following report was read:

**SUPPLEMENTAL REPORT COMMITTEE ON COMMITTEES**

In the House of Representatives  
February 1, 2005

Resolved that  
Rep. Paul Costa, Allegheny County, is elected a member of the Intergovernmental Affairs Committee vice Rep. Leach resigned.  
Rep. Daylin Leach, Montgomery County, is elected a member of the Local Government Committee vice Rep. Costa resigned.

Respectfully submitted,  
Rep. Robert Freeman  
Democratic Chairman  
Committee on Committees

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

**RULES AND ETHICS COMMITTEES APPOINTED**

The SPEAKER. The Chair submits for the record the following members of the Rules and the Ethics Committees.

The following lists were submitted:

**RULES**

Samuel H. Smith, chairman;  
David G. Argall;  
Raymond Bunt, Jr.;  
Mario J. Civera;  
Brett Feese;  
Thomas P. Gannon;  
Richard A. Geist;  
Eugene F. McGill;  
John M. Perzel;  
Merle H. Phillips;  
Stanley E. Saylor;  
Elinor Z. Taylor;  
Ronald C. Raymond;  
John J. Taylor;  
George C. Hasay;  
Bob Allen;  
H. William DeWeese, minority leader;  
Michael R. Veon, minority whip;  
Dwight Evans, Democratic Appropriations chair;  
Fred Belardi;  
Kevin Blaum;  
Mark B. Cohen;  
Camille "Bud" George;  
Stephen H. Stetler;  
Frank Dermody;  
Thomas R. Caltagirone;  
Jewell Williams;

T. J. Rooney; and  
P. Michael Sturla.

\* \* \*

ETHICS

Thomas L. Stevenson, chairman;  
Michael R. Veon, vice chairman;  
Sandra J. Major, secretary;  
Patrick E. Fleagle;  
Robert J. Flick;  
Robert C. Donatucci;  
William W. Rieger; and  
Jewell Williams.

CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mr. PERZEL called up **HR 3, PN 115**, entitled:

A Resolution establishing the Speaker’s Education Innovation Awards program, to be known publicly as “Golden Apple Awards”; and establishing an advisory committee.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—199

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

Dally	Keller, M.	Quigley	Wheatley
DeLuca	Keller, W.	Ramaley	Williams
Denlinger	Kenney	Rapp	Wilt
Dermody	Killion	Raymond	Wojnarowski
DeWeese	Kirkland	Readshaw	Wright
DiGirolamo	Kotik	Reed	Yewcic
Diven	LaGrotta	Reichley	Youngblood
Donatucci	Leach	Roberts	Yudichak
Eachus	Lederer	Roebuck	Zug
Ellis	Leh	Rohrer	
Evans, D.	Lescovitz	Rooney	Perzel,
Evans, J.	Levdansky	Ross	Speaker
Fabrizio			

NAYS—0

NOT VOTING—1

Rieger

EXCUSED—2

James

Watson

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

\* \* \*

Mr. KENNEY called up **HR 35, PN 117**, entitled:

A Resolution honoring the accomplishments of the Philadelphia Eagles on the occasion of winning their fourth consecutive NFC Eastern Division title and the NFC Championship.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—200

Adolph	Fairchild	Maher	Rubley
Allen	Feese	Maitland	Ruffing
Argall	Fichter	Major	Sainato
Armstrong	Fleagle	Manderino	Samuelson
Baker	Flick	Mann	Santoni
Baldwin	Forcier	Markosek	Sather
Barrar	Frankel	Marsico	Saylor
Bastian	Freeman	McCall	Scavello
Bebko-Jones	Gabig	McGeehan	Schroder
Belardi	Gannon	McGill	Semmel
Belfanti	Geist	McIlhattan	Shaner
Benninghoff	George	McIlhinney	Shapiro
Biancucci	Gerber	McNaughton	Smith, B.
Birmelin	Gergely	Melio	Smith, S. H.
Bishop	Gillespie	Metcalfe	Solobay
Blackwell	Gingrich	Micozzie	Sonney
Blaum	Godshall	Millard	Staback
Boyd	Good	Miller, R.	Stairs
Browne	Goodman	Miller, S.	Steil
Bunt	Grell	Mundy	Stern
Butkovitz	Grucela	Mustio	Stetler
Buxton	Gruitza	Myers	Stevenson, R.
Caltagirone	Habay	Nailor	Stevenson, T.
Cappelli	Haluska	Nickol	Sturla
Casorio	Hanna	O’Brien	Surra
Causar	Harhai	Oliver	Tangretti
Cawley	Harhart	O’Neill	Taylor, E. Z.

