

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, MAY 10, 2005

SESSION OF 2005

189TH OF THE GENERAL ASSEMBLY

No. 31

HOUSE OF REPRESENTATIVES

The House convened at 10 a.m., e.d.t.

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

PRAYER

REV. WARREN D. SICKMAN, Chaplain of the House of Representatives, offered the following prayer:

Let us pray:

Almighty God, who alone gives wisdom and understanding, inspire, we pray Thee, the minds of all to whom Thou hast committed the responsibility of government and leadership in the nations of the world. Give to them the vision of truth and justice that by their counsel, all nations and peoples may work together in true brotherhood and Thy church may serve Thee in unity and peace.

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, May 9, 2005, will be postponed until printed.

HOUSE BILLS INTRODUCED AND REFERRED

No. 1554 By Representatives PISTELLA, DeWEESE, BEBKO-JONES, BELFANTI, CALTAGIRONE, FABRIZIO, FREEMAN, GEORGE, JAMES, JOSEPHS, KOTIK, ROBERTS, SHANER, SOLOBAY, STABACK, TIGUE, WALKO and YOUNGBLOOD

An Act amending the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act, prohibiting third-party guarantees of payment for admission; imposing powers and duties upon the Department of Health; imposing penalties for violation; and making an appropriation.

Referred to Committee on HEALTH AND HUMAN SERVICES, May 10, 2005.

No. 1555 By Representatives GEORGE, MARKOSEK, PHILLIPS, BEBKO-JONES, BELFANTI, BENNINGHOFF, CALTAGIRONE, CURRY, DeLUCA, FREEMAN, GOOD, GOODMAN, GRUCELA, HARHAI, JAMES, JOSEPHS, LaGROTTA, LEDERER, McCALL, McGEEHAN, McILHATTAN, PETRARCA, PISTELLA, ROEBUCK, SANTONI, SATHER, SHANER, SOLOBAY, STURLA, SURRA, THOMAS, TIGUE, WALKO and WANSACZ

An Act amending Title 12 (Commerce and Trade) of the Pennsylvania Consolidated Statutes, further providing for responsibilities of the Department of Community and Economic Development; and making appropriations.

Referred to Committee on COMMERCE, May 10, 2005.

No. 1556 By Representatives HUTCHINSON, S. H. SMITH, ALLEN, ARMSTRONG, BAKER, BALDWIN, BASTIAN, BENNINGHOFF, BOYD, CALTAGIRONE, CAPPELLI, CAUSER, CLYMER, CRAHALLA, CRUZ, DENLINGER, DeWEESE, J. EVANS, FAIRCHILD, FLEAGLE, FORCIER, GABIG, GEIST, GEORGE, GERGELY, GINGRICH, GOODMAN, HARHART, HERMAN, HESS, KAUFFMAN, KOTIK, LEH, MAITLAND, MAJOR, McILHATTAN, METCALFE, R. MILLER, S. MILLER, MUSTIO, NAILOR, NICKOL, O'NEILL, PHILLIPS, PICKETT, PISTELLA, RAPP, READSHAW, REED, REICHLEY, ROHRER, SATHER, SCAVELLO, SHANER, B. SMITH, STABACK, STERN, R. STEVENSON, T. STEVENSON, SURRA, TIGUE, TRUE, TURZAI, WALKO and ZUG

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for firearms license exceptions, issuance fees and reciprocity and related inquiries; and providing for the Firearms License Validation System and for powers and duties of the Attorney General and the Commissioner of the Pennsylvania State Police.

Referred to Committee on JUDICIARY, May 10, 2005.

No. 1557 By Representatives LEVDANSKY, DeWEESE, VEON, BELARDI, CALTAGIRONE, CURRY, DERMODY, FABRIZIO, FRANKEL, FREEMAN, GERBER, GERGELY, HANNA, HERSHEY, JOSEPHS, MANDERINO, MANN, MUNDY, PALLONE, PISTELLA, ROONEY, SAINATO, SHANER, SHAPIRO, SOLOBAY, STABACK, STETLER, STURLA, TANGRETTI, TIGUE, WALKO, WHEATLEY, YUDICHAK and JAMES

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 sales and use tax, for assessment and for reassessment; deleting provisions relating to

review by Board of Finance and Revenue; further providing for refund of sales tax attributed to bad debt; deleting provisions relating to refund or credit for overpayment and to restriction on refunds; further providing, in sales and use tax, for refunds, for refund petition and for extended time for filing special petition for refund; further providing, in personal income tax, for definitions and for classes of income; providing for withholding tax on early distributions; further providing, in personal income tax, for assessment, for jeopardy assessments, for procedure for reassessment, for restrictions on refunds and for limitations on refund or credit; further providing, in corporate net income tax, for definitions, for imposition, for reports and payment, for consolidated reports and for changes by Federal Government; providing, in corporate net income tax, for assessments, for jeopardy assessments, for limitations on assessments and for extension of limitation period; further providing for enforcement relating to corporate net income tax; providing, in corporate net income tax, for collection and for actions to collect and defenses; further providing, in gross receipts tax, for imposition; further providing, in realty transfer tax, for assessment, for lien and for refunds; further providing for mutual thrift institutions tax assessment; further providing, in malt beverage tax, for assessment and for refund of tax; further providing for inheritance tax refund; providing for petition procedure and administration; establishing the Tax Review Tribunal and providing for its powers and duties; providing for tax clearance for renewals of licenses, permits and registrations; deleting provisions relating to petitions for refunds; further providing for estimated tax and for underpayment of estimated tax, for refund petitions and for timely filing; providing for assessments by the Department of Revenue; and making related repeals.

Referred to Committee on FINANCE, May 10, 2005.

No. 1558 By Representatives LEVDANSKY, DeWEESE, VEON, BELARDI, CALTAGIRONE, CURRY, DERMODY, FABRIZIO, FRANKEL, FREEMAN, GERBER, GERGELY, HANNA, HERSHEY, JOSEPHS, MANDERINO, MANN, MUNDY, PALLONE, PISTELLA, ROONEY, SAINATO, SHANER, SHAPIRO, SOLOBAY, STABACK, STETLER, STURLA, TANGRETTI, TIGUE, WALKO, WHEATLEY, YUDICHAK and JAMES

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, providing for bank attachment for accounts of obligors to the Commonwealth.

Referred to Committee on FINANCE, May 10, 2005.

No. 1559 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 unannounced inspections of certain facilities and persons that provide child day care; and conferring powers and duties on the Department of Public Welfare.

Referred to Committee on CHILDREN AND YOUTH, May 10, 2005.

No. 1560 By Representatives GRUCELA, CALTAGIRONE, DENLINGER, FABRIZIO, GEORGE, GOODMAN, HARRIS, JAMES, LEACH, PETRARCA, PISTELLA, SCAVELLO, SHANER, SOLOBAY, STABACK, TIGUE, WOJNAROSKI and YOUNGBLOOD

An Act relating to the rights of purchasers and lessees of defective new lawn tractors.

Referred to Committee on CONSUMER AFFAIRS, May 10, 2005.

No. 1561 By Representatives GRUCELA, BLAUM, BELFANTI, CALTAGIRONE, CRAHALLA, DeWEESE, FABRIZIO, FREEMAN, GEORGE, O'NEILL, REICHLEY, ROEBUCK, SCAVELLO, SIPTROTH, SHANER, SOLOBAY, STABACK, STERN, TANGRETTI, THOMAS, TIGUE, WANSACZ, WHEATLEY, WOJNAROSKI, YOUNGBLOOD and YUDICHAK

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, further providing for municipal police education and training.

Referred to Committee on LOCAL GOVERNMENT, May 10, 2005.

No. 1562 By Representatives GRUCELA, BLAUM, BAKER, BOYD, CALTAGIRONE, CAPPELLI, CLYMER, CORNELL, CRAHALLA, DALEY, DALLY, GABIG, GEIST, GERGELY, HARHAI, HARRIS, HICKERNELL, KOTIK, LEH, MICOZZIE, O'NEILL, PETRARCA, PRESTON, REICHLEY, SATHER, SCAVELLO, SHANER, SOLOBAY, STABACK, STERN, SURRA, TIGUE, WANSACZ and YOUNGBLOOD

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for, in registration of sexual offenders, information made available on the Internet.

Referred to Committee on JUDICIARY, May 10, 2005.

No. 1563 By Representatives HERMAN, GINGRICH, HENNESSEY, O'NEILL, FREEMAN, BALDWIN, BARRAR, BOYD, CALTAGIRONE, CREIGHTON, DENLINGER, FICHTER, JAMES and SCAVELLO

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, further providing for composition of park or recreation boards.

Referred to Committee on LOCAL GOVERNMENT, May 10, 2005.

No. 1564 By Representatives BISHOP, CALTAGIRONE, RUBLEY, PHILLIPS, BOYD, TIGUE, PISTELLA, LEACH, CREIGHTON, BLACKWELL, YOUNGBLOOD and JAMES

An Act amending Titles 18 (Crimes and Offenses) and 72 (Taxation and Fiscal Affairs) of the Pennsylvania Consolidated Statutes, prohibiting use of tobacco in institutions where children reside.

Referred to Committee on JUDICIARY, May 10, 2005.

No. 1565 By Representatives BISHOP, HARHAI, BLACKWELL, BEBKO-JONES, THOMAS, TIGUE, CALTAGIRONE, LEDERER, PHILLIPS, PISTELLA and YOUNGBLOOD

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

Referred to Committee on JUDICIARY, May 10, 2005.

No. 1566 By Representatives BISHOP, CALTAGIRONE, RUBLEY, PHILLIPS, BOYD, TIGUE, PISTELLA, LEACH, CREIGHTON, BLACKWELL, YOUNGBLOOD and JAMES

An Act amending Titles 18 (Crimes and Offenses) and 72 (Taxation and Fiscal Affairs) of the Pennsylvania Consolidated Statutes, prohibiting use of tobacco in institutions where children reside.

