

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

MONDAY, OCTOBER 17, 2005

SESSION OF 2005

189TH OF THE GENERAL ASSEMBLY

No. 57

HOUSE OF REPRESENTATIVES

The House convened at 1 p.m., e.d.t.

THE SPEAKER PRO TEMPORE (JERRY BIRMELIN) PRESIDING

PRAYER

REV. DR. JAN NOLTING CARTER, Chaplain of the House of Representatives, offered the following prayer:

Let us join our hearts together in prayer. Let us pray:
Creating God, You call us all into being and claim us as Your own. You invest us with gifts and talents, care and compassion, and the ability to make choices. You send us into the world to make a difference as Your ambassadors.

Our hearts are heavy, Holy One. There is so much pain and hurt in this world. We pray especially for the health and welfare of our fellow citizens affected by Hurricanes Katrina and Rita. We pray, too, for those devastated by the mudslides created by Hurricane Stan and for those decimated by the earthquakes in Pakistan and Afghanistan. We pray for all those ravaged by war, especially for the citizens and folks in the Armed Forces serving in Iraq.

Closer to home, we pray for persons in our Commonwealth who struggle for food, for clothing, and for sustenance. We pray that we may each be instruments of peace, health, and healing. Guide us to act and believe that all things are possible when we work together to find creative solutions to difficult problems.

As we gather here as Representatives in this House, we pray that You will weave Your spirit among us. We call out to You in different names – YHWH, Allah, God, Father – and yet we are all one in our desire to honor You through the care of those who live within our Commonwealth. Guide us this day to make choices as individuals that collaborate to be good public policy for all persons. Help us to articulate our perspectives, but also help us to hear one another in a new way, in a way that forges cooperation and connection rather than dissension and alienation.

We thank You and praise You in the name of the one whose name is above all names, and we say together, amen.

PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was recited by members and visitors.)

JOURNAL APPROVAL POSTPONED

The SPEAKER pro tempore. Without objection, the approval of the Journal of Wednesday, September 28, 2005, will be postponed until printed.

JOURNALS APPROVED

The SPEAKER pro tempore. The Journals for the following dates are in print and are approved, and they are for:

Wednesday, June 8;
Monday, June 13;
Tuesday, June 14;
Wednesday, June 15; and
Monday, June 20, 2005.

HOUSE BILLS INTRODUCED AND REFERRED

No. 1187 By Representative MAHER

An Act amending the act of August 15, 1961 (P.L.987, No.442), known as the Pennsylvania Prevailing Wage Act, further defining "public work."

Referred to Committee on LABOR RELATIONS, October 13, 2005.

No. 2001 By Representatives BEYER, CIVERA, ALLEN, BAKER, BARRAR, BELARDI, CALTAGIRONE, CAPPELLI, CAUSER, COHEN, CORNELL, DALLY, DeLUCA, DeWEESE, J. EVANS, FAIRCHILD, FEESE, GODSHALL, GOOD, GOODMAN, HARHART, HERMAN, HERSHEY, HESS, HICKERNELL, KENNEY, MACKERETH, MAJOR, MARKOSEK, MARSICO, McILHATTAN, R. MILLER, MUNDY, MUSTIO, O'NEILL, PALLONE, PAYNE, PETRARCA, PHILLIPS, PICKETT, QUIGLEY, RAYMOND, READSHAW, REICHLEY, RUBLEY, SANTONI, SATHER, SCAVELLO, SHANER, SIPTROTH, SOLOBAY, R. STEVENSON, E. Z. TAYLOR, J. TAYLOR, TIGUE, TRUE, WATSON, WILLIAMS, WILT, ZUG, B. SMITH, THOMAS, BLACKWELL, ROBERTS and WANSACZ

An Act prohibiting price gouging; and imposing penalties.

Referred to Committee on CONSUMER AFFAIRS, October 13, 2005.

No. 2004 By Representatives DERMODY, JAMES, PETRARCA, PISTELLA, GEORGE, HARPER, HARHAI, CAPPELLI, GEIST, YOUNGBLOOD, THOMAS and ROEBUCK

An Act requiring the phaseout of methyl tertiary butyl ether as a gasoline additive; conferring powers and duties on the Department of Environmental Protection; and imposing penalties.

Referred to Committee on TRANSPORTATION, October 13, 2005.

No. 2012 By Representatives DERMODY, SOLOBAY, WALKO, LaGROTTA, GEORGE, GOODMAN, PISTELLA, STABACK, READSHAW, PALLONE, SHANER, BASTIAN, DeLUCA, BELFANTI, CURRY, TIGUE, YOUNGBLOOD, GERGELY and THOMAS

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for constable fees.

Referred to Committee on JUDICIARY, October 13, 2005.

No. 2013 By Representatives D. EVANS, PARKER, FRANKEL, MYERS, WALKO, CALTAGIRONE, FABRIZIO, FREEMAN, GEORGE, GERBER, GERGELY, GRUCELA, KENNEY, KOTIK, MANN, MARKOSEK, McCALL, PETRARCA, READSHAW, RUBLEY, SAYLOR, WOJNAROSKI, YOUNGBLOOD, SHANER, WHEATLEY and NICKOL

An Act establishing a temporary State commission to study the Constitution of Pennsylvania to recommend possible amendment or revision; prescribing the powers and duties of the commission; and making an appropriation.

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

No. 2014 By Representatives DERMODY, VEON, COHEN, BELARDI, WALKO, PETRARCA, GOODMAN, PISTELLA, MARKOSEK, STABACK, WRIGHT, READSHAW, McILHATTAN, SIPTROTH, RAMALEY, JAMES, HARHAI, LEDERER, HALUSKA, FABRIZIO, BENNINGHOFF, HESS, WOJNAROSKI, GEIST, SHANER, DeLUCA, BAKER, CAPPELLI, BOYD, BELFANTI, CASORIO, CURRY, JOSEPHS, FREEMAN, TIGUE, YOUNGBLOOD, GERGELY and THOMAS

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, providing for privacy of certain information possessed by State agencies.

Referred to Committee on INTERGOVERNMENTAL AFFAIRS, October 13, 2005.

No. 2015 By Representatives McNAUGHTON, ARGALL, ARMSTRONG, BOYD, CALTAGIRONE, CAPPELLI, DENLINGER, FREEMAN, GEIST, HERSHEY, JAMES, MANN, MYERS, SAINATO, SCAVELLO, WALKO and YOUNGBLOOD

An Act providing for the establishment of cooperative community development programs throughout this Commonwealth utilizing the resources of the Commonwealth, local municipalities and employers to encourage employees to locate near and reside in communities located close to employer worksites; establishing a tax credit program to encourage employer participation and imposing additional powers and duties on the Department of Community and Economic Development and the Department of Revenue.

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

No. 2016 By Representatives STAIRS, BOYD, BUXTON, CALTAGIRONE, DALEY, DALLY, DeLUCA, DIVEN, GILLESPIE, GOOD, HARRIS, HENNESSEY, HERMAN, KAUFFMAN, LEVDANSKY, MARKOSEK, MARSICO, McILHATTAN, R. MILLER, MUSTIO, NAILOR, PISTELLA, READSHAW, REED, RUBLEY, SANTONI, SATHER, SAYLOR, SCAVELLO, SCHRODER, SHANER, SOLOBAY, R. STEVENSON, T. STEVENSON, TANGRETTI, TIGUE, TRUE, WILT, CRAHALLA, BASTIAN, TURZAI, MACKERETH and WANSACZ

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for legislative districts.

Referred to Committee on RULES, October 13, 2005.

No. 2017 By Representatives MUSTIO, ARMSTRONG, BOYD, CALTAGIRONE, CAPPELLI, COHEN, CREIGHTON, DeWEESE, GEORGE, GINGRICH, GODSHALL, HERMAN, HERSHEY, KILLION, KOTIK, MAJOR, McGILL, O'NEILL, PICKETT, PYLE, READSHAW, RUBLEY, SCAVELLO, SHANER, SONNEY, STABACK, T. STEVENSON, TIGUE, WATERS, YOUNGBLOOD, CRAHALLA, RAPP, HARHAI, HARHART, SEMMEL, JAMES, DENLINGER, THOMAS, CURRY, HASAY and SIPTROTH

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for exemptions from jury duty.

Referred to Committee on JUDICIARY, October 13, 2005.

No. 2018 By Representatives STURLA, DeWEESE, VEON, FABRIZIO, KOTIK, ROONEY, STABACK, TIGUE, WALKO, LEVDANSKY, CALTAGIRONE, BELARDI and DIVEN

An Act amending the act of July 5, 2004 (P.L.654, No.72), known as the Homeowner Tax Relief Act, further providing for limitations, for general tax authorization, for property tax limits on reassessment, for qualifying contribution, for adoption of referendum, for public referendum requirements for increasing certain taxes, for disposition of income tax revenue and property tax reduction allocations, for homestead and farmstead exclusion process, for definitions, for certification and calculation of minimum and maximum modifiers and for State property tax reduction allocation.

Referred to Committee on FINANCE, October 13, 2005.

No. 2019 By Representatives BEYER, FEESE, E. Z. TAYLOR, HERMAN, LEH, B. SMITH, ARMSTRONG, BOYD, CALTAGIRONE, CAUSER, CORRIGAN, CREIGHTON, DALEY, GINGRICH, GOOD, GOODMAN, HERSHEY, KILLION, MAHER, MARKOSEK, MUSTIO, SCHRODER, SHANER, R. STEVENSON, WATSON, WILT, YOUNGBLOOD and SIPTROTH

An Act amending the act of June 22, 1964 (Sp.Sess., P.L.84, No.6), known as the Eminent Domain Code, further providing for abandonment of project.

Referred to Committee on JUDICIARY, October 13, 2005.

No. 2020 By Representatives JAMES, WILLIAMS, WATERS, BLACKWELL, YOUNGBLOOD, CURRY, JOSEPHS and MYERS

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for the imposition of an additional tax on ammunition.

Referred to Committee on FINANCE, October 17, 2005.

No. 2021 By Representatives COHEN, BELFANTI, J. TAYLOR, DeWEESE, VEON, THOMAS, STETLER, BELARDI, BISHOP, BLAUM, KENNEY, FREEMAN, McGEEHAN, WALKO, WATERS, LaGROTTA, MELIO, OLIVER, SANTONI, MANDERINO, McCALL, W. KELLER, PISTELLA, TIGUE, JAMES, SURRA, HARHAI, LEVDANSKY, ROEBUCK, TANGRETTI, GERGELY, BEBKO-JONES, WOJNAROSKI, DALEY, STURLA, ROONEY, CAWLEY, WHEATLEY, MUNDY, CURRY, CALTAGIRONE, LEACH, RUFFING, FRANKEL, GEORGE, EACHUS, WILLIAMS, RAMALEY, STABACK, CRUZ, YOUNGBLOOD, SAMUELSON, KIRKLAND, YUDICHAK, GRUCELA, COSTA, BUTKOVITZ, BLACKWELL, MYERS, DeLUCA, D. EVANS, BUXTON, PRESTON, DONATUCCI, CASORIO, JOSEPHS, PALLONE, SHANER, SOLOBAY, GOODMAN, RIEGER, CORRIGAN, DERMODY, PETRONE, YEWIC, LEDERER, PARKER, FABRIZIO, HANNA, SIPTROTH, RAYMOND, MANN, WANSACZ, SAINATO, KOTIK, BIANCUCCI and READSHAW

An Act amending the act of January 17, 1968 (P.L.11, No.5), known as The Minimum Wage Act of 1968, further providing for minimum wage.

Referred to Committee on LABOR RELATIONS, October 17, 2005.

No. 2022 By Representatives SOLOBAY, DeWEESE, BELARDI, ALLEN, BEBKO-JONES, BUXTON, CALTAGIRONE, CAPPELLI, CAUSER, CLYMER, CORRIGAN, DERMODY, FAIRCHILD, FICHTER, GEORGE, GERGELY, GINGRICH, GOOD, GOODMAN, HENNESSEY, HERMAN, M. KELLER, LEACH, MAJOR, MANN, MARKOSEK, MARSICO, McILHATTAN, S. MILLER, MUSTIO, PAYNE, PHILLIPS, PICKETT, PYLE, RAMALEY, READSHAW, REED, SANTONI, SCAVELLO, SHANER, SONNEY, R. STEVENSON, T. STEVENSON, SURRA, TIGUE, WALKO, WILT, WOJNAROSKI, WRIGHT, ZUG, FABRIZIO, HARHAI, BUNT, BALDWIN, FREEMAN,

PETRARCA, J. EVANS, HALUSKA, STABACK, B. SMITH, YUDICHAK, DENLINGER, TANGRETTI, MANDERINO, DALLY, KENNEY, THOMAS, HARHART, KAUFFMAN, E. Z. TAYLOR, HANNA, HUTCHINSON, PRESTON, CURRY, MUNDY, PETRONE, COSTA, PISTELLA, SCHRODER, SAINATO, HESS, MAHER, DeLUCA, DALEY, HARPER and WANSACZ

An Act making an appropriation to the Pennsylvania Emergency Management Agency for enhancing certain capabilities of volunteer fire companies.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, October 17, 2005.

No. 2023 By Representatives METCALFE, BASTIAN, CALTAGIRONE, CLYMER, CREIGHTON, GODSHALL, GOODMAN, HALUSKA, LEVDANSKY, McGILL, MUNDY, PICKETT, SOLOBAY, SONNEY, TIGUE and YEWIC

An Act providing owners of surface property the right of first refusal to purchase mineral rights under their surface property; and voiding interests in mineral rights that have been conveyed without providing the right to owners of surface property.

Referred to Committee on STATE GOVERNMENT, October 17, 2005.

No. 2024 By Representatives GOODMAN, BARRAR, BEBKO-JONES, BELARDI, BELFANTI, BENNINGHOFF, CALTAGIRONE, CAWLEY, COHEN, CORNELL, CORRIGAN, CREIGHTON, CURRY, DeLUCA, DeWEESE, FABRIZIO, FRANKEL, FREEMAN, GEIST, GINGRICH, GRUCELA, JAMES, JOSEPHS, M. KELLER, KOTIK, LEACH, LEDERER, LEVDANSKY, MANN, MARKOSEK, McGEEHAN, McILHATTAN, MUNDY, PETRARCA, PISTELLA, REICHLEY, SAINATO, SANTONI, SATHER, SIPTROTH, SHANER, SHAPIRO, SOLOBAY, STABACK, STURLA, TIGUE, TRUE, WALKO, WANSACZ, YUDICHAK and HARPER

An Act establishing a nursing and nursing educator loan forgiveness and scholarship program.

Referred to Committee on PROFESSIONAL LICENSURE, October 17, 2005.

No. 2025 By Representatives GOODMAN, BARRAR, BEBKO-JONES, BELARDI, BELFANTI, BENNINGHOFF, CALTAGIRONE, CAWLEY, COHEN, CORNELL, CORRIGAN, CREIGHTON, CURRY, DeLUCA, DeWEESE, FABRIZIO, FRANKEL, FREEMAN, GEIST, GINGRICH, GRUCELA, JAMES, JOSEPHS, M. KELLER, KOTIK, LEACH, LEDERER, LEVDANSKY, MANN, MARKOSEK, McGEEHAN, McILHATTAN, MUNDY, PETRARCA, PISTELLA, REICHLEY, SAINATO, SANTONI, SATHER, SIPTROTH, SHANER, SHAPIRO, SOLOBAY, STABACK, STURLA, TIGUE, TRUE, WALKO, WANSACZ, YUDICHAK and HARPER

An Act establishing a nursing educator loan forgiveness and scholarship program.

Referred to Committee on PROFESSIONAL LICENSURE, October 17, 2005.

No. 2026 By Representatives CAUSER, BAKER, ALLEN, BALDWIN, BEBKO-JONES, BENNINGHOFF, BOYD, CALTAGIRONE, CAPPELLI, CLYMER, CORRIGAN, CRAHALLA, CREIGHTON, CRUZ, DENLINGER, DeWEESE, DONATUCCI, ELLIS, FABRIZIO, FAIRCHILD, FORCIER, GABIG, GEIST, GEORGE, GILLESPIE, GINGRICH, GOODMAN, GRELL, GRUCELA, HENNESSEY, HERMAN, HERSHEY, HESS, HICKERNELL, JAMES, KAUFFMAN, KIRKLAND, KOTIK, LEDERER, MAJOR, MANN, MARKOSEK, MARSICO, McGILL, McILHATTAN, METCALFE, MILLARD, MUSTIO, NAILOR, PALLONE, PAYNE, PHILLIPS, PISTELLA, PYLE, QUIGLEY, RAMALEY, RAPP, READSHAW, REED, REICHLEY, SAINATO, SATHER, SCAVELLO, SHANER, B. SMITH, SOLOBAY, SONNEY, STABACK, R. STEVENSON, SURRA, TANGRETTI, THOMAS, TIGUE, WOJNAROSKI, YOUNGBLOOD, YUDICHAK, ZUG and BEYER

An Act designating a bridge in Coudersport Borough, Potter County, as the Specialist Mike Franklin Memorial Bridge.

Referred to Committee on TRANSPORTATION, October 17, 2005.

No. 2027 By Representatives SONNEY, B. SMITH, ARMSTRONG, BENNINGHOFF, CALTAGIRONE, DeWEESE, GERGELY, GILLESPIE, GOOD, HARRIS, R. MILLER, QUIGLEY, RAPP, DENLINGER and SIPTROTH

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, October 17, 2005.

No. 2028 By Representatives PETRARCA, REED, MARKOSEK, CALTAGIRONE, BASTIAN, BOYD, COSTA, DeLUCA, DERMODY, DIVEN, FABRIZIO, GOOD, HARRIS, LEVDANSKY, MAHER, MUSTIO, NICKOL, PISTELLA, READSHAW, RUBLEY, SANTONI, R. STEVENSON, T. STEVENSON, TANGRETTI, TIGUE, TRUE, WANSACZ, WOJNAROSKI, SOLOBAY and ROBERTS

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, reducing the size of the General Assembly.

Referred to Committee on STATE GOVERNMENT, October 17, 2005.

No. 2029 By Representatives HABAY, BOYD, CALTAGIRONE, CREIGHTON, MARKOSEK, R. STEVENSON, YOUNGBLOOD and THOMAS

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, further providing for the power of eminent domain.

Referred to Committee on STATE GOVERNMENT, October 17, 2005.

No. 2030 By Representatives PAYNE, BLACKWELL, BOYD, CLYMER, CREIGHTON, GINGRICH, GRUCELA, KAUFFMAN, MILLARD, PHILLIPS, REED, SCAVELLO, E. Z. TAYLOR, THOMAS, TRUE, WILT, YOUNGBLOOD, BEYER, HARRIS and SIPTROTH

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further prohibiting selling or furnishing liquor or malt or brewed beverages to minors.

Referred to Committee on JUDICIARY, October 17, 2005.

No. 2031 By Representatives HICKERNELL, ARMSTRONG, BEBKO-JONES, BOYD, CALTAGIRONE, CRAHALLA, DENLINGER, DeWEESE, GEIST, GEORGE, GINGRICH, HERSHEY, JAMES, MANN, McGILL, PAYNE, PHILLIPS, PYLE, RAPP, READSHAW, REED, ROHRER, SCAVELLO, E. Z. TAYLOR, THOMAS, TRUE, YOUNGBLOOD and SIPTROTH

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for the composition of the State Veterans' Commission.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, October 17, 2005.

No. 2032 By Representatives CASORIO, BELARDI, BAKER, BEBKO-JONES, BELFANTI, BISHOP, CALTAGIRONE, CORRIGAN, FABRIZIO, FREEMAN, GEIST, GRUCELA, HENNESSEY, JAMES, KOTIK, LEACH, LEDERER, MARKOSEK, PETRARCA, READSHAW, SAINATO, SIPTROTH, SHANER, SOLOBAY, STABACK, TANGRETTI, TIGUE, WOJNAROSKI, YOUNGBLOOD and YUDICHAK

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, amending provisions relating to the neighborhood assistance tax credit program.

Referred to Committee on FINANCE, October 17, 2005.

No. 2033 By Representatives ROEBUCK, BELARDI, BUXTON, COSTA, CRUZ, GEORGE, FRANKEL, HERSHEY, JAMES, JOSEPHS, PAYNE, THOMAS and D. EVANS

An Act imposing civil liability on persons participating in the illegal drug market; providing for the recovery of damages by certain persons; and establishing the procedure for bringing a private action to recover damages.

Referred to Committee on JUDICIARY, October 17, 2005.

No. 2034 By Representatives CORRIGAN, LEDERER, SHANER, FABRIZIO, BEBKO-JONES, BENNINGHOFF, BEYER, BOYD, CALTAGIRONE, CASORIO, CLYMER, CRAHALLA, DENLINGER, GEIST, GINGRICH, GRUCELA, HENNESSEY, HERMAN, HERSHEY, HESS, HUTCHINSON, KIRKLAND, KOTIK, MANN, MARSICO,

MUNDY, PYLE, RAMALEY, SATHER, SCHRODER, STABACK, E. Z. TAYLOR, J. TAYLOR, THOMAS, TIGUE, TRUE, WHEATLEY, WILLIAMS, YOUNGBLOOD and HARRIS

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for the offense of selling marijuana or hemp flavored confectioneries.

Referred to Committee on JUDICIARY, October 17, 2005.

