

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, JUNE 8, 2005

SESSION OF 2005

189TH OF THE GENERAL ASSEMBLY

No. 35

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (JOHN M. PERZEL) PRESIDING

PRAYER

REV. JULIANN V. WHIPPLE, Chaplain of the House of Representatives, offered the following prayer:

Let us pray:

Eternal God, since it has pleased You to preserve us by Your grace through the night that just ended and who has given us this new day, we offer our thanks. Quiet our active minds, which are already overloaded, barely allowing us to take this time to pause and remember Your greatness. In the quietness of this place, we set aside the frenzy of our schedules and acknowledge that You are still God.

Forgive us for being constant in our complaints: It is too hot; it is too cold; too cloudy. We want every day to be 72 degrees and the world around us to be as perfect as the green at Augusta National, but even when our lives are filled with hazards, we should rejoice in the fact that You are God and have given us one more day to experience Your creation. Forgive us for misusing time and place: when we shorten our days by a wanton spending of health, when we use time for the advancement of our selfish goals, and when we use people in a way that shows a lack of regard for their humanity. Help us to remember there is a time to putt and a time to drive.

Lord, we know You and You alone are the master, but sometimes we refuse to lift our eyes from the green, for we are enjoying what seems to be our own personal success. But somehow we always manage to turn to You when we feel stuck in a sand trap and have nowhere else to go. Help us not to just turn to You during life's more difficult battles and choices but also during the victorious times when we have shot a hole in one, for You, O Lord, are the one who, if we would just ask, would tell us which club to use to reach the highest potential for our lives.

As we offer to You our fickleness and seek out Your love, we pray that You would help us to keep our faces square to the target and be the useful, productive people we were created to be.

Hear these our prayers. 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 Tuesday, June 7, 2005, will be postponed until printed.

HOUSE BILLS INTRODUCED AND REFERRED

No. 1672 By Representatives GRUCELA, BEBKO-JONES, BIANCUCCI, BISHOP, BOYD, CALTAGIRONE, SHAPIRO, SOLOBAY, STABACK, WHEATLEY, COHEN, COSTA, FRANKEL, GEORGE, GOODMAN, HANNA, JAMES, JOSEPHS, MANN, MUNDY, NICKOL, OLIVER, RAMALEY, HARHAI, DALEY and THOMAS

An Act amending Title 25 (Elections) of the Pennsylvania Consolidated Statutes, further providing for qualifications to register and for eligibility for primaries; and making repairs.

Referred to Committee on STATE GOVERNMENT, June 8, 2005.

No. 1673 By Representatives GRUCELA, BEBKO-JONES, BELARDI, BUNT, CALTAGIRONE, CAPPELLI, CRAHALLA, DeLUCA, DeWEESE, GABIG, GOODMAN, HARHAI, HARRIS, HERSHEY, JAMES, LEDERER, MANN, PETRARCA, PHILLIPS, RAMALEY, READSHAW, ROONEY, SCAVELLO, SCHRODER, SIPTROTH, SHANER, SOLOBAY, STABACK, THOMAS, TIGUE, WALKO, WILLIAMS, WOJNAROSKI and YOUNGBLOOD

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

Referred to Committee on FINANCE, June 8, 2005.

No. 1674 By Representatives DeLUCA, BELFANTI, BISHOP, CALTAGIRONE, CRAHALLA, FABRIZIO, FRANKEL, GEORGE, GERGELY, GOOD, GRUCELA, JOSEPHS, KOTIK, LEVDANSKY, MUNDY, PRESTON, ROEBUCK, RUBLEY, SHANER, STABACK, STETLER, STURLA, SURRA, TANGRETTI, THOMAS, TIGUE, WALKO and COSTA

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

Referred to Committee on EDUCATION, June 8, 2005.

No. 1675 By Representatives PETRI, CALTAGIRONE, CORRIGAN, CREIGHTON, FICHTER, GILLESPIE, GOODMAN, HENNESSEY, HERSHEY, JAMES, KOTIK, NAILOR, O'NEILL, PHILLIPS, PICKETT, REICHLEY, ROEBUCK, SOLOBAY, E. Z. TAYLOR and YOUNGBLOOD

An Act establishing an emergency uniform numbering system for public schools.

Referred to Committee on EDUCATION, June 8, 2005.

No. 1676 By Representatives GINGRICH, BAKER, BALDWIN, BASTIAN, CALTAGIRONE, CLYMER, CRAHALLA, FAIRCHILD, GEIST, GOOD, HESS, MACKERETH, McILHATTAN, S. MILLER, PICKETT, RAPP, REICHLEY, RUBLEY, SATHER, E. Z. TAYLOR, THOMAS, WATSON and YUDICHAK

An Act establishing an informal dispute resolution process for long-term care nursing facilities and an informal dispute resolution panel within the Department of Health; and providing for membership of the panel, for the scope of informal resolution review and for data collection.

Referred to Committee on AGING AND OLDER ADULT SERVICES, June 8, 2005.

No. 1677 By Representatives PAYNE, BARRAR, BASTIAN, BELFANTI, CALTAGIRONE, CAWLEY, CLYMER, CORNELL, CRAHALLA, CREIGHTON, FABRIZIO, FRANKEL, GEIST, GEORGE, GINGRICH, GOODMAN, HARRIS, HENNESSEY, JAMES, LEDERER, McGEEHAN, REICHLEY, ROEBUCK, SCHRODER, SIPTROTH, SOLOBAY, E. Z. TAYLOR and YOUNGBLOOD

An Act requiring dwellings, dwelling units, rooming units and dormitory units to be equipped with carbon monoxide alarms; requiring owners to be responsible for supplying and installing alarms; requiring tenants to test and provide general maintenance for alarms; and providing for penalties.

Referred to Committee on LOCAL GOVERNMENT, June 8, 2005.

No. 1678 By Representatives BARRAR, CALTAGIRONE, GEORGE and SCHRODER

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, further providing for initial decisions and release of documents.

Referred to Committee on CONSUMER AFFAIRS, June 8, 2005.

