

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

MONDAY, JUNE 13, 2005

SESSION OF 2005

189TH OF THE GENERAL ASSEMBLY

No. 36

HOUSE OF REPRESENTATIVES

The House convened at 1 p.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:

O God, who has set us in a world of soaring beauty and profound mystery, who has enclosed our years within the eternal context of radiant summer mornings and sparkling winter nights, who has granted us over the years the lilt of lively companionship; the provocation of ideas and personalities; the sheer, clear point of joy in creating a thing of loveliness or of excellence; the steady, solid support of friendships tried and tested, we thank You.

Above all, we thank You for the first flowing of conscience. We look back and we recognize in ourselves the dawning of a conviction that life is not simply a random series of opportunities and disappointments. We look back and we acknowledge that our life has been a gift – a gift to be accepted, savored; a gift to be lived out, fully lived out between the twin poles of freedom and responsibility.

And now we step forward in this freedom and this responsibility, free in the knowledge of how little is really essential, responsible in the conviction of how much is desperately needed. Help us, living God, to maintain this tension – this heart-rending, heart-healing tension.

And in all this, grant us grace: that elusive tenderness that blesses all it touches, that lightens every load, that sings in every song and dances in every step; that grace which is the flame of love, leaping up in our hearts and setting our lives afire.

May this new fire make our lives worthy of Your creation. Let us not live as if sleepwalking but alive to the endless possibilities that lie within each of us. 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 Wednesday, June 8, 2005, will be postponed until printed.

JOURNALS APPROVED

The SPEAKER. The following Journals were approved as printed:

Tuesday, January 4, 2005;
Tuesday, January 18, 2005;
Wednesday, January 19, 2005;
Monday, January 24, 2005;
Tuesday, January 25, 2005;
Wednesday, January 26, 2005;
Monday, January 31, 2005;
Tuesday, February 1, 2005;
Wednesday, February 2, 2005;
Monday, February 7, 2005;
Tuesday, February 8, 2005;
Wednesday, February 9, 2005;
Monday, February 14, 2005;
Tuesday, February 15, 2005;
Wednesday, February 16, 2005; and
Monday, March 14, 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 from the table:

HB 1183;
HB 1285;
HB 1313;
HB 1478;
HB 1507; and
HB 1548.

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 1183, PN 1734; HB 1285, PN 1966; HB 1313, PN 1971; HB 1478, PN 1796; HB 1507, PN 1972; and HB 1548, PN 1905.

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 1183;
- HB 1285;
- HB 1313;
- HB 1478;
- HB 1507; and
- HB 1548.

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

LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes the majority whip, who moves for a leave of absence for the day for the gentleman from Bucks, Mr. STEIL. Without objection, that leave will be granted.

The Chair recognizes the minority whip, who moves for a leave of absence for the gentleman from Northampton, Mr. ROONEY, and the gentleman from Philadelphia, Mr. CRUZ, for the day. 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—198

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

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

ADDITIONS—1

Samuelson

NOT VOTING—0

EXCUSED—3

Cruz Rooney Steil

LEAVES CANCELED—1

Steil

**“THERE OUGHT TO BE A LAW”
CONTEST WINNERS INTRODUCED**

The SPEAKER. The Chair at this time recognizes the gentleman from Allegheny, Mr. Stevenson, for the purposes of an introduction.

Mr. T. STEVENSON. Thank you, Mr. Speaker.

Strong communities cannot exist without strong leaders, which is why we must do everything possible to keep our leaders of tomorrow interested and involved in the government process today. That is why I would like to take a few moments this afternoon to welcome and introduce to the Pennsylvania House of Representatives the winner of my 2005 “There Ought To Be a Law” contest, Mr. Marc McCann. Marc, would you stand up.

Joining Marc today are his parents, Randall and Sandra McCann. Could you please stand.

Marc is a fifth grade student at Aiken Elementary School, and his proposed law would require pets to be restrained while being transported in motor vehicles. I would like to take this opportunity to applaud Marc for crafting this commonsense proposal which is designed to reduce the level of distractions for the driver and also, in the long run, will help save lives.

Again, please join me in giving Marc and his family a warm welcome.

The SPEAKER. The Chair thanks the gentleman.

The Chair at this time recognizes the gentlelady from Northampton, Representative Julie Harhart, for the purpose of an announcement.

Mrs. HARHART. Thank you, Mr. Speaker.

Each year I, too, sponsor a "There Ought To Be a Law" contest. The winner is then invited to the Capitol on session day to experience how laws are made. This year's winner, Holly Murrow, wrote an essay suggesting a law that requires license plates on the front of vehicles in addition to the standard rear bumper plates. I had her idea crafted into bill form, circulated it for cosponsorship, and then introduced it. The legislation is now HB 1684. On June 8 it was referred to the House Transportation Committee. Holly's main reasons for implementing this law were to improve safety on highways and to assist law enforcement.

Holly and her father, Derek, are here today on the House floor as my guests. Holly and Mr. Murrow, please stand and be recognized.

MEMBER'S PRESENCE RECORDED

The SPEAKER. The Chair notes the presence on the floor of the hall of the House of the gentleman, Mr. Samuelson. His name will be added to the master roll.

ANNOUNCEMENT BY MR. TANGRETTI

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

Mr. TANGRETTI. Point of personal privilege, Mr. Speaker.

The SPEAKER. The gentleman will state his point.

Mr. TANGRETTI. Mr. Speaker, I know it is going to be hard for the members to believe this, but on Friday our daughter presented us with our third grandchild, a little girl named Gabrielle Marie, and I just wanted to let the members know that, yes, I am a grandfather, even though I do not look it.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

GUEST INTRODUCED

The SPEAKER. The Chair at this time would like to welcome to the hall of the House Jonathan Tallman, serving as a guest page this week as a guest of Representative Jerry Birmelin. Jonathan is a student at Honesdale High School in Wayne County. The guest is seated in front of the Speaker. Would that guest, Jonathan, please rise.

HOUSE BILLS INTRODUCED AND REFERRED

No. 1599 By Representatives GRELL, McNAUGHTON, NICKOL, ARMSTRONG, BALDWIN, BASTIAN, BELFANTI, BUNT, CALTAGIRONE, CAPPELLI, CASORIO, CAUSER, CLYMER, CRAHALLA, CREIGHTON, DALLY, DENLINGER, DeWEESE, ELLIS, FLICK, FRANKEL, GABIG, GEIST, GEORGE, GERBER, GILLESPIE, GINGRICH, GOODMAN, HARRIS, HENNESSEY, JAMES, KAUFFMAN, M. KELLER, KENNEY, LaGROTTA, MARSICO, McCALL, McILHATTAN, MELIO, MUNDY, NAILOR, PALLONE, PAYNE, PETRARCA, PETRONE, PHILLIPS, PICKETT, PISTELLA, PYLE, QUIGLEY, RAPP, READSHAW, REED, ROSS, SAINATO, SANTONI, SAYLOR, SCAVELLO, SCHRODER, SHANER, SHAPIRO, SOLOBAY, SONNEY, STABACK, STERN, SURRA, TANGRETTI, YOUNGBLOOD, YUDICHAK, EACHUS, BOYD and GERGELY

An Act amending Titles 24 (Education) and 71 (State Government) of the Pennsylvania Consolidated Statutes, adding and amending certain definitions; prohibiting creation of local government police employee retirement systems; providing for mandatory membership of local government police employees; revising general municipal pension system State aid; and providing for supplemental local government police benefit accumulation plans and for local government contributions and guarantees.

Referred to Committee on STATE GOVERNMENT, June 13, 2005.

No. 1600 By Representatives EACHUS, BEBKO-JONES, BELFANTI, BIANCUCCI, CALTAGIRONE, DeWEESE, GEORGE, HARHAI, LEACH, STABACK, THOMAS and WOJNAROSKI

An Act amending the act of June 26, 2001 (P.L.755, No.77), known as the Tobacco Settlement Act, further providing, in health investment, for the Tobacco Settlement Fund, for the Health Account and for use of the fund; further providing, in universal research enhancement, for definitions, for health research, for administration, for peer review, for use of funds, for National Institutes of Health funding and for National Cancer Institute funding; further providing, in hospital uncompensated care, for definitions, for eligibility and payment, for reimbursement and for total funding; and providing, in health investment insurance, for use of funds.

Referred to Committee on HEALTH AND HUMAN SERVICES, June 13, 2005.

