

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, APRIL 26, 2006

SESSION OF 2006

190TH OF THE GENERAL ASSEMBLY

No. 27

HOUSE OF REPRESENTATIVES

The House convened at 11:40 a.m., e.d.t.

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

PRAYER

REV. T. GLEN BAYLY, Chaplain of the House of Representatives, offered the following prayer:

Shall we join our hearts in prayer:

Our gracious Heavenly Father, we come before You today and we seek Your presence in this place and Your guidance over the business of this chamber. We thank You for Your many blessings today. We thank You for continued peace in our homeland, the protection from terrorist attacks. We continue to look to You for protection and guidance.

We do pray for our troops over in Iraq today. We pray that peace might come to that nation as well. Guide our leaders, our President, and give them wisdom in that endeavor. We pray that they might enjoy the peace and freedom that we enjoy.

We pray for our Governor today, Governor Rendell. Give him guidance and wisdom as he carries out his responsibilities, and be with our Senate, and be with those in this chamber. May each one know Your presence in their lives. May they know a peace that passes understanding in the midst of the busyness of the day, and may we know that You are with us, and may we seek to do Your will. Remember that ultimately we are accountable to You.

Grant us Your priorities today that we might remember that people are more important than things and possessions, that we might remember that our families are crucial in our lives and their importance is above anything else, and that we also might remember that integrity is greater far to have than wealth or fortune or power.

Guide us now in this time we pray in Your holy and precious name. 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, April 25, 2006, will be postponed until printed.

CALENDAR

RESOLUTION

Mr. S. SMITH called up **HR 380, PN 2375**, entitled:

A Resolution supporting a National Sex Offender Public Registry (NSOPR) website.

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The Chair recognizes the majority leader.
Mr. S. SMITH. Mr. Speaker, I move that HR 380 be placed on the table.

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

RESOLUTION REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.
Mr. S. SMITH. Mr. Speaker, I move that HR 380 be taken off the table.

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

REPORT SUBMITTED

The SPEAKER. The Speaker acknowledges receipt of the Pennsylvania Public Utility Commission's 2004-2005 Annual Report.

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

BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.
Mr. S. SMITH. Mr. Speaker, I move that HB 476 and HB 2192 be taken off the table.

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

BILLS TABLED

The SPEAKER. The Chair recognizes the majority leader.
Mr. S. SMITH. Mr. Speaker, I move that HB 476 and HB 2192 be placed upon the table.

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

SENATE MESSAGEHOUSE AMENDMENTS
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to **SB 713, PN 1736**; and **SB 881, PN 1738**.

SENATE MESSAGEAMENDED HOUSE BILLS RETURNED
FOR CONCURRENCE AND
REFERRED TO COMMITTEE ON RULES

The clerk of the Senate, being introduced, returned **HB 601, PN 3940**; and **HB 2380, PN 3942**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

**HOUSE BILLS
INTRODUCED AND REFERRED**

No. 2494 By Representatives TANGRETTI, CALTAGIRONE, GRUCELA, HALUSKA, HENNESSEY, KOTIK, LEVDANSKY, McGEEHAN, PISTELLA, SCAVELLO, SIPTROTH, STAIRS, THOMAS, WALKO, WOJNAROSKI, YOUNGBLOOD and DeWEESE

An Act amending the act of July 20, 1979 (P.L.183, No.60), entitled "An act regulating the terms and conditions of certain leases regarding natural gas and oil," further providing for leases to remove or recover oil, natural gas or gas of any other designation from lessors to lessees.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, April 26, 2006.

No. 2630 By Representatives GANNON, CIVERA, NAILOR, BELFANTI, BOYD, GODSHALL, BUXTON, MUSTIO, CLYMER, CALTAGIRONE, CAPPELLI,

STABACK, CRAHALLA, BEBKO-JONES, HERSHEY, DeWEESE, MICOZZIE, WRIGHT, LEH, MAJOR, SCAVELLO, MAITLAND, GOOD, GRELL, SEMMEL, DALLY, RUBLEY, KOTIK, PICKETT, GEORGE, MARKOSEK, STURLA, ARGALL, BENNINGHOFF, FAIRCHILD, ADOLPH, BARRAR, KILLION, FORCIER, R. STEVENSON, CORNELL, E. Z. TAYLOR, FLICK, LEVDANSKY, PYLE and T. STEVENSON

An Act amending the act of February 19, 1980 (P.L.15, No.9), known as the Real Estate Licensing and Registration Act, further providing for prohibited acts.

Referred to Committee on PROFESSIONAL LICENSURE, April 26, 2006.

No. 2631 By Representatives GANNON, CIVERA, GODSHALL, BUXTON, NAILOR, MUSTIO, CLYMER, CALTAGIRONE, CAPPELLI, CRAHALLA, BEBKO-JONES, DeWEESE, WRIGHT, LEH, SCAVELLO, BOYD, GOOD, GRELL, SEMMEL, DALLY, STABACK, MAITLAND, KOTIK, PICKETT, GEORGE, MARKOSEK, STURLA, ARGALL, BENNINGHOFF, FAIRCHILD, ADOLPH, BARRAR, KILLION, R. STEVENSON, CORNELL, FORCIER, MAJOR, T. STEVENSON, PYLE, E. Z. TAYLOR, FLICK and LEVDANSKY

An Act amending the act of February 19, 1980 (P.L.15, No.9), known as the Real Estate Licensing and Registration Act, defining "commercial property"; and further providing for disclosure at initial interview.

Referred to Committee on PROFESSIONAL LICENSURE, April 26, 2006.

No. 2632 By Representatives DERMODY, FRANKEL, MANN, BELFANTI, GEORGE, FABRIZIO, McILHATTAN, MARKOSEK, BELARDI, DONATUCCI, STABACK, CASORIO, TANGRETTI, MUNDY, GOODMAN, THOMAS, PARKER, GRUCELA, BIANCUCCI, YOUNGBLOOD, LEDERER, CRAHALLA, TIGUE, BEYER, PETRARCA, WALKO, KOTIK, BOYD, JAMES, SIPTROTH, SEMMEL, GEIST, SURRA, SCHRODER, PALLONE, FREEMAN, HENNESSEY, PISTELLA and SAINATO

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the offense of neglect of care-dependent person and for sentences for offenses against elderly persons.

Referred to Committee on JUDICIARY, April 26, 2006.

No. 2633 By Representative ROBERTS

An Act designating the bridge on State Route 3027 which passes over U.S. Route 40 in Fayette County as the Victor Kozares Bridge.

Referred to Committee on TRANSPORTATION, April 26, 2006.

No. 2634 By Representatives CLYMER, BOYD, CALTAGIRONE, HENNESSEY, STEIL and HERSHEY

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, providing for procedure for conveyance of established projects.

Referred to Committee on STATE GOVERNMENT, April 26, 2006.

HOUSE RESOLUTION INTRODUCED AND REFERRED

No. 735 By Representatives SIPTROTH, FLICK, BARRAR, BEBKO-JONES, BELFANTI, BEYER, CALTAGIRONE, DeWEESE, FICHTER, HENNESSEY, KOTIK, McGEEHAN, MUNDY, PALLONE, RAMALEY, READSHAW, ROONEY, STABACK, STURLA, TANGRETTI and TIGUE

A Resolution urging the United States Secretary of Homeland Security to provide the assistance needed for implementation of the REAL ID Act of 2005 and urging the Congress of the United States to provide the funding needed for implementation of the act.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, April 26, 2006.

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader. Mr. S. SMITH. Mr. Speaker, I move that HB 2042 be taken off the table.

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

BILL ON SECOND CONSIDERATION

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

HB 2042, PN 3962.

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader. Mr. S. SMITH. Mr. Speaker, I move that HB 2042 be recommitted to the Committee on Appropriations.

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

LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes the majority whip, who moves for a leave of absence for the day for the gentleman, Mr. EVANS, from Erie; the gentleman, Mr. BUNT, from Montgomery. Without objection, those leaves will be granted.

The Chair recognizes the minority whip, who moves for a leave of absence for today for the gentleman from Philadelphia, Mr. EVANS; the gentleman from Philadelphia, Mr. RIEGER; the gentleman from Philadelphia, Mr. CRUZ; the gentleman from Philadelphia, Mr. THOMAS. Without objection, those leaves 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—196

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—6

Bunt	Evans, D.	Rieger	Thomas
Cruz	Evans, J.		

LEAVES ADDED—9

Allen	Birmelin	Kirkland	Preston
Bastian	Goodman	McGill	Wheatley
Bebko-Jones			

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

HB 1702, PN 2164 By Rep. CLYMER

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, further providing for creditable nonstate service.

STATE GOVERNMENT.

**RESOLUTION REPORTED
FROM COMMITTEE**

HR 665, PN 3772 By Rep. CLYMER

A Resolution directing the Legislative Budget and Finance Committee to conduct a comprehensive study and cost review of personal care home services in Pennsylvania, including the actual costs incurred to operate a personal care home.

STATE GOVERNMENT.

GUESTS INTRODUCED

The SPEAKER. The Chair notes the presence on the floor of the House of Paul Deren. Paul is a senior at Dallastown High School. He is planning to attend the University of Pennsylvania on a Navy ROTC (Reserve Officers' Training Corps) scholarship. He is serving today as a guest page of Representative Ron Miller. Would that guest please rise and be recognized.

We have several special guests today of Representative Camille "Bud" George of Clearfield County. These distinguished guests are in the gallery. They are Dr. Dennis Bruno, superintendent of the Glendale School District. He is here as part of the Sister School Exchange Program. He is joined by representatives of the Mariana Bracetti Academy of Manabi, Ecuador, and the Northern Lebanon School District. Special international guests from Ecuador are directors Jacinto Velez, Lucy Quinteros, and their contingent of students from Manabi. Will those guests please stand to be recognized.

We have special guests — Mrs. Kathy Hawkins, Andre Anderson, Ben Kramm, Evan Hallman, Madeline Smith, and Erica Schlencher. They are the guests of Representative Craig Dally and the guests of Representative Steve Samuelson. They are from Liberty High School, Bethlehem, and are here today to attend the Youth Quest 2006 Harrisburg Rally. They are to the left of the Speaker. Would they please rise and be recognized.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SB 713, PN 1736

An Act prohibiting a provider of commercial mobile service from including the dialing number of any subscriber without first obtaining the express consent of that subscriber.

SB 881, PN 1738

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

SB 925, PN 1216

An Act amending the act of December 18, 1980 (P.L.1241, No.224), known as the Pennsylvania Cancer Control, Prevention and Research Act, further providing for sunset provisions.

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

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

HB 814, PN 976 By Rep. MICOZZIE

An Act amending the act of July 22, 1974 (P.L.589, No.205), known as the Unfair Insurance Practices Act, further providing for definitions, for unfair acts and for exclusions.

INSURANCE.

RESOLUTIONS PURSUANT TO RULE 35

Mrs. TAYLOR called up **HR 584, PN 3536**, entitled:

A Resolution designating the week of May 1 through 7, 2006, as "Juror Appreciation Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—196

Adolph	Flick	Manderino	Sabatina
Allen	Forcier	Mann	Sainato
Argall	Frankel	Markosek	Samuelson
Armstrong	Freeman	Marsico	Santoni
Baker	Gabig	McCall	Sather
Baldwin	Gannon	McGeehan	Saylor
Barrar	Geist	McGill	Scavello
Bastian	George	McIlhattan	Schroder
Bebko-Jones	Gerber	McIlhinney	Semmel
Belardi	Gergely	McNaughton	Shaner
Belfanti	Gillespie	Melio	Shapiro
Benninghoff	Gingrich	Metcalfe	Siproth
Beyer	Godshall	Micozzie	Smith, B.
Biancucci	Good	Millard	Smith, S. H.
Birmelin	Goodman	Miller, R.	Solobay

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

NAYS-0

NOT VOTING-0

EXCUSED-6

Bunt	Evans, D.	Rieger	Thomas
Cruz	Evans, J.		

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

* * *

Mrs. TAYLOR called up **HR 589, PN 3562**, entitled:

A Resolution observing May 1 through 7, 2006, as "National Physical Education and Sports Week" and the month of May 2006 as "National Physical Fitness and Sports Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-196

Adolph	Flick	Manderino	Sabatina
Allen	Forcier	Mann	Sainato
Argall	Frankel	Markosek	Samuelson
Armstrong	Freeman	Marsico	Santoni
Baker	Gabig	McCall	Sather
Baldwin	Gannon	McGeehan	Saylor

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

NAYS-0

NOT VOTING-0

EXCUSED-6

Bunt	Evans, D.	Rieger	Thomas
Cruz	Evans, J.		

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

LEAVE OF ABSENCE

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

RESOLUTIONS PURSUANT TO RULE 35

Mrs. TAYLOR called up HR 659, PN 3766, entitled:

A Resolution recognizing the month of May 2006 as "Skin Cancer Awareness Month" in Pennsylvania.

On the question, Will the House adopt the resolution?

The following roll call was recorded:

YEAS-195

Table listing names of members who voted 'YEAS' for HR 659, PN 3766. Includes names like Adolph, Allen, Argall, etc.

NAYS-0

NOT VOTING-0

EXCUSED-7

Table listing names of members who were 'EXCUSED' for HR 659, PN 3766.

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

* * *

Mrs. TAYLOR called up HR 660, PN 3767, entitled:

A Resolution recognizing the month of May 2006 as "Healthy Babies Month" in Pennsylvania.

On the question, Will the House adopt the resolution?

The following roll call was recorded:

YEAS-195

Table listing names of members who voted 'YEAS' for HR 660, PN 3767. Includes names like Adolph, Allen, Argall, etc.

