

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

WEDNESDAY, FEBRUARY 8, 2006

SESSION OF 2006

190TH OF THE GENERAL ASSEMBLY

No. 10

### HOUSE OF REPRESENTATIVES

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

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

#### PRAYER

REV. HAROLD L. MELE, JR., Chaplain of the House of Representatives, offered the following prayer:

Let us pray:

Lord, I pray for the righteousness of this body of believers this day. We thank You for Your grace, Your mercy, and unconditional love. May each Representative be a man or woman of God who loves Your laws. I pray that they will meditate on Your laws before they interpret the laws of this Commonwealth. Give every man and woman of this House wisdom and integrity to discern righteously so that they will never violate Your laws, and may Your perfect will be done in each decision that they make.

May they also be filled with fear of doing what is honest and right in the eyes of God. Again, Father, we ask that You give them, by the power of Your Holy Spirit, to discern righteously and plead the cause of the people of the Commonwealth of Pennsylvania. Help us all to do what is right in the eyes of God and suffer the consequences of those righteous decisions.

We pray all these things in the name of our Father. Amen.

#### PLEDGE OF ALLEGIANCE

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

#### JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Tuesday, February 7, 2006, will be postponed until printed.

#### HOUSE BILLS INTRODUCED AND REFERRED

**No. 2442** By Representatives LEVDANSKY, BELFANTI, COHEN, DeWEESE, BELARDI, CALTAGIRONE, FABRIZIO, FREEMAN, GERGELY, GOODMAN, JAMES, LEACH, MANN, MUNDY, PARKER, PISTELLA,

SIPTROTH, SONNEY, THOMAS, TIGUE, WANSACZ and YOUNGBLOOD

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, providing for the recovery of certain expenses by public utilities.

Referred to Committee on CONSUMER AFFAIRS, February 8, 2006.

**No. 2443** By Representatives KILLION, BASTIAN, ADOLPH, BAKER, BARRAR, BUNT, CALTAGIRONE, CAPPELLI, CLYMER, CRAHALLA, CREIGHTON, DeWEESE, FREEMAN, GEIST, HARHAI, HENNESSEY, HERSHEY, KAUFFMAN, LaGROTTA, LEVDANSKY, MARKOSEK, MILLARD, MUSTIO, PERZEL, PICKETT, PYLE, ROBERTS, ROSS, SATHER, SAYLOR, E. Z. TAYLOR, TURZAI, WATSON, YOUNGBLOOD, BALDWIN, FLEAGLE, THOMAS and GANNON

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, providing for continuation of demonstration projects for cardiac care.

Referred to Committee on HEALTH AND HUMAN SERVICES, February 8, 2006.

**No. 2444** By Representatives BARRAR, ARMSTRONG, BALDWIN, BOYD, CALTAGIRONE, CAPPELLI, CORNELL, CRAHALLA, CREIGHTON, CRUZ, DALLY, DeLUCA, GOODMAN, HESS, HICKERNELL, KAUFFMAN, LEH, MARKOSEK, MARSICO, McILHINNEY, R. MILLER, PETRARCA, PHILLIPS, PYLE, SIPTROTH, SONNEY, STABACK, E. Z. TAYLOR, WILT, WOJNAROSKI and YOUNGBLOOD

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for library notification by offenders and sexually violent predators.

Referred to Committee on JUDICIARY, February 8, 2006.

**No. 2445** By Representatives BARRAR, BAKER, BEYER, CALTAGIRONE, CAPPELLI, CLYMER, DeLUCA, DeWEESE, FREEMAN, GOODMAN, HARPER, HERSHEY, JAMES, LEVDANSKY, MUNDY, RAYMOND, SIPTROTH, SOLOBAY, SONNEY, SURRA, THOMAS, WATSON and YOUNGBLOOD

An Act providing for the wholesale of liquid fuels within this Commonwealth and for a penalty.

Referred to Committee on CONSUMER AFFAIRS, February 8, 2006.

**No. 2446** By Representatives J. EVANS, SONNEY, BEBKO-JONES, HARPER, BEYER, CRAHALLA, CREIGHTON, McILHATTAN, MUNDY, PHILLIPS, RUBLEY and YOUNGBLOOD

An Act amending the act of May 17, 1921 (P.L.789, No.285), known as The Insurance Department Act of 1921, requiring insurance producers to disclose compensation to customers under certain circumstances.

Referred to Committee on INSURANCE, February 8, 2006.

**No. 2447** By Representatives PETRI, ARGALL, BEBKO-JONES, BOYD, CALTAGIRONE, CAPPELLI, DENLINGER, DeWEESE, DIGIROLAMO, FAIRCHILD, GEIST, GERGELY, GINGRICH, GOODMAN, GRUCELA, HARPER, HERSHEY, HESS, M. KELLER, MAITLAND, MARKOSEK, McILHATTAN, NAILOR, O'NEILL, PAYNE, PHILLIPS, PYLE, REICHLEY, RUBLEY, SATHER, SAYLOR, SIPTROTH, B. SMITH, STABACK, STEIL, THOMAS, TRUE, WATSON and HICKERNELL

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for collection of restitution, reparation, fees, costs, fines and penalties.

Referred to Committee on JUDICIARY, February 8, 2006.

**No. 2448** By Representatives REICHLEY, ARGALL, BAKER, BALDWIN, BELFANTI, BEYER, BLACKWELL, BOYD, CALTAGIRONE, CAPPELLI, COHEN, CORNELL, CRAHALLA, CREIGHTON, DALEY, DeLUCA, DeWEESE, DIVEN, FRANKEL, FREEMAN, GEORGE, GOODMAN, HALUSKA, HARPER, HARRIS, JAMES, JOSEPHS, KAUFFMAN, KOTIK, LEACH, LEDERER, LEH, MACKERETH, MANDERINO, McILHATTAN, R. MILLER, MUNDY, MYERS, PAYNE, PETRARCA, PETRONE, PHILLIPS, PICKETT, PISTELLA, RAPP, SEMMEL, SIPTROTH, SOLOBAY, SONNEY, STABACK, E. Z. TAYLOR, J. TAYLOR, THOMAS, TIGUE, WALKO, WATERS, WATSON and YOUNGBLOOD

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, providing for notice of termination of health or sickness or accident insurance policies.

Referred to Committee on INSURANCE, February 8, 2006.

**No. 2449** By Representatives O'BRIEN, BALDWIN, BEYER, BOYD, CALTAGIRONE, CAPPELLI, CREIGHTON, CRUZ, DALLY, DeLUCA, J. EVANS, GERBER, GILLESPIE, GINGRICH, GOOD, GOODMAN, GRELL, GRUCELA, HERSHEY, HESS, JAMES, W. KELLER, KILLION, LEACH, MANN, MARSICO, McILHATTAN, MICOZZIE, O'NEILL, PAYNE, PETRONE, PHILLIPS, PISTELLA, PYLE, RAPP, REED, REICHLEY, ROEBUCK, RUBLEY, SCHRODER, SHAPIRO, SIPTROTH, B. SMITH, SONNEY, TANGRETTI, E. Z. TAYLOR, THOMAS, TRUE, WATSON and WOJNAROSKI

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for penalties for accidents involving death or personal injury.

Referred to Committee on TRANSPORTATION, February 8, 2006.

## HOUSE RESOLUTION INTRODUCED AND REFERRED

**No. 583** By Representatives COHEN, LaGROTTA, SIPTROTH, BIANCUCCI, SURRA, CALTAGIRONE, SOLOBAY, WALKO, LEDERER, McGEEHAN, MARKOSEK, DeWEESE, TIGUE, McCALL, PALLONE, PARKER, KOTIK, PETRARCA, CURRY, MUNDY, STABACK, GRUCELA, CORRIGAN, YUDICHAK, BISHOP, HALUSKA, EACHUS, READSHAW, DALEY, PISTELLA, THOMAS, YOUNGBLOOD, SHANER, JOSEPHS, FREEMAN, HARHAI, STURLA, JAMES, GOODMAN, BEBKO-JONES, GEORGE, BLAUM, ROEBUCK and DeLUCA

A Resolution calling on the Department of Public Welfare to address legitimate grievances of Pennsylvania's pharmacies and to explore options which preserve the ability of pharmacies, especially independent, family-owned pharmacies, to continue providing quality pharmaceutical services to department clients.

Referred to Committee on HEALTH AND HUMAN SERVICES, February 8, 2006.

## SENATE BILLS FOR CONCURRENCE

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

### SB 303, PN 1356

Referred to Committee on JUDICIARY, February 8, 2006.

### SB 936, PN 1489

Referred to Committee on CONSUMER AFFAIRS, February 8, 2006.

### SB 969, PN 1474

Referred to Committee on LIQUOR CONTROL, February 8, 2006.

### SB 1056, PN 1445

Referred to Committee on TRANSPORTATION, February 8, 2006.

**SENATE MESSAGE**

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

The clerk of the Senate, being introduced, returned **HB 459, PN 3383**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

**SENATE MESSAGE**

HOUSE BILL  
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 1183, PN 1734**, with information that the Senate has passed the same without amendment.

**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 1183, PN 1734**

An Act redesignating a bridge on that portion of SR (truck route) 271 over the Conemaugh River and the Northfolk Southern mainline, Franklin Borough, Cambria County, as the Sergeant Michael Strank Memorial Bridge.

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

**CALENDAR****BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 2067, PN 2917**, entitled:

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

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

**BILL TABLED**

The SPEAKER. The Chair recognizes the majority leader.  
Mr. S. SMITH. Mr. Speaker, I move that HB 2067 be placed on the table.

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

**BILL REMOVED FROM TABLE**

The SPEAKER. The Chair recognizes the majority leader.  
Mr. S. SMITH. Mr. Speaker, I move that HB 2067 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 **SB 607, PN 766**, entitled:

An Act providing for the capital budget for the fiscal year 2005-2006.

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

**BILL TABLED**

The SPEAKER. The Chair recognizes the majority leader.  
Mr. S. SMITH. Mr. Speaker, I move that SB 607 be placed on the table.

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

**BILL REMOVED FROM TABLE**

The SPEAKER. The Chair recognizes the majority leader.  
Mr. S. SMITH. Mr. Speaker, I move that SB 607 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 611, PN 684**, entitled:

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

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

**BILL TABLED**

The SPEAKER. The Chair recognizes the majority leader.  
Mr. S. SMITH. Mr. Speaker, I move that HB 611 be placed on the table.

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

**BILL REMOVED FROM TABLE**

The SPEAKER. The Chair recognizes the majority leader.  
Mr. S. SMITH. Mr. Speaker, I move that HB 611 be taken off the table.

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

**BILLS REMOVED FROM TABLE**

The SPEAKER. The Chair recognizes the majority leader.  
Mr. S. SMITH. Mr. Speaker, I move that HB 2376 and HB 2383 be taken from the table.

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

**BILLS ON SECOND CONSIDERATION**

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

**HB 2376, PN 3454; and HB 2383, PN 3456.**

**BILLS RECOMMENDED**

The SPEAKER. The Chair recognizes the majority leader.  
Mr. S. SMITH. Mr. Speaker, I move that HB 2376 and HB 2383 be recommitted to the Committee on Appropriations.

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

**RESIGNATION OF MEMBER**

The SPEAKER. The Chair submits for the record the following letter of resignation, which the clerk will read.

The following letter was read:

House of Representatives  
Commonwealth of Pennsylvania  
Harrisburg  
30th District  
Serving Shaler, Hampton,  
O'Hara, Ross and Fox Chapel, Pennsylvania

February 7, 2006

Roger Nick, Chief Clerk,  
Pennsylvania House of Representatives  
Main Capitol Building  
Harrisburg, PA 17101

Dear Roger,

Today, I am announcing my retirement as an elected member of The Pennsylvania House of Representatives representing the 30th District of Allegheny County effective at 11:59 P.M. today on Tuesday, February 7, 2006.

I have immensely enjoyed my service as an elected member having won both party nominations in a bi-partisan fashion in 2000 and in 2004 and to be re-elected by 29,154 votes, the highest vote total of all 203 Representatives in Pennsylvania in the year 2000. Moreover, I am humbled that the constituents of the 30th district continued to elect me by an even higher margin of 29,311 votes in 2004. I have always believed that the continued faith of the voters in the election is the true mark of leadership and of quality service of the office of a Representative.

Moreover, I am most proud of having never missed a session day for a span of 11 straight years for my constituents, while standing up to the special interests and fighting for the hard-working men and women, senior citizens and the children of the Pittsburgh Region and all of Pennsylvania.

During my more than 11 years in the House, I have never voted for a tax increase and voted to cut taxes by over \$12 Billion since 1994. I worked to initiate and champion new laws such as "The Taj Mahal Prevention Law" to protect taxpayers from the overspending of school districts and fought for passage of my bill, H.B. 1168, which restored the Governor's Medicaid cuts comprising over 36% of last year's state budget. Moreover, I fought for record funding increases for my district's school districts and the total rebuilding of Route 28 and 8 in the North Hills and Allegheny Valley and the rebuilding of the infamous and dangerous "Mae West Bend" of Route 8 which is near completion.

I wish to thank you and other House leaders for helping me to make these improvements to my Pittsburgh Region district and for your help and that of Speaker Ryan and current Speaker Perzel for helping me in eliminating Pennsylvania's Widows Tax and Annuity tax as well as the plethora of important legislation that you helped me to get signed into law such as my anti-terrorism bill to stop the transport of hazardous material trucks by unlicensed and uncertified drivers. I also have the only legislative office in Western Pennsylvania that was open six days a week and that made house calls to any home in our area.

I will miss this place more than you can imagine, since I have dreamed of being a Representative since grade school and it has been amazing to actually live out my childhood dream when I became the youngest member of the House at 28 in 1994.

Best wishes to you and God Bless!

Sincerely,  
Jeffrey Earl Habay  
State Representative  
30th Legislative District  
Pennsylvania House of Representatives

**FILMING PERMISSION**

The SPEAKER. The Chair is in receipt of several requests to take still photographs of the Governor during the address. The Chair will allow all the photographers to come on the floor and take the pictures.

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

**HB 382, PN 3527** (Amended) By Rep. STAIRS

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for powers and duties of the intermediate unit board of directors; providing for State reimbursement for mobile classroom facilities; and making editorial changes.

**EDUCATION.**

**HB 492, PN 3526** (Amended) By Rep. HESS

An Act establishing the Direct Care Advanced Training Program; providing for tuition reimbursement and financial payments for direct care employees upon program completion; and conferring powers and duties on the Department of Education.

**AGING AND OLDER ADULT SERVICES.**

**LEAVES OF ABSENCE**

The SPEAKER. The Chair recognizes the majority whip, who moves for a leave of absence for the day for the gentleman from Cumberland, Mr. GABIG. Without objection, that leave will be granted.

The Chair recognizes the minority whip, who moves for a leave of absence for today for the gentleman from Philadelphia, Mr. RIEGER. Without objection, that leave will also be granted.

