

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, FEBRUARY 2, 2005

SESSION OF 2005

189TH OF THE GENERAL ASSEMBLY

No. 9

HOUSE OF REPRESENTATIVES

The House convened at 10:30 a.m., e.s.t.

THE SPEAKER PRO TEMPORE (JERRY L. NAILOR) PRESIDING

PRAYER AND PLEDGE OF ALLEGIANCE DISPENSED WITH

The SPEAKER pro tempore. Without objection, the prayer and Pledge of Allegiance will be dispensed with.

JOURNAL APPROVAL POSTPONED

The SPEAKER pro tempore. Without objection, the approval of the Journal of Tuesday, February 1, 2005, will be postponed until printed.

HOUSE BILLS INTRODUCED AND REFERRED

No. 194 By Representatives FLICK, DeWEESE, FREEMAN, CRAHALLA, BARRAR, BEBKO-JONES, BUNT, COSTA, CRUZ, CURRY, FABRIZIO, GEIST, GEORGE, GERGELY, GINGRICH, HENNESSEY, JAMES, W. KELLER, KILLION, KIRKLAND, LEACH, LEDERER, MARKOSEK, McGEEHAN, S. MILLER, NAILOR, PHILLIPS, READSHAW, REICHLEY, ROHRER, RUBLEY, SAYLOR, SCHRODER, SOLOBAY, E. Z. TAYLOR, THOMAS, TIGUE, WASHINGTON, WILT, YOUNGBLOOD, YUDICHAK, CORRIGAN and McGILL

An Act amending the act of December 20, 2001 (P.L.969, No.116), known as the Dormitory Sprinkler System Act, further providing for the sprinkler system program.

Referred to Committee on LOCAL GOVERNMENT, February 2, 2005.

No. 197 By Representatives MAJOR, HASAY, GEIST, WANSACZ, BAKER, BALDWIN, BARRAR, BEBKO-JONES, BUNT, CALTAGIRONE, CAPPELLI, COSTA, CRAHALLA, CREIGHTON, DENLINGER, D. EVANS, FABRIZIO, FICHTER, FLEAGLE, FRANKEL, FREEMAN, GEORGE, GINGRICH, GOODMAN, HARHART, HARPER, HENNESSEY, HERMAN, HERSHEY, HESS, HUTCHINSON, LEDERER, LEH, McGILL, McILHATTAN, MELIO, R. MILLER, MUNDY, PHILLIPS, PICKETT, PRESTON, ROHRER, RUBLEY, SATHER,

SAYLOR, SCAVELLO, B. SMITH, SOLOBAY, STERN, R. STEVENSON, SURRA, E. Z. TAYLOR, THOMAS, TRUE, WALKO, WASHINGTON, WOJNAROSKI and YOUNGBLOOD

An Act amending Title 74 (Transportation) of the Pennsylvania Consolidated Statutes, designating a portion of State Route 6 in Wyoming County as a scenic byway.

Referred to Committee on TRANSPORTATION, February 2, 2005.

No. 198 By Representatives MAJOR, GEIST, PHILLIPS, BARRAR, BALDWIN, BOYD, BUNT, CALTAGIRONE, CAPPELLI, COSTA, CRAHALLA, CREIGHTON, DENLINGER, D. EVANS, FABRIZIO, FEESE, FICHTER, FRANKEL, FREEMAN, GEORGE, GOODMAN, HARHART, HARPER, HENNESSEY, HERMAN, HERSHEY, HESS, HUTCHINSON, KIRKLAND, LEDERER, LEH, MARKOSEK, McGILL, McILHATTAN, MELIO, MUNDY, PICKETT, PRESTON, ROHRER, ROSS, RUBLEY, SAINATO, SATHER, SAYLOR, SCAVELLO, SOLOBAY, STERN, R. STEVENSON, E. Z. TAYLOR, THOMAS, TIGUE, TRUE, WALKO, WANSACZ, WASHINGTON, WOJNAROSKI and YOUNGBLOOD

An Act amending Title 74 (Transportation) of the Pennsylvania Consolidated Statutes, designating a certain portion of State Route 92 in Susquehanna County as a scenic byway.

