

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, OCTOBER 19, 2005

SESSION OF 2005

189TH OF THE GENERAL ASSEMBLY

No. 58

HOUSE OF REPRESENTATIVES

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

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

PRAYER

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

Let us join our hearts in prayer. Let us pray:

Creating God, You gather us into community and call us to care for one another. You gift us with ears to hear, eyes to see, and mouths to speak, and yet, dear God, so often we are quick to speak and slow to listen. Guide us this day, Holy One, to truly listen – to listen to one another with new ears, to listen to the voices of members of our community and our Commonwealth, to listen to the cries of those who are hurting in this world. We know that in listening, we may understand, and in understanding, we may act.

Our hearts are filled anew with the threat of terror, protecting God. We see the images of the threat to the Baltimore Tunnel and we know that it is too close to us, and yet, too, we know that any terror is too close to us. We feel in a quandary – what do we take seriously? Keep us alert, dear God, to real threats to our security. We offer You our fears that You may calm our hearts. We offer You, too, our prayers, for we dare to pray for those who wish to hurt us. We know that anger and terror are bred from fear and wanting, and so we pray that we may be instruments of Your peace, both here in Pennsylvania and throughout the world, for we know that people without need and fear do not create terror.

We lift up these prayers that are spoken and those that are unspoken to You, whose name is above all names, and together we say, amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Monday, October 17, 2005, will be postponed until printed.

JOURNAL APPROVED

The SPEAKER. However, the Journal for Tuesday, June 21, 2005, is in print. Without objection, it will be approved.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2072 By Representatives PISTELLA, CALTAGIRONE, CAPPELLI, CAWLEY, COHEN, DeLUCA, FABRIZIO, FREEMAN, GEORGE, GINGRICH, GOODMAN, JAMES, JOSEPHS, KOTIK, LaGROTTA, MARKOSEK, MUNDY, SIPTROTH, SHANER, B. SMITH, STABACK, TIGUE, WALKO, WOJNAROSKI, YOUNGBLOOD and YUDICHAK

An Act establishing the Older Adult Health Literacy Program to provide education relating to medical conditions and prescriptions for older adults; and making an appropriation.

Referred to Committee on AGING AND OLDER ADULT SERVICES, October 19, 2005.

No. 2074 By Representatives O'NEILL, ARMSTRONG, BENNINGHOFF, BEYER, BIANCUCCI, CALTAGIRONE, CAWLEY, CLYMER, COHEN, CRAHALLA, DeWEESE, FICHTER, FRANKEL, GEORGE, GERGELY, GINGRICH, GOOD, GOODMAN, GRUCELA, HALUSKA, HARPER, HERMAN, HUTCHINSON, MACKERETH, MANN, MARKOSEK, McGEEHAN, McILHATTAN, R. MILLER, MUNDY, PHILLIPS, PYLE, READSHAW, REED, REICHLEY, SATHER, SCAVELLO, SHANER, SOLOBAY, SONNEY, STABACK, R. STEVENSON, SURRA, TANGRETTI, E. Z. TAYLOR, THOMAS, TRUE, WATSON, WILT, WRIGHT, BUNT and CAUSER

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, prohibiting discrimination against volunteer ambulance services.

Referred to Committee on INSURANCE, October 19, 2005.

No. 2075 By Representatives MUNDY, BEBKO-JONES, BELFANTI, BLACKWELL, CALTAGIRONE, COHEN, CRUZ, DeLUCA, FRANKEL, GOODMAN, HENNESSEY, JAMES, JOSEPHS, MANDERINO, PISTELLA, SIPTROTH, SOLOBAY, SURRA, TANGRETTI, E. Z. TAYLOR, THOMAS, TIGUE, VEON, WALKO, WANSACZ and YOUNGBLOOD

An Act providing protection to employees from retaliation by employers for certain acts, for procedures and remedies and for penalties.

Referred to Committee on COMMERCE, October 19, 2005.

No. 2076 By Representatives GEIST, McCALL, BALDWIN, ARMSTRONG, BAKER, BEBKO-JONES, BELARDI, BELFANTI, BEYER, BOYD, CAPPELLI, CAUSER, COHEN, CRAHALLA, CREIGHTON, DALLY, DeLUCA, DENLINGER, DeWEESE, J. EVANS, FAIRCHILD, FICHTER, FRANKEL, FREEMAN, GEORGE, GERGELY, GINGRICH, GOOD, GOODMAN, GRUCELA, HALUSKA, HARHAI, HARHART, HARPER, HARRIS, HASAY, HENNESSEY, HERMAN, HERSHEY, HESS, HICKERNELL, JAMES, JOSEPHS, M. KELLER, W. KELLER, MACKERETH, MARSICO, McGEEHAN, McGILL, McILHATTAN, R. MILLER, MUNDY, MUSTIO, NICKOL, O'NEILL, PAYNE, PHILLIPS, PICKETT, PYLE, READSHAW, SATHER, SAYLOR, SEMMEL, B. SMITH, SOLOBAY, SONNEY, STABACK, STAIRS, STERN, R. STEVENSON, T. STEVENSON, E. Z. TAYLOR, THOMAS, TIGUE, TRUE, WALKO, WATSON, WILT, WOJNAROSKI, YOUNGBLOOD, YUDICHAK and ZUG

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for duplicate and substitute drivers' licenses and learners' permits in cases of identity theft.

Referred to Committee on TRANSPORTATION, October 19, 2005.

No. 2077 By Representatives REICHLEY, BEYER, CORNELL, GINGRICH, JAMES, MACKERETH, MANDERINO, McGEEHAN, ROEBUCK, RUBLEY, SIPTROTH, B. SMITH and SONNEY

An Act entitling victims of sexual assault who receive treatment at hospitals and health care facilities that provide services to sexual assault victims to the provision of information and services relating to sexual assault; and further providing for powers and duties of the Department of Health.