NAYS-0

NOT VOTING-0

EXCUSED—7

Bunt	Evans, D.	Kirkland	Thomas
Cruz	Evans, J.	Rieger	

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

* * *

Mrs. TAYLOR called up **HR 661, PN 3826**, entitled:

A Resolution declaring the month of May 2006 as “Lyme Disease Awareness Month” in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—195

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

Feese
Fichter
Fleagle

Maitland
Major

Rubley
Ruffing

Perzel,
Speaker

NAYS—0

NOT VOTING—0

EXCUSED—7

Bunt	Evans, D.	Kirkland	Thomas
Cruz	Evans, J.	Rieger	

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

* * *

Mr. HESS called up **HR 667, PN 3773**, entitled:

A Resolution recognizing the month of May 2006 as “Older Pennsylvanians Month” in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—195

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

DeWeese	LaGrotta	Readshaw	Wilt
DiGirolamo	Leach	Reed	Wojnaroski
Diven	Lederer	Reichley	Wright
Donatucci	Leh	Roberts	Yewcic
Eachus	Lescovitz	Roebuck	Youngblood
Ellis	Levdansky	Rohrer	Yudichak
Fabrizio	Mackereth	Rooney	Zug
Fairchild	Maher	Ross	
Feese	Maitland	Rubley	Perzel,
Fichter	Major	Ruffing	Speaker
Fleagle			

NAYS—0

NOT VOTING—0

EXCUSED—7

Bunt	Evans, D.	Kirkland	Thomas
Cruz	Evans, J.	Rieger	

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

* * *

Mrs. RUBLEY called up **HR 681, PN 3787**, entitled:

A Resolution designating the month of May 2006 as “Stroke Awareness Month” in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—195

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

Crahalla	James	Pickett	Veon
Creighton	Josephs	Pistella	Vitali
Curry	Kauffman	Preston	Walko
Daley	Keller, M.	Pyle	Wansacz
Dally	Keller, W.	Quigley	Waters
DeLuca	Kenney	Ramaley	Watson
Denlinger	Killion	Rapp	Wheatley
Dermody	Kotik	Raymond	Williams
DeWeese	LaGrotta	Readshaw	Wilt
DiGirolamo	Leach	Reed	Wojnaroski
Diven	Lederer	Reichley	Wright
Donatucci	Leh	Roberts	Yewcic
Eachus	Lescovitz	Roebuck	Youngblood
Ellis	Levdansky	Rohrer	Yudichak
Fabrizio	Mackereth	Rooney	Zug
Fairchild	Maher	Ross	
Feese	Maitland	Rubley	Perzel,
Fichter	Major	Ruffing	Speaker
Fleagle			

NAYS—0

NOT VOTING—0

EXCUSED—7

Bunt	Evans, D.	Kirkland	Thomas
Cruz	Evans, J.	Rieger	

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

* * *

Mr. BUXTON called up **HR 682, PN 3827**, entitled:

A Resolution designating the month of May 2006 as “Alpha-1 Antitrypsin Deficiency Awareness Month” in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—195

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

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

NAYS-0

NOT VOTING-0

EXCUSED-7

Bunt	Evans, D.	Kirkland	Thomas
Cruz	Evans, J.	Rieger	

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

* * *

Mrs. TAYLOR called up **HR 704, PN 3885**, entitled:

A Resolution memorializing the Governor to proclaim May 2006 as "Celebrate to Live Month."

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-195

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

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

NAYS-0

NOT VOTING-0

EXCUSED-7

Bunt	Evans, D.	Kirkland	Thomas
Cruz	Evans, J.	Rieger	

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

* * *

Mr. ADOLPH called up **HR 711, PN 3892**, entitled:

A Resolution designating the month of May 2006 as "Watershed Awareness Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-195

Adolph	Flick	Manderino	Sabatina
Allen	Forcier	Mann	Sainato
Argall	Frankel	Markosek	Samuelson
Armstrong	Freeman	Marsico	Santoni
Baker	Gabig	McCall	Sather
Baldwin	Gannon	McGeehan	Saylor
Barrar	Geist	McGill	Scavello

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

NAYS-0

NOT VOTING-0

EXCUSED-7

Bunt	Evans, D.	Kirkland	Thomas
Cruz	Evans, J.	Rieger	

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

* * *

Mr. McGILL called up **HR 713, PN 3894**, entitled:

A Resolution commending Edwin Scholl for his four-year portrayal of Pvt. Hugh Hall in the Discovery Expedition of St. Charles, Missouri, during the bicentennial commemoration as a member of the Lewis and Clark Expedition.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-195

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

NAYS-0

NOT VOTING-0

EXCUSED-7

Bunt	Evans, D.	Kirkland	Thomas
Cruz	Evans, J.	Rieger	

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

* * *

Mr. COHEN called up **HR 714, PN 3895**, entitled:

A Resolution observing May 2, 2006, as “Edmund Bacon Day” in Pennsylvania, commemorating the life of Edmund N. Bacon and his contributions to the City of Philadelphia and recognizing the Ed Bacon Foundation for preserving and strengthening the vision and legacy of the legendary city planner.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Bunt	Evans, D.	Kirkland	Thomas
Cruz	Evans, J.	Rieger	

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

* * *

Mr. GODSHALL called up **HR 720, PN 3901**, entitled:

A Resolution recognizing the week of May 13 through 21, 2006, as “National Tourism Week” and April 26, 2006, as “Tourism Day” in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—195

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

Feece	Maitland	Rubley	Perzel,
Fichter	Major	Ruffing	Speaker
Fleagle			

NAYS-0

NOT VOTING-0

EXCUSED-7

Bunt	Evans, D.	Kirkland	Thomas
Cruz	Evans, J.	Rieger	

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

* * *

Mr. HESS called up **HR 724, PN 3944**, entitled:

A Resolution recognizing the Bedford County Young at Heart Games.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-195

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

DeWeese	LaGrotta	Readshaw	Wilt
DiGirolamo	Leach	Reed	Wojnaroski
Diven	Lederer	Reichley	Wright
Donatucci	Leh	Roberts	Yewcic
Eachus	Lescovitz	Roebuck	Youngblood
Ellis	Levdansky	Rohrer	Yudichak
Fabrizio	Mackereth	Rooney	Zug
Fairchild	Maher	Ross	
Feece	Maitland	Rubley	Perzel,
Fichter	Major	Ruffing	Speaker
Fleagle			

NAYS-0

NOT VOTING-0

EXCUSED-7

Bunt	Evans, D.	Kirkland	Thomas
Cruz	Evans, J.	Rieger	

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

* * *

Mr. PAYNE called up **HR 725, PN 3945**, entitled:

A Resolution designating April 29, 2006, as "Dale Earnhardt Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-195

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

Crahalla	James	Pickett	Veon
Creighton	Josephs	Pistella	Vitali
Curry	Kauffman	Preston	Walko
Daley	Keller, M.	Pyle	Wansacz
Dally	Keller, W.	Quigley	Waters
DeLuca	Kenney	Ramaley	Watson
Denlinger	Killion	Rapp	Wheatley
Dermody	Kotik	Raymond	Williams
DeWeese	LaGrotta	Readshaw	Wilt
DiGirolamo	Leach	Reed	Wojnaroski
Diven	Lederer	Reichley	Wright
Donatucci	Leh	Roberts	Yewcic
Eachus	Lescovitz	Roebuck	Youngblood
Ellis	Levdansky	Rohrer	Yudichak
Fabrizio	Mackereth	Rooney	Zug
Fairchild	Maher	Ross	
Feese	Maitland	Rubley	Perzel,
Fichter	Major	Ruffing	Speaker
Fleagle			

NAYS-0

NOT VOTING-0

EXCUSED-7

Bunt	Evans, D.	Kirkland	Thomas
Cruz	Evans, J.	Rieger	

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

* * *

Mr. MUSTIO called up **HR 726, PN 3946**, entitled:

A Resolution designating the month of April 2006 as "Good Chemistry Month" in Pennsylvania and recognizing the business of chemistry for its dynamism and innovation.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-195

Adolph	Flick	Manderino	Sabatina
Allen	Forcier	Mann	Sainato
Argall	Frankel	Markosek	Samuelson
Armstrong	Freeman	Marsico	Santoni
Baker	Gabig	McCall	Sather
Baldwin	Gannon	McGeehan	Saylor
Barrar	Geist	McGill	Scavello
Bastian	George	McIlhattan	Schroder
Bebko-Jones	Gerber	McIlhinney	Semmel
Belardi	Gergely	McNaughton	Shaner
Belfanti	Gillespie	Melio	Shapiro
Benninghoff	Gingrich	Metcalfe	Siptroth
Beyer	Godshall	Micozzie	Smith, B.
Biancucci	Good	Millard	Smith, S. H.
Birmelin	Goodman	Miller, R.	Solobay
Bishop	Grell	Miller, S.	Sonney
Blackwell	Grucela	Mundy	Staback
Blaum	Gruitza	Mustio	Stairs
Boyd	Haluska	Myers	Steil
Buxton	Hanna	Nailor	Stern
Caltagirone	Harhai	Nickol	Stetler
Cappelli	Harhart	O'Brien	Stevenson, R.

Casorio	Harper	Oliver	Stevenson, T.
Causer	Harris	O'Neill	Sturla
Cawley	Hasay	Pallone	Surra
Civera	Hennessey	Parker	Tangretti
Clymer	Herman	Payne	Taylor, E. Z.
Cohen	Hershey	Petrarca	Taylor, J.
Cornell	Hess	Petri	Tigue
Corrigan	Hickernell	Petrone	True
Costa	Hutchinson	Phillips	Turzai
Crahalla	James	Pickett	Veon
Creighton	Josephs	Pistella	Vitali
Curry	Kauffman	Preston	Walko
Daley	Keller, M.	Pyle	Wansacz
Dally	Keller, W.	Quigley	Waters
DeLuca	Kenney	Ramaley	Watson
Denlinger	Killion	Rapp	Wheatley
Dermody	Kotik	Raymond	Williams
DeWeese	LaGrotta	Readshaw	Wilt
DiGirolamo	Leach	Reed	Wojnaroski
Diven	Lederer	Reichley	Wright
Donatucci	Leh	Roberts	Yewcic
Eachus	Lescovitz	Roebuck	Youngblood
Ellis	Levdansky	Rohrer	Yudichak
Fabrizio	Mackereth	Rooney	Zug
Fairchild	Maher	Ross	
Feese	Maitland	Rubley	Perzel,
Fichter	Major	Ruffing	Speaker
Fleagle			

NAYS-0

NOT VOTING-0

EXCUSED-7

Bunt	Evans, D.	Kirkland	Thomas
Cruz	Evans, J.	Rieger	

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

* * *

Mr. SEMMEL called up **HR 728, PN 3948**, entitled:

A Resolution congratulating the Hawk Mountain Ranger School and the Pennsylvania Wing Ranger Program on their 50th anniversary.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-195

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

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

NAYS-0

NOT VOTING-0

EXCUSED-7

Bunt	Evans, D.	Kirkland	Thomas
Cruz	Evans, J.	Rieger	

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

* * *

Mr. McCALL called up **HR 730, PN 3950**, entitled:

A Resolution honoring Jacobus Franciscus "Jim" Thorpe by designating May 20, 2006, as "Jim Thorpe Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-195

Adolph	Flick	Manderino	Sabatina
Allen	Forcier	Mann	Sainato
Argall	Frankel	Markosek	Samuelson
Armstrong	Freeman	Marsico	Santoni
Baker	Gabig	McCall	Sather
Baldwin	Gannon	McGeehan	Saylor

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

NAYS-0

NOT VOTING-0

EXCUSED-7

Bunt	Evans, D.	Kirkland	Thomas
Cruz	Evans, J.	Rieger	

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

* * *

Mr. BUXTON called up **HR 732, PN 3952**, entitled:

A Resolution honoring the Pennsylvania Capitol Police for achieving accreditation through the Pennsylvania Law Enforcement Accreditation Commission.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Bunt	Evans, D.	Kirkland	Thomas
Cruz	Evans, J.	Rieger	

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

* * *

Mr. STERN called up **HR 733, PN 3953**, entitled:

A Resolution honoring the memory of the law enforcement officers who gave their lives in the line of duty in this Commonwealth

and recognizing the memorial service in their honor in Soldiers' Grove at the State Capitol Complex on May 1, 2006.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Bunt	Evans, D.	Kirkland	Thomas
Cruz	Evans, J.	Rieger	

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

* * *

Mr. BARRAR called up **HR 734, PN 3954**, entitled:

A Resolution recognizing the Philadelphia Health Management Corporation as a Pennsylvania Public Health Institute.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Bunt	Evans, D.	Kirkland	Thomas
Cruz	Evans, J.	Rieger	

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

SUPPLEMENTAL CALENDAR A

RESOLUTION PURSUANT TO RULE 35

Mr. WILT called up **HR 738, PN 3969**, entitled:

A Resolution recognizing the week of April 30 through May 6, 2006, as "National Charter Schools Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The SPEAKER. The Chair recognizes at this time the gentleman from Bucks, Mr. Melio.

Mr. MELIO. Thank you, Mr. Speaker.

Did you do HR 729?

The SPEAKER. No, we did not.

Mr. MELIO. Okay.

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

The following roll call was recorded:

YEAS—195

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

Curry	Kauffman	Preston	Walko
Daley	Keller, M.	Pyle	Wansacz
Dally	Keller, W.	Quigley	Waters
DeLuca	Kenney	Ramaley	Watson
Denlinger	Killion	Rapp	Wheatley
Dermody	Kotik	Raymond	Williams
DeWeese	LaGrotta	Readshaw	Wilt
DiGirolamo	Leach	Reed	Wojnaroski
Diven	Lederer	Reichley	Wright
Donatucci	Leh	Roberts	Yewcic
Eachus	Lescovitz	Roebuck	Youngblood
Ellis	Levdansky	Rohrer	Yudichak
Fabrizio	Mackereth	Rooney	Zug
Fairchild	Maher	Ross	
Feese	Maitland	Rubley	Perzel,
Fichter	Major	Ruffing	Speaker
Fleagle			

NAYS-0

NOT VOTING-0

EXCUSED-7

Bunt	Evans, D.	Kirkland	Thomas
Cruz	Evans, J.	Rieger	

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

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

CALENDAR CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1561, PN 1936**, entitled:

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

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

Mr. **REICHLEY** offered the following amendment No. **A06879**:

Amend Title, page 1, line 3, by removing the period after "training" and inserting
and for powers of home rule charter counties;
and making an inconsistent repeal of the Sheriff Fee Act.