Referred to Committee on JUDICIARY, May 10, 2005.

No. 1567 By Representatives CREIGHTON, CALTAGIRONE, GEIST, R. MILLER and SAYLOR

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for impoundment for nonpayment of fees.

Referred to Committee on TRANSPORTATION, May 10, 2005.

No. 1568 By Representatives CREIGHTON, CALTAGIRONE, SCAVELLO and J. TAYLOR

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for additional automated red light enforcement systems.

Referred to Committee on TRANSPORTATION, May 10, 2005.

No. 1569 By Representatives CREIGHTON, CALTAGIRONE, CAWLEY, LEVDANSKY and DALEY

An Act amending the act of May 1, 1984 (P.L.206, No.43), known as the Pennsylvania Safe Drinking Water Act, providing for water withdrawal fee.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, May 10, 2005.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 302 By Representatives DeLUCA, BARRAR, CALTAGIRONE, FREEMAN, GABIG, GOODMAN, HERSHEY, JAMES, JOSEPHS, O'NEILL, ROBERTS, STABACK, WALKO, WHEATLEY and YOUNGBLOOD

A Resolution directing the Joint State Government Commission to study mandatory sentencing for offenses committed with firearms.

Referred to Committee on JUDICIARY, May 10, 2005.

No. 307 By Representatives CRUZ, YOUNGBLOOD, THOMAS, LEDERER, BLACKWELL, W. KELLER, WILLIAMS, PHILLIPS, FORCIER, CAWLEY, HERSHEY and SIPTROTH

A Resolution urging the City of Philadelphia to name the branch of the Free Library of Philadelphia located on Lehigh Avenue as the Lillian Marrero Memorial Library.

Referred to Committee on URBAN AFFAIRS, May 10, 2005.

No. 308 By Representatives SCAVELLO, BEBKO-JONES, BELFANTI, BUNT, CALTAGIRONE, CAPPELLI, CAUSER, CRAHALLA, CREIGHTON, DeWEESE, FABRIZIO, FREEMAN, GEIST, GEORGE, GINGRICH, GOODMAN, JAMES, READSHAW, REICHLEY, SHANER, B. SMITH, STABACK, E. Z. TAYLOR and YOUNGBLOOD

A Resolution urging the Department of Health to implement certain requirements relating to tetanus/diphtheria booster immunizations.

Referred to Committee on HEALTH AND HUMAN SERVICES, May 10, 2005.

SENATE BILL FOR CONCURRENCE

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

SB 62, PN 774

Referred to Committee on STATE GOVERNMENT, May 10, 2005.

BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.
Mr. S. SMITH. Mr. Speaker, I move that the following bills be taken off the table: HB 313 and HB 700.

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

BILLS TABLED

The SPEAKER. The Chair recognizes the majority leader.
Mr. S. SMITH. Mr. Speaker, I move that the following bills be placed upon the table: HB 313 and HB 700.

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

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 1113 and SB 124.

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 1113, PN 1915; and SB 124, PN 703.

BILLS RECOMMENDED

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 1113 and SB 124.

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

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
May 9, 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, June 6, 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, June 6, 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.

GUESTS INTRODUCED

The SPEAKER. Joining us today as a guest page and job-shadowing Representative Dave Hickernell is Tashiara DeJesus. Tashiara attends Columbia High School. Please join me in welcoming her. Would she please rise and be recognized by the House.

We have special guests here today of Representative Julie Harhart. They are from the Lehigh County Career and Technical Institute. They are teachers Gary Fedorchka and Joseph Kasztejna, and students Sarah Bachman, Tiffany Manescu, and John O'Connell. They are seated in the House gallery. Would those guests please rise and be recognized.

REMARKS SUBMITTED FOR THE RECORD

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

Mr. Speaker, it is my privilege to bring to the attention of the Speaker and the members of the Pennsylvania House of Representatives the name of Marilyn Spencer, who has recently been awarded Girl Scouting's highest honor – Gold Award.

Mr. Speaker, I would like to read to the members of the House of Representatives the following citation of merit honoring Marilyn Spencer.

Whereas, Marilyn Spencer earned the Gold Award in Girl Scouting. This is the highest award that Girl Scouts can bestow and as such represents great sacrifice and tremendous effort on the part of these young women.

Now therefore, Mr. Speaker and the members of the House of Representatives, it is my privilege to congratulate and place in the Legislative Journal the name of Marilyn Spencer.

LEAVES OF ABSENCE

The SPEAKER. The Chair turns to leaves of absence.

The Chair recognizes the majority whip, who moves for a leave of absence for the gentlelady from Bucks, Mrs. WATSON, for the day; the gentleman from York, Mr. NICKOL, for the day; and the gentleman from Montgomery, Mr. GODSHALL, for the week. Without objection, those leaves will be granted.

The Chair recognizes the minority whip, who moves for a leave of absence for the gentleman from Philadelphia, Mr. BUTKOVITZ, for today. Without objection, that leave 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—197

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—5

Butkovitz	Nailor	Nickol	Watson
Godshall			

**RED LION AREA HIGH SCHOOL
YOUTH TOBACCO-FREE LEADERSHIP
STUDENTS INTRODUCED**

The SPEAKER. The Chair at this time would like to recognize Representative Stan Saylor. Representative Saylor.

Mr. SAYLOR. Thank you, Mr. Speaker.

I would like to take this opportunity to recognize some students from the Red Lion Area High School who are members of the Youth Tobacco-Free Leadership Team. The group members were trained by the American Cancer Society's Youth Tobacco-Free Leadership Program. They have developed their knowledge and practiced their skills to become community activists, mentors, and peer educators for key tobacco-control issues in their community and the Red Lion Area School District.

Over the past 3 years, they were able to secure grant money for the American Cancer Society and the Pennsylvania Tobacco Settlement Fund. With this money, the team developed an outreach program for the school and community members that addresses the dangers of tobacco and secondhand smoke.

Annually, over 100 high school juniors researched facts and produced commercials to inform peers and faculty members about the dangers of tobacco— Mr. Speaker? The noise.

The SPEAKER. The gentleman is entirely correct. The noise levels are entirely too high. The gentleman is entitled to be heard.

Mr. SAYLOR. Thank you, Mr. Speaker.

Over 100 high school juniors researched facts and produced commercials to inform peers and faculty members about the dangers of tobacco through the coordinated efforts of this team. These commercials are aired during the morning televised announcements. These team members also serve as positive role models for elementary students as they mentor students in grades 3 through 6 by teaching hands-on and visual lessons that encourage student interaction. Thus far, they have instructed over 550 students in 3 different elementary schools in the district. The group also talks to parent-teacher organizations about what they can do as parents to talk to their kids about the dangers of smoking.

Please join me in recognizing the group of leaders for their time, commitment, and service to their school and their community. Joining me today are the group adviser, Christopher Kelly, and group members Bobby Stine, William Boyd, Daniel Farley, Serterio Ruocco, Pamela Smith, Zachary Axe, and Joseph Grossman. Also, seated in the balcony, from the American Cancer Society of York County, are Sondra Ream, Brian Beddow, and Sandra Roberts. Would they please stand as well.

Mr. Speaker, I want to thank the team for their job.

The SPEAKER. The Chair thanks the gentleman.

HARRISBURG LEGISLATIVE LEAVE

The SPEAKER. The Chair recognizes the majority whip, who moves for a Capitol area leave for the gentleman from Bucks, Mr. DiGIROLAMO. Without objection, that leave will be granted.

CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mr. SONNEY called up **HR 188, PN 1291**, entitled:

A Resolution designating the week of May 15 through 21, 2005, as "Emergency Medical Services Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Butkovitz	Nailor	Nickol	Watson
Godshall			

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

* * *

Mr. PAYNE called up **HR 213, PN 1460**, entitled:

A Resolution designating May 28, 2005, as the "Eighth Annual National Moment of Silence Day" in Pennsylvania and urging emergency medical service providers and agencies throughout this Commonwealth to observe a special moment of silence in honor of those emergency medical service personnel who have died in the line of duty.

On the question,
Will the House adopt the resolution?

The SPEAKER. On that question, the Chair recognizes the gentleman from Dauphin, Mr. Payne.

Please keep the noise levels down. The gentleman is entitled to be heard.

Mr. PAYNE. Thank you, Mr. Speaker.

Mr. Speaker, EMS (Emergency Medical Services) Week is an important week for all of us. We had a quick briefing downstairs this morning talking about EMS, the importance, and some of the people I am going to introduce here represent EMS units in central Pennsylvania. Many times EMS is a forgotten child of the police, fire, and EMS cycle in both funding and in the emergency response itself. However, EMS traditionally leads the way in call volume.

So I am here today to bring heightened awareness to the problems facing the emergency medical services, and I would like to introduce Representative Keith Gillespie. Keith.

GUESTS INTRODUCED

Mr. GILLESPIE. Thank you, Mr. Speaker.

It really is an honor and a privilege to be here today, ladies and gentlemen. Prior to election in the General Assembly, I spent 34 years in the emergency medical services arena, and it really is an honor to be able to introduce to you some of my colleagues.

Seated over to the left – if they would stand as I announce their name – Barry Albertson, president of the Pennsylvania Ambulance Association; Chuck Cressley, director of operations, Jefferson County EMS; David Buzard, paramedic, Jefferson County EMS; Wendy McCracken, paramedic, Jefferson County EMS; Denise Barlick, paramedic, Citizens Ambulance Service, Indiana County; Dean Bolendorf, Network Ambulance, Philadelphia; Bob May, Lancaster County EMS; Jim Arvin, White Rose Ambulance, York; and Larry Roberts, West Shore EMS, Cumberland County.

It is also an honor now to introduce— Thank you, ladies and gentlemen.

