

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

TUESDAY, APRIL 3, 2001

SESSION OF 2001

185TH OF THE GENERAL ASSEMBLY

No. 20

### HOUSE OF REPRESENTATIVES

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

#### THE SPEAKER PRO TEMPORE (PATRICIA H. VANCE) PRESIDING

#### PRAYER

REV. DJ PAGLIA, Chaplain of the House of Representatives and associate pastor of Evangelical Assembly of God, Ephrata, Pennsylvania, offered the following prayer:

Shall we pray:

Our gracious Heavenly Father, we give You thanks for another great and wonderful day in this chamber. We ask You to give direction to the leadership of the House as well as to each member of the House of Representatives, who have come from near and far to consider the business of our Commonwealth.

Grant to each one wisdom, compassion, and a greater understanding of the needs of the citizens of our great State. May each of us in this moment and throughout this session seek Your guidance in all our decisions, that You will be well pleased and glorified.

This we pray in Your name. Amen.

#### PLEDGE OF ALLEGIANCE

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

#### JOURNAL APPROVAL POSTPONED

The SPEAKER pro tempore. Without objection, the approval of the Journal of Monday, April 2, 2001, will be postponed until printed. The Chair hears no objection.

#### HOUSE BILLS INTRODUCED AND REFERRED

**No. 1251** By Representatives HARHART, ARMSTRONG, M. BAKER, BARRAR, BEBKO-JONES, BELARDI, BELFANTI, BENNINGHOFF, BROWNE, CALTAGIRONE, CAPPELLI, CAWLEY, COLAFELLA, COLEMAN, CORRIGAN, CREIGHTON, CRUZ, DeWEESE, EGOLF, FAIRCHILD, GEIST, GRUCELA, HARHAI, HASAY, HESS, HORSEY, HUTCHINSON, KIRKLAND, LAUGHLIN, LEDERER, LEH, LUCYK, McCALL, McILHATTAN, McILHINNEY, MELIO, MICHLOVIC, S. MILLER, ORIE,

PHILLIPS, PISTELLA, READSHAW, ROBERTS, SAINATO, SATHER, SCHULER, SHANER, SOLOBAY, STABACK, STETLER, E. Z. TAYLOR, J. TAYLOR, THOMAS, TIGUE, TRELLO, TRICH, C. WILLIAMS, WILT, WOJNAROSKI, YOUNGBLOOD, YUDICHAK and ZUG

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for a special plate to honor prisoners of war and those missing in action; and further providing for payment to special funds.

Referred to Committee on TRANSPORTATION, April 3, 2001.

**No. 1252** By Representatives SURRA, BEBKO-JONES, BELARDI, CALTAGIRONE, STURLA, TIGUE, CAPPABIANCA, CRUZ, LAUGHLIN, THOMAS, STABACK, McCALL, YOUNGBLOOD, STEELMAN, FREEMAN, JOSEPHS, SOLOBAY, SHANER, HARHAI, HORSEY, JAMES, BELFANTI, GRUCELA, COLAFELLA and MICHLOVIC

An Act providing a meal or rest period for employees after working a specified number of hours.

Referred to Committee on LABOR RELATIONS, April 3, 2001.

**No. 1253** By Representatives SURRA, CAPPABIANCA, CRUZ, LAUGHLIN, THOMAS, BELARDI, STABACK, McCALL, JOSEPHS, SOLOBAY, BEBKO-JONES, STEELMAN, CALTAGIRONE, FREEMAN, GRUCELA, SHANER, HORSEY, TRELLO, JAMES, PETRONE, BELFANTI, J. WILLIAMS, MICHLOVIC, COLAFELLA and YUDICHAK

An Act providing for restrictions on overtime required by employers.

Referred to Committee on LABOR RELATIONS, April 3, 2001.

**No. 1254** By Representatives SURRA, BELARDI, JOSEPHS, SOLOBAY, SHANER, HARHAI and HORSEY

An Act amending the act of January 17, 1968 (P.L.11, No.5), known as The Minimum Wage Act of 1968, further providing for overtime wages.

Referred to Committee on LABOR RELATIONS, April 3, 2001.

**No. 1255** By Representatives COSTA, McCALL, FRANKEL, GRUCELA, MANN, SOLOBAY, CALTAGIRONE, CAPPABIANCA, CRUZ, DeLUCA, FAIRCHILD, GEORGE, HALUSKA, HARHAI, HENNESSEY, HORSEY, KELLER, LAUGHLIN, LEDERER, MARKOSEK, R. MILLER, READSHAW, SHANER, STABACK, THOMAS, TIGUE, TRELLO, WALKO, WOJNAROSKI and YOUNGBLOOD

An Act reenacting and amending the act of December 21, 1988 (P.L.1860, No.178), entitled "An act providing for the disposal of unclaimed garments," providing for the disposal of unclaimed footwear and other items left with shoe repairers.

Referred to Committee on COMMERCE AND ECONOMIC DEVELOPMENT, April 3, 2001.

**No. 1256** By Representatives CAPPELLI, BARRAR, L. I. COHEN, COLEMAN, COSTA, CREIGHTON, CRUZ, CURRY, FEESE, FLICK, FREEMAN, GABIG, GRUCELA, HARHART, HARPER, HENNESSEY, HERSHEY, HORSEY, KELLER, MAJOR, MANDERINO, McILHATTAN, ROSS, RUBLEY, SATHER, B. SMITH, SOLOBAY, STEELMAN, STEIL, T. STEVENSON, TANGRETTI, E. Z. TAYLOR, J. TAYLOR, TIGUE, TRAVAGLIO, WANSACZ, WATSON, WILT and WRIGHT

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, authorizing the use of radar by local police officers who meet certain qualifications.

Referred to Committee on TRANSPORTATION, April 3, 2001.

**No. 1257** By Representatives BOYES, GEIST, CAPPABIANCA, BARD, LAUGHLIN, MELIO, TRELLO, BELFANTI, CALTAGIRONE, COLEMAN, COSTA, CURRY, DeLUCA, J. EVANS, HARHAI, HERMAN, HORSEY, McCALL, MICOZZIE, READSHAW, RUBLEY, SAINATO, SATHER, SCHULER, SCRIMENTI, SHANER, SOLOBAY, STABACK, E. Z. TAYLOR and TRAVAGLIO

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for obedience to signal indicating approach of train.

Referred to Committee on TRANSPORTATION, April 3, 2001.

**No. 1258** By Representatives WILT, LEH, ARGALL, BELFANTI, CALTAGIRONE, CAPPELLI, CREIGHTON, DALLY, FEESE, GEIST, HERMAN, HERSHEY, HORSEY, KELLER, R. MILLER, S. MILLER, ROEBUCK, SAYLOR, SHANER, STABACK, T. STEVENSON, SURRA, THOMAS, TIGUE, YOUNGBLOOD, YUDICHAK, BASTIAN, FORCIER, LAUGHLIN and McNAUGHTON

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for impounding of adoption proceedings and access to records, for determination of paternity, for visitation rights and partial custody when there is a deceased parent, for protection from abuse orders and for full faith and credit and foreign protection orders.

Referred to Committee on JUDICIARY, April 3, 2001.

**No. 1259** By Representatives L. I. COHEN, THOMAS, BELARDI, BROWNE, CORRIGAN, CRUZ, DAILEY, EGOLF, J. EVANS, FRANKEL, GABIG, HENNESSEY, HORSEY, JAMES, LAUGHLIN, LEDERER, MACKERETH, MELIO, MICOZZIE, R. MILLER, MUNDY, PIPPY, ROSS, RUBLEY, SATHER, SAYLOR, SOLOBAY, STEELMAN, STERN, SURRA, VANCE, YOUNGBLOOD, HARPER and C. WILLIAMS

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, reenacting provisions relating to child victims and witnesses; and updating a policy declaration.

Referred to Committee on JUDICIARY, April 3, 2001.

**No. 1260** By Representatives L. I. COHEN, THOMAS, BELARDI, BROWNE, CORRIGAN, CRUZ, DAILEY, EGOLF, J. EVANS, FRANKEL, GABIG, HENNESSEY, HORSEY, JAMES, LAUGHLIN, LEDERER, MACKERETH, MELIO, MICOZZIE, R. MILLER, MUNDY, PIPPY, ROSS, RUBLEY, SATHER, SAYLOR, SOLOBAY, STEELMAN, STERN, SURRA, VANCE, YOUNGBLOOD, HARPER and C. WILLIAMS

A Joint Resolution proposing integrated amendments to the Constitution of the Commonwealth of Pennsylvania, further providing for rights of accused in criminal prosecutions and for judicial administration.

Referred to Committee on JUDICIARY, April 3, 2001.

**No. 1261** By Representatives MARKOSEK, READSHAW, CRUZ, McILHATTAN, BARRAR, LAUGHLIN, BELARDI, YOUNGBLOOD, CALTAGIRONE, SHANER, SOLOBAY, JOSEPHS, GEIST, HARPER, TRELLO, JAMES, BELFANTI and R. MILLER

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, providing for insurance coverage for infertility treatment services.

Referred to Committee on INSURANCE, April 3, 2001.

**No. 1262** By Representatives MARKOSEK, READSHAW, WALKO, WANSACZ, HENNESSEY, GEORGE, HORSEY, BELARDI, STABACK, YOUNGBLOOD, DALEY, McCALL, CIVERA, WOJNAROSKI, CAPPABIANCA, CALTAGIRONE, HARHAI, SOLOBAY, TRELLO, JAMES, BELFANTI, GRUCELA, THOMAS, SAINATO, BROWNE and LEDERER

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for driver improvement course discounts.

Referred to Committee on INSURANCE, April 3, 2001.

**No. 1263** By Representatives MARKOSEK, READSHAW, WALKO, ORIE, WANSACZ, STERN, ARMSTRONG, McILHATTAN, HENNESSEY, GEORGE, MANN, BARRAR, LAUGHLIN, HORSEY, CAPPELLI, BELARDI, STABACK,

YOUNGBLOOD, DALEY, NAILOR, CIVERA, YUDICHAK, DeWEESE, ALLEN, WOJNAROSKI, FREEMAN, STEELMAN, DONATUCCI, CURRY, CALTAGIRONE, HARHAI, SHANER, COSTA, SOLOBAY, SCHRODER, SCHULER, CORRIGAN, JAMES, BELFANTI, PETRARCA, GRUCELA, ROBERTS, SAINATO, BROWNE, STETLER, J. TAYLOR and LEDERER

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" for purposes of property tax and rent rebate claim eligibility.

Referred to Committee on FINANCE, April 3, 2001.

**No. 1264** By Representatives MARKOSEK, READSHAW, WALKO, T. STEVENSON, ORIE, WANSACZ, CRUZ, GEORGE, BARRAR, LAUGHLIN, CAPPELLI, LEVDANSKY, BELARDI, STABACK, ALLEN, YOUNGBLOOD, DALEY, McCALL, CIVERA, YUDICHAK, DeWEESE, STEELMAN, SCRIMENTI, CALTAGIRONE, HARHAI, SHANER, COSTA, SOLOBAY, TRELLO, BELFANTI, GRUCELA, THOMAS, ROBERTS, SAINATO and DeLUCA

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing a limited income tax credit for certain sewer improvements.

Referred to Committee on FINANCE, April 3, 2001.

**No. 1265** By Representatives MARKOSEK, READSHAW, WALKO, T. STEVENSON, ORIE, CRUZ, HENNESSEY, GEORGE, BARRAR, HERMAN, TIGUE, HORSEY, CAPPELLI, BELARDI, ALLEN, YOUNGBLOOD, DALEY, McCALL, DeWEESE, WOGAN, STEELMAN, STERN, CALTAGIRONE, HARHAI, SHANER, SOLOBAY, SCHRODER, CORRIGAN, BELFANTI, GRUCELA and THOMAS

An Act amending the act of March 1, 1988 (P.L.82, No.16), known as the Pennsylvania Infrastructure Investment Authority Act, further providing for legislative intent, for definitions and for financial assistance.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, April 3, 2001.

**No. 1266** By Representatives MARKOSEK, WALKO, HORSEY, YOUNGBLOOD, DALEY, CALTAGIRONE, SOLOBAY, TRELLO, FRANKEL and LEDERER

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for oxygen tank transportation systems.

Referred to Committee on TRANSPORTATION, April 3, 2001.

**No. 1267** By Representatives C. WILLIAMS, CALTAGIRONE, CAPPELLI, COY, LAWLESS, GEORGE, KREBS, HARHAI, MAITLAND, FREEMAN and THOMAS

An Act repealing the act of June 17, 1913 (P.L.507, No.335), referred to as the Intangible Personal Property Tax Law.

Referred to Committee on FINANCE, April 3, 2001.

**No. 1268** By Representatives C. WILLIAMS, BEBKO-JONES, BELFANTI, CALTAGIRONE, COSTA, HORSEY, LEDERER, STABACK, THOMAS, TRICH, WALKO, WATERS, YOUNGBLOOD, SCRIMENTI, MELIO and CRUZ

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, prohibiting children under the age of ten from riding in front seat of passenger vehicles.

Referred to Committee on TRANSPORTATION, April 3, 2001.

**No. 1269** By Representatives C. WILLIAMS, ARGALL, BARD, BEBKO-JONES, BELARDI, BELFANTI, BUNT, CALTAGIRONE, CAPPABIANCA, CAPPELLI, COLAFELLA, COSTA, DeLUCA, DeWEESE, GEORGE, HORSEY, LEDERER, MANN, MICHLOVIC, ROEBUCK, RUBLEY, STABACK, STURLA, E. Z. TAYLOR, THOMAS, TRICH, WALKO, WATERS, YOUNGBLOOD, KAISER, BASTIAN, CRUZ, JOSEPHS, FRANKEL, GEIST, WANSACZ, YUDICHAK, MELIO and LAUGHLIN

An Act providing for lead-level testing of day-care and preschool facilities; establishing a grant program; and making an appropriation.

Referred to Committee on CHILDREN AND YOUTH, April 3, 2001.

**No. 1270** By Representatives C. WILLIAMS, BARD, BELFANTI, CALTAGIRONE, FLICK, FRANKEL, HORSEY, LEVDANSKY, RUBLEY, SOLOBAY, STURLA, THOMAS, TRICH, WALKO, YOUNGBLOOD, SCRIMENTI, YUDICHAK, FREEMAN, MELIO and JOSEPHS

An Act authorizing health care providers to negotiate with health care insurers; and providing for the powers and duties of the Attorney General and the Insurance Commissioner.

Referred to Committee on INSURANCE, April 3, 2001.

**No. 1271** By Representatives ROBERTS, COLAFELLA, DeWEESE, MELIO, PIPPY, SHANER, SOLOBAY, THOMAS, WASHINGTON, J. WILLIAMS, WOJNAROSKI and YOUNGBLOOD

An Act authorizing the Department of General Services, with the approval of the Governor and of the Pennsylvania Historical and Museum Commission, to sell and convey to the County of Fayette, a certain tract of land and right-of-way situate in Wharton Township, Fayette County, Pennsylvania.

Referred to Committee on STATE GOVERNMENT, April 3, 2001.

**No. 1272** By Representatives CIVERA, ADOLPH, ALLEN, CAPPELLI, CLYMER, M. COHEN, CORRIGAN, DALEY, DALLY, FAIRCHILD, FRANKEL, HENNESSEY, HERMAN, KIRKLAND, LAUGHLIN, MARKOSEK, R. MILLER,

NICKOL, PISTELLA, PRESTON, RUBLEY, SAYLOR, SHANER, STABACK, E. Z. TAYLOR, J. TAYLOR, TRELLO, WATSON, WILT, WOJNAROSKI and YOUNGBLOOD

An Act amending the act of June 19, 1931 (P.L.589, No.202), referred to as the Barbers' License Law, further providing for applications for licensure and for student barbers.

Referred to Committee on PROFESSIONAL LICENSURE, April 3, 2001.

No. 1273 By Representatives MANN, ALLEN, BOYES, BROWNE, CORRIGAN, CURRY, FRANKEL, GEIST, GODSHALL, GRUCELA, HERSHEY, HORSEY, JAMES, LAUGHLIN, MELIO, MYERS, PISTELLA, PRESTON, READSHAW, RUBLEY, SCHRODER, THOMAS, TIGUE, TRELLO, WASHINGTON, C. WILLIAMS and WOGAN

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 funding for charter schools.

Referred to Committee on EDUCATION, April 3, 2001.

**HOUSE RESOLUTION INTRODUCED AND REFERRED**

No. 139 By Representatives ROEBUCK, BEBKO-JONES, BELFANTI, BLAUM, BROWNE, BUXTON, CAPPABIANCA, CRUZ, CURRY, DALEY, DeLUCA, FRANKEL, GRUCELA, HERSHEY, HORSEY, JAMES, JOSEPHS, LaGROTTA, LEVDANSKY, MANDERINO, McCALL, PETRARCA, PRESTON, ROBINSON, SHANER, STABACK, STURLA, SURRA, THOMAS, TRICH, WASHINGTON, C. WILLIAMS, J. WILLIAMS, YOUNGBLOOD, MELIO, COLAFELLA and CORRIGAN

A Resolution directing the Committee on Education to investigate any incidents relating to racial relations occurring on the campuses of the Commonwealth's colleges and universities.

Referred to Committee on RULES, April 3, 2001.

**SENATE BILL FOR CONCURRENCE**

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

**SB 1, PN 800**

Referred to Committee on APPROPRIATIONS, April 3, 2001.

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

**HB 1094, PN 1477 (Amended)** By Rep. GEIST

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for emission inspections and removing provisions relating to certain settlements.

TRANSPORTATION.

**HB 1245, PN 1442**

By Rep. GEIST

An Act designating State Route 8 in Allegheny County as the Rick Cessar Highway.

TRANSPORTATION.

**SENATE MESSAGE**

**ADJOURNMENT RESOLUTION FOR CONCURRENCE**

The clerk of the Senate, being introduced, presented the following extract from the Journal of the Senate, which was read as follows:

In the Senate  
April 2, 2001

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene on Monday, April 23, 2001, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, That when the House of Representatives adjourns this week, it reconvene on Monday, April 23, 2001, unless sooner recalled by the Speaker of the House of Representatives.

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

On the question,  
Will the House concur in the resolution of the Senate?  
Resolution was concurred in.  
Ordered, That the clerk inform the Senate accordingly.

**RESIGNATION OF MEMBER**

The SPEAKER pro tempore. A communication which will be read by the clerk.

The following communication was read:

House of Representatives  
Commonwealth of Pennsylvania  
Harrisburg

March 30, 2001

Matthew J. Ryan  
Speaker of the House  
139 Main Capitol  
Harrisburg, PA 17120

Dear Speaker Ryan:

This letter is to inform you that I will be resigning my position as State Representative for the 28th Legislative District, effective 10:30 am, Tuesday, April 3, 2001.

