

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

MONDAY, MARCH 13, 2000

SESSION OF 2000

184TH OF THE GENERAL ASSEMBLY

No. 14

### HOUSE OF REPRESENTATIVES

The House convened at 1 p.m., e.s.t.

**THE SPEAKER (MATTHEW J. RYAN)  
PRESIDING**

#### PRAYER

REV. JULIANN PUGH, Chaplain of the House of Representatives and pastor of Camp Hill Presbyterian Church, Camp Hill, Pennsylvania, offered the following prayer:

Let us go to God in prayer:

All honor and praise be Yours, Almighty and Ever-Living God. Each day Your spirit rouses us from sleep to put on the armor of light and go forth to proclaim Your truth in deeds of mercy, justice, and peace. With saints and ancients of every time and place, You bid us to reflect Your love by our deeds of justice and thereby be Your instruments of peace until the last darkness of human oppression has been dispelled. We do understand Your promises, and we do understand that unlike our uncertain contracts, weak handshakes, halfhearted pledges, and lip service to even the most sacred of tasks, Your promises are true.

We ask for the blessings of sound minds and reasonable health, that we may have in this day no diminishing of our abilities to make sound judgments in all matters of law and the common good. Grant that we may each from our own desks of influence work together with honor and integrity in the transaction of all our affairs so that at the ending of each day, we may be seen as having been just, diligent, and faithful, and give us Your guidance that this our labor may be accepted by You as worthy.

O God who moves with brilliant love in the shades of the evening, from the simple elegance of earth You fashioned our heart for love and dignity. You fashioned diverse peoples and races to witness to the bright spectrum of Your love. Fill our hearts with a love of humankind and respect for human dignity that will demand justice and peace for all the world. Let us accept our responsibility to call our nation and others to commit themselves to a strategy of peace.

Faithful and Ever-Present God, we lift to You this afternoon our concern for public education. We raise for Your blessing and guidance all who work and learn in the public schools and colleges of this State. We bring to You our hopes and expectations. We pray for legislators and members who spend long hours and receive much criticism in shaping the policy. May they seek Your guidance and do Your will.

We pray for the city of Harrisburg, that the needs of all – for food and shelter and work, for justice and dignity – might be met. We pray that the diverse people living here may join their efforts to seek the good of all. Minister to this city and this State through the hands of Your people gathered here today. Give them the courage to do what is right for all of Your children. Arm them with hope that they may help lessen the suffering of our world.

Hear this our common prayer. Amen.

#### PLEDGE OF ALLEGIANCE

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

#### JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Wednesday, February 16, 2000, will be postponed until printed. The Chair hears no objection.

#### JOURNALS APPROVED

The SPEAKER. The Journals for Wednesday, November 17, 1999; Monday, December 6, 1999; and Tuesday, December 7, 1999, will stand approved, unless objected to. The Chair hears no objections. The Journals stand approved.

#### HOUSE BILLS INTRODUCED AND REFERRED

**No. 2279** By Representatives WASHINGTON, THOMAS, LESCOVITZ, PETRARCA, GEORGE, LAUGHLIN, MELIO, BELFANTI, JOSEPHS, BISHOP, MANDERINO, YOUNGBLOOD, WALKO, STEELMAN, HORSEY, TRAVAGLIO, FRANKEL, KIRKLAND, M. COHEN, PISTELLA, RAMOS, STURLA, SHANER and JAMES

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for actions for violation of certain rights.

Referred to Committee on JUDICIARY, February 16, 2000.

**No. 2280** By Representatives NICKOL, R. MILLER, MAITLAND and STETLER

An Act amending the act of June 30, 1995 (P.L.170, No.25), known as the Pennsylvania Voter Registration Act, further providing for voter registration times.

Referred to Committee on STATE GOVERNMENT, February 16, 2000.

**No. 2281** By Representatives RAYMOND, BEBKO-JONES, BELFANTI, M. COHEN, DeLUCA, HARHAI, HORSEY, LAUGHLIN, MELIO, SEYFERT, E. Z. TAYLOR, YOUNGBLOOD and TRELLO

An Act mandating health insurance coverage for the diagnosis and treatment of social phobia.

Referred to Committee on INSURANCE, February 16, 2000.

**No. 2282** By Representatives METCALFE, ROHRER, FORCIER, BASTIAN, BIRMEIN, WILT, BARRAR, LEH, ARMSTRONG, BENNINGHOFF, EGOLF, YEWIC, CASORIO, CAWLEY, CORRIGAN, HABAY, HERSHEY, MAHER, ORIE, PETRARCA, SEYFERT, STEVENSON and WOGAN

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, limiting the authority of the State Board of Education to adopt certain regulations; and rescinding specific regulations.

Referred to Committee on EDUCATION, February 16, 2000.

**No. 2283** By Representatives BATTISTO, ARGALL, GEIST, TIGUE, RUBLEY, McCALL, R. MILLER, BARRAR, BISHOP, CAWLEY, CLYMER, COLAFELLA, COY, DALLY, DeLUCA, FRANKEL, GRUCELA, HALUSKA, HARHAI, HERSHEY, HESS, HORSEY, KIRKLAND, LAUGHLIN, LUCYK, MASLAND, MELIO, PIPPY, RAMOS, READSHAW, ROEBUCK, SHANER, B. SMITH, STABACK, STEIL, E. Z. TAYLOR, TRAVAGLIO, VAN HORNE, WOJNAROSKI, WRIGHT, YOUNGBLOOD, TRELLO and WILLIAMS

An Act amending the act of May 29, 1945 (P.L.1108, No.402), referred to as the Limited Access Highway Law, providing for privately sponsored highway beautification services.

Referred to Committee on TRANSPORTATION, February 16, 2000.

**No. 2284** By Representatives LAUGHLIN, GEORGE, DeLUCA, TIGUE, PIPPY, SOLOBAY, SHANER, THOMAS, BEBKO-JONES, WOJNAROSKI, BELFANTI, TRAVAGLIO, MELIO, ROBERTS, YOUNGBLOOD, M. COHEN, HARHAI, COLAFELLA, WASHINGTON and RAMOS

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for special plates for Operation Lifesaver; and establishing the Operation Lifesaver Fund.

Referred to Committee on TRANSPORTATION, February 16, 2000.

**No. 2285** By Representatives BROWNE, DeWEESE, THOMAS, ARGALL, BAKER, BATTISTO, BEBKO-JONES, BELARDI, BELFANTI, CASORIO, CAWLEY, CLARK, L. I. COHEN, M. COHEN, CORRIGAN, COSTA, DALLY, DeLUCA, FAIRCHILD, FLICK, FRANKEL, GEIST, GEORGE, GIGLIOTTI, GRUCELA, HARHAI, HERSHEY, HESS, HUTCHINSON, JOSEPHS, KIRKLAND, LaGROTTA, LAUGHLIN, LUCYK, MAHER, MAITLAND, MANDERINO, MANN, MARKOSEK, MARSICO, MELIO, MICOZZIE, R. MILLER, S. MILLER, NAILOR, NICKOL, ORIE, PETRARCA, PIPPY, PISTELLA, RAYMOND, READSHAW, ROHRER, ROSS, RUBLEY, RUFFING, SAINATO, SANTONI, SAYLOR, SCHRODER, SCHULER, SCRIMENTI, SEYFERT, SHANER, B. SMITH, SNYDER, SOLOBAY, STABACK, STERN, STETLER, SURRA, E. Z. TAYLOR, TIGUE, TRAVAGLIO, TRELLO, VAN HORNE, WALKO, WILLIAMS, WILT, WOJNAROSKI, YOUNGBLOOD, ZUG, YUDICHAK, FORCIER, ALLEN, STEVENSON and HARHART

An Act providing for a shared-ride program for persons with disabilities; and making an appropriation.

Referred to Committee on TRANSPORTATION, February 16, 2000.

**No. 2286** By Representatives STRITTMATTER, LUCYK, SCHULER, DeWEESE, E. Z. TAYLOR, BATTISTO, BELFANTI, CIVERA, M. COHEN, DeLUCA, FAIRCHILD, FRANKEL, GEIST, HARHAI, HENNESSEY, HORSEY, JOSEPHS, LAUGHLIN, MANDERINO, McGEEHAN, MELIO, MICHLOVIC, NICKOL, PESCI, READSHAW, ROBINSON, SANTONI, SATHER, SAYLOR, PIPPY, SCRIMENTI, SEYFERT, SHANER, STABACK, STEELMAN, STERN, TIGUE, TRELLO, WILT, WOJNAROSKI, YOUNGBLOOD and ZIMMERMAN

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, further providing for management of fund and accounts relating to venture capital, private placement equity and other alternative investments.

Referred to Committee on STATE GOVERNMENT, February 16, 2000.

**No. 2287** By Representatives MAITLAND, NICKOL, CORRIGAN, BELFANTI, CAWLEY, DALEY, FESE, GIGLIOTTI, GRUCELA, HARHAI, HARHART, MICHLOVIC, MICOZZIE, S. MILLER, RAMOS, STETLER, E. Z. TAYLOR, THOMAS, TRELLO, VANCE, WASHINGTON, WOGAN and YOUNGBLOOD

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the offense of bad checks and the action for charges.

Referred to Committee on JUDICIARY, February 16, 2000.

**No. 2288** By Representatives B. SMITH, STABACK and PHILLIPS

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, further defining "enforcement officer" to include certain Pennsylvania Game Commission employees.

Referred to Committee on STATE GOVERNMENT, February 16, 2000.

**No. 2289** By Representatives JAMES, BUXTON, PRESTON, MANDERINO, WASHINGTON, CAPPABIANCA, STURLA, ROBINSON, FRANKEL, MYERS, JOSEPHS, STABACK, YOUNGBLOOD, BISHOP, DeWEESE, EVANS, KIRKLAND, CARN, TRELLO, WILLIAMS, BELFANTI, ROEBUCK, RAMOS, M. COHEN, HORSEY, LESCOVITZ, THOMAS, PESCI, HENNESSEY and BLAUM

An Act requiring the Attorney General to collect data on traffic stops; and making an appropriation.

Referred to Committee on JUDICIARY, February 16, 2000.

**No. 2290** By Representatives JAMES, ROBINSON, WASHINGTON, YOUNGBLOOD, LESCOVITZ, BISHOP, BELFANTI, MYERS, FRANKEL, PESCI, CARN, ROEBUCK, CURRY, M. COHEN, RAMOS, LAUGHLIN, HORSEY, KIRKLAND, EVANS, OLIVER, JOSEPHS, WATERS, STURLA, MANDERINO, BUXTON, PRESTON, WILLIAMS, THOMAS, TRELLO and BLAUM

An Act providing for detailed records of all traffic stops; prohibiting traffic stops solely on the basis of racial profiling; authorizing the Attorney General to investigate complaints of racial profiling; and providing for the powers and duties of the Attorney General and for reporting to the General Assembly.

Referred to Committee on JUDICIARY, February 16, 2000.

**No. 2291** By Representatives ROHRER, WILT, ARMSTRONG, FORCIER, METCALFE, BIRMELIN, YEWIC, BASTIAN, EGOLF, LYNCH, CIVERA, CLARK, HERMAN, KREBS, LAWLESS, TRUE, BARRAR, FEESE, HUTCHINSON, J. TAYLOR, WRIGHT, ZUG, MAJOR, BAKER, BELFANTI, BROWNE, BUNT, GLADECK, JADLOWIEC, MCGILL, S. MILLER, PIPPY, REINARD, STAIRS, STEVENSON, E. Z. TAYLOR, WOGAN, LUCYK, GODSHALL and HARHAI

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, imposing a temporary moratorium upon certain taxes.

Referred to Committee on APPROPRIATIONS, February 22, 2000.

**No. 2292** By Representative WRIGHT

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, providing for changes in the powers and duties of the Executive Board; and making editorial changes.

Referred to Committee on STATE GOVERNMENT, February 22, 2000.

**No. 2293** By Representative WRIGHT

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, providing for changes in the approval of the allocation of disbursement costs and the costs of audits.

Referred to Committee on APPROPRIATIONS, February 22, 2000.

**No. 2294** By Representatives DeLUCA, BELARDI, BROWNE, CASORIO, CLARK, CORRIGAN, DAILEY, DALLY, EACHUS, GEIST, HALUSKA, HARHAI, HENNESSEY, LAUGHLIN, MUNDY, READSHAW, SCRIMENTI, SOLOBAY, TANGRETTI, TRAVAGLIO, WALKO, WILLIAMS, WOJNAROSKI and YOUNGBLOOD

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further defining "reconstructed vehicle"; and further providing for application for certificates of title and for content and effect of certificate of title.

Referred to Committee on TRANSPORTATION, February 22, 2000.

**No. 2295** By Representatives DeLUCA, CIVERA, BEBKO-JONES, ORIE, BELARDI, BELFANTI, M. COHEN, COSTA, GEIST, GRUCELA, HARHAI, HORSEY, LAUGHLIN, MELIO, SCRIMENTI, STABACK, TRAVAGLIO, TRELLO, VAN HORNE, WALKO and WOJNAROSKI

An Act providing for certain health insurance policies to cover the cost of scalp hair prostheses.

Referred to Committee on INSURANCE, February 22, 2000.

**No. 2296** By Representatives ROSS, ARGALL, BARD, BATTISTO, BEBKO-JONES, BELARDI, BELFANTI, BISHOP, BLAUM, BOYES, BROWNE, BUTKOVITZ, BUXTON, CALTAGIRONE, L. I. COHEN, CORNELL, CURRY, DALEY, DERMODY, DeWEESE, DRUCE, EVANS, FEESE, FRANKEL, FREEMAN, GEIST, GLADECK, GRUITZA, HARHART, HERMAN, HORSEY, JAMES, JOSEPHS, KIRKLAND, KREBS, LAUGHLIN, LEDERER, LEVDANSKY, LYNCH, MANDERINO, MANN, MASLAND, McILHATTAN, McILHINNEY, MICHLOVIC, R. MILLER, MUNDY, MYERS, NAILOR, NICKOL, PESCI, PETRONE, PISTELLA, PLATTS, PRESTON, RAMOS, ROBERTS, ROBINSON, ROEBUCK, ROONEY, RUBLEY, SAINATO, SEYFERT, B. SMITH, SNYDER, STEELMAN, STEIL, STETLER, STURLA, J. TAYLOR, THOMAS, TULLI, VAN HORNE, VANCE, VITALI, WALKO, WASHINGTON, WILLIAMS, YOUNGBLOOD and MARSICO

An Act making an appropriation to the Department of Public Welfare to provide certain health care services to low-income women who are uninsured or underinsured with respect to health care insurance.

Referred to Committee on APPROPRIATIONS,  
February 22, 2000.

**No. 2297** By Representatives ROSS, ARGALL, BARD, BATTISTO, BEBKO-JONES, BELARDI, BELFANTI, BISHOP, BLAUM, BOYES, BROWNE, BUTKOVITZ, BUXTON, CALTAGIRONE, CAPPABIANCA, CIVERA, L. I. COHEN, COLAFELLA, CORNELL, CORRIGAN, COY, CURRY, DALEY, DERMODY, DeWEESE, DONATUCCI, DRUCE, EACHUS, EVANS, FEESE, FLICK, FRANKEL, FREEMAN, GEIST, GLADECK, GODSHALL, GRUITZA, HANNA, HARHAI, HARHART, HERMAN, HORSEY, JAMES, JOSEPHS, KIRKLAND, KREBS, LaGROTTA, LAUGHLIN, LEDERER, LESCOVITZ, LEVDANSKY, LYNCH, MANDERINO, MANN, MASLAND, McCALL, McILHATTAN, McILHINNEY, MICHLOVIC, R. MILLER, MUNDY, MYERS, NAILOR, NICKOL, PESCI, PETRONE, PISTELLA, PLATTS, PRESTON, RAMOS, ROBERTS, ROBINSON, ROEBUCK, ROONEY, RUBLEY, SAINATO, SANTONI, SEYFERT, B. SMITH, SNYDER, SOLOBAY, STABACK, STEELMAN, STEIL, STETLER, STURLA, SURRA, J. TAYLOR, THOMAS, TIGUE, TRAVAGLIO, TRICH, TULLI, VAN HORNE, VANCE, VITALI, WALKO, WASHINGTON, WILLIAMS, YOUNGBLOOD, YUDICHAK, ZUG and MARSICO

An Act making an appropriation to the Department of Health to provide certain health care services to low-income women who are uninsured or underinsured with respect to health care insurance.

Referred to Committee on APPROPRIATIONS,  
February 22, 2000.

**No. 2298** By Representatives NICKOL, R. MILLER, MAITLAND and STETLER

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, further providing for office hours.

Referred to Committee on LOCAL GOVERNMENT,  
February 22, 2000.

**No. 2299** By Representatives TULLI, BARRAR, GEIST, LUCYK, STEIL, WALKO and ZUG

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, repealing sales and use taxes; and further providing for personal income tax rates.

Referred to Committee on FINANCE, February 22, 2000.

**No. 2300** By Representatives MUNDY, BROWNE, PISTELLA, BEBKO-JONES, MANDERINO, NICKOL, L. I. COHEN, ROBINSON, HORSEY, DeWEESE, SCRIMENTI, BELARDI, M. COHEN, DeLUCA, STABACK, BELFANTI, LAUGHLIN, SANTONI, WOJNAROSKI, EVANS, MANN, ROEBUCK, TRICH, TRELLO, SHANER, HUTCHINSON, COSTA, NAILOR, ORIE, SEYFERT, RUBLEY, TRUE, WASHINGTON, YOUNGBLOOD, ZUG, HARHAI, WILLIAMS, McCALL, TANGRETTI, DALEY, STEELMAN, YUDICHAK, VAN HORNE, ROONEY, FRANKEL, THOMAS, MELIO, CIVERA, SAINATO,

BLAUM, BATTISTO, VEON, RAMOS, DALLY, McILHATTAN, ROSS, OLIVER, MASLAND, TIGUE, BUXTON, COY, CURRY, EACHUS, GEORGE, GRUCELA, LaGROTTA, LESCOVITZ, MICHLOVIC, PRESTON, STETLER and SURRA

An Act providing for the strengthening and enrichment of children and families by promoting safe, healthy and nurturing home environments, for the educational and supportive services of home visiting programs in this Commonwealth, for the Ounce of Prevention grant program and for integrated community-based delivery of services; specifying program requirements; establishing the Ounce of Prevention Board; providing for responsibilities of the board and the Department of Health; specifying criteria for community program grant funding; requiring training and an independent evaluation process; providing for quality assurance; and making an appropriation.

Referred to Committee on HEALTH AND HUMAN SERVICES, February 16, 2000.

**No. 2301** By Representatives FLICK, THOMAS, MELIO, READSHAW, DeLUCA, HARHAI, HORSEY, KENNEY, MCGILL, MYERS, PETRONE, RUBLEY, SHANER, E. Z. TAYLOR, TRELLO, WILLIAMS and YOUNGBLOOD

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, prohibiting use of hand-held devices by operators of motor vehicles.

Referred to Committee on TRANSPORTATION,  
February 28, 2000.

**No. 2302** By Representatives LUCYK, READSHAW, ARGALL, COY, M. COHEN, GODSHALL, BELFANTI, BELARDI, McILHATTAN, MELIO, HALUSKA, E. Z. TAYLOR, WOJNAROSKI, GEORGE, ALLEN, DeLUCA, BATTISTO, HARHAI, TIGUE, WILT, BISHOP, DALEY, STABACK, SOLOBAY, SHANER, PETRONE, GRUCELA, WILLIAMS, THOMAS, YOUNGBLOOD, HORSEY, FRANKEL, EVANS, MICHLOVIC and TRICH

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, defining the offense of making false or fraudulent statements for employment in or regarding licensure or operation of a child day-care center or a family child day-care home; and making repeals.

Referred to Committee on JUDICIARY, February 28, 2000.

**No. 2303** By Representatives HENNESSEY, ADOLPH, ARMSTRONG, BELARDI, BROWNE, BUNT, CIVERA, CLARK, L. I. COHEN, COLAFELLA, COSTA, DAILEY, DALEY, DeLUCA, FAIRCHILD, FARGO, FICHTER, FLICK, FORCIER, FREEMAN, GEORGE, GRUCELA, HANNA, HARHAI, HARHART, HERMAN, HERSHEY, HORSEY, LAUGHLIN, LEVDANSKY, MANDERINO, MARKOSEK, MASLAND, McILHINNEY, R. MILLER, S. MILLER, MUNDY, NICKOL, ORIE, PETRARCA, PLATTS, RAMOS, ROSS, RUBLEY, SAINATO, SATHER, SCHRODER, SEYFERT, SHANER, B. SMITH, SOLOBAY, STEELMAN, STERN, STETLER, STURLA, E. Z. TAYLOR, J. TAYLOR, TIGUE, TRAVAGLIO, TRICH, WATERS, WILLIAMS, WILT, WRIGHT and YUDICHAK

An Act amending the act of March 11, 1971 (P.L.104, No.3), known as the Senior Citizens Rebate and Assistance Act, further defining "income."

Referred to Committee on FINANCE, February 28, 2000.

**No. 2304** By Representatives WOGAN, McGEEHAN, KENNEY, O'BRIEN, J. TAYLOR, LEDERER, HENNESSEY, ADOLPH, CIVERA, CORRIGAN, FICHTER, GEIST, GODSHALL, HERSHEY, LAUGHLIN, MICOZZIE, PHILLIPS, ROSS, SATHER, SAYLOR, SCRIMENTI, SHANER and WOJNAROSKI

An Act amending the act of June 25, 1919 (P.L.581, No.274), referred to as the First Class City Government Law, further providing for the powers and duties of the mayor.

Referred to Committee on URBAN AFFAIRS, February 28, 2000.

**No. 2305** By Representatives DeLUCA, BEBKO-JONES, VEON, THOMAS, BELFANTI, DeWEESE, M. COHEN, GEORGE, GIGLIOTTI, GRUCELA, JOSEPHS, LAUGHLIN, MARKOSEK, MELIO, PISTELLA, ROONEY, SOLOBAY, TANGRETTI, TRELLO and WASHINGTON

An Act providing for reportable events in medical treatment and for powers and duties of the Department of Health; and imposing duties on health care practitioners and health care facilities.

Referred to Committee on HEALTH AND HUMAN SERVICES, February 28, 2000.

**No. 2306** By Representatives DeLUCA, BEBKO-JONES, BELFANTI, THOMAS, M. COHEN, DeWEESE, GRUCELA, GEORGE, GIGLIOTTI, JOSEPHS, LAUGHLIN, MARKOSEK, MELIO, ROONEY, SOLOBAY, TANGRETTI, TRELLO and WASHINGTON

An Act requiring physicians and health care workers to report incompetent, negligent, unethical and illegal practices among physicians; requiring insurance companies to report changes in their policies regarding certain physicians to the State Board of Medicine and the State Board of Osteopathic Medicine; providing penalties for those physicians and health care workers who fail to adhere to the act; and granting immunity to any physician or health care worker who adheres to the act.

Referred to Committee on PROFESSIONAL LICENSURE, February 28, 2000.

**No. 2307** By Representatives DeLUCA, BEBKO-JONES, BELFANTI, M. COHEN, DeWEESE, GEORGE, GIGLIOTTI, GRUCELA, LAUGHLIN, MARKOSEK, MELIO, PISTELLA, ROONEY, SOLOBAY, TANGRETTI, THOMAS, TRELLO and WASHINGTON

An Act amending the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act, reducing the time permitted for hospitals to report official actions taken against a physician; and broadening the reporting procedures of hospitals and health care agencies.

Referred to Committee on PROFESSIONAL LICENSURE, February 28, 2000.

**No. 2308** By Representatives L. I. COHEN, BEBKO-JONES, COSTA, ORIE, PISTELLA, THOMAS, WILLIAMS and YOUNGBLOOD

An Act amending the act of July 24, 1941 (P.L.490, No.188), known as the Uniform Acknowledgment Act, further providing for identification of signers.

Referred to Committee on STATE GOVERNMENT, February 28, 2000.

**No. 2309** By Representatives L. I. COHEN, BEBKO-JONES, COSTA, ORIE, PISTELLA, THOMAS, WILLIAMS and YOUNGBLOOD

An Act amending the act of August 21, 1953 (P.L.1323, No.373), known as The Notary Public Law, further providing for notary register.

Referred to Committee on STATE GOVERNMENT, February 28, 2000.

**No. 2310** By Representatives BLAUM, THOMAS, LAUGHLIN, CORRIGAN, HERMAN, TIGUE, GODSHALL, TRELLO, COY, TRUE, ORIE, MELIO, HARHAI, SOLOBAY, WASHINGTON, McCALL, BROWNE, BELFANTI, BATTISTO, GEORGE, YOUNGBLOOD, MUNDY, E. Z. TAYLOR, HORSEY, FRANKEL, TANGRETTI, KIRKLAND, LEVDANSKY, GRUCELA, WOJNAROSKI, SCRIMENTI, RAMOS and WILLIAMS

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for background checks for prospective school employees.

Referred to Committee on EDUCATION, February 28, 2000.

**No. 2311** By Representatives BLAUM, THOMAS, LAUGHLIN, CORRIGAN, HERMAN, TIGUE, GODSHALL, TRELLO, BROWNE, COY, TRUE, ORIE, MELIO, HARHAI, SOLOBAY, WASHINGTON, BELFANTI, McCALL, TANGRETTI, BATTISTO, GEORGE, YOUNGBLOOD, MUNDY, E. Z. TAYLOR, HORSEY, FRANKEL, KIRKLAND, LEVDANSKY, GRUCELA, WOJNAROSKI, SCRIMENTI, RAMOS, SHANER and WILLIAMS

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for information on prospective child-care personnel.

Referred to Committee on JUDICIARY, February 28, 2000.