No. 1679 By Representatives SAYLOR, CREIGHTON, GEIST, GINGRICH, HENNESSEY, ROHRER, WILT, YOUNGBLOOD and E. Z. TAYLOR

An Act amending the act of December 19, 1975 (P.L.604, No.173), entitled "An act to facilitate the use of electronic funds transfer systems by providing that credits to accounts in financial institutions designated by recipients shall satisfy legal requirements for payments by cash or checks," further providing for payments in accordance with the act.

Referred to Committee on COMMERCE, June 8, 2005.

No. 1680 By Representatives MYERS, JOSEPHS, JAMES, PRESTON, DeLUCA, CRUZ, CURRY, CALTAGIRONE, BISHOP, BLACKWELL, LEACH, MANDERINO, VITALI and KIRKLAND

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, imposing a temporary suspension of the death penalty.

Referred to Committee on JUDICIARY, June 8, 2005.

No. 1681 By Representatives BISHOP, YOUNGBLOOD, LEDERER, DeWEESE, PALLONE, CALTAGIRONE, FABRIZIO, BEBKO-JONES, MUNDY, DeLUCA, WILLIAMS, THOMAS and PISTELLA

An Act requiring landlords to grant medical access; providing for termination of residential leases for terminal or mental illness; and making a repeal.

Referred to Committee on LOCAL GOVERNMENT, June 8, 2005.

No. 1682 By Representatives BISHOP, OLIVER, LEDERER, YOUNGBLOOD, SHAPIRO, GEIST, GRUCELA, HERSHEY, BEBKO-JONES, HENNESSEY, MANN, COSTA, STABACK, McILHATTAN, BOYD, FRANKEL, SANTONI, DeWEESE, BUXTON, JAMES, BELARDI, RUBLEY, MARKOSEK, PALLONE, CORRIGAN, SOLOBAY, TANGRETTI, GEORGE, CALTAGIRONE, GINGRICH, HARHAI, DeLUCA, PETRARCA, McCALL, ALLEN, WHEATLEY, HASAY, CRAHALLA, FABRIZIO, MANDERINO, KOTIK, TIGUE, JOSEPHS, YUDICHAK, GOODMAN, SURRA, S. MILLER, SHANER, LEACH, HERMAN, THOMAS, WILLIAMS and PISTELLA

An Act providing for tax incentives for employers who provide child day-care services for employees.

Referred to Committee on FINANCE, June 8, 2005.

No. 1683 By Representatives BISHOP, LEDERER, HERSHEY, STABACK, McILHATTAN, JAMES, PALLONE, OLIVER, CALTAGIRONE, SURRA, HENNESSEY, TIGUE, SATHER, DeLUCA, GRUCELA, GINGRICH and PISTELLA

An Act amending the act of April 14, 1972 (P.L.221, No.63), known as the Pennsylvania Drug and Alcohol Abuse Control Act, providing for involuntary commitment of drug-dependent persons.

Referred to Committee on HEALTH AND HUMAN SERVICES, June 8, 2005.

No. 1684 By Representatives HARHART, BEBKO-JONES, BUNT, CALTAGIRONE, CREIGHTON, J. EVANS, JAMES, E. Z. TAYLOR, THOMAS and MCGILL

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for issuance and reissuance of registration plates and for display of registration plate.

Referred to Committee on TRANSPORTATION, June 8, 2005.

No. 1685 By Representatives J. EVANS, THOMAS, BEBKO-JONES, BELARDI, BELFANTI, CALTAGIRONE, CAPPELLI, CREIGHTON, FABRIZIO, GERGELY, GOOD, GOODMAN, HARHAI, HARRIS, JAMES, KILLION, NAILOR, PHILLIPS, PICKETT, PYLE, RAPP, SHANER, STABACK, SURRA, E. Z. TAYLOR, TIGUE and YOUNGBLOOD

An Act relating to the rights of purchasers of assistive technology devices.

Referred to Committee on COMMERCE, June 8, 2005.

No. 1686 By Representatives STAIRS, BELFANTI, CALTAGIRONE, CREIGHTON, DENLINGER, FABRIZIO, FAIRCHILD, GEIST, GODSHALL, HARRIS, HENNESSEY, LEH, McILHATTAN, PETRARCA, SHANER, STABACK and SURRA

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for the offense of sale and use of air rifles.

Referred to Committee on JUDICIARY, June 8, 2005.

LEAVES OF ABSENCE

The SPEAKER. The Chair turns to leaves of absence. The majority whip requests no leaves of absence. The Chair recognizes the minority whip, who moves for a leave of absence for the gentleman from Philadelphia, Mr. CRUZ, and the gentleman from Northampton, Mr. ROONEY. Without objection, those leaves will be granted.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—197

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

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—5

| | | | |
|----------|---------|--------|------|
| Cruz | Raymond | Rooney | Ross |
| Godshall | | | |

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 names of Benjamin Calhoun, Christian Regosch, Charles Henry Marks III, Joseph D. Everly, and David R. Jones II, who have recently been awarded Scouting's highest honor – Eagle Scout.

Mr. Speaker, I would like to read to the members of the House of Representatives the following citation of merit honoring Benjamin Calhoun, Christian Regosch, Charles Henry Marks III, Joseph D. Everly, and David R. Jones II.

Whereas, Benjamin Calhoun, Christian Regosch, Charles Henry Marks III, Joseph D. Everly, and David R. Jones II earned the Eagle Award in Scouting. This is the highest award that Boy Scouts can bestow and as such represents great sacrifice and tremendous effort on the part of these young men. They are members of Troops 28 and 5.

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

the Legislative Journal the names of Benjamin Calhoun, Christian Regosch, Charles Henry Marks III, Joseph D. Everly, and David R. Jones II.

HARRISBURG LEGISLATIVE LEAVE

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

Mr. WANSACZ. Mr. Speaker, Representative TANGRETTI would like to be placed on Capitol leave.

The SPEAKER. The Chair thanks the gentleman. Without objection, he will be placed on Capitol leave.

BILLS SIGNED BY SPEAKER

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

SB 124, PN 703

An Act providing for applicability of certain provisions relating to equitable division of marital property in divorce actions; and making a related repeal.

