

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

SATURDAY, JULY 1, 2006

SESSION OF 2006

190TH OF THE GENERAL ASSEMBLY

No. 48

HOUSE OF REPRESENTATIVES

The House convened at 2 p.m., e.d.t.

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

PRAYER

HON. MATTHEW E. BAKER, member of the House of Representatives, offered the following prayer:

Thank you, Mr. Speaker.

Our prayer is taken from Psalm 33:12, "Blessed is the nation whose God is the Lord...."

Let us pray:

Eternal God, stir Thou our minds and stimulate our hearts with a high sense of patriotism as we approach the Fourth of July. May all that this day symbolizes renew our faith in freedom, our devotion to democracy, and redouble our efforts to keep a government of the people, by the people, and for the people truly alive in our world. Grant that we may highly resolve on this great day to dedicate ourselves anew to the task of ushering in an era when goodwill shall live in the hearts of a free people, justice shall be the light to guide their feet, and peace shall be the goal of humankind.

To the glory of Thy holy name and the good of our nation and our Commonwealth and all mankind, we pray in the name of our Lord. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the Journal of Friday, June 30, 2006, will be postponed until printed.

JOURNAL APPROVED

The SPEAKER. Without objection, the Journal for Wednesday, February 8, 2006, will be approved as printed.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2363 By Representatives O'BRIEN, THOMAS, ADOLPH, BARRAR, CALTAGIRONE, CAPPELLI, CIVERA, CLYMER, COHEN, CRAHALLA, FLAHERTY, FRANKEL, FREEMAN, GANNON, GINGRICH, GODSHALL, GOOD, HARPER, HENNESSEY, JAMES, JOSEPHS, KENNEY, KILLION, LEDERER, MARSICO, MCGILL, McILHINNEY, MICOZZIE, O'NEILL, PARKER, PETRI, REICHLEY, ROSS, RUBLEY, SAYLOR, SCHRODER, STABACK, J. TAYLOR, WANSACZ, WATSON, WILLIAMS and YOUNGBLOOD

An Act amending Title 44 (Law and Justice) of the Pennsylvania Consolidated Statutes, establishing the Illegal Firearm Task Force Program; providing for powers and duties of the Office of Attorney General; and making an appropriation.

Referred to Committee on JUDICIARY, July 1, 2006.

No. 2873 By Representative MCGEEHAN

An Act authorizing and directing the Department of General Services, with the concurrence of the Department of Environmental Protection, to lease land within the bed of the Delaware River within the City of Philadelphia.

Referred to Committee on STATE GOVERNMENT, July 1, 2006.

No. 2874 By Representatives METCALFE, BUNT, CALTAGIRONE, CREIGHTON, DALEY, DeLUCA, RAPP, SONNEY, THOMAS, TRUE and WANSACZ

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for maintenance of records.

Referred to Committee on EDUCATION, July 1, 2006.

No. 2875 By Representatives VEON, BLACKWELL, GEORGE, HARHAI, JOSEPHS, KOTIK, LEACH, LEDERER, McCALL, PARKER, PRESTON, SIPTROTH, WALKO, WHEATLEY, SOLOBAY, WANSACZ, YUDICHAK, STABACK, CALTAGIRONE, YOUNGBLOOD, GRUCELA, DeWEESE, GOODMAN and JAMES

An Act amending the act of August 23, 1967 (P.L.251, No.102), known as the Economic Development Financing Law, amending and adding definitions; providing for the Pennsylvania Capital Access

Program (PennCAP) within the Pennsylvania Economic Development Financing Authority; and making editorial changes.

Referred to Committee on COMMERCE, July 1, 2006.

No. 2876 By Representatives BOYD, FAIRCHILD, FRANKEL, RUBLEY, SAYLOR, O'NEILL, TIGUE, CAWLEY, CALTAGIRONE, CRAHALLA, DALEY, LEH, MAITLAND, BAKER, HERSHEY, WRIGHT, MARKOSEK, TRUE, MUNDY, YOUNGBLOOD, FLAHERTY, GRUCELA, M. KELLER, KILLION, HESS, BUNT, HICKERNELL, MYERS, PICKETT, BENNINGHOFF, CREIGHTON, SIPTROTH, REICHLEY, E. Z. TAYLOR, THOMAS, HUTCHINSON, R. MILLER, B. SMITH, BEYER and DENLINGER

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

Referred to Committee on FINANCE, July 1, 2006.

No. 2877 By Representatives GANNON, COHEN, THOMAS, WATSON, ROEBUCK, BLACKWELL, CRAHALLA, YOUNGBLOOD, RAYMOND, MYERS, JAMES, ADOLPH, DeWEESE, MELIO, J. TAYLOR, KENNEY, MANDERINO, LEDERER, BARRAR, FRANKEL, MICOZZIE and O'NEILL

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for sale or transfer of firearms; and providing for failure to report lost or stolen firearm and for notice of multiple purchase reporting.

Referred to Committee on JUDICIARY, July 1, 2006.

No. 2878 By Representatives STERN, HERSHEY, DALEY, BUNT, CAPPELLI, FAIRCHILD, PYLE, SAYLOR, MARKOSEK, BELFANTI, GRUCELA, HICKERNELL, HALUSKA, CRAHALLA, REED, DALLY, HARPER, CALTAGIRONE, R. STEVENSON, CREIGHTON, MAJOR, DeWEESE, YOUNGBLOOD, GEIST, McILHATTAN, SONNEY, PICKETT, BALDWIN, KAUFFMAN, BOYD, M. KELLER, PALLONE, MILLARD, ALLEN, CAUSER, HARRIS, MAITLAND, RAPP, FLEAGLE, BASTIAN, ADOLPH, HESS, R. MILLER, BEYER, BARRAR, J. TAYLOR, BENNINGHOFF, GINGRICH and DENLINGER

An Act establishing the Resource Enhancement and Protection Tax Credit Program for the stewardship of agricultural lands and riparian corridors; creating opportunities for private investment in best management practices and riparian corridors; establishing a sponsorship program; authorizing the transferability of the tax credits; and imposing powers and duties on the Department of Revenue and the State Conservation Commission.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, July 1, 2006.

No. 2879 By Representatives McGEEHAN, CALTAGIRONE, CLYMER, CRAHALLA, DALEY, GEORGE, HARPER, W. KELLER, KENNEY, KOTIK, LEDERER, MELIO, R. MILLER, MYERS, PARKER,

PETRONE, ROEBUCK, SABATINA, SIPTROTH, STABACK, WALKO, YOUNGBLOOD, MANDERINO, J. TAYLOR and FRANKEL

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, providing for duties of property owners in cities of the first class prior to installation of electric service.

Referred to Committee on CONSUMER AFFAIRS, July 1, 2006.

No. 2881 By Representatives YEWCIC, STERN, BOYD, CALTAGIRONE, GODSHALL, GOODMAN, SCAVELLO, SONNEY, WOJNAROSKI, ROHRER, DALEY, E. Z. TAYLOR, RAPP, CRAHALLA, GILLESPIE, LEH, SIPTROTH and WILT

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for the offense of failure to report a crime.

Referred to Committee on JUDICIARY, July 1, 2006.

No. 2882 By Representatives YEWCIC, FREEMAN, GEORGE, HANNA, STAIRS, TANGRETTI, HALUSKA, RAMALEY, SCAVELLO, DeWEESE, STABACK, MUNDY, RAPP, CALTAGIRONE, CRAHALLA, GOODMAN, GODSHALL, YOUNGBLOOD, SONNEY, SIPTROTH, BASTIAN and ROHRER

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

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, July 1, 2006.

No. 2883 By Representatives PHILLIPS, BARRAR, TURZAI, FLAHERTY, ALLEN, ARGALL, BEBKO-JONES, BOYD, CALTAGIRONE, CAPPELLI, COHEN, CORNELL, COSTA, CRAHALLA, DALEY, DiGIROLAMO, FABRIZIO, GEIST, GEORGE, GERGELY, GINGRICH, GOOD, GOODMAN, HALUSKA, HERSHEY, JAMES, LEVDANSKY, MANN, MARKOSEK, McGEEHAN, McILHATTAN, McILHINNEY, MUNDY, READSHAW, ROBERTS, ROSS, SANTONI, SCAVELLO, SIPTROTH, STABACK, TANGRETTI, E. Z. TAYLOR, WALKO, WATSON, WOJNAROSKI, YOUNGBLOOD, YUDICHAK and HARHART

An Act amending the act of December 19, 1986 (P.L.1737, No.209), known as the Insurance Payment to Registered Nurse Law, further providing for coverage.

Referred to Committee on INSURANCE, July 1, 2006.

No. 2884 By Representatives TANGRETTI, DeWEESE, LEACH, MELIO, PALLONE, PAYNE, PISTELLA, REICHLEY, SABATINA, SIPTROTH, SOLOBAY, WALKO, WOJNAROSKI, LEDERER, FLAHERTY, BARRAR and FRANKEL

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the definition of "financial responsibility."

Referred to Committee on TRANSPORTATION, July 1, 2006.

SENATE BILLS FOR CONCURRENCE

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

SB 180, PN 1959

Referred to Committee on CONSUMER AFFAIRS, July 1, 2006.

SB 557, PN 1962

Referred to Committee on JUDICIARY, July 1, 2006.

SB 1148, PN 1894

Referred to Committee on STATE GOVERNMENT, July 1, 2006.

SB 1218, PN 1945

Referred to Committee on CONSUMER AFFAIRS, July 1, 2006.

SB 1242, PN 1918

Referred to Committee on STATE GOVERNMENT, July 1, 2006.

SB 1262, PN 1877

Referred to Committee on GAME AND FISHERIES, July 1, 2006.

RULES COMMITTEE MEETING

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

BILLS ON CONCURRENCE REPORTED FROM COMMITTEE

HB 247, PN 4415

By Rep. S. SMITH

An Act amending the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act, further providing for definitions; providing for licensure of home care agencies and home care registries; establishing certain consumer protections; and providing for inspections and plans of correction and for applicability of act.

RULES.

HB 1195, PN 4416

By Rep. S. SMITH

An Act amending the act of July 6, 1989 (P.L.169, No.32), known as the Storage Tank and Spill Prevention Act, further providing for definitions, for Underground Storage Tank Indemnification Fund, for the Underground Storage Tank Environmental Cleanup Program and for Underground Storage Tank Pollution Prevention Program.

RULES.

SENATE MESSAGE

HOUSE RESOLUTION CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has concurred in **HR 676, PN 3782**.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 2437, PN 3506; HB 2441, PN 3510; HB 2633, PN 4282; and HB 2802, PN 4393**, with information that the Senate has passed the same without amendment.

SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 247, PN 4415; and HB 1195, PN 4416**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

SENATE MESSAGE

HOUSE 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 332, PN 1777; SB 775, PN 1795; SB 809, PN 1958; SB 874, PN 1914; SB 1090, PN 1973; and SB 1043, PN 1944**.

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 2437, PN 3506

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for the amounts of part-time student assistance grants.

HB 2441, PN 3510

An Act amending Title 62 (Procurement) of the Pennsylvania Consolidated Statutes, further providing for application of part; and providing for electronic bidding by local government units.

HB 2633, PN 4282

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

HB 2802, PN 4393

An Act amending the act of July 2, 2004 (P.L.492, No.57), known as the Sign Language Interpreter and Transliterator State Registration Act, further providing for definitions and for State registration requirements.

SB 332, PN 1777

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for foreign decree of adoption.

SB 775, PN 1795

An Act amending the act of June 19, 2002 (P.L.377, No.56), known as the Interstate Compact for the Supervision of Adult Offenders Act, imposing an application fee; providing for the collection and the use of the application fee; and providing for definitions.

SB 809, PN 1958

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, further providing for organization meeting and appointment of secretary and treasurer, for the duties of township supervisors, for county associations and for State Association of Township Supervisors authorized.

SB 874, PN 1914

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.

SB 1043, PN 1944

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for association group life insurance for Pennsylvania National Guard and for tuition costs and fees for children and spouses of deceased soldiers.

SB 1090, PN 1973

An Act amending the act of January 17, 1968 (P.L.11, No.5), known as The Minimum Wage Act of 1968, giving effect to Federal changes in wage rates; providing for preemption; and making editorial changes.

SB 1205, PN 1869

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, providing for insurance proceeds intercept; and further providing for State disbursement unit.

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

LEAVES OF ABSENCE

The SPEAKER. The Chair turns to leaves of absence. The Chair recognizes the minority whip, who moves for a leave of absence for the day for the gentleman from Philadelphia, Mr. RIEGER. Without objection, that leave will be granted.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—198

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

ADDITIONS—0**NOT VOTING—0**

EXCUSED—5

Forcier	Rieger	Shaner	Wilt
Levdansky			

FILMING PERMISSION

The SPEAKER. The Chair is giving permission and wishes to advise the members that Carolyn Kaster from The Associated Press will be taking still photographs on the floor of the House of Representatives for the next 10 minutes. She is doing budget and other floor activities.

GUESTS INTRODUCED

The SPEAKER. The Chair would like to welcome to the hall of the House Dr. Ruth Shultz and Lenora Miller. They are the guests today of Representative Frank Oliver of Philadelphia and Representative Leach of Montgomery County. They are to the left of the Speaker. Would they please rise and be recognized.

CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mr. BAKER called up **HR 820, PN 4443**, entitled:

A Resolution honoring Lawrenceville Borough, Tioga County, on the 175th anniversary of its organization.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

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

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Forcier	Rieger	Shaner	Wilt
Levdansky			

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

* * *

Mr. WATERS called up **HR 823, PN 4445**, entitled:

A Resolution encouraging safe driving habits and the reduction of road rage incidents in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

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

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Forcier	Rieger	Shaner	Wilt
Levdansky			

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

* * *

Mr. COHEN called up **HR 828, PN 4461**, entitled:

A Resolution commending organizations such as the Pennsylvania Suicide Prevention Initiative and county suicide prevention task forces which are dedicated to reducing suicide attempts and the pain of survivors affected by suicides through educational programs, research projects, intervention services and bereavement services; and designating the week of September 10 through 16, 2006, as "Suicide Prevention Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

Adolph	Fairchild	Maher	Rubley
Allen	Feese	Maitland	Ruffing
Argall	Fichter	Major	Sabatina
Armstrong	Flaherty	Manderino	Sainato
Baker	Fleagle	Mann	Samuelson
Baldwin	Flick	Markosek	Santoni
Barrar	Frankel	Marsico	Sather
Bastian	Freeman	McCall	Saylor
Bebko-Jones	Gabig	McGeehan	Scavello

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Forcier	Rieger	Shaner	Wilt
Levdansky			

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

APPROPRIATIONS COMMITTEE MEETING

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

Mr. FEESE. Thank you, Mr. Speaker.

Mr. Speaker, there will be an immediate meeting of the House Appropriations Committee in the rear of the House.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

There is an immediate meeting of the Appropriations Committee in the rear of the hall of the House.

VOTE CORRECTION

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

Mr. PYLE. Mr. Speaker, I would like to correct my vote on HB 2383, which was taken on June 30, 2006. I was recorded as a “nay,” and I would like to be recorded as a “yea.”

Thank you, Mr. Speaker.

The SPEAKER. The gentleman’s remarks will be spread across the record.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. The Chair is about to recess the regular session and go into special session, just for the information of the members.

RECESS

The SPEAKER. This House is in recess to the call of the Chair.

AFTER RECESS

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

HARRISBURG LEGISLATIVE LEAVE

The SPEAKER. The gentleman, Mr. Cohen? Does Mr. Cohen seek recognition?

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, I would like to request Capitol leave for Representative LaGROTTA.

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

STATEMENT BY MR. CRUZ

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

Mr. CRUZ. A point of personal privilege, Mr. Speaker.

The SPEAKER. The gentleman will state.

Mr. CRUZ. I would like to take this opportunity to extend an invitation to my colleague, Adam Harris. We discussed the amendment on English only, and we are going to be conducting a wedding in the rotunda in Spanish, so I wanted him to be one of my guests so we can see how that is performed.

The SPEAKER. You two are not getting married, are you?

Mr. CRUZ. I am already married, Mr. Speaker. Thank you.

The SPEAKER. The Chair apologizes.

BILL REREPORTED FROM COMMITTEE

SB 651, PN 748

By Rep. FEESE

An Act amending the act of June 14, 1961 (P.L.324, No.188), known as The Library Code, further providing for waiver of standards.

APPROPRIATIONS.

The SPEAKER. The House will be at ease, awaiting the Finance Committee’s return to the floor.

RULES COMMITTEE MEETING

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

**BILLS ON CONCURRENCE
REPORTED FROM COMMITTEE**

HB 804, PN 4503 (Amended)

By Rep. S. SMITH

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for an electronic titling program, for suspension of registration upon sixth unpaid parking violation in cities of the first class, for unattended children in motor vehicles, for fleeing or attempting to elude police officer and for exemption from additional requirements for highway occupancy permits for agricultural purposes; and providing for levy and imposition of surcharge in cities of the first class.

RULES.

HB 2082, PN 4504 (Amended)

By Rep. S. SMITH

An Act providing for a nonbinding Statewide referendum on the matter of local school property tax elimination.

RULES.**CALENDAR CONTINUED****BILL ON FINAL PASSAGE**

The House proceeded to consideration on final passage of **HB 2757, PN 4208**, entitled:

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, providing for legislative intent; further providing for definitions and for licensing of cigarette dealers; providing for prohibited activities; further providing for license fees, for disposition of license fees, for retention of records and for examination of records, equipment and premises; providing for property rights; further providing for labeling and packaging and for administration powers and duties; providing for enforcement powers and duties; and further providing for violations and penalties.

On the question recurring,
Shall the bill pass finally?

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

Mr. GANNON. Mr. Speaker, may I have a moment? I have several amendments filed, but I am going to withdraw two of them and only offer one. Let me just find out which one that will be. Just give me a second.

The SPEAKER. The House will be at ease.

DECISION OF CHAIR RESCINDED

The SPEAKER. Without objection, the Chair rescinds its announcement that the bill has been agreed to for the third time.

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

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

Mr. GANNON. Thank you.

Mr. Speaker, I would like to offer amendment A9078 and withdraw all the other amendments. It would be A09078.

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

Mr. GANNON offered the following amendment No. A09078:

Amend Title, page 1, line 33, by striking out “for license fees, for disposition of license fees,”

Amend Title, page 2, line 5, by striking out “and” where it appears the second time

Amend Title, page 2, line 6, by removing the period after “penalties” and inserting

; and making a transfer of an appropriation.

Amend Sec. 2, page 2, lines 24 through 27, by striking out all of said lines and inserting

Section 2. Section 202-A of the act, added July 2, 1993 (P.L.250, No.46), is amended by adding definitions to read:

Amend Sec. 2 (Sec. 202-A), page 2, lines 30 through 32; page 3, lines 1 through 22, by striking out all of said lines on said pages

Amend Sec. 3 (Sec. 203-A), page 5, line 20, by striking out “department” and inserting

office

Amend Sec. 9 (Sec. 227.1-A), page 11, lines 9 through 15, by striking out all of lines 9 through 14 and “(c)” in line 15 and inserting

(b)

Amend Bill, page 12, by inserting between lines 15 and 16

Section 11. Appropriations which are to be used in connection with the duties, powers or functions of the Department of Revenue relating to enforcement of Article II-A of the act during the 2006-2007 fiscal year are hereby transferred to the Cigarette Sales and Licensing Enforcement Office in the Office of Attorney General with the same force and effect as if the appropriations had been made to the Cigarette Sales and Licensing Enforcement Office in the Office of Attorney General in the first instance.

Amend Sec. 11, page 12, line 16, by striking out “11” and inserting

12

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

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

Mr. GANNON. Thank you, Mr. Speaker.

Mr. Speaker, as a result of some of the questions raised by members the last time this bill was brought up for consideration, we went back to the drawing board, so to speak, and found another way to accomplish the goal and also at the same time meeting some of the concerns.

The first thing that we have done is, we have removed the definition of “cost of the retailer” from the bill, reverting back to the original definition, and if you will recall in the debate, there was some concern about going from a 6 percent to 10 percent on the cost of doing business. This leaves the language as it currently is in law, and that is at 6 percent. So we

are now at where we are in current law, so we are not changing that part of it.

Additionally, we looked at the fee of 7 cents a carton, and what we have done is, we have removed that fee, although that fee was agreed to by the wholesalers as part of the cost of dealing with the issues such as illegal rebates and illegal sales, the enforcement aspects of it. We removed that language, and what we have done is, we have taken the licensing of the Web site from the Department of Revenue to the Attorney General, and the legislation now transfers the enforcement provision, not the taxing provisions, but the enforcement for illegal sales and illegal rebates to the Attorney General, but to cover that cost, we found that money was appropriated to the Department of Revenue for those enforcement provisions, and what we are doing is, we are transferring that money to the Attorney General to help pay for the cost of the enforcement.

So with that said, Mr. Speaker, there is no impact at all on the cost of a pack of cigarettes or a carton of cigarettes to the consumer if this amendment is adopted with this language. So we have zero impact with respect to any loss of revenues with respect to a decrease in cigarette sales, and there is zero impact with respect to the Mcare (Medical Care Availability and Reduction of Error) Fund, which was a concern expressed by the members if there was a reduction in the sale of cigarettes.

So we have addressed the two issues that were brought up by the members, their principal concerns, and I would ask for a “yes” vote on the amendment.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Adolph.

Mr. ADOLPH. Thank you, Mr. Speaker.

For the purpose of interrogating the maker of the amendment.

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

Mr. ADOLPH. Thank you.

Mr. Speaker, is it true now that under this amendment, that only manufacturers that are not legally paying this license fee to the State of Pennsylvania now would be subject to this license fee, and from what I understand, that there are no manufacturers in Pennsylvania who would be subject to this?

Mr. GANNON. Mr. Speaker, the answer is, yes, there are no manufacturers in Pennsylvania currently participating in the tobacco settlement.

Mr. ADOLPH. Thank you.

Is this amendment also taking out the \$7 a carton fee?

Mr. GANNON. 7 cents per carton.

Mr. ADOLPH. Oh, yes. Okay. I do not smoke cigarettes so I am not—

Mr. GANNON. Neither do I.

Mr. ADOLPH. 7 cents a carton?

Mr. GANNON. Correct.

Mr. ADOLPH. Okay. This same amendment takes that out?

Mr. GANNON. This removes that, yes.

Mr. ADOLPH. Okay. On the amendment, Mr. Speaker.

The SPEAKER. The gentleman is in order and may proceed.

Mr. ADOLPH. Thank you, Mr. Speaker.

Mr. Speaker, I rise to support the amendment being offered by the gentleman from Delaware County. I feel that the bill is a very good bill, and with this amendment, I think it clears up a

couple of the issues that we had with the original bill, and I urge my colleagues to support the amendment.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Cohen.

Mr. COHEN. Thank you.

Mr. Speaker, would the gentleman from Delaware consent to interrogation?

The SPEAKER. The gentleman indicates he will stand for interrogation. The gentleman is in order.

Mr. COHEN. Mr. Speaker, you say this does not affect the price of cigarettes?

Mr. GANNON. Correct.

Mr. COHEN. At all?

Mr. GANNON. Correct.

Mr. COHEN. But it gets rid of the tax that we had previously approved?

Mr. GANNON. We did not approve any tax; no.

Mr. COHEN. Well, we approved charges.

Mr. GANNON. No; we did not approve anything. We never voted on the bill.

Mr. COHEN. We never voted on the bill?

Mr. GANNON. Correct.

Mr. COHEN. Okay.

Mr. GANNON. The bill went over so we could work on addressing some of the concerns that were raised by members.

Mr. COHEN. Okay. The original interest that the bill was seeking to represent was the interest of the sellers of tobacco who wanted to be sure that there was an enforcement mechanism set up in the Attorney General's Office. How does your amendment deal with that original interest?

Mr. GANNON. Well, first of all, the main purpose of the bill was to protect the people of the Commonwealth.

Mr. COHEN. Right.

Mr. GANNON. Now, how did it do that, was to deal with illegal sales of cigarettes where no tax is collected at all and also creates an uncompetitive atmosphere for folks who are in Pennsylvania and who legally sell cigarettes. They do all the things that are necessary to legally sell cigarettes to the consumer.

The other thing was to deal with the issue of illegal rebates, and that presents a problem because illegal rebates provide an uncompetitive atmosphere with respect to those folks who are doing business legitimately.

And the third thing was, a result of this is to get a better control over the cigarettes through the licensing mechanism so that there would be better control over sales of cigarettes to children and elimination, further elimination of opportunity to sell cigarettes to children.

Mr. COHEN. And how does your amendment deal with these goals?

Mr. GANNON. That would deal with it through the licensing mechanism, the licensing of manufacturers and the licensing of wholesalers and dealers, which we currently do not do.

Mr. COHEN. So it is your belief that licensing would eliminate the need to set up a separate enforcement bureau?

Mr. GANNON. Well, it will go a lot further in giving us the ability to regulate the sale of cigarettes, and the principal reason we want to do that is to make certain that cigarettes do not get into the hands of anyone under 18 years of age.

Right now, for example, with the illegal market the way it is, we heard testimony in our hearings that one in five sellers

of cigarettes are selling cigarettes with counterfeit stamps, out-of-State revenue stamps. We have approximately \$70 million in illegal sales in Pennsylvania. This is to address that problem, and most of those illegal sales go into an illegal market, and that is principally children trying to get cigarettes that should not be sold to them.

Mr. COHEN. Thank you.

Mr. Speaker, one final question. If this amendment passes, will you still be introducing the other amendments or does this amendment solve the problem?

Mr. GANNON. I will withdraw— The other amendments are being withdrawn because this, we believe, solves the problem very comprehensively.

Mr. COHEN. Thank you, Mr. Speaker. I have no further questions.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. George.

Mr. GEORGE. Could I ask the sponsor a question, Mr. Speaker?

The SPEAKER. The gentleman is in order and may proceed.

Mr. GEORGE. Mr. Speaker, in the original analysis, it says that doing business will go between 6 and 10 percent. Does that still apply?

Mr. GANNON. No; that has been removed. That has been taken out.

Mr. GEORGE. I see. But you are still going to take the moneys that the legislature gives to Revenue to the Attorney General for this enforcement power?

Mr. GANNON. Just the appropriation for enforcement. Since Revenue will not be doing the enforcement, that will go to the Attorney General.

Mr. GEORGE. And what about the people now that deal in Revenue or work there that handled enforcement? What will happen to them?

Mr. GANNON. Nothing, because they will still have the enforcement of the tax side of it. Their job is to collect the taxes that are paid by the cigarette dealers and the wholesalers and the manufacturers and also the retailers. So they are going to be okay.

Mr. GEORGE. Mr. Speaker, I thank the sponsor. I applaud what the gentleman is attempting to do, but in my opinion, if you want to see the black marketing of cigarettes continue and even worsen, these things can promulgate that, and I am not going to support the amendment for that reason.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Samuelson.

Mr. SAMUELSON. Thank you.

I would like to commend the maker of the amendment for addressing the concerns that were raised on the floor the other day. The 4-percent increase that we were talking about has been removed in this amendment, and the enforcement activities are included but funded with existing dollars in the Department of Revenue.

So I appreciate the gentleman's efforts, and I urge a "yes" vote on the Gannon amendment.

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—193

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

NAYS—5

Cawley	Gruclera	Surra	Tigue
George			

NOT VOTING—0

EXCUSED—5

Forcier	Rieger	Shaner	Wilt
Levdansky			

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

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—198

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Forcier Rieger Shaner Wilt
Levdansky

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

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

* * *

The House proceeded to third consideration of **SB 594, PN 668**, entitled:

An Act providing for the creation of a trust for the benefit of certain owners of interests in oil and gas; authorizing trustee to enter into leases of interests in oil and gas under terms and conditions authorized by the court of common pleas; providing for the administration of the trust and for payment of moneys to the trustee; and imposing penalties for nonpayment.

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

Mr. **TANGRETTI** offered the following amendment No. **A08888**:

Amend Title, page 1, line 6, by striking out “and”

Amend Title, page 1, line 6, by removing the period after “nonpayment” and inserting

; and providing for notice and surface use agreements for drilling and operation of coal bed methane gas wells.

Amend Sec. 3, page 2, by inserting between lines 8 and 9

“Coal bed methane.” Gas which can be produced from a coal seam, a mined-out area or a gob well.

“Coal bed methane well.” A hole or well, which is sunk, drilled, bored or dug into the earth, including horizontal boreholes, for the production of coal bed methane from a coal seam, a mined-out area or a gob well for consumption or sale. The term does not include any of the following:

(1) A shaft, hole or well, which is sunk, drilled, bored or dug into the earth for core drilling or production of coal or water.