**No. 2312** By Representatives McCALL, THOMAS, ARGALL, BELARDI, BELFANTI, BUNT, CIVERA, M. COHEN, CORRIGAN, COY, CURRY, EVANS, FRANKEL, FREEMAN, GEIST, GEORGE, GRUCELA, HALUSKA, HARHART, HERMAN, HORSEY, KENNEY, LaGROTTA, LUCYK, MAHER, MANN, McGEEHAN, MELIO, MICHLOVIC, RAMOS, READSHAW, SAINATO, SAYLOR, SCRIMENTI, SHANER, SOLOBAY, STURLA, TIGUE, WALKO, WOJNAROSKI and YOUNGBLOOD

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, defining the offense of computer trespass; and further providing for bases of personal jurisdiction over persons outside this Commonwealth.

Referred to Committee on JUDICIARY, February 28, 2000.

**No. 2313** By Representatives VANCE, E. Z. TAYLOR, TIGUE, NAILOR, ORIE, NICKOL, BARD, BELFANTI, BUNT, CIVERA, CLYMER, L. I. COHEN, FRANKEL, GEIST, HALUSKA, HARHAI, HENNESSEY, HERMAN, HERSHEY, HESS, HORSEY, LAUGHLIN, MAJOR, MANDERINO, McILHATTAN, McNAUGHTON, MELIO, PISTELLA, READSHAW, RUBLEY, SATHER, SEMMEL, SEYFERT, SHANER, STABACK, THOMAS, TRELLO, TRICH, WILT, YOUNGBLOOD and YUDICHAK

An Act providing for certain immunizations in long-term care facilities.

Referred to Committee on HEALTH AND HUMAN SERVICES, March 6, 2000.

**No. 2314** By Representatives TRELLO, M. COHEN, THOMAS, PESCI, LAUGHLIN, TIGUE, HALUSKA, HARHAI, WOJNAROSKI, YOUNGBLOOD, STABACK, KIRKLAND, MELIO, MICHLOVIC, SHANER and SCRIMENTI

An Act amending the act of January 23, 1974 (P.L.9, No.4), referred to as the Public Contract Bid Withdrawal Law, further providing for the rewarding of contracts.

Referred to Committee on LOCAL GOVERNMENT, March 6, 2000.

**No. 2315** By Representatives TRELLO, BEBKO-JONES, THOMAS, PESCI, LAUGHLIN, HALUSKA, SCHRODER, HARHAI, WOJNAROSKI, YOUNGBLOOD, VAN HORNE, KIRKLAND, WILLIAMS, GEORGE and LEDERER

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for a real property tax exemption for veterans of World War II and their unmarried surviving spouses.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, March 6, 2000.

**No. 2316** By Representatives TRELLO, M. COHEN, FARGO, THOMAS, PESCI, GODSHALL, LAUGHLIN, TIGUE, READSHAW, BELFANTI, WOJNAROSKI, STABACK, KIRKLAND, MICHLOVIC, RUBLEY and WOGAN

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for suspension of operating privileges.

Referred to Committee on TRANSPORTATION, March 6, 2000.

**No. 2317** By Representatives WILLIAMS, BROWNE, BARD, BARRAR, BATTISTO, BELFANTI, BISHOP, M. COHEN, COSTA, COY, CURRY, DeWEESE, FICHTER, FLICK, FRANKEL, GORDNER, GRUCELA, HALUSKA, HERMAN, HUTCHINSON, JOSEPHS, LEVDANSKY, MANN, MCGILL, MELIO, ORIE, PESCI, READSHAW, ROBINSON, SAINATO, SANTONI, SAYLOR, SHANER, STEELMAN, THOMAS, TIGUE, TRELLO, YOUNGBLOOD and YUDICHAK

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 a limitation on credits.

Referred to Committee on FINANCE, March 6, 2000.

**No. 2318** By Representatives COSTA, DeWEESE, VEON, DeLUCA, BELARDI, READSHAW, WALKO, TRELLO, VAN HORNE, MICHLOVIC, FRANKEL, GRUCELA, SOLOBAY, YUDICHAK, FREEMAN, CURRY, DALEY, MANN, STURLA, STABACK, GEORGE, HARHAI, HORSEY, JOSEPHS, LAUGHLIN, MELIO, MYERS, ROONEY, SHANER, STEELMAN, TANGRETTI, THOMAS, TRAVAGLIO, YOUNGBLOOD and BROWNE

An Act providing for Medicaid Patient Protection, for powers and duties of Department of Public Welfare, for rights of beneficiaries, for application to existing contracts, for provider protections and for grievances.

Referred to Committee on HEALTH AND HUMAN SERVICES, March 7, 2000.

**No. 2319** By Representatives DeLUCA, BELARDI, COLAFELLA, COSTA, DALEY, GRUCELA, HARHAI, JAMES, LAUGHLIN, LEDERER, MELIO, NAILOR, PISTELLA, RAMOS, READSHAW, RUFFING, STABACK, STEELMAN, TRELLO, WALKO, WILLIAMS and YOUNGBLOOD

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 the Public Transportation Assistance Fund.

Referred to Committee on FINANCE, March 7, 2000.

**No. 2320** By Representatives GEIST, BATTISTO, HESS, DeLUCA, PHILLIPS, PIPPY, BAKER, BARD, BARRAR, BASTIAN, BELARDI, BELFANTI, BUNT, CLYMER, L. I. COHEN, COSTA, DALLY, DEMPSEY, DRUCE, FICHTER, FLICK, GODSHALL, HERSHEY, LAUGHLIN, LEH, LYNCH, MANDERINO, MARSICO, McCALL, MCGILL, McNAUGHTON, MICOZZIE, R. MILLER, PISTELLA, READSHAW, ROHRER, RUBLEY, SAYLOR, SEYFERT, SHANER, S. H. SMITH, STABACK, STEIL, STEVENSON, STRITTMATTER, E. Z. TAYLOR, THOMAS, TULLI, VAN HORNE, WILT, WOJNAROSKI, ZIMMERMAN, ZUG, MAHER, MELIO and STAIRS

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for emergency vehicle lighting; and providing for penalties.

Referred to Committee on TRANSPORTATION, March 7, 2000.

**No. 2321** By Representatives DeLUCA, BEBKO-JONES, L. I. COHEN, M. COHEN, COLAFELLA, COY, GEIST, GRUCELA, HARHAI, HENNESSEY, HORSEY, JAMES, JOSEPHS, KIRKLAND, LAUGHLIN, MANDERINO, MELIO, MICHLOVIC, OLIVER, ORIE, PETRARCA, ROONEY, SOLOBAY, STABACK, TANGRETTI, THOMAS, TIGUE, WILLIAMS, WOJNAROSKI and YOUNGBLOOD

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for abandoned infants.

Referred to Committee on JUDICIARY, March 7, 2000.

**No. 2322** By Representatives DeLUCA, BEBKO-JONES, L. I. COHEN, M. COHEN, COLAFELLA, COY, GEIST, GRUCELA, HARHAI, HENNESSEY, HORSEY, JAMES, JOSEPHS, KIRKLAND, LAUGHLIN, MANDERINO, MELIO, MICHLOVIC, OLIVER, ORIE, PETRARCA, ROONEY, SOLOBAY, STABACK, TANGRETTI, THOMAS, TIGUE, WILLIAMS, WOJNAROSKI and YOUNGBLOOD

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for adoption definitions and for relinquishment of children to agencies.

Referred to Committee on JUDICIARY, March 7, 2000.

**No. 2323** By Representatives DeWEESE, WALKO, TANGRETTI, ROONEY, LaGROTTA, LUCYK, VEON, SHANER, SURRA, SOLOBAY, HANNA, CAPPABIANCA, GEORGE, STABACK, LAUGHLIN, McCALL, PETRARCA, OLIVER, TRICH, ROBERTS, STEELMAN, LESCOVITZ, TRAVAGLIO, SAYLOR, KREBS, COY, PETRONE, HARHAI, BUNT, SEYFERT, NICKOL, WOJNAROSKI, READSHAW, EVANS, BEBKO-JONES, RIEGER, SAINATO, DALEY, GRUCELA, M. COHEN, TRELLO, TIGUE, COLAFELLA, BELARDI, BELFANTI, BASTIAN, HERSHEY, SCRIMENTI, MELIO, SATHER and WILT

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 payments based on pupil enrollment.

Referred to Committee on EDUCATION, March 8, 2000.

**No. 2324** By Representatives EGOLF, TRUE, THOMAS, FLEAGLE, HUTCHINSON, FARGO, ARMSTRONG, READSHAW, SOLOBAY, GEORGE, ROHRER, BUNT, SEYFERT, YOUNGBLOOD, SCHRODER, HENNESSEY, ADOLPH, E. Z. TAYLOR, BLAUM, GORDNER, HESS, MASLAND, HERSHEY, PISTELLA, WOJNAROSKI, S. H. SMITH, WOGAN, STERN, ZIMMERMAN, CORRIGAN, HARHAI, WILT, McNAUGHTON, YEWIC, FORCIER, BENNINGHOFF, SAYLOR, METCALFE, BIRMELIN, BARRAR, LYNCH, CLARK, CLYMER, ZUG,

GEIST, MARSICO, PLATTS, BROWNE, FLICK, BAKER, TRELLO, STRITTMATTER and SCHULER

An Act providing for protection of children from obscene material, child pornography and other unsuitable material on the Internet in public schools and public libraries.

Referred to Committee on JUDICIARY, February 28, 2000.

## HOUSE RESOLUTIONS INTRODUCED AND REFERRED

**No. 375** By Representatives HALUSKA, BELFANTI, EVANS, WOGAN, CAPPABIANCA, PESCI, FEESE, LAUGHLIN, CASORIO, DALLY, MANN, SHANER, SOLOBAY, WOJNAROSKI, TRELLO, DERMODY, LEH, STABACK, WALKO, GIGLIOTTI, McCALL, READSHAW, BEBKO-JONES, TANGRETTI, COLAFELLA, GRUCELA, SURRA, SCRIMENTI, STEELMAN, COSTA, PETRONE, YOUNGBLOOD, HASAY, DeWEESE, RAMOS, HARHAI, YUDICHAK, FREEMAN, ROONEY, DALEY, KENNEY, J. TAYLOR, MICOZZIE, GEIST, LAWLESS, DiGIROLAMO, BARRAR, O'BRIEN, RAYMOND, BUNT, BOYES, STAIRS, McNAUGHTON and MCGILL

A Resolution calling upon the Governor to renew contract negotiations by entering into binding arbitration and to reward valued Commonwealth employees for their dedicated work.

Referred to Committee on RULES, February 16, 2000.

**No. 380** By Representatives DeLUCA, ORIE, VEON, GRUCELA, BARRAR, BEBKO-JONES, BELARDI, BROWNE, CAPPABIANCA, COLAFELLA, COSTA, FAIRCHILD, FLICK, CURRY, DeWEESE, SOLOBAY, STABACK, STEELMAN, STETLER, SURRA, TANGRETTI, TRELLO, VAN HORNE, WALKO, WILLIAMS, HASAY, GEORGE, GIGLIOTTI, HALUSKA, HANNA, HARHAI, HENNESSEY, HERMAN, HERSHEY, JOSEPHS, LaGROTTA, LAUGHLIN, LEVDANSKY, LUCYK, McCALL, PESCI, PETRARCA, PISTELLA, PLATTS, READSHAW, ROBINSON, ROHRER, SANTONI, SATHER, SHANER, WATERS, WOJNAROSKI, YOUNGBLOOD and YUDICHAK

A Resolution memorializing the Congress of the United States to investigate health insurance premium increases for Medicare health maintenance organization coverage and other types of participating health plan coverage.

Referred to Committee on INTERGOVERNMENTAL AFFAIRS, February 22, 2000.

## SENATE BILLS FOR CONCURRENCE

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

**SB 381, PN 1700**

Referred to Committee on JUDICIARY, March 9, 2000.

**SB 805, PN 876**

Referred to Committee on COMMERCE AND ECONOMIC DEVELOPMENT, March 8, 2000.

**SB 1169, PN 1708**

Referred to Committee on URBAN AFFAIRS, March 9, 2000.

**SB 1198, PN 1509**

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, March 9, 2000.

**SENATE MESSAGE**

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

The clerk of the Senate, being introduced, returned **HB 950, PN 3080**; and **HB 2020, PN 2932**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

**GUESTS INTRODUCED**

The SPEAKER. The Chair at this time would like to welcome to the hall of the House a group of students from Epiphany of Our Lord School. They are here visiting the Capitol today, seated in the gallery, and the guests of Representative Joseph Gladeck. Would the guests please wave so we can see where you are. That is it. Welcome to Harrisburg.

Also in the balcony, as guests of the gentleman from Allegheny County, Mr. Trello, are Mr. and Mrs. Morgan Kronk and family. Would these guests please rise or wave. Thank you. Welcome to Harrisburg.

**BILLS REMOVED FROM TABLE**

The SPEAKER. The Chair recognizes the majority leader. Mr. PERZEL. Mr. Speaker, I move the following bills from the table:

HB 159;  
HB 839;  
HB 1639;  
HB 1863; and  
SB 369.

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

**BILLS TABLED**

The SPEAKER. The Chair recognizes the majority leader. Mr. PERZEL. Mr. Speaker, I move that the following bills be placed upon the table:

HB 159;  
HB 839;  
HB 1639;  
HB 1863; and  
SB 369.

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

**ACTUARIAL NOTES**

The SPEAKER. The Chair acknowledges receipt of the following actuarial notes: HB 966, PN 2962; HB 2264, PN 2994; HB 2103, PN 2273; HB 1401, PN 1643, as amended by amendment No. 0548; HB 188, PN 176.

(Copies of actuarial notes are on file with the Journal clerk.)

**GUESTS INTRODUCED**

The SPEAKER. The Chair is pleased to welcome to the hall of the House today, as the guests of Representative Sheila Miller, the following persons, seated in the gallery: Jane Seidel, Kathy Scogna, and Lester Breininger. They are all from Berks County. They are participating in the Pennsylvania Historical Museum Commission's Charter Day celebration and are representing the 129th District as Penn ambassadors. Would these guests please rise, seated in the balcony.

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

**HB 340, PN 3084 (Amended)** By Rep. FLICK

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for chemical tests of blood or urine to determine the amount of alcohol or controlled substance.

**INTERGOVERNMENTAL AFFAIRS.**

**HB 363, PN 3085 (Amended)** By Rep. GEIST

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for definitions pertaining to snowmobiles and all-terrain vehicles, for restricted receipts fund, for registration, for certificates of title, for transfers by operation of law of snowmobiles and all-terrain vehicles, for certificates of registration and decals, for reciprocity, for operation in safe manner and for penalties; and making editorial changes.

**TRANSPORTATION.**

**HB 826, PN 884** By Rep. GEIST

An Act designating a portion of State Route 24 in York County as the 24th Infantry Division Association Highway.

**TRANSPORTATION.**



**HB 1549, PN 3086 (Amended)**

By Rep. GEIST

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for requirements for special fund registration plates, for a special youth hunter and angler education registration plate and for the Youth Hunter and Angler Education Fund, for a special animal protection registration plate and for the Animal Protection Fund, for a Gettysburg Civil War memorial registration plate and for the Pennsylvania Monuments at Gettysburg National Military Park Fund, for a KIDS First registration plate and for payments to and grants from the Children's Trust Fund, for expenditures from those funds and for the issuance of additional personal registration plates.

TRANSPORTATION.

**HB 1785, PN 2191**

By Rep. GEIST

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for a special registration plate for recipients of the Distinguished Flying Cross.

TRANSPORTATION.

**HB 1902, PN 2362**

By Rep. GEIST

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for exemption of registration fees for certain vehicle registration by individuals awarded the Purple Heart Medal.

TRANSPORTATION.

**HB 1930, PN 3088 (Amended)**

By Rep. SCHULER

An Act requiring the Department of Public Welfare to develop and implement a State plan for regulating and licensing assisted living residences and for coordination with other State and local agencies having statutory duties relating to assisted living residences and providers of assisted living services; providing for the Intra-Governmental Council on Long-Term Care, for appeals and for relocation; and prescribing penalties.

AGING AND YOUTH.

**HB 2098, PN 2718**

By Rep. GEIST

An Act designating the Archbald on and off ramp at Exit 4 of the Robert P. Casey Highway as the Representative Marion L. Munley and Police Chief Donald Munley Exit.

TRANSPORTATION.

**HB 2116, PN 2758**

By Rep. GEIST

An Act designating U.S. Route 220 within Pennsylvania as the Disabled American Veterans Highway.

TRANSPORTATION.

**HB 2121, PN 2763**

By Rep. GEIST

An Act designating the portion of SR 6 between its intersection with SR 107 in Wyoming County to La Plume in Lackawanna County as the "Big Six" Christy Mathewson Memorial Highway.

TRANSPORTATION.

**HB 2130, PN 2783**

By Rep. GEIST

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for restrictions on use of limited access highways.

TRANSPORTATION.

**HB 2218, PN 2907**

By Rep. GEIST

An Act designating Exit 10 in Harborcreek Township on Interstate 90 as the Trooper Matthew R. Bond Memorial Interchange.

TRANSPORTATION.

**HB 2268, PN 2998**

By Rep. GEIST

An Act designating a portion of Routes 22 and 322 in Dauphin County, Pennsylvania as the John J. Shumaker Memorial Highway.

TRANSPORTATION.

**HB 2283, PN 3087 (Amended)**

By Rep. GEIST

An Act amending the act of May 29, 1945 (P.L.1108, No.402), referred to as the Limited Access Highway Law, further providing for local service highways; and providing for privately sponsored highway beautification services.

TRANSPORTATION.

**SB 544, PN 562**

By Rep. GEIST

An Act designating a bridge over the Susquehanna River in Clinton County as the Constitution Bridge.

TRANSPORTATION.

**SB 598, PN 623**

By Rep. GEIST

An Act designating a portion of Route 422 in Berks County, Pennsylvania as the Albert Boscov Commemorative Highway.

TRANSPORTATION.

**SB 1038, PN 1452**

By Rep. FLICK

An Act establishing the Fair Credit Extension Uniformity Act; and providing for debt collection trade practices and penalties.

INTERGOVERNMENTAL AFFAIRS.

**SB 1130, PN 1726 (Amended)**

By Rep. GEIST

An Act designating a bridge in Fayette County as the Point Marion Area Veterans' Memorial Bridge.

TRANSPORTATION.

**RESOLUTIONS REPORTED  
FROM COMMITTEE**

**HR 314, PN 2670**

By Rep. FLICK

A Resolution memorializing the Citizens' Stamp Advisory Committee of the United States Postal Service to consider and recommend to the United States Postal Service Board of Governors the issue of a commemorative stamp honoring veterans of the Vietnam War.

**INTERGOVERNMENTAL AFFAIRS.**

**HR 338, PN 2853**

By Rep. FLICK

A Concurrent Resolution memorializing the Congress of the United States to enact the Conservation and Reinvestment Act of 1999.

**INTERGOVERNMENTAL AFFAIRS.**

**LEAVES OF ABSENCE**

The SPEAKER. The Chair turns to leaves of absence and recognizes the gentleman, Mr. Snyder, the majority whip, who requests a leave of absence for today's session for the lady from Lancaster, Mrs. TRUE; the gentleman from Centre, Mr. BENNINGHOFF. Without objection, the leaves will be granted. The Chair hears none.

It is the understanding of the Chair that the Democratic whip has no request for leaves.

**MASTER ROLL CALL**

The SPEAKER. The Chair is about to take today's master roll. Members will proceed to vote.

The following roll call was recorded:

**PRESENT—200**

Adolph	Fairchild	Mann	Saylor
Allen	Fargo	Markosek	Schroder
Argall	Feese	Marsico	Schuler
Armstrong	Fichter	Masland	Scrimanti
Baker	Fleagle	Mayernik	Semmel
Bard	Flick	McCall	Seyfert
Barley	Forcier	McGeehan	Shaner
Barrar	Frankel	McGill	Smith, B.
Bastian	Freeman	McIlhattan	Smith, S. H.
Battisto	Gannon	McIlhinney	Snyder
Bebko-Jones	Geist	McNaughton	Solobay
Belardi	George	Melio	Staback
Belfanti	Gigliotti	Metcalfe	Stairs
Birmelin	Gladeck	Michlovic	Steelman
Bishop	Godshall	Micozzie	Steil
Blaum	Gordner	Miller, R.	Stern
Boyes	Grucela	Miller, S.	Stetler
Browne	Gruitza	Mundy	Stevenson
Bunt	Habay	Myers	Strittmatter
Butkovitz	Haluska	Nailor	Sturla
Buxton	Hanna	Nickol	Surra
Caltagirone	Harhai	O'Brien	Tangretti
Cappabianca	Harhart	Oliver	Taylor, E. Z.
Cam	Hasay	Orie	Taylor, J.
Casorio	Hennessey	Perzel	Thomas
Cawley	Herman	Pesci	Tigue
Chadwick	Hershey	Petrarca	Travaglio
Civera	Hess	Petrone	Trello
Clark	Horsy	Phillips	Trich
Clymer	Hutchinson	Pippy	Tulli

Cohen, L. I.	Jadlowiec	Pistella	Vance
Cohen, M.	James	Platts	Van Horne
Colafella	Josephs	Preston	Veon
Cornell	Kaiser	Ramos	Vitali
Corrigan	Keller	Raymond	Walko
Costa	Kenney	Readshaw	Washington
Coy	Kirkland	Reinard	Waters
Curry	Krebs	Rieger	Williams
Dailey	LaGrotta	Roberts	Wilt
Daley	Laughlin	Robinson	Wogan
Dally	Lawless	Roebuck	Wojnaroski
DeLuca	Lederer	Rohrer	Wright
Dempsey	Leh	Rooney	Yewcic
Dermody	Lescovitz	Ross	Youngblood
DeWeese	Levdansky	Rubley	Yudichak
DiGirolamo	Lucyk	Ruffing	Zimmerman
Donatucci	Lynch	Sainato	Zug
Druce	Maher	Samuelson	
Eachus	Maitland	Santoni	Ryan,
Egolf	Major	Sather	Speaker
Evans	Manderino		

**ADDITIONS—0**

**NOT VOTING—0**

**EXCUSED—2**

Benninghoff True

**LEAVES ADDED—3**

Hanna James Washington

**LEAVES CANCELED—2**

Benninghoff True

**LOWER DAUPHIN  
GIRLS SOCCER TEAM PRESENTED**

The SPEAKER. The Chair recognizes the gentlemen, Mr. Tulli and Mr. Marsico.

The House will please come to order. Members, please take your seats.

Mr. Tulli.

Mr. TULLI. Thank you, Mr. Speaker.

Representative Marsico and I are here to offer, in behalf of the House of Representatives, our congratulations to the Lower Dauphin under-18 girls soccer team, which won the Under-18 Girls Eastern Pennsylvania Youth Soccer Association State Indoor Cup championship by soundly defeating its opponents in five games and only giving up one goal during the competition.

Also, two weekends ago they ended up being the winner of the Keystone State Games championship, and we can wish them to win the triple crown by wishing them well in the outdoor championships that are coming up shortly.

With us today on the dais we have their coach, John Abe; players Sarah Tarka, Jocelyn Dumaresq, and Abby Lindsey. The remainder of the team, along with several of the parents, are seated at the back of the House floor, and I would like to ask them to rise so we can recognize them and the whole team. Thank you.

Mr. Speaker, we will be presenting these citations to the team then.

**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 824, PN 901**

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

**SB 1097, PN 1652**

An Act authorizing the Department of General Services, with the approval of the Governor, to sell and convey to Transitional Housing and Care Center of Columbia and Montour Counties certain land and a building, referred to as the Gatehouse, situate on Danville State Hospital, Montour County; authorizing the Department of Transportation, with the approval of the Governor, to sell and convey to the Public Auditorium Authority of Allegheny County certain land situate in the City of Pittsburgh, County of Allegheny, Commonwealth of Pennsylvania; authorizing the Department of General Services, with the approval of the Governor, to grant and convey to Community Services for Children, Inc., certain lands situate in the City of Allentown, Lehigh County; authorizing the Department of General Services, with the approval of the Governor, to grant and convey certain tracts of land situate in the City of Philadelphia, Pennsylvania; and authorizing the transfer of a certain bridge in Metal Township, Franklin County.

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

**CLIFF CROSBY PRESENTED**

The SPEAKER. The Chair at this time recognizes the lady from Erie County, Ms. Bebko-Jones, for the purpose of making remarks and presenting a citation.

The House will please come to order. The House will please come to order. Ms. Bebko-Jones has a very important guest, someone that we perhaps have admired from far off or maybe close up. I have asked our guest to address the House briefly as well as being introduced.

Ms. Bebko-Jones.

Please, your attention.

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

Mr. Speaker, it is truly an honor for me to introduce Mr. Cliff Crosby to this chamber. Mr. Speaker, all the members have a newspaper article on their desks regarding this incredible young man.

Mr. Speaker, it is not incredible that Mr. Crosby plays in the NFL (National Football League) or that he played in the Super Bowl and played defensive back for the St. Louis Rams, who, by the way, won the Super Bowl. What is incredible about this young man is that he overcame a very difficult family environment, but in spite of that, Mr. Speaker, he continued his education at one of my public high schools, namely East High School, where he maintained a B average. He played basketball, All-City with 1,000 points; track and field, All-State school record in the 200-meter, city champ in the 100-meter; football, 2 years in City and All-State.

He is continuing his education at the University of Maryland with a B.S. (bachelor of science) in psychology, family studies.

He also is the leader in interceptions for the ACC (Atlantic Coast Conference); senior year, ACC player of the week twice, Mr. Speaker, Athletic Director's Scholar Athlete Award, 3.20 grade point average.

I would also at this time like to recognize Mr. and Mrs. Amos Goodwine, who are seated at the back of the House, who have literally been an inspiration to this young man. And I would like to present this proclamation to Mr. Crosby, and I would ask—

The SPEAKER. Will the lady yield.

