

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

WEDNESDAY, SEPTEMBER 28, 2005

SESSION OF 2005

189TH OF THE GENERAL ASSEMBLY

No. 56

### HOUSE OF REPRESENTATIVES

The House convened at 12:36 p.m., e.d.t.

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

#### PRAYER

The SPEAKER. Without objection, the prayer from today's special session will be printed in today's regular session Journal.

HON. MATTHEW E. BAKER, member of the House of Representatives, offered the following prayer:

Thank you, Mr. Speaker.  
Please pray with me.

Lord God, eternal and beyond our ability to imagine or measure difficult times, bring us to bow our heads and invite us to be one in prayer with our sisters and brothers who are suffering the most during bad days. With loving affection and act of charity, we raise up to You all the innocent victims of war, terrorism, natural disaster, and injustice. As we pray for the grace and determination to set things right, by Your holiness, free us from any self-righteous judgment of others.

Lord, You challenge both the secure and the deprived, both the successful and the indigent. All are called to a conversion of heart. Whether we are exhorted by circumstances to move beyond the paralysis of complacency or helplessness or the self-centeredness of anger, all of us are called to be holy as You alone are holy.

Grant us wisdom, virtue, and faith so that truth and justice will prevail. In these difficult times help us to be grateful, gracious to one another, self-giving, and creative as well as practical in our desire to be one and at peace now and forever.

We humbly pray in the name of our Lord. Amen.

#### PLEDGE OF ALLEGIANCE DISPENSED WITH

The SPEAKER. Without objection, the Pledge of Allegiance will be dispensed with.

#### JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Tuesday, September 27, 2005, will be postponed until printed.

#### LEAVES OF ABSENCE

The SPEAKER. The leaves of absence granted in today's special session will also be granted in the regular session.

#### MASTER ROLL CALL

The SPEAKER. The master roll call from today's special session will also be the master roll call for today's regular session.

#### HOUSE BILLS INTRODUCED AND REFERRED

**No. 1995** By Representatives DALLY, McILHATTAN, SCAVELLO, TURZAI, WILT, BALDWIN, BASTIAN, BENNINGHOFF, CAPPELLI, ELLIS, GERGELY, GRUCELA, HABAY, HARHART, HENNESSEY, KAUFFMAN, MAHER, McNAUGHTON, MUSTIO, NICKOL, PETRARCA, RUBLEY, SAYLOR, SCHRODER, SOLOBAY, R. STEVENSON, WRIGHT, REED, BEYER, STERN, HANNA and CREIGHTON

An Act providing for a constitutional convention with limited powers; providing for a referendum on the question; providing for the selection, nomination and election of delegates; defining the powers and duties of the convention; providing for its operation; conferring powers and imposing duties on the Governor, the Secretary of the Commonwealth, officers of the General Assembly and county election boards; providing for a referendum on the convention's report; and making an appropriation.

Referred to Committee on STATE GOVERNMENT, September 28, 2005.

**No. 1996** By Representatives PETRI, CLYMER, ARMSTRONG, CALTAGIRONE, FAIRCHILD, HENNESSEY, HERSHEY, KILLION, NAILOR, REICHLEY, SATHER, TURZAI, WATSON, WILT and YOUNGBLOOD

An Act amending Title 62 (Procurement) of the Pennsylvania Consolidated Statutes, further providing for competitive sealed proposals.

Referred to Committee on STATE GOVERNMENT, September 28, 2005.

**No. 1997** By Representatives D. EVANS, PARKER, CAPPELLI, DeWEESE, FRANKEL, JAMES, MANDERINO, MELIO, MUNDY, SHAPIRO, STURLA, WALKO, TANGRETTI, BIANCUCCI, BUXTON, CALTAGIRONE,

FABRIZIO, MARKOSEK, McILHATTAN, PISTELLA, READSHAW, SAINATO, SHANER, STABACK, WOJNAROSKI, YUDICHAK, FREEMAN, GEORGE, GOODMAN, GRUCELA, JOSEPHS, LEVDANSKY, BEBKO-JONES, RAMALEY, NICKOL, LaGROTTA, COHEN, CURRY and YOUNGBLOOD

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing an alternative special tax provision for poverty.