Referred to Committee on HEALTH AND HUMAN SERVICES, October 19, 2005.

No. 2078 By Representatives PETRI, ALLEN, BAKER, BARRAR, BASTIAN, BOYD, BUNT, CALTAGIRONE, CAPPELLI, CLYMER, CREIGHTON, DeLUCA, DENLINGER, FORCIER, GEIST, GOOD, HARRIS, HERMAN, HERSHEY, HESS, HUTCHINSON, KAUFFMAN, M. KELLER, KILLION, MACKERETH, MAHER, MARKOSEK, MARSICO, McILHATTAN, MILLARD, MUSTIO, PETRARCA, QUIGLEY, RAPP, RAYMOND, REED, REICHLEY, SCAVELLO, SCHRODER, SEMMEL, SHANER, B. SMITH, TIGUE, WATSON, WILT, WRIGHT and ZUG

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing for imposition of the corporate net income tax.

Referred to Committee on FINANCE, October 19, 2005.

No. 2079 By Representatives PETRI, ALLEN, ARMSTRONG, BAKER, BALDWIN, BARRAR, BEYER, BOYD, BUNT, CALTAGIRONE, CAPPELLI, CLYMER, CRAHALLA, CREIGHTON, FORCIER, GOOD, GOODMAN, HARHART, HARRIS, HESS, HUTCHINSON, M. KELLER, KILLION, MACKERETH, MAHER, MARKOSEK, MARSICO, McILHATTAN, MILLARD, RAPP, RAYMOND, REED, REICHLEY, RUBLEY, SCAVELLO, SCHRODER, SEMMEL, SONNEY, R. STEVENSON, T. STEVENSON, E. Z. TAYLOR, WATSON, WILT, WRIGHT and ZUG

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing for imposition of the corporate net income tax.

Referred to Committee on FINANCE, October 19, 2005.

No. 2080 By Representatives PETRI, ARMSTRONG, BEYER, CALTAGIRONE, CAPPELLI, CRAHALLA, CREIGHTON, GINGRICH, HERMAN, HERSHEY, McGILL, RAPP, REICHLEY, SCAVELLO, SEMMEL, SONNEY, STERN, E. Z. TAYLOR, THOMAS, TIGUE, WATSON and YOUNGBLOOD

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing, in adoption, for home study and preplacement report, for report of intention to adopt, for report of intermediary, for exhibits in report of intermediary, for investigation, for contents of petition for adoption, for exhibits to petition for adoption and for time of entry of decree of adoption.

Referred to Committee on JUDICIARY, October 19, 2005.

No. 2081 By Representatives MUNDY, BEBKO-JONES, CALTAGIRONE, COHEN, CORNELL, CRAHALLA, CURRY, DeWEESE, FABRIZIO, FRANKEL, FREEMAN, GERGELY, GOODMAN, GRUITZA, HASAY, HENNESSEY, JAMES, JOSEPHS, LEVDANSKY, MANN, MARKOSEK, McILHATTAN, O'NEILL, PISTELLA, RUBLEY, SEMMEL, SIPTROTH, STABACK, STETLER, SOLOBAY, SURRA, E. Z. TAYLOR, THOMAS, TIGUE, TRUE, WOJNAROSKI, YOUNGBLOOD, YUDICHAK and WATSON

An Act amending the act of December 15, 1988 (P.L.1235, No.151), known as the Children's Trust Fund Act, further providing for the Children's Trust Fund Board, for powers and duties of the board and for powers and duties of the Department of Public Welfare.

Referred to Committee on CHILDREN AND YOUTH, October 19, 2005.

No. 2082 By Representative ALLEN

An Act establishing appropriations limitations; and providing for the disposition of surplus funds.

Referred to Committee on APPROPRIATIONS, October 19, 2005.

No. 2083 By Representatives BISHOP, CALTAGIRONE, YOUNGBLOOD, THOMAS, KIRKLAND, BLACKWELL and MANDERINO

An Act amending Title 74 (Transportation) of the Pennsylvania Consolidated Statutes, further providing, in metropolitan transportation authorities, for definitions and for contracting by transportation authorities.

Referred to Committee on TRANSPORTATION, October 19, 2005.

No. 2084 By Representatives BISHOP, FRANKEL, JAMES, YOUNGBLOOD, THOMAS, PARKER, BLACKWELL and MANDERINO

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for firearm security in cities of the first class.

Referred to Committee on JUDICIARY, October 19, 2005.

No. 2085 By Representatives BISHOP, YOUNGBLOOD, PHILLIPS, MANN, CALTAGIRONE, COHEN, FRANKEL, BELFANTI, GRUCELA, ROEBUCK, BEBKO-JONES, JOSEPHS, JAMES, MARKOSEK, HENNESSEY, WILLIAMS, THOMAS, BEYER, PARKER, BLACKWELL and MANDERINO

An Act providing for educational grants for minority students committed to minority elementary and secondary education; imposing powers and duties on the Department of Education; establishing the Minority Educational Incentive Fund; making an appropriation; and providing for remedies.

Referred to Committee on EDUCATION, October 19, 2005.

No. 2086 By Representatives BISHOP, D. EVANS, CREIGHTON, HENNESSEY, CRAHALLA, E. Z. TAYLOR, DeLUCA, J. TAYLOR, CURRY, YOUNGBLOOD, HERSHEY, KIRKLAND, BLACKWELL and JAMES

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 uniforms in schools.

Referred to Committee on EDUCATION, October 19, 2005.

No. 2087 By Representatives CREIGHTON, ARMSTRONG, GINGRICH, GOODMAN, MUSTIO, RAPP and BEYER

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 background checks for prospective employees and conviction of employees of certain offenses.

Referred to Committee on EDUCATION, October 19, 2005.