**MASTER ROLL CALL**

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

The following roll call was recorded:

**PRESENT—198**

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

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

**ADDITIONS—0**

**NOT VOTING—0**

**EXCUSED—3**

Gabig	Rieger	Rooney
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**LEAVES ADDED—9**

Bastian	Hutchinson	Rubley	Steil
Birmelin	Reichley	Saylor	Watson
Curry			

**RESOLUTIONS PURSUANT TO RULE 35**

Mrs. MILLER called up **HR 574, PN 3487**, entitled:

A Resolution designating the week of February 18 through 25, 2006, as "FFA Week" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

**YEAS—198**

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

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

NAYS-0

NOT VOTING-0

EXCUSED-3

Gabig Rieger Rooney

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

\* \* \*

Mrs. RUBLEY called up **HR 577, PN 3499**, entitled:

A Resolution designating the week of February 12 through 18, 2006, as "Career and Technical Education Week" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-198

Adolph	Fairchild	Maher	Ruffing
Allen	Feese	Maitland	Sainato
Argall	Fichter	Major	Samuelson
Armstrong	Fleagle	Manderino	Santoni
Baker	Flick	Mann	Sather
Baldwin	Forcier	Markosek	Saylor
Barrar	Frankel	Marsico	Scavello
Bastian	Freeman	McCall	Schroder
Bebko-Jones	Gannon	McGeehan	Semmel
Belardi	Geist	McGill	Shaner
Belfanti	George	McIlhatten	Shapiro

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

NAYS-0

NOT VOTING-0

EXCUSED-3

Gabig Rieger Rooney

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

\* \* \*

Mrs. RUBLEY called up **HR 578, PN 3500**, entitled:

A Resolution declaring the week of February 12 through 18, 2006, as "Child Passenger Safety Week" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-198

Adolph	Fairchild	Maher	Ruffing
Allen	Feese	Maitland	Sainato
Argall	Fichter	Major	Samuelson
Armstrong	Fleagle	Manderino	Santoni

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

NAYS—0

NOT VOTING—0

EXCUSED—3

Gabig                      Rieger                      Rooney

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

## COMMUNICATION FROM GOVERNOR

### REQUEST FOR JOINT SESSION

The Speaker laid before the House the following communication in writing from the office of His Excellency, the Governor of the Commonwealth:

Commonwealth of Pennsylvania  
Office of the Governor  
Harrisburg

January 26, 2006

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

Due to scheduling changes, if it meets with the approval of the General Assembly, I would like to amend the date of my original request to address the Members in Joint Session on Tuesday, February 7, 2006, to Wednesday, February 8, 2006, at a time convenient to the General Assembly.

Edward G. Rendell  
Governor

## RESOLUTION

### COMMITTEE TO ESCORT GOVERNOR

Mr. S. SMITH offered the following resolution, which was read, considered, and adopted:

In the House of Representatives  
February 8, 2006

RESOLVED, That the Speaker appoint a committee of three to escort the Governor to the hall of the House for the purpose of attending a joint session of the General Assembly.

## COMMITTEE APPOINTED

The SPEAKER. The Chair appoints as a committee to wait upon the Governor, the gentleman from Erie County, Mr. Evans; the gentleman from Allegheny County, Mr. Turzai; and the gentlelady from Philadelphia, Miss Parker.

The committee will proceed with the performance of its duties.

## GUESTS INTRODUCED

The SPEAKER. As special guests of Representative Ron Miller, I would like to introduce Michael Swords and Danielle Cranford. Mike attends Dallastown High School, and Danielle attends Kennard Dale High School. They will be serving as guest pages for Representative Miller today. Would those guests please rise and be recognized by the chamber.

## ARRIVAL OF SENATE

The SPEAKER. The Senate is now entering the hall of the House. The members and guests will please rise.

The Chair recognizes the Sergeant at Arms of the House.

The SERGEANT AT ARMS. Mr. Speaker, the Senate is now present in the hall of the House.

The SPEAKER. The Chair thanks the gentleman.

The Chair requests the Lieutenant Governor, the Honorable Catherine Baker Knoll, to preside over the proceedings of the joint session of the General Assembly.

The President pro tem of the Senate, the Honorable Robert Jubelirer, is invited to be seated on the rostrum.

The members of the House and the Senate will please take their seats.

**JOINT SESSION OF THE  
GENERAL ASSEMBLY**

**THE LIEUTENANT GOVERNOR  
(CATHERINE BAKER KNOLL) PRESIDING**

The LIEUTENANT GOVERNOR. This being the day and hour agreed upon by a concurrent resolution of the Senate and House of Representatives to hear an address by His Excellency, the Governor, the Honorable Edward G. Rendell, this joint session will come to order.

**REPORT OF COMMITTEE  
ESCORTING GOVERNOR**

The LIEUTENANT GOVERNOR. Will you please be seated. The General Assembly will come to order. The General Assembly will come to order.

The Governor is entering the hall of the House. The General Assembly will please come to order. We will all please rise.

The Chair recognizes the chairman of the committee to escort the Governor, from Lehigh County, Senator Browne. Senator Browne.

Mr. BROWNE. Mr. Speaker, it is good to be back in the House chamber.

Madam President, Mr. Speaker, members of the General Assembly, as chairman of the committee to escort the Governor, I wish to report that His Excellency, the Governor, is present and is prepared to address this joint session.

The LIEUTENANT GOVERNOR. Thank you.

The Chair thanks Senator Browne, Senator Charles Lemmond, and Senator Wayne Fontana, the escort committee.

Members of the General Assembly, I now have the honor and privilege of presenting His Excellency, our Governor, the Honorable Edward G. Rendell, who will now address the joint session.

**FISCAL YEAR 2006-2007  
BUDGET ADDRESS OF  
GOV. EDWARD G. RENDELL**

The GOVERNOR. Thank you. Thank you very much. Thank you all. Thank you.

Mr. Speaker, Madam President, members of the 189th legislature, distinguished guests, and my fellow Pennsylvanians:

Today marks the fourth year I have been privileged to present my proposed budget to this distinguished chamber. But there is something significantly different about this year. As we meet here today, today the flag of the Pittsburgh Steelers flies over the Capitol in honor of the remarkable achievement of that great team. We honor the achievement of that great team, its wonderful owners, the Rooney family, and its great coach, Bill Cowher. All Pennsylvanians are proud of the Steelers and their breathtaking journey to the Super Bowl Championship.

It is remarkable how much we have accomplished together. In 3 short years, we have tackled extraordinarily difficult issues, problems that in some cases were generations in the making: providing thousands more senior citizens with prescription drug coverage, reforming our system of public education, reenergizing our economy and growing thousands of new jobs,

controlling the spiraling cost of health-care services to our most vulnerable citizens, cleaning up and preserving the environment, and reducing the cost of State government while improving efficiency and effectiveness.

We could not have made such progress without the wit, the wisdom, and guidance that Bob Thompson offered so generously to all of us, to the citizens of his district, and to this Commonwealth. We have truly lost a great Pennsylvanian. But I know that Senator Thompson's dream for a better Commonwealth will live on in the work that we do here together.

There has been spirited debate, and yes, even the occasional difference of opinion between us, both of which have come with the difficult policy choices we made together to bring about real change in our Commonwealth. I am very proud of the fact that despite our differences and honest disagreements, we all take very seriously our duty to enact the very best budget we can for Pennsylvania.

And yet I am reminded again today that our task, the job of governing in a free society, pales in comparison to the life-and-death decisions that confront our fellow Pennsylvanians who are serving our country overseas, particularly those service men and women stationed in Iraq and Afghanistan. The Pennsylvania National Guard is one of the largest and most widely deployed in the nation. More than 15,000 Keystone Guard members have joined thousands of Pennsylvanians from all military branches in fighting the global war on terror. Tragically, since the beginning of the war, 117 Pennsylvanians have died in Iraq and Afghanistan. Once again, our Commonwealth's sons and daughters have fought valiantly and heroically in defense of our freedom.

So let us begin today by paying homage to those who have so courageously responded to the national call to service. I know that I speak for all of us in extending our heartfelt prayers and deepest sympathies to the families of our fallen heroes, and I ask you now to join me in a moment of silent tribute to those whose memories we honor today.

(A moment of silence was observed.)

Thank you.

Closer to home, the tremendous work of the Pennsylvania National Guard has made a difference all along the Gulf Coast, where since September more than 2800 Guard members helped rebuild communities devastated by Hurricane Katrina. Late last September, Ms. Colleen Winkler from Kenner, Louisiana, wrote to me, and she said, "I am writing to thank you for sending your National Guard to my hometown of Jefferson Parish, Louisiana. Your men have demonstrated the highest standards of compassion, kindness, hard work and of course pride for their home in Pennsylvania. Men such as your National Guardsmen represent the BEST in America, and I am so proud and so happy to have met them."

At home or abroad, let us keep these brave Pennsylvanians in our thoughts in the difficult days that lie ahead for them and pray that they all return home safe and sound. In the coming weeks, let us demonstrate our support and gratitude for our Guard and military heroes by taking the following actions:

First, the General Assembly should swiftly pass the 11 bills that remain of the "Support Our Troops" package I proposed last Memorial Day.



Second, second, I ask that you approve the increase that I have proposed in this budget for the care provided in our veterans homes.

And third, I hope that all of you will join with me on September 10 in State College, when more than 15,000 of our Guard and their families will attend a welcome-home celebration for those who served in Afghanistan and Iraq. Just imagine the message you will send to our soldiers and airmen by officially holding a session day in State College to pass a resolution to recognize and thank them for their bravery. I will be there, and I urge you to make Sunday, September 10, an official day of work in honor of the contribution these Pennsylvanians have made to this nation and this Commonwealth.

We have made great strides together, but we do have unfinished business. First, of course, is dealing with property taxes. This challenge has defied easy answers for more than 30 years in Pennsylvania. I both appreciate and respect the depth of thought, the length of debate, and the creativity of ideas that have come forth in both chambers in support of greater property tax reductions than those we will provide with gaming funds. But first we should all remember that when we expanded gaming in July of 2004, we entered into a compact with the citizens, a compact that guaranteed that every homeowner would get property tax relief and that the tax dollars generated by gaming would help to fund it. I have called you into special session to ensure that we meet the principles of that compact. As I said when I did so, our citizens are losing patience, and the signs of their discontent are growing stronger. I ask you to pass a property tax relief bill that I can sign before the end of this month so that Pennsylvanians will know once and for all that property tax relief is certain. Both the House and Senate have given these matters exhaustive attention. Now is the time to act.

Second, the minimum wage must be increased in Pennsylvania and it must be increased now. The economic support for an increase is undeniable. The public will and demand for an increase is overwhelming, and the political willingness for an increase is bipartisan. I ask you to also pass this month a minimum-wage increase to \$7.15 an hour effective January 2007 to show our support for the 423,000 minimum-wage workers, hardworking people who are struggling to make ends meet in our great Commonwealth.

I also ask the Senate to act swiftly to confirm my nominee for the Pennsylvania Supreme Court, Judge Cynthia Baldwin. I believe that Judge Baldwin has demonstrated that she has the judicial temperament, the experience, and the intellect to serve this Commonwealth with distinction.

The great American poet Robert Frost once wrote, "Two roads diverged in a wood, and I, I took the one less traveled...and that has made all the difference."

Well, 3 years ago we faced a fundamental choice. Politically speaking, on each of these issues, the easier, more traveled road would have been to conduct business as usual: to find a series of easy, one-time fixes to patch our budget holes until they became someone else's problem; to keep the old education funding scheme in place; to ignore our stagnating economy; and to avoid the tough decisions that would accompany any real effort to bring property tax reform to our State.

To your great credit and in the interest of serving families all across the Commonwealth, we chose the road "less traveled." We chose a path of fundamental reform. At long last we have

chartered a course for real progress in Pennsylvania, and we have achieved progress that cannot be denied. Each and every member of both chambers of this General Assembly should be proud that we have more jobs in Pennsylvania now than at any other time in the history of this Commonwealth. Every legislator should take credit for the fact that we have moved from 46th in the nation in job creation to 15th. This means that since I took office, we have helped to create more than 120,000 additional jobs in Pennsylvania.

Our work together has paid great dividends, and we are becoming a leader among States. So today I propose to continue this momentum by giving you a budget that is built on three platforms.

First, at a time when many State governments are talking about ways to cut services to our most vulnerable citizens, we will enhance the Commonwealth's ability to care for Pennsylvanians in need – our children first and foremost, our senior citizens, and those who need a helping hand.

Second, we will propose a series of major new investments that will make Pennsylvania more competitive than ever before. These proposals include an unprecedented series of strategic investments in medical research, world trade opportunities, and exciting new programs to build a stronger work force for tomorrow in our public school classrooms of today.

Finally, and most importantly, we can achieve the goals set forth in this budget without any increase in taxes. Let me say that again. The budget I propose today includes critical new investments and services for citizens across the Commonwealth, all with no tax increases. We can afford these investments because we are reaping additional revenue from our ever-expanding economy, while at the same time continuing to drive down the cost of delivering government services and reducing the size of government itself.

When I campaigned for Governor, I said that I would cut \$1 billion in waste out of the State government. Most insiders told me that was impossible, and most outsiders just did not believe me. But I am pleased to tell you today that by the end of this calendar year, we will be spending \$1 billion less to deliver government services without cutting those services, and on top of that, we are delivering those government services in a far more effective and efficient manner. We have achieved these operating budget cost savings by cutting waste, improving efficiency, and eliminating more than 4,000 positions from the Commonwealth complement – without any layoffs.

Finally, and perhaps most significantly in terms of its impact on State government expenditures by virtue of its sheer size, with your wise input and the action you took last year, the Department of Public Welfare continues its groundbreaking initiative to reduce the cost of delivering critically needed social services in Pennsylvania. This hard work began last year with a comprehensive solution to stabilize the skyrocketing costs of health care and social services, costs that rise today even as the Federal government continues to reduce its support for these services nationwide. This solution made it possible to keep the social safety net in place for thousands of Pennsylvanians in need, and as I said earlier, this year we will actually enhance services while other States continue to cut them. Our work together has paid off. The department has realized more than \$370 million in annual savings.

When I stood before you 3 years ago, the State budget was far from stable. Our deficit stood at over \$1 billion and was projected to exceed \$2 billion, and across-the-board fiscal

discipline had been shelved. Over the last 3 years, tough negotiations with vendors, commonsense changes that right-sized our operations, and businesslike approaches to purchases and the delivery of services have put our budget on firm footing and given us a solid foundation for further investment.

So today I am announcing investments that will continue to move this State forward. They will put the Commonwealth on the cutting edge of health care, education, and economic development improvements. They will make Pennsylvania more competitive and a better place to live and work, and they are specifically geared to focus on the progress of our young people as we prepare them to take their place in the 21st-century economy.

Sadly, Coretta Scott King passed away last week. We will all miss her inspired work to help us realize the dream for America that Dr. Martin Luther King, Jr., asked us to imagine. Dr. King once said, "The ultimate measure of a man is not where he stands in moments of comfort and convenience, but where he stands at times of challenge and controversy." When it comes to protecting the most vulnerable among us, this sage advice should guide us in how we, who lead relatively comfortable and easy lives, respond to the budgetary challenges of the continuing brutal trend by the Federal government to reduce its support for programs to help the needy. We have continued to use the right measuring stick, a ruler that is marked to ensure we do not diminish, and where possible we try to improve, the quality of life for those who face struggles that most of us cannot even imagine. We have chosen to continue to be their life line against the rising tide of poverty, illness, and disease.

Last year my budget proposal provided the funding necessary to add 10,000 children to our great CHIP program (Children's Health Insurance Program). Today we are moving to the next level. We will offer the hardworking parents of this State the opportunity to buy affordable health-care insurance for their children so that every child in this State will be covered. I repeat: No child in Pennsylvania will go without health insurance.

Pennsylvania already has one of the lowest rates of uninsured children in the nation, but each one of the 130,000 children who do not have insurance coverage is one child too many. Our program, which we call "Cover All Kids," will expand CHIP and give parents the ability to take children to the doctor, to get prescriptions filled, and attend to their ongoing medical needs. Parents whose income would otherwise preclude them from eligibility for CHIP will be able to purchase CHIP coverage for their children at an affordable price, and others in higher income brackets will be able to purchase CHIP coverage at the same cost that the Commonwealth pays itself – in other words, at a substantial savings from what it would cost if they had to purchase coverage on their own.