Referred to Committee on FINANCE, September 28, 2005.

**No. 1998** By Representatives HERMAN, HENNESSEY, CALTAGIRONE, TURZAI, LEACH, PETRARCA, BAKER, BALDWIN, BEBKO-JONES, BOYD, BUNT, CAPPELLI, CASORIO, CAUSER, DENLINGER, DeWEESE, FABRIZIO, FAIRCHILD, FEESE, FLEAGLE, FORCIER, FREEMAN, GEIST, GEORGE, GINGRICH, GRUCELA, HARRIS, HERSHEY, HESS, HUTCHINSON, KAUFFMAN, M. KELLER, MAJOR, MANN, R. MILLER, S. MILLER, PICKETT, PISTELLA, READSHAW, RUBLEY, SAINATO, SATHER, SHANER, SIPTROTH, B. SMITH, R. STEVENSON, SURRA, TANGRETTI, TIGUE, YOUNGBLOOD and ZUG

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for general regulations relating to criminal history record information.

Referred to Committee on JUDICIARY, September 28, 2005.

**No. 1999** By Representatives DONATUCCI, RAYMOND, BUXTON, CALTAGIRONE, CORNELL, CRAHALLA, DALEY, DiGIROLAMO, J. EVANS, FRANKEL, GOODMAN, HALUSKA, HARRIS, HERMAN, JAMES, JOSEPHS, KILLION, LEACH, LEDERER, MANDERINO, MANN, MARKOSEK, McGILL, McILHINNEY, MELIO, MUSTIO, NICKOL, O'NEILL, PAYNE, PERZEL, PISTELLA, QUIGLEY, RAMALEY, READSHAW, REICHLEY, ROSS, SANTONI, SCHRODER, SHANER, SOLOBAY, STABACK, T. STEVENSON and YOUNGBLOOD

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for general powers of the board; providing for flexible pricing; and imposing a duty on the Legislative Budget and Finance Committee.

Referred to Committee on LIQUOR CONTROL, September 28, 2005.

**No. 2002** By Representatives MAJOR, HERMAN, PICKETT, ROSS, BENNINGHOFF, CALTAGIRONE, CAPPELLI, HENNESSEY, SAYLOR, SCHRODER, SIPTROTH, E. Z. TAYLOR and YOUNGBLOOD

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, further providing for provisions relating to accounts, audits and reports by controllers or auditors; and providing for audit, settlement and adjustment of accounts and report to board of commissioners.

Referred to Committee on FINANCE, September 28, 2005.

**No. 2003** By Representatives MAJOR, HERMAN, STERN, PICKETT, R. MILLER, ROSS, CALTAGIRONE, CAPPELLI, FABRIZIO, HERSHEY, M. KELLER, O'NEILL, SAYLOR, E. Z. TAYLOR and TIGUE

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, further providing for assistant county solicitors.

Referred to Committee on STATE GOVERNMENT, September 28, 2005.

**No. 2007** By Representatives WILT, ARMSTRONG, BENNINGHOFF, BOYD, CALTAGIRONE, CAPPELLI, CREIGHTON, DENLINGER, FABRIZIO, GINGRICH, KAUFFMAN, LEH, MUSTIO, REICHLEY, ROHRER, SATHER and R. STEVENSON

An Act amending the act of May 21, 1943 (P.L.571, No.254), known as The Fourth to Eighth Class County Assessment Law, further providing for appeals by municipalities.

Referred to Committee on LOCAL GOVERNMENT, September 28, 2005.

**No. 2008** By Representatives WILT, ARMSTRONG, BENNINGHOFF, BOYD, CALTAGIRONE, CAPPELLI, CREIGHTON, DENLINGER, FABRIZIO, GINGRICH, KAUFFMAN, LEH, MUSTIO, REICHLEY, ROHRER, SATHER and R. STEVENSON

An Act amending the act of June 26, 1931 (P.L.1379, No.348), referred to as the Third Class County Assessment Board Law, further providing for assessment appeals.