I am honored now to introduce Representative Scott Boyd from the 43d District, introducing a special guest.

Mr. BOYD. Thank you, Representative Gillespie.

It is good to – it is an honor, actually – I want to introduce one of my neighbors. But it is a very poignant day to introduce Mr. Gerry Martin, because about a year ago, ladies and gentlemen, on the way home, on the way out of a local department store, Gerry's son was struck by lightning, and Gerry's son— Mr. Speaker, can I have attention? Gerry's son was struck by lightning—

The SPEAKER. Keep the noise levels down.

Mr. BOYD. Thank you. —and he was gone, code, he was dead, and fortunately for Ethan Martin, there were trained EMTs (emergency medical technicians) on the spot that were available to bring him back to life.

And you know, this morning was the Commonwealth Prayer Breakfast, and a number of us had the opportunity to attend that breakfast, and it brought home the fact that God intervenes in the affairs of men, and he had the right people at the right place at the right time, but if those people had not been trained, equipped, and ready to move into action, Ethan Martin would not be with us. But I am proud to tell you today that he is alive and well, and he is not here, because he is in school, where he should be. But I just want to – Gerry, do you have the hat that Ethan was wearing? – I want everyone to see this hat. He is a Phillies fan, but that hat tells the story, and the fact that these men and women are here today is testimony to the fine work that they do.

So on behalf of the Commonwealth and just myself personally, thank you for all that you do, and it is good to have you here, Gerry.

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

The following roll call was recorded:

YEAS—197

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

Diven	Kotik	Rieger	Yewcic
Donatucci	LaGrotta	Roberts	Youngblood
Eachus	Leach	Roebuck	Yudichak
Ellis	Lederer	Rohrer	Zug
Evans, D.	Leh	Rooney	
Evans, J.	Lescovitz	Ross	
Fabrizio	Levdansky	Rublely	Perzel,
Fairchild	Mackereth	Ruffing	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—5

Butkovitz	Nailor	Nickol	Watson
Godshall			

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

GUESTS INTRODUCED

The SPEAKER. The Chair would like to welcome to the hall of the House Monte and Mike Peters. They are today the guests of Representative Merle Phillips. They are seated to the left of the Speaker. Would those two guests please rise and be recognized.

We have with us Mike Warren, who is a businessman in Lancaster County and the owner of Warren Jewelers. He is the guest of Representatives Gib Armstrong and Dave Hickernell. He is seated to the left of the Speaker. Would he please rise and be recognized.

The Chair would also like to welcome to the hall of the House two eighth grade students at the East Pennsboro Middle School – Morgan McCartney and Mike Knowlton. They are here today as guest pages of Representative Glen Grell of Cumberland County. They are seated at the bottom of the well of the hall of the House with the other pages. Would they please rise and be recognized.

EMMAUS HIGH SCHOOL GIRLS SWIMMING AND DIVING TEAM PRESENTED

The SPEAKER. The Chair at this time recognizes Representative Reichley for the purposes of a citation.

Representative Reichley.

Mr. REICHLEY. Thank you, Mr. Speaker.

Good morning, fellow members of the House. I have the distinct privilege today of welcoming team members from Emmaus High School, from the East Penn School District in Lehigh County.

Emmaus, of course, won not only the scholastic scrimmage championship held in this House chamber last week, overseen by Representative Rohrer, but I have the distinct privilege of being able to present the PIAA Class AAA Girls Swimming and Diving Championship Team for the second straight year.

Now, unfortunately, the girls team was not able to make it out last year, but they were able to make it out this year, and I have to relate the chronology surrounding this, that they were

1 point behind their archrival Parkland as it came into the final match of the meet. But led by the team of Cassy LaRussa, Kelly Leahey, Mandi Foltz, and Susan Morrow, who are standing behind me, they came to ultimate victory to win this State championship for the second year in a row. I should take note that Miss LaRussa, out of 16 possible events for which one can medal, she has won 14 medals during her high school tenure of either gold or silver distinction.

And I would like to recognize the other team members who are in the back of the hall of the House: Tracy Dimond, Kristen McCandless, Erin Fischer, Rachel Lakatosh, Lauren Letko, and Heather Shultz. They are joined by their coach, Tim O'Connor, here today. So I would like to recognize them at this time.

BRYAN REISS PRESENTED

Mr. REICHLEY. But like a proud father, I have the ability now to recognize one of Emmaus's favorite sons as well.

Bryan Reiss has 140 total wins in his wrestling career as a heavyweight champion at Emmaus High School and is the first wrestling gold-medal champion in Emmaus High School history. But I think I need to relate to the members of the House this very important story about Mr. Reiss.

Mr. Speaker, may I have the attention of the House?

The SPEAKER. The gentleman is entirely correct. Please, if you have to have conversations, have them in the back of the hall of the House, in the anteroom in the back.

Mr. REICHLEY. As the first wrestling champion from Emmaus High School, Mr. Reiss was quoted as saying that "Jordan has been my motivation all year" long "and I knew I had to keep going and get the job done. That's the only way I knew how to wrestle." Jordan Reiss is Bryan's cousin, who was dying of cancer, and after his victory he presented his cousin with the gold medal. Thankfully, Jordan is on the recovery and is doing very well, but I would also like to recognize Bryan for his accomplishments here today.

Thank you very much, and we look forward to bringing more Emmaus team members out for future victories as well. Thank you.

GUESTS INTRODUCED

The SPEAKER. We have another special guest here today, as the guest of Representative Jennifer Mann. It is Jeff Smith, a 10th grade student at Palisades High School. Jeff won a "Day at the Capitol" at an auction. Jeff and his father, Greg, are sitting in the gallery. Would they please stand and be recognized by the House of Representatives.

RESOLUTIONS PURSUANT TO RULE 35

Mr. GODSHALL called up **HR 294, PN 1884**, entitled:

A Resolution recognizing the week of May 7 through 15, 2005, as "National Tourism Week" and May 10, 2005, as "Tourism Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Butkovitz	Nailor	Nickol	Watson
Godshall			

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

* * *

Mr. SOLOBAY called up **HR 295, PN 1885**, entitled:

A Resolution designating the month of May as “Foster Grandparent Program Month” in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Butkovitz	Nailor	Nickol	Watson
Godshall			

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

* * *

Mr. CREIGHTON called up **HR 301, PN 1894**, entitled:

A Resolution recognizing the Pennsylvania Renaissance Faire on its 25th season.

On the question,
Will the House adopt the resolution?

GUEST INTRODUCED

The SPEAKER. On that question, the Chair recognizes the gentleman from Lancaster, Mr. Creighton.

Mr. CREIGHTON. Thank you, Mr. Speaker.

Mr. Speaker, in celebration of Tourism Day in Pennsylvania, Mr. Speaker, in celebrating 25 years in Lancaster County, the Pennsylvania Renaissance Faire, I take great pleasure in introducing the second daughter of Henry VIII, Queen Elizabeth.

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

The following roll call was recorded:

YEAS—197

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

Denlinger	Keller, W.	Raymond	Williams
Dermody	Kenney	Readshaw	Wilt
DeWeese	Killion	Reed	Wojnaroski
DiGirolamo	Kirkland	Reichley	Wright
Diven	Kotik	Rieger	Yewcic
Donatucci	LaGrotta	Roberts	Youngblood
Eachus	Leach	Roebuck	Yudichak
Ellis	Lederer	Rohrer	Zug
Evans, D.	Leh	Rooney	
Evans, J.	Lescovitz	Ross	
Fabrizio	Levdansky	Rubley	Perzel,
Fairchild	Mackereth	Ruffing	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-5

Butkovitz	Nailor	Nickol	Watson
Godshall			

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

SUPPLEMENTAL CALENDAR A

RESOLUTIONS PURSUANT TO RULE 35

Mr. FAIRCHILD called up **HR 304, PN 1924**, entitled:

A Resolution recognizing the week of May 21 through 27, 2005, as "National Safe Boating Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-197

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

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

NAYS-0

NOT VOTING-0

EXCUSED-5

Butkovitz	Nailor	Nickol	Watson
Godshall			

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

* * *

Mr. SEMMEL called up **HR 305, PN 1925**, entitled:

A Resolution commending the Pennsylvania Veterans' Memorial Commission and designating the month of June 2005 as "Pennsylvania Veterans' Memorial Month."

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-197

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

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

NAYS-0

NOT VOTING-0

EXCUSED-5

Butkovitz	Nailor	Nickol	Watson
Godshall			

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

* * *

Mr. DiGIROLAMO called up **HR 306, PN 1926**, entitled:

A Resolution recognizing May 10, 2005, as a day to remember the grieving survivors of those who have lost their lives to drug and alcohol addiction.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-197

Adolph	Feese	Maher	Sainato
Allen	Fichter	Maitland	Samuelson
Argall	Fleagle	Major	Santoni
Armstrong	Flick	Manderino	Sather
Baker	Forcier	Mann	Saylor
Baldwin	Frankel	Markosek	Scavello
Barrar	Freeman	Marsico	Schroder
Bastian	Gabig	McCall	Semmel

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

NAYS-0

NOT VOTING-0

EXCUSED-5

Butkovitz	Nailor	Nickol	Watson
Godshall			

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

**U.S. YOUTH SOCCER
OLYMPIC DEVELOPMENT PROGRAM
NATIONAL CHAMPIONS PRESENTED**

The SPEAKER. The Chair at this time recognizes the gentleman, Mr. Adolph, for the purposes of a citation. Mr. Adolph.

Mr. ADOLPH. Thank you, Mr. Speaker.
Good morning, ladies and gentlemen of the House.

I am pleased to welcome to the hall of the House of Representatives members of the U.S. Youth Soccer Olympic Development Program Championship Team.

Today we honor 18 athletes and their coaches for a hard-fought and well-earned victory. The coaches and three members are behind me today, and the rest of the team is seated in the rear of the House.