Referred to Committee on TRANSPORTATION, February 2, 2005.

No. 199 By Representatives CURRY, BARRAR, BELARDI, BELFANTI, BIANCUCCI, BOYD, CALTAGIRONE, CAPPELLI, CAWLEY, CRAHALLA, DALEY, DeWEESE, FABRIZIO, GEORGE, GILLESPIE, GRUCELA, HERSHEY, HUTCHINSON, JAMES, KOTIK, McILHINNEY, McNAUGHTON, MELIO, PETRARCA, PISTELLA, SAINATO, SCAVELLO, THOMAS, WATSON, YOUNGBLOOD, YUDICHAK and PALLONE

An Act providing school district property tax exemption to certain senior citizens, widows, widowers and permanently disabled persons with limited incomes; providing for in-lieu-of-tax payments; and providing for State reimbursement.

Referred to Committee on EDUCATION, February 2, 2005.

No. 204 By Representatives YEWIC, BALDWIN, BASTIAN, BOYD, CREIGHTON, DENLINGER, FLEAGLE,

FORCIER, LEH, METCALFE, S. MILLER, ROHRER, STERN, R. STEVENSON, WILT, HUTCHINSON and ARMSTRONG

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for the offense of ethnic intimidation.

Referred to Committee on JUDICIARY, February 2, 2005.

No. 205 By Representatives READSHAW, BIANCUCCI, BUXTON, CALTAGIRONE, CAPPELLI, GERGELY, PHILLIPS, PISTELLA, RUBLEY, SOLOBAY, STABACK and E. Z. TAYLOR

An Act amending the act of February 1, 1966 (1965 P.L.1656, No.581), known as The Borough Code, further providing for passage, approval and veto of ordinances, for salaried mayor not to receive fees and for duties of solicitor and outside council.

Referred to Committee on LOCAL GOVERNMENT, February 2, 2005.

No. 206 By Representatives READSHAW, CURRY, HARPER, HERSHEY, LEVDANSKY, MAHER, MARKOSEK, McILHATTAN, PALLONE, PICKETT, PISTELLA, PRESTON, RAYMOND, SAINATO, SCAVELLO, SOLOBAY, TIGUE, WOJNAROSKI and YOUNGBLOOD

An Act amending the act of April 8, 1949 (P.L.418, No.58), entitled, "An act to provide for and regulate the accumulation, investment, and expenditure of funds by cities, boroughs, incorporated towns and townships for preparing plans for sewage disposal systems, and for the construction, improvement or replacement of sewage disposal systems for which plans have been approved by the Sanitary Water Board of the Commonwealth," further providing for definitions and for expenditure of fund.

Referred to Committee on LOCAL GOVERNMENT, February 2, 2005.

No. 207 By Representatives READSHAW, CURRY, HARPER, HERSHEY, LEVDANSKY, MAHER, MARKOSEK, McILHATTAN, PALLONE, PICKETT, PISTELLA, PRESTON, RAYMOND, SAINATO, SCAVELLO, SOLOBAY, TIGUE, WOJNAROSKI and YOUNGBLOOD

An Act amending the act of March 1, 1988 (P.L.82, No.16), known as the Pennsylvania Infrastructure Investment Authority Act, further providing for definitions; and providing for additional use of funds for financial assistance.

Referred to Committee on LOCAL GOVERNMENT, February 2, 2005.

No. 208 By Representatives READSHAW, CALTAGIRONE, GERGELY, LEVDANSKY, PISTELLA, MARKOSEK, WHEATLEY, WOJNAROSKI and YOUNGBLOOD

An Act amending the act of July 28, 1953 (P.L.723, No.230), known as the Second Class County Code, further providing for employees eligible for retirement allowances.