It is with mixed emotions that I resign my position. I have thoroughly enjoyed my terms and will miss the contact with my peers. Yet I look forward to new horizons and challenges in the Senate.

I wish you all the best life has to offer with continued success in the Legislature. Keep in touch!

Respectfully,  
Jane Clare Orié  
State Senator Elect

### BILLS REMOVED FROM TABLE

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

Mr. PERZEL. Madam Speaker, I move that the following bills be removed from the table:

HB 227;  
HB 286;  
HB 344; and  
HB 846.

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

### BILLS ON SECOND CONSIDERATION

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

**HB 227, PN 1074; HB 286, PN 1068; HB 344, PN 361; and HB 846, PN 940.**

### BILLS RECOMMENDED

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

Mr. PERZEL. Madam Speaker, I move that the following bills be recommitted to Appropriations:

HB 227;  
HB 286;  
HB 344; and  
HB 846.

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

### COMMITTEE APPOINTED

The SPEAKER pro tempore. Pursuant to HR 16, the Chair appoints the following members to the Keystone Commission on Education for Employment in the 21st Century:

House Members:

Representative Jess Stairs  
Representative Nick Colafella  
Representative Dan Surra  
Representative Phyllis Mundy  
Representative Robert Flick

Representative Stan Saylor  
Representative David Steil

Business Trades, Education and Community Representatives:

Mark Lantz  
Ed Donley  
Kirk Lidell  
Sam Katz  
Dr. Clyde Hornberger  
Dr. Francis Barnes  
Michael F. Dunleavy  
Glenn A. Schaeffer

### LEAVES OF ABSENCE

The SPEAKER pro tempore. Are there requests for leaves of absence?

The Chair recognizes the majority whip, who moves that the lady, Mrs. COHEN, from Montgomery County, and the gentleman from Lancaster County, Mr. ARMSTRONG, be granted a leave for the day. Without objection, the leaves are granted.

### MASTER ROLL CALL

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

The following roll call was recorded:

#### PRESENT—197

|             |            |            |               |
|-------------|------------|------------|---------------|
| Adolph      | Evans, J.  | Maitland   | Schroder      |
| Allen       | Fairchild  | Major      | Schuler       |
| Argall      | Feese      | Manderino  | Scrimenti     |
| Baker, J.   | Fichter    | Mann       | Semmel        |
| Baker, M.   | Fleagle    | Markosek   | Shaner        |
| Bard        | Flick      | Marsico    | Smith, B.     |
| Barley      | Forcier    | Mayernik   | Smith, S. H.  |
| Barrar      | Frankel    | McCall     | Solobay       |
| Bastian     | Freeman    | McGeehan   | Staback       |
| Bebko-Jones | Gabig      | McGill     | Stairs        |
| Belardi     | Gannon     | McIlhatten | Steelman      |
| Belfanti    | Geist      | McIlhinney | Steil         |
| Benninghoff | George     | McNaughton | Stern         |
| Birmelin    | Godshall   | Melio      | Stetler       |
| Bishop      | Gordner    | Metcalfe   | Stevenson, R. |
| Blaum       | Grucela    | Michlovic  | Stevenson, T. |
| Boyes       | Gruitza    | Micozzie   | Strittmatter  |
| Browne      | Habay      | Miller, R. | Sturla        |
| Bunt        | Haluska    | Miller, S. | Surra         |
| Butkovitz   | Hanna      | Mundy      | Tangretti     |
| Buxton      | Harhai     | Myers      | Taylor, J.    |
| Caltagirone | Harhart    | Nailor     | Thomas        |
| Cappelli    | Harper     | Nickol     | Tigue         |
| Casorio     | Hasay      | O'Brien    | Travaglio     |
| Cawley      | Hennessey  | Oliver     | Trello        |
| Civera      | Herman     | Pallone    | Trich         |
| Clark       | Hershey    | Perzel     | Tulli         |
| Clymer      | Hess       | Petrarca   | Vance         |
| Cohen, M.   | Horsey     | Petrone    | Veon          |
| Colafella   | Hutchinson | Phillips   | Vitali        |
| Coleman     | Jadlowiec  | Pickett    | Walko         |
| Cornell     | James      | Pippy      | Wansacz       |
| Corrigan    | Josephs    | Pistella   | Washington    |
| Costa       | Kaiser     | Preston    | Waters        |
| Coy         | Keller     | Raymond    | Watson        |
| Creighton   | Kenney     | Readshaw   | Williams, C.  |
| Cruz        | Kirkland   | Reinard    | Williams, J.  |
| Curry       | Krebs      | Rieger     | Wilt          |
| Dailey      | LaGrotta   | Robinson   | Wogan         |

|            |           |           |            |
|------------|-----------|-----------|------------|
| Daley      | Laughlin  | Roebuck   | Wojnaroski |
| Dally      | Lawless   | Rohrer    | Wright     |
| DeLuca     | Lederer   | Rooney    | Yewcic     |
| Dermody    | Leh       | Ross      | Youngblood |
| DeWeese    | Lescovitz | Rubley    | Yudichak   |
| DiGirolamo | Levdansky | Ruffing   | Zimmerman  |
| Diven      | Lewis     | Sainato   | Zug        |
| Donatucci  | Lucyk     | Samuelson |            |
| Eachus     | Lynch     | Santoni   |            |
| Egolf      | Mackereth | Sather    | Ryan,      |
| Evans, D.  | Maher     | Saylor    | Speaker    |

ADDITIONS—0

NOT VOTING—0

EXCUSED—5

|             |              |         |               |
|-------------|--------------|---------|---------------|
| Armstrong   | Cohen, L. I. | Roberts | Taylor, E. Z. |
| Cappabianca |              |         |               |

LEAVES ADDED—4

|         |           |       |        |
|---------|-----------|-------|--------|
| DeWeese | Jadlowiec | James | Thomas |
|---------|-----------|-------|--------|

GUESTS INTRODUCED

The SPEAKER pro tempore. The Chair is pleased to welcome to the hall of the House Ethan Crower, who is serving as a guest page today for Representative Ron Miller. Ethan lives in Jefferson, Pennsylvania. Would Ethan please rise.

The Chair recognizes the gentleman, Mr. Grucela, under unanimous consent.

Mr. GRUCELA. Thank you, Madam Speaker.

It is an honor for me today to have with me a fourth grade student back in the district that won the "It Ought To Be a Law" contest that we sponsor, and with me in the back of the House this morning are Caitlin Dougherty, a fourth grade student at Forks Township Elementary School, and her parents, Andrew and Catherine Dougherty, and her sister, Maura. If they would rise in the back. Thank you.

Madam Speaker, Caitlin's winning essay was on a helmet law for nonmotorized vehicle scooters. Anyone under the age of 12 should wear a helmet whenever riding this particular vehicle. That bill was introduced today and will be HB 1274.

So it is a pleasure for me to have Caitlin and her family here with us today and thank Caitlin for taking part in the contest and for her award-winning essay. Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair is pleased to welcome to the hall of the House guest pages who are 10th grade students at Central Dauphin High School — Jenna Lewis, Caroline Summers, Molly Reinke — who are the guests of Representative Ron Marsico of Dauphin County. Would the ladies please rise.

The Chair is also pleased to welcome to the hall of the House Craig Limeberry, who is a senior at Easton Area High School, who is shadowing Representative Grucela for the day. He is seated in the back of the House. Would the gentleman please rise.

CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mrs. LEDERER called up HR 127, PN 1405, entitled:

A Resolution recognizing the month of April 2001 as "Sexual Assault Awareness Month" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

|             |            |            |               |
|-------------|------------|------------|---------------|
| Adolph      | Evans, J.  | Maitland   | Schroder      |
| Allen       | Fairchild  | Major      | Schuler       |
| Argall      | Feese      | Manderino  | Scrimenti     |
| Baker, J.   | Fichter    | Mann       | Semmel        |
| Baker, M.   | Fleagle    | Markosek   | Shaner        |
| Bard        | Flick      | Marsico    | Smith, B.     |
| Barley      | Forcier    | Mayermik   | Smith, S. H.  |
| Barrar      | Frankel    | McCall     | Solobay       |
| Bastian     | Freeman    | McGeehan   | Staback       |
| Bebko-Jones | Gabig      | McGill     | Stairs        |
| Belardi     | Gannon     | McIlhattan | Steelman      |
| Belfanti    | Geist      | McIlhinney | Steil         |
| Benninghoff | George     | McNaughton | Stem          |
| Birmelin    | Godshall   | Melio      | Stetler       |
| Bishop      | Gordner    | Metcalfe   | Stevenson, R. |
| Blaum       | Grucela    | Michlovic  | Stevenson, T. |
| Boyes       | Gruitza    | Micozzie   | Strittmatter  |
| Browne      | Habay      | Miller, R. | Sturla        |
| Bunt        | Haluska    | Miller, S. | Surra         |
| Butkovitz   | Hanna      | Mundy      | Tangretti     |
| Buxton      | Harhai     | Myers      | Taylor, J.    |
| Caltagirone | Harhart    | Nailor     | Thomas        |
| Cappelli    | Harper     | Nickol     | Tigue         |
| Casorio     | Hasay      | O'Brien    | Travaglio     |
| Cawley      | Hennessey  | Oliver     | Trello        |
| Civera      | Herman     | Pallone    | Trich         |
| Clark       | Hershey    | Perzel     | Tulli         |
| Clymer      | Hess       | Petrarca   | Vance         |
| Cohen, M.   | Horsey     | Petrone    | Veon          |
| Colafella   | Hutchinson | Phillips   | Vitali        |
| Coleman     | Jadlowiec  | Pickett    | Walko         |
| Cornell     | James      | Pippy      | Wansacz       |
| Corrigan    | Josephs    | Pistella   | Washington    |
| Costa       | Kaiser     | Preston    | Waters        |
| Coy         | Keller     | Raymond    | Watson        |
| Creighton   | Kenney     | Readshaw   | Williams, C.  |
| Cruz        | Kirkland   | Reinard    | Williams, J.  |
| Curry       | Krebs      | Rieger     | Wilt          |
| Dailey      | LaGrotta   | Robinson   | Wogan         |
| Daley       | Laughlin   | Roebuck    | Wojnaroski    |
| Dally       | Lawless    | Rohrer     | Wright        |
| DeLuca      | Lederer    | Rooney     | Yewcic        |
| Dermody     | Leh        | Ross       | Youngblood    |
| DeWeese     | Lescovitz  | Rubley     | Yudichak      |
| DiGirolamo  | Levdansky  | Ruffing    | Zimmerman     |
| Diven       | Lewis      | Sainato    | Zug           |
| Donatucci   | Lucyk      | Samuelson  |               |
| Eachus      | Lynch      | Santoni    |               |
| Egolf       | Mackereth  | Sather     | Ryan,         |
| Evans, D.   | Maher      | Saylor     | Speaker       |

NAYS—0

NOT VOTING—0

EXCUSED—5

|             |              |         |               |
|-------------|--------------|---------|---------------|
| Armstrong   | Cohen, L. I. | Roberts | Taylor, E. Z. |
| Cappabianca |              |         |               |

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

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Mr. ADOLPH called up HR 131, PN 1430, entitled:

A Resolution designating the week of April 1 through 7, 2001, as "Lupus Awareness Week" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

|             |            |            |               |
|-------------|------------|------------|---------------|
| Adolph      | Evans, J.  | Maitland   | Schroder      |
| Allen       | Fairchild  | Major      | Schuler       |
| Argall      | Feese      | Manderino  | Scrimenti     |
| Baker, J.   | Fichter    | Mann       | Semmel        |
| Baker, M.   | Fleagle    | Markosek   | Shaner        |
| Bard        | Flick      | Marsico    | Smith, B.     |
| Barley      | Forcier    | Mayernik   | Smith, S. H.  |
| Barrar      | Frankel    | McCall     | Solobay       |
| Bastian     | Freeman    | McGeehan   | Staback       |
| Bebko-Jones | Gabig      | McGill     | Stairs        |
| Belardi     | Gannon     | McLhattan  | Steelman      |
| Belfanti    | Geist      | McIlhinney | Steil         |
| Benninghoff | George     | McNaughton | Stern         |
| Birmelin    | Godshall   | Melio      | Stetler       |
| Bishop      | Gordner    | Metcalfe   | Stevenson, R. |
| Blaum       | Grucela    | Michlovic  | Stevenson, T. |
| Boyes       | Gruitza    | Micozzie   | Strittmatter  |
| Browne      | Habay      | Miller, R. | Sturla        |
| Bunt        | Haluska    | Miller, S. | Surra         |
| Butkovitz   | Hanna      | Mundy      | Tangretti     |
| Buxton      | Harhai     | Myers      | Taylor, J.    |
| Caltagirone | Harhart    | Nailor     | Thomas        |
| Cappelli    | Harper     | Nickol     | Tigue         |
| Casorio     | Hasay      | O'Brien    | Travaglio     |
| Cawley      | Hennessey  | Oliver     | Trello        |
| Civera      | Herman     | Pallone    | Trich         |
| Clark       | Hershey    | Perzel     | Tulli         |
| Clymer      | Hess       | Petrarca   | Vance         |
| Cohen, M.   | Horsey     | Petrone    | Veon          |
| Colafella   | Hutchinson | Phillips   | Vitali        |
| Coleman     | Jadlowiec  | Pickett    | Walko         |
| Cornell     | James      | Pippy      | Wansacz       |
| Corrigan    | Josephs    | Pistella   | Washington    |
| Costa       | Kaiser     | Preston    | Waters        |
| Coy         | Keller     | Raymond    | Watson        |
| Creighton   | Kenney     | Readshaw   | Williams, C.  |
| Cruz        | Kirkland   | Reinard    | Williams, J.  |
| Curry       | Krebs      | Rieger     | Wilt          |
| Dailey      | LaGrotta   | Robinson   | Wogan         |
| Daley       | Laughlin   | Roebuck    | Wojnaroski    |
| Dally       | Lawless    | Rohrer     | Wright        |
| DeLuca      | Lederer    | Rooney     | Yewcic        |
| Dermody     | Leh        | Ross       | Youngblood    |
| DeWeese     | Lescovitz  | Rubley     | Yudichak      |
| DiGirolamo  | Levdansky  | Ruffing    | Zimmerman     |
| Diven       | Lewis      | Sainato    | Zug           |
| Donatucci   | Lucyk      | Samuelson  |               |
| Eachus      | Lynch      | Santoni    |               |
| Egolf       | Mackereth  | Sather     | Ryan,         |
| Evans, D.   | Maher      | Saylor     | Speaker       |

NAYS—0

NOT VOTING—0

EXCUSED—5

|             |              |         |               |
|-------------|--------------|---------|---------------|
| Armstrong   | Cohen, L. I. | Roberts | Taylor, E. Z. |
| Cappabianca |              |         |               |

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

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Mr. FLICK called up HR 133, PN 1432, entitled:

A Resolution recognizing and supporting the Chester County Flower Show.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

|             |            |            |               |
|-------------|------------|------------|---------------|
| Adolph      | Evans, J.  | Maitland   | Schroder      |
| Allen       | Fairchild  | Major      | Schuler       |
| Argall      | Feese      | Manderino  | Scrimenti     |
| Baker, J.   | Fichter    | Mann       | Semmel        |
| Baker, M.   | Fleagle    | Markosek   | Shaner        |
| Bard        | Flick      | Marsico    | Smith, B.     |
| Barley      | Forcier    | Mayernik   | Smith, S. H.  |
| Barrar      | Frankel    | McCall     | Solobay       |
| Bastian     | Freeman    | McGeehan   | Staback       |
| Bebko-Jones | Gabig      | McGill     | Stairs        |
| Belardi     | Gannon     | McLhattan  | Steelman      |
| Belfanti    | Geist      | McIlhinney | Steil         |
| Benninghoff | George     | McNaughton | Stern         |
| Birmelin    | Godshall   | Melio      | Stetler       |
| Bishop      | Gordner    | Metcalfe   | Stevenson, R. |
| Blaum       | Grucela    | Michlovic  | Stevenson, T. |
| Boyes       | Gruitza    | Micozzie   | Strittmatter  |
| Browne      | Habay      | Miller, R. | Sturla        |
| Bunt        | Haluska    | Miller, S. | Surra         |
| Butkovitz   | Hanna      | Mundy      | Tangretti     |
| Buxton      | Harhai     | Myers      | Taylor, J.    |
| Caltagirone | Harhart    | Nailor     | Thomas        |
| Cappelli    | Harper     | Nickol     | Tigue         |
| Casorio     | Hasay      | O'Brien    | Travaglio     |
| Cawley      | Hennessey  | Oliver     | Trello        |
| Civera      | Herman     | Pallone    | Trich         |
| Clark       | Hershey    | Perzel     | Tulli         |
| Clymer      | Hess       | Petrarca   | Vance         |
| Cohen, M.   | Horsey     | Petrone    | Veon          |
| Colafella   | Hutchinson | Phillips   | Vitali        |
| Coleman     | Jadlowiec  | Pickett    | Walko         |
| Cornell     | James      | Pippy      | Wansacz       |
| Corrigan    | Josephs    | Pistella   | Washington    |
| Costa       | Kaiser     | Preston    | Waters        |
| Coy         | Keller     | Raymond    | Watson        |
| Creighton   | Kenney     | Readshaw   | Williams, C.  |
| Cruz        | Kirkland   | Reinard    | Williams, J.  |
| Curry       | Krebs      | Rieger     | Wilt          |
| Dailey      | LaGrotta   | Robinson   | Wogan         |
| Daley       | Laughlin   | Roebuck    | Wojnaroski    |
| Dally       | Lawless    | Rohrer     | Wright        |
| DeLuca      | Lederer    | Rooney     | Yewcic        |
| Dermody     | Leh        | Ross       | Youngblood    |
| DeWeese     | Lescovitz  | Rubley     | Yudichak      |
| DiGirolamo  | Levdansky  | Ruffing    | Zimmerman     |
| Diven       | Lewis      | Sainato    | Zug           |
| Donatucci   | Lucyk      | Samuelson  |               |
| Eachus      | Lynch      | Santoni    |               |
| Egolf       | Mackereth  | Sather     | Ryan,         |
| Evans, D.   | Maher      | Saylor     | Speaker       |

NAYS—0

NOT VOTING—0

EXCUSED—5

Armstrong Cohen, L. I. Roberts Taylor, E. Z.  
Cappabianca

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

\* \* \*

Mr. HENNESSEY called up **HR 134, PN 1433**, entitled:

A Resolution designating the month of April 2001 as "Pennsylvania Organ and Tissue Donor Awareness Month."