How we care for our children speaks volumes about our society. I cannot imagine, and I gather that neither could you, the anguish that tens of thousands of parents who cannot afford health insurance for their children must face on a daily basis. The failure to provide health insurance for every child forces parents to make impossible choices. "Cover All Kids" is affordable to the Commonwealth and affordable to working parents. It is the right thing to do for our families, for their children, and for all our collective futures.

This year again, due to the historic agreement we reached with the Blues, I am proposing an expansion of the adultBasic Insurance Program to bring critically needed insurance coverage to an additional 8500 low-income working adults. I am also extremely pleased that this budget provides additional resources for those with disabilities or mental retardation and for those suffering with HIV (human immunodeficiency virus) and AIDS (acquired immune deficiency syndrome). We are increasing child-care resources so that more parents can go to work and stay off welfare, and we are funding for the first time preventative screenings for breast and cervical cancer for women under 50 who lack insurance.

We are also devoting substantial resources to supporting our senior citizens across the length and breadth of this Commonwealth. Thanks to the work of Senators Bob Mellow and Pat Vance and Representative Todd Eachus, and due to the dramatic increase in the productivity of the Pennsylvania Lottery – thanks to that second most famous groundhog, Gus – today close to 90,000 more seniors have prescription drug coverage, a 40-percent increase in the number of enrollees in just 2 years.

But at a stage in life when things are supposed to get a little easier, Pennsylvania citizens must now cope with the often mystifying complications of the new Federal prescription drug program. As you all know, we moved swiftly when the problems with the Medicare Part D program became evident last month to ensure that no eligible Pennsylvania senior was without prescription medication.

Today I am proposing that we expand that commitment to our seniors through enacting the PACE (Pharmaceutical Assistance Contract for the Elderly) Plus program. PACE Plus will save our seniors thousands of dollars a year in prescription drug costs and ensure that PACE beneficiaries keep the same level of coverage they have enjoyed now for nearly 22 years. We all know that the Federal drug program puts the onus of paying for annual drug purchases that exceed \$2200 and that are less than \$5100 on our senior citizens themselves. This gap in coverage is referred to as the now infamous "doughnut hole." Under PACE Plus, however, no low-income senior will have to make the choice of whether to stay warm or stay well, because PACE Plus will close the doughnut hole and cover the gap in Federal coverage for them. With PACE Plus, Pennsylvania will continue to be the national leader with respect to prescription coverage for our seniors. Our PACE Plus package is by far the most generous and comprehensive supplement to the Federal program anywhere in the nation.

And best of all, due to the good work of the Departments of Public Welfare and Aging, we will be able to add 120,000 seniors to the PACE program, bringing the number of seniors we help to 430,000 – almost double the 220,000 who were enrolled in PACE the day that I took my oath of office as Governor.

Just as history will judge us as a society by the way we treat our most vulnerable citizens, we can also measure our confidence and hope for the future by the degree to which we are willing to invest in that future.

In 1947, a 33-year-old physician named Jonas Salk, who had spent the bulk of his young career working on ways to prevent the spread of influenza, accepted an appointment at the University of Pittsburgh Medical School. At Pitt, young Dr. Salk devoted his life to the research of polio, a disease

whose deadly and crippling effects were so catastrophic that families all over America barely spoke its name out loud.

In 1955, after years of research, Dr. Salk created a vaccine to stop the spread of this dreaded disease, and the nation rightly called him a miracle worker. Throughout his life, Dr. Salk sought cures for the most pervasive illnesses. Today Jonas Salk is rightly remembered as an American hero, and I am especially proud today to announce the creation of the Jonas Salk Legacy Fund, which, through using our tobacco settlement funds in a new way, will put \$1 billion to work funding medical research in the next 2 years.

This unprecedented commitment to the cause of scientific research in Pennsylvania will solidify our leadership position in the field of biosciences, right up there with our major U.S. competitors New Jersey and California. Already 84,000 Pennsylvanians are employed in our research companies and our institutions. Investments made by the Salk Legacy Fund will boost the number of these well-paying and rewarding jobs and will swiftly expand the medical research conducted in this State.

The Salk Legacy Fund will catapult Pennsylvania to the top of the class in scientific research. It will enable Pennsylvania to attract the very best research talent in America and to build topflight research facilities. This investment could enable the next Jonas Salk to find the cure for Alzheimer's, for multiple sclerosis, or diabetes. But we will also use these funds to foster a greatly expanded level of growth in the business of science as well.

Investing in cutting-edge medical research facilities is something Representative Dan Frankel has championed for years and something that we are already doing in Pennsylvania, and doing it very well. At the University of Pittsburgh, our Keystone Innovation Starter Kit will help a world-renowned biophysics professor to build a whole new course of study at Pitt, one that we expect will leverage additional grant funding from the National Science Foundation and the National Institutes of Health. Similarly, at Franklin & Marshall College, our economic stimulus programs are making it possible to build a \$40 million Life Sciences Research Center in downtown Lancaster.

The University of Pennsylvania School of Medicine is working on building its research capacity in high-throughput cell-based screening of protein compounds, a true cutting-edge area of medical research. Now, I am not going to even try to convince you that I know what that is, but it is more than just a conversation stopper at academic cocktail parties. This type of research has tremendous importance in the private sector as a source of development of a whole new range of products, and that means that in the process of supporting great new science, we are also supporting great new business opportunities in Pennsylvania.

The Salk Legacy Fund will leverage the power of future Tobacco Settlement Fund proceeds to enable Pennsylvania to become a world leader in the field of scientific research today, and best of all, we will not need to divert one penny of taxpayer funds to make this happen.

When we talk about Pennsylvania becoming a world leader in any field, it is worth noting that in many respects, we already play on a world stage. More than \$18 billion worth of goods, primarily manufactured goods, were exported from Pennsylvania last year alone. If Pennsylvania were a nation, separate and apart from the United States, we would be the 17th largest economy in the world, ahead of Saudi Arabia and

Switzerland. Putting it another way, our gross State output last year was larger than the economies of South Africa, New Zealand, Malaysia, and Ecuador combined.

Ours is a large and diverse economy, and today there is tremendous opportunity for Pennsylvania businesses to significantly expand their markets, if our businesses learn to expand to markets around the world.

Many of our companies want to enter the global marketplace but lack either the capacity or the expertise to do so. If we can support their efforts to reach these markets, we can dramatically increase our share of international trade, attract new foreign investments to Pennsylvania, and build upon the tremendous global network already developing in our colleges and universities.

As part of my commitment to make strategic investments in Pennsylvania's future, I am announcing today the creation of World Trade PA, an initiative specifically designed to help more Pennsylvania companies enter the global marketplace.

First, World Trade PA will increase access to information. Small- and medium-sized firms with export potential do not have the surplus cash to hire a consultant or a lawyer to help them figure out how to get their products to the right market or to handle the logistics of international exporting. The World Trade PA Operations Center will create Web-based tools to help Pennsylvania companies make market decisions and navigate global trading systems. This "virtual" center will be available 24 hours a day to help Pennsylvania companies identify opportunities, develop successful business plans, and learn the details of international tariffs, customs, shipping, and security so they can move their products out to the marketplace.

Second, we will strategically increase Pennsylvania's presence around the world by adding trade representatives in the countries with the largest and fastest growing economies, including China, India, Korea, and the Middle East, and by reducing our presence where there is less opportunity for Pennsylvania firms.

Third, working with local business organizations, we will launch an intensive outreach campaign aimed at small- and medium-sized businesses to encourage their entrance into the global marketplace.

Finally, World Trade PA will make the most of the advantages we have in the fact that we attract foreign students to Pennsylvania colleges and universities. These students, more than 22,000 of them, represent a tremendous network of potential business relationships both now and in the future. So we will create a global "business alumni" network to match these Pennsylvania alumni from all over the world with business opportunities right here in the Commonwealth.

But no investment in the research and business opportunities of the future can be successful over the long haul unless we ensure that we invest in the education of our children to prepare them to take their place in the increasingly competitive global economy.

Of all of the investments we are announcing today, I am proudest of those that we will make to enhance the academic achievement of Pennsylvania students, and these initiatives, again, are the product of choices that we made together 3 years ago to dramatically increase education funding in Pennsylvania. Our funding for early childhood, elementary, and secondary education has increased by nearly \$1.2 billion since 2002, and our students are already demonstrating a great return on this investment. By every measure, student achievement is

dramatically on the rise. Fifth graders meeting State standards are up from 53 percent to 69 percent since 2002, and national test results released late last year found that Pennsylvania is one of only seven States in the nation to make significant progress in both reading and math. The impacts of the investments we have made together are indisputable.

For the first time in Pennsylvania's history, full-day kindergarten is available to more than half the eligible students statewide, more than 7500 children are in State-funded pre-K programs, and 20,000 high school students are earning college credits before graduation.

This budget takes our work to improve what happens in schools to the next level with a new range of investments designed to encourage the development of the next generation of scientists, inventors, and great thinkers right here at home.

To achieve this goal, this budget proposes an increase in K-through-12 education funding of \$517 million.

To put these proposed investments in context, let me share with you some very important facts. This year every public school district will need to make State-mandated contributions to the PSERS (Public School Employees' Retirement System) retirement fund that are 42 percent higher than the contributions they had to make last year. Over \$100 million of the proposed K-through-12 increase helps the districts meet this cost increase, an increase that is completely out of a school district's control. This is an ominous trend. In the near future, the State budget and local taxpayers will be expected to increase school funding annually simply to meet growing pension obligations. This could seriously impair our ability to fund the cost of educating our students. So we must work together to address the growing pension obligations of our school districts.

This increase also meets a critical goal that I know I share with many members of this legislature. While more money does not necessarily mean better schools, underfunded schools cannot – I repeat – cannot do what research says must be done to boost student achievement.

Last year there were 153 school districts where residents were already taxed to the hilt, and yet per-student spending was lower than what is known as the "foundation level." That is the minimum funding level, according to research, required to enhance student achievement. But this budget lifts 132 of those districts above that level. As a result, these districts will begin to have a stable and sound funding base. Now they will be able to do the job we need them to do.

I know you share my goal of guaranteeing that every child gets a quality education, regardless of their ZIP Code (Zone Improvement Plan Code). We are moving in the right direction by putting funds in place to achieve that goal. Now we must focus on helping districts realize the desired outcome from this investment.

To that end, this budget puts more funds where research says we should be investing. Today our students compete for college admittance and jobs against students graduating from school systems in China, India, the former Eastern Bloc countries, and Japan. These nations have invested billions in retooling their public education systems so their graduates can get the best jobs in the new economy. Consider these two troubling facts:

In a recent test given to gauge mathematical understanding, United States students finished 27th behind China, where 59 percent of those students demonstrated competency, while in the U.S. only 32 percent of the students could master the test.

At the same time, across America companies are beginning to confront the fact that they are likely to lose 40 to 50 percent of their work force due to retirement in the next 10 years. CEOs (chief executive officers) all across the country are warning that America is not preparing high school and college graduates fast enough to take the place of those likely to retire.

We face a national challenge, but we cannot wait for a national solution. Pennsylvania must take action. So I am proposing today a three-part agenda to respond to the educational competitiveness challenges that we face.

First, we want to do statewide what 48 school districts, charters, and private schools in the southwest part of our State have done. With financial and technical support from the Bayer Corp., these districts have fashioned a science curriculum that enabled their students to outscore almost every school in the United States and to perform as well or better than schools in every nation in the world. Vince Valicenti, who is part of the ASSET (Achieving Student Success through Excellence in Technology) team doing this great work, is with us today. Vince, will you please stand so we can applaud your groundbreaking work with our students.

Using this proven program, the ASSET program, as a model, we are proposing to invest \$10 million to upgrade the science curriculum in elementary schools throughout the Commonwealth. This new program is called "Science: It's Elementary," and the goal is to replicate this proven model in 150 public elementary schools.

But we will not stop there. At the high school level, we are announcing the "Classrooms for the Future" initiative, a commitment to invest \$200 million, so that by 2009 every public high school classroom used to teach the four core subjects will have an Internet-equipped laptop computer on every student's desk – and as I look around this chamber, all of you have the same – as well as paying for a multimedia technology unit at the teacher desk. What is more, we will invest in professional development for Pennsylvania teachers and school leaders to teach them how to use the new technology that will boost the skills and knowledge of our students.

Now, I would love to say that this is an idea that will put Pennsylvania in the front of other States and that we were developing this program at a time when we thought that we would be at the forefront of the nation. But other States are already blazing the trail. Governor Rell of Connecticut proposed a similar effort last year, and Governors Romney of Massachusetts and Rounds of South Dakota are also intending to make similar investments this year. Pennsylvania can take our high schools to the next level, but only if we act now to begin the broad deployment of these technologies.

But we should not do this just to lead the nation. As teacher Rich Hollein from the Quaker Valley School District in Allegheny County, which has taken the lead in making technology available to its students, Teacher Hollein tells us of the impact of computers on every desktop of his high school. He says, "I believe it makes students more accountable for what they learn in order to move to a higher level." The visionary superintendent of the Quaker Valley School District is here with us today. Dr. Jerry Longo, will you please stand so we can thank you for showing us the way to build "Classrooms for the Future." Thank you, Doctor.

Now, no one can seriously dispute that our high schools need to be transformed to teach in ways that use technology. Think about what exists today. Our teachers stand before the

“technology generation,” and they rely on blackboards and, at best, 2-year-old textbooks while their students’ brains and approach to the world are hard-wired to technology. Over the next 3 years we can leapfrog from 19th-century classrooms to 21st-century high schools, a jump that is long overdue in Pennsylvania.

Each year, each year, more than 26,000 students in Pennsylvania graduate from our colleges and universities with degrees in math, science, engineering, or computer-related disciplines. In fact, Pennsylvania ranks fourth in the nation for the number of graduates in these cutting-edge fields of study. But we need to produce even more of these graduates. I want to help our parents and our students bring down the cost of going to college in these cutting-edge fields. To that end, my proposed budget increases funding to our New Economy Technology Scholarship Program from \$3,000 a year to at least \$4,000 a year for students who choose these fields and agree to stay and work in Pennsylvania after graduation.

In order to get more students to choose to study in the fields of tomorrow, we must train our high school counselors to help those students make the right course and college decisions today. So this budget includes funds to help high schools upgrade their college and career counseling programs, and I propose to double the funding for the Project 720 high school reform initiative, which is off to such a great start. This will permit at least 100 public high schools to retool their curricula to ensure that every student graduates prepared to succeed in today’s challenging world.

These are the types of investments that will help our students compete in the world economy. But we will not stop there. This budget also adds \$50 million to the tremendously successful education accountability block grant that was so ably designed in partnership with our majority leader, Sam Smith. Already the accountability block grant has helped us enroll 30,000 more children in full-day kindergarten, helped reduce class size in the elementary grades, provided funds to permit 39,000 more students to receive tutoring, and helped schools pay for thousands of hours of additional teacher training.

Just as we demand greater performance from our students, though, we must also insist on greater accountability from Pennsylvania’s educators to ensure that performance. This budget includes \$2 million to reward principals and superintendents who meet ambitious targets for boosting student skills in reading and math.

Let me pause here to introduce you to a truly remarkable woman, Sharen Finzimer, the principal of Edmonds Elementary School in Philadelphia. Principal Finzimer has outperformed every principal in this State. Listen to this: Over the last 2 years, the students in her school went from only a 29-percent proficiency rate in math to 92 percent, and in reading she took her students from 58-percent proficient to 79 percent at grade level. Of course, as Principal Finzimer would acknowledge, the teachers at her school helped her achieve this great success. But she is the captain of that ship, and the captain sets the tone and the pace of progress. Consistent with the accountability bill that I will once again ask this legislature to pass, I believe that the captains of our schools – principals and superintendents – must accept responsibility for their results. They should be rewarded when these gains are significant and held accountable when the results do not demonstrate progress. Let us give a hand to Principal Finzimer.