No. 2035 By Representatives J. EVANS, BENNINGHOFF, ALLEN, BAKER, BALDWIN, BASTIAN, BEBKO-JONES, BELARDI, BELFANTI, BEYER, BLAUM, BUNT, BUXTON, CALTAGIRONE, CAPPELLI, CAUSER, CAWLEY, CORRIGAN, CRAHALLA, CREIGHTON, DALEY, DALLY, DeLUCA, DERMODY, DIVEN, FABRIZIO, FICHTER, FRANKEL, FREEMAN, GANNON, GEIST, GEORGE, GERGELY, GINGRICH, GOOD, GOODMAN, GRUCELA, HALUSKA, HANNA, HARHAI, HARHART, HARRIS, HENNESSEY, HERMAN, HERSHEY, HUTCHINSON, JOSEPHS, KAUFFMAN, M. KELLER, KOTIK, LEACH, LEDERER, LEH, MAHER, MAJOR, MARKOSEK, MARSICO, McILHATTAN, MICOZZIE, MUNDY, MUSTIO, O'NEILL, PAYNE, PETRARCA, PETRI, PHILLIPS, PICKETT, PRESTON, QUIGLEY, READSHAW, REED, RUBLEY, SAINATO, SATHER, SCAVELLO, SCHRODER, SHANER, B. SMITH, SONNEY, STABACK, R. STEVENSON, T. STEVENSON, SURRA, TANGRETTI, THOMAS, TIGUE, WALKO, WATSON, WILT, WOJNAROSKI, WRIGHT, YUDICHAK, COSTA, SEMMEL, HESS, SOLOBAY and WANSACZ

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, providing for supplemental annuities commencing in 2006.

Referred to Committee on EDUCATION, October 17, 2005.

No. 2036 By Representatives TURZAI, BLAUM, YUDICHAK, CALTAGIRONE, CLYMER, CREIGHTON, DENLINGER, ELLIS, REICHLEY, SCHRODER, SHAPIRO, WILT and GABIG

An Act amending the act of August 7, 1963 (P.L.549, No.290), referred to as the Pennsylvania Higher Education Assistance Agency Act, adding definitions; further providing for powers and duties of the Pennsylvania Higher Education Assistance Agency; establishing the Commonwealth Student Grant and Loan Forgiveness Authority and its powers and duties; providing for the transfer of certain powers, duties and functions from the agency to the Commonwealth Student Grant and Loan Forgiveness Authority; further providing for applicability; and providing for related transitional provisions.

Referred to Committee on STATE GOVERNMENT, October 17, 2005.

No. 2037 By Representatives MILLARD, BELFANTI, BOYD, CALTAGIRONE, CAPPELLI, CAUSER, CRAHALLA, DeLUCA, FREEMAN, GINGRICH, GOOD, GOODMAN, HASAY, HERMAN, MACKERETH, MANN, McGEEHAN, McGILL, S. MILLER, MUSTIO, NAILOR, PHILLIPS, PICKETT, PYLE, RAPP, SCAVELLO, SEMMEL,

SONNEY, STABACK, STERN, E. Z. TAYLOR, J. TAYLOR, THOMAS, TIGUE, TRUE, YOUNGBLOOD and HARPER

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for report by district attorney.

Referred to Committee on JUDICIARY, October 17, 2005.

No. 2038 By Representatives PYLE, ARMSTRONG, BEYER, CALTAGIRONE, CAUSER, CORNELL, CREIGHTON, DENLINGER, FAIRCHILD, GEIST, GOOD, GOODMAN, GRUCELA, HENNESSEY, HERMAN, HESS, HUTCHINSON, M. KELLER, KOTIK, MANN, MARKOSEK, MARSICO, McILHATTAN, S. MILLER, MUSTIO, NAILOR, PETRARCA, PHILLIPS, QUIGLEY, RAPP, REED, REICHLEY, SCAVELLO, SEMMEL, SOLOBAY, SONNEY, J. TAYLOR, THOMAS, TURZAI, WILT, YOUNGBLOOD and SIPTROTH

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, establishing a tax credit program to encourage the placement of students in a work environment through internships; and establishing a corresponding internship clearinghouse.

Referred to Committee on FINANCE, October 17, 2005.

No. 2039 By Representatives HABAY, CALTAGIRONE, DeLUCA, DIVEN, FAIRCHILD, GODSHALL, HARRIS, HENNESSEY, LEVDANSKY, MARKOSEK, S. MILLER, READSHAW, REED, RUBLEY, SANTONI, SCHRODER, R. STEVENSON, TIGUE, TURZAI, WANSACZ, WILT and WOJNAROSKI

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, reducing the size of the General Assembly.

Referred to Committee on STATE GOVERNMENT, October 17, 2005.

No. 2040 By Representatives R. STEVENSON, ARMSTRONG, BENNINGHOFF, BEYER, CALTAGIRONE, CAPPELLI, CAUSER, CLYMER, CRAHALLA, CREIGHTON, DALLY, DENLINGER, J. EVANS, FABRIZIO, FAIRCHILD, GOOD, GOODMAN, GRUCELA, HARHART, HARRIS, HENNESSEY, HUTCHINSON, LEH, MARSICO, R. MILLER, MUSTIO, O'NEILL, PICKETT, PYLE, REICHLEY, SEMMEL, SHANER, SONNEY, STABACK, STERN, T. STEVENSON, THOMAS, TIGUE, WANSACZ and WILT

An Act amending the act of July 31, 1968 (P.L.805, No.247), known as the Pennsylvania Municipalities Planning Code, further providing for adoption of municipal, multimunicipal and county comprehensive plans and plan amendments, for adoption of the official map and amendments thereto and for publication, advertisement and availability of ordinance relating to subdivision and land development and relating to zoning.

Referred to Committee on LOCAL GOVERNMENT, October 17, 2005.

No. 2041 By Representatives NICKOL, BAKER, BELFANTI, BOYD, CALTAGIRONE, CAPPELLI, CLYMER, CRAHALLA, CREIGHTON, CURRY, DALLY, DeLUCA, FABRIZIO, FAIRCHILD, FLEAGLE, GEORGE, GILLESPIE, GINGRICH, GODSHALL, GOOD, GRELL, GRUCELA, HERMAN, HESS, JOSEPHS, KAUFFMAN, KILLION, LEACH, MACKERETH, MANDERINO, MANN, MARKOSEK, MUSTIO, NAILOR, O'NEILL, REICHLEY, ROSS, RUBLEY, SAYLOR, SHAPIRO, B. SMITH, SOLOBAY, STERN, E. Z. TAYLOR, TIGUE, WANSACZ, WATSON, WILT, YOUNGBLOOD, YUDICHAK and HARPER

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, further providing for the Health Care Provider Retention Program.

Referred to Committee on HEALTH AND HUMAN SERVICES, October 17, 2005.

No. 2042 By Representative REICHLEY

An Act amending the act of June 22, 1937 (P.L.1987, No.394), known as The Clean Streams Law, further providing for penalties; and providing for limitation on certain actions.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, October 17, 2005.

No. 2043 By Representative REICHLEY

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

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, October 17, 2005.

No. 2044 By Representatives HALUSKA, BEBKO-JONES, BELFANTI, BENNINGHOFF, CALTAGIRONE, CAUSER, COHEN, CURRY, DeWEESE, FABRIZIO, GEIST, GEORGE, GERGELY, GINGRICH, GOOD, GOODMAN, GRUCELA, HENNESSEY, HERMAN, HESS, KILLION, KOTIK, LEH, LEVDANSKY, MANN, MARKOSEK, MARSICO, McGEEHAN, McILHINNEY, MUNDY, PISTELLA, REED, REICHLEY, SCAVELLO, SHANER, SOLOBAY, STABACK, STERN, R. STEVENSON, SURRA, THOMAS, TIGUE, TRUE, WOJNAROSKI, YOUNGBLOOD, SIPTROTH and PAYNE

An Act amending the act of December 29, 1972 (P.L.1701, No.364), known as the Health Maintenance Organization Act, providing for submittal of claims for payment.

Referred to Committee on INSURANCE, October 17, 2005.

No. 2045 By Representatives BIANCUCCI, DeLUCA, FABRIZIO, KOTIK, BEBKO-JONES, CALTAGIRONE, CORRIGAN, CRAHALLA, CREIGHTON, CURRY, BEYER, FRANKEL, FREEMAN, GINGRICH, GOOD, GOODMAN, GRUCELA, HESS, LEACH, LEDERER, MANN, MARKOSEK, MELIO, MUNDY, O'NEILL, PETRONE,

PISTELLA, REICHLEY, SAINATO, SIPTROTH, SHANER, SOLOBAY, STABACK, SURRA, WALKO and PAYNE

An Act providing for annual, unannounced inspections of personal care homes; and making a related repeal.

Referred to Committee on HEALTH AND HUMAN SERVICES, October 17, 2005.

No. 2046 By Representatives GODSHALL, THOMAS, BEYER, BOYD, BUNT, CALTAGIRONE, CRAHALLA, DeLUCA, DeWEESE, FRANKEL, GEIST, GERGELY, GINGRICH, GOODMAN, NAILOR, QUIGLEY, SHANER, STABACK and HARPER

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for the offense of sale or transfer of firearms.

Referred to Committee on JUDICIARY, October 17, 2005.

No. 2047 By Representatives GODSHALL, THOMAS, DeWEESE, BOYD, BUNT, CAPPELLI, CRAHALLA, DeLUCA, FRANKEL, GEIST, GERGELY, GINGRICH, GOODMAN, O'NEILL, QUIGLEY, SHANER, STABACK and HARPER

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for sentences for offenses committed with firearms.

Referred to Committee on JUDICIARY, October 17, 2005.

No. 2048 By Representatives GEORGE, THOMAS, BARRAR, BEBKO-JONES, BELARDI, BELFANTI, CALTAGIRONE, COHEN, CRAHALLA, DeLUCA, DeWEESE, FABRIZIO, FREEMAN, GEIST, GOOD, GOODMAN, GRUCELA, HANNA, HUTCHINSON, JAMES, JOSEPHS, KOTIK, LaGROTTA, LEACH, LEDERER, MANN, MARKOSEK, PETRARCA, PETRONE, PISTELLA, RUBLEY, SIPTROTH, SHANER, STABACK, SURRA, TANGRETTI, TIGUE, VEON, WALKO, YOUNGBLOOD and YUDICHAK

An Act establishing the Pennsylvania Energy Office and Advisory Council; imposing duties on the Pennsylvania Energy Office; establishing the Emergency Energy Assistance Grant Account; and providing for allocation from the utilities' gross receipts tax.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, October 17, 2005.

No. 2049 By Representatives GEORGE, THOMAS, BARRAR, BEBKO-JONES, BELARDI, BELFANTI, CALTAGIRONE, COHEN, CRAHALLA, DeLUCA, DeWEESE, FABRIZIO, FREEMAN, GEIST, GOOD, GOODMAN, GRUCELA, HANNA, HUTCHINSON, JAMES, JOSEPHS, KOTIK, LaGROTTA, LEACH, LEDERER, MANN, MARKOSEK, PETRARCA, PETRONE, PISTELLA, RUBLEY, SIPTROTH, SHANER, STABACK, SURRA, TANGRETTI, TIGUE, VEON, WALKO, YOUNGBLOOD and YUDICHAK

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, authorizing the Governor to issue emergency gasoline declarations.

Referred to Committee on CONSUMER AFFAIRS, October 17, 2005.

No. 2050 By Representatives GEORGE, BLACKWELL, BUNT, CALTAGIRONE, CURRY, DeLUCA, DeWEESE, FABRIZIO, FRANKEL, GODSHALL, GOODMAN, GRUCELA, HALUSKA, HERMAN, JAMES, MANN, MELIO, MUNDY, PISTELLA, READSHAW, SAINATO, SANTONI, SATHER, SIPTROTH, SOLOBAY, STABACK, TIGUE, WANSACZ and YUDICHAK

An Act amending the act of March 11, 1971 (P.L.104, No.3), known as the Senior Citizens Rebate and Assistance Act, providing for retirement benefits.

Referred to Committee on AGING AND OLDER ADULT SERVICES, October 17, 2005.

No. 2051 By Representatives GEORGE, THOMAS, BEBKO-JONES, BELARDI, BELFANTI, BLACKWELL, BLAUM, CALTAGIRONE, COHEN, COSTA, DeLUCA, DeWEESE, FABRIZIO, FRANKEL, GOOD, GOODMAN, GRUCELA, HANNA, HERMAN, JAMES, JOSEPHS, LaGROTTA, LEACH, LEDERER, MANN, MARKOSEK, McGEEHAN, McILHATTAN, MUNDY, PETRARCA, PETRONE, PISTELLA, RAYMOND, RUBLEY, SANTONI, SATHER, SHANER, STABACK, STURLA, SURRA, TANGRETTI, TIGUE, WALKO, WANSACZ and YOUNGBLOOD

An Act prohibiting price gouging; authorizing the Attorney General to investigate energy price increases; and imposing penalties.

Referred to Committee on CONSUMER AFFAIRS, October 17, 2005.

No. 2052 By Representatives WOJNAROSKI, PETRARCA, MANN, REED, CALTAGIRONE, HASAY, READSHAW, FLEAGLE, BUNT, BARRAR, BELFANTI, BAKER, CAPPELLI, MUNDY, KOTIK, HICKERNELL, BENNINGHOFF, CLYMER, SHAPIRO, LaGROTTA, MARKOSEK, KAUFFMAN, GEIST, BLAUM, GOODMAN, MARSICO, STABACK, GRUCELA, HESS, PISTELLA, SAINATO, WALKO, CRAHALLA, HUTCHINSON, SAYLOR, WANSACZ, CORRIGAN, DeLUCA, MELIO, M. KELLER, McILHATTAN, MUSTIO, REICHLEY, HARRIS, SIPTROTH and BEYER

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for rape, for involuntary deviate sexual intercourse and for indecent assault; barring the presence of sexual offenders in certain areas; providing for hindering identification of sexual offenders and for electronic monitoring of certain sexual offenders; imposing duties on the Pennsylvania State Police; and imposing penalties.

Referred to Committee on JUDICIARY, October 17, 2005.

No. 2053 By Representatives GRELL, ARMSTRONG, BALDWIN, BENNINGHOFF, BEYER, BOYD, CAPPELLI, CREIGHTON, DeLUCA, GEIST, GINGRICH, HERMAN, HERSHEY, KAUFFMAN, M. KELLER, R. MILLER, NAILOR, PAYNE, PYLE, RAPP, READSHAW, SATHER, SONNEY, STABACK, STERN, E. Z. TAYLOR, J. TAYLOR, TIGUE and SIPTROTH

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for the offense of failure to provide identification to law enforcement authorities.

Referred to Committee on JUDICIARY, October 17, 2005.

No. 2054 By Representatives GRELL, GABIG, CREIGHTON, METCALFE, BALDWIN, BENNINGHOFF, BOYD, BUXTON, CALTAGIRONE, CLYMER, CRAHALLA, DENLINGER, FEESE, FICHTER, GEIST, GODSHALL, GOOD, GOODMAN, HARRIS, HASAY, HERMAN, HERSHEY, HESS, KAUFFMAN, M. KELLER, KILLION, MACKERETH, MARKOSEK, McILHATTAN, R. MILLER, MUNDY, NICKOL, O'NEILL, PHILLIPS, PICKETT, PISTELLA, PYLE, REED, SCHRODER, B. SMITH, S. H. SMITH, SONNEY, STERN, R. STEVENSON, T. STEVENSON, SURRA, TANGRETTI, E. Z. TAYLOR, TIGUE, TRUE, TURZAI, DALLY, MAJOR, THOMAS, GINGRICH, SEMMEL, MUSTIO, PAYNE, ROSS, BUNT and CAPPELLI

An Act amending Title 26 (Eminent Domain) of the Pennsylvania Consolidated Statutes, providing for limitations on the use of eminent domain; and making a related repeal.

Referred to Committee on JUDICIARY, October 17, 2005.

No. 2055 By Representatives T. STEVENSON, ARMSTRONG, BARRAR, BEYER, CALTAGIRONE, CORRIGAN, CRAHALLA, CREIGHTON, DENLINGER, DIVEN, GEIST, HENNESSEY, KOTIK, McGILL, MUSTIO, O'NEILL, PETRI, PYLE, SATHER, E. Z. TAYLOR and YOUNGBLOOD

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 manner of election of district superintendents and assistant superintendents and for their removal.

Referred to Committee on EDUCATION, October 17, 2005.

No. 2056 By Representatives BEBKO-JONES, FABRIZIO, J. EVANS, GOOD, SONNEY, BELFANTI, CALTAGIRONE, BOYD, BALDWIN, CRAHALLA, CREIGHTON, FRANKEL, FREEMAN, GRUCELA, JOSEPHS, O'NEILL, REICHLEY, SIPTROTH, SHANER, SURRA, THOMAS, TIGUE, WANSACZ, YOUNGBLOOD and WHEATLEY

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for impounding of proceedings and access to records.

Referred to Committee on JUDICIARY, October 17, 2005.

No. 2057 By Representatives MANN, BEBKO-JONES, BEYER, CALTAGIRONE, COHEN, FABRIZIO, FREEMAN, GEORGE, GINGRICH, GOODMAN, GRUCELA, JAMES, KOTIK, MARKOSEK, PISTELLA, SCAVELLO, SOLOBAY, STABACK, SURRA, TIGUE and YOUNGBLOOD

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for authority to use flashing or revolving blue lights.

Referred to Committee on TRANSPORTATION, October 17, 2005.

No. 2058 By Representatives ARGALL, SCAVELLO, S. H. SMITH, BENNINGHOFF, ALLEN, ARMSTRONG, BAKER, BALDWIN, BEYER, BIRMELIN, BLACKWELL, BOYD, BUNT, CAPPELLI, CAUSER, CIVERA, COHEN, COSTA, CRAHALLA, CREIGHTON, DALLY, DENLINGER, EACHUS, ELLIS, FAIRCHILD, FEESE, FLEAGLE, FORCIER, FRANKEL, FREEMAN, GEIST, GEORGE, GINGRICH, GODSHALL, GOOD, GOODMAN, GRELL, GRUCELA, HANNA, HARHART, HARRIS, HASAY, HENNESSEY, HERMAN, HERSHEY, CLYMER, HESS, HICKERNELL, KAUFFMAN, M. KELLER, KENNEY, LaGROTTA, LEH, LEVDANSKY, MACKERETH, MAHER, MAITLAND, MAJOR, MANDERINO, MANN, MARSICO, McCALL, McILHATTAN, METCALFE, R. MILLER, S. MILLER, MUNDY, MUSTIO, O'NEILL, PAYNE, PERZEL, PETRONE, PHILLIPS, PICKETT, PYLE, QUIGLEY, RAPP, RAYMOND, READSHAW, REED, REICHLEY, ROHRER, RUBLEY, SAINATO, SAMUELSON, SATHER, SAYLOR, SCHRODER, SHANER, B. SMITH, SOLOBAY, SONNEY, STABACK, STEIL, STERN, R. STEVENSON, T. STEVENSON, SURRA, E. Z. TAYLOR, THOMAS, TIGUE, TRUE, TURZAI, VITALI, WANSACZ, WATSON, WILT, YOUNGBLOOD, ZUG and HARPER

An Act amending the act of October 6, 1998 (P.L.705, No.92), known as the Keystone Opportunity Zone, Keystone Opportunity Expansion Zone and Keystone Opportunity Improvement Zone Act," providing for licensed facilities and licensed gaming entities eligibility; and making a related repeal.

Referred to Committee on COMMERCE, October 17, 2005.

No. 2059 By Representatives HABAY, BOYD, CALTAGIRONE, CREIGHTON, GOODMAN, MARKOSEK, S. MILLER, R. STEVENSON and TIGUE

An Act amending the act of June 22, 1964 (Sp.Sess., P.L.84, No.6), known as the Eminent Domain Code, further providing for grounds for preliminary objections.

Referred to Committee on JUDICIARY, October 17, 2005.

No. 2061 By Representatives LEACH, CURRY, JAMES and JOSEPHS

An Act prohibiting smoking in State parks; providing for duties of the Environmental Quality Board; and imposing a penalty.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, October 17, 2005.

No. 2062 By Representatives GEORGE, DeWEESE, COHEN, BEBKO-JONES, BELARDI, BIANCUCCI, BLAUM, CALTAGIRONE, CURRY, FABRIZIO, FRANKEL, FREEMAN, GEIST, GERGELY, GOODMAN, GRUCELA, HALUSKA, HARHAI, JAMES, JOSEPHS, LEDERER, MANDERINO, MARKOSEK, McGEEHAN, McILHATTAN, MUNDY, NAILOR, PISTELLA, ROONEY, SCHRODER, SIPTROTH, SHANER, STABACK, SURRA, THOMAS, TIGUE, YOUNGBLOOD and YUDICHAK

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, further providing for termination of utility service limitations for certain medical conditions.

Referred to Committee on CONSUMER AFFAIRS, October 17, 2005.

No. 2063 By Representatives BOYD, ARMSTRONG, HERMAN, CRAHALLA, KOTIK, BALDWIN, HICKERNELL, MUSTIO, O'NEILL, SONNEY, FREEMAN, HERSHEY, MARSICO, TIGUE, STEIL, DENLINGER, MACKERETH and SIPTROTH

An Act amending the act of July 31, 1968 (P.L.805, No.247), known as the Pennsylvania Municipalities Planning Code, further providing for implementation agreements.

Referred to Committee on INTERGOVERNMENTAL AFFAIRS, October 17, 2005.

No. 2064 By Representatives BOYD, PYLE, CALTAGIRONE, COHEN, ARMSTRONG, RUBLEY, HICKERNELL, HERMAN, YUDICHAK, YOUNGBLOOD, E. Z. TAYLOR, TIGUE, GINGRICH, MACKERETH, KOTIK, MUNDY, CRAHALLA, GOOD, SONNEY, THOMAS, MILLARD, ARGALL, DALLY, KIRKLAND, B. SMITH, DENLINGER, SCHRODER, REICHLEY and SIPTROTH

An Act amending the act of February 1, 1966 (1965 P.L.1656, No.581), known as The Borough Code, further providing for intergovernmental cooperation, joint ownership and maintenance.

Referred to Committee on INTERGOVERNMENTAL AFFAIRS, October 17, 2005.

No. 2065 By Representatives BOYD, PYLE, CALTAGIRONE, COHEN, ARMSTRONG, RUBLEY, HICKERNELL, HERMAN, YUDICHAK, YOUNGBLOOD, E. Z. TAYLOR, TIGUE, GINGRICH, MACKERETH, KOTIK, MUNDY, CRAHALLA, GOOD, SONNEY, THOMAS, MILLARD, ARGALL, DALLY, KIRKLAND, B. SMITH, DENLINGER, SCHRODER, REICHLEY and SIPTROTH

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, further providing for intergovernmental cooperation, joint ownership and maintenance.

