

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, DECEMBER 11, 2001

SESSION OF 2001

185TH OF THE GENERAL ASSEMBLY

No. 71

HOUSE OF REPRESENTATIVES

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

THE SPEAKER PRO TEMPORE (BRETT FEESE) PRESIDING

PRAYER

REV. BRUCE D. McINTOSH, Chaplain of the House of Representatives and assistant pastor of Faith Bible Fellowship Church, York, Pennsylvania, offered the following prayer:

Thank you.

Reapportionment today. A lot to hash out by tomorrow. So you need help? Let us pray.

Father, we do ask for Your grace to us and Your patience with us and Your clarity of thinking.

Lord, personally I am grateful to You for the many things that You have apportioned to me. I do not always get what I want, but I do get what I need. I ask, Lord, that You will help everybody to keep that in mind today as these things are hammered out and that You will give patience and insight.

And, Father, I ask that at least once during the course of this day and perhaps this evening, that You will do something for everybody here that will just catch their attention and make them realize You are at work and You are in control so that we can be encouraged. Then we can go home after a long day and say, thank you, and I ask that even in advance 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, December 10, 2001, will be postponed until printed. The Chair hears no objection.

SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned HB 212, PN 3043; HB 437, PN 3044; HB 454, PN 2967; and

HB 846, PN 2587, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

BILL REMOVED FROM TABLE

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

Mr. PERZEL. Mr. Speaker, I move that HB 659 be removed from the table.

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

BILL TABLED

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

Mr. PERZEL. Mr. Speaker, I move that HB 659 be laid on the table.

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

COMMUNICATIONS FROM GOVERNOR

APPROVAL OF HOUSE BILLS

The Speaker pro tempore laid before the House communications in writing from the office of His Excellency, the Governor of the Commonwealth, advising that the following House bills had been approved and signed by the Governor:

HB 17, and HB 829.

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 1012, PN 1157

By Rep. O'BRIEN

An Act amending the of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, providing for personal needs allowance deduction for medical assistance eligible persons in nursing facilities.

HEALTH AND HUMAN SERVICES.

HB 2020, PN 2660

By Rep. VANCE

An Act amending the act of May 3, 1933 (P.L.242, No.86), referred to as the Cosmetology Law, further providing for the definition of "School of Cosmetology," for practice of cosmetology without license prohibited, requirements to practice, eligibility requirements for examination, for management of cosmetology shops, for requirements of a school of cosmetology, for exceptions to examination requirements, for shared shops, for regulations by the board, for examinations and issuance of licenses, for temporary licenses, for sanitary rules, for fees and for penalties.

PROFESSIONAL LICENSURE.

LEAVES OF ABSENCE

The SPEAKER pro tempore. The Chair recognizes the majority whip, Mr. Smith, who requests a leave of absence for the gentleman from Lancaster, Mr. ZIMMERMAN, for the remainder of the day. Without objection, the leave will be granted. The Chair hears no objection.

The Chair recognizes the Democrat whip, Mr. Veon, who requests a leave of absence for the gentleman from Philadelphia, Mr. RIEGER. Without objection, the leave will be granted. The Chair hears no objection.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—197

- Adolph, Argall, Armstrong, Baker, J., Baker, M., Bard, Barley, Barrar, Bastian, Bebko-Jones, Belardi, Belfanti, Benninghoff, Birmelin, Bishop, Blaum, Boyes, Browne, Bunt, Butkovitz, Buxton, Caltagirone, Cappelli, Casorio, Cawley, Clark, Clymer, Cohen, L. I., Cohen, M., Colafella, Coleman, Cornell, Corrigan, Costa, 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, Maitland, Major, Manderino, Mann, Markosek, Marsico, Mayernik, McCall, McGeehan, McGill, McLhattan, McLhinney, 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, Schroder, Schuler, Scrimenti, Semmel, Shaner, Smith, B., Smith, S. H., Solobay, Staback, Stairs, Steelman, Steil, Stern, Stetler, Stevenson, R., Stevenson, T., Strittmatter, Sturla, Surra, Taylor, E. Z., Taylor, J., Thomas, Tigue, Travaglio, Trello, Trich, Tulli, Turzai, Vance, Veon, Vitali, Walko, Wansacz, Washington

- Coy, Creighton, Cruz, Curry, Dailey, Daley, Dally, DeLuca, Dermody, DeWeese, DiGirolamo, Diven, Donatucci, Eachus, Egolf, Evans, D., Keller, Kenney, Kirkland, Krebs, LaGrotta, Laughlin, Lawless, Lederer, Leh, Lescovitz, Levdansky, Lewis, Lucyk, Lynch, Mackereth, Maher, Raymond, Readshaw, Reinard, Roberts, Robinson, Roebuck, Rohrer, Rooney, Ross, Rubley, Ruffing, Sainato, Samuelson, Santoni, Sather, Saylor, Waters, Watson, Williams, J., Wilt, Wogan, Wojnaroski, Wright, G., Wright, M., Yewcic, Youngblood, Yudichak, Zug, Ryan, Speaker

ADDITIONS—0

NOT VOTING—0

EXCUSED—5

- Allen, Civera, Rieger, Tangretti, Zimmerman

LEAVES ADDED—2

- Egolf, Kirkland

HOUSE BILLS

INTRODUCED AND REFERRED

No. 2224 By Representatives THOMAS, KIRKLAND, MAITLAND, OLIVER, BISHOP, MYERS, WASHINGTON, ROBINSON, YOUNGBLOOD, WATERS and J. WILLIAMS

An Act amending the act of June 25, 2001 (P.L.621, No.55), entitled "An act amending the act of December 22, 1989 (P.L.687, No.90), entitled 'An act providing for the regulation and licensing of mortgage bankers and mortgage brokers; imposing additional powers and duties on the Department of Banking and the State Real Estate Commission; and providing penalties,' further providing for license exemptions, for application for license, for licensee requirements, for authority of department or commission and for penalties; regulating the terms and conditions of certain subprime mortgage loan transactions; and making editorial changes," repealing certain provisions relating to the effective date.

Referred to Committee on COMMERCE AND ECONOMIC DEVELOPMENT, December 11, 2001.

No. 2225 By Representatives BARD, GODSHALL, TURZAI, SCHRODER, ARMSTRONG, BENNINGHOFF, CREIGHTON, FAIRCHILD, FLICK, GABIG, KENNEY, MACKERETH, McLHATTAN, RUBLEY, SATHER, SEMMEL, STERN, WILT, M. WRIGHT, YOUNGBLOOD and DAILEY

An Act amending the act of October 15, 1975 (P.L.390, No.111), known as the Health Care Services Malpractice Act, further providing for the payment of the unfunded liabilities of the Medical Professional Liability Catastrophe Loss Fund; repealing provisions related to the Medical Professional Liability Insurance Catastrophe Loss Fund Advisory Board; and creating the Pennsylvania Medical Professional Liability Catastrophe Loss Authority and providing for its governance and powers.

Referred to Committee on INSURANCE, December 11, 2001.