(2) A bore hole drilled or being drilled for the purpose of or to be used for degasifying coal seams if a condition in one of the following subparagraphs is met:

(i) The bore hole is:

(A) used to vent methane to the outside atmosphere from an operating coal mine;

(B) regulated as part of the mining permit pursuant to the act of June 22, 1937 (P.L.1987, No.394), known as The Clean Streams Law, and the act of May 31, 1945 (P.L.1198, No.418), known as the Surface Mining Conservation and Reclamation Act; and

(C) drilled by the operator of the operating coal mine for the purpose of increased safety.

(ii) The bore hole is used to vent methane to the outside atmosphere pursuant to a federally funded or State-funded abandoned mine reclamation project.

“Department.” The Department of Environmental Protection of the Commonwealth.

Amend Sec. 3, page 2, line 17, by striking out “methane gas” and inserting

coal bed methane

Amend Sec. 8, page 5, lines 13 and 14, by striking out all of said lines and inserting

Section 8. Coal bed methane gas wells permit requirements; surface use and damage agreements.

(a) Requirements.—The notice and plat provided to surface owners pursuant to the filing of a permit application for a coal bed methane gas well under section 201 of the act of December 19, 1984 (P.L.1140, No.223), known as the Oil and Gas Act, shall include all of the following:

(1) A plan of work and a description of the proposed location of the well and production-related horizontal boreholes, together with applicable deviation surveys, as plotted on current topographic maps.

(2) A statement citing deeds, leases, rights-of-way or other rights relating to the operator’s access to the coal bed methane.

(3) Information regarding required or recommended predrilling or prealteration surveys and other provisions relating to:

(i) protection of water supplies;

(ii) well location restrictions;

(iii) well site restoration; and

(iv) casing, plugging or capping of wells and production-related horizontal boreholes pursuant to the Oil and Gas Act.

(4) A proposal for a surface-use agreement, which shall include all of the following provisions:

(i) Compensation for damage to the surface, for loss of agricultural production and income and lost land value. The amount of damages may be determined by any reasonable formula agreeable to the surface owner and operator, and consideration may be given to the length of time during which the loss is sustained.

(ii) Consideration of the surface owner’s reasonable preferences regarding location of the well, which would not negatively impact production, as well as the location and maintenance of roads, fencing and equipment, which shall comply with the Oil and Gas Act and health and safety requirements of other applicable laws of this Commonwealth.

(iii) An option for the surface owner to use gas provided by the operator without charge in lieu of part or all of the financial compensation due for damages described in subparagraph (i).

(b) Compliance with Oil and Gas Act.—Compensation under subsection (a)(4)(i) or election of the option under subsection (a)(4)(ii) does not relieve the operator of responsibilities under the Oil and Gas Act, including protection, contamination, loss or diminution of water supplies; well site restoration; and the casing, plugging or capping of wells.

(c) Lack of surface-use agreement.—If the surface owner and operator are unable to execute a surface-use agreement within 30 days of the notice provided under subsection (a)(1), the following shall apply:

(1) The operator shall place in escrow in a financial institution approved by the surface owner an amount equal to the last best offer of compensation made by the operator to the surface owner; and the parties may apply to the court of common pleas in the judicial district in which the affected property is located for an order establishing surface use guidelines and reasonable compensation.

(2) The department shall allow the operator to commence operations pursuant to an approved permit upon receipt of proof from the operator that:

(i) an amount equal to the last best offer of compensation for surface use and damages has been placed in escrow in a financial institution approved by the surface owner; and

(ii) a monthly statement of escrowed funds shall be provided to the surface owner by first class mail, pending further negotiation or court order.

(d) Breach of surface-use agreement.—If an operator fails to comply with a surface-use agreement, the surface owner may bring an action for enforcement in the court of common pleas in the judicial district in which the affected property is located.

(e) Limitation of actions.—Notwithstanding 42 Pa.C.S. § 5527(b) (relating to six year limitation), a surface owner entitled to bring an action under this section must bring the action within two years after the damage has been discovered or should have been discovered through due diligence by the surface owner.

(f) Other remedies.—Nothing in this section precludes a person from seeking other remedies allowed by the statute or common law; nor does this section diminish rights previously granted by statute or common law. This section does not vest the surface owner with title to oil, gas or coal bed methane interests which have been severed from the surface estate.

(g) Applicability.—This section does not apply to a written surface-use agreement in effect prior to the effective date of this section.

(h) Definition.—As used in this section, the term “surface owner” means the owner of real property where a coal bed methane well is located or proposed to be located that is not entitled to royalties for the removal or recovery of the coal bed methane from the well.

Section 9. Effect of department authority.

The provisions of this act shall not be construed to affect, limit or impair any enforcement action taken by the department under the act of December 19, 1984 (P.L.1140, No.223), known as the Oil and Gas Act, prior to the effective date of this section.

Section 30. Effective date.

This act shall take effect as follows:

(1) Section 8 shall take effect in 60 days.

(2) The remainder of this act shall take effect immediately.

On the question,

Will the House agree to the amendment?

AMENDMENT WITHDRAWN

The SPEAKER. The gentleman, Mr. Tangretti, indicates that that amendment has been withdrawn. Is that correct? The Chair is correct.

On the question recurring,

Will the House agree to the bill on third consideration?

Mr. YEWIC offered the following amendment No. A08889:

Amend Title, page 1, line 6, by striking out “and”

Amend Title, page 1, line 6, by removing the period after “nonpayment” and inserting

; and providing for notice and surface use agreements for drilling and operation of coal bed methane gas wells.

Amend Sec. 3, page 2, by inserting between lines 8 and 9

“Coal bed methane.” Gas which can be produced from a coal seam, a mined-out area or a gob well.

“Coal bed methane well.” A hole or well, which is sunk, drilled, bored or dug into the earth, including horizontal boreholes, for the production of coal bed methane from a coal seam, a mined-out area or

a gob well for consumption or sale. The term does not include any of the following:

(1) A shaft, hole or well, which is sunk, drilled, bored or dug into the earth for core drilling or production of coal or water.

(2) A bore hole drilled or being drilled for the purpose of or to be used for degasifying coal seams if a condition in one of the following subparagraphs is met:

(i) The bore hole is:

(A) used to vent methane to the outside atmosphere from an operating coal mine;

(B) regulated as part of the mining permit pursuant to the act of June 22, 1937 (P.L.1987, No.394), known as The Clean Streams Law, and the act of May 31, 1945 (P.L.1198, No.418), known as the Surface Mining Conservation and Reclamation Act; and

(C) drilled by the operator of the operating coal mine for the purpose of increased safety.

(ii) The bore hole is used to vent methane to the outside atmosphere pursuant to a federally funded or State-funded abandoned mine reclamation project.

“Department.” The Department of Environmental Protection of the Commonwealth.

Amend Sec. 3, page 2, line 17, by striking out “methane gas” and inserting

coal bed methane

Amend Sec. 8, page 5, lines 13 and 14, by striking out all of said lines and inserting

Section 8. Coal bed methane gas wells permit requirements; surface use and damage agreements.

(a) Requirements.—The notice and plat provided to surface owners pursuant to the filing of a permit application for a coal bed methane gas well under section 201 of the act of December 19, 1984 (P.L.1140, No.223), known as the Oil and Gas Act, shall include all of the following:

(1) A plan of work and a description of the proposed location of the well and production-related horizontal boreholes, together with applicable deviation surveys, as plotted on current topographic maps.

(2) A statement citing deeds, leases, rights-of-way or other rights relating to the operator’s access to the coal bed methane.

(3) Information regarding required or recommended predrilling or prealteration surveys and other provisions relating to:

(i) protection of water supplies;

(ii) well location restrictions;

(iii) well site restoration; and

(iv) casing, plugging or capping of wells and production-related horizontal boreholes pursuant to the Oil and Gas Act.

(4) A proposal for a surface-use agreement, which shall include all of the following provisions:

(i) Compensation for damage to the surface, for loss of agricultural production and income and lost land value. The amount of damages may be determined by any reasonable formula agreeable to the surface owner and operator, and consideration may be given to the length of time during which the loss is sustained.

(ii) Consideration of the surface owner’s reasonable preferences regarding location of the well, which would not negatively impact production, as well as the location and maintenance of roads, fencing and equipment, which shall comply with the Oil and Gas Act and health and safety requirements of other applicable laws of this Commonwealth.

(iii) An option for the surface owner to use gas provided by the operator without charge in lieu of part or all of the financial compensation due for damages described in subparagraph (i).

(b) Compliance with Oil and Gas Act.—Compensation under subsection (a)(4)(i) or election of the option under subsection (a)(4)(ii) does not relieve the operator of responsibilities under the Oil and Gas Act, including protection, contamination, loss or diminution of water supplies; well site restoration; and the casing, plugging or capping of wells.

(c) Lack of surface-use agreement.—If the surface owner and operator are unable to execute a surface-use agreement within 30 days of the notice provided under subsection (a)(1), the following shall apply:

(1) The operator shall place in escrow in a financial institution approved by the surface owner an amount equal to the last best offer of compensation made by the operator to the surface owner; and the parties may apply to the court of common pleas in the judicial district in which the affected property is located for an order establishing surface use guidelines and reasonable compensation.

(2) The department shall allow the operator to commence operations pursuant to an approved permit upon receipt of proof from the operator that:

(i) an amount equal to the last best offer of compensation for surface use and damages has been placed in escrow in a financial institution approved by the surface owner; and

(ii) a monthly statement of escrowed funds shall be provided to the surface owner by first class mail, pending further negotiation or court order.

(d) Breach of surface-use agreement.—If an operator fails to comply with a surface-use agreement, the surface owner may bring an action for enforcement in the court of common pleas in the judicial district in which the affected property is located.

(e) Limitation of actions.—Notwithstanding 42 Pa.C.S. § 5527(b) (relating to six year limitation), a surface owner entitled to bring an action under this section must bring the action within two years after the damage has been discovered or should have been discovered through due diligence by the surface owner.

(f) Other remedies.—Nothing in this section precludes a person from seeking other remedies allowed by the statute or common law; nor does this section diminish rights previously granted by statute or common law. This section does not vest the surface owner with title to oil, gas or coal bed methane interests which have been severed from the surface estate.

(g) Applicability.—This section does not apply to a written surface-use agreement in effect prior to the effective date of this section.

(h) Preemption.—This section supersedes the ordinances and resolutions of political subdivisions dealing with the material regulated by this section, in accordance with section 602 of the Oil and Gas Act.

(i) Definition.—As used in this section, the term “surface owner” means the owner of real property where a coal bed methane well is located or proposed to be located that is not entitled to royalties for the removal or recovery of the coal bed methane from the well.

Section 9. Effect of department authority.

The provisions of this act shall not be construed to affect, limit or impair any enforcement action taken by the department under the act of December 19, 1984 (P.L.1140, No.223), known as the Oil and Gas Act, prior to the effective date of this section.

Section 30. Effective date.

This act shall take effect as follows:

(1) Section 8 shall take effect in 60 days.

(2) The remainder of this act shall take effect immediately.

On the question,

Will the House agree to the amendment?

AMENDMENT WITHDRAWN

The SPEAKER. The gentleman, Mr. Yewcic, indicates that that has been withdrawn.

On the question recurring,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—198

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Forcier Rieger Shaner Wilt
Levdansky

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same without amendment.

* * *

The House proceeded to third consideration of **SB 1224, PN 1955**, entitled:

An Act amending the act of May 15, 1945 (P.L.547, No.217), known as the Conservation District Law, further providing for Commonwealth appropriations.

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

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

The question is, shall the bill pass finally?

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

Mr. HERSHEY. In June 2005 the Legislative Budget and Finance Committee issued a report on local conservation districts, made several recommendations relative to their operations. This Senate bill addresses the major problem noted by creating a special fund to be used as a repository for funds appropriated to either the Pennsylvania Department of Agriculture or DEP (Department of Environmental Protection) for support of local conservation districts. What this did, they took several sources of money and put it into one repository, and that is supported by the Conservation Commission, the conservation districts, and the administration.

I urge an affirmative vote. Thank you.

The SPEAKER. The Chair thanks the gentleman.

Mr. Daley. The gentleman, Mr. Daley.

Mr. DALEY. Thank you, Mr. Speaker. Just briefly.

This is an agreed-to amendment. Both the Democrats and the Republicans on the House Agriculture and Rural Affairs Committee have reviewed this bill, and we agree to the bill, and as was stated, it was approved by the administration.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—198

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Forcier Rieger Shaner Wilt
Levdansky

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same without amendment.

SUPPLEMENTAL CALENDAR A

BILLS ON CONCURRENCE
IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 247, PN 4415**, entitled:

An Act amending the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act, further providing for definitions; providing for licensure of home care agencies and home care registries; establishing certain consumer protections; and providing for inspections and plans of correction and for applicability of act.

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

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

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

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

The following roll call was recorded:

YEAS—198

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

DeWeese	Killion	Raymond	Wojnaroski
DiGirolamo	Kirkland	Readshaw	Wright
Diven	Kotik	Reed	Yewcic
Donatucci	LaGrotta	Reichley	Youngblood
Eachus	Leach	Roberts	Yudichak
Ellis	Lederer	Roebuck	Zug
Evans, D.	Leh	Rohrer	
Evans, J.	Lescovitz	Rooney	Perzel,
Fabrizio	Mackereth	Ross	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—5

Forcier	Rieger	Shaner	Wilt
Levdansky			

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.

* * *

The House proceeded to consideration of concurrence in Senate amendments to **HB 1195, PN 4416**, entitled:

An Act amending the act of July 6, 1989 (P.L.169, No.32), known as the Storage Tank and Spill Prevention Act, further providing for definitions, for Underground Storage Tank Indemnification Fund, for the Underground Storage Tank Environmental Cleanup Program and for Underground Storage Tank Pollution Prevention Program.

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

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

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

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

The following roll call was recorded:

YEAS—198

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

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Forcier	Rieger	Shaner	Wilt
Levdansky			

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 B

RESOLUTION PURSUANT TO RULE 35

Mr. STAIRS called up **HR 829, PN 4502**, entitled:

A Resolution designating the week of September 18 through 22, 2006, as "Pennsylvania Legislators Back to School Week" and encouraging members of the House of Representatives to participate in the event.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Forcier	Rieger	Shaner	Wilt
Levdansky			

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

CALENDAR CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 1179, PN 1950**, entitled:

An Act amending the act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code Act, further providing for applicability and for exemptions.

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

Mr. **STEIL** offered the following amendment No. **A08892**:

Amend Sec. 1 (Sec. 104), page 2, line 1, by striking out "**A RESIDENTIAL OR**" and inserting
an existing residential or an existing

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

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

Mr. **STEIL**. Thank you, Mr. Speaker.

This amendment simply changes language to indicate that the exception for local municipal code inspection on siding is referenced to existing residential buildings only.

Thank you.

The **SPEAKER**. The Chairs thanks the gentleman.

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

The following roll call was recorded:

YEAS—193

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

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

NAYS—5

Creighton	Metcalfe	Sather	Surra
Grucela			

NOT VOTING—0

EXCUSED—5

Forcier	Rieger	Shaner	Wilt
Levdansky			

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. **HANNA** offered the following amendment No. **A08872**:

Amend Title, page 1, line 6, by inserting after "applicability"
, for training of inspectors

Amend Bill, page 2, lines 5 and 6, by striking out all of said lines and inserting

Section 2. Sections 701(b) and 901 of the act, amended July 15, 2004 (P.L.748, No.92), are amended to read:

Section 701. Training of inspectors.

* * *

(b) Categories of inspectors.—

(1) The department, in consultation with BOCA and other interested parties, shall establish appropriate categories of code administrators.

(2) A code administrator may act in place of a lumber grading or inspection agency to satisfy the requirement set forth under section 2303.1.1 of the 2003 International Building Code or its successor code or section R404.2.1, R502.1, R602.1 or R802.1 of the 2003 International Residential Code for One- and Two-Family Dwellings or its successor code.

* * *

Amend Sec. 2 (Sec. 901), page 2, lines 18 through 30; page 3, lines 1 through 20, by striking out all of said lines on said pages and inserting

(b) Religious beliefs.—

(1) An applicant for a construction permit for a dwelling unit or one-room schoolhouse utilized by a member or members

of a recognized religious sect may file an application with a code administrator to be exempted from [an electrical provision of] the Uniform Construction Code, as provided in this subsection, which conflicts with the applicant's religious beliefs. The application shall state the manner in which the provision conflicts with the applicant's religious beliefs and shall include an affidavit by the applicant stating that:

(i) the applicant is a member of a recognized religious sect;

(ii) the religious sect has established tenets or teachings which conflict with;

(A) an electrical provision of the Uniform Construction Code;

(B) a lumber or wood provision, not relating to pressure treatment, of the Uniform Construction Code.

(iii) the applicant adheres to the established tenets or teachings of the sect;

(iv) in the case of a dwelling unit, the dwelling unit will be used solely as a residence for the applicant and the applicant's household; and

(v) in the case of a one-room schoolhouse, the one-room schoolhouse will be used solely by members of the religious sect.

(2) A code administrator shall grant an application for an exemption if made in accordance with paragraph (1).

(3) If an applicant receives an exemption for any building under this subsection and the applicant subsequently sells or leases the building, the applicant shall bring the building into compliance with the provision of the Uniform Construction Code from which it was exempted under this subsection prior to the sale or lease of the building unless the prospective subsequent owner or lessee files an affidavit in compliance with paragraph (1)(i) through (iv).

* * *

Amend Bill, page 4, by inserting between lines 5 and 6

Section 3. The amendment of section 901(b) of the act shall apply to permits applied for on or after the effective date of this act.

Amend Sec. 3, page 4, line 6, by striking out "3" and inserting
4

On the question,

Will the House agree to the amendment?

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

Mr. HANNA. Thank you, Mr. Speaker.

This amendment would allow a local code administrator to act in place of a lumber grading or inspection agency to approve what is referred to as rough-cut lumber. In addition, it would exempt religious organizations from having to use wood that conflicts with their religious beliefs.

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—198

Adolph	Fairchild	Maher	Rubley
Allen	Feese	Maitland	Ruffing
Argall	Fichter	Major	Sabatina
Armstrong	Flaherty	Manderino	Sainato
Baker	Fleagle	Mann	Samuelson

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Forcier	Rieger	Shaner	Wilt
Levdansky			

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—198

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Forcier	Rieger	Shaner	Wilt
Levdansky			

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

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

* * *

The House proceeded to third consideration of **HB 1695, PN 4331**, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, providing for a special license and license auction to hunt one elk.

On the question,

Will the House agree to the bill on third consideration?

The SPEAKER. The gentleman, Mr. Tigie, offers the following amendment, which the clerk will read. The gentleman, Mr. Tigie, has withdrawn the amendment.

On the question recurring,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—198

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

DeWeese	Killion	Raymond	Wojnaroski
DiGirolamo	Kirkland	Readshaw	Wright
Diven	Kotik	Reed	Yewcic
Donatucci	LaGrotta	Reichley	Youngblood
Eachus	Leach	Roberts	Yudichak
Ellis	Lederer	Roebuck	Zug
Evans, D.	Leh	Rohrer	
Evans, J.	Lescovitz	Rooney	Perzel,
Fabrizio	Mackereth	Ross	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—5

Forcier	Rieger	Shaner	Wilt
Levdansky			

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 2650, PN 4020**, entitled:

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

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

RULES SUSPENDED

The SPEAKER. The gentleman, Mr. Phillips.

Mr. PHILLIPS. Mr. Speaker, I move for an immediate suspension of the rules in order to bring up amendment No. 8622.

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

(Members proceeded to vote.)

VOTE STRICKEN

The SPEAKER. Strike the board.

Mr. Vitali, I apologize. I did not see you. I am sorry. For what purpose does the— Mr. Vitali.

Mr. VITALI. I was just seeing if we could get a brief explanation of the amendment prior to voting on the rules suspension.

The SPEAKER. The gentleman, Mr. Phillips, indicates he will stand for a brief explanation. Mr. Phillips. Would the gentleman, Mr. Phillips, please give— Mr. Phillips, would you please just give a brief explanation.

Mr. Vitali waives off.

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

The following roll call was recorded:

YEAS—198

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Forcier	Rieger	Shaner	Wilt
Levdansky			

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

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

Mr. **PHILLIPS** offered the following amendment No. **A08622**:

Amend Title, page 1, line 3, by removing the period after “Commission” and inserting
and for report to commission official.

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

Section 1. Sections 301 and 2122 of Title 34 of the Pennsylvania Consolidated Statutes are amended to read:

Amend Sec. 1, page 3, by inserting between lines 19 and 20 § 2122. Report to commission officer.

Any person who kills any game or wildlife, other than raccoons and woodchucks, under the provisions of this subchapter shall, within 24 hours, report, orally or in writing, the killing to an officer of the commission. The report shall set forth the date, time and place of the killing, the number of species killed and the sex of the species.

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

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

Mr. **PHILLIPS**. Thank you, Mr. Speaker.

This would amend section 2122 of Title 34. As that section reads, it says, “Any person who kills any game or wildlife, other than raccoons, under the provisions of this subchapter shall, within 24 hours, report, orally or in writing, the killing to an officer of the commission. The report shall set forth the date, time and place of the killing, the number of species killed and the sex of the species.” What this would add, where it says “raccoons,” it would also add “woodchucks,” which are one of the animals that are very devastating to farmers, and a lot of times farmers kill many of these animals, and it would take that away from the reporting.

The **SPEAKER**. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Staback.

Mr. **STABACK**. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of the Phillips amendment. This is a simple, commonsense proposal, and I would ask for an affirmative vote from both sides of the aisle.

The **SPEAKER**. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Smith, Mr. Bruce Smith.

Mr. **B. SMITH**. Thank you, Mr. Speaker.

This is indeed an agreed-to amendment. I would urge all members to support it. 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—197

Adolph	Fairchild	Maher	Rubley
Allen	Feese	Maitland	Ruffing
Argall	Fichter	Major	Sabatina
Armstrong	Flaherty	Manderino	Sainato
Baker	Fleagle	Mann	Samuelson

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

NAYS—1

Watson

NOT VOTING—0

EXCUSED—5

Forcier	Rieger	Shaner	Wilt
Levdansky			

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

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—198

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Forcier	Rieger	Shaner	Wilt
Levdansky			

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

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

* * *

The House proceeded to third consideration of **SB 82, PN 1901**, entitled:

An Act providing for the display of the American flag, Commonwealth flag or military flag by residents in a unit owners association, homeowners association or master association.

On the question,

Will the House agree to the bill on third consideration?

Mr. **MUSTIO** offered the following amendment No. **A09059**:

Amend Sec. 2, page 3, line 20, by inserting after "COMMUNITY."

The term shall include any proprietary lessee in a cooperative, as defined in 68 Pa.C.S. § 4103 (relating to definitions), or in any successor statute.

On the question,

Will the House agree to the amendment?

The **SPEAKER**. On that question, the Chair recognizes the gentleman, Mr. Mustio. The gentleman indicates that it is understood.

Are there any questions?

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—198

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

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Forcier	Rieger	Shaner	Wilt
Levdansky			

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. **GRELL** offered the following amendment No. **A09074**:

Amend Sec. 2, page 2, by inserting between lines 12 and 13

“Cemetery.” A place for the disposal or burial of deceased human beings, by cremation or in a grave, mausoleum, vault, columbarium or other receptacle, but the term does not include a private family cemetery.

“Cemetery entity.” Any person or entity, including a cemetery company or association, who either:

(1) offers or sells to the public the ownership, or the right to use, any cemetery lot; or

(2) maintains lots within a cemetery.

Amend Sec. 2, page 3, by inserting between lines 6 and 7

“Lot” or “lots.” Includes a lot, plot or part of a cemetery.

Amend Sec. 3, page 3, line 23, by inserting before “Notwithstanding”

(a) General rule.—

Amend Sec. 3, page 4, by inserting between lines 25 and 26

(b) Cemetery entity.—A cemetery entity may not prohibit the outdoor display of one American flag, Commonwealth flag and military flag on lots if the American flag is displayed in a manner consistent with 4 U.S.C. §§ 4 through 10 and a Commonwealth flag or military flag is displayed in accordance with any rules and regulations adopted by the cemetery entity. A cemetery entity may adopt rules and regulations, consistent with 4 U.S.C. §§ 4 through 10, regarding the placement and manner of display of the American flag, and a cemetery entity may adopt rules and regulations regarding the placement and manner of display of a Commonwealth flag or military flag. A cemetery entity may adopt rules and regulations regarding the size and location of flags on lots, but such rules or regulations shall not be used as subterfuge to defeat the purposes of this act. A cemetery entity must permit the flying of military flags, in a respectful way, on President’s Day, Iwo Jima Flag Raising Day, Vietnam Veteran’s Day, V-E Day, Armed Forces Day, Memorial Day, Flag Day,

Independence Day, Korean War Veterans Armistice Day, V-J Day, Patriot’s Day, POW/MIA Recognition Day, Veterans Day, Pearl Harbor Day and the birthday of each branch of the United States Armed Forces. Nothing in this act shall preclude a lot owner, or his heirs or assigns, from limiting or prohibiting the display of an American flag, Commonwealth flag or military flag on a lot.

On the question,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—198

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Forcier	Rieger	Shaner	Wilt
Levdansky			

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—198

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Forcier	Rieger	Shaner	Wilt
Levdansky			

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

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

STATEMENT BY MRS. WATSON

The SPEAKER. For what purpose does the gentlelady, Mrs. Watson, rise?

Mrs. WATSON. Just to thank you on final passage for this, Mr. Speaker.

The SPEAKER. The gentlelady is in order and may proceed.

Mrs. WATSON. Thank you very much.

On behalf of a gentleman in my legislative district – which I know in one place; I believe Representative Mustio has someone – where this all originated, Mr. Felf, I would like to thank you all for voting for this. This gentleman is a retired Marine, had difficulty flying his Marine flag in his community on the anniversary of the formation of the Marines. He has been working and praying for this for about 2 years.

So, Mr. Speaker, colleagues, thank you very much.

The SPEAKER. The Chair thanks the gentlelady.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 845, PN 1355**, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, providing for court-appointed child custody health care or behavioral health practitioners.

On the question,

Will the House agree to the bill on third consideration?

The SPEAKER. The gentleman, Mr. Curry, offers the following amendment— It is the information of the Chair that the amendments on this have all been withdrawn.

On the question recurring,

Will the House agree to the bill on third consideration?

Mr. **CURRY** offered the following amendment No. **A08705**:

Amend Title, page 1, line 2, by inserting after “Statutes,” further providing for willful failure to pay support order; and

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

Section 1. Section 4354(a) of Title 23 of the Pennsylvania Consolidated Statutes is amended to read:

§ 4354. Willful failure to pay support order.

(a) Offense defined.—An individual who willfully fails to comply with a support order of a court of this Commonwealth when the individual has the financial ability to comply with the support order commits a [summary offense] misdemeanor of the third degree.

* * *

Section 2. Title 23 is amended by adding a section to read:

Amend Bill, page 2, by inserting 32 between lines 11 and 12

Section 3. The amendment of 23 Pa.C.S. § 4354(a) shall apply to offenses committed on or after the effective date of this section.

Amend Sec. 2, page 2, line 12, by striking out “2” and inserting
4

On the question,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—198

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Forcier
Levdansky

Rieger

Shaner

Wilt

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

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—197

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

Donatucci	LaGrotta	Reichley	Yudichak
Eachus	Leach	Roberts	Zug
Ellis	Lederer	Roebuck	
Evans, D.	Leh	Rohrer	
Evans, J.	Lescovitz	Rooney	Perzel,
Fabrizio	Mackereth	Ross	Speaker

NAYS—1

Vitali

NOT VOTING—0

EXCUSED—5

Forcier	Rieger	Shaner	Wilt
Levdansky			

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

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

* * *

The House proceeded to third consideration of **SB 1159, PN 1608**, entitled:

An Act making an appropriation from a restricted revenue account within the General Fund to the Office of Consumer Advocate in the Office of Attorney General.

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—198

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

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Forcier	Rieger	Shaner	Wilt
Levdansky			

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same without amendment.

* * *

The House proceeded to third consideration of **SB 1160, PN 1599**, entitled:

An Act making an appropriation from a restricted revenue account within the General Fund to the Office of Small Business Advocate in the Department of Community and Economic Development.

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—198

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Forcier	Rieger	Shaner	Wilt
Levdansky			

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same without amendment.

* * *

The House proceeded to third consideration of **SB 1161, PN 1600**, entitled:

An Act making appropriations from the Workmen's Compensation Administration Fund to the Department of Labor and Industry and the Department of Community and Economic Development to provide for the expenses of administering the Workers' Compensation Act, The Pennsylvania Occupational Disease Act and the Office of Small Business Advocate for the fiscal year July 1, 2006, to June 30, 2007, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2006.

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—198

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

Donatucci	LaGrotta	Reichley	Youngblood
Eachus	Leach	Roberts	Yudichak
Ellis	Lederer	Roebuck	Zug
Evans, D.	Leh	Rohrer	
Evans, J.	Lescovitz	Rooney	Perzel,
Fabrizio	Mackereth	Ross	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—5

Forcier	Rieger	Shaner	Wilt
Levdansky			

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same without amendment.