Referred to Committee on INTERGOVERNMENTAL AFFAIRS, October 17, 2005.

No. 2066 By Representatives BOYD, PYLE, CALTAGIRONE, COHEN, ARMSTRONG, RUBLEY, HICKERNELL, HERMAN, YUDICHAK, YOUNGBLOOD,

E. Z. TAYLOR, TIGUE, GINGRICH, MACKERETH, KOTIK, MUNDY, CRAHALLA, GOOD, SONNEY, THOMAS, MILLARD, ARGALL, DALLY, KIRKLAND, B. SMITH, DENLINGER, SCHRODER, REICHLEY and SIPTROTH

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, further providing for intergovernmental cooperation, joint ownership and maintenance.

Referred to Committee on INTERGOVERNMENTAL AFFAIRS, October 17, 2005.

No. 2067 By Representatives ALLEN, FEESE, REICHLEY, PHILLIPS, FAIRCHILD, ARGALL, ARMSTRONG, BAKER, BALDWIN, BOYD, CAPPELLI, CRAHALLA, DALLY, DENLINGER, GEIST, GINGRICH, GOOD, GOODMAN, HALUSKA, HARRIS, HERMAN, HERSHEY, HESS, HUTCHINSON, KAUFFMAN, LEH, MACKERETH, MAHER, MARSICO, S. MILLER, MUSTIO, NAILOR, PERZEL, PYLE, READSHAW, REED, SATHER, SCAVELLO, SCHRODER, SONNEY, STERN, R. STEVENSON, T. STEVENSON, E. Z. TAYLOR, TURZAI, WILT and ZUG

A Joint Resolution proposing integrated and distinct amendments to the Constitution of the Commonwealth of Pennsylvania, further providing for legislative power, for appropriations and for surpluses.

Referred to Committee on APPROPRIATIONS, October 17, 2005.

No. 2068 By Representatives COHEN, LEACH, SHAPIRO, E. Z. TAYLOR, DeWEESE, GEORGE, BEBKO-JONES, BLACKWELL, CALTAGIRONE, CAWLEY, CORRIGAN, COSTA, CURRY, DALEY, FABRIZIO, FAIRCHILD, FREEMAN, GERBER, GRUCELA, HARHAI, HARRIS, HENNESSEY, JAMES, JOSEPHS, LaGROTTA, LEDERER, MANDERINO, MANN, MARKOSEK, MUNDY, PALLONE, PETRARCA, PETRONE, PYLE, READSHAW, REICHLEY, SANTONI, SCHRODER, SHANER, SIPTROTH, STABACK, STURLA, SURRA, TANGRETTI, WALKO, WANSACZ, WRIGHT and YUDICHAK

An Act establishing the Plug-in Hybrid Task Force; and providing for its powers and duties.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, October 17, 2005.

No. 2069 By Representatives PAYNE, BOYD, CALTAGIRONE, CAWLEY, DENLINGER, GEIST, HERMAN, KOTIK, MARKOSEK, READSHAW, SCAVELLO, B. SMITH and YUDICHAK

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for a critical infrastructure tax credit.

Referred to Committee on FINANCE, October 17, 2005.

No. 2070 By Representatives KILLION, BELARDI, BELFANTI, CALTAGIRONE, CAWLEY, DeWEESE, GEORGE, GODSHALL, HASAY, HERMAN, JAMES,

KOTIK, LaGROTTA, MARKOSEK, MUSTIO, PETRONE, PICKETT, PISTELLA, READSHAW, REICHLEY, SAINATO, SCAVELLO, TANGRETTI, E. Z. TAYLOR, THOMAS, TIGUE, WATSON, YUDICHAK and CRAHALLA

An Act providing for the acquisition of property by the Commonwealth and local government units to mitigate flood hazards.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, October 17, 2005.

No. 2071 By Representatives SCHRODER, ARMSTRONG, BARRAR, BEYER, CLYMER, CORRIGAN, CREIGHTON, DENLINGER, GEIST, HARPER, HENNESSEY, HERSHEY, KAUFFMAN, MELIO, MUSTIO, NAILOR, PYLE, REICHLEY, ROHRER, RUBLEY and WILT

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 annual budget, advertising and public hearing in school districts of the first class.

Referred to Committee on EDUCATION, October 17, 2005.

No. 2073 By Representative MAITLAND

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for comparative negligence.

Referred to Committee on JUDICIARY, October 17, 2005.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 450 By Representatives MARKOSEK, MUSTIO, BEBKO-JONES, CALTAGIRONE, GINGRICH, GOODMAN, HANNA, HERSHEY, MANDERINO, McGEEHAN, MUNDY, PALLONE, PISTELLA, READSHAW, REICHLEY, SANTONI, SHANER, SOLOBAY, STURLA, E. Z. TAYLOR, TIGUE, WALKO and WHEATLEY

A Resolution urging all hospitals and health care facilities in the Commonwealth of Pennsylvania subject to Act 14 of 2003 to comply with hospital infection reporting requirements as enacted by the General Assembly, commending the Health Care Cost Containment Council for its effective implementation of Act 14 of 2003 and commending those Pennsylvania hospitals and their staffs who are demonstrating good faith efforts to identify and respond to the serious problem of hospital-acquired infections.

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

No. 454 By Representatives SATHER, HERMAN, PHILLIPS, GEIST, BALDWIN, BEBKO-JONES, CALTAGIRONE, CAPPELLI, CAUSER, DeLUCA, FABRIZIO, FAIRCHILD, FICHTER, GEORGE, GINGRICH, GOOD, GOODMAN, GRUCELA, MARSICO, McGILL, McILHATTAN, PICKETT, PYLE, READSHAW, RUBLEY, SEMMEL, STABACK, STERN, SURRA, E. Z. TAYLOR, TIGUE, WILT, HESS, JAMES, DeWEESE, BASTIAN, SIPTROTH, YOUNGBLOOD, CREIGHTON, DENLINGER,

HENNESSEY, B. SMITH, PETRARCA, THOMAS, BEYER, WANSACZ and PALLONE

A Resolution urging the Congress of the United States to create a task force, working with State and local government, employers and the health care industry, to develop solutions to rapidly increasing health care costs.

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

No. 456 By Representatives R. MILLER, ARGALL, ARMSTRONG, BALDWIN, BARRAR, BELFANTI, BOYD, CALTAGIRONE, CAPPELLI, CLYMER, COHEN, CRAHALLA, CREIGHTON, DENLINGER, DERMODY, FABRIZIO, FREEMAN, GEIST, GEORGE, GILLESPIE, GINGRICH, GOOD, GOODMAN, HARRIS, HASAY, HENNESSEY, HERMAN, HERSHEY, HESS, HUTCHINSON, JAMES, MARKOSEK, MARSICO, MCGILL, MILLARD, MUSTIO, NAILOR, PALLONE, PAYNE, PHILLIPS, PICKETT, RAPP, READSHAW, REICHLEY, RUBLEY, SATHER, SHANER, SIPTROTH, B. SMITH, SONNEY, STABACK, STERN, R. STEVENSON, SURRA, TIGUE, VITALI, WALKO, WILT and PETRARCA

A Resolution directing the Joint State Government Commission to conduct a study and report on the use of rubberized asphalt in the other 49 states and to indicate the number of waste tires consumed in the highways and the new markets created for recycled rubber.

Referred to Committee on TRANSPORTATION, October 17, 2005.

No. 461 By Representatives B. SMITH, SURRA, PHILLIPS, ARMSTRONG, BAKER, BALDWIN, BELARDI, BELFANTI, BENNINGHOFF, BOYD, CALTAGIRONE, CAPPELLI, CAUSER, COHEN, COSTA, CRAHALLA, DALLY, DeLUCA, J. EVANS, FABRIZIO, FAIRCHILD, FEESE, FICHTER, FLEAGLE, FORCIER, GEIST, GERGELY, GILLESPIE, GINGRICH, GOOD, GOODMAN, GRELL, GRUITZA, HANNA, HARHAI, HARHART, HERSHEY, HESS, HICKERNELL, JOSEPHS, M. KELLER, KOTIK, LEDERER, LEH, LEVDANSKY, MACKERETH, MAITLAND, MAJOR, MANN, MARKOSEK, MARSICO, MCGEEHAN, MCGILL, McILHATTAN, McNAUGHTON, METCALFE, MILLARD, R. MILLER, S. MILLER, MUNDY, MUSTIO, NAILOR, PALLONE, PAYNE, PETRARCA, PICKETT, PYLE, RAMALEY, READSHAW, REED, ROBERTS, SATHER, SCAVELLO, SHANER, SHAPIRO, S. H. SMITH, SOLOBAY, SONNEY, STERN, R. STEVENSON, T. STEVENSON, TANGRETTI, E. Z. TAYLOR, TRUE, WALKO, WATSON, WILT, WOJNAROSKI, WRIGHT, YOUNGBLOOD, ZUG, KENNEY, BEYER, WANSACZ, HUTCHINSON, SIPTROTH and HARRIS

A Resolution memorializing the President and Congress of the United States to revise the requirement that applicants for hunting and fishing licenses provide their Social Security numbers.

Referred to Committee on GAME AND FISHERIES, October 17, 2005.

No. 467 By Representatives GEORGE, BEBKO-JONES, BELARDI, BELFANTI, BEYER, BIANCUCCI, BLACKWELL, BLAUM, BUXTON, CALTAGIRONE, CAWLEY, COHEN, CRAHALLA, DeLUCA, DeWEESE, GOOD, GOODMAN, GRUCELA, HANNA, HASAY, HERMAN, JAMES, LEACH, MANN, MARSICO, MCGEEHAN, McILHATTAN, MUNDY, PICKETT, QUIGLEY, RAMALEY, READSHAW, REED, RUBLEY, SCHRODER, SHANER, SOLOBAY, STERN, SURRA, TANGRETTI, TIGUE, WOJNAROSKI, WRIGHT, COSTA, SAINATO, MARKOSEK, YUDICHAK, GINGRICH, DALLY, GERGELY, PISTELLA, FRANKEL, CAPPELLI, HARHAI, FABRIZIO, BUNT and D. EVANS

A Resolution memorializing the President and the Congress of the United States to support efforts to increase funding for the Low-Income Home Energy Assistance Program (LIHEAP).

Referred to Committee on INTERGOVERNMENTAL AFFAIRS, October 17, 2005.

No. 470 By Representatives LEACH, CORNELL, JAMES and JOSEPHS

A Resolution urging local officials to ban smoking in public parks within their jurisdictions.

Referred to Committee on HEALTH AND HUMAN SERVICES, October 17, 2005.

No. 471 By Representatives E. Z. TAYLOR, GINGRICH, FORCIER, LEDERER, ARMSTRONG, BALDWIN, BEBKO-JONES, BENNINGHOFF, BEYER, BOYD, CALTAGIRONE, CAPPELLI, CAUSER, CORRIGAN, CRAHALLA, CREIGHTON, CRUZ, DENLINGER, DeWEESE, DiGIROLAMO, DONATUCCI, J. EVANS, FABRIZIO, FLEAGLE, FRANKEL, GEIST, GEORGE, GILLESPIE, GOOD, GOODMAN, GRUCELA, GRUITZA, HARHAI, HARHART, HERMAN, HERSHEY, HESS, JAMES, MAJOR, MANN, MARSICO, MCGILL, McILHATTAN, MUSTIO, PALLONE, PAYNE, PHILLIPS, PICKETT, PYLE, RAMALEY, READSHAW, ROBERTS, ROHRER, ROSS, RUBLEY, SAINATO, SATHER, SCAVELLO, SCHRODER, SHAPIRO, SIPTROTH, B. SMITH, SOLOBAY, STABACK, TIGUE, TRUE, WALKO and YOUNGBLOOD

A Resolution designating November 15, 2005, as "Prematurity Awareness Day" in Pennsylvania and encouraging efforts to fund research and programs to find causes of prematurity.

Referred to Committee on HEALTH AND HUMAN SERVICES, October 17, 2005.

SENATE BILLS FOR CONCURRENCE

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

SB 358, PN 1141

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, October 13, 2005.

SB 682, PN 1143

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, October 13, 2005.

SB 867, PN 1132

Referred to Committee on APPROPRIATIONS, October 13, 2005.

SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 761, PN 2761**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

BILLS REMOVED FROM TABLE

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

Mr. S. SMITH. Mr. Speaker, I move that the following bills be taken from the table: HB 58 and HB 1637.

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 58, PN 2674; and HB 1637, PN 2022.

BILLS RECOMMITTED

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

Mr. S. SMITH. Mr. Speaker, I move that the following bills be recommitted to the Appropriations Committee: HB 58 and HB 1637.

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 supplemental report of the Committee on Committees.

The following report was read:

**SUPPLEMENTAL REPORT
COMMITTEE ON COMMITTEES**

In the House of Representatives
October 17, 2005

Resolved that:

Rep. Cherrille Parker, Philadelphia County, is elected a member of the Commerce Committee vice Rep. Melio resigned.

Rep. Cherrille Parker, Philadelphia County, is elected a member of the Aging & Older Adult Services Committee vice Rep. Butkovitz resigned.

Rep. Cherrille Parker, Philadelphia County, is elected a member of the Urban Affairs Committee vice Rep. Lescovitz resigned.

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

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

ACTUARIAL NOTES

The SPEAKER pro tempore. The Chair recognizes the receipt of the following actuarial notes:

HB 1849, PN 2485;
HB 1777, PN 2291; and
SB 606, PN 672.

(Copies of actuarial notes are on file with the Journal clerk.)

REPORTS SUBMITTED

The SPEAKER pro tempore. The Speaker acknowledges receipt of the Department of Environmental Protection's 2004-2005 Annual Report.

* * *

The Speaker acknowledges receipt of the Pennsylvania Public Utility Commission's Annual Report on the Telecommunications Device Distribution Program, pursuant to P.S. 35, subsection 6701.

(Copies of reports are on file with the Journal clerk.)

STATE SYSTEM OF HIGHER EDUCATION PROPERTY REQUEST

The SPEAKER pro tempore. The Chair submits for the record the request of the State System of Higher Education for the sale of property at Edinboro University. The property request resolution will be placed on the next legislative day's calendar.

REPORT SUBMITTED

The SPEAKER pro tempore. The Speaker acknowledges receipt of the Annual Industrial Sites Environmental Assessment Report for fiscal year 2004-2005, submitted pursuant to the Job Enhancement Act.

(Copy of report is on file with the Journal clerk.)

GUESTS INTRODUCED

The SPEAKER pro tempore. We have some folks who are the guests of State Representative Mario Scavello from the 176th Legislative District. This is a group from the Pocono Farms community located in Tobyhanna and St. Mary's of the Mount Church located in Mount Pocono. All the guests are seated in the gallery. We welcome you to Harrisburg.

We also have a guest of Representative Sam Rohrer. He is Taimur Ali from Lahore, Pakistan. He will be a foreign exchange student at Governor Mifflin School District for the school year. Mr. Ali? Where is he? There he is. Okay. Welcome to Harrisburg.

RULES COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes the majority leader, who calls for an immediate meeting of the Rules Committee.

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 1968, PN 2701

By Rep. GODSHALL

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.

TOURISM AND RECREATIONAL DEVELOPMENT.

RESOLUTION REPORTED FROM COMMITTEE

HR 443, PN 2713

By Rep. S. SMITH

A Resolution adding the chairman and minority chairman of the Intergovernmental Affairs Committee to the select committee established under House Resolution No. 351, Printer's No. 2359 (2005).

RULES.

LEAVES OF ABSENCE

The SPEAKER pro tempore. The Chair is in receipt of requests for leaves.

The lady, Sheila MILLER, from Berks County asks for leave for the day; the gentleman, Mr. RAYMOND, from Delaware County asks for leave for the day; the gentleman, Mr. STEIL, from Bucks County asks for leave for the day.

The gentleman, Mr. COHEN, from Philadelphia asks for leave for the day; the gentleman, Mr. McGEEHAN, from Philadelphia asks for leave for the day; and the gentleman, Mr. RIEGER, asks for leave for the remainder of the week. Without objection, the leaves are granted.

MASTER ROLL CALL

The SPEAKER pro tempore. The Chair is about to take today's master roll. The members will proceed to vote.

The following roll call was recorded:

PRESENT—197

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

Evans, J. Fabrizio	Leh Lescovitz	Ross Rubley	Perzel, Speaker
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ADDITIONS—0

NOT VOTING—0

EXCUSED—6

Cohen McGeehan	Miller, S. Raymond	Rieger	Steil
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LEAVES ADDED—5

Butkovitz Cawley	Donatucci	Josephs	Wansacz
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LEAVES CANCELED—1

Steil

GUESTS INTRODUCED

The SPEAKER pro tempore. We have some more guests with us today. They are the guests of Representative Frank Pistella. They are Bob and Barbara Alter, who are the father and stepmother of Kathy Seidl of the Committee on Aging and Older Adult Services, of the committee staff of Representative Pistella. They are located in the balcony. Welcome to Harrisburg today.

STATE SYSTEM OF HIGHER EDUCATION PROPERTY REQUEST

The SPEAKER pro tempore. The Chair submits for the record State System of Higher Education Property Request No. 2 of 2005.

WEST POINT GIRLS SOFTBALL TEAM PRESENTED

The SPEAKER pro tempore. Members will please take their seats. We have the introduction of some special guests with us today. Members, please take your seats. All the members out of their seats please take their seats.

The Chair would like to ask Representative Tangretti to introduce his special guests today.

Mr. TANGRETTI. Thank you very much, Mr. Speaker. Good morning, my colleagues.

I would like to introduce to you the State softball champions, Little League champions for 2005, the West Point Girls Softball Team.

The West Point Girls Softball Team won the Pennsylvania Little League Major Division Softball Championship on July 28 this year in Mifflin County. The final game of the series ended with a thrilling cliffhanger equal to any Major League playoff. The road to the championship began in West Point's own District 26 where they went undefeated, advancing to Section 1 play. The team also went undefeated in the Section 1 playoff in Mifflin County, advancing to the State championships.

With opponents from six other sectional teams from across the State, West Point continued their winning streak, winning games against Warrington, Milton, and Corry. Corry moved on to become the winners of the losers' bracket and faced West Point again in the final round of the series. West Point was successful in the final round of the series, defeating Corry in the first game, but then had their first loss in 10 games by a slim 4-to-3 margin when they played Corry again in game 2 of the finals. Corry's win forced a final game to decide who would be the State champions.

This was a great game, the way any championship should be decided. In the top of the sixth inning, with West Point in the lead 4 to 3 and only three outs away from the State championship, Corry's first batter hit into left field and took first base. West Point managed to get two other outs without allowing Corry's runner to advance.

The final play of the game. When Corry's batter ripped a drive at first base, Corry's runner advanced to third. With the Corry manager waving the girl to go home, Nina Italiano, playing right field for West Point, came in to field the hit and made the strongest throw, a throw that Roberto Clemente would have been proud of, to the catcher at home, Alyssa Bates, and was declared out and won the game with that play, and they thus were declared the State champions for 2005.

West Point then went on to the regional championships in Albany, New York, and this was the second time since 2001 that that team from West Point won the State championship and went on to Albany. In Albany they had 5 wins and 1 loss to take third place in the Eastern Regionals, which were represented by 12 States. Overall, West Point played 17 games, had 2 losses, scored 127 runs, and gave up only 50 runs to their opponents.

Ladies and gentlemen, I would ask that we honor this great team by once again giving them a round of applause for this terrific championship.

I would now like to ask my colleague, Jess Stairs, to make a few comments and to introduce some of the players and families. Jess.

Mr. STAIRS. Thank you, Representative Tangretti.

I am quite honored to be here to recognize the softball team from West Point and congratulate them. Also, in the Corry game, which was a very tight game and West Point won by one run, I can sympathize with Corry because this past weekend I had a couple of bad games. Penn State lost and the Steelers lost, so I know what it is like to lose in very close, tight games.

But West Point is in my district, the girls on the team are in both Tom and I's district, and of course Ted Harhai, Representative Harhai, is close by to give us some backup help when we need some support. But I would like to recognize the girls, and if we can all give them one last round of applause: Alyssa Bates – and if they would stand; some are up here and some are in the back – Alyssa Bates; and of course Roberto Clemente, Nina Italiano; Paige Lucas; Madison Mastro; Laura Lee Zaffina; Emily Adisey; Kierstin Ackinclose; Jill Lantzy; Alexa Larkin; Megan Price; Deanna Skiavo; Rebecca Taylor. Give these girls a big hand.

Thank you.

Mr. TANGRETTI. On behalf of Representatives Harhai, myself, and Stairs, I would like to present this citation to the four captains of the team.

Thank you very much.

ANNOUNCEMENT BY SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would like to bring to the members' attention a slight change in our process of voting on resolutions this afternoon.

May I have your attention, please. Members, please end your conversations. Members, please take your seats.

Pursuant to the request of several of the members, we are going to be trying something new today with the rule 35 resolutions. There is a supplemental A calendar today called the uncontested House calendar. It includes 10 resolutions, all rule 35 resolutions, which mean they are noncontroversial. We are going to ask you as a body to vote on all 10 at once. Rather than go through the 10 readings of each of the resolutions, we are going to do that en masse.

Now, the only change that will occur other than that is the fact that when the rolling session comes up on your computer, you will not be able to see all 10 at once. However, they are on the calendar section of your computers – you will be able to find them there – and I will read off all 10 at once so that you will know what they are for.

Now, that having been said, let me also add that there are some rule 35 resolutions which will not be in the uncontested category, and we are going to do one of those today. That is on the death of a military person serving in Iraq. We believe that that should not be a part of all those other resolutions but that it should stand on its own.

SUPPLEMENTAL UNCONTESTED CALENDAR A

RESOLUTIONS PURSUANT TO RULE 35

The SPEAKER pro tempore. So at this time – I will give you the opportunity to ask questions in a second – the House calls up on uncontested House calendar supplemental A the following resolutions pursuant to rule 35: 451, 455, 459, 460, 462, 464, 465, 466, 468, and 469.