I also propose that this year we offer incentives for teachers who are working to meet the standards of teacher excellence. This budget provides the funds to help 500 of our teachers earn the coveted National Board certification.

Another area of focus this year is our public libraries. They are critical assets that supplement the learning in our school systems. Therefore, this budget proposes to increase funding for public libraries by more than \$14 million, bringing our State library system subsidy to an all-time high. And building on last year’s successful reform of our community college funding system, this budget boosts their operating funding by 4 percent and also adds \$4 million to support an additional \$40 million for community college capital expansion programs.

The entire cost of “Classrooms for the Future” and the capital funds for community colleges cannot be met in one year’s budget alone. But I believe that there are other resources we could tap, such as the extraordinary and astounding earnings of our Pennsylvania Higher Education Assistance Authority that could be designated by the PHEAA Board to augment these investments made in this budget. These resources would enable all of our high schools to transform in just 1 year instead of 3 years. They could also be used to address the urgent capital backlog in our community colleges across our State.

Of course, we face capital needs even beyond education, and so I am pleased that our economic rebound gives us the resources to respond to many of those needs, the most urgent of which is the repair of our roads and bridges. Since 2003 we have improved more than 18,000 miles of highways, enough to take us to India and back. This budget paves the way for us to tackle even more urgent needs by adding an additional \$130 million for road and bridge repairs this year. These funds are on top of the \$500 million PENNDOT has targeted for bridge improvements in 2006, a figure, incidentally, that is nearly double the \$259 million we spent on bridge repair in 2002. This year we will spend nearly \$5.1 billion on safety, maintenance, and construction of highways and bridges – a full billion dollars more than the Commonwealth spent in 2002.

Across this State, communities face extreme and often heart-wrenching problems that range from wanton gun violence to the ravages of methamphetamine addiction. To help these communities, this budget adds 90 more troopers to our State Police, bringing the overall State Police complement to an all-time high. This expansion affords the Commonwealth the opportunity to enhance traditional State Police functions. The new troopers will increase our ability to respond to the needs of citizens throughout rural Pennsylvania who rely on the State Police for emergency and police functions, and once we finish the transition of getting trained law enforcement officers out from behind their desks and out on patrol, our citizens will even be safer. These actions will allow us to deploy small specialized teams to help stem the rise in gun violence. There is much more we must do to make our cities safe, and I look forward to working with Senator Anthony Williams and Representative Dwight Evans and others to respond to the difficult challenges that we face.

The budget that I have just outlined dramatically expands our ability to care for Pennsylvanians in need. It directs major new sources of State funding for strategic investments to make Pennsylvania, especially our students, more competitive in the global economy. We are expanding our research-based economy and preparing our young people to thrive in that

economy through a whole range of State investments in public education.

And we will do it all without raising taxes in Pennsylvania. In fact, this budget cuts taxes in ways that are targeted to increase the impact of all the investments I have just described.

This budget accelerates the phaseout of the capital stock and franchise tax, a tax that eats into the profits of our manufacturers, a sector that so critically needs to keep profits to invest in upgrades and new hires. This budget also increases our tax credit for research and development by more than 30 percent to encourage small- and medium-sized research companies to expand their operations here in Pennsylvania.

While we cannot completely uncap net operating losses – that would require us to forgo over \$200 million annually in revenue – I do believe that we need to move forward toward enabling companies to write off losses associated with doing research and getting new products to market. Therefore, this budget begins to uncap NOLs by raising our annual cap on losses from \$2 million to \$3 million. Should future revenues permit us to uncap these losses even further, it is my intention to propose each year additional increases in the NOL cap until the limit is completely removed.

It is my belief that a fairer business tax system will increase Pennsylvania's competitiveness. Sound budget practice dictates that we only continue to raise the NOL cap when we can afford to do so, and the best way to make that happen, and to go even further by lowering our corporate net income tax rate to 7.9 percent and adopting a single sales factor, is to revise our tax structure so that the Commonwealth receives business tax payments from more of the 73 percent of corporations that currently do not pay any corporate net income tax. This can be achieved if this body closes tax loopholes as recommended by the bipartisan Business Tax Reform Commission.

Pennsylvania's economy is on the move. The trends are real and strong: jobs are up, unemployment is down. Through Job Ready PA, we finally began making substantial investments in our current work force. One thousand workers got the training they needed to keep their jobs. Our 45 Industry Partnerships involve 450 employers in cutting-edge training efforts that will ensure their new hires have the skills that these companies need for success. And I am especially proud that our new support for our career and technical education programs has begun to improve the quality of education for over 15,000 students.

The economy today is better than it has been at any time in this decade, and our revenue picture is looking bright. With the help of the economic stimulus programs that I introduced and that this body improved and enacted 3 years ago and our aggressive work to market the business incentives that were in place when I took office, our families, our businesses, and our State budget are beginning to feel the impact of this hard work.

Let me share with you just one example of the impact of these reforms. Olympus America, the U.S. subsidiary of Olympus Corp. based in Tokyo, makes high-tech photo-imaging technology for consumer use and medical research. Last year this company moved its U.S. headquarters from Long Island to the Lehigh Valley, which will bring a total of 750 new good-paying jobs to Lehigh County. Our tool chest of business attraction resources – which I should tell you is considered by many second to none – combined with rapid road improvements, made it possible for Olympus to make the move to Pennsylvania. Mark Gunz, the president of

Olympus America, is with us today, and I know he will not mind if I share a quote of his with you. He said, and I quote, "In considering the right headquarters location for Olympus in America, we had several criteria. These included the ability to attract and retain top talent, access to a strong labor pool, proximity to other consumer product, healthcare and life science companies as well as colleges and universities, and various 'quality of life' factors. However, without the expanded incentives of the Keystone Opportunity Zone program we would not be relocating to Pennsylvania." Mark, will you please stand and be recognized for the confidence you have shown in us by your move to Pennsylvania. And let me add that one of the great benefits of attracting companies is often, as Olympus has done, they have become great corporate citizens and corporate leaders of their community, and, Mark, we thank you for that as well.

And I could go on and share with you over 600 examples of companies that over the last 3 years have either changed their mind about closing, decided to stay in Pennsylvania instead of leave, expanded operations, or moved to our State as a result of the economic stimulus and the other business attraction efforts that we have developed together.

Three years ago, three years ago, Pennsylvania was at a crossroads. We faced difficult problems that required meaningful reform of our education system, our economy, our tax system, and even the way State government conducted business on behalf of our fellow citizens.

Together we sped up the work of cleaning up our rivers and streams and preserving our farmland by the passage of Growing Greener II. We laid the foundation for Pennsylvania to take the lead in America's clean coal and alternative fuels economy by your passage of the alternative energy portfolio standard. We christened the Pennsylvania Wilds and celebrated Route 6, and in this budget we provide the resources to respond to the ever-increasing demand from tourists and Pennsylvanians who want to visit our State parks.

Pennsylvania has a newfound sense of momentum and hope. By any measure, we have been busy bringing the future to Pennsylvania. But make no mistake, what I propose in this budget occurs in the context of Federal cuts and actions that make it increasingly difficult to meet the needs of our citizens.

This budget takes into account enormous Federal cuts totaling nearly \$1 billion. Of these cuts, \$150 million are due to changes in Federal formulas for medical assistance and the phaseout of the intergovernmental transfer funds. And for the first time in the history of this Commonwealth, the budget must include close to \$350 million so that we can pay the Federal government for the Federal Medicare Part D program. Think about that for a second. Washington has the audacity to charge us for a major new initiative that they have enacted, into which we had no input, and which they will manage. The Federal government is balancing its budget by shifting its costs onto State budgets all across America. But our great Budget Secretary, Mike Masch, and I are determined to ensure that these irresponsible Federal budget actions do not deter us from doing what needs to be done to move this State forward.

What I propose to you today is bold and far-reaching, but it is also necessary and vital for our future, and the good news is that it is totally affordable. The expenditures outlined in the budget I propose today increase our spending by 3.8 percent compared to our current year budget. In fact, in the aggregate, all department costs other than those for welfare, education, and

debt service are actually decreased in this budget by 2.5 percent when compared to last year.

As Governor, I have pushed hard for the changes we sought in our economy, our public schools, and even State government itself. I believe that when it comes to building a better Pennsylvania, there is no time to waste. We are competing against other States and countries around the globe that want the very same levels of investments, jobs, and opportunities that we seek as well.

The road we have chosen to take over these past 3 years – the road of hard work and investment in our future – has made a real difference. It is a road we share as Pennsylvanians first and elected officials second. It is a road that will surely have bumps to navigate and some hills for us left to climb, but because we are all Pennsylvanians, we will climb them together. But no matter the conditions, keep in mind that it is the road we must travel together: the road to a New Pennsylvania. We have achieved a great deal of progress already, but as Robert Frost's words remind us, "We have miles to go before we sleep, miles to go before we sleep."

Thank you.

### JOINT SESSION ADJOURNED

The LIEUTENANT GOVERNOR. The Chair asks the members of the House and the visitors to please remain seated for just a moment while the members of our State Senate leave the hall of the House.

The members of the Senate will please reassemble immediately in the Senate chamber upon adjournment of this meeting.

The business for which this joint session has been assembled having been transacted, the session is now adjourned.

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

The SPEAKER. The House will come to order.

### MOTION TO PRINT PROCEEDINGS OF JOINT SESSION

The SPEAKER. The Chair recognizes the majority leader.

Mr. S. SMITH. Mr. Speaker, I move that the proceedings of the joint session of the Senate and the House of Representatives held this 8th day of February 2006 be printed in full in today's Legislative Journal.

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

### DEMOCRATIC CAUCUS

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

Mr. COHEN. Thank you.

Mr. Speaker, immediately upon the call of the recess, I would like to announce a Democratic caucus. There will be

informal discussions immediately and formal discussions at 1:30 p.m.

The SPEAKER. The Chair thanks the gentleman.

### RECESS

The SPEAKER. Any other further announcements?  
Seeing none, this House is in recess until 2:30.

### AFTER RECESS

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

### LEAVES OF ABSENCE

The SPEAKER. The Chair returns to leaves of absence.

The majority whip requests a leave of absence for the gentleman from Wayne, Mr. BIRMELIN; the gentleman from Bucks, Mr. STEIL; the gentleman from York, Mr. SAYLOR; the gentlelady from Chester, Mrs. RUBLEY.

### WRIT OF SPECIAL ELECTION

The SPEAKER. The Speaker submits for the record the writ of special election issued for the 30th Legislative District.

The following writ of special election was submitted:

COMMONWEALTH OF PENNSYLVANIA, SS:

TO THE HONORABLE PEDRO CORTES, SECRETARY OF THE COMMONWEALTH, AND TO MARK WOLOSKI, DIVISION MANAGER, BOARD OF ELECTIONS, ALLEGHENY COUNTY.

GREETINGS: WHEREAS, A vacancy exists in the office of Representative of the Commonwealth of Pennsylvania for the Thirtieth Legislative District of the County of Allegheny, caused by the reason of the resignation of Jeffrey E. Habay, the Representative from said District, on the 7th day of February two thousand six.

NOW, THEREFORE, I, John M. Perzel, Speaker of the House of Representatives, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania, and by the Acts of Assembly in such case made and provided, do hereby command you:

That you cause an election to be held in the said County of Allegheny on the 11th day of April, two thousand six, to choose a person to represent said Legislative District in the House of Representatives of Pennsylvania, for the remainder of the term expiring November thirtieth, two thousand six, and that you give due and public notice of said election throughout said District, in the form and manner directed by law.

Given under my hand and the seal of the House of Representatives at Harrisburg, Pennsylvania, this 8th day of February, two thousand six.

John M. Perzel  
Speaker of the House of Representatives

ATTEST: (SEAL)  
Roger Nick  
Chief Clerk of the House of Representatives

**SENATE MESSAGE****HOUSE BILL  
CONCURRED IN BY SENATE**

The clerk of the Senate, being introduced, returned **HB 1401, PN 1691**, with information that the Senate has passed the same without amendment.

**GUESTS INTRODUCED**

The SPEAKER. The Chair would like to welcome to the hall of the House Cory Ward, a guest page for today, February 8. He is a junior at the Cumberland Valley High School, the guest today of Representative Glen Grell. Would that guest please rise and be recognized.

The Chair would like to welcome Kristin Sheler and Gabriel Fridgen from Greencastle-Antrim Elementary School. They are the guest pages today of Representative Patrick Fleagle. Would those guests please rise and be recognized.

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

**HB 28, PN 3529** (Amended) By Rep. CLYMER

An Act authorizing the Department of Transportation, with the approval of the Governor, to grant and convey to the Philadelphia Redevelopment Authority a tract of land situate in the City of Philadelphia, Philadelphia County.

STATE GOVERNMENT.

**HB 1287, PN 1531** By Rep. CLYMER

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, further providing for applications for official absentee ballots.

STATE GOVERNMENT.

**HB 2347, PN 3354** By Rep. CLYMER

An Act providing for determination of a rural area in certain laws, programs and studies.

STATE GOVERNMENT.

**SB 999, PN 1327** By Rep. CLYMER

An Act reenacting and amending the act of October 8, 2004 (P.L.830, No.98), entitled "An act providing for effect of standards adopted by the Voting Standards Development Board in the 2004 general election," expanding the scope to include all elections in 2006 and 2007.

STATE GOVERNMENT.

**ANNOUNCEMENT BY SPEAKER**

The SPEAKER. There will be a get-well card for former Representative Fred Trello in the back of the hall of the House for any member that would wish to sign and send good wishes to Mr. Trello.

**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 1401, PN 1691**

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

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

**CALENDAR CONTINUED****BILL ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 1215, PN 3322**, entitled:

An Act amending the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act, defining "independent contractor"; further providing for liability to independent contractors, for subcontracting with independent contractors and for proof of insurance; providing for registration of independent contractors and for presumptions relating to independent contractors; imposing duties upon the Department of Labor and Industry; and further providing for offenses.

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

**BILL RECOMMITTED**

The SPEAKER. The Chair recognizes the majority leader. Mr. S. SMITH. Mr. Speaker, I move that HB 1215, PN 3322, be recommitted to the Committee on Appropriations.

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

**BILLS REMOVED FROM TABLE**

The SPEAKER. The Chair recognizes the majority leader. Mr. S. SMITH. Mr. Speaker, I move that the following bills be taken off the table: HB 2286 and HB 2288.

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



### BILLS ON SECOND CONSIDERATION

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

**HB 2286, PN 3296; and HB 2288, PN 3297.**

### BILLS RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.

Mr. S. SMITH. Mr. Speaker, I move that the following bills be recommitted to the Committee on Appropriations: HB 2286 and HB 2288.

On the question,

Will the House agree to the motion?

Motion was agreed to.

### STATEMENT BY MAJORITY LEADER

The SPEAKER. The Chair at this time recognizes the gentleman from Jefferson, the majority leader of the House of Representatives, the gentleman, Mr. Smith.

Please keep the noise levels down.

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

Mr. Speaker, I did want to make a few comments relative to the budget which the Governor has just presented to us here a couple hours ago. And certainly we appreciate the Governor sharing his priorities and putting forth where he thinks funding is important and where he does not consider funding worthwhile, and each of these considerations and proposals that the Governor put forward certainly will become a part of the budget process. Obviously, the Governor has a key hand in the final budget process. The line-item veto, obviously, gives him great authority in the final culmination of what a budget is composed of. Clearly, it makes a budget more of an administrative document than a legislative document, but through that process, certainly the legislature does make great imprints and have a fair amount of input.