No. 2088 By Representatives HESS, PHILLIPS, E. Z. TAYLOR, DeWEESE, BAKER, BALDWIN, BOYD, BUNT, CALTAGIRONE, CAPPELLI, CRAHALLA, DENLINGER, D. EVANS, FABRIZIO, GEIST, GEORGE, GINGRICH, GODSHALL, GOODMAN, HARRIS, HENNESSEY, HERMAN, MARSICO, McILHATTAN, MICOZZIE, MUNDY, MUSTIO, O'NEILL, PETRONE, REICHLEY, SATHER, SCAVELLO, SEMMEL, B. SMITH, STERN, T. STEVENSON, SURRA, THOMAS, TIGUE, WATSON, WILT and YUDICHAK

An Act amending the act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law, further providing for Federal programs.

Referred to Committee on FINANCE, October 19, 2005.

No. 2089 By Representatives SATHER, CLYMER, BAKER, ARMSTRONG, BALDWIN, BARRAR, BOYD, CRAHALLA, DENLINGER, FEESE, FICHTER, FLEAGLE, GODSHALL, HARRIS, HERSHEY, HUTCHINSON, KENNEY, LEDERER, LEH, McNAUGHTON, METCALFE, MUSTIO, NAILOR, SAYLOR, SHANER, E. Z. TAYLOR, WILT, WOJNAROSKI, ZUG and FAIRCHILD

An Act providing for the English language as the official language of the Commonwealth.

Referred to Committee on STATE GOVERNMENT, October 19, 2005.

No. 2090 By Representatives STABACK, BENNINGHOFF, BOYD, BUNT, CALTAGIRONE, CAPPELLI, CLYMER, COSTA, DeLUCA, DeWEESE, FABRIZIO, GEIST, GEORGE, GERGELY, GILLESPIE, GODSHALL, GOOD, GOODMAN, GRUCELA, HALUSKA, HARHAI, HARPER, HASAY, HENNESSEY, HERMAN, HESS, M. KELLER, KOTIK, LEDERER, LEVDANSKY, MANN, McILHATTAN, MILLARD, MUNDY, PHILLIPS, PICKETT, PRESTON, RAMALEY, READSHAW, B. SMITH, SOLOBAY, SONNEY, SURRA, TIGUE, WANSACZ and WOJNAROSKI

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for powers of director of the Pennsylvania Game Commission.

Referred to Committee on GAME AND FISHERIES, October 19, 2005.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 474 By Representatives HICKERNELL, TRUE, BAKER, BARRAR, CALTAGIRONE, CAPPELLI, CRAHALLA, GEIST, GILLESPIE, GINGRICH, GOOD, GOODMAN, HARRIS, HENNESSEY, HERMAN, HERSHEY, HESS, KOTIK, MARKOSEK, MARSICO, McILHATTAN, O'NEILL, PYLE, RAMALEY, READSHAW, REED, ROBERTS, SCAVELLO, SEMMEL, B. SMITH, SOLOBAY, STERN, R. STEVENSON, STURLA, E. Z. TAYLOR, TIGUE, WRIGHT and YUDICHAK

A Concurrent Resolution establishing a bipartisan School Property Tax Relief and Reform Task Force to study the Commonwealth's current school property tax system and to make recommendations to the General Assembly on how to provide school property tax relief and reform.

Referred to Committee on FINANCE, October 19, 2005.

No. 477 By Representatives YUDICHAK, PISTELLA, CAWLEY, TIGUE, COSTA, ALLEN, BARRAR, BEBKO-JONES, BELARDI, BUNT, CALTAGIRONE, CAPPELLI, COHEN, CREIGHTON, CURRY, DENLINGER,

DeWEESE, D. EVANS, FRANKEL, GEORGE, GERGELY, GOODMAN, GRUCELA, HASAY, HERMAN, HUTCHINSON, JAMES, JOSEPHS, MANN, MARKOSEK, MUNDY, MUSTIO, PALLONE, PETRARCA, READSHAW, SCHRODER, SIPTROTH, SOLOBAY, STABACK, SURRA, THOMAS, WHEATLEY, WOJNAROSKI and YOUNGBLOOD

A Resolution urging the Congress of the United States to direct the Centers for Medicare and Medicaid Services to permit Pennsylvanians already enrolled in Pharmaceutical Assistance Contract for the Elderly (PACE) and PACE Needs Enhancement Tier (PACENET) to be automatically enrolled in the Medicare Part D prescription drug program.

Referred to Committee on HEALTH AND HUMAN SERVICES, October 19, 2005.

SENATE BILL FOR CONCURRENCE

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

SB 74, PN 1150

Referred to Committee on JUDICIARY, October 19, 2005.

SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 816, PN 2854; HB 859, PN 2853; and HB 1069, PN 2762**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

SENATE MESSAGE

RECESS RESOLUTION FOR CONCURRENCE

The clerk of the Senate, being introduced, presented the following extract from the Journal of the Senate, which was read as follows:

In the Senate
October 17, 2005

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when Regular Session of the Senate recesses this week, it reconvene on Monday, October 24, 2005, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the Regular Session of the House of Representatives recesses this week, it reconvene on Monday, October 24, 2005, unless sooner recalled by the Speaker of the House of Representatives.

Ordered, That the clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

Resolution was concurred in.

Ordered, That the clerk inform the Senate accordingly.

REPORT SUBMITTED

The SPEAKER. The Speaker acknowledges receipt of the Report to the General Assembly on Competition in Pennsylvania's Retail Natural Gas Supply Market, submitted pursuant to the Natural Gas Choice and Competition Act.

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

BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader. Mr. S. SMITH. Mr. Speaker, I move that HB 1260 and HB 1413 be taken from the table.

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 1260, PN 1486; and HB 1413, PN 1701.

