

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, NOVEMBER 22, 2005

SESSION OF 2005

189TH OF THE GENERAL ASSEMBLY

No. 71

HOUSE OF REPRESENTATIVES

The House convened at 11:35 a.m., e.s.t.

THE SPEAKER PRO TEMPORE (JERRY BIRMELIN) PRESIDING

PRAYER

REV. ROBERT A. GRAYBILL, Guest Chaplain of the House of Representatives, offered the following prayer:

Almighty God, as we begin this session with a brief and sincere moment of connecting with You, we ask that our hearts be aware of the gracious and simple gifts You give us this day. Please understand our thanks to You, O God, in these days of Thanksgiving.

We give You thanks for the simple ability to talk, to share our thoughts by means of speech. May we remember with love many persons in the districts of which we come who today struggle to speak because of illness and tragedy that have touched their lives.

We offer our thanks, O Lord God, for the capacity to hear, to enjoy the simple sounds of a bird calling their young, to be moved by the serious comments of our brethren gathered, and to feel the loving words of our friends who nurture us each day. May we remember with love those persons who this day cannot hear the voice of their friends.

We return our thanks to our God for the simple gifts of smell and taste. From the smell of the morning-brewed coffee to the lunch stand's quick bite of food, to the evening meal prepared for our taste buds, we are glad, O Lord, for joy we receive through these gifts. May we remember with love those persons who this week must force themselves to eat because they cannot taste nor smell the Thanksgiving dinner.

And we share our thanks, Almighty God, for the often forgotten yet significant gift, being able to walk. We are able to move from one place to another on our own strength, but keep us sensitive to the profound efforts of many fellow citizens who this day are attempting to walk again with the help of others in the centers of health care.

O Lord God, understand our thanks for the simple and beautiful gifts of Thee in this season of Thanksgiving. 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 Monday, November 21, 2005, will be postponed until printed.

SENATE MESSAGE

HOUSE BILL CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 1400, PN 1688**, with information that the Senate has passed the same without amendment.

SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 2082, PN 3152**, 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
November 21, 2005

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the Regular Session of the Senate recesses this week, it reconvene on Monday, December 5, 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, December 5, 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.

CALENDAR

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 349, PN 2062**, entitled:

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

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

BILL TABLED

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

Mr. S. SMITH. Mr. Speaker, I move that HB 349 be placed on the table.

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

BILL REMOVED FROM TABLE

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

Mr. S. SMITH. Mr. Speaker, I move that HB 349 be taken off the table.

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

* * *

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

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

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

BILL TABLED

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

Mr. S. SMITH. Mr. Speaker, I move that HB 1027 be placed on the table.

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

BILL REMOVED FROM TABLE

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

Mr. S. SMITH. Mr. Speaker, I move that HB 1027 be taken off the table.

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

* * *

The House proceeded to third consideration of **HB 1652, PN 2079**, entitled:

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.

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

BILL TABLED

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

Mr. S. SMITH. Mr. Speaker, I move that HB 1652 be placed on the table.

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

BILL REMOVED FROM TABLE

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

Mr. S. SMITH. Mr. Speaker, I move that HB 1652 be taken off the table.

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

BILL REMOVED FROM TABLE

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

Mr. S. SMITH. Mr. Speaker, I move that the following bill be taken from the table: SB 358.

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

BILL ON SECOND CONSIDERATION

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

SB 358, PN 1141.

BILL RECOMMITTED

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

Mr. S. SMITH. Mr. Speaker, I move that the following bill be recommitted to the Appropriations Committee: SB 358.

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

**BILL REPORTED AND REREFERRED
TO COMMITTEE ON
HEALTH AND HUMAN SERVICES**

HB 1398, PN 1686 By Rep. GANNON

An Act providing for the licensing of prescription drug wholesale distributors and for the powers and duties of the State Pharmacy Board; and prescribing penalties.

PROFESSIONAL LICENSURE.

**BILL REPORTED AND REREFERRED TO
COMMITTEE ON VETERANS AFFAIRS AND
EMERGENCY PREPAREDNESS**

HB 2252, PN 3140 By Rep. MICOZZIE

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.

INSURANCE.

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

HB 15, PN 3167 (Amended) By Rep. O'Brien

An Act amending Titles 18 (Crimes and Offenses) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further

providing for the Substance Abuse Education and Demand Reduction Fund and for penalties.

JUDICIARY.

HB 1311, PN 1559 By Rep. O'Brien

An Act amending the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act, further providing for prohibited acts and penalties.

JUDICIARY.

HB 1327, PN 1575 By Rep. O'Brien

An Act amending the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act, further providing for liquefied ammonia gas, precursors and chemicals.

JUDICIARY.

HB 1348, PN 3168 (Amended) By Rep. O'Brien

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for restitution for identity theft; and making a related repeal.

JUDICIARY.

HB 1784, PN 2322 By Rep. O'Brien

An Act amending Titles 42 (Judiciary and Judicial Procedure) and 44 (Law and Justice) of the Pennsylvania Consolidated Statutes, further providing for registration and for the definition of "other specified offense."

JUDICIARY.

**HOUSE BILLS
INTRODUCED AND REFERRED**

No. 2262 By Representatives MUSTIO, MICOZZIE, DeLUCA, ARMSTRONG, BALDWIN, BARRAR, BELARDI, BELFANTI, BUNT, CALTAGIRONE, CAPPELLI, CORRIGAN, CRAHALLA, CREIGHTON, DALEY, DALLY, DeWEESE, FAIRCHILD, GEORGE, GINGRICH, GODSHALL, GOOD, GOODMAN, GRELL, GRUCELA, HASAY, FRANKEL, HARRIS, HERMAN, HERSHEY, HICKERNELL, M. KELLER, W. KELLER, KILLION, KOTIK, LEDERER, MANDERINO, MARKOSEK, McILHATTAN, MILLARD, R. MILLER, NAILOR, PAYNE, PETRARCA, PICKETT, PISTELLA, RAPP, BOYD, McGEEHAN, FABRIZIO, READSHAW, REED, ROSS, SATHER, SCAVELLO, SOLOBAY, SONNEY, STABACK, STERN, R. STEVENSON, T. STEVENSON, SURRA, E. Z. TAYLOR, J. TAYLOR, THOMAS, TIGUE, VEON, WILT, YOUNGBLOOD, YUDICHAK, ZUG and S. MILLER

An Act amending the act of May 17, 1921 (P.L.789, No.285), known as The Insurance Department Act of 1921, providing for licensees deployed to a military zone of combat.

Referred to Committee on INSURANCE, November 22, 2005.

No. 2263 By Representatives McILHATTAN, HESS, THOMAS, GANNON, PYLE, McNAUGHTON, CAPPELLI, ALLEN, ARGALL, ARMSTRONG, BAKER, BALDWIN, BARRAR, BASTIAN, BEBKO-JONES, BELFANTI, BEYER, BIRMELIN, BISHOP, BLAUM, BOYD, CALTAGIRONE, CASORIO, CAUSER, CAWLEY, CIVERA, CLYMER, COHEN, CREIGHTON, CRUZ, CURRY, DALLY, DeLUCA, DENLINGER, DeWEESE, DIVEN, ELLIS, D. EVANS, FABRIZIO, FAIRCHILD, FEESE, FICHTER, FLEAGLE, FRANKEL, GABIG, GEIST, GEORGE, GINGRICH, GOOD, GOODMAN, HABAY, HALUSKA, HARHART, HARRIS, HASAY, HENNESSEY, HERMAN, HERSHEY, HICKERNELL, HUTCHINSON, JAMES, KAUFFMAN, M. KELLER, KENNEY, KILLION, LEH, MACKERETH, MAHER, MAITLAND, MAJOR, MANN, MARKOSEK, MANDERINO, MARSICO, McGILL, McILHINNEY, METCALFE, MILLARD, R. MILLER, S. MILLER, MUNDY, MUSTIO, NAILOR, OLIVER, O'NEILL, PALLONE, PAYNE, PERZEL, PETRARCA, PETRI, PETRONE, PHILLIPS, PICKETT, PISTELLA, QUIGLEY, RAPP, READSHAW, REED, REICHLEY, ROHRER, RUBLEY, SAINATO, SATHER, SAYLOR, SCAVELLO, SCHRODER, SEMMEL, SIPTROTH, S. H. SMITH, SONNEY, STABACK, STAIRS, STEIL, STERN, R. STEVENSON, T. STEVENSON, SURRA, TANGRETTI, E. Z. TAYLOR, J. TAYLOR, TIGUE, TRUE, WALKO, WATSON, WILT, WOJNAROSKI, WRIGHT, YEWIC, YOUNGBLOOD, McGEEHAN, LEDERER, DiGIROLAMO, GODSHALL and BUNT

An Act establishing One Pennsylvania, a program to consolidate and unify procedures and requirements for the administration of all Commonwealth-funded, Commonwealth-administered and Commonwealth-supported drug programs and for reimbursement for pharmacy services.

Referred to Committee on AGING AND OLDER ADULT SERVICES, November 22, 2005.

No. 2264 By Representatives MAITLAND, CLYMER, NICKOL, ARMSTRONG, BAKER, BOYD, BUNT, CALTAGIRONE, CAPPELLI, CORRIGAN, CRAHALLA, CREIGHTON, CURRY, DALEY, FAIRCHILD, GINGRICH, GRELL, HARRIS, HERMAN, HERSHEY, HESS, HICKERNELL, KAUFFMAN, M. KELLER, LEDERER, MAHER, McILHATTAN, MILLARD, NAILOR, PAYNE, PHILLIPS, PISTELLA, PYLE, SATHER, SAYLOR, SCHRODER, B. SMITH, STERN, R. STEVENSON, TANGRETTI, E. Z. TAYLOR, THOMAS, TRUE, TURZAI, WILT and YOUNGBLOOD

An Act amending Title 4 (Amusements) of the Pennsylvania Consolidated Statutes, further providing for Category 2 slot machine licenses and for slot machine license applications.

Referred to Committee on TOURISM AND RECREATIONAL DEVELOPMENT, November 22, 2005.

No. 2265 By Representatives TANGRETTI, CALTAGIRONE, CRAHALLA, CREIGHTON, DALLY, DeWEESE, FABRIZIO, GOOD, GOODMAN, HARHAI, HENNESSEY, HERMAN, MANN, MARKOSEK, MICOZZIE, NAILOR, PISTELLA, REED, SCAVELLO,

SCHRODER, SOLOBAY, SURRA, J. TAYLOR, TIGUE, WOJNAROSKI and YOUNGBLOOD

An Act amending the act of April 6, 1951 (P.L.69, No.20), known as The Landlord and Tenant Act of 1951, providing for disclosure of prior use for the manufacturer of certain controlled substances.

Referred to Committee on CONSUMER AFFAIRS, November 22, 2005.