This year's budget was a little bit of what I would characterize as an election year special, and while I say that with a little bit of a facetious tone, Mr. Speaker, I also say that in a respectful tone in that it is an election year and all of us recognize the realities of the political process.

The Governor said that he has cut \$1 billion in State spending over the past couple of years, and I guess I have to ask a question as to where that money is. When I hear someone say, I have cut \$1 billion in spending, my mind would say that we should have \$1 billion less in spending. So I am still not convinced, I am not sure that he can show us that money. I would certainly like to know where that money is and how it could be accounted for.

On top of that, the Governor's budget proposal generates almost \$1 billion in new spending. So to me, that is, you know, almost \$2 billion that I really cannot fully account for. If I look at the book, I am sure there are some numbers that spell certain things out, but in listening to the Governor's speech, they do not add up.

No new taxes this year. Certainly we appreciate that. We just attempted to override the Governor's veto of a modest tax decrease that was sustained, the veto was sustained in here in this very hall just a short few days ago. But what concerns me about the Governor's claim of doing this budget with no new increases is that there are clearly some looming problems. It was not that many months ago that the administration was telling us of the nearly billion-dollar shortfall in medical-assistance-related funding, other concerns with a faltering economy and how bad things were, and now today, with this budget proposal, it would seem that everything was pretty doggone rosy and clear sailing ahead.

And, Mr. Speaker, what concerns me most about the presentation today is that it reminded me very much of 1990. For those of you that were not here in 1990, it was a similar cycle. It was a cycle where the revenues were not quite keeping pace with the spending, where there were some ups and downs in the economy, and it was an election year, and the outcome of that 1990 budget was that we came back into this legislative body in 1991 and the legislature faced a \$3 billion tax increase that ultimately was passed in August of 1991.

So my concern, Mr. Speaker, is significantly that we are in fact in a potential rerun of 1990, and so if that is true, then what would be the Governor's proposed tax increase next year in 1991? However, Mr. Speaker, we can avoid that. We can avoid that scenario with a little bit of discipline and a little bit of restraint right now as we move into this budget process, and I hope that we will be able to do that, Mr. Speaker, and certainly that would be one of my goals – to live within our means in that regard to not put us in a position of facing a massive tax increase next year.

It was also interesting, Mr. Speaker, that in talking about nearly \$1 billion in new spending, the Governor totally cut a whole series of programs. As you people, as you members and the staff get to looking at this, I have just a quick rundown that the staff was able to generate of, you know, probably 30 or 40 programs that were cut, things like science and math education funds, New Choices/New Options, rural cancer outreach and rural trauma preparedness program, Disabled American Veterans Transportation Program, Civil Air Patrol, internship grants, other programs that historically have been funded and certainly in the past and in this current budget year have been deemed worthy and worthwhile and necessary. The Governor has cut a series of those while still proposing to spend almost \$1 billion in new money, and I think that is important for us to pay attention to, Mr. Speaker.

When it comes to welfare, obviously one of the problems that we have faced is that the welfare budget has now virtually exceeded the expenditures that we are putting into education, and somehow that just does not seem right, Mr. Speaker. Our belief, Mr. Speaker, is that the best welfare reform is job creation, that family-sustaining jobs are better than just continued subsidies to a welfare program. I am concerned, Mr. Speaker, that what the Governor started out with 3 years ago as a Plan for a New Pennsylvania has evolved into what very well could be the Welfare State of Pennsylvania, and, Mr. Speaker, that is not the direction that any of us want this State to go. Again, the true way to resolve the issues of welfare is to put people to work, to create an atmosphere where we have jobs and economic growth, and that is the true, the true mechanism to lift our economy and to lift the people of Pennsylvania up.

However, in true Democratic fashion, Mr. Speaker, I believe the Governor has chosen welfare growth over job growth. He is proposing nearly a 6-percent welfare increase over the enacted budget. As most other States are reining in welfare costs, Pennsylvania appears to have opened the floodgates to new recipients and increasing benefits, and, Mr. Speaker, we need to contain those costs, we need to put people to work by generating a better economy, generating jobs in this Commonwealth, and moving Pennsylvania forward and back on the right track.

On education, Mr. Speaker, the Governor is further proposing a 5-percent increase in public education. Now, Mr. Speaker, I do not think there is anybody in this legislature, in the House or the Senate, Republicans or Democrats – the record probably bears this out – that supports cutting public education. Most of us historically have been measured on our support for education through how much money we spend on education. But, Mr. Speaker, in light of cutting some of those other programs I referenced before – a 5.5-percent cut in environmental programs or a 14.2-percent cut in job creation and retention programs, a 2.3-percent cut in agriculture programs, a 6.45-percent cut in public health programs – in light of those cuts, I am just questioning, Mr. Speaker, the priority that the Governor has set forth, and that while at the end of the day education will get its due, to start right off at a 5-percent increase, Mr. Speaker, while cutting all these other programs I am not sure puts this budget in the proper perspective, and it is something, Mr. Speaker, that through the course of the budget hearings I expect that we are going to have to ferret out.

Spending excessively more on certain programs may make for some good sound bites, but my concern, Mr. Speaker, is it unrealistically raises the hopes. We have to be real about this budget. Those programs that were cut were things that many people find valuable, important, and necessary. To do that, to raise the hopes of someone else getting more money in a budget program while cutting those behind, I think, Mr. Speaker, does well for a sound bite, but it does not do well for us solving the budget problems.

The issue of State troopers I found exceptionally interesting, Mr. Speaker. Two years ago this legislature fought to put money in the budget for approximately 90 new State troopers, and while we have supported the administration in efforts to move in that direction, the first 90 still are not there, let alone I believe another 90 from the past year, and now we have another 90 being proposed. Mr. Speaker, this just is not an accurate picture of where things are. We have not put the 90 troopers on from 2 years ago that was part of the budget negotiation and process, and I realize there are some internal issues between the State Troopers Association and the administration, and I have heard a lot of the issues that are there, valid on both sides. That does not change the true picture, Mr. Speaker, that this legislature sought to do this very thing, put 90 additional troopers on the State highways and out there fighting crime and protecting individuals' homes and civil liberties 2 years ago and we have not achieved that.

Roads and bridges, Mr. Speaker. We have an issue coming before this State with bridges. It was highlighted by a bridge collapse in southwestern Pennsylvania a few months ago, and it is something that we really do have to get a handle on. Our transportation system, the entire system, whether it is rail or air or highways or mass transit, whatever the mode of transportation, ports, whatever the mode of transportation is,

Mr. Speaker, it is critical to the quality of life and it is critical to the economy of Pennsylvania, Mr. Speaker, yet hundreds of millions of dollars of road and bridge money has been diverted over the past couple of years to kind of patchwork things together on the mass transit side. And, Mr. Speaker, the fact that we have just put that whole SEPTA (Southeastern Pennsylvania Transportation Authority) mass transit issue behind us, kind of swept it under the rug until November of this year, I just do not think is responsible, Mr. Speaker. Now to propose some new money for highways and bridges, and bridges in particular, you know, that is a nice step, Mr. Speaker, but I do not think it is the real picture of where we are in our budgetary process and where we are in our fiscal state in this Commonwealth of Pennsylvania, where we actually stand.

The Governor is also claiming credit for \$202 million in cuts, business tax cuts, yet about \$165 million of that is with the capital stock and franchise tax. The capital stock and franchise tax phaseout has been in place from several years ago. It was signed into law by Gov. Tom Ridge. Clearly that is something that we have supported and we have done our best to maintain, and we will continue to maintain that. The tax cuts that the Governor proposes in many ways are really a tax shift within the business community. What we believe is necessary, Mr. Speaker, is that the tax cuts are targeted at businesses so that it creates jobs and it keeps businesses in Pennsylvania so that they will grow more jobs, and that is going back to the whole welfare issue, Mr. Speaker. That is really the key.

Again, Mr. Speaker, budgets are about priorities. Should Pennsylvania's priorities be welfare or continued dependence, or should the Commonwealth's priorities be job growth, personal responsibility, and independence? A State budget should not reflect only a Governor's priorities, especially as this Governor has shown the major priority being welfare, but the priorities of our constituents. In order to better reflect that, Mr. Speaker, the budget conversation should begin in the context of the current budget. What I am going to propose, Mr. Speaker, is that we have a budget that we are living under right now, this current budget year. That budget, while no better or worse than any budget that has ever been passed, is something that is working. It is something that we have lived under for 6 or 7 months and we will live under for the next few months to the remainder of this fiscal year. The reality is, Mr. Speaker, if you look at what the Governor proposed in the book today, you will see a budget that does not match up with our current spending plan. In some areas it does, but in most areas it is not close. I mentioned all the cuts that he proposed, zeroed out.

Mr. Speaker, we have in place right now a budget that works, and what I am suggesting, Mr. Speaker, is that we are going to come back and as we proceed into the budget hearings, we are going to propose that the starting point for debating and negotiating this year's budget is actually this current year's spending plan. Now, Mr. Speaker, I think that that is important, because everything that is funded in this current budget year was funded for a reason. If the administration wants to come in and say we have got to zero out New Choices because, then they have every right to do so, but let them go from that point. If the administration wants to explain why the Disabled American Veterans Transportation Program was cut, let them come in and explain it from that perspective, but that is a program that many in this legislature wanted to have in place not just last year but probably over the last several years.

Mr. Speaker, if we start with a budget document that is in essence where this current fiscal year ends up, I think it creates a much more accurate and open and straightforward point of departure for us to discuss next year's spending plan. I think it is more realistic to where we are in the process. Instead of starting out here somewhere that is idealistically where the Governor wants, and even not quite that accurate – it is probably not exactly where he wants, because I am sure the Governor does not want to cut some of these programs; he just does not have the money to spend on all of them – the reality is, Mr. Speaker, if we were to look at where we will be July 1, Mr. Speaker, it is just one day different than June 30, so why would not our budget priorities start at that basis? The foundation of the budget, Mr. Speaker, would be this current year's budget that we are functioning under, and then whatever money is left over in the way of a surplus, whatever money is projected to be new revenue based on the budget revenue estimate that the Budget Secretary will put forth, you know, later in this process, whatever moneys are available in that regard, whatever moneys we can agree to cut out of this current year's spending plan, and certainly there are things we can cut in this year's spending plan, whatever those numbers are, whatever those employees are that the Governor referenced that he was going to reduce the work force that they have been carrying on the complement in the various departments of State government, that now will be reduced in their general operating budget line, wherever those exist, then that money becomes available for us to spend, reduce taxes, or put away in a Rainy Day Fund over the course of these budget negotiations, and quite frankly, Mr. Speaker, those are the choices. We can look at where to spend that money and continue the spiral, we can look at where to cut the taxes so that perhaps we improve our economy, or we can perhaps decide to tuck some of that money away for a rainy day, Mr. Speaker, and those are in fact the choices that we have and those will be the priorities that we will have to make in the course of our budget deliberations.

Mr. Speaker, one other comment on something specifically that was in the Governor's budget proposal. The Governor talked about the initiative for the Jonas Salk plan program. He tied it with the tobacco moneys. Mr. Speaker, I have very significant concerns with how the Governor has proposed that program. To suggest that we should take money out of the existing cancer research-type programs or perhaps the endowment fund to put \$500 million into a program today that we will spend, that we will have to pay back over the next 20 years, Mr. Speaker, I think is a serious mistake. We created one of the best tobacco settlement disbursement plans in the country. It addressed a variety of different programs, Mr. Speaker, and it provided an endowment fund that will help hedge the loss. It will help make it a little smoother transition as those tobacco moneys decrease, and there is no doubt about it, the tobacco moneys, the moneys coming from the tobacco settlement, are on a decline and they will remain on a decline. We do not even know for sure that 15, 18 years from now we are going to continue to have that money. For the Governor to propose spending \$500 million today and let somebody else worry about spending that 5, 6, 18, 20 years from now, Mr. Speaker, I think that is a drastic mistake and something that I will certainly be opposed to as strongly as I can. I think it is important that we stand behind the tobacco settlement as we have created it. It has functioned very well. There are some changes within it that maybe need to be made, possibly, but not

in terms of our funding structure and not in terms of how we are spending that money in the general sense, Mr. Speaker. I think it has been a good program, and we need to guide it and protect it in that regard.

Mr. Speaker, that concludes my remarks. I would like to— Heck, the Governor talked for an hour and a half. I was just trying to, just to my friends over there on the other side of the aisle, I was just trying to give you a little dose of what we normally think when you guys kind of go droning on and on. Ah, come on now.

My last comment, I do not know if the minority leader is going to be up here, but I just did want to comment on one thing, because I overheard him as we were doing some of the interviews post the Governor's speech. You know, you are standing around and you hear somebody talking about this and that, and the Governor made reference to it in his speech, although he did it very diplomatically, but there was this, you know, "blame it all on Washington" kind of thing out there – all these cuts in Federal program moneys, all these things that are happening at the Federal level. Mr. Speaker, no matter what the Federal government does or no matter what our local governments do, the bottom line is, as State legislators, we are in the middle of the battle and we are always going to get some push and pull from those at the local level of government and from those at the Federal level of government, and regardless of what the realities are of Federal cuts or Federal expenditures, of Medicare Part D and the impact on PACE, all those things will come and go, Mr. Speaker. The bottom line is that we are faced here with a straightforward issue of developing a budget, of putting our priorities first, and I think that that is the challenge before us. We need to do it by living within our means, Mr. Speaker. We need to do it by not spending more than we have, and, Mr. Speaker, that is the temperament, that is the tone, and that is the approach by which we will proceed into this budget process.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

#### STATEMENT BY MR. D. EVANS

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, the minority Appropriations chairman, the gentleman, Mr. Evans.

Mr. D. EVANS. Thank you, Mr. Speaker.

Mr. Speaker, as I was listening, as I was listening to the gentleman, I was thinking about – my little internal thoughts – I was thinking about Christopher Columbus, as he was talking, and I was thinking about like 1492, and as he was talking, as I was thinking about Christopher Columbus, when Christopher Columbus figured he had discovered America, Christopher Columbus thought that the world was flat, and as Christopher Columbus was sailing, he figured, he was like thinking big. You know, at that time Christopher Columbus was figuring to himself, as he was traveling and navigating through the world, that he had discovered America, but I said to myself, self, here we are in the 21st century, and I know that the gentleman over there likes talking about the past; he likes talking about the past. We like to talk about the future. There is a book out called "The World Is Flat" written by a gentleman named Thomas Friedman. While he is talking about Christopher Columbus, Thomas Friedman is talking about

competition in the future, talking about the challenges of the future, and when Thomas Friedman talks about the challenges of the future, he says in this particular book that the two greatest impediments to America being what it could be and should be is terrorism and politics, terrorism and politics. And I thought to myself as I was listening to the gentleman over there – and he really is a good friend – he was meeting one of the first challenges called politics as an impediment to us working together.

You heard the Governor, you know, I can go back to the Governor's first speech when he did not want to blame anybody for the problems with the numbers when he took over 3 years ago or 4 years ago. You know, he did not blame Schweiker; he did not blame Ridge; he did not blame Thornburgh. He knew that he had a job. And you remember the Governor said something specific. The Governor said, he talked about us as Pennsylvanians first and politicians second. He talked about the future. He talked about having laptops on the desks of every high school student in the Commonwealth of Pennsylvania. He talked about the same way we have laptops on our desks, he wanted to make sure that there are laptops on the kids' desks in this State, and he forecast in the year 2009, he would like to see that become a reality.

The second thing the Governor said is he talked about world tech. He talked about the aspect of doing business with China. He talked about the aspect of doing business with India. He talked about the future. He talked about if Pennsylvania as a country would be the 17th largest country in the world. He talked about the future.