No. 2226 By Representatives JOSEPHS, M. BAKER, BEBKO-JONES, BELFANTI, BUXTON, CASORIO, M. COHEN, CREIGHTON, CURRY, DALEY, DeWEESE, FREEMAN, GRUCELA, HARHAI, JAMES, LEDERER, LESCOVITZ, LEVDANSKY, MAITLAND, MANDERINO, MANN, McCALL, McGEEHAN, MELIO, PALLONE, ROEBUCK, ROONEY, RUFFING, STABACK, STURLA, TANGRETTI, THOMAS, TRICH, VEON, WALKO, G. WRIGHT, YOUNGBLOOD, PETRARCA and SCHRODER

An Act amending the act of June 30, 1995 (P.L.170, No.25), known as the Pennsylvania Voter Registration Act, providing for a registry board; and further providing for definitions, for departmental responsibilities, for commissions, for legislative intent, for SURE system, for residence of electors, for application with driver's license application, for preparation and distribution of applications, for approval of registration applications, for challenges, for general register, for direct registers, for street lists, for public information lists, for transfer of registration, for disability, for death of registrant, for checkup of registers, for failure to vote, for altering registration, for official documents, for approval of registration, for power of department, for removal of voters and for files.

Referred to Committee on STATE GOVERNMENT, December 11, 2001.

No. 2227 By Representatives LUCYK, BELFANTI, MICHLOVIC, TIGUE, DeWEESE, BELARDI, CALTAGIRONE, FAIRCHILD, GEORGE, GRUCELA, HARHAI, HASAY, HUTCHINSON, LAUGHLIN, LEH, LESCOVITZ, MELIO, PALLONE, READSHAW, SHANER, VEON, JAMES, BEBKO-JONES, WOJNAROSKI, CORRIGAN, SCHULER, E. Z. TAYLOR and YOUNGBLOOD

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

Referred to Committee on STATE GOVERNMENT, December 11, 2001.

No. 2228 By Representatives SCHULER, GEORGE, McILHATTAN, CAPPELLI, COY, DALEY, ZIMMERMAN, CREIGHTON, M. BAKER, STURLA, ZUG, HERSHEY, GRUCELA, WILT, SHANER, TANGRETTI, THOMAS, CLYMER and E. Z. TAYLOR

An Act amending the act of October 15, 1980 (P.L.950, No.164), known as the Commonwealth Attorneys Act, classifying the State System of Higher Education as an independent agency entitled to appoint and fix the compensation of legal counsel; and making an editorial change.

Referred to Committee on JUDICIARY, December 11, 2001.

No. 2229 By Representatives ZUG, SEMMEL, MICHLOVIC, McCALL, ADOLPH, ALLEN, ARGALL, ARMSTRONG, M. BAKER, BARRAR, BASTIAN, BEBKO-JONES, BELARDI, BELFANTI, BENNINGHOFF, BROWNE, CALTAGIRONE, CAPPELLI, CAWLEY, CLARK, CLYMER, COLEMAN, COSTA, COY, CREIGHTON, DALEY, DALLY, DERMODY, DeWEESE,

EGOLF, FICHTER, GABIG, GEIST, GEORGE, GORDNER, GRUCELA, HENNESSEY, HERSHEY, HUTCHINSON, JAMES, KELLER, KIRKLAND, LAUGHLIN, LESCOVITZ, LUCYK, MAHER, MAJOR, MANDERINO, MARKOSEK, MARSICO, McGEEHAN, McGILL, McILHATTAN, MELIO, MICOZZIE, R. MILLER, S. MILLER, MUNDY, NAILOR, PALLONE, PETRARCA, PICKETT, READSHAW, ROBINSON, ROHRER, SAMUELSON, SANTONI, SATHER, SAYLOR, SCHULER, SCRIMENTI, SHANER, B. SMITH, SOLOBAY, STABACK, T. STEVENSON, E. Z. TAYLOR, TIGUE, TRAVAGLIO, TURZAI, WANSACZ, WATSON, WILT, WOJNAROSKI, M. WRIGHT, YOUNGBLOOD and YUDICHAK

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, authorizing boards of school directors to establish a program to provide high school diplomas to certain veterans.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, December 11, 2001.

No. 2231 By Representatives VEON, DeWEESE, BELFANTI, GEORGE, BELARDI, CALTAGIRONE, TRICH, SANTONI, SCRIMENTI, LaGROTTA, LUCYK, ROBINSON, SURRA, CAPPELLI, GRUCELA, LEVDANSKY, RIEGER, MELIO, STABACK, WANSACZ, MUNDY, YOUNGBLOOD, TRELLO, LESCOVITZ, SOLOBAY, D. EVANS, CORRIGAN, CRUZ, LAUGHLIN, FREEMAN, KIRKLAND, STEELMAN, McGEEHAN, COLAFELLA, DALEY, BEBKO-JONES, WOJNAROSKI, ROONEY, PETRONE, JOSEPHS, YUDICHAK, TIGUE, COSTA, STURLA, TANGRETTI, DeLUCA, HARHAI, SHANER, CURRY, WALKO, BISHOP, McCALL, READSHAW, BUXTON, RUFFING, WASHINGTON, JAMES, COY, THOMAS, TRAVAGLIO, PALLONE, J. WILLIAMS, HORSEY, STETLER, PISTELLA, PIPPY and G. WRIGHT

An Act amending the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment Compensation Law, providing for extended coverage for workers who became unemployed as a result of the tragedies of September 11, 2001, and for workers who were eligible for benefits as of September 1, 2001, as a result of downturns in the economy.

Referred to Committee on LABOR RELATIONS, December 11, 2001.

No. 2232 By Representatives BARD, GODSHALL, TURZAI, SCHRODER, ARMSTRONG, BENNINGHOFF, CREIGHTON, FAIRCHILD, FLICK, GABIG, KENNEY, MACKERETH, McCALL, McILHATTAN, RUBLEY, SATHER, SEMMEL, STERN, WILT, YOUNGBLOOD, SCHULER, DAILEY and E. Z. TAYLOR

An Act amending the act of October 15, 1975 (P.L.390, No.111), known as the Health Care Services Malpractice Act, further providing for the payment of the unfunded liabilities of the Medical Professional Liability Catastrophe Loss Fund; repealing provisions related to the Medical Professional Liability Insurance Catastrophe Loss Fund Advisory Board; and creating the Pennsylvania Medical Professional Liability Catastrophe Loss Authority and providing for its governance and powers.

Referred to Committee on INSURANCE, December 11, 2001.

No. 2233 By Representatives DALLY, GEORGE, PIPPY, FICHTER, MANN, GORDNER, ARMSTRONG, LESCOVITZ, DeWEESE, MAITLAND, WOJNAROSKI, DERMODY, ROSS, HERMAN, MARKOSEK, CAPPELLI, TIGUE, MANDERINO, MUNDY, METCALFE, FLEAGLE, COY, SAMUELSON, WASHINGTON, LEH, BROWNE, BELARDI, GODSHALL, CALTAGIRONE, HENNESSEY, FAIRCHILD, BASTIAN, DALEY, PALLONE, SCHULER, NAILOR, ZIMMERMAN, McGILL, CLARK, KELLER, ROBINSON, McGEEHAN, GEIST, CORRIGAN, BUNT, CREIGHTON, M. BAKER, WATSON, B. SMITH, ZUG, ROHRER, M. WRIGHT, MARSICO, RUBLEY, BEBKO-JONES, COLEMAN, ROONEY, READSHAW, R. STEVENSON, TURZAI, SANTONI, GRUCELA, MICOZZIE, MELIO, McCALL, E. Z. TAYLOR, SHANER, BARD, SOLOBAY, FORCIER, YOUNGBLOOD, McILHATTAN, MAJOR, HUTCHINSON, BENNINGHOFF, LAUGHLIN, R. MILLER, SATHER, McNAUGHTON, STABACK, J. EVANS, COSTA, HARHART, THOMAS, S. MILLER, SCHRODER, FRANKEL, HESS, YUDICHAK, CLYMER, JAMES, G. WRIGHT, BARRAR, L. I. COHEN, KIRKLAND, HARHAI and HASAY

An Act providing for the designation and observance of September 11 as Emergency Services Day.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, December 11, 2001.