Let us give the members an opportunity to welcome this guest.

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

I would now like to invite Mr. Crosby to just say a couple words to this chamber. Cliff.

Mr. CROSBY. Thank you, Mr. Speaker and Representative Linda Bebko-Jones.

It is truly an honor for me to be in this beautiful chamber. I have been here before. I played in the Big 33 Football and they toured us through here. It was not in session though, but it is an honor to be here. And I am humbled to be presented with this award, but I would just like to thank Mr. and Mrs. Goodwine for making this possible and Ms. Bebko-Jones from my district in Erie, Pennsylvania.

And if I could leave you with one message today, it would be that not all of our youth are bad, and if we continue to invest in the youth, then we continue to invest in our future. And I just want to say that we may go off track a little bit, but when we go off track, with people like you helping us and programs, we can get back on track, just as I did, just as my mom did, if you read the articles. And I just want to thank you again, Mr. Speaker, for having me here today.

The SPEAKER. Mr. Crosby, I think it goes without saying that we feel honored by your presence.

**RADNOR HIGH SCHOOL  
GIRLS SOCCER TEAM  
PRESENTED**

The SPEAKER. Will the gentleman from Delaware, Mr. Adolph, come to the rostrum. Mr. Adolph.

Members, please take your seats.

The Chair recognizes the gentleman from Delaware County, Mr. Adolph.

Mr. ADOLPH. Thank you, Mr. Speaker.

I am excited to introduce to my colleagues—

The SPEAKER. Will the gentleman yield.

Please. Conferences in the center aisle and the side aisle, please break up.

Mr. Adolph.

Mr. ADOLPH. Thank you, Mr. Speaker.

I am excited to introduce to my colleagues the 1999 PIAA Class AA girls soccer State champions from Radnor High School, Delaware County. Under the leadership of coaches Mick Statham and Amy Waldman, this team achieved the first State championship in Radnor High School soccer history. They defeated Charleroi High School by a recordbreaking score of 7 to nothing. The overall team record was 21 wins, 1 tie, and 3 losses. They were ranked 15th nationally. But these girls are not only outstanding athletes, they are also outstanding student athletes. This championship team also achieved a record

third consecutive designation as an academic All-American team with an overall 3.54 team grade point average. This dual accomplishment brings pride to their coaches, their teachers, and their families.

With me today are Coach Statham, Coach Waldman, captains Megan Maley, Julie Barnes, and Alexandra Hill, and in the back of the room we have the rest of the Radnor State championship team. I would like them to stand, and I appreciate if you would give them a round of applause.

Thank you very much.

### GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today, as the guest of Representative Pat Fleagle, Carranda Barkdoll, a registered nurse from Greencastle. I hope I did not mess up that first name too badly. Is that all right? Please rise to be welcomed by the House.

The Chair is also pleased to welcome to the hall of the House today, as the guest of Representative Casorio, seated in the gallery, Carl Huszar, a teacher in the Norwin School District in Westmoreland County. He is a William Penn ambassador. Will the gentleman please rise.

### REPUBLICAN CAUCUS

The SPEAKER. The gentleman, Mr. Fargo.  
Mr. FARGO. Thank you, Mr. Speaker.

There will be a Republican caucus immediately upon the recess, and we do plan on coming back for additional voting at 3 o'clock.

The SPEAKER. The Chair thanks the gentleman.

### DEMOCRATIC CAUCUS

The SPEAKER. Mr. Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, there also will be a Democratic caucus immediately upon the recess.

The SPEAKER. The Chair thanks the gentleman.

### GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today, as the guests of Representative Elinor Taylor, a group of fourth grade students of the Exton Elementary School. They have come to Harrisburg presenting a petition requesting the preservation of the Brandywine Battlefield. They are Lindsay Michko, Nicole Miller, Jonathan Yu, Christopher Schneck, Amanda Michko, and Sara Schneck. Would these guests please rise. They are here with their parents and teachers. They are all seated in the rear of the House, if the guests would please rise. We welcome you to Harrisburg.

### APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The gentleman, Mr. Barley.

Mr. BARLEY. Thank you, Mr. Speaker.

I would like to call for a meeting of the House Appropriations Committee immediately upon recess in the conference room of 245 Main Capitol.

The SPEAKER. The Chair thanks the gentleman.

### LEAVE OF ABSENCE

The SPEAKER. The gentleman, Mr. DeWeese, desires recognition?

Mr. DeWEESE. Thank you, Mr. Speaker.

I would just like the name of Representative HANNA put on leave for the rest of the day.

The SPEAKER. Without objection, leave will be granted. The Chair hears no objection.

### ADDITIONS AND DELETIONS OF SPONSORS

The SPEAKER. The Chair acknowledges receipt of additions and deletions for sponsorships of bills, which the clerk will file.

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

### CALENDAR

#### RESOLUTION PURSUANT TO RULE 35

Mrs. COHEN called up **HR 376, PN 3018**, entitled:

A Resolution recognizing "Million Mom March Mothers' Day 2000" on May 14, 2000.

On the question,

Will the House adopt the resolution?

#### RESOLUTION REFERRED

The SPEAKER. The Chair recognizes the majority leader.

Mr. PERZEL. Mr. Speaker, I move that **HR 376, PN 3018**, be referred to Rules.

On the question,

Will the House agree to the motion?

Motion was agreed to.

### RULES COMMITTEE MEETING

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

**BILLS ON CONCURRENCE  
REPORTED FROM COMMITTEE**

**HB 950, PN 3080** By Rep. PERZEL

An Act requiring disclosure of new motor vehicle damage; and providing for enforcement.

RULES.

**HB 2020, PN 2932** By Rep. PERZEL

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, providing for aquacultural development applicability.

RULES.

**RECESS**

The SPEAKER. Are there any corrections to the record or other announcements?

Hearing none, this House will stand in recess until 3 p.m., unless recalled sooner by the Chair or extended by the Chair.

**RECESS EXTENDED**

The time of recess was extended until 3:30 p.m.

**AFTER RECESS**

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

**THE SPEAKER PRO TEMPORE  
(J. SCOT CHADWICK) PRESIDING**

**BILLS REREPORTED FROM COMMITTEE**

**HB 47, PN 3089 (Amended)** By Rep. BARLEY

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for unlawful restraint, for false imprisonment and for obscenity; and providing for sex offender treatment.

APPROPRIATIONS.

**HB 1585, PN 1929** By Rep. BARLEY

An Act authorizing municipalities to adopt ordinances providing for testing of sewage sludge on reclamation sites; providing for shared costs and for setback from residential areas; authorizing fines; and providing for exceptions.

APPROPRIATIONS.

**HB 2094, PN 2727**

By Rep. BARLEY

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, providing for certain recognition by Commonwealth departments and agencies.

APPROPRIATIONS.

**HB 2149, PN 2809**

By Rep. BARLEY

An Act amending the act of December 14, 1992 (P.L.818, No.133), known as the Port of Pittsburgh Commission Act, further providing for specific powers of the commission; providing for economic development projects; and further providing for rights of obligees and for contracts and purchases.

APPROPRIATIONS.

**HB 2263, PN 2979**

By Rep. BARLEY

An Act providing property tax relief for individual homestead owners in the form of a homestead rebate.

APPROPRIATIONS.

**SB 383, PN 392**

By Rep. BARLEY

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, prohibiting the procuring of children for the purpose of sexual exploitation; and imposing a penalty.

APPROPRIATIONS.

**SB 1003, PN 1201**

By Rep. BARLEY

An Act amending the act of May 17, 1921 (P.L.789, No.285), entitled, as amended, The Insurance Department Act of 1921, providing capital requirements for health organizations.

APPROPRIATIONS.

**SB 1077, PN 1657**

By Rep. BARLEY

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for unlawful use of a computer.

APPROPRIATIONS.

**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 2149, PN 2809.**

**GUESTS INTRODUCED**

The SPEAKER pro tempore. The Chair would like to take this opportunity to welcome some guests who are visiting with us today. We have Sue Murawski, Linda Johnson, Doris Huegel, Diane Horneman, and Michael Hill here. Four of them are nurse practitioners and one of them is a student.

They are here today as guests of Representatives Tom Scrimenti, Teresa Forcier, and Scott Hutchinson, and they are seated to the left of the Speaker. Would they please rise. Welcome to the hall of the House.

**COMMUNICATION FROM  
PENNSYLVANIA INTERGOVERNMENTAL  
COOPERATION AUTHORITY**

The SPEAKER pro tempore. The Chair acknowledges receipt of the operating budget for fiscal year 2000-2001 submitted by the Pennsylvania Intergovernmental Cooperation Authority.

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

**COMMUNICATION FROM  
DEPARTMENT OF COMMUNITY  
AND ECONOMIC DEVELOPMENT**

The SPEAKER pro tempore. The Chair acknowledges receipt of the report on tax-exempt bond allocation submitted by the Department of Community and Economic Development pursuant to Act 113 of 1985.

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

**REPORT SUBMITTED**

The SPEAKER pro tempore. The Chair acknowledges receipt of the report entitled "Supporting Volunteer Fire Services in Pennsylvania" submitted by the Department of Community and Economic Development pursuant to HR 67 of 1999.

(Copy of report is on file with the Chief Clerk.)

**REPORT SUBMITTED**

The SPEAKER pro tempore. The Chair acknowledges receipt of the report on the recommendations on improving local policing submitted pursuant to HR 167.

(Copy of report is on file with the Chief Clerk.)

**COMMUNICATION FROM  
AUDITOR GENERAL**

The SPEAKER pro tempore. The Chair acknowledges receipt of the Auditor General's certificate pursuant to Article VIII, section 7(a)(4), of the Constitution of Pennsylvania and section 304 of the Capital Facilities Debt Enabling Act.

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

**COMMUNICATION FROM  
PENNSYLVANIA EMERGENCY  
MANAGEMENT AGENCY**

The SPEAKER pro tempore. The Chair acknowledges receipt of the annual report submitted by the Pennsylvania Emergency Management Agency pursuant to the Public Safety Emergency Telephone Act.

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

**COMMUNICATION FROM  
DEPARTMENT OF EDUCATION**

The SPEAKER pro tempore. The Chair acknowledges receipt of the report on agriculture education submitted by the Department of Education.

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

**COMMUNICATION FROM  
INSURANCE DEPARTMENT**

The SPEAKER pro tempore. The Chair acknowledges receipt of the Report on the Insurance Department's Flood Insurance Consumer Education Plan.

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

**COMMUNICATION FROM  
PENNSYLVANIA STATE POLICE**

The SPEAKER pro tempore. The Chair acknowledges receipt of the 1998 Firearms Annual Report submitted by the Pennsylvania State Police.

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

**COMMUNICATION FROM  
COUNTY PROBATION AND  
PAROLE OFFICERS**

The SPEAKER pro tempore. The Chair acknowledges receipt of the 1997-98 annual report submitted by the County Probation and Parole Officers' Firearm Education and Training Commission.

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

**VOTE CORRECTION**

The SPEAKER pro tempore. Does the gentleman from Philadelphia, Mr. Ramos, seek recognition? The gentleman is recognized.

Mr. RAMOS. Thank you, Mr. Speaker.

I was wondering if I could correct the record?

The SPEAKER pro tempore. The gentleman is in order.

Mr. RAMOS. I was mistakenly recorded as voting as being present here on February 14, and I had requested a leave of absence. I would like to correct the record.

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

Mr. RAMOS. Thank you.

**LEAVE OF ABSENCE CANCELED**

The SPEAKER pro tempore. The Chair notes the presence on the floor of the gentleman, Mr. Benninghoff, and directs that the clerk place his name on the master roll.

**CALENDAR CONTINUED**

**RESOLUTIONS PURSUANT TO RULE 35**

Mr. CURRY called up **HR 355, PN 2933**, entitled:

A Resolution recognizing the week of April 9 through 15, 2000, as "National Library Week" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

**YEAS—199**

Adolph	Evans	Manderino	Sather
Allen	Fairchild	Mann	Saylor
Argall	Fargo	Markosek	Schroder
Armstrong	Feese	Marsico	Schuler
Baker	Fichter	Masland	Scrimenti
Bard	Fleagle	Mayernik	Semmel
Barley	Flick	McCall	Seyfert
Barrar	Forcier	McGeehan	Shaner
Bastian	Frankel	McGill	Smith, B.
Battisto	Freeman	McIlhattan	Smith, S. H.
Bebko-Jones	Gannon	McIlhinney	Snyder
Belardi	Geist	McNaughton	Solobay
Belfanti	George	Melio	Staback
Benninghoff	Gigliotti	Metcalfe	Stairs
Birmelin	Gladeck	Michlovic	Steelman
Bishop	Godshall	Micozzie	Steil
Blaum	Gordner	Miller, R.	Stern
Boyes	Grucela	Miller, S.	Stetler
Browne	Gruitza	Mundy	Stevenson
Bunt	Habay	Myers	Strittmatter
Butkovitz	Haluska	Nailor	Sturla
Buxton	Harhai	Nickol	Surra
Caltagirone	Harhart	O'Brien	Tangretti
Cappabianca	Hasay	Oliver	Taylor, E. Z.
Cam	Hennessey	Orie	Taylor, J.
Casorio	Herman	Perzel	Thomas
Cawley	Hershey	Pesci	Tigue
Chadwick	Hess	Petrarca	Travaglio
Civera	Horsey	Petrone	Trello
Clark	Hutchinson	Phillips	Trich
Clymer	Jadlowiec	Pippy	Tulli
Cohen, L. I.	James	Pistella	Vance
Cohen, M.	Josephs	Platts	Van Horne
Colafella	Kaiser	Preston	Veon
Cornell	Keller	Ramos	Vitali
Corrigan	Kenney	Raymond	Walko
Costa	Kirkland	Readshaw	Waters
Coy	Krebs	Reinard	Williams
Curry	LaGrotta	Rieger	Wilt
Dailey	Laughlin	Roberts	Wogan
Daley	Lawless	Robinson	Wojnaroski
Dally	Lederer	Roebuck	Wright
DeLuca	Leh	Rohrer	Yewcic

Dempsey	Lescovitz	Rooney	Youngblood
Dermody	Levdansky	Ross	Yudichak
DeWeese	Lucyk	Rubley	Zimmerman
DiGirolamo	Lynch	Ruffing	Zug
Donatucci	Maher	Sainato	
Druce	Maitland	Samuelson	Ryan,
Eachus	Major	Santoni	Speaker
Egolf			

**NAYS—0**

**NOT VOTING—1**

Washington

**EXCUSED—2**

Hanna True

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

\* \* \*

Mr. WOJNAROSKI called up **HR 367, PN 2973**, entitled:

A Resolution designating the month of April 2000 as "Child Abuse Prevention Month" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

**YEAS—198**

Adolph	Egolf	Manderino	Sather
Allen	Evans	Mann	Saylor
Argall	Fairchild	Markosek	Schroder
Armstrong	Fargo	Marsico	Schuler
Baker	Feese	Masland	Scrimenti
Bard	Fichter	Mayernik	Semmel
Barley	Fleagle	McCall	Seyfert
Barrar	Flick	McGeehan	Shaner
Bastian	Forcier	McGill	Smith, B.
Battisto	Frankel	McIlhattan	Smith, S. H.
Bebko-Jones	Freeman	McIlhinney	Snyder
Belardi	Gannon	McNaughton	Solobay
Belfanti	Geist	Melio	Staback
Benninghoff	George	Metcalfe	Stairs
Birmelin	Gigliotti	Michlovic	Steelman
Bishop	Gladeck	Micozzie	Steil
Blaum	Godshall	Miller, R.	Stern
Boyes	Gordner	Miller, S.	Stetler
Browne	Grucela	Mundy	Stevenson
Bunt	Gruitza	Myers	Strittmatter
Butkovitz	Habay	Nailor	Sturla
Buxton	Haluska	Nickol	Surra
Caltagirone	Harhai	O'Brien	Tangretti
Cappabianca	Harhart	Oliver	Taylor, E. Z.
Cam	Hasay	Orie	Taylor, J.
Casorio	Hennessey	Perzel	Thomas
Cawley	Herman	Pesci	Tigue
Chadwick	Hershey	Petrarca	Travaglio
Civera	Hess	Petrone	Trello
Clark	Horsey	Phillips	Trich
Clymer	Hutchinson	Pippy	Tulli
Cohen, L. I.	Jadlowiec	Pistella	Vance
Cohen, M.	James	Platts	Van Horne
Colafella	Josephs	Preston	Veon
Cornell	Kaiser	Ramos	Vitali

Corrigan	Keller	Raymond	Walko
Costa	Kenney	Readshaw	Waters
Coy	Kirkland	Reinard	Williams
Curry	Krebs	Rieger	Wilt
Dailey	LaGrotta	Roberts	Wogan
Daley	Laughlin	Robinson	Wojnaroski
Dally	Lawless	Roebuck	Wright
DeLuca	Leh	Rohrer	Yewcic
Dempsey	Lescovitz	Rooney	Youngblood
Dermody	Levdansky	Ross	Yudichak
DeWeese	Lucyk	Rubley	Zimmerman
DiGirolamo	Lynch	Ruffing	Zug
Donatucci	Maher	Sainato	
Druce	Maitland	Samuelson	Ryan,
Eachus	Major	Santoni	Speaker

NAYS—0

NOT VOTING—2

Lederer Washington

EXCUSED—2

Hanna True

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

\* \* \*

Mrs. COHEN called up **HR 378, PN 3033**, entitled:

A Resolution recognizing the Township of Lower Merion on the occasion of its 100th anniversary.

On the question,  
Will the House adopt the resolution?

The SPEAKER pro tempore. For what purpose does the lady, Mrs. Lederer, seek recognition?

Mrs. LEDERER. Mr. Speaker, my button did not register.

The SPEAKER pro tempore. We will check it out. The Chair thanks the lady.

Mrs. LEDERER. Thank you.

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

The following roll call was recorded:

YEAS—198

Adolph	Egolf	Major	Sather
Allen	Evans	Manderino	Saylor
Argall	Fairchild	Mann	Schroder
Armstrong	Fargo	Markosek	Schuler
Baker	Feese	Marsico	Seriment
Bard	Fichter	Masland	Semmel
Barley	Fleagle	Mayernik	Seyfert
Barrar	Flick	McCall	Shaner
Bastian	Forcier	McGeehan	Smith, B.
Battisto	Frankel	McGill	Smith, S. H.
Bebko-Jones	Freeman	McIlhattan	Snyder
Belardi	Gannon	McIlhinney	Solobay
Belfanti	Geist	McNaughton	Staback
Benninghoff	George	Melio	Stairs
Birmelin	Gigliotti	Metcalfe	Steelman

Bishop	Gladeck	Michlovic	Steil
Blaum	Godshall	Micozzie	Stern
Boyes	Gordner	Miller, R.	Stetler
Browne	Grucela	Miller, S.	Stevenson
Bunt	Gruitza	Mundy	Strittmatter
Butkovitz	Habay	Nailor	Sturla
Buxton	Haluska	Nickol	Surra
Caltagirone	Harhai	O'Brien	Tangretti
Cappabianca	Harhart	Oliver	Taylor, E. Z.
Cam	Hasay	Orie	Taylor, J.
Casorio	Hennessey	Perzel	Thomas
Cawley	Herman	Pesci	Tigue
Chadwick	Hershey	Petrarca	Travaglio
Civera	Hess	Petrone	Trello
Clark	Horsey	Phillips	Trich
Clymer	Hutchinson	Pippy	Tulli
Cohen, L. I.	Jadlowiec	Pistella	Vance
Cohen, M.	James	Platts	Van Horne
Colafella	Josephs	Preston	Veon
Cornell	Kaiser	Ramos	Vitali
Corrigan	Keller	Raymond	Walko
Costa	Kenney	Readshaw	Waters
Coy	Kirkland	Reinard	Williams
Curry	Krebs	Rieger	Wilt
Dailey	LaGrotta	Roberts	Wogan
Daley	Laughlin	Robinson	Wojnaroski
Dally	Lawless	Roebuck	Wright
DeLuca	Lederer	Rohrer	Yewcic
Dempsey	Leh	Rooney	Youngblood
Dermody	Lescovitz	Ross	Yudichak
DeWeese	Levdansky	Rubley	Zimmerman
DiGirolamo	Lucyk	Ruffing	Zug
Donatucci	Lynch	Sainato	
Druce	Maher	Samuelson	Ryan,
Eachus	Maitland	Santoni	Speaker

NAYS—0

NOT VOTING—2

Myers Washington

EXCUSED—2

Hanna True

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

SUPPLEMENTAL CALENDAR A

RESOLUTIONS PURSUANT TO RULE 35

Mr. SEMMEL called up **HR 379, PN 3034**, entitled:

A Resolution declaring the week of March 12 through 18, 2000, as "Emergency Service Providers Week" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

Adolph	Egolf	Major	Sather
Allen	Evans	Manderino	Saylor
Argall	Fairchild	Mann	Schroder
Armstrong	Fargo	Markosek	Schuler
Baker	Feese	Marsico	Seriment



Bard	Fichter	Masland	Semmel
Barley	Fleagle	Mayernik	Seyfert
Barrar	Flick	McCall	Shaner
Bastian	Forcier	McGeehan	Smith, B.
Battisto	Frankel	McGill	Smith, S. H.
Bebko-Jones	Freeman	McIlhattan	Snyder
Belardi	Gannon	McIlhinney	Solobay
Belfanti	Geist	McNaughton	Staback
Benninghoff	George	Melio	Stairs
Birmelin	Gigliotti	Metcalfe	Steelman
Bishop	Gladeck	Michlovic	Steil
Blaum	Godshall	Micozzie	Stern
Boyes	Gordner	Miller, R.	Stetler
Browne	Grucela	Miller, S.	Stevenson
Bunt	Gruitza	Mundy	Strittmatter
Butkovitz	Habay	Nailor	Sturla
Buxton	Haluska	Nickol	Surra
Caltagirone	Harhai	O'Brien	Tangretti
Cappabianca	Harhart	Oliver	Taylor, E. Z.
Cam	Hasay	Orie	Taylor, J.
Casorio	Hennessey	Perzel	Thomas
Cawley	Herman	Pesci	Tigue
Chadwick	Hershey	Petrarca	Travaglio
Civera	Hess	Petrone	Trello
Clark	Horsey	Phillips	Trich
Clymer	Hutchinson	Pippy	Tulli
Cohen, L. I.	Jadlowiec	Pistella	Vance
Cohen, M.	James	Platts	Van Home
Colafella	Josephs	Preston	Veon
Cornell	Kaiser	Ramos	Vitali
Corrigan	Keller	Raymond	Walko
Costa	Kenney	Readshaw	Waters
Coy	Kirkland	Reinard	Williams
Curry	Krebs	Rieger	Wilt
Dailey	LaGrotta	Roberts	Wogan
Daley	Laughlin	Robinson	Wojnaroski
Dally	Lawless	Roebuck	Wright
DeLuca	Lederer	Rohrer	Yewcic
Dempsey	Leh	Rooney	Youngblood
Dermody	Lescovitz	Ross	Yudichak
DeWeese	Levdansky	Rubley	Zimmerman
DiGirolamo	Lucyk	Ruffing	Zug
Donatucci	Lynch	Sainato	
Druce	Maher	Samuelson	Ryan,
Eachus	Maitland	Santoni	Speaker

NAYS-0

NOT VOTING-2

Myers Washington

EXCUSED-2

Hanna True

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

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Mr. MAITLAND called up **HR 386, PN 3051**, entitled:

A Concurrent Resolution declaring March 10 through 19, 2000, as "Heritage Week" and March 12, 2000, as "Charter Day" in Pennsylvania to commemorate the land grant of King Charles II to William Penn in 1681, establishing this Commonwealth.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-199

Adolph	Evans	Manderino	Sather
Allen	Fairchild	Mann	Saylor
Argall	Fargo	Markosek	Schroder
Armstrong	Feese	Marsico	Schuler
Baker	Fichter	Masland	Scrimenti
Bard	Fleagle	Mayernik	Semmel
Barley	Flick	McCall	Seyfert
Barrar	Forcier	McGeehan	Shaner
Bastian	Frankel	McGill	Smith, B.
Battisto	Freeman	McIlhattan	Smith, S. H.
Bebko-Jones	Gannon	McIlhinney	Snyder
Belardi	Geist	McNaughton	Solobay
Belfanti	George	Melio	Staback
Benninghoff	Gigliotti	Metcalfe	Stairs
Birmelin	Gladeck	Michlovic	Steelman
Bishop	Godshall	Micozzie	Steil
Blaum	Gordner	Miller, R.	Stern
Boyes	Grucela	Miller, S.	Stetler
Browne	Gruitza	Mundy	Stevenson
Bunt	Habay	Myers	Strittmatter
Butkovitz	Haluska	Nailor	Sturla
Buxton	Harhai	Nickol	Surra
Caltagirone	Harhart	O'Brien	Tangretti
Cappabianca	Hasay	Oliver	Taylor, E. Z.
Cam	Hennessey	Orie	Taylor, J.
Casorio	Herman	Perzel	Thomas
Cawley	Hershey	Pesci	Tigue
Chadwick	Hess	Petrarca	Travaglio
Civera	Horsey	Petrone	Trello
Clark	Hutchinson	Phillips	Trich
Clymer	Jadlowiec	Pippy	Tulli
Cohen, L. I.	James	Pistella	Vance
Cohen, M.	Josephs	Platts	Van Home
Colafella	Kaiser	Preston	Veon
Cornell	Keller	Ramos	Vitali
Corrigan	Kenney	Raymond	Walko
Costa	Kirkland	Readshaw	Waters
Coy	Krebs	Reinard	Williams
Curry	LaGrotta	Rieger	Wilt
Dailey	Laughlin	Roberts	Wogan
Daley	Lawless	Robinson	Wojnaroski
Dally	Lederer	Roebuck	Wright
DeLuca	Leh	Rohrer	Yewcic
Dempsey	Lescovitz	Rooney	Youngblood
Dermody	Levdansky	Ross	Yudichak
DeWeese	Lucyk	Rubley	Zimmerman
DiGirolamo	Lynch	Ruffing	Zug
Donatucci	Maher	Sainato	
Druce	Maitland	Samuelson	Ryan,
Eachus	Major	Santoni	Speaker
Egolf			

NAYS-0

NOT VOTING-1

Washington

EXCUSED-2

Hanna True

The majority of the members elected to the House having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

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

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Mrs. COHEN called up **HR 391, PN 3074**, entitled:

A Resolution recognizing "Million Mom March Mothers' Day 2000" on May 14, 2000.