SB 464, PN 765

An Act amending the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L. 2897, No.1), known as the Unemployment Compensation Law, further providing for the definition of "employer" and for general powers and duties of department, providing for representation in proceedings; further providing for contributions by employers and employees, for successors-in-interest, for appeals, for interest on past due contributions and for limitations upon enforcement of payment of contributions, interest and penalties; providing for registration and other reports; further providing for the Special Administration Fund; providing for the Job Training Fund; further providing for the duties of the State Treasurer as custodian and for offenses relating to false statements and representations to prevent or reduce compensation and other offenses; and providing for monetary penalties.

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

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 498 and HB 1059.

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 498 and HB 1059.

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 63;
HB 163;
HB 546;
HB 670;
HB 679;
HB 983;
HB 1014;
HB 1168;
HB 1534;
HB 1589; and
HB 586.

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 63, PN 125; HB 163, PN 1968; HB 546, PN 594; HB 670, PN 763; HB 679, PN 772; HB 983, PN 1960; HB 1014, PN 1965; HB 1168, PN 1873; HB 1534, PN 1889; HB 1589, PN 1990; and HB 586, PN 659.

BILLS RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.
Mr. S. SMITH. Mr. Speaker, I move that the following bills be recommitted to the Committee on Appropriations:

HB 63;
HB 163;
HB 546;
HB 670;
HB 679;
HB 983;
HB 1014;
HB 1168;
HB 1534;
HB 1589; and
HB 586.

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

GUESTS INTRODUCED

The SPEAKER. We have a special guest here today of Representative Stan Saylor – Kai Stocken. Kai is an exchange student from Kleve, Germany. He is currently attending Red Lion Area High School. Also with him is his host parent,

Lynne Fisher. Would those guests please rise and be recognized.

**BILLS REPORTED FROM COMMITTEE,
CONSIDERED FIRST TIME, AND
RECOMMITTED TO COMMITTEE ON RULES**

HB 27, PN 30 By Rep. LEH

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 sales and use tax definitions, for sales and use tax exclusions, for personal income tax definitions and for classes of personal income; providing for a credit against personal income tax; further providing for realty transfer tax definitions, for realty transfer tax exclusions and for penalties for failing to fulfill a historic covenant; and conferring powers and duties on the Pennsylvania Historical and Museum Commission.

FINANCE.

HB 344, PN 365 By Rep. LEH

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, excluding smoke detectors, fire extinguishers and other fire prevention and fire safety equipment from the sales and use tax.

FINANCE.

HB 472, PN 511 By Rep. LEH

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

FINANCE.

HB 562, PN 635 By Rep. LEH

An Act amending the act of June 26, 2001 (P.L.755, No.77), known as the Tobacco Settlement Act, further providing for Tobacco Settlement Investment Board.

FINANCE.

HB 1510, PN 1844 By Rep. LEH

An Act amending the act of March 27, 1852 (P.L.197, No.147), entitled, "An act relative to the collection of taxes, in Crawford and Lawrence counties; to authorize the Commissioners of Erie county to borrow money; relative to a State road in Crawford county; extending the time for the completion of the works of the Centreville Water Company, and relative to Justices of the Peace of Bedford county," further providing for the collection of State and county taxes in Lawrence County.

FINANCE.

The SPEAKER. For the information of the members, we are going to start on the front of the calendar, page 1, and work our way through the calendar as the members have it. So to that end—

CALENDAR

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 86, PN 1945**, entitled:

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.

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

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.

The question is, shall the bill pass finally?
Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:

YEAS—197

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

| | | | |
|-----------|-----------|---------|---------|
| Ellis | Lederer | Roebuck | Zug |
| Evans, D. | Leh | Rohrer | |
| Evans, J. | Lescovitz | Rubley | |
| Fabrizio | Levdansky | Ruffing | Perzel, |
| Fairchild | Mackereth | Sainato | Speaker |

NAYS-0

NOT VOTING-0

EXCUSED-5

| | | | |
|----------|---------|--------|------|
| Cruz | Raymond | Rooney | Ross |
| 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 88, PN 82**, entitled:

An Act enabling certain counties and municipalities to develop comprehensive watershed storm water plans and to regulate storm water within designated watershed boundaries; imposing duties and conferring powers on the Department of Environmental Protection, the Environmental Quality Board, counties and municipalities; and providing for financing and for waiver of use of certain grant or loan funds.

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

Mr. **FREEMAN** offered the following amendment No. **A01010**:

Amend Sec. 4, page 4, line 17, by striking out “or second class A” and inserting
, second class A or third class,

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

The **SPEAKER**. On that question, the Chair recognizes the gentleman, Mr. Freeman, for a brief explanation.

Mr. **FREEMAN**. Thank you, Mr. Speaker.

My amendment basically would add third-class counties to those counties that could opt in to the comprehensive storm water management proposal that the gentleman, Mr. Steil, has brought before us today.

My county of Northampton County has experienced extreme flooding in the course of the last year. Twice we have been badly hit by flooding, and it is believed that a good portion of that is the result of poor storm water management. So our ability to opt in to this would be beneficial to the people of Northampton County, and we would extend this option to all counties of the third class.

I urge a “yes” vote.

The **SPEAKER**. The Chair thanks the gentleman. The Chair recognizes the gentledady, Mrs. Miller. Mrs. **MILLER**. Thank you, Mr. Speaker.

The **SPEAKER**. The lady is entitled to be heard.

Mrs. **MILLER**. Mr. Speaker, I rise in opposition to amendment 1010.

Mr. Speaker, in many of our third-class counties, there are considerable rural areas that still remain. What this bill if amended with the amendment 1010 would do is to require that a fee be assessed to all residents of that county in order to fund storm water management. Mr. Speaker, this fee would be placed on farmers, on residents of rural areas, where there is not high density – a lot of macadam, a lot of roof space. Mr. Speaker, this would be an additional tax on those residents, and I ask that we oppose this amendment.

Thank you, Mr. Speaker.

The **SPEAKER**. The Chair thanks the gentledady.

The Chair recognizes the gentleman from Northampton, Mr. Grucela.