* * *

The House proceeded to third consideration of **SB 1162, PN 1601**, entitled:

An Act making an appropriation from a restricted revenue account within the General Fund and from Federal augmentation funds to the Pennsylvania Public Utility Commission.

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—198

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

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Forcier	Rieger	Shaner	Wilt
Levdansky			

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same without amendment.

* * *

The House proceeded to third consideration of **SB 1163, PN 1602**, entitled:

An Act making appropriations from the Professional Licensure Augmentation Account and from restricted revenue accounts within the General Fund to the Department of State for use by the Bureau of Professional and Occupational Affairs in support of the professional licensure boards assigned thereto.

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—198

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Forcier	Rieger	Shaner	Wilt
Levdansky			

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same without amendment.

* * *

The House proceeded to third consideration of **SB 1164, PN 1603**, entitled:

An Act making an appropriation from the Public School Employees' Retirement Fund to provide for expenses of the Public School Employees' Retirement Board for the fiscal year July 1, 2006, to June 30, 2007, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2006.

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—198

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

Evans, D.	Leh	Rohrer	
Evans, J.	Lescovitz	Rooney	Perzel,
Fabrizio	Mackereth	Ross	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—5

Forcier	Rieger	Shaner	Wilt
Levdansky			

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same without amendment.

* * *

The House proceeded to third consideration of **SB 1165, PN 1604**, entitled:

An Act making an appropriation from the State Employees' Retirement Fund to provide for expenses of the State Employees' Retirement Board for the fiscal year July 1, 2006, to June 30, 2007, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2006.

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—198

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

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Forcier	Rieger	Shaner	Wilt
Levdansky			

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same without amendment.

* * *

The House proceeded to third consideration of **SB 1166, PN 1972**, entitled:

An Act providing for the capital budget for the fiscal year 2006-2007 and itemizing transportation assistance and redevelopment assistance projects to be constructed or acquired or assisted by the Department of Community and Economic Development and the Department of Transportation, together with their estimated financial costs; authorizing the incurring of debt without the approval of the electors for the purpose of financing the projects to be constructed or acquired or assisted by the Department of Community and Economic Development and the Department of Transportation; stating the estimated useful life of the projects; and making appropriations.

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—198

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Forcier	Rieger	Shaner	Wilt
Levdansky			

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

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

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 247, PN 4415

An Act amending the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act, further providing for definitions; providing for licensure of home care agencies and home care registries; establishing certain consumer protections; and providing for inspections and plans of correction and for applicability of act.

HB 1195, PN 4416

An Act amending the act of July 6, 1989 (P.L.169, No.32), known as the Storage Tank and Spill Prevention Act, further providing for definitions, for Underground Storage Tank Indemnification Fund, for the Underground Storage Tank Environmental Cleanup Program and for Underground Storage Tank Pollution Prevention Program.

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

The SPEAKER. The House is temporarily at ease.

RECESS

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

AFTER RECESS

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

GUEST INTRODUCED

The SPEAKER. The Chair would like to welcome to the hall of the House Doug Mauer, who is a guest of Representative Sue Cornell and the fiancé of one of the Republican staffers, Melanie Brown. Would that guest please rise and be recognized.

CALENDAR CONTINUED

BILL ON CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 859, PN 2853**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, clarifying provisions relating to imposition of certain realty transfer taxes.

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

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.

Mr. S. SMITH. Mr. Speaker, I move that HB 859, PN 2853, be recommitted to the Committee on Rules.

On the question,

Will the House agree to the motion?

Motion was agreed to.

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.

Mr. S. SMITH. Mr. Speaker, I move that HB 2082 be recommitted to the Committee on Rules.

On the question,

Will the House agree to the motion?

Motion was agreed to.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 1188, PN 1910**, entitled:

An Act amending the act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law, further providing for definitions, for physician, certified registered nurse practitioner and pharmacy participation, for reduced assistance, for program generally, for restricted formulary, for reimbursement, for income verification, for contracts and for the pharmaceutical assistance contract for the elderly needs enhancement tier, for pharmacy best practices and cost controls review; further providing for penalties; establishing the coordination of Federal and State benefits; providing for continued eligibility under certain circumstances; and making editorial changes.

On the question,

Will the House agree to the bill on third consideration?

RULES SUSPENDED

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

Mr. S. SMITH. Mr. Speaker, I move that the rules of the House be immediately suspended for amendment No. 9101.

On the question,

Will the House agree to the motion?

The SPEAKER. On that question, does the gentleman, Mr. DeWeese, defer to the gentleman, Mr. Eachus?

The gentleman, Mr. Eachus.

Mr. EACHUS. Thank you, Mr. Speaker.

Amendment No. A9101 is an agreed-to bipartisan amendment, and if we can support that suspension, I would appreciate that.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the majority leader, the gentleman, Mr. Smith.

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

Mr. Speaker, this is an amendment that is fairly comprehensive. It is agreed to through a long order of negotiations with the various parties that are involved with the

PACE (Pharmaceutical Assistance Contract for the Elderly) program, and I would urge the members to suspend the rules.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—198

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

NAYS—0**NOT VOTING—0****EXCUSED—5**

Forcier	Rieger	Shaner	Wilt
Levdansky			

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

On the question recurring,

Will the House agree to the bill on third consideration?

Mr. S. SMITH offered the following amendment No. A09101:

Amend Sec. 1.1 (Sec. 502), page 3, by inserting between lines 3 and 4

“Medicare Advantage Prescription Drug Plan.” A Medicare advantage plan that provides qualified prescription drug coverage as set forth in the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (Public Law 108-173, 117 Stat. 2066).

Amend Sec. 3, page 4, lines 17 and 18, by striking out all of said lines and inserting

Section 3. Sections 505 and 506 of the act, added November 21, 1996 (P.L.741, No.134), are amended to read:

Section 505. Drug utilization review system.

(a) Establishment.—The department shall ensure that a state-of-the-art therapeutic drug utilization review system is established to monitor and correct misutilization of drug therapies.

(b) Review.—The department shall review utilization data provided from a PDP to monitor increases in drug utilization among claimants and determine if disease management intervention is needed.

Amend Sec. 4 (Sec. 509), page 5, line 23, by inserting brackets before and after “90%” and inserting immediately thereafter

88%

Amend Sec. 5 (Sec. 510), page 7, line 24, by inserting brackets before and after “90%” and inserting immediately thereafter

88%

Amend Sec. 6, page 9, lines 4 and 5, by striking out all of said lines and inserting

Section 6. Section 512 of the act, amended November 26, 2003 (P.L.212, No.37), is amended to read:

Amend Sec. 6 (Sec. 512), page 9, line 6, by inserting brackets before and after “Restricted formulary.” and inserting immediately thereafter

Formulary.

Amend Sec. 6 (Sec. 512), page 9, line 7, by inserting brackets before and after “restricted”

Amend Sec. 6 (Sec. 512), page 9, line 9, by inserting brackets before and after “only”

Amend Bill, page 9, by inserting between lines 19 and 20

Section 6.1. Section 513 of the act, added November 21, 1996 (P.L.741, No.134), is amended to read:

Section 513. Mail order system.

(a) The department may not enter into a contract with a private contractor for an exclusive mail-order system for the delivery of prescription drugs under this program. Only mail-order pharmacy services provided by pharmacies which are licensed by the Commonwealth and which have their principal place of business within this Commonwealth may participate as providers under the program. The department shall develop and promulgate specific regulations governing the practice of mail-order pharmacy and other enrolled providers to include the following minimum standards of practice to ensure the health, safety and welfare of program participants:

(1) The appropriate method or methods by which such pharmacies shall verify the identity of the program recipient and the authenticity of prescriptions received.

(2) The appropriate method or methods by which such pharmacies shall mail or deliver prescription drugs to program recipients ensuring, to the maximum extent possible, that the intended program recipient is the actual ultimate recipient of any prescription dispensed by such pharmacies.

(3) The appropriate method or methods by which such pharmacies shall communicate with program participants in emergency situations.

(b) Notwithstanding any provision of law to the contrary, a claimant may use any and all pharmacy services offered by a PDP or Medicare Advantage Prescription Drug Plan to receive drugs and shall be permitted to continue to use those services throughout the noncoverage phase.

(c) Nothing in this section shall require a claimant to use mail-order services.

Section 6.2. Section 515 of the act, amended November 26, 2003 (P.L.212, No.37), is amended to read:

Amend Sec. 8 (Sec. 519), page 11, line 15, by striking out the brackets before and after “(PACENET)”

Amend Sec. 8 (Sec. 519), page 12, line 9, by striking out “does not enroll in Part D” and inserting

is not enrolled in Part D pursuant to section 533

Amend Sec. 11 (Sec. 531), page 16, lines 9 through 13, by striking out all of said lines

Amend Sec. 11 (Sec. 533), page 17, lines 4 through 30; page 18, lines 1 through 3, by striking out all of said lines on said pages and inserting

Section 533. Powers of the department.

The department shall:

(1) Identify the Part D plan or plans with which the department has entered into a contract under section 534 that meet the prescription drug needs and pharmacy preferences of a claimant.

(2) Recommend that the claimant enroll in the Part D plan or program that meets the prescription drug needs and pharmacy preferences of the claimant in the most cost-effective manner for the Commonwealth.

(3) Initiate enrollment on behalf of the claimant in the Part D plan recommended by the department unless the claimant notifies the department that the claimant wishes to enroll in another Part D plan.

(4) File and pursue appeals in accordance with CMS regulations with a claimant’s Part D plan on the claimant’s behalf to request exceptions to the plan’s tiered cost-sharing structure or to request a nonformulary Part D drug.

(5) Assist claimants the department believes to be eligible for the LIS in making an application to the Social Security Administration.

(6) Provide at least ten days for the claimant to decline enrollment in the recommended plan.

(7) Develop and distribute language, when recommending enrollment, notifying claimants of:

(i) The ability to decline enrollment in the recommended Part D plan.

(ii) The ability to file and pursue appeals to the recommended Part D plan on their own behalf.

(iii) The possibility that their choice of plan may affect their medical coverage if they are enrolled in a Medicare Advantage Plan, if applicable.

Amend Sec. 11 (Sec. 534), page 19, lines 14 through 16, by striking out all of said lines and inserting

(iv) File and pursue appeals in accordance with CMS regulations with a claimant’s Part D plan on the claimant’s behalf to request exceptions to the plan’s tiered cost-sharing structure or to request a nonformulary Part D drug.

(8) Notwithstanding the provisions of sections 511 and 513(a), for purposes of coordination of benefits with Medicare Part D plans, and to minimize disruption to enrollees, the program shall be authorized to reimburse Part D providers, including mail-order pharmacies, for more than a 30-day supply of prescription drugs.

Amend Sec. 11 (Sec. 535), page 21, by inserting between lines 1 and 2

(d) Upon request of the claimant, the department shall provide a copy of any and all filings that are processed or submitted under this subchapter.

Amend Sec. 11, page 21, by inserting between lines 9 and 10 Section 537. Collection.

The department shall have the authority to collect any amounts from the payment by the department of pharmacy claims that are the responsibility of a PDP or Medicare Advantage Prescription Drug Plan as a primary payor pursuant to section 534(b)(1).

Amend Sec. 12 (Sec. 706), page 22, line 8, by inserting after “drugs”

except those excluded under subsection (d)

Amend Sec. 14, page 23, line 23, by striking out “2004,” and inserting

2005.

Amend Bill, page 24, lines 11 through 13, by striking out all of said lines and inserting

(c) Eligibility in the PACE program pursuant to this section shall expire December 31, 2006.

(d) Eligibility in the PACENET program pursuant to this section shall expire December 31, 2007.

Section 15. This act shall take effect as follows:

(1) The amendment of section 512 of the act shall take effect January 1, 2008.

(2) The amendment of section 706 of the act shall take effect January 1, 2007.

(3) The remainder of this act shall take effect immediately.

On the question,

Will the House agree to the amendment?

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

Mr. McILHATTAN. Thank you, Mr. Speaker.

I would like to interrogate the maker of the amendment for just a few minutes, please.

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

Mr. McILHATTAN. A couple points of clarification, Mr. Speaker.

Local pharmacies under this legislation, if I understand it correctly – I want to make sure – the Senate bill, it has the wholesale price index minus 10 percent; this would move to the wholesale price index minus 12 percent, which would have a more negative impact on our small community pharmacies. Is that right, Mr. Speaker?

Mr. S. SMITH. Mr. Speaker, yes, the amendment has that item changed to AWP (average wholesale price) minus 12. While the bill that had passed the Senate was at minus 10, I would make as a point of clarification, or at least perspective, that the negotiations on this, in particularly with the administration, started at AWP-16; there were some who were settled in on AWP-14. Like I say, the bill as it came out of the Senate was AWP-10. Landing at AWP-12 was the best compromise we could achieve while trying to keep a balance between the impacts that that particular reimbursement rate actually has on both the providers of the service as well as the PACE program, you know, which ultimately pays for the prescription drugs for senior citizens.

Mr. McILHATTAN. Thank you, Mr. Speaker.

Another question. Drug manufacturers right now under the PACE/PACENET (Pharmaceutical Assistance Contract for the Elderly Needs Enhancement Tier) program pay the State a rebate. As we move to the other PDP (prescription drug plan), the Part D, would those manufacturers still pay us a rebate?

Mr. S. SMITH. Both brand names and generics will continue to pay rebates. Let me add one point of clarification here. Just let me make sure, Mr. Speaker.

With generics, Mr. Speaker, if their ingredients cost more than the CPI (Consumer Price Index), then they will not be penalized.

Mr. McILHATTAN. I guess my question, Mr. Speaker, is, has all that been considered in the rebates? Maybe we will not get as much as we did. Is that all considered in as we go to reach the figure of what we are going to save? Has that all been considered? I want to make sure of that.

Mr. S. SMITH. The estimate, Mr. Speaker, is that there would be a loss of \$2 million on that in the net of this whole proposal. However, it is part of that complete balancing act, if you will, that allows us to put forth this amendment ultimately as a final piece of legislation of law that will both serve the senior citizens, maintain the solvency of the PACE and PACENET program as a subset of the lottery program, and still trying to treat fairly the service providers and the suppliers, the manufacturers, all the parties that are involved in this.

Mr. McILHATTAN. Okay. One other question, Mr. Speaker. What is the intended estimated savings under this amendment?

Mr. S. SMITH. Mr. Speaker, it is \$169 million.

Mr. McILHATTAN. Okay. One other question on that, and that is, I am thinking how are we going to use this savings, and it goes to the heart of an issue that most of us have been contacted by our friends at AARP, and they suggested that \$30 million of that be used for in-home services, \$8 million be used for senior citizens, \$5 million for transportation, and \$2 million for case worker training, and that is around \$45 million, \$50 million to be used guaranteed for senior use. Since the savings is going to be in the Lottery Fund, can I go back and tell them that that savings is really going to be there in those areas to help them and they are going to have those increases?

Mr. S. SMITH. Mr. Speaker, the savings that are derived by this because of the implementation of this legislation have a direct impact on our budget, some of these on the General Fund budget. Some of the surpluses that this generates within the Lottery Fund will be used for the variety of long-term and senior citizen care programs that are both part and parcel of the General Fund budget as well as the existing lottery program.

Mr. McILHATTAN. So some of the Lottery Fund money that we are saving here will go to the General Fund budget. Is that correct or not correct, Mr. Speaker?

Mr. S. SMITH. Technically not, Mr. Speaker. We use some of this surplus as a supplement to some of the long-term-care items within the General Fund.

Mr. McILHATTAN. Thank you, Mr. Speaker.

That concludes my questions.

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—180

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

NAYS—18

Allen	Hess	McIlhattan	Reed
Argall	Hutchinson	Petri	Reichley
Benninghoff	Kauffman	Pickett	Stern
Dally	Keller, M.	Pyle	Stevenson, R.
Harhart	Major		

NOT VOTING—0

EXCUSED—5

Forcier	Rieger	Shaner	Wilt
Levdansky			

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

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

The Chair recognizes the gentleman, Mr. Eachus.

Mr. EACHUS. Thank you, Mr. Speaker.

On SB 1188 with the language that we just inserted from the Smith amendment, the seniors of the Commonwealth of Pennsylvania, the consumers of the PACE and PACENET program, are the winners. The ability to have access to this prescription drug program has been a hallmark of Pennsylvania's needs-based services for senior citizens, and the PACE and PACENET program has been the elite program that other States have looked to as they put forth programs to deal with their own senior citizens' prescription drug access issues.

The program today is inextricably changed because of the changes in Washington under Medicare Part D. The challenge for all of us has been how we make a perfectly good program fit into a flawed Federal program. Today the language that is inserted into this bill makes it clear that we are putting consumers first in Pennsylvania.

The consumer in this program under PACE and PACENET will never know all the administrative gyrations of the changes that we have had to make in order to make this a seamless program for our consumers. The PACE card will still be the hallmark of excellence in providing prescription drugs, and the State cost containment methodology to be put in place to deal with making sure that we preserve this program into the future and expand it is maintained. One hundred and twenty thousand more senior citizens will come into the PACE and PACENET program because of the benefits that we put forth today.

The issues that have faced us with access to prescription drugs for seniors have been daunting, with the rising cost of health care surrounding these issues, the rising cost of prescription drugs as it relates to inflation. This is a significant compromise that makes clear and ensures that this program will go on for years to come.

I applaud the bipartisan work in the House and Senate on this work, and there is a specific component which I am hopeful we can focus on for the next 18 months. There is language in this bill that has the capability of dealing with formulary changes after the January 1, 2008, Federal subsidy is diminished to the PDPs, the prescription drug plans, that are involved in this program. Those formulary issues, I am hopeful that the majority chairman of the Health and Human Services Committee and our chairman on the Democratic side will focus on some hearings that will allow us to take a look at that formulary issue, make sure that we focus on the needs of Pennsylvania and the cost containment that is necessary to make this program go.

But today is a victory, once again, a victory for consumers because we maintain the highest level of service in the PACE and PACENET program and, and, I once again add, puts cost containment first to ensure that this program lasts for our senior citizens in the Commonwealth.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Bunt.

Mr. BUNT. Thank you, Mr. Speaker.

Mr. Speaker, I spoke earlier with the gentleman, Mr. Eachus, and the majority leader, Mr. Smith. Mr. Speaker, for the record, I would like to memorialize that discussion that I had with you folks regarding the amendment 9101, specifically section 512. That amendment authorizes the Department of Aging to establish, as you had indicated in your remarks, a restricted drug formulary. Also, as we discussed, I have a problem with that, and I suspect that several of my colleagues on both sides of the aisle would as well. Restricting patient access to pharmaceuticals is a very dangerous policy, regardless of intent, and we should not go there, especially for the senior citizens.

While I would prefer to have this amendment stripped from the bill today, I agreed not to offer an amendment to do so, an amendment to that amendment, in return for a commitment to consider alternatives to the proposed language.

Fortunately, the amendment to section 512 does not take effect until, as you had indicated, until January of 2008. This should provide us with ample time to correct this significant flaw, and I appreciate your and our leader's commitment to convene a forum to do so.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—198

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

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Forcier	Rieger	Shaner	Wilt
Levdansky			

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

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

CONFERENCE COMMITTEE MEETING

The SPEAKER. There will be a Committee of Conference on HB 2499 meeting at 5 p.m. in room 245; a Committee of Conference on HB 2499, 5 o'clock, room 245.

VOTE CORRECTIONS

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

Mr. CAUSER. Mr. Speaker, I would like to correct the record.

The SPEAKER. The gentleman is in order.

Mr. CAUSER. On SB 1188, amendment A09101, I was recorded in the affirmative, and I would like to be recorded in the negative.

The SPEAKER. The Chair thanks the gentleman. The gentleman's remarks will be spread across the record.

The gentleman, Mr. Bastian.

Mr. BASTIAN. Thank you, Mr. Speaker.

I would like to change the record.

The SPEAKER. The gentleman is in order.

Mr. BASTIAN. On SB 1188, amendment 9109, I was recorded in the positive. I wish to be recorded in the negative.

The SPEAKER. The Chair thanks the gentleman. The gentleman's remarks will be spread across the record.

The House will be at ease.

For what purpose does the gentleman, Mr. Ellis, rise?

Mr. ELLIS. For the purpose of correcting the record.

The SPEAKER. The gentleman is in order.

Mr. ELLIS. On SB 1188, amendment A9101, I was recorded in the affirmative, and I meant to be recorded in the negative.

The SPEAKER. The Chair thanks the gentleman. The gentleman's remarks will be spread across the record.

RULES COMMITTEE MEETING

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

BILL ON CONCURRENCE REPORTED FROM COMMITTEE

HB 859, PN 4509 (Amended)

By Rep. S. SMITH

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing, in sales and use tax, for definitions and for alternate imposition; further providing, in corporate net income tax, for definitions; and further providing, in research and development tax credit, for credit for research and development expenses, for time limitations, for limitations on credit and for termination.

RULES.

BILL REREPORTED FROM COMMITTEE

HB 2775, PN 4243

By Rep. S. SMITH

An Act amending the act of October 15, 1980 (P.L.950, No.164), entitled "A supplement to the act of April 9, 1929 (P.L.177, No.175), entitled 'An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined,' implementing the addition of section 4.1 to Article IV of the Constitution of Pennsylvania; establishing the Office of Attorney General elected by the citizens and setting forth powers and duties of the Attorney General; creating an Office of General Counsel and providing for legal services for Commonwealth agencies; transferring, reorganizing or reconstituting certain boards, commissions and agencies; placing certain duties upon the courts and district attorneys; repealing certain acts and parts of acts and making appropriations," providing for witness relocation and protection.

RULES.

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 2775, PN 4243.

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.

Mr. S. SMITH. Mr. Speaker, I move that HB 2775 be recommitted to the Committee on Appropriations.

On the question,

Will the House agree to the motion?

Motion was agreed to.

The SPEAKER. Would the gentleman, Mr. Allen, please come to the rostrum.

Will the gentleman, Mr. Gannon, please come to the rostrum.

(Conference held at Speaker's podium.)

VOTE CORRECTIONS

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

Mr. BAKER. To change the record.

The SPEAKER. The gentleman is in order.

Mr. BAKER. Thank you, Mr. Speaker.

I would like to change the record on amendment A09101 to SB 1188. I was voted in the affirmative and would prefer to be voted in the negative.

The SPEAKER. The Chair thanks the gentleman. The gentleman's remarks will be spread across the record.

Mr. BAKER. Thank you.

The SPEAKER. The gentleman, Mr. Metcalfe.

Mr. METCALFE. Thank you, Mr. Speaker.

Mr. Speaker, I would like to correct the record.

The SPEAKER. The gentleman is in order and may proceed.

Mr. METCALFE. Thank you, Mr. Speaker.

Mr. Speaker, on SB 1188, amendment 9101, I was recorded in the affirmative and would like to be recorded in the negative.

The SPEAKER. The Chair thanks the gentleman. The gentleman's remarks will be spread across the record.

For what purpose does the gentleman, Mr. Phillips, rise?

Mr. PHILLIPS. Thank you, Mr. Speaker.

I would like to change my vote on amendment A09101 on SB 1188.

The SPEAKER. The Chair thanks the gentleman. The gentleman's remarks will be spread across the record.

The gentleman, Mr. Geist.

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

Since Representative Hess failed to inform both Representative Phillips and me, I would also like to change my vote on that amendment A9101.

Thank you very much.

The SPEAKER. The Chair thanks the gentleman. The gentleman's remarks will be spread across the record.

Does the gentleman, Mr. Cappelli, seek recognition? The gentleman, Mr. Cappelli.

Mr. CAPPELLI. Thank you, Mr. Speaker.

To correct the record.

I, too, would like to be recorded in the negative on amendment A9101 to SB 1188.

The SPEAKER. The Chair thanks the gentleman. The gentleman's remarks will be spread across the record.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 881, PN 3321**, entitled:

An Act amending the act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code Act, further providing for administration and enforcement, for applications and inspections, for changes in Uniform Construction Code, for appeals and for education and training program.

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

Mr. **STEIL** offered the following amendment No. **A08971**:

Amend Sec. 1 (Sec. 501), page 3, line 8, by striking out the bracket before “THIS”

Amend Sec. 1 (Sec. 501), page 3, lines 8 and 9, by striking out “] SUBJECT TO SUBSECTION (D). THIS”

Amend Sec. 1 (Sec. 501), page 4, lines 28 and 29, by striking out all of said lines and inserting

(4) The fee for an appeal to the Board of Appeals for a municipality that is administering and enforcing this act shall not exceed actual costs of the public notice of the hearing, appearance fee for the court reporter and administrative fees as necessary.

Amend Sec. 1 (Sec. 501), page 5, lines 3 through 6, by striking out all of lines 3 through 5 and “IN WRITING TO AN EXTENSION.” in line 6 and inserting

shall convene a hearing within 30 days of the appeal. The Board of Appeals shall render a written decision to the parties within five business days of the last hearing.

Amend Sec. 1 (Sec. 501), page 5, line 14, by inserting after “AND”

may

Amend Sec. 1 (Sec. 501), page 5, lines 15 through 17, by striking out all of said lines and inserting

ICC or any organization whose referenced standard is listed in the International Building Code or International Residential Code or their successor codes, or any related codes, or the regulations promulgated under this act or any municipal construction code ordinance.

Amend Sec. 2 (Sec. 502), page 5, line 28, by striking out “, WITHIN THREE” and inserting

and ordinance as appropriate, within five

Amend Sec. 2 (Sec. 502), page 6, line 2, by striking out “GRANTED OR DENIED, IN WHOLE OR IN PART,” and inserting

acted upon

Amend Sec. 2 (Sec. 502), page 6, line 3, by striking out “A FINAL INSPECTION” and inserting

receipt of a final inspection report

Amend Sec. 2 (Sec. 502), page 6, line 4, by inserting after “CODE”

and ordinance as appropriate

Amend Sec. 2 (Sec. 502), page 6, lines 8 through 19, by striking out “A MUNICIPALITY” in line 8 and all of lines 9 through 19 and inserting

A code administrator shall review a construction plan of a building permit application upon submission and shall issue a notice of construction plan approval on a building permit application within the periods set forth in this section if the construction plans comply with the Construction Code Act and any other applicable municipal construction code ordinance. The municipality shall also provide a list of all of other required permits necessary prior to issuance of the building permit. The municipality will not be liable for the completeness of any list. When a construction plan has been approved a code administrator shall issue a building permit immediately upon receipt of all other required permits or approvals related to the

construction. All revisions or changes to construction plans so approved under this subsection shall necessitate an additional plan review prior to the issuing of the building permit.

Amend Sec. 2 (Sec. 502), page 6, line 24, by inserting after “CODE”

and ordinance as appropriate

Amend Sec. 2 (Sec. 502), page 6, line 25, by removing the period after “CODE” and inserting

and ordinance as appropriate.

Amend Sec. 2 (Sec. 502), page 6, line 27, by striking out “TWO” and inserting

five

Amend Sec. 2 (Sec. 502), page 7, lines 1 through 3, by striking out all of lines 1 and 2 and “MUNICIPALITY.” in line 3 and inserting paragraph, the permit holder or his agent shall be provided by the municipality or its designee under section 501(b)(3) or (4) an approved list of no fewer than five construction code officials or third party agencies who are certified to provide required inspections and provide reasonable service within the area. The inspection must be performed by a construction code official or third party agency on that list. If the municipality or its designee does not provide a permit holder or his agent with a list of five construction code officials or third party agencies the permit holder or his agent may hire a construction code official or third party agency to perform the inspection, which shall be accepted by the municipality or its designee. If the code administrator fails to complete the requested inspection within the time period stated in this paragraph, the municipality or third party agency shall return to the permit holder or his agent the permit fee that had been paid for that inspection. If the permit holder or his agent is not ready when the scheduled inspection is to take place, the time period is waived and the permit holder or his agent shall reschedule the inspection.