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

|             |            |            |               |
|-------------|------------|------------|---------------|
| Adolph      | Evans, J.  | Maitland   | Schroder      |
| Allen       | Fairchild  | Major      | Schuler       |
| Argall      | Feese      | Manderino  | Scrimenti     |
| Baker, J.   | Fichter    | Mann       | Semmel        |
| Baker, M.   | Fleagle    | Markosek   | Shaner        |
| Bard        | Flick      | Marsico    | Smith, B.     |
| Barley      | Forcier    | Mayernik   | Smith, S. H.  |
| Barrar      | Frankel    | McCall     | Solobay       |
| Bastian     | Freeman    | McGeehan   | Staback       |
| Bebko-Jones | Gabig      | McGill     | Stairs        |
| Belardi     | Gannon     | McIlhattan | Steelman      |
| Belfanti    | Geist      | McIlhinney | Steil         |
| Benninghoff | George     | McNaughton | Stern         |
| Birmelin    | Godshall   | Melio      | Stetler       |
| Bishop      | Gordner    | Metcalfe   | Stevenson, R. |
| Blaum       | Grucela    | Michlovic  | Stevenson, T. |
| Boyes       | Gruitza    | Micozzie   | Strittmatter  |
| Browne      | Habay      | Miller, R. | Sturla        |
| Bunt        | Haluska    | Miller, S. | Surra         |
| Butkovitz   | Hanna      | Mundy      | Tangretti     |
| Buxton      | Harhai     | Myers      | Taylor, J.    |
| Caltagirone | Harhart    | Nailor     | Thomas        |
| Cappelli    | Harper     | Nickol     | Tigue         |
| Casorio     | Hasay      | O'Brien    | Travaglio     |
| Cawley      | Hennessey  | Oliver     | Trello        |
| Civera      | Herman     | Pallone    | Trich         |
| Clark       | Hershey    | Perzel     | Tulli         |
| Clymer      | Hess       | Petrarca   | Vance         |
| Cohen, M.   | Horsey     | Petrone    | Veon          |
| Colafella   | Hutchinson | Phillips   | Vitali        |
| Coleman     | Jadlowiec  | Pickett    | Walko         |
| Cornell     | James      | Pippy      | Wansacz       |
| Corrigan    | Josephs    | Pistella   | Washington    |
| Costa       | Kaiser     | Preston    | Waters        |
| Coy         | Keller     | Raymond    | Watson        |
| Creighton   | Kenney     | Readshaw   | Williams, C.  |
| Cruz        | Kirkland   | Reinard    | Williams, J.  |
| Curry       | Krebs      | Rieger     | Wilt          |
| Dailey      | LaGrotta   | Robinson   | Wogan         |
| Daley       | Laughlin   | Roebuck    | Wojnaroski    |
| Dally       | Lawless    | Rohrer     | Wright        |
| DeLuca      | Lederer    | Rooney     | Yewcic        |
| Dermody     | Leh        | Ross       | Youngblood    |
| DeWeese     | Lescovitz  | Rubley     | Yudichak      |
| DiGirolamo  | Levdansky  | Ruffing    | Zimmerman     |
| Diven       | Lewis      | Sainato    | Zug           |

|           |           |           |         |
|-----------|-----------|-----------|---------|
| Donatucci | Lucyk     | Samuelson |         |
| Eachus    | Lynch     | Santoni   |         |
| Egolf     | Mackereth | Sather    | Ryan,   |
| Evans, D. | Maher     | Saylor    | Speaker |

NAYS—0

NOT VOTING—0

EXCUSED—5

Armstrong Cohen, L. I. Roberts Taylor, E. Z.  
Cappabianca

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

GUESTS INTRODUCED

The SPEAKER pro tempore. The Chair is pleased to welcome to the hall of the House Gregory Mizii, who is the guest of Representative Leroy Zimmerman. He is located in the back balcony. Would the gentleman please rise.

The Chair is also pleased to welcome to the hall of the House, as the guests of Representative Matt Baker, the Tioga County Christian Academy students and their faculty, who are seated in the balcony. Would the group please rise.

The Chair is also pleased to welcome to the hall of the House Mallory Boyer and Melissa Garman, who are students and guest pages from Cedar Cliff High School. They are guests of Representative Jerry Nailor. They are located in the well of the House. Will the ladies please rise.

The House is also pleased to welcome to the hall of the House Kevin O'Kane, the general manager of television station WPSG; his wife, Cathy; and their 10-year-old daughter, Corinne, from Marple Township. They are seated in the gallery and are guests of the gentleman from Delaware County, Mr. Adolph. Would they please rise.

The Chair is also pleased to welcome to the hall of the House a group of fourth grade students from Bethlehem Christian School and their teacher, Mrs. Longaberger. They are seated in the balcony and are here as guests of Representative Samuelson.

THE SPEAKER (MATTHEW J. RYAN)  
PRESIDING

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

Today I had the opportunity to attend session briefly in the Senate and witness the induction of Jane Orié, our former member, into the club of the Senate. It was quite impressive. We hate to lose Jane Orié.

ARTS IN EDUCATION DAY PROGRAM

The SPEAKER. Today is also another special day. Today is the sixth annual Arts in Education Day here in Harrisburg.

During the day, members and guests here at the Capitol will see some of Pennsylvania's best student dancers, actors, and



musicians. Some will recite poetry. Hundreds of others have loaned works of art which will be exhibited in the rotunda and in the Education Building.

Arts in Education Day gives us the opportunity to reflect on the artistic freedom we have enjoyed here in Pennsylvania for over 300 years. That freedom began as a vision of William Penn, who saw his settlement as a site where religious and artistic expression could flow freely among people of diverse cultural backgrounds.

We in Pennsylvania have had a long and bountiful relationship with the arts. We are grateful to all of the young people, the art educators, corporate sponsors, parents, and friends who have come to Harrisburg to participate in this special day. I am grateful for the inspiration and joy their work brings to us and to the lives of all Pennsylvanians.

Thank you, students, and thanks as well to the teachers who have supported and encouraged these young artists.

Before I call upon some young friends from the South Scranton Intermediate School, guests of Representative Belardi, who will share their talent with the rest of Pennsylvania, I would like to acknowledge several guests sitting to my left. They are Rick Coulter, the chairman of the Pennsylvania Alliance for the Arts, our partner in Arts Day. Rick, stand up, please.

Next, Tommy Boylstein, the president of the Pennsylvania Congress of Parent/Teacher Associations. Will the lady please rise.

They are sitting with Melissa Jeka, Miss Pennsylvania — a very, very talented dancer and certainly the pride of Pennsylvania. I have invited her back at her convenience to address the House, when she finds time in her otherwise very busy schedule.

Finally, I would like you all to meet the State director of Pennsylvania Arts in Education Day, my full-time college intern this semester, Heather Kirkwood. She is a senior at Clarion University of Pennsylvania. Will she please stand and be recognized.

Finally, I am pleased to introduce the following students from the South Scranton Intermediate School Show Choir: Amanda Doria, Kayleen Lavis, Jessica Dunlevy, and Christopher Tucker. Will they please rise.

They are the makeup of the choir, and that choir could not function without the piano accompaniment of Allison Mayer. Allison, would you please rise. You thought I would forget you. I would not do that.

The students are here under the direction of Kathleen Sottile and Kim Gnall. Would these guests rise.

Thank you very much, and I hope everyone enjoys Arts in Education Day here in the Capitol Complex.

I would appreciate it, while these students are performing, that the members show them the courtesy to which they are entitled. Members will take their seats.

(“Danny Boy” and “Open Your Eyes” were sung by the South Scranton Intermediate School Show Choir.)

The SPEAKER. It goes without saying that the choir caught my attention early with “Danny Boy.” That was beautiful. I thank them very much for being with us and recommend to all of the members of the House that they participate as viewers at

least in the various aspects of Arts Day here in the Capitol Building today.

## SUPPLEMENTAL CALENDAR A

### RESOLUTIONS PURSUANT TO RULE 35

Mr. COHEN called up **HR 140, PN 1453**, entitled:

A Resolution commending school arts educators, resolving that every child receive a well-rounded education, including an extensive, high-quality program of the arts taught by certified arts specialists, and declaring April 2001 as “Arts in Education Month” and April 3, 2001, as “Arts in Education Day” in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

#### YEAS—196

|             |            |            |               |
|-------------|------------|------------|---------------|
| Adolph      | Evans, J.  | Maitland   | Saylor        |
| Allen       | Fairchild  | Major      | Schroder      |
| Argall      | Feese      | Manderino  | Schuler       |
| Baker, J.   | Fichter    | Mann       | Semmel        |
| Baker, M.   | Fleagle    | Markosek   | Shaner        |
| Bard        | Flick      | Marsico    | Smith, B.     |
| Barley      | Forcier    | Mayernik   | Smith, S. H.  |
| Barrar      | Frankel    | McCall     | Solobay       |
| Bastian     | Freeman    | McGeehan   | Staback       |
| Bebko-Jones | Gabig      | McGill     | Stairs        |
| Belardi     | Gannon     | McIlhattan | Steelman      |
| Belfanti    | Geist      | McIlhinney | Steil         |
| Benninghoff | George     | McNaughton | Stern         |
| Birmelin    | Godshall   | Melio      | Stetler       |
| Bishop      | Gordner    | Metcalfe   | Stevenson, R. |
| Blaum       | Grucela    | Michlovic  | Stevenson, T. |
| Boyes       | Gruitza    | Micozzie   | Strittmatter  |
| Browne      | Habay      | Miller, R. | Sturla        |
| Bunt        | Haluska    | Miller, S. | Surra         |
| Butkovitz   | Hanna      | Mundy      | Tangretti     |
| Buxton      | Harhai     | Myers      | Taylor, J.    |
| Caltagirone | Harhart    | Nailor     | Thomas        |
| Cappelli    | Harper     | Nickol     | Tigue         |
| Casorio     | Hasay      | O'Brien    | Travaglio     |
| Cawley      | Hennessey  | Oliver     | Trello        |
| Civera      | Herman     | Pallone    | Trich         |
| Clark       | Hershey    | Perzel     | Tulli         |
| Clymer      | Hess       | Petrarca   | Vance         |
| Cohen, M.   | Horsey     | Petrone    | Veon          |
| Colafella   | Hutchinson | Phillips   | Vitali        |
| Coleman     | Jadlowiec  | Pickett    | Walko         |
| Cornell     | James      | Pippy      | Wansacz       |
| Corrigan    | Josephs    | Pistella   | Washington    |
| Costa       | Kaiser     | Preston    | Waters        |
| Coy         | Keller     | Raymond    | Watson        |
| Creighton   | Kenney     | Readshaw   | Williams, C.  |
| Cruz        | Kirkland   | Reinard    | Williams, J.  |
| Curry       | Krebs      | Rieger     | Wilt          |
| Dailey      | LaGrotta   | Robinson   | Wogan         |
| Daley       | Laughlin   | Roebuck    | Wojnaroski    |
| Dally       | Lawless    | Rohrer     | Wright        |
| DeLuca      | Lederer    | Rooney     | Yewcic        |
| Dermody     | Leh        | Ross       | Youngblood    |
| DeWeese     | Lescovitz  | Rubley     | Yudichak      |
| DiGrolamo   | Levdansky  | Ruffing    | Zimmerman     |
| Diven       | Lewis      | Sainato    | Zug           |
| Donatucci   | Lucyk      | Samuelson  |               |
| Eachus      | Lynch      | Santoni    |               |
| Egolf       | Mackereth  | Sather     | Ryan,         |
| Evans, D.   | Maher      |            | Speaker       |

NAYS—0

NOT VOTING—1

Scrimenti

EXCUSED—5

Armstrong Cohen, L. I. Roberts Taylor, E. Z. Cappabianca

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

\* \* \*

Mr. STURLA called up HR 136, PN 1449, entitled:

A Resolution designating April 4, 2001, as "Thaddeus Stevens Remembrance Day" in Pennsylvania.

On the question, Will the House adopt the resolution?

The following roll call was recorded:

YEAS—196

Adolph Allen Argall Baker, J. Baker, M. Bard Barley Barrar Bastian Bebkco-Jones Belardi Belfanti Benninghoff Birmelin Bishop Blaum Boyes Browne Bunt Butkovitz Buxton Caltagirone Cappelli Casorio Cawley Civera Clark Clymer Cohen, M. Colafella Coleman Cornell Corrigan Costa Coy Creighton Cruz Curry Dailey Daley Dally DeLuca Dermody DeWeese DiGirolamo Diven Evans, J. Fairchild Feese Fichter Fleagle Flick Forcier Frankel Freeman Gabig Gannon Geist George Godshall Gordner Grucela Gruitza Habay Haluska Hanna Harhai Harhart Harper Hasay Hennessey Herman Hershey Hess Horsey Hutchinson Jadlowiec James Josephs Kaiser Keller Kenney Kirkland Krebs LaGrotta Laughlin Lawless Lederer Leh Lescovitz Levdlamo Lewis Maitland Major Manderino Mann Markosek Marsico Mayernik McCall McGeehan McGill McIlhattan McIlhinney McNaughton Melio Metcalfe Michlovic Micozzie Miller, R. Miller, S. Mundy Myers Nailor Nickol O'Brien Oliver Pallone Perzel Petrarca Petrone Phillips Pickett Pippy Pistella Preston Raymond Readshaw Reinard Rieger Robinson Roebuck Rohrer Rooney Ross Rubley Ruffing Sainato Saylor Schroder Schuler Semmel Shaner Smith, B. Smith, S. H. Solobay Staback Stairs Steelman Steil Stern Stetler Stevenson, R. Stevenson, T. Strittmatter Sturla Surra Tangretti Taylor, J. Thomas Tigre Travaglio Trello Trich Tulli Vance Veon Vitali Walko Wansacz Washington Waters Watson Williams, C. Williams, J. Wilt Wogan Wojnaroski Wright Yewcic Youngblood Yudichak Zimmerman Zug

Donatucci Eachus Egolf Evans, D. Lucyk Lynch Mackereth Maher Samuelson Santoni Sather Ryan, Speaker

NAYS—0

NOT VOTING—1

Scrimenti

EXCUSED—5

Armstrong Cohen, L. I. Roberts Taylor, E. Z. Cappabianca

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

\* \* \*

Mr. KAISER called up HR 137, PN 1450, entitled:

A Resolution designating April 6, 2001, as "Tartan Day" in Pennsylvania.

On the question, Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

Adolph Allen Argall Baker, J. Baker, M. Bard Barley Barrar Bastian Bebkco-Jones Belardi Belfanti Benninghoff Birmelin Bishop Blaum Boyes Browne Bunt Butkovitz Buxton Caltagirone Cappelli Casorio Cawley Civera Clark Clymer Cohen, M. Colafella Coleman Cornell Corrigan Costa Coy Creighton Cruz Curry Dailey Daley Dally DeLuca Dermody DeWeese DiGirolamo Diven Evans, J. Fairchild Feese Fichter Fleagle Flick Forcier Frankel Freeman Gabig Gannon Geist George Godshall Gordner Grucela Gruitza Habay Haluska Hanna Harhai Harhart Harper Hasay Hennessey Herman Hershey Hess Horsey Hutchinson Jadlowiec James Josephs Kaiser Keller Kenney Kirkland Krebs LaGrotta Laughlin Lawless Lederer Leh Lescovitz Levdlamo Lewis Maitland Major Manderino Mann Markosek Marsico Mayernik McCall McGeehan McGill McIlhattan McIlhinney McNaughton Melio Metcalfe Michlovic Micozzie Miller, R. Miller, S. Mundy Myers Nailor Nickol O'Brien Oliver Pallone Perzel Petrarca Petrone Phillips Pickett Pippy Pistella Preston Raymond Readshaw Reinard Rieger Robinson Roebuck Rohrer Rooney Ross Rubley Ruffing Sainato Saylor Schroder Schuler Scrimenti Semmel Shaner Smith, B. Smith, S. H. Solobay Staback Stairs Steelman Steil Stern Stetler Stevenson, R. Stevenson, T. Strittmatter Sturla Surra Tangretti Taylor, J. Thomas Tigre Travaglio Trello Trich Tulli Vance Veon Vitali Walko Wansacz Washington Waters Watson Williams, C. Williams, J. Wilt

|            |           |           |            |
|------------|-----------|-----------|------------|
| Dailey     | LaGrotta  | Robinson  | Wogan      |
| Daley      | Laughlin  | Roebuck   | Wojnaroski |
| Dally      | Lawless   | Rohrer    | Wright     |
| DeLuca     | Lederer   | Rooney    | Yewcic     |
| Dermody    | Leh       | Ross      | Youngblood |
| DeWeese    | Lescovitz | Rubley    | Yudichak   |
| DiGirolamo | Levdansky | Ruffing   | Zimmerman  |
| Diven      | Lewis     | Sainato   | Zug        |
| Donatucci  | Lucyk     | Samuelson |            |
| Eachus     | Lynch     | Santoni   |            |
| Egolf      | Mackereth | Sather    | Ryan,      |
| Evans, D.  | Maher     | Saylor    | Speaker    |

NAYS—0

NOT VOTING—0

EXCUSED—5

|             |              |         |               |
|-------------|--------------|---------|---------------|
| Armstrong   | Cohen, L. I. | Roberts | Taylor, E. Z. |
| Cappabianca |              |         |               |

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

### GUEST INTRODUCED

The SPEAKER. Allan Egolf has a special guest here with us today. Seated in the back of the House is Marine Sgt. Erich Max Klein. Sergeant Klein is the son of Erich and Beth Klein. He has been in the Marine Corps since October of 1998 and was promoted to the rank of sergeant yesterday. Later in April he will be deployed to the Marine Air Support Squadron 2 in Okinawa for at least a 1-year tour of duty. Sergeant, we are proud of you, we are proud of your organization, and we are very pleased to have you here.

### WILSON HIGH SCHOOL BOYS SWIM TEAM PRESENTED

The SPEAKER. The Chair recognizes the lady, Mrs. Miller. Mrs. MILLER. Thank you, Mr. Speaker.

I am pleased to welcome to the hall of the House today the team members and coaches of the Wilson High School boys swim team, winners of the 2001 PIAA State AAA team championship. These young men have been consistent leaders in the water, winning the PIAA District 3 team championship and the Central Penn Interscholastic Swim League championship 5 years in a row. In fact, this season marks their fifth consecutive undefeated season, and their winning streak has now reached 65 straight dual meet victories.

Standing behind me this morning are four senior members of the team, and I would like them to just raise their hand when I call their name so you can recognize them: Oliver Horrigan, Brad Lacey, Steve Lynch, and Ben Robinson.

These exceptional swimmers and their teammates captured numerous State medals which they brought home to West Lawn in Berks County. Their cumulative effort secured the State title for Wilson, a goal that has stayed just beyond the fingertip reach of coach Roy Snyder for 37 years as head coach of the Bulldogs.