No. 2266 By Representatives TANGRETTI, CALTAGIRONE, CRAHALLA, CREIGHTON, DALLY, DeWEESE, FABRIZIO, GOOD, GOODMAN, HARHAI, HENNESSEY, HERMAN, MANN, MARKOSEK, MICOZZIE, NAILOR, PISTELLA, REED, SCAVELLO, SCHRODER, SOLOBAY, SURRA, J. TAYLOR, TIGUE, WOJNAROSKI and YOUNGBLOOD

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, further providing for disclosure form.

Referred to Committee on CONSUMER AFFAIRS, November 22, 2005.

HOUSE RESOLUTION INTRODUCED AND REFERRED

No. 526 By Representatives SHAPIRO, KILLION, CLYMER, JOSEPHS, DeWEESE, LEDERER, READSHAW, BEBKO-JONES, RAMALEY, BISHOP, CAPPELLI, CRAHALLA, REICHLEY, LEH, BUXTON, MARKOSEK, PISTELLA, BELARDI, HERMAN, QUIGLEY, MANN, GEORGE, SURRA, HENNESSEY, BALDWIN, CALTAGIRONE, McGEEHAN, GOODMAN, ROEBUCK, REED, WATSON, BIANCUCCI, GINGRICH, SANTONI, SATHER, STURLA, GERBER, WOJNAROSKI, YUDICHAK, MILLARD, LEACH, DeLUCA, O'NEILL, NICKOL, MANDERINO, STABACK, YOUNGBLOOD, GRUCELA, TANGRETTI, D. EVANS, HARRIS, LEVDANSKY, TIGUE, BUNT, RUBLEY, KIRKLAND, THOMAS, HERSHEY, BOYD, FRANKEL, MUNDY, BLACKWELL, CREIGHTON, KOTIK, WHEATLEY, FREEMAN, E. Z. TAYLOR, FABRIZIO, COHEN, B. SMITH, BARRAR, WANSACZ, JAMES, SAINATO, DENLINGER, SIPTROTH and PETRONE

A Resolution memorializing the President and Congress of the United States to reauthorize certain provisions of the Voting Rights Act of 1965.

Referred to Committee on STATE GOVERNMENT, November 22, 2005.

LEAVES OF ABSENCE

The SPEAKER pro tempore. The Chair recognizes the majority whip, who asks for leaves of absence for the day for the gentleman from Bucks County, Mr. CLYMER, and the gentleman from Allegheny County, Mr. MAHER.

The Chair also recognizes the minority whip, who asks for leaves of absence for the day for the following: the gentleman

from Philadelphia, Mr. RIEGER; the gentleman from Northampton County, Mr. ROONEY; the gentleman from Lackawanna County, Mr. STABACK; the gentleman from Philadelphia, WILLIAM KELLER; and the lady from Philadelphia, Representative BISHOP. Without objection, the leaves are granted.

MASTER ROLL CALL

The SPEAKER pro tempore. The Chair is about to take the master roll. Members will proceed to vote.

The following roll call was recorded:

PRESENT—195

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—8

Bishop	Keller, W.	Rieger	Shaner
Clymer	Maher	Rooney	Staback

LEAVES ADDED—1

Lederer

LEAVES CANCELED—1

Keller, W.

GUEST INTRODUCED

The SPEAKER pro tempore. Joining us today as a guest page and job shadower of Representative David Hickernell is Megan Gotowski. Megan is a sophomore at Elizabethtown Area High School, and let us join her in a hearty Harrisburg welcome today. Megan, where are you standing? Is Megan on the floor? Well, we will try to introduce her later.

HARRISBURG LEGISLATIVE LEAVE

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

Mr. DeWEESE. Thank you, Mr. Speaker.

The gentelady, Ms. MUNDY, and the gentleman, Mr. GRUCELA, on temporary Capitol leave, please.

The SPEAKER pro tempore. Without objection, the leaves are granted.

GUEST INTRODUCED

The SPEAKER pro tempore. I would like to welcome to the hall of the House today Kara Blinkhorn. She is a senior at Duquesne University. She is interning in Representative Tom Stevenson's district office. Kara is seated to the left of the Speaker. Kara, if you would, please rise and be recognized.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 260, PN 264**, entitled:

An Act joining with other states in an effort to establish an interstate compact to regulate designated insurance products.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Bishop	Keller, W.	Rieger	Shaner
Clymer	Maher	Rooney	Staback

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 return the same to the Senate with the information that the House has passed the same without amendment.

SENATE BILLS FOR CONCURRENCE

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

SB 178, PN 1374

Referred to Committee on JUDICIARY, November 22, 2005.

SB 987, PN 1297

Referred to Committee on STATE GOVERNMENT, November 22, 2005.

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 1591, PN 1997

By Rep. MICOZZIE

An Act amending the act of March 20, 2002 (P.L.154, No.13), known as the Medical Care Availability and Reduction of Error (Mcare) Act, extending patient safety standards to certain abortion facilities.

INSURANCE.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 599, PN 1322**, entitled:

An Act designating State Route 132 in Bucks County as the Armed Forces and Veterans Memorial Highway; designating a bridge on State Route 150 crossing the Beech Creek in Clinton and Centre Counties the Beech Creek Veterans Memorial Bridge; and designating State Route 291 in Delaware County as the Willie Mae James Leake Memorial Highway.

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

Ms. **BEBKO-JONES** offered the following amendment No. **A04411**:

Amend Title, page 1, line 4, by striking out "DESIGNATING" and inserting
Amending the act of December 21, 1998 (P.L.1064, No.140), entitled "An act designating Route 581 in Cumberland County, Pennsylvania, as the American Ex-Prisoners of War Highway; designating a section of the Bay Front Parkway in Erie County, Pennsylvania, as the Bernard (Benny) J. Dombrowski Memorial Highway; designating a section of Route 26 in Centre County, Pennsylvania, as the Nittany Parkway; designating a bridge in Bethel Township, Lebanon County, as the Senator Clarence F. Manbeck Bridge; designating the Mount Union Bypass in Huntingdon County as the James DiCosimo Bypass; designating a portion of Route 26 in Huntingdon County as the Standing Stone Parkway; designating a portion of State Route 0094 in York and Cumberland counties as the 94th Infantry Division Memorial Highway; and designating a bridge in Chester County as the Ben Weaver Bridge," extending the Bernard (Benny) J. Dombrowski Memorial Highway; designating

Amend Bill, page 2, lines 22 through 30; page 3, lines 1 through 30; page 4, lines 1 through 16, by striking out all of said lines on said pages and inserting

Section 1. The title and section 2 of the act of December 21, 1998 (P.L.1064, No.140), entitled "An act designating Route 581 in Cumberland County, Pennsylvania, as the American Ex-Prisoners of War Highway; designating a section of the Bay Front Parkway in Erie County, Pennsylvania, as the Bernard (Benny) J. Dombrowski Memorial Highway; designating a section of Route 26 in Centre County, Pennsylvania, as the Nittany Parkway; designating a bridge in Bethel Township, Lebanon County, as the Senator Clarence F. Manbeck Bridge; designating the Mount Union Bypass in Huntingdon County as the James DiCosimo Bypass; designating a portion of Route 26 in Huntingdon County as the Standing Stone Parkway; designating a portion of State Route 0094 in York and Cumberland counties as the 94th Infantry Division Memorial Highway; and designating a bridge in Chester County as the Ben Weaver Bridge," are amended to read:

AN ACT

Designating Route 581 in Cumberland County, Pennsylvania, as the American Ex-Prisoners of War Highway; designating a section of the Bay Front Parkway in Erie County, Pennsylvania, as the Bernard (Benny) J. Dombrowski Memorial Highway; designating a section of Route 26 in Centre County, Pennsylvania, as the Nittany Parkway; designating a bridge in Bethel Township, Lebanon County, as the Senator Clarence F. Manbeck Bridge; designating the Mount Union Bypass in Huntingdon County as the James DiCosimo Bypass; designating a portion of Route 26 in Huntingdon County as the Standing Stone Parkway; designating a portion of State Route 0094 in York and Cumberland counties as the 94th Infantry Division Memorial Highway; and designating a bridge in Chester County as the Ben Weaver Bridge; designating State Route 132 in Bucks County as the Armed Forces and Veterans Memorial Highway; designating a bridge on State Route 150 crossing the Beech Creek in Clinton and Centre Counties as the Beech Creek Veterans Memorial Bridge; and designating State Route 291 in Delaware County as the Willie Mae James Leake Memorial Highway.

Section 2. Bernard (Benny) J. Dombrowski Memorial Highway.

(a) Designation.—The section of the Bay Front Parkway in Erie County from State Street east to Wayne Street south to [the intersection of Bird Drive and East Grandview Boulevard] Station Road is hereby designated and shall be known as the Bernard (Benny) J. Dombrowski Memorial Highway.

(b) Service in the House of Representatives.—Bernard (Benny) J. Dombrowski was a committed community servant who served with distinction as a State Representative from the First Legislative District from 1970 to 1990. Also, during his tenure in the House of Representatives he was elected to the position of Majority Caucus Administrator.

(c) Signs.—The Department of Transportation shall erect and maintain road signs which shall display the name of Bernard (Benny) J. Dombrowski at the beginning and the end of the section of the highway designated in subsection (a).

Section 2. The act is amended by adding sections to read:

Section 8.1. Armed Forces and Veterans Memorial Highway.

(a) Designation.—State Route 132, known as Street Road, from its beginning point at State Road, Bensalem Township, Bucks County, to its terminal point at Lower State, Warrington Township, Bucks County, is hereby designated the Armed Forces and Veterans Memorial Highway.

(b) Signs.—The Department of Transportation shall erect and maintain appropriate signs displaying the name of the highway at each end of the highway and along the highway at an appropriate location within each municipality through which the highway passes.

Section 8.2. Beech Creek Veterans Memorial Bridge.

(a) Designation.—The bridge on State Route 150 crossing the Beech Creek in Clinton and Centre Counties is designated and shall be known as the Beech Creek Veterans Memorial Bridge in honor of all the citizens of Clinton and Centre Counties who have served in the armed forces of the United States.

(b) Signs.—The Department of Transportation shall erect and maintain appropriate signs which shall display the name of the bridge designated in subsection (a) at each end of the bridge.

Section 8.3. Willie Mae James Leake Memorial Highway.

(a) Declaration of policy.—The General Assembly finds and declares that:

(1) Mayor Willie Mae James Leake had the distinction of being the first African-American mayor for the City of Chester, Delaware County, and served in that capacity from 1986 to 1991.

(2) Mayor Leake's pride for the City of Chester led her to a career in city politics. Mayor Leake's political career began in 1972. Subsequently, she began this career appointed to the Chester-Upland School Board. In 1977 Mayor Leake received the highest number of votes among Republican candidates for a six-year term on the school board. In 1982 Mayor Leake was appointed City Treasurer. In January 1983 Mayor Leake was appointed to the City Council of Chester, Pennsylvania, and at this time she made history as the first woman to serve on City Council.

(3) Mayor Leake was also on the executive board of the Chester branch of the NAACP.

(4) The distinguished achievements and contributions of Mayor Willie Mae James Leake reflect the spirit of not only a distinguished servant to the City of Chester, Delaware County, and the Commonwealth, but also a great Pennsylvanian.