Referred to Committee on FINANCE, February 2, 2005.

No. 209 By Representatives BIRMELIN, McGEEHAN, BAKER, BALDWIN, BASTIAN, BENNINGHOFF, BOYD, BUXTON, CALTAGIRONE, CAPPELLI, CLYMER, CRAHALLA, J. EVANS, FRANKEL, GEIST, GINGRICH, GOODMAN, HARPER, HENNESSEY, HERSHEY, HESS, LEACH, S. MILLER, O'NEILL, PICKETT, READSHAW, REICHLEY, ROHRER, SATHER, SCAVELLO, SOLOBAY, STABACK, E. Z. TAYLOR, THOMAS, TIGUE, WASHINGTON, WATSON, WILT, YOUNGBLOOD and STERN

An Act establishing the Privately Employed Agents Training and Certification Program; regulating privately employed agents; and providing for powers and duties of the Commissioner of the Pennsylvania State Police.

Referred to Committee on PROFESSIONAL LICENSURE, February 2, 2005.

No. 210 By Representatives GODSHALL, BENNINGHOFF, BOYD, CLYMER, CRAHALLA, CREIGHTON, DENLINGER, FAIRCHILD, HERSHEY, KILLION, LEH, O'NEILL, PHILLIPS, PYLE, TRUE, WILT and WRIGHT

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 limitations on attorney fees.

Referred to Committee on JUDICIARY, February 2, 2005.

No. 211 By Representatives BENNINGHOFF, ARMSTRONG, BALDWIN, BOYD, CALTAGIRONE, CAPPELLI, CREIGHTON, DeWEESE, FAIRCHILD, GEIST, GINGRICH, GOODMAN, HENNESSEY, McGEEHAN, McILHATTAN, R. MILLER, PALLONE, SCAVELLO, SOLOBAY, TIGUE, WILT and YOUNGBLOOD

An Act providing funding for standards and for implementation of a 211 abbreviated dialing code for information and human services referral telephone service; establishing the 211 Advisory Committee; and making an appropriation.

Referred to Committee on INTERGOVERNMENTAL AFFAIRS, February 2, 2005.

No. 212 By Representatives GODSHALL, BALDWIN, BOYD, BUNT, CAPPELLI, CLYMER, CREIGHTON, DENLINGER, FAIRCHILD, HERSHEY, KILLION, LEH, PHILLIPS, SCAVELLO, SCHRODER, SEMMEL, E. Z. TAYLOR, TRUE, WILT and WRIGHT

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 hospital care or assistance necessitated by traumatic injury immunity.

Referred to Committee on HEALTH AND HUMAN SERVICES, February 2, 2005.

No. 213 By Representatives GODSHALL, BALDWIN, BELFANTI, BENNINGHOFF, BUNT, CRAHALLA,

CREIGHTON, DENLINGER, FRANKEL, GERGELY, GOODMAN, HERSHEY, HESS, HUTCHINSON, LEDERER, LEH, R. MILLER, S. MILLER, PICKETT, SEMMEL, STABACK, STERN, TANGRETTI and YOUNGBLOOD

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, adding an offense and a civil action relating to ecoterrorism.

Referred to Committee on JUDICIARY, February 2, 2005.

No. 214 By Representatives GODSHALL, BENNINGHOFF, BUNT, CAPPELLI, CRAHALLA, CREIGHTON, DENLINGER, FRANKEL, GEIST, GOODMAN, HERSHEY, HESS, HUTCHINSON, R. MILLER, MUSTIO, PHILLIPS, PICKETT, REICHLEY, E. Z. TAYLOR, THOMAS and YOUNGBLOOD

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, providing for autopsies.

Referred to Committee on JUDICIARY, February 2, 2005.