On the question,  
Will the House adopt the resolution?

(Members proceeded to vote.)

The SPEAKER pro tempore. There is nothing in order but the taking of the roll, Mr. Zug. Mr. Zug, are you having trouble with your switch?

Mr. ZUG. Yeah. Well, we are doing a noncontroversial resolution with a lot of negative votes, and I really think that we really ought to reconsider the resolutions pursuant to rule 35.

The SPEAKER pro tempore. Mr. Zug, there is nothing in order but the taking of the roll at this time. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—90

Bard	Frankel	Melio	Stairs
Battisto	Freeman	Michlovic	Steil
Bebko-Jones	Gannon	Myers	Stetler
Bishop	Gigliotti	O'Brien	Sturla
Browne	Gladeck	Oliver	Tangretti
Butkovitz	Gruitza	Perzel	Taylor, J.
Buxton	Haluska	Petrone	Thomas
Caltagirone	Hennessey	Pistella	Tigue
Cappabianca	Horsey	Preston	Travaglio
Carn	James	Ramos	Trello
Cawley	Josephs	Raymond	Trich
Cohen, L. I.	Kaiser	Rieger	Tulli
Cohen, M.	Keller	Robinson	Van Horne
Colafella	Kenney	Roebuck	Vitali
Cornell	Kirkland	Rooney	Walko
Corrigan	LaGrotta	Ross	Waters
Costa	Lawless	Rubley	Williams
Curry	Lederer	Ruffing	Wogan
Daley	Lescovitz	Samuelson	Youngblood
DeLuca	Levdansky	Santoni	Yudichak
Dermody	Manderino	Scrimenti	
Donatucci	Mann	Semmel	Ryan,
Evans	McGeehan	Snyder	Speaker

NAYS—108

Adolph	Eachus	Lynch	Roberts
Allen	Egolf	Maher	Rohrer
Argall	Fairchild	Maitland	Sainato
Armstrong	Fargo	Major	Sather
Baker	Feese	Markosek	Saylor
Barley	Fichter	Marsico	Schroder
Barrar	Fleagle	Masland	Schuler
Bastian	Flick	Mayernik	Seyfert
Belardi	Forcier	McCall	Shaner
Belfanti	Geist	McGill	Smith, B.
Benninghoff	George	McIlhattan	Smith, S. H.
Birmelin	Godshall	McIlhinney	Solobay
Blaum	Gordner	McNaughton	Staback
Boyes	Grucela	Metcalfe	Steelman
Bunt	Habay	Miller, R.	Stern
Casorio	Harhai	Miller, S.	Stevenson

Chadwick	Harhart	Mundy	Strittmatter
Civera	Hasay	Nailor	Surra
Clark	Herman	Nickol	Taylor, E. Z.
Clymer	Hershey	Orie	Vance
Coy	Hess	Pesci	Veon
Dailey	Hutchinson	Petrarca	Wilt
Dally	Jadlowiec	Phillips	Wojnaroski
Dempsey	Krebs	Pippy	Wright
DeWeese	Laughlin	Platts	Yewcic
DiGirolamo	Leh	Readshaw	Zimmerman
Druce	Lucyk	Reinard	Zug

NOT VOTING—2

Micozzie Washington

EXCUSED—2

Hanna True

Less than the majority having voted in the affirmative, the question was determined in the negative and the resolution was not adopted.

SUPPLEMENTAL CALENDAR C

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2263, PN 2979**, entitled:

An Act providing property tax relief for individual homestead owners in the form of a homestead rebate.

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

Mrs. **HARHART** offered the following amendment No. **A0464**:

Amend Title, page 1, lines 1 and 2, by striking out all of said lines and inserting

Amending the act of March 4, 1971 (P.L.6, No.2), entitled "An act relating to tax reform and State taxation by codifying and enumerating certain subjects of taxation and imposing taxes thereon; providing procedures for the payment, collection, administration and enforcement thereof; providing for tax credits in certain cases; conferring powers and imposing duties upon the Department of Revenue, certain employers, fiduciaries, individuals, persons, corporations and other entities; prescribing crimes, offenses and penalties." further providing for special tax provisions for poverty; and providing property tax relief for individual homestead owners in the form of a homestead rebate.

Amend Bill, page 1, lines 5 through 17; pages 2 through 5, lines 1 through 30; page 6, lines 1 through 8, by striking out all of said lines on said pages and inserting

Section 1. Section 304(d) of the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, amended April 23, 1998 (P.L.239, No.45) and May 12, 1999 (P.L.26, No.4), is amended to read:

Section 304. Special Tax Provisions for Poverty.—\*\*\*

(d) Any claim for special tax provisions hereunder shall be determined in accordance with the following:

(1) If the poverty income of the claimant during an entire taxable year is six thousand five hundred dollars (\$6,500) or less, or, in the case of a married claimant, if the joint poverty income of the claimant

and the claimant's spouse during an entire taxable year is thirteen thousand dollars (\$13,000) or less, the claimant shall be entitled to a refund or forgiveness of any moneys which have been paid over to (or would except for the provisions of this act be payable to) the Commonwealth under the provisions of this article, with an additional income allowance of [six thousand five hundred dollars (\$6,500)] seven thousand five hundred dollars (\$7,500) if claimed by married claimants or of [six thousand five hundred dollars (\$6,500)] seven thousand five hundred dollars (\$7,500) if claimed by a single claimant for the first additional dependent and an additional income allowance of [six thousand five hundred dollars (\$6,500)] seven thousand five hundred dollars (\$7,500) for each additional dependent of the claimant. For purposes of this subsection, a claimant shall not be considered to be married if:

(i) The claimant and the claimant's spouse file separate returns; and

(ii) The claimant and the claimant's spouse live apart at all times during the last six months of the taxable year or are separated pursuant to a written separation agreement.

(2) If the poverty income of the claimant during an entire taxable year does not exceed the poverty income limitations prescribed by clause (1) by more than the dollar category contained in subclauses (i), (ii), (iii), (iv), (v), (vi), (vii), (viii) or (ix) of this clause, the claimant shall be entitled to a refund or forgiveness based on the per centage prescribed in such subclauses of any moneys which have been paid over to (or would except for the provisions herein be payable to) the Commonwealth under this article:

(i) Ninety per cent if not in excess of two hundred fifty dollars (\$250).

(ii) Eighty per cent if not in excess of five hundred dollars (\$500).

(iii) Seventy per cent if not in excess of seven hundred fifty dollars (\$750).

(iv) Sixty per cent if not in excess of one thousand dollars (\$1,000).

(v) Fifty per cent if not in excess of one thousand two hundred fifty dollars (\$1,250).

(vi) Forty per cent if not in excess of one thousand five hundred dollars (\$1,500).

(vii) Thirty per cent if not in excess of one thousand seven hundred fifty dollars (\$1,750).

(viii) Twenty per cent if not in excess of two thousand dollars (\$2,000).

(ix) Ten per cent if not in excess of two thousand two hundred fifty dollars (\$2,250).

(3) If an individual has a taxable year of less than twelve months, the poverty income thereof shall be annualized in such manner as the department may prescribe.

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

#### ARTICLE XXIX-B

##### HOMESTEAD REBATES

Section 2901-B. Short Title.—This article shall be known and may be cited as the "Keystone Homestead Rebate Act."

Section 2902-B. Definitions.—The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

"Assessor." The chief assessor of the county, the equivalent position in a home rule county or the equivalent position in a city of the third class that performs its own assessments of real property.

"Department." The Department of Revenue of the Commonwealth or its designee.

"Homestead." The primary residence and the parcel of land within this Commonwealth on which the residence is located and other improvements located on the parcel, except that:

(1) If the person who owns the residence does not own the land, the homestead does not include the land on which the residence is located.

(2) If the residence is a unit in a condominium, as defined in 68 Pa.C.S. § 3103 (relating to definitions), or a cooperative, as defined in 68 Pa.C.S. § 4103 (relating to definitions), the homestead is the unit, the value of which shall be determined in a manner consistent with the assessment of real property taxes on units under 68 Pa.C.S. (relating to real and personal property) or as otherwise provided by law. If the unit is not separately assessed for real property taxes, the homestead's value shall be a pro rata share of the real property.

(3) If a portion of the structure is not used as the residence, the homestead is equal to the portion of the structure that is used as a residence.

This definition of "homestead" shall have no effect, evidentiary or otherwise, concerning the issue of whether the property constitutes a homestead or homestead property under any other act.

"Real property tax." The total real property tax imposed by a school district on a homestead for the tax year. The term does not include payments made in lieu of taxes or any penalties or interest paid in connection with the tax.

"Rebate." An amount equal to one hundred per cent of the real property tax paid on the assessed value of a homestead to a school district for the tax year, except that no rebate paid pursuant to this article shall exceed one hundred dollars (\$100).

"Residence." A structure used as a place of habitation by a resident.

"Resident." Any of the following:

(1) An individual who is a natural person domiciled in this Commonwealth.

(2) A grantor who has placed real property in a revocable trust, provided that the grantor is a natural person domiciled in this Commonwealth.

(3) A partner of a family farm partnership or a shareholder of a family farm corporation as the terms are defined in section 1101-C of Article XI-C, provided that the partner or shareholder is a natural person domiciled in this Commonwealth.

"School district." A school district of the first class, first class A, second class, third class or fourth class, including any independent school district.

"Tax year." The school district's fiscal year 1999-2000 during which real property tax is due and payable.

Section 2903-B. Rebate Qualifications.—(a) Subject to section 2904-B, a rebate shall be issued for a homestead if all of the following apply:

(1) The resident occupied the homestead during the tax year.

(2) The resident paid real property tax to a school district for the tax year.

(3) The resident is the owner of record as of July 1, 1999.

A resident shall not receive more than one rebate.

(b) If title to a homestead is held by more than one individual, a rebate shall be issued in the names appearing on the local property tax record to be divided by the owners.

Section 2904-B. Rebate Administration.—(a) The department, on behalf of local taxing authorities, shall establish administrative procedures or policies, and regulations as necessary, to implement and administer this article. The department may enter into any contracts which are necessary to administer this article.

(b) Within thirty days of the effective date of this article, every assessor shall submit to the department a certified list, categorized by school district, of all residential and farm real property and owners of record within its jurisdiction. The certified list shall only include those owners of record who have fully paid their 1999-2000 real property tax.

(c) Only certified lists submitted within thirty days of the effective date of this article shall be reviewed by the department. The department shall make the initial eligibility determination by June 30, 2000, from information submitted by that date. The department shall thereafter forward the reviewed list of residents to the assessors.

(d) Within thirty days after receipt of the reviewed list of residents, the assessor shall verify the list and report to the department any corrections to the list.

(e) The department shall make, as it deems necessary and appropriate, any corrections to the verified list and authorize rebates by August 31, 2000. The rebate shall be issued and mailed to all residents listed on the corrected verified list by October 20, 2000. If the assessor fails to verify the list or notify the department of any corrections within the time limitation set forth under subsection (d), the department shall authorize rebates to all residents that it recommended to the assessor.

Section 2905-B. Petitions for Review.—A resident whose rebate is either denied, corrected or otherwise adversely affected by either the department or the assessor may petition for administrative review in the manner prescribed by the department. An individual aggrieved by the department's action in connection with the administrative review may petition for review in the manner specified in sections 11.1 and 11.2 of the act of March 11, 1971 (P.L.104, No.3), known as the "Senior Citizens Rebate and Assistance Act."

Section 2906-B. Penalties.—Any resident who receives a rebate through false or misleading conduct or action shall be required to do all of the following:

(1) Refund to the department the amount of rebate received, plus simple interest computed at the rate provided in section 806 of the act of April 9, 1929 (P.L.343, No.176), known as "The Fiscal Code."

(2) Pay a civil penalty of fifty dollars (\$50) to the department.

Section 2907-B. Erroneous Rebates.—(a) If the department determines or finds a rebate to have been incorrectly or erroneously paid, it shall redetermine the correct amount of the rebate, if any, and notify the resident of the reason for the correction and the amount of the rebate.

(b) If a rebate has been issued in error and the resident fails to refund the rebate upon the department's request, the rebate shall be recoverable by the department in the same manner as assessments as provided for in section 338 of Article III.

Section 3. The amendment of section 304(d) of the act shall apply to taxable years beginning after December 31, 1999.

Section 4. This act shall take effect immediately.

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. On that question, the Chair recognizes the lady from Lehigh County, Representative Harhart.

Mrs. HARHART. Thank you, Mr. Speaker.

I am proud, once again, to sponsor this legislation to increase working families' tax credit. This amendment increases the allowance for a dependent to \$7,500 per dependent. As a result of this amendment, a family of four earning \$28,000 or less will not pay Pennsylvania personal income tax. A family of five earning \$35,500 or less will not pay any personal income tax.

I ask for an affirmative vote. Thank you, Mr. Speaker.

**PARLIAMENTARY INQUIRY**

The SPEAKER pro tempore. On the amendment, the Chair recognizes the gentleman from Beaver County, Mr. Veon.

Mr. VEON. Thank you, Mr. Speaker.

Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state the point.

Mr. VEON. Mr. Speaker, there are a number of amendments that are filed to this bill, and for the purposes of the members who have those amendments, would it be appropriate at this time to inquire from the Speaker whether those amendments

would be in order or not or are we going to have to do those amendments one by one and ask the question for each amendment?

The SPEAKER pro tempore. Mr. Veon, I believe I have an answer to that question. In the event that this amendment is adopted, the following amendments would still be in order: Mr. McNaughton, amendment 465; Mr. Curry, amendment 458; Mr. Evans, amendments 485, 486, and 487; Mr. Perzel, amendments 469, 707— Mr. Perzel is withdrawing his amendments, so I guess they do not matter. The rest of the amendments would not be in order. Does that answer your question?

Mr. VEON. Yes, it does, Mr. Speaker. Thank you.

The SPEAKER pro tempore. I am sorry. Would you like to be recognized on the amendment?

Mr. VEON. Yes.

The SPEAKER pro tempore. The gentleman is recognized.

Mr. VEON. Thank you, Mr. Speaker.

I just would encourage an affirmative vote on this amendment, and we will have to deal with the answer or the response to my parliamentary inquiry on subsequent amendments. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—199

Adolph	Evans	Manderino	Sather
Allen	Fairchild	Mann	Saylor
Argall	Fargo	Markosek	Schroder
Armstrong	Feese	Marsico	Schuler
Baker	Fichter	Masland	Scrimenti
Bard	Fleagle	Mayermik	Semmel
Barley	Flick	McCall	Seyfert
Barrar	Forcier	McGeehan	Shaner
Bastian	Frankel	McGill	Smith, B.
Battisto	Freeman	McLhattan	Smith, S. H.
Bebko-Jones	Gannon	McLhinney	Snyder
Belardi	Geist	McNaughton	Solobay
Belfanti	George	Melio	Staback
Benninghoff	Gigliotti	Metcalfe	Stairs
Birmelin	Gladeck	Michlovic	Steelman
Bishop	Godshall	Micozzie	Steil
Blaum	Gordner	Miller, R.	Stern
Boyes	Grucela	Miller, S.	Stetler
Browne	Gruitza	Mundy	Stevenson
Bunt	Habay	Myers	Strittmatter
Butkovitz	Haluska	Nailor	Sturla
Buxton	Harhai	Nickol	Surra
Caltagirone	Harhart	O'Brien	Tangretti
Cappabianca	Hasay	Oliver	Taylor, E. Z.
Carr	Hennessey	Oric	Taylor, J.
Casorio	Herman	Perzel	Thomas
Cawley	Hershey	Pesci	Tigue
Chadwick	Hess	Petrarca	Travaglio
Civera	Horsey	Petrone	Trello
Clark	Hutchinson	Phillips	Trich
Clymer	Jadlowiec	Pippy	Tulli
Cohen, L. I.	James	Pistella	Vanec
Cohen, M.	Josephs	Platts	Van Horne
Colafella	Kaiser	Preston	Veon
Cornell	Keller	Ramos	Vitali
Corrigan	Kenney	Raymond	Walko
Costa	Kirkland	Readshaw	Waters
Coy	Krebs	Reinard	Williams
Curry	LaGrotta	Rieger	Wilt
Dailey	Laughlin	Roberts	Wogan
Daley	Lawless	Robinson	Wojnaroski
Dally	Lederer	Roebuck	Wright

DeLuca	Leh	Rohrer	Yewcic
Dempsey	Lescovitz	Rooney	Youngblood
Dermody	Levdansky	Ross	Yudichak
DeWeese	Lucyk	Rubley	Zimmerman
DiGiroIamo	Lynch	Ruffing	Zug
Donatucci	Maher	Sainato	
Druce	Maitland	Samuelson	Ryan,
Eachus	Major	Santoni	Speaker
Egolf			

**THE SPEAKER (MATTHEW J. RYAN)  
PRESIDING**

**CONSIDERATION OF HB 2263 CONTINUED**

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

Mr. McNAUGHTON offered the following amendment No. A0465:

Amend Title, page 1, lines 1 and 2, by striking out all of said lines and inserting

Amending the act of March 4, 1971 (P.L.6, No.2), entitled "An act relating to tax reform and State taxation by codifying and enumerating certain subjects of taxation and imposing taxes thereon; providing procedures for the payment, collection, administration and enforcement thereof; providing for tax credits in certain cases; conferring powers and imposing duties upon the Department of Revenue, certain employers, fiduciaries, individuals, persons, corporations and other entities; prescribing crimes, offenses and penalties," further providing for the imposition of the capital stock and franchise tax; and providing property tax relief for individual homestead owners in the form of a homestead rebate.

Amend Bill, page 1, lines 5 through 17; pages 2 through 5, lines 1 through 30; page 6, lines 1 through 8, by striking out all of said lines on said pages and inserting

Section 1. Section 602(b), (f), (h) and (i) of the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, amended May 12, 1999 (P.L.26, No.4) and December 15, 1999 (P.L.926, No.63), are amended to read:

Section 602. Imposition of Tax.—\* \* \*

(b) (1) Every foreign entity from which a report is required under section 601 hereof, shall be subject to and pay to the department annually, a franchise tax which is the greater of (i) the amount computed by multiplying each dollar of the capital stock value as defined in section 601(a) by the appropriate rate of tax as set forth in subsection (h); or (ii) the minimum tax set forth in subsection (i), upon a taxable value to be determined in the following manner. The capital stock value shall be ascertained in the manner prescribed in section 601(a) of this article. The taxable value shall then be determined by employing the relevant apportionment factors set forth in Article IV: Provided, That the manufacturing, processing, research and development exemptions contained under section 602(a) shall also apply to foreign corporations. In determining the relevant apportionment factors, the following shall apply:

(i) for all taxable years other than specifically set forth in subclause (ii), the numerator of the property, payroll or sales factors shall not include any property, payroll or sales attributable to manufacturing, processing, research or development activities in the Commonwealth;

(ii) for the taxable years beginning after December 31, 1998, [and beginning before January 1, 2001,] the numerator of the property or payroll factors shall not include any property or payroll attributable to manufacturing, processing, research or development activities in the Commonwealth, and any property or payroll attributable to manufacturing, processing, research or development activities outside of the Commonwealth shall also be excluded from the numerator of the property or payroll factors. Except for the imposition of the minimum tax set forth in subsection (i), the provisions of this section shall not apply to the taxation of so much of the capital stock value attributable to student loan assets owned or held by an entity created for the securitization of student loans or by a trustee on its behalf. Any foreign corporation, joint-stock association, limited partnership or company subject to the tax prescribed herein may elect to compute and pay its

NAYS—0

NOT VOTING—1

Washington

EXCUSED—2

Hanna True

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

**DORIS HADDOCK INTRODUCED**

The SPEAKER pro tempore. The Chair recognizes the gentleman from Delaware County, Mr. Vitali, for the purpose of introducing a guest.

Mr. VITALI. Thank you, Mr. Speaker.

I rise to introduce a very special person, Doris Haddock, otherwise known as Granny D. Granny D, frustrated by the lack of meaningful Federal campaign finance reform, back on January 1, 1999, as an 88-year-old woman, began a trek across the United States to show elected officials that common people care about their government and care about campaign finance reform. Fighting emphysema, as well as the elements, some 14 months later, just several weeks ago, she arrived in Washington, D.C., and she captured the hearts of a nation. Mr. Speaker, she is now touring various States to continue to promote her cause of campaign finance reform and has been gracious enough to come to Pennsylvania to help us with an important vote tomorrow that I anticipate taking on campaign finance reform.

So I hope you will join with me in welcoming and congratulating Granny D.

The SPEAKER pro tempore. The Chair thanks the gentleman and welcomes the lady to the hall of the House.

**LEAVES OF ABSENCE**

The SPEAKER pro tempore. The Chair returns to leaves of absence and recognizes the gentleman, Mr. Veon, who requests a leave for the balance of today's session for the gentleman from Philadelphia, Mr. JAMES, and the lady from Philadelphia, Ms. WASHINGTON. Without objection, the leaves will be granted. The Chair hears no objection, and the leaves are granted.

tax under section 602(a): Provided, That any foreign corporation, joint-stock association, limited partnership or company electing to compute and pay its tax under section 602(a) shall be treated as if it were a domestic corporation for the purpose of determining which of its assets are exempt from taxation and for the purpose of determining the proportion of the value of its capital stock which is subject to taxation.

(2) The provisions of this article shall apply to the taxation of entities organized for manufacturing, processing, research or development purposes, but shall not apply to such entities as enjoy and exercise the right of eminent domain.

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(f) Every domestic corporation and every foreign corporation (i) registered to do business in Pennsylvania; (ii) which maintains an office in Pennsylvania; (iii) which has filed a timely election to be taxed as a regulated investment company with the Federal Government; and (iv) which duly qualifies to be taxed as a regulated investment company under the provisions of the Internal Revenue Code of 1954 as amended, shall be taxed as a regulated investment company and shall be subject to the capital stock or franchise tax imposed by section 602, except as provided in clause (2)(E) in either case for the privilege of having an office in Pennsylvania, which tax shall be computed pursuant to the provisions of this subsection in lieu of all other provisions of this section 602. The tax shall be in an amount which is the greater of the minimum tax set forth in subsection (i) or the sum of the amounts determined pursuant to clauses (1) and (2):

(1) The amount determined pursuant to this clause shall be seventy-five dollars (\$75) times that number which is the result of dividing the net asset value of the regulated investment company by one million, rounded to the nearest multiple of seventy-five dollars (\$75). Net asset value shall be determined by adding the monthly net asset values as of the last day of each month during the taxable period and dividing the total sum by the number of months involved. Each such monthly net asset value shall be the actual market value of all assets owned without any exemptions or exclusions, less all liabilities, debts and other obligations.

(2) The amount determined pursuant to this clause shall be the amount which is the result of multiplying the rate of taxation applicable for purposes of the personal income tax during the same taxable year times the apportioned undistributed personal income tax income of the regulated investment company. For the purposes of this clause:

(A) Personal income tax income shall mean income to the extent enumerated and classified in section 303.

(B) Undistributed personal income tax income shall mean all personal income tax income other than personal income tax income undistributed on account of the capital stock or foreign franchise tax, less all personal income tax income distributed to shareholders. At the election of the company, income distributed after the close of a taxable year, but deemed distributed during the taxable year for Federal income tax purposes, shall be deemed distributed during that year for purposes of this clause. If a company in a taxable year has both current income and income accumulated from a prior year, distributions during the year shall be deemed to have been made first from current income.

(C) Undistributed personal income tax income shall be apportioned to Pennsylvania by a fraction, the numerator of which is all income distributed during the taxable period to shareholders who are resident individuals, estates or trusts and the denominator of which is all income distributed during the taxable period. Resident trusts shall not include charitable, pension or profit-sharing, or retirement trusts.

(D) Personal income tax income and other income of a company shall each be deemed to be either distributed to shareholders or undistributed in the proportion each category bears to all income received by the company during the taxable year.

(E) No tax shall be imposed under this subsection for taxable years beginning on or after January 1, 2009.

\*\*\*

(h) The rate of tax for purposes of the capital stock and franchise tax for taxable years beginning within the dates set forth shall be as follows:

Taxable Year	Regular Rate	Surtax	Total Rate
January 1, 1971, to December 31, 1986	10 mills	0	10 mills
January 1, 1987, to December 31, 1987	9 mills	0	9 mills
January 1, 1988, to December 31, 1990	9.5 mills	0	9.5 mills
January 1, 1991, to December 31, 1991	11 mills	2 mills	13 mills
January 1, 1992, to December 31, 1997	11 mills	1.75 mills	12.75 mills
January 1, 1998, to December 31, 1998	11 mills	.99 mills	11.99 mills
January 1, 1999, [and each year thereafter] to December 31, 1999	10.99 mills	0	10.99 mills
January 1, 2000, to December 31, 2000	8.99 mills	0	8.99 mills
January 1, 2001, to December 31, 2001	7.99 mills	0	7.99 mills
January 1, 2002, to December 31, 2002	6.99 mills	0	6.99 mills
January 1, 2003, to December 31, 2003	5.99 mills	0	5.99 mills
January 1, 2004, to December 31, 2004	4.99 mills	0	4.99 mills
January 1, 2005, to December 31, 2005	3.99 mills	0	3.99 mills
January 1, 2006, to December 31, 2006	2.99 mills	0	2.99 mills
January 1, 2007, to December 31, 2007	1.99 mills	0	1.99 mills
January 1, 2008, to December 31, 2008	.99 mills	0	.99 mills
January 1, 2009, and each year thereafter	0	0	0

(i) The minimum amount of capital stock and franchise tax for the taxable years beginning within the dates set forth shall be as follows:

Taxable Year Beginning	Minimum Tax
January 1, 1971, to December 31, 1983	No minimum tax imposed
January 1, 1984, to December 31, 1990	\$75 minimum tax
January 1, 1991, to December 31, 1998	\$300 minimum tax
January 1, 1999, [and each taxable year thereafter] to December 31, 1999	\$200 minimum tax

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

**ARTICLE XXIX-B**

**HOMESTEAD REBATES**

Section 2901-B. Short Title.—This article shall be known and may be cited as the “Keystone Homestead Rebate Act.”