(b) Designation.—The highway in Delaware County carrying State Route 291 from Ridley Creek to the Trainer Borough line is hereby designated and shall be known as the Willie Mae James Leake Memorial Highway.

(c) Signs.—The Department of Transportation shall erect appropriate signs at each end of the highway displaying the designation made by this section.

Section 3. This act shall take effect as follows:

(1) The following provisions shall take effect immediately:

- (i) The addition of section 8.3 of the act
- (ii) This section.

(2) The remainder of this act shall take effect in 60 days.

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. On that question, the Chair recognizes Representative Bebko-Jones.

Ms. BEBKO-JONES. Thank you, Mr. Speaker.

Mr. Speaker, can I have some order here?

The SPEAKER pro tempore. We will do our best. Members, please take your seats. We are about to begin the active voting calendar today. There is an amendment on the agenda right now that we are voting on. Gentlemen, please take your seats. Members, please take your seats. Members, please take your seats.

Ms. BEBKO-JONES. Thank you, Mr. Speaker.

The SPEAKER pro tempore. Will the lady suspend for a moment. Could you tell us if you are offering amendment 4441?

Ms. BEBKO-JONES. Yes, Mr. Speaker.

The SPEAKER pro tempore. The lady would need to make a motion to suspend the rules in order to run that amendment at this point in time.

AMENDMENT WITHDRAWN

Ms. BEBKO-JONES. Right. Mr. Speaker, I am withdrawing amendment 4411 and making a motion to suspend the rules to offer amendment 4441.

The SPEAKER pro tempore. I am glad you delineated that. We had a lot of ones and fours there.

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

RULES SUSPENDED

The SPEAKER pro tempore. The lady, Ms. Bebko-Jones. Ms. BEBKO-JONES. Mr. Speaker, I move that we suspend the rules for the offering of amendment 4441.

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

The following roll call was recorded:

YEAS—195

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

Evans, D.	Leh	Roebuck	
Evans, J.	Lescovitz	Rohrer	Perzel,
Fabrizio	Levdansky	Ross	Speaker
Fairchild			

NAYS—0

NOT VOTING—0

EXCUSED—8

Bishop	Keller, W.	Rieger	Shaner
Clymer	Maher	Rooney	Staback

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.

The SPEAKER pro tempore. The rules are suspended for the offering of that amendment. The lady, Ms. Bebko-Jones, are you interested in speaking on that now?

Ms. BEBKO-JONES. Yes, Mr. Speaker. Thank you.

The SPEAKER pro tempore. Just a moment, please. The clerk will read the amendment.

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

Ms. BEBKO-JONES offered the following amendment No. **A04441:**

Amend Title, page 1, line 4, by striking out “DESIGNATING” and inserting

Amending the act of December 21, 1998 (P.L.1064, No.140), entitled “An act designating Route 581 in Cumberland County, Pennsylvania, as the American Ex-Prisoners of War Highway; designating a section of the Bay Front Parkway in Erie County, Pennsylvania, as the Bernard (Benny) J. Dombrowski Memorial Highway; designating a section of Route 26 in Centre County, Pennsylvania, as the Nittany Parkway; designating a bridge in Bethel Township, Lebanon County, as the Senator Clarence F. Manbeck Bridge; designating the Mount Union Bypass in Huntingdon County as the James DiCosimo Bypass; designating a portion of Route 26 in Huntingdon County as the Standing Stone Parkway; designating a portion of State Route 0094 in York and Cumberland counties as the 94th Infantry Division Memorial Highway; and designating a bridge in Chester County as the Ben Weaver Bridge,” extending the Bernard (Benny) J. Dombrowski Memorial Highway; designating Amend Title, page 1, line 7, by striking out “AND”

Amend Title, page 1, line 9, by removing the period after “HIGHWAY” and inserting
; and designating a road in Philadelphia County as Senator Hank Salvatore Drive.

Amend Bill, page 2, lines 22 through 30; page 3, lines 1 through 30; page 4, lines 1 through 16, by striking out all of said lines on said pages and inserting

Section 1. The title and section 2 of the act of December 21, 1998 (P.L.1064, No.140), entitled “An act designating Route 581 in Cumberland County, Pennsylvania, as the American Ex-Prisoners of War Highway; designating a section of the Bay Front Parkway in Erie County, Pennsylvania, as the Bernard (Benny) J. Dombrowski Memorial Highway; designating a section of Route 26 in Centre County, Pennsylvania, as the Nittany Parkway; designating a bridge in Bethel Township, Lebanon County, as the Senator

Clarence F. Manbeck Bridge; designating the Mount Union Bypass in Huntingdon County as the James DiCosimo Bypass; designating a portion of Route 26 in Huntingdon County as the Standing Stone Parkway; designating a portion of State Route 0094 in York and Cumberland counties as the 94th Infantry Division Memorial Highway; and designating a bridge in Chester County as the Ben Weaver Bridge,” are amended to read:

AN ACT

Designating Route 581 in Cumberland County, Pennsylvania, as the American Ex-Prisoners of War Highway; designating a section of the Bay Front Parkway in Erie County, Pennsylvania, as the Bernard (Benny) J. Dombrowski Memorial Highway; designating a section of Route 26 in Centre County, Pennsylvania, as the Nittany Parkway; designating a bridge in Bethel Township, Lebanon County, as the Senator Clarence F. Manbeck Bridge; designating the Mount Union Bypass in Huntingdon County as the James DiCosimo Bypass; designating a portion of Route 26 in Huntingdon County as the Standing Stone Parkway; designating a portion of State Route 0094 in York and Cumberland counties as the 94th Infantry Division Memorial Highway; and designating a bridge in Chester County as the Ben Weaver Bridge[.]; designating State Route 132 in Bucks County as the Armed Forces and Veterans Memorial Highway; designating a bridge on State Route 150 crossing the Beech Creek in Clinton and Centre Counties as the Beech Creek Veterans Memorial Bridge; designating State Route 291 in Delaware County as the Willie Mae James Leake Memorial Highway; and designating a road in Philadelphia County as Senator Hank Salvatore Drive.

Section 2. Bernard (Benny) J. Dombrowski Memorial Highway.

(a) Designation.—The section of the Bay Front Parkway in Erie County from State Street east to Wayne Street south to [the intersection of Bird Drive and East Grandview Boulevard] Station Road is hereby designated and shall be known as the Bernard (Benny) J. Dombrowski Memorial Highway.

(b) Service in the House of Representatives.—Bernard (Benny) J. Dombrowski was a committed community servant who served with distinction as a State Representative from the First Legislative District from 1970 to 1990. Also, during his tenure in the House of Representatives he was elected to the position of Majority Caucus Administrator.

(c) Signs.—The Department of Transportation shall erect and maintain road signs which shall display the name of Bernard (Benny) J. Dombrowski at the beginning and the end of the section of the highway designated in subsection (a).

Section 2. The act is amended by adding sections to read:

Section 8.1. Armed Forces and Veterans Memorial Highway.

(a) Designation.—State Route 132, known as Street Road, from its beginning point at State Road, Bensalem Township, Bucks County, to its terminal point at Lower State, Warrington Township, Bucks County, is hereby designated the Armed Forces and Veterans Memorial Highway.

(b) Signs.—The Department of Transportation shall erect and maintain appropriate signs displaying the name of the highway at each end of the highway and along the highway at an appropriate location within each municipality through which the highway passes.

Section 8.2. Beech Creek Veterans Memorial Bridge.

(a) Designation.—The bridge on State Route 150 crossing the Beech Creek in Clinton and Centre Counties is designated and shall be known as the Beech Creek Veterans Memorial Bridge in honor of all the citizens of Clinton and Centre Counties who have served in the armed forces of the United States.

(b) Signs.—The Department of Transportation shall erect and maintain appropriate signs which shall display the name of the bridge designated in subsection (a) at each end of the bridge.

Section 8.3. Willie Mae James Leake Memorial Highway.

(a) Declaration of policy.—The General Assembly finds and declares that:

(1) Mayor Willie Mae James Leake had the distinction of being the first African-American mayor for the City of Chester, Delaware County, and served in that capacity from 1986 to 1991.

(2) Mayor Leake’s pride for the City of Chester led her to a career in city politics. Mayor Leake’s political career began in 1972. Subsequently, she began this career appointed to the Chester-Upland School Board. In 1977 Mayor Leake received the highest number of votes among Republican candidates for a six-year term on the school board. In 1982 Mayor Leake was appointed City Treasurer. In January 1983 Mayor Leake was appointed to the City Council of Chester, Pennsylvania, and at this time she made history as the first woman to serve on City Council.

(3) Mayor Leake was also on the executive board of the Chester branch of the NAACP.

(4) The distinguished achievements and contributions of Mayor Willie Mae James Leake reflect the spirit of not only a distinguished servant to the City of Chester, Delaware County, and the Commonwealth, but also a great Pennsylvanian.

(b) Designation.—The highway in Delaware County carrying State Route 291 from Ridley Creek to the Trainer Borough line is hereby designated and shall be known as the Willie Mae James Leake Memorial Highway.

(c) Signs.—The Department of Transportation shall erect appropriate signs at each end of the highway displaying the designation made by this section.

Section 8.4. Senator Hank Salvatore Drive.

(a) Designation.—The road serving as the main entrance to the Benjamin Rush State Park, intersecting with Southampton Road in Philadelphia County, shall be known as Senator Hank Salvatore Drive.

(b) Signs.—The department shall erect and maintain signs displaying the name of the road designated under subsection (a).

Section 3. This act shall take effect as follows:

(1) The following provisions shall take effect immediately:

(i) The addition of section 8.3 of the act

(ii) This section.

(2) The remainder of this act shall take effect in 60 days.

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. Well, the lady is in order now and may begin.

Ms. BEBKO-JONES. Thank you, Mr. Speaker.

Mr. Speaker, this is simply a technical amendment. Ten years ago one of the greatest Representatives in Erie County, Representative Benny Dombrowski, passed away, and Benny Dombrowski was very, very influential in the Bay Front Highway. The Bay Front Highway, part of the Bay Front Highway was completed.

Another one of the greatest Representatives that Erie has ever seen was Representative Italo Cappabianca. At that time Representative Cappabianca introduced this part of the Bay Front Highway, the Benny Dombrowski Memorial Highway. Today that highway is completed, and all I am asking from the members on both sides of the House is, we want to extend the Benny Dombrowski Memorial Highway from State Street all the way to Behrend campus. Mr. Dombrowski was also very influential in Behrend campus, and I would ask for an affirmative vote.

Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Bishop	Keller, W.	Rieger	Shaner
Clymer	Maher	Rooney	Staback

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?

Mr. **KENNEY** offered the following amendment No. **A04375**:

Amend Title, page 1, line 7, by striking out "AND"
Amend Title, page 1, line 9, by removing the period after "HIGHWAY" and inserting

; and designating a road in Philadelphia County as Senator Hank Salvatore Drive.