No. 1606 By Representatives KENNEY, PERZEL, CORNELL, GINGRICH, LEDERER, MACKERETH, TRUE, WATSON, BENNINGHOFF, McILHATTAN, JAMES, KOTIK, ROSS, BALDWIN, BEBKO-JONES, BELARDI, BELFANTI, BUXTON, CALTAGIRONE, CAPPELLI, CAUSER, CLYMER, CRAHALLA, CRUZ, DeWEESE, DIVEN, FABRIZIO, FRANKEL, FREEMAN, GEORGE, GOOD, GRUCELA, HARHAI, HENNESSEY, HERMAN, HESS, JOSEPHS, LEACH, LEVDANSKY, MANN, MARKOSEK, MCGILL, MILLARD, MUNDY, NAILOR, PETRI, PHILLIPS, PISTELLA, PRESTON, READSHAW, SANTONI, SCAVELLO, SHANER, SHAPIRO, B. SMITH, STERN, E. Z. TAYLOR, TIGUE, WALKO, WILT,

YOUNGBLOOD, YUDICHAK, MANDERINO, BUNT, GERGELY, TANGRETTI, GEIST, SAINATO and REICHLEY

An Act providing for free breast and cervical cancer screening services to certain eligible women and for the powers and duties of the Department of Health.

Referred to Committee on HEALTH AND HUMAN SERVICES, June 13, 2005.

No. 1688 By Representatives BARRAR, KILLION, BALDWIN, RAYMOND, BOYD and SAINATO

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, further providing for canvassing of official absentee ballots.

Referred to Committee on STATE GOVERNMENT, June 13, 2005.

No. 1689 By Representatives HARRIS, B. SMITH, STABACK, PHILLIPS, DeWEESE, GEIST, CALTAGIRONE, CLYMER, CAPPELLI, HERSHEY, SATHER, PYLE, BELFANTI, HANNA, CAUSER, WALKO, GOOD, LEH, JAMES, GILLESPIE, WILT, GABIG, TIGUE, M. KELLER, STERN, BALDWIN, HARHAI, HESS, THOMAS, ROHRER and GERGELY

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for unlawful devices and methods.

Referred to Committee on GAME AND FISHERIES, June 13, 2005.

No. 1690 By Representatives B. SMITH, STABACK, PHILLIPS, DeWEESE, GEIST, CALTAGIRONE, HARRIS, CLYMER, CAPPELLI, HERSHEY, SATHER, PYLE, BELFANTI, HANNA, CAUSER, WALKO, GOOD, LEH, JAMES, GILLESPIE, WILT, GABIG, M. KELLER, STERN, BALDWIN, HARHAI, HESS, THOMAS and ROHRER

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for unlawful devices and methods.

Referred to Committee on GAME AND FISHERIES, June 13, 2005.

No. 1691 By Representatives ROEBUCK, LEDERER, CALTAGIRONE and SCAVELLO

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

Referred to Committee on JUDICIARY, June 13, 2005.

No. 1692 By Representatives KIRKLAND, ROEBUCK, YOUNGBLOOD, SANTONI, GEORGE, CURRY, CIVERA, CALTAGIRONE, BLACKWELL, DALEY, HARPER, LEDERER, THOMAS and FRANKEL

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for offenses of persons not to possess, use, manufacture, control, sell or transfer firearms, for sale or transfer of firearms, for sentences for offenses committed with firearms and for sentences for certain drug offenses committed with firearms.

Referred to Committee on JUDICIARY, June 13, 2005.

No. 1693 By Representatives KIRKLAND, RAYMOND, BEBKO-JONES, CALTAGIRONE, YOUNGBLOOD, DALEY, JAMES and GERGELY

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for instruction and technical assistance grants to certain eligible school districts governed by a special board of control; and making an appropriation.

Referred to Committee on EDUCATION, June 13, 2005.

No. 1694 By Representatives COHEN, BUNT, DeWEESE, OLIVER, JAMES, LEVDANSKY, JOSEPHS, CALTAGIRONE, STABACK, TIGUE, FRANKEL, WATERS, FREEMAN, BISHOP, ROONEY, WOJNAROSKI, WASHINGTON, HARHAI, GOODMAN, WHEATLEY, BLACKWELL, GRUCELA, BEBKO-JONES, STURLA, McGEEHAN, SAINATO, McCALL, MELIO, PETRARCA, SURRA, MARKOSEK, MYERS, PALLONE, SIPTROTH, LEACH and PISTELLA

An Act establishing the Women, Infants and Children Special Supplemental Program in the Department of Health and providing for its purposes; establishing the Women, Infants and Children Special Supplemental Program Fund; and making an appropriation.

Referred to Committee on HEALTH AND HUMAN SERVICES, June 13, 2005.

No. 1695 By Representatives GERGELY, BOYD, CALTAGIRONE, CAPPELLI, DeWEESE, FABRIZIO, GOODMAN, HANNA, HESS, KOTIK, PRESTON, RAMALEY, REICHLEY, SHANER, STABACK, SURRA, WALKO, WOJNAROSKI and YOUNGBLOOD

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, providing for a special license and license auction to hunt one elk.

Referred to Committee on GAME AND FISHERIES, June 13, 2005.

No. 1696 By Representatives GERGELY, BOYD, CALTAGIRONE, CAPPELLI, CREIGHTON, DALLY, DENLINGER, FABRIZIO, FRANKEL, GOODMAN, KOTIK, LEVDANSKY, PHILLIPS, PRESTON, SHANER, STABACK, WALKO, WANSACZ and YOUNGBLOOD

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further defining "wild animals"; and defining "wild mammals."

Referred to Committee on GAME AND FISHERIES, June 13, 2005.

No. 1697 By Representatives SAYLOR, BAKER, BOYD, CREIGHTON, DENLINGER, GOOD, HARRIS, R. MILLER, MUNDY, THOMAS, WANSACZ, BARRAR, CALTAGIRONE, CLYMER, CORNELL, FAIRCHILD, GEORGE, GILLESPIE, HUTCHINSON, M. KELLER, MANN, S. MILLER, O'NEILL, PETRARCA, PICKETT, RAYMOND, ROHRER, RUBLEY, SCAVELLO, WALKO, WASHINGTON and YOUNGBLOOD

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for the offense of unlawful distribution of adware or spyware.

Referred to Committee on COMMERCE, June 13, 2005.

No. 1698 By Representatives COHEN, THOMAS, OLIVER, CALTAGIRONE, MANDERINO, STABACK, SHANER, VITALI, JOSEPHS, BLACKWELL, MELIO, FREEMAN, JAMES, BISHOP, WASHINGTON, YOUNGBLOOD, ROEBUCK, LEDERER, WILLIAMS, MYERS, DONATUCCI, WATERS and McGEEHAN

An Act amending the act of April 21, 1949 (P.L.665, No.155), known as the First Class City Home Rule Act, repealing provisions relating to specific powers.

Referred to Committee on URBAN AFFAIRS, June 13, 2005.

No. 1699 By Representatives JAMES, BLAUM, DeWEESE, WHEATLEY, BEBKO-JONES, BELARDI, BELFANTI, CALTAGIRONE, COHEN, CRAHALLA, FABRIZIO, FRANKEL, FREEMAN, GOODMAN, HENNESSEY, HESS, McILHATTAN, MELIO, NAILOR, OLIVER, PISTELLA, REICHLEY, SHANER, STABACK, THOMAS, TIGUE, WASHINGTON, WATERS, WILLIAMS and YOUNGBLOOD

An Act amending the act of November 6, 1987 (P.L.381, No.79), known as the Older Adults Protective Services Act, further providing for the definition of "exploitation."

Referred to Committee on AGING AND OLDER ADULT SERVICES, June 13, 2005.

No. 1700 By Representatives JAMES, GRUCELA, WASHINGTON, CRUZ, BEBKO-JONES, BELARDI, BELFANTI, BISHOP, CALTAGIRONE, COHEN, CORRIGAN, COSTA, DALEY, FABRIZIO, FREEMAN, GEORGE, HARHAI, HERSHEY, LaGROTTA, LEDERER, MARKOSEK, MYERS, OLIVER, PYLE, RAMALEY, READSHAW, SHANER, STABACK, WATERS, WILLIAMS, YOUNGBLOOD and SAINATO

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, providing for reimbursement for cancer therapy.

Referred to Committee on INSURANCE, June 13, 2005.