Referred to Committee on LOCAL GOVERNMENT, September 28, 2005.

**No. 2009** By Representatives WILT, ARMSTRONG, BENNINGHOFF, BOYD, CALTAGIRONE, CAPPELLI, CREIGHTON, DENLINGER, FABRIZIO, GINGRICH, KAUFFMAN, LEH, MUSTIO, REICHLEY, ROHRER, SATHER and R. STEVENSON

An Act amending the act of June 21, 1939 (P.L.626, No.294), referred to as the Second Class County Assessment Law, providing for appeals by municipalities.

Referred to Committee on LOCAL GOVERNMENT, September 28, 2005.

**No. 2010** By Representatives WILT, ARMSTRONG, BENNINGHOFF, BOYD, CALTAGIRONE, CAPPELLI, CREIGHTON, DENLINGER, FABRIZIO, GINGRICH, KAUFFMAN, LEH, MUSTIO, REICHLEY, ROHRER, SATHER and R. STEVENSON

An Act amending the act of May 22, 1933 (P.L.853, No.155), known as The General County Assessment Law, further providing for appeals by municipalities.

Referred to Committee on LOCAL GOVERNMENT, September 28, 2005.

**No. 2011** By Representatives KAUFFMAN, BAKER, BENNINGHOFF, BOYD, CALTAGIRONE, CAPPELLI, FABRIZIO, GABIG, GOOD, GRUCELA, HANNA, JAMES, M. KELLER, KILLION, PETRARCA, REED, SCAVELLO, SOLOBAY, STERN, E. Z. TAYLOR and YOUNGBLOOD

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, further defining "superannuation age"; and providing for a definition of "campus police officer."

Referred to Committee on STATE GOVERNMENT, September 28, 2005.

### HOUSE RESOLUTION INTRODUCED AND REFERRED

**No. 446** By Representatives PETRONE, GEORGE, JAMES, HERMAN, PALLONE, TIGUE, CALTAGIRONE, KOTIK, LEDERER, STERN, STABACK, COHEN, CRAHALLA, GEIST, GERGELY, GOOD, GRUCELA, MANN, JOSEPHS, HESS, BELFANTI, BEBKO-JONES, SCAVELLO, MARKOSEK, WANSACZ, FABRIZIO, McGEEHAN, HENNESSEY, GOODMAN, SIPTROTH, PISTELLA, READSHAW, FICHTER, SOLOBAY, WILT, LESCOVITZ, SONNEY, YOUNGBLOOD and FREEMAN

A Resolution urging the President and the Congress of the United States to direct the Base Realignment and Closure Commission to designate strategic unused military bases in each region of the United States to be given to the Federal Emergency Management Agency's (FEMA's) jurisdiction to be maintained and used in an emergency such as Hurricane Katrina which displaces large numbers of people.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, September 28, 2005.

### SENATE BILL FOR CONCURRENCE

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

**SB 711, PN 1110**

Referred to Committee on CONSUMER AFFAIRS, September 28, 2005.

### CALENDAR

#### BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1027, PN 1183**, entitled:

An Act naming the Academic Training Building at Fort Indiantown Gap the Major General Henry K. Fluck Academic Training Building.

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

### BILL TABLED

The SPEAKER. The Chair recognizes the majority leader. Mr. S. SMITH. Mr. Speaker, I move that HB 1027 be placed on the table.

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

### BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader. Mr. S. SMITH. Mr. Speaker, I move that HB 1027 be taken off the table.

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

### SENATE MESSAGE

#### HOUSE BILL CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 1261, PN 1487**, with information that the Senate has passed the same without amendment.

### SENATE RESOLUTIONS FOR CONCURRENCE

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

**SR 158, PN 1118**

Referred to Committee on JUDICIARY, September 28, 2005.

**SR 160, PN 1112**

Referred to Committee on JUDICIARY, September 28, 2005.

### BILL REPORTED AND REREFERRED TO COMMITTEE ON TOURISM AND RECREATIONAL DEVELOPMENT

**HB 1968, PN 2701**

By Rep. STAIRS

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, changing provisions relating to school terms and sessions.