Amend Sec. 2 (Sec. 502), page 7, lines 7 and 8, by striking out “, EXPLAINING THE VIOLATION AND” and inserting

by

Amend Sec. 2 (Sec. 502), page 7, line 9, by inserting after “CODE” and inserting

and ordinance as appropriate”

Amend Sec. 2 (Sec. 502), page 7, lines 11 and 12, by striking out “OR ISSUE A CERTIFICATE OF OCCUPANCY”

Amend Sec. 2 (Sec. 502), page 7, lines 14 through 16, by striking out “, AND THE” in line 14; all of line 15 and “BEEN ISSUED” in line 16

Amend Sec. 3 (Sec. 503), page 9, line 17, by striking out “ALL THE PROVISIONS OF THIS SECTION” and inserting

subsections (d), (e), (f), (g), (h) and (i)

Amend Sec. 3 (Sec. 503), page 10, lines 1 and 2, by striking out “THE DEPARTMENT SHALL POST THE NOTICE” in line 1 and all of line 2

Amend Sec. 3 (Sec. 503), page 10, line 7, by striking out the bracket after “MUNICIPALITY”

Amend Sec. 3 (Sec. 503), page 10, line 7, by striking out “A CHALLENGER” and inserting

] and

Amend Sec. 3 (Sec. 503), page 10, line 16, by striking out the bracket before “OR”

Amend Sec. 3 (Sec. 503), page 10, line 18, by striking out the bracket after “FIRST”

Amend Sec. 3 (Sec. 503), page 10, lines 24 through 26, by striking out “, WHICH CIRCUMSTANCES” in line 24; all of line 25 and “OF THE MUNICIPALITY.” in line 26

Amend Sec. 4 (Sec. 504), page 11, line 16, by striking out the bracket before “APPROPRIATE”

Amend Sec. 4 (Sec. 504), page 11, lines 16 and 17, by striking out “] COMMONWEALTH COURT”

Amend Sec. 4 (Sec. 504), page 11, line 21, by striking out the bracket before “IN”

Amend Sec. 4 (Sec. 504), page 11, lines 22 and 23, by striking out “] BY FILING A CHALLENGE WITH THE DEPARTMENT”

Amend Sec. 4 (Sec. 504), page 11, line 25, by striking out “SECRETARY” and inserting

appropriate court of common pleas

Amend Sec. 4 (Sec. 504), page 11, lines 26 and 27, by striking out “BY APPLYING THE STANDARDS OF REVIEW SET FORTH IN SECTION 503(J)(2)”

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

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

Mr. STEIL. Thank you, Mr. Speaker.

This is a fairly comprehensive amendment affecting many sections of the bill. I believe it addresses all of the issues that building code officials, municipalities, and other organizations had opposed.

I would be happy to answer any questions on it, but it is a very comprehensive amendment.

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—197

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

DiGirolamo	Kotik	Reed	Yewcic
Diven	LaGrotta	Reichley	Youngblood
Donatucci	Leach	Roberts	Yudichak
Eachus	Lederer	Roebuck	Zug
Ellis	Leh	Rohrer	
Evans, D.	Lescovitz	Rooney	
Evans, J.	Mackereth	Ross	Perzel,
Fabrizio	Maher	Rubley	Speaker

NAYS—1

Godshall

NOT VOTING—0

EXCUSED—5

Forcier	Rieger	Shaner	Wilt
Levdansky			

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

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

RULES SUSPENDED

The SPEAKER. Does the gentelady, Ms. Harper, have an amendment?

The Chair recognizes the gentelady, Ms. Harper.

Ms. HARPER. Mr. Speaker, I move the rules of the House be immediately suspended to bring up amendment No. A9131.

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

The SPEAKER. For a brief explanation of the amendment, the gentelady, Ms. Harper, on the suspension.

Ms. HARPER. Thank you, Mr. Speaker.

I am asking for a suspension of the rules to do a small amendment that the municipalities requested and that I believe is an agreed-to amendment with all the parties interested in this bill.

The SPEAKER. The Chair thanks the lady.

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

The following roll call was recorded:

YEAS—198

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

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Forcier	Rieger	Shaner	Wilt
Levdansky			

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

On the question recurring,

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

Ms. **HARPER** offered the following amendment No. **A09131**:

Amend Sec. 2 (Sec. 502), page 3, line 8 (A08971), by striking out “five” and inserting

three

Amend Sec. 2 (Sec. 502), page 3, line 21 (A08971), by inserting after “agent”

that portion of

On the question,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—198

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Forcier	Rieger	Shaner	Wilt
Levdansky			

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?

The SPEAKER. The gentleman, Mr. Maher, offers the following amendment, which the clerk will read.

The rules need to be suspended for consideration of that amendment.

RULES SUSPENDED

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

Mr. MAHER. Mr. Speaker, I move for an immediate suspension of the rules to bring up amendment No. A9106.

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

The SPEAKER. Would the gentleman, Mr. Maher, give a brief explanation of the amendment we are moving to suspend.

Mr. MAHER. Thank you, Mr. Speaker.

This amendment would permit municipalities to continue to allow architects to be involved in the approval process.

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

The following roll call was recorded:

YEAS—198

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

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Forcier	Rieger	Shaner	Wilt
Levdansky			

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

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

Mr. MAHER offered the following amendment No. **A09106**:

Amend Sec. 1, page 1, by inserting before line 1 (A08971)

Amend Sec. 1, page 2, line 7, by striking out "SUBSECTIONS" and inserting

a subsection

Amend Sec. 1 (Sec. 501), page 1, by inserting between lines 4 and 5 (A08971)

Amend Sec. 1 (Sec. 501), page 4, lines 1 through 7, by striking out all of said lines

Amend Sec. 2 (Sec. 502), page 1, by inserting between lines 27 and 28 (A08971)

Amend Sec. 2 (Sec. 502), page 5, line 26, by inserting after "IF" the drawings have been prepared by a licensed architect and

Amend Sec. 2 (Sec. 502), page 5, lines 26 and 27, by striking out "A LICENSED" and inserting the

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.

I rise for interrogation.

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

Mr. VITALI. I am just trying to get at with your amendment the role of architects which you are keeping in this bill. I do not have maybe sufficient background to ask a better question at this point.

Mr. MAHER. Thank you, Mr. Speaker.

This simply allows homeowners and communities to have the comfort that an architect's approval of plans offers.

Many communities provide for that now. This simply permits those who wish to continue to do so to do so.

Mr. VITALI. This would—

Mr. MAHER. It does not require; it simply allows municipalities which have had this requirement to continue to do so.

Mr. VITALI. Allows municipalities who want architects to do what?

Mr. MAHER. To have a plan for construction that is approved by an architect. Ultimately, all plans for construction involve an architect, and this simply provides certification comfort that communities may find desirable.

Mr. VITALI. Okay. So this would allow a municipality to have an ordinance that would require an architect to be involved in construction. Are we talking about residential construction here?

Mr. MAHER. Well, certainly. This amendment would maintain the status quo. This would not change. The bill absent this amendment would prohibit communities from requiring that an architect actually be involved in construction.

Mr. VITALI. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Cohen. The gentleman waives off.

The gentleman, Mr. Samuelson.

Mr. SAMUELSON. Thank you, Mr. Speaker.

To interrogate the maker.

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

Mr. SAMUELSON. I am following your amendment, which I believe amends page 5, line 26, of the bill. Currently, am I correct, under current law the approval would be by the municipality. Would your amendment allow approval if an architect approves and a municipality has not taken action? Is this an expansion of the existing law?

Mr. MAHER. No. This does not usurp any authority or power that exists now with local governments. This is quite the opposite. It allows local governments to maintain the authority they now possess.

Mr. SAMUELSON. And this would not change the deadlines—

Mr. MAHER. This would not.

Mr. SAMUELSON. —in the proposal?

Mr. MAHER. This would not.

Mr. SAMUELSON. Thank you, Mr. Speaker.

Mr. MAHER. You are welcome.

The SPEAKER. The Chair thanks the gentleman.

Does the gentlelady, Mrs. Watson, seek recognition?

Mrs. WATSON. Yes, Mr. Speaker.

I believe I have an amendment that is still in order.

The SPEAKER. Yes. We will be one moment.

Mrs. WATSON. Thank you.

The SPEAKER. You are the next amendment.

Does anyone else seek recognition on this particular amendment?

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—193

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

NAYS—5

Frankel	Hutchinson	Metcalf	Surra
Godshall			

NOT VOTING—0

EXCUSED—5

Forcier	Rieger	Shaner	Wilt
Levdansky			

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. WATSON offered the following amendment No. A05880:

Amend Sec. 1 (Sec. 501), page 5, line 13, by striking out “SHALL” and inserting
may

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

The SPEAKER. On that question, the Chair recognizes the gentlelady, Mrs. Watson.

Mrs. WATSON. This is an agreed-to amendment, Mr. Speaker.

The SPEAKER. Mr. Vitali.

Mr. VITALI. Mr. Speaker, would the gentlelady stand for interrogation?

The SPEAKER. The gentlelady indicates she will stand for interrogation. The gentleman is in order and may proceed.

Mr. VITALI. Could you just thresh that out a little bit more. I know it changes a “may” to a “shall,” but could you just sort of thresh out what that actually does?

Mrs. WATSON. The difference between “may” and “shall,” Mr. Speaker?

Mr. VITALI. Well, the context of it. What is becoming mandatory that was discretionary?

Mrs. WATSON. Well, as is written on page 5 of the bill, beginning at line 10, “...IN INTERPRETING A PROVISION OF A CODE ADOPTED BY REGULATION OF THE DEPARTMENT AS PART OF THE UNIFORM CONSTRUCTION CODE, A CONSTRUCTION CODE OFFICIAL, A BOARD OF APPEAL AND A COURT MAY CONSIDER AND RELY UPON RELEVANT WRITTEN INTERPRETATIONS OF THE TECHNICAL STAFF OR COMMITTEES OF THE ICC OR OF ANY OTHER ORGANIZATION THE CODES OF WHICH ARE APPLICABLE UNDER THIS ACT....” So it gives them—

Mr. VITALI. So you are saying they must rely on it, whereas under the current language, they could not?

Mrs. WATSON. No. Excuse me, Mr. Speaker. The other way around. They may rely on it, depending on what information they have available, and yet we are not requiring that they have a plethora of information if one will do.

Mr. VITALI. Let us just double-check. Are you mandating they rely, or are you saying they no longer have to rely but they can or cannot? I just want to be clear on that.

Mrs. WATSON. All right. They may. I am not mandating they shall.

Mr. VITALI. Thank you, Mr. Speaker. That concludes my interrogation.

The SPEAKER. The Chair thanks the gentleman.
The Chair sees no one else.

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

The following roll call was recorded:

YEAS—198

Adolph	Fairchild	Maher	Rubley
Allen	Feese	Maitland	Ruffing
Argall	Fichter	Major	Sabatina

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Forcier	Rieger	Shaner	Wilt
Levdansky			

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?

The SPEAKER. The Chair has been advised that all the other amendments have been withdrawn.

The gentlelady, Ms. Manderino. The gentlelady waives off.

MOTION TO RECOMMIT

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

Mr. BOYD. For purposes of making a motion, Mr. Speaker.

The SPEAKER. The gentleman will state his motion.

Mr. BOYD. I would like to make a motion. In light of this piece of legislation, this is a substantial piece of legislation, the Uniform Construction Code. I am not sure that any of us have been contacted by our constituents more than how this specific bill and this legislation has hit people's lives through the last few years.

We just amended this with four amendments, Mr. Speaker, one of them a very substantial amendment, and so I would like to rise to make a motion that we recommit this bill back to the Labor Relations Committee so we can have some hearings over the summer and really determine the impact of what all we just did would have on our constituents.

The SPEAKER. It is moved by the gentleman, Mr. Boyd, that the bill be recommitted to the Committee on Labor Relations.

On the question,

Will the House agree to the motion?

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

Mr. BELFANTI. Thank you, Mr. Speaker.

Mr. Speaker, while this bill was floating through the Labor Relations Committee, the members of my side of the aisle were not very happy with some of the language. Over the course of the past few months, we have worked very hard with the Department of Labor and Industry, the local building code folks to help develop the Steil amendment, which was acceptable and is acceptable to the Builders Association as well.

I see no need at all to have public hearings or recommit this bill to the committee. It is in good form now. All the principal stakeholders are in favor of this bill. I believe we ought to act on it tonight, bring it to final passage.

So I am asking that we oppose the motion to recommit to the Labor Relations Committee.

The SPEAKER. The Chair thanks the gentleman.

Does the gentleman, Mr. Cappelli, seek recognition? The gentleman waives off.

The gentleman, Mr. Steil.

Mr. STEIL. Thank you, Mr. Speaker.

There is no question that amendments to the Uniform Construction Code are a complex and difficult issue. Every municipality in every location in this State has different circumstances, and as a result, we have been faced with a lot of recommendations for changes, usually to small items.

We spent a lot of time negotiating the language on HB 881. We brought together a number of different stakeholders and finally I think have achieved a balance. If the bill is recommitted, certainly we will hold public hearings on that this summer to try and adjust these issues. However, the issues that are set forth in HB 881 have already passed through the stakeholder process and have met approval, as far as I am aware, with those stakeholders.

So with that, I would suggest that we move forward with the legislation because those issues have been addressed.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Samuelson.

Mr. SAMUELSON. Thank you, Mr. Speaker.

I rise in support of the Boyd motion to recommit this to the Labor Relations Committee for public hearings.

The previous speaker talked about stakeholders, and I commend Representative Steil for an amendment that addressed many of the concerns in this legislation. My understanding is that the township supervisors and the Builders Association have been involved in those discussions, but there are many other stakeholders who have not. I have a constituent who is involved with the statewide Building Officials Conference. I was sharing information with him yesterday on the Steil amendment, but they have not had a chance to formally review. I think public hearings would add to this process.

The gentleman, Mr. Boyd, pointed out that we have adopted four amendments. Why do we not take the time over the summer and have those hearings, come back, and vote on this bill in September? I think that would improve the process.

I urge a "yes" vote.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Freeman.

Mr. FREEMAN. Thank you, Mr. Speaker.

Mr. Speaker, I also rise to support the motion to recommit.

I appreciate the work that has been done by Representative Steil. He has done a yeoman's job of trying to address many of the concerns that have been out there, and I appreciate the comments of the gentleman, Mr. Belfanti, but one of the things that we should keep in mind is that this bill came out of Labor Relations very quickly. It did not have the kind of public review that I think would have been beneficial early on in the process. And while I appreciate the fact that the gentleman, Mr. Steil, and the gentleman, Mr. Belfanti, have tried to address the concerns of many of the stakeholders, I think a bill of this magnitude deserves a more public hearing process, not merely a matter of contacting the various interested parties but a more open process that would allow for public input at various levels.

So for that reason I would urge the House to support the motion to recommit.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Payne.

Mr. PAYNE. Thank you, Mr. Speaker.

On the motion to recommit, I would like to speak.

Yesterday in our Republican caucus we had a lengthy discussion about this, and the gentleman, Mr. Steil, at that time was asked questions about this bill and at that time gave me his word that this bill would be recommitted and we would have hearings this summer. Now, I do not know, Mr. Speaker. I think one of the few things we have on this floor is our word. To have him stand here now and say this bill should go forward without having the hearings that we were promised is not what I heard yesterday, Mr. Speaker.

So I ask my colleagues for a vote to recommit this bill. There are serious problems with this bill. Our constituents have not had a chance to get input into this bill. This bill only came before us in caucus yesterday for the first time.

Thank you, Mr. Speaker.

The SPEAKER. The Chair would like to remind the members that caucus discussions are not privy to the floor debate.

Mr. Steil.

Mr. STEIL. Thank you, Mr. Speaker.

I just need to respond to that. What I had said and what I have said to anyone who asked me about this issue is that should the bill be recommitted, I will be very happy to prevail upon Chairman Allen to hold public hearings on it this summer and discuss issues that are of concern to members. However, the issues that were addressed in the amendment that was just adopted are all of the outstanding issues as far as I am aware. So there is no reason why we cannot move forward unless members have other issues with other sections of the bill, in which case we can address them in a public hearing, but I am not aware of those.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Boyd, for the second time.

Mr. BOYD. Thank you, Mr. Speaker.

I will be very brief. I am just asking the members to support my motion to recommit.

There was discussion in the Labor Relations Committee. However, the amendments that have been moved on today are very substantial. We did not have discussions of those in the committee, and I think it would be prudent to do that.

I have been contacted by my local builders association that was not on board with the discussions, even though I know the stakeholders here in Harrisburg have been, and I feel it important that we make sure that we have all of the information before we move these substantial changes. So I am asking for support for the motion to recommit so we can have some hearings this summer and really tie this thing down. It is a very, very important thing.

One other thing I would like to say, Mr. Speaker, is at these stakeholder meetings, I do not know that there was a consumer advocate on board. I have heard from a lot of people in my district that this has had tremendous impact to them in terms of fees, delays of building projects, and so on and so forth. I am asking that we have an opportunity to hear from those folks so that the people, our constituents, the people that I represent, at least have a voice before we move this substantial piece of legislation.

I commend the work of Representative Steil and Representative Belfanti and all on the Labor Relations Committee. I just think it deserves another look.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Cohen.

Mr. COHEN. Thank you.

Mr. Speaker, in my years here I have learned one thing about the Uniform Construction Code. It is extremely complex. It is extremely difficult to get any agreement at all in changing it because of all of the complexities, and there have been many, many times in which change has been attempted, and there have been very, very few times in which change has actually succeeded.

I think this bill at this time is a very, very substantial agreement of many, many parties, far more agreement of parties than we normally have. We have got an agreement between builders and unions, between them and the Department of Labor and Industry, between some of the other folks who have gotten involved.

I really have learned that when you have an opportunity where you can satisfy an awful lot of interests on something that is inherently controversial and something that is inherently

slippery, you know, you deal with whatever other outstanding interests there are, somebody will come up with new problems. It just is not clear that you ever reach an end point, and there have been many, many examples in my tenure on this and related subjects to this where agreements have just slipped away and years have gone by and we just really have not achieved the worthwhile goals that we have desired.

So I would oppose the motion to recommit. I think what we have is a good, decent product here, and we ought to pass it. The Senate may wish to consider it. Even if it becomes law, we still can seek amendments. It is an ongoing process. It never ever is going to be perfect; it is never ever going to meet every single need of every person, but there are many constructive goals that have been reached by this legislation, and I think it is worth preserving, and my fear is, if we do not preserve it, it will just slip away, as it has slipped away so many times in the past, and nothing will happen for years to come.

I urge a defeat of the recommittal motion.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Herman.

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

I wholeheartedly concur with the previous speaker, the gentleman from Philadelphia, and also the gentleman from Bucks, who oppose this motion to recommit.

What the gentleman previously just said could not be more true except for the fact that this bill, HB 881, has been on our voting calendar for the last 2 or 3 days. Today it has come up for a final vote, and yes, Representative Steil and many others have been involved for some time in trying to work out some different types of agreements to make this amendment and make this bill more palatable.

And it is not unusual that certain groups like the Pennsylvania State Association of Township Supervisors and the Pennsylvania Home Builders Association are at loggerheads opposing the advancement of issues like this, and this week they sat down and worked out a lot of the compromises that they have been able to bring to the table and to the floor today, and that is historic, Mr. Speaker, and should be considered in opposing this motion to recommit by the Representative from York.

So I appreciate everybody's voting to oppose the motion to recommit, and let us get on with this. This is not the end step; this is a step. If this bill is recommitted, then it is going to be delayed until September. We can get this bill over to the Senate, and if any of you have any concerns you want to bring up to your constituencies, go to your State Senator and ask for hearings in that body and those can be held. I am sure you will be well informed and be invited to attend.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Scavello.

Mr. SCAVELLO. Thank you, Mr. Speaker.

I rise against the motion to recommit.

This piece of legislation has gone through the committee process. We have had an agreement between the builders and the township supervisors, and I think it is ready to go, and delaying it any further would not do the bill any justice. I think we have answered all the questions that needed to be answered. I request that the members oppose the motion to reconsider.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. BELFANTI. Thank you, Mr. Speaker.

I would like to echo the comments made by Representative Cohen and the previous two speakers from the other side of the aisle.

There is absolutely nothing at all to be served by delaying this final passage vote and holding public hearings on a bill that we have worked so hard on with so many stakeholders who have now all reached agreement that we have a good product that satisfies about 90-plus percent of the complaints we have heard since we passed the Uniform Construction Code.

The Uniform Construction Code is a work in progress. We know that over the course of the next 2, 3, or 4 years, we are going to hear complaints about misinterpretations by various townships and various boroughs and we will hear complaints from the Builders Association about some new issues that will arise, but the vast majority of the issues that have been brought to our attention by our Builders Association, who wants this bill voted on tonight; the township supervisors, who want this bill voted on tonight; the Boroughs Association, who wants this bill voted on tonight; the Department of Labor and Industry that wants this bill voted on tonight, we embodied all of the problems and came to remedies in the Steil amendment.

There is absolutely no goal, there is no end game to be achieved by delaying a vote on this for public hearings when we have agreements from all the parties that disagreed about everything through the course of the past 6 months. They are now finally all in agreement that we can remedy 90 or 95 percent of our problems by passing this bill and getting it to the Senate.

Once again, Mr. Speaker, I see no reason for public hearings on a bill that has advanced this far. I compliment the gentleman, Mr. Steil, and the staff of both Republican and Democratic Labor Relations Committees and all of the other stakeholders that had involvement with this legislation to this point, and let us get this bill in position for final passage.

Thank you very much.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—50

Argall	Gingrich	Metcalfe	Samuelson
Armstrong	Godshall	Miller, R.	Saylor
Birmelin	Harper	Mustio	Schroder
Boyd	Hennessey	Payne	Smith, B.
Buxton	Hershey	Petri	Smith, S. H.
Causar	Hess	Pickett	Sonney
Cornell	Kauffman	Pistella	Stairs
Crahalla	Keller, M.	Pyle	Stern
Ellis	Leh	Rapp	Tangretti
Feese	Mackereth	Raymond	Taylor, E. Z.
Freeman	Maher	Roberts	Vitali
Gabig	Major	Rubley	Zug
Gillespie	McIlhattan		

NAYS—148

Adolph	Evans, D.	Lescovitz	Ruffing
Allen	Evans, J.	Maitland	Sabatina
Baker	Fabrizio	Manderino	Sainato

Baldwin	Fairchild	Mann	Santoni
Barrar	Fichter	Markosek	Sather
Bastian	Flaherty	Marsico	Scavello
Bebko-Jones	Fleagle	McCall	Semmel
Belardi	Flick	McGeehan	Shapiro
Belfanti	Frankel	McGill	Siptroth
Benninghoff	Gannon	McIlhinney	Solobay
Beyer	Geist	McNaughton	Staback
Biancucci	George	Melio	Steil
Bishop	Gerber	Micozzie	Stetler
Blackwell	Gergely	Millard	Stevenson, R.
Blaum	Good	Miller, S.	Stevenson, T.
Bunt	Goodman	Mundy	Sturla
Caltagirone	Grell	Myers	Surra
Cappelli	Grucela	Nailor	Taylor, J.
Casorio	Gruitza	Nickol	Thomas
Cawley	Haluska	O'Brien	Tigue
Civera	Hanna	Oliver	True
Clymer	Harhai	O'Neill	Turzai
Cohen	Harhart	Pallone	Veon
Corrigan	Harris	Parker	Walko
Costa	Hasay	Petrarca	Wansacz
Creighton	Herman	Petrone	Waters
Cruz	Hickernell	Phillips	Watson
Curry	Hutchinson	Preston	Wheatley
Daley	James	Quigley	Williams
Dally	Josephs	Ramaley	Wojnarowski
DeLuca	Keller, W.	Readshaw	Wright
Denlinger	Kenney	Reed	Yewcic
Dermody	Killion	Reichley	Youngblood
DeWeese	Kirkland	Roebuck	Yudichak
DiGirolamo	Kotik	Rohrer	
Diven	LaGrotta	Rooney	
Donatucci	Leach	Ross	Perzel,
Eachus	Lederer		Speaker

NOT VOTING—0

EXCUSED—5

Forcier	Rieger	Shaner	Wilt
Levdansky			

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

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

Mr. VITALI. Thank you, Mr. Speaker.

I want to interrogate someone, but it may be Mr. Steil, because I want to interrogate someone on the bill now as it has been amended.

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

Mr. VITALI. Thank you, Mr. Speaker.

I have been sort of reviewing the amendment on my screen, and one thing that I am trying to get by looking at that language

is this may somehow affect the process by which construction plans and development plans have to be approved, and I am getting a sense it may somehow expedite, it may somehow force municipalities to act faster. Could you just sort of explain how this bill as amended by your amendment affects the process of having developments approved?

Mr. STEIL. Mr. Speaker, could you please cite a section that you are questioning?

Mr. VITALI. I was looking at your language in amendment 8971.

Mr. STEIL. I am asking you for a specific site. What page, what line are you questioning?

Mr. VITALI. For example, on page 2, line 15, it talks about within 30 days, a within-30-days requirement; shall convene a hearing within 30 days of an appeal, for example.

Mr. STEIL. I am sorry, Mr. Speaker. Page 2, line 15, has no reference to 30 days.

Mr. VITALI. I am looking at your amendment now. It also says, it talks about a board having to reach a decision within 5 days, and I am just wondering, maybe I am looking at the wrong amendment, but the language now, does it have this rendering a decision within 5 days? Is that in the language up for a vote now, or am I just looking at the wrong language?

Mr. STEIL. Please tell me what page you are looking at, Mr. Speaker. In the amendment it says, amend page number and line number. Please tell me what you are referring to.

Mr. VITALI. Again, page 2, line 15, of amendment 8971.

Mr. STEIL. The amendment refers to a page number and a line number of the bill. Please tell me which page number and which line number of the bill you are questioning.

Mr. VITALI. I am referring to the amendment you just put in, and that is now in the bill. I am just wondering if you, in your amendment, are aware of the provisions in there that talked about having to render a decision within 5 days and having a hearing within 30 days? I am just looking at the language for the first time. I am hoping you are a little bit more familiar with it than I am. Does your amendment have the overall effect of expediting a process and causing municipalities to act more quickly than they have in the past, and if they fail to act, having decisions rendered by default? Does your amendment and the bill as amended do that generally?

Mr. STEIL. Again, Mr. Speaker, I am trying to answer your question, but I cannot answer it unless you direct me to a specific section, page, and line number which is being amended from my amendment. I am looking at page 2—

Mr. VITALI. Mr. Speaker, maybe it will be easier if you went back to your amendment so we can have a common point of reference, and the amendment would be page 2, line 15.

Mr. STEIL. All right. That amendment is page 6, lines 8 through 19, which we strike. We strike all of those and then insert the language that is shown on lines 14 through 29, and which of those lines are you questioning?

Mr. Speaker, I cannot answer interrogation with no specifics. Thank you.

Mr. VITALI. Mr. Speaker, are you saying generally that your—

The SPEAKER. Will the gentleman suspend.

The gentleman has indicated he will not answer any additional questions.

Mr. Allen.

Mr. ALLEN. Mr. Speaker, the gentleman from Bucks has tried to answer the questions. If the questioner wants to badger

him — and that is my position on this — he is not being fair. I think the gentleman from Bucks has tried to get to the answers that the gentleman from Delaware wants to do, but he does not want to get the specifics, and he cannot discuss a four- or five-page amendment. I would ask the gentleman from Delaware to be specific, and then maybe the gentleman from Bucks can answer his question.

Thank you.

The SPEAKER. Mr. Vitali.

Mr. VITALI. Will the gentleman, Mr. Allen, stand for interrogation?

The SPEAKER. The gentleman indicates that he will not stand for interrogation.

Mr. VITALI. I am sorry. Was that will or will not?

The SPEAKER. He will not.

Mr. VITALI. Mr. Speaker, is there anyone who would stand on this bill, because the question I have deals with, does this expedite time frames? Regardless of whether there is a specific line I can point to, I am just trying to find out whether this bill expedites time frames in which municipalities must act, expedites appeal periods, has default provisions saying that in municipalities certain things will be deemed approved. These are general questions. This is not my language; this is not my issue. I am hoping that the people who make this language can answer these questions, because if they cannot, we probably should not be voting on this stuff.

The SPEAKER. Does the gentleman wish to make a statement?

Mr. VITALI. Not more than I have just made.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The gentlelady, Ms. Manderino.

Ms. MANDERINO. Thank you, Mr. Speaker.

I would like to interrogate the gentleman, Mr. Steil, or Mr. Allen, whoever is—

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

Ms. MANDERINO. Thank you, Mr. Speaker.

Thank you for standing for interrogation, and I will try my best, but I do not have page and line numbers, because I am going from a letter I got from my municipal planner, but I believe he articulates the questions, and I just want on the record whether his concerns have been addressed by any of the numerous amendments that we adopted, because this is a letter that was written to me as HB 881 was before we started amending it.

The first concern that was raised is that under HB 881 originally, “Inspections must be done in 48 hours or permit holders can bring in UCC certified inspectors from outside the municipality and those inspections must be accepted.” Is that still the case as amended?

Mr. STEIL. No, it is not. The language is now 5 days, and a list of three or more inspectors besides the municipality’s primary inspector is permitted.

Ms. MANDERINO. Thank you.

The second concern was, “If architecturally-sealed plans are submitted, the review and approval time would be cut from 15 to 3 business days.” How is that now addressed since the amendment?

Mr. STEIL. Is that the section that refers to appeals to the Board of Appeals, and if it is, we have changed that to calling

for the appeals board to meet within 30 days to consider the specific appeal.