No. 2234 By Representatives BENNINGHOFF, BASTIAN, BUNT, CAPPELLI, CLYMER, CREIGHTON, EGOLF, GEIST, GRUCELA, HARPER, HERMAN, McGEEHAN, PALLONE, PICKETT, SATHER, SAYLOR, STEELMAN, E. Z. TAYLOR, THOMAS, TURZAI, WANSACZ, WILT and YUDICHAK

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, imposing surcharges on certain criminal convictions to fund construction and renovation costs of local correctional facilities; imposing powers and duties on the Department of Community and Economic Development; and establishing the Local Correctional Facility Construction and Renovation Fund.

Referred to Committee on JUDICIARY, December 11, 2001.

No. 2235 By Representatives BENNINGHOFF, ALLEN, M. BAKER, BARD, BARRAR, BASTIAN, CAPPELLI, CIVERA, CLARK, CLYMER, COLEMAN, CORRIGAN, CREIGHTON, DONATUCCI, EGOLF, FAIRCHILD, FRANKEL, GEIST, GEORGE, GODSHALL, HARHAI, HERMAN, HERSHEY, HESS, HORSEY, KELLER, LEDERER, MARSICO, McGEEHAN, McGILL, McILHATTAN, MELIO, S. MILLER, NAILOR, PALLONE, PICKETT, READSHAW, ROSS, RUBLEY, SEMMEL, B. SMITH, STABACK, R. STEVENSON, E. Z. TAYLOR, J. TAYLOR, TRICH, TURZAI, WASHINGTON, WATSON, WILT, WOJNAROSKI, G. WRIGHT and YOUNGBLOOD

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for false identification to law enforcement officers and authorities.

Referred to Committee on JUDICIARY, December 11, 2001.

HOUSE RESOLUTION INTRODUCED AND REFERRED

No. 379 By Representatives PERZEL, DeWEESE and S. H. SMITH

A Resolution amending House Rule 14.

Referred to Committee on RULES, December 11, 2001.

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
December 10, 2001

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene on Tuesday, January 1, 2002, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, That when the Senate adjourns on January 1, 2002, it reconvene on Tuesday, January 22, 2002, 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 Tuesday, January 1, 2002, unless sooner recalled by the Speaker of the House of Representatives, and be it further

RESOLVED, That when the House of Representatives adjourns on January 1, 2002, it reconvene on Tuesday, January 22, 2002, 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.

GUESTS INTRODUCED

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

Please welcome today, as the guests of Representative Bev Mackereth, the fourth grade class from Spring Grove Elementary School with their teacher, Mrs. Leppo. The class is seated in the gallery, and with the class is Representative Mackereth's son, David. Will our guests please rise.

Also seated in the House gallery, as guests of the gentleman from Delaware County, Representative Barrar, are students from the Sun Valley High School's government class.

The students are accompanied by their teacher, Brandon Bittner. Would those guests please rise. Welcome to the hall of the House.

Seated to the left of the Speaker, as the guest of Representative Thomas Petrone, is Gordon Snyder. Gordon is an 11th grade student from the Bible Baptist School. He is visiting here today as a Government Career Day job researcher. Gordon, would you please rise. Welcome to the hall of the House, Gordon.

WILSON HIGH SCHOOL WATER POLO TEAMS PRESENTED

The SPEAKER pro tempore. The Chair recognizes the lady, Mrs. Miller, for the purpose of a presentation.

Members, please take your seats. The lady, Mrs. Miller, would like to present to the chamber some special guests. Will the members please take their seats; will the members please take their seats.

The lady, Mrs. Miller.

Mrs. MILLER. Thank you, Mr. Speaker.

Yesterday, as I introduced the two State championship teams from Wyomissing High School, I told you there was something special in the water in Berks County. Well, today I bring you proof.

I am pleased to welcome to the hall of the House the boys and girls State championship water polo teams, both from Wilson High School in Berks County.

Water polo is an extremely challenging game and one that stresses the importance of working together as a team. The young men and women here today are certainly deserving of our recognition for their hard work and their dedication to this sport.

For the girls team this State title holds special significance because it is their first in the sport. In fact, the Bulldogs finished their season on an 11-game winning streak for a 20-and-4 record to close the season.

The boys water polo team's State title is not the first for Wilson, and I am sure it will not be the last. I was pleased during my very first term in office 10 years ago to have them win a State championship, and it has gone on before that and since then. I believe the coach has mentioned to me that they won 12 titles in the past 15 years.

It is an honor to recognize this school's accomplishment once again as we congratulate the next wave of Wilson water polo player champions, and I would like to introduce to you today the coaches and team captains. From the girls team we have coach Peggy Shaner and team captain Nicole Woomeer, and from the boys team we have coach Christopher Lechlietner and team captains Chris Avedissian and Robbie Thomas, and the rest of the team is seated in the back of the chamber. I would like to ask them to please rise at this time so the House can give them their traditional warm welcome and congratulations.

Thank you, Mr. Speaker.

CITATIONS SUBMITTED FOR THE RECORD

Mrs. MILLER. I would like to now present their citations and have the citations made part of the House Journal. Thank you.

Mrs. MILLER submitted the following citations for the Legislative Journal:

COMMONWEALTH OF PENNSYLVANIA THE HOUSE OF REPRESENTATIVES

CITATION

WHEREAS, The House of Representatives of Pennsylvania is always proud to recognize the achievements realized by the youth of this nation in the spirit of personal sacrifice and commitment to a goal; and

WHEREAS, The Wilson High School Girls' Water Polo Team recently captured the 2001 Girls' Water Polo Pennsylvania State Championship; and

WHEREAS, This was the Wilson High School Girls' Water Polo Team's first State championship in its history. Under the expert guidance of head coach Peggy Shaner and assistant coach Keith Woomeer, the team is comprised of Nicole Woomeer, Kelly Redcay, Sara Fritz, Alanna Vind, Deanna Strunk, Kim Sawlsville, Missy McGregor, Katie Wentzel, Courtney Kalbach, Rachel Cantwell, Lizzie Marks, Liz Steffy, Amy Thomas, Megan Sculley, Kylie Blackburn, Tina Cantwell and Caitlyn Gallagher. The managers assisting the team are Samantha Thompson, Caitlin Impink, Jessica Barby, Kaitlyn Weaver, Stephanie Ketner, Maddy Robinson, Amanda Barber and Julie Cantwell.

NOW THEREFORE, The House of Representatives of the Commonwealth of Pennsylvania congratulates the Wilson High School Girls' Water Polo Team upon winning the 2001 Girls' Water Polo Pennsylvania State Championship; heartily commends the team members and coaches for their ability, dedication and tireless pursuit of athletic excellence; offers best wishes for continued success in all future endeavors;

And directs that a copy of this citation, sponsored by the Honorable Sheila Miller on December 3, 2001, be transmitted to the Wilson High School Girls' Water Polo Team, 2601 Grandview Boulevard, West Lawn, Pennsylvania 19609.

Sheila Miller, Sponsor

Matthew Ryan
Speaker of the House

ATTEST:

Ted Mazia

Chief Clerk of the House

COMMONWEALTH OF PENNSYLVANIA THE HOUSE OF REPRESENTATIVES

CITATION

WHEREAS, The House of Representatives of Pennsylvania is always proud to recognize the achievements realized by the youth of this nation in the spirit of personal sacrifice and commitment to a goal; and

WHEREAS, The Wilson High School Boys' Water Polo Team recently captured the 2001 Boys' Water Polo Pennsylvania State Championship; and

WHEREAS, Under the expert guidance of head coach Christopher Lechlietner and assistant coach Peter Brooks, the Wilson High School Boys' Water Polo Team is comprised of Chris Avedissian, Patrick Freestone, Jared Levan, Shawn McLin, Billy Schneider, Ed Silverman, Robbie Thomas, Andrew Thompson, Kris Barman, Aaron Burns, Adam Filer, Kevin Ford, Ben Hatt, Drew Robinson, Ross Redcay and Ryan Holt.