EDUCATION.

RESOLUTIONS PURSUANT TO RULE 35

Mr. BAKER called up HR 438, PN 2708, entitled:

A Resolution paying tribute to and honoring the memory of Staff Sgt. Ryan S. Ostrom, a member of Company B, 109th Infantry in Williamsport, who tragically gave his life in service to his country while on active duty in Iraq.

On the question, Will the House adopt the resolution?

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

Mr. BAKER. Thank you, Mr. Speaker.

May I have a moment of attention? This is a condolence resolution on behalf of one of our soldiers who paid the ultimate sacrifice. Thank you.

With reverence, we have an opportunity today to pay tribute to and honor the memory of S. Sgt. Ryan S. Ostrom, a member of Company B, 109th Infantry, in Williamsport, who tragically gave his life in service to his country while on active duty in Iraq. He was a National Guardsman.

S. Sgt. Ryan Ostrom was a resident of Liberty, Tioga County, Pennsylvania, and a senior at Mansfield University, completing his degree in chemistry. He was a member of the Pennsylvania National Guard, serving honorably for nearly 6 years with Company B, 109th Infantry.

He served his country on a tour of duty in Bosnia, where he served with his father, 1st Sgt. Scott Ostrom, and stepbrother, Spc. Wade Browne.

Upon completing his tour of duty in Bosnia, Staff Sergeant Ostrom volunteered for a second tour. After being called to active duty in January 2005, Staff Sergeant Ostrom was deployed to Iraq with the 2d Brigade Combat Team in July 2005. While on a combat mission in Iraq, Staff Sergeant Ostrom tragically gave his life in service to his country when he was hit by enemy fire. Staff Sergeant Ostrom was posthumously awarded the Purple Heart and the Combat Infantryman Badge recognizing his bravery and dedication.

Be it "RESOLVED, That the House of Representatives honor and express gratitude for the courage, leadership and selflessness of Staff Sgt. Ryan S. Ostrom and extend condolences on his heroic death...."

And be it further resolved that a copy of this resolution be transmitted to his father, 1st Sgt. Scott Ostrom, "with deepest respect for Staff Sgt. Ostrom's ultimate sacrifice in the fight for freedom on behalf of the citizens of this Commonwealth and our country."

Thank you, Mr. Speaker. Thank you, members of the House.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS-199

Table with 4 columns: Adolph, Allen, Argall, Armstrong, Feese, Fichter, Fleagle, Flick, Mackereth, Maher, Maitland, Major, Ruffing, Sainato, Samuelson, Santoni

Table with 4 columns: Baker, Baldwin, Barrar, Bastian, Bebkco-Jones, Belardi, Belfanti, Benninghoff, Beyer, Biancucci, Birmelin, Bishop, Blackwell, Blaum, Boyd, Bunt, Butkovitz, Buxton, Caltagirone, Cappelli, Casorio, Causer, Cawley, Clymer, Cohen, Cornell, Corrigan, Costa, Crahalla, Creighton, Cruz, Curry, Daley, Dally, DeLuca, Denlinger, Dermody, DeWeese, DiGirolamo, Diven, Donatucci, Eachus, Ellis, Evans, D., Evans, J., Fabrizio, Fairchild, Forcier, Frankel, Freeman, Gabig, Gannon, Geist, George, Gerber, Gergely, Gillespie, Gingrich, Godshall, Good, Goodman, Grell, Grucela, Gruitza, Habay, Haluska, Hanna, Harhai, Harhart, 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, 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, O'Neill, Pallone, Parker, Payne, Petrarca, Petri, Phillips, Pickett, Pistella, Preston, Pyle, Quigley, Ramaley, Rapp, Raymond, Readshaw, Reed, Roberts, Roebuck, Rohrer, Rooney, Ross, Rubley, Sather, Saylor, Scavello, Schroder, Semmel, Shaner, Shapiro, Siptroth, Smith, B., Smith, S. H., Solobay, Sonney, Staback, Stairs, Steil, Stern, Stetler, Stevenson, R., Stevenson, T., Sturla, Surra, Tangretti, Taylor, E. Z., Taylor, J., Thomas, Tigue, True, Turzai, Veon, Vitali, Walko, Wansacz, Waters, Watson, Wheatley, Williams, Wilt, Wojnaroski, Wright, Yewcic, Youngblood, Yudichak, Zug, Perzel, Speaker