Section 2902-B. Definitions.—The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

“Assessor.” The chief assessor of the county, the equivalent position in a home rule county or the equivalent position in a city of the third class that performs its own assessments of real property.

“Department.” The Department of Revenue of the Commonwealth or its designee.

“Homestead.” The primary residence and the parcel of land within this Commonwealth on which the residence is located and other improvements located on the parcel, except that:

(1) If the person who owns the residence does not own the land, the homestead does not include the land on which the residence is located.

(2) If the residence is a unit in a condominium, as defined in 68 Pa.C.S. § 3103 (relating to definitions), or a cooperative, as defined in 68 Pa.C.S. § 4103 (relating to definitions), the homestead is the unit, the value of which shall be determined in a manner consistent with the assessment of real property taxes on units under 68 Pa.C.S. (relating to real and personal property) or as otherwise provided by law. If the unit is not separately assessed for real property taxes, the homestead's value shall be a pro rata share of the real property.

(3) If a portion of the structure is not used as the residence, the homestead is equal to the portion of the structure that is used as a residence.

This definition of "homestead" shall have no effect, evidentiary or otherwise, concerning the issue of whether the property constitutes a homestead or homestead property under any other act.

"Real property tax." The total real property tax imposed by a school district on a homestead for the tax year. The term does not include payments made in lieu of taxes or any penalties or interest paid in connection with the tax.

"Rebate." An amount equal to one hundred per cent of the real property tax paid on the assessed value of a homestead to a school district for the tax year, except that no rebate paid pursuant to this article shall exceed one hundred dollars (\$100).

"Residence." A structure used as a place of habitation by a resident.

"Resident." Any of the following:

(1) An individual who is a natural person domiciled in this Commonwealth.

(2) A grantor who has placed real property in a revocable trust, provided that the grantor is a natural person domiciled in this Commonwealth.

(3) A partner of a family farm partnership or a shareholder of a family farm corporation as the terms are defined in section 1101-C of Article XI-C, provided that the partner or shareholder is a natural person domiciled in this Commonwealth.

"School district." A school district of the first class, first class A, second class, third class or fourth class, including any independent school district.

"Tax year." The school district's fiscal year 1999-2000 during which real property tax is due and payable.

Section 2903-B. Rebate Qualifications.—(a) Subject to section 2904-B, a rebate shall be issued for a homestead if all of the following apply:

(1) The resident occupied the homestead during the tax year.

(2) The resident paid real property tax to a school district for the tax year.

(3) The resident is the owner of record as of July 1, 1999. A resident shall not receive more than one rebate.

(b) If title to a homestead is held by more than one individual, a rebate shall be issued in the names appearing on the local property tax record to be divided by the owners.

Section 2904-B. Rebate Administration.—(a) The department, on behalf of local taxing authorities, shall establish administrative procedures or policies, and regulations as necessary, to implement and administer this article. The department may enter into any contracts which are necessary to administer this article.

(b) Within thirty days of the effective date of this article, every assessor shall submit to the department a certified list, categorized by school district, of all residential and farm real property and owners of record within its jurisdiction. The certified list shall only include those owners of record who have fully paid their 1999-2000 real property tax.

(c) Only certified lists submitted within thirty days of the effective date of this article shall be reviewed by the department. The department shall make the initial eligibility determination by June 30, 2000, from information submitted by that date. The

department shall thereafter forward the reviewed list of residents to the assessors.

(d) Within thirty days after receipt of the reviewed list of residents, the assessor shall verify the list and report to the department any corrections to the list.

(e) The department shall make, as it deems necessary and appropriate, any corrections to the verified list and authorize rebates by August 31, 2000. The rebate shall be issued and mailed to all residents listed on the corrected verified list by October 20, 2000. If the assessor fails to verify the list or notify the department of any corrections within the time limitation set forth under subsection (d), the department shall authorize rebates to all residents that it recommended to the assessor.

Section 2905-B. Petitions for Review.—A resident whose rebate is either denied, corrected or otherwise adversely affected by either the department or the assessor may petition for administrative review in the manner prescribed by the department. An individual aggrieved by the department's action in connection with the administrative review may petition for review in the manner specified in sections 11.1 and 11.2 of the act of March 11, 1971 (P.L.104, No.3), known as the "Senior Citizens Rebate and Assistance Act."

Section 2906-B. Penalties.—Any resident who receives a rebate through false or misleading conduct or action shall be required to do all of the following:

(1) Refund to the department the amount of rebate received, plus simple interest computed at the rate provided in section 806 of the act of April 9, 1929 (P.L.343, No.176), known as "The Fiscal Code."

(2) Pay a civil penalty of fifty dollars (\$50) to the department.

Section 2907-B. Erroneous Rebates.—(a) If the department determines or finds a rebate to have been incorrectly or erroneously paid, it shall redetermine the correct amount of the rebate, if any, and notify the resident of the reason for the correction and the amount of the rebate.

(b) If a rebate has been issued in error and the resident fails to refund the rebate upon the department's request, the rebate shall be recoverable by the department in the same manner as assessments as provided for in section 338 of Article III.

Section 3. The amendment of section 602(b), (f), (h) and (i) of the act shall apply to taxable years beginning after December 31, 1999.

Section 4. This act shall take effect immediately.

On the question,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—198

Adolph	Egolf	Manderino	Sather
Allen	Evans	Mann	Saylor
Argall	Fairchild	Markosek	Schroder
Armstrong	Fargo	Marsico	Schuler
Baker	Feese	Masland	Scrimenti
Bard	Fichter	Mayernik	Semmel
Barley	Fleagle	McCall	Seyfert
Barrar	Flick	McGeehan	Shaner
Bastian	Forcier	McGill	Smith, B.
Battisto	Frankel	McIlhattan	Smith, S. H.
Bebko-Jones	Freeman	McIlhinney	Snyder
Belardi	Gannon	McNaughton	Solobay
Belanti	Geist	Melio	Staback
Benninghoff	George	Metcalfe	Stairs
Birmelin	Gigliotti	Michlovic	Steelman
Bishop	Gladeck	Micozzie	Steil
Blaum	Godshall	Miller, R.	Stern
Boyes	Gordner	Miller, S.	Stetler
Browne	Grucela	Mundy	Stevenson
Bunt	Gruitza	Myers	Strittmatter
Butkovitz	Habay	Nailor	Sturla
Buxton	Haluska	Nickol	Surra
Caltagirone	Harhai	O'Brien	Tangretti
Cappabianca	Harhart	Oliver	Taylor, E. Z.
Carn	Hasay	Orie	Taylor, J.

Casorio	Hennessey	Perzel	Thomas
Cawley	Herman	Pesci	Tigue
Chadwick	Hershey	Petrarca	Travaglio
Civera	Hess	Petrone	Trello
Clark	Horsley	Phillips	Trich
Clymer	Hutchinson	Pippy	Tulli
Cohen, L. I.	Jadlowiec	Pistella	Vance
Cohen, M.	Josephs	Platts	Van Horne
Colafella	Kaiser	Preston	Veon
Cornell	Keller	Ramos	Vitali
Corrigan	Kenney	Raymond	Walko
Costa	Kirkland	Readshaw	Waters
Coy	Krebs	Reinard	Williams
Curry	LaGrotta	Rieger	Wilt
Dailey	Laughlin	Roberts	Wogan
Daley	Lawless	Robinson	Wojnaroski
Dally	Lederer	Roebuck	Wright
DeLuca	Leh	Rohrer	Yewcic
Dempsey	Lescovitz	Rooney	Youngblood
Dermody	Levdansky	Ross	Yudichak
DeWeese	Lucy	Rubley	Zimmerman
DiGirolamo	Lynch	Ruffing	Zug
Donatucci	Maher	Sainato	
Druce	Maitland	Samuelson	Ryan,
Eachus	Major	Santoni	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-4

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

On the question recurring,

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

Mr. CURRY offered the following amendment No. A0458:

Amend Title, page 1, lines 1 and 2, by striking out all of said lines and inserting

Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," providing for school district property tax exemption to certain senior citizens, widows, widowers and permanently disabled persons with limited incomes, for in-lieu-of-tax payments and for State reimbursement.

Amend Bill, page 1, lines 5 through 17; pages 2 through 5, lines 1 through 30 and page 6, lines 1 through 8, by striking out all of said lines on said pages and inserting

Section 1. The act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, is amended by adding an article to read:

ARTICLE VI-A.

REAL PROPERTY TAX EXEMPTION

Section 601-A. Short Title of Article.—This article shall be known and may be cited as the Senior Citizen School Real Property Tax Exemption Act.

Section 602-A. Declaration of Policy.—In recognition of the severe economic plight of senior citizens, widows, widowers and permanently disabled persons who are real property owners with fixed and limited incomes and who are faced with rising living costs and

constantly increasing taxes which threaten their homesteads and self-sufficiency, the General Assembly, pursuant to section 2(b)(iii) of Article VIII of the Constitution of Pennsylvania, considers it to be a matter of sound public policy to exempt such property owners from certain school district taxes to enable them to remain in peaceable possession of their homes and relieve their economic burdens.

Section 603-A. Definitions.—As used in this article,

"Claimant" shall mean a person who files a claim for real property tax exemption and was sixty-five (65) years of age or older, or whose spouse, if a member of the household, was sixty-five (65) years of age or older, during a calendar year in which real property taxes were due and payable or was a widow or widower and was fifty (50) years of age or older during a calendar year in which real property taxes were due and payable, or was a permanently disabled person eighteen (18) years of age or older during a calendar year in which real property taxes were due and payable.

"Homestead" shall mean an owned dwelling and as much of the land surrounding it as is reasonably necessary for use of the dwelling as a home occupied by a claimant. A homestead shall also include premises occupied by reason of ownership in a cooperative housing corporation, mobile homes which are assessed as realty for local real property tax purposes and the land, if owned by the claimant, upon which the mobile home is situated and other similar living accommodations, as well as a part of a multidwelling or multipurpose building and a part of the land upon which it is built. The term includes premises occupied by reason of the claimant's ownership of a dwelling located on land owned by a nonprofit incorporated association, of which the claimant is a member, if the claimant is required to pay a pro rata share of the real property taxes levied against the association's land. The term also includes premises occupied by a claimant if the claimant is required by law to pay a real property tax by reason of his ownership, including a possessory interest, in the dwelling, the land or both. An owner includes a person in possession under a contract of sale, deed of trust, life, estate, joint tenancy or tenancy in common or by reason of statutes of descent and distribution.

"Household income" shall mean household income defined in the act of March 11, 1971 (P.L.104, No.3), known as the "Senior Citizens Rebate and Assistance Act."

"Permanently disabled person" shall mean a person who is unable to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to continue indefinitely.

"Real property taxes" shall mean all school district taxes on a homestead, exclusive of municipal assessments, delinquent charges and interest, due and payable during a calendar year.

"Widow" or "widower" shall mean the surviving wife or the surviving husband, as the case may be, of a deceased individual and who has not remarried.

Section 604-A. Property Tax Exemption.—(a) The amount of any claim for real property tax exemption shall be determined in accordance with the following schedule:

Household Income	Percentage of Real Estate Tax Exemption
\$ 0 - \$14,999	100%
15,000 - 19,999	90%
20,000 - 24,999	75%
25,000 - 29,999	60%
30,000 - 34,999	40%
35,000 - 39,999	20%

(b) The claimant must file claim for exemption with the taxing school district within two (2) months of receipt of a real property tax bill.

(c) Income for a claim of exemption shall be the income of the prior calendar year.

(d) If a homestead is owned and occupied by an eligible claimant for only a portion of a year, the school district shall apportion the real estate taxes in accordance with the period for which the claimant was eligible.



Section 605-A. In-Lieu-of-Tax Payment.—All claimants filing a claim for exemption shall include an in-lieu-of-tax payment of one per centum of the household income used in making such claim.

Section 606-A. Proof of Claim.—School districts may require proof of claim as required in the act of March 11, 1971 (P.L.104, No.3), known as the “Senior Citizens Rebate and Assistance Act.”

Section 607-A. Incorrect Claim.—Whenever a school district finds a claim to be incorrectly determined, the school district shall redetermine the correct amount of the claim and notify the claimant of the reason for the redetermination and the amount of the correct claim.

Section 608-A. Fraudulent Claim.—(a) In any case in which a claim is excessive and was filed with fraudulent intent, the claim shall be disallowed in full and a penalty of twenty-five per centum of the amount claimed shall be imposed. The penalty and the amount of the disallowed claim, if the claim has been paid, shall bear interest at the rate of one-half of one per centum per month from the date of the claim until repaid.

(b) The preparation of or filing of a fraudulent claim shall be a misdemeanor, punishable by a fine of not more than one thousand (\$1,000) dollars or a term of imprisonment of not more than one year, or both.

(c) A claim shall be disallowed if the claimant received title to the homestead primarily for the purpose of receiving a real property tax exemption.

Section 609-A. State Reimbursement.—All school districts shall report to the Department of Revenue the amount of exemptions granted under this article less any in lieu of tax payments received, within three months of granting such exemptions. The Commonwealth shall pay the full amount of such exemptions less any in lieu of tax payments received to the school district within sixty (60) days of the report. The Commonwealth payment shall be for real property tax exemption only. No administrative costs shall be reimbursed.

Section 610-A. Regulations.—The Secretary of Revenue may promulgate such rules and regulations as necessary to administer this article.

Section 611-A. Application.—Exemption shall begin with the school district real estate taxes due on or after July 1 next succeeding the effective date of this article.

Section 2. This act shall take effect July 1, 2000.

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

The SPEAKER. On the question of the adoption of the amendment, Mr. Curry.

Mr. PERZEL. Mr. Speaker?

The SPEAKER. Will the gentleman yield.

Does the gentleman, Mr. Curry, the proponent of this amendment, care to be recognized? This is going to be debated.

The gentleman, Mr. Curry.

Mr. CURRY. Thank you, Mr. Speaker.

Mr. Speaker, this amendment replaces the \$100 one-time-only rebate for all homeowners with a real exemption for those most in need — our elderly and disabled on fixed income. This amendment would exempt elderly and disabled homeowners making under \$15,000 from their entire school real estate tax bill. To receive this \$100 exemption, they would pay an in-lieu-of-tax payment of 1 percent of their income, an amount that would be about \$150. Those making over \$15,000 up to \$40,000 would receive an exemption on a sliding scale. Again an in-lieu-of-tax payment of 1 percent would be required to receive the exemption, but again, to do that it is optional.

Why are we giving everyone just the \$100 and a one-time-only when we can address a real property tax need on an ongoing basis?

I urge your support for this amendment.

The SPEAKER. On the question of the adoption of the amendment, the Chair recognizes the gentleman, Mr. Perzel.

Mr. PERZEL. Mr. Speaker, first, I would like to mention that this does away with the \$330-million rebate for all of the homeowners in the Commonwealth of Pennsylvania, it does away with the personal income tax credit for working families in Pennsylvania, and it does away with the capital stock and franchise tax that was currently cut in the original bill.

And I just wanted to ask one question before I am done, Mr. Speaker. According to the way I am reading this, of the gentleman, it says a 1-percent tax on income including pensions, annuities, and one-half of Social Security income. Is that an additional tax that we are placing on with this amendment?

The SPEAKER. Mr. Curry, do you agree to stand for interrogation?

Mr. CURRY. Yes.

The SPEAKER. You may reply.

Mr. CURRY. Thank you, Mr. Speaker.

That is an optional choice. If the tax, if the property tax is so burdensome — for example, a homeowner is paying \$3,000 on an income of \$15,000 — and their income was \$15,000, they might well opt for a 1-percent tax on that \$15,000 income.

Mr. PERZEL. Mr. Speaker, if we are correct here then, if I qualified under your plan, then I would have to pay a 1-percent tax in lieu of household income used in making such a claim. So I would owe 1 percent to—

Mr. CURRY. If you opted to take advantage of the program, you would. If you chose not to, you would not have to. It is optional whether you ask for that relief or not, but if you accept the relief, you pay that 1-percent tax on your income.

Mr. PERZEL. Okay. The potential then is to pay another 1-percent tax.

But, Mr. Speaker, I will go back to my original statement, and that was that the rebate is being stripped out, the \$100 for every homeowner in the Commonwealth of Pennsylvania; the personal income tax credit is being stripped out, and the elimination of the capital stock and franchise or the cut in the capital stock and franchise tax.

So I would have to ask the members for a “no” vote at this point in time, 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—61

Bebko-Jones	Donatucci	McGeehan	Shaner
Belardi	Evans	Melio	Staback
Belfanti	Frankel	Michlovic	Sturla
Bishop	Freeman	Myers	Tangretti
Butkovitz	Gigliotti	Oliver	Thomas
Caltagirone	Haluska	Petrarca	Tigue
Carn	Harhai	Petrone	Travaglio
Cohen, M.	Horsey	Pistella	Trello
Colafella	Josephs	Preston	Trich
Corrigan	Keller	Ramos	Veon

Costa	Kirkland	Rieger	Vitali
Curry	Laughlin	Roberts	Walko
Daley	Lederer	Robinson	Waters
DeLuca	Levdansky	Roebuck	Wojnaroski
Dermody	Manderino	Scrimenti	Youngblood
DeWeese			

NAYS—136

Adolph	Feese	Markosek	Sather
Allen	Fichter	Marsico	Saylor
Argall	Fleagle	Masland	Schroder
Armstrong	Flick	Mayernik	Schuler
Baker	Forcier	McCall	Semmel
Bard	Gannon	McGill	Seyfert
Barley	Geist	McIlhattan	Smith, B.
Barrar	George	McIlhinney	Smith, S. H.
Bastian	Gladeck	McNaughton	Snyder
Battisto	Godshall	Metcalfe	Sojobay
Benninghoff	Gordner	Micozzie	Stairs
Birmelin	Grucela	Miller, R.	Steelman
Blaum	Gruitza	Miller, S.	Steil
Boyes	Habay	Mundy	Stern
Browne	Harhart	Nailor	Stetler
Bunt	Hasay	Nickol	Stevenson
Buxton	Hennessey	O'Brien	Strittmatter
Cappabianca	Herman	Orie	Surra
Casorio	Hershey	Perzel	Taylor, E. Z.
Cawley	Hess	Pesci	Taylor, J.
Chadwick	Hutchinson	Phillips	Tulli
Civera	Jadlowiec	Pippy	Vance
Clark	Kaiser	Platts	Van Horne
Clymer	Kenney	Raymond	Williams
Cohen, L. I.	Krebs	Readshaw	Wilt
Cornell	LaGrotta	Reinard	Wogan
Coy	Lawless	Rohrer	Wright
Dailey	Leh	Rooney	Yewcic
Dally	Lescovitz	Ross	Yudichak
Dempsey	Lucyk	Rubley	Zimmerman
DiGirolamo	Lynch	Ruffing	Zug
Druce	Maher	Sainato	
Egolf	Maitland	Samuelson	Ryan,
Fairchild	Major	Santoni	Speaker
Fargo	Mann		

NOT VOTING—1

Eachus

EXCUSED—4

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

GUESTS INTRODUCED

The SPEAKER. The Chair interrupts deliberations for a moment to welcome to the hall of the House Mr. Harry Patton; Dr. Carol Patton, a certified registered nurse practitioner; Seth Patton and Sam Patton, here today as the guests of the Democratic floor leader, Mr. DeWeese. They are seated to the left of the Speaker. Would the guests please rise.

CONSIDERATION OF HB 2263 CONTINUED

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

The SPEAKER. The Chair recognizes the gentleman, Mr. Evans, who offers the following amendment, which the clerk will now read.

It is the understanding Mr. Evans has withdrawn all amendments? I have 485, 486, and 487.

It is the understanding of the Chair that the gentleman, Mr. Grucela, is offering the amendment, being 487, in lieu of Mr. Evans.

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

Mr. GRUCELA offered the following amendment No. A0487:

Amend Title, page 1, lines 1 and 2, by striking out all of said lines and inserting

Providing for the establishment of the School Real Property Tax Reduction Fund in the Treasury Department to be used for reducing school district real property taxes; and imposing powers and duties on the Department of Education.

Amend Bill, page 1, lines 5 through 17; pages 2 through 5, lines 1 through 30 and page 6, lines 1 through 8, by striking out all of said lines on said pages and inserting

Section 1. Short title.

This act shall be known and may be cited as the School Real Property Tax Reduction Act.

Section 2. Findings and purpose.

(a) Legislative findings.—The General Assembly finds that:

(1) The Commonwealth's proportionate share of funding for public education has significantly declined over the last two decades.

(2) During the same period, the costs and demands of public education have substantially increased.

(3) This trend is causing escalation in the expenditure of local public funds, which are primarily derived from real property taxes.

(4) As a result, the average Commonwealth family has to shoulder an ever-increasing property tax burden.

(b) Purpose.—The General Assembly declares that it is a valid and appropriate public purpose to reduce the school real property tax burden on homeowners.

Section 3. Definitions.

The following words and phrases when used in this act shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Allowable inflation adjustment factor." The product of:

(1) the school real property tax equivalent for the immediate prior year; and

(2) the established growth factor.

"Base year tax." The total districtwide property tax billings in a school district for a school district fiscal year beginning after June 30, 1999, and before July 1, 2000.

"Department." The Department of Education of the Commonwealth.

"Domicile." The place where one lives and has his permanent home and to which he has the intention of returning whenever he is absent. Actual residence is not necessarily domicile, for domicile is the fixed place of abode which, in the intention of the taxpayer, is

permanent rather than transitory. Domicile is the voluntarily fixed place of habitation of a person, not for a mere special or limited purpose, but with the present intention of making a permanent home, until some event occurs to induce him to adopt some other permanent home.

“Established growth factor.” The lesser of:

- (1) the annual percentage change in the Statewide average weekly wage as determined by the Department of Labor and Industry under section 105.1 of the act of June 2, 1915 (P.L.736, No.338), known as the Workers’ Compensation Act; or
- (2) five percent.

“Farm residence.” The structure on the farm that is used as a primary residence.

“Fund.” The School Real Property Tax Reduction Fund established in section 4.

“Homestead.” Real property which meets one or more of the following:

- (1) Is the parcel containing the structure used as the domicile of the owner.
- (2) Is the portion of a multiple-use property which is used as the domicile of the owner.
- (3) Is the parcel containing the farm residence which is used as the domicile of the owner or of an immediate family member.
- (4) Is a unit in a condominium as the term is defined in 68 Pa.C.S. § 3103 (relating to definitions) and the unit is primarily used as the domicile of a natural person who is an owner of the unit; or is a unit in a cooperative as the term is defined in 68 Pa.C.S. § 4103 (relating to definitions) and the unit is primarily used as the domicile of a natural person who is an owner of the unit. The homestead for a unit in a condominium or a cooperative shall be limited to the assessed value of the unit, which shall be determined in a manner consistent with the assessment of real property taxes on those units under 68 Pa.C.S. (relating to real and personal property) or as otherwise provided by law. If the unit is not separately assessed for real property taxes, the homestead shall be a pro rata share of the real property.

“Property tax billings.” The property tax liability at the flat rate for the school district’s current year appearing on the tax notices mailed to the owners of real property who are listed on the assessment rolls of the school district. For purposes of this definition the term “flat rate” shall mean the amount of property tax billed before any penalty or discount is applied.

“School district.” A school district as defined in section 102 of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949.

“School real property tax equivalent.” For any school district, the sum of:

- (1) the districtwide school property tax billings; and
- (2) the amount which the Commonwealth distributes to that school district for real property tax reduction under section 5.

#### Section 4. School Real Property Tax Reduction Fund.

(a) Establishment.—There is hereby established in the State Treasury a special fund to be known as the School Real Property Tax Reduction Fund to be used solely to make annual payments to school districts which satisfy the requirements of this act.

(b) Utilization of fund.—Funds appropriated to the fund shall be used solely for payments to school districts. School districts shall spend all payments from the fund for the sole purpose of reducing the property tax liability of homestead property owners. School districts shall not use any payments from the fund for expenses related to the administration of the real property tax system.

(c) Source of fund.—

- (1) The State Treasurer shall transfer the sum of \$400,000,000 from the General Fund into the fund.
- (2) The fund shall receive such annual appropriations as may be made by the General Assembly. Any appropriation made to the fund shall not lapse.

(d) Insufficient revenue.—If in any year the amount of money in the fund is insufficient to provide full reimbursement to each filing school district, the department shall reduce the amount of payment to each school district on a pro rata basis.

#### Section 5. Distribution and reconciliation.

(a) Application procedure and due dates.—

(1) For school district fiscal years beginning after June 30, 1999, school districts may apply on a form to the department for reimbursement of the revenue lost from reducing property tax billings under this act. To qualify for the reimbursement, school districts shall timely apply by the last day of their fiscal year upon which the reimbursement is based. An application postmarked on the last day of the school district’s fiscal year shall meet a timely application. The department shall reimburse school districts for the reduction in property tax billings permitted under this act by the last day of the second month after the beginning of the school district’s immediately following fiscal year.