NOW THEREFORE, The House of Representatives of the Commonwealth of Pennsylvania congratulates the Wilson High School Boys' Water Polo Team upon winning the 2001 Boys' Water Polo Pennsylvania State Championship; heartily commends the team members and coaches for their ability, dedication and tireless pursuit of athletic excellence; offers best wishes for continued success in all future endeavors.

And directs that a copy of this citation, sponsored by the Honorable Sheila Miller on December 3, 2001, be transmitted to the Wilson High School Boys' Water Polo Team, 2601 Grandview Boulevard, West Lawn, Pennsylvania 19609.

Sheila Miller, Sponsor

Matthew Ryan
Speaker of the House

ATTEST:
Ted Mazia
Chief Clerk of the House

GUESTS INTRODUCED

The SPEAKER pro tempore. The Chair is pleased to welcome today guest pages. The pages are the guests of Representative Stan Saylor — David McElwee and Trevor Kuntz. They are students at the York Suburban High School. Would those guest pages please rise.

Also serving as guest pages today, as the guests of Representative Mark McNaughton, are Jennifer Harman and Melissa Mateer. Will Jennifer and Melissa please rise.

Also serving as a guest page today and as the guest of Representative Carole Rubley is Chris Lomas. Chris is visiting from Phoenixville. He graduates on Sunday from West Chester University where he is majoring in political science. He has been interning in Representative Rubley's district office. Will Chris please rise.

Seated in the balcony today, as the guests of Representative Metcalfe from Butler County, is the Calvary Academy Senior High and their teachers, Pastor Osborne and Pastor Ward. Will those guests in the balcony please rise.

CALENDAR

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:

SB 211, PN 93; SB 406, PN 1609; SB 1089, PN 1370; and SB 1180, PN 1608.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1406, PN 1652**, entitled:

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

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

BILL RECOMMENDED

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

Mr. PERZEL. Mr. Speaker, I move that **HB 1406, PN 1652**, be recommitted to the Committee on Rules.

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

The House proceeded to third consideration of **HB 2018, PN 2647**, 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 classes of income for purposes of personal income taxation.

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

BILL RECOMMENDED

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

Mr. PERZEL. Mr. Speaker, I move that **HB 2018, PN 2647**, be recommitted to the Committee on Rules.

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

GUEST INTRODUCED

The SPEAKER pro tempore. The Chair welcomes today to the hall of the House, as the guest of Representative Gayle Wright, Ms. Francine Bargielski. Ms. Bargielski is visiting from Erie, Pennsylvania. She is seated to the left of the Speaker. Will she please rise. Welcome to the hall of the House.

BILLS ON THIRD CONSIDERATION

BILL PASSED OVER TEMPORARILY

The SPEAKER pro tempore. **HB 936** is over temporarily.

The House proceeded to third consideration of **HB 582, PN 2996**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for criminal mischief and for institutional vandalism; and further providing for the revocation or suspension of operating privilege.

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

Mr. **BIRMELIN** offered the following amendment No. **A4588**:

Amend Title, page 1, line 1, by striking out "Titles" and inserting Title

Amend Title, page 1, line 1, by striking out "and 75 (Vehicles)"

Amend Title, page 1, line 3, by removing the semicolon after "vandalism" and inserting a period

Amend Title, page 1, lines 7 through 9, by striking out "AND FURTHER" in line 7 and all of lines 8 and 9

Amend Sec. 3, page 10, lines 7 through 30, by striking out all of said lines

Amend Sec. 4, page 11, line 1, by striking out "4" and inserting 3

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

(Members proceeded to vote.)

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

Mr. **VITALI**. To ask the maker of the amendment to explain it as required by rule 27.

VOTE STRICKEN

The **SPEAKER** pro tempore. The gentleman, Mr. Birmelin, is recognized for a brief explanation of the amendment.

The clerk will strike the board.

The gentleman, Mr. Birmelin.

Mr. **BIRMELIN**. Thank you.

This amendment strips out the penalty provision of taking away driver's licenses for those who are guilty of the offenses committed in the bill.

We have had this discussion on the floor probably several times in the last couple years in which we feel, at least myself and others who have agreed with me, that taking away the driver's license for an offense that is not related in any way, shape, or form to driving is inappropriate.

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

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

The following roll call was recorded:

YEAS—186

Adolph	Evans, J.	Major	Saylor
Argall	Fairchild	Manderino	Schroder
Armstrong	Feese	Markosek	Schuler
Baker, J.	Fichter	Marsico	Scrimenti
Baker, M.	Fleagle	Mayernik	Semmel
Bard	Flick	McCall	Shaner
Barley	Forcier	McGeehan	Smith, B.
Barrar	Freeman	McGill	Smith, S. H.
Bastian	Gannon	McIlhattan	Staback
Bebko-Jones	Geist	McIlhinney	Stairs
Belardi	George	McNaughton	Steelman
Belfanti	Godshall	Melio	Steil

Benninghoff	Gordner	Metcalf	Stern
Birmelin	Gruitza	Michlovic	Stetler
Bishop	Habay	Micozzie	Stevenson, R.
Blaum	Haluska	Miller, R.	Stevenson, T.
Boyes	Harhai	Miller, S.	Strittmatter
Browne	Harhart	Mundy	Sturla
Bunt	Harper	Myers	Surra
Butkovitz	Hasay	Nailor	Taylor, E. Z.
Buxton	Hennessey	Nickol	Taylor, J.
Caltagirone	Herman	O'Brien	Thomas
Cappelli	Hershey	Oliver	Tigue
Cawley	Hess	Pallone	Travaglio
Clark	Horsey	Perzel	Trello
Clymer	Hutchinson	Petrarca	Trich
Cohen, L. I.	Jadlowiec	Petrone	Tulli
Cohen, M.	James	Phillips	Turzai
Colafella	Josephs	Pickett	Vance
Coleman	Kaiser	Pippy	Veon
Cornell	Keller	Pistella	Vitali
Corrigan	Kenney	Preston	Walko
Coy	Kirkland	Raymond	Washington
Creighton	Krebs	Readshaw	Waters
Cruz	LaGrotta	Reinard	Watson
Curry	Laughlin	Roberts	Williams, J.
Dailey	Lawless	Robinson	Wilt
Daley	Lederer	Roebuck	Wogan
Dally	Leh	Rohrer	Wojnaroski
DeLuca	Lescovitz	Rooney	Wright, G.
Dermody	Levdansky	Ross	Wright, M.
DeWeese	Lewis	Rubley	Yewcic
DiGirolamo	Lucyk	Ruffing	Youngblood
Donatucci	Lynch	Sainato	Zug
Eachus	Mackereth	Samuelson	
Egolf	Maher	Santoni	Ryan,
Evans, D.	Maitland	Sather	Speaker