PARLIAMENTARY INQUIRIES

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

Mr. FREEMAN. Thank you, Mr. Speaker.

Mr. Speaker, if I may make a request of the Chair. If we are going to follow this procedure for the uncontested resolutions, I would highly recommend that a paper copy of the calendar be distributed every day that we vote on these. There are some copies floating around the floor now. I realize that we have access on our computer. But as I think every member understands, if you are trying to go through every possible resolution that is on one uncontested calendar, it is difficult to ascertain what they all are before the vote. So if we could, I would respectfully request of the Chair that a paper calendar of the uncontested ones that are going to be voted on as a group be on our desks before we vote on them every day.

The SPEAKER pro tempore. As you know, the person who is standing here right now is only speaking in a temporary position.

Mr. FREEMAN. I understand.

The SPEAKER pro tempore. That request will be given to the Speaker, and it is the indication of the people who are in charge that that probably can be done without difficulty.

Mr. FREEMAN. I think it would raise the comfort level for all the members, knowing that at least they would have a paper copy in hand before we vote it.

The SPEAKER pro tempore. The Chair appreciates your comments and will pass them on to Speaker Perzel.

Mr. FREEMAN. Thank you, Mr. Speaker.

The SPEAKER pro tempore. Does anyone else have any questions?

Mr. Pistella.

Mr. PISTELLA. Mr. Speaker, are there in fact copies of the supplemental A? I looked on the computer; I did not see one, or perhaps I am looking at the wrong place. I do have the regular House calendar. I also have a pre-session report provided by our caucus and a tabled calendar. Is there—

The SPEAKER pro tempore. We do have some extra paper copies. We will be more than happy to share them with you—

Mr. PISTELLA. Thank you, sir.

The SPEAKER pro tempore. —and in the future I believe that the Speaker will probably have them on everybody's desk.

Mr. PISTELLA. I simply was making the request and would just echo Mr. Freeman's comment. This, I think, would facilitate the ease of action on the part of the chamber. Thank you.

The SPEAKER pro tempore. Yes, and I would add that they should be on the computer. If you go to somewhere on the left-hand side of the bottom of your screens, you will find "Calendar," and it would be listed as a supplemental A calendar.

The Chair recognizes Ms. Manderino.

Ms. MANDERINO. Thank you, Mr. Speaker. A point of further clarification on this new procedure.

I noticed a distinction between a couple of different resolutions that are on today's current uncontested calendar. Most of them deal with certain kinds of either celebration or acknowledgment, some kind of awareness week, et cetera. There are two on there that deal with substantive issues. One has to do with emergency preparedness, and the other one has to do with memorializing Congress about unconsolidated loans or something like that. Now, those may be noncontroversial, but I guess I am trying to understand the procedure by which it was determined that those go on an uncontested calendar.

RESOLUTIONS PASSED OVER TEMPORARILY

The SPEAKER pro tempore. Other than answer your question directly, I have been approached by your leadership, who have asked for the opportunity to caucus on this procedure. Apparently they were not fully aware of what we were doing. So we are not going to run these resolutions at this time, and that will give you an opportunity in caucus to express the concerns you have rather than do it on the House floor and then have to do it in caucus anyway. So we are going to pass over those resolutions for the time being.

Ms. MANDERINO. Thank you, Mr. Speaker.

The SPEAKER pro tempore. We do want to do, however, HR 458, PN 2783, and again I would ask the members for their attention. This concerns the sacrifice of one of our military

people in the Middle East. I think it is worthy of our respect. I would ask all members to take their seats. Please, all members take your seats.

SUPPLEMENTAL CALENDAR A

RESOLUTION PURSUANT TO RULE 35

Mr. LESCOVITZ called up **HR 458, PN 2783**, entitled:

A Resolution honoring the life and extending condolences for the supreme sacrifice of Lance Corporal Ryan J. Kovacicek of Washington County, assigned to Marine Forces Reserve's 3rd Battalion, 25th Marine Regiment, 4th Marine Division, of Moundsville, West Virginia, who tragically lost his life while in the service of his country in Hit, Iraq, on July 10, 2005.

On the question,
Will the House adopt the resolution?

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman, Mr. Lescovitz.

Mr. LESCOVITZ. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of HR 458 honoring the life of LCpl. Ryan Kovacicek from my district.

Ryan was a personal friend of mine, a personal friend of my family, a schoolmate of my two children in high school. He was a young man who was always a very happy person, an individual who was very caring, was very courteous to others. He was the kind of young man who really never met a stranger and was always willing to help and to serve.

Ryan went to college at Indiana University of Pennsylvania, where he was studying criminology. He was on the hockey team. After his freshman year in school, he enlisted in the United States Marine Corps, and after his training he was in the Reserves in the unit in Moundsville, West Virginia.

In the middle of his sophomore year, his unit and he were called up to serve and were deployed to Iraq, in March of this past year. This summer, on July 10, Ryan with four other members from his unit were returning back to the base compound in which they lived when they came under fire, enemy fire, small-arms fire. The four individuals, a sergeant who was with him and two other members, split in two different directions. LCpl. Ryan Kovacicek and the sergeant went one way and the other two individuals went the other. Unfortunately, they took cover near a building and were hit by mortar shells and were tragically killed.

I would appreciate support of HR 458 to honor Ryan Kovacicek. He will surely be missed by his family and by all of his friends and by myself and my family. So thank you, Mr. Speaker, for giving me this time on the floor today to honor LCpl. Ryan J. Kovacicek.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—197

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Cohen	Miller, S.	Rieger	Steil
McGeehan	Raymond		

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

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes the gentleman, the chairman of the Appropriations Committee, Mr. Feese, for a committee announcement.

Mr. FEESE. Thank you, Mr. Speaker.

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

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Appropriations Committee will meet in the House Appropriations Committee conference room at the recess.

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Semmel, chairman of the committee on Emergency Preparedness, for a committee announcement.

Mr. SEMMEL. Thank you, Mr. Speaker.

On the break we will have a meeting in the rear of the hall of the House. Thank you very much.

The SPEAKER pro tempore. On the break, Veterans Affairs and Emergency Preparedness will meet in the rear of the hall of the House.

REPUBLICAN CAUCUS

The SPEAKER pro tempore. Are there any other announcements?

The lady, Mrs. Taylor.

Mrs. TAYLOR. Thank you, Mr. Speaker.

At the call of recess, there will be a Republican caucus immediately following. Thank you. Mr. Speaker, I think we need about an hour and a half.

DEMOCRATIC CAUCUS

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Blaum, for a caucus announcement.

Mr. BLAUM. Thank you, Mr. Speaker.

There will be a Democratic caucus immediately upon the break.

The SPEAKER pro tempore. Any other announcements?

RECESS

The SPEAKER pro tempore. This House now stands in recess till the call of the Chair; probably somewhere around 3 o'clock.

AFTER RECESS

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

THE SPEAKER (JOHN M. PERZEL) PRESIDING

BILLS REREPORTED FROM COMMITTEE

HB 10, PN 2399

By Rep. FEESE

An Act amending the act of July 10, 1981 (P.L.214, No.67), known as the Bingo Law, further providing for rules for licensing and operation.

APPROPRIATIONS.

HB 11, PN 2400

By Rep. FEESE

An Act amending the act of December 19, 1988 (P.L.1262, No.156), known as the Local Option Small Games of Chance Act, further providing for prize limits, for limited sales and for recordkeeping; repealing certain provisions relating to advertising; and further providing for eligible organizations' use of locations for conducting small games of chance and for separate individual prize limitations.

APPROPRIATIONS.

HB 58, PN 2674

By Rep. FEESE

An Act providing a bonus to Pennsylvanians who are United States Merchant Marine veterans who served during World War II; imposing certain duties on the Adjutant General; providing penalties; and making an appropriation.

APPROPRIATIONS.

HB 349, PN 2062

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 teacher qualification and for conditional certification of certain persons.

APPROPRIATIONS.

HB 372, PN 2241

By Rep. FEESE

An Act amending the act of June 23, 1931 (P.L.932, No.317), known as The Third Class City Code, further providing for residency requirements for vacancy appointments.

APPROPRIATIONS.

HB 893, PN 1016

By Rep. FEESE

An Act amending the act of April 14, 1949 (P.L.482, No.98), entitled, as amended, "An act authorizing and requiring cities, boroughs, townships, municipal authorities and public utility companies engaged in the supplying of water, to shut off the supply of water for nonpayment of sewer, sewerage, or sewage treatment rentals, rates, or charges imposed by municipal authorities organized by counties of the second class, by cities of the second class, by cities of the second class A, by cities of the third class, by boroughs or by townships of the first or second class; authorizing and requiring them to supply to such authorities lists of metered water readings and flat-rate water bills and other data; authorizing them to act as billing and collecting agents for such authorities; and conferring certain powers upon the Pennsylvania Public Utility Commission in connection therewith," further providing for shutting off water if sewer charge not paid, for notice and for statement of defense; and requiring certain procedures to be followed in residential buildings.

APPROPRIATIONS.

HB 1048, PN 2387 By Rep. FEESE

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

APPROPRIATIONS.

HB 1281, PN 2849 (Amended) By Rep. FEESE

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

APPROPRIATIONS.

HB 1320, PN 2175 By Rep. FEESE

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

APPROPRIATIONS.

HB 1401, PN 1691 By Rep. FEESE

An Act designating a bridge on State Route 150 crossing the Beech Creek in Clinton and Centre Counties, Pennsylvania, as the Beech Creek Veterans Memorial Bridge.

APPROPRIATIONS.

HB 1455, PN 1753 By Rep. FEESE

An Act designating the intersection of State Route 18 and State Route 58 in Greenville, Mercer County, as the Joseph J. Lininger Intersection.

APPROPRIATIONS.

HB 1467, PN 2559 By Rep. FEESE

An Act providing for dispute resolution procedures relating to residential construction defects between contractors and homeowners or members of associations; and prescribing penalties.

APPROPRIATIONS.

HB 1559, PN 2110 By Rep. FEESE

An Act providing for unannounced inspections of certain facilities and persons that provide child day care; and conferring powers and duties on the Department of Public Welfare.

APPROPRIATIONS.

HB 1652, PN 2079 By Rep. FEESE

An Act amending Title 64 (Public Authorities and Quasi-Public Corporations) of the Pennsylvania Consolidated Statutes, further providing for governing board; and providing for regional transportation authorities.

APPROPRIATIONS.

HB 1687, PN 2850 (Amended) By Rep. FEESE

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 exclusion from the sales tax.

APPROPRIATIONS.

HB 1733, PN 2200 By Rep. FEESE

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

APPROPRIATIONS.

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 1561, PN 1936 By Rep. HERMAN

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

LOCAL GOVERNMENT.

HB 1992, PN 2733 By Rep. HERMAN

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, further providing, in the Local Government Capital Project Loan Fund provisions, for assistance to municipalities.

LOCAL GOVERNMENT.

LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes the minority whip, who moves for a leave of absence for the remainder of the day for the gentleman from Philadelphia, Mr. DONATUCCI; the gentleman from Philadelphia, Mr. BUTKOVITZ; the gentleman from Lackawanna, Mr. WANSACZ. Without objection, those leaves will be granted.

SUPPLEMENTAL UNCONTESTED CALENDAR A CONTINUED

The SPEAKER. The Chair at this time pulls up supplemental calendar A, the uncontested House calendar. The clerk will read the resolutions under the uncontested House calendar.

RESOLUTIONS PURSUANT TO RULE 35

Mr. FRANKEL called up **HR 451, PN 2766**, entitled:

A Resolution designating the month of October 2005 as "Young Adolescent Month" in Pennsylvania.

* * *

Mr. SCHRODER called up **HR 455, PN 2769**, entitled:

A Resolution designating the week of October 2 through 8, 2005, as “Latex Allergy Awareness Week” in Pennsylvania.

* * *

Mr. MAHER called up **HR 459, PN 2784**, entitled:

A Resolution proclaiming October 2005 as “Pregnancy and Infant Loss Awareness Month” in Pennsylvania.

* * *

Mr. PALLONE called up **HR 460, PN 2785**, entitled:

A Resolution memorializing the Congress of the United States to allow subsequent consolidation loans.

* * *

Mr. GODSHALL called up **HR 462, PN 2787**, entitled:

A Resolution designating October 21, 2005, as “Biomedical Research Day” in Pennsylvania.

* * *

Ms. BEBKO-JONES called up **HR 464, PN 2789**, entitled:

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

* * *

Ms. BEBKO-JONES called up **HR 465, PN 2790**, entitled:

A Resolution designating the week of October 2 through 8, 2005, as “Mental Illness Awareness Week” in Pennsylvania.

* * *

Ms. BEBKO-JONES called up **HR 466, PN 2791**, entitled:

A Resolution designating October 6, 2005, as “Bipolar Disorder Awareness Day” in Pennsylvania.

* * *

Mr. GEORGE called up **HR 468, PN 2793**, entitled:

A Resolution urging PEMA to review emergency preparedness.

* * *

Mrs. GINGRICH called up **HR 469, PN 2794**, entitled:

A Resolution designating the week of October 23 through 29, 2005, as “Respiratory Care Week” in Pennsylvania and commending respiratory therapists of Lebanon’s Good Samaritan Hospital and at all hospitals in this Commonwealth for their outstanding contributions to health care.

On the question,
Will the House adopt the resolutions?

The SPEAKER. The Chair rescinds the announcement of moving the supplemental calendar A, the uncontested House calendar. The Chair has received objections about the uncontested calendar, supplemental calendar A.

LEAVE OF ABSENCE CANCELED

The SPEAKER. The gentleman, Mr. Steil, will be added to the master roll.

RESOLUTIONS PURSUANT TO RULE 35

Mr. FRANKEL called up **HR 451, PN 2766**, entitled:

A Resolution designating the month of October 2005 as “Young Adolescent Month” in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—194

Adolph	Feese	Levdansky	Ruffing
Allen	Fichter	Mackereth	Sainato
Argall	Fleagle	Maher	Samuelson
Armstrong	Flick	Maitland	Santoni
Baker	Forcier	Major	Sather
Baldwin	Frankel	Manderino	Saylor
Barrar	Freeman	Mann	Scavello
Bastian	Gabig	Markosek	Schroder
Bebko-Jones	Gannon	Marsico	Semmel
Belardi	Geist	McCall	Shaner
Belfanti	George	McGill	Shapiro
Benninghoff	Gerber	McLhattan	Siproth
Beyer	Gergely	McIlhinney	Smith, B.
Bianucci	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	Mundy	Stern
Buxton	Gruitza	Mustio	Stetler
Caltagirone	Habay	Myers	Stevenson, R.
Cappelli	Haluska	Nailor	Stevenson, T.
Casorio	Hanna	Nickol	Sturla
Causar	Harhai	O’Brien	Surra
Cawley	Harhart	Oliver	Tangretti
Civera	Harper	O’Neill	Taylor, E. Z.
Clymer	Harris	Pallone	Taylor, J.
Cornell	Hasay	Payne	Thomas
Corrigan	Hennessey	Petrarca	Tigue
Costa	Herman	Petri	True
Crahalla	Hershey	Petrone	Turzai
Creighton	Hess	Phillips	Veon
Cruz	Hickernell	Pickett	Vitali
Curry	Hutchinson	Pistella	Walko
Daley	James	Preston	Waters
Dally	Josephs	Pyle	Watson
DeLuca	Kauffman	Quigley	Wheatley
Denlinger	Keller, M.	Ramaley	Williams
Dermody	Keller, W.	Rapp	Wilt
DeWeese	Kenney	Readshaw	Wojnaroski
DiGirolamo	Killion	Reed	Wright
Diven	Kirkland	Reichley	Yewcic

Eachus	Kotik	Roberts	Youngblood
Ellis	LaGrotta	Roebuck	Yudichak
Evans, D.	Leach	Rohrer	Zug
Evans, J.	Lederer	Rooney	
Fabrizio	Leh	Ross	Perzel,
Fairchild	Lescovitz	Rubley	Speaker

NAYS-0

NOT VOTING-1

Parker

EXCUSED-8

Butkovitz	Donatucci	Miller, S.	Rieger
Cohen	McGeehan	Raymond	Wansacz

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

* * *

Mr. SCHRODER called up **HR 455, PN 2769**, entitled:

A Resolution designating the week of October 2 through 8, 2005, as "Latex Allergy Awareness Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-195

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

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

NAYS-0

NOT VOTING-0

EXCUSED-8

Butkovitz	Donatucci	Miller, S.	Rieger
Cohen	McGeehan	Raymond	Wansacz

* * *

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

Mr. MAHER called up **HR 459, PN 2784**, entitled:

A Resolution proclaiming October 2005 as "Pregnancy and Infant Loss Awareness Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-195

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

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

NAYS-0

NOT VOTING-0

EXCUSED-8

Butkovitz	Donatucci	Miller, S.	Rieger
Cohen	McGeehan	Raymond	Wansacz

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

* * *

Mr. PALLONE called up **HR 460, PN 2785**, entitled:

A Resolution memorializing the Congress of the United States to allow subsequent consolidation loans.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-194

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

NAYS-0

NOT VOTING-1

Leach

EXCUSED-8

Butkovitz	Donatucci	Miller, S.	Rieger
Cohen	McGeehan	Raymond	Wansacz

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

* * *

Mr. GODSHALL called up **HR 462, PN 2787**, entitled:

A Resolution designating October 21, 2005, as "Biomedical Research Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-195

Adolph	Fichter	Mackereth	Ruffing
Allen	Fleagle	Maher	Sainato
Argall	Flick	Maitland	Samuelson
Armstrong	Forcier	Major	Santoni
Baker	Frankel	Manderino	Sather
Baldwin	Freeman	Mann	Saylor
Barrar	Gabig	Markosek	Scavello
Bastian	Gannon	Marsico	Schroder
Bebko-Jones	Geist	McCall	Semmel

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

NAYS-0

NOT VOTING-0

EXCUSED-8

Butkovitz	Donatucci	Miller, S.	Rieger
Cohen	McGeehan	Raymond	Wansacz

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

* * *

Ms. BEBKO-JONES called up **HR 464, PN 2789**, 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 following roll call was recorded:

YEAS-195

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

NAYS-0

NOT VOTING-0

EXCUSED-8

Butkovitz	Donatucci	Miller, S.	Rieger
Cohen	McGeehan	Raymond	Wansacz

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

* * *

Ms. BEBKO-JONES called up **HR 465, PN 2790**, entitled:

A Resolution designating the week of October 2 through 8, 2005, as "Mental Illness Awareness Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Butkovitz	Donatucci	Miller, S.	Rieger
Cohen	McGeehan	Raymond	Wansacz

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

* * *

Ms. BEBKO-JONES called up **HR 466, PN 2791**, entitled:

A Resolution designating October 6, 2005, as “Bipolar Disorder Awareness Day” in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Butkovitz	Donatucci	Miller, S.	Rieger
Cohen	McGeehan	Raymond	Wansacz

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

* * *

Mr. GEORGE called up **HR 468, PN 2793**, entitled:

A Resolution urging PEMA to review emergency preparedness.

On the question,
Will the House adopt the resolution?

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

Mr. GEORGE. Thank you, Mr. Speaker. I will not be long.

I would just like to say to all of you as colleagues that we are well aware of the tragic and recent events in the wake of Hurricanes Katrina and Rita. We all watched in shock as the individuals that were stranded in New Orleans and surrounding areas struggled to meet their basic needs and to find a way out of that flood area. In an attempt to learn from this disaster, I ask you to join with me to urge PEMA (Pennsylvania Emergency Management Agency) to review the Commonwealth emergency preparedness and evacuation plan. In times of an emergency, it is often the elderly, the sick, and the disabled that are stranded without transportation.

Mr. Speaker, with me I would hope we could urge, because we must ensure that each individual has access to an appropriate vehicle so that they can be transported in safety. Now is the time to ensure that we are prepared. Please join with me and show the people in Pennsylvania we care. I ask you to vote "yes."

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—195

Adolph	Fichter	Mackereth	Ruffing
Allen	Fleagle	Maher	Sainato
Argall	Flick	Maitland	Samuelson
Armstrong	Forcier	Major	Santoni
Baker	Frankel	Manderino	Sather
Baldwin	Freeman	Mann	Saylor
Barrar	Gabig	Markosek	Scavello
Bastian	Gannon	Marsico	Schroder
Bebko-Jones	Geist	McCall	Semmel
Belardi	George	McGill	Shaner
Belfanti	Gerber	McIlhatten	Shapiro
Benninghoff	Gergely	McIlhinney	Siproth
Beyer	Gillespie	McNaughton	Smith, B.
Bianucci	Gingrich	Melio	Smith, S. H.
Birmelin	Godshall	Metcalfe	Solobay
Bishop	Good	Micozzie	Sonney
Blackwell	Goodman	Millard	Staback
Blaum	Grell	Miller, R.	Stairs
Boyd	Grucela	Mundy	Steil
Bunt	Gruitza	Mustio	Stern
Buxton	Habay	Myers	Stetler
Caltagirone	Haluska	Nailor	Stevenson, R.
Cappelli	Hanna	Nickol	Stevenson, T.
Casorio	Harhai	O'Brien	Sturla

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Butkovitz	Donatucci	Miller, S.	Rieger
Cohen	McGeehan	Raymond	Wansacz

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

* * *

Mrs. GINGRICH called up **HR 469, PN 2794**, entitled:

A Resolution designating the week of October 23 through 29, 2005, as "Respiratory Care Week" in Pennsylvania and commending respiratory therapists of Lebanon's Good Samaritan Hospital and at all hospitals in this Commonwealth for their outstanding contributions to health care.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—195

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

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

NAYS-0

NOT VOTING-0

EXCUSED-8

Butkovitz	Donatucci	Miller, S.	Rieger
Cohen	McGeehan	Raymond	Wansacz

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

ANNOUNCEMENT BY SPEAKER

The SPEAKER. The Chair attempted the uncontested House calendar. It was contested by the minority party. That will be the last day for the uncontested calendar.

SUPPLEMENTAL CALENDAR B

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1559, PN 2110**, entitled:

An Act providing for unannounced inspections of certain facilities and persons that provide child day care; and conferring powers and duties on the Department of Public Welfare.