No. 1701 By Representatives WOJNAROSKI, READSHAW, GEIST, FABRIZIO, COHEN, DALEY, FICHTER, ALLEN, BAKER, BEBKO-JONES, BELARDI, BELFANTI,

CALTAGIRONE, CAPPELLI, CRAHALLA, GEORGE, GERBER, GERGELY, GOOD, GOODMAN, GRUCELA, HANNA, HARHAI, HARRIS, HESS, JAMES, KOTIK, MAHER, MARKOSEK, McCALL, McGEEHAN, PETRARCA, PISTELLA, REICHLEY, SCAVELLO, SHANER, SURRA, WALKO, YUDICHAK, YOUNGBLOOD, SHAPIRO and WANSACZ

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, providing for annual supplemental annuities for State Police.

Referred to Committee on STATE GOVERNMENT, June 13, 2005.

No. 1702 By Representatives E. Z. TAYLOR, CRAHALLA, HENNESSEY, BUNT, CALTAGIRONE, KILLION, PRESTON, READSHAW, THOMAS and YOUNGBLOOD

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, further providing for creditable nonstate service.

Referred to Committee on STATE GOVERNMENT, June 13, 2005.

No. 1703 By Representatives PYLE, B. SMITH, BAKER, BALDWIN, BUNT, CALTAGIRONE, CLYMER, DENLINGER, ELLIS, J. EVANS, FORCIER, GILLESPIE, GINGRICH, GODSHALL, GRELL, HARRIS, HENNESSEY, HERSHEY, HUTCHINSON, M. KELLER, McILHATTAN, METCALFE, PAYNE, PICKETT, RAPP, READSHAW, REED, SCAVELLO, SONNEY, T. STEVENSON, E. Z. TAYLOR, TURZAI, WILT and YOUNGBLOOD

An Act requiring the Department of Conservation and Natural Resources to allow outboard motor boats with not more than 25 horsepower on certain lakes.

Referred to Committee on TOURISM AND RECREATIONAL DEVELOPMENT, June 13, 2005.

No. 1704 By Representatives PYLE, S. H. SMITH, ADOLPH, ALLEN, ARGALL, ARMSTRONG, BAKER, BALDWIN, BASTIAN, BIRMELIN, BOYD, BUNT, CALTAGIRONE, CAPPELLI, CAUSER, CLYMER, CORNELL, CRAHALLA, CREIGHTON, DALLY, DENLINGER, DiGIROLAMO, DIVEN, DONATUCCI, ELLIS, J. EVANS, FAIRCHILD, FEESE, FICHTER, FLEAGLE, FLICK, FORCIER, GANNON, GERBER, GILLESPIE, GINGRICH, GOOD, GOODMAN, GRELL, GRUCELA, HABAY, HARPER, HARRIS, HASAY, HENNESSEY, HERMAN, HERSHEY, HESS, HICKERNELL, HUTCHINSON, JAMES, KAUFFMAN, M. KELLER, KENNEY, LEDERER, LEH, MACKERETH, MAHER, MAITLAND, MAJOR, MARSICO, McGILL, McILHATTAN, McNAUGHTON, METCALFE, MICOZZIE, MILLARD, R. MILLER, S. MILLER, MUSTIO, NAILOR, O'NEILL, PALLONE, PAYNE, PERZEL, PETRARCA, PETRI, PHILLIPS, PICKETT, QUIGLEY, RAPP, REED, RUBLEY, SATHER, SAYLOR, SCHRODER, SEMMEL, B. SMITH, SONNEY, STEIL, STERN, R. STEVENSON, E. Z. TAYLOR, J. TAYLOR, THOMAS, TRUE, WALKO, WATSON, WILT, WRIGHT and ZUG

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for drug delivery resulting in death.

Referred to Committee on JUDICIARY, June 13, 2005.

No. 1707 By Representatives ALLEN, GOODMAN, PHILLIPS, ARGALL, ARMSTRONG, BOYD, CALTAGIRONE, CRAHALLA, DALLY, GANNON, GEIST, GINGRICH, HENNESSEY, HERSHEY, R. MILLER, SHANER, TIGUE, WILT, YOUNGBLOOD and REED

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 additions, penalties and fees.

Referred to Committee on FINANCE, June 13, 2005.

No. 1708 By Representatives SURRA, GRUCELA, WILT, SHANER, BELFANTI, BIANCUCCI, CALTAGIRONE, CAPPELLI, DALEY, FABRIZIO, GERGELY, GOODMAN, HALUSKA, HARHAI, JAMES, JOSEPHS, KOTIK, LEACH, LEDERER, McILHATTAN, MUNDY, REICHLEY, ROEBUCK, SOLOBAY, STABACK, STETLER, THOMAS, WHEATLEY, YOUNGBLOOD and YUDICHAK

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for conditional certification of persons by the Department of Education.

Referred to Committee on EDUCATION, June 13, 2005.

No. 1709 By Representatives GEORGE, CALTAGIRONE, FREEMAN, GOODMAN, GRUCELA, JAMES, JOSEPHS, LaGROTTA, LEVDANSKY, PRESTON, SHANER, SOLOBAY, SURRA, TIGUE, WALKO, WANSACZ and YOUNGBLOOD

An Act amending the act of July 7, 1980 (P.L.380, No.97), known as the Solid Waste Management Act, further providing for denial of permits.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, June 13, 2005.

No. 1710 By Representative DALLY

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, further providing for credited school service.

Referred to Committee on STATE GOVERNMENT, June 13, 2005.

No. 1711 By Representatives O'BRIEN, CALTAGIRONE, CAPPELLI, CREIGHTON, DENLINGER, GINGRICH, GODSHALL, SOLOBAY and J. TAYLOR

An Act amending Title 15 (Corporations and Unincorporated Associations) of the Pennsylvania Consolidated Statutes, providing, in limited partnerships and limited liability companies, for definitions and for certain advertising requirements.

Referred to Committee on COMMERCE, June 13, 2005.

No. 1712 By Representatives O'BRIEN, BAKER, BELFANTI, BOYD, CALTAGIRONE, CAPPELLI, CAUSER, CLYMER, CRAHALLA, CREIGHTON, DERMODY, DeWEESE, J. EVANS, GEORGE, GERGELY, GINGRICH, GOODMAN, JOSEPHS, KOTIK, LEACH, MACKERETH, MICOZZIE, PRESTON, RUBLEY, SCAVELLO, SURRA, E. Z. TAYLOR, TIGUE, TRUE and WALKO

An Act providing for the creation and operation of the Domestic Relations Court Judges Commission in the Office of General Counsel; and prescribing its powers and duties.

Referred to Committee on JUDICIARY, June 13, 2005.

No. 1713 By Representatives McGEEHAN, ALLEN, BAKER, BALDWIN, BARRAR, BEBKO-JONES, BELARDI, BELFANTI, BENNINGHOFF, BIANCUCCI, BISHOP, BLAUM, BOYD, BUNT, CALTAGIRONE, CAPPELLI, CASORIO, CLYMER, CORRIGAN, CRUZ, DALEY, DeLUCA, DENLINGER, DONATUCCI, J. EVANS, FABRIZIO, FAIRCHILD, FORCIER, GEIST, GEORGE, GERGELY, GILLESPIE, GOOD, GOODMAN, HALUSKA, HARRIS, HASAY, HENNESSEY, HERSHEY, HESS, JAMES, KAUFFMAN, W. KELLER, KILLION, LEDERER, LEH, LEVDANSKY, McGILL, McILHATTAN, S. MILLER, O'NEILL, PALLONE, PHILLIPS, PISTELLA, READSHAW, ROSS, RUFFING, SATHER, SAYLOR, SCAVELLO, SHANER, B. SMITH, SOLOBAY, STABACK, R. STEVENSON, THOMAS, TIGUE, WILT and YOUNGBLOOD

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for boating aid victim good Samaritan civil immunity.

Referred to Committee on JUDICIARY, June 13, 2005.