Mr. **GRUCELA**. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of my colleague, Representative Freeman’s amendment. To echo his remarks, and I know all the 67 counties are unique in their various terrains in whether they are getting development or not, but Northampton County, as Representative Freeman stated, has undergone a tremendous amount of growth, a tremendous amount of development, and I know our legislative offices have been dealing, even before the two major storms of last winter and spring, with storm water runoff development. This gives the counties the opportunity to do a plan so that we can regulate the storm water in a much more manageable way.

So I would ask for a “yes” vote on Representative Freeman’s amendment. Thank you, Mr. Speaker.

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

The Chair recognizes the gentleman, Mr. Freeman.

Mr. **FREEMAN**. Thank you, Mr. Speaker.

Again, just to make a very important clarification here, there is nothing under the gentleman, Mr. Steil’s legislation or my amendment that would mandate that a county have to participate in the comprehensive watershed plan. It is solely an optional tool to allow those counties that have been experiencing serious storm water problems to be able to opt in and to utilize it to address those problems.

So for those counties of the third class that would be rural, I doubt seriously they would want to participate, because they probably do not have the same level of storm water management problems. But for those that do, I urge the members to give them that authority, to allow them to address a serious problem which is going on in a lot of counties of the third class and has some tremendous negative effects on the environment and on the ability of those counties to cope with storm water problems.

So I urge them to support my amendment to allow for them to participate in this optional proposal. Thank you.

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—118

| | | | |
|-------------|------------|------------|---------------|
| Adolph | Fabrizio | McCall | Scavello |
| Bebko-Jones | Fichter | McGeehan | Schroder |
| Belardi | Frankel | McGill | Semmel |
| Belfanti | Freeman | McIlhinney | Shaner |
| Bianucci | Gannon | Melio | Shapiro |
| Bishop | George | Micozzie | Siptroth |
| Blackwell | Gerber | Mundy | Solobay |
| Blaum | Gergely | Mustio | Staback |
| Bunt | Goodman | Myers | Stairs |
| Butkovitz | Grucela | Oliver | Steil |
| Buxton | Gruitza | O'Neill | Stetler |
| Caltagirone | Haluska | Pallone | Stevenson, T. |
| Casorio | Harhai | Petrarca | Sturla |
| Cawley | Harhart | Petri | Tangretti |
| Civera | Harper | Petrone | Thomas |
| Cohen | Hennessey | Pistella | Tigue |
| Cornell | James | Preston | Veon |
| Corrigan | Josephs | Quigley | Vitali |
| Costa | Keller, W. | Ramaley | Walko |
| Crahalla | Kirkland | Readshaw | Wansacz |
| Curry | Kotik | Reichley | Washington |
| Daley | LaGrotta | Rieger | Waters |
| Dally | Leach | Roberts | Watson |
| DeLuca | Lederer | Roebuck | Wheatley |
| Dermody | Leh | Rubley | Williams |
| DeWeese | Lescovitz | Ruffing | Wojnarowski |
| DiGirolo | Levdansky | Sainato | Wright |
| Donatucci | Manderino | Samuelson | Youngblood |
| Eachus | Mann | Santoni | Yudichak |
| Evans, D. | Markosek | | |

NAYS—79

| | | | |
|-------------|------------|------------|---------------|
| Allen | Flick | Killion | Reed |
| Argall | Forcier | Mackereth | Rohrer |
| Armstrong | Gabig | Maher | Sather |
| Baker | Geist | Maitland | Saylor |
| Baldwin | Gillespie | Major | Smith, B. |
| Barrar | Gingrich | Marsico | Smith, S. H. |
| Bastian | Good | McIlhattan | Sonney |
| Benninghoff | Grell | McNaughton | Stern |
| Birmelin | Habay | Metcalfe | Stevenson, R. |
| Boyd | Hanna | Millard | Surra |
| Cappelli | Harris | Miller, R. | Taylor, E. Z. |
| Causar | Hasay | Miller, S. | Taylor, J. |
| Clymer | Herman | Nailor | True |
| Creighton | Hershey | Nickol | Turzai |
| Denlinger | Hess | O'Brien | Wilt |
| Diven | Hickermell | Payne | Yewcic |
| Ellis | Hutchinson | Phillips | Zug |
| Evans, J. | Kauffman | Pickett | |
| Fairchild | Keller, M. | Pyle | Perzel, |
| Feese | Kenney | Rapp | Speaker |
| Fleagle | | | |

NOT VOTING—0

EXCUSED—5

| | | | |
|----------|---------|--------|------|
| Cruz | Raymond | Rooney | Ross |
| 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 from Delaware, Mr. Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

Will the prime sponsor of the bill stand for brief interrogation?

The SPEAKER. Mr. Steil indicates he will stand for interrogation. The gentleman is in order and may proceed.

Mr. VITALI. Thank you, Mr. Speaker.

Now, I know we have discussed and debated this on the House floor before, but I just wanted to really thresh out the fee aspect of this. If the gentleman could just explain what fee this would authorize counties to charge, in what form would that fee come, the limit of that fee. Just thresh out the fee portion of this, if the gentleman could.

Mr. STEIL. Thank you, Mr. Speaker.

There are two forms to the fee. The county, first of all, we have to emphasize that this is an optional bill for counties. It is a tool in the county's toolbox to manage significant storm water issues within that county. In order to pay for the planning and implementation of that, it allows the county to impose a fee on residential and business properties in order to fund those storm water improvements necessary within that county.

For residential properties, it is a flat fee. The flat fee is estimated to be, at least in some of the larger counties like Bucks County, somewhere between \$40 or \$50 a year to generate sufficient revenue. For business properties, it is based on square footage of impervious surface.

Mr. VITALI. Now, why, to fund this, are not counties simply increasing their county property tax by the amount necessary to fund this? Why are we seeking to have a different fee authorized?

Mr. STEIL. There is nothing that prevents a county from doing that if that is the wish, if that is the way they go. However, we are trying to ensure that property owners have a connection to the issue of storm water, the management of storm water, the planning of storm water, and in effect, the use of the public storm water drainage way so that in effect one could say that this is a user fee that all properties are responsible for the public storm water drainage system.