(2) School districts shall apply for annual distributions on forms to be provided by the department. The department shall promulgate regulations which set forth the information that school districts must provide on the forms in order to qualify under this act.

(b) Distribution.—

(1) The department shall make disbursements to school districts from the fund for the purpose of reducing total districtwide property tax billings on homesteads by 10% of the base year tax on homesteads. The school district shall apply such disbursement as a credit against property tax billings on homesteads in the school district’s immediately following fiscal year.

(2) Each year the Governor shall submit as part of the budget request to the General Assembly required under section 613 of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, a maintenance proposal for the fund.

For each school district fiscal year, the department shall make disbursements to school districts from the fund for the purpose of reducing total districtwide property tax billings.

(c) Property tax reduction.—

(1) School districts shall reduce taxes as directed in subsection (b) by exempting from the property tax on homesteads an amount which does not exceed one-half of the median assessed value of all homestead property within the school district.

(2) The school district shall separately and clearly state the credit on homestead property tax bills and shall clearly state on such bill that:

The Commonwealth of Pennsylvania has provided replacement revenue to your school district for purposes of reducing your school district property taxes.

#### Section 6. Limitations.

(a) Limitation of future revenue increases.—A school district shall forfeit the right to receive distributions from the fund in any fiscal year when the school district experiences an increase in property tax revenue which exceeds the allowable inflation adjustment factor because the school district:

- (1) increases the real property tax rate; or
- (2) levies taxes on newly established real property values following countywide reassessment.

(b) Exception to limitation of future revenue increases.—The limit on revenue increases under subsection (a) shall not apply to increases in the real property tax rate if the school district raises the tax rate for any of the following reasons:

- (1) To respond to or recover from an emergency or disaster declared pursuant to 35 Pa.C.S. § 7301 (relating to general authority of Governor or 75 Pa.C.S. § 6108 (relating to

power of Governor during emergency), only for the duration of the emergency or disaster and for the costs of the recovery from the emergency or disaster.

(2) To implement a court order or an administrative order from a Federal or State agency which requires the expenditure of funds in excess of current available revenues. The rate increase shall be rescinded following fulfillment of the court order or administrative order.

(3) To implement any increase in real property tax rates approved by the electorate.

#### Section 7. Regulations.

The department shall promulgate regulations necessary to implement this act.

#### Section 8. Repeals.

All acts and parts of acts are repealed insofar as they are inconsistent with this act.

#### Section 9. Effective date.

This act shall take effect immediately.

On the question,

Will the House agree to the amendment?

### PARLIAMENTARY INQUIRY

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

Conferences in the vicinity of the gentleman, Mr. Grucela, please break up. Please.

Mr. Grucela.

Mr. GRUCELA. Thank you, Mr. Speaker.

Mr. Speaker, I do have a question first. Does the amendment affect the other parts of the bill?

The SPEAKER. The Parliamentarian advises me that if your amendment is successful, it will strip from the bill the amendments earlier inserted in the bill, the amendment of Mrs. Harhart and the amendment of Mr. McNaughton.

### AMENDMENT WITHDRAWN

Mr. GRUCELA. Mr. Speaker, given that ruling, my intent was to just address the rebate. So I would withdraw this amendment.

Can I speak to the issue?

The SPEAKER. The amendment is withdrawn.

The gentleman seeks unanimous consent to make a brief statement. The gentleman is recognized.

Mr. GRUCELA. Thank you, Mr. Speaker, and I will be brief.

I am naturally delighted to see the Governor and most of us on board for a property tax rebate. However, I would like to see this more permanent and therefore would like to offer another amendment. So if I may ask for a suspension of the rules?

The SPEAKER. Do we have a copy of that amendment, Mr. Grucela? What is the number of it?

Mr. GRUCELA. 705.

The SPEAKER. Yes. You may make a motion to suspend the rules for us to immediately consider the amendment, A705.

The gentleman, Mr. Grucela.

Mr. GRUCELA. Mr. Speaker, would I be in order to make a brief statement about this amendment?

The SPEAKER. You really should move to suspend the rules first—

Mr. GRUCELA. Okay.

The SPEAKER. —and in that motion or the debate on the question, which I am sure Mr. DeWeese will yield to you for, you can make a short statement then as to what is in the amendment, but you cannot get into the substance of a full-blown debate. You can advise us what the amendment would do but not debate it wholly.

Mr. GRUCELA. Fine. Thank you.

Basically, this amendment—

### MOTION TO SUSPEND RULES

The SPEAKER. The gentleman, Mr. Grucela, moves that the rules of the House be suspended to permit him to immediately offer amendment A705.

On the question,

Will the House agree to the motion?

The SPEAKER. On the question of suspension of the rules, the Chair recognizes the gentleman, Mr. Grucela.

The Chair is under the assumption that Mr. DeWeese yields to you, the leader's prerogative. Maybe not.

### LEAVE OF ABSENCE CANCELED

The SPEAKER. The Chair returns to leaves of absence and notes the presence on the floor of the House of the lady, Mrs. True. She should be added to the master roll call.

### CONSIDERATION OF HB 2263 CONTINUED

Mr. GRUCELA. Thank you, Mr. Speaker.

The SPEAKER. Mr. Grucela.

Mr. GRUCELA. Mr. Speaker, as I had stated earlier, again, I am very happy that we are addressing the property tax issue, and I am not against any rebate for any of the homeowners in the State of Pennsylvania. However, I believe this amendment would do a little better. This amendment would mandate the school districts to cut their property taxes by 10 percent this year, and the Governor would be required to address yearly in the State budget a subsequent appropriation. I believe giving it to the school districts, Mr. Speaker, would be a more efficient and a less complicated manner, not to mention that I believe it would be cheaper administratively to administer such a rebate. So therefore, Mr. Speaker, I offer this amendment. Thank you.

The SPEAKER. The gentleman, Mr. Grucela, has moved that the rules of the House be suspended.

On the question of suspension of the rules, Mr. Perzel.

Mr. PERZEL. Mr. Speaker, it goes back to what you believe in philosophically. We believe that each individual taxpayer, each homeowner, should get the rebate and not the school districts throughout the Commonwealth of Pennsylvania. I would just like to use mine as a quick example, Mr. Speaker. Last Tuesday in the paper they said they were anywhere from \$135 million to \$300 million in the hole, but they did not know because they could not print the budget out. I do not think that we should be sending this money back to school districts that do not even know whether or not they are short or not.

I think the people should get the money, not the school districts. So I would ask for a "no" vote on the suspension of the rules.

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

The following roll call was recorded:

## YEAS—95

Battisto	Evans	Mayernik	Scrimenti
Bebko-Jones	Frankel	McCall	Shaner
Belardi	Freeman	McGeehan	Solobay
Belfanti	George	Melio	Staback
Bishop	Gigliotti	Michlovic	Stetler
Blaum	Gordner	Mundy	Sturla
Butkovitz	Grucela	Myers	Surra
Buxton	Gruitza	Oliver	Tangretti
Caltagirone	Haluska	Pesci	Thomas
Cappabianca	Harhai	Petrarca	Tigue
Cam	Horsey	Petrone	Travaglio
Casorio	Josephs	Pistella	Trello
Cohen, M.	Kaiser	Preston	Trich
Colafiglia	Keller	Ramos	Van Horne
Corrigan	Kirkland	Readshaw	Veon
Costa	LaGrotta	Rieger	Vitali
Coy	Laughlin	Roberts	Walko
Curry	Lederer	Robinson	Waters
Daley	Lescovitz	Roebuck	Williams
DeLuca	Levdansky	Rooney	Wojnaroski
Dermody	Lucyk	Ruffing	Yewcic
DeWeese	Manderino	Sainato	Youngblood
Donatucci	Mann	Samuelson	Yudichak
Eachus	Markosek	Santoni	

## NAYS—104

Adolph	Fairchild	Major	Schroder
Allen	Fargo	Marsico	Schuler
Argall	Feese	Masland	Semmel
Armstrong	Fichter	McGill	Seyfert
Baker	Fleagle	McLhattan	Smith, B.
Bard	Flick	McLhinney	Smith, S. H.
Barley	Forcier	McNaughton	Snyder
Barrar	Gannon	Metcalfe	Stairs
Bastian	Geist	Micozzie	Steelman
Benninghoff	Gladeck	Miller, R.	Steil
Birmelin	Godshall	Miller, S.	Stern
Boyes	Habay	Nailor	Stevenson
Browne	Harhart	Nickol	Strittmatter
Bunt	Hasay	O'Brien	Taylor, E. Z.
Cawley	Hennessey	Orie	Taylor, J.
Chadwick	Herman	Perzel	True
Civera	Hershey	Phillips	Tulli
Clark	Hess	Pippy	Vance
Clymer	Hutchinson	Platts	Wilt
Cohen, L. I.	Jadlowiec	Raymond	Wogan
Cornell	Kenney	Reinard	Wright
Dailey	Krebs	Rohrer	Zimmerman
Dally	Lawless	Ross	Zug
Dempsey	Leh	Rubley	
DiGirolamo	Lynch	Sather	Ryan,
Druce	Maher	Saylor	Speaker
Egolf	Maitland		

## NOT VOTING—0

## EXCUSED—3

Hanna	James	Washington
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Less than a majority of the members required by the rules 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?

## RULES SUSPENDED

The SPEAKER. The Chair recognizes the gentleman from Berks, Mr. Rohrer.

Mr. ROHRER. Mr. Speaker, I move that the rules of the House be suspended to permit me to offer amendment A0733.

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

The SPEAKER. On the question of suspension of the rules, the gentleman, Mr. Perzel, yields to the gentleman, Mr. Rohrer. Mr. Rohrer is recognized on the question.

Mr. Rohrer, describe your amendment briefly but do not argue it as in debate.

Mr. ROHRER. Thank you, Mr. Speaker.

The amendment briefly affects the McNaughton amendment and simply reduces in earlier fashion the capital stock and franchise tax.

The SPEAKER. On the question of suspension of the rules, Mr. DeWeese.

Mr. DeWEESE. Could I ask for a 30-second recess? Thank you.

The SPEAKER. The House will stand at ease.

Mr. DeWEESE. Mr. Speaker?

The SPEAKER. The gentleman, Mr. DeWeese, on the question of suspension of the rules.

Mr. DeWEESE. Relative to the suspension of the rules, I am under the impression that some of my caucus if not most of my caucus have not seen the amendment. Would it be possible if the gentleman were to explain the lineaments of his effort, please?

The SPEAKER. Without objection, the gentleman—note that I say “without objection”—the gentleman may proceed to explain in greater detail his amendments.

Mr. ROHRER. Okay. Thank you, Mr. Speaker.

The change is very, very simple. It affects only that portion of the McNaughton amendment that deals with the phaseout of the capital stock and franchise. His amendment phases it out in 10 years; this amendment phases it out in 4 years.

Mr. DeWEESE. Thank you, Mr. Speaker.

The SPEAKER. On the question of suspension—

Mr. DeWEESE. Mr. Speaker, I would—

The SPEAKER. I am sorry, Mr. DeWeese.

Mr. DeWEESE. I would like to join my colleague as we try to promote business in our State and work across the aisle in a bipartisan fashion. I am for the gentleman's amendment. I think it is good for business and good for Pennsylvania. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—196

Adolph	Egolf	Markosek	Saylor
Allen	Evans	Marsico	Schroder
Argall	Fairchild	Masiand	Schuler
Armstrong	Fargo	Mayernik	Scrimenti
Baker	Feese	McCall	Semmel
Bard	Fichter	McGeehan	Seyfert
Barley	Fleagle	McGill	Shaner
Barrar	Flick	McIlhattan	Smith, B.
Bastian	Forcier	McIlhinney	Smith, S. H.
Battisto	Frankel	McNaughton	Snyder
Bebko-Jones	Freeman	Melio	Solobay
Belardi	Gannon	Metcalfe	Staback
Belfanti	Geist	Michlovic	Stairs
Benninghoff	George	Micozzie	Steil
Birmelin	Gigliotti	Miller, R.	Stem
Bishop	Gladeck	Miller, S.	Stetler
Blaum	Godshall	Mundy	Stevenson
Boyes	Grucela	Myers	Strittmatter
Browne	Gruitza	Nailor	Sturla
Bunt	Habay	Nickol	Surra
Butkovitz	Haluska	O'Brien	Tangretti
Buxton	Harhai	Oliver	Taylor, E. Z.
Caltagirone	Harhart	Orie	Taylor, J.
Cappabianca	Hasay	Perzel	Thomas
Carn	Hennessey	Pesci	Tigue
Casorio	Herman	Petrarca	Travaglio
Cawley	Hershey	Petrone	Trello
Chadwick	Hess	Phillips	Trich
Civera	Horsey	Pippy	True
Clark	Hutchinson	Pistella	Tulli
Clymer	Jadlowiec	Platts	Vance
Cohen, L. I.	Josephs	Preston	Van Horne
Cohen, M.	Kaiser	Ramos	Veon
Colafrella	Keller	Raymond	Vitali
Cornell	Kenney	Readshaw	Walko
Corrigan	Kirkland	Reinard	Waters
Costa	LaGrotta	Rieger	Williams
Coy	Laughlin	Roberts	Wilt
Curry	Lawless	Robinson	Wogan
Dailey	Lederer	Roebuck	Wojnarowski
Daley	Leh	Rohrer	Wright
Dally	Lescovitz	Rooney	Yewcic
DeLuca	Levdansky	Ross	Youngblood
Dempsey	Lucyk	Rubley	Yudichak
Dermody	Lynch	Ruffing	Zimmerman
DeWeese	Maher	Sainato	Zug
DiGirolamo	Maitland	Samuelson	
Donatucci	Major	Santoni	Ryan,
Druce	Manderino	Sather	Speaker
Eachus	Mann		

NAYS—3

Gordner	Krebs	Steelman
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NOT VOTING—0

EXCUSED—3

Hanna	James	Washington
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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. ROHRER offered the following amendment No. A0733:

Amend Sec. 1 (Sec. 602), page 3, lines 56 through 59; page 4, lines 1 through 16 (A0465), by striking out all of said lines on said pages and inserting

<u>January 1, 2000,</u>			
<u>to December 31, 2000</u>	<u>8.75 mills</u>	<u>0</u>	<u>8.75 mills</u>
<u>January 1, 2001,</u>			
<u>to December 31, 2001</u>	<u>6.50 mills</u>	<u>0</u>	<u>6.50 mills</u>
<u>January 1, 2002,</u>			
<u>to December 31, 2002</u>	<u>4.25 mills</u>	<u>0</u>	<u>4.25 mills</u>
<u>January 1, 2003,</u>			
<u>to December 31, 2003</u>	<u>2 mills</u>	<u>0</u>	<u>2 mills</u>
<u>January 1, 2004, and</u>			
<u>each year thereafter</u>	<u>0</u>	<u>0</u>	<u>0</u>

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

PARLIAMENTARY INQUIRY

The SPEAKER. On the question of the adoption of the amendment, Mr. Gordner.

Mr. GORDNER. Thank you, Mr. Speaker.

Is there a fiscal note for this amendment?

The SPEAKER. The Chair is advised there is no fiscal note available for this amendment. However, with the last vote we suspended the rules to permit the amendment to be considered immediately. So a fiscal note is waived by suspension of the rules.

Mr. GORDNER. Mr. Speaker, just a clarification of—

The SPEAKER. Mr. Gordner.

Mr. GORDNER. I understood that we just voted to suspend the rules to consider the amendment. I did not know that we then suspended every other House rule in our House rule book.

The SPEAKER. No; we did not. My recollection, without looking it up — I will ask the Parliamentarian to do it — is that the fiscal note must be attached before a vote can be taken, if there are fiscal implications, on an amendment such as this one. However, when we suspend the rules to allow it to be immediately taken, then that condition precedent has also been suspended. We have done that time after time after time on the floor over many years.

Mr. GORDNER. Okay. Just again so I understand, Mr. Speaker, I think the fiscal note is rule 19, and so I thought that the suspension of the rule was so that we could immediately consider the amendment because it was not timely filed.

The SPEAKER. But if we were to pay attention to 19, we would not be allowed to vote the amendment. So that, too, had to be suspended; that rule had to also be suspended.

Mr. GORDNER. Thank you, Mr. Speaker.

Mr. DeWEESE. Mr. Speaker?

The SPEAKER. Mr. DeWeese.

Mr. DeWEESE. For the edification of the House, could we have the precedent that allows for the ruling just enunciated?

The SPEAKER. Other than custom and usage, which is a precedent?

Mr. DeWEESE. Not to be—

The SPEAKER. We have done this time and time again. I am sure we can find something, but I do not have anything right at my fingertips. It just seems so simple.

Mr. DeWEESE. Thank you, Mr. Speaker.  
 It would be helpful in the future if the Parliamentarian could allow, because I think other members of the Assembly feel the way Mr. Gordner feels, and it would be helpful if it were made more clear subsequent to today's debate.

The SPEAKER. Thank you. I will see to it.

Mr. Gordner, do you have something further?

Mr. GORDNER. Yes. I would like to interrogate the maker of the amendment.

The SPEAKER. The gentleman, Mr. Rohrer, indicates he will stand for interrogation. You may begin.

Mr. GORDNER. Thank you, Mr. Speaker, and it is difficult because the amendment is on our screen but we do not have it on paper.

In this amendment you eliminate the capital stock and franchise tax over 4 years. Do you know what the tax implications are for each of those 4 years as to how much the State will be losing in revenue?

Mr. ROHRER. The percentage is 2-point, like—

The SPEAKER. The gentleman will yield.

Mr. Rohrer.

Mr. ROHRER. It works out to about \$260 million per year. We are talking 11 mills that comprises the current capital stock and franchise. This takes it out evenly in 3 years, leaving a balance of 2 mills on the fourth year. So it is about \$260 million per year ending up with the residue on the fourth year.

Mr. GORDNER. Okay. And under the McNaughton amendment we were eliminating, I think, 1 mill per year over a 10-year period, and do you know offhand how much that would be, 1 mill?

Mr. ROHRER. Well, 1 mill is about \$130-some million per mill.

Mr. GORDNER. Okay.

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

The SPEAKER. The Chair thanks the gentleman.

On the question of the adoption of the amendment, those in favor will vote "aye"— Mr. Rohrer, do you seek—

Mr. ROHRER. Just a couple comments, I think.

The SPEAKER. The gentleman is recognized.

Mr. ROHRER. Thank you, Mr. Speaker.

The reason for offering this amendment I think goes without saying. Most of us understand that the capital stock and franchise is probably the most onerous tax that we have on our small- and mid-sized businesses within the State. The concern that I have with the 10 years is that it becomes so far out that our business people cannot plan for it, cannot really plan for the benefits of it, and really stretches it out so far that in reality, it may not happen. Four years makes it reasonable, doable, and also something that somebody can plan upon.

So that is the reason for it; it is simple, and I think it speaks on its face. I thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—199

Adolph	Evans	Mann	Saylor
Allen	Fairchild	Markosek	Schroder

Argall	Fargo	Marsico	Schuler
Armstrong	Feese	Masland	Scrimenti
Baker	Fichter	Mayernik	Semmel
Bard	Fleagle	McCall	Seyfert
Barley	Flick	McGeehan	Shaner
Barrar	Forcier	McGill	Smith, B.
Bastian	Frankel	McIlhattan	Smith, S. H.
Battisto	Freeman	McIlhinney	Snyder
Bebko-Jones	Gannon	McNaughton	Solobay
Belardi	Geist	Melio	Staback
Belfanti	George	Metcalfe	Stairs
Benninghoff	Gigliotti	Michlovic	Steelman
Birmelin	Gladeck	Micozzie	Steil
Bishop	Godshall	Miller, R.	Stern
Blaum	Gordner	Miller, S.	Stetler
Boyes	Grucela	Mundy	Stevenson
Browne	Gruitza	Myers	Strittmatter
Bunt	Habay	Nailor	Sturla
Butkovitz	Hajuska	Nickol	Surra
Buxton	Harhai	O'Brien	Tangretti
Caltagirone	Harhart	Oliver	Taylor, E. Z.
Cappabianca	Hasay	Orie	Taylor, J.
Carn	Hennessey	Perzel	Thomas
Casorio	Herman	Pesci	Tigue
Cawley	Hershey	Petrarca	Travaglio
Chadwick	Hess	Petrone	Trello
Civera	Horsey	Phillips	Trich
Clark	Hutchinson	Pippy	True
Clymer	Jadlowiec	Pistella	Tulli
Cohen, L. I.	Josephs	Platts	Vance
Cohen, M.	Kaiser	Preston	Van Horne
Colafella	Keller	Ramos	Veon
Cornell	Kenney	Raymond	Vitali
Corrigan	Kirkland	Readshaw	Walko
Costa	Krebs	Reinard	Waters
Coy	LaGrotta	Rieger	Williams
Curry	Laughlin	Roberts	Wilt
Dailey	Lawless	Robinson	Wogan
Daley	Lederer	Roebuck	Wojnaroski
Dally	Leh	Rohrer	Wright
DeLuca	Lescovitz	Rooney	Yewcic
Dempsey	Levdansky	Ross	Youngblood
Dermody	Lucyk	Rubley	Yudichak
DeWeese	Lynch	Ruffing	Zimmerman
DiGirolamo	Maher	Sainato	Zug
Donatucci	Maitland	Samuelson	
Druce	Major	Santoni	Ryan,
Eachus	Manderino	Sather	Speaker
Egolf			

NAYS—0

NOT VOTING—0

EXCUSED—3

Hanna	James	Washington
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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. Would the gentleman, Mr. Evans, advise the Chair as to whether or not he has any further amendments?

There is one set of amendments that had been ordered some time ago, I am told, and are not here yet, Mr. Wilt's. Under the circumstances, we will pass the bill and the amendments over temporarily.

The gentleman, Mr. Wilt, withdraws his amendment.

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?

Mr. DeWeese.

Mr. DeWEESE. Thank you, Mr. Speaker.

On final passage.

The SPEAKER. Mr. DeWeese, would you yield to Mr. Tigie and I will hold you to the back?

Mr. Tigie; final passage.

Mr. TIGUE. Thank you, Mr. Speaker.

Mr. Speaker, to be honest, I am not sure what is left in this bill or what is not. We have done things with the capital stock and franchise tax, rebates, et cetera. But one thing I do know that was in the original bill, and I had mentioned this at the Appropriations hearings, I think we are making a very, very bad mistake if we set this program up, however the rebate — and obviously this is not going to be the final bill — if we ask the assessor's office in the counties for information. They do not have this information. The only information the counties can give us, unless someone passed Act 50, is who owns properties. The assessors' offices cannot tell you who lives on that property — if it is an owner, if it is in fact a homestead, or if it is even a renter.

So what I would suggest to everyone here, before we vote on final passage — and this is going to pass, but it is not going to be the final proposal — that we all work together. And if we are going to have a rebate program, we should require people to file so that they inform the department, whoever is going to be the agency handling this rebate, like they do for a tax and rent rebate, except it does not have to be that involved. Just say, I live at 172 Rock Street, Pittston; this is my home. Have the department collect this information and give it to the assessor's office. The assessors' offices do not — and I am going to keep emphasizing this — do not have this information. If you talk to some of the school districts that passed Act 50, they cannot get the information because people have not been paying attention or have not been informed properly to file a homestead exemption. So whatever we do, this is a chance for us, as we move along slowly or quickly to tax reform, to gather information and find out exactly who lives in a home that they own.

So I would suggest strongly that on final passage, and not today but the final bill, whatever it is going to look like, that that is included in there. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question of final passage, Mr. DeWeese.

### VOTE CORRECTION

The SPEAKER. I am sorry. Mr. Melio.

Mr. MELIO. Is it proper to correct the record, Mr. Speaker?

The SPEAKER. The gentleman will correct the record.

Mr. MELIO. On amendment 0458, I wanted to be negative. I was in the affirmative. Thank you, Mr. Speaker.

The SPEAKER. The remarks of the gentleman will be spread upon the record.

### CONSIDERATION OF HB 2263 CONTINUED

The SPEAKER. Mr. DeWeese.

Mr. DeWEESE. Thank you, Mr. Speaker.

Four years ago when the House Democrats launched the aggressive parliamentary efforts on the floor and throughout the State to reduce property taxes, the honorable majority leader, Mr. Perzel, indicated it was not a State issue. He was quoted in 1997—

The SPEAKER. The gentleman will yield.

Now, all these conversations in the vicinity of the gentleman, Mr. DeWeese, will break up. Staff people, do not confer on the floor while your leader is trying to debate.

Mr. DeWeese. I apologize.

Mr. DeWEESE. Thank you, Mr. Speaker.

As I was saying, 4 years ago when we made this the flagship of our legislative fleet, when we tried to energize the Commonwealth in general and the Assembly in particular relative to property tax reduction, the honorable majority leader from Philadelphia, Mr. Perzel, indicated it was not a State issue. The Governor, Mr. Speaker, was on the sidelines. Thanks to our wonderful system of debate and forensic encounter, the issue has effloresced, and tonight we are at the commencement of realizing that the Commonwealth does have something vital to say about escalating property taxes.

Now, the reason property taxes are going up, up, up, up, up, up back home in Greene and Fayette and Washington as well as in the other 67 counties is because our school districts are receiving fewer dollars from the Commonwealth. This phenomenon is going to proceed inexorably into the future unless we arrest it, and tonight is at least a step in the right direction.

This will vote unanimously, I am rather confident, but it should be noted, Mr. Speaker, that the Ridge administration has reduced with many of our votes business taxes, structurally and permanently, structurally and permanently, by approaching \$4 billion. But for working families, working Pennsylvania middle-class families, this vote will give them a one-time hit of about 100 bucks. Uncle Sam will take about 30, and it will end up being about \$65 or \$70 for the average family up in Butler County or over in Delaware or Bucks or Chester or in McKean or Snyder or Schuylkill. So this is a comparatively superficial effort. It is not a permanent effort; it is not a structural effort, but it is an effort that we have been able to magnetize and lure the majority leader and the Governor and the Republican Party in this State to a reduction of property taxes, even though it is comparatively — comparatively — parsimonious.