BILLS RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader. Mr. S. SMITH. Mr. Speaker, I move that HB 1260 and HB 1413 be recommitted to the Committee on Appropriations.

On the question,

Will the House agree to the motion?

Motion was agreed to.

LEAVES OF ABSENCE

The SPEAKER. The Chair turns to leaves of absence. The Chair recognizes the majority whip, who moves for a leave of absence for the day for the gentlelady from Lancaster, Mrs. TRUE; the gentleman from Erie, Mr. EVANS; the gentleman from Delaware, Mr. RAYMOND; and the gentleman from Lehigh, Mr. REICHLEY. Without objection, those leaves will be granted.

The minority whip indicates there are no leaves of absence in addition today.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—198

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

ADDITIONS—0**NOT VOTING—0****EXCUSED—5**

Evans, J.	Reichley	Rieger	True
Raymond			

LEAVES CANCELED—1

Reichley

GUESTS INTRODUCED

The SPEAKER. The Chair would like to acknowledge several special guests.

Today, as the guests of Representative Ron Miller, I would like to introduce Dr. Stewart Weinberg and Jeanne Pocalyko, the human resources director of the Dallastown School District, and Stewart Weinberg is the superintendent. They are here today, again, as the guests of Ron Miller. Would those guests please rise and be recognized.

Shadowing Representative Will Gabig today is Devon Struthers. Devon is the son of Lisa Schreck, the secretary for Representative Surra. Would that guest please rise and be recognized.

We have two special guests who are here today as guests of mine. The wife of the chief of staff, Kelly Preski, is here, and Debbie Mullen is also here. Would those two guests please rise and be recognized.

We have two guest pages for Representative Neal Goodman — Ryan Gutsie and Vincenzo Marchiano. Would those two guests please rise and be recognized. They are pages. They are down in the front, to the right of the Speaker.

We have several guests here today as guests of Representative David Argall and Representative Keith McCall. They are Marcy McConnell, Liz Comensky, Sarah Swankoski, and Nicole Leonzi. They are seniors at Marion Catholic High School. Would those guests please rise and be recognized, to the left of the Speaker.

REMARKS SUBMITTED FOR THE RECORD

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

Mr. Speaker, it is my privilege to bring to the attention of the Speaker and the members of the Pennsylvania House of Representatives the name of Frederick A. Chapman IV, who has recently been awarded Scouting's highest honor — Eagle Scout.

Mr. Speaker, I would like to read to the members of the House of Representatives the following citation of merit honoring Frederick A. Chapman IV.

Whereas, Frederick A. Chapman IV earned the Eagle Award in Scouting. This is the highest award that Boy Scouts can bestow and as such represents great sacrifice and tremendous effort on the part of this young man. Frederick is a member of Troop 147.

Now therefore, Mr. Speaker and the members of the House of Representatives, it is my privilege to congratulate and place in the Legislative Journal the name of Frederick A. Chapman IV.

CALENDAR**BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 893, PN 1016**, entitled:

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.

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.

(Members proceeded to vote.)

VOTE STRICKEN

The SPEAKER. The Chair will strike the vote.

BILL PASSED OVER TEMPORARILY

The SPEAKER. The House will go over the bill temporarily.

* * *

The House proceeded to third consideration of **SB 149, PN 217**, entitled:

An Act providing for the Hazardous Sites Cleanup Fund, for its funding and for expenditures from the fund; and making repeals.

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

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.
Mr. S. SMITH. Mr. Speaker, I move that SB 149, PN 217, be recommitted to the Committee on Environmental Resources and Energy.

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

* * *

The House proceeded to third consideration of **SB 229, PN 980**, entitled:

An Act providing imposing a duty on the Department of Public Welfare prior to the closure of State mental health and mental retardation facilities to make a certification to the General Assembly.

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

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.
Mr. S. SMITH. Mr. Speaker, I move that SB 229, PN 980, be recommitted to the Committee on Rules.

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

* * *

The House proceeded to third consideration of **SB 300, PN 710**, entitled:

An Act authorizing the establishment and maintenance of health savings accounts; providing for special tax provisions; and imposing restrictions on health savings accounts.

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

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.
Mr. S. SMITH. Mr. Speaker, I move that SB 300, PN 710, be recommitted to the Committee on Rules.

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

* * *

The House proceeded to third consideration of **HB 1048, PN 2387**, entitled:

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.

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?

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

Mr. VITALI. Thank you, Mr. Speaker.

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

The SPEAKER. The gentleman, Mr. O'Neill, indicates that he will stand for interrogation. The gentleman, Mr. Vitali, is in order and may proceed.

Mr. VITALI. Thank you, Mr. Speaker.

My first two questions are, one, could you briefly explain the bill, and two, I want to make sure I know what costs, if any, our local townships and other municipalities might incur as a result of this bill. So first just an explanation and then maybe in the

context of what it might cost our local townships and boroughs and so forth.

Mr. O'NEILL. Mr. Speaker, what the bill basically does is it gives full-time police officers an increase from \$100 to \$500 in the maximum amount of length of service, which is negotiated. It is not a mandated item. It is negotiated in the bargaining process, and it provides for \$100 per month for each additional year of service beyond 25 years, and it is maxed out at \$500 after 5 additional years. The length-of-service increments apply to retired officers with more than 25 years of service in addition to the monthly pension.

As far as the cost, there is an actuarial note out on it. I could not give you the exact amount because it would vary from township to township depending on the bargaining, if it is so bargained.

Mr. VITALI. Okay. Now, I am trying to reconcile two concepts. One, you say it is negotiated, but two, I am sensing there is a cost to the municipality. Does this bill just change the parameters of a pension benefit that has to be agreed to by a municipality?