Now, I have been around with the gentleman over there for a little while. He loves to talk about 1990. I do not know if he realizes, this is 2006. I do not know if he realizes that the Republicans have been in charge for the last decade. I do not know if he realizes that, and he keeps talking about spending. No Governor could spend if we in the General Assembly do not decide to go along with it. So Governors cannot do that by themselves. The General Assembly has to be a part of it.

So let me do this: I want to talk about the future. I want to talk about what I think and know that the Governor was talking about. He talks about making investments in kids. One of the first things he talked about was covering all kids; he talked about covering all kids. We all know that health insurance is a major problem not just for Pennsylvania but for this entire country. He talked about the importance of giving health insurance to every single kid. Now, who could be against the idea of covering all the kids? Can somebody please raise their hand in this room and tell me that they are against the idea of coverage for all the kids? Can somebody raise their hand and tell me you are against coverage for all the kids? Anybody in this room? Anybody in this room against the idea of coverage for all the kids? Is anybody against the idea of laptops on the desks of all the kids for high school? Is anybody against that? Is anybody against ensuring that science, science is a major aspect of our development? Is anybody against that? Is anybody against the idea that principals and superintendents are held accountable and the captains of the ships? Is anybody against that? Is anybody against that? Is anybody against the idea that we help our senior citizens? Is anybody against that? Please stand up. You have got a chance to be on TV. Please stand up. If you are against the idea of laptops on the desks, coverage of all kids, stand up, stand up, because I am going to talk about the future. He is going to talk about the past, and the future is that

as a State, Democrats and Republicans have to work with a Democratic Governor.

Now, we as a body, this House and this Senate, need to do something about our own image. Let me repeat that. As a House and a Senate, we need to do something about our own image. We need to do something out there for the public. We need to demonstrate to the public as Democrats and Republicans that we are going to work together. We need to demonstrate that we are going to work with this Democratic Governor, that we are going to pass a responsible budget, and we are going to pass it on time.

I said to the gentleman, I said, do you know what I would love to do? I would love to pass this budget the first week of May; I would love to pass this budget the first week of May. This side would be prepared to pass this budget the first week of May. We have been prepared to work with you, send a message to the public that in spite of all the things that they may think of us as an organization and as an institution, we want to change our image and we are going to work together, because if we are talking about the future, the future is thinking big and the future is working together. That is what the future is. The future is thinking big and the future is working together. That is what the future is about. The future is no longer this divisiveness – you know, Democrats up, Republicans down; you got one, we got one. It is no longer that. The future is how to make this a more competitive State, and in order to make this a more competitive State, we have to work together. That is the only way we are going to make this a competitive State. To compete this State against— Do you know that Ford Motor Company dislocated 30,000 jobs out of 49,000 jobs in America, 30,000 jobs? Do you think those people who have lost their jobs are interested in us having a little side show? Do you not understand that they want us to work together?

Now, I understand you may have your little differences with the Governor, and fine, we can work those things out, but this side is making a pledge. We want to work with you; we want to work with you. This side is making a pledge. This side is saying, we want to work with you. We do not want to be in any fights. We know it is an election year. We understand that, and there is plenty of time to fight the elections. We will fight that out, but we want to work with you. We want to start immediately in whatever negotiations or whatever takes place, because we recognize that the world has changed. We recognize because of technology and competition and the way things are that we no longer, we no longer can continue the way we have in the past.

Now, I know the gentleman on that side and I know him well, and he is a good person. I think the world of him. Even though the Governor said we went from 46 to 15 and 100,000 jobs in jobs creation, we should applaud that because that benefits all of us. That is not just Democrats; that is Republicans, too.

So I think the challenge is for all of us to change the way we operate. You know, it is a new year. This is only February. We really should change the way we operate. We cannot continue to operate the way we have operated in the past, because you know there are a lot of people out there looking. You know, they are called customers; they are called taxpayers; they are called mothers; they are called dads; they are called grandmothers; they are called grandfathers; they are called whatever. They are looking at us, and we need to set a tone, and that tone has to be a different tone. That tone can no longer be something like in

the past. That tone has to be about the future, and that future is that we have got to work together.

Now, we are not going to always agree with you and you are not going to always agree with us, but at the end of the day, in my view, it is about working together. It is thinking big and it is working together. That is what I saw in the Governor. The Governor presented what he viewed was his approach, and the gentleman on that side knows that this is just the beginning of the dance. He has put his proposal on the table, but in my view, you cannot argue against the things that have been put out there.

Now, I say this to you in conclusion: This is my 26th year here. It is my 16th year as chairman of the Appropriations Committee, and the gentleman who is chairman on that side in the short period of time that he has been chairman, I have had the pleasure of working with him. It has been a ball. We have had some fun together. You know, at the end of the day, whatever little differences sometimes our side had, at the end of the day, he and I both know this is about people first. It is not about politics; it is about people. We just should once, just once I would love when we would come to this podium, it may be a Democratic Governor or a Republican Governor, I would just love once that somebody will come up to this podium and recognize, let us put Pennsylvanians first.

Thank you very much.

### LEAVES OF ABSENCE

The SPEAKER. The Chair returns to leaves of absence. The Chair recognizes the majority whip, who moves for a leave of absence for the gentlelady, Mrs. WATSON, and the gentleman, Mr. HUTCHINSON. Without objection, those leaves will be granted.

### HARRISBURG LEGISLATIVE LEAVE

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

### STATEMENT BY DEMOCRATIC LEADER

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

The gentleman, Mr. DeWeese.

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

As usual, the gentleman from Philadelphia, Mr. Dwight Evans, did a masterful job of exemplifying the perspectives of the Democratic Caucus. I made some more harum-scarum, aggressive, hard-charging comments to the media a little while ago. I am going to forgo the opportunity to make comments at this juncture. I am sure that many of my Republican colleagues will be glad to hear that.

Thank you.

The SPEAKER. They are.

The Chair recognizes the gentleman, Mr. Feese.

Mr. FEESE. Thank you, Mr. Speaker.

Mr. Speaker, in recognition of the minority leader's silence, which is golden, I will forgo my remarks as well.

### LEAVE OF ABSENCE

The SPEAKER. The Chair returns to leaves of absence, and the majority whip requests a leave of absence for the gentleman, Mr. BASTIAN. Without objection, that leave will be granted.

### BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1637, PN 2022**, entitled:

An Act amending the act of August 24, 1963 (P.L.1175, No.497), known as the Mechanics' Lien Law of 1963, further providing for waiver of liens, for effect of waiver of liens and for rescission of contracts between contractors and subcontractors.

On the question,

Will the House agree to the bill on third consideration?

Mr. **KENNEY** offered the following amendment No. **A05721**:

Amend Title, page 1, line 3, by inserting after "providing" for definitions,

Amend Sec. 1, page 1, lines 8 through 10, by striking out all of said lines and inserting

Section 1. Sections 201 and 401 of the act of August 24, 1963 (P.L.1175, No.497), known as the Mechanics' Lien Law of 1963, are amended to read:

Section 201. Definitions.—The following words, terms and phrases when used in this act shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning:

(1) "Improvement" includes any building, structure or other improvement of whatsoever kind or character erected or constructed on land, together with the fixtures and other personal property used in fitting up and equipping the same for the purpose for which it is intended.

(2) "Property" means the improvement, the land covered thereby and the lot or curtilage appurtenant thereto belonging to the same legal or equitable owner reasonably needed for the general purposes thereof and forming a part of a single business or residential plant.

(3) "Owner" means an owner in fee, a tenant for life or years or one having any other estate in or title to property.

(4) "Contractor" means one who, by contract with the owner, express or implied, erects, constructs, alters or repairs an improvement or any part thereof or furnishes labor, skill or superintendence thereto; or supplies or hauls materials, fixtures, machinery or equipment reasonably necessary for and actually used therein; or any or all of the foregoing, whether as superintendent, builder or materialman. The term also includes an architect or engineer who, by contract with the owner, express or implied, in addition to the preparation of drawings, specifications and contract documents also superintends or supervises any such erection, construction, alteration or repair.

(5) "Subcontractor" means one who, by contract with the contractor, express or implied, erects, constructs, alters or repairs an improvement or any part thereof; or furnishes labor, skill or superintendence thereto; or supplies or hauls materials, fixtures, machinery or equipment reasonably necessary for and actually used therein; or any or all of the foregoing, whether as superintendent, builder or materialman. The term does not include an architect or engineer who contracts with a contractor or subcontractor, or a person who contracts with a subcontractor or with a materialman.

(6) "Claimant" means a contractor or subcontractor who has filed or may file a claim under this act for a lien against property.

(7) "Materials" means building materials and supplies of all kinds, and also includes fixtures, machinery and equipment reasonably necessary to and incorporated into the improvement.

(8) "Completion of the work" means performance of the last of the labor or delivery of the last of the materials required by the terms of the claimant's contract or agreement, whichever last occurs.

(9) "Labor" includes the furnishing of skill or superintendence.

(10) "Erection and construction" means the erection and construction of a new improvement or of a substantial addition to an existing improvement or any adaptation of an existing improvement rendering the same fit for a new or distinct use and effecting a material change in the interior or exterior thereof.

(11) "Alteration and repair" means any alteration or repair of an existing improvement which does not constitute erection or construction as defined herein.

(12) "Erection, construction, alteration or repair" includes:

(a) Demolition, removal of improvements, excavation, grading, filling, paving and landscaping, when such work is incidental to the erection, construction, alteration or repair;

(b) Initial fitting up and equipping of the improvement with fixtures, machinery and equipment suitable to the purposes for which the erection, construction, alteration or repair was intended; and

(c) Furnishing, excavating for, laying, relaying, stringing and restringing rails, ties, pipes, poles and wires, whether on the property improved or upon other property, in order to supply services to the improvement.

(13) "Prothonotary" means the prothonotary of the court or courts of common pleas of the county or counties in which the improvement is situate.

(14) "Residential building" means any of the following, including accessory structures:

(a) a detached one-family dwelling;

(b) a detached two-family dwelling; or

(c) a multiple single-family dwelling which is not more than three stories in height and which has a separate means of egress.

Amend Sec. 1 (Sec. 401), page 1, lines 11 and 12, by striking out all of said lines and inserting

Section 401. Waiver of Lien by Claimant.—A contractor or subcontractor may waive his right to file a claim against property on which there is a residential building by a written

Amend Sec. 1 (Sec. 401), page 1, line 14, by striking out the brackets before and after "or subcontractor"

Amend Sec. 2 (Sec. 402), page 2, lines 1 through 4, by striking out all of said lines and inserting

(a) General Rule. A written contract between the owner of property on which there is a residential building and a contractor, or a separate written instrument signed by the contractor, which provides that no claim shall be filed by anyone, shall be binding: but the only

Amend Sec. 2 (Sec. 402), page 2, line 19, by striking out the bracket after "allegation"

Amend Sec. 4, page 3, line 19, by striking out "of sections" and inserting

or addition of sections 201(14),

Amend Bill, page 3, line 22, by striking out all of said line and inserting

Section 5. This act shall take effect January 1, 2007.

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

The following roll call was recorded:

YEAS—191

Adolph Feese Maher Ross  
Allen Fichter Maitland Ruffing

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

NAYS—0

NOT VOTING—0

EXCUSED—10

Bastian	Hutchinson	Rubley	Steil
Birmelin	Rieger	Saylor	Watson
Gabig	Rooney		

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

**HARRISBURG LEGISLATIVE LEAVE**

The SPEAKER. The Chair recognizes the majority whip, who moves for a Capitol leave for the gentleman, Mr. HENNESSEY. Without objection, that leave will be granted.

**CONSIDERATION OF HB 1637 CONTINUED**

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

**RULES SUSPENDED**

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

Mr. GRELL. Mr. Speaker, I move that the rules of the House be suspended for immediate consideration of amendment No. 5875.

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

The following roll call was recorded

**YEAS—191**

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

**NAYS—0**

**NOT VOTING—0**

**EXCUSED—10**

Bastian	Hutchinson	Rubley	Steil
Birmelin	Rieger	Saylor	Watson
Gabig	Rooney		

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

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

Mr. GRELL offered the following amendment No. **A05875**:

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

Amend Title, page 1, line 5, by removing the period after “subcontractors” and inserting  
and for priority of liens.

Amend Sec. 3, page 3, line 2, by striking out all of said line and inserting

Section 3. Sections 405 and 508 of the act are amended to read:  
Amend Sec. 3, page 3, by inserting between lines 18 and 19

Section 508. Priority of Lien.—The lien of a claim filed under this act shall take effect and have priority as follows:

(a) [In] Except as set forth in subsection (c), in the case of the erection or construction of an improvement, as of the date of the visible commencement upon the ground of the work of erecting or constructing the improvement[; and].

(b) [In] Except as set forth in subsection (c), in the case of the alteration or repair of an improvement, as of the date of the filing of the claim.

(c) In the case of a claim filed by a subcontractor under section 501, the lien obtained under subsection (a) or (b) shall be subordinate to any of the following:

(1) A purchase money mortgage, as defined in 42 Pa.C.S. § 8141(1) (relating to time from which liens have priority).

(2) An open-end mortgage, as defined in 42 Pa.C.S. § 8143(f) (relating to open-end mortgages), the proceeds of which are used to pay all or part of the cost of completing erection, construction, alteration or repair of the mortgaged premises secured by the open-end mortgage.

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

The following roll call was recorded:

**YEAS—191**

Adolph	Feese	Maher	Ross
Allen	Fichter	Maitland	Ruffing
Argall	Fleagle	Major	Sainato
Armstrong	Flick	Manderino	Samuelson
Baker	Forcier	Mann	Santoni
Baldwin	Frankel	Markosek	Sather
Barrar	Freeman	Marsico	Scavello
Bebko-Jones	Gannon	McCall	Schroder
Belardi	Geist	McGeehan	Semmel
Belfanti	George	McGill	Shaner
Benninghoff	Gerber	McIlhattan	Shapiro
Beyer	Gergely	McIlhinney	Siptroth

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

NAYS-0

NOT VOTING-0

EXCUSED-10

Bastian	Hutchinson	Rubley	Steil
Birmelin	Rieger	Saylor	Watson
Gabig	Rooney		

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

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

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.  
The question is, shall the bill pass finally?  
Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:

YEAS-191

Adolph	Feese	Maher	Ross
Allen	Fichter	Maitland	Ruffing
Argall	Fleagle	Major	Sainato

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

NAYS-0

NOT VOTING-0

EXCUSED-10

Bastian	Hutchinson	Rubley	Steil
Birmelin	Rieger	Saylor	Watson
Gabig	Rooney		

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

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

**THE SPEAKER PRO TEMPORE  
(MATTHEW E. BAKER) PRESIDING**



### LEAVE OF ABSENCE

The SPEAKER pro tempore. Returning to leaves of absence, the Chair recognizes the minority whip, who requests the gentleman, Mr. CURRY, to be on leave for the remainder of the day. Without objection, the request for a leave of absence will be granted.

### BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 671, PN 764**, entitled:

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

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

Mr. **GEORGE** offered the following amendment No. **A05855**:

Amend Sec. 1, page 1, lines 7 through 9, by striking out all of said lines and inserting

Section 1. Section 14.1(d)(1)(iii) of the act of June 30, 1981 (P.L.128, No.43), known as the Agricultural Area Security Law, amended May 30, 2001 (P.L.103, No.14), is amended and subsection (b)(2) is amended by adding a subparagraph to read:

Amend Sec. 1, page 2, by inserting between lines 19 and 20  
(d) Program approval.—

(1) The standards, criteria and requirements established by the State board for State board approval of county programs for purchasing agricultural conservation easements shall include, but not be limited to, the extent to which the county programs consider and address the following:

\*\*\*

(iii) The stewardship of the land and use of conservation practices and best land management practices, including, but not limited to, soil erosion and sedimentation control and nutrient and odor management.