So I will vote in favor of final passage of HB 2263, and I think most of my colleagues will also. But we will politely and respectfully throw down the gauntlet and say, this is okay for a start. But it is not structural, and should be; it is not permanent, and it should be; and it is not much, and could be more. Property taxes are going up and up and up in our Commonwealth. We need to make certain that as the Assembly session continues, we come up with novel, successful, and permanent methodologies for their reduction. Thank you, Mr. Speaker.



The SPEAKER. The gentleman, Mr. Perzel.

Mr. PERZEL. Thank you, Mr. Speaker.

Four years ago, Mr. Speaker, we were not in a position to be doing a property tax reduction the way we are doing it right now. We have been rebuilding Pennsylvania's economy over the last 4 years and periodically over the last 7 years, Mr. Speaker, to be sure that every person in Pennsylvania had a job to go to first, and now we are giving money back to the people of Pennsylvania — \$330 million in this program alone. Mr. Speaker. Again, for the seventh year in a row of tax cuts, we are giving the people of Pennsylvania a check, something real, dollars that they can take and spend any way they see fit.

I would strongly urge my fellow colleagues to vote "yes" to help rebuild Pennsylvania and make sure people get a check in the mail. Thank you, Mr. Speaker.

Mr. DeWEESE. Mr. Speaker?

The SPEAKER. On the question, Mr. DeWeese.

Mr. DeWEESE. Politely and respectfully, the gentleman needs to remember that when the Honorable Robert Patrick Casey was chief superintendent of our Commonwealth, there was approaching a half-a-billion-dollar surplus, and subsequently each year the Ridge administration and my honorable colleagues on the Republican side of the House made a tactical and strategic decision again and again and again that permanent — permanent — business taxes would be effectuated, and most of us voted for them. However, we said in the fifth and sixth year of the Ridge administration after hundreds of millions of dollars in tax reductions cascading to corporations, enough was enough. We thought that middle-class property tax-paying Pennsylvanians should be the beneficiary of these State surpluses. And I have to repeat, with all due respect to my honorable colleague, we wanted it to be permanent; we wanted it to be structural. We think this is comparatively gossamer, comparatively superficial. It is one time, and it is comparatively inconsequential when you look at the mass of our surplus. Sixty-five bucks in some school districts that we rebate after paying \$10 million to our bureaucracy to carry out the process, 65 bucks in some of these school districts will not cover the amount of property tax elevation in that year.

So this is a rather alluring manifestation of election year politics. You are going to have these checks flying through the Federal mail service just a fortnight before our grand election in November. I remember a word from my high school French — "meretrix"; "meretrix." Maybe it was another book in French I read rather than high school. But there was an element of seduction and allurements and ineffable bliss, and the American or English adjective "meretricious" evolved from "meretrix." This is a meretricious effort on behalf of the GOP (Grand Old Party) at election time. We should be doing something permanent for property tax payers in Pennsylvania. This is an adequate start, but we must go much, much further.

The SPEAKER. Mr. Perzel.

Mr. PERZEL. Mr. Speaker, I think the gentleman has forgotten about voodoo economics. The \$3-billion tax increase that you engineered several years ago was a structural tax increase, Mr. Speaker. Under your leadership and Governor Casey, you did that. We have now given back more than \$3 billion, and I would ask my colleagues to help us give back another \$330 million so the people of Pennsylvania can enjoy the money that they have been sending here the way they should have, giving them more tax dollars back. I believe my

gentleman friend, Mr. Rohrer, is right; they are not getting enough back, but we will work on that later. Thank you, Mr. Speaker.

The SPEAKER. Mr. Colafella.

Mr. COLAFELLA. Thank you, Mr. Speaker.

Mr. Speaker, I just want to remind the distinguished majority leader that in 1991, not only did Pennsylvania have a \$3-billion deficit but almost every State in this nation had a major deficit, and the reason why they had a major deficit all over this country is because we had George Bush as President. That is why. And in the year 2000, practically every State in this nation has a major surplus; 48 States have a tremendous, major surplus, and if you watch CNN or FOX and so on, I have yet to see one of those reporters say that the reason why 48 States out of 50 States have tremendous surpluses, they are reducing taxes, providing more moneys to schools for smaller class sizes and so on, is because of Governor Ridge of Pennsylvania. I have yet to hear one news reporter say that. So at least give President Clinton credit for the fact that we have a major surplus in this State.

Thank you, Mr. Speaker.

The SPEAKER. Well, that was certainly enlightening. Thank you for that.

The gentleman, Mr. Perzel, on the other hand.

Mr. PERZEL. All right, Mr. Speaker. Since some of my former friends are doing revisionist history, they might have forgotten that prior to 1990 we were told that there was no deficit, and then after the election in 1990 we were told there was about a billion-dollar hole, and my colleague on the other side had to raise taxes \$3 billion to fill that hole, which even Governor Casey said was too much of a tax increase, Mr. Speaker. So we are finally headed in the right direction under Governor Ridge and Republican leadership in the House and the Senate. Thank you, Mr. Speaker.

The SPEAKER. On the question of final passage—

Mr. DeWEESE. Mr. Speaker?

The SPEAKER. —Mr. DeWeese.

Mr. DeWEESE. With all due respect, and hopefully there is more than a residual element of respect in all that we share here, I have the recollection that in politics, in order to entice enough votes for very strenuous encounters, there are projects discussed, arrangements contemplated, and in 1991, I think that 47 out of 50 States in the Union had to raise taxes; we were in the middle of a recession, and the whole dynamic of that experience was quite expensive politically. I will say, and Casey deserves credit for this, because as soon as the books were balanced a few years into the 1990s, we had a surplus, and Governor Ridge and the General Assembly have hopefully been good stewards of that initial kick, because it must be remembered that the first initial surplus of approximately \$400 million was under the Casey administration.

But the bottom line tonight, and I do not remember — and this is rather healthy probably — I do not remember as much exchange for a vote that will probably be unanimous in a long, long time. But as I relinquish the microphone, I want the final thought to be that it is our desire on the Democratic side as we project our message for working families to be that we want a permanent, permanent arrangement where we can send money to our school districts. The honorable Mr. Perzel has indicated he does not trust his school district back home. I trust my school districts; I think most of you trust your school districts.

We need some permanent effort to send that \$400 million back to the school districts, and they can make dollar-for-dollar cuts for the amount of money that they reduce in their property taxes. That would be structural; that would be permanent; that would be better for working families.

The SPEAKER. The gentleman, Mr. Veon, on the question of final passage.

Mr. VEON. Thank you, Mr. Speaker.

Mr. Speaker, I just want to emphasize and reiterate some points made by the Democratic leader. We all are aware that this \$100 rebate, property tax rebate, going to homeowners across the State today, we in this House and in this chamber are aware that we have been brought to this point frankly because the Democratic Caucus for the last 4 years has made property tax cuts the number one issue in this legislature. We have worked tremendously, we have worked very, very hard over the last 4 years to get that message out, to get that point across, to the people of Pennsylvania. So in this chamber I do not think there is anyone, Republican or Democrat, that could say with a straight face that the only reason that we are here today is because we worked so hard to put this issue on the front of the public agenda.

And to emphasize what the Democratic leader said, again, we are not going to stop with only a \$100 property tax rebate to the homeowners in this State. The fact is that we are now in our sixth year of tremendous surpluses, well over \$500 million a year for 6 years under Governor Tom Ridge, and the response by Governor Ridge and the Republican majority in this Assembly is a one-time, \$100 property tax rebate to homeowners in this State. Mr. Speaker, that is not good enough. We now have billions of dollars in permanent business tax cuts and a \$100 property tax rebate to working-class, middle-class, working Pennsylvanians? Mr. Speaker, I say again, that is not good enough. We are going to fight the rest of this budget season, we are going to fight the rest of this year, for a 10-percent permanent tax cut for property owners in Pennsylvania.

So, Mr. Speaker, while we certainly take pleasure and pride that we have been able to bring the legislature to this point of some property tax cut in the year 2000, Mr. Speaker, this is not good enough. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Micozzie, from Delaware.

Mr. MICOZZIE. Mr. Speaker, would the gentleman stand for interrogation?

The SPEAKER. The gentleman indicates he will. You may proceed.

Mr. MICOZZIE. Mr. Speaker, could you explain to me what a 10-percent cut would cost?

Mr. VEON. This year the 10-percent cost would be approximately, by our estimation, about \$400 million.

Mr. MICOZZIE. Could you explain to me what—

Mr. VEON. What it costs the State of Pennsylvania, this is money we would give back to the taxpayers in Pennsylvania, who, by the way, Mr. Speaker, are paying that money right now to the State of Pennsylvania. It is their money. We want to give it back to them.

Mr. MICOZZIE. Well, that is exactly what we are saying about the \$100 rebate. It is their money. The question is, how much is the surplus right now?

Mr. VEON. Mr. Speaker, the last estimate that I saw was it was approximately a \$350-million surplus, anticipated, by the way, that it would be well over a half a billion by the time we get to June 30, the end of the fiscal year.

Mr. MICOZZIE. Would you have the school districts have a cap on their existing increases?

Mr. VEON. Mr. Speaker, the proposal that the Democrats have proposed for 4 years in a row says, give that \$400 million back to the school districts, require them on a dollar-for-dollar basis: For every dollar they get back from the State surplus, they cut property taxes by \$1 in that district.

Mr. MICOZZIE. There is a bill in the General Assembly right now called KEEPS (Keystone Equity and Educational Performance System). Would your side support the KEEPS program?

Mr. VEON. Mr. Speaker, I am well aware that you are a cosponsor of the bill called KEEPS, and—

Mr. MICOZZIE. I know that. I am asking your opinion as far as raising the income tax to eliminate or decrease the property taxes throughout the State.

Mr. VEON. I think if you—

The SPEAKER. The gentleman, both gentlemen, please yield.

What we have before us is the question of final passage of HB 2263, not some other bill that is not before the House.

Mr. MICOZZIE. Thank you, Mr. Speaker.

I have finished my interrogation.

It is very easy, it is very easy to call for programs that will reduce school taxes, property taxes, back home. A 10-percent across-the-board is a situation where the more money we try to help the school districts, the more money they spend. I think that we do need a property tax decrease back home, but I think there has to be a lot more studying going on instead of pontificating and trying to fool the residents back home about a 10-percent decrease.

And by the way, I remember 1991 very vividly. Thank you, Mr. Speaker.

The SPEAKER. Mr. DeLuca.

Mr. DeLUCA. Thank you, Mr. Speaker.

I was not going to say anything, but after I started figuring out this \$100 tax rebate we are giving to the public, the homeowners out there, and I started figuring out what my homeowners are paying in school taxes, I want to thank the majority party for giving my taxpayers 36 cents a day tax relief. I want to thank you very much. I am sure that is going to do a lot. They could not even go to McDonald's to buy a cheeseburger or a hamburger for that 36 cents. So we are doing something good for the taxpayers out there; we are going to give them their money back — 36 cents a day. I want you to say that, 36 cents a day, not \$100 a day.

Thank you, Mr. Speaker.

The SPEAKER. Mr. Veon.

Mr. VEON. Thank you, Mr. Speaker.

Mr. Speaker, it was interesting to listen to the comments of the gentleman that had the opportunity to interrogate me, and I would submit to this House that that is exactly the problem that we have had for the last 6 years. This Republican Party, this Republican House, always has enough money to cut business taxes by billions of dollars as of today. No one asks how we are going to afford that. We just passed a bill to cut the capital stock and franchise tax by \$7 billion, Mr. Speaker, but when it comes

to money for middle-class, middle-income, average, hardworking Pennsylvanians, gentlemen on that side of the aisle such as the gentleman that interrogated me say we cannot afford to do it in Pennsylvania; we cannot afford to have that surplus go back to average, middle-class, working Pennsylvanians. Mr. Speaker, that is exactly the case that we have been making for the last 4 years.

I would submit that if we can cut business taxes by billions of dollars, that we ought to give some share back to average, middle-income, middle-class, working Pennsylvanians. It is their money. Let us give it back to them. Thank you, Mr. Speaker.

The SPEAKER. The gentleman from Bucks, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, let me say a good word on behalf of small businesses in Pennsylvania, all businesses, but these are the people that create the wealth; these are the people that provide any surplus that we may have. These are the entrepreneurs who go out and who work 70 hours a week, who work very hard to make sure that their employees are getting a fair wage and have benefits so that they can support their family, and to say that we are somehow giving them a break by cutting their taxes when they are the people that drive the new jobs? Mr. Speaker, I have heard from the other side of the aisle on many occasions how we should help small businesses, how they create the jobs, not the public sector but the private sector, and it is just very frustrating to hear people get up and say somehow the small business community is getting too much. Mr. Speaker, they are the people that are providing the new jobs for this Commonwealth. It is they who are providing the excess in wealth so that we can have these benefits. We do not have a printing machine down in the cellar of this Capitol. We do not make those dollars week after week. It is through the sweat and toil and dedication of our business community that we are where we are, and, Mr. Speaker, I am proud that I can vote to cut taxes for the businesses here in Pennsylvania. They are the people that provide the new jobs and they are the people that will provide the future jobs for the young people in this Commonwealth.

Thank you.

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—199

Adolph	Evans	Mann	Saylor
Allen	Fairchild	Markosek	Schroder
Argall	Fargo	Marsico	Schuler
Armstrong	Feese	Masland	Scrimenti
Baker	Fichter	Mayernik	Semmel
Bard	Fleagle	McCall	Seyfert
Barley	Flick	McGeehan	Shaner
Barrar	Forcier	McGill	Smith, B.
Bastian	Frankel	McIlhattan	Smith, S. H.
Battisto	Freeman	McIlhinney	Snyder
Bebko-Jones	Gannon	McNaughton	Solobay
Belardi	Geist	Melio	Staback
Belfanti	George	Metcalfe	Stairs
Benninghoff	Gigliotti	Michlovic	Steelman
Birmelin	Gladeck	Micozzie	Steil
Bishop	Godshall	Miller, R.	Stern

Blaum	Gordner	Miller, S.	Stetler
Boyes	Grucela	Mundy	Stevenson
Browne	Gruitza	Myers	Strittmatter
Bunt	Habay	Nailor	Sturla
Bukovitz	Haluska	Nickol	Surra
Buxton	Harhai	O'Brien	Tangretti
Caltagirone	Harhart	Oliver	Taylor, E. Z.
Cappabianca	Hasay	Orie	Taylor, J.
Carn	Hennessey	Perzel	Thomas
Casorio	Herman	Pesci	Tigue
Cawley	Hershey	Petrarca	Travaglio
Chadwick	Hess	Petrone	Trello
Civera	Horsey	Phillips	Trich
Clark	Hutchinson	Pippy	True
Clymer	Jadlowiec	Pistella	Tulli
Cohen, L. I.	Josephs	Platts	Vance
Cohen, M.	Kaiser	Preston	Van Horne
Colafella	Keller	Ramos	Veon
Cornell	Kenney	Raymond	Vitali
Corrigan	Kirkland	Readshaw	Walko
Costa	Krebs	Reinard	Waters
Coy	LaGrotta	Rieger	Williams
Curry	Laughlin	Roberts	Wilt
Dailey	Lawless	Robinson	Wogan
Daley	Lederer	Roebuck	Wojnaroski
Dally	Leh	Rohrer	Wright
DeLuca	Lescovitz	Rooney	Yewcic
Dempsey	Levdansky	Ross	Youngblood
Dermody	Lucyk	Rubley	Yudichak
DeWeese	Lynch	Ruffing	Zimmerman
DiGirolamo	Maher	Sainato	Zug
Donatucci	Maitland	Samuelson	
Druce	Major	Santoni	Ryan,
Eachus	Manderino	Sather	Speaker
Egolf			

NAYS—0

NOT VOTING—0

EXCUSED—3

Hanna                      James                      Washington

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.

CALENDAR CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 1047, PN 1671**, entitled:

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

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

**RULES SUSPENDED**

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

Mr. BLAUM. Mr. Speaker, I move that the rules of the House be suspended to permit the immediate consideration of amendment 704.

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

The SPEAKER. On the question of suspension of the rules, Mr. Blaum.

Mr. BLAUM. Thank you, Mr. Speaker.

Mr. Speaker, this is a technical amendment which is agreed to by both sides to remove some redundancy in the bill, and 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	Egolf	Manderino	Sather
Allen	Evans	Mann	Saylor
Argall	Fairchild	Markosek	Schroder
Armstrong	Fargo	Marsico	Schuler
Baker	Feese	Masland	Scrimenti
Bard	Fichter	Mayernik	Semmel
Barley	Fleagle	McCall	Seyfert
Barrar	Flick	McGeehan	Shaner
Bastian	Forcier	McGill	Smith, B.
Battisto	Frankel	McIlhatten	Smith, S. H.
Bebko-Jones	Freeman	McIlhinney	Snyder
Belardi	Gannon	McNaughton	Solobay
Belfanti	Geist	Melio	Staback
Benninghoff	George	Metcalfe	Stairs
Birmelin	Gigliotti	Michlovic	Steil
Bishop	Gladeck	Micozzie	Stern
Blaum	Godshall	Miller, R.	Stetler
Boyes	Gordner	Miller, S.	Stevenson
Browne	Grucela	Mundy	Strittmatter
Bunt	Gruitza	Myers	Sturla
Butkovitz	Habay	Nailor	Surra
Buxton	Haluska	Nickol	Tangretti
Caltagirone	Harhai	O'Brien	Taylor, E. Z.
Cappabianca	Harhart	Oliver	Taylor, J.
Carn	Hasay	Orie	Thomas
Casorio	Hennessey	Perzel	Tigue
Cawley	Herman	Pesci	Travaglio
Chadwick	Hershey	Petrarca	Trello
Civera	Hess	Petrone	Trich
Clark	Horsey	Phillips	True
Clymer	Hutchinson	Pippy	Tulli
Cohen, L. I.	Jadlowiec	Pistella	Vance
Cohen, M.	Josephs	Platts	Van Horne
Coiafella	Kaiser	Preston	Veon
Cornell	Keller	Ramos	Vitali
Corrigan	Kenney	Raymond	Walko
Costa	Kirkland	Readshaw	Waters
Coy	Krebs	Reinard	Williams
Curry	LaGrotta	Rieger	Wilt
Dailey	Laughlin	Roberts	Wogan
Daley	Lawless	Robinson	Wojnaroski
Dally	Lederer	Roebuck	Wright
DeLuca	Leh	Rohrer	Yewcic
Dempsey	Lescovitz	Rooney	Youngblood
Dermody	Levdansky	Ross	Yudichak
DeWeese	Lucyk	Rublely	Zimmerman
DiGiroolamo	Lynch	Ruffing	Zug
Donatucci	Maher	Sainato	

Druce Eachus                      Maitland Major                      Samuelson Santoni                      Ryan, Speaker

NAYS—1

Steelman

NOT VOTING—0

EXCUSED—3

Hanna                      James                      Washington

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. BLAUM offered the following amendment No. A0704:

Amend Sec. 1 (Sec. 3124.2), page 1, line 9, by striking out the bracket before "A"

Amend Sec. 1 (Sec. 3124.2), page 1, lines 9 and 10, by striking out "[ ] Except as provided in subsection (a.1), a"

Amend Sec. 1 (Sec. 3124.2), page 2, lines 5 through 12, by striking out all of said lines

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

The SPEAKER. On the question of the adoption of that amendment, does the gentleman, Mr. Blaum, have further comments on the amendment?

Mr. BLAUM. Thank you, Mr. Speaker.

Once again, it is a technical amendment agreed to by both sides. There is language in the bill that is in there twice, and we are just removing it. Thank you.

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

The following roll call was recorded:

**YEAS—199**

Adolph	Evans	Mann	Saylor
Allen	Fairchild	Markosek	Schroder
Argall	Fargo	Marsico	Schuler
Armstrong	Feese	Masland	Scrimenti
Baker	Fichter	Mayernik	Semmel
Bard	Fleagle	McCall	Seyfert
Barley	Flick	McGeehan	Shaner
Barrar	Forcier	McGill	Smith, B.
Bastian	Frankel	McIlhatten	Smith, S. H.
Battisto	Freeman	McIlhinney	Snyder
Bebko-Jones	Gannon	McNaughton	Solobay
Belardi	Geist	Melio	Staback
Belfanti	George	Metcalfe	Stairs
Benninghoff	Gigliotti	Michlovic	Steelman
Birmelin	Gladeck	Micozzie	Steil
Bishop	Godshall	Miller, R.	Stern
Blaum	Gordner	Miller, S.	Stetler
Boyes	Grucela	Mundy	Stevenson
Browne	Gruitza	Myers	Strittmatter
Bunt	Habay	Nailor	Sturla

Butkovitz	Haluska	Nickol	Surra
Buxton	Harhai	O'Brien	Tangretti
Caltagirone	Harhart	Oliver	Taylor, E. Z.
Cappabianca	Hasay	Orie	Taylor, J.
Cam	Hennessey	Perzel	Thomas
Casorio	Herman	Pesci	Tigue
Cawley	Hershey	Petrarca	Travaglio
Chadwick	Hess	Petrone	Trello
Civera	Horsey	Phillips	Trich
Clark	Hutchinson	Pippy	True
Clymer	Jadlowiec	Pistella	Tulli
Cohen, L. I.	Josephs	Platts	Vance
Cohen, M.	Kaiser	Preston	Van Horne
Colafella	Keller	Ramos	Veon
Cornell	Kenney	Raymond	Vitali
Corrigan	Kirkland	Readshaw	Walko
Costa	Krebs	Reinard	Waters
Coy	LaGrotta	Rieger	Williams
Curry	Laughlin	Roberts	Wilt
Dailey	Lawless	Robinson	Wogan
Daley	Lederer	Roebuck	Wojnaroski
Dally	Leh	Rohrer	Wright
DeLuca	Lescovitz	Rooney	Yewcic
Dempsey	Levdansky	Ross	Youngblood
Dermody	Lucyk	Rubley	Yudichak
DeWeese	Lynch	Ruffing	Zimmerman
DiGirolo	Maher	Sainato	Zug
Donatucci	Maitland	Samuelson	
Druce	Major	Santoni	Ryan,
Eachus	Manderino	Sather	Speaker
Egolf			

NAYS-0

NOT VOTING-0

EXCUSED-3

Hanna James Washington

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-199

Adolph	Evans	Mann	Saylor
Allen	Fairchild	Markosek	Schroder
Argall	Fargo	Marsico	Schuler
Armstrong	Feese	Masland	Scrimenti
Baker	Fichter	Mayernik	Semmel
Bard	Fleagle	McCall	Seyfert
Barley	Flick	McGeehan	Shaner
Barrar	Forcier	McGill	Smith, B.
Bastian	Frankel	McHattan	Smith, S. H.
Battisto	Freeman	McHhinney	Snyder
Bebko-Jones	Gannon	McNaughton	Solobay
Belardi	Geist	Melio	Staback
Belfanti	George	Metcalf	Stairs

Benninghoff	Gigliotti	Michlovic	Steelman
Birmelin	Gladeck	Micozzie	Steil
Bishop	Godshall	Miller, R.	Stern
Blaum	Gordner	Miller, S.	Stetler
Boyes	Grucela	Mundy	Stevenson
Browne	Gruitza	Myers	Strittmatter
Bunt	Habay	Nailor	Sturla
Butkovitz	Haluska	Nickol	Surra
Buxton	Harhai	O'Brien	Tangretti
Caltagirone	Harhart	Oliver	Taylor, E. Z.
Cappabianca	Hasay	Orie	Taylor, J.
Carn	Hennessey	Perzel	Thomas
Casorio	Herman	Pesci	Tigue
Cawley	Hershey	Petrarca	Travaglio
Chadwick	Hess	Petrone	Trello
Civera	Horsey	Phillips	Trich
Clark	Hutchinson	Pippy	True
Clymer	Jadlowiec	Pistella	Tulli
Cohen, L. I.	Josephs	Platts	Vance
Cohen, M.	Kaiser	Preston	Van Horne
Colafella	Keller	Ramos	Veon
Cornell	Kenney	Raymond	Vitali
Corrigan	Kirkland	Readshaw	Walko
Costa	Krebs	Reinard	Waters
Coy	LaGrotta	Rieger	Williams
Curry	Laughlin	Roberts	Wilt
Dailey	Lawless	Robinson	Wogan
Daley	Lederer	Roebuck	Wojnaroski
Dally	Leh	Rohrer	Wright
DeLuca	Lescovitz	Rooney	Yewcic
Dempsey	Levdansky	Ross	Youngblood
Dermody	Lucyk	Rubley	Yudichak
DeWeese	Lynch	Ruffing	Zimmerman
DiGirolo	Maher	Sainato	Zug
Donatucci	Maitland	Samuelson	
Druce	Major	Santoni	Ryan,
Eachus	Manderino	Sather	Speaker
Egolf			

NAYS-0

NOT VOTING-0

EXCUSED-3

Hanna James Washington

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 2069, PN 2736**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for manufacture, distribution or possession of devices for theft of telecommunications services.

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

Mr. HERMAN offered the following amendment No. A0393:

Amend Title, page 1, line 4, by removing the period after "services" and inserting  
; and making an exception to certain fees relating to criminal records.

Amend Sec. 1, page 1, lines 7 and 8, by striking out all of said lines and inserting

Section 1. Sections 910 and 9121 of Title 18 of the Pennsylvania Consolidated Statutes are amended to read:

Amend Sec. 1, page 9, by inserting between lines 8 and 9 § 9121. General regulations.