On March 13, 2005, the Boys Eastern Pennsylvania Soccer Team beat the Georgia Boys Soccer Team by a score of 1 to nothing to become national champions in the prestigious U.S. Youth Soccer Olympic Development Program National Championships. It was a hard-fought game. It came down to the last moments of overtime.

ODP is the Olympic Development Program of the United States Youth Soccer which for more than 28 years has been designed to identify and develop a pool of soccer players from which the U.S. National Team may be selected.

U.S. Youth Soccer ODP is the only player development program that can claim members of Major League Soccer and the former Women's United Soccer Association, as well as the majority of current and past national and youth team members, as alumni.

This Pennsylvania team is comprised of 18 young men born in 1987 who were evaluated and trained through the regional soccer association, the Eastern Pennsylvania Youth Soccer Association, to play youth soccer at its highest levels. In addition to being outstanding athletes, these players also maintain excellent academic records.

I also have with me today, which I will be presenting to the team and the coaches, a letter from Gov. Ed Rendell commending these fine athletes on their accomplishments.

I would also like to acknowledge State coach Robert Hurley of Morgantown and team coach Dave MacWilliams of Lansdale.

This team of extraordinary young men deserves our recognition, and I am pleased they were able to make the trip to Harrisburg today. Just based on their accomplishments thus far, I believe they will grow into remarkable men who will be proud products of the Pennsylvania communities that they are from.

I would like you to join me in welcoming them with a round of applause. Thank you very much.

GUESTS INTRODUCED

The SPEAKER. We have several special guests here today of the gentleman from Northampton, Representative Grucela. There are three guests seated in the front of the Speaker, and their father is in the balcony. The guest pages are Joe McMillan, Michael McMillan, and Patrick McMillan. Their father, John McMillan, is in the balcony. Would those four guests please rise and be recognized.

The Chair is pleased to welcome a guest page of Representative Mario Scavello, Jeffrey Burdge. Jeffrey is a sophomore at Pocono Mountain School District. Those supporting Jeffrey today, seated in the gallery, are Denise Manhart and Ann Gerfelder. Would they all please rise and be recognized by the House.

CALENDAR CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1488, PN 1831**, entitled:

An Act requiring information relating to parenting and prenatal depression, postpartum depression, postpartum psychosis and other emotional trauma counseling to be provided to a pregnant woman; and providing for the powers and duties of the Department of Health.

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?

On that question, the Chair recognizes the gentleman from Delaware, Mr. Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

I do not see this on our pre-session report. Could we have a brief explanation of this?

The SPEAKER. The gentleman, Mr. Kenney, indicates that he will give a brief explanation. The Chair recognizes at this time the gentleman from Philadelphia, Mr. Kenney.

Mr. KENNEY. Thank you, Mr. Speaker.

Mr. Speaker, this legislation creates the Prenatal and Postpartum Counseling Act, which the committee passed unanimously. What it does is empower women and educate women that are pregnant, Mr. Speaker, by providing information on both prenatal and postpartum depression.

So it is an educational tool we thought was necessary to put in the hands of practicing physicians and health-care providers that during pregnancy and postpartum, that women be given information on the issue of depression and where they can go for services if they feel that they are in need of them. We just thought it was a beneficial, educational tool to empower women and their families.

Mr. VITALI. 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—197

Adolph	Feese	Maher	Sainato
Allen	Fichter	Maitland	Samuelson
Argall	Fleagle	Major	Santoni
Armstrong	Flick	Manderino	Sather
Baker	Forcier	Mann	Saylor
Baldwin	Frankel	Markosek	Scavello
Barrar	Freeman	Marsico	Schroder
Bastian	Gabig	McCall	Semmel
Bebko-Jones	Gannon	McGeehan	Shaner
Belardi	Geist	McGill	Shapiro
Belfanti	George	McIlhattan	Sipthoth
Benninghoff	Gerber	McIlhinney	Smith, B.

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Butkovitz	Nailor	Nickol	Watson
Godshall			

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 734, PN 825**, 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 small business health savings account tax credit.

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

Mr. **BOYD** offered the following amendment No. **A01111**:

Amend Sec. 1, page 4, by inserting between lines 24 and 25
Section 1704-D. Limitation on credits.

(a) Limit.—The total amount of credits approved by the department shall not exceed \$30,000,000 in any fiscal year.

(b) Calculation.—If the total amount of small business health savings account tax credits applied for by all taxpayers exceeds the amount allocated for those credits, then the small business health savings account tax credit to be received by each applicant shall be the product of the allocated amount multiplied by the quotient of the small business health savings account tax credit applied for by the applicant divided by the total of all small business health savings account credits applied for by all applicants, the algebraic equivalent of which is:

taxpayer's small business health savings account tax credit' amount allocated for those credits X (small business health savings account tax credit applied for by the applicant/total of all small business health savings account tax credits applied for by all applicants).

Amend Sec. 1 (Sec. 1704-D), page 4, line 25, by striking out "1704-D" and inserting

1705-D

Amend Sec. 1 (Sec. 1705-D), page 5, line 18, by striking out "1705-D" and inserting

1706-D

Amend Sec. 1 (Sec. 1706-D), page 6, line 12, by striking out "1706-D" and inserting

1707-D

Amend Sec. 1 (Sec. 1707-D), page 6, line 24, by striking out "1707-D" and inserting

1708-D

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

The following roll call was recorded:

YEAS—197

Adolph	Feese	Maher	Sainato
Allen	Fichter	Maitland	Samuelson
Argall	Fleagle	Major	Santoni
Armstrong	Flick	Manderino	Sather
Baker	Forcier	Mann	Scaylor
Baldwin	Frankel	Markosek	Scavallo
Barrar	Freeman	Marsico	Schroder
Bastian	Gabig	McCall	Semmel
Bebko-Jones	Gannon	McGeehan	Shaner
Belardi	Geist	McGill	Shapiro
Belfanti	George	McIlhattan	Siproth
Benninghoff	Gerber	McIlhinney	Smith, B.
Biancucci	Gergely	McNaughton	Smith, S. H.
Birmelin	Gillespie	Melio	Solobay
Bishop	Gingrich	Metcalfe	Sonney
Blackwell	Good	Micozzie	Staback
Blaum	Goodman	Millard	Stairs
Boyd	Grell	Miller, R.	Steil
Bunt	Grucela	Miller, S.	Stern
Buxton	Gruitza	Mundy	Stetler
Caltagirone	Habay	Mustio	Stevenson, R.
Cappelli	Haluska	Myers	Stevenson, T.
Casorio	Hanna	O'Brien	Sturla
Causer	Harhai	Oliver	Surra
Cawley	Harhart	O'Neill	Tangretti
Civera	Harper	Pallone	Taylor, E. Z.
Clymer	Harris	Payne	Taylor, J.
Cohen	Hasay	Petrarca	Thomas
Cornell	Hennessey	Petri	Tigue
Corrigan	Herman	Petrone	True
Costa	Hershey	Phillips	Turzai
Crahalla	Hess	Pickett	Veon

Creighton	Hickernell	Pistella	Vitali
Cruz	Hutchinson	Preston	Walko
Curry	James	Pyle	Wansacz
Daley	Josephs	Quigley	Washington
Dally	Kauffman	Ramaley	Waters
DeLuca	Keller, M.	Rapp	Wheatley
Denlinger	Keller, W.	Raymond	Williams
Dermody	Kenney	Readshaw	Wilt
DeWeese	Killion	Reed	Wojnaroski
DiGirolamo	Kirkland	Reichley	Wright
Diven	Kotik	Rieger	Yewcic
Donatucci	LaGrotta	Roberts	Youngblood
Eachus	Leach	Roebuck	Yudichak
Ellis	Lederer	Rohrer	Zug
Evans, D.	Leh	Rooney	
Evans, J.	Lescovitz	Ross	
Fabrizio	Levdansky	Rubley	Perzel,
Fairchild	Mackereth	Ruffing	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-5

Butkovitz	Nailor	Nickol	Watson
Godshall			

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

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

Mr. **BOYD** offered the following amendment No. **A01099**:

Amend Sec. 1 (Sec. 1702-D), page 3, line 17, by striking out “500” and inserting
100

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

The following roll call was recorded:

YEAS-197

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

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

NAYS-0

NOT VOTING-0

EXCUSED-5

Butkovitz	Nailor	Nickol	Watson
Godshall			

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

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

The **SPEAKER**. This bill has been considered on three different days and agreed to and is now on final passage.
The question is, shall the bill pass finally?
Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:

YEAS-197

Adolph	Feese	Maher	Sainato
Allen	Fichter	Maitland	Samuelson
Argall	Fleagle	Major	Santoni
Armstrong	Flick	Manderino	Sather
Baker	Forcier	Mann	Saylor
Baldwin	Frankel	Markosek	Scavello
Barrar	Freeman	Marsico	Schroder
Bastian	Gabig	McCall	Semmel
Bebko-Jones	Gannon	McGeehan	Shaner
Belardi	Geist	McGill	Shapiro
Belfanti	George	McIlhatten	Siptroth

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

NAYS-0

NOT VOTING-0

EXCUSED-5

Butkovitz	Nailor	Nickol	Watson
Godshall			

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 236, PN 1577**, entitled:

An Act amending the act of June 25, 1982 (P.L.633, No.181), known as the Regulatory Review Act, further providing for legislative intent, for definitions and for proposed regulations and procedure for review.

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

Ms. **PICKETT** offered the following amendment No. **A01030**:

Amend Sec. 2 (Sec. 3), page 5, lines 6 through 9, by striking out all of said lines and inserting
“Small business.” A business entity, including its affiliates, that:
(1) is independently owned and operated; and
(2) employs fewer than 100 full-time employees or has
gross annual sales of less than \$6,000,000.

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

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

Mr. **VITALI**. For interrogation, Mr. Speaker.