NAYS-0

NOT VOTING-0

EXCUSED-4

Table with 4 columns: Civera, Petrone, Reichley, Rieger

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

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Ms. BEBKO-JONES called up HR 441, PN 2711, entitled:

A Resolution designating the month of October 2005 as "Polish-American Month" in Pennsylvania.

On the question, Will the House adopt the resolution?

The following roll call was recorded:

YEAS-199

|             |            |            |               |
|-------------|------------|------------|---------------|
| Adolph      | Feese      | Mackereth  | Ruffing       |
| Allen       | Fichter    | Maher      | Sainato       |
| Argall      | Fleagle    | Maitland   | Samuelson     |
| 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      |
| Beyer       | Gergely    | McIlhinney | Smith, B.     |
| Biancucci   | Gillespie  | McNaughton | Smith, S. H.  |
| Birmelin    | Gingrich   | Melio      | Solobay       |
| Bishop      | Godshall   | Metcalfe   | Sonney        |
| Blackwell   | Good       | Micozzie   | Staback       |
| Blaum       | Goodman    | Millard    | Stairs        |
| Boyd        | Grell      | Miller, R. | Steil         |
| 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. |
| Clymer      | Harris     | O'Neill    | Taylor, J.    |
| Cohen       | Hasay      | Pallone    | Thomas        |
| Cornell     | Hennessey  | Parker     | Tigue         |
| Corrigan    | Herman     | Payne      | True          |
| Costa       | Hershey    | Petrarca   | Turzai        |
| Crahalla    | Hess       | Petri      | Veon          |
| Creighton   | Hickernell | Phillips   | Vitali        |
| Cruz        | Hutchinson | Pickett    | Walko         |
| Curry       | James      | Pistella   | Wansacz       |
| Daley       | Josephs    | Preston    | Waters        |
| Dally       | Kauffman   | Pyle       | Watson        |
| DeLuca      | Keller, M. | Quigley    | Wheatley      |
| Denlinger   | Keller, W. | Ramaley    | Williams      |
| Dermody     | Kenny      | Rapp       | Wilt          |
| DeWeese     | Killion    | Raymond    | Wojnaroski    |
| DiGirolamo  | Kirkland   | Readshaw   | Wright        |
| Diven       | Kotik      | Reed       | Yewcic        |
| Donatucci   | LaGrotta   | Roberts    | Youngblood    |
| Eachus      | Leach      | Roebuck    | Yudichak      |
| Ellis       | Lederer    | Rohrer     | Zug           |
| Evans, D.   | Leh        | Rooney     |               |
| Evans, J.   | Lescovitz  | Ross       | Perzel,       |
| Fabrizio    | Levdansky  | Rubley     | Speaker       |
| Fairchild   |            |            |               |

NAYS-0

NOT VOTING-0

EXCUSED-4

|        |         |          |        |
|--------|---------|----------|--------|
| Civera | Petrone | Reichley | Rieger |
|--------|---------|----------|--------|

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

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Mr. HERSHEY called up **HR 444, PN 2714**, entitled:

A Resolution designating the month of October 2005 as "Pennsylvania Preferred Month."