NAYS—11

Casorio	Frankel	Hanna	Wansacz
Costa	Gabig	Mann	Yudichak
Diven	Grucela	Solobay	

NOT VOTING—0

EXCUSED—5

Allen	Rieger	Tangretti	Zimmerman
Civera			

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

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—197

Adolph	Evans, J.	Maitland	Schroder
Argall	Fairchild	Major	Schuler
Armstrong	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	Taylor, E. Z.
Buxton	Harhai	Myers	Taylor, J.
Caltagirone	Harhart	Nailor	Thomas
Cappelli	Harper	Nickol	Tigue
Casorio	Hasay	O'Brien	Travaglio
Cawley	Hennessey	Oliver	Trello
Clark	Herman	Pallone	Trich
Clymer	Hershey	Perzel	Tulli
Cohen, L. I.	Hess	Petrarca	Turzai
Cohen, M.	Horsey	Petrone	Vance
Colafella	Hutchinson	Phillips	Veon
Coleman	Jadlowiec	Pickett	Vitali
Cornell	James	Pippy	Walko
Corrigan	Josephs	Pistella	Wansacz
Costa	Kaiser	Preston	Washington
Coy	Keller	Raymond	Waters
Creighton	Kenney	Readshaw	Watson
Cruz	Kirkland	Reinard	Williams, J.
Curry	Krebs	Roberts	Wilt
Dailey	LaGrotta	Robinson	Wogan
Daley	Laughlin	Roebuck	Wojnaroski
Dally	Lawless	Rohrer	Wright, G.
DeLuca	Lederer	Rooney	Wright, M.
Dermody	Leh	Ross	Yewcic
DeWeese	Lescovitz	Rubley	Youngblood
DiGirolamo	Levdansky	Ruffing	Yudichak
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

Allen	Rieger	Tangretti	Zimmerman
Civera			

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

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

RULES SUSPENDED

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

Mr. WANSACZ. Mr. Speaker, I move that the rules of the House be suspended for the immediate consideration of HB 936.

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

The following roll call was recorded:

YEAS—197

Adolph	Evans, J.	Maitland	Schroder
Argall	Fairchild	Major	Schuler
Armstrong	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
Butkovitz	Haluska	Miller, S.	Surra
Buxton	Hanna	Mundy	Taylor, E. Z.
Caltagirone	Harhai	Myers	Taylor, J.
Cappelli	Harhart	Nailor	Thomas
Casorio	Harper	Nickol	Tigue
Cawley	Hasay	O'Brien	Travaglio
Clark	Hennessey	Oliver	Trello
Clymer	Herman	Pallone	Trich
Cohen, L. I.	Hershey	Perzel	Tulli
Cohen, M.	Hess	Petrarca	Turzai
Colafella	Horsey	Petrone	Vance
Coleman	Hutchinson	Phillips	Veon
Cornell	Jadlowiec	Pickett	Vitali
Corrigan	James	Pippy	Walko
Costa	Josephs	Pistella	Wansacz
Coy	Kaiser	Preston	Washington
Creighton	Keller	Raymond	Waters
Cruz	Kenney	Readshaw	Watson
Curry	Kirkland	Reinard	Williams, J.
Dailey	Krebs	Roberts	Wilt
Daley	LaGrotta	Robinson	Wogan
Dally	Laughlin	Roebuck	Wojnaroski
DeLuca	Lawless	Rohrer	Wright, G.
Dermody	Lederer	Rooney	Wright, M.
DeWeese	Leh	Ross	Yewcic
DiGirolamo	Lescovitz	Rubley	Youngblood
Diven	Levdansky	Ruffing	Yudichak
Donatucci	Lewis	Sainato	Zug
Eachus	Lucyk	Samuelson	
Egolf	Lynch	Santoni	
Evans, D.	Mackereth	Sather	Ryan,
	Maher	Saylor	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—5

Allen Rieger Tangretti Zimmerman
Civera

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

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 936, PN 3037**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, adding definitions relating to inheritance tax; and further providing for transfers not subject to inheritance tax.

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?

Does the gentleman, Mr. Wansacz, desire recognition?
The Chair recognizes the gentleman, Mr. Wansacz.

Mr. WANSACZ. Mr. Speaker, HB 936 would exclude the first \$700,000 of the value of a farm or closely held family business from the inheritance tax when the business or property is transferred to another family member.

Mr. Speaker, this legislation is badly needed, and I ask my colleagues to vote in favor of this legislation.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman from Northampton County, Mr. Grucela. Will the gentleman suspend for a moment?

Members, please take your seats.

The gentleman, Mr. Grucela.

Mr. GRUCELA. Thank you, Mr. Speaker.

Mr. Speaker, this bill is something we have talked about several times about the inheritance tax, and this is very, very important, especially to the farmers and especially to the small family farmers.

Many times we talk about the best way to preserve farmland is to preserve the farmer. This bill goes a long way in accomplishing that goal. So I would ask the members to support HB 936.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Cumberland County, Mr. Gabig.

Mr. GABIG. Thank you, Mr. Speaker.

Could I interrogate the maker of the bill?

The SPEAKER pro tempore. The gentleman indicates that he will stand for interrogation.

Mr. GABIG. Mr. Speaker, I saw a draft of this yesterday, and the term "closely held business" I heard was going to be amended for today. I wonder if the gentleman could explain whether or not it was or what the definition of "closely held business" is in the bill.

Mr. WANSACZ. Sure. Mr. Speaker, the term "closely held corporation" means a business corporation that has not more than 30 shareholders or is a statutory close corporation.

Mr. GABIG. Mr. Speaker, I wonder if the bill includes unincorporated small businesses in this bill.

Mr. WANSACZ. I am sorry. I had a hard time hearing you.

The SPEAKER pro tempore. Members, please take your seats. Will the House please come to order. The gentlemen are having difficulty hearing each other. The conference in the area of the Democrat floor leader will please break up.

Mr. GABIG. Mr. Speaker, I wonder if the definition of "closely held business" includes an unincorporated small business in this bill.

Mr. WANSACZ. No, it does not.

Mr. GABIG. Mr. Speaker, I wonder if the bill implicates the uniformity clause of the Constitution if it does not include unincorporated small businesses.

Mr. WANSACZ. Mr. Speaker, I did have an amendment to correct it, but when the changes came yesterday on the amendment to the printer's number, it would make that amendment out of order to bring in sole proprietorships, partnerships, S corporations.

Mr. GABIG. Mr. Speaker, I wonder if there is a plan to make that correction sometime during the course of this day or—

Mr. WANSACZ. I plan on sending over a letter to the Senate with an amendment to ask them to please put this in.

Mr. GABIG. Okay. Thank you, Mr. Speaker.

That is all the questions I have.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Lawrence County, Mr. Sainato.

Mr. SAINATO. Thank you, Mr. Speaker.

I rise also to support this bill.

I think this bill is a good bill. As a member of the Finance Committee, I have gone into Representative Wansacz's district earlier in this year. It had a lot of support, especially from the farm community and all members of the Finance Committee.

I would like to see this bill passed today because I think we should do something for our farmers in the State. The inheritance tax is the most unfair tax that we have in Pennsylvania, and this is a very important first step. It helps the farmers today, and once we pass this bill, we have got to move forward and get the rest of the bills out there that totally wipe out the inheritance tax in Pennsylvania. It is unfair to all residents, because when you tax people on their death, I think that is wrong, Mr. Speaker.

So I would urge my colleagues to support this bill wholeheartedly and let us make this the first step as we wipe out the inheritance tax in Pennsylvania, and let us make it a statement today with a unanimous vote, Mr. Speaker. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Erie County, Mr. Evans.

Mr. J. EVANS. Thank you very much, Mr. Speaker. I rise in support of HB 936.

I have heard from many farmers in the Fifth Legislative District. They have expressed the hardships that they face with the burdensome inheritance tax. It makes it very difficult to continue the legacy of the family farm as we have seen that tradition in the Commonwealth of Pennsylvania. We have lost many, many farms in Erie County and in Crawford County in recent years because of the inheritance tax problems. It is very difficult for some of these farms to have their assets passed from one generation on to the next.

