

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

WEDNESDAY, JUNE 15, 2005

SESSION OF 2005

189TH OF THE GENERAL ASSEMBLY

No. 38

### HOUSE OF REPRESENTATIVES

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

#### THE SPEAKER PRO TEMPORE (MARIO J. CIVERA) PRESIDING

#### PRAYER AND PLEDGE OF ALLEGIANCE DISPENSED WITH

The SPEAKER pro tempore. Without objection, the prayer and the Pledge of Allegiance will go over for the day.

#### JOURNAL APPROVAL POSTPONED

The SPEAKER pro tempore. Without objection, the approval of the Journal of Tuesday, June 14, 2005, will be postponed until printed.

#### HOUSE BILLS INTRODUCED AND REFERRED

**No. 1736** By Representatives BENNINGHOFF, REICHLEY, BARRAR, CALTAGIRONE, CAPPELLI, FABRIZIO, GERGELY, GINGRICH, HERSHEY, LEH, MUNDY, PHILLIPS, ROHRER, RUBLEY, SAYLOR, SCAVELLO, SOLOBAY, STERN, THOMAS, WHEATLEY, E. Z. TAYLOR, YOUNGBLOOD and ARMSTRONG

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

Referred to Committee on JUDICIARY, June 15, 2005.

**No. 1737** By Representatives T. STEVENSON, CALTAGIRONE, CREIGHTON, GINGRICH, KOTIK, PICKETT and YOUNGBLOOD

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for transporting pets in motor vehicles.

Referred to Committee on TRANSPORTATION, June 15, 2005.

**No. 1738** By Representatives BUNT, LEACH, METCALFE, MANDERINO, ADOLPH, ARMSTRONG, BAKER, BARRAR, BEBKO-JONES, BELFANTI, BIANCUCCI, BOYD, CALTAGIRONE, CAPPELLI, CORNELL,

CRAHALLA, DALLY, DONATUCCI, J. EVANS, FABRIZIO, FICHTER, FRANKEL, GEIST, GEORGE, GERGELY, GINGRICH, GOODMAN, GRUCELA, HARHAI, HENNESSEY, HERMAN, HERSHEY, HUTCHINSON, JAMES, LEDERER, LEH, MANN, MARKOSEK, MCGILL, McILHATTAN, MILLARD, PAYNE, PETRARCA, PHILLIPS, PISTELLA, PRESTON, QUIGLEY, READSHAW, REED, REICHLEY, SAINATO, SATHER, SHANER, SHAPIRO, B. SMITH, R. STEVENSON, E. Z. TAYLOR, TRUE, WALKO, WATSON, WILT, WRIGHT, YOUNGBLOOD and ZUG

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 exclusions from the sales and use tax.

Referred to Committee on FINANCE, June 15, 2005.

**No. 1739** By Representatives BUNT, GEIST, BOYD, R. MILLER, BUXTON, CALTAGIRONE, CRAHALLA, GERGELY, GINGRICH, GODSHALL, HENNESSEY, HERSHEY, HESS, PRESTON, SHANER and B. SMITH

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for drivers' licenses and learners' permits.

Referred to Committee on TRANSPORTATION, June 15, 2005.

**No. 1740** By Representatives BUNT, GEIST, BOYD, R. MILLER, CALTAGIRONE, CRAHALLA, DERMODY, GEORGE, GERGELY, GINGRICH, GODSHALL, HENNESSEY, HERSHEY, HESS, PRESTON, SHANER and B. SMITH

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 payments on account of standardized driver-education programs.

Referred to Committee on EDUCATION, June 15, 2005.

**No. 1741** By Representatives MICOZZIE, DeLUCA, FICHTER, BEBKO-JONES, FLEAGLE, TANGRETTI, WALKO, WOJNAROSKI, ZUG, J. EVANS, FRANKEL, BARRAR, BELFANTI, BIANCUCCI, CALTAGIRONE, CAPPELLI, CRAHALLA, FABRIZIO, GEIST, GERGELY, GINGRICH, HERMAN, JAMES, KOTIK, LEACH, LEH, LESCOVITZ, MACKERETH, MARKOSEK, PISTELLA, RUBLEY, SOLOBAY, E. Z. TAYLOR, THOMAS, YOUNGBLOOD and YUDICHAK

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, providing for small group health plan rates, for coverage requirements and for marketing requirements.

Referred to Committee on INSURANCE, June 15, 2005.

**No. 1742** By Representatives MICOZZIE, CALTAGIRONE, CAPPELLI, CREIGHTON, FABRIZIO, GINGRICH, JAMES, LEACH, PRESTON, READSHAW and WOJNAROSKI

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

Referred to Committee on JUDICIARY, June 15, 2005.

**No. 1743** By Representatives MUSTIO, TURZAI, T. STEVENSON, DeLUCA, FRANKEL, MARKOSEK, PETRONE, WALKO, BOYD, CALTAGIRONE, DENLINGER, FAIRCHILD, GODSHALL, HERSHEY, LEH, REED, ROHRER, TIGUE and YOUNGBLOOD

An Act amending the act of July 28, 1953 (P.L.723, No.230), known as the Second Class County Code, further providing for assessment limits on counties of the second class; and providing for effect of appeal, escrow and payment under protest.

Referred to Committee on FINANCE, June 15, 2005.