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-199

|             |            |            |               |
|-------------|------------|------------|---------------|
| Adolph      | Feese      | Mackereth  | Ruffing       |
| Allen       | Fichter    | Maher      | Sainato       |
| Argall      | Fleagle    | Maitland   | Samuelson     |
| 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      |
| Beyer       | Gergely    | McIlhinney | Smith, B.     |
| Biancucci   | Gillespie  | McNaughton | Smith, S. H.  |
| Birmelin    | Gingrich   | Melio      | Solobay       |
| Bishop      | Godshall   | Metcalfe   | Sonney        |
| Blackwell   | Good       | Micozzie   | Staback       |
| Blaum       | Goodman    | Millard    | Stairs        |
| Boyd        | Grell      | Miller, R. | Steil         |
| 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. |
| Clymer      | Harris     | O'Neill    | Taylor, J.    |
| Cohen       | Hasay      | Pallone    | Thomas        |
| Cornell     | Hennessey  | Parker     | Tigue         |
| Corrigan    | Herman     | Payne      | True          |
| Costa       | Hershey    | Petrarca   | Turzai        |
| Crahalla    | Hess       | Petri      | Veon          |
| Creighton   | Hickernell | Phillips   | Vitali        |
| Cruz        | Hutchinson | Pickett    | Walko         |
| Curry       | James      | Pistella   | Wansacz       |
| Daley       | Josephs    | Preston    | Waters        |
| Dally       | Kauffman   | Pyle       | Watson        |
| DeLuca      | Keller, M. | Quigley    | Wheatley      |
| Denlinger   | Keller, W. | Ramaley    | Williams      |
| Dermody     | Kenny      | Rapp       | Wilt          |
| DeWeese     | Killion    | Raymond    | Wojnaroski    |
| DiGirolamo  | Kirkland   | Readshaw   | Wright        |
| Diven       | Kotik      | Reed       | Yewcic        |
| Donatucci   | LaGrotta   | Roberts    | Youngblood    |
| Eachus      | Leach      | Roebuck    | Yudichak      |
| Ellis       | Lederer    | Rohrer     | Zug           |
| Evans, D.   | Leh        | Rooney     |               |
| Evans, J.   | Lescovitz  | Ross       | Perzel,       |
| Fabrizio    | Levdansky  | Rubley     | Speaker       |
| Fairchild   |            |            |               |

NAYS-0

NOT VOTING-0

EXCUSED-4

|        |         |          |        |
|--------|---------|----------|--------|
| Civera | Petrone | Reichley | Rieger |
|--------|---------|----------|--------|

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. SIPTROTH called up **HR 447, PN 2745**, entitled:

A Resolution designating the month of October 2005 as “Domestic Violence Awareness Month” in Pennsylvania.

On the question,  
Will the House adopt the resolution?

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

Mr. SIPTROTH. Thank you, Mr. Speaker, and good morning.

Domestic violence is a pattern of abusive behaviors used to establish power and control over an intimate partner, often leading to the threat of use of violence. Domestic abuse takes many forms. Abuse is any controlling, hurtful act, word, or gesture that injures another’s body or emotions.

I would ask this House to support HR 447. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

**YEAS—199**

|             |           |            |               |
|-------------|-----------|------------|---------------|
| Adolph      | Feese     | Mackereth  | Ruffing       |
| Allen       | Fichter   | Maher      | Sainato       |
| Argall      | Fleagle   | Maitland   | Samuelson     |
| 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      |
| Beyer       | Gergely   | McIlhinney | Smith, B.     |
| Biancucci   | Gillespie | McNaughton | Smith, S. H.  |
| Birmelin    | Gingrich  | Melio      | Solobay       |
| Bishop      | Godshall  | Metcalfe   | Sonney        |
| Blackwell   | Good      | Micozzie   | Staback       |
| Blaum       | Goodman   | Millard    | Stairs        |
| Boyd        | Grell     | Miller, R. | Steil         |
| 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. |
| Clymer      | Harris    | O’Neill    | Taylor, J.    |
| Cohen       | Hasay     | Pallone    | Thomas        |
| Cornell     | Hennessey | Parker     | Tigue         |
| Corrigan    | Herman    | Payne      | True          |
| Costa       | Hershey   | Petrarca   | Turzai        |

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

NAYS—0

NOT VOTING—0

EXCUSED—4

|        |         |          |        |
|--------|---------|----------|--------|
| Civera | Petrone | Reichley | Rieger |
|--------|---------|----------|--------|

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

\* \* \*

Mr. DENLINGER called up **HR 448, PN 2747**, entitled:

A Resolution recognizing October 3 through 9, 2005, as “Dyslexia Awareness Week” in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