Amend Bill, page 5, by inserting between lines 7 and 8
Section 4. Section 2962 of Title 53 is amended by adding a subsection to read:
§ 2962. Limitation on municipal powers.
* * *

(k) Sheriff fees.—A county which adopts a home rule charter may establish by ordinance the fees, including commissions and mileage, to be received by the sheriff of the county from a person or the county requiring services of the sheriff.

Section 5. Section 2 of the act of July 6, 1984 (P.L.614, No.127), known as the Sheriff Fee Act, is repealed insofar as it is inconsistent with the addition of 53 Pa.C.S. § 2962(k).

Amend Sec. 4, page 5, line 8, by striking out "4" and inserting
6

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

The following roll call was recorded:

YEAS-195

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

NAYS-0

NOT VOTING-0

EXCUSED-7

Bunt	Evans, D.	Kirkland	Thomas
Cruz	Evans, J.	Rieger	

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

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

Mr. **PALLONE** offered the following amendment No. **A07396**:

Amend Sec. 1, page 1, lines 6 through 9, by striking out all of said lines and inserting

Section 1. The definitions of "police department" and "police officer" in section 2162 of Title 53 of the Pennsylvania Consolidated Statutes are amended and the section is amended by adding a definition to read:

Amend Sec. 1 (Sec. 2162), page 1, by inserting between lines 14 and 15

"Police department." Any of the following:

(1) A public agency of a political subdivision having general police powers and charged with making arrests in connection with the enforcement of the criminal or traffic laws. This paragraph includes the sheriff's office in a county of the second class.

(2) A campus police or university police department, as used in section 2416 of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, certified by the Office of Attorney General as a criminal justice agency under the definition of "criminal justice agency" in 18 Pa.C.S. § 9102 (relating to definitions). This paragraph does not include a campus police or university police department of the State System of Higher Education and its member institutions.

(3) A railroad or street railway police department formed with officers commissioned under 22 Pa.C.S. Ch. 33 (relating to railroad and street railway police) or any prior statute providing for such commissioning.

(4) The Capitol Police.

(5) The Harrisburg International Airport Police.

(6) An airport authority police department.

(7) A county park police department.

Amend Sec. 1 (Sec. 2162), page 2, by inserting between lines 13 and 14

(5) A county park police officer.

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

PARLIAMENTARY INQUIRY

The SPEAKER pro tempore. On that question, the Chair recognizes the gentlelady, Ms. Harper.

Ms. HARPER. Thank you, Mr. Speaker.

The SPEAKER pro tempore. Will the gentlelady please suspend.

Members, please take your seats. Members, please take your seats. The gentlelady would like to be heard on the amendment. Will the members please take their seats.

The gentlelady may proceed.

Ms. HARPER. I just have a question, Mr. Speaker. Is there a fiscal note for this amendment?

The SPEAKER pro tempore. We are in receipt of a fiscal note.

Ms. HARPER. Would somebody tell me what it says, perhaps the maker of the amendment?

The SPEAKER pro tempore. Will the gentleman, Mr. Pallone, kindly answer the question of the gentlelady. Mr. Pallone, the gentlelady would like to ask a question concerning the fiscal note.

Ms. HARPER. Yes. I was just curious. I have not seen a fiscal note, and I was wondering if the maker of the amendment has the fiscal note and can help by telling us what it says.

Mr. PALLONE. The fiscal note has been requested. I do not personally have a copy in hand, but it is my understanding that the cost would be less than \$1,000 per year to the Commonwealth, probably around \$750, but I do not have the actual fiscal note in hand. It has been requested. We have not received one at this moment.

The SPEAKER pro tempore. The Chair was in error. Apparently, we had the wrong fiscal note. So we are not in receipt of the fiscal note.

Ms. HARPER. Thank you, Mr. Speaker.

Mr. PALLONE. It was, however, timely requested last week.

Thank you, 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—92

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

NAYS—103

Adolph	Fleagle	Maitland	Ross
Allen	Flick	Major	Rublely
Argall	Forcier	Marsico	Sather
Armstrong	Gabig	McGill	Saylor
Baker	Gannon	McIlhattan	Scavello
Baldwin	Geist	McIlhinney	Schroder
Barrar	Gillespie	Metcalfe	Semmel
Bastian	Gingrich	Micozzie	Smith, B.
Benninghoff	Good	Millard	Smith, S. H.
Beyer	Grell	Miller, R.	Sonney
Birmelin	Harhart	Miller, S.	Stairs
Boyd	Harper	Mustio	Steil
Cappelli	Harris	Nailor	Stern
Causer	Hasay	Nickol	Stevenson, R.
Civera	Hennessey	O'Brien	Stevenson, T.

Clymer	Herman	O'Neill	Taylor, E. Z.
Cornell	Hershey	Petri	Taylor, J.
Crahalla	Hess	Phillips	True
Creighton	Hickernell	Pickett	Turzai
Dally	Hutchinson	Pyle	Watson
Denlinger	Kauffman	Quigley	Wilt
DiGirolamo	Keller, M.	Rapp	Wright
Diven	Kenney	Raymond	Zug
Ellis	Leh	Reed	
Fairchild	Mackereth	Reichley	Perzel,
Feese	Maher	Rohrer	Speaker
Fichter			

NOT VOTING-0

EXCUSED-7

Bunt	Evans, D.	Kirkland	Thomas
Cruz	Evans, J.	Rieger	

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

On the question recurring,

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

Mr. HALUSKA offered the following amendment No. A07420:

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

and for purposes and powers of municipal authorities.

Amend Sec. 3, page 3, line 18, by striking out "Section 2170(a), (c) and (d)" and inserting

Sections 2170(a), (c) and (d) and 5607(d)(17)

Amend Sec. 3, page 5, by inserting between lines 7 and 8 § 5607. Purposes and powers.

(d) Powers.—Every authority may exercise all powers necessary or convenient for the carrying out of the purposes set forth in this section, including, but without limiting the generality of the foregoing, the following rights and powers:

(17) To do all acts and things necessary or convenient for the promotion of its business and the general welfare of the authority to carry out the powers granted to it by this chapter or other law, including, but not limited to, the adoption of reasonable rules and regulations that apply to water and sewer lines located on a property owned or leased by a customer and to refer for prosecution [as a summary offense] by the solicitor for the authority, without seeking the consent of the district attorney as set forth under Pa.R.Crim.P. 454(C) (relating to trial in summary cases), any violation dealing with rules and regulations relating to water and sewer lines located on a property owned or leased by a customer. The authority solicitor or designated person of the authority shall bring such prosecution before a magisterial district judge in the same manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure. The board may prescribe through such reasonable rules and regulations the amount of the fine, which may not exceed \$1,000 per violation, and the term of imprisonment to the extent allowed by law for summary offenses. Any fine collected under this paragraph shall be disbursed to the authority. Under this paragraph, an authority

established by a county of the second class A which is not a home rule county shall have powers for the inspection and repair of sewer facilities comparable to the powers of health officials under section 3007 of the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code.

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. On that question, the gentleman, Mr. Vitali, is recognized.

Mr. VITALI. Thank you, Mr. Speaker.

Will the maker of the amendment stand for brief interrogation?

The SPEAKER pro tempore. The gentleman has agreed, and you may proceed.

Mr. VITALI. Thank you, Mr. Speaker.

Initially, could we have a brief explanation of what this amendment would do?

Mr. HALUSKA. Yes, Mr. Speaker.

Under the Municipal Authorities Association, there is some confusion on the interpretation and the application of this section. Some of the local district magistrates are trying to enforce some of the rules under the municipal authorities act, and basically, when it gets to the magistrate, they cannot enforce these rules and regulations because the magistrates have told us that there is nowhere in the computer that guides them as far as where this fine money would go when they implement these fines and find these people guilty.

So basically, this is language that cleans that up and allows the magistrates to proceed and help these municipal authorities basically to prosecute people that are not conforming with the rules and regulations.

Mr. VITALI. I just want to be clear, because as I am reading the pre-session report, it has language about the solicitor having the authority to bring prosecutions in the same manner provided under the Pennsylvania Rules of Criminal Procedure.

What I want to make sure of is we are not giving city solicitors or solicitors generally the authority to bring criminal prosecutions which heretofore had to go through the county district attorneys' offices.

Mr. HALUSKA. From what I understand, working with the Municipal Authorities Association, this allows them to enforce their rules and regulations for their customers.

Mr. VITALI. In other words, for example, let us say in my township if there was a neighbor altercation with allegations of a simple assault, now for that complaint to be privately brought, that criminal charge of assault, the person, the alleged defendant, alleged victim, alleged victim, would have to go to the district attorney's office and the district attorney's office would have to approve a criminal complaint of assault. Under this amendment, would it allow the township solicitor to authorize criminal complaints of a garden-variety criminal nature?

Mr. HALUSKA. No. My understanding is, it is their rules and regulations as far as their municipal authority. If they break the rules basically with their authority, then they have the right to go to the district magistrate and file the complaint, and the magistrate then would be able to rule on this case, and it would have to conform with the rules and regulations that the municipal authority has, nothing else.

Mr. VITALI. This would not be to enforce Crimes Code laws but more civil laws, on the civil side, that the solicitors deal with?

Mr. HALUSKA. No. This is only the rules and regulations of the authority that services the community.

Mr. VITALI. Okay. Thank you.

Mr. HALUSKA. You are welcome.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Northampton County, Mr. Grucela.

Mr. GRUCELA. Thank you, Mr. Speaker.

Mr. Speaker, I just wanted to mention that the last amendment from Representative Haluska is an agreed-to amendment to the bill.

Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

CONSTITUTIONAL POINT OF ORDER

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

Mr. MAHER. Thank you, Mr. Speaker.

In spite of the notion that this might be an agreed-to amendment, I am going to raise the question of constitutionality. I believe this amendment violates Article V of the Constitution.

The SPEAKER pro tempore. The gentleman, Mr. Maher, raises the point of order that amendment A07420 is unconstitutional.

What provision of the Constitution does the gentleman specify?

Mr. MAHER. In Article V.

The SPEAKER pro tempore. The Speaker, under rule 4, is required to submit questions affecting the constitutionality of an amendment to the House for decision, which the Chair now does.

On the question,

Will the House sustain the constitutionality of the amendment?

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

Mr. MAHER. Thank you, Mr. Speaker.

I do not believe the legislature has the ability to impose upon the courts jurisdiction for matters that are neither criminal nor civil in terms of the administration of justice. I believe that that prerogative is reserved to the court, and within the Constitution, the role of the courts is defined in this quasi-judicial administrative penalization process. That seems to me to be well beyond the scope of what the Constitution provides for our courts.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Haluska, on constitutionality.

Mr. HALUSKA. Thank you, Mr. Speaker.

Mr. Speaker, if I could, to maybe clarify some of this, I have a letter in front of me from the Pennsylvania Municipal Authorities Association that we worked with to craft this

language. If I could read this letter, maybe it would clarify something that we are missing here.

The SPEAKER pro tempore. You may proceed.

Mr. HALUSKA. Okay. Thank you.

"I am writing on behalf of the Pennsylvania Municipal Authorities Association...to extend the support of our organization to" amendment "A7420...amending HB 1561. This amendment simply clarifies one of the powers in the Municipality Authorities Act (section 5607(d)(17)) that was enacted in December 2003 of (Act 57).

"Confusion on the interpretation and application of this section among some local district judges has prevented authorities from using this enforcement tool. Therefore," amendment "A7420 clarifies what type of action is filed, who makes the determination, the maximum amount of the fine, and how the fine collected is dispersed.

"Specifically, the amendment language clarifies that the enforcement of the summary offense is treated in the same manner as under the PA Rules of Criminal Procedure. It sets a maximum fee not to exceed \$1000 per violation and states that the collection of the fine is dispersed to the municipal authority.

"This provision is particularly helpful for sewer authorities' inflow and infiltration maintenance program. In order to maintain integrity of the sewer system and minimize the flow to the plant, maintaining laterals (including those on private property) is essential to solving the problem. Additionally, it alleviates problems with illegal taps and grease trap installations.

"We ask for your support of A7420...amending HB 1561 in order for authorities to operate more effectively and efficiently and better serve their customers."

The SPEAKER pro tempore. The Chair thanks the gentleman.

Mr. Maher, the Chair has been advised and informed that you are only allowed to speak once on constitutionality.

POINT OF ORDER

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

Mr. MAHER. A point of order, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. MAHER. When I offered my brief remark earlier, I had not been seeking recognition. I had understood it to be that the Chair was seeking amplification of the motion. If I misunderstood, I certainly regret that.

The SPEAKER pro tempore. The gentleman is correct and is allowed the latitude and may proceed.

Mr. MAHER. Thank you, Mr. Speaker.

And I will be brief again, but I think the members of this chamber need to be very careful in considering this motion on constitutionality. It is a slippery slope. Once we get into the business of allowing authorities to act as prosecutors who do not have any recall to the public, all sorts of things can go terribly wrong, but that is not the notion per se that I am addressing. Rather, it is a very simple constitutional question. The courts, if these individuals today were to swear out a complaint for a summary offense, they can do that. The process exists. What the process does not permit and I believe would violate the Constitution is bypassing the judicial system that is in place so

that some rules and regulations of an authority can be prosecuted as if it is a crime but without calling it a crime, invoking our courts in a fashion which is well beyond what is provided for in the Constitution.

And I would urge you to support this motion on constitutionality and would seek the Chair to clarify that will a “no” vote mean the member would be in agreement that this violates the Constitution?

The SPEAKER pro tempore. That is correct.

Mr. MAHER. So I would urge the members to vote “no” on this motion to find that this intrusion against the Constitution should not be permitted.