No. 1717 By Representatives TRUE, MANDERINO, ADOLPH, ALLEN, ARGALL, BAKER, BALDWIN, BEBKO-JONES, BELARDI, BISHOP, BLACKWELL, BOYD, BUNT, BUTKOVITZ, BUXTON, CAWLEY, CIVERA, CLYMER, COHEN, CORNELL, CRAHALLA, CURRY, DALLY, DeWEESE, DiGIROLAMO, EACHUS, J. EVANS, FABRIZIO, FAIRCHILD, FEESE, FLICK, FORCIER, FRANKEL, FREEMAN, GANNON, GEIST, GEORGE, GERBER, GERGELY, GINGRICH, GODSHALL, GOOD, GRELL, HARHART, HARPER, HARRIS, HENNESSEY, HERSHEY, HICKERNELL, HUTCHINSON, JAMES, JOSEPHS, KAUFFMAN, M. KELLER, W. KELLER, KENNEY, KILLION, LaGROTTA, LEACH, LEDERER, MACKERETH, MAHER, MAITLAND, MAJOR, MANN, McCALL, McGEEHAN, McGILL, McILHATTAN, McILHINNEY, METCALFE, MICOZZIE, R. MILLER, MUNDY, NAILOR, NICKOL, O'BRIEN, OLIVER, O'NEILL, PERZEL, PHILLIPS, PICKETT, PISTELLA, PRESTON, PYLE, QUIGLEY, RAYMOND, REED, REICHLEY, RIEGER, ROEBUCK, ROONEY, ROSS, RUBLEY, SANTONI, SAYLOR, SCHRODER, SHAPIRO, SIPTROTH, B. SMITH, S. H. SMITH, SOLOBAY, STABACK, STEIL, STERN, STETLER, T. STEVENSON, STURLA, TANGRETTI, E. Z. TAYLOR, J. TAYLOR, THOMAS, VEON, WALKO, WATSON, WHEATLEY, WILLIAMS,

WRIGHT, YOUNGBLOOD, ZUG, ARMSTRONG, RAPP, MUSTIO, McNAUGHTON, GABIG, S. MILLER, CREIGHTON and SATHER

An Act amending Titles 18 (Crimes and Offenses) and 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for persons not to possess, use, manufacture, control, sell or transfer firearms, for firearms not to be carried without licenses, for licenses, for loans, lending or giving of firearms, for definitions, for jurisdiction, for full faith and credit and foreign protection orders, for responsibilities of law enforcement agencies, for commencement of proceedings, for hearings and for relief; providing for return of relinquished firearms, other weapons and ammunition, for relinquishment for consignment sale or lawful transfer, for relinquishment to third party for safekeeping and for registry or database of firearm ownership; further providing for emergency relief by minor judiciary, for arrest for violation of order, for private criminal complaints for violation of order or agreement, for contempt for violation of order or agreement and for procedures and other remedies; and providing for immunity, for inability to pay and for limitation on warrantless searches.

Referred to Committee on JUDICIARY, June 13, 2005.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 343 By Representatives KIRKLAND, CURRY, BISHOP, CALTAGIRONE, JAMES, BEBKO-JONES, CRUZ, JOSEPHS, BLACKWELL, ROBERTS, ROEBUCK, STETLER, THOMAS, YOUNGBLOOD, WALKO and WHEATLEY

A Resolution establishing a task force to investigate the rapid influx of illegal guns and drugs into poor and minority neighborhoods.

Referred to Committee on JUDICIARY, June 13, 2005.

No. 346 By Representatives GERBER, ALLEN, BEBKO-JONES, BELARDI, BELFANTI, BISHOP, BLACKWELL, BUNT, CALTAGIRONE, CAPPELLI, CLYMER, COHEN, CORNELL, CORRIGAN, COSTA, CRAHALLA, CRUZ, CURRY, DALEY, DALLY, DeLUCA, DERMODY, DeWEESE, DONATUCCI, EACHUS, FABRIZIO, FICHTER, FRANKEL, FREEMAN, GEIST, GEORGE, GERGELY, GINGRICH, GOOD, GOODMAN, GRELL, GRUCELA, HANNA, HARHAI, HARHART, HENNESSEY, HERSHEY, JAMES, JOSEPHS, KILLION, KOTIK, LaGROTTA, LEACH, LEDERER, LESCOVITZ, LEVDANSKY, MANDERINO, MANN, MARKOSEK, McCALL, McGEEHAN, McGILL, McILHATTAN, MELIO, MUNDY, MUSTIO, O'BRIEN, OLIVER, PALLONE, PETRARCA, PISTELLA, PRESTON, QUIGLEY, RAMALEY, READSHAW, REICHLEY, RIEGER, ROBERTS, ROEBUCK, ROONEY, RUBLEY, SAINATO, SANTONI, SAYLOR, SHANER, SHAPIRO, HARPER, B. SMITH, STABACK, STERN, STETLER, STURLA, SURRA, TANGRETTI, E. Z. TAYLOR, J. TAYLOR, THOMAS, TIGUE, VEON, VITALI, WALKO, WANSACZ, WATERS, WATSON, WHEATLEY, WILLIAMS, WOJNAROSKI, YOUNGBLOOD, YUDICHAK and SOLOBAY

A Resolution memorializing the Congress of the United States to pass and the President of the United States to sign Violence Against Women Act reauthorization legislation and to reaffirm our commitment to helping victims of violent crimes.

Referred to Committee on JUDICIARY, June 13, 2005.

SENATE BILLS FOR CONCURRENCE

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

SB 332, PN 805

Referred to Committee on JUDICIARY, June 13, 2005.

SB 584, PN 807

Referred to Committee on JUDICIARY, June 13, 2005.

SB 600, PN 671

Referred to Committee on STATE GOVERNMENT, June 13, 2005.

CALENDAR

RESOLUTION PURSUANT TO RULE 35

Mr. ARGALL called up **HR 334, PN 2072**, entitled:

A Resolution designating June 15, 2005, as "White Deer Run/Cove Forge, Inc., Day" in Pennsylvania and congratulating White Deer Run/Cove Forge, Inc., on 35 years of bringing healing to Pennsylvania families of persons with alcohol and other drug addictions.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—199

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	Godshall	Metcalfe	Solobay
Blackwell	Good	Micozzie	Sonney
Blaum	Goodman	Millard	Staback
Boyd	Grell	Miller, R.	Stairs
Bunt	Grucela	Miller, S.	Stern
Butkovitz	Gruitza	Mundy	Stetler
Buxton	Habay	Mustio	Stevenson, R.
Caltagirone	Haluska	Myers	Stevenson, T.
Cappelli	Hanna	Nailor	Surla

Casorio	Harhai	Nickol	Surra
Causer	Harhart	O'Brien	Tangretti
Cawley	Harper	Oliver	Taylor, E. Z.
Civera	Harris	O'Neill	Taylor, J.
Clymer	Hasay	Pallone	Thomas
Cohen	Hennessey	Payne	Tigue
Cornell	Herman	Petrarca	True
Corrigan	Hershey	Petri	Turzai
Costa	Hess	Petrone	Veon
Crahalla	Hickernell	Phillips	Vitali
Creighton	Hutchinson	Pickett	Walko
Curry	James	Pistella	Wansacz
Daley	Josephs	Preston	Washington
Dally	Kauffman	Pyle	Waters
DeLuca	Keller, M.	Quigley	Watson
Denlinger	Keller, W.	Ramaley	Wheatley
Dermody	Kenney	Rapp	Williams
DeWeese	Killion	Raymond	Wilt
DiGiroloamo	Kirkland	Readshaw	Wojnaroski
Diven	Kotik	Reed	Wright
Donatucci	LaGrotta	Reichley	Yewcic
Eachus	Leach	Rieger	Youngblood
Ellis	Lederer	Roberts	Yudichak
Evans, D.	Leh	Roebuck	Zug
Evans, J.	Lescovitz	Rohrer	
Fabrizio	Levdansky	Ross	Perzel,
Fairchild	Mackereth	Rubley	Speaker
Feese			

NAYS-0

NOT VOTING-0

EXCUSED-3

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

GUESTS INTRODUCED

The SPEAKER. We have several guests sitting to the left of the rostrum. They are the guests today of Representative Merle Phillips. They are Martha Reitz, Sam Dunkelberger, Judy Dunkelberger, Jim Bastian, and Nancy Bastian; Art Reitz also. Would those guests please rise and be recognized by the House.