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

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

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

The following roll call was recorded:

YEAS-195

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

NAYS-0

NOT VOTING-0

EXCUSED—8

Butkovitz Donatucci Miller, S. Rieger
Cohen McGeehan Raymond Wansacz

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.

REMARKS SUBMITTED FOR THE RECORD

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

Mr. GODSHALL. Thank you, Mr. Speaker.

On HB 1559 I have comments I would like to submit for the record. I also would like to publicly thank Representative DeWeese for not adding amendments in, which he I know had a problem in his district and decided not to do that, and Representative Blaum, who also agreed to keep his amendments off so that this bill would have a chance over in the Senate. So I want to thank those two specific individuals and would like to submit comments for the record.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

It was 17 years ago – when my daughter, Jami, was looking for a day-care center for my granddaughter – that I became aware that the only inspections of child day-care centers in Pennsylvania were announced and planned well in advance; an inspection procedure that allowed the Department of Public Welfare to cut corners which created a situation that could allow operators to “clean up their act,” possibly hiding or disguising unsafe conditions.

Although Kaitlin is now 19 and attends college, this issue is so important to me that I have continued to pursue passage of legislation to require unannounced inspections of all licensed day-care centers in our Commonwealth. That is why I have introduced legislation, which has become a major priority of the House Republican Caucus, every session since becoming aware of this problem. Hopefully this will be the banner year in which my proposal not only passes the House but also receives Senate approval and will be signed into law.

Last session’s bill, HB 19, unanimously passed the House on June 3, 2003, but was never considered by the Senate. This session I will continue to work with that chamber, the Department of Public Welfare, the Rendell administration, and concerned interest groups to work for passage of a bill.

HB 1559 requires the Department of Public Welfare (DPW) to:

- Conduct one unannounced annual inspection of child day-care centers that care for more than seven children in a nonhome setting.
- Annually inspect each family day-care home, four to six children in care in an individual’s home, once every 4 years, while newly established family day-care homes will be inspected during the first year of operation.
- Conduct an onsite, unannounced inspection of any type of child-care facility within 24 hours of receiving a complaint involving an “immediate or serious risk” to a child’s health or safety.

Each session we come close to enactment of this bill. I am really hoping 2005 will be the year the bill becomes law.

The great majority of our day-care providers run a tight ship and have the interests of our children at heart. However, these are our children we are dealing with – our most precious responsibilities – and we cannot be too careful.

Occasionally people take short cuts in the operation of day-care centers which must be corrected to protect the welfare of our children and the good name of the majority of providers.

Fully agreeing with this, the DPW has expressed support for my proposal.

Child-care workers, parents, legislators, Senators, religious leaders, State inspectors, the Rendell administration, physicians, law enforcement officials – we all have an obligation to see that day-care centers and providers are topnotch when it comes to the health and safety of Pennsylvania’s children. We all have an obligation to place our children in a safe environment, watched over by trustworthy individuals. I urge your support of HB 1559.

Thank you, Mr. Speaker.

RULES SUSPENDED

The SPEAKER. The Chair recognizes the majority leader.

Mr. S. SMITH. Mr. Speaker, I move that the rules be suspended in order to have immediate consideration of HB 1687, PN 2850.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—195

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

Dermody	Kenney	Rapp	Wilt
DeWeese	Killion	Readshaw	Wojnaroski
DiGirolamo	Kirkland	Reed	Wright
Diven	Kotik	Reichley	Yewcic
Eachus	LaGrotta	Roberts	Youngblood
Ellis	Leach	Roebuck	Yudichak
Evans, D.	Lederer	Rohrer	Zug
Evans, J.	Leh	Rooney	
Fabrizio	Lescovitz	Ross	Perzel,
Fairchild	Levdansky	Rublely	Speaker
Feese			

NAYS-0

NOT VOTING-0

EXCUSED-8

Butkovitz	Donatucci	Miller, S.	Rieger
Cohen	McGeehan	Raymond	Wansacz

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.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1687, PN 2850**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing for exclusion from the sales tax.

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS-195

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

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

NAYS-0

NOT VOTING-0

EXCUSED-8

Butkovitz	Donatucci	Miller, S.	Rieger
Cohen	McGeehan	Raymond	Wansacz

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

Ordered, That the clerk present the same to the Senate for concurrence.

* * *

The House proceeded to third consideration of **HB 1320, PN 2175**, entitled:

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

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Butkovitz	Donatucci	Miller, S.	Rieger
Cohen	McGeehan	Raymond	Wansacz

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.

RULES SUSPENDED

The SPEAKER. HB 1281, PN 2849.
The Chair recognizes the gentleman, Mr. Harris.
Mr. HARRIS. Mr. Speaker, I move that the rules of the House be suspended for immediate consideration of the bill.

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

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Butkovitz	Donatucci	Miller, S.	Rieger
Cohen	McGeehan	Raymond	Wansacz

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.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1281, PN 2849**, entitled:

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

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—195

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

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Butkovitz	Donatucci	Miller, S.	Rieger
Cohen	McGeehan	Raymond	Wansacz

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

Ordered, That the clerk present the same to the Senate for concurrence.

* * *

The House proceeded to third consideration of **HB 1401, PN 1691**, entitled:

An Act designating a bridge on State Route 150 crossing the Beech Creek in Clinton and Centre Counties, Pennsylvania, as the Beech Creek Veterans Memorial Bridge.

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—195

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

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

NAYS-0

NOT VOTING-0

EXCUSED-8

Butkovitz	Donatucci	Miller, S.	Rieger
Cohen	McGeehan	Raymond	Wansacz

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

Ordered, That the clerk present the same to the Senate for concurrence.

* * *

The House proceeded to third consideration of **HB 1455, PN 1753**, entitled:

An Act designating the intersection of State Route 18 and State Route 58 in Greenville, Mercer County, as the Joseph J. Lininger Intersection.

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS-195

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

NAYS-0

NOT VOTING-0

EXCUSED-8

Butkovitz	Donatucci	Miller, S.	Rieger
Cohen	McGeehan	Raymond	Wansacz

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

Ordered, That the clerk present the same to the Senate for concurrence.

* * *

The House proceeded to third consideration of **HB 372, PN 2241**, entitled:

An Act amending the act of June 23, 1931 (P.L.932, No.317), known as The Third Class City Code, further providing for residency requirements for vacancy appointments.

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

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

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

The following roll call was recorded:

YEAS—195

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

Fabrizio	Lescovitz	Ross	Perzel,
Fairchild	Levdansky	Rubley	Speaker
Feese			

NAYS—0

NOT VOTING—0

EXCUSED—8

Butkovitz	Donatucci	Miller, S.	Rieger
Cohen	McGeehan	Raymond	Wansacz

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

Ordered, That the clerk present the same to the Senate for concurrence.

* * *

The House proceeded to third consideration of **HB 1733, PN 2200**, entitled:

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

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

Mr. **THOMAS** offered the following amendment No. **A02108**:

Amend Title, page 1, line 2, by striking out "offense" and inserting

offenses of possessing instruments of crime and

Amend Bill, page 1, lines 6 and 7, by striking out all of said lines and inserting

Section 1. Section 907(b) of Title 18 of the Pennsylvania Consolidated Statutes is amended to read:

§ 907. Possessing instruments of crime.

* * *

(b) Possession of weapon.—A person commits a [misdemeanor of the first] felony of the third degree if he possesses a firearm or other weapon concealed upon his person with intent to employ it criminally.

* * *

Section 2. Section 2702(c) of Title 18 is amended by adding a paragraph to read:

Amend Sec. 2, page 1, line 16, 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, Mr. Thomas.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, amendment 2108 addresses an issue that we have been dealing with for some time now, and that is on the question of whether or not illegal possession of a gun should result in something more than a third-degree misdemeanor. My amendment says that it should be a first-degree felony, and I ask my colleagues for support of amendment 2108.

The SPEAKER. The gentleman, Mr. Gabig.
 Mr. GABIG. Thank you, Mr. Speaker.
 I just think the gentleman from Philadelphia misspoke, but I would like to just have the record corrected, so to speak.

The gentleman, I believe, Mr. Speaker, said a felony of the first degree, and I believe it is a felony of the third degree. Is that correct, Mr. Speaker?

Mr. THOMAS. As always, Mr. Speaker, you are right on point. It is third degree.

Mr. GABIG. And I think it is also not just the mere possession but it is the possession with the intent to commit some other type of criminal activity. Is that also correct, Mr. Speaker?

Mr. THOMAS. Correct, Mr. Speaker.
 Mr. GABIG. Thank you very much, Mr. Speaker.
 The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—184

Adolph	Fairchild	Lescovitz	Ross
Allen	Feese	Levdansky	Rubley
Argall	Fichter	Mackereth	Ruffing
Armstrong	Fleagle	Maher	Samuelson
Baker	Flick	Maitland	Santoni
Baldwin	Forcier	Major	Sather
Barrar	Frankel	Manderino	Saylor
Bastian	Freeman	Mann	Scavello
Bebko-Jones	Gabig	Marsico	Schroder
Belardi	Gannon	McCall	Semmel
Belfanti	Geist	McGill	Shapiro
Benninghoff	George	McIlhattan	Siptroth
Beyer	Gerber	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	Mundy	Stern
Buxton	Gruitza	Mustio	Stetler
Caltagirone	Habay	Myers	Stevenson, R.
Cappelli	Haluska	Nailor	Stevenson, T.
Causar	Hanna	Nickol	Sturla
Cawley	Harhai	O'Brien	Tangretti
Civera	Harhart	Oliver	Taylor, E. Z.
Clymer	Harper	O'Neill	Taylor, J.
Cornell	Harris	Parker	Thomas
Corrigan	Hasay	Payne	Tigue
Costa	Hennessey	Petrarca	True
Crahalla	Herman	Petri	Turzai
Creighton	Hershey	Petrone	Veon
Cruz	Hess	Phillips	Vitali
Curry	Hickernell	Pickett	Walko
Daley	Hutchinson	Pistella	Waters
Dally	James	Preston	Watson
DeLuca	Josephs	Pyle	Wheatley
Denlinger	Kauffman	Quigley	Williams
Dermody	Keller, M.	Ramaley	Wilt
DeWeese	Keller, W.	Rapp	Wright
DiGirolo	Kennedy	Reed	Youngblood
Diven	Killion	Reichley	Yudichak
Eachus	Kirkland	Roberts	Zug
Ellis	LaGrotta	Roebuck	
Evans, D.	Leach	Rohrer	
Evans, J.	Lederer	Rooney	Perzel,
Fabrizio	Leh		Speaker

NAYS—11

Casorio	Markosek	Sainato	Wojnarowski
Gergely	Pallone	Shaner	Yewcic
Kotik	Readshaw	Surra	

NOT VOTING—0

EXCUSED—8

Butkovitz	Donatucci	Miller, S.	Rieger
Cohen	McGeehan	Raymond	Wansacz

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 gentleman, Mr. Petrone.

Mr. PETRONE. Mr. Speaker, I move for an immediate suspension of the rules for consideration of a late-filed amendment, amendment No. 3115.

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

The following roll call was recorded:

YEAS—195

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

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

NAYS-0

NOT VOTING-0

EXCUSED-8

Butkovitz	Donatucci	Miller, S.	Rieger
Cohen	McGeehan	Raymond	Wansacz

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?

Mr. **PETRONE** offered the following amendment No. **A03115**:

Amend Sec. 1 (Sec. 2702), page 1, line 14, by striking out "the Philadelphia Parking Authority." and inserting a parking authority in this Commonwealth.

On the question,

Will the House agree to the amendment?

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

Mr. **PETRONE**. Thank you, Mr. Speaker.

Mr. Speaker, I believe this is an agreed-to amendment, and it gives the parking enforcement officers the same protection, all parking authorities, parking authorities' enforcement officers, the same protection as that granted to Philadelphia.

Thank you, Mr. Speaker.

The **SPEAKER**. The Chair thanks the gentleman, Mr. Petrone.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS-195

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

NAYS-0

NOT VOTING-0

EXCUSED-8

Butkovitz	Donatucci	Miller, S.	Rieger
Cohen	McGeehan	Raymond	Wansacz

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?

RULES SUSPENDED

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

Mr. LaGROTTA. Mr. Speaker, I move for an immediate suspension of the rules in order to bring up amendment No. 2994.

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

The following roll call was recorded:

YEAS—195

Table listing names of members who voted 'YEAS' (195 total). Includes names like Adolph, Allen, Argall, Armstrong, Baker, Baldwin, Barrar, Bastian, Bebkco-Jones, Belardi, Belfanti, Benninghoff, Beyer, Bianucci, Birmelin, Bishop, Blackwell, Blaum, Boyd, Bunt, Buxton, Caltagirone, Cappelli, Casorio, Causer, Cawley, Civera, Clymer, Cornell, Corrigan, Costa, Crahalla, Creighton, Cruz, Curry, Daley, Dally, DeLuca, Denlinger, Dermody, DeWeese, DiGirolamo, Diven, Eachus, Ellis, Evans, D., Evans, J., Fabrizio, Fairchild, Feese, 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, 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, Maitland, Major, Manderino, Mann, Markosek, Marsico, McCall, McGill, McIlhattan, McIlhinney, McNaughton, Melio, Metcalfe, Micozzie, Millard, Miller, R., Mundy, Mustio, Myers, Nailor, Nickol, O'Brien, Oliver, O'Neill, Pallone, Parker, Payne, Petrarca, Petri, Petrone, Phillips, Pickett, Pistella, Preston, Pyle, Quigley, Ramaley, Rapp, Readshaw, Reed, Reichley, Roberts, Roebuck, Rohrer, Rooney, Ross, Rubley, Ruffing, Sainato, Samuelson, Santoni, 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, Waters, Watson, Wheatley, Williams, Wilt, Wojnaroski, Wright, Yewcic, Youngblood, Yudichak, Zug, Perzel, Speaker.

NAYS—0

NOT VOTING—0

EXCUSED—8

Table listing names of members who were 'EXCUSED' (8 total). Includes names like Butkovitz, Cohen, Donatucci, McGeehan, Miller, S., Raymond, Rieger, Wansacz.

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?

Mr. LaGROTTA offered the following amendment No. A02994:

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

and for criminal history record expungement.

Amend Bill, page 1, by inserting between lines 15 and 16 Section 2. Section 9122(b.1) of Title 18 is amended to read: § 9122. Expungement.

(b.1) Prohibition.—A court shall not have the authority to order expungement of the defendant's arrest record where the defendant was placed on Accelerated Rehabilitative Disposition for a violation of any offense set forth in any of the following where the victim is under 18 years of age:

Section 3121 (relating to rape).

Section 3122.1 (relating to statutory sexual assault).

Section 3123 (relating to involuntary deviate sexual intercourse).

Section 3124.1 (relating to sexual assault).

Section 3125 (relating to aggravated indecent assault).

Section 3126 (relating to indecent assault).

Section 5902(b) (relating to prostitution and related offenses).

Section 5903 (relating to obscene and other sexual materials and performances).

Section 6312 (relating to sexual abuse of children).

Amend Sec. 2, page 1, line 16, by striking out all of said line and inserting

Section 3. This act shall take effect as follows:

(1) The amendment of 18 Pa.C.S. § 2702(c) shall take effect in 30 days.

(2) The amendment of 18 Pa.C.S. § 9122(b.1) shall take effect in 60 days.

(3) This section shall take effect immediately.

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

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

Mr. LaGROTTA. Thank you, Mr. Speaker.

Mr. Speaker, this is an agreed-to amendment with the prime sponsor, and it simply adds the crime of sexual abuse of children to the list of crimes that cannot be expunged from the record after successful completion of ARD (accelerated rehabilitative disposition). I would appreciate the House's positive consideration.

Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Butkovitz	Donatucci	Miller, S.	Rieger
Cohen	McGeehan	Raymond	Wansacz

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—195

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Butkovitz	Donatucci	Miller, S.	Rieger
Cohen	McGeehan	Raymond	Wansacz

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

Ordered, That the clerk present the same to the Senate for concurrence.

* * *

The House proceeded to third consideration of **HB 10, PN 2399**, entitled:

An Act amending the act of July 10, 1981 (P.L.214, No.67), known as the Bingo Law, further providing for rules for licensing and operation.

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

Mr. **PALLONE** offered the following amendment No. **A02721**:

Amend Title, page 1, line 4, by removing the period after "operation" and inserting
and for revocation of licenses; abrogating regulations; and making related repeals.

Amend Sec. 2 (Sec. 5), page 4, line 14, by striking out the bracket after "value."

Amend Sec. 2 (Sec. 5), page 4, line 24, by inserting a bracket after "fairs."

Amend Sec. 2 (Sec. 5), page 4, line 29, by inserting an underscored period after "thereof"

Amend Sec. 2 (Sec. 5), page 4, line 29, by inserting a bracket before "for"

Amend Sec. 2 (Sec. 5), page 5, line 2, by inserting a bracket after "games."

Amend Sec. 2 (Sec. 5), page 5, lines 26 and 27, by inserting a bracket before "who" in line 26 and after "or" in line 27

Amend Sec. 2 (Sec. 5), page 7, line 10, by inserting a bracket before "(3)"

Amend Sec. 2 (Sec. 5), page 7, line 18, by inserting a bracket after "fairs."

Amend Sec. 2 (Sec. 5), page 7, line 23, by inserting a bracket before "nor"

Amend Sec. 2 (Sec. 5), page 7, line 28, by inserting a bracket after "games,"

Amend Sec. 2 (Sec. 5), page 8, line 12, by inserting a bracket before "NO"

Amend Sec. 2 (Sec. 5), page 8, line 16, by inserting after "COMPENSATED"

] Any person employed in the operation or the actual running of a bingo game

Amend Bill, page 9, by inserting between lines 12 and 13

Section 4. Section 6(a) of the act, amended December 15, 1982 (P.L.1299, No.293), is amended to read:

Section 6. Revocation of licenses.

(a) Grounds.—The licensing authority shall revoke or refuse to renew the license of any association whenever the district attorney finds upon investigation that:

(1) Any of the funds derived from the operation of the game of bingo are used for any purpose which does not support the nonprofit purposes of the association.

(2) Any person under the age of 18 unaccompanied by an adult is playing bingo as herein defined.

(3) The facility in which any game of bingo is played does not have adequate means of ingress and egress or does not have adequate sanitary facilities available in the area.

(4) [Greater compensation than is herein authorized has been paid to or received by any person, or that a] A person or persons other than those authorized in section 5 have been involved in managing, setting up, operating or running the game.

(5) The association conducts bingo using bingo equipment [which it does not own solely or jointly with another licensed association or] which it leases in violation of the statement contained in its license application provided by section 5(d)(3).

(6) The association conducts bingo upon premises which it does not own or with personal property it does not own and is either:

(i) leasing such premises or personal property used in the conduct of the game from the owner thereof under an oral agreement;

[(ii) leasing such premises or personal property from the owner thereof under a written agreement at a rental which is determined by either the amount of receipts realized from the playing of bingo or the number of people attending bingo games;] or

(iii) leasing such premises or personal property from a person who has been convicted of a felony or a violation of this act.

(7) False or erroneous information was provided in the original notarized application.

(8) An association has been convicted of a violation of this act as evidenced by a certified record of the conviction.

* * *

Section 5. All regulations or parts of regulations are hereby abrogated insofar as they are inconsistent with this act.

Section 6. All other acts and parts of acts are repealed insofar as they are inconsistent with this act.

Amend Sec. 4, page 9, line 13, by striking out "4" and inserting

7

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

The following roll call was recorded:

YEAS—85

Bebko-Jones	Frankel	Manderino	Santoni
Belardi	Freeman	Mann	Shaner
Belfanti	George	Markosek	Shapiro
Biancucci	Gerber	McCall	Siptroth
Bishop	Gergely	Melio	Solobay
Blackwell	Godshall	Mundy	Staback
Blaum	Goodman	Myers	Stetler
Buxton	Gruitza	Oliver	Sturla
Caltagirone	Haluska	Pallone	Surra
Casorio	Hanna	Parker	Tangretti
Cawley	Harhai	Petrarca	Thomas
Corrigan	James	Petrone	Tigue
Costa	Josephs	Pistella	Veon
Cruz	Keller, W.	Preston	Vitali
Curry	Kirkland	Ramaley	Walko
Daley	Kotik	Readshaw	Waters
DeLuca	LaGrotta	Roberts	Wheatley
Dermody	Leach	Roebuck	Williams
DeWeese	Lederer	Rooney	Wojnaroski
Eachus	Lescovitz	Ruffing	Youngblood
Evans, D.	Levdansky	Sainato	Yudichak
Fabrizio			

NAYS—110

Adolph	Fichter	Mackereth	Ross
Allen	Fleagle	Maher	Rubley
Argall	Flick	Maitland	Samuelson
Armstrong	Forcier	Major	Sather
Baker	Gabig	Marsico	Saylor
Baldwin	Gannon	McGill	Scavello
Barrar	Geist	McIlhattan	Schroder
Bastian	Gillespie	McIlhinney	Semmel
Benninghoff	Gingrich	McNaughton	Smith, B.
Beyer	Good	Metcalfe	Smith, S. H.
Birmelin	Grell	Micozzie	Sonney
Boyd	Grucela	Millard	Stairs
Bunt	Habay	Miller, R.	Steil
Cappelli	Harhart	Mustio	Stern
Causer	Harper	Nailor	Stevenson, R.
Civera	Harris	Nickol	Stevenson, T.
Clymer	Hasay	O'Brien	Taylor, E. Z.
Cornell	Hennessey	O'Neill	Taylor, J.
Crahalla	Herman	Payne	True
Creighton	Hershey	Petri	Turzai
Dally	Hess	Phillips	Watson
Denlinger	Hickernell	Pickett	Wilt
DiGirolamo	Hutchinson	Pyle	Wright
Diven	Kauffman	Quigley	Yewcic
Ellis	Keller, M.	Rapp	Zug
Evans, J.	Kenney	Reed	
Fairchild	Killion	Reichley	Perzel,
Feese	Leh	Rohrer	Speaker

NOT VOTING—0

EXCUSED—8

Butkovitz	Donatucci	Miller, S.	Rieger
Cohen	McGeehan	Raymond	Wansacz

Less than the majority having voted in the affirmative, the question was determined in the negative and the amendment was not agreed to.