Thank you, Mr. Speaker.

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

Mr. HALUSKA. To comment on constitutionality.

The SPEAKER pro tempore. The Chair has been advised that you have already spoken once, Mr. Haluska.

Mr. HALUSKA. I read a letter into the record. I did not comment on constitutionality.

The SPEAKER pro tempore. You have been recognized one time, and the Chair has been advised you are not permitted a second.

Mr. DeWEESE. Mr. Speaker?

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

Mr. DeWEESE. Would the Honorable Speaker pro tem please clarify the ruling?

The SPEAKER pro tempore. On the question of constitutionality, the members are only allowed to speak one time. Mr. Haluska was indeed recognized on constitutionality, spoke, read a letter, and then concluded his remarks.

Mr. DeWEESE. Mr. Speaker, just as a matter of courtesy, the rules would not have to be wrenched. They would just have to have a gentle tug.

The Honorable Mr. Maher, the Honorable Mr. Maher, because of a small error in the system, was allowed to speak twice. Again, this is not a mammoth stretching of the rules, but if the Honorable Mr. Haluska could speak one more time, that would even it out. There is not a lot of burdensome business before the chamber. We are not going to be here for hours and hours. I would respectfully request that my member be allowed to have the same courtesy that the Honorable Mr. Maher from Upper St. Clair was afforded.

Thank you very much, Mr. Speaker.

The SPEAKER pro tempore. The gentleman, Mr. Maher, was offered that opportunity because the Chair so sought clarification on the article in which he was enumerating his basis for constitutionality. There is an option to suspend the rules.

Mr. DeWEESE. Or, Mr. Speaker, with all due respect, the Democratic floor leader is making a polite entreaty to you without a suspension to just give the honorable gentleman from Cambria a chance for 2 or 3 minutes’ worth of observations. This, again, is not egregious. This would just be under your purview. I think you could do it. If not, then I guess we will go to the next motion.

The SPEAKER pro tempore. The gentleman, Mr. Haluska, could request unanimous consent.

Mr. DeWEESE. The gentleman just whispered in my ear. I would like to do it on his behalf: Unanimous consent for the gentleman to make just a few brief observations.

The SPEAKER pro tempore. Without objection, the gentleman may proceed.

Mr. DeWEESE. Thank you, Mr. Speaker pro tem.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Mr. HALUSKA. Thank you, Mr. Speaker.

Mr. Speaker, this is just clarifying some things that are already in law. This act was, in 2003, Act 57. It has already been passed. All this language does, it still goes through our court system. We are not evading our court system. This goes to the local magistrate. Can you imagine, if we had an authority that had to run to the district attorney, every time that they turned around that they filed a case for somebody that was doing something illegal with the sewage system, the district attorney would soon get fed up with them coming to them every week, on a weekly basis with these cases. So what we are trying to do here is allow our structure of our judicial system to work, to let these go to the local magistrate, and for the local magistrate to let these people have their day in court with the local magistrate.

So that is all this language is doing, is trying to clear that up so that the way Act 57 of 2003 was supposed to work actually works the way it was designed. So I ask for an affirmative vote on the amendment, and I also ask for people to say “yes,” it is constitutional.

Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Delaware County, Mr. Gannon, on constitutionality.

Mr. GANNON. Thank you, Mr. Speaker.

Mr. Speaker, I agree with Representative Maher that this amendment does not pass constitutional muster, and the reason for that is, a fair reading of the amendment, what is happening here is the authority is essentially appointing a special prosecutor, and I think that goes well beyond the authority of the authority. And to give a solicitor, whose function is merely to give legal advice to an elected board – in this case an authority – and not to keep them out of trouble from breaking the law, and now to turn around and give that same authority the right to appoint a special prosecutor to go after someone criminally, in my view, is a clear violation of the Constitution. That function properly belongs with the district attorney or the Attorney General, as the case may be. If it is a burden on the district attorney, so be it; that is his job and that is his function.

Additionally, by charging the authority to provide a special prosecutor, and this touches on the constitutionality issue tangentially, this is going to dramatically increase the cost to the authority for its legal representation, because these solicitors do not work for free, and usually they charge by the hour. That is just an aside, Mr. Speaker.

But on the constitutionality here, I think clearly we would be prohibited from giving an authority the right to appoint a special prosecutor for all the reasons I just stated, and I would urge a “no” vote on constitutionality.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Those voting “aye” will vote to declare the amendment to be constitutional; those voting “no” will vote to declare the amendment to be unconstitutional.

On the question recurring,
Will the House sustain the constitutionality of the amendment?

The following roll call was recorded:

YEAS—94

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

NAYS—101

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

NOT VOTING—0

EXCUSED—7

Bunt	Evans, D.	Kirkland	Thomas
Cruz	Evans, J.	Rieger	

Less than the majority having voted in the affirmative, the question was determined in the negative and the constitutionality of the amendment was not sustained.

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

AMENDMENT A07396 RECONSIDERED

The SPEAKER pro tempore. The Chair is in receipt of a reconsideration motion by the gentleman, Mr. Pallone, and the gentleman, Mr. Ruffing, who move that the vote by which amendment 7396 was defeated to HB 1561, PN 1936, on the 26th day of April be reconsidered.

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

The following roll call was recorded:

YEAS—184

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

NAYS—11

Causar	Grell	Metcalfe	Stevenson, R.
Creighton	Hutchinson	Pyle	Wilt
Ellis	Keller, M.	Rapp	

NOT VOTING—0

EXCUSED—7

Bunt	Evans, D.	Kirkland	Thomas
Cruz	Evans, J.	Rieger	

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

HARRISBURG LEGISLATIVE LEAVES

The SPEAKER pro tempore. The gentleman, Mr. Argall, is recognized for requests for Capitol leave.

Mr. ARGALL. Thank you, Mr. Speaker.

Please add the gentleman, Mr. ALLEN, and the gentleman, Mr. STAIRS, to the Capitol leave list.

The SPEAKER pro tempore. The Chair thanks the gentleman, and without objection, the Capitol leaves will be granted.

CONSIDERATION OF HB 1561 CONTINUED

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

The clerk read the following amendment No. **A07396**:

Amend Sec. 1, page 1, lines 6 through 9, by striking out all of said lines and inserting

Section 1. The definitions of "police department" and "police officer" in section 2162 of Title 53 of the Pennsylvania Consolidated Statutes are amended and the section is amended by adding a definition to read:

Amend Sec. 1 (Sec. 2162), page 1, by inserting between lines 14 and 15

"Police department." Any of the following:

(1) A public agency of a political subdivision having general police powers and charged with making arrests in connection with the enforcement of the criminal or traffic laws. This paragraph includes the sheriff's office in a county of the second class.

(2) A campus police or university police department, as used in section 2416 of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, certified by the Office of Attorney General as a criminal justice agency under the definition of "criminal justice agency" in 18 Pa.C.S. § 9102 (relating to definitions). This paragraph does not include a campus police or university police department of the State System of Higher Education and its member institutions.

(3) A railroad or street railway police department formed with officers commissioned under 22 Pa.C.S. Ch. 33 (relating to railroad and street railway police) or any prior statute providing for such commissioning.

(4) The Capitol Police.

(5) The Harrisburg International Airport Police.

(6) An airport authority police department.

(7) A county park police department.

Amend Sec. 1 (Sec. 2162), page 2, by inserting between lines 13 and 14

(5) A county park police officer.

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

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

Mr. PALLONE. Thank you, Mr. Speaker.

Just a matter of clarification and explanation on the amendment. There is some apparent misunderstanding.

This is basically the third leg of a three-legged chair. Back in lame-duck session of November of 2004, this chamber by unanimous consent passed HB 1860 and SB 92, which enabled a very limited jurisdiction authorization for county park police in counties of the third class contiguous to counties of the second class, which is a very narrow definition for a very limited number, in fact, one particular department. This amendment does nothing more than authorize those individuals, as members of that law enforcement body, to enable them to get their MPOETC (Municipal Police Officers' Education and Training Commission) numbers from the Municipal Police Education and Training Commission under the act, to give them MPOETC numbers. That is all this does. It does not grant any statewide or countywide or broad jurisdictional powers to any park police departments or anything of that nature. It is a very narrow, very finely defined amendment that deals specifically to provide the third leg of a three-legged chair that we now only have two of the legs for, and it is absolutely imperative that we have this piece of legislation or this language in the legislation to authorize and provide MPOETC numbers to the county park police in Westmoreland County.

Thank you, Mr. Speaker. And the F.O.P. (Fraternal Order of Police) has accepted and endorsed this move as well. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Northampton County, Mr. Grucela.

Mr. GRUCELA. Thank you, Mr. Speaker.

Mr. Speaker, first I apologize to my good friend from Westmoreland County. I failed last time to mention that this is an agreed-to amendment.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Chester County, Mr. Ross.

Mr. ROSS. Mr. Speaker, I will yield based on the explanation, but I would like to point out that as a member of the Local Government Committee for some time now, that that committee has worked in a bipartisan way to consider legislation from all members, and I am disappointed that this did not go through the regular committee process, and I do think that that would have prevented some of the confusion that is happening here on the floor.

So I encourage all the members to follow the procedures of running the bills through committee and to avoid the amendment process in this situation, because I think it does create problems for all of us.

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-106

Baldwin	Freeman	Markosek	Santoni
Bebko-Jones	Geist	McCall	Saylor
Belardi	George	McGeehan	Shaner
Belfanti	Gerber	Melio	Shapiro
Beyer	Gergely	Miller, R.	Siptroth
Biancucci	Godshall	Mundy	Solobay
Bishop	Goodman	Myers	Staback
Blackwell	Grucela	Nickol	Stern
Blaum	Gruitza	Oliver	Stetler
Boyd	Haluska	Pallone	Sturla
Buxton	Hanna	Parker	Surra
Caltagirone	Harhai	Petrarca	Tangretti
Casorio	Harhart	Petrone	Tigue
Cawley	Harper	Pistella	True
Cohen	Hennessey	Preston	Veon
Corrigan	Hickernell	Ramaley	Vitali
Costa	James	Readshaw	Walko
Curry	Josephs	Reichley	Wansacz
Daley	Keller, W.	Roberts	Waters
Dally	Kotik	Roebuck	Wheatley
DeLuca	LaGrotta	Rooney	Williams
Dermody	Leach	Ross	Wojnaroski
DeWeese	Lederer	Ruffing	Wright
Donatucci	Lescovitz	Sabatina	Yewcic
Eachus	Levdansky	Sainato	Youngblood
Fabrizio	Manderino	Samuelson	Yudichak
Frankel	Mann		

NAYS-89

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

NOT VOTING-0

EXCUSED-7

Bunt	Evans, D.	Kirkland	Thomas
Cruz	Evans, J.	Rieger	

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS-195

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

NAYS-0

NOT VOTING-0

EXCUSED—7

Bunt	Evans, D.	Kirkland	Thomas
Cruz	Evans, J.	Rieger	

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 2350, PN 3452**, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, prohibiting the use of alcohol vaporizing devices.

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

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

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

The following roll call was recorded:

YEAS—195

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

Daley	Keller, M.	Pyle	Wansacz
Dally	Keller, W.	Quigley	Waters
DeLuca	Kenney	Ramaley	Watson
Denlinger	Killion	Rapp	Wheatley
Dermody	Kotik	Raymond	Williams
DeWeese	LaGrotta	Readshaw	Wilt
DiGirolamo	Leach	Reed	Wojnaroski
Diven	Lederer	Reichley	Wright
Donatucci	Leh	Roberts	Yewcic
Eachus	Lescovitz	Roebuck	Youngblood
Ellis	Levdansky	Rohrer	Yudichak
Fabrizio	Mackereth	Rooney	Zug
Fairchild	Maher	Ross	
Feese	Maitland	Rublely	Perzel,
Fichter	Major	Ruffing	Speaker
Fleagle			

NAYS—0

NOT VOTING—0

EXCUSED—7

Bunt	Evans, D.	Kirkland	Thomas
Cruz	Evans, J.	Rieger	

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 2447, PN 3523**, entitled:

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.

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

Mr. **PETRI** offered the following amendment No. **A07002**:

Amend Sec. 2, page 2, line 7, by striking out "in 60 days" and inserting
immediately

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

The following roll call was recorded:

YEAS—195

Adolph	Flick	Manderino	Sabatina
Allen	Forcier	Mann	Sainato
Argall	Frankel	Markosek	Samuelson
Armstrong	Freeman	Marsico	Santoni
Baker	Gabig	McCall	Sather
Baldwin	Gannon	McGeehan	Saylor
Barrar	Geist	McGill	Scavello
Bastian	George	McIlhattan	Schroder
Bebko-Jones	Gerber	McIlhinney	Semmel
Belardi	Gergely	McNaughton	Shaner
Belfanti	Gillespie	Melio	Shapiro

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

NAYS-0

NOT VOTING-0

EXCUSED-7

Bunt	Evans, D.	Kirkland	Thomas
Cruz	Evans, J.	Rieger	

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

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

Mr. GRUCELA offered the following amendment No. A07399:

Amend Title, page 1, line 4, by removing the period after "penalties" and inserting

; and for, in registration of sexual offenders, information made available on the Internet.

Amend Bill, page 2, by inserting between lines 6 and 7

Section 2. Section 9798.1(c)(2) of Title 42, added November 24, 2004 (P.L.1243, No.152), is amended to read:

§ 9798.1. Information made available on the Internet.

* * *

(c) Information permitted to be disclosed regarding individuals.—Notwithstanding 18 Pa.C.S. Ch. 91 (relating to criminal history information), the Internet website shall contain the following information on each individual:

* * *

(2) For all other lifetime registrants and offenders subject to registration only the [following] same information as specified under paragraph (1) shall be posted on the Internet website.]:

- (i) name and any aliases;
- (ii) year of birth;
- (iii) the city, county and zip code of all residences;
- (iv) the city, county and zip code of any institution or location at which the person is enrolled as a student;
- (v) the city, county and zip code of any employment location;
- (vi) a photograph of the offender, which shall be updated not less than annually;
- (vii) a description of the offense or offenses which triggered the application of this subchapter; and
- (viii) the date of the offense and conviction, if available.]