\*\*\*

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

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman, Mr. George. The gentleman waives off.

The Chair recognizes the gentleman, Mr. Reichley.

Mr. REICHLEY. Thank you, Mr. Speaker.

Mr. Speaker, this particular amendment affects the criteria that counties would be developing in their programs to preserve farmland, certain factors of which are required to be considered. This would add an odor management component to the criteria, and I would respectfully suggest to the members whether this in fact is a necessary inclusion in the criteria to be considered.

The Agricultural Area Security Law does not require preserved farms to have a nutrient management plan. The Nutrient Management Act is the law that requires nutrient management plans of farms where a certain density of livestock exists.

Mr. Speaker, the Nutrient Management Act was amended to add provisions for odor management, so that is a criteria that is included already in a separate piece of legislation. Again, only certain farms which meet specified criteria are even required to have odor management plans.

This particular amendment updates the Ag Security Law to reflect changes to the Nutrient Management Act, so therefore, I would offer to the members whether this amendment is truly necessary in the sense that it may be redundant to existing law as it is. If you are required to have on odor management plan under the nutrient and odor management law, then you must simply verify that when seeking to preserve your farmland, you have demonstrated this concern.

Mr. Speaker, I have no objections to the amendment but offer these thoughts to the members to consider on their own. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the maker of the amendment, Mr. George.

Mr. GEORGE. Mr. Speaker, I thank the gentleman for his courtesy.

I think this just assures us that we can continue to preserve our land. I hate to see zoning and political games played, and that is what can happen. I believe those of us on our big industry of farming, they can and can handle it appropriately, and that is why I am asking that we accept this amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Washington County, Mr. Daley.

Mr. DALEY. Thank you, Mr. Speaker.

Although to some this may have a tendency to have some redundancy in regard to the ACRE (Agriculture, Communities and Rural Environment) proposal that we passed and is now law, we support Representative George's proposal. We believe that there may be some farms that may fall through the cracks and some communities that may be overlooked by the original ACRE proposal, and for the sake of good neighborhood and understanding of this legislation, we ask that a positive vote be given on this amendment, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

#### YEAS—136

Adolph	Fairchild	Mackereth	Santoni
Allen	Feese	Major	Schroder
Argall	Fichter	Manderino	Shaner
Barrar	Flick	Mann	Shapiro
Bebko-Jones	Frankel	Markosek	Siptroth
Belardi	Freeman	McCall	Smith, B.
Belfanti	Gannon	McGeehan	Smith, S. H.
Beyer	Geist	McGill	Solobay
Bianucci	George	McNaughton	Staback
Bishop	Gerber	Melio	Stairs
Blackwell	Gergely	Micozzie	Stern
Blaum	Good	Miller, R.	Stetler
Bunt	Goodman	Mundy	Sturla
Buxton	Grucela	Mustio	Surra
Caltagirone	Gruitza	Myers	Tangretti
Cappelli	Haluska	Nickol	Taylor, E. Z.

Casorio	Hanna	O'Brien	Taylor, J.
Cawley	Harhai	Oliver	Thomas
Civera	Hasay	Pallone	Tigue
Clymer	Hennessey	Parker	Veon
Cohen	Herman	Petrarca	Vitali
Corrigan	Hershey	Petrone	Walko
Costa	Hess	Phillips	Wansacz
Cruz	James	Pistella	Waters
Daley	Josephs	Preston	Wheatley
DeLuca	Keller, W.	Ramaley	Williams
Dermody	Kenney	Raymond	Wojnaroski
DeWeese	Killion	Readshaw	Wright
DiGiroloamo	Kirkland	Roberts	Yewcic
Diven	Kotik	Roebuck	Youngblood
Donatucci	LaGrotta	Ross	Yudichak
Eachus	Leach	Ruffing	
Evans, D.	Lederer	Sainato	
Evans, J.	Lescovitz	Samuelson	Perzel,
Fabrizio	Levdansky		Speaker

NAYS-54

Armstrong	Gillespie	McIlhattan	Reed
Baker	Gingrich	McIlhinney	Reichley
Baldwin	Godshall	Metcalfe	Rohrer
Benninghoff	Grell	Millard	Sather
Boyd	Harhart	Miller, S.	Scavello
Causar	Harper	Nailor	Semmel
Cornell	Harris	O'Neill	Sonney
Crahalla	Hickernell	Payne	Stevenson, R.
Creighton	Kauffman	Petri	Stevenson, T.
Dally	Keller, M.	Pickett	True
Denlinger	Leh	Pyle	Turzai
Ellis	Maher	Quigley	Wilt
Fleagle	Maitland	Rapp	Zug
Forcier	Marsico		

NOT VOTING-0

EXCUSED-11

Bastian	Gabig	Rooney	Steil
Birmelin	Hutchinson	Rubley	Watson
Curry	Rieger	Saylor	

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 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-188

Adolph	Fichter	Maitland	Ruffing
Allen	Fleagle	Major	Sainato
Argall	Flick	Manderino	Samuelson
Armstrong	Forcier	Mann	Santoni

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

NAYS-2

Creighton	Metcalfe
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NOT VOTING-0

EXCUSED-11

Bastian	Gabig	Rooney	Steil
Birmelin	Hutchinson	Rubley	Watson
Curry	Rieger	Saylor	

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

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

\* \* \*

The House proceeded to third consideration of **HB 2337, PN 3416**, 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 development of an economic education program.

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

The SPEAKER pro tempore. It is the understanding of the Chair that all the amendments have been withdrawn with the exception of the gentleman, Mr. Creighton’s amendment.

**RULES SUSPENDED**

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

Mr. CREIGHTON. Mr. Speaker, I move for a suspension of the rules for immediate consideration of amendment 5743.

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

The following roll call was recorded:

**YEAS—190**

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

**NAYS—0**

NOT VOTING—0

EXCUSED—11

- |          |            |        |        |
|----------|------------|--------|--------|
| Bastian  | Gabig      | Rooney | Steil  |
| Birmelin | Hutchinson | Rubley | Watson |
| Curry    | Rieger     | Saylor |        |

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. CREIGHTON offered the following amendment No. **A05743:**

Amend Title, page 1, lines 5 and 6, by striking out “an” in line 5 and all of line 6 and inserting

economic education and personal financial literacy programs.

Amend Sec. 1 (Sec. 1551), page 1, line 12, by striking out “Program” and inserting

and Personal Financial Literacy Programs

Amend Sec. 1 (Sec. 1551), page 2, line 3, by inserting after “Economics”

and Personal Financial Literacy

Amend Sec. 1 (Sec. 1551), page 2, line 4, by inserting after “economics”

and personal financial literacy

Amend Sec. 1 (Sec. 1551), page 2, line 20, by striking out “and” and inserting a comma

Amend Sec. 1 (Sec. 1551), page 2, line 21, by inserting after “EDUCATION”

and personal financial literacy

Amend Sec. 1 (Sec. 1551), page 2, line 27, by inserting after “EDUCATION”

and personal financial literacy

Amend Sec. 1 (Sec. 1551), page 3, line 3, by inserting after “Economics”

and Personal Financial Literacy

Amend Sec. 1 (Sec. 1551), page 3, line 6, by inserting after “EDUCATION”

and personal financial literacy

Amend Sec. 1 (Sec. 1551), page 3, line 7, by inserting after “Economics”

and Personal Financial Literacy

Amend Sec. 1 (Sec. 1551), page 3, line 8, by inserting after “EDUCATION”

and personal financial literacy

Amend Sec. 1 (Sec. 1551), page 3, line 13, by inserting after “EDUCATION”

and personal financial literacy

Amend Sec. 1 (Sec. 1551), page 3, line 14, by inserting after “education”

and personal financial literacy

Amend Sec. 1 (Sec. 1551), page 3, line 20, by inserting after “EDUCATION”

and personal financial literacy

Amend Sec. 1 (Sec. 1551), page 3, line 21, by inserting after “economic”

, personal financial literacy

Amend Sec. 1 (Sec. 1551), page 3, line 26, by inserting after “economics”

and personal financial literacy

Amend Sec. 1 (Sec. 1551), page 3, line 27, by inserting after "education"

or personal financial literacy

Amend Sec. 1 (Sec. 1551), page 3, line 29, by inserting after "education"

or personal financial literacy

Amend Sec. 1 (Sec. 1551), page 4, line 2, by striking out "economic literacy EDUCATION" and inserting

personal financial literacy

Amend Sec. 1 (Sec. 1551), page 4, line 4, by inserting after "EDUCATION"

and personal financial literacy

Amend Sec. 1 (Sec. 1551), page 4, line 7, by inserting after "EDUCATION"

and personal financial literacy

Amend Sec. 1 (Sec. 1551), page 4, by inserting between lines 13 and 14

"Personal financial literacy." The integration of various factors relating to personal financial management, including understanding financial institutions, using money, learning to manage personal assets and liabilities, creating budgets and any other factors that may assist an individual in this Commonwealth to be financially responsible.

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

The SPEAKER pro tempore. Mr. Vitali, are you seeking recognition?

Mr. VITALI. Thank you, Mr. Speaker. Could we have a brief explanation of this amendment?

The SPEAKER pro tempore. The gentleman, Mr. Creighton, has agreed, and you may proceed when you are ready, Mr. Creighton.

Mr. CREIGHTON. Mr. Speaker, it is a technical amendment adding a definition for "personal financial literacy."

Mr. VITALI. This is the same as 5702?

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

The following roll call was recorded:

YEAS-190

Table listing names of members who voted 'Yeas' (Adolph, Allen, Argall, Armstrong, Baker, Baldwin, Barrar, Bebkco-Jones, Belardi, Belfanti, Benninghoff, Beyler, Biancucci, Bishop, Blackwell, Blaum, Boyd, Bunt, Buxton, Caltagirone, Cappelli, Casorio, Causer, Cawley, Civera, Feese, Fichter, Fleagle, Flick, Forcier, Frankel, Freeman, Gannon, Geist, George, Gerber, Gergely, Gillespie, Gingrich, Godshall, Good, Goodman, Grell, Grucela, Gruitza, Haluska, Hanna, Harhai, Harper, Maher, Maitland, Major, Manderino, Mann, Markosek, Marsico, McCall, McGeehan, McGill, McIlhatten, McIlhinney, McNaughton, Melio, Metcalfe, Micozzie, Millard, Miller, R., Miller, S., Mundy, Mustio, Myers, Nailor, Nickol, O'Brien, Ross, Ruffing, Sainato, Samuelson, Santoni, Sather, Scavello, Schroder, Semmel, Shaner, Shapiro, Siproth, Smith, B., Smith, S. H., Solobay, Sonney, Staback, Stairs, Stern, Stetler, Stevenson, R., Stevenson, T., Sturla, Surra, Tangretti).

Table listing names of members who voted 'Nays' (Clymer, Cohen, Cornell, Corrigan, Costa, Crahalla, Creighton, Cruz, Daley, Dally, DeLuca, Denlinger, Dermody, DeWeese, DiGirolamo, Diven, Donatucci, Eachus, Ellis, Evans, D., Evans, J., Fabrizio, Fairchild, Harris, Hasay, Hennessey, Herman, Hershey, Hess, Hickernell, James, Josephs, Kauffman, Keller, M., Keller, W., Kenney, Killion, Kirkland, Kotik, LaGrotta, Leach, Lederer, Leh, Lescovitz, Levdansky, Mackereth, Oliver, O'Neill, Pallone, Parker, Payne, Petrarca, Petri, Petrone, Phillips, Pickett, Pistella, Preston, Pyle, Quigley, Ramaley, Rapp, Raymond, Readshaw, Reed, Reichley, Roberts, Roebuck, Rohrer, Taylor, E. Z., Taylor, J., Thomas, Tigie, True, Turzai, Veon, Vitali, Walko, Wansacz, Waters, Wheatley, Williams, Wilt, Wojnarowski, Wright, Yewcic, Youngblood, Yudichak, Zug, Perzel, Speaker).

NAYS-0

NOT VOTING-0

EXCUSED-11

Table listing names of members who were excused (Bastian, Birmelin, Curry, Gabig, Hutchinson, Rieger, Rooney, Rubley, Saylor, Steil, Watson).

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 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-190

Table listing names of members who voted 'Yeas' (Adolph, Allen, Argall, Armstrong, Baker, Baldwin, Barrar, Bebkco-Jones, Belardi, Belfanti, Benninghoff, Beyler, Biancucci, Bishop, Blackwell, Feese, Fichter, Fleagle, Flick, Forcier, Frankel, Freeman, Gannon, Geist, George, Gerber, Gergely, Gillespie, Gingrich, Godshall, Maher, Maitland, Major, Manderino, Mann, Markosek, Marsico, McCall, McGeehan, McGill, McIlhatten, McIlhinney, McNaughton, Melio, Metcalfe, Ross, Ruffing, Sainato, Samuelson, Santoni, Sather, Scavello, Schroder, Semmel, Shaner, Shapiro, Siproth, Smith, B., Smith, S. H., Solobay).

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

NAYS-0

NOT VOTING-0

EXCUSED-11

Bastian	Gabig	Rooney	Steil
Birmelin	Hutchinson	Rubley	Watson
Curry	Rieger	Saylor	

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.

**LEAVE OF ABSENCE**

The SPEAKER pro tempore. Returning to leaves of absence, the Chair recognizes the majority whip, who requests a leave of absence for the majority of the day for the gentleman, Mr. REICHLEY. Without objection, the leave is so granted.

**BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 1260, PN 1486**, entitled:

An Act designating polka music as the official folk music of the Commonwealth of Pennsylvania; and designating the American square dance as the official folk dance of the Commonwealth of Pennsylvania.

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

Mr. DALLY offered the following amendment No. **A02831**:

Amend Preamble, page 3, line 1, by striking out "the handicapped" and inserting  
persons with disabilities

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

The following roll call was recorded:

YEAS-189

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

NAYS-0

NOT VOTING-0

EXCUSED—12

Bastian	Gabig	Rieger	Saylor
Birmelin	Hutchinson	Rooney	Steil
Curry	Reichley	Rubley	Watson

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 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—189

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

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

NAYS—0

NOT VOTING—0

EXCUSED—12

Bastian	Gabig	Rieger	Saylor
Birmelin	Hutchinson	Rooney	Steil
Curry	Reichley	Rubley	Watson

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

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

\* \* \*

The House proceeded to third consideration of **SB 929, PN 1218**, entitled:

An Act prohibiting the advertising and conducting of certain live musical performances or productions; providing for enforcement; and imposing a penalty.

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—189

Adolph	Feese	Maher	Ruffing
Allen	Fichter	Maitland	Sainato
Argall	Fleagle	Major	Samuelson
Armstrong	Flick	Manderino	Santoni
Baker	Forcier	Mann	Sather
Baldwin	Frankel	Markosek	Scavello
Barrar	Freeman	Marsico	Schroder
Bebko-Jones	Gannon	McCall	Semmel
Belardi	Geist	McGeehan	Shaner
Belfanti	George	McGill	Shapiro
Benninghoff	Gerber	McIlhattan	Siptroth
Beyer	Gergely	McIlhinney	Smith, B.
Biancucci	Gillespie	McNaughton	Smith, S. H.
Bishop	Gingrich	Melio	Solobay
Blackwell	Godshall	Metcalfe	Sonney
Blaum	Good	Micozzie	Staback
Boyd	Goodman	Millard	Stairs
Bunt	Grell	Miller, R.	Stern
Buxton	Grucela	Miller, S.	Stetler
Caltagirone	Gruitza	Mundy	Stevenson, R.
Cappelli	Haluska	Mustio	Stevenson, T.
Casorio	Hanna	Myers	Sturla
Causar	Harhai	Nailor	Surra
Cawley	Harhart	Nickol	Tangretti

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

NAYS-0

NOT VOTING-0

EXCUSED-12

Bastian	Gabig	Rieger	Saylor
Birmelin	Hutchinson	Rooney	Steil
Curry	Reichley	Rubley	Watson

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.