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

Mr. **PALLONE** offered the following amendment No. **A02742**:

Amend Title, page 1, lines 3 and 4, by striking out “further providing for rules” in line 3 and all of line 4 and inserting providing for poker tournaments; and further providing for associations permitted to conduct bingo, for rules for licensing and operation, for revocation of licenses, for special permits to conduct bingo for entertainment, for revocation of special permits, for service of food or drink and for penalties.

Amend Bill, page 1, lines 11 through 17; page 2, lines 1 and 2, by striking out all of said lines on said pages and inserting

Section 1. The title and sections 1 and 2 of the act of July 10, 1981 (P.L.214, No.67), known as the Bingo Law, are amended to read:

AN ACT

Relating to the lawful conduct of bingo and poker tournaments, prescribing penalties and making a repeal.

Section 1. Short title.

This act shall be known and may be cited as the “Bingo and Poker Tournaments Law.”

Section 2. Legislative intent.

The General Assembly hereby declares that the playing of bingo and poker tournaments for the purpose of raising funds, by certain

nonprofit associations, for the promotion of charitable or civic purposes, is in the public interest.

It is hereby declared to be the policy of the Legislature that all phases of licensing, operation and regulation of the game of bingo and poker tournaments be strictly controlled, and that all laws and regulations with respect thereto as well as all gambling laws should be strictly construed and rigidly enforced.

The Legislature recognizes the possibility of association between commercial gambling and organized crime, and wishes to discourage commercialization of the game of bingo and poker tournaments; prevent participation by organized crime and prevent the diversion of funds from the purposes herein authorized.

Section 2. The definitions of “association,” “bona fide member” and “equipment” in section 3, amended or added December 15, 1982 (P.L.1299, No.293), are amended to read:

Section 3. Definitions.

The following words and phrases when used in this act shall have, unless the context clearly indicates otherwise, the meanings given to them in this section:

“Association.” A volunteer fire company or an ambulance, religious, charitable, fraternal, veterans, civic, county fair or agricultural association, or any separately chartered auxiliary of any of the above associations, organized as a nonprofit organization which shall have existed, and conducted business in furtherance of their written constitution, charter, articles of incorporation or bylaw express purpose, for two years prior to application for a license: Provided, however, That an association whose membership consists exclusively of elderly residents of a senior citizen housing project may apply for a license immediately upon its being organized as such and need not meet the two-year waiting requirement. This term shall not be interpreted to include political organizations as associations eligible for a [bingo] license. An association shall not be denied a [bingo] license because its name denotes affiliation with a political organization if in fact the association is not a political organization as evidenced by its written constitution, charter, articles of incorporation or bylaw express purpose.

Amend Bill, page 2, lines 11 through 30; pages 3 through 8, lines 1 through 30; page 9, line 1, by striking out all of said lines on said pages and inserting

“Equipment.” Tables, chairs, cards, microphones, amplifiers, speakers and all other machinery and articles used to conduct a game of bingo or a poker tournament.

Section 3. Section 4 of the act is amended to read:

Section 4. Associations permitted to conduct bingo and poker tournaments.

Any association, for a charitable or civic purpose, when licensed pursuant to this act, may conduct the game of bingo [as herein defined] and poker tournaments.

Section 4. The act is amended by adding a section to read:

Section 4.1. Poker tournaments permitted.

(a) Conduct of tournaments.—Every association to which a license has been issued under this act may conduct poker tournaments for the purpose of raising funds for public interest purposes. The association shall advertise the time and place of the poker tournament at least one week in advance, and all poker tournaments shall conclude on the same day as they started. All proceeds of poker tournaments shall be used exclusively for public interest purposes as permitted by this act.

(b) Entry fee.—An association may charge a person wishing to participate in a poker tournament an entry fee of no more than \$100.

(c) Betting.—A person participating in a poker tournament may bet no more than \$5 per bet.

(d) Raising.—The total raises per hand may not exceed five.

(e) Prizes.—Notwithstanding any other provisions of this act, associations shall pay out prizes to no more than the top five winning persons in a declining share based on the person’s final placement in

the tournament. The prize pool shall be based on the total of the entry fees collected.

(f) Costs and profit.—The association may keep up to 25% of the entry fees collected.

(g) Definitions.—As used in this section, the following words and phrases shall have the meanings given to them in this subsection:

“Ante.” A player’s initial wager or predetermined contribution to the pot prior to dealing of the first hand.

“Bet.” To make a wager by putting chips into the pot.

“Hand.” One game in a series, one deal in a card game or the cards held by a player.

“Poker.” Any game, regardless of the number of cards or how it is dealt, which uses the standard poker “winning hand” hierarchy, for example, five of a kind beats straight, flush beats four of a kind, etc.

“Poker tournament.” An event in which poker players compete for all or part of a prize pool.

“Pot.” The total amount anted and wagered by all players during a hand.

“Prize pool.” The prize pool shall consist of the entry fees collected minus any amount kept by the association under subsection (f).

“Raise.” A wager made in an amount greater than the immediately preceding wager.

Section 5. Section 5 of the act, amended December 15, 1982 (P.L.1299, No.293) and February 12, 1988 (P.L.76, No.14), is amended to read:

Section 5. Rules for licensing and operation.

(a) Issuance and fee.—The licensing authority shall license, upon application, any association [as defined in section 3] to conduct the game of bingo and poker tournaments at one location in the county, which, when in a county of the second class, shall only be in the city, borough or township where the main business office or headquarters of the association is located. The county treasurer of a county of the second class shall indicate on each license the city, borough or township where the association may conduct bingo and poker tournaments. The single municipal location limitation shall not apply to a group of licensed associations conducting bingo and poker tournaments at a central location. The license fee to be charged to each nonprofit association shall be [\$100 per annum] \$300 for a two-year period except to those recognized senior citizens’ groups who conduct bingo and poker tournaments for their members only the fee shall be [\$50 per annum] \$150 for a two-year period. The license fee to be charged to each agricultural association or county fair shall be [\$100 per annum] \$300 for a two-year period. Associations which conduct bingo and poker tournaments only one period each year for not more than three consecutive days shall be charged \$15 for the issuance of their license. The fees collected pursuant to this section shall be paid by the licensing authority into the general fund of the county and used for county purposes. All records retained by the licensing authority relating to the issuance of [bingo] licenses and [bingo] permits shall be public information.

(b) Display.—Licenses issued pursuant to this section shall be publicly displayed at games conducted by licensees.

(c) Operation.—Each licensed association shall comply with the following restrictions and rules governing the operation of bingo and poker tournaments:

(1) No person under the age of 18 shall be permitted to play bingo or participate in a poker tournament unless accompanied by an adult.

(2) No association shall conduct bingo or poker tournaments more than twice in any one week, except an association shall be permitted to conduct the game of bingo or poker tournaments for a period not to exceed ten days at the association’s exposition, carnival or fair site in addition to the regularly scheduled games.

(3) Prizes awarded shall not exceed a value of \$250 for any one game of bingo, except [for jackpot] as follows:

(i) Jackpot games, which shall not exceed a value of \$2,000 for one such game.

(ii) Mega bingo games, which shall not exceed a value of \$25,000 for one such game, and shall not be conducted more than once in any one month.

(iii) Winner-takes-all games, which shall pay out 100% of the gross revenues generated from the bingo game. In addition, no more than [\$4,000 in prizes] \$8,000 in prizes, excluding prizes under subparagraph (ii) or (iii), shall be awarded in any calendar day.

[(4) Only associations licensed to conduct bingo shall be permitted to advertise their bingo games. Such advertisements shall contain the date, time, location, whether cash or merchandise prizes will be awarded and the name of the association licensed to conduct the bingo game and the name of the individual in charge of the operation of the game. An association shall not advertise the prizes or their dollar value which will be awarded nor shall they advertise a guaranteed prize dollar value.]

(5) The association shall own the equipment used in playing bingo and poker tournaments or shall sign a written agreement leasing the equipment from another licensed association for a fee which is not determined by the amount of receipts realized from the playing of bingo or poker tournaments or the number of people attending bingo games or poker tournaments. Joint ownership of bingo and poker tournament equipment shall be permitted only if both owners of the equipment are licensed associations. This paragraph shall not apply to associations contracting charitable organizations or outside operators to conduct bingo and poker tournaments at expositions, carnivals or fairs.

(6) The association shall own both the premises upon which bingo [is] and poker tournaments are played and the personal property used in the conduct of the game and poker tournaments, or if it does not, the association shall sign a written agreement leasing such premises or personal property from the owner thereof for a fee which is not determined by either the amount of receipts realized from the playing of bingo and poker tournaments or the number of people attending bingo games and poker tournaments. An association shall not lease such premises or personal property from any person who has been convicted of a felony or a violation of this act. More than one association may lease the same premises for the conducting of bingo and each association shall have its own license.

(7) Each association shall keep written records of the moneys and merchandise collected and distributed for each day they conduct bingo and poker tournaments. These records shall indicate the total proceeds collected, the total prize money distributed, the total value of all merchandise awarded as a prize and the amount of moneys paid as rentals or wages and to whom such rentals or wages were paid. All prizes awarded having a value greater than [\$250] \$600 shall be specifically described in the association’s records. The association shall obtain the signature receipt of any winner of \$600 or more. These records shall be maintained by the association. Each association shall report to the Department of Revenue prizes awarded as required by Internal Revenue Service regulations.

(8) Each association shall deposit with a financial institution all proceeds for each day’s bingo game and poker tournaments in an account in the association’s name. This deposit shall be made before any of the proceeds may be used for any other purpose, except for payment of prize money and compensation to members employed in the operation of the game and poker tournaments.

(9) No association shall permit any person who is not a bona fide member of the association or who has been convicted of a felony or a violation of this act to manage, set up, supervise or participate in the operation of the association’s bingo games

and poker tournaments. Nothing contained in this act shall be construed to prohibit individuals under 18 years of age from participating in the operation of the game and poker tournaments and being compensated therefor if written permission is obtained from their parent or guardian.

(10) Associations which obtain a license for the purpose of conducting bingo and poker tournaments at an exposition, carnival or fair for a period not exceeding ten days shall be permitted to contract a charitable organization to manage, set up, supervise or participate in the operation of the bingo game and poker tournament provided only merchandise prizes are awarded. Only bona fide members of the contracted charitable organization shall be permitted to participate in the operation of the bingo game and poker tournament. If no charitable organizations are available, the association may contract an outside operator to conduct the game for merchandise at the exposition, carnival or fair site. The provisions of this paragraph shall not be construed to allow bingo games and poker tournaments to be ordinarily carried out on a commercial basis in this Commonwealth.

(11) No person shall participate in the operation of bingo games and poker tournaments on more than four days in any calendar week, which games may be operated by no more than two different licensed associations. This provision shall not apply to persons engaged in the operation of bingo and poker tournaments for merchandise at expositions, carnivals or fairs not exceeding ten days in duration.

(12) No supplier of merchandise nor any person who has been convicted of a felony or a violation of this act shall have a pecuniary interest in the operation or proceeds of the bingo game and poker tournaments.

(d) Application for license.—Each association shall apply to the licensing authority for a license on a form to be prescribed by the Secretary of the Commonwealth. Said form shall contain an affidavit to be affirmed by the executive officer or secretary of the association stating that:

(1) No person under the age of 18 will be permitted by the association to play bingo or participate in a poker tournament unless accompanied by an adult.

(2) The facility in which any game of bingo or a poker tournament is to be played does have adequate means of ingress and egress and adequate sanitary facilities available in the area.

(3) The association is the sole or joint owner with a licensed association of the equipment used in playing bingo or a poker tournament or it leases the equipment from another licensed association under a written agreement for a fee which is not determined by the amount of receipts realized from the playing of bingo or a poker tournament or the number of people attending bingo games or poker tournaments. This paragraph shall not apply to associations contracting with charitable organizations or outside operators to conduct bingo and poker tournaments at expositions, carnivals or fairs.

(4) The association is the owner of both the premises upon which bingo [is] and poker tournaments are played and the personal property used in the conduct of the game or poker tournament or, if it is not, that the association is not leasing such premises or personal property from the owner thereof under an oral agreement, nor is it leasing such premises or personal property from the owner thereof under a written agreement at a rental which is determined by either the amount of receipts realized from the playing of bingo and poker tournaments or the number of people attending bingo games and poker tournaments, nor is it leasing such premises or personal property from a person who has been convicted of a felony or a violation of this act.

(5) The association will not conduct the playing of bingo and poker tournaments more than twice per week in any one week, except those associations conducting bingo and poker tournaments at expositions, carnivals or fairs.

(6) The association in any calendar day will not award a total of more than [\$4,000 in prizes] \$8,000 in prizes, except as provided under subsection (c)(3).

(7) The association is a nonprofit association as defined in this act.

(e) Limitation on compensation.—No person may be employed in the operation or the actual running of a bingo game and poker tournament for compensation greater than [\$50] \$100 per day, except employees of outside operators under section 5(c)(10), and any person compensated shall be paid individually by check or by cash, in which case the payee shall sign a written receipt therefor. In addition, no person shall receive compensation from more than one source for services rendered in the operation of a bingo game and poker tournament.

(f) Investigation of association.—The licensing authority may request an investigation to verify the statements made in any application for a license.

(g) Financial report.—An application for renewal of a bingo license must be accompanied by a signed affidavit containing a financial report detailing gross profit, allowable expenses, rent, staff per diem, cost of supplies, net profit and contributions to charitable causes. This report shall be prepared on a one-page form to be designed by the Department of Revenue. The report shall contain information for the twelve-month period immediately preceding a date 60 days prior to the filing of the application. The affidavit must be executed by the executive officer or secretary of the association.

Amend Sec. 3, page 9, line 2, by striking out “3” and inserting
6

Amend Bill, page 9, by inserting between lines 12 and 13

Section 7. Sections 6, 6.1, 6.2, 6.3 and 7 of the act, amended or added December 15, 1982 (P.L.1299, No.293), are amended to read:

Section 6. Revocation of licenses.

(a) Grounds.—The licensing authority shall revoke or refuse to renew the license of any association whenever the district attorney finds upon investigation that:

(1) Any of the funds derived from the operation of the game of bingo and poker tournaments are used for any purpose which does not support the nonprofit purposes of the association.

(2) Any person under the age of 18 unaccompanied by an adult is playing bingo [as herein defined] or participating in a poker tournament.

(3) The facility in which any game of bingo or a poker tournament is played does not have adequate means of ingress and egress or does not have adequate sanitary facilities available in the area.

(4) Greater compensation than is herein authorized has been paid to or received by any person, or that a person or persons other than those authorized in section 5 have been involved in managing, setting up, operating or running the game.

(5) The association conducts bingo and poker tournaments using [bingo] equipment which it does not own solely or jointly with another licensed association or which it leases in violation of the statement contained in its license application provided by section 5(d)(3).

(6) The association conducts bingo and poker tournaments upon premises which it does not own or with personal property it does not own and is either:

(i) leasing such premises or personal property used in the conduct of the game from the owner thereof under an oral agreement;

(ii) leasing such premises or personal property from the owner thereof under a written agreement at a rental which is determined by either the amount of receipts realized from the playing of bingo and poker tournaments or the number of people attending bingo games and poker tournaments; or

(iii) leasing such premises or personal property from a person who has been convicted of a felony or a violation of this act.

(7) False or erroneous information was provided in the original notarized application.

(8) An association has been convicted of a violation of this act as evidenced by a certified record of the conviction.

(b) Production of records.—The district attorney may require the licensees to produce their books, accounts and records relating to the conduct of bingo and poker tournaments in order to determine whether a license should be revoked or renewal thereof denied. Licensees shall also be required to produce their license, books, accounts and records relating to the conduct of bingo and poker tournaments to other law enforcement officials upon proper request.

(c) Possible revocation.—The licensing authority may revoke the license of any association if he finds that the association has knowingly employed any person in the operation of their bingo game and poker tournament who has been convicted of a violation of this act.

Section 6.1. Special permits to conduct bingo and poker tournaments for entertainment.

(a) Issuance and fee.—Upon application each year, the licensing authority may issue to community recognized nonprofit organizations a special permit to conduct bingo and poker tournaments for entertainment purposes only. No fee shall be charged for the issuance of a special permit.

(b) Operation.—Organizations issued special permits shall not conduct bingo and poker tournaments for the purpose of making a profit. All prizes awarded shall be of nominal value. No person who has been convicted of a felony or a violation of this act shall be permitted to manage, set up, supervise or participate in the operation of the bingo game or poker tournament.

(c) Application for permit.—Each organization shall apply to the licensing authority on a form to be prescribed by the Secretary of the Commonwealth. Said form shall contain an affidavit to be affirmed by the executive officer or secretary of the organization stating that:

(1) The organization is a nonprofit community recognized organization.

(2) No person under the age of 18 will be permitted by the organization to play bingo or participate in a poker tournament unless accompanied by an adult.

(3) The organization is conducting bingo and poker tournaments for entertainment purposes only and all prizes awarded will be of nominal value.

(d) Limitation on compensation.—No person shall be compensated for services rendered in the operation of bingo and poker tournaments played for entertainment purposes pursuant to this section.

Section 6.2. Revocation of special permits.

(a) Grounds.—The licensing authority shall revoke or refuse to renew the special permit of any organization whenever the district attorney finds upon investigation that:

(1) The organization is conducting bingo and poker tournaments for purposes of making a profit.

(2) Any person under the age of 18 unaccompanied by an adult is playing bingo [as herein defined] or participating in a poker tournament.

(3) Compensation prohibited by this act has been paid to or received by any person.

(4) False or erroneous information was provided in the original notarized application.

(5) The organization has been convicted of a violation of this act as evidenced by a certified record of the conviction.

(b) Possible revocation.—The licensing authority may revoke the special permit of any organization if it finds that the organization has knowingly employed any person in the operation of their bingo game or poker tournament who has been convicted of a violation of this act.

Section 6.3. Service of food or drink.

It shall be unlawful to serve food or drink, with or without charge, at the location of an association's bingo game and poker

tournament unless there has been compliance with the health laws and regulations of the Commonwealth and its political subdivisions.

Section 7. Penalty.

(a) Summary offense.—Any association violating the provisions of this act shall be guilty of a summary offense, and upon conviction thereof shall be sentenced to pay a fine not exceeding \$1,000 and shall forfeit any license issued to the association, and it shall be ineligible for a license renewal for 30 months thereafter.

(b) Misdemeanor.—Any person who conducts or assists in the conducting of bingo or poker tournaments in violation of the provisions of this act, is guilty of a misdemeanor of the first degree. Any person who permits the conduct of bingo and poker tournaments on the same premises, owned by him or leased to him, on more than five days in any one week or by more than one association in any calendar day, except for bingo and poker tournaments being played at an exposition, carnival or fair, is guilty of a misdemeanor of the first degree.

Amend Sec. 4, page 9, line 13, by striking out "4" and inserting 8

On the question,

Will the House agree to the amendment?

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

Mr. PALLONE. Thank you, Mr. Speaker.

This amendment is nothing more than a technical improvement to the law to allow local fire departments, volunteer fire departments, and other nonprofit organizations to have poker tournaments as a fundraising vehicle in the local districts. I ask for an affirmative vote.

GERMANENESS QUESTIONED

The SPEAKER. I am not so sure the gentleman, Mr. Clymer, would feel it is a technical amendment, but on that question, the Chair recognizes the gentleman, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to this bill, and I question the germaneness of the bill. As the prime sponsor of the amendment just mentioned, this is poker tournaments. It sounds like it would be small games of chance, not bingo, and therefore, Mr. Speaker, I question the germaneness of the bill and would ask members to vote in opposition to this amendment, that they would support my contention on germaneness.

The SPEAKER. Mr. Clymer, the germaneness of the amendment. Is that correct?

Mr. CLYMER. Yes; that is correct.

The SPEAKER. The gentleman from Bucks, Mr. Clymer, has raised the question of whether or not amendment No. 2742 is germane. Under House rule 27, questions involving whether an amendment is germane to the subject shall be decided by the House.

On the question,

Will the House sustain the germaneness of the amendment?

The SPEAKER. On that question, does the gentleman, Mr. Pallone, wish to be recognized on the question?

Mr. PALLONE. Thank you, Mr. Speaker; yes.

I do believe that the amendment that is being offered is germane to the issue. It is a bingo-like opportunity to be nonprofit fundraising. It certainly affects the nonprofit

organizations. Bingo is a form of small games of chance. Bingo licenses and small games of chance licenses are both issued by the local treasurer offices in the counties. This would fall under the same category. Bingo, small games of chance, poker, fire departments, the whole gamut is all under the same umbrella of fundraising mechanisms for local, nonprofit organizations, particularly volunteer fire departments, particularly baseball organizations and other cheerleading organizations and school-sponsored organizations. It will be no different than what we already have in the situation with bingo and other small games of chance.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, I would like to remind the members that these Texas poker tournaments are on television. You can see them playing for large sums of money. This is a kind of game that you would see probably in casinos if we did the table games. This is not what you consider small games of chance, and it should be over in the small games of chance bill, when we do it, but it is not a bingo. It should not be in with the bingo legislation, and for those reasons, Mr. Speaker, I would ask for a "no." I would ask that the members support me on the issue that it is not germane; it is not germane.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Semmel.

The gentleman is entitled to be heard.

Mr. SEMMEL. Thank you, Mr. Speaker.

As prime sponsor of the bill, I also feel that this is not germane. Thank you.

The SPEAKER. The Chair thanks the gentleman.

Does the gentleman wish to be recognized, Mr. Pallone, for a second time?

Those who believe the amendment is germane will vote "aye"; those who believe the amendment is not germane will vote "no."

On the question recurring,

Will the House sustain the germaneness of the amendment?