Ms. MANDERINO. Okay. I think I have another bullet in his letter that gets to the appeals. This says – maybe this will be more helpful – his explanation to me is, “There is an assumption that all architects are familiar with the International Residential Codes (IRC) and that their sealed plan should eliminate the need for plan reviews by municipal inspectors. During our plan review & inspection process, we find mistakes on almost every plan that must be corrected before they comply with the IRC. This is a good indication that we can not just rely on an architect sealed plan for compliance with the IRC. Architects serve a good purpose and are needed for safe and better home designs but they are not always up on the latest code requirements. This is where the code official’s duties” must “come into play.” Is that helpful?

That is why I guess he is against the part that would say, if architecturally sealed plans are submitted, the review and approval time had to go from 15 to 3 business days. I hope that is a little bit more helpful.

Mr. STEIL. The language in the bill now only allows architects to seal plans, and that was Mr. Maher’s amendment, inserts the architects back into the bill as an alternative sealer of the plans.

Ms. MANDERINO. Okay. Great.

The third point he raised with me is under the bill originally, “Plans would have to be reviewed and conditionally approved even before zoning and other municipal approvals are granted.” Did we make changes in that area?

Mr. STEIL. Yes, we did. Plans will be reviewed upon submission, but all permits must be applied for and received before any building permit is issued, and the municipality has the right to review the plan should those permits cause any alteration in the construction documents.

Ms. MANDERINO. Okay.

The fourth point is that under the bill originally, “No fees could be charged for UCC appeals and appeals boards must meet and act within 10 days.” Has that been altered?

Mr. STEIL. Yes. The appeals board now has to convene a hearing within 30 days.

Ms. MANDERINO. And staff is telling me they can now charge actual costs?

Mr. STEIL. Yes. The municipality is allowed to collect actual costs.

Ms. MANDERINO. Thank you. I have finished my interrogation.

I thank the gentleman for standing for interrogation, and I thank him for helping to clarify on the record the concerns that were raised by my municipal planners. Thank you.

The SPEAKER. The Chair thanks the gentlelady.

The gentleman, Mr. Allen.

Mr. ALLEN. Thank you, Mr. Speaker.

I did not discuss during the tabling motion my feelings on this issue. I am going to ask the members of the House to move this bill forward and send it to the Senate. There is no question in my mind over the next 4 to 5 years we are going to continue to revisit the UCC code. Representative Steil, as the vice chairman of the committee, along with Chairman Belfanti have done an excellent job in bringing this bill to fruition. We have been able to get the Steil, Harper, and Maher amendments in. I now ask the members to send this bill to the Senate, and

we can continue to look at other UCC problems in the future through hearings in the summer.

Thank you very much, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Cappelli.

Mr. CAPPELLI. Thank you, Mr. Speaker.

Would the gentleman from Bucks County stand for brief interrogation?

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

Mr. CAPPELLI. Mr. Speaker, does HB 881 as amended on final passage in any way affect those communities who under Act 45 did not opt to adopt the UCC or to consort with a neighboring municipality to enforce the UCC?

Mr. STEIL. No. This legislation does not change in any way a municipality who may have opted out of enforcing the UCC.

Mr. CAPPELLI. Mr. Speaker, does the gentleman have any idea of the number of municipalities that fall under that particular category?

Mr. STEIL. Offhand, I do not know how many municipalities have opted out.

Mr. CAPPELLI. Thank you, Mr. Speaker.

On the bill.

The SPEAKER. The gentleman is in order and may proceed.

Mr. CAPPELLI. Thank you, Mr. Speaker.

Mr. Speaker, I join my colleagues who have voiced support for HB 881. The Pennsylvania Builders Association, our Township Supervisors Association, the Boroughs Association, all of the key stakeholders who have been monitoring Act 45 over the last several years, for better or for worse, have put forward, I think, some very prudent and meaningful recommendations to improve it, to make it more efficient. I am not simply for enforcement, I am not simply for the efficacy of the builders community, but ultimately for the individuals and for the families who are trying to build homes and do it in a reasonable time frame, within a reasonable budget.

I think for all of those reasons as delineated by the gentleman, Mr. Belfanti, and others, we should advance this to the Senate, and I ask my colleagues to support the passage of HB 881. Thank you.

The SPEAKER. The Chair thanks the gentleman.

Does the gentleman, Mr. DeWeese, seek recognition?

Mr. Belfanti.

Mr. BELFANTI. Thank you, Mr. Speaker. I will be very brief.

I again would like to thank all of the stakeholders that have worked to negotiate the Steil amendment and move this process forward. As I said, we will probably remedy about 90 percent of the complaints that we have been getting from either property owners, code enforcement officials, and builders on how to enforce this very complicated new law. This will not be the last time we will be here on the UCC issue, I assure you. This will be a work in progress for several more sessions until all the bugs of this legislation are worked out, but tonight is a giant step forward by passing HB 881.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—183

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

NAYS—15

Boyd	Gillespie	Mackereth	Schroder
Cornell	Godshall	Maher	Smith, B.
Freeman	Harper	Manderino	Vitali
Gabig	Kauffman	Miller, R.	

NOT VOTING—0

EXCUSED—5

Forcier	Rieger	Shaner	Wilt
Levdansky			

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

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

RULES COMMITTEE MEETING

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

BILL REREPORTED FROM COMMITTEE

HB 2735, PN 4276

By Rep. S. SMITH

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for unlawful disclosure of grand jury matters.

RULES.

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 2735, PN 4276.

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.

Mr. S. SMITH. Mr. Speaker, I move that HB 2735 be recommitted to the Committee on Appropriations.

On the question,

Will the House agree to the motion?

Motion was agreed to.

SUPPLEMENTAL CALENDAR D

BILL ON CONCURRENCE IN SENATE AMENDMENTS AS AMENDED

The House proceeded to consideration of concurrence in Senate amendments to the following **HB 859, PN 4509**, as further amended by the House Rules Committee:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing, in sales and use tax, for definitions and for alternate imposition; further providing, in corporate net income tax, for definitions; and further providing, in research and development tax credit, for credit for research and development expenses, for time limitations, for limitations on credit and for termination.

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. Turzai, that the House concur in those amendments.

POINT OF ORDER

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

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

I do not believe that is on our screens. It is not in our pre-session reports either, so we are kind of in the dark on this one.

The SPEAKER. I am sorry. The Chair could not hear what the gentleman said.

Mr. VITALI. A point of order.

The bill is not on our screens, and parenthetically, it is not in our pre-session reports, so we are doubly in the dark on this one.

The SPEAKER. The Chief Clerk is checking.

The House will be at ease.

BILL PASSED OVER TEMPORARILY

The SPEAKER. The Chair will temporarily go over HB 859.

SUPPLEMENTAL CALENDAR E

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

The House proceeded to consideration of concurrence in Senate amendments to the following **HB 804, PN 4503**, as further amended by the House Rules Committee:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for an electronic titling program, for suspension of registration upon sixth unpaid parking violation in cities of the first class, for unattended children in motor vehicles, for fleeing or attempting to elude police officer and for exemption from additional requirements for highway occupancy permits for agricultural purposes; and providing for levy and imposition of surcharge in cities of the first class.

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. Maitland, that the House concur in those amendments.

On that question, Mr. Vitali.

The gentleman, Mr. Maitland, is up. Mr. Maitland? You will wait to hear his question? Then Mr. Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

Will the gentleman, Mr. Maitland, stand for brief interrogation?

Mr. MAITLAND. Certainly.

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

Mr. VITALI. Thank you, Mr. Speaker.

Could you outline briefly the amendments of this bill as made in the Senate?

Mr. MAITLAND. Certainly, Mr. Speaker.

The bill as originally written made fleeing and eluding a police officer a felony under two circumstances. One is if the driver is under the influence of drugs and alcohol at the time, and the other was if they crossed the State line, and the bill was

meant to address a problem on the Mason-Dixon line where people that have been drinking have an incentive to run for the Maryland line, because Maryland does not allow Pennsylvania police to pursue into their State unless the underlying crime is a felony.

The bill was amended in the House by the gentleman, Mr. Siptroth, and his amendment made leaving an unattended child in a motor vehicle a separate offense for each child left unattended in the vehicle. All that language remains in the bill as written.

The Senate then proceeded to add the contents of HB 1014 by the gentleman, Mr. Geist, that makes our current electronic recording of liens on titles program mandatory by January 1, 2007. So I believe that takes a successful demonstration program and implements it more or less permanently.

The Senate also added a handheld cell phone ban while driving, and that language was stricken by our Rules Committee. So there is no cell phone language in the bill right now.

The Senate also added an additional provision to the fleeing and eluding, making it a felony if during the attempt to elude police they endanger the public or law enforcement during a high-speed chase.

Finally, the Senate increased the number of allowed combination vehicles under section 6103.1 of the Vehicle Code from 5 to 25 vehicles per week.

Then more recently the Rules Committee made a few changes. They deleted the cell phone language. They added language requiring drivers to move over in emergency towing and work maintenance zones. So in other words, if the police have a stop along the side of the road and you are able to move over into the left lane, you need to do that. It would be required that you get as far over as possible.

And they also added two provisions dealing with the Philadelphia Parking Authority. The first allows them to mail by first-class mail instead of registered return mail when notifying a person of a registration suspension for a sixth or subsequent unpaid parking violation, and they also allowed a \$1 surcharge on parking tickets to fund the taxi enforcement program that the Philadelphia Parking Authority had added to their duties and responsibilities.

Mr. VITALI. Thank you, Mr. Speaker.

The SPEAKER. Mr. Samuelson. Does the gentleman seek recognition?

Mr. SAMUELSON. Thank you, Mr. Speaker.

Just a quick interrogation of the prime sponsor?

I appreciate the explanation just given about the changes through this legislation. I notice on the computer this legislation had two trips to the Rules Committee, one on June 29 and one about 2 hours ago. Did your explanation encompass the changes that were made 2 hours ago in the Rules Committee meeting?

Mr. MAITLAND. Yes, Mr. Speaker.

Mr. SAMUELSON. And which changes were those this afternoon?

Mr. MAITLAND. The first time was to remove the cell phone language, and the second time was to add the Parking Authority language – and the move over.

Mr. SAMUELSON. Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Cohen.

Mr. COHEN. Thank you.

Mr. Speaker, will the gentleman submit to further interrogation?

The SPEAKER. The gentleman indicates he will stand for interrogation. The gentleman is in order.

Mr. COHEN. Are you aware of what the rationale was for removing the cell phone language?

Mr. MAITLAND. That language was removed because all the interested parties want to have an opportunity to have hearings, and because of the impact this would have on citizens' driving habits, it is felt that this should go through the committee process.

Mr. COHEN. Okay. And the rationale for adding the \$1 surcharge on parking tickets?

Mr. MAITLAND. The parking authority had the duty added to it to run the taxi and limousine enforcement program, and no additional revenue was provided at the time. So this is merely a funding stream for their enforcement duties.

Mr. COHEN. About how much is going to be raised from this?

Mr. MAITLAND. Just \$1 per ticket that they write.

Mr. COHEN. And how many tickets are written a year?

Mr. MAITLAND. I do not know, Mr. Speaker.

Mr. COHEN. Okay. I remain unthrilled with this. I have no further questions, Mr. Speaker. I thank the gentleman for his full answers.

I remain unthrilled by the idea of socking people who drive through Philadelphia with more costs.

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—192

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

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

NAYS—5

Cohen	McGeehan	Petrarca	Vitali
Manderino			

NOT VOTING—1

Thomas

EXCUSED—5

Forcier	Rieger	Shaner	Wilt
Levdansky			

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.

STATEMENT BY MR. SIPTROTH

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

Mr. SIPTROTH. Mr. Speaker, I would just like to make a comment after passage.

The SPEAKER. The gentleman is in order.

Mr. SIPTROTH. Thank you, Mr. Speaker.

I rise to thank my colleagues in this chamber for passing this legislation with the language that I had in a previous House bill, 1747.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

CONFERENCE COMMITTEE MEETING

The SPEAKER. The Conference Committee on HB 2499 will meet at 6 p.m. in room 245; 6 p.m. in room 245, HB 2499.

CONSIDERATION OF HB 859 CONTINUED

The SPEAKER. The Chair returns to HB 859, the bill on concurrence in Senate amendments as amended by the House; the one the gentleman, Mr. Vitali, asked if it was on the screen. It is now on the screen.

On the question recurring,

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

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

On that question, the gentleman, Mr. Turzai, is recognized.

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

HB 859 will provide significant tax relief for Pennsylvania employers, particularly when taken into account with the companion bill, SB 300, that we will be voting on later today. HB 859 provides needed tax relief to Pennsylvania's employers, thereby promoting job growth.

This bill provides for three significant tax relief measures. First, the net operating loss cap would increase from \$2 million to the greater of \$3 million or 12.5 percent of a company's taxable income. Net operating loss carry-forward provisions allow corporate employers to use a business loss to offset income earned in future tax years in order to adjust their corporate net income tax liability. The Federal government and 47 States allow for the use of this loss, but of those States, only Pennsylvania and New Hampshire cap the amount of loss that can be used to offset income in each future year. We are raising that cap significantly, and it is a great first step. Net operating loss carry-forward provisions are important to employers that experience cyclical downturns, like those in manufacturing, and to tech companies, which almost always experience losses in their early years.

Second, the bill will move Pennsylvania closer to a single sales factor for computing the State corporate net income tax. The current formula taxes businesses on three factors: instate payroll at 20 percent, instate property assets at 20 percent, and sales at 60 percent. Taxing property and payroll penalizes companies that have located in Pennsylvania. Taxing sales encourages companies to locate in our State. HB 859 shifts the sales factor to 70 percent and lowers the other two factors to 15 percent each.

Finally, the bill increases the maximum amount of available research and development tax credits from \$30 million to \$40 million.

Look, the bottom line is this: Without employers, we do not have jobs, and unless we make Pennsylvania more competitive by lessening the tax burden on employers, we cannot expect to maintain and gain family-sustaining jobs, especially those in manufacturing and in the technology industry.

These component parts were spearheaded in a package that we called the Keystone Manufacturing Initiative legislative package, which was aimed at lowering overhead costs for employers and revitalizing a competitive Pennsylvania business climate. Changes to the net operating loss carry-forward provisions were in HB 650. Shifting to a higher sales factor was in HB 515, sponsored by my colleague, Dave Reed. Those components along with two other important pieces that will be in SB 300 – health savings accounts, which are in HB 2125, sponsored by John Payne, and acceleration of the elimination of the capital stock and franchise tax, HB 1312, by Representative Mark Mustio – and finally, the research and development tax credit, which is in a bill sponsored by my colleague, Tom Stevenson. I would like to thank all of them, in particular my colleague, Dave Reed, for help on the Keystone Manufacturing Initiative and everybody else who helped with that package.

I would like to also call attention to two colleagues on the other side of the aisle who helped us significantly with respect to the net operating loss and single sales factor changes, Representative Mike Gerber and Representative Todd Eachus. We were able to get over 150 cosponsors for a bill with Representative Reed and myself that we called the manufacturing and high-tech stimulus package. HB 859 is the culmination of that work and represents a significant step in the right direction for Pennsylvania.

I would like to also personally thank the majority leader, Sam Smith, who made it priority with respect to a number of these initiatives and who gave us the opportunity to put HB 859 and SB 300 into both chambers and hopefully onto the Governor's desk either today or tomorrow.

This is a step in the right direction for more jobs, family-sustaining jobs, for our Pennsylvania citizens, and I would ask you all to provide unanimous support with a vote. Thank you.

The SPEAKER. The gentleman, Mr. Markosek.

Mr. MARKOSEK. Thank you, Mr. Speaker.

I would like to interrogate the gentleman, Mr. Turzai, please.

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

Mr. MARKOSEK. Thank you, Mr. Speaker.

Mr. Speaker, can you tell me if the realty transfer tax in any way is part of this piece of legislation?

Mr. TURZAI. No.

Mr. MARKOSEK. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair sees no one else standing. Those voting to concur—

The Chair rescinds. The gentleman, Mr. Gerber.

Mr. GERBER. Thank you, Mr. Speaker.

I, too, rise to encourage a "yes" vote on concurrence and want to reiterate some of the points made by my colleague who previously spoke and add a couple of other points to this conversation.

First, I would like to reiterate the strong bipartisan support that this bill had in its previous form. As mentioned, we had over 150 cosponsors, more than 70 cosponsors on my side of the aisle; great support from my leadership – Bill DeWeese, Mike Veon, and staff – as well as from Governor Rendell's office. Conversations with the administration took place over a several-week period, and it is those conversations that have led us to this point.

I think it is important to note that over the last 4 years, Governor Rendell's administration has cut more than \$1 billion in business taxes. Let me repeat that, please: In just 4 years, Governor Rendell's administration has cut \$1 billion in business taxes. We also had great communication with the business community, which unified behind an agreed-upon plan and made this process much more streamlined and efficient and helps us here in this chamber do our work.

I look forward to continued strength in our revenues over the next few years and hopefully more opportunities to continue to phase out the cap on NOLs (net operating losses) and continue to phase into a single sales factor. I am very excited that we have now changed the language for the net operating loss carry-forward and are working on a percentage basis not just with a hard cap, because as Representative Turzai mentioned, that is good not only for our startups that might struggle in their

formative years but it is also good for those larger, more cyclical companies that have some down years. And of course, the single sales factor is great for Pennsylvania businesses; it is great for Pennsylvania workers. It encourages companies to grow here in Pennsylvania, to locate here in Pennsylvania, because we will no longer punish them with extreme taxes on the wages they pay to their employees and to the assets they keep here in our great Commonwealth.

Mr. Speaker, I encourage a “yes” vote on concurrence. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Reed.

Mr. REED. Thank you, Mr. Speaker.

I also rise in support of HB 859. It has been about 3 years ago that a number of members of this legislature on the Republican side joined together to join and form the Keystone Manufacturing Initiative led by Representative Mike Turzai from Allegheny County. Along the way we have put together several business tax reform proposals, the first of which came through in HB 515 that passed this House, passed the Senate, and then ultimately was unfortunately vetoed by the Governor. But in the couple months since that veto occurred, we have had the opportunity to work in a very bipartisan fashion with Representative Mike Gerber and Representative Todd Eachus to put together a proposal with the Governor’s Office that would ultimately lead to significant business tax cuts in the State of Pennsylvania.

When you look at the proposal that we are about to vote on and will hopefully be signed into law within the next day, we are going a long way in helping make Pennsylvania a more business-friendly State, first by raising the NOL, the net operating loss carry-forward provision, then by expanding the single sales factor, which I know Representative Jennifer Mann from Northampton County has spent a number of years working on as well, and also an initiative by Representative Tom Stevenson from Allegheny County, the expansion of the research and development tax credit, is also included in this bill.

Ultimately as we look forward to creating a more prosperous Pennsylvania, this represents a first step, but it is also a very significant first step to making our businesses and our States more competitive and ultimately creating more jobs for the people of the community I come from in Indiana County and communities like Indiana County across the State. So I would just like to thank all the folks who worked very hard on this proposal and ask for an affirmative vote.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Eachus.

Mr. EACHUS. Thank you, Mr. Speaker.

I rise in support of this bipartisan effort on the House floor. This billion dollars in targeted tax relief to our business community will help us grow our way out of next year’s budget problems. This impact will be able to create economic opportunity in communities across Pennsylvania, create excellent opportunities in employment for our citizens, and ensure that the business community will continue to make investments and grow within the Commonwealth. You know, we feel strongly on this side of the aisle that this process should take place within the budget process, that that billion dollars in tax relief should be negotiated between a bipartisan effort, and with the work of the administration, the Rendell administration, we were able to persuade them to see it our way.

So I am very proud of the way this effort worked, in a very cooperative way. I thank the Rendell administration for listening to the business community, and I am very glad, very glad that we have focused tax relief to grow our way out of next year’s budget issues as they relate to Federal cuts in Washington.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Cappelli.

Mr. CAPPELLI. Thank you, Mr. Speaker.

I rise to join my colleagues in support of HB 859 on concurrence.

I want to commend Representative Turzai and all of us who have stood behind the Keystone Manufacturing Initiative, oh these many years it seems. It is important for us to know that this legislation is about jobs, Mr. Speaker. We have lost more than 60,000 manufacturing jobs in this State over the last 3 1/2 years, and without a renewed emphasis and commitment to making businesses in Pennsylvania more affordable from a tax perspective, enabling our major employers to be more competitive, we are going to continue to see the loss of well-paying family-sustaining jobs going to other States, going overseas, and Pennsylvania suffering as a consequence.

I hope the Governor will support this legislation. It is important, again, that we provide our businesses and our fastest growing employers with the reapportionment under the corporate net income tax and the net operating loss carry-forward expansion as well as the research and development tax credits, and I commend all those who have put time and effort behind this legislation.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. YUDICHAK.

Mr. YUDICHAK. Thank you, Mr. Speaker.

I rise in support of HB 859 and concur with my colleagues who have gotten up and spoken on the bill.

There is a small provision in this bill that I have worked on for the last 3 or 4 years. It is a provision that will help our semiconductor industry in Pennsylvania, specifically a third-child semiconductor in northeastern Pennsylvania competing with the world, a high-tech manufacturer. This bill, there is a provision in this bill that will exempt clean rooms in the manufacturing industry of our technologies that will drive new jobs, significant family-sustaining jobs in northeastern Pennsylvania, and I urge my colleagues to concur with HB 859.

The SPEAKER. The Chair thanks the gentleman.

The Chair sees no one else seeking recognition.

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—198

Adolph	Fairchild	Maher	Rubley
Allen	Feese	Maitland	Ruffing

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Forcier	Rieger	Shaner	Wilt
Levdansky			

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.

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 594, PN 668

An Act providing for the creation of a trust for the benefit of certain owners of interests in oil and gas; authorizing trustee to enter into leases of interests in oil and gas under terms and conditions authorized by the court of common pleas; providing for the administration of the trust and for payment of moneys to the trustee; and imposing penalties for nonpayment.

SB 1159, PN 1608

An Act making an appropriation from a restricted revenue account within the General Fund to the Office of Consumer Advocate in the Office of Attorney General.

SB 1160, PN 1599

An Act making an appropriation from a restricted revenue account within the General Fund to the Office of Small Business Advocate in the Department of Community and Economic Development.

SB 1161, PN 1600

An Act making appropriations from the Workmen's Compensation Administration Fund to the Department of Labor and Industry and the Department of Community and Economic Development to provide for the expenses of administering the Workers' Compensation Act, The Pennsylvania Occupational Disease Act and the Office of Small Business Advocate for the fiscal year July 1, 2006, to June 30, 2007, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2006.

SB 1162, PN 1601

An Act making an appropriation from a restricted revenue account within the General Fund and from Federal augmentation funds to the Pennsylvania Public Utility Commission.

SB 1163, PN 1602

An Act making appropriations from the Professional Licensure Augmentation Account and from restricted revenue accounts within the General Fund to the Department of State for use by the Bureau of Professional and Occupational Affairs in support of the professional licensure boards assigned thereto.

SB 1164, PN 1603

An Act making an appropriation from the Public School Employees' Retirement Fund to provide for expenses of the Public School Employees' Retirement Board for the fiscal year July 1, 2006, to June 30, 2007, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2006.

SB 1165, PN 1604

An Act making an appropriation from the State Employees' Retirement Fund to provide for expenses of the State Employees' Retirement Board for the fiscal year July 1, 2006, to June 30, 2007, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2006.

SB 1224, PN 1955

An Act amending the act of May 15, 1945 (P.L.547, No.217), known as the Conservation District Law, further providing for Commonwealth appropriations.

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

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

The clerk of the Senate, being introduced, returned **HB 1992, PN 4506**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

RECESS

The SPEAKER. There will be informal discussions in both caucus rooms when we break here momentarily, and they may move into formal caucuses if the situation deems it necessary. So this House will be in recess until 7:30.

AFTER RECESS

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

RULES COMMITTEE MEETING

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

**BILL ON CONCURRENCE
REPORTED FROM COMMITTEE****HB 1992, PN 4506**

By Rep. S. SMITH

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

RULES.

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

The clerk of the Senate, being introduced, returned **HB 185, PN 4510**; and **HB 509, PN 3215**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

SUPPLEMENTAL CALENDAR G**RULES SUSPENDED**

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

Mr. HERMAN. Mr. Speaker, I move for a suspension of the rules for immediate consideration of HB 1992, PN 4506.

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

The following roll call was recorded:

YEAS—198

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

NAYS—0**NOT VOTING—0****EXCUSED—5**

Forcier	Rieger	Shaner	Wilt
Levdansky			

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

BILL ON CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 1992, PN 4506**, entitled:

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

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

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

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

Mr. FEESE. Thank you, Mr. Speaker.

Mr. Speaker, we would request that the members vote "no" and nonconcur. This is the Fiscal Code vehicle, and we need to send it into conference committee.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Herman.

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

This bill was amended in the Senate. I would like an explanation from the Appropriations Committee chairman of the changes made by the Senate and the necessity thereof.

The SPEAKER. The gentleman has moved to nonconcur in the amendments inserted by the Senate.

Mr. HERMAN. Does that mean I cannot interrogate the chairman of the Appropriations Committee?

The SPEAKER. You could, but I think it is going to be pretty much unanimous that it is going to be nonconcurrent in. So when it comes back, you could ask the questions.

Mr. HERMAN. Could I ask someone in leadership then, if this is nonconcurrent, who will be the appointees to the conference committee, and what chance is there that the original language that was passed by the House Local Government Committee and unanimously by the House of Representatives be restored to this legislation? Or is it the intent thereof to strip all the language and insert that with other language that might be necessitating the advancement of the budget process?

The SPEAKER. That is a question for Mr. Feese?

Mr. HERMAN. Yes.

The SPEAKER. Okay. Mr. Feese.

Mr. FEESE. Thank you, Mr. Speaker.

Mr. Speaker, I know the majority leader has not yet named the conferees from the Republican side. We are checking on that; we started checking on that a few moments ago. As for the content of the conference report, I do not know whether that content will address the gentleman's concerns or not until it is reported.

Mr. HERMAN. I would like to speak on nonconcurrence, Mr. Speaker.

The SPEAKER. The gentleman is in order.

Mr. HERMAN. Mr. Speaker, this bill as amended by the Senate takes back or increases the low limit of the Capital Project Loan Fund for municipalities, boroughs, townships, et cetera, from \$50,000 to \$100,000 for purchasing, constructing, renovating, or rehabilitating any single facility, and also from \$25,000 to \$50,000 to make loans to counties and

municipalities with a population below 12,000 for purchasing any single piece of equipment.

This bill as passed by the House of Representatives, Mr. Speaker, was fully supported by all the township officials and all elected officials who dealt with this issue, but the Senate, as I read in the bill, Mr. Speaker, makes this a 1-year program while the program and the funding intent of that program can hold and make this project very viable because of this change. And I guess I just want to say I will vote for nonconcurrence because I do not like what the Senate has done in their amendments; however, I want to say to the leadership of both the House and the Senate who are selected to serve on the conference committee that if there is any way they can restore the original language of this legislation as passed unanimously by this House of Representatives, I would be appreciative and I certainly would work toward that effort.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the Democrat leader, the gentleman, Mr. DeWeese.

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

For the utilitarian purposes of getting this proposal, HB 1992, in position to be the vehicle for the Fiscal Code bill tonight, the trailer bill tonight, I would ask that Mr. Feese's proposal to nonconcur be agreed to and that we do vote to nonconcur.

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—4

Gergely	Kotik	Mackereth	Ruffing
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NAYS—194

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

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

NOT VOTING—0

EXCUSED—5

Forcier	Rieger	Shaner	Wilt
Levdansky			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the amendments were not concurred in.

Ordered, That the clerk inform the Senate accordingly.

SUPPLEMENTAL CALENDAR C

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 651, PN 748**, entitled:

An Act amending the act of June 14, 1961 (P.L.324, No.188), known as The Library Code, further providing for waiver of standards.

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

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

The question is, shall the bill pass finally?

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

(Members proceeded to vote.)

VOTE STRICKEN

The SPEAKER. The clerk will strike the board.

BILL PASSED OVER TEMPORARILY

The SPEAKER. The Chair will go over SB 651 temporarily.

CONSIDERATION OF SB 651 CONTINUED

The SPEAKER. The Chair returns to SB 651, PN 748.

DECISION OF CHAIR RESCINDED

The SPEAKER. Without objection, the Chair rescinds its statement that the bill was agreed to for the third time.

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

RULES SUSPENDED

The SPEAKER. The Chair recognizes the majority leader.

Mr. S. SMITH. Mr. Speaker, I move for an immediate suspension of the rules in order to run amendment No. A9132.

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

The SPEAKER. On that question, the Chair recognizes the majority leader.

Mr. S. SMITH. Mr. Speaker, I would ask the members to suspend the rules for the consideration of this amendment.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the minority leader, the Democrat leader, Mr. DeWeese.

Mr. DeWEESE. I would concur with the gentleman, Mr. Smith.