Individually, Ben Robinson took gold in the 500-yard freestyle competition at states. Another gold medal was taken by the 200 medley relay team comprised of Shawn McLin, Aaron Burns, Brad Lacey, and Jared Levan. The 400 free relay team, with teammates Jared Levan, Oliver Horrigan, Ryan Holt, and Shawn McLin, also brought home a gold medal for Coach Snyder, assistant coach Chuck Bartlett, and diving coach Kathy Good.

Other members of the team are seated in the back of the hall of the House. They include Steve Lynch — and if you could rise when I call your name, please — Chris Avedissian, Dan Ford, Pat Freestone, Bill Schneider, Rob Thomas, Andy Thompson, Kevin Ford, Ben Hatt, Stephanie Lee, Avery Leshner, Drew Robinson, Andrew Bell, Scott Auchter, Alex Ollinger, and Dan Walley. And assisting the team as manager is Adam Walker. Wilson High School principal Dr. Gerald Slemmer is also with the team.

So at this time I would like to ask all of my House colleagues to join me in welcoming the coaches, principal, and teammates of the Wilson High School swim team champions and give them our traditional warm welcome.

Thank you, Mr. Speaker, and now I would like to present the House citation to the coach and the four senior members.

The SPEAKER. The Chair thanks the lady.

### LEAVE OF ABSENCE

The SPEAKER. The Chair returns to leaves of absence and recognizes the gentleman, Mr. Veon, who requests that the gentleman, Mr. JAMES, be put on leave for the balance of today's session. Without objection, the leave will be granted. The Chair hears no objection.

### FINANCE COMMITTEE MEETING

The SPEAKER. The Chair calls on the gentleman, Mr. Boyes, for the purpose of making an announcement.

Mr. BOYES. Thank you, Mr. Speaker.

At the call of the recess, for the luncheon recess, I am going to call an immediate meeting of the House Finance Committee in room 40, East Wing; the House Finance Committee at the recess.

The SPEAKER. The Chair thanks the gentleman.

### INTERGOVERNMENTAL AFFAIRS COMMITTEE MEETING

The SPEAKER. The gentleman, Mr. Raymond.

Mr. RAYMOND. Mr. Speaker, thank you.

I would like to call a meeting of the Intergovernmental Affairs Committee immediately at break in the back of the House.

The SPEAKER. The Chair thanks the gentleman.

### GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall today a group of seventh and eighth grade students and their choir director, Seth Gardner, from Haverford Middle School, located in Delaware County. They are the guests of the

gentleman, Mr. Vitali, and I will take credit for it, too, since they are from my county. The students have been invited to participate and celebrate Arts in Education, and they are planning to sing at 12 noon in the rotunda. They are seated in the gallery. Will they please stand for recognition.

The Chair is about to declare a luncheon recess. Are there any further announcements?

### APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. Mr. Barley.

Mr. BARLEY. Thank you, Mr. Speaker.

If I could be recognized to call a committee meeting.

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

The SPEAKER. The Chair thanks the gentleman.

There will be an Appropriations Committee meeting on the declaration of the recess.

### RECESS

The SPEAKER. Any further business?

Hearing none, this House will stand in recess until 1 o'clock, unless called back sooner by the Chair or extended by the Chair.

### AFTER RECESS

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

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

**HB 167, PN 144** By Rep. HERMAN

An Act amending the act of July 31, 1968 (P.L.805, No.247), known as the Pennsylvania Municipalities Planning Code, further providing for plat approval.

#### LOCAL GOVERNMENT.

**HB 506, PN 544** By Rep. HERMAN

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.

#### LOCAL GOVERNMENT.

**HB 1176, PN 1363** By Rep. BARLEY

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

#### APPROPRIATIONS.

**HB 1177, PN 1364** By Rep. BARLEY

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

#### APPROPRIATIONS.

**HB 1178, PN 1365** By Rep. BARLEY

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

#### APPROPRIATIONS.

**HB 1179, PN 1366** By Rep. BARLEY

An Act making an appropriation to the Beacon Lodge Camp.

#### APPROPRIATIONS.

**HB 1180, PN 1367** By Rep. BARLEY

An Act making an appropriation from the Public School Employees' Retirement Fund to provide for expenses of the Public School Employees' Retirement Board for the fiscal year July 1, 2001, to June 30, 2002, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2001.

#### APPROPRIATIONS.

**HB 1181, PN 1368** By Rep. BARLEY

An Act making appropriations from the Workmen's Compensation Administration Fund to the Department of Labor and Industry and the Department of Community and Economic Development to provide for the expenses of administering the Workers' Compensation Act, The Pennsylvania Occupational Disease Act and the Office of Small Business Advocate for the fiscal year July 1, 2001, to June 30, 2002, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2001.

#### APPROPRIATIONS.

**HB 1182, PN 1369** By Rep. BARLEY

An Act making an appropriation from the State Employees' Retirement Fund to provide for expenses of the State Employees' Retirement Board for the fiscal year July 1, 2001, to June 30, 2002, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2001.

#### APPROPRIATIONS.

**HB 1183, PN 1370** By Rep. BARLEY

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

#### APPROPRIATIONS.

**HB 1184, PN 1371** By Rep. BARLEY  
An Act making an appropriation to the Pittsburgh Cleft Palate for outpatient-inpatient treatment.

APPROPRIATIONS.

**HB 1185, PN 1372** By Rep. BARLEY  
An Act making an appropriation to the Burn Foundation, Philadelphia for outpatient and inpatient treatment.

APPROPRIATIONS.

**HB 1186, PN 1373** By Rep. BARLEY  
An Act making an appropriation to the Fox Chase Institute for Cancer Research, Philadelphia, for the operation and maintenance of the cancer research program.

APPROPRIATIONS.

**HB 1187, PN 1374** By Rep. BARLEY  
An Act making an appropriation to St. Francis Hospital, Pittsburgh, for cardiovascular studies.

APPROPRIATIONS.

**HB 1188, PN 1375** By Rep. BARLEY  
An Act making an appropriation to The Children's Institute, Pittsburgh for treatment and rehabilitation of certain persons with disabling diseases.

APPROPRIATIONS.

**HB 1189, PN 1376** By Rep. BARLEY  
An Act making an appropriation to the Central Penn Oncology Group.

APPROPRIATIONS.

**HB 1190, PN 1377** By Rep. BARLEY  
An Act making an appropriation to The Children's Hospital of Philadelphia for comprehensive patient care and general maintenance and operation of the hospital.

APPROPRIATIONS.

**HB 1191, PN 1378** By Rep. BARLEY  
An Act making an appropriation to the Lancaster Cleft Palate for outpatient-inpatient treatment.

APPROPRIATIONS.

**HB 1192, PN 1379** By Rep. BARLEY  
An Act making appropriations to the Wistar Institute, Philadelphia, for operation and maintenance expenses and for research.

APPROPRIATIONS.

**HB 1193, PN 1380** By Rep. BARLEY  
An Act making an appropriation to the Arsenal Family and Children's Center.

APPROPRIATIONS.

**HB 1194, PN 1381** By Rep. BARLEY  
An Act making an appropriation to the Everhart Museum in Scranton for operating expenses.

APPROPRIATIONS.

**HB 1195, PN 1382** By Rep. BARLEY  
An Act making appropriations to the Carnegie Museums of Pittsburgh for operations and maintenance expenses and the purchase of apparatus, supplies and equipment.

APPROPRIATIONS.

**HB 1196, PN 1383** By Rep. BARLEY  
An Act making an appropriation to the African-American Museum in Philadelphia for operating expenses.

APPROPRIATIONS.

**HB 1197, PN 1384** By Rep. BARLEY  
An Act making an appropriation to the Mercer Museum in Doylestown, Pennsylvania, for operating expenses.

APPROPRIATIONS.

**HB 1198, PN 1385** By Rep. BARLEY  
An Act making an appropriation to the Franklin Institute Science Museum for maintenance expenses.

APPROPRIATIONS.

**HB 1199, PN 1386** By Rep. BARLEY  
An Act making an appropriation to the Academy of Natural Sciences for maintenance expenses.

APPROPRIATIONS.

**HB 1200, PN 1387** By Rep. BARLEY  
An Act making an appropriation to the Whitaker Center for Science and the Arts in Harrisburg, Pennsylvania, for operating expenses.

APPROPRIATIONS.

**HB 1201, PN 1388** By Rep. BARLEY  
An Act making appropriations to the Trustees of the University of Pennsylvania.

## APPROPRIATIONS.

**HB 1202, PN 1389**

By Rep. BARLEY

An Act making appropriations to the Philadelphia Health and Education Corporation for the MCP Hahnemann University and for continuation of pediatric services.

## APPROPRIATIONS.

**HB 1203, PN 1390**

By Rep. BARLEY

An Act making an appropriation to the Philadelphia College of Osteopathic Medicine, Philadelphia.

## APPROPRIATIONS.

**HB 1204, PN 1391**

By Rep. BARLEY

An Act making appropriations to the Thomas Jefferson University, Philadelphia.

## APPROPRIATIONS.

**HB 1205, PN 1392**

By Rep. BARLEY

An Act making an appropriation to the University of the Arts, Philadelphia, for instruction and student aid.

## APPROPRIATIONS.

**HB 1206, PN 1393**

By Rep. BARLEY

An Act making an appropriation to the Trustees of Drexel University, Philadelphia.

## APPROPRIATIONS.

**HB 1207, PN 1394**

By Rep. BARLEY

An Act making an appropriation to the Johnson Technical Institute of Scranton for operation and maintenance expenses.

## APPROPRIATIONS.

**HB 1208, PN 1395**

By Rep. BARLEY

An Act making appropriations to the Trustees of the Berean Training and Industrial School at Philadelphia for operation and maintenance expenses and for payment of debt service.

## APPROPRIATIONS.

**HB 1209, PN 1396**

By Rep. BARLEY

An Act making an appropriation to the Williamson Free School of Mechanical Trades in Delaware County for operation and maintenance expenses.

## APPROPRIATIONS.

**HB 1210, PN 1397**

By Rep. BARLEY

An Act making an appropriation to the Pennsylvania College of Optometry, Philadelphia.

## APPROPRIATIONS.

**HB 1211, PN 1398**

By Rep. BARLEY

A Supplement to the act of July 28, 1966 (3rd Sp.Sess., P.L.87, No.3), entitled "An act providing for the establishment and operation of the University of Pittsburgh as an instrumentality of the Commonwealth to serve as a State-related university in the higher education system of the Commonwealth; providing for change of name; providing for the composition of the board of trustees; terms of trustees, and the power and duties of such trustees; authorizing appropriations in amounts to be fixed annually by the General Assembly; providing for the auditing of accounts of expenditures from said appropriations; providing for public support and capital improvements; authorizing the issuance of bonds exempt from taxation within the Commonwealth; requiring the chancellor to make an annual report of the operations of the University of Pittsburgh," making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

## APPROPRIATIONS.

**HB 1212, PN 1399**

By Rep. BARLEY

A Supplement to the act of November 30, 1965 (P.L.843, No.355), entitled "An act providing for the establishment and operation of Temple University as an instrumentality of the Commonwealth to serve as a State-related university in the higher education system of the Commonwealth; providing for change of name; providing for the composition of the board of trustees; terms of trustees, and the power and duties of such trustees; providing for preference to Pennsylvania residents in tuition; providing for public support and capital improvements; authorizing appropriations in amounts to be fixed annually by the General Assembly; providing for the auditing of accounts of expenditures from said appropriations; authorizing the issuance of bonds exempt from taxation within the Commonwealth; requiring the President to make an annual report of the operations of Temple University," making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

## APPROPRIATIONS.

**HB 1213, PN 1400**

By Rep. BARLEY

A Supplement to the act of July 7, 1972 (P.L.743, No.176), entitled "An act providing for the establishment and operation of Lincoln University as an instrumentality of the Commonwealth to serve as a State-related institution in the higher education system of the Commonwealth; providing for change of name; providing for the composition of the board of trustees; terms of trustees, and the power and duties of such trustees; providing for preference to Pennsylvania residents in tuition; authorizing appropriations in amounts to be fixed annually by the General Assembly; providing for the auditing of accounts of expenditures from said appropriations; providing for public support and capital improvements; authorizing the issuance of bonds exempt from taxation within the Commonwealth; requiring the President to make an annual report of the operations of Lincoln University," making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

## APPROPRIATIONS.

**HB 1214, PN 1401**

By Rep. BARLEY

A Supplement to the act of April 1, 1863 (P.L.213, No.227), entitled "An act to accept the grant of Public Lands, by the United States, to the several states, for the endowment of Agricultural Colleges," making appropriations for carrying the same into effect; and providing for a basis for payments of such appropriations, for a method of accounting for the funds appropriated and for certain fiscal information disclosure.

## APPROPRIATIONS.

**HB 1215, PN 1402**

By Rep. BARLEY

An Act providing for the capital budget for the fiscal year 2001-2002.

## APPROPRIATIONS.

**SB 1, PN 848 (Amended)**

By Rep. BARLEY

An Act to provide from the General Fund for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and for the public schools for the fiscal year July 1, 2001, to June 30, 2002, for certain institutions and organizations, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2001; to provide appropriations from the State Lottery Fund, the Energy Conservation and Assistance Fund, the Hazardous Material Response Fund, The State Stores Fund, the Milk Marketing Fund, the Home Investment Trust Fund, the Emergency Medical Services Operating Fund, the Tuition Payment Fund, the Banking Department Fund and the Firearm Records Check Fund to the Executive Department; to provide appropriations from the Judicial Computer System Augmentation Account to the Judicial Department for the fiscal year July 1, 2001, to June 30, 2002; to provide appropriations from the Motor License Fund for the fiscal year July 1, 2001, to June 30, 2002, for the proper operation of the several departments of the Commonwealth and the Pennsylvania State Police authorized to spend Motor License Fund moneys; to provide for the appropriation of Federal funds to the Executive Department of the Commonwealth and for the establishment of restricted receipt accounts for the fiscal year July 1, 2001, to June 30, 2002, and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2001.

## APPROPRIATIONS.

**SB 379, PN 392**

By Rep. HERMAN

An Act amending the act of February 1, 1966 (1965 P.L.1656, No.581), known as The Borough Code, further providing residency requirements for elective office and for vacancy appointments.

## LOCAL GOVERNMENT.

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

**HB 916, PN 1026**

By Rep. HERMAN

An Act amending the act of July 3, 1985 (P.L.164, No.45), known as the Emergency Medical Services Act, adding definitions; providing for duties of municipalities, counties and public service answering points, for certain civil immunity and for designation of quick response services; and further providing for legislative findings and intent, for

the emergency medical services system, and for duties of the Department of Health, the Pennsylvania Trauma Systems Foundation, the emergency medical services councils and the State Advisory Council.

## LOCAL GOVERNMENT.

**RULES COMMITTEE MEETING**

The SPEAKER. The Chair recognizes the gentleman, Mr. Perzel, who calls for an immediate meeting of the Rules Committee.

**RESOLUTION REPORTED  
FROM COMMITTEE**

**HR 58, PN 782**

By Rep. PERZEL

A Resolution establishing a select committee to review the current need for an additional State veterans' home and to further identify suitable sites for the possible establishment of a State veterans' home in central Pennsylvania.

## RULES.

**LEAVE OF ABSENCE**

The SPEAKER. The Chair returns to leaves of absence and recognizes the gentleman, Mr. Veon, who requests that the gentleman from Philadelphia County, Mr. THOMAS, be placed on leave for the balance of today's session. Without objection, the leave will be granted. The Chair hears no objection.

**BILL REMOVED FROM TABLE**

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

Mr. BARLEY. Mr. Speaker, I move that SB 1 as amended be taken from the table.

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

**BILLS REMOVED FROM TABLE**

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

Mr. BARLEY. Mr. Speaker, I move that the following bills be taken from the table:

HB 1176;  
HB 1177;  
HB 1178;  
HB 1179;  
HB 1180;  
HB 1181;  
HB 1182;  
HB 1183;  
HB 1184;  
HB 1185;

- HB 1186;
- HB 1187;
- HB 1188;
- HB 1189;
- HB 1190;
- HB 1191;
- HB 1192;
- HB 1193;
- HB 1194;
- HB 1195;
- HB 1196;
- HB 1197;
- HB 1198;
- HB 1199;
- HB 1200;
- HB 1201;
- HB 1202;
- HB 1203;
- HB 1204;
- HB 1205;
- HB 1206;
- HB 1207;
- HB 1208;
- HB 1209;
- HB 1210;
- HB 1211;
- HB 1212;
- HB 1213;
- HB 1214; and
- HB 1215.

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

**GUESTS INTRODUCED**

The SPEAKER. The Chair is pleased to welcome to the hall of the House today Elaine Marsico, the wife of Representative Ron Marsico, here today with guests Natalie Ungaro and Alex Song, who happens to be Representative Marsico's godson. They are here today from Key Biscayne, Florida. Would the guests please rise.

Also here today, as the guest of Representative Pippy, is Briana Din, a legislative intern in Representative Pippy's Moon district office. Briana is majoring in political science with related studies in economics. She will graduate shortly from the University of Pittsburgh. She is seated to the left of the Speaker. Would she please rise.

**SUPPLEMENTAL CALENDAR B**

**RESOLUTION PURSUANT TO RULE 35**

Mr. CLYMER called up HR 141, PN 1478, entitled:

A Resolution declaring April 2001 as "National Auctioneers Month" in Pennsylvania.

On the question,  
 Will the House adopt the resolution?