Mr. O'NEILL. Yes; yes. It will change the parameters of the pension, but like I said, the municipality would have to agree to it in negotiations and it would have to be in the local police contract, and if I am not mistaken, I think cities of the third class already have this in their—

Mr. VITALI. The municipal associations like the township supervisors and the commissioners groups and those groups that represent the interests of municipalities, have they—

Mr. O'NEILL. They are neutral.

Mr. VITALI. Do they support or oppose this?

Mr. O'NEILL. Yes. The board of supervisors association, they are neutral on the subject, and the League—

Mr. VITALI. I am sorry. I am having a little trouble hearing you.

Mr. O'NEILL. The board of supervisors association, they are neutral on the bill, and the League of Cities, they are opposed to the bill.

Mr. VITALI. Has the League of Cities mentioned why they have opposed this bill?

Mr. O'NEILL. Not to me. They have never contacted me at all.

Mr. VITALI. Maybe I can just get this question down to the finest point. The township of Haverford or the township of Radnor, if this bill is approved, will these municipalities have to pay any more?

Mr. O'NEILL. Only if it is negotiated in the contract.

Mr. VITALI. Okay. Thank you, Mr. Speaker.

Mr. O'NEILL. You are welcome.

The SPEAKER. The Chair thanks the gentleman.

HARRISBURG LEGISLATIVE LEAVE

The SPEAKER. The Chair recognizes the gentleman, Mr. Argall, who moves for a Harrisburg leave for the gentleman from Montgomery, Mr. Godshall. Without objection, that leave will be granted.

Mr. ARGALL. And also for Capitol leave, Representative BOYD from Lancaster County.

The SPEAKER. The Chair apologizes. It is the gentleman, Mr. Boyd, not the gentleman, Mr. Godshall.

The Chair thanks the gentleman.

CONSIDERATION OF HB 1048 CONTINUED

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

Mr. CAPPELLI. Thank you, Mr. Speaker.

Would the prime sponsor stand for brief interrogation?

The SPEAKER. The gentleman, Mr. O'Neill, indicates he will stand for interrogation. The gentleman, Mr. Cappelli, is in order.

Mr. CAPPELLI. Mr. Speaker, to follow up on the questioning from the gentleman from Delaware, should HB 1048 be enacted, would the "may" provision of this particular legislation not subject these particular political subdivisions as part of their collective-bargaining process to arbitration? Would the issue of the service, the pension increment, not be subject to potential arbitration?

Mr. O'NEILL. Yes.

Mr. CAPPELLI. The answer is yes?

Mr. O'NEILL. Yes.

Mr. CAPPELLI. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

HARRISBURG LEGISLATIVE LEAVE

The SPEAKER. Mr. Blaum.

Mr. BLAUM. Thank you, Mr. Speaker.

Just to request a Capitol leave for the gentleman, Mr. ROONEY.

The SPEAKER. Without objection, that leave will be granted.

GUESTS INTRODUCED

The SPEAKER. The Chair would like to welcome to the gallery of the House a group from Columbia County, the Red Rose and Butterfly Group. They are guests today of Representative David Millard. Again, they are in the gallery. Would those guests please rise and be recognized.

CONSIDERATION OF HB 1048 CONTINUED

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

Mr. VITALI. For further interrogation, Mr. Speaker.

The SPEAKER. The gentleman, Mr. O'Neill, indicates he will stand for interrogation. The gentleman is in order and may proceed.

Mr. VITALI. I just want to follow up on the arbitration point brought up by the previous speaker. Does this legislation subject municipalities to a binding arbitration on pension negotiations?

Mr. O'NEILL. No; it is not this legislation. It is Act 111 that subjects townships to binding arbitration.

Mr. VITALI. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—192

Adolph	Fairchild	Levdansky	Rubley
Allen	Feese	Mackereth	Ruffing
Argall	Fichter	Maher	Sainato
Armstrong	Fleagle	Maitland	Santoni
Baker	Flick	Major	Sather
Baldwin	Forcier	Manderino	Saylor
Barrar	Frankel	Markosek	Scavello
Bastian	Freeman	Marsico	Schroder
Bebko-Jones	Gabig	McCall	Semmel
Belardi	Gannon	McGeehan	Shaner
Belfanti	Geist	McGill	Shapiro
Benninghoff	George	McIlhattan	Siptroth
Beyer	Gerber	McIlhinney	Smith, B.
Biancucci	Gergely	McNaughton	Smith, S. H.
Birmelin	Gillespie	Melio	Solobay
Bishop	Gingrich	Micozzie	Sonney
Blackwell	Good	Millard	Staback
Blaum	Goodman	Miller, R.	Stairs
Boyd	Grell	Miller, S.	Steil
Bunt	Grucela	Mundy	Stern
Butkovitz	Gruitza	Mustio	Stetler
Buxton	Habay	Myers	Stevenson, R.
Caltagirone	Haluska	Nailor	Stevenson, T.
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.
Cohen	Hasay	Parker	Thomas
Cornell	Hennessey	Payne	Tigue
Corrigan	Herman	Petrarca	Turzai
Costa	Hershey	Petri	Veon
Crahalla	Hess	Petrone	Walko
Creighton	Hickernell	Phillips	Wansacz
Cruz	Hutchinson	Pickett	Waters
Curry	James	Pistella	Watson
Daley	Josephs	Preston	Wheatley
Dally	Kauffman	Pyle	Williams
DeLuca	Keller, M.	Quigley	Wilt
Denlinger	Keller, W.	Ramaley	Wojnaroski
Dermody	Kennedy	Rapp	Wright
DeWeese	Killion	Readshaw	Yewcic
DiGirolamo	Kirkland	Reed	Youngblood
Diven	Kotik	Roberts	Yudichak
Donatucci	LaGrotta	Roebuck	Zug
Eachus	Leach	Rohrer	
Ellis	Lederer	Rooney	
Evans, D.	Leh	Ross	Perzel,
Fabrizio	Lescovitz		Speaker

NAYS—6

Cappelli	Mann	Samuelson	Vitali
Godshall	Metcalfe		

NOT VOTING—0

EXCUSED—5

Evans, J.	Reichley	Rieger	True
Raymond			

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 1467, PN 2559**, entitled:

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

On the question,

Will the House agree to the bill on third consideration?