Amend Bill, page 4, by inserting between lines 11 and 12 Section 4. Senator Hank Salvatore Drive.

(a) Designation.—The road serving as the main entrance to the Benjamin Rush State Park, intersecting with Southampton Road in Philadelphia County, shall be known as Senator Hank Salvatore Drive.

(b) Signs.—The department shall erect and maintain signs displaying the name of the road designated under subsection (a).

Amend Sec. 4, page 4, line 12, by striking out all of said line and inserting

Section 5. Effective date.

This act shall take effect as follows:

Amend Sec. 4, page 4, line 13, by striking out "AND 2" and inserting
, 2 and 4

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

AMENDMENT WITHDRAWN

The **SPEAKER** pro tempore. The gentleman indicates that amendment has been withdrawn.

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—195

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

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

NAYS-0

NOT VOTING-0

EXCUSED-8

Bishop	Keller, W.	Rieger	Shaner
Clymer	Maher	Rooney	Staback

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 return the same to the Senate with the information that the House has passed the same with amendment in which the concurrence of the Senate is requested.

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

RESOLUTION

Mr. S. SMITH called up **SR 160, PN 1112**, entitled:

A Concurrent Resolution directing the Joint State Government Commission to establish a bipartisan task force with an advisory committee to conduct a comprehensive review of the current status of alternative dispute resolution (ADR) services within the panoply of methods of conflict resolution available in this Commonwealth, to identify relevant best practices in the delivery of ADR services locally and nationally and how to improve conflict resolution in this Commonwealth by incorporating these best practices, to develop a plan for educating the citizens of this Commonwealth about conflict resolution in general and the use of ADR services in particular, as well as ensuring access to all needed ADR services, utilizing best practices and to propose legislation as may be required to implement the

proposed plan and advance the use of innovative conflict resolution methods Statewide in the civil courts and in schools, businesses, government, criminal and juvenile justice systems and other community settings.

On the question,
Will the House concur in the resolution of the Senate?

RESOLUTION PASSED OVER TEMPORARILY

The SPEAKER. The House will be over that temporarily.

LEAVE 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 gentlelady from Philadelphia, Mrs. LEDERER. Without objection, that leave will be granted.

**BILL REPORTED FROM COMMITTEE,
CONSIDERED FIRST TIME, AND TABLED**

HB 1725, PN 2192

By Rep. LEH

An Act amending the act of May 25, 1945 (P.L.1050, No.394), known as the Local Tax Collection Law, further providing for basic and continuing education programs for tax collectors; providing for records in possession of tax collector; further providing for expenses paid by taxing districts and for discounts, penalties and notice; providing for compensation for interim tax bills; and further providing for penalty.

FINANCE.

**RESOLUTION REPORTED
FROM COMMITTEE**

HR 509, PN 3078

By Rep. LEH

A Resolution directing the Local Government Commission to study the feasibility of a regionalized collection system for the locally imposed earned income tax levied by the Commonwealth's school districts and municipalities.

FINANCE.

RESOLUTIONS PURSUANT TO RULE 35

Mr. JAMES called up **HR 518, PN 3130**, entitled:

A Resolution commending Pennsylvanians on their recent volunteer efforts in areas affected by Hurricane Katrina and other natural disasters.

On the question,
Will the House adopt the resolution?

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

Mr. JAMES. Thank you, Mr. Speaker.

Mr. Speaker, I rise today to ask my colleagues to join me in commemorating the thoughtful and courageous people who volunteered to help in the wake of the devastation caused by Hurricane Katrina.

As you know, Hurricane Katrina is among the most destructive natural disasters in the United States history. Infrastructure, personal and public property, and countless lives were destroyed in the winds, but as a result of the selflessness and preparation of volunteers from across the country, and especially here in Pennsylvania, the lives of survivors were made a little brighter.

Many people from the Commonwealth contributed in a variety of ways. My own legislative assistant, Christa Vinson, traveled to the Gulf Coast to help out and also Lawrence Early of the Capitol Pavilion Community Corrections Center here in Harrisburg. They both volunteered with the Red Cross; both underwent special American Red Cross training in order to volunteer.

Mr. Speaker, they are to the left of you. If they would stand for a round of applause, I would appreciate it.

And furthermore, Mr. Speaker, Mr. Early and his wife, who is here with him, they are both retired military personnel. And my resolution commends all volunteers: those who delivered hot meals, supplied medical services, and generally just offered a hug and a friendly smile.

I would also like to thank the tremendous leadership of the Democratic Caucus, in particular Representatives Bill DeWeese, Mike Veon, and Dwight Evans, for reforming our caucus civil leave policy to allow and encourage caucus employees to participate in volunteering activities like this.

And also I would like to thank Representative Evans for his extra work in helping to raise over \$15 million for the Hurricane Relief Fund for the Philadelphia Regional Chapter of the American Red Cross, and I ask you all to join me in thanking those great ambassadors of goodwill and this Commonwealth for their tireless and hard work.

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—194

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

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

NAYS—0

NOT VOTING—0

EXCUSED—9

Bishop	Lederer	Rieger	Shaner
Clymer	Maher	Rooney	Staback
Keller, W.			

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

* * *

Mrs. FORCIER called up **HR 519, PN 3131**, entitled:

A Resolution recognizing December 13, 2005, as "National Day of the Horse" in Pennsylvania.

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—194

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

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

NAYS—0

NOT VOTING—0

EXCUSED—9

Bishop	Lederer	Rieger	Shaner
Clymer	Maher	Rooney	Staback
Keller, W.			

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

GUEST INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House Jeremiah Jacobs, a doctor of pharmacy candidate from Temple University and an intern for the Pennsylvania House of Representatives.

The Temple University School of Pharmacy, working with the Health and Human Services Committee chairman, George Kenney, has established an internship rotation program that offers hands-on, real-world participation for students to become more familiar with the challenges that confront the state of health policy and its impact on the pharmacy profession.

Jeremy is a sixth-year student at Temple University School of Pharmacy, and he practices pharmacy at the Pinnacle Health System.

Thank you for your hard work, and we wish you continued success in your pharmacy career. Please join me in welcoming Jeremy.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1834, PN 2448**, entitled:

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, further providing for electronic access to driver records to confirm organ donor status.

On the question,

Will the House agree to the bill on third consideration?

The SPEAKER. It is the understanding of the Chair the gentleman, Mr. Fleagle, has withdrawn his amendment. The gentleman would like to make a statement. The gentleman is in order and may proceed.

Mr. FLEAGLE. Thank you, Mr. Speaker.

Mr. Speaker, I have been working on this issue, and that is an advance health-care directive registry, for the last year or so, and I understand that Representative Cohen is working on a very important piece of legislation which, frankly, I support and do not want to interfere with that, but I will be pursuing this legislation which would create an advance directive registry in our State. I think it is very important, and that concept passed unanimously as an amendment last year, but in deference to the importance of Representative Cohen's legislation, I will be, as you say, Mr. Speaker, withdrawing it.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, I am in favor of Representative Fleagle's concept to make advance directives available to physicians on a 24-hour-a-day basis. I appreciate the gentleman's willingness to withdraw his amendment to this bill in order to allow for its quick passage to give donor families the opportunity to carry out their loved one's wishes to be an organ tissue donor.

The SPEAKER. The Chair is in receipt of a late amendment by the gentleman, Mr. Metcalfe, which requires a suspension of the rules.

RULES SUSPENDED

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

Mr. METCALFE. Mr. Speaker, I move that the House do suspend the rules for immediate consideration of amendment A04461.

On the question,

Will the House agree to the motion?

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

Mr. METCALFE. Thank you, Mr. Speaker.

Mr. Speaker, this amendment would tighten up the language in the current legislation to ensure the privacy of Pennsylvanians in regard to their driver's information, and I understand it is an agreed-to amendment. I would like to say that it has been good working with Representative Cohen and his office, having an opportunity to work with him on this issue

and tighten up the language, and I would ask for the members' support.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, I support Representative Metcalfe's amendment and his motion to suspend the rules.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS-194

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

NAYS-0

NOT VOTING-0

EXCUSED-9

Bishop	Lederer	Rieger	Shaner
Clymer	Maher	Rooney	Staback
Keller, W.			

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

On the question recurring,

Will the House agree to the bill on third consideration?

Mr. METCALFE offered the following amendment No. A04461:

Amend Sec. 1 (Sec. 8619), page 2, line 24, by inserting after "information."

The organ procurement organization shall not use such information for any purpose other than to confirm an individual's organ donor status at or near or after an individual's death.

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, does the gentlelady from Chester seek recognition? Mrs. Taylor.

Mrs. TAYLOR. Thank you, Mr. Speaker.

I just want to say that I have worked with Mark on this issue over the years. I commend his leadership on that, and I think it is a very good thing that we were able to pass this and pass it today. So this is an important issue to many of our constituents on both sides of the aisle, and I publicly want to thank Chairman Mark Cohen for his leadership on this issue.

The SPEAKER. It is good for the Chair to see you and Mr. Metcalfe on the same page again, Elinor.

Mrs. TAYLOR. That is very dangerous, Mr. Speaker; very dangerous.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS-194

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

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

NAYS-0

NOT VOTING-0

EXCUSED-9

Bishop	Lederer	Rieger	Shaner
Clymer	Maher	Rooney	Staback
Keller, W.			

The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

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

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.
The question is, shall the bill pass finally?

The Chair recognizes the gentleman, Mr. Cohen.
Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, HB 1834 will allow PENNDOT to grant electronic access to specific driver's license information necessary to confirm an individual's organ donor status.

Since passage of Act 102 of 1994, organ procurement organizations verify an individual's donor status by calling the State Police to check their driver's record. New technology and safeguards are now in place to allow this information to be accessed electronically by Pennsylvania's two organ procurement organizations, which will result in less time to verify a person's organ donor status and more time for family members to discuss their loved one's wishes about donation.

We need to make every effort possible to help grieving families when they are faced with the loss of a loved one. Organ donors and tissue donors are heroes. They are ordinary people with extraordinary power.

Nationally, as of today, 90,363 individuals are on the United Network for Organ Sharing's transplant list. Today in Pennsylvania 14,276 individuals are waiting for the gift of life. Many others are in need of a life-changing eye, tissue, or bone donation. We must make every effort possible to give life and hope to those individuals waiting for the precious gift of life.

I want to thank Chairman Geist and Chairman McCall for their efforts on this bill in the Transportation Committee. I want to thank Representative Fleagle and Representative Metcalfe for their cooperation on the amendments to this. I want to thank Representative Taylor for very kind words, and I ask for a "yes" vote on HB 1834.

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-194

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

Diven	Kirkland	Readshaw	Yewcic
Donatucci	Kotik	Reed	Youngblood
Eachus	LaGrotta	Reichley	Yudichak
Ellis	Leach	Roberts	Zug
Evans, D.	Leh	Roebuck	
Evans, J.	Lescovitz	Rohrer	Perzel,
Fabrizio	Levdansky	Ross	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-9

Bishop	Lederer	Rieger	Shaner
Clymer	Maher	Rooney	Staback
Keller, W.			