I would ask my colleagues to support this bill as it will help our family farmers.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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—197

Adolph	Evans, J.	Maitland	Schroder
Argall	Fairchild	Major	Schuler
Armstrong	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	Taylor, E. Z.
Buxton	Harhai	Myers	Taylor, J.
Caltagirone	Harhart	Nailor	Thomas
Cappelli	Harper	Nickol	Tigue
Casorio	Hasay	O'Brien	Travaglio
Cawley	Hennessey	Oliver	Trello
Clark	Herman	Pallone	Trich
Clymer	Hershey	Perzel	Tulli
Cohen, L. I.	Hess	Petrarca	Turzai
Cohen, M.	Horsey	Petrone	Vance
Colafiglia	Hutchinson	Phillips	Veon
Coleman	Jadlowiec	Pickett	Vitali
Cornell	James	Pippy	Walko
Corrigan	Josephs	Pistella	Wansacz
Costa	Kaiser	Preston	Washington
Coy	Keller	Raymond	Waters
Creighton	Kenney	Readshaw	Watson
Cruz	Kirkland	Reinard	Williams, J.
Curry	Krebs	Roberts	Wilt
Dailley	LaGrotta	Robinson	Wogan
Daley	Laughlin	Roebuck	Wojnaroski
Dally	Lawless	Robrer	Wright, G.
DeLuca	Lederer	Rooney	Wright, M.
Dermody	Leh	Ross	Yewcic
DeWeese	Lescovitz	Rublely	Youngblood
DiGirolamo	Levdanský	Ruffing	Yudichak

Diven	Lewis	Sainato	Zug
Donatucci	Lucyk	Samuelson	
Eachus	Lynch	Santoni	
Egolf	Mackereth	Sather	Ryan, Speaker
Evans, D.	Maher	Saylor	

NAYS—0

NOT VOTING—0

EXCUSED—5

Allen	Rieger	Tangretti	Zimmerman
Civera			

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 601, PN 2787**, entitled:

An Act imposing civil liability on persons participating in the illegal drug market; providing for the recovery of damages by certain persons; and establishing the procedure for bringing a private action to recover damages.

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—197

Adolph	Evans, J.	Maitland	Schroder
Argall	Fairchild	Major	Schuler
Armstrong	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	Taylor, E. Z.
Buxton	Harhai	Myers	Taylor, J.

Caltagirone	Harhart	Nailor	Thomas
Cappelli	Harper	Nickol	Tigue
Casorio	Hasay	O'Brien	Travaglio
Cawley	Hennessey	Oliver	Trello
Clark	Herman	Pallone	Trich
Clymer	Hershey	Perzel	Tulli
Cohen, L. I.	Hess	Petrarca	Turzai
Cohen, M.	Horsey	Petrone	Vance
Colafella	Hutchinson	Phillips	Veon
Coleman	Jadlowiec	Pickett	Vitali
Cornell	James	Pippy	Walko
Corrigan	Josephs	Pistella	Wansacz
Costa	Kaiser	Preston	Washington
Coy	Keller	Raymond	Waters
Creighton	Kenney	Readshaw	Watson
Cruz	Kirkland	Reinard	Williams, J.
Curry	Krebs	Roberts	Wilt
Dailey	LaGrotta	Robinson	Wogan
Daley	Laughlin	Roebuck	Wojnaroski
Dally	Lawless	Rohrer	Wright, G.
DeLuca	Lederer	Rooney	Wright, M.
Dermody	Leh	Ross	Yewcic
DeWeese	Lescovitz	Rubley	Youngblood
DiGirolamo	Levdansky	Ruffing	Yudichak
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

Allen	Rieger	Tangretti	Zimmerman
Civera			

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 641, PN 697**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, repealing provisions relating to certain appeals from the Pennsylvania Labor Relations Board.

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-197

Adolph	Evans, J.	Maitland	Schroder
Argall	Fairchild	Major	Schuler
Armstrong	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	Taylor, E. Z.
Buxton	Harhai	Myers	Taylor, J.
Caltagirone	Harhart	Nailor	Thomas
Cappelli	Harper	Nickol	Tigue
Casorio	Hasay	O'Brien	Travaglio
Cawley	Hennessey	Oliver	Trello
Clark	Herman	Pallone	Trich
Clymer	Hershey	Perzel	Tulli
Cohen, L. I.	Hess	Petrarca	Turzai
Cohen, M.	Horsey	Petrone	Vance
Colafella	Hutchinson	Phillips	Veon
Coleman	Jadlowiec	Pickett	Vitali
Cornell	James	Pippy	Walko
Corrigan	Josephs	Pistella	Wansacz
Costa	Kaiser	Preston	Washington
Coy	Keller	Raymond	Waters
Creighton	Kenney	Readshaw	Watson
Cruz	Kirkland	Reinard	Williams, J.
Curry	Krebs	Roberts	Wilt
Dailey	LaGrotta	Robinson	Wogan
Daley	Laughlin	Roebuck	Wojnaroski
Dally	Lawless	Rohrer	Wright, G.
DeLuca	Lederer	Rooney	Wright, M.
Dermody	Leh	Ross	Yewcic
DeWeese	Lescovitz	Rubley	Youngblood
DiGirolamo	Levdansky	Ruffing	Yudichak
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

Allen	Rieger	Tangretti	Zimmerman
Civera			

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

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

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

The House proceeded to third consideration of **HB 1285, PN 3012**, entitled:

An Act prohibiting false claims; imposing duties on the Attorney General and on district attorneys; and providing for procedures and for penalties.

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—197

Adolph	Evans, J.	Maitland	Schroder
Argall	Fairchild	Major	Schuler
Armstrong	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	Metcalf	Stevenson, R.
Blaum	Grucela	Michlovic	Stevenson, T.
Boyes	Gruitza	Micozzie	Strittmatter
Browne	Habay	Miller, R.	Sturla
Bunt	Haluska	Miller, S.	Surra
Butkovitz	Hanna	Mundy	Taylor, E. Z.
Buxton	Harhai	Myers	Taylor, J.
Caltagirone	Harhart	Nailor	Thomas
Cappelli	Harper	Nickol	Tigue
Casorio	Hasay	O'Brien	Travaglio
Cawley	Hennessey	Oliver	Trello
Clark	Herman	Pallone	Trich
Clymer	Hershey	Perzel	Tulli
Cohen, L. I.	Hess	Petrarca	Turzai
Cohen, M.	Horsey	Petrone	Vance
Colafella	Hutchinson	Phillips	Veon
Coleman	Jadlowiec	Pickett	Vitali
Cornell	James	Pippy	Walko
Corrigan	Josephs	Pistella	Wansacz
Costa	Kaiser	Preston	Washington
Coy	Keller	Raymond	Waters
Creighton	Kenny	Readshaw	Watson
Cruz	Kirkland	Reinard	Williams, J.
Curry	Krebs	Roberts	Wilt
Dailey	LaGrotta	Robinson	Wogan
Daley	Laughlin	Roebuck	Wojnaroski
Dally	Lawless	Rohrer	Wright, G.
DeLuca	Lederer	Rooney	Wright, M.
Dermody	Leh	Ross	Yewcic
DeWeese	Lescovitz	Rubley	Youngblood
DiGirolamo	Levdansky	Ruffing	Yudichak

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

Allen	Rieger	Tangretti	Zimmerman
Civera			

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 1478, PN 2104**, entitled:

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

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—197

Adolph	Evans, J.	Maitland	Schroder
Argall	Fairchild	Major	Schuler
Armstrong	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	Metcalf	Stevenson, R.
Blaum	Grucela	Michlovic	Stevenson, T.
Boyes	Gruitza	Micozzie	Strittmatter
Browne	Habay	Miller, R.	Sturla
Bunt	Haluska	Miller, S.	Surra
Butkovitz	Hanna	Mundy	Taylor, E. Z.
Buxton	Harhai	Myers	Taylor, J.
Caltagirone	Harhart	Nailor	Thomas
Cappelli	Harper	Nickol	Tigue

Casorio	Hasay	O'Brien	Travaglio
Cawley	Hennessey	Oliver	Trello
Clark	Herman	Pallone	Trich
Clymer	Hershey	Perzel	Tulli
Cohen, L. I.	Hess	Petrarca	Turzai
Cohen, M.	Horsey	Petrone	Vance
Colafrilla	Hutchinson	Phillips	Veon
Coleman	Jadlowiec	Pickett	Vitali
Cornell	James	Pippy	Walko
Corrigan	Josephs	Pistella	Wansacz
Costa	Kaiser	Preston	Washington
Coy	Keller	Raymond	Waters
Creighton	Kenney	Readshaw	Watson
Cruz	Kirkland	Reinard	Williams, J.
Curry	Krebs	Roberts	Wilt
Dailey	LaGrotta	Robinson	Wogan
Daley	Laughlin	Roebuck	Wojnaroski
Dally	Lawless	Rohrer	Wright, G.
DeLuca	Lederer	Rooney	Wright, M.
Dermody	Leh	Ross	Yewcic
DeWeese	Lescovitz	Rublely	Youngblood
DiGirolamo	Levdansky	Ruffing	Yudichak
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

Allen	Rieger	Tangretti	Zimmerman
Civera			

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 2129, PN 2841**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for the offense of unlawful possession of retail or library theft instruments.

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-197

Adolph	Evans, J.	Maitland	Schroder
Argall	Fairchild	Major	Schuler
Armstrong	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	Taylor, E. Z.
Buxton	Harhai	Myers	Taylor, J.
Caltagirone	Harhart	Nailor	Thomas
Cappelli	Harper	Nickol	Tigue
Casorio	Hasay	O'Brien	Travaglio
Cawley	Hennessey	Oliver	Trello
Clark	Herman	Pallone	Trich
Clymer	Hershey	Perzel	Tulli
Cohen, L. I.	Hess	Petrarca	Turzai
Cohen, M.	Horsey	Petrone	Vance
Colafrilla	Hutchinson	Phillips	Veon
Coleman	Jadlowiec	Pickett	Vitali
Cornell	James	Pippy	Walko
Corrigan	Josephs	Pistella	Wansacz
Costa	Kaiser	Preston	Washington
Coy	Keller	Raymond	Waters
Creighton	Kenney	Readshaw	Watson
Cruz	Kirkland	Reinard	Williams, J.
Curry	Krebs	Roberts	Wilt
Dailey	LaGrotta	Robinson	Wogan
Daley	Laughlin	Roebuck	Wojnaroski
Dally	Lawless	Rohrer	Wright, G.
DeLuca	Lederer	Rooney	Wright, M.
Dermody	Leh	Ross	Yewcic
DeWeese	Lescovitz	Rublely	Youngblood
DiGirolamo	Levdansky	Ruffing	Yudichak
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

Allen	Rieger	Tangretti	Zimmerman
Civera			

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 2130**, **PN 3013**, entitled:

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

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—197

- | | | | |
|--------------|------------|------------|---------------|
| Adolph | Evans, J. | Maitland | Schroder |
| Argall | Fairchild | Major | Schuler |
| Armstrong | 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 | 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 | Taylor, E. Z. |
| Buxton | Harhai | Myers | Taylor, J. |
| Caltagirone | Harhart | Nailor | Thomas |
| Cappelli | Harper | Nickol | Tigue |
| Casorio | Hasay | O'Brien | Travaglio |
| Cawley | Hennessey | Oliver | Trello |
| Clark | Herman | Pallone | Trich |
| Clymer | Hershey | Perzel | Tulli |
| Cohen, L. I. | Hess | Petrarca | Turzai |
| Cohen, M. | Horsey | Petrone | Vance |
| Colafella | Hutchinson | Phillips | Veon |
| Coleman | Jadlowiec | Pickett | Vitali |
| Cornell | James | Pippy | Walko |
| Corrigan | Josephs | Pistella | Wansacz |
| Costa | Kaiser | Preston | Washington |
| Coy | Keller | Raymond | Waters |
| Creighton | Kenney | Readshaw | Watson |
| Cruz | Kirkland | Reinard | Williams, J. |
| Curry | Krebs | Roberts | Wilt |
| Dailey | LaGrotta | Robinson | Wogan |
| Daley | Laughlin | Roebuck | Wojnaroski |
| Dally | Lawless | Rohrer | Wright, G. |
| DeLuca | Lederer | Rooney | Wright, M. |
| Dermody | Leh | Ross | Yewcic |
| DeWeese | Lescovitz | Rublely | Youngblood |
| DiGirolamo | Levdansky | Ruffing | Yudichak |
| 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

- | | | | |
|--------|--------|-----------|-----------|
| Allen | Rieger | Tangretti | Zimmerman |
| Civera | | | |

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 2135**, **PN 2847**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for driving under influence of alcohol or controlled substance.

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

Mr. **VITALI** offered the following amendment No. **A4769**:

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

; and providing for a study by the Legislative Budget and Finance Committee.

Amend Bill, page 2, by inserting between lines 24 and 25

Section 2. (a) The Legislative Budget and Finance Committee shall conduct a study of the following:

(1) The feasibility of consolidating the Pennsylvania Turnpike Commission with the Department of Transportation.

(2) Competitive bidding of bonds issued by the Pennsylvania Turnpike Commission.

(3) Eliminating patronage practices in filling positions within the Pennsylvania Turnpike Commission and including these positions within the classified service under the act of August 5, 1941 (P.L.752, No.286), known as the Civil Service Act.

(4) Contracting procedures and practices.

(b) The results of the study, including the recommendations of the Legislative Budget and Finance Committee, shall be completed and made available to the General Assembly six months after the effective date of this section.

Amend Sec. 2, page 2, line 25, 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 Vitali amendment, the gentleman, Mr. Vitali, is recognized. Will the gentleman yield.

The gentleman, Mr. Vitali, has been recognized. He is entitled to the attention of the House. Conferences in the vicinity of the minority leader's desk, please break up. Conferences on the side aisle, please break up.

Mr. Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

What this bill simply does is require a study, simply a study with regard to the turnpike, Pennsylvania Turnpike. The purpose of this study, and it would be a study by the Legislative Budget and Finance Committee, which is known for both its impartiality and its expertise, and the point of the study would be to examine the Pennsylvania Turnpike to see if it would make sense to consolidate it into the Pennsylvania Department of Transportation. It does not require that to happen. It simply examines whether this might be something for us to consider in the future.

The purpose of this study is to answer some questions that have been raised. Questions have been raised with regard to the tolls motorists pay traveling through Pennsylvania with regard to other States.

The SPEAKER. Will the gentleman yield.

Please, members, please take your seats. Staff personnel not engaged in this bill, please be seated.

Mr. Vitali, I apologize.

Mr. VITALI. Thank you, Mr. Speaker.

Some of the questions that have been raised are, are our tolls where they should be? A study which goes back a couple of years suggests that our tolls are the second highest in the nation. I do not know why that is. I am not sure whether there are good reasons for that, but that is something a study could tell us. We do not want our citizens, our constituents, paying more than they should be.