The **SPEAKER**. The gentleman is in order. I did not see the gentledady for a moment. I apologize. She is to the left of the Speaker. The gentleman is in order.

Mr. **VITALI**. Thank you, Mr. Speaker.

Could the gentledady initially just explain the amendment?

Ms. **PICKETT**. Mr. Speaker, this amendment would simply change the definition of “small business” to 100 or less employees. This is the number that is consistent with most of our Pennsylvania programs.

Mr. **VITALI**. Thank you, Mr. Speaker.

Now, in the absence of this change, what number of employees would be considered as small business?

Ms. **PICKETT**. 100 or less, Mr. Speaker.

Mr. **VITALI**. Now, that is what your amendment does, is my understanding.

Ms. **PICKETT**. The current bill varies by industry and could include any number up to maybe fifteen or nineteen hundred.

Mr. **VITALI**. I want to be clear whether the effect of this amendment is to take businesses out of the provisions of the bill itself or put them in. I asked that because I think the bill in chief is controversial, and from my perspective, the less businesses that are included in it, the better. So I am trying to get at whether your amendment narrows or reduces the number of businesses covered or expands. Do you know that?

Ms. **PICKETT**. Mr. Speaker, this number would cover 96 percent of our small businesses and the ones that we feel need this regulatory relief the most.

Mr. **VITALI**. So the question is, in the absence of this amendment, would more businesses be covered or less?

Ms. **PICKETT**. This amendment would actually make fewer businesses be covered.

Mr. **VITALI**. Thank you, Mr. Speaker.

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

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

The following roll call was recorded:

YEAS-195

Adolph	Fichter	Maher	Ruffing
Allen	Fleagle	Maitland	Sainato
Argall	Flick	Major	Samuelson
Armstrong	Forcier	Manderino	Santoni
Baker	Frankel	Mann	Sather
Baldwin	Freeman	Markosek	Saylor
Barrar	Gabig	Marsico	Scavello

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

NAYS-2

DeWeese Veon

NOT VOTING-0

EXCUSED-5

Butkovitz Nailor Nickol Watson
Godshall

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

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

Mr. THOMAS offered the following amendment No. A01032:

Amend Sec. 1 (Sec. 2), page 4, by inserting between lines 16 and 17

(e) A small business may seek such review during the period beginning on the date of final agency action and ending 18 months later.

Amend Sec. 1 (Sec. 2), page 4, line 20, by striking out "(E)" and inserting

(f)

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

The following roll call was recorded:

YEAS-197

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

NAYS-0

NOT VOTING-0

EXCUSED-5

Butkovitz Nailor Nickol Watson
Godshall

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

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

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.
The question is, shall the bill pass finally?

On that question, the Chair recognizes the gentleman from Delaware, Mr. Vitali.

Mr. VITALI. Thank you, Mr. Speaker.
Will the gentlelady submit to brief interrogation?
The SPEAKER. The gentlelady indicates that she will stand for a brief interrogation. The gentleman is in order and may proceed.

Mr. VITALI. Could we have a brief explanation of this bill?
Ms. PICKETT. Mr. Speaker, HB 236 would require State agencies to consider small business impact of their proposed regulations during the rulemaking process. It adds a “small business” definition to the regulatory review law, it adds small business to the existing list of groups that State agencies must already measure for impact, and it requires agencies to examine the regulatory alternatives that would accomplish the objective of the rulemaking process while minimizing adverse impact on our small businesses.

Mr. VITALI. Thank you, Mr. Speaker.
May I speak on the bill?
The SPEAKER. The gentleman is in order and may proceed.
Mr. VITALI. You know, I do not claim to be an expert on this, but based on reading the summaries and some discussions, this would allow small businesses to circumvent, to some degree, regulations that have been promulgated by State agencies.

I just want to note for the record that the administration opposes this bill, and I am only aware of one environmental group that has taken a position either way, PennEnvironment, and they also oppose the bill. The administration’s reason for opposing the bill is that they feel that the current regulations do in fact take into account the needs of small business, so this procedure to get around that would not be necessary. PennEnvironment states that they oppose this because they feel that this would make regulations difficult to apply to small businesses and would erode the regulatory process.

Thank you, Mr. Speaker. So I would urge a “no” vote.
The SPEAKER. The Chair thanks the gentleman.
The gentlelady, Ms. Pickett.

Ms. PICKETT. Mr. Speaker, we are not asking for them to have special favor but just to have consideration on how this would impact their business. The agency is not required to give them a different process.

I also want to say that NFIB (National Federation of Independent Business) and the Pennsylvania Chamber of Commerce both support this bill, and that this bill will improve the regulatory process through meaningful small business input. It will go a long way to protect our important public policy goals without sacrificing jobs and family financial security.

The small business flexibility act can be a powerful economic development tool that can help regulations and job creators work together to protect important public policy goals such as environmental quality, travel safety, workplace safety, again, without sacrificing jobs and family financial security.

Thank you, Mr. Speaker.
The SPEAKER. The Chair thanks the gentlelady.

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—193

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

NAYS—4

DeWeese	Veon	Vitali	Wheatley
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NOT VOTING—0

EXCUSED—5

Butkovitz Nailor Nickol Watson
 Godshall

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.

CONNELLSVILLE AREA HIGH SCHOOL WRESTLING TEAM PRESENTED

The SPEAKER. The Chair at this time recognizes Representative Shaner for the purposes of a citation.

Mr. SHANER. Thank you, Mr. Speaker.

It is with great pride and pleasure that I call your attention to a group of exceptional young men from my district here in the chamber today. Their talent, dedication, and hard work have made them Pennsylvania State champions.

Joining me to honor the Connellsville Area School Wrestling Team are my friends, Larry Roberts and Representative Jess Stairs.

This was a remarkable season for the team under coach Tom Dolde. The Connellsville wrestling program has a long, proud history of winning, and this year may be the best ever. The team captured its sixth WPIAL championship in school history and the second straight under coach Dolde.

On this championship team, there are two young men who are individual State champions, and in a moment, I will recognize them for their hard-fought accomplishments.

Wrestling, as you know, is a sport that is about team performance and individual performance. I would like to take a moment to recognize two members of the team who captured individual State championships.

The first is a senior, Steve Bell, the gentleman to my right. He ended his high school wrestling career by winning the individual State championship in the 125-pound weight class. He won the title in a thrilling overtime match that finished his season with 47 victories.

The second is a junior, Ashtin Primus. He won the individual State championship in the 135-pound weight class in a tough match that ended with 45 seconds left in the second period. The victory gave Ashtin 45 wins this season. That is a remarkable achievement for a junior, and we look forward to watching him compete next year.

I want to recognize the achievements of two members of the team's coaching staff, head coach Tom Dolde, on my far left. Tom was selected as the Pennsylvania Wrestling Coaches Association Class AAA Coach of the Year. What makes this award even more impressive is that his fellow Class AAA coaches from all across Pennsylvania were the voters. Coach Dolde's peers clearly recognized the wonderful job that he did leading his young men to a State championship this year.

Finally, anyone familiar with the Connellsville Area High School, and especially the wrestling team, knows the accomplishments of his father, Tom Dolde. Tom and I worked together for years in the Connellsville district, and he is a great

guy. Not only a great coach, he is a great individual, and the student body loves him.

Tom was the head coach of Connellsville's wrestling team for 33 years and in that time earned 448 wins and only 132 losses. That is an amazing winning percentage that sets the standard for nearly all other coaches in America. Now future generations will have the opportunity to learn about the achievements of coach Dolde and his time at Connellsville Area because he was recently entered into the National Wrestling Hall of Fame.

Along with these young gentlemen up here, seated in the rear of the hall are the teammates of these gentlemen from Connellsville Area. These young men and their coaches are a credit to Fayette County and all of Pennsylvania, and I ask you to join me in saluting them for their tremendous achievements and wish them well in the future. May we congratulate you. Would you young gentlemen in the back stand, please, the wrestling team.

Now, naturally, we have some citations to be presented, so at this time I want to call on Representative Roberts to present some citations, and he, in turn, can introduce Jess Stairs. Thank you.

Mr. ROBERTS. Thank you, Representative Shaner.

It is a pleasure to be here today. I do have two individual citations to present to the individual State champions. The first one is for Steve Bell, and I think that Representative Shaner may have mentioned some of his accomplishments. But Mr. Bell actually wrestled in the 125-pound weight class, and he had 47 wins and 4 losses over the season, and he is truly deserving of praise and recognition.

Without reading the entire citation, I would just like to say that, Steve, the House of Representatives of the Commonwealth of Pennsylvania congratulates you upon winning the 2004-2005 PIAA State Class AAA Individual Wrestling Championship in the 125-pound weight class, and we recognize with pride and we recognize the hard work and the commitment that you have had during the season. I wish you great success in the future, and I would like to present this citation to you.

The second citation I have is also for an individual award. This is for Ashtin Primus. He is also a member of the Connellsville Wrestling Team, and he wrestled in the 135-pound weight class. A junior, Mr. Primus earned his coveted title by defeating Big Spring High School's Joshua Barrick with 45 seconds left in the second period and finished the season with an overall record of 45 wins and 6 losses. Quite an outstanding achievement. So, Ashtin, you, too, are deserving of this recognition, and I am very proud to present it to you.

And I would like to say thanks to the coaching staff and say thanks to all of the wrestlers in the back. It is nice to have you here today, and I am glad that you were able to make the trip to Harrisburg.

At this time I would like to recognize Representative Jess Stairs, who also represents a large portion of the Connellsville School District, and Representative Stairs has additional citations. Mr. Stairs.

Mr. STAIRS. Thank you.

It is certainly an honor to be here to recognize the Connellsville Area wrestling program, and I have two presentations, one to the coach. Coach Dolde has been recognized by his peers in Class AAA wrestling as a

Coach of the Year and, even more so, recognized in the National Coaches Hall of Fame.