Mr. VITALI. Okay. So the county can do it by just increasing their millage, and if they did that, it would just be that each property owner would be paying based on the assessed value of their property. But under this system, it would be a flat fee, so each individual homeowner would be paying the identical amount?

Mr. STEIL. That is correct.

Mr. VITALI. But it would be each homeowner; it would not be just certain homeowners in a watershed. It would be, if a fee is imposed, it would be a flat fee on every single homeowner.

Mr. STEIL. That is correct.

Mr. VITALI. Is there any issue with regard to the taxing of business properties versus residential properties here?

Mr. STEIL. The only issue that was expressed to us is those businesses that have direct NPDES (National Pollutant Discharge Elimination System) discharge permits. In other words, they already have Federal authority to discharge water directly from their sites to the public water courses, generally rivers. In that case, the county is authorized to offset those fees

or to encourage those businesses that manage and detain storm water on their properties to have a reduced fee.

Mr. VITALI. Thank you, Mr. Speaker. I have no further questions.

The SPEAKER. The Chair thanks the gentleman.

**HARRISBURG LEGISLATIVE LEAVE
CANCELED**

The SPEAKER. The Chair notes the presence on the floor of the House of the gentleman, Mr. Tangretti. He will be taken off Capitol leave.

CONSIDERATION OF HB 88 CONTINUED

The SPEAKER. The gentelady, Mrs. Miller.

Mrs. MILLER. Thank you, Mr. Speaker.

Mr. Speaker, before any of you who have now been included in this legislation, who have constituents in third-class cities, vote in favor of this bill, understand that while we keep hearing that this is an optional bill for our county commissioners to avail themselves of, if the county commissioners do in fact impose this on the county residents, it means that every constituent that you have, whether in urbanized portions of your county or in very rural farmland areas, is going to be paying this additional storm water fee. Mr. Speaker, understand that the problems that we are all facing because of uncontrolled growth and development have been passed on then by the builders, the homebuilders, the construction builders of Pennsylvania, on to the backs of every constituent to pick up the tab for not controlling the storm water that is going to be leaving the properties and has now become a public burden.

Mr. Speaker, I do appreciate the fact that in some older residential areas, because of new growth coming in and overloading storm sewer systems, these people are faced with additional costs. However, Mr. Speaker, I am extremely concerned about the umbrella that this is placing over areas that are in third-class counties that in fact allow for the recharge of surface water. We are in fact going to be taxing farmers, we are going to be taxing owners of forest land, in order to control the storm water of urban growth, and, Mr. Speaker, I do not feel that that is an appropriate way to finance storm water management in the Commonwealth. Therefore, I will be voting “no” on this legislation until those areas that should not be included in this kind of assessment are excluded from the bill.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentelady.

The Chair recognizes the gentleman from Bucks, Mr. Steil.

Mr. STEIL. Thank you, Mr. Speaker.

I need to correct a serious misstatement in the previous comments. This bill does nothing to alter the responsibility of developers in their projects. It only affects projects that are old and completed, projects built in the twenties, thirties, forties, fifties, sixties, up through the creation of Act 167 in 1978. That act placed the responsibility for storm water management for new development going forward on the developer. It does not place that responsibility on the homeowners.

Very clearly, this proposal does not alleviate any of the responsibilities that a developer has under Act 167. We are only seeking to give the counties authority to go back and fix old developments that are causing serious stream flooding

internally in the counties, old projects for which there are no responsible parties left.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

I just wanted to follow up on interrogation and make one more point, if I could.

One of the staff has brought to my attention, this fee, it is my understanding that tax-exempt organizations like churches and other nonprofits would still have to pay it, unlike other property taxes. Is that correct?

Mr. STEIL. That is correct, because those properties also contribute storm water to the system.

Mr. VITALI. Okay. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. George.

Mr. GEORGE. Thank you, Mr. Speaker.

Mr. Speaker, I believe we are missing— I believe we are missing the point.

The SPEAKER. The Chair cannot hear the gentleman. Please keep the noise levels down. The gentleman is entitled to be heard.

Mr. GEORGE. There are very few problems that we face as citizens of this Commonwealth that we are able to remediate on our own. That is the reason that, rightfully so, we depend on this Commonwealth to be able to bring about the necessary funding and the needed alleviation to whatever it takes in rules, regulations, and such. This bill is a rightful bill that is long overdue. But please remember, whether it is mining, whether it is the 3,000 miles of degraded streams, whether it is the 400,000 acres in western Pennsylvania of destroyed land, the fact still remains, the reason that many of those acres and miles of those streams were not able to be handled is because, under the law, you cannot use any of the grant money to be able to get ingress and regress to take land positions or whatever.

This bill is proper. Until something better comes along, I would urge that we would do what we can do now, to support the Steil bill. 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—132

| | | | |
|-------------|-----------|------------|---------------|
| Adolph | Fichter | Manderino | Semmel |
| Allen | Fleagle | Mann | Shapiro |
| Argall | Flick | Marsico | Siptroth |
| Bebko-Jones | Frankel | McCall | Smith, B. |
| Belardi | Freeman | McGeehan | Smith, S. H. |
| Belfanti | Gannon | McGill | Solobay |
| Benninghoff | George | McIlhinney | Staback |
| Bianucci | Gerber | Melio | Stairs |
| Bishop | Gergely | Micozzie | Steil |
| Blackwell | Gillespie | Miller, R. | Stetler |
| Blaum | Gingrich | Mundy | Stevenson, T. |
| Bunt | Good | Mustio | Sturla |
| Butkovitz | Goodman | Myers | Surra |
| Buxton | Grell | Nailor | Taylor, E. Z. |
| Caltagirone | Grucela | Nickol | Taylor, J. |

| | | | |
|------------|------------|-----------|------------|
| Cawley | Gruitza | O'Brien | Thomas |
| Civera | Harhart | Oliver | Tigue |
| Clymer | Harper | O'Neill | Veon |
| Cohen | Hasay | Petri | Walko |
| Cornell | Hennessey | Pistella | Wansacz |
| Corrigan | Herman | Preston | Washington |
| Crahalla | Hershey | Quigley | Waters |
| Curry | James | Reichley | Watson |
| Daley | Josephs | Rieger | Wheatley |
| Dally | Keller, W. | Roberts | Williams |
| Dermody | Kenny | Roebuck | Wojnaroski |
| DeWeese | Kirkland | Rubley | Wright |
| DiGirolamo | Kotik | Ruffing | Youngblood |
| Diven | Leach | Samuelson | Yudichak |
| Donatucci | Lederer | Santoni | Zug |
| Eachus | Lescovitz | Saylor | |
| Evans, D. | Levdansky | Scavello | |
| Fabrizio | Mackereth | Schroder | Perzel, |
| Feese | Maitland | | Speaker |