**No. 1744** By Representatives VEON, BEBKO-JONES, BIANCUCCI, CALTAGIRONE, FREEMAN, GERGELY, GOODMAN, GRUCELA, JAMES, JOSEPHS, KOTIK, LaGROTTA, LEDERER, MUNDY, RAMALEY, SHANER, SOLOBAY, WHEATLEY, YOUNGBLOOD, LEACH, LEVDANSKY, OLIVER, ROONEY, SHAPIRO, STURLA and WOJNAROSKI

An Act amending Title 25 (Elections) of the Pennsylvania Consolidated Statutes, further providing for approval of registration applications, for challenges, for hearings and for appeals to court of common pleas.

Referred to Committee on STATE GOVERNMENT, June 15, 2005.

**No. 1752** By Representatives QUIGLEY, SCHRODER, TURZAI, CAPPELLI, CORNELL, GEORGE, KILLION, REED, RUBLEY, KAUFFMAN, E. Z. TAYLOR, GINGRICH and R. MILLER

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

Referred to Committee on HEALTH AND HUMAN SERVICES, June 15, 2005.

### HOUSE RESOLUTIONS INTRODUCED AND REFERRED

**No. 354** By Representatives STEIL, THOMAS, BAKER, BALDWIN, BARRAR, BUNT, CALTAGIRONE, CORRIGAN, CRAHALLA, CREIGHTON, CRUZ, CURRY,

DALLY, DeWEESE, DiGIROLAMO, J. EVANS, FABRIZIO, FICHTER, FREEMAN, GABIG, GEORGE, GINGRICH, GOODMAN, GRUCELA, HARHART, HERSHEY, JAMES, LEH, MAJOR, MANN, MARSICO, McGILL, MELIO, MICOZZIE, MUSTIO, O'NEILL, PETRI, PHILLIPS, PICKETT, ROBERTS, RUBLEY, SAINATO, SAMUELSON, SCAVELLO, SCHRODER, SHANER, SHAPIRO, SIPTROTH, STABACK, TANGRETTI, E. Z. TAYLOR, TRUE, WALKO, WOJNAROSKI, WRIGHT and YOUNGBLOOD

A Concurrent Resolution designating the Garden of Reflection in Lower Makefield Township, Bucks County, as the Official State Memorial to the Victims of the September 11, 2001, terrorist attacks.

Referred to Committee on STATE GOVERNMENT, June 15, 2005.

**No. 356** By Representatives REED, ARMSTRONG, BALDWIN, BENNINGHOFF, CALTAGIRONE, CRAHALLA, CREIGHTON, DENLINGER, FAIRCHILD, GINGRICH, HERSHEY, LEH, PALLONE, PYLE, READSHAW, SCAVELLO, STERN, E. Z. TAYLOR, WILT and YOUNGBLOOD

A Resolution urging the President and Congress of the United States to enact fiscally responsible Social Security reform measures.

Referred to Committee on AGING AND OLDER ADULT SERVICES, June 15, 2005.

### SENATE BILLS FOR CONCURRENCE

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

#### **SB 126, PN 109**

Referred to Committee on TRANSPORTATION, June 15, 2005.

#### **SB 141, PN 128**

Referred to Committee on TRANSPORTATION, June 15, 2005.

#### **SB 406, PN 433**

Referred to Committee on TRANSPORTATION, June 15, 2005.

#### **SB 502, PN 717**

Referred to Committee on URBAN AFFAIRS, June 15, 2005.

#### **SB 573, PN 623**

Referred to Committee on FINANCE, June 15, 2005.

**SB 599, PN 670**

Referred to Committee on TRANSPORTATION, June 15, 2005.

**SB 677, PN 815**

Referred to Committee on TRANSPORTATION, June 15, 2005.

**SENATE MESSAGE**

AMENDED HOUSE BILL RETURNED  
FOR CONCURRENCE AND  
REFERRED TO COMMITTEE ON RULES

The clerk of the Senate, being introduced, returned **HB 1178, PN 2132**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

**RULE 15 SUSPENDED**

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

Mr. S. SMITH. Mr. Speaker, I move that House rule 15 be suspended so that when the House convenes on June 20, 2005, it can convene at 11 a.m. instead of 1 p.m.

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

**REPORT OF  
COMMITTEE ON COMMITTEES**

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

The following report was read:

SUPPLEMENTAL REPORT  
COMMITTEE ON COMMITTEES

In the House of Representatives  
June 15, 2005

Resolved that  
Rep. John Siptroth, Monroe and Pike Counties, is elected a member of the Transportation Committee vice Rep. Sturla resigned.

Rep. Rosita Youngblood, Philadelphia County, is elected a member of the Intergovernmental Affairs Committee vice Rep. Siptroth resigned.

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

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

**BILL REREPORTED FROM COMMITTEE****HB 1478, PN 1796**

By Rep. FEESE

An Act amending Titles 7 (Banks and Banking) and 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, regulating payday loans in terms of practice, licensure and penalties; further providing for deceptive or fraudulent business practices; and providing for unlicensed payday lending.

## APPROPRIATIONS.

**CALENDAR**

## BILLS AND RESOLUTIONS PASSED OVER

The SPEAKER pro tempore. Without objection, any 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, Mr. Siptroth, from Monroe County.

Mr. SIPTROTH. Mr. Speaker, I move that this House do now recess until Monday, June 20, 2005, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,  
Will the House agree to the motion?  
Motion was agreed to, and at 11:08 a.m., e.d.t., the House recessed.