No. 215 By Representatives RUFFING, DeLUCA, BIANCUCCI, DeWEESE, BEBKO-JONES, CALTAGIRONE, COSTA, DALEY, DERMODY, FABRIZIO, FRANKEL, GERGELY, GOODMAN, GRUCELA, HARHAI, LEVDANSKY, W. KELLER, KOTIK, PETRONE, PISTELLA, PRESTON, READSHAW, SHANER, SOLOBAY, THOMAS, VEON, WALKO, WHEATLEY, WOJNAROSKI and YOUNGBLOOD

An Act establishing the Landslide Insurance and Assistance Program within the Pennsylvania Emergency Management Agency; providing for related powers and duties of the Pennsylvania Emergency Management Agency; establishing and providing for the powers and duties of the Landslide Insurance and Assistance Board; establishing the Landslide Insurance Fund and the Landslide Assistance Fund; and making appropriations.

Referred to Committee on INSURANCE, February 2, 2005.

No. 216 By Representatives J. TAYLOR, KENNEY, BARRAR, BEBKO-JONES, BELARDI, BELFANTI, CALTAGIRONE, CAPPELLI, COSTA, CRUZ, CURRY, DALEY, DeWEESE, EACHUS, FICHTER, FRANKEL, FREEMAN, GEORGE, HARPER, HENNESSEY, JOSEPHS, W. KELLER, LaGROTTA, LEACH, LEDERER, MAITLAND, MANDERINO, MELIO, MUNDY, PETRONE, PISTELLA, PRESTON, RAYMOND, SANTONI, SCAVELLO, SHANER, STABACK, STURLA, SURRA, E. Z. TAYLOR, THOMAS, TIGUE, WALKO, WATSON, YOUNGBLOOD and YUDICHAK

An Act amending the act of January 17, 1968 (P.L.11, No.5), known as The Minimum Wage Act of 1968, further providing for minimum wage rates.

Referred to Committee on LABOR RELATIONS, February 2, 2005.

HOUSE RESOLUTION INTRODUCED AND REFERRED

No. 46 By Representatives WHEATLEY, BEBKO-JONES, BELARDI, BLACKWELL, BUXTON, CALTAGIRONE, CORRIGAN, DeLUCA, DeWEESE, EACHUS, FRANKEL, GEORGE, GOODMAN, HENNESSEY, JAMES, JOSEPHS, LEDERER, MANN, MARKOSEK, McGEEHAN, PALLONE, PRESTON, READSHAW, SAINATO, SANTONI, SHANER, STETLER, TANGRETTI, THOMAS, MUNDY, PHILLIPS, WALKO, LEACH and FREEMAN

A Resolution directing the Pennsylvania Health Care Cost Containment Council to conduct a study in order to provide the General Assembly with a description of the medically indigent population in Pennsylvania.

Referred to Committee on HEALTH AND HUMAN SERVICES, February 2, 2005.

REPORT OF COMMITTEE ON COMMITTEES

The SPEAKER pro tempore. The clerk will read the following supplemental report from the Committee on Committees.

The following report was read:

SUPPLEMENTAL REPORT COMMITTEE ON COMMITTEES

In the House of Representatives
February 2, 2005

Resolved that

Rep. Vince Bianucci, Beaver County, is elected a member of the Finance Committee vice Rep. Santoni resigned.

Rep. Dante Santoni, Berks County, is elected a member of the Consumer Affairs Committee vice Rep. Bianucci resigned.

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

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

RULE 15 SUSPENDED

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

Mr. S. SMITH. Mr. Speaker, I move that rule 15 be suspended so that we can convene at 11 o'clock on Monday, February 7, 2005.

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

CALENDAR

RESOLUTION PASSED OVER

The SPEAKER pro tempore. Without objection, the resolution on today's calendar will be passed over. The Chair hears no objection.

RECESS

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Buxton, from Dauphin County.

Mr. BUXTON. Mr. Speaker, I move that the House do now recess until Monday, February 7, 2005, at 11 a.m., e.s.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 10:50 a.m., e.s.t., the House recessed.