NAYS—65

| | | | |
|-----------|------------|------------|---------------|
| Armstrong | Forcier | Maher | Rapp |
| Baker | Gabig | Major | Readshaw |
| Baldwin | Geist | Markosek | Reed |
| Barrar | Habay | McIlhattan | Rohrer |
| Bastian | Haluska | McNaughton | Sainato |
| Birmelin | Hanna | Metcalfe | Sather |
| Boyd | Harhai | Millard | Shaner |
| Cappelli | Harris | Miller, S. | Sonney |
| Casorio | Hess | Pallone | Stern |
| Causer | Hickernell | Payne | Stevenson, R. |
| Costa | Hutchinson | Petrarca | Tangretti |
| Creighton | Kauffman | Petrone | True |
| DeLuca | Keller, M. | Phillips | Turzai |
| Denlinger | Killion | Pickett | Vitali |
| Ellis | LaGrotta | Pyle | Wilt |
| Evans, J. | Leh | Ramaley | Yewcic |
| Fairchild | | | |

NOT VOTING—0

EXCUSED—5

| | | | |
|----------|---------|--------|------|
| Cruz | Raymond | Rooney | Ross |
| 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.

HARRISBURG LEGISLATIVE LEAVE

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

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, I ask unanimous consent of the House to place the lady from Luzerne, Ms. MUNDY, on Capitol leave.

The SPEAKER. Without objection, she will be placed on Capitol leave.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 746, PN 1913**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for the offense of luring a child into a motor vehicle or structure.

On the question,

Will the House agree to the bill on third consideration?

Mr. **O'BRIEN** offered the following amendment No. **A01423**:

Amend Sec. 1 (Sec. 2910), page 2, by inserting between lines 3 and 4

(b) Affirmative defense.—It shall be an affirmative defense to a prosecution under this section that the person lured or attempted to lure the child into the structure for a lawful purpose.

Amend Sec. 1 (Sec. 2910), page 2, line 4, by striking out “(B)” and inserting

(c)

Amend Sec. 1 (Sec. 2910), page 2, line 13, by removing the period after “CHILD” and inserting
, which is not open to the general public.

On the question,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—197

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

| | | | |
|------------|------------|----------|------------|
| DeLuca | Keller, M. | Quigley | Wheatley |
| Denlinger | Keller, W. | Ramaley | Williams |
| Dermody | Kenney | Rapp | Wilt |
| DeWeese | Killion | Readshaw | Wojnaroski |
| DiGirolamo | Kirkland | Reed | Wright |
| Diven | Kotik | Reichley | Yewcic |
| Donatucci | LaGrotta | Rieger | Youngblood |
| Eachus | Leach | Roberts | Yudichak |
| Ellis | Lederer | Roebuck | Zug |
| Evans, D. | Leh | Rohrer | |
| Evans, J. | Lescovitz | Rubley | |
| Fabrizio | Levdansky | Ruffing | Perzel, |
| Fairchild | Mackereth | Sainato | Speaker |

NAYS-0

NOT VOTING-0

EXCUSED-5

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

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

NAYS-0

NOT VOTING-0

EXCUSED-5

| | | | |
|----------|---------|--------|------|
| Cruz | Raymond | Rooney | Ross |
| 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.

HARRISBURG LEGISLATIVE LEAVE

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

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, I ask permission to have the gentleman from Westmoreland, Mr. PALLONE, placed on Capitol leave.

The SPEAKER. Without objection, his name will be placed on Capitol leave.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1521, PN 1865**, entitled:

An Act relating to compensation for executive branch officials.

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

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS-157

| | | | |
|-------------|------------|------------|---------------|
| Adolph | Feese | Major | Sather |
| Allen | Fichter | Manderino | Saylor |
| Argall | Fleagle | Mann | Semmel |
| Baker | Flick | Markosek | Shaner |
| Baldwin | Frankel | McCall | Shapiro |
| Barrar | Freeman | McGeehan | Siptroth |
| Bebko-Jones | Gannon | McGill | Smith, B. |
| Belardi | Geist | McIlhinney | Smith, S. H. |
| Belfanti | George | McNaughton | Solobay |
| Biancucci | Gergely | Melio | Staback |
| Birmelin | Gillespie | Micozzie | Stairs |
| Bishop | Gingrich | Millard | Steil |
| Blackwell | Goodman | Miller, R. | Stetler |
| Blaum | Grell | Mundy | Stevenson, T. |
| Bunt | Grucela | Mustio | Sturla |
| Butkovitz | Gruitza | Myers | Surra |
| Buxton | Haluska | Nailor | Tangretti |
| Caltagirone | Harhai | O'Brien | Taylor, E. Z. |
| Cappelli | Harper | Oliver | Taylor, J. |
| Casorio | Harris | O'Neill | Thomas |
| Cawley | Hasay | Pallone | Tigue |
| Civera | Hennessey | Payne | True |
| Clymer | Herman | Petrarca | Veon |
| Cohen | Hershey | Petri | Walko |
| Cornell | Hess | Petrone | Wansacz |
| Corrigan | Hickernell | Phillips | Washington |
| Costa | James | Pickett | Waters |
| Crahalla | Josephs | Pistella | Watson |
| Curry | Keller, W. | Preston | Wheatley |
| Daley | Kenney | Quigley | Williams |
| Dally | Killion | Ramaley | Wojnaroski |
| DeLuca | Kirkland | Readshaw | Wright |
| Dermody | Kotik | Rieger | Yewcic |
| DeWeese | LaGrotta | Roberts | Youngblood |
| DiGirolamo | Leach | Roebuck | Yudichak |
| Donatucci | Lederer | Rubley | Zug |
| Eachus | Lescovitz | Ruffing | |
| Evans, D. | Levdansky | Sainato | |
| Fabrizio | Mackereth | Samuelson | Perzel, |
| Fairchild | Maitland | Santoni | Speaker |