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.

GUESTS INTRODUCED

The SPEAKER. The Chair would like to recognize a special guest, the guest of Representative Stan Saylor. It is Denise Hoke, who attends Shippensburg University. Would that young lady please rise and be recognized.

Representative Saylor has another guest here. That is Odessa Hare. Odessa is a student at the York School of Technology and is shadowing Representative Saylor today as part of the Future Leaders of York Program, sponsored by the York County Chamber of Commerce. Would that guest please rise and be recognized.

Seated in the Speaker's guest area today, they are guests of Representative Stephen Barrar of Delaware County and Chester County. They are Mr. and Mrs. Rich McHale of Boothwyn. They are the parents of Susan McHale, who along with her friend, Maria Mock, are serving as guest pages for the day. Would those guests please rise and be recognized.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 573, PN 623**, entitled:

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

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

Mr. **MILLARD** offered the following amendment No. **A04171**:

Amend Sec. 2, page 3, line 20, by striking out "in 60 days" and inserting
immediately

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

The following roll call was recorded:

YEAS-194

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

NAYS-0

NOT VOTING-0

EXCUSED-9

Bishop	Lederer	Rieger	Shaner
Clymer	Maher	Rooney	Staback
Keller, W.			

The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

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

Bill as amended was agreed to.

The SPEAKER. 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. Levdansky.

Mr. LEVDANSKY. Thank you, Mr. Speaker.

Mr. Speaker, just for the information of the members, especially the members on this side, I just want to make sure everybody understands what this legislation does. This affects school districts and municipalities and counties of the fourth through eighth classes.

A couple weeks ago we voted on legislation to affect second-class counties, Allegheny County, and in that, we made sure that we established a 5-percent revenue maximum increase after a reassessment in second-class counties. This legislation would permit school districts and municipalities in fourth- through eighth-class counties, it would permit a school district to receive up to a 10-percent boost in revenues following a reassessment and would enable a municipality in a county of fourth through eighth to receive a 5-percent increase in revenues after a reassessment.

I do not understand the rationale for treating school districts in fourth- through eighth-class counties, you know, differently than school districts and counties of the second class, but I do not represent a fourth- through eighth-class county, but I just wanted to point out that inconsistency or at least lack of uniformity from my perspective. So I do not quite understand why we are treating school districts in fourth- through eighth-class counties much more generous than other counties in the Commonwealth by enabling them to receive up to a 10-percent increase in revenue following a reassessment without the school board having to make a vote. But with that caveat and with that particular concern, I just wanted to make the members on this side of the aisle, at least, who represent fourth- through eighth-class counties aware of that lack of uniformity before they vote on this.

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—194

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

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

NAYS—0

NOT VOTING—0

EXCUSED—9

Bishop	Lederer	Rieger	Shaner
Clymer	Maher	Rooney	Staback
Keller, W.			

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 return the same to the Senate with the information that the House has passed the same with amendment in which the concurrence of the Senate is requested.

PENNSYLVANIA FUTURE FARMERS OF AMERICA OFFICERS INTRODUCED

The SPEAKER. The Chair would like to welcome the Pennsylvania State officers of the Future Farmers of America. They are the guests today of Representative Pete Daley and Representative Art Hershey, the House Agriculture chairpersons. They are to the left of the Speaker. The first gentleman, Mr. Hershey.

Mr. HERSHEY. Thank you; thank you, Mr. Speaker.

As being a farmer and chairman of the House Agriculture Committee, I enjoy associating with the kids in blue. I had

two sons in blue jackets and now two grandkids, Future Farmers. And I am going to have Pete Daley introduce the members.

Thank you.

Mr. DALEY. Thank you, Chairman Hershey.

It is a pleasure to be able to present to you the Pennsylvania FFA officers. We have Tiffany Morgan, the State chaplain; Pat Nicarry, the State sentinel; Carolyn Fyock, the State treasurer; Kathy Zimmerman, the State reporter; Jennifer Kimmel, the State secretary; Lyndsay Wallace, State vice president, western region; Stephanie Beeman, State vice president, south-central region; Mike Jones, State vice president, north-central region; and Keith Frey, State vice president, eastern region, as well as Darren Wood, State vice president.

I would also like to introduce to you, ladies and gentlemen, a young lady. Her name is Candace Moore. Candace is a 2005 graduate from the W.B. Saul School and has deferred starting at Penn State, Berks County, to serve as FFA president for the next 365 days. A dedicated FFA member at W.B. Saul, Miss Moore also is distinguished as being the first African-American female president in both Pennsylvania and National FFA history.

Ladies and gentlemen, the officers of the Pennsylvania FFA.

DEMOCRATIC CAUCUS

The SPEAKER. Are there any caucus announcements? Any committee announcements? Mr. Cohen.

Mr. COHEN. Mr. Speaker, there will be a Democratic caucus and informal discussions immediately upon the call of the recess.

REPUBLICAN CAUCUS

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

Mrs. TAYLOR. Thank you, Mr. Speaker.

There will be a formal and informal caucus at the break.

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 1400, PN 1688

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

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

RECESS

The SPEAKER. It is the intent of the Chair to recess till 1:30. There will be an announcement if there will be a further extension of that recess. This House is in recess till 1:30.

AFTER RECESS

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

THE SPEAKER PRO TEMPORE (JERRY BIRMELIN) PRESIDING

The SPEAKER pro tempore. There is no need for members to come to the floor to vote. We are just going to be processing some bills here, and members will be able to stay in their offices until we announce that we will be on the floor voting.

RULES COMMITTEE MEETING

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

BILL ON CONCURRENCE REPORTED FROM COMMITTEE

HB 515, PN 3173 (Amended)

By Rep. S. SMITH

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing, in sales and use tax, for the definition of "manufacture"; and further providing, in personal income tax, for imposition and, in corporate net income, for definitions.

RULES.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2243 By Representatives O'BRIEN, RUFFING, BARRAR, DeWEESE, STURLA, FEESE, MICOZZIE, PERZEL, S. H. SMITH, MARKOSEK, J. TAYLOR, VEON, ADOLPH, ALLEN, ARGALL, ARMSTRONG, BAKER, BALDWIN, BASTIAN, BEBKO-JONES, BELARDI, BENNINGHOFF, BEYER, BIANCUCCI, BIRMELIN, BISHOP, BLACKWELL, BLAUM, BOYD, BUNT, BUTKOVITZ, CALTAGIRONE, CAPPELLI, CASORIO, CAUSER, CAWLEY, CIVERA, CLYMER, COHEN, CORNELL, CORRIGAN, COSTA, CRAHALLA, CREIGHTON, CURRY, DALEY, DALLY, DeLUCA, DERMODY, DiGIROLAMO, DIVEN, DONATUCCI, EACHUS, D. EVANS, J. EVANS, FABRIZIO, FAIRCHILD, FLEAGLE, FLICK, FRANKEL, FREEMAN, GABIG, GEIST, GEORGE, GERBER, GILLESPIE, GODSHALL, GOOD, GOODMAN, GRELL, GRUCELA, HABAY, HARHAI, HARHART, HARPER, HARRIS, HASAY, HENNESSEY, HERMAN, HERSHEY, HESS, HICKERNELL, HUTCHINSON, JAMES, KAUFFMAN, M. KELLER, W. KELLER, KENNEY, KILLION, KOTIK, LaGROTTA, LEACH, LEDERER, LEH, LESCOVITZ, MACKERETH, MAHER, MAITLAND, MANN, MARSICO, McGEEHAN, McILHATTAN, McILHINNEY, McNAUGHTON, MELIO, METCALFE, MILLARD, R. MILLER, S. MILLER, MYERS, NAILOR, OLIVER, O'NEILL, PALLONE, PARKER, PETRARCA, PETRI, PETRONE, PHILLIPS, PISTELLA,

PRESTON, PYLE, QUIGLEY, RAMALEY, RAPP, RAYMOND, READSHAW, REED, REICHLEY, RIEGER, ROEBUCK, ROONEY, ROSS, SAINATO, SAMUELSON, SANTONI, SATHER, SAYLOR, SCAVELLO, SEMMEL, SHAPIRO, SIPTROTH, SOLOBAY, SONNEY, STABACK, STEIL, STERN, STETLER, T. STEVENSON, SURRA, E. Z. TAYLOR, THOMAS, TIGUE, TRUE, VITALI, WALKO, WANSACZ, WATERS, WATSON, WILLIAMS, WILT, WRIGHT, YEWIC, YOUNGBLOOD, YUDICHAK and PAYNE

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, providing for autism spectrum disorders coverage.

Referred to Committee on APPROPRIATIONS, November 22, 2005.

No. 2244 By Representatives O'BRIEN, RUFFING, BARRAR, DeWEESE, STURLA, FEESE, MICOZZIE, PERZEL, B. SMITH, MARKOSEK, J. TAYLOR, VEON, ADOLPH, ALLEN, ARGALL, ARMSTRONG, BAKER, BALDWIN, BASTIAN, BEBKO-JONES, BELARDI, BENNINGHOFF, BEYER, BIANCUCCI, BIRMELIN, BISHOP, BLACKWELL, BLAUM, BOYD, BUNT, BUTKOVITZ, CALTAGIRONE, CAPPELLI, CASORIO, CAUSER, CAWLEY, CIVERA, CLYMER, COHEN, CORNELL, CORRIGAN, COSTA, CRAHALLA, CREIGHTON, CURRY, DALEY, DALLY, DeLUCA, DERMODY, DiGIROLAMO, DIVEN, DONATUCCI, EACHUS, D. EVANS, J. EVANS, FABRIZIO, FAIRCHILD, FICHTER, FLEAGLE, FLICK, FRANKEL, FREEMAN, GABIG, GEIST, GEORGE, GERBER, GILLESPIE, GODSHALL, GOOD, GOODMAN, GRELL, GRUCELA, HABAY, HARHAI, HARPER, HARRIS, HASAY, HENNESSEY, HERMAN, HERSHEY, HESS, HICKERNELL, HUTCHINSON, JAMES, KAUFFMAN, M. KELLER, W. KELLER, KENNEY, KILLION, KIRKLAND, KOTIK, LaGROTTA, LEACH, LEDERER, LEH, LESCOVITZ, MACKERETH, MAHER, MAITLAND, MANN, MARSICO, McGEEHAN, McILHATTAN, McILHINNEY, McNAUGHTON, MELIO, METCALFE, MILLARD, R. MILLER, S. MILLER, MUSTIO, MYERS, NAILOR, OLIVER, O'NEILL, PALLONE, PARKER, PETRARCA, PETRI, PETRONE, PHILLIPS, PICKETT, PISTELLA, PYLE, QUIGLEY, RAMALEY, RAPP, RAYMOND, READSHAW, REED, REICHLEY, RIEGER, ROEBUCK, ROHRER, ROONEY, RUBLEY, SAINATO, SAMUELSON, SANTONI, SATHER, SAYLOR, SCAVELLO, SCHRODER, SEMMEL, SHAPIRO, SIPTROTH, SOLOBAY, SONNEY, STABACK, STAIRS, STEIL, STERN, STETLER, R. STEVENSON, SURRA, E. Z. TAYLOR, THOMAS, TIGUE, TRUE, TURZAI, VITALI, WALKO, WANSACZ, WATERS, WATSON, WILLIAMS, WILT, WRIGHT, YEWIC, YOUNGBLOOD, YUDICHAK and ZUG

An Act amending the act of July 7, 2005 (P.L. , No.1A), known as the General Appropriation Act of 2005, reducing the state appropriations for general government operations of the various departments and increasing the Federal and state appropriations for medical assistance - outpatient.