Civera	Harper	Pallone	Taylor, J.
Clymer	Harris	Payne	Thomas
Cohen	Hasay	Petrarca	Tigue
Cornell	Hennessey	Petri	True
Corrigan	Herman	Petrone	Turzai
Costa	Hershey	Phillips	Veon
Crahalla	Hess	Pickett	Vitali
Creighton	Hickernell	Pistella	Walko
Cruz	Hutchinson	Preston	Wansacz
Curry	Josephs	Pyle	Washington
Daley	Kauffman	Quigley	Waters
Dally	Keller, M.	Ramaley	Wheatley
DeLuca	Keller, W.	Rapp	Williams
Denlinger	Kenney	Raymond	Wilt
Dermody	Killion	Readshaw	Wojnaroski
DeWeese	Kirkland	Reed	Wright
DiGirolamo	Kotik	Reichley	Yewcic
Diven	LaGrotta	Rieger	Youngblood
Donatucci	Leach	Roberts	Yudichak
Eachus	Lederer	Roebuck	Zug
Ellis	Leh	Rohrer	
Evans, D.	Lescovitz	Rooney	Perzel,
Evans, J.	Levdansky	Ross	Speaker
Fabrizio	Mackereth		

NAYS-0

NOT VOTING-0

EXCUSED-2

James Watson

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

\* \* \*

Mr. SOLOBAY called up **HR 37, PN 119**, entitled:

A Resolution designating the month of April 2005 as "Lupus Alert Month" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-199

Adolph	Feese	Maher	Rubley
Allen	Fichter	Maitland	Ruffing
Argall	Fleagle	Major	Sainato
Armstrong	Flick	Manderino	Samuelson
Baker	Forcier	Mann	Santoni
Baldwin	Frankel	Markosek	Sather
Barrar	Freeman	Marsico	Saylor
Bastian	Gabig	McCall	Scavello
Bebko-Jones	Gannon	McGeehan	Schroder
Belardi	Geist	McGill	Semmel
Belfanti	George	McIlhattan	Shaner
Benninghoff	Gerber	McIlhinney	Shapiro
Bianucci	Gergely	McNaughton	Smith, B.
Birmelin	Gillespie	Melio	Smith, S. H.
Blackwell	Gingrich	Metcalfe	Solobay
Blaum	Godshall	Micozzie	Sonney
Boyd	Good	Millard	Staback
Browne	Goodman	Miller, R.	Stairs
Bunt	Grell	Miller, S.	Steil

Butkovitz	Grucela	Mundy	Stern
Buxton	Gruitza	Mustio	Stetler
Callagirono	Habay	Myers	Stevenson, R.
Cappelli	Haluska	Nailor	Stevenson, T.
Casorio	Hanna	Nickol	Sturla
Causer	Harhai	O'Brien	Surra
Cawley	Harhart	Oliver	Tangretti
Civera	Harper	O'Neill	Taylor, E. Z.
Clymer	Harris	Pallone	Taylor, J.
Cohen	Hasay	Payne	Thomas
Cornell	Hennessey	Petrarca	Tigue
Corrigan	Herman	Petri	True
Costa	Hershey	Petrone	Turzai
Crahalla	Hess	Phillips	Veon
Creighton	Hickernell	Pickett	Vitali
Cruz	Hutchinson	Pistella	Walko
Curry	Josephs	Preston	Wansacz
Daley	Kauffman	Pyle	Washington
Dally	Keller, M.	Quigley	Waters
DeLuca	Keller, W.	Ramaley	Wheatley
Denlinger	Kenney	Rapp	Williams
Dermody	Killion	Raymond	Wilt
DeWeese	Kirkland	Readshaw	Wojnaroski
DiGirolamo	Kotik	Reed	Wright
Diven	LaGrotta	Reichley	Yewcic
Donatucci	Leach	Rieger	Youngblood
Eachus	Lederer	Roberts	Yudichak
Ellis	Leh	Roebuck	Zug
Evans, D.	Lescovitz	Rohrer	
Evans, J.	Levdansky	Rooney	Perzel,
Fabrizio	Mackereth	Ross	Speaker
Fairchild			

NAYS-0

NOT VOTING-1

Bishop

EXCUSED-2

James Watson

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

\* \* \*

Mr. SOLOBAY called up **HR 38, PN 120**, entitled:

A Resolution declaring March 2005 as "American Red Cross Month" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-200

Adolph	Fairchild	Maher	Rubley
Allen	Feese	Maitland	Ruffing
Argall	Fichter	Major	Sainato
Armstrong	Fleagle	Manderino	Samuelson
Baker	Flick	Mann	Santoni
Baldwin	Forcier	Markosek	Sather
Barrar	Frankel	Marsico	Saylor
Bastian	Freeman	McCall	Scavello
Bebko-Jones	Gabig	McGeehan	Schroder



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

NAYS-0

NOT VOTING-0

EXCUSED-2

James Watson

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

\* \* \*

Mr. PETRONE called up **HR 39, PN 121**, entitled:

A Resolution honoring the Pittsburgh Steelers for an outstanding season of professional football during 2004.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-200

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

NAYS-0

NOT VOTING-0

EXCUSED-2

James Watson

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

SUPPLEMENTAL CALENDAR A

RESOLUTION PURSUANT TO RULE 35

Mrs. HARHART called up HR 44, PN 169, entitled:

A Resolution designating February 4, 2005, as "Give Kids A Smile Day" in Pennsylvania, congratulating the Pennsylvania Dental Association for its involvement in this national program and thanking dentists for volunteering their time to provide needed dental care.