NAYS-40

| | | | |
|-------------|------------|------------|---------------|
| Armstrong | Forcier | Leh | Reichley |
| Bastian | Gabig | Maher | Rohrer |
| Benninghoff | Gerber | Marsico | Scavello |
| Boyd | Good | McIlhatten | Schroder |
| Causar | Habay | Metcalfe | Sonney |
| Creighton | Hanna | Miller, S. | Stern |
| Denlinger | Harhart | Nickol | Stevenson, R. |
| Diven | Hutchinson | Pyle | Turzai |
| Ellis | Kauffman | Rapp | Vitali |
| Evans, J. | Keller, M. | Reed | Wilt |

NOT VOTING-0

EXCUSED-5

| | | | |
|----------|---------|--------|------|
| Cruz | Raymond | Rooney | Ross |
| 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 1137, PN 1343**, entitled:

An Act repealing the act of May 13, 1927 (P.L.982, No.472), entitled "An act fixing the compensation of the county commissioners in counties of the second class."

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

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS-197

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

| | | | |
|-----------|-----------|---------|---------|
| Fabrizio | Levdansky | Ruffing | Perzel, |
| Fairchild | Mackereth | Sainato | Speaker |

NAYS-0

NOT VOTING-0

EXCUSED-5

| | | | |
|----------|---------|--------|------|
| Cruz | Raymond | Rooney | Ross |
| 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 1144, PN 1350**, entitled:

An Act repealing the act of March 14, 1867 (P.L.440, No.415), entitled "An act for the better regulation of public halls and places of amusement, in cities of Philadelphia, Pittsburgh and Allegheny."

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

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS-197

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

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

NAYS-0

NOT VOTING-0

EXCUSED-5

| | | | |
|----------|---------|--------|------|
| Cruz | Raymond | Rooney | Ross |
| 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.

RESOLUTION PURSUANT TO RULE 35

Ms. RAPP called up **HR 318, PN 2032**, entitled:

A Resolution commemorating the 230th birthday of the United States Army on June 14, 2005.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-197

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

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

NAYS-0

NOT VOTING-0

EXCUSED-5

| | | | |
|----------|---------|--------|------|
| Cruz | Raymond | Rooney | Ross |
| Godshall | | | |

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

STATEMENT BY MS. RAPP

The SPEAKER. The Chair recognizes the gentlelady from Warren, Ms. Rapp.

Ms. RAPP. Mr. Speaker, I would like to thank the House for adopting this resolution. Our U.S. Army is older than the United States itself under the command of General Washington, and I know there are many members in this House who have served in the United States Army, many members who have families who have served in the U.S. Army, and I thank you for recognizing this day celebrating our nation's oldest military.

Thank you.

The SPEAKER. The Chair thanks the gentlelady.

RESOLUTIONS PURSUANT TO RULE 35

Mr. LEH called up **HR 333, PN 2071**, entitled:

A Resolution proclaiming May 24, 2005, as "Aviation Maintenance Technician Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-197

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

NAYS-0

NOT VOTING-0

EXCUSED-5

| | | | |
|----------|---------|--------|------|
| Cruz | Raymond | Rooney | Ross |
| Godshall | | | |

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

Ms. BEBKO-JONES called up **HR 335, PN 2073**, entitled:

A Resolution honoring the Academic Decathlon team members of the Northwest Pennsylvania Collegiate Academy on their outstanding achievement during the 2004-2005 school year.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-197

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

NAYS-0

NOT VOTING-0

EXCUSED-5

| | | | |
|----------|---------|--------|------|
| Cruz | Raymond | Rooney | Ross |
| Godshall | | | |

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

Miss MAJOR called up **HR 336, PN 2074**, entitled:

A Resolution honoring the 100th anniversary of the Garden Club of Montrose, the oldest existing garden club in this Commonwealth.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-197

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

| | | | |
|-----------------------|------------------------|--------------------|--------------------|
| Fabrizio Fairchild | Levdansky Mackereth | Ruffing Sainato | Perzel, Speaker |
|-----------------------|------------------------|--------------------|--------------------|

NAYS-0

NOT VOTING-0

EXCUSED-5

| | | | |
|------------------|---------|--------|------|
| Cruz Godshall | Raymond | Rooney | Ross |
|------------------|---------|--------|------|

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

SUPPLEMENTAL CALENDAR A

RESOLUTION PURSUANT TO RULE 35

Mr. STERN called up **HR 337, PN 2113**, entitled:

A Resolution proclaiming the week of June 12 through 18, 2005, as "State Veterans' Home Week."

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-197

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

| | | | |
|-----------|------------|----------|--------------------|
| DeLuca | Keller, M. | Quigley | Wheatley |
| Denlinger | Keller, W. | Ramaley | Williams |
| Dermody | Kenney | Rapp | Wilt |
| DeWeese | Killion | Readshaw | Wojnaroski |
| DiGirolo | Kirkland | Reed | Wright |
| Diven | Kotik | Reichley | Yewcic |
| Donatucci | LaGrotta | Rieger | Youngblood |
| Eachus | Leach | Roberts | Yudichak |
| Ellis | Lederer | Roebuck | Zug |
| Evans, D. | Leh | Rohrer | |
| Evans, J. | Lescovitz | Rubley | |
| Fabrizio | Levdansky | Ruffing | Perzel, Speaker |
| Fairchild | Mackereth | Sainato | |

NAYS-0

NOT VOTING-0

EXCUSED-5

| | | | |
|------------------|---------|--------|------|
| Cruz Godshall | Raymond | Rooney | Ross |
|------------------|---------|--------|------|

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

STATEMENT BY MR. BENNINGHOFF

The SPEAKER. The gentleman, Mr. Benninghoff.

Mr. BENNINGHOFF. Mr. Speaker, a point of personal privilege, if I might.