**YEAS—199**

|             |           |            |               |
|-------------|-----------|------------|---------------|
| Adolph      | Feese     | Mackereth  | Ruffing       |
| Allen       | Fichter   | Maher      | Sainato       |
| Argall      | Fleagle   | Maitland   | Samuelson     |
| 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      |
| Beyer       | Gergely   | McIlhinney | Smith, B.     |
| Biancucci   | Gillespie | McNaughton | Smith, S. H.  |
| Birmelin    | Gingrich  | Melio      | Solobay       |
| Bishop      | Godshall  | Metcalfe   | Sonney        |
| Blackwell   | Good      | Micozzie   | Staback       |
| Blaum       | Goodman   | Millard    | Stairs        |
| Boyd        | Grell     | Miller, R. | Steil         |
| 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. |
| Clymer     | Harris     | O'Neill  | Taylor, J.    |
| Cohen      | Hasay      | Pallone  | Thomas        |
| Cornell    | Hennessey  | Parker   | Tigue         |
| Corrigan   | Herman     | Payne    | True          |
| Costa      | Hershey    | Petrarca | Turzai        |
| Crahalla   | Hess       | Petri    | Veon          |
| Creighton  | Hickernell | Phillips | Vitali        |
| Cruz       | Hutchinson | Pickett  | Walko         |
| Curry      | James      | Pistella | Wansacz       |
| Daley      | Josephs    | Preston  | Waters        |
| Dally      | Kauffman   | Pyle     | Watson        |
| DeLuca     | Keller, M. | Quigley  | Wheatley      |
| Denlinger  | Keller, W. | Ramaley  | Williams      |
| Dermody    | Kenney     | Rapp     | Wilt          |
| DeWeese    | Killion    | Raymond  | Wojnaroski    |
| DiGirolamo | Kirkland   | Readshaw | Wright        |
| Diven      | Kotik      | Reed     | Yewcic        |
| Donatucci  | LaGrotta   | Roberts  | Youngblood    |
| Eachus     | Leach      | Roebuck  | Yudichak      |
| Ellis      | Lederer    | Rohrer   | Zug           |
| Evans, D.  | Leh        | Rooney   |               |
| Evans, J.  | Lescovitz  | Ross     | Perzel,       |
| Fabrizio   | Levdansky  | Rubley   | Speaker       |
| Fairchild  |            |          |               |

NAYS-0

NOT VOTING-0

EXCUSED-4

|        |         |          |        |
|--------|---------|----------|--------|
| Civera | Petrone | Reichley | Rieger |
|--------|---------|----------|--------|

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

**SUPPLEMENTAL CALENDAR B**

**RESOLUTION PURSUANT TO RULE 35**

Mr. CRUZ called up **HR 453, PN 2760**, entitled:

A Resolution acknowledging and affirming the integral role of Hispanics in the development of this Commonwealth and our nation and designating September 15 through October 15, 2005, as "Hispanic Heritage Month" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-199