So just as we have a Speaker in our House who is a good leader, we need a good coach to lead a winning team. So I would like to present coach Dolde his citations and also, to the coach, present the team citation for winning the WPIAL and also the State championship.

So congratulations to Connellsville and to your fine program and to all wrestling in Pennsylvania, a great sport, and we all like to support this endeavor. Thank you.

HERSHEY HIGH SCHOOL BOYS AND GIRLS SWIM TEAMS PRESENTED

The SPEAKER. The Chair at this time recognizes Representative John Payne for the purposes of a citation.

Mr. Payne.

Mr. PAYNE. Thank you, Mr. Speaker.

Today is truly a special day here at the State Capitol. I have the honor of presenting not one but two State championships from the same school. The Hershey High School Girls and Boys Swim Teams not only won the 2004-2005 PIAA District III Swimming and Diving Championships, but they also won the PIAA State Class AA Swimming and Diving Championships.

Joining me today are the combination of Megan Cooney, Molly Leuschner, Kiersten Cooley, and Erica Rapp, who placed first in the championship final of the 200-yard medley relay. Joining me at the podium are head coach Greg Fastrich, assistant coach Jeff Fastrich, and Alex Barsanti, one of the girls team captains.

The other girls swim team members are seated at the rear of the chamber. Will my colleagues please give the girls team a round of applause. Ladies, please stand.

Thank you, ladies, for a job well done, and hopefully I will see you back here next year.

Now, also joining me at the podium today is Derek Oskutis, one of the captains of the boys swim team. This is not the first year, not the second year, but the third year that the Hershey High School Boys Swim Team has won the State Class AA Championships. And having been a member of the Hershey High Boys Swim Team back in the late sixties, I am glad to see my colleagues from the Hershey High Swim Team have carried on the tradition.

Joining me today are John Miller, Derek Oskutis, Joey Bethards, and Matt Watkins, who teamed up to win first place in the 400-yard freestyle relay.

The other members of the Hershey High Boys Swim Team are seated at the rear of the chamber. Gentlemen, please stand. My colleagues will give you a round of applause.

Ladies and gentlemen, I look forward to seeing both of you back here next year. I have House citations for the school and House citations for all of the members.

Thank you very much, Mr. Speaker.

BETHEL PARK HOCKEY TEAM PRESENTED

The SPEAKER. The Chair at this time recognizes Representatives Maher and Stevenson for the purposes of a citation.

Mr. MAHER. It is indeed my pleasure to welcome to the hall of the House the Bethel Park Hockey Squad. This team is remarkable. I was elected for the first time back in 1997, and since that time, this team has won five State titles.

The seniors on this team, who played as freshmen, have been to the State title game all 4 years, winning three times, including this year. It really is a remarkable achievement, and from time to time in the sports field, we hear of dynasties, and to those who use such labels, this team would certainly qualify. But the reason that they succeed is that their leadership and the captains on that team and the players on that team are smart enough to know there are no real sports dynasties. Every year starts all over. Every team starts with no wins and no losses, and it is the hard work, it is the teamwork, and it is the commitment to excellence that makes the difference. This team, 26 and 2, an incredible accomplishment.

Representative Stevenson is going to introduce the coach and the captains, and then we are going to ask to recognize the well-groomed appearing group in the back corner of the House, the Bethel Park Hockey Team.

Mr. T. STEVENSON. Thank you.

With us today, with this truly remarkable sports franchise, are coach Jim McVay and cocaptains Mike Diethorn, Connor McLean, and Jacobus Blied. And would the rest of the team please stand, and let us give them a warm House welcome.

GUESTS INTRODUCED

The SPEAKER. We have with us several special guests of Representative Thaddeus Kirkland. We would like to welcome them. They are members of the Delta Sigma Theta Sorority, Inc. They are seated in the balcony. Again, they are the guests of Representative Thaddeus Kirkland. Would they please rise and be recognized.

KRISTI ROOKER PRESENTED

The SPEAKER. The Chair recognizes the gentleman, Mr. Daley, for the purposes of a citation.

Mr. DALEY. Mr. Speaker, on behalf of Representative DeWeese, Representative Harhai, Representative Roberts, Representative Shaner, Representative Stairs, and myself, I would like to present to you, ladies and gentlemen of the House, Kristi Rooker.

Kristi is the Pennsylvania State Fair Queen. She is the 20-year-old daughter of Keith and Linda Rooker of Uniontown, Pennsylvania, and she was crowned the Fayette County Fair Queen and also Miss Congeniality of the 2004 Fayette County Fair Queen Contest. Today we are presenting her to you as the 2005 Pennsylvania Fair Queen.

She was a 2002 graduate of Laurel Highlands High School in western Pennsylvania, Fayette County, and she was involved in 4-H for 11 years and took part in the Fayette County Beef, Lamb, Swine, and Hutchinson Community 4-H Clubs. And during her high school years, not only was she involved in these types of activities, she was also on the volleyball team, where she served as captain.

Presently she is a junior at the California University of Pennsylvania, and she also is studying graphic communications technology and has been on the dean's list for the five semesters at California University.

Ladies and gentlemen, accompanying her in the rear of the House are Sarah Long, Pennsylvania State Fair Queen coordinator; Sara Regula, a close friend; Brant Bickel, chief of the Fair Division of the Pennsylvania Department of Agriculture; and Bruce Koppenhaver, secretary/treasurer of the County Fair Association. I would also like to present to you her mother, Linda Rooker, who is accompanying Kristi here today.

Ladies and gentlemen, your 2005 Pennsylvania Fair Queen. Thank you, Mr. Speaker.

COMMERCE COMMITTEE MEETING

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

Mr. HASAY. Mr. Speaker, the House Commerce Committee will have a meeting in the Irvis Building in room 302 at the break. The House Commerce Committee will have a meeting in room 302 of the Irvis Office Building at the break to consider and discuss HB 1478.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Commerce Committee will meet in room 302 of the Irvis Office Building at the break.

PROFESSIONAL LICENSURE COMMITTEE MEETING

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

Mr. GANNON. Thank you, Mr. Speaker.

Mr. Speaker, immediately upon the declaration of the recess, the House Professional Licensure Committee will convene in the library at the Ryan Office Building.

The SPEAKER. The Chair thanks the gentleman.

Mr. GANNON. Thank you, Mr. Speaker.

The SPEAKER. The Professional Licensure Committee will meet in the Ryan Office Building at the recess.

EDUCATION COMMITTEE MEETING

The SPEAKER. The gentleman, Mr. Stairs.

Mr. STAIRS. Thank you, Mr. Speaker.

This is an announcement for tomorrow, looking to the future. The Education Committee will meet at 9 o'clock tomorrow instead of 9:30 because of the tightness of the schedule tomorrow; 9 o'clock tomorrow will be our meeting.

Thank you, Mr. Speaker.

The SPEAKER. The Education Committee will meet tomorrow morning at 9.

DEMOCRATIC CAUCUS

The SPEAKER. The gentleman, Mr. Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, there will be a brief but important meeting of the House Democratic Caucus. We would like to introduce you to a very important person immediately upon the call of the recess. In addition, there will be informal discussions.

The SPEAKER. The Chair thanks the gentleman.

APPROPRIATIONS COMMITTEE MEETING

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

Mr. FEESE. Thank you, Mr. Speaker.

Mr. Speaker, at the declaration of the recess, there will be a House Appropriations Committee meeting in the Appropriations conference room. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Appropriations Committee will meet at the recess in the conference room.

FINANCE COMMITTEE MEETING

The SPEAKER. The gentleman, Mr. Leh.

Mr. LEH. Mr. Speaker, I would like to just reaffirm that the House Finance Committee will be meeting tomorrow morning at 9:30 in room 39E. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Finance Committee will meet in room 39E tomorrow morning at 9:30.

RULES SUSPENDED

The SPEAKER. The Chair at this time recognizes the gentleman, Mr. Reed.

Mr. REED. Mr. Speaker, I move that the rules of the House of Representatives be suspended for immediate consideration of HB 515, PN 1911.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—197

Adolph	Feese	Maher	Sainato
Allen	Fichter	Maitland	Samuelson
Argall	Fleagle	Major	Santoni
Armstrong	Flick	Manderino	Sather
Baker	Forcier	Mann	Saylor
Baldwin	Frankel	Markosek	Scavello
Barrar	Freeman	Marsico	Schroder
Bastian	Gabig	McCall	Semmel
Bebko-Jones	Gannon	McGeehan	Shaner
Belardi	Geist	McGill	Shapiro
Belfanti	George	McIlhattan	Sipthoth
Benninghoff	Gerber	McIlhinney	Smith, B.
Biancucci	Gergely	McNaughton	Smith, S. H.
Birmelin	Gillespie	Melio	Solobay
Bishop	Gingrich	Metcalfe	Sonney
Blackwell	Good	Micozzie	Staback
Blaum	Goodman	Millard	Stairs
Boyd	Grell	Miller, R.	Steil
Bunt	Grucela	Miller, S.	Stern
Buxton	Gruitza	Mundy	Stetler
Caltagirone	Habay	Mustio	Stevenson, R.
Cappelli	Haluska	Myers	Stevenson, T.
Casorio	Hanna	O'Brien	Sturla
Causar	Harhai	Oliver	Surra
Cawley	Harhart	O'Neill	Tangretti
Civera	Harper	Pallone	Taylor, E. Z.
Clymer	Harris	Payne	Taylor, J.
Cohen	Hasay	Petrarca	Thomas
Cornell	Hennessey	Petri	Tigue
Corrigan	Herman	Petrone	True

Costa	Hershey	Phillips	Turzai
Crahalla	Hess	Pickett	Veon
Creighton	Hickernell	Pistella	Vitali
Cruz	Hutchinson	Preston	Walko
Curry	James	Pyle	Wansacz
Daley	Josephs	Quigley	Washington
Dally	Kauffman	Ramaley	Waters
DeLuca	Keller, M.	Rapp	Wheatley
Denlinger	Keller, W.	Raymond	Williams
Dermody	Kenney	Readshaw	Wilt
DeWeese	Killion	Reed	Wojnaroski
DiGirolamo	Kirkland	Reichley	Wright
Diven	Kotik	Rieger	Yewcic
Donatucci	LaGrotta	Roberts	Youngblood
Eachus	Leach	Roebuck	Yudichak
Ellis	Lederer	Rohrer	Zug
Evans, D.	Leh	Rooney	
Evans, J.	Lescovitz	Ross	
Fabrizio	Levdansky	Rubley	Perzel,
Fairchild	Mackereth	Ruffing	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-5

Butkovitz	Nailor	Nickol	Watson
Godshall			

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.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 515, PN 1911**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing for the apportionment of business income for corporate net income tax purposes.