Referred to Committee on APPROPRIATIONS, November 22, 2005.

No. 2245 By Representatives O'BRIEN, RUFFING, BARRAR, DeWEESE, STURLA, FEESE, MICOZZIE, PERZEL, B. SMITH, MARKOSEK, J. TAYLOR, VEON, ADOLPH, ALLEN, ARGALL, ARMSTRONG, BAKER, BALDWIN, BASTIAN, BELARDI, BENNINGHOFF, BEYER, BIANCUCCI, DALLY, DeLUCA, DERMODY, DiGIROLAMO, DIVEN, DONATUCCI, EACHUS, D. EVANS, J. EVANS, FABRIZIO, FAIRCHILD, FLEAGLE, FLICK, FRANKEL, FREEMAN, GABIG, GEIST, GEORGE, GERBER, GILLESPIE, GINGRICH, GODSHALL, GOOD, GOODMAN, GRELL, GRUCELA, HABAY, HARHAI, HARPER, HARRIS, HASAY, HENNESSEY, HERMAN, HERSHEY, HESS, HICKERNELL, HUTCHINSON, JAMES, KAUFFMAN, M. KELLER, KENNEY, KILLION, KIRKLAND, KOTIK, LaGROTTA, LEACH, LEDERER, LEH, LESCOVITZ, MACKERETH, MAHER, MAITLAND, MANN, MARSICO, McGEEHAN, McILHATTAN, McILHINNEY, McNAUGHTON, MELIO, METCALFE, MILLARD, R. MILLER, S. MILLER, MUSTIO, MYERS, NAILOR, OLIVER, O'NEILL, PALLONE, PARKER, PETRARCA, PETRI, PETRONE, PHILLIPS, PICKETT, PISTELLA, PYLE, QUIGLEY, RAMALEY, RAPP, RAYMOND, READSHAW, REED, REICHLEY, RIEGER, ROHRER, ROONEY, ROSS, RUBLEY, SAINATO, SAMUELSON, SANTONI, SATHER, SAYLOR, SCAVELLO, SEMMEL, SHAPIRO, SIPTROTH, SOLOBAY, SONNEY, STABACK, STAIRS, STEIL, STERN, STETLER, R. STEVENSON, T. STEVENSON, SURRA, E. Z. TAYLOR, THOMAS, TIGUE, TRUE, TURZAI, VITALI, WALKO, WANSACZ, WATERS, WATSON, WILLIAMS, WILT, WRIGHT and ZUG

An Act amending the act of July 7, 2005 (P.L. , No.1A), entitled "An act to provide from the General Fund for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and for the public schools for the fiscal year July 1, 2005, to June 30, 2006, for certain institutions and organizations, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2005; to provide appropriations from the State Lottery Fund, the Energy Conservation and Assistance Fund, the Hazardous Material Response Fund, The State Stores Fund, the Milk Marketing Fund, the Home Investment Trust Fund, the Emergency Medical Services Operating Fund, the Tuition Payment Fund, the Banking Department Fund, the Firearm Records Check Fund, the Ben Franklin Technology Development Authority Fund, the Tobacco Settlement Fund, the Health Care Provider Retention Account and the Community Health Reinvestment Restricted Account to the Executive Department; to provide appropriations from the Judicial Computer System Augmentation Account to the Judicial Department for the fiscal year July 1, 2005, to June 30, 2006; to provide appropriations from the Motor License Fund for the fiscal year July 1, 2005, to June 30, 2006, for the proper operation of the several departments of the Commonwealth and the Pennsylvania State Police authorized to spend Motor License Fund moneys; to provide for the appropriation of Federal funds to the Executive Department of the Commonwealth and for the establishment of restricted receipt accounts for the fiscal year July 1, 2005, to June 30, 2006, and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2005; to provide for the additional appropriation of Federal and State funds from the General Fund and the Motor License Fund, for the Executive and Legislative Departments of the Commonwealth for the fiscal year July 1, 2004, to June 30, 2005, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2004." reducing the State appropriation for education assistance and

increasing the Federal and State appropriations for medical assistance - outpatient.

Referred to Committee on APPROPRIATIONS, November 22, 2005.

RECESS

The SPEAKER pro tempore. This House now stands in recess to the call of the Chair. We will be making an announcement as to when members need to come back to the House floor.

AFTER RECESS

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

THE SPEAKER PRO TEMPORE (BRETT FEESE) PRESIDING

HOUSE BILL INTRODUCED AND REFERRED

No. 2246 By Representatives O'BRIEN, SCAVELLO, ARGALL, BAKER, BALDWIN, BEBKO-JONES, BELARDI, BELFANTI, BLACKWELL, BOYD, BUNT, CALTAGIRONE, CAPPELLI, CLYMER, CORRIGAN, CRAHALLA, CREIGHTON, DALLY, DeWEESE, J. EVANS, FAIRCHILD, FLEAGLE, FLICK, GINGRICH, GRELL, GRUCELA, HABAY, HARPER, HENNESSEY, HERMAN, HERSHEY, HESS, M. KELLER, W. KELLER, KILLION, LaGROTTA, MAHER, MARKOSEK, MARSICO, McGEEHAN, McILHATTAN, METCALFE, MICOZZIE, MILLARD, MUSTIO, NAILOR, O'NEILL, PALLONE, PYLE, RAYMOND, REICHLEY, ROSS, RUBLEY, SAINATO, SEMMEL, SHAPIRO, B. SMITH, S. H. SMITH, SONNEY, T. STEVENSON, SURRA, J. TAYLOR, THOMAS, TRUE, WALKO, YUDICHAK, BENNINGHOFF, SATHER, SIPTROTH, STURLA, YOUNGBLOOD, RAPP and MACKERETH

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, further providing for medical assistance benefit packages, coverages, copayments and rates.

Referred to Committee on APPROPRIATIONS, November 22, 2005.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER pro tempore. For the information of the members, there will be an immediate meeting of the House Appropriations Committee in regular session upon the recess. The meeting will be in the House Appropriations Committee conference room.

RECESS

The SPEAKER pro tempore. This House stands in recess in regular session to 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

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:

SB 260, PN 264

An Act joining with other states in an effort to establish an interstate compact to regulate designated insurance products.

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

SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 1049, PN 3153**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

SENATE MESSAGE

SENATE RECEDES FROM AMENDMENTS

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

The clerk of the Senate, being introduced, informed that the Senate has receded from its amendments non-concurred in by the House of Representatives and further amended **HB 1539, PN 3176**.

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

SUPPLEMENTAL CALENDAR A

RESOLUTION PURSUANT TO RULE 35

Mr. STERN called up **HR 525, PN 3160**, entitled:

A Resolution honoring the life and extending condolences for the supreme sacrifice of Staff Sgt. Daniel R. Lightner, Jr., of the Pennsylvania National Guard's 28th Division Military Police Company based in Johnstown, who tragically lost his life while in the service of his country, in the Ramadi Province of Iraq on October 27, 2005.

On the question,
Will the House adopt the resolution?

The SPEAKER. On that question, the Chair recognizes Mr. Stern.

Mr. STERN. Thank you, Mr. Speaker.

We are here this evening to honor the life and extend condolences for the supreme sacrifice of S. Sgt. Daniel R. Lightner, Jr., of the Pennsylvania National Guard's 28th Division Military Police Company based in Johnstown, who tragically lost his life while in the service of his country in the Ramadi Province of Iraq on October 27, 2005, during combat operations with the Guard's 2d Brigade Stryker Combat Team.

S. Sgt. Daniel R. Lightner, Jr., was a native of Hollidaysburg. He attended Lock Haven University and received an associate's degree from Kansas City Community College. He served in the United States Army from 1995 to 1998, and upon completing his active duty, he enlisted in the National Guard while working as a corrections officer at the Federal prison in Lewisburg.

Sergeant Lightner joined the Pennsylvania State Police in 2003, and he was assigned to Troop J in Embreeville, Chester County, where he served until his Guard unit was activated in January 2005 for deployment to Iraq.

An avid runner, as a cadet he received an award as the cadet with the highest physical fitness rating. In the military he received the Order of the Purple Heart, the Army Achievement Medal, among many other medals that were bestowed upon him. He was the 20th National Guardsman and the first State trooper killed in Iraq.

Sergeant Lightner wrote a letter to his best friend in the whole world, Tom Hatch, on June 20 of this year, saying, "If you are reading this letter it means I have died for my family, God and country. Please try not to be sad because I volunteered for this mission and I would not hesitate to do it again if I could. These are the principles I stand for no matter the cost."

Sergeant Lightner, Trooper Lightner, Danny, as his friends and his family knew him, went on to say that "I am smiling down from heaven right now because I am most thankful that God gave me the greatest sisters, and I had the greatest mom in the whole world and I died with honor serving the greatest God and country in the world. I lived the ultimate life of joy and happiness and I was ready, no regrets."

Sergeant Lightner loved cars, old Mustangs especially. He loved to hunt. He was a fisherman. He loved to read his Bible, and he loved to talk about God. He preached at his church, the Field of Harvest Fellowship Church in Altoona, the last time that he was home on leave.

Our heartfelt sympathy goes out to his mother, Judy, and his three sisters – Shannon, Shilo, and Shonda – and to his many friends.

May we remember one of Pennsylvania's finest in passing this resolution, and I would respectfully ask for everyone's support here this evening.

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

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Bishop	Lederer	Rieger	Shaner
Clymer	Maher	Rooney	Staback

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

SUPPLEMENTAL CALENDAR B

BILL ON CONCURRENCE IN SENATE AMENDMENTS AS AMENDED

The House proceeded to consideration of concurrence in Senate amendments to the following **HB 515, PN 3173**, as further amended by the House Rules Committee:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing, in sales and use tax, for the definition of "manufacture"; and further providing, in personal income tax, for imposition and, in corporate net income, for definitions.

On the question,
Will the House concur in Senate amendments as amended by the Rules Committee?

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

On that question, Mr. Levdansky.

Mr. LEVDANSKY. Mr. Speaker, I just want to point out, this legislation comes nowhere near addressing the recommendations in the Governor's Business Tax Reform Commission report, a bipartisan task force that was appointed by the Governor and by the four legislative caucuses. The business tax cuts that will be engendered by this are nowhere near what was recommended in that report.