\*\*\*

(b) Dissemination to noncriminal justice agencies and individuals.—Criminal history record information shall be disseminated by a State or local police department to any individual or noncriminal justice agency only upon request. Except as provided in subsection (b.1):

(1) A fee may be charged by a State or local police department for each request for criminal history record information by an individual or noncriminal justice agency, except that no fee shall be charged to an individual who makes the request in order to apply to become a volunteer with an affiliate of Big Brothers of America or Big Sisters of America or to participate as a volunteer in a block parent program, including, but not limited to, the McGruff House Program.

(2) Before a State or local police department disseminates criminal history record information to an individual or noncriminal justice agency, it shall extract from the record all notations of arrests, indictments or other information relating to the initiation of criminal proceedings where:

- (i) three years have elapsed from the date of arrest;
- (ii) no conviction has occurred; and
- (iii) no proceedings are pending seeking a conviction.

\*\*\*

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

The SPEAKER. On the question of the adoption of the amendment, the Chair recognizes the gentleman from Centre.

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

What this amendment would do is provide that those persons who are volunteers for the McGruff Safe House Program or any other kind of block-parent program would not have to pay the fee that is required by the Pennsylvania State Police for administrative and criminal history background checks. Currently this provision is made for the Big Sister and Big Brother program, but likewise, the McGruff Safe House Programs are volunteer groups who are trying to provide safe havens for children who are coming home from school or do not have anywhere to go after school, and these persons, I think it is really poor public policy when you ask people to volunteer, to help provide for a safe haven for our children, and then require them to provide for an expenditure out of their own pocket to provide that volunteer service. This amendment will provide for the appropriate exemption from that fee, and I would appreciate your support.

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—199

Adolph	Evans	Mann	Saylor
Allen	Fairchild	Markosek	Schroder
Argall	Fargo	Marsico	Schuler
Armstrong	Feese	Masland	Scrimenti
Baker	Fichter	Mayernik	Semmel
Bard	Fleagle	McCall	Seyfert
Barley	Flick	McGeehan	Shaner
Barrar	Forcier	McGill	Smith, B.
Bastian	Frankel	McIlhattan	Smith, S. H.
Battisto	Freeman	McIlhinney	Snyder
Bebko-Jones	Gannon	McNaughton	Solobay
Belardi	Geist	Melio	Staback
Belfanti	George	Metcalfe	Stairs
Benninghoff	Gigliotti	Michlovic	Steeiman
Birmelin	Gladeck	Micozzie	Steil
Bishop	Godshall	Miller, R.	Stern
Blaum	Gordner	Miller, S.	Stetler
Boyes	Grucela	Mundy	Stevenson
Browne	Gruitza	Myers	Strittmatter
Bunt	Habay	Nailor	Sturla
Butkovitz	Haluska	Nickol	Surra
Buxton	Harhai	O'Brien	Tangretti
Caltagirone	Harhart	Oliver	Taylor, E. Z.
Cappabianca	Hasay	Orie	Taylor, J.
Carn	Hennessey	Perzel	Thomas
Casorio	Herman	Pesci	Tigue
Cawley	Hershey	Petrarca	Travaglio
Chadwick	Hess	Petrone	Trello
Civera	Horsey	Phillips	Trich
Clark	Hutchinson	Pippy	True
Clymer	Jadlowiec	Pistella	Tulli
Cohen, L. I.	Josephs	Platts	Vance
Cohen, M.	Kaiser	Preston	Van Horne
Colafella	Keller	Ramos	Veon
Cornell	Kenney	Raymond	Vitali
Corrigan	Kirkland	Readshaw	Walko
Costa	Krebs	Reinard	Waters
Coy	LaGrotta	Rieger	Williams
Curry	Laughlin	Roberts	Wilt
Dailey	Lawless	Robinson	Wogan
Daley	Lederer	Roebuck	Wojnaroski
Dally	Leh	Rohrer	Wright
DeLuca	Lescovitz	Rooney	Yewcie
Dempsey	Levdansky	Ross	Youngblood
Dermody	Lucyk	Rubley	Yudichak
DeWeese	Lynch	Ruffing	Zimmerman
DiGirolamo	Maher	Sainato	Zug
Donatucci	Maitland	Samuelson	
Druce	Major	Santoni	Ryan,
Eachus	Manderino	Sather	Speaker
Egolf			

NAYS—0

NOT VOTING—0

EXCUSED—3

Hanna James Washington

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. CASORIO offered the following amendment No. A0405:

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

and for the definition of "bottle clubs."

Amend Bill, page 9, by inserting between lines 8 and 9

Section 2. The definition of "bottle club" in section 7329(c) of Title 18 is amended to read:

§ 7329. Prohibition of certain types of entertainment on bottle club premises.

\*\*\*

(c) Definitions.—As used in this section, the following words and phrases shall have the meanings given to them in this subsection:

"Bottle club." An establishment operated for profit or pecuniary gain, which has a capacity for the assemblage of 20 or more persons and in which alcoholic liquors, alcohol or malt or brewed beverages [are not legally sold but where alcoholic liquors, alcohol or malt or brewed beverages are either provided by the operator or agents or employees of the operator for consumption on the premises or] are brought into [or kept at] the establishment by the patrons or persons assembling there for use and consumption. The term shall not include a licensee under the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, or any organization as set forth in section 6 of the act of December 19, 1990 (P.L.1200, No.202), known as the Solicitation of Funds for Charitable Purposes Act.

\*\*\*

Amend Sec. 2, page 9, line 9, by striking out "2" and inserting 3

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

The following roll call was recorded:

YEAS—199

- |             |            |            |               |
|-------------|------------|------------|---------------|
| Adolph      | Evans      | Mann       | Saylor        |
| Allen       | Fairchild  | Markosek   | Schroder      |
| Argall      | Fargo      | Marsico    | Schuler       |
| Armstrong   | Feese      | Masland    | Scrimenti     |
| Baker       | Fichter    | Mayernik   | Semmel        |
| Bard        | Fleagle    | McCall     | Seyfert       |
| Barley      | Flick      | McGeehan   | Shaner        |
| Barrar      | Forcier    | McGill     | Smith, B.     |
| Bastian     | Frankel    | McIlhattan | Smith, S. H.  |
| Battisto    | Freeman    | McIlhinney | Snyder        |
| Bebko-Jones | Gannon     | McNaughton | Solobay       |
| Belardi     | Geist      | Melio      | Staback       |
| Belfanti    | George     | Metcalfe   | Stairs        |
| Benninghoff | Gigliotti  | Michlovic  | Steelman      |
| Birmelin    | Gladeck    | Micozzie   | Steil         |
| Bishop      | Godshall   | Miller, R. | Stern         |
| Blaum       | Gordner    | Miller, S. | Stetler       |
| Boyes       | Grucela    | Mundy      | Stevenson     |
| Browne      | Gruitza    | Myers      | Strittmatter  |
| Bunt        | Habay      | Nailor     | Sturla        |
| Butkovitz   | Haluska    | Nickol     | Surra         |
| Buxton      | Harhai     | O'Brien    | Tangretti     |
| Caltagirone | Harhart    | Oliver     | Taylor, E. Z. |
| Cappabianca | Hasay      | Orie       | Taylor, J.    |
| Carn        | Hennessey  | Perzel     | Thomas        |
| Casorio     | Herman     | Pesci      | Tigue         |
| Cawley      | Hershey    | Petrarca   | Travaglio     |
| Chadwick    | Hess       | Petrone    | Trello        |
| Civera      | Horsey     | Phillips   | Trich         |
| Clark       | Hutchinson | Pippy      | True          |
| Clymer      | Jadlowiec  | Pistella   | Tulli         |

- |              |           |           |            |
|--------------|-----------|-----------|------------|
| Cohen, L. I. | Josephs   | Platts    | Vance      |
| Cohen, M.    | Kaiser    | Preston   | Van Horne  |
| Colafella    | Keller    | Ramos     | Veon       |
| Cornell      | Kenney    | Raymond   | Vitali     |
| Corrigan     | Kirkland  | Readshaw  | Walko      |
| Costa        | Krebs     | Reinard   | Waters     |
| Coy          | LaGrotta  | Rieger    | Williams   |
| Curry        | Laughlin  | Roberts   | Wilt       |
| Dailey       | Lawless   | Robinson  | Wogan      |
| Daley        | Lederer   | Roebuck   | Wojnaroski |
| Dally        | Leh       | Rohrer    | Wright     |
| DeLuca       | Lescovitz | Rooney    | Yewcic     |
| Dempsey      | Levdansky | Ross      | Youngblood |
| Dermody      | Lucyk     | Rubley    | Yudichak   |
| DeWeese      | Lynch     | Ruffing   | Zimmerman  |
| DiGirolamo   | Maher     | Sainato   | Zug        |
| Donatucci    | Maitland  | Samuelson |            |
| Druce        | Major     | Santoni   | Ryan,      |
| Eachus       | Manderino | Sather    | Speaker    |
| Egolf        |           |           |            |

NAYS—0

NOT VOTING—0

EXCUSED—3

- |       |       |            |
|-------|-------|------------|
| Hanna | James | Washington |
|-------|-------|------------|

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

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

Mr. GEORGE offered the following amendment No. A0529:

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

; and prohibiting certain billing practices of long distance telephone service providers.

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

Section 2. Title 18 is amended by adding a section to read:

§ 7330. Prohibition of certain billing practices of long distance telephone service providers.

(a) Offense defined.—No person shall charge a monthly minimum billing fee for long distance telephone service if at the same time the person is charging such minimum fee multiple months in advance.

(b) Penalty.—A person who violates subsection (a) commits a summary offense and shall, upon conviction, be sentenced to pay a fine of \$100.

Section 3. This act shall take effect in 60 days.

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

AMENDMENT WITHDRAWN

The SPEAKER. The amendment is withdrawn.

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

Mr. GEORGE offered the following amendment No. A0530:

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

; and prohibiting certain practices by telemarketers.

Amend Bill, page 9, by inserting between lines 8 and 9

Section 2. Title 18 is amended by adding a section to read:

§ 7330. Prohibition of certain practices by telemarketers.

(a) Offense defined.—No telemarketer, as defined in section 2 of the act of December 4, 1996 (P.L.911, No.147), known as the Telemarketer Registration Act, shall refuse or otherwise fail to disclose the name, city, state and telephone number of the telemarketer after a recipient of a telephone solicitation by the telemarketer requests such information.

(b) Penalty.—A person who violates subsection (a) commits a summary offense and shall, upon conviction, be sentenced to pay a fine of \$250.

Amend Sec. 2, page 9, line 9, by striking out "2" and inserting 3

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

The following roll call was recorded:

YEAS—199

Adolph	Evans	Mann	Saylor
Allen	Fairchild	Markosek	Schroder
Argall	Fargo	Marsico	Schuler
Armstrong	Feese	Masland	Scrimenti
Baker	Fichter	Mayernik	Semmel
Bard	Fleagle	McCall	Seyfert
Barley	Flick	McGeehan	Shaner
Barrar	Forcier	McGill	Smith, B.
Bastian	Frankel	McLhattan	Smith, S. H.
Battisto	Freeman	McLhinney	Snyder
Bebko-Jones	Gannon	McNaughton	Solobay
Belardi	Geist	Melio	Staback
Belfanti	George	Metcalfe	Stairs
Benninghoff	Gigliotti	Michlovic	Steelman
Birmelin	Gladeck	Micozzie	Steil
Bishop	Godshall	Miller, R.	Stern
Blaum	Gordner	Miller, S.	Stetler
Boyes	Grucela	Mundy	Stevenson
Browne	Gruitza	Myers	Strittmatter
Bunt	Habay	Nailor	Sturla
Butkovitz	Haluska	Nickol	Surra
Buxton	Harhai	O'Brien	Tangretti
Caltagirone	Harhart	Oliver	Taylor, E. Z.
Cappabianca	Hasay	Orie	Taylor, J.
Carn	Hennessey	Perzel	Thomas
Casorio	Herman	Pesci	Tigue
Cawley	Hershey	Petrarca	Travaglio
Chadwick	Hess	Petrone	Trello
Civera	Horsey	Phillips	Trich
Clark	Hutchinson	Pippy	True
Clymer	Jadlowiec	Pistella	Tulli
Cohen, L. I.	Josephs	Platts	Vance
Cohen, M.	Kaiser	Preston	Van Horne
Colafiglia	Keller	Ramos	Veon
Cornell	Kenney	Raymond	Vitali
Corrigan	Kirkland	Readshaw	Walko
Costa	Krebs	Reinard	Waters
Coy	LaGrotta	Rieger	Williams
Curry	Laughlin	Roberts	Wilt
Dailey	Lawless	Robinson	Wogan
Daley	Lederer	Roebuck	Wojnaroski

Dally	Leh	Rohrer	Wright
DeLuca	Lescovitz	Rooney	Yewcic
Dempsey	Levdansky	Ross	Youngblood
Dermody	Lucyk	Rubley	Yudichak
DeWeese	Lynch	Ruffing	Zimmerman
DiGirolamo	Maher	Sainato	Zug
Donatucci	Maitland	Samuelson	
Druce	Major	Santoni	Ryan,
Eachus	Manderino	Sather	Speaker
Egolf			

NAYS—0

NOT VOTING—0

EXCUSED—3

Hanna James Washington

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

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

Mr. GEORGE offered the following amendment No. A0531:

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

; and prohibiting certain billing practices of long distance telephone service providers.

Amend Bill, page 9, by inserting between lines 8 and 9

Section 2. Title 18 is amended by adding a section to read:

§ 7330. Prohibition of certain billing practices of long distance telephone service providers.

(a) Offense.—No person shall bill a residential telephone service consumer for more than one month in advance for long distance telephone service fees or charges without the consumer's prior written approval.

(b) Penalty.—A person who violates subsection (a) commits a summary offense and shall, upon conviction, be sentenced to pay a fine of \$100.

Amend Sec. 2, page 9, line 9, by striking out "2" and inserting 3

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

The SPEAKER. On the question of the adoption of this amendment, Mr. George, do you wish to be recognized or run it?

Mr. GEORGE. Yes, Mr. Speaker, I do.

Mr. Speaker, this simply answers a lot of calls to many offices about the fact that many people are billed for 2 or 3 months at a time on long distance, and this amendment simply says before you do that, let the customer concur, because some of these people are having a tough time making their bills. Then they look around and they have not done anything long distance, and then they find they have two or three bills on one month, and I think we should adopt this amendment and let the people know that we are trying to help them, Mr. Speaker.



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

The following roll call was recorded:

YEAS—199

Adolph	Evans	Mann	Saylor
Allen	Fairchild	Markosek	Schroder
Argall	Fargo	Marsico	Schuler
Armstrong	Feese	Masland	Scrimenti
Baker	Fichter	Mayernik	Semmel
Bard	Fleagle	McCall	Seyfert
Barley	Flick	McGeehan	Shaner
Barrar	Forcier	McGill	Smith, B.
Bastian	Frankel	McIlhattan	Smith, S. H.
Battisto	Freeman	McIlhinney	Snyder
Bebko-Jones	Gannon	McNaughton	Solobay
Belardi	Geist	Melio	Staback
Belfanti	George	Metcalfe	Stairs
Benninghoff	Gigliotti	Michlovic	Steelman
Birmelin	Gladeck	Micozzie	Steil
Bishop	Godshall	Miller, R.	Stern
Blaum	Gordner	Miller, S.	Stetler
Boyes	Grucela	Mundy	Stevenson
Browne	Gruitza	Myers	Strittmatter
Bunt	Habay	Nailor	Sturla
Butkovitz	Haluska	Nickol	Surra
Buxton	Harhai	O'Brien	Tangretti
Caltagirone	Harhart	Oliver	Taylor, E. Z.
Cappabianca	Hasay	Orie	Taylor, J.
Carn	Hennessey	Perzel	Thomas
Casorio	Herman	Pesci	Tigue
Cawley	Hershey	Petrarca	Travaglio
Chadwick	Hess	Petrone	Trello
Civera	Horsey	Phillips	Trich
Clark	Hutchinson	Pippy	True
Clymer	Jadlowiec	Pistella	Tulli
Cohen, L. I.	Josephs	Platts	Vance
Cohen, M.	Kaiser	Preston	Van Horne
Colafella	Keller	Ramos	Veon
Cornell	Kenney	Raymond	Vitali
Corrigan	Kirkland	Readshaw	Walko
Costa	Krebs	Reinard	Waters
Coy	LaGrotta	Rieger	Williams
Curry	Laughlin	Roberts	Wilt
Dailey	Lawless	Robinson	Wogan
Daley	Lederer	Roebuck	Wojnaroski
Dally	Leh	Rohrer	Wright
DeLuca	Lescovitz	Rooney	Yewcic
Dempsey	Levdansky	Ross	Youngblood
Dermody	Lucyk	Rubley	Yudichak
DeWeese	Lynch	Ruffing	Zimmerman
DiGirolamo	Maher	Sainato	Zug
Donatucci	Maitland	Samuelson	
Druce	Major	Santoni	Ryan,
Eachus	Manderino	Sather	Speaker
Egolf			

NAYS—0

NOT VOTING—0

EXCUSED—3

Hanna	James	Washington
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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—199

Adolph	Evans	Mann	Saylor
Allen	Fairchild	Markosek	Schroder
Argall	Fargo	Marsico	Schuler
Armstrong	Feese	Masland	Scrimenti
Baker	Fichter	Mayernik	Semmel
Bard	Fleagle	McCall	Seyfert
Barley	Flick	McGeehan	Shaner
Barrar	Forcier	McGill	Smith, B.
Bastian	Frankel	McIlhattan	Smith, S. H.
Battisto	Freeman	McIlhinney	Snyder
Bebko-Jones	Gannon	McNaughton	Solobay
Belardi	Geist	Melio	Staback
Belfanti	George	Metcalfe	Stairs
Benninghoff	Gigliotti	Michlovic	Steelman
Birmelin	Gladeck	Micozzie	Steil
Bishop	Godshall	Miller, R.	Stern
Blaum	Gordner	Miller, S.	Stetler
Boyes	Grucela	Mundy	Stevenson
Browne	Gruitza	Myers	Strittmatter
Bunt	Habay	Nailor	Sturla
Butkovitz	Haluska	Nickol	Surra
Buxton	Harhai	O'Brien	Tangretti
Caltagirone	Harhart	Oliver	Taylor, E. Z.
Cappabianca	Hasay	Orie	Taylor, J.
Carn	Hennessey	Perzel	Thomas
Casorio	Herman	Pesci	Tigue
Cawley	Hershey	Petrarca	Travaglio
Chadwick	Hess	Petrone	Trello
Civera	Horsey	Phillips	Trich
Clark	Hutchinson	Pippy	True
Clymer	Jadlowiec	Pistella	Tulli
Cohen, L. I.	Josephs	Platts	Vance
Cohen, M.	Kaiser	Preston	Van Horne
Colafella	Keller	Ramos	Veon
Cornell	Kenney	Raymond	Vitali
Corrigan	Kirkland	Readshaw	Walko
Costa	Krebs	Reinard	Waters
Coy	LaGrotta	Rieger	Williams
Curry	Laughlin	Roberts	Wilt
Dailey	Lawless	Robinson	Wogan
Daley	Lederer	Roebuck	Wojnaroski
Dally	Leh	Rohrer	Wright
DeLuca	Lescovitz	Rooney	Yewcic
Dempsey	Levdansky	Ross	Youngblood
Dermody	Lucyk	Rubley	Yudichak
DeWeese	Lynch	Ruffing	Zimmerman
DiGirolamo	Maher	Sainato	Zug
Donatucci	Maitland	Samuelson	
Druce	Major	Santoni	Ryan,
Eachus	Manderino	Sather	Speaker
Egolf			

NAYS—0

NOT VOTING—0

EXCUSED—3

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

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

**HR 391 RECONSIDERED**

The SPEAKER. The Chair recognizes the gentleman, Mr. Veon, who moves that the vote by which HR 391, PN 3074, was defeated on the 13th day of March be reconsidered.

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

The following roll call was recorded:

**YEAS—173**

Adolph	Druce	Manderino	Scrimenti
Allen	Eachus	Mann	Semmel
Argall	Evans	Markosek	Seyfert
Armstrong	Fairchild	Marsico	Shaner
Baker	Fargo	Masland	Smith, B.
Bard	Fichter	Mayernik	Smith, S. H.
Barley	Flick	McCall	Snyder
Barrar	Frankel	McGeehan	Solobay
Bastian	Freeman	McGil	Staback
Battisto	Gannon	McIlhinney	Stairs
Bebko-Jones	Geist	Melio	Steelman
Belardi	George	Michlovic	Steil
Belfanti	Gigliotti	Micozzie	Stern
Birmelin	Gladeck	Miller, R.	Stetler
Bishop	Godshall	Miller, S.	Strittmatter
Blaum	Gordner	Mundy	Sturla
Boyes	Grucela	Myers	Surra
Browne	Gruitza	O'Brien	Tangretti
Bunt	Habay	Oliver	Taylor, J.
Butkovitz	Haluska	Perzel	Thomas
Buxton	Harhai	Pesci	Tigue
Caltagirone	Harhart	Petrarca	Travaglio
Cappabianca	Hasay	Petrone	Trello
Carn	Hennessey	Phillips	Trich
Casorio	Herman	Pippy	True
Cawley	Hershey	Pistella	Tulli
Chadwick	Hess	Preston	Vance
Civera	Horsey	Ramos	Van Horne
Clymer	Jadlowiec	Raymond	Veon
Cohen, M.	Josephs	Readshaw	Vitali
Colafranca	Kaiser	Reinard	Walko
Cornell	Keller	Rieger	Waters
Corrigan	Kenney	Roberts	Williams
Costa	Kirkland	Robinson	Wogan
Coy	LaGrotta	Roebuck	Wojnarowski
Curry	Laughlin	Rooney	Wright
Dailey	Lawless	Ross	Yewcic
Daley	Lederer	Rubley	Youngblood
Dally	Leh	Ruffing	Yudichak
DeLuca	Lescovitz	Sainato	Zimmerman
Dermody	Levdansky	Samuelson	
DeWeese	Lucyk	Santoni	Ryan,
DiGirolamo	Maher	Sather	Speaker
Donatucci	Major	Schuler	

**NAYS—25**

Benninghoff	Forcier	McNaughton	Rohrer
Clark	Hutchinson	Metcalfe	Saylor
Cohen, L. I.	Krebs	Nailor	Schroder
Dempsey	Lynch	Nickol	Stevenson
Egolf	Maitland	Orie	Wilt
Feese	McIlhattan	Platts	Zug
Fleagle			

**NOT VOTING—1**

Taylor, E. Z.

**EXCUSED—3**

Hanna James Washington

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

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

**RESOLUTION REFERRED**

The SPEAKER. The Chair mistakenly marked this particular resolution down as a noncontroversial resolution, and on that basis it appeared on the calendar. The vote that was taken on this resolution was approximately 100 to 100; I forget the exact vote, but it was clearly a controversial resolution.

Under those circumstances, the Chair at this time refers this particular resolution to the Rules Committee, without objection. The resolution is referred.

**LOCAL GOVERNMENT COMMITTEE MEETING**

The SPEAKER. The gentleman, Mr. Herman, for a committee announcement.

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

The meeting that was scheduled for the Local Government Committee members today, that has been canceled, obviously, and we will meet again tomorrow at 9 o'clock in the majority caucus room, 140 Main Capitol Building, to undertake the business that we previously recessed in a meeting a couple of weeks ago. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

**DEMOCRATIC CAUCUS**

The SPEAKER. Mr. Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, just a reminder for the members, there will be a Democratic caucus tomorrow at 10:30 a.m.; 10:30 a.m. tomorrow morning.

The SPEAKER. The Chair thanks the gentleman.

**VOTE CORRECTIONS**

The SPEAKER. Are there any further corrections to the record or announcements to be made?

Mrs. Cohen.

Mrs. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, on that last reconsideration vote, HR 391, my switch malfunctioned, and I should have been voted in the affirmative.

The SPEAKER. The Chair thanks the lady. Her remarks will be placed upon the record.

Mrs. COHEN. Thank you, Mr. Speaker.

The SPEAKER. Mr. Eachus.

Mr. EACHUS. Thank you, Mr. Speaker.

I would like to correct the record.

On amendment 458 to HB 2263, sir, I pressed the page button instead of the “no” button. I would like to be corrected and put on the record as saying “no.” Thanks.

The SPEAKER. The remarks of the gentleman will be spread upon the record.

Any further corrections? Announcements?

Mr. Stairs.

Mr. STAIRS. Thank you, Mr. Speaker.

On HR 391 when it was first voted on, I meant to vote in the negative and I was recorded in the positive. So I would like to reflect that as a negative vote. Thank you.

The SPEAKER. The remarks of the gentleman will be spread upon the record.

The gentleman, Mr. Semmel.

Mr. SEMMEL. Thank you, Mr. Speaker.

On HR 391 I was inadvertently recorded in the affirmative, and I want to be recorded in the negative. Thank you.

The SPEAKER. The remarks of the gentleman will be spread upon the record.

#### **ANNOUNCEMENT BY MR. SAYLOR**

The SPEAKER. The gentleman, Mr. Saylor.

Mr. SAYLOR. Thank you, Mr. Speaker.

I want to remind everybody that tomorrow, you got the red paper on your desk about “Behind the Lights and Sirens” tomorrow out back of the Capitol. There will be a demonstration from a ladder truck on how firefighters search out and find individuals in a fire in a house. So I would like to remind everybody to show up tomorrow for the participation with the Fire Institute. Thank you.

That is at 11 o'clock tomorrow.

The SPEAKER. The Chair thanks the gentleman.

#### **BILLS AND RESOLUTIONS PASSED OVER**

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

#### **ADJOURNMENT**

The SPEAKER. Anything further?

Hearing nothing, the Chair recognizes the gentleman from Philadelphia County, Mr. Waters.

Mr. WATERS. Mr. Speaker, I move that this House do now adjourn until Tuesday, March 14, 2000, at 11 a.m., e.s.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 5:21 p.m., e.s.t., the House adjourned.