* * *

Amend Sec. 2, page 2, line 7, by striking out "2" and inserting 3

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

The following roll call was recorded:

YEAS-195

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

DeLuca	Kenney	Ramaley	Watson
Denlinger	Killion	Rapp	Wheatley
Dermody	Kotik	Raymond	Williams
DeWeese	LaGrotta	Readshaw	Wilt
DiGirolamo	Leach	Reed	Wojnaroski
Diven	Lederer	Reichley	Wright
Donatucci	Leh	Roberts	Yewcic
Eachus	Lescovitz	Roebuck	Youngblood
Ellis	Levdansky	Rohrer	Yudichak
Fabrizio	Mackereth	Rooney	Zug
Fairchild	Maher	Ross	
Feese	Maitland	Rubley	Perzel,
Fichter	Major	Ruffing	Speaker
Fleagle			

NAYS—0

NOT VOTING—0

EXCUSED—7

Bunt	Evans, D.	Kirkland	Thomas
Cruz	Evans, J.	Rieger	

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—195

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

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Bunt	Evans, D.	Kirkland	Thomas
Cruz	Evans, J.	Rieger	

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.

REPUBLICAN CAUCUS

The SPEAKER pro tempore. The Chair recognizes the gentlelady, Mrs. Taylor, for a caucus announcement.

Mrs. TAYLOR. Thank you, Mr. Speaker.

There will be a Republican caucus at 2 p.m.; 2 p.m., Republican caucus.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the lady.

DEMOCRATIC CAUCUS

The SPEAKER pro tempore. The gentleman, Mr. Cohen, is recognized for a caucus announcement.

Mr. COHEN. Thank you, Mr. Speaker.

We are going to go over the bills that have been recently added to today's schedule, and we will have informal discussions immediately upon the call of the recess.

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS COMMITTEE MEETING

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

Mr. SEMMEL. Thank you, Mr. Speaker.

Veterans Affairs and Emergency Preparedness will meet on the break at the rear of the hall of the House. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

At the break the Veterans Affairs and Emergency Preparedness Committee will meet at the rear of the House.

RULES COMMITTEE MEETING

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

BILL ON CONCURRENCE REPORTED FROM COMMITTEE

HB 2380, PN 3942

By Rep. S. SMITH

An Act amending the act of July 7, 2005 (P.L. , No.1A), known as the General Appropriation Act of 2005, adding appropriations to the Attorney General for reimbursement to counties for expenses for full-time district attorneys and to the Department of Military and Veterans Affairs for transfer to the United States Merchant Marine World War II Veterans' Bonus Fund; further providing for appropriations for additional Pennsylvania State Police troopers; increasing the State appropriation to the Pennsylvania Housing Finance Agency for the Homeowner's Emergency Mortgage Assistance Program; further providing for lapsing of unused funds; and providing for lapsing of certain Department of Revenue funds.

RULES.

RECESS

The SPEAKER pro tempore. This House now stands in recess until 3 p.m.

AFTER RECESS

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

THE SPEAKER (JOHN M. PERZEL) PRESIDING

LEAVES OF ABSENCE

The SPEAKER. The Chair returns to leaves of absence.

A leave of absence is requested for the remainder of the day for the gentleman from Allegheny, Mr. PRESTON; the gentleman from Schuylkill, Mr. GOODMAN; the gentledady from Erie, Ms. BEBKO-JONES; the gentleman from Allegheny, Mr. WHEATLEY; the gentleman from Schuylkill, Mr. ALLEN; the gentleman from Montgomery, Mr. MCGILL; the gentleman from Somerset, Mr. BASTIAN; and the gentleman from Wayne, Mr. BIRMELIN.

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND Tabled

HB 901, PN 3978 (Amended)

By Rep. GEIST

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for lighting on motorcycles.

TRANSPORTATION.

HB 2318, PN 3979 (Amended)

By Rep. GEIST

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for securing loads in vehicles by permitting an exception for forage transportation from the field to storage facilities.

TRANSPORTATION.

HB 2498, PN 3672

By Rep. GEIST

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for Gold Star Family registration plate.

TRANSPORTATION.

HB 2502, PN 3980 (Amended)

By Rep. GEIST

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for requirement for periodic inspection of vehicles and for prohibition on expenditures for emission inspection program.

TRANSPORTATION.

HB 2575, PN 3841

By Rep. GEIST

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for election of tort options in financial responsibility.

TRANSPORTATION.

HB 2627, PN 3958

By Rep. SEMMEL

An Act amending the act of October 6, 2005 (P.L.319, No.59), entitled, "An act amending the act of June 24, 1976 (P.L.424, No.101), entitled, as amended, 'An act providing for the payment of death benefits to the surviving spouse or children or parents of firefighters, ambulance service or rescue squad members, law enforcement officers or National Guard members killed in the performance of their duties,' further providing for death benefit eligibility and for definitions," further providing for retroactivity of death benefit eligibility.

VETERANS AFFAIRS AND EMERGENCY
PREPAREDNESS.

SB 874, PN 1618

By Rep. GEIST

A Supplement to the act of December 8, 1982 (P.L.848, No.235), known as the Highway-Railroad and Highway Bridge Capital Budget Act for 1982-1983, itemizing additional local and State bridge projects.

TRANSPORTATION.

SB 1056, PN 1445

By Rep. GEIST

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for commercial driver's license requirements.

TRANSPORTATION.

SB 1169, PN 1756 (Amended)

By Rep. GEIST

An Act designating a portion of State Route 279 in Allegheny County as the Pennsylvania State Police Cpl. Joseph R. Pokorny, Jr., Memorial Highway.

TRANSPORTATION.

RESOLUTION REPORTED FROM COMMITTEE

HR 456, PN 2781

By Rep. GEIST

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

TRANSPORTATION.

SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 218, PN 3877**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

CALENDAR CONTINUED

RESOLUTION PURSUANT TO RULE 35

Mrs. RUBLEY called up **HR 679, PN 3785**, entitled:

A Resolution designating the week of May 7 through 13, 2006, as "Drinking Water Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—187

Adolph	Frankel	Mann	Sainato
Argall	Freeman	Markosek	Samuelson
Armstrong	Gabig	Marsico	Santoni
Baker	Gannon	McCall	Sather
Baldwin	Geist	McGeehan	Saylor
Barrar	George	McIlhattan	Scavello
Belardi	Gerber	McIlhinney	Schroder
Belfanti	Gergely	McNaughton	Semmel
Benninghoff	Gillespie	Melio	Shaner
Beyer	Gingrich	Metcalfe	Shapiro

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

NAYS—0

NOT VOTING—0

EXCUSED—15

Allen	Bunt	Goodman	Rieger
Bastian	Cruz	Kirkland	Thomas
Bebko-Jones	Evans, D.	McGill	Wheatley
Birmelin	Evans, J.	Preston	

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

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2391, PN 3415**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for purchase, consumption, possession or transportation of liquor or malt or brewed beverages.

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

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

The question is, shall the bill pass finally?

The Chair recognizes the gentleman, Mr. Vitali. The gentleman waives off.

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS-187

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

NAYS-0

NOT VOTING-0

EXCUSED-15

Allen	Bunt	Goodman	Rieger
Bastian	Cruz	Kirkland	Thomas
Bebko-Jones	Evans, D.	McGill	Wheatley
Birmelin	Evans, J.	Preston	

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 2408, PN 3442**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for inducement of minors to buy liquor or malt or brewed beverages.

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS-187

Adolph	Frankel	Mann	Sainato
Argall	Freeman	Markosek	Samuelson
Armstrong	Gabig	Marsico	Santoni
Baker	Gannon	McCall	Sather
Baldwin	Geist	McGeehan	Saylor
Barrar	George	McIlhattan	Scavello
Belardi	Gerber	McIlhinney	Schroder
Belfanti	Gergely	McNaughton	Semmel
Benninghoff	Gillespie	Melio	Shaner
Beyer	Gingrich	Metcalfe	Shapiro
Biancucci	Godshall	Micozzie	Siptroth
Bishop	Good	Millard	Smith, B.
Blackwell	Grell	Miller, R.	Smith, S. H.
Blaum	Grucela	Miller, S.	Solobay
Boyd	Gruitza	Mundy	Sonney
Buxton	Haluska	Mustio	Staback
Caltagirone	Hanna	Myers	Stairs
Cappelli	Harhai	Nailor	Steil
Casorio	Harhart	Nickol	Stern
Causer	Harper	O'Brien	Stetler
Cawley	Harris	Oliver	Stevenson, R.
Civera	Hasay	O'Neill	Stevenson, T.
Clymer	Hennessey	Pallone	Sturla
Cohen	Herman	Parker	Surra
Cornell	Hershey	Payne	Tangretti
Corrigan	Hess	Petrarca	Taylor, E. Z.
Costa	Hickernell	Petri	Taylor, J.
Crahalla	Hutchinson	Petrone	Tigue
Creighton	James	Phillips	True
Curry	Josephs	Pickett	Turzai
Daley	Kauffman	Pistella	Veon
Dally	Keller, M.	Pyle	Vitali
DeLuca	Keller, W.	Quigley	Walko

Denlinger	Kenney	Ramaley	Wansacz
Dermody	Killion	Rapp	Waters
DeWeese	Kotik	Raymond	Watson
DiGirolamo	LaGrotta	Readshaw	Williams
Diven	Leach	Reed	Wilt
Donatucci	Lederer	Reichley	Wojnarowski
Eachus	Leh	Roberts	Wright
Ellis	Lescovitz	Roebuck	Yewcic
Fabrizio	Levdansky	Rohrer	Youngblood
Fairchild	Mackereth	Rooney	Yudichak
Feese	Maher	Ross	Zug
Fichter	Maitland	Rubley	
Fleagle	Major	Ruffing	Perzel,
Flick	Manderino	Sabatina	Speaker
Forcier			

NAYS-0

NOT VOTING-0

EXCUSED-15

Allen	Bunt	Goodman	Rieger
Bastian	Cruz	Kirkland	Thomas
Bebko-Jones	Evans, D.	McGill	Wheatley
Birmelin	Evans, J.	Preston	

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 2203, PN 3071**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for grading of the offense of failure to comply with registration of sexual offenders requirements.

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

Mr. **CIVERA** offered the following amendment No. **A05483**:

Amend Title, page 1, line 1, by striking out "Title 18 (Crimes and Offenses)" and inserting

Titles 18 (Crimes and Offenses) and
42 (Judiciary and Judicial Procedure)

Amend Bill, page 3, by inserting between lines 10 and 11

Section 2. Title 42 is amended by adding a section to read:

§ 9718.2. Sentence for failure to comply with registration of sexual offenders.

(a) Mandatory sentence.—Mandatory sentencing shall be as follows:

(1) Sentencing upon conviction for a first offense shall be as follows:

(i) Not less than two years for an individual
who:

(A) was subject to section 9795.1(a)
(relating to registration) or a similar provision
from another jurisdiction; and

(B) violated 18 Pa.C.S. § 4915(a)(1)
or (2) (relating to failure to comply with
registration of sexual offenders requirements).

(ii) Not less than three years for an individual

who:

(A) was subject to section 9795.1(a) or a
similar provision from another jurisdiction; and

(B) violated 18 Pa.C.S. § 4915(a)(3).

(iii) Not less than three years for an individual

who:

(A) was subject to section 9795.1(b) or a
similar provision from another jurisdiction; and

(B) violated 18 Pa.C.S. § 4915(a)(1)

or (2).

(iv) Not less than five years for an individual

who:

(A) was subject to section 9795.1(b) or a
similar provision from another jurisdiction; and

(B) violated 18 Pa.C.S. § 4915(a)(3).

(2) Sentencing upon conviction for a second or
subsequent offense shall be as follows:

(i) Not less than five years for an individual

who:

(A) was subject to section 9795.1(a) or a
similar provision from another jurisdiction; and

(B) violated 18 Pa.C.S. § 4915(a)(1)

or (2).

(ii) Not less than seven years for an individual

who:

(A) was subject to section 9795.1 or a
similar provision from another jurisdiction; and

(B) violated 18 Pa.C.S. § 4915(a)(3).

(b) Proof at sentencing.—Provisions of this section shall not be an
element of the crime, and notice thereof to the defendant shall not be
required prior to conviction, but reasonable notice of the
Commonwealth's intention to proceed under this section shall be
provided after conviction and before sentencing. The applicability of
this section shall be determined at sentencing. The court shall consider
any evidence presented at trial and shall afford the Commonwealth and
the defendant an opportunity to present any necessary additional
evidence and shall determine, by a preponderance of the evidence,
if this section is applicable.

(c) Authority of court in sentencing.—There shall be no authority
in any court to impose on an offender to which this section is
applicable any lesser sentence than provided for in subsection (a) or to
place such offender on probation or to suspend sentence. Nothing in
this section shall prevent the sentencing court from imposing a
sentence greater than that provided in this section. Sentencing
guidelines promulgated by the Pennsylvania Commission on
Sentencing shall not supersede the mandatory sentences provided in
this section.

(d) Appeal by Commonwealth.—If a sentencing court refuses to
apply this section where applicable, the Commonwealth shall have the
right to appellate review of the action of the sentencing court. The
appellate court shall vacate the sentence and remand the case to the
sentencing court for imposition of a sentence in accordance with this
section if it finds that the sentence was imposed in violation of this
section.

Section 3. The addition of 42 Pa.C.S. § 9718.2 shall apply to offenses committed on or after the effective date of this section.

Amend Sec. 2, page 3, line 11, by striking out "2" and inserting

3

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

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

Mr. VITALI. Thank you, Mr. Speaker.

Will the maker of the amendment stand for brief interrogation?

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

Mr. VITALI. Thank you, Mr. Speaker.