|             |         |           |           |
|-------------|---------|-----------|-----------|
| Adolph      | Feese   | Mackereth | Ruffing   |
| Allen       | Fichter | Maher     | Sainato   |
| Argall      | Fleagle | Maitland  | Samuelson |
| 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      |
| Beyer       | Gergely    | McIlhinney | Smith, B.     |
| Biancucci   | Gillespie  | McNaughton | Smith, S. H.  |
| Birmelin    | Gingrich   | Melio      | Solobay       |
| Bishop      | Godshall   | Metcalfe   | Sonney        |
| Blackwell   | Good       | Micozzie   | Staback       |
| Blaum       | Goodman    | Millard    | Stairs        |
| Boyd        | Grell      | Miller, R. | Steil         |
| 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. |
| Clymer      | Harris     | O'Neill    | Taylor, J.    |
| Cohen       | Hasay      | Pallone    | Thomas        |
| Cornell     | Hennessey  | Parker     | Tigue         |
| Corrigan    | Herman     | Payne      | True          |
| Costa       | Hershey    | Petrarca   | Turzai        |
| Crahalla    | Hess       | Petri      | Veon          |
| Creighton   | Hickernell | Phillips   | Vitali        |
| Cruz        | Hutchinson | Pickett    | Walko         |
| Curry       | James      | Pistella   | Wansacz       |
| Daley       | Josephs    | Preston    | Waters        |
| Dally       | Kauffman   | Pyle       | Watson        |
| DeLuca      | Keller, M. | Quigley    | Wheatley      |
| Denlinger   | Keller, W. | Ramaley    | Williams      |
| Dermody     | Kenney     | Rapp       | Wilt          |
| DeWeese     | Killion    | Raymond    | Wojnaroski    |
| DiGirolamo  | Kirkland   | Readshaw   | Wright        |
| Diven       | Kotik      | Reed       | Yewcic        |
| Donatucci   | LaGrotta   | Roberts    | Youngblood    |
| Eachus      | Leach      | Roebuck    | Yudichak      |
| Ellis       | Lederer    | Rohrer     | Zug           |
| Evans, D.   | Leh        | Rooney     |               |
| Evans, J.   | Lescovitz  | Ross       | Perzel,       |
| Fabrizio    | Levdansky  | Rubley     | Speaker       |
| Fairchild   |            |            |               |

NAYS-0

NOT VOTING-0

EXCUSED-4

|        |         |          |        |
|--------|---------|----------|--------|
| Civera | Petrone | Reichley | Rieger |
|--------|---------|----------|--------|

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

**ANNOUNCEMENT BY SPEAKER**

The SPEAKER. Beginning October 17, we will be voting the rule 35 resolutions on a noncontroversial calendar. The only exceptions are for those resolutions honoring those who have sacrificed their life for their country or their Commonwealth or have performed acts of heroism. Members will still be recognized to speak on the resolutions if they request to do so.

**BILL REMOVED FROM TABLE**

The SPEAKER. The Chair recognizes the majority leader.  
Mr. S. SMITH. Mr. Speaker, I move that HB 1048 be removed from the table.

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

### **BILL ON SECOND CONSIDERATION**

The following bill, having been called up, was considered for the second time and agreed to, and ordered transcribed for third consideration:

**HB 1048, PN 2387.**

### **BILL RECOMMITTED**

The SPEAKER. The Chair recognizes the majority leader.  
Mr. S. SMITH. Mr. Speaker, I move that HB 1048 be recommitted to the Committee on Appropriations.

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

### **INSURANCE COMMITTEE MEETING**

The SPEAKER. The Chair recognizes the gentleman from Delaware, Mr. Micozzie, for the purpose of an announcement.

Mr. MICOZZIE. Thank you, Mr. Speaker.

There will be a meeting of the Insurance Committee, room 2, North Office Building, right after the final recess.

The SPEAKER. The Insurance Committee will meet in room 2, North Office Building, right after the final recess.

### **COMMERCE COMMITTEE MEETING**

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

Mr. HASAY. Thank you, Mr. Speaker.

Mr. Speaker, there will be a brief meeting of the House Commerce Committee at the rear of the chamber immediately upon the break. The House Commerce Committee for a brief meeting at the rear of the chamber at the break.

Thank you, Mr. Speaker.

The SPEAKER. The Commerce Committee will meet at the rear of the chamber at the break.

### **ANNOUNCEMENT BY MR. COHEN**

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

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, there will be informal discussions in the House Democratic caucus room immediately upon the call of the break.

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

### **BILL SIGNED BY SPEAKER**

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

**HB 1261, PN 1487**

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for deferred motor vehicle insurance coverage.

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

### **RECESS**

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

### **AFTER RECESS**

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

### **THE SPEAKER PRO TEMPORE (JERRY BIRMELIN) 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, Mr. Sonney, from Erie County.

Mr. SONNEY. Mr. Speaker, I move that this House do now recess until Monday, October 17, 2005, at 1 p.m., e.d.t., unless sooner recalled by the Speaker.

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

Motion was agreed to, and at 12:59 p.m., e.d.t., Monday, October 17, 2005, the House recessed.