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

The following roll call was recorded:

YEAS—198

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

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

NAYS-0

NOT VOTING-0

EXCUSED-5

Forcier	Rieger	Shaner	Wilt
Levdansky			

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

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

Mr. **S. SMITH** offered the following amendment No. **A09132**:

Amend Title, page 1, line 9, by removing the period after "standards" and inserting
; providing for standards; further providing for quality libraries aid, for incentive for excellence aid, for district library centers, for county coordination aid, for equal distribution grants to local libraries' basic literacy skills, for Statewide library resource centers, for equalization aid and for equal distribution grants to local libraries and library systems; and providing for fiscal year 2006-2007 public library subsidy allocation, for fiscal year 2006-2007 minimum State-aid guarantee and for State-aid for 2006-2007.

Amend Bill, page 1, lines 12 through 20; page 2, lines 1 through 30; page 3, lines 1 through 4, by striking out all of said lines on said pages and inserting

Section 1. Section 103(a) of the act of June 14, 1961 (P.L.324, No.188), known as The Library Code, amended July 14, 2005 (P.L.304, No.53), is amended to read:

Section 103. Waiver of Standards.—(a) If the Commonwealth's appropriation for libraries in fiscal years 2004-2005 and 2005-2006 is less than that provided in fiscal year 2002-2003, the State Librarian may, upon application by the board of directors of a local library, waive standards contained in this act [or] and regulations promulgated under this act relating to hours of operation, continuing professional development, collections expenditures and any other standards related to library operations deemed appropriate by the State Librarian for the fiscal year.

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

Section 104. Standards.—In fiscal year 2007-2008 and each year thereafter, a library shall comply with standards contained in this act and regulations promulgated under this act relating to hours of operation, continuing professional development, collections expenditures and any other standards related to library operations.

Section 3. Section 303.2(a) of the act, added June 22, 2000 (P.L.404, No. 57), is amended to read:

Section 303.2. Quality Libraries Aid.—(a) For fiscal year 1999-2000, qualifying local libraries and library systems shall receive quality libraries aid to be allocated from the sum total of a hold-harmless amount plus an annual supplement, both amounts to be derived from the Commonwealth's annual appropriation for grants to local libraries and library systems. The hold-harmless amount for quality libraries aid shall be the amount allocated under section 303.1 for basic aid to local libraries for fiscal year 1998-1999 from the amount allocated from the Commonwealth's annual appropriation for grants to local libraries and library systems. For fiscal year 1999-2000, the annual supplement shall be forty-seven percent (47%) of any increase in the Commonwealth's annual appropriation for grants to local libraries and library systems above the amount appropriated for fiscal year 1998-1999. [For fiscal year 2000-2001 and each fiscal year thereafter, the amount allocated for quality libraries aid shall be specified in the Commonwealth's annual appropriation for grants to local libraries and library systems within the General Appropriation Act for that fiscal year.]

Section 4. Section 303.5(a) of the act, amended June 22, 2001 (P.L.554, No.36), is amended to read:

Section 303.5. Incentive For Excellence Aid.—(a) For fiscal year 1999-2000, qualifying local libraries and library systems shall receive an incentive for excellence aid to be allocated from the sum total of a hold-harmless amount plus an annual supplement, both amounts to be derived from the Commonwealth's annual appropriation for grants to local libraries and library systems. The hold-harmless amount for incentive for excellence aid shall be the amount allocated under section 303.4 for incentive aid to local libraries for fiscal year 1998-1999 from the amount allocated from the Commonwealth's annual appropriation for grants to local libraries and library systems. For fiscal year 1999-2000, the annual supplement shall be fifty-three percent (53%) of any increase in the Commonwealth's annual appropriation for grants to local libraries and library systems above the amount appropriated for fiscal year 1998-1999. [For fiscal year 2000-2001 and each fiscal year thereafter, the amount allocated for incentive for excellence aid shall be specified in the Commonwealth's annual appropriation for grants to local libraries and library systems within the General Appropriation Act for that fiscal year.]

Section 5. Sections 303.7(a) and 303.8(a) of the act, added June 22, 2000 (P.L.404, No.57), are amended to read:

Section 303.7. County Coordination Aid.—(a) For eligible fiscal years up to and through the 1998-1999 fiscal year, ten percent (10%) of the Commonwealth's total annual appropriation for the system of State-aid established by section 301 shall be allocated as aid to county libraries. For fiscal year 1999-2000, aid to county libraries and county library systems shall be allocated from a hold-harmless amount to equal that amount allocated for aid to county libraries for fiscal year 1998-1999 from the Commonwealth's annual appropriation for grants to local libraries and library systems. [For fiscal year 2000-2001 and each fiscal year thereafter, the amount allocated for county coordination aid shall be specified in the Commonwealth's annual appropriation for grants to local libraries and library systems within the General Appropriation Act for that fiscal year.]

Section 303.8. District Library Centers.—(a) For eligible fiscal years up to and through the 1998-1999 fiscal year, thirty percent (30%) of the Commonwealth's total annual appropriation for the system of State-aid established by section 301, or a minimum of twenty-five

cents (25¢) per capita, shall be allocated as aid for district library centers. For fiscal year 1999-2000, aid to district library centers shall be allocated from a hold-harmless amount to equal that amount allocated for aid to district library centers for fiscal year 1998-1999 from the amount allocated from the Commonwealth's annual appropriation for grants to local libraries and library systems. [For fiscal year 2000-2001 and each fiscal year thereafter, the amount allocated for district library centers shall be specified in the Commonwealth's annual appropriation for grants to local libraries and library systems within the General Appropriation Act for that fiscal year.] Funds allocated for district library centers shall be distributed according to the provisions of this section.

* * *

Section 6. Section 303.9(b) of the act, amended June 22, 2001 (P.L.554, No.36), is amended to read:

Section 303.9. State-wide Library Resource Centers.—* * *

(b) Any library designated by the State Librarian to serve as a State-wide library resource center shall qualify for additional State-aid. The allocation shall be divided equally among the libraries so designated. For fiscal year 1999-2000, aid to State-wide library resource centers shall be allocated from a hold-harmless amount to equal that amount allocated for aid to State-wide library resource centers for fiscal year 1998-1999 from the amount allocated from the Commonwealth's annual appropriation for grants to local libraries and library systems. [For fiscal year 2000-2001 and each fiscal year thereafter, the amount allocated for State-wide library resource centers shall be specified in the Commonwealth's annual appropriation for grants to local libraries and library systems within the General Appropriation Act for that fiscal year.] Funds allocated for State-wide library resource centers shall be distributed according to the provisions of this section.

* * *

Section 7. Sections 303.10(f) and 303.11 of the act, added June 22, 2000 (P.L.404, No.57), are amended to read:

Section 303.10. Equalization Aid.—* * *

(f) No local library or library system shall, as a result of the provisions of this section, receive in any year more than one-third of the total annual appropriation for equalization aid. During the 1985-1986 fiscal year and each fiscal year thereafter that the Commonwealth's total annual appropriation for the system of State-aid established by section 301 exceeds seventeen million five hundred thousand dollars (\$17,500,000), no local library or library system shall receive less equalization aid as a result of the provisions of this section than such local library or library system received for equalization aid during the 1984-1985 fiscal year. For fiscal year 1999-2000, equalization aid shall be allocated from a hold-harmless amount to equal that amount allocated for equalization aid for fiscal year 1998-1999 from the amount allocated from the Commonwealth's annual appropriation for grants to local libraries and library systems. [For fiscal year 2000-2001 and each fiscal year thereafter, the amount allocated for equalization aid shall be specified in the Commonwealth's annual appropriation for grants to local libraries and library systems within the General Appropriation Act for that fiscal year.] Funds allocated for equalization aid shall be distributed according to the provisions of this section.

Section 303.11. Equal Distribution Grants to Local Libraries and Library Systems.—For eligible fiscal years up to and through the 1998-1999 fiscal year, five percent (5%) of the Commonwealth's annual appropriation for the system of State-aid established by section 301, and all funds transferred from the county library allocation after the county libraries have been paid the total amounts for which they qualify, shall be allocated as hereinafter provided: (1) five cents (5¢) per capita for each person residing in the entire district for each district library center which has a population in its direct service area as a local or county library which is twelve percent (12%) or less of the population of the entire designated direct service area; (2) the balance as equal grants to local libraries and library systems which qualify for aid under section 303.1. These grants shall be determined by dividing

the total amount of money allocated by the number of local libraries, branch libraries and bookmobiles in the Commonwealth which achieve or exceed the applicable basic standards. Each library system shall receive an equal grant for each qualifying member local library, branch library and bookmobile. Each local library shall receive an equal grant for the central library and each qualifying branch library and bookmobile. For fiscal year 1999-2000, equal distribution grants to local libraries and library systems shall be allocated from a hold-harmless amount to equal that amount allocated for equal distribution grants to local libraries and library systems for fiscal year 1998-1999 from the amount allocated from the Commonwealth's annual appropriation for grants to local libraries and library systems. [For fiscal year 2000-2001 and each fiscal year thereafter, the amount allocated for equal distribution grants to local libraries and library systems shall be specified in the Commonwealth's annual appropriation for grants to local libraries and library systems within the General Appropriation Act for that fiscal year.] Funds allocated for equal distribution grants to local libraries and library systems shall be distributed according to the provisions of this section.

Section 8. The act is amended by adding a section to read:

Section 303.16. State-aid for 2006-2007.—Notwithstanding any other provision of law to the contrary, each library shall be eligible for State-aid for fiscal year 2006-2007 which shall consist of the following:

(1) Any library that received funding in fiscal year 2002-2003 under sections 303.2, 303.5, 303.7, 303.9, 303.10 and 303.11 shall receive the same amount the library received in fiscal year 2002-2003.

(2) Any district library center that received funding in fiscal year 2002-2003 under section 303.8 shall receive the same amount the library received in fiscal year 2002-2003, except as follows:

(i) Any district library center receiving funding under section 303.14(1) shall receive two hundred ten thousand dollars (\$210,000).

(ii) Any district library center receiving funding under section 303.14(2) shall receive five hundred twenty-nine thousand four hundred and thirty-seven dollars (\$529,437).

(3) The sum of one hundred twenty-six thousand one hundred and forty-one dollars (\$126,141) shall, at the discretion of the State Librarian, be made available as State-aid to be paid to any library that has become eligible to receive State-aid but did not receive funding under clause (1) or (2).

(4) Add clauses (1), (2) and (3) to determine the amount of funding.

(5) After distribution of funds to libraries under clause (4), any remaining unallocated funds may be distributed at the discretion of the State Librarian.

Section 9. This act shall take effect immediately.

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, Mr. Smith.

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

Just to inform the members, Mr. Speaker, basically this amendment clarifies and resolves the issues with the Library Code because of the increased appropriation to essentially transition back to the formula that was originally established a few years ago.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Stairs.

Mr. STAIRS. Thank you, Mr. Speaker.

I certainly want to stand and very favorably agree with the majority leader. We are going back to 2002-2003 when the library funding was at its peak in Pennsylvania, and it is

certainly the libraries' intent to restore that funding level that we had and, of course, next year go beyond that.

So I very aggressively support the majority leader and hope we can all vote for this very important piece of legislation on libraries to restore their funding level to what we would like to see it.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Evans.

Mr. D. EVANS. I, too, Mr. Speaker, join to support the majority leader's amendment.

Thank you very much.

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—198

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Forcier
Levdansky

Rieger

Shaner

Wilt

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

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—198

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

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Forcier	Rieger	Shaner	Wilt
Levdansky			

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

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

REPORT OF COMMITTEE OF CONFERENCE PRESENTED

Mr. FEESE presented the report of the committee of conference on **HB 2499, PN 4513**.

RULES COMMITTEE MEETING

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

BILLS ON CONCURRENCE REPORTED FROM COMMITTEE

HB 185, PN 4510 By Rep. S. SMITH

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for competitive food or beverage contracts and for nutritional guidelines for food and beverage sales in schools; further providing for certain health services and for advisory health councils; providing for local wellness policies, for an interagency coordinating council for child health and nutrition, for duties of the Department of Education and for physical education; and further providing for physiology and hygiene.

RULES.

HB 509, PN 4505 By Rep. S. SMITH

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for campus police powers and duties.

RULES.

SUPPLEMENTAL CALENDAR I

RULES SUSPENDED

The SPEAKER. The Chair recognizes the majority leader.
Mr. S. SMITH. Mr. Speaker, I move for an immediate suspension of the rules to run HB 509, PN 4505.

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

The following roll call was recorded:

YEAS—195

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

NAYS—3

Gabig	Kauffman	Schroder
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NOT VOTING—0

EXCUSED—5

Forcier Rieger Shaner Wilt
Levdansky

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

BILL ON CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 509, PN 4505**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for campus police powers and duties.

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

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

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

Mr. VITALI. Will Mr. Solobay stand for brief interrogation?

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

Mr. VITALI. I just want to be clear on what this does. The question in my mind is, is it not the option of the university to have their campus police carry guns, or can campus police carry guns without that authorization?

Mr. SOLOBAY. Thank you, Mr. Speaker.

Presently, the way the law reads, it is up to the discretion of the university president on that decision. The bill, as you may remember back in January when we had passed it from the House to the Senate, basically put that, and some called it a mandate, that if the officers were municipally police officer trained and passed their course, it would be an automatic tool of their trade and it would not have to go through the approval of the president, as long as they were certified. But the Senate, what they have basically done is amended that to say that, okay, we will take it away from the president, but we want to put it in the decision of the board of trustees.

So the officers still need to be trained as far as their municipal police training, but the decision now, instead of a sole decision of the university president, will be that of the board of trustees for the university. Not really crazy about that thought, but I guess it is moving the process along, and we will work with them on this.

Mr. VITALI. The only thing that concerned me as I quickly read that language was it says it shall be its duty to authorize this, you know, which almost implies it has to authorize this. I just want to clear up the legislative intent here. Is it your intent to make it the decision of this council of trustees as to whether they should carry guns or not? Is that your intent with this language?

Mr. SOLOBAY. In this language, that is the intent. My original intent was that as long as they were certified and

trained through the municipal police training, that there would be no decision by the university president and/or the trustees. But the Senate felt that they needed to still have some oversight and decided to do this through the trustees, which may be given a broader latitude and more thought or idea process as opposed to individually one person doing it.

Mr. VITALI. Right. But your intent with this language is to give the option of the council of trustees as to whether or not they should carry guns. That is the intent of this language.

Mr. SOLOBAY. That is correct.

Mr. VITALI. Thank you, Mr. Speaker. That is all I have.

The SPEAKER. The Chair thanks the gentleman.

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—191

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

NAYS—6

Casorio	Harhai	Petrarca	Tangretti
Crahalla	Pallone		

NOT VOTING—1

Quigley

EXCUSED—5

Forcier	Rieger	Shaner	Wilt
Levdansky			

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.

VOTE CORRECTION

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

Mr. QUIGLEY. Mr. Speaker, to correct the record.

The SPEAKER. The gentleman is in order.

Mr. QUIGLEY. On HB 509 my button malfunctioned. I would like to be recorded in the affirmative.

The SPEAKER. The Chair thanks the gentleman.

The gentleman's remarks will be spread across the record.

SUPPLEMENTAL CALENDAR H

BILL ON CONCURRENCE
IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 185, PN 4510**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for competitive food or beverage contracts and for nutritional guidelines for food and beverage sales in schools; further providing for certain health services and for advisory health councils; providing for local wellness policies, for an interagency coordinating council for child health and nutrition, for duties of the Department of Education and for physical education; and further providing for physiology and hygiene.

On the question,

Will the House concur in Senate amendments?

The SPEAKER. It is moved by the gentleman, Mr. Stairs, that the House concur in the amendments inserted by the Senate. However, he requests the vote to be in the negative.

The Chair recognizes the majority leader.

Mr. S. SMITH. Mr. Speaker, this is an education code bill. I would ask the members to nonconcur on this legislation so that it can be referred to a conference committee where we can amend some of the language that deals with the State annual budget education code issues which we have all discussed in caucus.

Thank you, Mr. Speaker.

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

Mr. D. EVANS. I agree with the majority leader, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Stairs.

Mr. STAIRS. Thank you, Mr. Speaker.

I certainly concur with the majority leader that we should nonconcur, and that way we can omit and put in all the different education fundings for the School Code for this fiscal year.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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—0

NAYS—198

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

NOT VOTING—0

EXCUSED—5

Forcier
Levdansky

Rieger

Shaner

Wilt

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the amendments were not concurred in.

Ordered, That the clerk inform the Senate accordingly.

CALENDAR CONTINUED

BILL ON THIRD CONSIDERATION

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

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

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

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

Mr. MUSTIO. Thank you, Mr. Speaker.

This piece of legislation will, for the first time in statute, define an independent contractor, and I would like to, if I could, Mr. Speaker, interrogate the majority leader.

The SPEAKER. The majority leader indicates that he will stand for interrogation. The gentleman is in order and may proceed.

Mr. MUSTIO. Thank you, Mr. Speaker.

It is my understanding that this bill will be held over with the commitment from the majority leader to work with all parties involved to further improve this piece of legislation. Is that correct?

Mr. S. SMITH. Mr. Speaker, that is exactly right. I am very comfortable with holding this bill over. I believe that the core of this bill strikes at an area of law that both the business and labor communities could benefit from, if we could find the proper compromise. I think it is something that I am more than comfortable with working with the members over the summer to pull the folks together to achieve that goal.

So, Mr. Speaker, I would very much support going over this bill and allowing us to bring a few of the stakeholders on this issue together through the summer and see if we cannot improve the outcome of the legislation.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Veon.

Mr. VEON. Thank you, Mr. Speaker.

Mr. Speaker, I also want to say that we recognize the very hard work that the gentleman from Allegheny County,

Mr. Mustio, has put into this issue, and I would echo the comments made by the majority leader. We want to spend the time and put in the effort over the next few months to really work hard to find a compromise that can be passed here in the hall of the House, and we pledge to make that effort over the next several months.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Mustio.

Mr. MUSTIO. Thank you, Mr. Speaker.

Just in closing, I would like to thank leadership on both sides and also the business and labor communities for their hard work that they will be putting in this summer.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

BILL PASSED OVER

The SPEAKER. HB 1215, PN 3322, is over for the day.

HARRISBURG LEGISLATIVE LEAVE

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

Mr. VEON. Thank you, Mr. Speaker.

Request for Capitol leave for the gentleman, Mr. RUFFING.

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

BILL SIGNED BY SPEAKER

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

HB 509, PN 4505

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for campus police powers and duties.

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

APPROPRIATIONS COMMITTEE MEETING

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

Mr. FEESE. Thank you, Mr. Speaker.

Mr. Speaker, it is my understanding that the House might be at ease for a few moments. If the Speaker does in fact place the House at ease, there will be an immediate meeting of the House Appropriations Committee in the rear of the House.

The SPEAKER. The House will be at ease, Mr. Feese.

At the rear of the House, there will be an immediate meeting of the House Appropriations Committee.

BILL REREPORTED FROM COMMITTEE**SB 151, PN 137**

By Rep. FEESE

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for State Report Card.

APPROPRIATIONS.

SUPPLEMENTAL CALENDAR J**RULES SUSPENDED**

The SPEAKER. The Chair recognizes the majority leader.

Mr. S. SMITH. Mr. Speaker, I move for an immediate suspension of the rules for SB 151, PN 137.

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

The following roll call was recorded:

YEAS—187

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

Ellis
Evans, D.
Evans, J.

Lescovitz
Mackereth

Ross
Rubley

Perzel,
Speaker

NAYS—11

Creighton
Gabig
Grell

Kauffman
Keller, M.
McNaughton

Metcalf
Rapp
Rohrer

Schroder
Watson

NOT VOTING—0**EXCUSED—5**

Forcier
Levdansky

Rieger

Shaner

Wilt

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

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 151, PN 137**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for State Report Card.

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—165

Adolph	Feese	Maher	Samuelson
Allen	Fichter	Maitland	Santoni
Argall	Flaherty	Major	Sather
Baker	Fleagle	Manderino	Saylor
Barrar	Flick	Mann	Scavello
Bebko-Jones	Frankel	Markosek	Schroder
Belardi	Freeman	Marsico	Semmel
Belfanti	Gannon	McCall	Shapiro
Beyer	Geist	McGeehan	Siptroth
Biancucci	George	McGill	Smith, B.
Bishop	Gerber	McIlhinney	Smith, S. H.
Blackwell	Gergely	Melio	Solobay
Blaum	Gillespie	Micozzie	Staback
Bunt	Gingrich	Millard	Stairs
Buxton	Godshall	Miller, S.	Steil
Caltagirone	Goodman	Mundy	Stern
Cappelli	Grucela	Mustio	Stetler
Casorio	Gruitza	Myers	Stevenson, T.
Causar	Haluska	Nailor	Sturla
Cawley	Hanna	O'Brien	Surra
Civera	Harhai	Oliver	Tangretti
Clymer	Harhart	O'Neill	Taylor, E. Z.
Cohen	Harper	Pallone	Taylor, J.
Cornell	Harris	Parker	Thomas

Corrigan	Hasay	Petrarca	Tigue
Costa	Hennessey	Petri	Turzai
Crahalla	Herman	Petrone	Veon
Cruz	Hershey	Phillips	Vitali
Curry	Hess	Pickett	Walko
Daley	Hutchinson	Pistella	Wansacz
Dally	James	Preston	Waters
DeLuca	Josephs	Ramaley	Wheatley
Dermody	Keller, W.	Raymond	Williams
DeWeese	Kenney	Readshaw	Wojnaroski
DiGirolamo	Killion	Reed	Wright
Diven	Kirkland	Roberts	Youngblood
Donatucci	Kotik	Roebuck	Yudichak
Eachus	LaGrotta	Rooney	Zug
Evans, D.	Leach	Rubley	
Evans, J.	Lederer	Ruffing	
Fabrizio	Lescovitz	Sabatina	Perzel,
Fairchild	Mackereth	Sainato	Speaker

NAYS—33

Armstrong	Gabig	McNaughton	Reichley
Baldwin	Good	Metcalfe	Rohrer
Bastian	Grell	Miller, R.	Ross
Benninghoff	Hickernell	Nickol	Sonney
Birmelin	Kauffman	Payne	Stevenson, R.
Boyd	Keller, M.	Pyle	True
Creighton	Leh	Quigley	Watson
Denlinger	McIlhatten	Rapp	Yewcic
Ellis			

NOT VOTING—0

EXCUSED—5

Forcier	Rieger	Shaner	Wilt
Levdansky			

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same without amendment.

The SPEAKER. The House will be at ease.

SUPPLEMENTAL CALENDAR F

RULES SUSPENDED

The SPEAKER. The Chair recognizes the majority leader.

Mr. S. SMITH. Mr. Speaker, I move for an immediate suspension of the rules for HB 2499, PN 4513.

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

The following roll call was recorded:

YEAS—176

Adolph	Fabrizio	Maitland	Sabatina
Allen	Fairchild	Major	Sainato
Argall	Feese	Manderino	Santoni
Armstrong	Fichter	Mann	Sather
Baker	Flaherty	Markosek	Saylor
Baldwin	Fleagle	Marsico	Scavollo

Barrar	Flick	McCall	Semmel
Bastian	Frankel	McGeehan	Shapiro
Bebko-Jones	Gannon	McGill	Siptroth
Belardi	Geist	McIlhatten	Smith, B.
Belfanti	George	McIlhinney	Smith, S. H.
Benninghoff	Gerber	Melio	Solobay
Beyer	Gergely	Micozzie	Sonney
Biancucci	Gillespie	Millard	Staback
Birmelin	Gingrich	Miller, S.	Stairs
Bishop	Godshall	Mundy	Steil
Blackwell	Good	Mustio	Stern
Blaum	Goodman	Myers	Stetler
Bunt	Gruclera	Nailor	Stevenson, T.
Buxton	Gruitza	O'Brien	Sturla
Caltagirone	Haluska	Oliver	Surra
Cappelli	Hanna	O'Neill	Tangretti
Casorio	Harhai	Pallone	Taylor, E. Z.
Causar	Harhart	Parker	Taylor, J.
Cawley	Harper	Payne	Thomas
Civera	Harris	Petrarca	Tigue
Clymer	Hasay	Petri	Turzai
Cohen	Hennessey	Petrone	Veon
Cornell	Herman	Phillips	Vitali
Corrigan	Hershey	Pickett	Walko
Costa	Hess	Pistella	Wansacz
Crahalla	James	Preston	Waters
Cruz	Josephs	Pyle	Watson
Curry	Keller, W.	Quigley	Wheatley
Daley	Kenney	Ramaley	Williams
Dally	Killion	Raymond	Wojnaroski
DeLuca	Kirkland	Readshaw	Wright
Dermody	Kotik	Reed	Yewcic
DeWeese	LaGrotta	Roberts	Youngblood
DiGirolamo	Leach	Roebuck	Yudichak
Diven	Lederer	Rooney	Zug
Donatucci	Leh	Ross	
Eachus	Lescovitz	Rubley	
Evans, D.	Mackereth	Ruffing	Perzel,
Evans, J.	Maher		Speaker

NAYS—22

Boyd	Grell	Metcalfe	Rohrer
Creighton	Hickernell	Miller, R.	Samuelson
Denlinger	Hutchinson	Nickol	Schroder
Ellis	Kauffman	Rapp	Stevenson, R.
Freeman	Keller, M.	Reichley	True
Gabig	McNaughton		

NOT VOTING—0

EXCUSED—5

Forcier	Rieger	Shaner	Wilt
Levdansky			

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

REPORT OF
COMMITTEE OF CONFERENCE

Mr. FEESE called up for consideration the following report of the committee of conference on **HB 2499, PN 4513**, entitled:

An Act to provide from the General Fund for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and for the public schools for the fiscal year July 1, 2006, to June 30, 2007, for certain institutions and organizations, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2006; to provide appropriations from the State Lottery Fund, the Energy Conservation and Assistance Fund, the Hazardous Material Response Fund, The State Stores Fund, the Milk Marketing Fund, the Home Investment Trust Fund, the Emergency Medical Services Operating Fund, the Tuition Payment Fund, the Banking Department Fund, the Firearm Records Check Fund, the Ben Franklin Technology Development Authority Fund, the Tobacco Settlement Fund and the Health Care Provider Retention Account to the Executive Department; to provide appropriations from the Judicial Computer System Augmentation Account to the Judicial Department for the fiscal year July 1, 2006, to June 30, 2007; to provide appropriations from the Motor License Fund for the fiscal year July 1, 2006, to June 30, 2007, for the proper operation of the several departments of the Commonwealth and the Pennsylvania State Police authorized to spend Motor License Fund moneys; to provide for the appropriation of Federal funds to the Executive Department of the Commonwealth and for the establishment of restricted receipt accounts for the fiscal year July 1, 2006, to June 30, 2007, and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2006; to provide for the additional appropriation of Federal and State funds from the General Fund, the Motor License Fund and the State Lottery Fund for the Executive, Legislative and Judicial Departments of the Commonwealth for the fiscal year July 1, 2005, to June 30, 2006, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2005.

On the question,

Will the House adopt the report of the committee of conference?

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

The following roll call was recorded:

YEAS—130

Adolph	Evans, D.	Lederer	Santoni
Allen	Evans, J.	Lescovitz	Sather
Baker	Fabrizio	Major	Scavello
Barrar	Feese	Manderino	Shapiro
Bebko-Jones	Fichter	Mann	Siptroth
Belardi	Flaherty	Markosek	Smith, B.
Belfanti	Flick	McCall	Smith, S. H.
Beyer	Frankel	McGeehan	Solobay
Biancucci	Freeman	McGill	Staback
Bishop	Gannon	McIlhattan	Stetler
Blackwell	George	Melio	Sturla
Blaum	Gerber	Micozzie	Surra
Bunt	Gergely	Miller, S.	Tangretti
Buxton	Good	Mundy	Taylor, E. Z.
Caltagirone	Goodman	Myers	Taylor, J.
Cappelli	Grucela	O'Brien	Thomas
Casorio	Gruitza	Oliver	Tigue
Cawley	Haluska	Pallone	Veon
Civera	Hanna	Parker	Vitali
Cohen	Harhai	Petrarca	Walko
Corrigan	Harhart	Petrone	Wansacz
Costa	Hasay	Pistella	Waters
Cruz	Herman	Preston	Wheatley
Curry	Hershey	Ramaley	Williams
Daley	James	Raymond	Wojnaroski
Dally	Josephs	Readshaw	Wright
DeLuca	Keller, W.	Roberts	Yewcic
Dermody	Kenney	Roebuck	Youngblood
DeWeese	Killion	Rooney	Yudichak
DiGirolamo	Kirkland	Ruffing	Zug
Diven	Kotik	Sabatina	

Donatucci
Eachus

LaGrotta
Leach

Sainato
Samuelson

Perzel,
Speaker

NAYS—68

Argall	Geist	Marsico	Reed
Armstrong	Gillespie	McIlhinney	Reichley
Baldwin	Gingrich	McNaughton	Rohrer
Bastian	Godshall	Metcalfe	Ross
Benninghoff	Grell	Millard	Rubley
Birmelin	Harper	Miller, R.	Saylor
Boyd	Harris	Mustio	Schroder
Causar	Hennessey	Nailor	Semmel
Clymer	Hess	Nickol	Sonney
Cornell	Hickernell	O'Neill	Stairs
Crahalla	Hutchinson	Payne	Steil
Creighton	Kauffman	Petri	Stern
Denlinger	Keller, M.	Phillips	Stevenson, R.
Ellis	Leh	Pickett	Stevenson, T.
Fairchild	Mackereth	Pyle	True
Fleagle	Maher	Quigley	Turzai
Gabig	Maitland	Rapp	Watson

NOT VOTING—0

EXCUSED—5

Forcier
Levdansky

Rieger

Shaner

Wilt

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the committee of conference was adopted.