I also just want to point out that one particular critical piece of this, the net operating loss, the cap is going to be raised over the next 3 years but that the cap will also consider 75 percent of a company's prior losses to be applied in a given year. This has the potential, the potential to generate huge tax savings for literally a handful or two of Pennsylvania corporations.

I do not think, you know, I do not think it is fair to everybody else in the business community. I do not think it achieves, I know that it does not achieve anywhere near the level of business tax reductions that those Republicans and Democrats and business people on the Business Tax Reform Commission recommended, and so I am going to be voting against concurrence in HB 515.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Turzai.

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

I rise in support of HB 515. This is a bill that incorporates two of the most important component parts of the Keystone Manufacturing Initiative, and I would like to applaud my colleague, Representative Dave Reed, for his persistence and diligence in getting this bill through. It includes both a change

to the net operating loss carry-forward, which was part of HB 650, and 100 percent changing the corporate net income tax to a single sales factor.

Mr. Speaker, without employers, there are no jobs in Pennsylvania. Good jobs promote strong schools and strong communities. This tax relief bill is the real economic stimulus package Pennsylvania needs. This progrowth legislation recognizes that we need to lower overhead costs, including taxes for our manufacturers and other employees so that they can stay here, expand here, and provide family-sustaining jobs.

While we would have liked to have seen a full elimination of the cap on net operating loss carry-forwards, the cap in this bill would be increased to \$5 million in 2007, \$7.5 million in 2008, \$10 million in 2009, and \$10 million or 75 percent of available losses, whichever is greater, after that. Forty-five other States allow for an unlimited carry-forward. We are getting close. By raising the cap, we have leveled the playing field for Pennsylvania job creators, and they can now engage in fair competition with businesses in the other 45 States.

I ask the support of all the members and once again congratulate Representative Reed and also want to thank all the persons who were involved in the Keystone Manufacturing Initiative in getting these two component parts moving forward to the Senate today.

Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Indiana, Mr. Reed.

Mr. REED. Thank you, Mr. Speaker.

I would just like to first off thank my colleague from Allegheny County, Representative Turzai, for all of his hard work on the Keystone Manufacturing Initiative as well as a number of members on the Republican side of the aisle who have put forth pieces of legislation over the last 3 years to help our workers across the Commonwealth by putting them back to work and securing their jobs for the future.

As we look forward to this proposal, which will look to reform our business tax structure, it is important to also note that these are bipartisan proposals. The single-sales-factor component to this particular proposal has been talked about by Representative Mann from the Lehigh Valley for a number of years now. It actually passed the House unanimously just a few months ago.

It is also important to note how far we have come as we have negotiated this bill throughout the process. The bill that the Senate actually sent over to us had a price tag in fiscal year '06-'07 of over \$150 million a year, and we have actually tried to bring it down a little bit more within our means so that the price tag of this particular proposal over fiscal year '06-'07 will be a mere \$48 million a year. Now, when you look at the way we can compensate that, as we look, and I would encourage the Governor to sign this bill into law, we can easily come up with that \$48 million, because just a couple of weeks ago we passed the repeal of the pay raise, which actually saves the Commonwealth \$17 million a year, and according to the Department of Revenue, we are actually running a \$100 million surplus in the first 4 months of this fiscal year. So if you add those two numbers together, we have already got \$117 million we can use to afford this program in year 1 alone with \$50 million in change to spend elsewhere.

Mr. Speaker, the important thing to note, as we have looked at many different forms of tax reform over the last several days, as we continue to look at the property tax issue that has plagued

our Commonwealth for over 30 years now, today we are giving Pennsylvanians an option. We are giving them an option to go back to work. We are doing so by decreasing the personal income tax, which each and every individual across the Commonwealth who is paying income taxes is going to benefit from, and at the same time, we are going to lower the cost of doing business across the Commonwealth of Pennsylvania, and in essence, we will then allow more Pennsylvanians to go to work instead of living off of our government.

The important thing to also note within this bill is the single-sales-factor provision. It was an honor to represent the House Republican Caucus at the Governor's Manufacturing Summit just a couple years ago as a freshman legislator, and one of his priorities at that conference was to deal with the outsourcing issue. Bringing the single sales factor to the State of Pennsylvania encourages our businesses, our manufacturers, to not only sell their products within the Commonwealth but to locate their assembly facilities, their factories, their manufacturing facilities, within our borders as well. This is one of the single largest things a State can do to curb outsourcing in the State of Pennsylvania. This will make our manufacturers more competitive with other States and other nations. This is one of the single largest things – I would repeat – if you want to curb outsourcing, this bill is one of the single largest things we can do as a State to help keep our manufacturing jobs within the State of Pennsylvania.

Again, Mr. Speaker, I appreciate the support that these measures have seen on both sides of the aisle throughout the entire process, and I look forward to the Governor signing this bill within the next couple weeks.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

Mr. DeWeese.

Mr. DeWEESE. Will the gentleman submit to brief interrogation? Mr. Reed.

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

Mr. DeWEESE. If there is a substantial downturn in the economy in the next 6 months, what is the result relative to what we are doing tonight?

Mr. REED. There is actually no result, because none of these business tax structure changes would take effect until fiscal year '06-'07.

Mr. DeWEESE. Okay. What if there is a substantial downturn over the next year and a half to 2 years?

Mr. REED. Well, I am actually very encouraged, because according to the Governor's Office, there are actually more people working today in Pennsylvania than there ever has been. So I am actually looking forward to seeing less of a need for social services and Department of Welfare programs in the next budget year, because we have got so many people going back to work. So I am actually kind of looking at it in a very optimistic perspective based upon the information that the Governor has provided us with through his press office.

Mr. DeWEESE. Let the record state that the honorable gentleman, in my view, did not squarely answer the question.

I have no other comment for the gentleman. I just have some observations—

The SPEAKER. The gentleman is in order.

Mr. DeWEESE. —on the proposal.

I do not know why we are attempting to lower taxes in November when the normal process is to lower taxes during the budget cycle. The whole panoply of issues that we discuss each year as we formulate a budget package is inherently rested and nurtured by a discussion of taxes, rested upon and nurtured by a discussion of taxes, or a reduction in taxes or an increase in taxes.

The gentleman from Pittsburgh, Mr. Levdansky, indicated a little while ago that the Governor's bipartisan tax reform commission had produced a certain result and that HB 515, as amended in the Senate, was a far cry from that. I cannot fathom why we are doing this if we do not have a real solid idea of what is going to be in the treasury in February and March and April and May. The reason we have a yearly budget process that comes to fruition in May and June is because, Mr. Speaker, we have some solid identification of the revenue numbers. To reduce taxes substantially in November without knowing what the revenue yields will be in January and February and March and April and May seems to be a very, very dubious fiscal policy for the General Assembly to embrace. I just do not understand why it is being done now. It just does not make what I would call good fiduciary common sense.

Now, I would agree with the gentleman, one of the two gentlemen, I think it was the gentleman from Indiana who indicated that it had been a bipartisan effort in some degree. He is correct. The Secretary of Revenue, Greg Fajt, was leading the charge for net operating loss carry-forward a long, long time ago, and many people on this side of the aisle will, I am sure, vote in favor of concurrence tonight. The Democratic leadership is not asking for a favorable or an unfavorable vote. We, at least some of us who are privileged to be at this podium from time to time, will urge the Governor to veto this measure, because we do not think it is responsible – yet. It might be responsible in the springtime. The whole idea of net loss carry-forward is a good idea. The Governor is right and the former speaker is right. I sat with him and we both addressed that manufacturers' summit in Lancaster with Governor Rendell a few years ago. So conceptually what we are doing in many cases is something that we would approve of. The timing, I think, is an abomination. I just do not think you can be budgeteering all year long, especially when you do not know what the revenue yields will be.

My last observation is that it does not seem like it was very long ago, a week or so, when so much energy and enthusiasm emanated from this side of the aisle relative to capping spending. You want to cap spending on all of these different programs. I assume you want to cap spending for volunteer firemen and you want to cap spending for libraries and so forth. I am confident that you want to cap spending as we debated in the TABOR (Taxpayer's Bill of Rights) legislation not so long ago. So you are wanting to cap spending, but at the same time, you are also wanting to reduce taxes, and that is okay if you can tell me specifically, specifically what programs you want to reduce.

Now, I do not buy it that you can try to reduce a couple hundred million dollars in revenues to the State Treasury by this business tax reduction program tonight, unless you tell me where you are going to cut a couple hundred million dollars out of State fiscal policy. If you can do that, then naturally this vote makes more sense.

So, Mr. Speaker, to review, we are not going to ask our members at this juncture, to use a phrase that I have used a couple times too many already, to fall on the sword. But notwithstanding the fact that we believe net operating loss carry-forward legislation is appropriate at some juncture, we do not think it is appropriate tonight. We do not think that the Republican Party is being responsible trying to cut taxes in the middle of a fiscal year. If this tax cut is appropriate, and it may be, we should be doing it in the springtime with the whole budget.

So I am going to vote in the negative, and I am going to ask the Governor to veto this proposal. I think it is superficial. I think it is campaign politics. I think it is one of the first volleys in the next gubernatorial race, so we should just call it for what it is. Nevertheless, I look forward to the ongoing debate.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

HARRISBURG LEGISLATIVE LEAVE

The SPEAKER. The Chair recognizes the minority whip, who moves for a Capitol leave for the gentleman from Allegheny, Mr. WHEATLEY. Without objection, that leave will be granted.

CONSIDERATION OF HB 515 CONTINUED

MOTION TO TABLE

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Frankel.

Mr. FRANKEL. Thank you, Mr. Speaker.

There are many of us on this side of the aisle who are very supportive in creating a more competitive business climate in Pennsylvania. I have authored a version of lifting the cap on net operating losses. However, here we are this evening and we have been considering property tax reform, reducing property taxes. We have not gotten to that decision yet today, but it seems to me that in terms of the priorities that we ought to be dealing with today, we ought to be dealing with property taxes this evening, not with the business taxes. That seems to be the order of business today, and to supersede that by talking about the business tax cut package without dealing with the homeowners of Pennsylvania today seems to me to be not the responsible action.

So, Mr. Speaker, I would move that we table this HB 515 until we have dealt with the issue of property taxes.

The SPEAKER. It is moved by the gentleman, Mr. Frankel, to table HB 515, PN 3173.

On the question,

Will the House agree to the motion?

The SPEAKER. On that motion, it is only debatable by the floor leaders.

The majority leader, the gentleman from Jefferson, Mr. Smith.

Mr. S. SMITH. Thank you, Mr. Speaker.

Mr. Speaker, obviously I oppose the motion to table. It is also obvious, Mr. Speaker, that the order of the day or the last few days and of the next few days that we are in session will be

to primarily focus on property taxes. We spent a great deal of time on that this week, and while we were not successful in passing a bill to the Senate, I think that there was a lot of success achieved within this, at least within this body of the legislature in terms of ferreting out what is workable and what is not workable.