RESOLUTIONS PURSUANT TO RULE 35

Ms. PICKETT called up **HR 338, PN 2114**, entitled:

A Resolution designating the month of June 2005 as "Million Pound Meltdown Month" in Pennsylvania and designating June 8 through 21, 2005, as "Million Pound Meltdown Awareness Weeks" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-199

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

NAYS-0

NOT VOTING-0

EXCUSED-3

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

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Mr. FABRIZIO called up **HR 339, PN 2115**, entitled:

A Resolution congratulating the Mercyhurst Preparatory School Girls Basketball Team on winning the 2004-2005 PIAA District X

Class AAA Girls Basketball Championship and the 2004-2005 PIAA State Class AAA Girls Basketball Championship.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—199

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

NAYS—0

NOT VOTING—0

EXCUSED—3

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

* * *

Mr. PYLE called up **HR 340, PN 2116**, entitled:

A Resolution recognizing the exemplary philanthropic efforts of all the Relay For Life teams in Ford City on behalf of the American Cancer Society.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—199

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

NAYS—0

NOT VOTING—0

EXCUSED—3

Cruz Rooney Steil

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. PYLE called up HR 341, PN 2140, entitled:

A Resolution recognizing the exemplary philanthropic efforts of the Rosebud Mining Company in attaining the highest amount raised by any team in the United States for the Relay For Life event for the American Cancer Society.

On the question, Will the House adopt the resolution?

The following roll call was recorded:

YEAS—199

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 Godshall Metcalfe Solobay
Blackwell Good Micozzie Sonney
Blaum Goodman Millard Staback
Boyd Grell Miller, R. Stairs
Bunt Grucela Miller, S. Stern
Butkovitz Gruitza Mundy Stetler
Buxton Habay Mustio Stevenson, R.
Caltagirone Haluska Myers Stevenson, T.
Cappelli Hanna Nailor Sturla
Casorio Harhai Nickol Surra
Causer Harhart O'Brien Tangretti
Cawley Harper Oliver Taylor, E. Z.
Civera Harris O'Neill Taylor, J.
Clymer Hasay Pallone Thomas
Cohen Hennessey Payne Tigue
Cornell Herman Petrarca True
Corrigan Hershey Petri Turzai
Costa Hess Petrone Veon
Crahalla Hickernell Phillips Vitali
Creighton Hutchinson Pickett Walko
Curry James Pistella Wansacz
Daley Josephs Preston Washington
Dally Kauffman Pyle Waters
DeLuca Keller, M. Quigley Watson
Denlinger Keller, W. Ramaley Wheatley
Dermody Kenney Rapp Williams
DeWeese Killion Raymond Wilt
DiGirolo Kirkland Readshaw Wojnaroski

Diven Kotik Reed Wright
Donatucci LaGrotta Reichley Yewcic
Eachus Leach Rieger Youngblood
Ellis Lederer Roberts Yudichak
Evans, D. Leh Roebuck Zug
Evans, J. Lescovitz Rohrer
Fabrizio Levdansky Ross Perzel,
Fairchild Mackereth Rubley Speaker
Feese

NAYS—0

NOT VOTING—0

EXCUSED—3

Cruz Rooney Steil

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

* * *

Mr. BIANCUCCI called up HR 342, PN 2141, entitled:

A Resolution designating June 16, 2005, as "School Crossing Guard Appreciation Day."

On the question, Will the House adopt the resolution?

The following roll call was recorded:

YEAS—199

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 Godshall Metcalfe Solobay
Blackwell Good Micozzie Sonney
Blaum Goodman Millard Staback
Boyd Grell Miller, R. Stairs
Bunt Grucela Miller, S. Stern
Butkovitz Gruitza Mundy Stetler
Buxton Habay Mustio Stevenson, R.
Caltagirone Haluska Myers Stevenson, T.
Cappelli Hanna Nailor Sturla
Casorio Harhai Nickol Surra
Causer Harhart O'Brien Tangretti
Cawley Harper Oliver Taylor, E. Z.
Civera Harris O'Neill Taylor, J.
Clymer Hasay Pallone Thomas
Cohen Hennessey Payne Tigue
Cornell Herman Petrarca True
Corrigan Hershey Petri Turzai
Costa Hess Petrone Veon
Crahalla Hickernell Phillips Vitali
Creighton Hutchinson Pickett Walko

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

NAYS-0

NOT VOTING-0

EXCUSED-3

Cruz Rooney Steil

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

* * *

Mr. MYERS called up **HR 347, PN 2142**, entitled:

A Resolution designating the third Saturday of June 2005 as "Juneteenth National Freedom Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-199

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
Bianucci	Gillespie	McNaughton	Smith, B.
Birmelin	Gingrich	Melio	Smith, S. H.
Bishop	Godshall	Metcalfe	Solobay
Blackwell	Good	Micozzie	Sonney
Blaum	Goodman	Millard	Staback
Boyd	Grell	Miller, R.	Stairs
Bunt	Grucela	Miller, S.	Stern
Butkovitz	Gruitza	Mundy	Stetler
Buxton	Habay	Mustio	Stevenson, R.
Caltagirone	Haluska	Myers	Stevenson, T.
Cappelli	Hanna	Nailor	Sturla
Casorio	Harhai	Nickol	Surra
Causer	Harhart	O'Brien	Tangretti
Cawley	Harper	Oliver	Taylor, E. Z.

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

NAYS-0

NOT VOTING-0

EXCUSED-3

Cruz Rooney Steil

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

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The Chair recognizes the majority Appropriations chairman, the gentleman from Lycoming, Mr. Feese.

Mr. FEESE. Thank you, Mr. Speaker.

Mr. Speaker, at the declaration of the recess, there will be an immediate meeting of the House Appropriations Committee in the conference room.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

At the recess there will be an immediate meeting of the Appropriations Committee in the conference room.

COMMITTEE MEETING CANCELED

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

Mr. HERSHEY. Thank you very much, Mr. Speaker.

The House Agriculture and Rural Affairs Committee meeting that was scheduled for tomorrow at the call of the Chair has been canceled. Thank you.

The SPEAKER. The Chair thanks the gentleman.

REPUBLICAN CAUCUS

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

Mrs. TAYLOR. Thank you, Mr. Speaker.

At the call of the recess, there will be a Republican caucus immediately. Thank you.

The SPEAKER. The Chair thanks the gentlelady.

DEMOCRATIC CAUCUS

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

Mr. GRUCELA. Thank you, Mr. Speaker.

Mr. Speaker, immediately upon the recess, the House Democrats will meet in the caucus room. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

EDUCATION COMMITTEE MEETING

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

Mr. STAIRS. Thank you, Mr. Speaker.

Announcement for the Education Committee. We will meet today but not at recess, at final recess. Because of caucus conflicts we thought it would be better to meet at final recess. So when we come back after recess, then we will go to final recess later on today.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

At the call of the final recess, the Education Committee will meet.

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

HB 1320, PN 2175 (Amended) By Rep. B. SMITH

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, restricting the transport, sale, importation or release of snakehead fish.

GAME AND FISHERIES.

The SPEAKER. Are there any further announcements?

RECESS

The SPEAKER. This House is in recess until 3 p.m.

AFTER RECESS

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

**THE SPEAKER PRO TEMPORE
(MATTHEW E. BAKER) PRESIDING****BILLS REREPORTED FROM COMMITTEE**

HB 63, PN 125

By Rep. FEESE

An Act providing for Commonwealth support for an Urban Teacher Loan Forgiveness Program for Pennsylvania residents who graduate from institutions of higher education and who apply their degrees to teaching in urban public schools in this Commonwealth.

APPROPRIATIONS.

HB 114, PN 112

By Rep. FEESE

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for the offense relating to corrupt organizations.

APPROPRIATIONS.

HB 163, PN 1968

By Rep. FEESE

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 compensation rates.

APPROPRIATIONS.

HB 247, PN 1862

By Rep. FEESE

An Act amending the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act, further providing for definitions; providing for licensure of home care agencies; establishing certain consumer rights and protections; and providing for inspections and plans of correction and for applicability of act.

APPROPRIATIONS.

HB 488, PN 527

By Rep. FEESE

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for a prototypical school facility design clearinghouse.

APPROPRIATIONS.

HB 566, PN 639

By Rep. FEESE

An Act amending the act of December 19, 1990 (P.L.1234, No.204), known as the Family Caregiver Support Act, further providing for reimbursements.

APPROPRIATIONS.

HB 586, PN 659

By Rep. FEESE

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 definitions.

APPROPRIATIONS.

HB 670, PN 763

By Rep. FEESE

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

APPROPRIATIONS.

HB 742, PN 833

By Rep. FEESE

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for unlawful devices and methods for taking furbearers.

APPROPRIATIONS.

HB 1014, PN 1965

By Rep. FEESE

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for application for certificate of title, for transfer of ownership of vehicle, for application for certificate of title by agent and for an electronic titling program.