Ordered, That the clerk inform the Senate accordingly.

The SPEAKER. Would the members please take their seats. Please, take your seats. Mr. Harris, please take your seat. Mr. Leach, please take your seat. Would the members please take their seats. Please keep your seats, but the House will be at ease for 4 or 5 minutes.

Would the gentleman, Mr. Veon, and the gentleman, Mr. Argall, please come to the rostrum. Mr. Veon, please come to the rostrum.

(Conference held at Speaker's rostrum.)

VOTE CORRECTION

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

Mr. GODSHALL. Thank you, Mr. Speaker.

Correction of the record, if I could, please?

The SPEAKER. The gentleman is in order.

Mr. GODSHALL. On HB 2499 I was incorrectly recorded in the negative. I would like to be recorded in the positive.

Thank you.

The SPEAKER. The Chair thanks the gentleman. The gentleman's remarks will be spread across the record.

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

The SPEAKER pro tempore. The House will come to order.

SENATE MESSAGE

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

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives by amending said amendments to **SB 300, PN 1986**.

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

SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 1326, PN 4044; HB 1746, PN 4389; HB 1928, PN 4307; and HB 2328, PN 4463**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

SENATE MESSAGE

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

The clerk of the Senate, being introduced, informed that the Senate has concurred in **HR 357, PN 4488**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

SENATE MESSAGE

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

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives by amending said amendments to **HR 354, PN 4511**.

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

SENATE MESSAGE

HOUSE AMENDMENTS
NONCONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has nonconcurred in the amendments made by the House of Representatives to **SB 1222, PN 1963**.

SENATE MESSAGE

HOUSE 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 868, PN 1970**.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS
NONCONCURRED IN BY HOUSE

The clerk of the Senate, being introduced, informed that the Senate has insisted upon its amendments nonconcurred in by the House of Representatives to **HB 185, PN 4510**, and has appointed Senators BRIGHTBILL, RHOADES, and MUSTO to a Committee of Conference on behalf of the Senate to confer with a similar committee of the House of Representatives if the House of Representatives shall appoint such committee on the subject of the differences existing between the two Houses in relation to said bill.

MOTION INSISTING UPON NONCONCURRENCE
IN SENATE AMENDMENTS

Mr. STAIRS moved that the House insist upon its nonconcurrence in Senate amendments to **HB 185, PN 4510**, and that a committee of conference on the part of the House be appointed.

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

CONFERENCE COMMITTEE APPOINTED

The SPEAKER pro tempore. The Chair appoints as a committee of conference on the part of the House on **HB 185, PN 4510**:

Messrs. ARGALL, STAIRS, and ROEBUCK.

Ordered, That the clerk inform the Senate accordingly.

HARRISBURG LEGISLATIVE LEAVE

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Veon, for Capitol leave.

Mr. VEON. Thank you, Mr. Speaker.

I request a Capitol leave for the gentleman, Mr. ROONEY.

The SPEAKER pro tempore. The Chair thanks the gentleman. Without objection, the Capitol leave will be granted.

SENATE MESSAGE**SENATE INSISTS ON AMENDMENTS
NONCONCURRED IN BY HOUSE**

The clerk of the Senate, being introduced, informed that the Senate has insisted upon its amendments nonconcurrent in by the House of Representatives to **HB 1992, PN 4506**, and has appointed Senators BRIGHTBILL, WENGER, and FUMO to a Committee of Conference on behalf of the Senate to confer with a similar committee of the House of Representatives if the House of Representatives shall appoint such committee on the subject of the differences existing between the two Houses in relation to said bill.

**MOTION INSISTING UPON NONCONCURRENCE
IN SENATE AMENDMENTS**

Mr. BIRMELIN moved that the House insist upon its nonconcurrence in Senate amendments to HB 1992, PN 4506, and that a committee of conference on the part of the House be appointed.

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

CONFERENCE COMMITTEE APPOINTED

The SPEAKER pro tempore. The Chair appoints as a committee of conference on the part of the House on HB 1992, PN 4506:

Messrs. BIRMELIN, CAPPELLI, and VEON.
Ordered, That the clerk inform the Senate accordingly.

SENATE MESSAGE**HOUSE 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 660, PN 1969**.

SENATE MESSAGE**HOUSE BILLS
CONCURRED IN BY SENATE**

The clerk of the Senate, being introduced, returned **HB 30, PN 33; HB 456, PN 1074; HB 2295, PN 3734; and HB 2627, PN 4053**, with information that the Senate has passed the same without amendment.

The SPEAKER pro tempore. The House will be at ease.

**THE SPEAKER (JOHN M. PERZEL)
PRESIDING****RULES COMMITTEE MEETING**

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

**BILLS ON CONCURRENCE
REPORTED FROM COMMITTEE****HB 1326, PN 4044**

By Rep. S. SMITH

An Act establishing the At-Risk Elderly Wireless Emergency Telephone Program; conferring powers and duties on the Department of Aging; and providing additional powers to the Area Agencies on Aging.

RULES.**HB 1746, PN 4389**

By Rep. S. SMITH

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for establishment of fees and charges, for limitations of time for other offenses, for inspection of court files and records, for law enforcement records and for the expiration of provisions on access to justice; and making a related repeal.

RULES.**HB 1928, PN 4307**

By Rep. S. SMITH

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

RULES.**HB 2328, PN 4463**

By Rep. S. SMITH

An Act amending Titles 18 (Crimes and Offenses) and Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for fines and costs; and providing for disposition of fines for certain offenses and for adoption of guidelines for fines.

RULES.**SB 300, PN 1986**

By Rep. S. SMITH

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing, in sales and use tax, for exclusions; further providing, in personal income tax, for definitions, for classes of income, for election by small corporation, for manner of making election, for revocation of election, for termination by corporation ceasing to be a small corporation, for revocation or termination year and for election after revocation or termination; further providing, in capital stock franchise tax, for the definitions of "average net income," "capital stock value" and "corporation" and for imposition; further providing, in realty transfer tax, for stamps, commissions, payments and transfers; further providing, in inheritance tax, for valuation of certain farmland; and making related repeals and repealing a provision relating to taxation of restricted professional companies.

RULES.

RESOLUTIONS ON CONCURRENCE REPORTED FROM COMMITTEE

HR 354, PN 4511

By Rep. S. SMITH

A Concurrent Resolution designating the Garden of Reflection in Lower Makefield Township, Bucks County, as an Official State Memorial to the Victims of the September 11, 2001, terrorist attacks.

RULES.

HR 357, PN 4488

By Rep. S. SMITH

A Concurrent Resolution directing the Joint State Government Commission to establish a task force on child safety.

RULES.

The SPEAKER. Mr. Ellis, please come to the rostrum.

SUPPLEMENTAL CALENDAR M

RESOLUTIONS ON CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HR 354, PN 4511**, entitled:

A Concurrent Resolution designating the Garden of Reflection in Lower Makefield Township, Bucks County, as an Official State Memorial to the Victims of the September 11, 2001, terrorist attacks.

On the question,

Will the House concur in Senate amendments?

The SPEAKER. It is moved by the gentleman, Mr. Steil, that the House do concur in the amendments inserted by the Senate to HR 354.

On the question recurring,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—198

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

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Forcier	Rieger	Shaner	Wilt
Levdansky			

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.

* * *

The House proceeded to consideration of concurrence in Senate amendments to **HR 357, PN 4488**, entitled:

A Concurrent Resolution directing the Joint State Government Commission to establish a task force on child safety.

On the question,

Will the House concur in Senate amendments?

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

On the question recurring,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—198

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Forcier	Rieger	Shaner	Wilt
Levdansky			

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 N

RULES SUSPENDED

The SPEAKER. The Chair recognizes the majority leader.
Mr. S. SMITH. Mr. Speaker, I move for an immediate suspension of the rules in order to vote SB 300, PN 1986.

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

The following roll call was recorded:

YEAS—193

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

NAYS—5

Gabig	Keller, M.	McNaughton	Schroder
Grell			

NOT VOTING—0

EXCUSED—5

Forcier
Levdansky

Rieger

Shaner

Wilt

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

**BILL ON CONCURRENCE
IN SENATE AMENDMENTS
TO HOUSE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to House amendments to **SB 300, PN 1986**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing, in sales and use tax, for exclusions; further providing, in personal income tax, for definitions, for classes of income, for election by small corporation, for manner of making election, for revocation of election, for termination by corporation ceasing to be a small corporation, for revocation or termination year and for election after revocation or termination; further providing, in capital stock franchise tax, for the definitions of "average net income," "capital stock value" and "corporation" and for imposition; further providing, in realty transfer tax, for stamps, commissions, payments and transfers; further providing, in inheritance tax, for valuation of certain farmland; and making related repeals and repealing a provision relating to taxation of restricted professional companies.

On the question,

Will the House concur in Senate amendments to House amendments?

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

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

Mr. ELLIS. Thank you, Mr. Speaker.

I rise tonight in support of SB 300, which along with HB 859, which this body passed earlier this evening, provides significant business tax relief for the Pennsylvania employers. I would like to call the members' attention to a provision in SB 300 that is particularly important to the smaller businesses of the Commonwealth.

The bill increases the fixed formula deduction for the capital stock and franchise tax from \$125,000 to \$150,000. This deduction is a component of the formula used to calculate the capital stock value of a company. The capital stock and franchise tax is currently levied at 4.99 mills, and raising the exemption threshold will go a long way to easing the burden of Pennsylvania small businesses.

So I rise tonight, like I said, in support of this, but first of all, I want to thank everyone that has been involved with pushing tax relief forward, especially the Keystone Manufacturing Initiative. I would like to thank Representative Mike Turzai and Representative Dave Reed for taking the lead on this, as well as the majority leader, Sam Smith, for his understanding that Pennsylvania really needs to be more competitive, and I would like to thank everyone who helped sponsor my bill, 2833, that

the language is now in the Senate bill, and I would like to thank the Senate for including it.

So again, thank you, Mr. Speaker. I urge an affirmative vote on SB 300.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

I would like to interrogate someone here on this.

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

Mr. VITALI. Thank you, Mr. Speaker.

As I was reviewing this summary, I noticed a piece of this that talked about reducing the transfer of realty transfer taxes to the Keystone Recreation, Park, and Conservation Fund for fiscal year '06-'07 from 15 percent to 2.1 percent. Now, that is that Growing Greener money we put aside for open space, right?

Mr. TURZAI. Mr. Speaker, I am not sure about that. My understanding of the Senate changes to the— My understanding, this encapsulates the Governor's proposal in the budget. The change to the realty transfer tax does not change the tax rate. It simply does what the Governor requested. It reduces the percent of realty transfer tax moneys transferred to the Keystone Fund for only 1 year. This is made possible because the Keystone Fund is currently sitting on a balance of approximately \$85 million at the end of fiscal year 2005-2006.

From what I understand, the Governor wanted it and the Senate concurred in its amendment. This surplus accumulated due to prior-year committed funds lapsing or returning into the Keystone Fund when local grant projects were not completed. Therefore, the Keystone Fund does not and did not require the RTT moneys, given the existing balance carried forward to support future grant applications. Given that background, the Governor requested this change for the year and the Senate concurred in its amendment.

Mr. VITALI. How much less is that Keystone Fund getting because of this change?

Mr. TURZAI. None of the money went to easements.

Mr. VITALI. How much less in dollars is the Keystone Recreation, Park, and Conservation Fund getting because of this bill?

Mr. TURZAI. \$81 million.

Mr. VITALI. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Turzai.

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

Mr. Speaker, I rise in support of SB 300 on a variety of fronts, and in the first instance, I would like to talk about a provision in this bill that provides that contributions to 529 college savings plans, not only to Pennsylvanians but to all 529 plans across the United States, if a Pennsylvania citizen puts money into that 529 plan to save for their child's college savings, it is deductible from the personal income tax up to \$12,000 per kid per year.

We are going to be only the third State in this country to provide for this type of sweeping deduction from the personal income tax, and it is a true step in the right direction for encouraging families to save for a child's education. In addition, it also provides a tax exemption from taxation the distributions and earnings from any 529 qualified tuition program.

Both Representative Flick and myself had introduced bills that this House passed and sent to the Senate, HB 529 and HB 2096, that incorporated these two concepts, and we are sincerely appreciative of the fact that the Senate has included those provisions in SB 300 and that the Governor has agreed to sign these legislative ideas.

In addition, we talked about the health savings accounts yesterday. Representative John Payne in HB 2125, as part of the Keystone Manufacturing Initiative, provided State tax benefits for health savings accounts. These are incorporated in Senator Armstrong's SB 300, and the bill has been expanded to include a number of other provisions, including the 529 contribution deduction and the 529 exemption from taxation on distributions and earnings.

Finally, the bill also provides for an acceleration of the capital stock and franchise tax. Everyone knows that Governor Ridge had put the capital stock and franchise tax to be taken out in 2009. We delayed that. Using something akin to Representative Mustio's bill, 1312, we have accelerated that elimination.

I would ask everybody to please support this far-reaching bill, and it is a part of a great tax relief package that has been put on the table.

Thank you very much, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Flaherty.

Mr. FLAHERTY. I thank you, Mr. Speaker.

I, too, rise asking everybody in the room to please support SB 300. Small businesses are the backbones of our communities, and the expansion of this from \$150,000 to \$250,000 will certainly go a long way to allowing businesses to recapture moneys that they so desperately need.

This will stir the economy, and this will certainly help many more small businesses enter the market, and I ask members from both sides to please support this Senate bill.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentelady, Mrs. Miller.

Mrs. MILLER. Thank you, Mr. Speaker.

Mr. Speaker, one other important part of this legislation is the language that will allow for us to continue to remain a leader in preserving farmland in the Commonwealth of Pennsylvania. Nationally we are recognized as the leader in that area, and that is because for the very first time, this legislation is providing language that will say that when a farm owner dies and wants to allow that land to be inherited by his heirs or her heirs, that you are able to reduce the value of the agricultural land designated as an agricultural conservation easement to 50 percent of the value otherwise determined for inheritance tax purposes.

Mr. Speaker, this is an extremely important part of our attempts to try and help transition family farms to the next generation, and I encourage support for this legislation.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentelady.

On the question recurring,

Will the House concur in Senate amendments to House amendments?

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

The following roll call was recorded:

YEAS—198

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Forcier	Rieger	Shaner	Wilt
Levdansky			

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

Ordered, That the clerk inform the Senate accordingly.

SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 801, PN 4514**; and **HB 1641, PN 4392**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

SENATE MESSAGE

HOUSE 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 1188, PN 1985**.

SENATE MESSAGE

HOUSE AMENDMENTS
TO SENATE 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 the Senate amendments to **HB 859, PN 4509**.

SUPPLEMENTAL CALENDAR L

RULES SUSPENDED

The SPEAKER. The Chair recognizes the majority leader.
Mr. S. SMITH. Mr. Speaker, I move that the rules of the House be immediately suspended for HB 1326, PN 4044.

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

The following roll call was recorded:

YEAS—193

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

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

NAYS—5

Gabig	Keller, M.	McNaughton	Schroder
Grell			

NOT VOTING—0

EXCUSED—5

Forcier	Rieger	Shaner	Wilt
Levdansky			

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

BILL ON CONCURRENCE
IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 1326, PN 4044**, entitled:

An Act establishing the At-Risk Elderly Wireless Emergency Telephone Program; conferring powers and duties on the Department of Aging; and providing additional powers to the Area Agencies on Aging.

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

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

On that question, the Chair recognizes the gentleman, Mr. Baldwin, for an explanation.

Mr. BALDWIN. Thank you, Mr. Speaker.

This bill provides an emergency cell phone service to the elderly that would typically be living in their homes. What it does is, it programs a 911 code into the phones so that if the elderly person would fall or for whatever reason need to call 911, that they could do that.

The SPEAKER. The Chair thanks the gentleman, Mr. Vitali?

On the question recurring,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—198

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Forcier
Levdansky

Rieger

Shaner

Wilt

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.

RULES SUSPENDED

The SPEAKER. The Chair recognizes the majority leader.

Mr. S. SMITH. Mr. Speaker, I move for an immediate suspension of the rules for HB 1746, PN 4389.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—196

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

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

NAYS—2

Gabig	McNaughton
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NOT VOTING—0

EXCUSED—5

Forcier	Rieger	Shaner	Wilt
Levdansky			

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

BILL ON CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 1746, PN 4389**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for establishment of fees and charges, for limitations of time for other offenses, for inspection of court files and records, for law enforcement records and for the expiration of provisions on access to justice; and making a related repeal.

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

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

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

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

The following roll call was recorded:

YEAS—198

Adolph	Fairchild	Maher	Rubley
Allen	Feese	Maitland	Ruffing
Argall	Fichter	Major	Sabatina
Armstrong	Flaherty	Manderino	Sainato
Baker	Fleagle	Mann	Samuelson
Baldwin	Flick	Markosek	Santoni
Barrar	Frankel	Marsico	Sather
Bastian	Freeman	McCall	Saylor
Bebko-Jones	Gabig	McGeehan	Scavello
Belardi	Gannon	McGill	Schroder
Belfanti	Geist	McIlhatten	Semmel
Benninghoff	George	McIlhinney	Shapiro
Beyer	Gerber	McNaughton	Siptroth
Bianucci	Gergely	Melio	Smith, B.
Birmelin	Gillespie	Metcalfe	Smith, S. H.

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Forcier	Rieger	Shaner	Wilt
Levdansky			

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.

RULES SUSPENDED

The SPEAKER. The Chair recognizes the majority leader.

Mr. S. SMITH. Mr. Speaker, I move for an immediate suspension of the rules for HB 1928, PN 4307.

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

The following roll call was recorded:

YEAS—197

Adolph	Fairchild	Maher	Rubley
Allen	Feese	Maitland	Ruffing
Argall	Fichter	Major	Sabatina
Armstrong	Flaherty	Manderino	Sainato
Baker	Fleagle	Mann	Samuelson
Baldwin	Flick	Markosek	Santoni

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

NAYS-1

Schroder

NOT VOTING-0

EXCUSED-5

Forcier Rieger Shaner Wilt
Levdansky

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

BILL ON CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 1928, PN 4307**, entitled:

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

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

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

On that question, Mr. Samuelson.

Mr. SAMUELSON. Thank you, Mr. Speaker.

I would just like to ask the gentleman, Mr. Harris, for an explanation of the Senate amendments.

Mr. HARRIS. Sure. Thank you, Mr. Speaker.

This is a House bill that we passed unanimously a few weeks ago. The Senate made one minor change. It added a technical change that allows for the movement of hot ingots under Title 75. Previously you could only move one at a time. You can now move two.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS-198

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

Donatucci	LaGrotta	Reichley	Youngblood
Eachus	Leach	Roberts	Yudichak
Ellis	Lederer	Roebuck	Zug
Evans, D.	Leh	Rohrer	
Evans, J.	Lescovitz	Rooney	Perzel,
Fabrizio	Mackereth	Ross	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—5

Forcier	Rieger	Shaner	Wilt
Levdansky			

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.

CONFERENCE COMMITTEE MEETING

The SPEAKER. The Chair will make an announcement about HB 1992. The conferees are the gentleman, Mr. Birmelin; the gentleman, Mr. Cappelli; the gentleman, Mr. Veon. The conference committee will meet at 11 p.m. in room 245; 11 p.m., room 245.

RULES SUSPENDED

The SPEAKER. The Chair recognizes the majority leader.

Mr. S. SMITH. Mr. Speaker, I move for an immediate suspension of the rules for HB 2328, PN 4463.

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

(Members proceeded to vote.)

The SPEAKER. This is only debatable by the floor leaders. It is a suspension of the rules for immediate consideration of the bill.

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

The following roll call was recorded:

YEAS—198

Adolph	Fairchild	Maher	Rubley
Allen	Feese	Maitland	Ruffing
Argall	Fichter	Major	Sabatina
Armstrong	Flaherty	Manderino	Sainato
Baker	Fleagle	Mann	Samuelson
Baldwin	Flick	Markosek	Santoni
Barrar	Frankel	Marsico	Sather
Bastian	Freeman	McCall	Saylor
Bebko-Jones	Gabig	McGeehan	Scavello
Belardi	Gannon	McGill	Schroder
Belfanti	Geist	McIlhattan	Semmel
Benninghoff	George	McIlhinney	Shapiro
Beyer	Gerber	McNaughton	Siptroth
Bianucci	Gergely	Melio	Smith, B.

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Forcier	Rieger	Shaner	Wilt
Levdansky			

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

BILL ON CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 2328, PN 4463**, entitled:

An Act amending Titles 18 (Crimes and Offenses) and Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for fines and costs; and providing for disposition of fines for certain offenses and for adoption of guidelines for fines.

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

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

The Chair recognizes the gentleman, Mr. O'Brien.

Mr. O'BRIEN. Thank you, Mr. Speaker.

I would like to ask the members to— I would like to make a motion to revert to a prior printer's number to send a message to the Senate.

This bill was the product of 2 years of negotiations between the D.A.s, the county commissioners, the Governor's Office, and AOPC (Administrative Office of Pennsylvania Courts). There was a deal that called for a \$50 assessment, shifting those fines for the designated offenses from the county to the State. The commissioners only agreed to lose this money in exchange for a dedicated account so they would not have to fight for a budget line item every year.

There was an amendment in the Senate. The commissioners were not happy with losing their dedicated fund, but they were willing to accept that. There was another amendment, the O'Pake amendment, that took out an additional \$2.6 million. What I am asking the House to do is revert to the prior printer number, which would be PN 4440, send this back to the Senate to protect the county commissioners and the spirit of the deal that was negotiated over the last 2 years.

I would ask for an affirmative vote.

The SPEAKER. The gentleman would first have to suspend the rules of the House in order to revert to prior PN 4446.

Mr. O'BRIEN. Mr. Speaker, I thought at the beginning of my remarks I made a motion to suspend the rules to revert to a prior printer's number, 4440.

RULES SUSPENDED

The SPEAKER. The Chair recognizes the gentleman, Mr. O'Brien.

Mr. O'BRIEN. Mr. Speaker, I move that the rules of the House be suspended for a reversion to a prior printer's number, 4440.

On the question,

Will the House agree to the motion?

The SPEAKER. On that question, does the gentleman, Mr. Veon, seek recognition?

The gentleman, Mr. DeWeese.

Mr. DeWEESE. I would like to rise to support my colleague, Mr. O'Brien, and ask for a favorable vote on suspension of the rules, Mr. Speaker.

The SPEAKER. The majority leader yields to the gentleman, Mr. O'Brien.

Mr. O'BRIEN. I am sorry?

The SPEAKER. The gentleman, Mr. O'Brien, is recognized. Sam yields to you.

Mr. O'BRIEN. Oh, thank you, Mr. Speaker.

I believe my remarks just spoke to the issue. There was a deal. The deal was amended. It was reamended. We want to put it back. I am willing to compromise, but we do not want to stick it to the county commissioners. This is to protect your county commissioners.

So I want to ask everyone to support reverting to PN 4440. We will get it right; send it back to the Senate.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—198

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Forcier	Rieger	Shaner	Wilt
Levdansky			

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

BILL REVERTED TO PRIOR PRINTER'S NUMBER

The SPEAKER. The rules of the House are immediately suspended for reversion to a prior printer's number, 4440.

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

The SPEAKER. On that question, Mr. O'Brien.
Mr. O'BRIEN. Thank you, Mr. Speaker.
I would ask for an affirmative vote.

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

The following roll call was recorded:

YEAS—198

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Forcier	Rieger	Shaner	Wilt
Levdansky			

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

BILL ON CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 2328, PN 4440**, entitled:

An Act amending Titles 18 (Crimes and Offenses) and Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for fines and costs; and providing for adoption of guidelines for fines.

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

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

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

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

The following roll call was recorded:

YEAS—198

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

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Forcier	Rieger	Shaner	Wilt
Levdansky			

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.

RULES COMMITTEE MEETING

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

BILLS ON CONCURRENCE REPORTED FROM COMMITTEE

HB 801, PN 4514

By Rep. S. SMITH

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, further providing for fees charged by the Insurance Department; and authorizing and directing the Department of Health to establish a Cervical Cancer Task Force to evaluate and make recommendations for education and prevention of cervical cancer.

RULES.

HB 1641, PN 4392

By Rep. S. SMITH

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

RULES.

SUPPLEMENTAL CALENDAR O

RULES SUSPENDED

The SPEAKER. The Chair recognizes the majority leader.
Mr. S. SMITH. Mr. Speaker, I call for an immediate suspension of the rules for HB 801, PN 4514.

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

The following roll call was recorded:

YEAS—198

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Forcier	Rieger	Shaner	Wilt
Levdansky			

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

BILL ON CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 801, PN 4514**, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, further providing for fees charged by the Insurance Department; and authorizing and directing the Department of Health to establish a Cervical Cancer Task Force to evaluate and make recommendations for education and prevention of cervical cancer.

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

The SPEAKER. It is moved by the gentelady, Mrs. Harhart, that the House do concur in the amendments inserted by the Senate.

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

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

The following roll call was recorded:

YEAS—198

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

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Forcier	Rieger	Shaner	Wilt
Levdansky			

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.

RULES SUSPENDED

The SPEAKER. The Chair recognizes the majority leader.

Mr. S. SMITH. Mr. Speaker, I move for an immediate suspension of the rules in order to bring up HB 1641, PN 4392.

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

The following roll call was recorded:

YEAS—198

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

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Forcier	Rieger	Shaner	Wilt
Levdansky			

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

BILL ON CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 1641, PN 4392**, entitled:

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

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

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

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

Mr. SAMUELSON. Thank you, Mr. Speaker.

This is a 30-page bill. It appears the Senate made several changes. I would like to ask the gentleman, Mr. Fairchild, for a summary of the Senate changes.

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

Mr. FAIRCHILD. Thank you, Mr. Speaker.

Essentially what had happened from the time this legislation passed the House, the Senate staff, our House staff, the Fish Commission, PENNDOT, and the Governor's Office worked together to what I would call tweak the language. The basic changes simply are that as it left the House, the provisions in the bill required that the notice to the commission was mailed within 30 days and then published two times in the newspaper, and the Senate's major change is now it is, there is a 30-day notice to the commission and then published two times in the newspaper. So it was just reversed, and we did that to make it really more friendly for any consumer out there that may be affected by this bill.

There were also limits put on so that a consumer would be protected in the case of a boat which now has a \$5,000 limit and a trailer has a \$1,000 limit.

Mr. SAMUELSON. Thank you.

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

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

The following roll call was recorded:

YEAS—198

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

DeWeese	Killion	Raymond	Wojnaroski
DiGirolamo	Kirkland	Readshaw	Wright
Diven	Kotik	Reed	Yewcic
Donatucci	LaGrotta	Reichley	Youngblood
Eachus	Leach	Roberts	Yudichak
Ellis	Lederer	Roebuck	Zug
Evans, D.	Leh	Rohrer	
Evans, J.	Lescovitz	Rooney	Perzel,
Fabrizio	Mackereth	Ross	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—5

Forcier	Rieger	Shaner	Wilt
Levdansky			

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.

REMARKS SUBMITTED FOR THE RECORD

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

Mr. MARSICO. Mr. Speaker, I would like to submit remarks for the record on HB 2499, the general appropriations bill.

The SPEAKER. The gentleman is in order, and the gentleman's remarks will be spread across the record.

Mr. MARSICO. Thank you.

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

Thank you, Mr. Speaker.

I am an advocate for fiscal responsibility, and all of the additional spending that we are doing in the 2006-2007 budget is extremely disconcerting to me. This will only end up raising our constituents' taxes in the long run. I simply cannot justify voting in favor of a plan that will end up costing the people I represent more money next year and the year after that and the year after that.

Welfare has dominated the budget for a second consecutive year at 35 percent or \$9.2 billion of the entire budget. In fact, under the Governor, welfare spending has increased by more than \$2.6 billion, which accounts for 70 percent of all welfare growth in the last decade. As most other States are reining in welfare costs, Pennsylvania continues to increase benefits to welfare recipients. More than 344,000 people have been added to the welfare rolls since the Governor took office, and Pennsylvania's welfare-to-work program is the worst in the nation.