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader. Mr. S. SMITH. Mr. Speaker, I move that HB 1467, PN 2559, be recommitted to the Committee on Rules.

On the question,

Will the House agree to the motion?

Motion was agreed to.

RESOLUTIONS

Mr. GRUITZA called up **HR 319, PN 2033**, entitled:

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.

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

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

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

NAYS-0

NOT VOTING-0

EXCUSED-5

Evans, J.	Reichley	Rieger	True
Raymond			

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

* * *

Mr. FLICK called up **HR 443, PN 2713**, entitled:

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).

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-198

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

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

NAYS-0

NOT VOTING-0

EXCUSED-5

Evans, J.	Reichley	Rieger	True
Raymond			

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

The SPEAKER. The noise levels are entirely too loud. Please keep the noise down.

RESOLUTION PURSUANT TO RULE 35

Mr. BAKER called up **HR 449, PN 2764**, entitled:

A Resolution expressing condolences on the death of United States Army Specialist Jeremy M. Campbell.

On the question,
Will the House adopt the resolution?

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

Mr. BAKER. Thank you, Mr. Speaker.

Mr. Speaker, may I have a moment of order. This is a condolence resolution.

The SPEAKER. The gentleman is correct.

Mr. Baker.

Mr. BAKER. Thank you, Mr. Speaker.

I would like to begin by offering my condolences to Army Spc. Jeremy Campbell's family and friends. U.S. Army

Spc. Jeremy Campbell lost his life on September 11, 2005, when an improvised explosive device detonated near his vehicle while he was on patrol in Baghdad, Iraq.

Jeremy aided Operation Iraqi Freedom twice, having been deployed from April 2003 to March 2004 and again on January 23, 2005. He received many awards and decorations during his service with the Army, including the Bronze Star and the Purple Heart.

Jeremy was a resident of Middlebury Township, Tioga County, and a 2002 graduate of Wellsboro Area High School.

I can tell you he was well liked, was driven in his career pursuits, and was guided toward a life of helping others.

He was a highly decorated soldier, a newlywed, leaving behind a widow who just turned 19 years of age. He was a beloved family member and a cherished friend to many. In 21 short years Jeremy touched a lot of lives and did his utmost to help make this world of ours a better and safer place to live.

Recently we marked the fourth anniversary of the September 11, 2001, terrorist attacks that killed so many of our fellow Americans – men, women, and children. I thank Jeremy. I thank him and others like him from the bottom of my heart for his dedication to our country while fighting for the freedom of Iraqi citizens and protecting America against future terrorist attacks.

We hear on an almost daily basis about soldiers losing their lives on the battlefield, and it seems somehow distant and not real until it happens to one of our own in our community. Sadly, this is the second time in less than 6 weeks that one of our very own from Tioga County has paid the ultimate sacrifice for our freedoms. Like S. Sgt. Ryan Ostrom, Jeremy was a special individual who deserves to be recognized and appreciated for all that he was and all that he would have been.

In a recent news report, a U.S. soldier so eloquently expressed the meaning behind the ultimate sacrifice given by both Ryan and Jeremy. When approached by a news reporter and asked, “What is the difference between you and the Iraqi soldier firing his weapon in the distance,” the U.S. soldier replied, “The difference between us is that I am willing to die for the freedom of his country and him; and he doesn’t even know what freedom is” yet.

I would like to leave you with a quote from one of America’s finest leaders, President Reagan: “To our young friends – yes, young friends, for in our hearts you will always be young, full of love that is youth, love of life, love of joy, love of country – you fought for your country and for its safety and for the freedom of others with strength and courage. We love you for it. We honor you. And we have faith that, as He does all His sacred children, the Lord will bless you and keep you, the Lord will make His face shine upon you and give you peace, now and forever more.”

The Bible says in John 15:13, “Greater love has no one than this, that he lay down his life for his friends.”

We thank you, Jeremy, for your great love and sacrifice.
Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—197

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

NAYS—0

NOT VOTING—1

Butkovitz

EXCUSED—5

Evans, J.	Reichley	Rieger	True
Raymond			

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

HARRISBURG LEGISLATIVE LEAVE

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

Mr. BLAUM. Thank you, Mr. Speaker.

Just to request a Capitol leave for the gentleman, Mr. SURRA.

The SPEAKER. The Chair thanks the gentleman.

**BILLS REPORTED FROM COMMITTEES,
CONSIDERED FIRST TIME, AND TABLED**

HB 248, PN 274 By Rep. GEIST

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for legislative review of State highway transfers and for allocation of proceeds from taxes for highway maintenance and construction.

TRANSPORTATION.

HB 487, PN 526 By Rep. O'BRIEN

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for lawyer referral service civil immunity.

JUDICIARY.

HB 611, PN 684 By Rep. O'BRIEN

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

JUDICIARY.

HB 750, PN 841 By Rep. O'BRIEN

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

JUDICIARY.

HB 914, PN 2881 (Amended) By Rep. GEIST

An Act establishing the Southwest Pennsylvania Regional Transit Authority Study Commission and providing for its membership, powers and duties; and making an appropriation.

TRANSPORTATION.

HB 1112, PN 1319 By Rep. O'BRIEN

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the offense of corrupt organizations; providing for the offense of trafficking in persons; further providing for order authorizing interception of wire, electronic or oral communications; and providing for sentencing for trafficking of persons.

JUDICIARY.

HB 1427, PN 2883 (Amended) By Rep. LEH

An Act amending the act of December 31, 1965 (P.L.1257, No.511), known as The Local Tax Enabling Act, further providing for collection of taxes, for audits of earned income taxes, for earned income taxes, for suits for tax collection, for penalties and for delinquent tax collection costs.