RESOLUTION

Mr. SCAVELLO called up **HR 509, PN 3078**, entitled:

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.

On the question,  
Will the House adopt the resolution?

RULES SUSPENDED

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

Mr. ROSS. Mr. Speaker, I ask for immediate suspension of the rules for consideration of amendment A5874.

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

The SPEAKER pro tempore. The gentleman, Mr. Levdansky, is recognized.

Mr. LEVDANSKY. Mr. Speaker, I would like to interrogate—

The SPEAKER pro tempore. Mr. Levdansky, this is on suspension.

Mr. LEVDANSKY. Okay.

The SPEAKER pro tempore. The minority leader yields to the gentleman, Mr. Levdansky.

The gentleman waives off?

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

The following roll call was recorded:

YEAS-188

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

NAYS-1

Pallone

NOT VOTING-0

EXCUSED—12

Bastian	Gabig	Rieger	Saylor
Birmelin	Hutchinson	Rooney	Steil
Curry	Reichley	Rubley	Watson

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 adopt the resolution?

Mr. ROSS offered the following amendment No. A05874:

Amend First Resolve Clause, page 2, lines 10 and 11, by striking out "study the possibility of a regional collection system" and inserting review the Department of Community and Economic Development report and comments thereto, along with such other existing commentary as it deems necessary to determine the feasibility of regional collection systems

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

The SPEAKER pro tempore. The gentleman, Mr. Ross, is recognized, who waives off?

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

The following roll call was recorded:

YEAS—186

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

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

NAYS—3

Levdansky	Mundy	Pallone
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NOT VOTING—0

EXCUSED—12

Bastian	Gabig	Rieger	Saylor
Birmelin	Hutchinson	Rooney	Steil
Curry	Reichley	Rubley	Watson

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 adopt the resolution as amended?

(Members proceeded to vote.)

VOTE STRICKEN

The SPEAKER pro tempore. Strike the vote.

The gentleman, Mr. Levdansky, is recognized.  
Mr. LEVDANSKY. Thank you, Mr. Speaker.

Mr. Speaker, this resolution essentially deals with a study that was done by the Department of Community and Economic Development regarding the earned income tax collection system in Pennsylvania. This report, final report, was released in September of 2004. That report resulted from— The genesis of this report came from the Governor's Center for Local Government Services in the department that daily receives calls from employers, employees, and tax collectors and legislative offices expressing confusion over the earned income tax collection system in Pennsylvania. The Governor's Center then created a work group in 2001 to study this within DCED in conjunction with representatives of the Departments of Revenue and Education and the Governor's Policy Office and the Local Government Commission, to review the complaints, to study, and to see what recommendations could be made to improve the earned income tax collection system in the State.

The Auditor General also conducted three different reviews and reports between 2001 and 2003 on the earned income tax collection system in the State. Then the Governor's Center distributed the discussion draft of the EIT collection report that it came up with in September of 2002, and it invited different stakeholder groups for comment and feedback over how to



address the problems that the employers and employees and tax collectors in the State were experiencing.

So this all started back in 2001, ended up with a report being finalized in September of 2004, and that report indicates various findings and recommendations on how we can streamline the earned income tax collection system in the State. Under the existing fragmented system with thousands of tax collectors, we failed to collect, local governments and school districts failed to collect about \$100 million in earned income tax revenue that they have due. We have a fragmented, inefficient system, and we have a report with plenty of background to show that.

I just say that for background so that members understand, and I could be wrong, if someone could correct me if I am, but under this resolution as amended, we now want the Local Government Commission to take 6 months to study a study. So this resolution will give the local tax commission 6 months to study a study, to do what? To tell us that we have got a fragmented, inefficient system that we need to address? Read the report. We already know that.

At some point, Mr. Speaker— And I sometimes think sometimes we spend too much time studying and not enough time making decisions. This report is enough information that I need to understand how fragmented and inefficient the system is. I do not need anybody to study it for 6 months to tell me that we have a system that needs improved. We do not need time for studying. We need some action.

So I am going to vote “no” on this resolution. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Scavello.

Mr. SCAVELLO. Thank you, Mr. Speaker.

I tend to agree, as far as there is a problem with the system, with the gentleman from Allegheny County.

What we are looking for here is an unbiased report from the Local Government Commission, and truthfully, I do not think it is going to take them 6 months, but at the most, you know, I think we should give them up to 6 months, but I truly believe within the next 3 months, they should have a report back to us because some of the work has been done. But I think it is an important step, it is an important step to get the other side and get them together, and hopefully within the next 3 months, we will have a report, and I urge the members for an affirmative vote.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Will the House adopt the resolution as amended?

The following roll call was recorded:

#### YEAS—156

Adolph	Fabrizio	Leh	Samuelson
Allen	Fairchild	Lescovitz	Santoni
Argall	Feese	Maher	Sather
Baker	Fichter	Maitland	Scavello
Baldwin	Fleagle	Major	Schroder
Barrar	Flick	Mann	Semmel
Bebko-Jones	Frankel	Markosek	Shaner
Belardi	Freeman	Marsico	Smith, B.
Belfanti	Gannon	McCall	Smith, S. H.
Benninghoff	Geist	McGeehan	Solobay

Beyer	George	McGill	Sonney
Biancucci	Gerber	McIlhattan	Staback
Bishop	Gingrich	McIlhinney	Stairs
Blackwell	Godshall	McNaughton	Stern
Blaum	Good	Melio	Stetler
Bunt	Goodman	Micozzie	Stevenson, R.
Buxton	Grell	Millard	Stevenson, T.
Caltagirone	Grucela	Miller, S.	Sturla
Cappelli	Gruitza	Myers	Surra
Casorio	Haluska	Nailor	Tangretti
Causer	Hanna	O'Brien	Taylor, E. Z.
Cawley	Harhai	Oliver	Taylor, J.
Civera	Harhart	Payne	Thomas
Clymer	Harper	Petrarca	Tigue
Cohen	Harris	Petri	True
Cornell	Hasay	Petrone	Veon
Costa	Hennessey	Phillips	Waters
Crahalla	Herman	Pickett	Wheatley
Cruz	Hershey	Pistella	Williams
Daley	Hess	Preston	Wilt
Dally	Hickernell	Quigley	Wojnarowski
DeLuca	James	Ramaley	Wright
Dermody	Keller, M.	Raymond	Yewcic
DeWeese	Keller, W.	Readshaw	Youngblood
DiGirolamo	Kenney	Roberts	Yudichak
Diven	Killion	Rohrer	Zug
Donatucci	Kirkland	Ross	
Ellis	LaGrotta	Ruffing	
Evans, D.	Leach	Sainato	Perzel,
Evans, J.	Lederer		Speaker

#### NAYS—33

Armstrong	Josephs	Mundy	Reed
Boyd	Kauffman	Mustio	Roebuck
Corrigan	Kotik	Nickol	Shapiro
Creighton	Levdansky	O'Neill	Siproth
Denlinger	Mackereth	Pallone	Turzai
Eachus	Manderino	Parker	Vitali
Forcier	Metcalfe	Pyle	Walko
Gergely	Miller, R.	Rapp	Wansacz
Gillespie			

#### NOT VOTING—0

#### EXCUSED—12

Bastian	Gabig	Rieger	Saylor
Birmelin	Hutchinson	Rooney	Steil
Curry	Reichley	Rubley	Watson

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

#### RULES SUSPENDED

The SPEAKER pro tempore. The gentleman, Mr. Civera, is recognized.

Mr. CIVERA. Mr. Speaker, I request immediate suspension of the rules for consideration of HR 562.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—189

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

NAYS—0

NOT VOTING—0

EXCUSED—12

Bastian	Gabig	Rieger	Saylor
Birmelin	Hutchinson	Rooney	Steil
Curry	Reichley	Rubley	Watson

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.

RESOLUTIONS

Mr. CIVERA called up **HR 562, PN 3460**, entitled:

A Resolution establishing and directing a select committee to examine matters relating to influenza vaccine supplies and the Commonwealth's preparedness for an influenza outbreak.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—189

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

NAYS—0

NOT VOTING—0

EXCUSED—12

Bastian	Gabig	Rieger	Saylor
Birmelin	Hutchinson	Rooney	Steil
Curry	Reichley	Rubley	Watson

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

\* \* \*

Mr. BALDWIN called up **HR 565, PN 3450**, entitled:

A Resolution supporting the CORRIDORone regional rail proposal and encouraging its support by counties and municipalities in the region of the CORRIDORone project.

On the question,  
Will the House adopt the resolution?

Mr. NAILOR offered the following amendment No. **A05748**:

Amend Title, page 1, lines 2 and 3, by striking out all of said lines and inserting  
Stella Street grade crossing separation and encouraging support of the Governor, the Secretary of Transportation and the Secretary of Community and Economic Development for these projects and the release of funding for Stella Street and corridor preservation.

Amend Resolution, page 5, line 9, by striking out all of said line and inserting  
its 30-year plan; and

WHEREAS, A related and equally important project for the region is the separation of Norfolk Southern's at-grade crossing at Stella Street in Wormleysburg, Cumberland County, from vehicular and pedestrian traffic. As a result of the construction of the Lemoyne Connection, the Stella Street crossing will see a considerable increase in train traffic which will adversely impact the quality of life in that community as well as affect business and commerce in the area; and

WHEREAS, The project has received a Federal earmark of \$600,000 in the Federal 2005-2006 budget and depends upon approximately five million dollars in funding from the Commonwealth to construct an underpass for vehicular and pedestrian traffic; therefore be it

Amend Resolution, page 5, by inserting between lines 18 and 19

RESOLVED, That the House of Representatives encourage the Governor, the Department of Transportation and the Department of Community and Economic Development to approve no less than five million dollars in funding for the Stella Street project to address the current situation in Wormleysburg related to construction in connection with the CORRIDORone project; and be it further

Amend Third Resolve Clause, page 5, line 20, by inserting after "Transportation,"

to the Secretary of Community and Economic Development,

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

Mr. SURRA. Mr. Speaker?

The SPEAKER pro tempore. The gentleman, Mr. Surra, is recognized.

Mr. SURRA. If the gentleman could rise just for a very brief interrogation.

The SPEAKER pro tempore. The gentleman has agreed.

Mr. Nailor.

Mr. SURRA. Mr. Speaker, as I understand it, you are requesting that this resolution encourage the Department of Transportation to appropriate some money for a project. Could you just give us a brief explanation of what it involves?

Mr. NAILOR. I will. It is not my resolution. The amendment is mine.

On your question on the resolution, just across the river, on the other side of the Market Street Bridge, Norfolk Southern bought part of the borough park in Lemoyne; it is called the Lemoyne Connection. They want to bring up their trains from Maryland and Virginia and run them up the West Shore rather than across the bridge, up the East Shore, and back over the Rockville Bridge to the Enola yards. It is convenient for Norfolk Southern. Certainly it is cost-effective for them, but it is going to cause some problems on the other side of the river.

There is a connector for mass transit light rail that has been in the process for some time. The commissioners in Cumberland County at this time are not in favor of that project, but if in fact the bridge is fixed the way that Norfolk Southern is willing to do it, that option will never be open again in the future. The bridge across the river has already been purchased years ago for about \$30,000 for that connector sometime in the future. Number one, this leaves that option open. Because the State has committed money to mass transit, perhaps they could use the money to make the bridge available that it would have access in the future as well as deal with the Lemoyne Connection.

Mr. SURRA. Thank you, Mr. Speaker.

On the amendment.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. SURRA. Mr. Speaker, I rise to support the gentleman's worthwhile project. I just want to once again remind the members of the House that here we are once again bringing up additional spending for something that is important in the Commonwealth and something we all want to support, and I just wonder how this all fits in with the Taxpayer Bill of Rights and the capping of the State budget.

Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—187

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

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

## NAYS-2

Creighton Metcalfe

## NOT VOTING-0

## EXCUSED-12

Bastian	Gabig	Rieger	Saylor
Birmelin	Hutchinson	Rooney	Steil
Curry	Reichley	Rubley	Watson

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 adopt the resolution as amended?

The following roll call was recorded:

## YEAS-186

Adolph	Feese	Mackereth	Ross
Allen	Fichter	Maher	Ruffing
Argall	Fleagle	Maitland	Sainato
Armstrong	Flick	Major	Samuelson
Baker	Forcier	Manderino	Santoni
Baldwin	Frankel	Mann	Sather
Barrar	Freeman	Markosek	Scavello
Bebko-Jones	Gannon	Marsico	Schroder
Belardi	Geist	McCall	Semmel
Belfanti	George	McGeehan	Shaner
Benninghoff	Gerber	McGill	Shapiro
Beyer	Gergely	McIlhattan	Siptroth
Biancucci	Gillespie	McIlhinney	Smith, B.
Bishop	Gingrich	McNaughton	Smith, S. H.
Blackwell	Godshall	Melio	Solobay
Blaum	Good	Micozzie	Sonney
Boyd	Goodman	Millard	Staback
Bunt	Grell	Miller, R.	Stairs
Buxton	Grucela	Miller, S.	Stern
Caltagirone	Gruitza	Mundy	Stetler
Cappelli	Haluska	Mustio	Stevenson, R.
Casorio	Hanna	Myers	Stevenson, T.
Causar	Harhai	Nailor	Sturla
Cawley	Harhart	Nickol	Surra

Civera	Harper	O'Brien	Tangretti
Clymer	Harris	Oliver	Taylor, J.
Cohen	Hasay	O'Neill	Thomas
Cornell	Hennessey	Pallone	Tigue
Corrigan	Herman	Parker	True
Costa	Hershey	Payne	Turzai
Crahalla	Hess	Petrarca	Veon
Cruz	Hickernell	Petri	Vitali
Daley	James	Petrone	Walko
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DeLuca	Kauffman	Pickett	Waters
Denlinger	Keller, M.	Pistella	Wheatley
Dermody	Keller, W.	Preston	Williams
DeWeese	Kenney	Pyle	Wilt
DiGirolo	Killion	Quigley	Wojnaroski
Diven	Kirkland	Ramaley	Wright
Donatucci	Kotik	Rapp	Yewcic
Eachus	LaGrotta	Raymond	Youngblood
Ellis	Leach	Readshaw	Yudichak
Evans, D.	Lederer	Reed	Zug
Evans, J.	Leh	Roberts	
Fabrizio	Lescovitz	Roebuck	Perzel,
Fairchild	Levdansky	Rohrer	Speaker

## NAYS-2

Creighton Metcalfe

## NOT VOTING-1

Taylor, E. Z.

## EXCUSED-12

Bastian	Gabig	Rieger	Saylor
Birmelin	Hutchinson	Rooney	Steil
Curry	Reichley	Rubley	Watson

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

The SPEAKER pro tempore. There are no further votes.

## RECESS

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

## AFTER RECESS

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

## RULE 15 SUSPENDED

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

Mr. S. SMITH. Mr. Speaker, I request that House rule 15 be suspended so that when the House reconvenes on February 13, 2006, it can reconvene at 5:30 instead of 1 p.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 gentleman, Mr. Ramaley, is recognized from Beaver County.

Mr. RAMALEY. Mr. Speaker, I move that this House do now recess until Monday, February 13, 2006, at 5:30 p.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 5:29 p.m., e.s.t., Monday, February 13, 2006, the House recessed.