Initially, could we have a brief explanation of this amendment.

Mr. REICHLEY. Thank you, Mr. Speaker.

This is Representative Civera's amendment. It converts its Title 18 and Title 42 amendment with mandatory minimum sentences for failure to register under Megan's Law.

The SPEAKER. Mr. Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

Could you outline what mandatory minimum sentences are imposed for what infractions?

Mr. REICHLEY. Mr. Speaker, the amendment is rather self-evident when one reads it. It indicates that sentencing upon conviction for a first offense shall require a period of incarceration of no less than 2 years for an individual who is subject to section 9795.1(a). More or less, it is bills in the original legislation which were moving a misdemeanor of the second degree, penalties for failure to register or verify an address or to be photographed, up to a felony of the third degree. Failure to register or to be photographed where you had a previous violation, that is increased to a felony of the second degree. Failure to provide accurate information when registering or verifying an address which had been previously subject to the penalty of a felony of the third degree is now a felony of the second degree.

I can go on and on, but the language of the amendment pretty well lays out what the mandatory minimum penalties would be.

Mr. VITALI. Thank you, Mr. Speaker.

That concludes my interrogation. I would like to speak on the amendment.

The SPEAKER. The gentleman is in order.

Mr. VITALI. Thank you, Mr. Speaker.

Although I applaud the maker of the amendment for wanting to be tough on the most heinous offense of molesting children, a truly despicable offense, and I applaud both the punishment of people who do such things and even the punishment of people who do not comply with the law by failing to register, I must reluctantly stand in opposition to this amendment, because I think that the mandatory minimum sentences are just inappropriate and not fairly connected to the crime here.

As I read this, a person can be convicted and go to jail for a minimum, must go to jail for a minimum of 2 years, not for even touching a child, simply for failing to register. There is a difference here between molesting, which should be punished very severely, but that is not what we are dealing with here. You have a minimum mandatory 2 years in jail, no matter what the circumstances, what the reasons for failing to register. If they fail to register, 2 years in jail minimum. We are not punishing someone for molesting children here; that punishment has already been meted out. This is a punishment for not registering, and to have a minimum 2 years in jail for just not registering is too much. It is overboard.

Mr. Speaker, there are many reasons why someone does not register. The problem with this is it takes, as with most all

mandatory sentences, it takes the judge's ability to sort of look at those reasons and decide whether the penalty for failing to register ought to be 6 months or 1 month or 18 months or 3 years. It takes that discretion away from the judge. The judge has to look at the individual circumstances of each case and decide, how serious was this, this failure to register? To flatly say, because a person just failed to file the right form or go to the right office and file the right paper, they have to, no ifs, ands, and buts, no matter what the circumstances, have to go to jail for 2 years, it is just overboard. It is just overboard; it is too much.

So I would ask for a "no" vote. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Reichley.

Mr. REICHLEY. Thank you, Mr. Speaker.

With all due respect to the gentleman from Delaware County, I cannot imagine anybody who would not want to vote for this amendment and this bill to incarcerate for the maximum period of time people who are victimizing the most innocent, the most defenseless, the most vulnerable people in our Commonwealth. And while one may think this is somehow a nice intellectual argument to make, that we need to recognize that you cannot keep punishing people over and over again, this is beyond the pale, that you need to keep people who are going to go after children, who are going to continue to repeatedly offend, locked up for as long as possible, and I would urge every member to look very carefully at this legislation to make sure that you do not want to be on the wrong side of this question when your members ask you why you did not do more to prevent some child from being molested and harmed in your neighborhood.

Thank you, Mr. Speaker.

The SPEAKER. On the amendment, the Chair recognizes the gentleman, Mr. Civera.

Mr. CIVERA. Thank you, Mr. Speaker.

Mr. Speaker, we worked for several months on this amendment, and if you look at some of the fatalities across the United States and what happened with sex offenders, this was the issue. The issue was that they were not registered, they were not registered in the counties and the communities that they live. And this is an issue where you cannot defend a sex predator. I mean, my God, in all God's wishes, I mean, it is something— This is wrong. So the reason why this amendment was put into place was to protect them.

I understand why some of us, we might believe that we are putting on our robe when we do mandatory sentences, but in this situation it is not a question that we want to tell the judges of this Commonwealth what to do. The issue comes down to that we are protecting the community and innocent children, and they need to be registered.

Thank you, Mr. Speaker, and I would hope that the members of this General Assembly would support this amendment. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Scavello.

Mr. SCAVELLO. Thank you, Mr. Speaker.

I rise in support of the Civera amendment. What this amendment does, it protects the children of Pennsylvania. It is an amendment that is needed, and I am urging the members to vote for this amendment.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.
 The Chair recognizes the gentleman, Mr. Killion.
 Mr. KILLION. Thank you, Mr. Speaker.

The gentleman from Delaware County that rose in opposition to this amendment said that the punishment has already been given. Well, that punishment is that they are to register as a sex offender so we can protect our children. This amendment goes after those who do not follow what they have been told to do and register as a sexual offender.

This is a good amendment. It will protect the children of the Commonwealth. I encourage my colleagues to vote “yes.”

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Vitali, for the second time.

Mr. VITALI. Thank you, Mr. Speaker.

I just want to reiterate a couple of points.

This 2 years in jail is not to punish someone for molesting kids. That has already been done when they were in court prior to this. This is not about protecting kids; this is about not meeting a reporting requirement.

There is no doubt that someone should be punished for not meeting a reporting requirement. That is not what I am saying. What I am saying is to flatly say if you miss a reporting requirement you have to do 2 years in jail, no ifs, ands, or buts, regardless of the circumstances, that is just wrong. That is just not thinking it through. That is just taking away a judge’s ability to do justice.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—185

Adolph	Frankel	Mann	Sainato
Argall	Freeman	Markosek	Samuelson
Armstrong	Gabig	Marsico	Santoni
Baker	Gannon	McCall	Sather
Baldwin	Geist	McGeehan	Saylor
Barrar	George	McIlhatten	Scavello
Belardi	Gerber	McIlhinney	Schroder
Belfanti	Gergely	McNaughton	Semmel
Benninghoff	Gillespie	Melio	Shaner
Beyer	Gingrich	Metcalfe	Shapiro
Biancucci	Godshall	Micozzie	Siptroth
Bishop	Good	Millard	Smith, B.
Blackwell	Grell	Miller, R.	Smith, S. H.
Blaum	Grucela	Miller, S.	Solobay
Boyd	Gruitza	Mundy	Sonney
Buxton	Haluska	Mustio	Staback
Caltagirone	Hanna	Myers	Stairs
Cappelli	Harhai	Nailor	Steil
Casorio	Harhart	Nickol	Stern
Causar	Harper	O’Brien	Stetler
Cawley	Harris	Oliver	Stevenson, R.
Civera	Hasay	O’Neill	Stevenson, T.
Clymer	Hennessey	Pallone	Sturla
Cohen	Herman	Parker	Surra
Cornell	Hershey	Payne	Tangretti
Corrigan	Hess	Petrarca	Taylor, E. Z.
Costa	Hickernell	Petri	Taylor, J.
Crahalla	Hutchinson	Petrone	Tigue
Creighton	James	Phillips	True
Daley	Josephs	Pickett	Turzai

Dally	Kauffman	Pistella	Veon
DeLuca	Keller, M.	Pyle	Walko
Denlinger	Keller, W.	Quigley	Wansacz
Dermody	Kenney	Ramaley	Waters
DeWeese	Killion	Rapp	Watson
DiGirolamo	Kotik	Raymond	Williams
Diven	LaGrotta	Readshaw	Wilt
Donatucci	Leach	Reed	Wojnaroski
Eachus	Lederer	Reichley	Wright
Ellis	Leh	Roberts	Yewcic
Fabrizio	Lescovitz	Roebuck	Youngblood
Fairchild	Levdansky	Rohrer	Yudichak
Feese	Mackereth	Rooney	Zug
Fichter	Maher	Ross	
Fleagle	Maitland	Rubley	
Flick	Major	Ruffing	Perzel,
Forcier	Manderino	Sabatina	Speaker

NAYS—2

Curry	Vitali
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NOT VOTING—0

EXCUSED—15

Allen	Bunt	Goodman	Rieger
Bastian	Cruz	Kirkland	Thomas
Bebko-Jones	Evans, D.	McGill	Wheatley
Birmelin	Evans, J.	Preston	

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?

The SPEAKER. As a result of the adoption of the amendment, the remaining amendments are out of order.

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—187

Adolph	Frankel	Mann	Sainato
Argall	Freeman	Markosek	Samuelson
Armstrong	Gabig	Marsico	Santoni
Baker	Gannon	McCall	Sather
Baldwin	Geist	McGeehan	Saylor
Barrar	George	McIlhatten	Scavello
Belardi	Gerber	McIlhinney	Schroder
Belfanti	Gergely	McNaughton	Semmel
Benninghoff	Gillespie	Melio	Shaner
Beyer	Gingrich	Metcalfe	Shapiro
Biancucci	Godshall	Micozzie	Siptroth

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

NAYS-0

NOT VOTING-0

EXCUSED-15

Allen	Bunt	Goodman	Rieger
Bastian	Cruz	Kirkland	Thomas
Bebko-Jones	Evans, D.	McGill	Wheatley
Birmelin	Evans, J.	Preston	

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 2122, PN 3449**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for sentences for offenses against infant persons.

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

Mr. O'BRIEN offered the following amendment No. **A06386**:

Amend Sec. 1, page 1, line 8, by inserting after "amended" and the section is amended by adding subsections Amend Sec. 1 (Sec. 9718), page 2, by inserting between lines 22 and 23

(c) Proof at sentencing.—Provisions of this section shall not be an element of the crime and notice of the provisions of this section to the defendant shall not be required prior to conviction, but reasonable notice of the Commonwealth's intention to proceed under this section shall be provided after conviction and before sentencing. The applicability of this section shall be determined at sentencing. The court shall consider any evidence presented at trial and shall afford the Commonwealth and the defendant an opportunity to present any necessary additional evidence and shall determine, by a preponderance of the evidence, if this section is applicable.

(d) Authority of court in sentencing.—There shall be no authority in any court to impose on an offender to which this section is applicable any lesser sentence than provided for in subsection (a) or to place the offender on probation or to suspend sentence. Nothing in this section shall prevent the sentencing court from imposing a sentence greater than that provided in this section. Sentencing guidelines promulgated by the Pennsylvania Commission on Sentencing shall not supersede the mandatory sentences provided in this section.

(e) Appeal by Commonwealth.—If a sentencing court refuses to apply this section where applicable, the Commonwealth shall have the right to appellate review of the action of the sentencing court. The appellate court shall vacate the sentence and remand the case to the sentencing court for imposition of a sentence in accordance with this section if it finds that the sentence was imposed in violation of this section.

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

The following roll call was recorded:

YEAS-187

Adolph	Frankel	Mann	Sainato
Argall	Freeman	Markosek	Samuelson
Armstrong	Gabig	Marsico	Santoni
Baker	Gannon	McCall	Sather
Baldwin	Geist	McGeehan	Saylor
Barrar	George	McLhattan	Scavello
Belardi	Gerber	McIlhinney	Schroder
Belfanti	Gergely	McNaughton	Semmel
Benninghoff	Gillespie	Melio	Shaner
Beyer	Gingrich	Metcalfe	Shapiro
Bianucci	Godshall	Micozzie	Siproth
Bishop	Good	Millard	Smith, B.
Blackwell	Grell	Miller, R.	Smith, S. H.
Blaum	Grucela	Miller, S.	Solobay
Boyd	Gruitza	Mundy	Sonney
Buxton	Haluska	Mustio	Staback
Caltagirone	Hanna	Myers	Stairs
Cappelli	Harhai	Nailor	Steil
Casorio	Harhart	Nickol	Stern
Causer	Harper	O'Brien	Stetler
Cawley	Harris	Oliver	Stevenson, R.
Civera	Hasay	O'Neill	Stevenson, T.
Clymer	Hennessey	Pallone	Sturla
Cohen	Herman	Parker	Surra
Cornell	Hershey	Payne	Tangretti
Corrigan	Hess	Petrarca	Taylor, E. Z.
Costa	Hickernell	Petri	Taylor, J.
Crahalla	Hutchinson	Petrone	Tigue
Creighton	James	Phillips	True
Curry	Josephs	Pickett	Turzai
Daley	Kauffman	Pistella	Veon

Dally	Keller, M.	Pyle	Vitali
DeLuca	Keller, W.	Quigley	Walko
Denlinger	Kenney	Ramaley	Wansacz
Dermody	Killion	Rapp	Waters
DeWeese	Kotik	Raymond	Watson
DiGirolamo	LaGrotta	Readshaw	Williams
Diven	Leach	Reed	Wilt
Donatucci	Lederer	Reichley	Wojnaroski
Eachus	Leh	Roberts	Wright
Ellis	Lescovitz	Roebuck	Yewcic
Fabrizio	Levdansky	Rohrer	Youngblood
Fairchild	Mackereth	Rooney	Yudichak
Feese	Maher	Ross	Zug
Fichter	Maitland	Rubley	
Fleagle	Major	Ruffing	Perzel,
Flick	Manderino	Sabatina	Speaker
Forcier			

NAYS-0

NOT VOTING-0

EXCUSED-15

Allen	Bunt	Goodman	Rieger
Bastian	Cruz	Kirkland	Thomas
Bebko-Jones	Evans, D.	McGill	Wheatley
Birmelin	Evans, J.	Preston	

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?

The SPEAKER. The remaining amendments, according to what information the Chair has, have been withdrawn.

On the question recurring,

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

Bill as amended was agreed to.