The following roll call was recorded:

**YEAS—195**

|             |            |            |               |
|-------------|------------|------------|---------------|
| Adolph      | Evans, J.  | Maitland   | Saylor        |
| Allen       | Fairchild  | Major      | Schroder      |
| Argall      | Feese      | Manderino  | Schuler       |
| Baker, J.   | Fichter    | Mann       | Scrimenti     |
| Baker, M.   | Fleagle    | Markosek   | Semmel        |
| Bard        | Flick      | Marsico    | Shaner        |
| Barley      | Forcier    | Mayernik   | Smith, B.     |
| Barrar      | Frankel    | McCall     | Smith, S. H.  |
| Bastian     | Freeman    | McGeehan   | Solobay       |
| Bebko-Jones | Gabig      | McGill     | Staback       |
| Belardi     | Gannon     | McIlhattan | Stairs        |
| Belfanti    | Geist      | McIlhinney | Steelman      |
| Benninghoff | George     | McNaughton | Steil         |
| Birmelin    | Godshall   | Melio      | Stern         |
| Bishop      | Gordner    | Metcalfe   | Stetler       |
| Blaum       | Grucela    | Michlovic  | Stevenson, R. |
| Boyes       | Gruitza    | Micozzie   | Stevenson, T. |
| Browne      | Habay      | Miller, R. | Strittmatter  |
| Bunt        | Haluska    | Miller, S. | Sturla        |
| Butkovitz   | Hanna      | Mundy      | Surra         |
| Buxton      | Harhai     | Myers      | Tangretti     |
| Caltagirone | Harhart    | Nailor     | Taylor, J.    |
| Cappelli    | Harper     | Nickol     | Tigue         |
| Casorio     | Hasay      | O'Brien    | Travaglio     |
| Cawley      | Hennessey  | Oliver     | Trello        |
| Civera      | Herman     | Pallone    | Trich         |
| Clark       | Hershey    | Perzel     | Tulli         |
| Clymer      | Hess       | Petrarca   | Vance         |
| Cohen, M.   | Horsey     | Petrone    | Veon          |
| Colafella   | Hutchinson | Phillips   | Vitali        |
| Coleman     | Jadlowiec  | Pickett    | Walko         |
| Cornell     | Josephs    | Pippy      | Wansacz       |
| Corrigan    | Kaiser     | Pistella   | Washington    |
| Costa       | Keller     | Preston    | Waters        |
| Coy         | Kenney     | Raymond    | Watson        |
| Creighton   | Kirkland   | Readshaw   | Williams, C.  |
| Cruz        | Krebs      | Reinard    | Williams, J.  |
| Curry       | LaGrotta   | Rieger     | Wilt          |
| Dailey      | Laughlin   | Robinson   | Wogan         |
| Daley       | Lawless    | Roebuck    | Wojnaroski    |
| Dally       | Lederer    | Rohrer     | Wright        |
| DeLuca      | Leh        | Rooney     | Yewcic        |
| Dermody     | Lescovitz  | Ross       | Youngblood    |
| DeWeese     | Levdansky  | Rubley     | Yudichak      |
| DiGirolamo  | Lewis      | Ruffing    | Zimmerman     |
| Diven       | Lucyk      | Sainato    | Zug           |
| Donatucci   | Lynch      | Samuelson  |               |
| Eachus      | Mackereth  | Santoni    | Ryan,         |
| Egolf       | Maher      | Sather     | Speaker       |
| Evans, D.   |            |            |               |

**NAYS—0**

**NOT VOTING—0**

**EXCUSED—7**

|             |              |               |        |
|-------------|--------------|---------------|--------|
| Armstrong   | Cohen, L. I. | Roberts       | Thomas |
| Cappabianca | James        | Taylor, E. Z. |        |

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



CALENDAR CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 256, PN 1194**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing for personal income tax definitions; and providing for a higher education credit against personal income tax.

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

Mrs. **MILLER** offered the following amendment No. **A0786**:

Amend Sec. 2 (Sec. 304.1), page 3, by inserting between lines 12 and 13

(d) (1) A taxpayer shall be eligible for the credit under this section for any payments made by such taxpayer into a tuition account owned by the taxpayer that meets the requirements of the act of April 3, 1992 (P.L.28, No.11), known as the "Tuition Account Programs and College Savings Bond Act."

(2) The amount of the credit shall be the per cent specified in section 302(a)(2) or (b)(2) times up to five thousand dollars (\$5,000) of the annual amount of payments placed into the tuition account.

(3) In the event the tuition account is not utilized by the beneficiary of the account for the payment of tuition in accordance with the "Tuition Account Programs and College Savings Bond Act," an amount equal to the total credits received under this section shall be transferred to the Department of Revenue from the refund of the tuition account paid by the State Treasurer. Such transfer shall occur in accordance with regulations promulgated by the Department of Revenue, in consultation with the Treasury Department.

(4) Payment by the Treasury Department from a tuition account to an institution for tuition shall be eligible for credit under subsection (b), provided that the requirements of subsection (b) are satisfied and that the amount of the credit is reduced by the amount of credit, if any, that the taxpayer has received for payments into the tuition account under this subsection.

Amend Sec. 2 (Sec. 304.1), page 3, line 13, by striking out "(D)" and inserting

(e)

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

The **SPEAKER**. On the question of the adoption of the Miller amendment, Mrs. Miller.

Mrs. **MILLER**. Thank you, Mr. Speaker.

I am offering amendment—

The **SPEAKER**. Will the lady yield.

Please, conferences to the right of the Speaker, conferences on the side aisle, please break up. Would the Sergeants at Arms be good enough to move the people from the rear of the rail.

Mrs. Miller.

Mrs. **MILLER**. Thank you, Mr. Speaker.

I am offering amendment 0786 to HB 256 in order to expand upon my colleague from Franklin County's efforts to encourage people to invest in their children's or their spouse's higher education by providing a tax credit.

My amendment authorizes this tax credit to also apply to investments made in Pennsylvania's Tuition Account Program.

Since its enactment in 1992, this program has provided a means by which parents can save for their children's education by making payments into a TAP account. My amendment, which has the support of State Treasurer Barbara Hafer, allows account holders to take the tax credit either in the year the payment is made or in the year in which payment is made to the school being attended. Pennsylvania is bordered by States that already offer such a tax credit for citizens who save through a State-sponsored college savings program, including the States of New York, Maryland, Ohio, and West Virginia, along with the Commonwealth of Virginia.

I will appreciate your affirmative vote on my amendment. Thank you, Mr. Speaker.

The **SPEAKER**. The gentleman, Mr. Coy.

Mr. **COY**. Thank you, Mr. Speaker.

Mr. Speaker, I support the amendment, and I congratulate the lady on working with the Treasurer of the Commonwealth and on the tuition assistance program.

Certainly when we wrote the bill, there was not any intention to exclude folks who participate in this program, but your amendment makes it clear that they are included, and I offer support for it.

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

The following roll call was recorded:

YEAS—195

|             |            |            |               |
|-------------|------------|------------|---------------|
| Adolph      | Evans, J.  | Maitland   | Saylor        |
| Allen       | Fairchild  | Major      | Schroder      |
| Argall      | Feese      | Manderino  | Schuler       |
| Baker, J.   | Fichter    | Mann       | Scriminti     |
| Baker, M.   | Fleagle    | Markosek   | Semmel        |
| Bard        | Flick      | Marsico    | Shaner        |
| Barley      | Forcier    | Mayernik   | Smith, B.     |
| Barrar      | Frankel    | McCall     | Smith, S. H.  |
| Bastian     | Freeman    | McGeehan   | Solobay       |
| Bebko-Jones | Gabig      | McGill     | Staback       |
| Belardi     | Gannon     | McIlhattan | Stairs        |
| Belfanti    | Geist      | McIlhinney | Steelman      |
| Benninghoff | George     | McNaughton | Steil         |
| Birmelin    | Godshall   | Melio      | Stern         |
| Bishop      | Gordner    | Metcalfe   | Stetler       |
| Blaum       | Grucela    | Michlovic  | Stevenson, R. |
| Boyes       | Gruitza    | Micozzie   | Stevenson, T. |
| Browne      | Habay      | Miller, R. | Strittmatter  |
| Bunt        | Haluska    | Miller, S. | Sturla        |
| Butkovitz   | Hanna      | Mundy      | Surra         |
| Buxton      | Harhai     | Myers      | Tangretti     |
| Caltagirone | Harhart    | Nailor     | Taylor, J.    |
| Cappelli    | Harper     | Nickol     | Tigue         |
| Casorio     | Hasay      | O'Brien    | Travaglio     |
| Cawley      | Hennessey  | Oliver     | Trello        |
| Civera      | Herman     | Pallone    | Trich         |
| Clark       | Hershey    | Perzel     | Tulli         |
| Clymer      | Hess       | Petrarca   | Vance         |
| Cohen, M.   | Horsey     | Petrone    | Veon          |
| Colafella   | Hutchinson | Phillips   | Vitali        |
| Coleman     | Jadlowiec  | Pickett    | Walko         |
| Cornell     | Josephs    | Pippy      | Wansacz       |
| Corrigan    | Kaiser     | Pistella   | Washington    |
| Costa       | Keller     | Preston    | Waters        |
| Coy         | Kenney     | Raymond    | Watson        |
| Creighton   | Kirkland   | Readshaw   | Williams, C.  |
| Cruz        | Krebs      | Reinard    | Williams, J.  |
| Curry       | LaGrotta   | Rieger     | Wilt          |
| Dailey      | Laughlin   | Robinson   | Wogan         |
| Daley       | Lawless    | Roebuck    | Wojnaroski    |
| Dally       | Lederer    | Rohrer     | Wright        |
| DeLuca      | Leh        | Rooney     | Yewcic        |

|            |           |           |            |
|------------|-----------|-----------|------------|
| Dermody    | Lescovitz | Ross      | Youngblood |
| DeWeese    | Levdansky | Rubley    | Yudichak   |
| DiGirolamo | Lewis     | Ruffing   | Zimmerman  |
| Diven      | Lucyk     | Sainato   | Zug        |
| Donatucci  | Lynch     | Samuelson |            |
| Eachus     | Mackereth | Santoni   | Ryan,      |
| Egolf      | Maher     | Sather    | Speaker    |
| Evans, D.  |           |           |            |

## NAYS—0

## NOT VOTING—0

## EXCUSED—7

|             |              |               |        |
|-------------|--------------|---------------|--------|
| Armstrong   | Cohen, L. I. | Roberts       | Thomas |
| Cappabianca | James        | Taylor, E. Z. |        |

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

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

The gentleman, Mr. Nickol.

Mr. NICKOL. Thank you, Mr. Speaker.

Would the sponsor of this bill please consent to interrogation?

The SPEAKER. The gentleman, Mr. Coy, indicates he will stand for interrogation. The gentleman may begin as soon as we get order in the House.

Now, there are entirely too many staff people on the floor. If they are going to be on the floor, they are going to be here without holding conversations.

Mr. Nickol.

Mr. NICKOL. Thank you.

I would like to briefly read Article VIII, section 1, of the Constitution of Pennsylvania, the so-called uniformity of taxation clause. "All taxes shall be uniform, upon the same class of subjects, within the territorial limits of the authority levying the tax, and shall be levied and collected under general laws." Following that section 1, there is section 2, which lists a series of exemptions and special provisions to the uniformity clause.

I was wondering if the sponsor could please explain, in light of the general interpretation of this clause as preventing special personal income tax exemptions like he is proposing, I would like him to explain how his bill meets the requirements of the uniformity clause, if he could.

Mr. COY. Well, Mr. Speaker, let me say that I do not consider myself to be a constitutional expert, but I will say that we have provided other deductions on the State income tax. The General Assembly has specifically provided for them. I do not have them in front of me, but I believe that in today's age where the costs of public and private higher education continue to expand, that the more opportunities we afford our citizens to

afford a college education by excluding some of those payments in a very small way from the State income tax is reasonable.

Mr. NICKOL. All right. Mr. Speaker, I am not aware of any similar personal income tax exemptions except those outlined in section 2 of the Constitution. However, perhaps maybe for my better understanding of your interpretation of the uniformity clause, you might tell me, how would this pertain, for example, if I wanted to provide a tax exemption, a similar tax exemption, for someone who sends their children to a private or parochial school in grades K through 12?

Mr. COY. With regard to the public school system and with regard to payment for higher education, I believe certainly that we have made certain exclusions for poverty and for folks in those categories. This may well fit into that as part of the reason for this exemption, but I truly believe that we need to come more from a point of view of where there is need in general, and the General Assembly I think has the right to recognize the need of the expense of college education and fit it into a category of an exclusion.

Mr. NICKOL. Mr. Speaker, the poverty exemption is right in the Constitution. I am curious, though. The sponsor did not answer my question. I mean, would a similar interpretation that he has given to the uniformity clause allow for a parent who sends their children to private or parochial school to receive a similar tax exemption?

Mr. COY. I am not sure for the reason for the separation, Mr. Speaker. My concern in the introduction of this legislation is to provide some tax relief for folks who are paying higher costs for higher education. It is pretty simple, direct, and straightforward.

Now, if we are looking for a constitutional reason to be against it, then I think you could probably find it. I do not happen to have a problem with it, and I do not believe that the Constitution provides a problem for it, and I think in this instance it is very acceptable.

Mr. NICKOL. Setting aside the question of constitutionality, Mr. Speaker, for the moment, I would like to better understand this amendment. According to the fiscal note, I understand this costs the Commonwealth \$39.1 million in the first year alone. Now, is my understanding correct of the legislation that the maximum per-taxpayer exemption with the \$5,000 limit and the 2.8-percent personal income tax amounts to \$140 a year?

Mr. COY. If you said \$140 is the calculation that we have come up with, then that is correct.

Mr. NICKOL. Okay. If we took that \$39.1 million and put it into PHEAA, the Pennsylvania Higher Education Assistance Agency, could we not get the same amount of financial aid directly into the hands of students and their families without this tax exemption?

Mr. COY. The answer to the question is, I do not know, Mr. Speaker. I suspect, however, that because we are doing this only on the first \$5,000 and not on the whole amount, that that would differentiate it from a PHEAA grant or loan or whatever assistance from the Pennsylvania Higher Education Assistance Agency.

I look at this, Mr. Speaker, as one more opportunity to help Pennsylvanians who are struggling to pay the cost of higher education. I have a lot of constituents who tell me, Mr. Speaker, that they cannot qualify for PHEAA grants or loans, that they fall under certain income categories or whatever that does not allow them to qualify for these grants and loans. And so my

attempt in this legislation is to provide one more opportunity for us to address the needs of educating students by Pennsylvania families, and I think the legislation provides some of that relief.

Mr. NICKOL. Mr. Speaker, I just received a letter from a young lady from York who attends Mansfield University, and she made a plea to me that we should increase the aid, the institutional aid, to the State System of Higher Education and other State related and owned schools, that that would lower tuition, which is apparently causing a strain for her and her family. Would not putting this \$39.1 million into institutional aid work to lower tuitions for the students from Pennsylvania attending those institutions?

Mr. COY. Well, Mr. Speaker, when you provide aid to institutions, you necessarily limit the student's ability to go to the school that he or she chooses, and while we do provide for institutional grants and aids, IAGs (institutional assistance grants) through PHEAA, and provide especially our private institutions in Pennsylvania with a lot of aid and assistance, I feel that there are times when the aid that goes directly to students or to students' families who are paying the tuition bills, I feel that many times that is much more, much more helpful to the individual family.

I am interested in this legislation in helping families who pay tuition bills. I think we provide a great deal of assistance to institutions through PHEAA, which we all understand to be a wonderful program, but I feel this bill is aimed at families who pay State income tax, and it is an attempt to give them some sort of break, albeit very small, but some sort of a break as they attempt to afford the cost of higher education.

Mr. NICKOL. Thank you.

### THE SPEAKER PRO TEMPORE (PATRICIA H. VANCE) PRESIDING

Mr. NICKOL. Madam Speaker, I have completed my interrogation. I would like to offer some brief remarks.

The SPEAKER pro tempore. You may proceed.

Mr. NICKOL. I am not against helping students and their families to help pay for the cost of college tuition and I certainly do not want my vote misinterpreted, so I am offering these remarks, but HB 256 is clearly subject to challenge for constitutionality under the uniformity clause. I, for one, consider the uniformity clause to be of great significance, because I feel it has served us well by keeping a tax like the personal income tax simple and fair in the minds of the average taxpayer. In fact, it has protected us from all kinds of raids on the public treasury by means of tax exemptions. We clearly have constitutional alternatives at hand to accomplish this same purpose — PHEAA, direct institutional aid, and things of that sort.

For this reason I intend to vote against HB 256 and the challenge it presents to the uniformity clause of the Constitution of Pennsylvania. Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Horsey.

Mr. HORSEY. Thank you, Madam Speaker.

Madam Speaker, I rise to support HB 256, and I am a little amazed at the last comments I heard about placing tax dollars in centralized government agencies coming from that side of the aisle. I am just amazed at those comments, Madam Speaker.

Madam Speaker, I am going to support this bill even though I do not believe in it, and I do not believe in it because I do not think it goes far enough. Taxpayers, Madam Speaker, should get all the relief that they can get, and we should be, in the State of Pennsylvania, sending our kids to colleges and universities at no cost, free to taxpayers. So how do we pay for this right? Madam Speaker, we pay for it by saying, go to school for 4 years; we owe you a certificate, and you work in the State of Pennsylvania for 5 years — for 5 years — and then we give you your, quote, "degree" or "license." That way we do not have to worry about a brain drain that is taking place right now.

In the State of Pennsylvania, there are very few other States that have more colleges and universities than Pennsylvania. Pennsylvania is probably in the top 2 or 3 out of the 50 States, Madam Speaker, and one of the chief problems is, once students get their education in the State of Pennsylvania, they leave. We need to create an incentive for them to stay, Madam Speaker.

So I believe that this particular bill, which gives tax credits to individual citizens, to individual people versus institutions like PHEAA — okay? — gives it to individual citizens, is good legislation, but I do not believe it goes far enough, but for right now I will take what I can get, and as a result of this particular bill that is being put forth, I support it, Madam Speaker, and I would urge all my colleagues to support HB 256. Thank you, Madam Speaker.

The SPEAKER pro tempore. Before we recognize any more speakers, there is an inordinate amount of noise on the House floor, particularly with staff that is on the floor. Could we please have some quiet and courtesy to the members who are trying to be heard.

The Chair recognizes the gentleman from Elk County, Mr. Surra.

Mr. SURRA. Thank you, Madam Speaker.

Madam Speaker, I rise in support of HB 256.

All of us get the phone calls every year from working families who do not receive any help from PHEAA because their family income is just over the amount, where their child, trying to get a college education, they lack the financial assistance that we provide. I think HB 256, by providing a tax credit, goes a long way in providing that assistance for all working Pennsylvanians that have children in college.

I think it is a great idea; it is a good concept, and it is something that this body should support.

On the questions of the uniformity clause in the Pennsylvania Constitution, there is already language in our Pennsylvania Constitution which differentiates between basic ed and higher education as far as the expenditure of tax dollars, and I think one could very easily extrapolate that to the next step, also differentiating between basic ed and higher ed for providing a tax credit.

So in the interest of helping the working people of Pennsylvania being able to afford a little bit easier way to send their kids to college, I would encourage an affirmative vote. Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Beaver County, Mr. Colafella.

Mr. COLAFELLA. Thank you, Madam Speaker.

Madam Speaker, I rise to support HB 256.

In so many States today they are doing so much so that parents can afford higher education. For example, just recently in the State of Florida, if a person is committed to teach 4 years

in Florida after they graduate, their tuition is completely paid for by the State of Florida.

This tuition tax credit bill that is proposed by Representative Coy is a great idea. It is one more way that we can help Pennsylvanians afford higher education for their children. Pennsylvania's State-owned and State-related universities have the highest tuition in the country, and this is just one way we can help the parents in Pennsylvania to better afford to send their children to college. Thank you, Madam Speaker.