FINANCE.

HB 1604, PN 2007 By Rep. HESS

An Act providing for a Statewide adult day resource and referral system; establishing a central adult day services database; and imposing additional responsibilities upon the Department of Aging.

AGING AND OLDER ADULT SERVICES.

HB 1631, PN 2016 By Rep. GEIST

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for vehicles exempt from registration.

TRANSPORTATION.

HB 1641, PN 2026 By Rep. B. SMITH

An Act amending Titles 30 (Fish) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for boat and marine forfeiture, for the powers and duties of the Pennsylvania Fish and Boat Commission, for boat, marine equipment and watercraft trailer forfeiture and for the powers and duties of the Department of Transportation.

GAME AND FISHERIES.

HB 1928, PN 2882 (Amended) By Rep. GEIST

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for permits for movement of a mobile home or a modular housing unit and modular housing undercarriage.

TRANSPORTATION.

HB 1955, PN 2669 By Rep. GEIST

An Act designating the bridge carrying State Route 66 over Garrett's Run and the J. Franklin Graff Bridge in Manor Township, Armstrong County, as the 1/112th Infantry Alpha Company Bridge.

TRANSPORTATION.

HB 1993, PN 2734 By Rep. GEIST

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for automated red light enforcement systems in first class cities.

TRANSPORTATION.

SB 539, PN 872 By Rep. B. SMITH

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for the offense of trespass on private property while hunting; and prescribing penalties.

GAME AND FISHERIES.

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

HB 2002, PN 2753

By Rep. LEH

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

FINANCE.

**TOURISM AND RECREATIONAL
DEVELOPMENT COMMITTEE MEETING**

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

Mr. GODSHALL. Thank you, Mr. Speaker.

The Tourism Committee will have a meeting at the break in the back of the House. It will be a very brief meeting to move a bill. I appreciate your attendance. It is at the break in the back of the House, a very brief meeting.

Thank you, Mr. Speaker.

The SPEAKER. The Tourism Committee will have a very brief meeting at the break in the back of the House.

GUEST INTRODUCED

The SPEAKER. The Chair would like to welcome to the hall of the House Nick Christy, who is serving as a guest page today. Nick is a junior at Boyertown Area Senior High School. He is the guest today of Representative Raymond Bunt and Representative Steve Samuelson. Would that guest please rise and be recognized.

DEMOCRATIC CAUCUS

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

Mr. COHEN. Thank you.

Mr. Speaker, there will be an immediate meeting of the House Democratic Caucus to go over two bills and a resolution that have been added to our voting schedule today since our last caucus.

The SPEAKER. The Chair thanks the gentleman.

VOTE CORRECTION

The SPEAKER. The Chair recognizes the gentlelady from Philadelphia, Miss Parker.

Miss PARKER. Mr. Speaker, I rise to correct the record.

On HR 451, which was voted on Monday, my vote was not recorded. I wish the record to reflect that I intended to vote "yes."

The SPEAKER. The Chair thanks the gentlelady.

Miss PARKER. Thank you.

The SPEAKER. The gentlelady's remarks will be spread across the record.

REPUBLICAN CAUCUS

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

Mrs. TAYLOR. Mr. Speaker, there will be no Republican caucus; no Republican caucus.

The SPEAKER. The Chair thanks the gentlelady.

COMMERCE COMMITTEE MEETING

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

Mr. HASAY. Thank you, Mr. Speaker.

Mr. Speaker, there will be a meeting of the House Commerce Committee in room 302 of the Ryan Building upon the break; the House Commerce Committee in room 302 at the break.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

There will be a meeting of the Commerce Committee in room 302 of the Ryan Building at the break.

RULES COMMITTEE MEETING

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

**BILL ON CONCURRENCE
REPORTED FROM COMMITTEE**

HB 619, PN 2656

By Rep. S. SMITH

An Act amending the act of June 30, 1981 (P.L.128, No.43), known as the Agricultural Area Security Law, further providing for definitions, for agricultural security areas and for purchase of agricultural conservation easements.

RULES.

The SPEAKER. Are there any further announcements?

RECESS

The SPEAKER. This House is in recess until 1:30.

AFTER RECESS

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

**BILLS REPORTED FROM COMMITTEES,
CONSIDERED FIRST TIME, AND TABLED**

HB 766, PN 928

By Rep. GODSHALL

An Act amending the act of December 19, 1988 (P.L.1262, No.156), known as the Local Option Small Games of Chance Act, regulating the lawful conduct of bingo; prescribing penalties; making a related repeal; and making editorial changes.

TOURISM AND RECREATIONAL DEVELOPMENT.

HB 1479, PN 1797

By Rep. KENNEY

An Act relating to the delivery of services and programs to persons with disabilities; conferring powers and duties on the Office of the Governor; and creating the Office for People with Disabilities and providing for its powers, duties and funding.

HEALTH AND HUMAN SERVICES.

HB 1588, PN 1989

By Rep. KENNEY

An Act providing for fluoridation of public water.

HEALTH AND HUMAN SERVICES.

HB 1632, PN 2017

By Rep. KENNEY

An Act amending the act of July 22, 1974 (P.L.589, No.205), known as the Unfair Insurance Practices Act, further defining "abuse," "unfair methods of competition" and "unfair or deceptive acts or practices."

HEALTH AND HUMAN SERVICES.