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

Mr. **YUDICHAK** offered the following amendment No. **A01132**:

Amend Title, page 1, line 10, by inserting after “providing” for the definition of “manufacture” and

Amend Bill, page 1, lines 14 through 16, by striking out all of said lines and inserting

Section 1. Section 201(c) of the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, amended May 7, 1997 (P.L.85, No.7), is amended to read:

Section 201. Definitions.—The following words, terms and phrases when used in this Article II shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning:

(c) “Manufacture.” The performance of manufacturing, fabricating, compounding, processing or other operations, engaged in as a business, which place any tangible personal property in a form, composition or character different from that in which it is acquired

whether for sale or use by the manufacturer, and shall include, but not be limited to—

(1) Every operation commencing with the first production stage and ending with the completion of tangible personal property having the physical qualities (including packaging, if any, passing to the ultimate consumer) which it has when transferred by the manufacturer to another[;]. For purposes of this clause “operation” shall include clean rooms and their component systems, including: environmental control systems, antistatic vertical walls and manufacturing platforms, and floors, which are independent of the real estate; process piping systems; specialized lighting systems; deionized water systems; process vacuum and compressed air systems; process and specialty gases; and alarm or warning devices specifically designed to warn of threats to the integrity of the product and/or people. For purposes of this clause a “clean room” is a location with a self-contained, sealed environment with a controlled closed air system independent from the facility’s general environmental control system.

(2) The publishing of books, newspapers, magazines and other periodicals and printing[;].

(3) Refining, blasting, exploring, mining and quarrying for, or otherwise extracting from the earth or from waste or stock piles or from pits or banks any natural resources, minerals and mineral aggregates including blast furnace slag[;].

(4) Building, rebuilding, repairing and making additions to, or replacements in or upon vessels designed for commercial use of registered tonnage of fifty tons or more when produced upon special order of the purchaser, or when rebuilt, repaired or enlarged, or when replacements are made upon order of, or for the account of the owner[;].

(5) Research having as its objective the production of a new or an improved (i) product or utility service, or (ii) method of producing a product or utility service, but in either case not including market research or research having as its objective the improvement of administrative efficiency.

(6) Remanufacture for wholesale distribution by a remanufacturer of motor vehicle parts from used parts acquired in bulk by the remanufacturer using an assembly line process which involves the complete disassembly of such parts and integration of the components of such parts with other used or new components of parts, including the salvaging, recycling or reclaiming of used parts by the remanufacturer.

(7) Remanufacture or retrofit by a manufacturer or remanufacturer of aircraft, armored vehicles, other defense-related vehicles having a finished value of at least fifty thousand dollars (\$50,000). Remanufacture or retrofit involves the disassembly of such aircraft, vehicles, parts or components, including electric or electronic components, the integration of those parts and components with other used or new parts or components, including the salvaging, recycling or reclaiming of the used parts or components and the assembly of the new or used aircraft, vehicles, parts or components. For purposes of this clause, the following terms or phrases have the following meanings:

(i) “aircraft” means fixed-wing aircraft, helicopters, powered aircraft, tilt-rotor or tilt-wing aircraft, unmanned aircraft and gliders;

(ii) “armored vehicles” means tanks, armed personnel carriers and all other armed track or semitrack vehicles; or

(iii) “other defense-related vehicles” means trucks, truck-tractors, trailers, jeeps and other utility vehicles, including any unmanned vehicles.

The term “manufacture” shall not include constructing, altering, servicing, repairing or improving real estate or repairing, servicing or installing tangible personal property, nor the cooking, freezing or baking of fruits, vegetables, mushrooms, fish, seafood, meats, poultry or bakery products.

Section 2. Section 401(3)2(a)(9) of the act, amended May 12, 1999 (P.L.26, No.4), is amended to read:

Amend Sec. 2, page 3, line 1, by striking out “2” and inserting
3
Amend Sec. 3, page 3, line 3, by striking out “3” and inserting
4

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

The following roll call was recorded:

YEAS—197

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Butkovitz	Nailor	Nickol	Watson
Godshall			

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?

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

Mr. VITALI. Thank you, Mr. Speaker.

Will the maker of the bill stand for brief interrogation?

The SPEAKER. The gentleman indicates he will. The gentleman is in order and may proceed.

Mr. VITALI. Thank you, Mr. Speaker.

Could the gentleman explain his legislation?

Mr. REED. Mr. Speaker, in short, HB 515 changes the apportionment formula for the corporate net income tax. Currently the apportionment formula is made up of three different components: a 60-percent sales factor, a 20-percent capital factor, and a 20-percent payroll factor. This bill would move the apportionment formula for the corporate net income tax to 100 percent or, in essence, a single sales factor.

The overall goal of this legislation is basically to encourage our existing manufacturers to stay in Pennsylvania, to expand in Pennsylvania, or to draw more manufacturers to locate their hub of operations within the Commonwealth. In short, the goal of this bill is to not only have manufacturers selling their products to our citizens but also to have them using our citizens to produce their products and pay our workers as well.

Mr. VITALI. Thank you, Mr. Speaker.

Will the net effect of this formula change? Will it be to increase, decrease, or have no effect on the revenues generated by the corporate net income tax?

Mr. REED. According to the fiscal note, which is attached to this bill, it will have a decrease of \$89 million on the corporate net income tax revenues in fiscal year 2005-2006.

Mr. VITALI. So this will create, if passed, an \$89 million shortfall in the budget. Is that correct?

Mr. REED. According to the Department of Revenue’s fiscal note, yes.

Mr. VITALI. You need to fund government. How will this \$89 million that this will detract from revenues be made up?

Mr. REED. Well, I am actually glad you asked, Mr. Speaker. I have got six different areas that perhaps we could look at.

Number one, according to the Department of Revenue in their April 29 press release, we apparently have a \$374 million surplus within the Commonwealth of Pennsylvania. According to the Governor’s Office, he saved \$121 million in strategic sourcing this past year, which adds up to \$495 million.

Number three, we have a proposal for \$101 million in additional work force development programs for this upcoming budget year. Perhaps we could cut back on several of those programs.

We have got a \$360 million budget proposal for the Department of Community and Economic Development. Perhaps if we encourage businesses to do business in

Pennsylvania, we will have less of a need for those programs and thus can cut back with that department.

Department of Public Welfare this year has a budget proposal for \$8.4 billion. Now, it does not take an economist to know that if you put more people to work, you are going to have less people dependent upon governmental programs – human service, domestic violence, rape crisis. Perhaps at that point we could see some cutbacks with the Department of Public Welfare.

And of course, if we encourage businesses to expand in Pennsylvania, we will therefore see more people working in Pennsylvania and have a net increase in our sales tax revenue, our personal income tax revenues, and if more companies want to come to Pennsylvania, I would, I guess, propose that we would see an increase in the corporate net income tax, capital stock and franchise tax, and other business taxes that our businesses pay across the State in the years to follow.

Mr. VITALI. Okay.

Mr. REED. So, Mr. Speaker, you could take your choice of any of those six options.

Mr. VITALI. So basically you are just saying we are just going to cut \$89 million out of the budget?

Mr. REED. No. Really, I am just saying we could probably, first off, take the surplus and put it to good use by putting more people to work within the Commonwealth.

Mr. VITALI. Okay. Fine; let us see what we actually cut out of this budget when it is all said and done. But be that as it may, this formula will impact different businesses in different ways.

Mr. REED. Yes.

Mr. VITALI. Can the maker of the bill describe what businesses will benefit most and what businesses will benefit least?

Mr. REED. Any business that pays the corporate net income tax currently which is located in Pennsylvania, which means their production facility, their assembly workers are located within the Commonwealth, will benefit from this bill. Any business, for instance, that locates their production facility in China and then sells their products in our Wal-Marts will see a decreasing benefit from this bill. So this would actually discourage outsourcing and encourage hub of operations and production facilities to be located in the Commonwealth.

Mr. VITALI. Will there be any Pennsylvania businesses who will pay more as the result of this legislation, as a result of this change in formula?

Mr. REED. It is actually very difficult to get those numbers. In fact, I called the Department of Revenue last week asking for the numbers currently of businesses within the Commonwealth that pay the corporate net income tax and which ones that do not, that have not made a red cent in the past couple of years as their reason for not paying the corporate net income tax. I was told that we do not have specific figures as to how many specific businesses pay the corporate net income tax currently.

Mr. VITALI. Will some businesses' taxes go up as a result of this change in formula, some Pennsylvania businesses?

Mr. REED. I do not have the answer to that question at this time.

Mr. VITALI. Conceivably they could, though?

Mr. REED. I would probably refer you back to the administration's Department of Revenue for that question.

Mr. VITALI. Okay. The various business groups, the NFIB and the chamber of commerce and others, have any taken a position for or against this?

Mr. REED. They would be in support of this.

Mr. VITALI. Because this, in my view, affects different businesses in different ways and because the various business groups look to their specific subset of the business community, it is possible that there could be a difference as far as endorsement goes. I am wondering, have the various business groups taken positions one way or the other on this legislation?