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

Mr. GRUCELA. Thank you, Madam Speaker.

I, too, rise in support of HB 256, pretty much for the same reasons that have been just stated by Representative Surra and Representative Colafella.

In this day and age when many of us receive, as Representative Surra said, from the working families in the State of Pennsylvania, the cost of higher education has been escalating and going through the roof. Anything that we can do to provide some relief to working-class families and taxpayers, as this bill does, is certainly a benefit to not only the paying, taxpaying parents, but certainly those students that will make this State a better State as they begin their higher education, get their degrees, and hopefully, we can keep them here in the great State of Pennsylvania.

So I rise and ask my colleagues to support HB 256. Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Coy, from Franklin County.

Mr. COY. Thank you, Madam Speaker.

Madam Speaker, I first want to take this opportunity to thank the chairman of the Committee on Finance, Mr. Boyes, and the Democratic chairman, Mr. Trello, for their support in reporting this bill from the Finance Committee and along with me seeing the need, as many others in the Assembly do, and to the majority leader for scheduling the bill for consideration.

Madam Speaker, I do not think any of us can argue that the costs of higher education, both public and private, have increased. We all know it; we all understand it. The question is, how can we help in the Assembly with those costs? Now, we do appropriate a lot of dollars to PHEAA and we appropriate a lot of dollars to institutions and to the State System of Higher Education, and those dollars are well spent, well managed, and provide great opportunities for students in Pennsylvania.

This bill is aimed at helping families who pay the State income tax — that we levy, incidentally — and a recognition that part of those dollars could be used as a credit toward the payment of tuition tax dollars. It just makes sense to me that as we have the opportunity to be helpful and to encourage higher education, that we should take this small step in saying part of the income tax that working families in Pennsylvania pay be set aside as a credit toward helping with the future of important Pennsylvanians, the students and the future students of the Commonwealth who will be our leaders, and I respectfully request the support of the Assembly on this matter. It is good legislation, and its time has come.

Thank you, Madam Speaker.

On the question recurring,  
Shall the bill pass finally?

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

The following roll call was recorded:

#### YEAS—183

|             |            |            |               |
|-------------|------------|------------|---------------|
| Adolph      | Evans, J.  | Major      | Schroder      |
| Allen       | Fairchild  | Manderino  | Schuler       |
| Argall      | Feese      | Mann       | Scrimenti     |
| Baker, J.   | Fichter    | Markosek   | Semmel        |
| Baker, M.   | Fleagle    | Marsico    | Shaner        |
| Bar         | Flick      | Mayernik   | Smith, B.     |
| Barley      | Frankel    | McCall     | Smith, S. H.  |
| Barrar      | Freeman    | McGeehan   | Solobay       |
| Bebko-Jones | Gabig      | McGill     | Staback       |
| Belardi     | Gannon     | McLhattan  | Stairs        |
| Belfanti    | Geist      | McIlhinney | Steelman      |
| Birmelin    | George     | McNaughton | Steil         |
| Bishop      | Godshall   | Melio      | Stetler       |
| Blaum       | Gordner    | Metcalfe   | Stevenson, R. |
| Boyes       | Grucela    | Michlovic  | Stevenson, T. |
| Browne      | Gruitza    | Micozzie   | Strittmatter  |
| Bunt        | Habay      | Miller, S. | Sturla        |
| Butkovitz   | Haluska    | Mundy      | Surra         |
| Buxton      | Hanna      | Myers      | Tangretti     |
| Caltagirone | Harhai     | Nailor     | Taylor, J.    |
| Cappelli    | Harhart    | O'Brien    | Tigue         |
| Casorio     | Harper     | Oliver     | Travaglio     |
| Cawley      | Hasay      | Pallone    | Trello        |
| Civera      | Hennessey  | Perzel     | Trich         |
| Clark       | Herman     | Petrarca   | Tulli         |
| Clymer      | Hershey    | Petrone    | Veon          |
| Cohen, M.   | Hess       | Phillips   | Vitali        |
| Colafella   | Horsey     | Pickett    | Walko         |
| Coleman     | Hutchinson | Pippy      | Wansacz       |
| Cornell     | Jadlowiec  | Pistella   | Washington    |
| Corrigan    | Josephs    | Preston    | Waters        |
| Costa       | Kaiser     | Raymond    | Watson        |
| Coy         | Keller     | Readshaw   | Williams, C.  |
| Creighton   | Kenney     | Reinard    | Williams, J.  |
| Cruz        | Kirkland   | Rieger     | Wilt          |
| Curry       | Krebs      | Robinson   | Wogan         |
| Dailey      | LaGrotta   | Roebuck    | Wojnaroski    |
| Daley       | Laughlin   | Rohrer     | Wright        |
| Dally       | Lawless    | Rooney     | Yewcic        |
| DeLuca      | Lederer    | Ross       | Youngblood    |
| Dermody     | Lescovitz  | Rubley     | Yudichak      |
| DeWeese     | Levdanskyy | Ruffing    | Zimmerman     |
| DiGirolamo  | Lewis      | Sainato    | Zug           |
| Diven       | Lucyk      | Samuelson  |               |
| Donatucci   | Maher      | Santoni    | Ryan,         |
| Eachus      | Maitland   | Sather     | Speaker       |
| Evans, D.   |            |            |               |

#### NAYS—12

|             |         |            |        |
|-------------|---------|------------|--------|
| Bastian     | Forcier | Mackereth  | Saylor |
| Benninghoff | Leh     | Miller, R. | Stern  |
| Egolf       | Lynch   | Nickol     | Vance  |

#### NOT VOTING—0

#### EXCUSED—7

|             |              |               |        |
|-------------|--------------|---------------|--------|
| Armstrong   | Cohen, L. I. | Roberts       | Thomas |
| Cappabianca | James        | Taylor, E. Z. |        |

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

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

**LEAVE OF ABSENCE**

The SPEAKER pro tempore. The Chair returns to leaves of absence and recognizes the majority whip, who asks that the gentleman, Mr. JADLOWIEC, be put on leave for the remainder of today.

**BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 127, PN 111**, entitled:

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

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

**BILL RECOMMITTED**

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

Mr. PERZEL. Madam Speaker, I move that HB 127, PN 111, be recommitted to the Finance Committee.

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

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The House proceeded to third consideration of **HB 599, PN 656**, entitled:

An Act amending the act of December 14, 1992 (P.L.835, No.134), known as the Fraternal Benefit Societies Code, further providing for licensing of agents.

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

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

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

The following roll call was recorded:

**YEAS—194**

|             |           |            |              |
|-------------|-----------|------------|--------------|
| Adolph      | Evans, D. | Maitland   | Saylor       |
| Allen       | Evans, J. | Major      | Schroder     |
| Argall      | Fairchild | Manderino  | Schuler      |
| Baker, J.   | Feese     | Mann       | Scrimenti    |
| Baker, M.   | Fichter   | Markosek   | Semmel       |
| Bard        | Fleagle   | Marsico    | Shaner       |
| Barley      | Flick     | Mayernik   | Smith, B.    |
| Barrar      | Forcier   | McCall     | Smith, S. H. |
| Bastian     | Frankel   | McGechan   | Solobay      |
| Bebko-Jones | Freeman   | McGill     | Staback      |
| Belardi     | Gabig     | McIlhatten | Stairs       |

|             |            |            |                  |
|-------------|------------|------------|------------------|
| Belfanti    | Gannon     | McIlhinney | Steelman         |
| Benninghoff | Geist      | McNaughton | Steil            |
| Birmelin    | George     | Melio      | Stern            |
| Bishop      | Godshall   | Metcalfe   | Stetler          |
| Blaum       | Gordner    | Michlovic  | Stevenson, R.    |
| Boyes       | Grucela    | Micozzie   | Stevenson, T.    |
| Browne      | Gruitza    | Miller, R. | Strittmatter     |
| Bunt        | Habay      | Miller, S. | Sturla           |
| Butkovitz   | Haluska    | Mundy      | Surra            |
| Buxton      | Hanna      | Myers      | Tangretti        |
| Caltagirone | Harhai     | Nailor     | Taylor, J.       |
| Cappelli    | Harhart    | Nickol     | Tigue            |
| Casorio     | Harper     | O'Brien    | Travaglio        |
| Cawley      | Hasay      | Oliver     | Trello           |
| Civera      | Hennessey  | Pallone    | Trich            |
| Clark       | Herman     | Perzel     | Tulli            |
| Clymer      | Hershey    | Petrarca   | Vance            |
| Cohen, M.   | Hess       | Petrone    | Veon             |
| Colafella   | Horsey     | Phillips   | Vitali           |
| Coleman     | Hutchinson | Pickett    | Walko            |
| Cornell     | Josephs    | Pippy      | Wansacz          |
| Corrigan    | Kaiser     | Pistella   | Washington       |
| Costa       | Keller     | Preston    | Waters           |
| Coy         | Kenney     | Raymond    | Watson           |
| Creighton   | Kirkland   | Readshaw   | Williams, C.     |
| Cruz        | Krebs      | Reinard    | Williams, J.     |
| Curry       | LaGrotta   | Rieger     | Wilt             |
| Dailey      | Laughlin   | Robinson   | Wogan            |
| Daley       | Lawless    | Roebuck    | Wojnaroski       |
| Dally       | Lederer    | Rohrer     | Wright           |
| DeLuca      | Leh        | Rooney     | Yewcic           |
| Dermody     | Lescovitz  | Ross       | Youngblood       |
| DeWeese     | Levdansky  | Rubley     | Yudichak         |
| DiGirolamo  | Lewis      | Ruffing    | Zimmerman        |
| Diven       | Lucyk      | Sainato    | Zug              |
| Donatucci   | Lynch      | Samuelson  |                  |
| Eachus      | Mackereth  | Santoni    | Ryan,<br>Speaker |
| Egolf       | Maher      | Sather     |                  |

**NAYS—0**

**NOT VOTING—0**

**EXCUSED—8**

|             |              |         |               |
|-------------|--------------|---------|---------------|
| Armstrong   | Cohen, L. I. | James   | Taylor, E. Z. |
| Cappabianca | Jadlowiec    | Roberts | Thomas        |

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.

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

The House proceeded to third consideration of **HB 96, PN 1073**, entitled:

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, further providing for advance directives for health care definitions and emergency medical services; and providing for out-of-hospital nonresuscitation.

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

Mr. COHEN offered the following amendment No. A0936:

Amend Title, page 1, line 2, by inserting after "for" the family exemptions and for

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

Section 1. Section 3121 of Title 20 of the Pennsylvania Consolidated Statutes is amended to read: § 3121. When allowable.

(a) General rule.—The spouse of any decedent dying domiciled in the Commonwealth, and if there be no spouse, or if he has forfeited his rights, then such children as are members of the same household as the decedent, and in the event there are no such children, then the parent or parents of the decedent who are members of the same household as the decedent, may retain or claim as an exemption either real or personal property, or both, not theretofore sold by the personal representative, to the value of \$3,500: Provided, That property specifically devised or bequeathed by the decedent, or otherwise specifically disposed of by him, may not be so retained or claimed if other assets are available for the exemption. The surviving husband or wife shall be a competent witness as to all matters pertinent to the issue of forfeiture of the right to exemption.

(b) Additional exemption amount.—In addition to the family exemption amount provided for in subsection (a), there shall be an exemption of \$2,000 if the decedent executed an anatomical gift of all or part of his or her body.

Section 1.1. The definition of "declarant" in section 5403 of Title 20 is amended to read:

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

The SPEAKER. On the question of the adoption of the Cohen amendment, the Chair recognizes the gentleman from Philadelphia County.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, this is an agreed-to amendment.

What it does is it gives a small encouragement through the inheritance tax system for families and individuals to be organ donors. I would urge your support of this amendment.

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

The following roll call was recorded:

YEAS—194

Table listing names of members who voted 'YEAS' (194 total). Includes names like Adolph, Allen, Argall, Baker, J., etc.

Table listing names of members who voted 'NAYS' (0 total). Includes names like Cappelli, Casorio, Cawley, Civera, etc.

NAYS—0

NOT VOTING—0

EXCUSED—8

Table listing names of members who were 'EXCUSED' (8 total). Includes names like Armstrong, Cappabianca, Cohen, L. I., etc.

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—194

Table listing names of members who voted 'YEAS' (194 total). Includes names like Adolph, Allen, Argall, Baker, J., etc.

|             |            |            |               |
|-------------|------------|------------|---------------|
| Boyes       | Grucela    | Micozzie   | Stevenson, T. |
| Browne      | Gruitza    | Miller, R. | Strittmatter  |
| Bunt        | Habay      | Miller, S. | Sturla        |
| Butkovitz   | Haluska    | Mundy      | Surra         |
| Buxton      | Hanna      | Myers      | Tangretti     |
| Caltagirone | Harhai     | Nailor     | Taylor, J.    |
| Cappelli    | Harhart    | Nickol     | Tigue         |
| Casorio     | Harper     | O'Brien    | Travaglio     |
| Cawley      | Hasay      | Oliver     | Trello        |
| Civera      | Hennessey  | Pallone    | Trich         |
| Clark       | Herman     | Perzel     | Tulli         |
| Clymer      | Hershey    | Petrarca   | Vance         |
| Cohen, M.   | Hess       | Petrone    | Veon          |
| Colafella   | Horsley    | Phillips   | Vitali        |
| Coleman     | Hutchinson | Pickett    | Walko         |
| Cornell     | Josephs    | Pippy      | Wansacz       |
| Corrigan    | Kaiser     | Pistella   | Washington    |
| Costa       | Keller     | Preston    | Waters        |
| Coy         | Kenney     | Raymond    | Watson        |
| Creighton   | Kirkland   | Readshaw   | Williams, C.  |
| Cruz        | Krebs      | Reinard    | Williams, J.  |
| Curry       | LaGrotta   | Rieger     | Wilt          |
| Dailey      | Laughlin   | Robinson   | Wogan         |
| Daley       | Lawless    | Roebuck    | Wojnarowski   |
| Dally       | Lederer    | Rohrer     | Wright        |
| DeLuca      | Leh        | Rooney     | Yewcic        |
| Dermody     | Lescovitz  | Ross       | Youngblood    |
| DeWeese     | Levdansky  | Rublely    | Yudichak      |
| DiGirolamo  | Lewis      | Ruffing    | Zimmerman     |
| Diven       | Lucyk      | Sainato    | Zug           |
| Donatucci   | Lynch      | Samuelson  |               |
| Eachus      | Mackereth  | Santoni    | Ryan,         |
| Egolf       | Maher      | Sather     | Speaker       |

NAYS—0

NOT VOTING—0

EXCUSED—8

|             |              |         |               |
|-------------|--------------|---------|---------------|
| Armstrong   | Cohen, L. I. | James   | Taylor, E. Z. |
| Cappabianca | Jadlowiec    | Roberts | Thomas        |

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

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

\* \* \*

The House proceeded to third consideration of **HB 220, PN 207**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for jurisdiction and venue of district justices.

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

### BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.  
Mr. PERZEL. Mr. Speaker, I move that HB 220 be recommitted to Rules.

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

\* \* \*

The House proceeded to third consideration of **HB 429, PN 466**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for deceptive or fraudulent business practices.

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

Mr. **GEORGE** offered the following amendment No. **A0897**:

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

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

Amend Bill, page 6, by inserting between lines 11 and 12

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 6, line 12, 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 the George amendment, the Chair recognizes Mr. George.

Mr. GEORGE. Mr. Speaker, is this 978?

The SPEAKER. 897.

### AMENDMENT WITHDRAWN

Mr. GEORGE. Mr. Speaker, I am going to pull 897.

The SPEAKER. The gentleman, Mr. George, withdraws from consideration amendment 897 and offers— What amendment are you offering then?

Mr. GEORGE. 978.

The SPEAKER. —978.

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

Mr. **GEORGE** offered the following amendment No. **A0978**:

Amend Sec. 1 (Sec. 4107), page 2, by inserting between lines 21 and 22

(6.1) makes a false or misleading statement to a Commonwealth agency or a regional transmission organization for the purpose of manipulating the price of electricity;

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

The SPEAKER. On the question, Mr. George. Mr. GEORGE. Thank you, Mr. Speaker.

Mr. Speaker, this amendment bans the use of false and misleading written statements done for the purpose of influencing market prices for the sale of electricity.

Last Friday the Federal Trade Commission reported that one cause of last summer's high gasoline prices was that some energy producers withheld supplies of this product to maximize profits. So if gasoline prices can be manipulated—

The SPEAKER. Will the gentleman please yield.

There are entirely too many conversations on the floor. Conferences towards the rear of the House, please break up.

Mr. George.

Mr. GEORGE. Thank you, Mr. Speaker.

So, Mr. Speaker, I ask that if a product such as gasoline can be manipulated in price, why then cannot other products that our citizens of the Commonwealth are in need of be manipulated such as electricity? The price of electricity can, Mr. Speaker, be manipulated, according to the chairman of the economics department of MIT (Massachusetts Institute of Technology), Paul Joskow. There is considerable empirical evidence to support a presumption, Mr. Speaker, that high electricity prices experienced in the summer of 2000 in California reflect the withholding of supplies from the market by suppliers, generators, and marketers.

Just weeks ago here in Pennsylvania, Mr. Speaker, wholesale prices for electricity jumped approximately 1,000 percent in 1 day when some electrical generating plants on the grid malfunctioned. This proves that huge price spikes in the price of power can be caused just by the loss of a few plants. While we cannot control mechanical breakdowns, we can certainly control and try to tame human nature. If you have power and want to sell it, fine; if you do not, fine, but do not lie and tell the public or the regulators that your plants are not available because of a breakdown simply to influence the price of electric.

Mr. Speaker, this is a worthwhile amendment, and I would hope everybody would vote for it. Thank you.

The SPEAKER. The Chair thanks the gentleman.

Does the gentleman, Mr. Perzel, desire recognition on this amendment?

Mr. PERZEL. Just for a moment, Mr. Speaker. I would like to urge the members to cast a "no" vote. Thank you.

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

The following roll call was recorded:

YEAS—93

Table listing names of members who voted 'YEAS' (93 total): Bebko-Jones, Belardi, Belfanti, Bishop, Blaum, Butkovitz, Buxton, Evans, D., Frankel, Freeman, George, Gordner, Grucela, Gruitza, McCall, McGeehan, Melio, Michlovic, Mundy, Myers, Oliver, Solobay, Staback, Steelman, Stetler, Sturla, Surra, Tangretti.