APPROPRIATIONS.

HB 1168, PN 1873

By Rep. FEESE

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, further providing for special provider participation requirements.

APPROPRIATIONS.

HB 1183, PN 1734

By Rep. FEESE

An Act redesignating a bridge on that portion of SR (truck route) 271 over the Conemaugh River and the Northfolk Southern mainline, Franklin Borough, Cambria County, as the Sergeant Michael Strank Memorial Bridge.

APPROPRIATIONS.

HB 1285, PN 1966

By Rep. FEESE

An Act amending Title 74 (Transportation) of the Pennsylvania Consolidated Statutes, providing for administrative practice and procedure; and making a related repeal.

APPROPRIATIONS.

HB 1313, PN 1971

By Rep. FEESE

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 State Unemployment Compensation Advisory Council.

APPROPRIATIONS.

HB 1338, PN 1596

By Rep. FEESE

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

APPROPRIATIONS.

HB 1361, PN 1636

By Rep. FEESE

An Act amending the act of May 16, 2002 (P.L.315, No.46), known as the Community Services Block Grant Act, further providing for the expiration of the act.

APPROPRIATIONS.

HB 1365, PN 1916

By Rep. FEESE

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for foreign decree of adoption.

APPROPRIATIONS.

HB 1400, PN 1688

By Rep. FEESE

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

APPROPRIATIONS.

HB 1507, PN 1972

By Rep. FEESE

An Act amending the act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code Act, further providing for definitions; and providing for applicability and for liability on certain uncertificated buildings.

APPROPRIATIONS.

HB 1534, PN 1889

By Rep. FEESE

An Act establishing a task force on Lyme disease and related maladies; and providing for powers and duties of the task force, the Department of Health, the Department of Conservation and Natural Resources and the Pennsylvania Game Commission, for certain antibiotic therapies and for misconduct proceedings.

APPROPRIATIONS.

HB 1548, PN 1905

By Rep. FEESE

An Act amending the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act, further providing for penalties.

APPROPRIATIONS.

HB 1589, PN 1990

By Rep. FEESE

An Act amending the act of June 30, 2003 (P.L.15, No.7), known as the Medicare Hospital Service Payment Designation Act, further providing for designation of hospitals.

APPROPRIATIONS.

CALENDAR CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1304, PN 1548**, entitled:

An Act amending the act of June 14, 1961 (P.L.324, No.188), known as The Library Code, providing for fiscal year waiver of standards.

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

The SPEAKER pro tempore. 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—199

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
Bianucci	Gillespie	McNaughton	Smith, B.
Birmelin	Gingrich	Melio	Smith, S. H.
Bishop	Godshall	Metcalfe	Solobay
Blackwell	Good	Micozzie	Sonney
Blaum	Goodman	Millard	Staback
Boyd	Grell	Miller, R.	Stairs
Bunt	Grucela	Miller, S.	Stern
Butkovitz	Gruitza	Mundy	Stetler
Buxton	Habay	Mustio	Stevenson, R.
Caltagirone	Haluska	Myers	Stevenson, T.
Cappelli	Hanna	Nailor	Sturla
Casorio	Harhai	Nickol	Surra
Causar	Harhart	O'Brien	Tangretti
Cawley	Harper	Oliver	Taylor, E. Z.
Civera	Harris	O'Neill	Taylor, J.
Clymer	Hasay	Pallone	Thomas
Cohen	Hennessey	Payne	Tigue
Cornell	Herman	Petrarca	True
Corrigan	Hershey	Petri	Turzai
Costa	Hess	Petrone	Veon
Crahalla	Hickernell	Phillips	Vitali
Creighton	Hutchinson	Pickett	Walko
Curry	James	Pistella	Wansacz
Daley	Josephs	Preston	Washington
Dally	Kauffman	Pyle	Waters
DeLuca	Keller, M.	Quigley	Watson
Denlinger	Keller, W.	Ramaley	Wheatley
Dermody	Kenney	Rapp	Williams
DeWeese	Killion	Raymond	Wilt
DiGirolamo	Kirkland	Readshaw	Wojnaroski

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

NAYS—0

NOT VOTING—0

EXCUSED—3

Cruz	Rooney	Steil
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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 SPEAKER pro tempore. Will the gentleman, Mr. Kotik, please come to the rostrum.

Will the gentleman, Mr. Blaum, please come to the rostrum.

(Conference held at Speaker's podium.)

SUPPLEMENTAL CALENDAR B

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 114, PN 112**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for the offense relating to corrupt organizations.

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

RULES SUSPENDED

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Leach.

Mr. LEACH. Mr. Speaker, I move for immediate suspension of the rules for consideration of amendment 1571.

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

The following roll call was recorded:

YEAS—199

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

NAYS-0

NOT VOTING-0

EXCUSED-3

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

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

Mr. LEACH offered the following amendment No. A01571:

Amend Title, page 1, line 3, by removing the period after "organizations" and inserting

; and providing for an offense relating to drug-free park zones.

Amend Bill, page 3, by inserting between lines 18 and 19 Section 2. Title 18 is amended by adding a section to read:

§ 7508.2. Drug-free park zones.

(a) General rule.—A person 18 years of age or older who is convicted in any court of this Commonwealth of a violation of section 13(a)(14) or (30) of the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act, shall, if the delivery or possession with intent to deliver of the controlled substance occurred within 1,000 feet of the real property on which is located a State, county, city, borough, incorporated town or township park, be sentenced to a minimum sentence of at least two years of total confinement, notwithstanding any other provisions of this title, The Controlled Substance, Drug, Device and Cosmetic Act or other statute to the contrary. The maximum term of imprisonment shall be four years for any offense:

(1) subject to this section; and

(2) for which The Controlled Substance, Drug, Device and Cosmetic Act provides for a maximum term of imprisonment of less than four years.

If the sentencing court finds that a violation of any other statute would impose a larger minimum sentence, such sentencing provision shall apply.

(b) Proof at sentencing.—The provisions of this section shall not be an element of the crime. Notice of the applicability of this section to the defendant shall not be required prior to conviction, but reasonable notice of the Commonwealth's intention to proceed under this section shall be provided after conviction and before sentencing. The applicability of this section shall be determined at sentencing. The court shall consider evidence presented at trial, shall afford the Commonwealth and the defendant an opportunity to present necessary additional evidence and shall determine by a preponderance of the evidence if this section is applicable.

(c) Authority of court in sentencing.—There shall be no authority for a court to impose on a defendant to which this section is applicable a lesser sentence than provided for in subsection (a), to place the defendant on probation or to suspend sentence. Nothing in this section shall prevent the sentencing court from imposing a sentence greater than that provided in this section. Sentencing guidelines promulgated by the Pennsylvania Commission on Sentencing shall not supersede the mandatory sentences provided in this section. Disposition under section 17 or 18 of The Controlled Substance, Drug, Device and Cosmetic Act shall not be available to a defendant to which this section applies.

(d) Appeal by Commonwealth.—If a sentencing court refuses to apply this section where applicable, the Commonwealth shall have the right to appellate review of the action of the sentencing court. The appellate court shall vacate the sentence and remand the case to the sentencing court for imposition of a sentence in accordance with this section if it finds that the sentence was imposed in violation of this section.

Amend Sec. 2, page 3, line 19, by striking out "2" and inserting
3

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

The SPEAKER pro tempore. Mr. Leach, do you seek recognition? The gentleman is recognized.

Mr. LEACH. Thank you. Thank you, Mr. Speaker.

Mr. Speaker, this is an agreed-to amendment which creates an enhanced penalty for people who sell or attempt to sell drugs within 1,000 feet of a park, and I ask for its support.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The gentleman, Mr. Vitali, is recognized.

Mr. VITALI. Thank you, Mr. Speaker.

I first want to salute Representative Leach for his excellent efforts in dealing with a very serious problem, the sale of drugs

anywhere, especially in parks. I do have a couple of concerns with the bill, so I just want to put on the record why I will be voting against this.

It is my understanding that if someone is convicted of selling any quantity of drugs, be it \$5 worth of marijuana in a park area, even if the person has no criminal record, any set of circumstances, no matter how benign, that person would need to go to jail for 2 years, and I think that that is just too much, overreaching.