The following roll call was recorded:

YEAS-86

Bebko-Jones	Frankel	Mann	Santoni
Belardi	Freeman	Markosek	Shaner
Belfanti	George	McCall	Shapiro
Biancucci	Gerber	McIlhinney	Siproth
Bishop	Gergely	Melio	Solobay
Blackwell	Goodman	Mundy	Staback
Blaum	Grucela	Myers	Stetler
Buxton	Gruitza	Oliver	Sturla
Caltagirone	Haluska	Pallone	Surra
Casorio	Hanna	Parker	Tangretti
Cawley	Harhai	Petrarca	Thomas
Corrigan	James	Petrone	Tigue
Costa	Josephs	Pistella	Veon
Cruz	Keller, W.	Preston	Vitali
Curry	Kirkland	Ramaley	Walko
Daley	Kotik	Readshaw	Waters
DeLuca	LaGrotta	Roberts	Wheatley
Dermody	Leach	Roebuck	Williams
DeWeese	Lederer	Rooney	Wojnaroski
Eachus	Lescovitz	Ruffing	Youngblood
Evans, D.	Levdansky	Sainato	Yudichak
Fabrizio	Manderino		

NAYS-109

Adolph	Fichter	Mackereth	Rubley
Allen	Fleagle	Maher	Samuelson
Argall	Flick	Maitland	Sather
Armstrong	Forcier	Major	Saylor
Baker	Gabig	Marsico	Scavello
Baldwin	Gannon	McGill	Schroder
Barrar	Geist	McIlhattan	Semmel
Bastian	Gillespie	McNaughton	Smith, B.
Benninghoff	Gingrich	Metcalfe	Smith, S. H.
Beyer	Godshall	Micozzie	Sonney
Birmelin	Good	Millard	Stairs
Boyd	Grell	Miller, R.	Steil
Bunt	Habay	Mustio	Stern
Cappelli	Harhart	Nailor	Stevenson, R.
Causar	Harper	Nickol	Stevenson, T.
Civera	Harris	O'Brien	Taylor, E. Z.
Clymer	Hasay	O'Neill	Taylor, J.
Cornell	Hennessey	Payne	True
Crahalla	Herman	Petri	Turzai
Creighton	Hershey	Phillips	Watson
Dally	Hess	Pickett	Wilt
Denlinger	Hickernell	Pyle	Wright
DiGirolamo	Hutchinson	Quigley	Yewcic
Diven	Kauffman	Rapp	Zug
Ellis	Keller, M.	Reed	
Evans, J.	Kenney	Reichley	
Fairchild	Killion	Rohrer	Perzel,
Feese	Leh	Ross	Speaker

NOT VOTING-0

EXCUSED-8

Butkovitz	Donatucci	Miller, S.	Rieger
Cohen	McGeehan	Raymond	Wansacz

Less than the majority having voted in the affirmative, the question was determined in the negative and the amendment was declared not germane.

On the question recurring,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS-115

Adolph	Freeman	Marsico	Semmel
Allen	George	McCall	Shaner
Argall	Gerber	Melio	Shapiro
Bebko-Jones	Gergely	Micozzie	Siproth
Belardi	Gillespie	Miller, R.	Smith, B.
Belfanti	Godshall	Mundy	Solobay
Beyer	Goodman	Mustio	Staback
Biancucci	Grucela	Myers	Stairs
Bishop	Gruitza	Nailor	Stetler
Blackwell	Haluska	O'Brien	Stevenson, T.
Blaum	Hanna	Oliver	Sturla
Buxton	Harhai	Pallone	Surra
Caltagirone	Harhart	Parker	Tangretti
Cappelli	Hasay	Petrarca	Taylor, J.

Cawley	Hennessey	Petrone	Thomas
Corrigan	James	Pistella	Tigue
Costa	Josephs	Preston	Veon
Cruz	Keller, W.	Ramaley	Vitali
Curry	Kenney	Readshaw	Walko
Daley	Kirkland	Reichley	Waters
Dally	LaGrotta	Roberts	Wheatley
DeLuca	Leach	Roebuck	Williams
Dermody	Lederer	Rohrer	Wojnarowski
DeWeese	Leh	Rooney	Yewcic
Diven	Lescovitz	Ruffing	Youngblood
Eachus	Levdansky	Sainato	Yudichak
Evans, D.	Manderino	Samuelson	
Evans, J.	Mann	Santoni	Perzel,
Fabrizio	Markosek	Saylor	Speaker
Frankel			

NAYS—80

Armstrong	Feese	Keller, M.	Quigley
Baker	Fichter	Killion	Rapp
Baldwin	Fleagle	Kotik	Reed
Barrar	Flick	Mackereth	Ross
Bastian	Forcier	Maher	Rubley
Benninghoff	Gabig	Maitland	Sather
Birmelin	Gannon	Major	Scavello
Boyd	Geist	McGill	Schroder
Bunt	Gingrich	McIlhatten	Smith, S. H.
Casorio	Good	McIlhinney	Sonney
Causar	Grell	McNaughton	Steil
Civera	Habay	Metcalfe	Stern
Clymer	Harper	Millard	Stevenson, R.
Cornell	Harris	Nickol	Taylor, E. Z.
Crahalla	Herman	O'Neill	True
Creighton	Hershey	Payne	Turzai
Denlinger	Hess	Petri	Watson
DiGirolo	Hickernell	Phillips	Wilt
Ellis	Hutchinson	Pickett	Wright
Fairchild	Kauffman	Pyle	Zug

NOT VOTING—0

EXCUSED—8

Butkovitz	Donatucci	Miller, S.	Rieger
Cohen	McGeehan	Raymond	Wansacz

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

Ordered, That the clerk present the same to the Senate for concurrence.

* * *

The House proceeded to third consideration of **HB 11, PN 2400**, entitled:

An Act amending the act of December 19, 1988 (P.L.1262, No.156), known as the Local Option Small Games of Chance Act, further providing for prize limits, for limited sales and for recordkeeping; repealing certain provisions relating to advertising; and further providing for eligible organizations' use of locations for conducting small games of chance and for separate individual prize limitations.

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

The SPEAKER. Mr. Pallone, 2614 would be in order if you would like to offer that amendment; 2613 would not be.

Mr. PALLONE. I am sorry, Mr. Speaker. Looking at the— Is it possible we have the numbers backwards? I think 2614 would be and 2613 would not be.

The SPEAKER. The gentleman is correct. The Chair apologizes.

Mr. PALLONE. Thank you, Mr. Speaker.

I will withdraw 2613.

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

Mr. **PALLONE** offered the following amendment No. **A02614**:

Amend Title, page 1, lines 8 through 13, by striking out “further providing for” in line 8, all of lines 9 through 13 and inserting providing for poker tournaments; further providing for prize limits; providing for insured games; further providing for limited sales, for regulations of department, for licensing of eligible organizations to conduct games of chance, for revocation of licenses, for local option, for advertising, for certain persons prohibited from having an interest in poker tournaments and for penalties; and making editorial changes.

Amend Bill, page 1, lines 16 through 19, by striking out all of said lines and inserting

Section 1. The title of the act of December 19, 1988 (P.L.1262, No.156), known as the Local Option Small Games of Chance Act, amended December 19, 1990 (P.L.812, No.195), is amended to read:

AN ACT

Providing for the licensing of eligible organizations to conduct games of chance and poker tournaments, for the licensing of persons to distribute games of chance, for the registration of manufacturers of games of chance, and for suspensions and revocations of licenses and permits; requiring records; providing for local referendum by electorate; and prescribing penalties.

Section 2. Sections 1 and 2 of the act are amended to read:

Section 1. Short title.

This act shall be known and may be cited as the Local Option Small Games of Chance and Poker Tournament Act.

Section 2. Legislative intent.

The General Assembly hereby declares that the playing of small games of chance and poker tournaments for the purpose of raising funds, by certain nonprofit associations, for the promotion of charitable or civic purposes, is in the public interest.

It is hereby declared to be the policy of the General Assembly that all phases of licensing, operation and regulation of small games of chance and poker tournaments be strictly controlled, and that all laws and regulations with respect thereto as well as all gambling laws should be strictly construed and rigidly enforced.

The General Assembly recognizes the possibility of association between commercial gambling and organized crime, and wishes to discourage commercialization of small games of chance and poker tournaments, prevent participation by organized crime and prevent the diversion of funds from the purposes herein authorized.

Section 3. The definition of “license” in section 3 of the act, amended December 19, 1990 (P.L.812, No.195), is amended to read:

Section 3. Definitions.

The following words and phrases when used in this act shall have the meanings given to them in this section unless the context clearly indicates otherwise:

* * *

“License.” A license to conduct games of chance and poker tournaments.

Section 4. The act is amended by adding a section to read:
Section 4.1. Poker tournaments permitted.

(a) Conduct of tournaments.—Every eligible organization to which a license has been issued under this act may conduct poker tournaments for the purpose of raising funds for public interest purposes. The eligible organization shall advertise the time and place of the poker tournament at least one week in advance, and all poker tournaments shall conclude on the same day as they started. All proceeds of poker tournaments shall be used exclusively for public interest purposes as permitted by this act.

(b) Entry fee.—An eligible organization may charge a person wishing to participate in a poker tournament an entry fee of no more than \$100.

(c) Betting.—A person participating in a poker tournament may bet no more than \$5 per bet.

(d) Raising.—The total raises per hand may not exceed five.

(e) Prizes.—Notwithstanding the provisions of section 5, eligible organizations shall pay out prizes to no more than the top five winning persons in a declining share based on the person’s final placement in the tournament. The prize pool shall be based on the total of the entry fees collected.

(f) Costs and profit.—The eligible organization may keep up to 25% of the entry fees collected.

(g) Definitions.—As used in this section, the following words and phrases shall have the meanings given to them in this subsection:

“Ante.” A player’s initial wager or predetermined contribution to the pot prior to dealing of the first hand.

“Bet.” To make a wager by putting chips into the pot.

“Hand.” One game in a series, one deal in a card game or the cards held by a player.

“Poker.” Any game, regardless of the number of cards or how it is dealt, which uses the standard poker “winning hand” hierarchy, for example, five of a kind beats straight, flush beats four of a kind, etc.

“Poker tournament.” An event in which poker players compete for all or part of a prize pool.

“Pot.” The total amount anted and wagered by all players during a hand.

“Prize pool.” The prize pool shall consist of the entry fees collected minus any amount kept by the eligible organization under subsection (f).

“Raise.” A wager made in an amount greater than the immediately preceding wager.

Section 5. Section 5 of the act, amended December 19, 1990 (P.L.812, No.195) and October 18, 2000 (P.L.602, No.79), is amended to read:

Amend Sec. 2, page 4, line 10, by striking out “2” and inserting 6

Amend Sec. 3, page 4, line 24, by striking out “3” and inserting 7

Amend Sec. 4, page 6, line 26, by striking out “4” and inserting 8

Amend Sec. 4 (Sec. 10), page 6, line 30, by inserting after “CHANCE”
and poker tournaments

Amend Sec. 4 (Sec. 10), page 7, line 2, by inserting after “CHANCE”
and poker tournaments

Amend Sec. 4 (Sec. 10), page 7, line 5, by inserting after “CHANCE”
and poker tournaments

Amend Sec. 4 (Sec. 10), page 7, line 15, by inserting after “CHANCE”
and poker tournaments

Amend Sec. 4 (Sec. 10), page 7, line 22, by inserting after “CHANCE”
and poker tournaments

Amend Sec. 4 (Sec. 10), page 7, line 26, by inserting after “CHANCE”
and poker tournaments

Amend Sec. 4 (Sec. 10), page 7, line 29, by inserting after “GAMES”
and poker tournaments

Amend Sec. 4 (Sec. 10), page 8, line 7, by inserting after “GAMES”
and poker tournaments

Amend Sec. 4 (Sec. 10), page 8, line 11, by inserting after “CHANCE”
and poker tournaments

Amend Sec. 4 (Sec. 10), page 8, line 15, by inserting after “GAMES”
and poker tournaments

Amend Sec. 4 (Sec. 10), page 8, line 18, by inserting after “GAMES”
and poker tournaments’

Amend Sec. 4 (Sec. 10), page 8, line 23, by inserting after “CHANCE”
and poker tournaments

Amend Sec. 4 (Sec. 10), page 8, line 25, by inserting after “CHANCE”
and poker tournaments

Amend Sec. 4 (Sec. 10), page 8, line 26, by inserting after “GAMES”
and poker tournaments

Amend Sec. 4 (Sec. 10), page 9, line 1, by inserting after “CHANCE”
and poker tournaments

Amend Sec. 4 (Sec. 10), page 9, line 5, by inserting after “CHANCE”
and poker tournaments

Amend Sec. 4 (Sec. 10), page 9, line 19, by inserting after “CHANCE”
and poker tournaments

Amend Sec. 4 (Sec. 10), page 9, line 22, by inserting after “CHANCE”
and poker tournaments

Amend Sec. 4 (Sec. 10), page 9, line 24, by inserting after “CHANCE”
and poker tournaments

Amend Sec. 4 (Sec. 10), page 9, line 27, by inserting after “CHANCE”
and poker tournaments

Amend Sec. 4 (Sec. 10), page 9, line 29, by inserting after “CHANCE”
and poker tournaments

Amend Sec. 4 (Sec. 10), page 10, line 6, by inserting after “CHANCE”
and poker tournaments

Amend Sec. 4 (Sec. 10), page 10, line 8, by inserting after “CHANCE”
and poker tournaments

Amend Sec. 4 (Sec. 10), page 10, line 9, by inserting after “CHANCE”
and poker tournaments

Amend Sec. 4 (Sec. 10), page 10, line 12, by inserting after “GAMES”
and poker tournaments

Amend Sec. 4 (Sec. 10), page 10, line 17, by inserting after “CHANCE”
and poker tournaments

Amend Sec. 4 (Sec. 10), page 10, line 28, by inserting after “CHANCE”
and poker tournaments

Amend Sec. 4 (Sec. 10), page 10, line 30, by inserting after "CHANCE"

and poker tournaments

Amend Sec. 4 (Sec. 10), page 11, line 3, by inserting after "CHANCE"

and poker tournaments

Amend Sec. 4 (Sec. 10), page 11, line 4, by inserting after "CHANCE"

and poker tournaments

Amend Sec. 4 (Sec. 10), page 11, line 5, by inserting after "GAMES"

and poker tournaments

Amend Sec. 4 (Sec. 10), page 11, line 23, by inserting after "CHANCE"

and poker tournaments

Amend Sec. 4 (Sec. 10), page 11, line 24, by inserting after "CHANCE"

and poker tournaments

Amend Sec. 4 (Sec. 10), page 12, line 2, by inserting after "CHANCE"

and poker tournaments

Amend Sec. 4 (Sec. 10), page 12, line 30, by inserting after "CHANCE"

and poker tournaments

Amend Bill, page 13, lines 5 through 15, by striking out all of said lines and inserting

Section 9. Section 12 of the act, amended December 19, 1990 (P.L.812, No.195), is amended to read:

Section 12. Revocation of licenses.

(a) Grounds.—The licensing authority shall revoke or refuse to renew the license of any eligible organization whenever the district attorney finds upon complaint and investigation that:

(1) Any of the funds derived from the operation of games of chance and poker tournaments are used for any purpose other than for public interest purposes or for the purchase of games of chance as permitted by this act.

(2) Any person under 18 years of age is operating or playing games of chance and poker tournaments as defined in this act.

(3) The eligible organization has permitted any person who has been convicted of a felony in a Federal or State court within the past five years or has been convicted in a Federal or State court within the past ten years of a violation of the act of July 10, 1981 (P.L.214, No.67), known as the Bingo Law, or of this act, to manage, set up, supervise or participate in the operation of games of chance and poker tournaments.

(4) The facility in which the games of chance and poker tournaments are played does not have adequate means of ingress and egress and does not have adequate sanitary facilities available in the area.

(5) Any person or persons other than a manager, officer, director, bar personnel or a bona fide member of an eligible organization have been involved in managing, setting up, operating or running games of chance and poker tournaments.

(6) Any person has received compensation for conducting games of chance and poker tournaments.

(7) Any prize has been awarded in excess of the limits permitted under this act.

(8) The eligible organization has violated any condition of a special permit issued pursuant to section 11.

(9) The eligible organization conducts the games of chance and poker tournaments under a lease which calls for:

(i) leasing such premises from the owner thereof under an oral agreement; or

(ii) leasing such premises from the owner thereof under a written agreement at a rental which is determined by the amount of receipts realized from the playing of games of chance and poker tournaments.

(10) False or erroneous information was provided in the original application.

(11) An eligible organization has been convicted of a violation of this act as evidenced by a certified record of the conviction.

(12) The eligible organization has permitted another eligible organization to conduct small games of chance and poker tournaments on its licensed premises without suspending its own operation of small games of chance and poker tournaments during the period that the other licensed eligible organization is conducting its games and poker tournaments on the premises.

(b) Production of records.—The district attorney may require licensees to produce their books, accounts and records relating to the conduct of games of chance and poker tournaments in order to determine whether a license should be revoked or renewal thereof denied. Licensees shall also be required to produce their license, books, accounts and records relating to the conduct of games of chance and poker tournaments to other law enforcement officials upon proper request.

Section 10. Section 14(a) of the act is amended to read:

Section 14. Local option.

(a) Election to be held.—In any municipality, an election may be held on the date of the primary election immediately preceding any municipal election, but not more than once in four years, to determine the will of the electors with respect to the issuance of licenses within the limits of such municipality under the provisions of this act. Where an election shall have been held at the primary election preceding a municipal election in any year, another election may be held under the provisions of this act at the primary election occurring the fourth year after such prior election. Whenever electors equal to at least 25% of the highest vote cast for any office in the municipality at the last preceding general election shall file a petition with the county board of elections of the county, or the governing body of the municipality adopts, by a majority vote, a resolution to place such a question on the ballot and a copy of the resolution is filed with the board of elections of the county, for a referendum on the question of issuing licenses, the county board of elections shall cause a question to be placed on the ballot or on the voting machine board and submitted at the primary election immediately preceding the municipal election. The question shall be in the following form:

Do you favor the issuance of licenses to conduct
small games of chance and poker tournaments
the of ?

Section 11. Section 15 of the act, amended December 19, 1990 (P.L.812, No.195), is amended to read:

[Section 15. Advertising.

It shall be unlawful for any eligible organization or person to advertise the prizes or their dollar value to be awarded in games of chance, provided that prizes may be identified on raffle tickets. Notwithstanding the prohibition of advertising contained within this section, an eligible organization may advertise prizes and values thereof in periodic publications which are limited in their circulation to members of the eligible organization.]

Section 12. Section 16 of the act is amended to read:
Section 16. Certain persons prohibited.

No distributor nor any person who has been convicted of a felony or of a violation of the act of July 10, 1981 (P.L.214, No.67), known as the Bingo Law, or of this act or of any comparable State or Federal law shall have a pecuniary interest in the operation or proceeds of games of chance and poker tournaments.

Section 13. Section 17 of the act, amended December 19, 1990 (P.L.812, No.195), is amended to read:

Section 17. Penalties.

(a) Eligible organizations.—Any eligible organization violating the provisions of this act shall be guilty of a summary offense and, upon conviction thereof, shall be sentenced to pay a fine not exceeding \$1,000 and shall for a first offense, forfeit the license to conduct games

of chance and poker tournaments issued to the eligible organization for the remainder of the licensing period or six months, whichever is longer, for a second offense, forfeit the license issued to the eligible organization for the remainder of the current licensing period and be ineligible to be licensed for the following licensing period, for a third or subsequent offense, forfeit the license issued to the eligible organization and be ineligible for a license renewal for 30 months thereafter.

(b) Individuals.—Any person who conducts or assists in the conducting of games of chance and poker tournaments in violation of the provisions of this act is guilty of a summary offense for a first violation. A second violation of this act shall be punishable as a misdemeanor of the third degree. A third or subsequent violation shall be punishable as a misdemeanor of the first degree.

(c) Distributors and manufacturers.—Any person who distributes games of chance without a license or in violation of any provision of this act or applicable regulations, and any manufacturer of games of chance who delivers games of chance for sale or distribution in this Commonwealth who fails to obtain a permit therefor is guilty of a misdemeanor of the first degree, provided that no license or permit shall be required for the manufacture or distribution of raffle tickets.

(d) Rigging.—A person commits a misdemeanor of the first degree if, with intent to prevent a game of chance and poker tournaments from being conducted in accordance with the requirements of this act or the rules and usages governing the game and poker tournaments, he:

(1) confers or offers or agrees to confer any benefit upon or threatens any injury to a participant or other person associated with the game and poker tournaments;

(2) tampers with any person or games and poker tournaments; or

(3) solicits, accepts or agrees to accept any benefit.

(e) Contingent fees.—Any person who distributes, manufactures or operates a small game of chance and poker tournaments and who requires, for equipment furnished or to play a game and poker tournaments, payment equal to a percentage of the total winnings of any game and poker tournaments commits a misdemeanor of the first degree.

Amend Sec. 6, page 13, line 16, by striking out “6” and inserting 14

Amend Sec. 7, page 13, line 19, by striking out “7” and inserting 15

Amend Sec. 7, page 13, line 24, by striking out “6” and inserting 14

On the question,

Will the House agree to the amendment?

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

Mr. PALLONE. Thank you, Mr. Speaker.

The amendment before the House is nothing more than the small games of chance legislation expansion to allow Texas hold 'em poker tournaments and the like. Some of the prior speakers on the last bill very eloquently stated that this would be more appropriate to the small games of chance bill, which HB 11 is more adequate in terms of receiving this type of an amendment.

Again, it is an opportunity for nonprofit organizations, the volunteer fire companies, the schools, the churches, any organization that is raising money under a legal and legitimate purpose that is recognized under the bingo and small games of chance law would also be permitted to be able to raise funds for their local volunteer fire department or their local school system or the athletic team or whatever so that they could raise money

and support those initiatives. Again, I would request an affirmative vote.

The SPEAKER. The Chair thanks the gentleman.

Mr. PALLONE. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, the comment was made that, yes, it would be more appropriate, this Texas poker, in the small games of chance category, not that I or others were supporting it. We just said that that is the better place to debate the bill. Mr. Speaker, I oppose the amendment, 02614, and let me give you some reasons why.