The SPEAKER. The gentleman will state his point.

Mr. BENNINGHOFF. I just want to take a quick moment to recognize a gentleman from my legislative area. Some of you know that I live in Bellefonte. We like to proudly boast about being the home of five past Governors, a couple Senators, and maybe even a decent House member. But there is a nice young man named Jeremy Rose, who is a 1998 Bellefonte High School graduate, who is also the jockey who rides Afleet Alex.

I would like to recognize Jeremy for two reasons. Number one, Jeremy is an old wrestler from Bellefonte. Jeremy was a walk-on in Bellefonte who became a State qualifier in wrestling at a whole 103 pounds. In 1998 when he graduated, the NCAA (National Collegiate Athletic Association) changed their weight classifications from 118 to 126, and Jeremy experienced something that few of us ever did that wrestled, and that was, he could not make weight. But Jeremy could not make weight because he did not weigh enough, so his mother inspired him to go on to a different sport, and that was the sport of a horse jockey.

Well, as you know, Jeremy rode in the Kentucky Derby at the young age of 26 and came in third place, and only 3 weeks later ran in the next race, the Preakness Stakes, and by a remarkable victory took first place. I would like to recognize Jeremy, one, because we are very proud of him, but number two, because of his determination. If you watched the race in the Preakness Stakes, his horse actually buckled, and Jeremy, through his strength of 110 pounds, held on to that horse, kept it upright, and continued through, not only just to finish the race but to win that, and I think it is a great example not only of a great horse but of a great jockey and a great young man who, to me, is an example of hard work and self-determination.

I am very proud, as a member of the House of Representatives, to recognize Jeremy Rose and his trainer and the owners of the horse who have gone on to also promote the lemonade stand in honor of the young lady, the 8-year-old, who died of cancer. So this is just a great success story for everyone involved, and I appreciate the members' indulgence, and I thank you, Mr. Speaker, as well.

The SPEAKER. The Chair thanks the gentleman.

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

**BILLS REPORTED FROM COMMITTEES,
CONSIDERED FIRST TIME, AND
RECOMMITTED TO COMMITTEE ON RULES**

HB 1281, PN 1525 By Rep. GEIST

An Act designating a portion of State Route 104 in Snyder County as the Timberwolves Memorial Highway - 104th Infantry Division, United States Army.

TRANSPORTATION.

HB 1650, PN 2061 By Rep. B. SMITH

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, further providing for resident, nonresident and tourist fishing licenses.

GAME AND FISHERIES.

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

SB 158, PN 704 By Rep. GEIST

An Act adding a certain portion of the Bayfront Parkway in the City of Erie, Erie County, to the State Highway System, and transferring to the City of Erie a certain State road.

TRANSPORTATION.

ANNOUNCEMENT BY MR. COHEN

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

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, I would like to announce there will be informal discussions in the House Democratic caucus at noon; informal discussions at noon.

VOTE CORRECTION

The SPEAKER. The gentleman, Mr. Hanna.

Mr. HANNA. Thank you, Mr. Speaker. I would like to correct the record.

Yesterday on HB 1025, amendment 1375, I was recorded in the affirmative, and I would like to be recorded in the negative.

Thank you, Mr. Speaker.

The SPEAKER. The gentleman's remarks will be spread across the record, and the Chair thanks the gentleman.

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

**BILLS REPORTED FROM COMMITTEE,
CONSIDERED FIRST TIME, AND
RECOMMITTED TO COMMITTEE ON RULES**

HB 469, PN 2137 (Amended) By Rep. CLYMER

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, defining "unincorporated association"; and further providing for date of application for absentee ballot, for voting by absentee electors and for canvassing of official absentee ballots.

STATE GOVERNMENT.

HB 1468, PN 1786 By Rep. CLYMER

An Act authorizing and directing the Department of General Services, with the approval of the Governor and the Pennsylvania Historical and Museum Commission, to accept by donation a tract of land and any improvements thereon situate in the Borough of Ambridge, Beaver County.

STATE GOVERNMENT.

HB 1619, PN 2138 (Amended) By Rep. CLYMER

An Act authorizing the Department of General Services, with the approval of the Governor, to grant and convey certain lands situate in the City of Harrisburg, Dauphin County, to Crossgates, Inc., a Pennsylvania Corporation.

STATE GOVERNMENT.

**BILL REPORTED AND REREFERRED TO
COMMITTEE ON LABOR RELATIONS**

HB 1522, PN 1855 By Rep. CLYMER

An Act amending the act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code Act, further providing for administration and enforcement.

STATE GOVERNMENT.

**BILLS REPORTED AND REREFERRED TO
COMMITTEE ON LOCAL GOVERNMENT**

HB 1048, PN 1204 By Rep. CLYMER

An Act amending the act of May 29, 1956 (1955 P.L.1804, No.600), referred to as the Municipal Police Pension Law, further providing for payments under existing pension plans for service increments to pensions of police officers.

STATE GOVERNMENT.

HB 1625, PN 2060 By Rep. CLYMER

An Act amending the act of February 1, 1974 (P.L.34, No.15), known as the Pennsylvania Municipal Retirement Law, further providing for disability retirement for municipal employees, for

municipal firemen and for municipal police and under optional retirement plans.

STATE GOVERNMENT.

**RESOLUTION REPORTED
FROM COMMITTEE**

HR 4, PN 443

By Rep. CLYMER

A Resolution directing the Legislative Budget and Finance Committee to study existing State aid funding formulas.

STATE GOVERNMENT.

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

SB 596, PN 616

By Rep. CLYMER

An Act authorizing and directing the Department of General Services, with the approval of the Governor and the Pennsylvania Historical and Museum Commission, to accept by donation a tract of land and any improvements thereon situate in the Borough of Ambridge, Beaver County.

STATE GOVERNMENT.

BILLS AND RESOLUTIONS PASSED OVER

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

RECESS

The SPEAKER pro tempore. The gentleman, Mr. Pyle, from Armstrong County is recognized.

Mr. PYLE. Mr. Speaker, I move that this House do now recess until Monday, June 13, 2005, at 1 p.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 11:10 a.m., e.d.t., the House recessed.