On the question, Will the House adopt the resolution?

The following roll call was recorded:

YEAS-200

Table listing names of representatives who voted 'YEAS-200' in four columns: Adolph, Allen, Argall, Armstrong, Baker, Baldwin, Barrar, Bastian, Bebko-Jones, Belardi, Belfanti, Benninghoff, Biancucci, Birmelin, Bishop, Blackwell, Blaum, Boyd, Browne, Bunt, Butkovitz, Buxton, Caltagirone, Cappelli, Casorio, Causer, Cawley, Civera, Clymer, Cohen, Cornell, Corrigan, Costa, Crahalla, Creighton, Cruz, Curry, Daley, Dally, DeLuca, Denlinger, Dermody, DeWeese, DiGirolamo, Diven, Donatucci, Eachus, Ellis, Evans, D., Evans, J., Fabrizio, Fairchild, Feese, Fichter, Fleagle, Flick, Forcier, Frankel, Freeman, Gabig, Gannon, Geist, George, Gerber, Gergely, Gillespie, Gingrich, Godshall, Good, Goodman, Grell, Grucela, Gruitza, Habay, Haluska, Hanna, Harhai, Harhart, Harper, Harris, Hasay, Hennessey, Herman, Hershey, Hess, Hickernell, Hutchinson, Josephs, Kauffman, Keller, M., Keller, W., Kenney, Killion, Kirkland, Kotik, LaGrotta, Leach, Lederer, Leh, Lescovitz, Levdansky, Mackereth, Maher, Maitland, Major, Manderino, Mann, Markosek, Marsico, McCall, McGeehan, McGill, McIlhatten, McIlhinney, McNaughton, Melio, Metcalfe, Micozzie, Millard, Miller, R., Miller, S., Mundy, Mustio, Myers, Nailor, Nickol, O'Brien, Oliver, O'Neill, Pallone, Payne, Petrarca, Petri, Petrone, Phillips, Pickett, Pistella, Preston, Pyle, Quigley, Ramaley, Rapp, Raymond, Readshaw, Reed, Reichley, Rieger, Roberts, Roebuck, Rohrer, Rooney, Ross, Rubley, Ruffing, Sainato, Samuelson, Santoni, Sather, Saylor, Scavello, Schroder, Semmel, Shaner, Shapiro, Smith, B., Smith, S. H., Solobay, Sonney, Staback, Stairs, Steil, Stern, Stetler, Stevenson, R., Stevenson, T., Sturla, Surra, Tangretti, Taylor, E. Z., Taylor, J., Thomas, Tigue, True, Turzai, Veon, Vitali, Walko, Wansacz, Washington, Waters, Wheatley, Williams, Wilt, Wojnaroski, Wright, Yewcic, Youngblood, Yudichak, Zug, Perzel, Speaker

NAYS-0

NOT VOTING-0

EXCUSED-2

James Watson

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

GUESTS INTRODUCED

The SPEAKER. We have here today, as guests of Representatives John Taylor and George Kenney, sitting to the left of the Speaker, from the Cancer Treatment Centers of America, Robert Mayo - would the guests please rise - John McNeil, David Kent, Michele Geary, and Leslie Haas. Would those guests please rise and be recognized.

Are there any announcements?

COMMITTEE MEETING POSTPONED

The SPEAKER. The Chair recognizes the gentleman from York, Mr. Smith.

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

The Game and Fisheries Committee meeting that was scheduled for tomorrow has been postponed. Fish and Boat Commissioner Leon Reed passed away. The funeral is tomorrow. So the Game and Fisheries Committee will hear the annual report of the Fish and Boat Commission on Tuesday, February 8. I want all committee members to be aware of the postponement of the meeting.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

REPUBLICAN CAUCUS

The SPEAKER. The Chair recognizes the gentlelady from Chester, Mrs. Taylor.

Mrs. TAYLOR. Thank you, Mr. Speaker.

There will be a brief Republican caucus at the call of recess.

The SPEAKER. The Chair thanks the gentlelady.

DEMOCRATIC CAUCUS

The SPEAKER. The gentleman, Mr. Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, I would like to announce that there will be a Democratic caucus with informal discussions immediately upon the call of the recess.

RECESS

The SPEAKER. At this time the Chair recognizes the gentleman from Cumberland, Mr. Grell.

Mr. GRELL. Mr. Speaker, I move that this House do recess until Wednesday, February 2, 2005, at 10:30 a.m., e.s.t., unless sooner recalled by the Speaker.

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On the question,  
Will the House agree to the motion?  
Motion was agreed to, and at 11:35 a.m., e.s.t., the House  
recessed.