Mr. Speaker, we know that, as I mentioned in earlier debate, that Texas poker is on television, and unfortunately, many of our youth are being drawn into this. They are being attracted into a type of gambling that certainly many of them would find addictive in their later years, and if we are to set public policy and good procedure, this is something we do not want to get involved in.

Mr. Speaker, when we find there is underage drinking, this General Assembly – and it is abusive and it is to the point where many innocent people are hurt – this General Assembly will react quickly in trying to pass legislation that would remove this underage drinking habit and send a signal to those young people saying this is something that we feel you should be very conscious about and do not do it or we are going to take your driver's license and fines and so forth and so on.

Well, Mr. Speaker, we want to send the right message to our young people, and to pass legislation that would include the Texas poker, to me, is not a good message. While the merits of what the sponsor spoke about, about fundraising and all those things, certainly we want to see our nonprofit organizations receive the money so they can continue the good work that they are involved in, especially with youth, but let us not do it in a way that is going to backpedal and create more social problems for us for the moneys that are raised up front.

So, Mr. Speaker, I would ask the members to vote against this amendment. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Sainato.

Mr. SAINATO. Thank you, Mr. Speaker.

I rise in support of Representative Pallone's amendment. I think this is something that will just clarify what is happening in many communities around the State, small games of chance and poker tournaments. Right now within our State of Pennsylvania, poker tournaments are going on legally, illegally. That is all subject to interpretation by many of the district attorneys of our State. Under Representative Pallone's amendment, that falls and clarifies things under the small games of chance law.

Our fire departments, our charities, they are hurting in this State, Mr. Speaker; they are hurting in this State. We must give them all potential tools in order to continue to raise money, to put that money back into the community. When these slots finally hit Pennsylvania 5 or 10 years from now or whenever, these organizations are really going to be hurting; they are really going to be hurting. Mr. Speaker, we need to give our people an opportunity who have small games of chance licenses in order to do this, Mr. Speaker.

Mr. Speaker, I urge my colleagues to support Representative Pallone in his efforts to put these organizations on a level

playing field with the potential competition which will be coming down the road. I was being a little facetious when I said 5 or 10 years, but it is going to be happening probably within the next year or two. So these organizations need to be prepared in order to keep them on a level playing field and able to do the charity work which they do in our community.

So I urge my colleagues to support this amendment.

The SPEAKER. The Chair thanks the gentleman.

LEAVE OF ABSENCE

The SPEAKER. The Chair returns to leaves of absence. The Chair recognizes the minority whip, who moves for a leave of absence for the remainder of the day for the gentledady from Philadelphia, Ms. JOSEPHS. Without objection, that leave will be granted.

CONSIDERATION OF HB 11 CONTINUED

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

Mr. SEMMEL. Thank you, Mr. Speaker.

I want to compliment the chairman of the Finance Committee and his staff for the work that they have done on this particular bill, and I want to point out, this is not an agreed-to amendment.

Thank you.

The SPEAKER. Mr. Pallone is recognized.

Mr. PALLONE. Thank you, Mr. Speaker.

Again, I would encourage passage of this amendment. It provides another fundraising mechanism for our charities, for our volunteer fire departments, for our volunteer EMS services (emergency medical services), for agencies and organizations throughout this Commonwealth that put their lives and their mission first and try to help all of the people of Pennsylvania. This just again expands the small games of chance opportunities to allow them to be able to raise additional funds to support their organization. There are mechanisms contained within the existing law, as well as the amendment as proposed, relative to limits and exclusions in terms of age and other financial commitments to the program.

Again, it is an opportunity for volunteer fire departments, for emergency services departments, for other public charities to be able to raise funds to support their worthy causes throughout Pennsylvania. It is a good law; it is a good opportunity, and we should be able to take advantage of that and support our public organizations, volunteer fire departments, and EMS services throughout the Commonwealth.

Thank you, Mr. Speaker, and I encourage an affirmative vote.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Clymer.

Mr. CLYMER. Thank you. Mr. Speaker, briefly.

Certainly all of us want to support our emergency service organizations, because they provide a wonderful service. They protect families; they protect children; they protect the people in our community, but, Mr. Speaker, if we go into this amendment, what we are saying is that it is okay if people get addicted, especially the negative impact it will have on our youth, and that is what we should be about, setting the right example.

This Texas poker game is going to continue to enlarge and really get out of control, and is that what we want in our communities, our youth and others spending money in order to provide services? I think not. I think that is the wrong direction to go, and so, Mr. Speaker, again, I urge a “no” vote on the amendment.

The SPEAKER. The Chair thanks the gentleman.

LEAVE OF ABSENCE

The SPEAKER. The gentleman, Mr. CAWLEY, from Lackawanna requests a leave of absence for the remainder of the day. Without objection, that leave will be granted.

CONSIDERATION OF HB 11 CONTINUED

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—82

Bebko-Jones	Fabrizio	Markosek	Shaner
Belardi	Frankel	McCall	Shapiro
Belfanti	George	Melio	Siptroth
Biancucci	Gerber	Millard	Solobay
Bishop	Gergely	Myers	Staback
Blackwell	Goodman	Oliver	Stetler
Blaum	Grucela	Pallone	Sturla
Buxton	Gruitza	Parker	Surra
Caltagirone	Haluska	Petrarca	Tangretti
Casorio	Hanna	Petrone	Thomas
Causar	Harhai	Pistella	Tigue
Corrigan	James	Preston	Veon
Costa	Keller, W.	Ramaley	Vitali
Cruz	Kirkland	Readshaw	Walko
Curry	Kotik	Roberts	Waters
Daley	LaGrotta	Roebuck	Wheatley
DeLuca	Leach	Rooney	Williams
Dermody	Lederer	Ruffing	Wojnaroski
DeWeese	Lescovitz	Sainato	Youngblood
Eachus	Levdansky	Santoni	Yudichak
Evans, D.	Mann		

NAYS—111

Adolph	Flick	Maher	Ross
Allen	Forcier	Maitland	Rubley
Argall	Freeman	Major	Samuelson
Armstrong	Gabig	Manderino	Sather
Baker	Gannon	Marsico	Saylor
Baldwin	Geist	McGill	Scavello
Barrar	Gillespie	McIlhattan	Schroder
Bastian	Gingrich	McIlhinney	Semmel
Benninghoff	Godshall	McNaughton	Smith, B.
Beyer	Good	Metcalfe	Smith, S. H.
Birmelin	Grell	Micozzie	Sonney
Boyd	Habay	Miller, R.	Stairs
Bunt	Harhart	Mundy	Steil
Cappelli	Harper	Mustio	Stern
Civera	Harris	Nailor	Stevenson, R.
Clymer	Hasay	Nickol	Stevenson, T.
Cornell	Hennessey	O'Brien	Taylor, E. Z.
Crahalla	Herman	O'Neill	Taylor, J.
Creighton	Hershey	Payne	True
Dally	Hess	Petri	Turzai
Denlinger	Hickernell	Phillips	Watson
DiGirolamo	Hutchinson	Pickett	Wilt
Diven	Kauffman	Pyle	Wright

Ellis	Keller, M.	Quigley	Yewcic
Evans, J.	Kenney	Rapp	Zug
Fairchild	Killion	Reed	
Feese	Leh	Reichley	Perzel,
Fichter	Mackereth	Rohrer	Speaker
Fleagle			

NOT VOTING—0

EXCUSED—10

Butkovitz	Donatucci	Miller, S.	Rieger
Cawley	Josephs	Raymond	Wansacz
Cohen	McGeehan		

Less than the majority having voted in the affirmative, the question was determined in the negative and the amendment was not agreed to.

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

MOTION TO SUSPEND RULES

The SPEAKER. The Chair recognizes the gentleman from Bucks, Mr. Clymer.

Mr. CLYMER. Mr. Speaker, I move that the rules of the House be immediately suspended to bring up amendment A3091.

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

The SPEAKER. On that question, Mr. Clymer. The Chair recognizes the gentleman from Bucks, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, the amendment that I have, I am offering, increases the penalties from \$1,000 to \$5,000 for eligible organizations that violate the provisions of this act and for any individuals that violate the provisions of this act. That is what it does. It allows the people who are being cited for violations to be fined up to \$5,000, not necessarily \$5,000, from \$1,000, and of course, we are talking now about a lot more money being involved in small games of chance, and as a result, you need to have the penalty to fit the enlarged gaming programs that are going to be enacted if the General Assembly chooses to pass HB 11.

Thank you.

The SPEAKER. The gentleman, Mr. DeWeese.
The Chair will be at ease.

Mr. DeWEESE. Mr. Speaker?

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

Mr. DeWEESE. Thank you very much.

The effort that we are discussing right now has the potential of having a very negative impact on some well-meaning groups, potentially volunteer firemen, EMS workers, a variety of other people. Before we have a vote, I think our caucus certainly needs to caucus on the matter. It is not time-sensitive; it is not imperative that we do it this moment, but nevertheless, I would

like to have our caucus meet and discuss it because of the ramifications inherent in the measure.

Thank you.

Mr. Speaker?

The SPEAKER. The House will be at ease.

MOTION WITHDRAWN

The SPEAKER. It is the information of the Chair the gentleman, Mr. Clymer, has withdrawn his amendment.

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

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

The question is, shall the bill pass finally?

On that question, the Chair recognizes the gentleman, Mr. Clymer. The gentleman is entitled to be heard. Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, I appreciate the opportunity to make a few brief remarks about this enlarged small games of chance legislation that we are now going to be voting. Well, one of the concerns I have is that we know that there are thousands of nonprofit organizations that would qualify, and we do not even know the number. Is it 15,000? Is it 25,000? Is it 35,000? Because as you have increased the profit, Mr. Speaker, as you increase the profits or the total amount of a prize, and we have seen that in the Super Bowl, we see that more and more people will then come and gamble and take a chance, hoping to win that huge prize, and so we know from those kinds of calculations that there will be more nonprofits that may never have thought about small games of chance that will now get involved in that particular procedure, and then we do not know all the kinds of small games of chance that are out there.

We would have to look into the law, but my concern is that if it is a tab-pull, what is the amount that you have to lay down in order to provide that chance? Is it \$5 or \$10? Can Allied Charities – I believe that is the name of the company that is going to be doing a lot of this – or any nonprofit organization, can they charge \$50 or \$100? Those are things that I think that we will live to regret if we do not take a solid look at this legislation, and that is the amount that can be wagered. And why is it that we have now boosted the weekly amounts from \$5,000 to \$20,000? I think that in itself should raise a red flag and say, what are we doing here? Why are we providing more of this gambling?

Now, I know I heard one speaker say that we must prepare for the time that the slot machines are legalized, not legalized, but when they are ready to run in Pennsylvania. Of course, that is another unintended consequence of legalizing slot machines, because many nonprofits, charitable organizations, are losing some of their revenue, and certainly that does not bode well. But having said that, is that a reason that we want to increase the gambling operations for small, quote, unquote, for “small games of chance,” to expand that whole operation?

Mr. Speaker, another problem I see here is that they allow advertisement, and I think that is going to be another problem as well. That is going to induce more people to take from their

discretionary money and spend it on gambling. Again, does the end justify the means, is one of the issues that we have to look at.

And of course, you cannot expect the district attorney's office to have oversight other than if there is a problem. If someone says that there is blatant violation at one of these nonprofit organizations, then of course you know that they will go and investigate, but most D.A.'s offices are so busy that they are not going to be able to check out to see if there are violations, and that concerns me as well, because when you have so many more nonprofits involved in this type of scenario, there is no way you can have the type of law enforcement that is needed. And so, Mr. Speaker, I have some strong feelings that this is not going to work out well for the people of Pennsylvania or for the very people it is intended to help. For those reasons, Mr. Speaker, I would ask the members of this General Assembly to reject HB 11.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Pallone.

Mr. PALLONE. Thank you, Mr. Speaker.

I rise in support of HB 11. It is with mixed emotions, however, noting that there is a small increase in the licensing fee for these organizations, but the bottom line is that it gives these organizations an opportunity to have larger payouts that will attract additional customers or more customers into their facilities for these types of games. It is absolutely a positive adventure for us to engage in. We had a number of hearings on this in the Finance Committee. We had heard from the organizations and the organizations that represent a lot of the charities in our communities throughout Pennsylvania, and again, the volunteer fire companies, the EMS services, and the other charities throughout Pennsylvania, they have asked for this, and we are giving the people what they asked for, the opportunity to have larger payouts so that they can raise additional funds for the charities and the public services that they provide.

Again, I ask the House to vote in favor of HB 11.

Thank you, Mr. Speaker.

The SPEAKER. Mr. Sainato. The Chair recognizes the gentleman.

Mr. SAINATO. I rise also to support HB 11. While we have had extensive hearings on this bill with the Finance Committee, we have heard testimony from many, many charitable organizations and fire departments and organizations that do a lot of good in our community. These limits have not been raised in many, many years, Mr. Speaker, and these organizations need a chance to compete. We said this; I said this earlier today, and I want to reemphasize that. Give your fire departments a chance to compete; give your social organizations a chance to compete, because when you do get slots in Pennsylvania, a lot of those dollars may be taken from these organizations. These organizations provide entertainment for people in a community, but what is happening, especially in western Pennsylvania, they are crossing the line. They are going to West Virginia because their nonprofits are able to offer a bigger prize. So we just need to put our nonprofits and fire departments and community organizations on a level playing field. That is what this legislation does, Mr. Speaker.

We have had hearings; we have listened to all sides of the issue, and this is something we need to do, because let me assure you, in many small communities in this Commonwealth

of Pennsylvania, when these organizations do not have these revenues to help, there is going to be a shortfall. Dollars are tight. We rely on nonprofits; we rely on charities to help in a community, but we should not put their hands behind their back and say, we are not going to raise limits, we are not going to give you an opportunity to compete, because let me assure you, Mr. Speaker, the people are very fickle when it comes to their entertainment dollars, and we need to allow these organizations that opportunity.

So I urge we pass HB 11, send it over to the Senate, give it to the Governor, and let us have a victory for small games, let us have a victory for fire departments, let us have a victory for social organizations, let us have a victory for those who do so much good in our communities.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Sather.

Mr. SATHER. Thank you, Mr. Speaker.

On final passage, for purpose of clarity, could I interrogate the prime sponsor of this bill?

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

Mr. SATHER. Thank you, Mr. Speaker.

I have heard comments from individuals here that this fire group, this emergency responder group is supportive, but I would like something for the record, because I have heard little from my companies back home, and I know a lot of them conduct bingo parlors and have bingo games that they run themselves. They do not have someone come in and run it for them. Do we have any position, papers, for the record so I can go home a little more comfortable and at ease knowing that my fire companies are supportive?

The SPEAKER. Mr. Semmel.

Mr. SEMMEL. Yes, Mr. Speaker. In response to the questioner, the volunteer fire companies, many churches, humane societies, veteran service organizations, and fraternal organizations are very supportive of this. In this group of Allied Charities, there are some 200 organizations across the State in support of.

Mr. SATHER. Thank you. Thank you, Mr. Speaker.

That adds some clarity to me for this legislation, so I can be supportive. Thank you.

The SPEAKER. The Chair thanks the gentleman.

Mr. DeWEESE. Mr. Speaker?

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

Mr. DeWEESE. May I just ask the gentleman one question, Mr. Semmel?

The SPEAKER. The gentleman is in order.

Mr. DeWEESE. Thank you, Mr. Speaker.

Every Friday night when the Waynesburg Red Raiders are playing the West Greene Pioneers or the Jefferson-Morgan Rockets are playing the Carmichaels Mikes and the 50-50 goes to \$600 or \$700, are we risking some unnecessary intercession by the long arm of Harrisburg? Is the local government and the local school district setting on those cold autumn nights being interrupted by your effort? I do not know, and I would like you to help me on this matter, sir.

Mr. SEMMEL. Mr. Speaker, I would respond, I certainly hope not.

The SPEAKER. The Chair recognizes the gentleman, Mr. Surra, the gentleman from Elk.

Mr. SURRA. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of final passage of HB 11, specifically for what was mentioned just previously.

Under the current limits under our small games of chance license, every Friday night football game when the booster's club 50-50 goes in excess of \$500, they are technically breaking the law, Mr. Speaker, and when we have a law that makes good groups, good citizens, break the law on a regular basis, we need to fix that problem. So I would encourage an affirmative vote.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentledady from Montgomery, Ms. Harper.

Ms. HARPER. Thank you, Mr. Speaker.

I rise with some trepidation because I respect the work that Representative Semmel and others have done for our volunteer firefighters. I am afraid, however, that this bill will not help most of our volunteer firefighters nor our garden clubs nor our home and school associations, because the bill brings with it a requirement of 8 hours of department-approved training, continuing bingo school, in other words, for everybody who is going to run a game of bingo. I do not think it is going to help. I do not think it is going to help. I think it is going to mean that the amateur bingo operators, who are our garden clubs, our home and school associations, and yes, our firefighters, are going to get out of the business and leave it to someone else.

In addition to continuing bingo school, the bill also requires lots and lots of paperwork. None of my firefighters have told me that they want to go to school for bingo training in addition to the schooling that they are already required to take for life safety issues, and none of my garden club members or home and school associations have told me that they feel the State of Pennsylvania should require them to file more paperwork.

With greatest respect for my colleagues from the volunteer fire companies, I am voting "no."

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentledady.

The Chair recognizes the gentleman, Mr. Semmel.

Mr. SEMMEL. Thank you, Mr. Speaker.

HB 11 amends the small games of chance law. The intent of this bill is to bring these nonprofit organization fundraising programs out of their current archaic state by increasing the prize limits, streamlining the licensing and operation procedures, and enhancing the reporting requirements.

Public hearings were conducted on these bills by the House Finance Committee, and I applaud the efforts of Chairman Leh, the committee members, and staff for their work on amending the bill into an agreed-to product, which had the input of the D.A.s Association, the veterans service organizations, the Pennsylvania Fire and Emergency Services Institute, Allied Charities, the Pennsylvania Association of Nonprofit Organizations, and other groups.

It is my sincere belief that all of our nonprofit organizations across Pennsylvania will be affected in a positive manner by the provisions of this bill, and I appreciate your affirmative vote.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—109

Allen	Gerber	McCall	Shapiro
Argall	Gergely	Melio	Siptroth
Bebko-Jones	Gillespie	Miller, R.	Smith, B.
Belardi	Godshall	Myers	Solobay
Belfanti	Goodman	Nailor	Staback
Beyer	Grucela	Nickol	Stairs
Bianucci	Gruitza	O'Brien	Stetler
Bishop	Habay	Oliver	Stevenson, T.
Blackwell	Haluska	Pallone	Sturla
Blaum	Hanna	Parker	Surra
Buxton	Harhai	Petrarca	Tangretti
Caltagirone	Harhart	Petrone	Taylor, J.
Corrigan	James	Pistella	Thomas
Costa	Keller, W.	Preston	Tigue
Cruz	Kenney	Ramaley	Veon
Curry	Kirkland	Readshaw	Vitali
Daley	Kotik	Reichley	Walko
Dally	LaGrotta	Roberts	Waters
DeLuca	Leach	Roebuck	Wheatley
Dermody	Lederer	Rooney	Williams
DeWeese	Leh	Ruffing	Wojnaroski
Eachus	Lescovitz	Sainato	Yewcic
Evans, D.	Levdansky	Samuelson	Youngblood
Evans, J.	Mackereth	Santoni	Yudichak
Fabrizio	Maher	Sather	
Frankel	Mann	Saylor	
Freeman	Markosek	Semmel	Perzel,
George	Marsico	Shaner	Speaker

NAYS—84

Adolph	Ellis	Hutchinson	Pyle
Armstrong	Fairchild	Kauffman	Quigley
Baker	Feese	Keller, M.	Rapp
Baldwin	Fichter	Killion	Reed
Barrar	Fleagle	Maitland	Rohrer
Bastian	Flick	Major	Ross
Benninghoff	Forcier	Manderino	Rubley
Birmelin	Gabig	McGill	Scavello
Boyd	Gannon	McIlhattan	Schroder
Bunt	Geist	McIlhinney	Smith, S. H.
Cappelli	Gingrich	McNaughton	Sonney
Casorio	Good	Metcalfe	Steil
Causer	Grell	Micozzie	Stern
Civera	Harper	Millard	Stevenson, R.
Clymer	Harris	Mundy	Taylor, E. Z.
Cornell	Hasay	Mustio	True
Crahalla	Hennessey	O'Neill	Turzai
Creighton	Herman	Payne	Watson
Denlinger	Hershey	Petri	Wilt
DiGirolamo	Hess	Phillips	Wright
Diven	Hickernell	Pickett	Zug

NOT VOTING—0

EXCUSED—10

Butkovitz	Donatucci	Miller, S.	Rieger
Cawley	Josephs	Raymond	Wansacz
Cohen	McGeehan		

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.

SUPPLEMENTAL CALENDAR C

RESOLUTION PURSUANT TO RULE 35

Mr. TIGUE called up **HR 473, PN 2851**, entitled:

A Resolution designating October 20, 2005, as “Lights On Afterschool Day” in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—193

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

NAYS—0

NOT VOTING—0

EXCUSED—10

Butkovitz	Donatucci	Miller, S.	Rieger
Cawley	Josephs	Raymond	Wansacz
Cohen	McGeehan		

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

RESOLUTION REPORTED FROM COMMITTEE

HR 319, PN 2033

By Rep. HASAY

A Resolution urging the President and Congress of the United States to utilize the China-specific safeguard provision, section 421 of the Trade Act of 1974 as amended by the U.S.-China Relations Act of 2000, to prevent the dumping of steel pipes, tubes and fittings on United States markets.

COMMERCE.

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

SB 358, PN 1141

By Rep. SEMMEL

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, defining “combat zone;” and further providing for limitations in educational assistance program.

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS.

RECESS

The SPEAKER. This House stands in recess to the call of the Chair.

AFTER RECESS

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

BILLS AND RESOLUTIONS PASSED OVER

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

RECESS

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

Mr. QUIGLEY. Mr. Speaker, I move that this House do now recess until Wednesday, October 19, 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., Wednesday,
October 19, 2005, the House recessed.