So, Mr. Speaker, I would argue that to suggest that we should table this bill because we have not succeeded in putting a bill on the Governor's desk relative to property taxes is nothing but just a smoke screen and a reason to sidestep the other issue of the day. Clearly, when we came back into this fall session, we set forth several agenda items that we wanted to move forward on. This is not a bill that just, you know, sprang out of dust over the last few days. It is a bill that has moved through the process over the last many months.

Quite frankly, I was going to save this until closing remarks, but when the minority leader questioned the timing of this bill in suggesting that we should only consider what the tax policy for Pennsylvania is at the same time that we do the budget, normally in June, I would argue that this is a better time for us to pass a change in the tax structure. There is no impact on this through the remainder of this fiscal year. In the next fiscal year, in the '06-'07 fiscal year, the impact is around \$46, \$47 million, and clearly when the Governor in his current stage would be putting together his budget, assuming that he were to sign 515 into law, as he is putting together his budget proposal that he presents to us at the first of February, clearly this being in law today gives everyone at the budget table, starting with the Governor in February, a better opportunity to fashion a budget along concrete lines as opposed to the susceptible lines of the whims of the day come next June.

So, Mr. Speaker, I would oppose the motion to table and ask the members to proceed with the vote on HB 515.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the minority leader, the gentleman from Greene, Mr. DeWeese.

Mr. DeWEESE. I accept the honorable gentleman's comments from Jefferson County as being his perspective. I respectfully take another tack on the issue, but I can see where reasonable people can disagree on this.

I think that we should be doing the tax policy of the Commonwealth most all of the time in the spring when we do the budget. I do not feel that tonight is a moment for that dire exception. I feel that my position is buttressed by the fact that a nonpartisan tax commission that Representative Levdansky referred to earlier in the evening came up with a significantly different work product. If Republicans and Democrats and people that the Governor had appointed were able to give us a work product that we could deal with tonight, I would step back from the position and say that tonight was an exception.

I am certain that we do not have the votes to sustain – well, I am rather certain that we do not have the votes to sustain Mr. Frankel's motion, but I am going to vote in support of it. I would vote in the affirmative to table. Thank you.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—69

Bebko-Jones	Donatucci	Kirkland	Roberts
Belardi	Eachus	LaGrotta	Roebuck
Belfanti	Evans, D.	Lescovitz	Ruffing
Biancucci	Fabrizio	Levdansky	Santoni
Blackwell	Frankel	Manderino	Siptroth
Blaum	Freeman	McCall	Stetler
Caltagirone	George	McGeehan	Sturla
Casorio	Gergely	Melio	Surra
Cawley	Goodman	Mundy	Tangretti
Cohen	Grucela	Myers	Thomas
Corrigan	Gruitza	Oliver	Veon
Costa	Haluska	Pallone	Walko
Cruz	Hanna	Parker	Waters
Curry	Harhai	Petrone	Wheatley
Daley	James	Pistella	Williams
DeLuca	Josephs	Preston	Wojnaroski
Dermodity	Keller, W.	Ramaley	Youngblood
DeWeese			

NAYS—126

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

NOT VOTING—0

EXCUSED—8

Bishop	Lederer	Rieger	Shaner
Clymer	Maher	Rooney	Staback

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

On the question recurring,
Will the House concur in Senate amendments as amended by the Rules Committee?

The SPEAKER. On final passage of the bill, the gentleman, Mr. Smith.

Mr. S. SMITH. Excuse me, Mr. Speaker. Are we on final passage?

The SPEAKER. Yes.

Mr. S. SMITH. Thank you, Mr. Speaker.

If I could just make two quick comments on it?

The SPEAKER. The gentleman is in order.

Mr. S. SMITH. Thank you, Mr. Speaker.

Mr. Speaker, I would urge the members to support HB 515 in concurrence. I wanted to point out for the record that there was a lot of talk about some of the elements of this bill as we were doing last year's budget, and when you get into the budget pressures, obviously it is a tough time to make certain decisions. I think it is important that we do do this at this time of year, as I mentioned a few minutes ago, in order that the budget process can be built around these important tax cuts, and these cuts were not something that were just pulled out of air. These were something that when the business community was lobbying over the last year or so, they were all over the board. They were on different issues, different issues that were important to each of them, and there were some of us that challenged them outside of the hall of the House and challenged them to identify which cuts would make Pennsylvania more competitive and which ones would do the most for helping to create and retain jobs in Pennsylvania.

If you look at what is in this bill, Mr. Speaker, it is not the wish list of the business community; that is for sure. This is their boiled-down kind of, I would almost say this is a bare minimum of what they said is most necessary to make Pennsylvania more competitive, to help Pennsylvania employers create more jobs, and I think that is something that all of us stand for. This is a significant movement towards economic development as anything else this House has done over the last couple of years, and I would urge the members to vote in favor of HB 515.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Reed.

Mr. REED. Thank you, Mr. Speaker.

I just want to point out a few things very quickly in response to the gentleman from Greene County. He had mentioned that we needed a proposal to find out where this money was going to come from. Well, I offered \$117 million to pay for \$49 million next year, so that would be out there.

Secondly, his revenue projections are from actually the Governor's Department of Revenue. Secretary Greg Fajt puts us \$104 million ahead of estimates. So I guess perhaps I have a little bit more faith in the Department of Revenue than my colleague from Greene County.

Thirdly, when we talk about evaluating tax policy in mid-November, mid-December, I really just wanted to point out that we actually, and this was supported by the gentleman from Greene County, we supported a very large tax increase in December of 2003, so I certainly do not think it is inappropriate to talk about tax decreases for the people of Pennsylvania in November of 2005.

And lastly, I guess I would just say, I would encourage the Governor not to veto this bill but to sign this bill into law, because quite frankly, it is about whether you are probusiness and whether you want to decrease outsourcing in the State of Pennsylvania, and I really do believe those are ideals that both

the Governor and I share and both Republicans and Democrats alike share, at keeping more people working in Pennsylvania and more of our jobs within our borders.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. DeWeese.

Mr. DeWEESE. Just a couple remarks on final passage of HB 515 in concurrence in Senate amendments.

I just think that we as a General Assembly with very, very scarce dollars for LIHEAP (Low-Income Home Energy Assistance Program) and for Medicaid reimbursements, and when we have not dealt with minimum wage, when we have been dealing with property tax unsuccessfully for a long, long time, and within the last day and a half, one of the 900-pound gorillas in the middle of the proverbial bed has been how do we pay for property tax reductions. Well, I do not know that it is all that circumspect for us to be strangling the revenue yields of the Commonwealth at the same time we are trying to find ways to put money towards reduction of property taxes. I just think that it is not a good idea. Again, I can count. I know the momentum is in favor of this bill going to the Governor, but I will ask the Governor to veto it. I think we will come back right after Thanksgiving. I would like to importune, very politely, the majority leader to put a minimum-wage bill on the calendar and get down to some serious property tax debates upon our return.

Relative to that statement, I have met this evening with the Speaker and the floor leader on the Republican side along with Representative Evans, Representative Veon, and we feel that we will be able to make some mutual progress in the early weeks of December, and I would like to think, notwithstanding our disagreement here on 515, we can work for some mutuality next month and make certain that before we leave here before Christmas vacation, that we send a property tax bill, one that is very, very solid and mutually embraced by House Republicans and House Democrats, to the Senate.

So I will be voting in the negative on this, but the world will not come to an end, and I would anticipate that the Governor would veto this bill. I think it does reflect a great deal of fiscal irresponsibility, notwithstanding the wonderful observations of my young colleague from Indiana County.

Thank you.

On the question recurring,

Will the House concur in Senate amendments as amended by the Rules Committee?

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

The following roll call was recorded:

YEAS—183

Adolph	Fleagle	Mackereth	Ross
Allen	Flick	Maitland	Rubley
Argall	Forcier	Major	Sainato
Armstrong	Frankel	Mann	Samuelson
Baker	Freeman	Markosek	Santoni
Baldwin	Gabig	Marsico	Sather
Barrar	Gannon	McCall	Saylor
Bastian	Geist	McGeehan	Scavello
Bebko-Jones	George	McGill	Schroder
Belardi	Gerber	McIlhattan	Semmel
Belfanti	Gergely	McIlhinney	Shapiro
Benninghoff	Gillespie	McNaughton	Siptroth

Beyer	Gingrich	Melio	Smith, B.
Bianucci	Godshall	Metcalfe	Smith, S. H.
Birmelin	Good	Micozzie	Solobay
Blackwell	Goodman	Millard	Sonney
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	Surra
Causer	Harhart	O'Brien	Tangretti
Cawley	Harper	O'Neill	Taylor, E. Z.
Civera	Harris	Pallone	Taylor, J.
Cornell	Hasay	Parker	Thomas
Corrigan	Hennessey	Payne	True
Costa	Herman	Petrarca	True
Crahalla	Hershey	Petri	Turzai
Creighton	Hess	Petrone	Vitali
Cruz	Hickernell	Phillips	Walko
Daley	Hutchinson	Pickett	Wansacz
Dally	James	Pistella	Waters
DeLuca	Josephs	Preston	Watson
Denlinger	Kauffman	Pyle	Wheatley
Dermody	Keller, M.	Quigley	Wilt
DiGirolo	Keller, W.	Ramaley	Wojnaroski
Diven	Kenney	Rapp	Wright
Donatucci	Killion	Raymond	Yewcic
Eachus	Kirkland	Readshaw	Youngblood
Ellis	Kotik	Reed	Yudichak
Evans, J.	LaGrotta	Reichley	Zug
Fabrizio	Leach	Roberts	
Fairchild	Leh	Roebuck	Perzel,
Feese	Lescovitz	Rohrer	Speaker
Fichter			

NAYS—11

Blaum	DeWeese	Manderino	Sturla
Cohen	Evans, D.	Oliver	Veon
Curry	Levdansky	Ruffing	

NOT VOTING—1

Williams

EXCUSED—8

Bishop	Lederer	Rieger	Shaner
Clymer	Maher	Rooney	Staback

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

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

The SPEAKER. The Chair would like to thank the members for a very difficult week and wish everyone a very happy Thanksgiving. There will be no further votes.

RECESS

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

AFTER RECESS

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

**THE SPEAKER PRO TEMPORE
(JOHN W. FICHTER) PRESIDING****RULE 15 SUSPENDED**

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

Mr. S. SMITH. Mr. Speaker, I move that House rule 15 be suspended for when the House convenes on November 30, it will convene at 9:30 a.m.

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

BILLS AND RESOLUTIONS PASSED OVER

The SPEAKER pro tempore. Without objection, any remaining bills and resolutions on today's calendar will be passed over. The Chair hears no objection.

RECESS

The SPEAKER pro tempore. The Chair recognizes Mr. Smith from the county of Jefferson.

Mr. S. SMITH. Mr. Speaker, I move that this House will now be in recess until Wednesday, November 30, 2005, at 9:30 a.m., e.s.t., unless sooner recalled by the Speaker.

On the question,
Will the House agree to the motion?
Motion was agreed to, and at 9:29 a.m., e.s.t., Wednesday, November 30, 2005, the House recessed.