Mr. REED. Yes. The Pennsylvania Manufacturers' Association, the Pennsylvania Chamber of Business and Industry, NFIB, the National Federation of Independent Business Owners, all have supported this legislation, and many of them have gone back to their members, who have gone back to their employees, factory workers, assembly line workers, who actually would be more supportive of a business tax structure that would encourage those jobs to stay in Pennsylvania instead of moving to a country like China.

Basically this comes down to, are you supporting outsourcing or are you not? If you want companies to locate their manufacturing facilities here in Pennsylvania, this is the bill to do it.

Mr. VITALI. Has the administration taken a position one way or the other on this issue?

Mr. REED. Well, actually it was part of the Governor's Tax Reform Commission proposal, and actually, a member of the Democratic side had actually proposed this bill in previous sessions as well, and in fact – bear with me for one second here – 24 members from the Democratic side have cosponsored either this bill or the bill in the previous session, which was—

Mr. VITALI. Well, to be clear, my question is, the administration—

Mr. REED. —HB 334.

Mr. VITALI. —has the administration taken a position one way or the other on this bill at this time?

Mr. REED. This bill at this time, the Governor has not called me to let me know, so I am unaware at this time.

Mr. VITALI. Thank you.

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

Mr. LEVDANSKY. Thank you, Mr. Speaker.

Mr. Speaker, this bill would allow for the use of a single sales factor in allocating the corporate CNI. Most States allocate CNI tax obligation based on sales, payroll, and plant. In Pennsylvania it is 60 percent sales, 20 percent payroll, 20 percent plant. This would change it to 100 percent sales factor when apportioning the CNI. Increasing the weight of the sales factor for the CNI would benefit about 11,500 of the 142,000 or more corporations in Pennsylvania, and it would also increase the apportionment of about 20,500.

The tax benefit received by the 11,500 companies would outweigh the increased tax liability of the 20,500 corporations, resulting in a net revenue loss to the Commonwealth in this fiscal year, fiscal year 2004-2005, of approximately \$21 million. That would grow to approximately \$68 million in the next fiscal year.

For Pennsylvania, the biggest benefactors will be manufacturing corporations that have large investments in the Commonwealth in terms of payroll and property. Many of the beneficiaries have a property and payroll factor that is very close to 100 percent, but they have a sales tax factor of much less.

Also, companies that would like to take advantage of this change could increase their property and payroll presence in Pennsylvania without impacting their CNI apportionment negatively. Both of these situations are beneficial to Pennsylvania.

This piece of legislation is good for three reasons. One is we are benefiting. By this change, there are over 11,500 Pennsylvania corporations that will benefit with this formula change in CNI tax apportionment. Secondly, this bill is prospective. So we are going to change the allocation of CNI tax obligation from the effective date of the act or beginning after December 31 of 2004. So this bill, shall it become law, would take effect this tax year and in the future. So changing the tax apportionment will in fact have a positive impact on investment decisions of corporations to invest in payroll and operation payroll and invest in employees and invest in plant and equipment here in Pennsylvania.

Contrast that, if you will, with what we did yesterday of essentially providing for an uncapping of an NOL (net operating loss) that benefited only 206 companies and will cost the Commonwealth \$165 million this year. So yesterday we did something that generated a \$165 million revenue loss to benefit 206 companies, yet this proposal will have a fiscal impact of \$21 million but will benefit over 11,500 C corporations in Pennsylvania.

So this is a targeted, a targeted change in tax apportionment that benefits Pennsylvania-based corporations. Secondly, it is prospective, not retrospective, not retroactive. And thirdly, with a price tag of \$21 million this year, it is probably something that we can afford in this year's budget. Not all changes to the business tax code in Pennsylvania are bad.

This is a good bill, and for these reasons that I have enumerated, I would urge the members to vote in the affirmative. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Reed.

Mr. REED. Thank you, Mr. Speaker.

I would first just like to thank the minority chairman of the Democratic Finance Committee for his support of this legislation.

Secondly, I would like to mention that this legislation is part of a 16-bill package – the Keystone Manufacturing Initiative, which addresses the areas of tort reform, workers' compensation, unemployment compensation reform, regulatory reform, our health-care system, and our business tax structure – all geared at helping to encourage manufacturers to increase employment rolls within the Commonwealth of Pennsylvania.

And thirdly, on a personal note, this piece of legislation in fact stands to have a very dramatic impact on one of the communities hopefully within my district, the Homer City Borough area. Homer City Borough has seen its leading manufacturer move from 800 employees to 65 employees over the past decade, and during that time frame – my father actually works as a factory worker within that company – he has been laid off twice and stands to probably be laid off again in the upcoming year or so because they have moved their status of operations to other States – Oregon, Mississippi – and to China and Taiwan.

And speaking of somebody who not only represents a community that has been impacted directly by our negative business tax structure in Pennsylvania but also personally seen my father go through the trials and tribulations of looking for

new employment during his middle-age years, I believe that this bill will be a serious step in the right direction to keeping our manufacturers operating their production facilities here in Pennsylvania instead of other States and especially instead of other nations.

Once again I would like to thank the members for their support of this legislation and would ask that you vote "yes."

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—197

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Butkovitz Nailor Nickol Watson
Godshall

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.

CONDOLENCE RESOLUTION

The SPEAKER. We are about to take up a condolence resolution on the death of a former member of the House.

The Sergeants at Arms will close the doors to the hall of the House. Members, please take your seats.

The clerk will read the resolution.

The following resolution was read:

COMMONWEALTH OF PENNSYLVANIA
THE HOUSE OF REPRESENTATIVES

CONDOLENCE RESOLUTION

WHEREAS, The House of Representatives of Pennsylvania wishes to honor the memory of the Honorable John Snowden Renninger, a former member of this chamber who served with honor and distinction and passed away at the age of eighty on April 2, 2005; and

WHEREAS, Born to Francis Xavier and Mary Robinson Renninger in Philadelphia on October 10, 1924, Mr. Renninger attended Drexel Institute and the University of Oregon. He joined the Army Air Corps in 1942, served in the Pacific Theatre during World War II, received an honorable discharge at the rank of Sergeant in 1946 and was the recipient of an Asiatic Pacific Theatre Service Medal with one bronze star. After his discharge, Mr. Renninger served with the Naval Reserve for six years, attaining the rank of Ensign, and simultaneously continued his education. He graduated from the University of Pennsylvania in 1948 with a bachelor of arts degree and from the University of Pennsylvania School of Law in 1951 with a bachelor of law degree. In 1964, Mr. Renninger was elected to serve the citizens of the 1st Legislative District, which became the 143rd Legislative District in the 1970s due to the reapportionment process. He faithfully represented the citizens of Bucks County from 1965 until his retirement in 1976. During that time, he served as Chairman of the Labor Relations Committee and as a member of the Consumer Protection, Judiciary, Municipal Corporations, Recreation and Tourism and Urban Affairs Committees. Widely known as Jack, Mr. Renninger also was fondly referred to as the Red Baron because of his skill and enjoyment of flying, as well as his commutes to the Capital in his own airplane. Throughout his career in the House, Mr. Renninger was respected deeply for his dedicated service, his passionate advocacy and his well-honed sense of tradition; now therefore be it

RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania proclaim with enduring sorrow the passing of John Snowden Renninger; and extend heartfelt condolences to his son, Patrick; daughters, Ann, Molly and Sally; sister, Elizabeth; and many other family members and friends; and be it further

RESOLVED, That a copy of this resolution, sponsored by Representatives David J. Steil and Matthew N. Wright on May 9, 2005, be transmitted to the family of John Snowden Renninger.

David J. Steil, Sponsor Matthew N. Wright, Sponsor

(SEAL) John M. Perzel, Speaker of the House
ATTEST:
Ted Mazia, Chief Clerk of the House

The SPEAKER. Those in favor of the resolution will rise and remain standing as a mark of respect for the deceased former member. Guests will also please rise.

(Whereupon, the members of the House and all visitors stood in a moment of silence in solemn respect to the memory of the Honorable John Snowden Renninger.)

The SPEAKER. The resolution has been unanimously adopted.

The Sergeants at Arms will open the doors to the hall of the House.

There will be no further votes.

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

HB 86, PN 1945 (Amended) By Rep. ADOLPH

An Act authorizing the Department of Conservation and Natural Resources on behalf of the Commonwealth to agree to hold and save the United States Army Corps of Engineers free from certain damages arising from certain construction projects.

ENVIRONMENTAL RESOURCES AND ENERGY.

HB 1114, PN 1946 (Amended) By Rep. ADOLPH

An Act amending the act of December 19, 1996 (P.L.1478, No.190), entitled "An act relating to the recycling and reuse of waste tires; providing for the proper disposal of waste tires and the cleanup of stockpiled tires; authorizing investment tax credits for utilizing waste tires; providing remediation grants for the cleanup of tire piles and for pollution prevention programs for small business and households; establishing the Small Business and Household Pollution Prevention Program and management standards for small business hazardous waste; providing for a household hazardous waste program and for grant programs; making appropriations; and making repeals," further providing for the definition of "waste tire"; defining "recycled tire product" and "waste tire recycling facility"; and further providing for the disposal of whole waste tires, for Environmental Quality Board regulations, for waste tire registry and for remediation liens.

ENVIRONMENTAL RESOURCES AND ENERGY.

SB 149, PN 217 By Rep. ADOLPH

An Act providing for the Hazardous Sites Cleanup Fund, for its funding and for expenditures from the fund; and making repeals.

ENVIRONMENTAL RESOURCES AND ENERGY.

BILLS AND RESOLUTIONS PASSED OVER

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

RECESS

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

Mr. QUIGLEY. Mr. Speaker, I move that this House do now recess until Wednesday, May 11, 2005, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 11:50 a.m., e.d.t., the House recessed.