Table listing names of members who were present or absent: Caltagirone, Casorio, Cawley, Cohen, M., Colafella, Corrigan, Costa, Coy, Cruz, Curry, Daley, DeLuca, Dermody, DeWeese, Diven, Donatucci, Eachus, Haluska, Hanna, Harhai, Josephs, Kaiser, Kirkland, LaGrotta, Laughlin, Lederer, Lescovitz, Levdansky, Lucyk, Manderino, Mann, Markosek, Mayernik, Pallone, Petrarca, Petrone, Pistella, Preston, Readshaw, Rieger, Robinson, Roebuck, Rooney, Ruffing, Sainato, Samuelson, Santoni, Scrimenti, Shaner, Tighe, Travaglio, Trello, Trich, Veon, Vitali, Walko, Wansacz, Washington, Waters, Williams, C., Williams, J., Wojnaroski, Yewcic, Youngblood, Yudichak.

NAYS—99

Table listing names of members who voted 'NAYS' (99 total): Adolph, Allen, Argall, Baker, J., Baker, M., Bard, Barley, Barrar, Bastian, Benninghoff, Birmelin, Boyes, Browne, Bunt, Cappelli, Civera, Clark, Clymer, Coleman, Cornell, Creighton, Dailey, Dally, DiGirolamo, Egolf, Evans, J., Fairchild, Feese, Fichter, Fleagle, Flick, Forcier, Gabig, Gannon, Geist, Godshall, Habay, Harhart, Harper, Hasay, Hennessey, Herman, Hershey, Hess, Hutchinson, Kenney, Krebs, Lawless, Leh, Lewis, Lynch, Mackereth, Maher, Maitland, Major, Marsico, McGill, McIlhattan, McIlhinney, McNaughton, Metcalfe, Micozzie, Miller, R., Miller, S., Nailor, Nickol, O'Brien, Perzel, Phillips, Pickett, Pippy, Raymond, Reinard, Rohrer, Ross, Rubley, Sather, Saylor, Schroder, Schuler, Semmel, Smith, B., Smith, S. H., Stairs, Steil, Stern, Stevenson, R., Stevenson, T., Strittmatter, Taylor, J., Tulli, Vance, Watson, Wilt, Wogan, Wright, Zimmerman, Zug, Ryan, Speaker.

NOT VOTING—2

Table listing names of members who did not vote: Horsey, Keller.

EXCUSED—8

Table listing names of members who were excused: Armstrong, Cappabianca, Cohen, L. I., Jadlowiec, James, Roberts, Taylor, E. Z., Thomas.

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

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

The SPEAKER. Mr. George, my calendar indicates you had three amendments. You withdrew one.

Mr. GEORGE. Mr. Speaker, I have one more.

The SPEAKER. What is the number of that one?

I am going to start naming names. Please take your seats.

The gentleman, Mr. George, offers amendment 897, which the clerk will now read.



Mr. George, this is the amendment you withdrew. Is that so?  
Mr. George, please come to the rostrum.

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

Mr. **GEORGE** reoffered the following amendment No. **A0897**:

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

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

Amend Bill, page 6, by inserting between lines 11 and 12

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 6, line 12, by striking out "2" and inserting  
3

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

The **SPEAKER**. On the question of the adoption of the George amendment 897, which was the earlier amendment that had been withdrawn, the Chair recognizes the gentleman, Mr. George.

Mr. **GEORGE**. Thank you, Mr. Speaker.

Mr. Speaker, I apologize for the confusion. I do not apologize for this amendment.

Mr. Speaker, all this amendment does, whether they choose to vote for it or not, is to make it illegal and insist on the prohibition over certain billing practices of long-distance telephone service providers and impose penalties.

Mr. Speaker, the people in your district and my district are very confused over long-distance telephone accommodations where they are paying a fee to have the right to use that phone and then are assessed a fee for not utilizing the long distance, and I ask that we consider this amendment.

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

Mr. **PERZEL**. Mr. Speaker, the amendment was very poorly drawn, and for that reason I would ask the members to please cast a "no" vote.

The **SPEAKER**. The Chair recognizes the gentleman, Mr. Horsey.

Mr. **HORSEY**. Thank you, Mr. Speaker.

Mr. Speaker, may I interrogate the maker of the amendment?

The **SPEAKER**. The gentleman, Mr. George, indicates he will stand for interrogation.

Mr. **HORSEY**. I have one question.

The **SPEAKER**. Just a minute; just a minute.

Mr. George, Mr. Horsey wishes to interrogate you.

Mr. **GEORGE**. Fine.

The **SPEAKER**. Mr. Horsey.

Mr. **HORSEY**. Thank you, Mr. Speaker.

Mr. Speaker, is there a reason why you have restricted this amendment to only residential phone business and not included commercial?

Mr. **GEORGE**. Mr. Speaker, I insist on the residential part of it, but that does not mean that it would not apply to commercial. But you have to understand that the majority of those that utilize this type of service are the citizens and most of them individuals that are having a tough time paying their bills, and in order to make it available for their relatives across the country to be able to call back and forth, when in fact they do not utilize this service, they are penalized, and that is the only reason I am doing this.

Mr. **HORSEY**. Well, Mr. Speaker, is it an inequity to give a remedy to average, everyday people and not offer that same remedy to people in the business community?

Mr. **GEORGE**. Mr. Speaker, we stand here daily and we attempt to offer more times some alleviation for business enterprises, such as the time when we offer millions of dollars to someone to create employment and then they move out of the State of Pennsylvania after they have taken our money. There is no one that has not been to the task of trying to help the business community any more than I have, but this amendment speaks to the multitude of individuals that look at their bills and do not understand them and find they are being intimidated and charged for a service they are not utilizing. That is all I ask.

Mr. **HORSEY**. Thank you, Mr. Speaker.

On the amendment, Mr. Speaker?

The **SPEAKER**. The gentleman, Mr. Horsey.

Mr. **HORSEY**. Mr. Speaker, I am not sure if I am going to support this amendment, because I want to tell you about a personal experience, Mr. Speaker, that I could not recover under. In my district office, Mr. Speaker, my district phone number, I had long-distance service applied without my personal certification, and when I called the phone company, there was nothing they could do but tell me I had to pay it. Now, this bill would have been perfect to remedy that particular situation, because they did not have my authorization to put a long-distance service on my district office since we already have a WATS (wide-area telecommunications service) line.

This amendment would have been perfect if it would accommodate both residential and business, Mr. Speaker, but I think because it only accommodates residential, I do not know if it is constitutional, but I am not raising the constitutional question, Mr. Speaker. I do not know if it would be constitutional just to provide relief for residential and not for business, but it would have been excellent if it had provided some remedy for long distance for commercial folks as well as residential, and with that, Mr. Speaker, I do not know which way I am going to vote on this. It could have been a little better, I think, and thank you, Mr. Speaker.

The **SPEAKER**. The gentleman, Mr. Casorio.

Mr. **CASORIO**. Thank you, Mr. Speaker.

The **SPEAKER**. Will the gentleman yield.

The noise level today is unbelievable. Please. The people who are engaged in debate deserve your attention; if not your attention, your courtesy. If you must confer, confer off the floor.

Mr. **CASORIO**.

Mr. **CASORIO**. Thank you, Mr. Speaker.

I would like to interrogate the maker of the amendment, please.

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

Mr. CASORIO. Thank you, Mr. Speaker.

Mr. Speaker, your amendment states that no telephone company can bill more than a month in advance for long-distance telephone service without the consumer's prior written approval. Is that correct?

Mr. GEORGE. That is absolutely accurate.

Mr. CASORIO. Now, say, for example, if someone, a residential customer, wanted to enter into an agreement where in fact they would be billed for more than 1 month in advance at a time, could they still do that with the passage of this amendment?

Mr. GEORGE. Absolutely so.

Mr. CASORIO. So in essence, you are not denying a consumer, a residential telephone subscriber, the ability to pay in advance on a service fee, are you?

Mr. GEORGE. Absolutely not.

Mr. CASORIO. You are just, in my estimation, and you can answer freely, you are denying the telephone company the ability to charge in advance without the written authorization or permission from the residential phone customer. Is that correct?

Mr. GEORGE. That is right.

Mr. CASORIO. Thank you.

Mr. GEORGE. Mr. Speaker, in answer to what you asked and what the former speaker asked, it is almost commonplace that in the utility industry, whether it is power or communications, there are times when we allow these companies to do these things on billing that they claim saves them money. But like the use of electricity, when they estimate your bill and that dear old lady finds that bill is three times more than what it normally is and she has to miss out on needed necessities to meet that bill and then 2 months from now it is equalized, I think it is a little late. That is the same thing with a phone bill. They have no business billing 3 months at a time unless the individual accepts that agreement.

Mr. CASORIO. Thank you, Mr. Speaker.

On the amendment?

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

Mr. CASORIO. Thank you, Mr. Speaker.

I see this amendment simply as one protecting the consumer, providing for the ability, if they wish, to be billed in advance for telephone services but without taking advantage, if you will, of some of our constituents and billing them far in advance without knowledge of what their bill will be, and I would ask for support of Representative George, an affirmative vote on this amendment.

Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Surra.

Mr. SURRA. Thank you, Mr. Speaker.

Very briefly. I am going to support the George amendment. I think it makes sense. It is good for the consumer and all the residential phone users in this Commonwealth.

It is not fair, Mr. Speaker, to bill people 3 months in advance when by Federal law the same companies are charging people a \$5-a-month billing fee. With that thought alone, Mr. Speaker, because of the \$5-a-month billing fee, the consumer should be able to request to be billed every month.

It is a commonsense amendment; it is good for the consumer, and I urge my colleagues to support it. Thank you.

The SPEAKER. Mrs. Harhart.

Mrs. HARHART. Thank you, Mr. Speaker.

I commend Mr. George for this amendment. We all here are very concerned about our consumers and that they are being treated fairly, but the maker of the amendment is getting at the deceptive practice. This is indeed a worthy goal. If someone were to deceptively hide the fact from a customer that charges were being levied in secret, by subterfuge, et cetera, then the Attorney General can take action under the Unfair Trade Practices and Consumer Protection Law. Both the Attorney General and the district attorneys enforce this law.

There is a danger in enacting this amendment into law. The first is, by adopting this today, the General Assembly is saying implicitly that such a practice is illegal, when there are existing mechanisms and law enforcement personnel to put a stop to such a deceptive practice.

Additionally, there are more effective remedies under the Unfair Practices and Consumer Protection Law and Title 66, the PUC (Public Utility Commission) Code. First, the Attorney General can bring an action even before the Unfair Trade Practices and Consumer Protection Law is violated. Penalties under the act include the violator providing restitution to the consumer, and that is better than a court assessing a \$100 fine, as the amendment would have it.

Further, the civil penalty under the Unfair Trade Practices and Consumer Protection Law is \$5,000 for each violation, much better than \$100. Moreover, the court retains jurisdiction of the matter and the Attorney General or district attorney can again petition for relief under this act. Under the amendment, a separate action will have to be brought each time. If the court finds a person or corporation willfully engaged in an unlawful practice, there is a penalty of \$1,000. Where the victim is 60 years of age or older, there is an additional penalty of up to \$3,000. The George amendment has no such special provision for senior citizens.

Under the existing law, the PUC has the power to reform and revise contracts entered into by any public utility, including a telephone service provider, and the customer. It can take this action based upon a complaint or its own motion. When the terms or conditions of a contract are unjust, unreasonable, inequitable, or injurious to public interest, the PUC has the authority to revise the contract, and I urge you to vote "no" on this amendment.

Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Lynch.

Mr. LYNCH. Thank you, Mr. Speaker.

The gentleman from Clearfield County has had a lot of good ideas over the last few months about things that we should be incorporating into statute. However, I think that we are not doing our job substantially if we continue to allow these amendments to be offered without going through the committee process. These are very good amendments, and they should be considered in the committee and not offered on the House floor.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question of the adoption of the amendment, Mr. George.

Mr. GEORGE. I feel that I am obligated to use my second turn.

I thank the lady for addressing the matter in regard to it being a very proper assignment that I urge. I say to the kind lady that

nothing that she states is in the law does this amendment remove.

She made a statement about the PUC. I hope she would live every day for every letter we have written to the PUC and been ignored.

Now, if in fact there is so much of this that eliminates the need for us as legislators, then I wonder why the Attorney General does not move on these things; I wonder why the district attorneys do not move on these things; and I wonder why these dear people call you and me. Maybe you spend your time saying, call the Attorney General. Well, if you do, you are not being responsible to that individual who is being charged for 3 months when they do not feel they ought to be, and so you can do what you wish.

And as far as the committee system, I am not going to get into that, Mr. Speaker; we are friends, but I am going to stand here as long as my lungs will allow and my heart pumps, and I am going to do what they sent me down here to do, not only for my constituents but for yours, and if you do not acknowledge that there has to be some help, then you stand someday for the actions you take today.

Thank you.

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

The following roll call was recorded:

YEAS—89

|             |           |           |              |
|-------------|-----------|-----------|--------------|
| Bebko-Jones | Frankel   | McGeehan  | Staback      |
| Belardi     | Freeman   | Melio     | Steelman     |
| Belfanti    | George    | Michlovic | Stetler      |
| Bishop      | Gordner   | Mundy     | Sturla       |
| Blaum       | Grucela   | Myers     | Surra        |
| Butkovitz   | Gruitza   | Oliver    | Tangretti    |
| Caltagirone | Haluska   | Pallone   | Tigue        |
| Casorio     | Hanna     | Petrarca  | Travaglio    |
| Cawley      | Harhai    | Petrone   | Trello       |
| Cohen, M.   | Horsey    | Pistella  | Trich        |
| Colafella   | Josephs   | Preston   | Veon         |
| Corrigan    | Kirkland  | Rieger    | Vitali       |
| Costa       | LaGrotta  | Robinson  | Walko        |
| Coy         | Laughlin  | Roebuck   | Wansacz      |
| Cruz        | Lederer   | Rooney    | Washington   |
| Curry       | Lescovitz | Ruffing   | Waters       |
| Daley       | Levdansky | Sainato   | Williams, C. |
| DeLuca      | Lucyk     | Samuelson | Williams, J. |
| Dermody     | Manderino | Santoni   | Wojnaroski   |
| DeWeese     | Mann      | Scrimenti | Yewcic       |
| Donatucci   | Markosek  | Shaner    | Youngblood   |
| Eachus      | McCall    | Solobay   | Yudichak     |

NAYS—100

|             |           |            |               |
|-------------|-----------|------------|---------------|
| Adolph      | Evans, J. | Mackereth  | Rubley        |
| Allen       | Fairchild | Maher      | Sather        |
| Argall      | Feese     | Maitland   | Saylor        |
| Baker, J.   | Fichter   | Major      | Schroder      |
| Baker, M.   | Fleagle   | Marsico    | Schuler       |
| Bard        | Flick     | McGill     | Semmel        |
| Barley      | Forcier   | McIlhatten | Smith, B.     |
| Barrar      | Gabig     | McIlhinney | Smith, S. H.  |
| Bastian     | Gannon    | McNaughton | Stairs        |
| Benninghoff | Geist     | Metcalfe   | Steil         |
| Birmelin    | Godshall  | Micozzie   | Stern         |
| Boyes       | Habay     | Miller, R. | Stevenson, R. |
| Browne      | Harhart   | Miller, S. | Stevenson, T. |
| Bunt        | Harper    | Nailor     | Taylor, J.    |

|            |            |          |           |
|------------|------------|----------|-----------|
| Buxton     | Hasay      | Nickol   | Tulli     |
| Cappelli   | Hennessey  | O'Brien  | Vance     |
| Civera     | Herman     | Perzel   | Watson    |
| Clark      | Hershey    | Phillips | Wilt      |
| Clymer     | Hess       | Pickett  | Wogan     |
| Coleman    | Hutchinson | Pippy    | Wright    |
| Cornell    | Kenney     | Raymond  | Zimmerman |
| Creighton  | Krebs      | Readshaw | Zug       |
| Dailey     | Lawless    | Reinard  |           |
| Dally      | Leh        | Rohrer   |           |
| DiGirolamo | Lewis      | Ross     | Ryan,     |
| Egolf      | Lynch      |          | Speaker   |

NOT VOTING—5

|        |        |          |              |
|--------|--------|----------|--------------|
| Diven  | Keller | Mayernik | Strittmatter |
| Kaiser |        |          |              |

EXCUSED—8

|             |              |         |               |
|-------------|--------------|---------|---------------|
| Armstrong   | Cohen, L. I. | James   | Taylor, E. Z. |
| Cappabianca | Jadlowiec    | Roberts | Thomas        |

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

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—192

|             |            |            |               |
|-------------|------------|------------|---------------|
| Adolph      | Evans, J.  | Manderino  | Schroder      |
| Allen       | Fairchild  | Mann       | Schuler       |
| Argall      | Feese      | Markosek   | Scrimenti     |
| Baker, J.   | Fichter    | Marsico    | Semmel        |
| Baker, M.   | Fleagle    | Mayernik   | Shaner        |
| Bard        | Flick      | McCall     | Smith, B.     |
| Barley      | Forcier    | McGeehan   | Smith, S. H.  |
| Barrar      | Frankel    | McGill     | Solobay       |
| Bastian     | Freeman    | McIlhatten | Staback       |
| Bebko-Jones | Gabig      | McIlhinney | Stairs        |
| Belardi     | Gannon     | McNaughton | Steelman      |
| Belfanti    | Geist      | Melio      | Steil         |
| Benninghoff | George     | Metcalfe   | Stern         |
| Birmelin    | Godshall   | Michlovic  | Stetler       |
| Bishop      | Gordner    | Micozzie   | Stevenson, R. |
| Blaum       | Grucela    | Miller, R. | Stevenson, T. |
| Boyes       | Gruitza    | Miller, S. | Strittmatter  |
| Browne      | Habay      | Mundy      | Sturla        |
| Bunt        | Haluska    | Myers      | Surra         |
| Butkovitz   | Hanna      | Nailor     | Tangretti     |
| Buxton      | Harhai     | Nickol     | Taylor, J.    |
| Caltagirone | Harhart    | O'Brien    | Tigue         |
| Cappelli    | Harper     | Oliver     | Travaglio     |
| Casorio     | Hasay      | Pallone    | Trello        |
| Cawley      | Hennessey  | Perzel     | Trich         |
| Civera      | Herman     | Petrarca   | Tulli         |
| Clark       | Hershey    | Petrone    | Vance         |
| Clymer      | Hess       | Phillips   | Veon          |
| Cohen, M.   | Horsey     | Pickett    | Vitali        |
| Colafella   | Hutchinson | Pippy      | Walko         |
| Coleman     | Josephs    | Pistella   | Wansacz       |

|            |           |           |              |
|------------|-----------|-----------|--------------|
| Cornell    | Kaiser    | Preston   | Washington   |
| Corrigan   | Kenney    | Raymond   | Waters       |
| Costa      | Kirkland  | Readshaw  | Watson       |
| Coy        | Krebs     | Reinard   | Williams, C. |
| Creighton  | LaGrotta  | Rieger    | Williams, J. |
| Cruz       | Laughlin  | Robinson  | Wilt         |
| Curry      | Lawless   | Roebuck   | Wogan        |
| Dailey     | Lederer   | Rohrer    | Wojnaroski   |
| Daley      | Leh       | Rooney    | Wright       |
| Dally      | Lescovitz | Ross      | Yewcic       |
| DeLuca     | Levdansky | Rubley    | Youngblood   |
| Dermody    | Lewis     | Ruffing   | Yudichak     |
| DeWeese    | Lucyk     | Sainato   | Zimmerman    |
| DiGirolamo | Lynch     | Samuelson | Zug          |
| Donatucci  | Mackereth | Santoni   |              |
| Eachus     | Maher     | Sather    |              |
| Egolf      | Maitland  | Saylor    | Ryan,        |
| Evans, D.  | Major     |           | Speaker      |

NAYS—0

NOT VOTING—2

|       |        |
|-------|--------|
| Diven | Keller |
|-------|--------|

EXCUSED—8

|             |              |         |               |
|-------------|--------------|---------|---------------|
| Armstrong   | Cohen, L. I. | James   | Taylor, E. Z. |
| Cappabianca | Jadlowiec    | Roberts | Thomas        |

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

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

LEAVE OF ABSENCE

The SPEAKER. The Chair returns to leaves of absence and recognizes the gentleman, Mr. Veon, who requests a leave of absence for the balance of today's session for the gentleman, Mr. DeWEESE. Without objection, the leave will be granted. The Chair hears none.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of HB 91, PN 76, entitled:

An Act limiting building permit requirements and property tax reassessment for the rehabilitation of historic homesites; and conferring powers and duties on the Pennsylvania Historical and Museum Commission.