HB 1967, PN 2885 (Amended)

By Rep. CLYMER

An Act amending the act of November 20, 2004 (P.L.886, No.121), entitled "An act authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to Erie-Western Pennsylvania Port Authority and to Robert L. and Karen N. Doult, Leona B. Disbrow, Louise F. Waller, Mary Schabacker, Paul D. and Mary Ann Brugger, and Ralph and Janet Toland, Sr., certain lands situate in the City of Erie, County of Erie; authorizing the Department of General Services, with the approval of the Governor, to grant and convey to Derry Township Municipal Authority a certain easement for sanitary sewer purposes, together with an existing sanitary sewer line and appurtenances, situate in Derry Township, Dauphin County; authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to Summerdale Associates, L.P., certain lands situate in the Township of East Pennsboro, County of Cumberland; and authorizing and directing the Department of General Services, with the approval of the Department of Military and Veterans Affairs and the Governor, to grant and convey to the Borough of Doylestown certain lands situate in the Borough of Doylestown, Bucks County," further providing for conveyance to the Borough of Doylestown, Bucks County.

STATE GOVERNMENT.

**BILL REPORTED AND REREFERRED TO
COMMITTEE ON LOCAL GOVERNMENT****HB 1599, PN 2147**

By Rep. CLYMER

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

STATE GOVERNMENT.

**BILL REPORTED AND REREFERRED TO
COMMITTEE ON URBAN AFFAIRS****HB 1903, PN 2604**

By Rep. CLYMER

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, further providing, in management of planned communities, for quorums; and providing for management of substantial planned communities.

STATE GOVERNMENT.

**RESOLUTIONS REPORTED
FROM COMMITTEE****HR 442, PN 2712**

By Rep. KENNEY

A Resolution recognizing the Nutrition Links program of The Pennsylvania State University Cooperative Extension (Penn State Nutrition Links) and the help it provides children, youths, adults and families in attaining healthy eating and lifestyle practices.

HEALTH AND HUMAN SERVICES.

HR 454, PN 2768

By Rep. KENNEY

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.

HEALTH AND HUMAN SERVICES.

HR 471, PN 2796

By Rep. KENNEY

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.

HEALTH AND HUMAN SERVICES.

LEAVE OF ABSENCE CANCELED

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

CALENDAR CONTINUED**BILL ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 58, PN 2674**, entitled:

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.

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—199

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

NAYS—0

NOT VOTING—0

EXCUSED—4

Evans, J.	Raymond	Rieger	True
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

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

SUPPLEMENTAL CALENDAR A

BILL ON CONCURRENCE
IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 619, PN 2656**, entitled:

An Act amending the act of June 30, 1981 (P.L.128, No.43), known as the Agricultural Area Security Law, further providing for definitions, for agricultural security areas and for purchase of agricultural conservation easements.

On the question,

Will the House concur in Senate amendments?

The SPEAKER. It is moved by the gentleman, Mr. Hershey, that the House do concur in the amendments inserted by the Senate.

On the question recurring,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—198

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

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

NAYS—0

NOT VOTING—1

Thomas

EXCUSED—4

Evans, J. Raymond Rieger True

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

BILL SIGNED BY SPEAKER

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

HB 619, PN 2656

An Act amending the act of June 30, 1981 (P.L.128, No.43), known as the Agricultural Area Security Law, further providing for definitions, for agricultural security areas and for purchase of agricultural conservation easements.

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

HARRISBURG LEGISLATIVE LEAVE CANCELED

The SPEAKER. The Chair notes the presence on the floor of the House of the gentleman, Mr. Surra. The gentleman's name will be taken off Harrisburg legislative leave.

HARRISBURG LEGISLATIVE LEAVE

Mr. SURRA. Mr. Speaker?

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

Mr. SURRA. Mr. Speaker, I would like to request Capitol leave for the remainder of the day for Representative OLIVER.

The SPEAKER. Without objection, that Capitol leave will be granted.

There will be no further votes on the floor.

THE SPEAKER PRO TEMPORE (JERRY BIRMELIN) PRESIDING

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Fleagle, for a committee announcement.

Mr. FLEAGLE. Thank you, Mr. Speaker.

If I could have the attention of the Appropriations Committee — the Appropriations Committee. The Appropriations Committee will be meeting in the Appropriations conference room at 2:45, or excuse me, 2 o'clock. The Appropriations Committee will be meeting at 2 o'clock in the Appropriations conference room.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Appropriations Committee will meet at 2 o'clock in the Appropriations conference room.

The House will be in recess to the call of the Chair.

The Chair rescinds its motion to be in recess temporarily.

Just for the members who are still here, yesterday was scheduled as a nonvoting day. It is now not a nonvoting day.

I am sorry. Tomorrow, Thursday, is not going to be a nonvoting session day, and there will be no session whatsoever tomorrow, so members are finished for the week.

VOTE CORRECTION

The SPEAKER pro tempore. For what purpose does the gentleman, Mr. Thomas, rise?

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, my button malfunctioned, and I would like to be recorded in the affirmative on HB 619, concurrence.

The SPEAKER pro tempore. The gentleman's remarks will be spread upon the record.

RECESS

The SPEAKER pro tempore. Is there anyone else seeking recognition?

Seeing none, then we are in recess.

AFTER RECESS

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

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 1697, PN 2887 (Amended)

By Rep. HASAY

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for the protection of consumers from having spyware deceptively installed on their computers and for criminal and civil enforcement.

COMMERCE.

HB 2082, PN 2886 (Amended) By Rep. FEESE

An Act establishing appropriations limitations; and providing for the disposition of surplus funds.

APPROPRIATIONS.

RECESS

The SPEAKER pro tempore. This House now stands in recess until the call of the Chair.

AFTER RECESS

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

THE SPEAKER (JOHN M. PERZEL) PRESIDING

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 Perry, Mr. Mark Keller.

Mr. M. KELLER. Mr. Speaker, I move that this House do now recess until Monday, October 24, 2005, at 1 p.m., e.d.t., unless sooner recalled by the Speaker.

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

Motion was agreed to, and at 12:59 p.m., e.d.t., Monday, October 24, 2005, the House recessed.