The SPEAKER. 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-187

Adolph	Frankel	Mann	Sainato
Argall	Freeman	Markosek	Samuelson
Armstrong	Gabig	Marsico	Santoni
Baker	Gannon	McCall	Sather
Baldwin	Geist	McGeehan	Saylor
Barrar	George	McIlhatten	Scavello
Belardi	Gerber	McIlhinney	Schroder
Belfanti	Gergely	McNaughton	Semmel
Benninghoff	Gillespie	Melio	Shaner
Beyer	Gingrich	Metcalfe	Shapiro
Bianucci	Godshall	Micozzie	Siptroth
Bishop	Good	Millard	Smith, B.
Blackwell	Grell	Miller, R.	Smith, S. H.

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

NAYS-0

NOT VOTING-0

EXCUSED-15

Allen	Bunt	Goodman	Rieger
Bastian	Cruz	Kirkland	Thomas
Bebko-Jones	Evans, D.	McGill	Wheatley
Birmelin	Evans, J.	Preston	

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

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

SUPPLEMENTAL CALENDAR B

BILL ON CONCURRENCE
IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 2380, PN 3942**, entitled:

An Act amending the act of July 7, 2005 (P.L. , No.1A), known as the General Appropriation Act of 2005, adding appropriations to the Attorney General for reimbursement to counties for expenses for full-time district attorneys and to the Department of Military and Veterans Affairs for transfer to the United States Merchant Marine World War II Veterans' Bonus Fund; further providing for appropriations for additional Pennsylvania State Police troopers; increasing the State appropriation to the Pennsylvania Housing Finance Agency for the Homeowner's Emergency Mortgage Assistance

Program; further providing for lapsing of unused funds; and providing for lapsing of certain Department of Revenue funds.

On the question,
Will the House concur in Senate amendments?

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

On the question recurring,
Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—187

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

NAYS—0

NOT VOTING—0

EXCUSED—15

Allen	Bunt	Goodman	Rieger
Bastian	Cruz	Kirkland	Thomas
Bebko-Jones	Evans, D.	McGill	Wheatley
Birmelin	Evans, J.	Preston	

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

Ordered, That the clerk inform the Senate accordingly.

SUPPLEMENTAL CALENDAR C

RESOLUTION PURSUANT TO RULE 35

Mr. GABIG called up **HR 739, PN 3983**, entitled:

A Resolution designating the month of May 2006 as "Online Child Predator Awareness Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—187

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

Fairchild	Mackereth	Rooney	Yudichak
Feese	Maher	Ross	Zug
Fichter	Maitland	Rubley	
Fleagle	Major	Ruffing	Perzel,
Flick	Manderino	Sabatina	Speaker
Forcier			

NAYS—0

NOT VOTING—0

EXCUSED—15

Allen	Bunt	Goodman	Rieger
Bastian	Cruz	Kirkland	Thomas
Bebko-Jones	Evans, D.	McGill	Wheatley
Birmelin	Evans, J.	Preston	

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

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HB 137, PN 2311

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for lighted lamp requirements for motorcycles and for restrictions on highway and bridge use.

HB 2380, PN 3942

An Act amending the act of July 7, 2005 (P.L. , No.1A), known as the General Appropriation Act of 2005, adding appropriations to the Attorney General for reimbursement to counties for expenses for full-time district attorneys and to the Department of Military and Veterans Affairs for transfer to the United States Merchant Marine World War II Veterans' Bonus Fund; further providing for appropriations for additional Pennsylvania State Police troopers; increasing the State appropriation to the Pennsylvania Housing Finance Agency for the Homeowner's Emergency Mortgage Assistance Program; further providing for lapsing of unused funds; and providing for lapsing of certain Department of Revenue funds.

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

CALENDAR CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2283, PN 3295**, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, providing for information relating to other persons in contact with children.

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

Mrs. **TRUE** offered the following amendment No. **A05933**:

Amend Title, page 1, line 2, by inserting after "Statutes," further defining "sexual abuse or exploitation"; further providing for persons required to report suspected child abuse, for penalties for failure to report suspected child abuse and for investigation of reports; and

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

Section 1. The definition of "sexual abuse or exploitation" in section 6303(a) of Title 23 of the Pennsylvania Consolidated Statutes is amended to read:

§ 6303. Definitions.

(a) General rule.—The following words and phrases when used in this chapter shall have the meanings given to them in this section unless the context clearly indicates otherwise:

* * *

["Sexual abuse or exploitation." The employment, use, persuasion, inducement, enticement or coercion of any child to engage in or assist any other person to engage in any sexually explicit conduct or any simulation of any sexually explicit conduct for the purpose of producing any visual depiction, including photographing, videotaping, computer depicting or filming, of any sexually explicit conduct or the rape, sexual assault, involuntary deviate sexual intercourse, aggravated indecent assault, molestation, incest, indecent exposure, prostitution, statutory sexual assault or other form of sexual exploitation of children.]

"Sexual abuse or exploitation." Any of the following:

(1) The employment, use, persuasion, inducement, enticement or coercion of any child to engage in or assist any other person to engage in any sexually explicit conduct.

(2) The employment, use, persuasion, inducement, enticement or coercion of any child to engage in or assist any other person to engage in any simulation of any sexually explicit conduct for the purpose of producing any visual depiction, including photographing, videotaping, computer depicting or filming.

(3) Any of the following offenses committed against a child:

(i) Rape.

(ii) Sexual assault.

(iii) Involuntary deviate sexual intercourse.

(iv) Aggravated indecent assault.

(v) Molestation.

(vi) Incest.

(vii) Indecent exposure.

(viii) Prostitution.

(ix) Sexual abuse.

(x) Sexual exploitation.

* * *

Section 2. Sections 6311(a) and 6319 of Title 23 are amended to read:

§ 6311. Persons required to report suspected child abuse.

(a) General rule.—Persons who, in the course of their employment, occupation or practice of their profession, come into contact with children shall report or cause a report to be made in accordance with section 6313 (relating to reporting procedure) when they have reasonable cause to suspect, on the basis of their medical, professional or other training and experience, that a child [coming before them in their professional or official capacity is an abused child.] is a victim of child abuse, including child abuse by a person who is not a perpetrator within the meaning of section 6303 (relating to definitions), shall report or cause a report to be made in accordance with section 6313. Except with respect to confidential communications made to [an ordained] a member of the clergy which are protected under 42 Pa.C.S. § 5943 (relating to confidential communications to clergymen), and except with respect to confidential communications made to an attorney which are protected by 42 Pa.C.S. § 5916 (relating

to confidential communications to attorney) or 5928 (relating to confidential communications to attorney), the privileged communication between any professional person required to report and the patient or client of that person shall not apply to situations involving child abuse and shall not constitute grounds for failure to report as required by this chapter.

* * *

§ 6319. Penalties for failure to report or to refer.

A person or official required by this chapter to report a case of suspected child abuse or to make a referral to the appropriate authorities who willfully fails to do so commits a [summary offense] misdemeanor of the third degree for the first violation and a misdemeanor of the [third] second degree for a second or subsequent violation.

Section 3. Title 23 is amended by adding a section to read:

Amend Bill, page 2, line 9, by striking out all of said line and inserting

Section 4. Section 6368(d) of Title 23 is amended to read:

§ 6368. Investigation of reports.

* * *

(d) Referral for investigation.—If the complaint of suspected abuse is determined to be one which cannot be investigated under this chapter because the person accused of the abuse is not a perpetrator within the meaning of section 6303 (relating to definitions), but does suggest the need for investigation, the county agency shall immediately transmit the information to the appropriate authorities[.], including the district attorney, the district attorney’s designee or other law enforcement official, in accordance with the county protocols for investigative teams required by section 6365(c) (relating to services for prevention, investigation and treatment of child abuse).

Section 5. This act shall take effect as follows:

- (1) This section shall take effect immediately.
(2) The addition of 23 Pa.C.S. § 6344.1 shall take effect in 60 days.
(3) The remainder of this act shall take effect in 180 days.

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

The SPEAKER. On that question, the Chair recognizes the gentlelady from Lancaster. The gentlelady waives off.

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

The following roll call was recorded:

YEAS—187

Table listing names of members who voted 'YEAS' (187 total): Adolph, Argall, Armstrong, Baker, Baldwin, Barrar, Belardi, Belfanti, Benninghoff, Beyer, Bianucci, Bishop, Blackwell, Blaum, Boyd, Buxton, Caltagirone, Cappelli, Casorio, Frankel, Freeman, Gabig, Gannon, Geist, George, Gerber, Gergely, Gillespie, Gingrich, Godshall, Good, Grucela, Gruitza, Haluska, Hanna, Harhai, Harhart, Mann, Markosek, Marsico, McCall, McGeehan, McIlhattan, McIlhinney, McNaughton, Melio, Metcalfe, Micozzie, Millard, Miller, R., Miller, S., Mundy, Mustio, Myers, Nailor, Nickol, Sainato, Samuelson, Santoni, Sather, Saylor, Scavello, Schroder, Semmel, Shaner, Shapiro, Siptroth, Smith, B., Smith, S. H., Solobay, Sonney, Staback, Stairs, Steil, Stern.

Table listing names of members who did not vote 'YEAS': Causer, Cawley, Civera, Clymer, Cohen, Cornell, Corrigan, Costa, Crahalla, Creighton, Curry, Daley, Dally, DeLuca, Denlinger, Dermody, DeWeese, DiGirolamo, Diven, Donatucci, Eachus, Ellis, Fabrizio, Fairchild, Feese, Fichter, Fleagle, Flick, Forcier, Harper, Harris, Hasay, Hennessey, Herman, Hershey, Hess, Hickernell, Hutchinson, James, Josephs, Kauffman, Keller, M., Keller, W., Kenney, Killion, Kotik, LaGrotta, Leach, Lederer, Leh, Lescovitz, Levdansky, Mackereth, Maher, Maitland, Major, Manderino, O'Brien, Oliver, O'Neill, Pallone, Parker, Payne, Petrarca, Petri, Petrone, Phillips, Pickett, Pistella, Pyle, Quigley, Ramaley, Rapp, Raymond, Readshaw, Reed, Reichley, Roberts, Roebuck, Rohrer, Rooney, Ross, Rubley, Ruffing, Sabatina, Stetler, Stevenson, R., Stevenson, T., Sturla, Surra, Tangretti, Taylor, E. Z., Taylor, J., Tigue, True, Turzai, Veon, Vitali, Walko, Wansacz, Waters, Watson, Williams, Wilt, Wojnarowski, Wright, Yewcic, Youngblood, Yudichak, Zug, Perzel, Speaker.

NAYS—0

NOT VOTING—0

EXCUSED—15

Table listing names of members who were 'EXCUSED' (15 total): Allen, Bastian, Bebko-Jones, Birmelin, Bunt, Cruz, Evans, D., Evans, J., Goodman, Kirkland, McGill, Preston, Rieger, Thomas, Wheatley.

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?

The SPEAKER. The gentlelady, Mrs. True, offers the following amendment, which the clerk will read. The gentlelady withdraws that amendment.

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

Mr. DeLUCA offered the following amendment No. A05967:

Amend Title, page 1, line 2, by inserting after “Statutes,” further providing for information on prospective child-care personnel; and

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

Section 1. Section 6344(a) and (c)(1) of Title 23 of the Pennsylvania Consolidated Statutes are amended and the section is amended by adding subsections to read:

§ 6344. Information relating to prospective child-care personnel.

(a) Applicability.—This section applies to all prospective employees of child-care services, prospective foster parents, prospective adoptive parents, prospective self-employed family day-care providers and other persons seeking to provide child-care services under contract with a child-care facility or program. This section also applies to individuals 14 years of age or older who reside in the home of a prospective foster parent for at least 30 days in a calendar year or who reside in the home of a prospective adoptive parent for at least 30 days in a calendar year. This section does not apply to administrative or other support personnel unless their duties will involve direct contact with children.

* * *

(c) Grounds for denying employment.—

(1) In no case shall an administrator hire an applicant where the department has verified that the applicant is named in the central register as the perpetrator of a founded report of child abuse committed within the five-year period immediately preceding verification pursuant to this section[.] or is named in the central register as the perpetrator of a founded report for a school employee committed within the five-year period immediately preceding verification pursuant to this section.

* * *

(o) Use of information.—A foster family care agency may not approve a prospective foster parent if the prospective foster parent or an individual 14 years of age or older who resides for at least 30 days in a calendar year with the prospective foster parent meets either of the following:

(1) Is named in the central register as the perpetrator of a founded report of child abuse committed within the five-year period immediately preceding verification pursuant to this section or is named in the central register as the perpetrator of a founded report for a school employee committed within the five-year period immediately preceding verification pursuant to this section.

(2) Has been found guilty of an offense listed in subsection (c)(2).

(p) Use of information.—A prospective adoptive parent may not be approved if the prospective adoptive parent or an individual 14 years of age or older who resides for at least 30 days in a calendar year with the prospective adoptive parent meets either of the following:

(1) Is named in the central register as the perpetrator of a founded report of child abuse committed within the five-year period immediately preceding verification pursuant to this section or is named in the central register as the perpetrator of a founded report for a school employee committed within the five-year period immediately preceding verification pursuant to this section.

(2) Has been found guilty of an offense listed in subsection (c)(2).

Section 2. Title 23 is amended by adding a section to read:
Amend Sec. 2, page 2, line 9, by striking out “2” and inserting

3

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

The following roll call was recorded:

YEAS—187

Adolph	Frankel	Mann	Sainato
Argall	Freeman	Markosek	Samuelson
Armstrong	Gabig	Marsico	Santoni
Baker	Gannon	McCall	Sather
Baldwin	Geist	McGeehan	Saylor
Barrar	George	McIlhattan	Scavello
Belardi	Gerber	McIlhinney	Schroder
Belfanti	Gergely	McNaughton	Semmel

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

NAYS—0

NOT VOTING—0

EXCUSED—15

Allen	Bunt	Goodman	Rieger
Bastian	Cruz	Kirkland	Thomas
Bebko-Jones	Evans, D.	McGill	Wheatley
Birmelin	Evans, J.	Preston	

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?

Mr. DeLUCA offered the following amendment No. **A05968**:

Amend Title, page 1, line 3, by removing the period after “children” and inserting
; and requiring criminal history record and child abuse record information for certain persons who reside in family day-care homes.