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

Mr. TANGRETTI offered the following amendment No. A0821:

Amend Sec. 3, page 4, lines 3 through 6, by striking out all of lines 3 through 5 and "work on a historic homesite." in line 6 and inserting

Section 3. Permits.

For rehabilitation work on a historic homesite, a municipality may waive the fee for a building permit or a permit for a variance or a special exemption from the zoning requirements.

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, Mr. Tangretti.

Mr. TANGRETTI. Thank you, Mr. Speaker.

Mr. Speaker, this amendment just clears up some language that was ambiguous in the original bill that the township commissioners, the township association, discovered, and we were happy to accommodate them, and it is merely editorial in nature.

Thank you.

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

The following roll call was recorded:

YEAS—192

|             |            |            |               |
|-------------|------------|------------|---------------|
| Adolph      | Evans, J.  | Manderino  | Schroder      |
| Allen       | Fairchild  | Mann       | Schuler       |
| Argall      | Feese      | Markosek   | Scrimenti     |
| Baker, J.   | Fichter    | Marsico    | Semmel        |
| Baker, M.   | Fleagle    | Mayernik   | Shaner        |
| Bard        | Flick      | McCall     | Smith, B.     |
| Barley      | Forcier    | McGeehan   | Smith, S. H.  |
| Barrar      | Frankel    | McGill     | Solobay       |
| Bastian     | Freeman    | McLhattan  | Staback       |
| Bebko-Jones | Gabig      | McLhinney  | Stairs        |
| Belardi     | Gannon     | McNaughton | Steelman      |
| Belfanti    | Geist      | Melio      | Steil         |
| Benninghoff | George     | Metcalfe   | Stem          |
| Birmelin    | Godshall   | Michlovic  | Stetler       |
| Bishop      | Gordner    | Micozzie   | Stevenson, R. |
| Blaum       | Grucela    | Miller, R. | Stevenson, T. |
| Boyes       | Gruitza    | Miller, S. | Strittmatter  |
| Browne      | Habay      | Mundy      | Sturla        |
| Bunt        | Haluska    | Myers      | Surra         |
| Butkovitz   | Hanna      | Nailor     | Tangretti     |
| Buxton      | Harhai     | Nickol     | Taylor, J.    |
| Caltagirone | Harhart    | O'Brien    | Tigue         |
| Cappelli    | Harper     | Oliver     | Travaglio     |
| Casorio     | Hasay      | Pallone    | Trello        |
| Cawley      | Hennessey  | Perzel     | Trich         |
| Civera      | Herman     | Petrarca   | Tulli         |
| Clark       | Hershey    | Petrone    | Vance         |
| Clymer      | Hess       | Phillips   | Veon          |
| Cohen, M.   | Horsey     | Pickett    | Vitali        |
| Colafella   | Hutchinson | Pippy      | Walko         |
| Coleman     | Josephs    | Pistella   | Wansacz       |
| Cornell     | Kaiser     | Preston    | Washington    |
| Corrigan    | Kenney     | Raymond    | Waters        |
| Costa       | Kirkland   | Readshaw   | Watson        |
| Coy         | Krebs      | Reinard    | Williams, C.  |
| Creighton   | LaGrotta   | Rieger     | Williams, J.  |
| Cruz        | Laughlin   | Robinson   | Wilt          |
| Curry       | Lawless    | Roebuck    | Wogan         |
| Dailey      | Lederer    | Rohrer     | Wojnaroski    |
| Daley       | Leh        | Rooney     | Wright        |
| Dally       | Lescovitz  | Ross       | Yewcic        |
| DeLuca      | Levdansky  | Rubley     | Youngblood    |
| Dermody     | Lewis      | Ruffing    | Yudichak      |
| DiGirolamo  | Lucyk      | Sainato    | Zimmerman     |
| Diven       | Lynch      | Samuelson  | Zug           |
| Donatucci   | Mackereth  | Santoni    |               |
| Eachus      | Maher      | Sather     |               |
| Egolf       | Maitland   | Saylor     |               |
| Evans, D.   | Major      |            | Ryan,         |
|             |            |            | Speaker       |

NAYS—0

NOT VOTING—1

Keller

EXCUSED—9

|              |           |         |               |
|--------------|-----------|---------|---------------|
| Armstrong    | DeWeese   | James   | Taylor, E. Z. |
| Cappabianca  | Jadlowiec | Roberts | Thomas        |
| Cohen, L. I. |           |         |               |

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—193

|             |            |            |               |
|-------------|------------|------------|---------------|
| Adolph      | Evans, J.  | Major      | Schroder      |
| Allen       | Fairchild  | Manderino  | Schuler       |
| Argall      | Feese      | Mann       | Scrimenti     |
| Baker, J.   | Fichter    | Markosek   | Semmel        |
| Baker, M.   | Fleagle    | Marsico    | Shaner        |
| Bard        | Flick      | Mayernik   | Smith, B.     |
| Barley      | Forcier    | McCall     | Smith, S. H.  |
| Barrar      | Frankel    | McGeehan   | Solobay       |
| Bastian     | Freeman    | McGill     | Staback       |
| Bebko-Jones | Gabig      | McIlhattan | Stairs        |
| Belardi     | Gannon     | McIlhinney | Steelman      |
| Belfanti    | Geist      | McNaughton | Steil         |
| Benninghoff | George     | Melio      | Stern         |
| Birmelin    | Godshall   | Metcalfe   | Stetler       |
| Bishop      | Gordner    | Michlovic  | Stevenson, R. |
| Blaum       | Grucela    | Micozzie   | Stevenson, T. |
| Boyes       | Gruitza    | Miller, R. | Strittmatter  |
| Browne      | Habay      | Miller, S. | Sturla        |
| Bunt        | Haluska    | Mundy      | Surra         |
| Butkovitz   | Hanna      | Myers      | Tangretti     |
| Buxton      | Harhai     | Nailor     | Taylor, J.    |
| Caltagirone | Harhart    | Nickol     | Tigue         |
| Cappelli    | Harper     | O'Brien    | Travaglio     |
| Casorio     | Hasay      | Oliver     | Trello        |
| Cawley      | Hennessey  | Pallone    | Trich         |
| Civera      | Herman     | Perzel     | Tulli         |
| Clark       | Hershey    | Petrarca   | Vance         |
| Clymer      | Hess       | Petrone    | Veon          |
| Cohen, M.   | Horsey     | Phillips   | Vitali        |
| Colafella   | Hutchinson | Pickett    | Walko         |
| Coleman     | Josephs    | Pippy      | Wansacz       |
| Cornell     | Kaiser     | Pistella   | Washington    |
| Corrigan    | Keller     | Preston    | Waters        |
| Costa       | Kenney     | Raymond    | Watson        |
| Coy         | Kirkland   | Readshaw   | Williams, C.  |
| Creighton   | Krebs      | Reinard    | Williams, J.  |
| Cruz        | LaGrotta   | Rieger     | Wilt          |
| Curry       | Laughlin   | Robinson   | Wogan         |
| Dailey      | Lawless    | Roebuck    | Wojnaroski    |
| Daley       | Lederer    | Rohrer     | Wright        |
| Dally       | Leh        | Rooney     | Yewcic        |

|            |           |           |            |
|------------|-----------|-----------|------------|
| DeLuca     | Lescovitz | Ross      | Youngblood |
| Dermody    | Levdansky | Rubley    | Yudichak   |
| DiGirolamo | Lewis     | Ruffing   | Zimmerman  |
| Diven      | Lucyk     | Sainato   | Zug        |
| Donatucci  | Lynch     | Samuelson |            |
| Eachus     | Mackereth | Santoni   |            |
| Egolf      | Maher     | Sather    | Ryan,      |
| Evans, D.  | Maitland  | Saylor    | Speaker    |

NAYS—0

NOT VOTING—0

EXCUSED—9

|              |           |         |               |
|--------------|-----------|---------|---------------|
| Armstrong    | DeWeese   | James   | Taylor, E. Z. |
| Cappabianca  | Jadlowiec | Roberts | Thomas        |
| Cohen, L. I. |           |         |               |

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

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

\* \* \*

The House proceeded to third consideration of **HB 62, PN 48**, entitled:

An Act authorizing the Department of General Services, with the approval of the Governor, to grant and convey a tract of land situated in the Borough of Canonsburg, Washington County.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—193

|             |           |            |               |
|-------------|-----------|------------|---------------|
| Adolph      | Evans, J. | Major      | Schroder      |
| Allen       | Fairchild | Manderino  | Schuler       |
| Argall      | Feese     | Mann       | Scrimenti     |
| Baker, J.   | Fichter   | Markosek   | Semmel        |
| Baker, M.   | Fleagle   | Marsico    | Shaner        |
| Bard        | Flick     | Mayernik   | Smith, B.     |
| Barley      | Forcier   | McCall     | Smith, S. H.  |
| Barrar      | Frankel   | McGeehan   | Solobay       |
| Bastian     | Freeman   | McGill     | Staback       |
| Bebko-Jones | Gabig     | McIlhattan | Stairs        |
| Belardi     | Gannon    | McIlhinney | Steelman      |
| Belfanti    | Geist     | McNaughton | Steil         |
| Benninghoff | George    | Melio      | Stern         |
| Birmelin    | Godshall  | Metcalfe   | Stetler       |
| Bishop      | Gordner   | Michlovic  | Stevenson, R. |
| Blaum       | Grucela   | Micozzie   | Stevenson, T. |
| Boyes       | Gruitza   | Miller, R. | Strittmatter  |
| Browne      | Habay     | Miller, S. | Sturla        |
| Bunt        | Haluska   | Mundy      | Surra         |
| Butkovitz   | Hanna     | Myers      | Tangretti     |
| Buxton      | Harhai    | Nailor     | Taylor, J.    |

|             |            |           |              |
|-------------|------------|-----------|--------------|
| Caltagirone | Harhart    | Nickol    | Tigue        |
| Cappelli    | Harper     | O'Brien   | Travaglio    |
| Casorio     | Hasay      | Oliver    | Trello       |
| Cawley      | Hennessey  | Pallone   | Trich        |
| Civera      | Herman     | Perzel    | Tulli        |
| Clark       | Hershey    | Petrarca  | Vance        |
| Clymer      | Hess       | Petrone   | Veon         |
| Cohen, M.   | Horsey     | Phillips  | Vitali       |
| Colafella   | Hutchinson | Pickett   | Walko        |
| Coleman     | Josephs    | Pippy     | Wansacz      |
| Cornell     | Kaiser     | Pistella  | Washington   |
| Corrigan    | Keller     | Preston   | Waters       |
| Costa       | Kenney     | Raymond   | Watson       |
| Coy         | Kirkland   | Readshaw  | Williams, C. |
| Creighton   | Krebs      | Reinard   | Williams, J. |
| Cruz        | LaGrotta   | Rieger    | Wilt         |
| Curry       | Laughlin   | Robinson  | Wogan        |
| Dailey      | Lawless    | Roebuck   | Wojnarowski  |
| Daley       | Lederer    | Rohrer    | Wright       |
| Dally       | Leh        | Rooney    | Yewcic       |
| DeLuca      | Lescovitz  | Ross      | Youngblood   |
| Dermody     | Levdansky  | Rubley    | Yudichak     |
| DiGirolamo  | Lewis      | Ruffing   | Zimmerman    |
| Diven       | Lucyk      | Sainato   | Zug          |
| Donatucci   | Lynch      | Samuelson |              |
| Eachus      | Mackereth  | Santoni   |              |
| Egolf       | Maher      | Sather    | Ryan,        |
| Evans, D.   | Maitland   | Saylor    | Speaker      |

NAYS-0

NOT VOTING-0

EXCUSED-9

|              |           |         |               |
|--------------|-----------|---------|---------------|
| Armstrong    | DeWeese   | James   | Taylor, E. Z. |
| Cappabianca  | Jadlowiec | Roberts | Thomas        |
| Cohen, L. I. |           |         |               |

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.

**CERTIFICATION FROM APPROPRIATIONS COMMITTEE**

The SPEAKER. The Chair acknowledges receipt of the certification of the general appropriations bill and nonpreferred bills from the Appropriations Committee chairman in accordance with rule 19(b) of the House.

**STATEMENT BY MR. BARLEY**

The SPEAKER. The Chair at this time recognizes the gentleman, Mr. Barley.

Mr. BARLEY. Thank you, Mr. Speaker.

For purposes of just announcing some process and so on here for the upcoming weeks.

Mr. Speaker, we have had a series of Appropriations hearings. Of course, they are now completed. The members have been notifying my office and I know the members have also been in contact with the Democrat chairman as well

expressing some concerns in some of the areas like the funding or lack of funding for epilepsy, Tourette's syndrome, and some other areas. Well, we are going to be providing an opportunity for members to provide amendments to the budget. We have introduced all the budget bills today. We will be coming back after the Easter recess, and on April, I believe it is the 23d, Monday the 23d, according to the rules of the House, we will be running the budget bill.

Now, today, SB 1 was gutted as it came over from the Senate; it was amended. Basically what we did in the Appropriations Committee, we amended the Governor's proposed budget into SB 1. That is the bill that will be available for amendments, and any member wishing to amend SB 1 should do so by having that amendment available and submitted to the amendment clerk by April 16. According to House rule 19(b), the amendments must be revenue neutral. So any amendment that a member chooses to submit, they must provide in that same amendment an offset for the appropriation that they choose to increase. Again, those amendments must be submitted to the amendment clerk by 2 p.m. on Monday, April 16.

The one distinction that I would like to make for the members today, on the State-related institutions, we introduced four bills today for each one of the State-relateds; that is, Lincoln, Temple, Penn State, and the University of Pittsburgh. The Governor had his proposed budgets for those four State-relateds. I did not introduce the Governor's proposed budget for those institutions. What we did, we took the current year's budget, 2000-2001, and that is the budgets that are encompassed in the bills that are introduced this year as a starting point for the State-related institutions. Other than that, all of the other housekeeping bills, all of the other nonpreferreds, basically have been introduced with the Governor's proposed budgets.

Again, just to remind the members, the two key dates: Monday, April 16, by 2 p.m. amendments must be submitted to the amendment clerk in order to be included; and then Monday, April 23, is when we are planning to begin the floor process.

Mr. Speaker, that is basically it. Thank you very much, and hopefully any questions anyone has, please contact either myself or the Democrat chairman, and our respective staff persons stand ready to help you.

The SPEAKER. Thank you, Mr. Barley.

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

**HB 165, PN 142**

By Rep. BOYES

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, repealing certain provisions imposing sales and use tax on lawn care services.

**FINANCE.**

**HB 212, PN 199**

By Rep. B. SMITH

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for the time periods of permits.

**GAME AND FISHERIES.**

**HB 336, PN 353**

By Rep. BOYES

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for military tax credits for employers who pay or subsidize the wages of an employee called to active duty.

FINANCE.

**HB 570, PN 627**

By Rep. BOYES

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 personal income tax definitions.

FINANCE.

**HB 614, PN 1480 (Amended)**

By Rep. BOYES

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 apportionment of business income for corporate net income tax purposes.

FINANCE.

**RESOLUTIONS REPORTED  
FROM COMMITTEE**

**HR 33, PN 438**

By Rep. RAYMOND

A Resolution memorializing the Congress of the United States to investigate the causes and effects of the recent surge in natural gas prices in Pennsylvania and across the country.

INTERGOVERNMENTAL AFFAIRS.

**HR 68, PN 1481 (Amended)**

By Rep. RAYMOND

A Resolution memorializing the Congress of the United States to enact H.R.20, that was introduced on January 3, 2001, and that modifies provisions of the Clean Air Act, regarding the oxygen content of reformulated gasoline and improves the regulation of the fuel additive methyl tertiary butyl ether (MTBE).

INTERGOVERNMENTAL AFFAIRS.

**HR 99, PN 1482 (Amended)**

By Rep. RAYMOND

A Resolution memorializing the United States Postal Service to issue a commemorative stamp honoring the recipients of the Purple Heart.

INTERGOVERNMENTAL AFFAIRS.

The SPEAKER. Is there any further business to come before the House? Any corrections to the record? Any announcements of committee meetings?

**LABOR RELATIONS COMMITTEE MEETING**

The SPEAKER. The gentleman, Mr. Flick, for what purpose do you seek recognition?

Mr. FLICK. To remind members that there is a Labor Relations Committee meeting tomorrow morning, 9 o'clock, in hearing room 2 of the North Office Building.

**VOTE CORRECTION**

The SPEAKER. The gentleman, Mr. Kaiser.

Mr. KAISER. Mr. Speaker, on HB 429, amendment A897, I would like to have my vote cast as a "yes" vote. Thank you, Mr. Speaker.

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

**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. Any further business?

Hearing none, the Chair recognizes the gentleman from Lancaster County, Mr. Creighton.

Mr. CREIGHTON. Mr. Speaker, I move that this House do now adjourn until Wednesday, April 4, 2001, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 2:33 p.m., e.d.t., the House adjourned.