Another primary concern to me is the inequitable funding for schools in the 2006-2007 budget. For example, Harrisburg City School District will see an increase in basic education funding of \$1.7 million, while Central Dauphin School District will only see an \$800,000 increase. The formula for determining education funding is quite simply not equitable and does not reflect the true needs of all of the school districts. Every school district should be treated equally when it comes to funding. Funding and growth in funding need to go hand in hand and be determined on a per-pupil basis. School districts in which residents pay more into the system should not automatically qualify for more money from the State. And what is really unbelievable to me is that grants for volunteer companies were eliminated entirely from the 2006-2007 budget.

The vital system of volunteers in Pennsylvania is sustained through these types of grants. I am tremendously proud of the heroism and dedication of our firefighters and emergency personnel. It is astounding to me this funding was ripped from the budget. Rather than being supported in their causes, they are going to be punished for their tireless task of keeping all of us safe.

Transportation will also be adversely affected by the passage of this budget. Approximately \$7.5 million is taken from the Motor License Fund in order for Philadelphia to pay for State police protection. Additionally, \$50 million is taken from the same fund and given to the Gaming Commission as a loan. This is money that was originally allotted to maintain and rebuild highways and bridges throughout the Commonwealth. Now, those much-needed improvements will simply not get done and the public safety of our residents will suffer as a result.

We are at a crucial crossroads in Pennsylvania and have the opportunity to show our constituents that we can, in fact, do the right thing and vote this budget down. We need to pass an affordable State budget that would not increase taxes in years to come. I would be disappointed, to say the least, if I am in the minority today when voting down this budget.

Thank you.

The SPEAKER. The House will be at ease.

CONFERENCE COMMITTEE MEETING

The SPEAKER. HB 1992, an immediate meeting of the conference committee in room 245; immediate meeting in room 245.

ARTICLE SUBMITTED FOR THE RECORD

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

Mr. FLICK. Thank you, Mr. Speaker.

Would it be appropriate if I would be able to submit remarks on the passage of SB 300 earlier this evening – thank you – remarks for the record?

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

Mr. FLICK submitted an article for the Legislative Journal.

(For article, see Appendix.)

CONFERENCE COMMITTEE MEETING

The SPEAKER. The Conference Committee on HB 185 will convene at 11:20 p.m. in room 245 – that is Representative Argall, Representative Stairs, and Representative Roebuck – at 11:20 in room 245.

ANNOUNCEMENT BY MR. O'BRIEN

The SPEAKER. For what purpose does the gentleman, Mr. O'Brien, rise?

Mr. O'BRIEN. Thank you, Mr. Speaker. For a point of personal privilege.

The SPEAKER. The gentleman will state.

Mr. O'BRIEN. Mr. Speaker, I would like to bring to the members' attention that there is a gentleman who just came on the floor who has given unselfishly of his talents and his time

for 35 years, and he has been the general counsel for the Republican Caucus for those many years and a great friend of all of ours, and his name is Joe Murphy. Joe, please stand up so that we can acknowledge our friendship and our respect for you.

ANNOUNCEMENT BY MR. BAKER

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

Mr. BAKER. Personal privilege.

The SPEAKER. The gentleman will state it.

Mr. BAKER. While we have a brief interlude and we are waiting, Mr. Speaker, the members might appreciate knowing that today is the 31st anniversary of service for Freddy Lochetto, your right-hand person.

REPORT OF COMMITTEE OF CONFERENCE PRESENTED

Mr. BIRMELIN presented the report of the committee of conference on **HB 1992, PN 4516**.

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 30, PN 33

An Act amending the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act, further providing for the payment of compensation to widows, widowers and children.

HB 456 PN 1074

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for the offense of terrorism; further providing in controlled substances forfeitures for loss of property rights to Commonwealth; providing for terrorism forfeiture; further providing for procedure with respect to seized property subject to liens and rights of lienholders; and providing for penalties.

HB 801, PN 4514

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, further providing for fees charged by the Insurance Department; and authorizing and directing the Department of Health to establish a Cervical Cancer Task Force to evaluate and make recommendations for education and prevention of cervical cancer.

HB 859, PN 4509

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing, in sales and use tax, for definitions and for alternate imposition; further providing, in corporate net income tax, for definitions; and further providing, in research and development tax credit, for credit for research and development expenses, for time limitations, for limitations on credit and for termination.

HB 1326, PN 4044

An Act establishing the At-Risk Elderly Wireless Emergency Telephone Program; conferring powers and duties on the Department of Aging; and providing additional powers to the Area Agencies on Aging.

HB 1641, PN 4392

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

HB 1746, PN 4389

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for establishment of fees and charges, for limitations of time for other offenses, for inspection of court files and records, for law enforcement records and for the expiration of provisions on access to justice; and making a related repeal.

HB 1928, PN 4307

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

HB 2295, PN 3734

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for a special registration plate for recipients of the Korean Defense Service Medal.

HB 2627, PN 4053

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.

SB 151, PN 137

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for State Report Card.

SB 660, PN 1969

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, adding the Uniform Trust Act; abolishing the rule against perpetuities; making conforming amendments; and making a related repeal.

SB 868, PN 1970

An Act amending the act of May 17, 1929 (P.L.1798, No.591), referred to as the Forest Reserves Municipal Financial Relief Law, increasing distribution of annual charge; and making editorial changes.

SB 1188, PN 1985

An Act amending the act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law, further providing for definitions, for physician, certified registered nurse practitioner and pharmacy participation, for reduced assistance, for program generally, for restricted formulary, for reimbursement, for income verification, for contracts and for the pharmaceutical assistance contract for the elderly needs enhancement tier, for pharmacy best practices and cost controls review; further providing for penalties; establishing the coordination of Federal and State benefits; providing for continued eligibility under certain circumstances; and making editorial changes.

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

**REPORT OF COMMITTEE
OF CONFERENCE PRESENTED**

Mr. STAIRS presented the report of the committee of conference on **HB 185, PN 4517**.

SUPPLEMENTAL CALENDAR P**RULES SUSPENDED**

The SPEAKER. The Chair recognizes the majority leader.

Mr. S. SMITH. Mr. Speaker, I move that the rules of the House be immediately suspended to bring up HB 1992, PN 4516.

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

The SPEAKER. On the suspension, the suspension is debatable by the majority and minority leaders.

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

The following roll call was recorded:

YEAS—194

Adolph	Fabrizio	Maher	Ross
Allen	Fairchild	Maitland	Rubley
Argall	Feese	Major	Ruffing
Armstrong	Fichter	Manderino	Sabatina
Baker	Flaherty	Mann	Sainato
Baldwin	Fleagle	Markosek	Santoni
Barrar	Flick	Marsico	Sather
Bastian	Frankel	McCall	Saylor
Bebko-Jones	Freeman	McGeehan	Scavello
Belardi	Gabig	McGill	Semmel
Belfanti	Gannon	McIlhatten	Shapiro
Benninghoff	Geist	McIlhinney	Siptroth
Beyer	George	McNaughton	Smith, B.
Biancucci	Gerber	Melio	Smith, S. H.
Birmelin	Gergely	Metcalfe	Solobay
Bishop	Gillespie	Micozzie	Sonney
Blackwell	Gingrich	Millard	Staback
Blaum	Godshall	Miller, R.	Stairs
Boyd	Good	Miller, S.	Steil
Bunt	Goodman	Mundy	Stern
Buxton	Grell	Mustio	Stetler
Caltagirone	Grucela	Myers	Stevenson, R.
Cappelli	Gruitza	Nailor	Stevenson, T.
Casorio	Haluska	Nickol	Sturla

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

NAYS—4

Kauffman	Keller, M.	Samuelson	Schroder
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NOT VOTING—0**EXCUSED—5**

Forcier	Rieger	Shaner	Wilt
Levdansky			

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

**REPORTS OF
COMMITTEE OF CONFERENCE**

Mr. HERMAN called up for consideration the following report of the committee of conference on **HB 1992, PN 4516**, entitled:

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, further providing, in Local Government Capital Project Loan Fund provisions, for assistance to municipalities; providing for budget implementation, for restrictions on appropriations for funds and accounts and for family planning funding limitations.

On the question,
Will the House adopt the report of the committee of conference?

The following roll call was recorded:

YEAS—177

Adolph	Fairchild	Mann	Santoni
Allen	Feese	Markosek	Sather
Argall	Fichter	Marsico	Saylor
Baker	Flaherty	McCall	Scavello
Baldwin	Fleagle	McGeehan	Semmel
Barrar	Flick	McGill	Shapiro
Bastian	Frankel	McIlhatten	Siptroth

Bebko-Jones	Freeman	McIlhinney	Smith, B.
Belardi	Gannon	Melio	Smith, S. H.
Belfanti	Geist	Micozzie	Solobay
Benninghoff	George	Millard	Sonney
Beyer	Gerber	Miller, R.	Staback
Biancucci	Gergely	Miller, S.	Stairs
Birmelin	Gillespie	Mundy	Steil
Bishop	Godshall	Myers	Stern
Blackwell	Good	Nailor	Stetler
Blaum	Goodman	Nickol	Stevenson, R.
Boyd	Grucela	O'Brien	Stevenson, T.
Bunt	Gruitza	Oliver	Sturla
Buxton	Haluska	O'Neill	Surra
Caltagirone	Hanna	Pallone	Tangretti
Cappelli	Harhai	Parker	Taylor, E. Z.
Casorio	Harhart	Payne	Taylor, J.
Causer	Harris	Petrarca	Thomas
Cawley	Hasay	Petri	Tigue
Civera	Herman	Petrone	True
Clymer	Hershey	Phillips	Turzai
Cohen	Hess	Pickett	Veon
Corrigan	Hickernell	Pistella	Vitali
Costa	James	Preston	Walko
Crahalla	Josephs	Pyle	Wansacz
Cruz	Keller, W.	Ramaley	Waters
Curry	Kenney	Raymond	Watson
Daley	Killion	Readshaw	Wheatley
Dally	Kirkland	Reed	Williams
DeLuca	Kotik	Reichley	Wojnaroski
Dermody	LaGrotta	Roberts	Wright
DeWeese	Leach	Roebuck	Yewcic
DiGirolo	Lederer	Rooney	Youngblood
Diven	Leh	Ross	Yudichak
Donatucci	Lescovitz	Rubley	Zug
Eachus	Mackereth	Ruffing	
Evans, D.	Maitland	Sabatina	
Evans, J.	Major	Sainato	Perzel,
Fabrizio	Manderino	Samuelson	Speaker

NAYS—20

Armstrong	Gabig	Hutchinson	Metcalfe
Cornell	Gingrich	Kauffman	Mustio
Creighton	Grell	Keller, M.	Quigley
Denlinger	Harper	Maher	Rapp
Ellis	Hennessey	McNaughton	Rohrer

NOT VOTING—1

Schroder

EXCUSED—5

Forcier	Rieger	Shaner	Wilt
Levdansky			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the committee of conference was adopted.

Ordered, That the clerk inform the Senate accordingly.

* * *

Mr. STAIRS called up for consideration the following report of the committee of conference on **HB 185, PN 4517**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for background checks of prospective employees; providing for competitive food or beverage contracts and for certain budget timelines; further providing for annual budget and for financial reports;

providing for the Distinguished Educators Program; further providing for continuing professional development, for program of continuing professional education, for safe schools advocate, for certain health services and for advisory health councils; providing for local wellness policies, for an interagency coordinating council for child health and nutrition, for duties of the Department of Education and for physical education; providing for physiology and hygiene; further providing for the Educational Assistance Program, for definitions, for responsibilities of Department of Education, for responsibilities of school entities, for transportation, for definitions, for education empowerment list, for board of school directors, for education empowerment districts, for school improvement grants, for limitation and for alternative education grants; providing for alternative education demonstration grants; further providing for State funding; providing for articulation agreements; further providing for definitions and for limitations; providing for transfer of credits between institutions of higher education and for transportation of certain students; further providing for definitions and for small district assistance; providing for basic education funding for 2005-2006 school year and for funding for partnership schools; further providing for payments on account of limited English proficiency programs, for payments to intermediate units and for special education payments to school districts; providing for special education community support services; further providing for payments, for approved reimbursable rental for leases and for Pennsylvania Accountability Grants; and providing for Statewide costing-out study.

On the question,

Will the House adopt the report of the committee of conference?

The following roll call was recorded:

YEAS—185

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

DiGirolamo	Leach	Rohrer	Youngblood
Diven	Lederer	Rooney	Yudichak
Donatucci	Lescovitz	Ross	Zug
Eachus	Mackereth	Rubley	
Ellis	Maitland	Ruffing	
Evans, D.	Major	Sabatina	Perzel,
Evans, J.	Manderino	Sainato	Speaker

NAYS—13

Armstrong	Harper	Keller, M.	McNaughton
Creighton	Hennessey	Leh	Metcalfe
Gabig	Kauffman	Maher	Mustio
Gingrich			

NOT VOTING—0

EXCUSED—5

Forcier	Rieger	Shaner	Wilt
Levdansky			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the committee of conference was adopted.

Ordered, That the clerk inform the Senate accordingly.

The SPEAKER. Would the gentleman, Mr. Veon, and the gentleman, Mr. DeWeese, please come to the rostrum.

SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 700, PN 4417**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

RULES COMMITTEE MEETING

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

BILL ON CONCURRENCE
REPORTED FROM COMMITTEE

HB 700, PN 4350 (Amended) By Rep. S. SMITH

An Act amending Title 65 (Public Officers) of the Pennsylvania Consolidated Statutes, providing for provisions relating to lobby regulation and disclosure; making an appropriation; and making a related repeal.

RULES.

BILL SIGNED BY SPEAKER

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

HB 2328, PN 4440

An Act amending Titles 18 (Crimes and Offenses) and Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for fines and costs; and providing for adoption of guidelines for fines.

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

SUPPLEMENTAL CALENDAR Q

BILL ON CONCURRENCE
IN SENATE AMENDMENTS
AS AMENDED

The House proceeded to consideration of concurrence in Senate amendments to the following **HB 700, PN 4350**, as further amended by the House Rules Committee:

An Act amending Title 65 (Public Officers) of the Pennsylvania Consolidated Statutes, providing for provisions relating to lobby regulation and disclosure; making an appropriation; and making a related repeal.

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. Maher, that the House do concur in the amendments inserted by the Senate.

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

Mr. MAHER. Thank you, Mr. Speaker.

I had very much hoped, as I know many of my colleagues here today had hoped, that we would be able to put a ribbon around this proposal so long in the making this evening. That is not going to be the case, unfortunately.

The Senate – and understandably; it is a busy time of the year – the Senate was unable to have anybody offer any comments on the legislation which had been approved by this chamber until 2:30 this afternoon, and we undertook as quick a pace as possible to try to sort through the differences and the approaches which had come forward.

Mr. Speaker, if I could interrupt just a moment. There is some sort of a radio or something playing.

The SPEAKER. I think several members of the House are listening to the Senate, Mr. Maher.

Mr. MAHER. I will resist the urge to characterize what it sounded like.

Thank you, Mr. Speaker.

At no time did the House, to my knowledge, or anyone from this chamber identify an impasse; quite the opposite. We were making great progress through the bill. In fact, we were on page 59 of a draft that had about 16 pages remaining when those from the Senate needed to exit, not because of anything that was being discussed but because of some other priority. The next we knew from the Senate was when the Senate had decided to just torpedo progress for this evening and simply to insert the language, which has been referred to from time to time as SB 1, in lieu of what this House had crafted, and while that might

serve to shoot paper back and forth across the building, it, frankly, is not very helpful in establishing a law.

Now, the law that we have intended under any of these proposals has had a target date of January 1 for coming into force, and I remain steadfast, as in my determination, that come January 1 we will be going forward with the strongest, most far-reaching lobbyist disclosure law that Pennsylvania has ever considered. Unfortunately, that will not be tonight, and what came back from the Senate, just so you know, included provisions known to the Senate, provisions known to the Senate that would have accidentally or otherwise exempted hundreds of lobbyists from ever registering, from ever reporting. That is certainly not the mandate from this chamber, as I understand it.

The Senate proposal would also continue the fuzzy math that causes the opportunity that a single dollar may be reported as \$1, as \$2, as \$5, as \$10, as \$20, as \$50, which does not serve to illuminate what is happening for the public but serves to confuse it.

I appreciate and am open to changes from what this chamber considered and had expressed my enthusiastic reception for some of those changes, but there is no way that this chamber can embrace a proposal which so severely lacks the revelations the public demands and would even go so far as to conceal from the public any information whatsoever about what lobbyists or principals are trying to effect, and for that reason I applaud the decision to revert to the prior printer's number and ask that you join me in establishing that this chamber very much wants to move forward, very much wants to resolve this issue. We have a base line to start with. Let us move forward, and I urge you to vote in concurrence with the bill as amended in the Senate and amended again in the House.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

PARLIAMENTARY INQUIRY

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

Mr. VITALI. Thank you, Mr. Speaker.

I am just trying to get a handle on what we are doing here, because although the motion—

This would be a parliamentary inquiry.

Mr. Speaker, I am trying to get a handle on what we are doing here, because on the face of it, we are being asked to concur in the amendments of the Senate but in fact what we have before us is the version passed by the House. In fact, the Senate version is a printer's number later in time. So I am really trying to get a sense for what will the effect be of voting "yes" on this, which on the surface is a concurrence but really not a concurrence at all? I am trying to get, what is the practical effect of a "yes" vote here?

The SPEAKER. We are concurring in their amendments as amended by the House, which is what we do on a pretty regular basis, Mr. Vitali. In this case the amendment is a reversion.

Mr. VITALI. So if this concurrence would be approved, then our version would again be sent back to the Senate?

The SPEAKER. That is correct.

Mr. VITALI. I understand, Mr. Speaker.

Thank you, Mr. Speaker.

Mr. Speaker, I would like to speak on the bill and then make a motion.

The SPEAKER. The gentleman is in order.

Mr. VITALI. Thank you, Mr. Speaker.

I think regrettably both the House version, which is before us now, and the Senate version, which came back, suffer from the same defects, neither of which solve the problem that I think we are trying to solve, neither of which change the culture in Harrisburg where lobbyists have become our friends, not information providers, and I think the defect in both bills is that it fails to reveal very basic things. It fails to reveal what lobbyists are giving what legislators what gifts or hospitalities to move what specific pieces of legislation. Neither bill discloses that, and unless there is this disclosure, you are not going to change the culture up here. The reasons why it fails to do that are I think twofold, and I have prepared amendments to deal with that, which are out of order now, but neither version, in particular the House version which is before us, it does not require in the quarterly reports a revelation of the specific issues or bill numbers a lobbyist is lobbying on. That, to me, is a very important omission here. I have an amendment that would have corrected that.

The second thing the quarterly report fails to do, in either of the reports, it fails to set sufficiently low thresholds so that those receiving these gifts by lobbyists – those receiving the meals, the sporting tickets, the golf outings, and so forth – their names do not appear on expense reports. The thresholds in both bills, for example, for hospitalities were \$650 per year; simply too high. That is simply too many meals that fly under the radar screen. They are, in my view, two significant and fatal defects in both of these bills.

Mr. Speaker, we have to really decide what we want to do here tonight when we consider whether to concur in SB 700 or not. Do we want to at the end of the night say, yes; pat ourselves on the back and say, yes, we have done it, public, we have passed lobbying reform, and really move along and take the pressure off of this issue? Do we want to once again be dishonest with the public, in my mind, create the appearance of reform yet again but not the reality of reform, or do we really want to start getting at what the problem is?

Mr. Speaker, I think if we really want to get at where the problem is, we have to cut much deeper than what this bill does. We really want to go much further. Some States require first-penny disclosure, disclosure of even a cup of coffee given by a lobbyist to a legislator. We do not do that here. Some States prohibit any gift. We do not even get near that here. But we have to go a lot further than where either of these two versions have taken us, because if we do not, we are just selling the public a bill of goods.

MOTION TO RECOMMIT

Mr. VITALI. Therefore, Mr. Speaker, I would move that rather than continue this charade, we recommit this bill to the State Government Committee so that we can really come out of that with a bill that really solves the problem out there, and I so move.

On the question,

Will the House agree to the motion?

The SPEAKER. On the motion, the gentleman moves that the bill be recommitted to the Committee on State Government.

On that motion, the Chair recognizes the majority leader, the gentleman, Mr. Smith.

Mr. S. SMITH. Mr. Speaker, I would oppose the motion to recommit. Moving this bill back to the State Government Committee, Mr. Speaker, does not at all move the issue forward; does not in any way, shape, or form get us to a point where we would actually have a lobbyist reform bill on the Governor's desk.

I find it interesting, Mr. Speaker, that the maker of the motion, while he presents a lot of ideas, at least he makes a lot of talk about a lot of ideas, but in the last couple of years has never introduced one bill of his own.

I would also note, Mr. Speaker, that when this bill, HB 700, came through to the State Government Committee, not only this session but in the prior session, the gentleman voted for the bill without amendment—

Mr. VITALI. Point of order, Mr. Speaker. Point of order, Mr. Speaker.

The SPEAKER. The majority leader has the floor. The majority leader will continue.

Mr. S. SMITH. Mr. Speaker, I would argue that the motion to put HB 700 back in the State Government Committee is in fact of a dilatory nature, Mr. Speaker, in that the maker of the motion has had opportunities on that committee, not only this session but in prior sessions, and did not attempt to amend the bill and in fact voted for the bill.

Mr. Speaker, it is clear to me that if we are to come to a resolution between the differences between the Senate ideas of a lobbyist disclosure bill and the House ideas of a lobbyist disclosure bill, a difference between the ideas each of us on this floor may have about just exactly how it should be put together, that the proper course of action is to send the bill back to the Senate. It is clear, Mr. Speaker, that at some point through the summer, in the fall, this will end up most likely in a conference committee. That would seem to be a logical conclusion that will ultimately bring this issue to a head and allow us to put the bill finally on the Governor's desk.

I would point out one more thing, Mr. Speaker, just in reference to the idea that HB 700 should be recommitted. There have been three bills offered up in this session; there have been three bills – one by the gentleman from Allegheny, the sponsor of HB 700; one by the Speaker; and one by the President pro tem of the Senate. This is the vehicle; this is the bill. This is the bill that we need to send back to the Senate. Please do not vote to recommit.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Maher.

Mr. MAHER. Thank you, Mr. Speaker.

I think actually the majority leader captured the essence that the maker of the motion – I find it very difficult to entertain this motion seriously – had over 4 years while this bill was in committee. He had no amendments. I agree and ask that we vote against this motion which would only delay progress.

The SPEAKER. The gentleman, Mr. Vitali.

Mr. VITALI. Thank you, Mr. Speaker. On the motion.

Mr. Speaker, regrettably the majority leader and the prior speaker have failed to check their facts. My legislative history is replete with amendment after amendment, including the

two amendments I have before me right now to the printer's number I was ready to offer—

The SPEAKER. Will the gentleman suspend.

The debate is limited for or against reasons for recommitment.

Mr. VITALI. Mr. Speaker, they opened the door by making these arguments. I am just responding to the arguments.

The SPEAKER. The majority leader and the minority leader are always given more leeway than the other members, Mr. Vitali. You know that.

Mr. VITALI. Mr. Speaker, Mr. Maher is not in leadership, and he opened the door and those remarks were allowed. I should be able to respond to them.

The SPEAKER. He did not do that, Mr. Vitali; he did not.

Mr. VITALI. Mr. Speaker, regrettably they have chosen to attack the messenger because they cannot attack the message.

Mr. Speaker, both of these versions are inadequate; both of these versions fail to solve the problem. A compromise between two inadequate versions will come to an inadequate compromise. We need to send a message both to the Senate and to the public that we are not going to do the appearance of lobbying, we are not going to do the appearance of reform; we are going to do the reality of reform. We need to let the public know that we are serious about cleaning up our act. We are not going to send that message by voting for this sham. We are not going to do that. We need to send a message we are serious, and if we simply just pass or concur in a bill that is not going to do the job, we are sending the wrong message. Therefore, we need to go back to committee, get a stronger version, and send that back.

So I urge a “yes” on the motion to commit to the State Government Committee.

The SPEAKER. The Chair thanks the gentleman.

PARLIAMENTARY INQUIRY

The SPEAKER. The gentlelady, Ms. Manderino, we had you listed for final passage on HB 700 and not recommitment. Does the gentlelady wish to speak on recommitment?

The gentlelady is in order and may proceed.

Ms. MANDERINO. Thank you, Mr. Speaker.

I am having a hard time deciding whether I want to vote “yes” or “no” on the motion to recommit, and I have a parliamentary inquiry of the Chair that I think will help me understand better what I want to do, and that is the following: If this motion fails and we vote on a concurrence, does that concurrence send the bill back to the Senate or does that concurrence send the bill to a conference committee?

The SPEAKER. It sends it back to the Senate.

Ms. MANDERINO. Thank you, Mr. Speaker.

Then, actually, I am going to support the gentleman, Mr. Vitali's motion to recommit, because I think we do have work that we can do here in the House. I think that we have discovered even in the last 24 hours that there are some additional things that we would like to fix in what we did last week. If I thought we were sending this to conference committee, I would absolutely be in favor of doing that to move the process forward, but what we have here now because of the amendment in Rules Committee, putting this bill in a position that a concurrence or a nonconcurrence, since it is not what the

Senate passed, does not send it to a conference committee, I think we further the stalemate perhaps. I do not want to be too pessimistic, but it seems like we are getting too entrenched in irrevocable positions between the two chambers. I think we would have more control on it if we kept it here in our chamber and in our committee and worked out those differences.

So, quite frankly, I think the motion to recommit at this point is the motion that keeps the process moving forward better in a good-faith effort.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentlelady.

PARLIAMENTARY INQUIRY

The SPEAKER. The gentleman, Mr. Maher.

Mr. MAHER. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. MAHER. At this juncture it is my understanding that there is no immediate path that the House can take to send this legislation to a conference committee directly. Allow me to rephrase that, Mr. Speaker. The path towards a conference committee would require this step. Is that correct?

The SPEAKER. If we had nonconcurrent in the Senate amendments, it would have started the path of getting it to a conference committee, but the motion before us is the motion to recommit.

Mr. MAHER. And so if we return this bill and they were to insist on the amendments that they had introduced, that could create an opportunity for a conference committee. Is that correct, Mr. Speaker?

The SPEAKER. That is possible; yes.

Mr. MAHER. Thank you, Mr. Speaker.

Is there any other path to a conference committee other than this legislation being returned to the Senate?

The SPEAKER. No other way than the manner that was just described, Mr. Maher.

Mr. MAHER. Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. DeWeese.

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

I would rise to vigorously support the majority leader and oppose the gentleman from Delaware County's effort to recommit.

The substance of the language that we are attempting to send back to the Senate was embraced last week or in earlier days 190 to 1, 190 to 1 in this chamber. I think we realize it is a compromise; we realize that it could be enhanced in a conference committee eventually, but this measure was embraced by 190 of us, and our Rules Committee reversion embraces the collective will of this Assembly's chamber, as the last vote would indicate.

So I would ask for a negative vote on the motion to recommit.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—15

Bishop	Freeman	Mundy	Tangretti
Corrigan	Josephs	Petrarca	Tigue
Curry	Manderino	Roebuck	Vitali
Eachus	Melio	Samuelson	

NAYS—183

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

NOT VOTING—0

EXCUSED—5

Forcier	Rieger	Shaner	Wilt
Levdansky			

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

On the question recurring,

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

PARLIAMENTARY INQUIRY

The SPEAKER. On concurrence, Mr. Freeman.

Mr. FREEMAN. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. FREEMAN. Since obviously the best way to advance this piece of legislation to conference is not currently before us, if we agree to concur, it sends it back to the Senate, as I understand it. That allows them the opportunity to change it in their Rules Committee and send it back to us in a Ping-Pong effect. It would go back and forth between the two chambers.

My inquiry is, can we advance to the printer's number 4417? Is such a motion in order, since that would allow us to nonconcur and send it into a conference committee?

The SPEAKER. That is not in order because that would be an amendment, and that could only be done by a suspension of the rules.

Mr. FREEMAN. Is it now possible, though, Mr. Speaker, that since we already had a printer's number to this bill which is higher than the current printer's number before us that a motion to advance would be in order?

The SPEAKER. Only under suspension of the rules.

Mr. FREEMAN. 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—197

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

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

NAYS—1

Vitali

NOT VOTING—0**EXCUSED—5**

Forcier	Rieger	Shaner	Wilt
Levdansky			

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.

RECESS

The SPEAKER. The Chair recognizes the majority leader from Jefferson, Mr. Smith.

Mr. S. SMITH. Mr. Speaker, I move that this House do now recess until Sunday, July 2, 2006, at 12:50 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 12:49 a.m., e.d.t., Sunday, July 2, 2006, the House recessed.