Amend Sec. 1, page 1, line 7, by striking out “a section” and inserting sections

Amend Sec. 1, page 1, by inserting between lines 7 and 8 § 6344.1. Information relating to family day-care home residents.

(a) General rule.—In addition to the requirements of section 6344 (relating to information relating to prospective child-care personnel), an individual who applies to the Department of Public Welfare for a registration certificate to operate a family day-care home shall include criminal history record and child abuse record information required under section 6344(b) for every individual 18 years of age or older who resides in the home for at least 30 days in a calendar year.

(b) Required information.—Child abuse record information required under subsection (a) shall include certification by the Department of Public Welfare as to whether the applicant is named in the central register as the perpetrator of a founded report of child abuse, indicated report of child abuse, founded report for school employee or indicated report for school employee as defined in section 6303 (relating to definitions).

(c) Effect on registration.—The department shall refuse to issue or renew a registration certificate or shall revoke a registration certificate if the family day-care home provider or individual 18 years of age or older who has resided in the home for at least 30 days in a calendar year:

(1) is named in the central register on child abuse established under Chapter 63 (relating to child protective services) as the perpetrator of a founded report of child abuse committed within the immediately preceding five-year period; or

(2) has been convicted of an offense enumerated in section 6344(c).

(d) Regulations.—The Department of Public Welfare shall promulgate regulations to administer this section.

Amend Sec. 1 (Sec. 6344.1), page 1, line 8, by striking out “6344.1” and inserting 6344.2

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

The following roll call was recorded:

YEAS—187

Table listing names of members who voted in favor (Yeas), including Adolph, Argall, Armstrong, Baker, Baldwin, Barrar, Belardi, Belfanti, Benninghoff, Beyar, Biancucci, Bishop, Blackwell, Blaum, Boyd, Buxton, Caltagirone, Cappelli, Casorio, Causer, Cawley, Civera, Clymer, Cohen, Cornell, Corrigan, Costa, Frankel, Freeman, Gabig, Gannon, Geist, George, Gerber, Gergely, Gillespie, Gingrich, Godshall, Good, Grell, Grucela, Gruitza, Haluska, Hanna, Harhai, Harhart, Harper, Harris, Hasay, Hennessey, Herman, Hershey, Hess, Hickernell, Mann, Markosek, Marsico, McCall, McGeehan, McIlhattan, McIlhinney, McNaughton, Melio, Metcalfe, Micozzie, Millard, Miller, R., Miller, S., Mundy, Mustio, Myers, Nailor, Nickol, O'Brien, Oliver, O'Neill, Pallone, Parker, Payne, Petrarca, Petri, Sainato, Samuelson, Santoni, Sather, Saylor, Scavello, Schroder, Semmel, Shaner, Shapiro, Siptroth, Smith, B., Smith, S. H., Solobay, Sonney, Staback, Stairs, Steil, Stern, Stetler, Stevenson, R., Stevenson, T., Surla, Surra, Tangretti, Taylor, E. Z., Taylor, J.

Table listing names of members who voted in opposition (Nays) or were excused, including Crahalla, Creighton, Curry, Daley, Dally, DeLuca, Denlinger, Dermody, DeWeese, DiGirolamo, Diven, Donatucci, Eachus, Ellis, Fairbrizio, Fairchild, Feese, Fichter, Fleagle, Flick, Forcier, Hutchinson, James, Josephs, Kauffman, Keller, M., Keller, W., Kenney, Killion, Kotik, LaGrotta, Leach, Lederer, Leh, Lescovitz, Levdansky, Mackereth, Maher, Maitland, Major, Manderino, Petrone, Phillips, Pickett, Pistella, Pyle, Quigley, Ramaley, Rapp, Raymond, Readshaw, Reed, Reichley, Roberts, Roebuck, Rohrer, Rooney, Ross, Rubley, Ruffing, Sabatina, Tigie, True, Turzai, Veon, Vitali, Walko, Wansacz, Waters, Watson, Williams, Wilt, Wojnaroski, Wright, Yewcic, Youngblood, Yudichak, Zug, Perzel, Speaker

NAYS—0

NOT VOTING—0

EXCUSED—15

Table listing names of members who were excused, including Allen, Bastian, Bebk-Jones, Birmelin, Bunt, Cruz, Evans, D., Evans, J., Goodman, Kirkland, McGill, Preston, Rieger, Thomas, Wheatley

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?

Mrs. MACKERETH offered the following amendment No. A06125:

Amend Sec. 1 (Sec. 6344.1), page 2, line 6, by inserting after “personnel.”

An employer, administrator, supervisor or other person responsible for employment decisions regarding an applicable prospective employee under this section who willfully fails to require the submissions before hiring that person commits a misdemeanor of the third degree.

Amend Sec. 1 (Sec. 6344.1), page 2, by inserting by inserting between lines 8 and 9

(d) Departmental treatment of information.—Any information provided and compiled under this section by the department shall be confidential and shall not be subject to the act of June 21, 1957 (P.L.390, No.212), referred to as the Right-to-Know Law. This information shall not be released except as permitted by the department through regulation. The department may charge a fee to conduct a certification as required by section 6344(b)(2) in accord with the provisions of section 6344(h). The department shall promulgate regulations necessary to carry out this subsection.

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

The following roll call was recorded:

YEAS—187

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

NAYS—0

NOT VOTING—0

EXCUSED—15

Allen	Bunt	Goodman	Rieger
Bastian	Cruz	Kirkland	Thomas
Bebko-Jones	Evans, D.	McGill	Wheatley
Birmelin	Evans, J.	Preston	

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—187

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

NAYS—0

NOT VOTING—0

EXCUSED—15

Allen	Bunt	Goodman	Rieger
Bastian	Cruz	Kirkland	Thomas
Bebko-Jones	Evans, D.	McGill	Wheatley
Birmelin	Evans, J.	Preston	

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 2458, PN 3570**, entitled:

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

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—187

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

Fairchild	Mackereth	Rooney	Yudichak
Feese	Maher	Ross	Zug
Fichter	Maitland	Rubley	
Fleagle	Major	Ruffing	Perzel,
Flick	Manderino	Sabatina	Speaker
Forcier			

NAYS—0

NOT VOTING—0

EXCUSED—15

Allen	Bunt	Goodman	Rieger
Bastian	Cruz	Kirkland	Thomas
Bebko-Jones	Evans, D.	McGill	Wheatley
Birmelin	Evans, J.	Preston	

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.

**BILL ON CONCURRENCE
IN SENATE AMENDMENTS
AS AMENDED**

The House proceeded to consideration of concurrence in Senate amendments to the following **HB 983, PN 3880**, as further amended by the House Rules Committee:

An Act amending Title 12 (Commerce and Trade) of the Pennsylvania Consolidated Statutes, further providing, in the Infrastructure and Facilities Improvement Program, for approvals; establishing a film production grant program; and repealing provisions of the Tax Reform Code of 1971 relating to film production tax credits.

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

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

On that question, the Chair recognizes the gentleman, Mr. Samuelson.

Mr. SAMUELSON. Thank you, Mr. Speaker.

I ask if the gentleman, Mr. Stevenson, could stand for brief interrogation?

The SPEAKER. The gentleman indicates he will stand. The gentleman is in order and may proceed.

Mr. SAMUELSON. I just ask that the gentleman bring us up to date on the progress of this legislation. The House passed a film production grant program last June, and my understanding is the Senate made significant amendments but the House Rules Committee recently reinserted that language. Is the language that was put in in the House Rules Committee on Monday the same as this House voted last June 29?

Mr. T. STEVENSON. Yes, Mr. Speaker, it is the same language, and it is the same language which I believe it was unanimously passed out of the House in June, as you alluded to. The Rules Committee put it back in, and we are sending it back

to the Senate to say we really want to help the film industry in Pennsylvania.

Mr. SAMUELSON. Okay. And it would be for \$10 million of grants on an annual basis. Is that correct?

Mr. T. STEVENSON. That is correct, Mr. Speaker.

Mr. SAMUELSON. How many tax credits has the State issued for film production over the last 2 years since this tax credit program was first instituted?

Mr. T. STEVENSON. Mr. Speaker, I do not have the exact data, but I believe the range is \$6 to \$7 million.

Mr. SAMUELSON. Thank you, Mr. Speaker.

The SPEAKER. The Chair at this time recognizes the gentelady from Lancaster, Mrs. True.

Mrs. TRUE. Thank you, Mr. Speaker.

I rise reluctantly to oppose HB 983. I certainly support the concept of the bill. I voted for it the first time it went out of here, the tax credits for the film industry. I have no problem with it. Unfortunately, an amendment was inserted in it that is problematic for some of us in Lancaster County. If you all remember the stadium bill 8 years ago, something I voted for to try to help economic development downtown, that project, which is a convention center and a hotel, 8 years later we still do not have it.

This really is not about whether you think it should be there or not or whether it will help downtown. I have a real problem with the process, and how this amendment got in the bill is through no fault of Representative Stevenson, but it did come over here and cause quite a problem with the Republican delegation in the House. I have a political sign that I have been using since 1992 that says "Katie True, The People's Voice," and I guess I stand here today on behalf of the people in Lancaster County, the entire county, to say that this does affect one legislative district, that Lancaster County has real problems with the way the whole project has come about.

As I said, I have to vote "no" on this. I am voting against the process. I am voting against the way this was handled, the way it was done. I think it was wrong, and I am a "no."

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentelady.

The Chair recognizes the gentleman, Mr. Cappelli.

Mr. CAPPELLI. Thank you, Mr. Speaker.

I rise in support of HB 983 on concurrence, notwithstanding the legitimate concerns of the Lancaster County delegation. I believe the essence of the Senate amendment was to modify the Infrastructure and Facilities Improvement Program, which is highly advocated by the Department of Community and Economic Development, and if this becomes law would, for the first time, enable important infrastructure-related grants to flow to manufacturing enterprises as well as hospitals. So this is one more economic development tool to create jobs and strengthen Pennsylvania's manufacturing foundation, and I would urge a vote on concurrence on HB 983.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

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

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

The following roll call was recorded:

YEAS—146

Adolph	Geist	McNaughton	Scavello
Belardi	George	Melio	Semmel
Belfanti	Gerber	Micozzie	Shaner
Beyer	Gergely	Millard	Shapiro
Biancucci	Gillespie	Miller, S.	Siptroth
Bishop	Godshall	Mundy	Smith, B.
Blackwell	Good	Mustio	Smith, S. H.
Blaum	Grucela	Myers	Solobay
Buxton	Gruitza	Oliver	Staback
Caltagirone	Haluska	O'Neill	Stairs
Cappelli	Hanna	Pallone	Steil
Casorio	Harhai	Parker	Stetler
Cawley	Harhart	Payne	Stevenson, R.
Civera	Hasay	Petrarca	Stevenson, T.
Clymer	Hennessey	Petri	Sturla
Cohen	Herman	Petrone	Surra
Cornell	Hershey	Phillips	Tangretti
Corrigan	Hess	Pistella	Taylor, E. Z.
Costa	James	Pyle	Taylor, J.
Crahalla	Josephs	Quigley	Tigue
Curry	Keller, W.	Ramaley	Turzai
Daley	Kenney	Raymond	Veon
Dally	Killion	Readshaw	Vitali
DeLuca	Kotik	Reed	Walko
Dermody	LaGrotta	Reichley	Wansacz
DeWeese	Leach	Roberts	Waters
DiGirolamo	Lederer	Roebuck	Watson
Diven	Lescovitz	Rooney	Williams
Donatucci	Levdansky	Ross	Wojnaroski
Eachus	Major	Rublely	Wright
Fabrizio	Manderino	Ruffing	Yewcic
Fairchild	Mann	Sabatina	Youngblood
Fichter	Markosek	Sainato	Yudichak
Flick	McCall	Samuelson	Zug
Frankel	McGeehan	Santoni	
Freeman	McIlhattan	Sather	Perzel,
Gannon	McIlhinney	Saylor	Speaker

NAYS—41

Argall	Feese	Kauffman	Nickol
Armstrong	Fleagle	Keller, M.	O'Brien
Baker	Forcier	Leh	Pickett
Baldwin	Gabig	Mackereth	Rapp
Barrar	Gingrich	Maher	Rohrer
Benninghoff	Grell	Maitland	Schroder
Boyd	Harper	Marsico	Sconney
Causar	Harris	Metcalfe	Stern
Creighton	Hickernell	Miller, R.	True
Denlinger	Hutchinson	Nailor	Wilt
Ellis			

NOT VOTING—0

EXCUSED—15

Allen	Bunt	Goodman	Rieger
Bastian	Cruz	Kirkland	Thomas
Bebko-Jones	Evans, D.	McGill	Wheatley
Birmelin	Evans, J.	Preston	

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

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

COMMERCE COMMITTEE MEETING

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

Mr. HASAY. Thank you, Mr. Speaker.

Mr. Speaker, I would like to call a brief meeting of the House Commerce Committee in room 205 of the Speaker Ryan Building. The House Commerce Committee will meet briefly in the Speaker Ryan Building on a uniform code bill, Mr. Speaker, immediately upon the final recess.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

Commerce will meet in room 205 of the Ryan Office Building at the recess.

Earlier today the gentleman, Mr. Semmel, indicated he would like to call a meeting. Was that done? The Chair thanks the gentleman. That was done.

Are there any other announcements on the floor? There will be no further votes on the floor of the House today.

RECESS

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

AFTER RECESS

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

**THE SPEAKER PRO TEMPORE
(MATTHEW E. BAKER) PRESIDING****BILLS AND RESOLUTIONS PASSED OVER**

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

RECESS

The SPEAKER pro tempore. The gentleman from Philadelphia County, Mr. Sabatina, is recognized.

Mr. SABATINA. Mr. Speaker, I move that this House do now recess until Monday, May 1, 2006, at 1 p.m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 12:59 p.m., e.d.t., Monday, May 1, 2006, the House recessed.