Another one of my concerns, which is also related, is if you have a person, let us say, in that scenario who perhaps sells that \$5 bag of marijuana in a park, that identical person or someone similarly situated, if they did it outside this prescribed area, outside the thousand feet, they would probably get probation for that same set of actions, and I am concerned about that disparity in the treatment of those two defendants, one getting at least 2 years and the other getting probation, only because one chose to sell it in an area which is a park area. I think selling drugs anywhere is a serious offense, and I am not sure the mere fact we are dealing with a park as opposed to a street corner or a movie theater or some other place justifies that differential in punishment.

So in closing, again, I fully salute Daylin Leach's efforts. It is a very serious problem, and he is doing a great job dealing with it. I just wanted to— I understand this is going to pass overwhelmingly, but I just wanted to get my thoughts on the record.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

LEAVE OF ABSENCE CANCELED

The SPEAKER pro tempore. The Chair notes on the floor of the House the presence of Representative Steil, who will be added to the master roll.

CONSIDERATION OF HB 114 CONTINUED

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

The following roll call was recorded:

YEAS—198

Adolph	Feese	Mackereth	Rublely
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
Bianucci	Gergely	McIlhinney	Siptroth
Birmelin	Gillespie	McNaughton	Smith, B.
Bishop	Gingrich	Melio	Smith, S. H.
Blackwell	Godshall	Metcalfe	Solobay
Blaum	Good	Micozzie	Sonney
Boyd	Goodman	Millard	Staback
Bunt	Grell	Miller, R.	Stairs

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

NAYS—1

Vitali

NOT VOTING—1

Thomas

EXCUSED—2

Cruz Rooney

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 pro tempore. 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—199

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

NAYS-0

NOT VOTING-1

Thomas

EXCUSED-2

Cruz Rooney

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 SPEAKER (JOHN M. PERZEL)
PRESIDING**

CALENDAR CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1200, PN 1615**, entitled:

An Act amending the act of May 16, 1923 (P.L.207, No.153), referred to as the Municipal Claim and Tax Lien Law, providing for donation of property; and further providing for form of claims, for records of claims and tax liens and for report of nonpayment of taxes.

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

Mr. **KOTIK** offered the following amendment No. **A01438**:

Amend Sec. 4 (Sec. 26), page 10, lines 6 and 7, by striking out "or the county treasurer in a county of the second class"

Amend Sec. 4 (Sec. 26), page 10, line 26, by striking out "city" and inserting

county

Amend Sec. 4 (Sec. 26), page 10, line 27, by inserting after "class"

nor to a municipality

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

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

Mr. **KOTIK**. Thank you, Mr. Speaker.

This amendment would remove the county treasurer in a county of the second class from being responsible for the collection of delinquent taxes. Unfortunately, in Allegheny County we do not have a centralized tax claim bureau that administers the collection of delinquent taxes, so the enforcement of this provision would be very difficult. And hopefully in the future we can address this problem in a freestanding piece of legislation.

I would like to urge an affirmative vote on behalf of my colleagues. 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-200

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

Blackwell	Good	Millard	Staback
Blaum	Goodman	Miller, R.	Stairs
Boyd	Grell	Miller, S.	Steil
Bunt	Grucela	Mundy	Stern
Butkovitz	Gruitza	Mustio	Stetler
Buxton	Habay	Myers	Stevenson, R.
Caltagirone	Haluska	Nailor	Stevenson, T.
Cappelli	Hanna	Nickol	Sturla
Casorio	Harhai	O'Brien	Surra
Causer	Harhart	Oliver	Tangretti
Cawley	Harper	O'Neill	Taylor, E. Z.
Civera	Harris	Pallone	Taylor, J.
Clymer	Hasay	Payne	Thomas
Cohen	Hennessey	Petrarca	Tigue
Cornell	Herman	Petri	True
Corrigan	Hershey	Petrone	Turzai
Costa	Hess	Phillips	Veon
Crahalla	Hickernell	Pickett	Vitali
Creighton	Hutchinson	Pistella	Walko
Curry	James	Preston	Wansacz
Daley	Josephs	Pyle	Washington
Dally	Kauffman	Quigley	Waters
DeLuca	Keller, M.	Ramaley	Watson
Denlinger	Keller, W.	Rapp	Wheatley
Dermody	Kenney	Raymond	Williams
DeWeese	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	Ross	
Fabrizio	Levdansky	Rubley	
Fairchild	Mackereth	Ruffing	Perzel,
Feese	Maher		Speaker

NAYS-0

NOT VOTING-0

EXCUSED-2

Cruz Rooney

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.

DECISION OF CHAIR RESCINDED

The SPEAKER. Without objection, the Chair rescinds its announcement that the bill has been agreed to for the third time.

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

Mr. KOTIK offered the following amendment No. A01439:

Amend Bill, page 10, by inserting between lines 27 and 28 Section 5. The following provisions shall not apply to the county of the second class nor to a municipality situate in a county of the second class:

- (1) The amendment of section 9 of the act.
 - (2) The amendment of section 10 of the act.
- Amend Sec. 5, page 10, line 28, by striking out "5" and inserting
6

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

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

Mr. KOTIK. Thank you, Mr. Speaker.

This amendment would exempt counties of the second class and also municipalities located within counties of the second class from this legislation. 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-200

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

Fairchild Mackereth Ruffing Perzel,
Feese Maher Speaker

NAYS—0

NOT VOTING—0

EXCUSED—2

Cruz Rooney

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—200

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

DeWeese 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 Ross
Fabrizio Levdansky Rubley
Fairchild Mackereth Ruffing Perzel,
Feese Maher Speaker

NAYS—0

NOT VOTING—0

EXCUSED—2

Cruz Rooney

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 SPEAKER. The House will be at ease.

GUESTS INTRODUCED

The SPEAKER. We have several distinguished guests from the State of Florida, from the legislature, here to the left of the rostrum of the Speaker. They are Representative Ray Sansom, Speaker-designate; Representative David Rivera; Representative Marty Bowen; and the chief of staff to the Speaker, Richard Corchoran. Would those guests please rise and be recognized.

Mr. DEWEESE. Mr. Speaker, just out of curiosity, the ladies and gentlemen from the Sunshine State, are there any Democrats? Is it a bipartisan delegation? I was just curious.

The SPEAKER. It is bipartisan, Bill. There are no Democrats.

SUPPLEMENTAL CALENDAR B CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 488, PN 527**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for a prototypical school facility design clearinghouse.

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

Mr. GEORGE offered the following amendment No. A01465:

Amend Title, page 1, line 6, by removing the period after "clearinghouse" and inserting and for free and reduced-price school lunches in certain circumstances.

Amend Sec. 1, page 1, lines 10 and 11, by striking out "a section" and inserting sections

Amend Sec. 1, page 3, by inserting between lines 12 and 13

Section 2505.2. Supplemental Funding for School Lunches.—Notwithstanding Federal funding of school lunches for individuals who qualify for free or reduced-price lunches, there shall be a supplement from the General Fund annually to achieve the following:

(1) Individuals who live at or under one hundred eighty-five per centum (185%) of the Federal poverty guideline shall receive free school lunch each school day.

(2) Individuals who live between one hundred eighty-five per centum (185%) and two hundred fifty per centum (250%) of the Federal poverty guideline shall receive school lunch each school day at the reduced price specified under Federal guidelines.

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

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

Mr. GEORGE. Thank you, Mr. Speaker.

Mr. Speaker, this amendment is rather simple but most necessary. It basically raises the figure from 150 to 185 percent for those individuals that are stricken with poverty and meet the poverty Federal guideline to give them a free lunch. I think there is not anyone, in my opinion, in this House of Representatives that would deny these kids something to eat, and I am asking that you support this amendment.

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

The following roll call was recorded:

YEAS—200

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

Table listing names of members who voted NAYS, NOT VOTING, or EXCUSED: Cawley, Civera, Clymer, Cohen, Cornell, Corrigan, Costa, Crahalla, Creighton, Curry, Daley, Dally, DeLuca, Denlinger, Dermody, DeWeese, DiGirolamo, Diven, Donatucci, Eachus, Ellis, Evans, D., Evans, J., Fabrizio, Fairchild, Feese, Harper, Harris, Hasay, Hennessey, Herman, Hershey, Hess, Hickernell, Hutchinson, James, Josephs, Kauffman, Keller, M., Keller, W., Kenney, Killion, Kirkland, Kotik, LaGrotta, Leach, Lederer, Leh, Lescovitz, Levdansky, Mackereth, Maher, O'Neill, Pallone, Payne, Petrarca, Petri, Petrone, Phillips, Pickett, Pistella, Preston, Pyle, Quigley, Ramaley, Rapp, Raymond, Readshaw, Reed, Reichley, Rieger, Roberts, Roebuck, Rohrer, Ross, Rubley, Ruffing, Taylor, E. Z., Taylor, J., Thomas, Tighe, True, Turzai, Veon, Vitali, Walko, Wansacz, Washington, Waters, Watson, Wheatley, Williams, Wilt, Wojnaroski, Wright, Yewcic, Youngblood, Yudichak, Zug, Perzel, Speaker.

NAYS—0

NOT VOTING—0

EXCUSED—2

Cruz Rooney

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?

RULES SUSPENDED

The SPEAKER. The Chair recognizes the gentlelady from York, Mrs. Mackereth.

Mrs. MACKERETH. Mr. Speaker, I move that the rules of the House be suspended for immediate consideration of amendment 1496.

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

The following roll call was recorded:

YEAS—200

Table listing names of members who voted YEAS: Adolph, Allen, Argall, Armstrong, Baker, Baldwin, Barrar, Bastian, Bebko-Jones, Belardi, Fichter, Fleagle, Flick, Forcier, Frankel, Freeman, Gabig, Gannon, Geist, George, Maitland, Major, Manderino, Mann, Markosek, Marsico, McCall, McGeehan, McGill, McIlhattan, Sainato, Samuelson, Santoni, Sather, Saylor, Scavello, Schroder, Semmel, Shapiro.

Belfanti	Gerber	McIlhinney	Siptroth
Benninghoff	Gergely	McNaughton	Smith, B.
Biancucci	Gillespie	Melio	Smith, S. H.
Birmelin	Gingrich	Metcalfe	Solobay
Bishop	Godshall	Micozzie	Sonney
Blackwell	Good	Millard	Staback
Blaum	Goodman	Miller, R.	Stairs
Boyd	Grell	Miller, S.	Steil
Bunt	Grucela	Mundy	Stern
Butkovitz	Gruitza	Mustio	Stetler
Buxton	Habay	Myers	Stevenson, R.
Caltagirone	Haluska	Nailor	Stevenson, T.
Cappelli	Hanna	Nickol	Sturla
Casorio	Harhai	O'Brien	Surra
Causer	Harhart	Oliver	Tangretti
Cawley	Harper	O'Neill	Taylor, E. Z.
Civera	Harris	Pallone	Taylor, J.
Clymer	Hasay	Payne	Thomas
Cohen	Hennessey	Petrarca	Tigue
Cornell	Herman	Petri	True
Corrigan	Hershey	Petrone	Turzai
Costa	Hess	Phillips	Veon
Crahalla	Hickernell	Pickett	Vitali
Creighton	Hutchinson	Pistella	Walko
Curry	James	Preston	Wansacz
Daley	Josephs	Pyle	Washington
Dally	Kauffman	Quigley	Waters
DeLuca	Keller, M.	Ramaley	Watson
Denlinger	Keller, W.	Rapp	Wheatley
Dermody	Kennedy	Raymond	Williams
DeWeese	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	Ross	
Fabrizio	Levdansky	Rubley	
Fairchild	Mackereth	Ruffing	Perzel,
Feece	Maher		Speaker

NAYS-0

NOT VOTING-0

EXCUSED-2

Cruz Rooney

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

On the question recurring,

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

Mrs. MACKERETH offered the following amendment No. A01496:

Amend Title, page 1, line 6, by removing the period after "clearinghouse" and inserting

; and limiting the use of funds for implementation of the clearinghouse.

Amend Bill, page 3, by inserting between lines 12 and 13

Section 2. The Department of Education shall use only those funds appropriated to it by the General Assembly for the purpose of implementing section 732.1 of the act.

Amend Sec. 2, page 3, line 13, by striking out "2" and inserting 3

On the question,

Will the House agree to the amendment?

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

Mr. VITALI. Thank you, Mr. Speaker.

The SPEAKER. The gentleman is entitled to be heard; please.

Mr. Vitali.

Mr. VITALI. Thank you.

I am just wondering if we could get a brief explanation of this amendment.

The SPEAKER. The gentledady indicates she will stand for a brief interrogation to give a brief explanation.

Mrs. MACKERETH. Thank you, Mr. Speaker.

This amendment recognizes that the Department of Education shall use only those funds appropriated to it by the General Assembly for the purpose of implementing this section so that the clearing-house that they will be establishing within the Department of Education will be paid for out of Department of Education funds.

The SPEAKER. The Chair thanks the gentledady.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS-200

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

Dally	Kauffman	Quigley	Waters
DeLuca	Keller, M.	Ramaley	Watson
Denlinger	Keller, W.	Rapp	Wheatley
Dermody	Kenney	Raymond	Williams
DeWeese	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	Ross	
Fabrizio	Levdansky	Rubley	
Fairchild	Mackereth	Ruffing	Perzel,
Feese	Maher		Speaker

NAYS-0

NOT VOTING-0

EXCUSED-2

Cruz Rooney

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?

The Chair recognizes the majority leader, the gentleman, Mr. Smith.

Mr. S. SMITH. Could we just suspend for just a minute, please.

The SPEAKER. The House will be at ease.

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-200

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

Blackwell	Good	Millard	Staback
Blaum	Goodman	Miller, R.	Stairs
Boyd	Grell	Miller, S.	Steil
Bunt	Grucela	Mundy	Stern
Butkovitz	Gruitza	Mustio	Stetler
Buxton	Habay	Myers	Stevenson, R.
Caltagirone	Haluska	Nailor	Stevenson, T.
Cappelli	Hanna	Nickol	Sturla
Casorio	Harhai	O'Brien	Surra
Causer	Harhart	Oliver	Tangretti
Cawley	Harper	O'Neill	Taylor, E. Z.
Civera	Harris	Pallone	Taylor, J.
Clymer	Hasay	Payne	Thomas
Cohen	Hennessey	Petrarca	Tigue
Cornell	Herman	Petri	True
Corrigan	Hershey	Petrone	Turzai
Costa	Hess	Phillips	Veon
Crahalla	Hickernell	Pickett	Vitali
Creighton	Hutchinson	Pistella	Walko
Curry	James	Preston	Wansacz
Daley	Josephs	Pyle	Washington
Dally	Kauffman	Quigley	Waters
DeLuca	Keller, M.	Ramaley	Watson
Denlinger	Keller, W.	Rapp	Wheatley
Dermody	Kenney	Raymond	Williams
DeWeese	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	Ross	
Fabrizio	Levdansky	Rubley	
Fairchild	Mackereth	Ruffing	Perzel,
Feese	Maher		Speaker

NAYS-0

NOT VOTING-0

EXCUSED-2

Cruz Rooney

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 SPEAKER. Are there any further announcements?

**AGRICULTURE AND RURAL AFFAIRS
COMMITTEE MEETING**

The SPEAKER. The Chair recognizes the gentleman from Chester, Mr. Hershey.

Mr. HERSHEY. Again I am going to announce the cancellation of the Ag Committee that was going to meet tomorrow, but we are going to meet next Wednesday, June 22. Staff will send notes around with the time and place.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

There will be an Agriculture Committee meeting on Wednesday, June 22.

EDUCATION COMMITTEE MEETING

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

Mr. STAIRS. Thank you, Mr. Speaker.

I had previously said we would have our Education Committee meeting at the final recess, and I meant what I said. We will have our Education Committee meeting at the final recess.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman for that reminder.

There will be an Education Committee meeting at the final recess.

STATEMENT BY MR. SIPTROTH

The SPEAKER. The Chair recognizes the gentleman from Monroe, Mr. Siptroth.

Mr. SIPTROTH. Good afternoon, Mr. Speaker.

Ladies and gentlemen of the House, it is my sad privilege and duty to report to you that a constituent in my district was killed in Iraq last Tuesday. I am preparing a resolution and would ask those individuals who would like to sign on that resolution to please contact my office.

Thank you very much, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

There will be no further votes today.

RECESS

The SPEAKER. The House is in recess until the call of the Chair.

AFTER RECESS

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

**THE SPEAKER PRO TEMPORE
(ROBERT J. FLICK) PRESIDING****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 Chair recognizes the gentleman, Representative Blackwell, from Philadelphia.

Mr. BLACKWELL. Mr. Speaker, I move that this House do now recess until Tuesday, June 14, 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 10:59 a.m., e.d.t., Tuesday, June 14, 2005, the House recessed.