Another issue is, are we efficiently using our personnel? Again, questions have been raised, admittedly the information is a little dated now, but that assertion was there are more workers per mile on our turnpike than there should be, than there are on other Department of Transportation highways.

Another issue has been raised with regard to the practice of patronage, and the suggestion has been made that perhaps some patronage jobs on the turnpike should be civil service jobs. That is just a question that we should be examining.

Another aspect of this deals with the competitive bidding of turnpike bonds. Maybe we can save our taxpayers and our motorists money by competitive bidding.

To be clear, I am not saying any of these assertions are true or not true. All I am saying is we study many things in this legislature to make intelligent decisions, and this vote, by authorizing this study, would just give us the basis, once that study is complete, to deal with this issue intelligently.

So I would ask for an affirmative vote. Thank you.

The SPEAKER. The gentleman, Mr. Sainato.

Mr. SAINATO. Thank you, Mr. Speaker.

Could I ask if the maker of the amendment would stand for interrogation?

The SPEAKER. The gentleman agrees to stand for interrogation. You may begin.

Mr. SAINATO. Mr. Speaker, under your proposal here, would this study determine what the rates— Would it study the turnpike rates at this point?

Mr. VITALI. It would be a comprehensive study which would deal with the feasibility of consolidating the turnpike with PENNDOT, patronage, contracting procedures, bond bidding, and those are the four things enumerated in the amendment. I would suspect that it could be expanded if it were appropriate.

Mr. SAINATO. Okay, Mr. Speaker. I mean, I am looking at the amendment, and I think we have a real problem right now with the Turnpike Commission with unfair, unequal tolls throughout the system, when you have the extensions which are being charged two and a half times the turnpike rate and the main line being charged a different rate. I mean, I have been calling for turnpike equalization for 6 years now, and I am just wondering if this amendment somehow would look at these toll rates where there is discrimination.

Mr. VITALI. Well, clearly, clearly, when you are examining whether the employment practices, if there is too much employment, lowering that could lower cost in tolls. With regard to bond bidding, if you are paying inflated prices, clearly lowering that. I think perhaps it is getting at what you are suggesting in an indirect way, by looking at the practices that inflate the costs.

Mr. SAINATO. Okay. Thank you, Mr. Speaker, for your information.

I would just like to speak on the amendment.

The SPEAKER. The gentleman is in order.

Mr. SAINATO. Listening to the maker of the amendment, I am going to support his amendment.

My concern is the turnpike toll rates, which, in my opinion, are too high, especially on the extensions of the turnpike. They are two and a half times what the normal turnpike rate is, and if this amendment and this study that he is asking for would determine these toll rates, I am going to support this, because we need to do something. We need equality. Discrimination is wrong, discrimination is wrong on anything, and it is wrong on the turnpike.

So I am going to support this amendment, Mr. Speaker. Thank you.

The SPEAKER. On the question of the adoption of the Vitali amendment, Mr. Trello.

Mr. TRELLO. Mr. Speaker, I traveled the turnpike for the past 27 years, and whenever there is ice and snow on the ground, I know if I get to the turnpike I am going to make it to Harrisburg, because it is very well taken care of. Now, I do not know about the tolls; I have not received one complaint from any of my constituents that the tolls are too high. I travel 230 miles without one red light, and it is worth the \$6.95 that I pay when I come to the turnpike.

And furthermore, PENNDOT has 42,000 miles of highway to take care of. I think they have enough to do. I think we should let well enough alone, and I oppose this amendment, and I encourage everybody to vote "no," because the turnpike system is well and functioning well. Thank you.

The SPEAKER. The gentleman, Mr. Michlovic.

Mr. MICHLOVIC. Thank you, Mr. Speaker.

I, too, am going to oppose the Vitali amendment. There are some of us that are still looking for our sections of the turnpike projects to be built, and those of us in the Mon Valley have been for a long time urging the turnpike to complete its work on the environmental impact study and get moving with that very important highway. We will take an additional fee on our highway if we can get it built. At least some of my other colleagues that spoke prior to me have a highway already built. We are still looking to get that highway, and the revenues that are projected for the turnpike across the Commonwealth and in the various sections where they have added new highways are all part of the calculations for the projections on our highway.

So I do not want to mess with those projections. I do not want to in any way interfere with various bond ratings and councils across the Commonwealth that might lead to a conclusion that, no, we do not have enough money to build the Mon-Fayette Expressway. So I am going to oppose the Vitali amendment, because all it would do is add more confusion to the revenue picture of the turnpike, and I ask my colleagues to oppose the Vitali amendment as well.

Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—110

Adolph	Flick	Mann	Shaner
Baker, J.	Freeman	McIlhattan	Solobay
Baker, M.	Gabig	McIlhinney	Staback
Bard	Gannon	Melio	Stairs
Barley	George	Metcalfe	Steelman
Barrar	Gordner	Micozzie	Steil
Bastian	Gruitza	Miller, R.	Stetler
Bebko-Jones	Habay	Miller, S.	Stevenson, R.
Belardi	Hanna	Mundy	Sturla
Benninghoff	Harhai	Nickol	Surra
Birmelin	Harhart	Petrarca	Taylor, J.
Bunt	Hennessey	Petrone	Thomas
Buxton	Hershey	Pickett	Tigue
Caltagirone	Hutchinson	Pippy	Travaglio
Casorio	Josephs	Preston	Trich
Cawley	Kaiser	Raymond	Tulli
Clymer	Kirkland	Reinard	Vance
Coleman	Krebs	Roberts	Vitali
Cornell	LaGrotta	Robinson	Wansacz
Corrigan	Lescovitz	Rooney	Watson
Curry	Levdansky	Rubley	Wright, G.
Dailey	Lucyk	Ruffing	Wright, M.
Daley	Lynch	Sainato	Yewcic
DeLuca	Mackereth	Samuelson	Yudichak
DiGirolo	Maher	Santoni	Zug
Diven	Maitland	Schroder	
Evans, D.	Major	Scrimenti	Ryan,
Fleagle	Manderino	Semmel	Speaker

NAYS—82

Argall	Evans, J.	Leh	Ross
Armstrong	Fairchild	Lewis	Sather
Bishop	Feese	Markosek	Saylor
Blaum	Fichter	Marsico	Schuler
Boyes	Forcier	Mayernik	Smith, B.
Browne	Frankel	McCall	Smith, S. H.
Butkovitz	Geist	McGeehan	Stern
Cappelli	Godshall	McGill	Stevenson, T.
Clark	Grucela	McNaughton	Strittmatter
Cohen, L. I.	Haluska	Michlovic	Taylor, E. Z.
Cohen, M.	Harper	Myers	Trello
Colafella	Hasay	Nailor	Turzai
Costa	Herman	Oliver	Veon
Coy	Hess	Pallone	Walko
Creighton	Horsey	Perzel	Washington
Cruz	Jadlowiec	Phillips	Waters
Dally	James	Pistella	Williams, J.
Dermody	Keller	Readshaw	Wilt
Donatucci	Laughlin	Roebuck	Wojnaroski
Eachus	Lawless	Rohrer	Youngblood
Egolf	Lederer		

NOT VOTING—5

Belfanti	Kenney	O'Brien	Wogan
DeWeese			

EXCUSED—5

Allen	Rieger	Tangretti	Zimmerman
Civera			

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

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

Mr. NAILOR offered the following amendment No. A4774:

Amend Title, page 1, line 2, by inserting after "providing" for driving while operating privilege is suspended or revoked and

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

Section 1. Sections 1543(b)(1) and 3731(e)(1) of Title 75 of the Pennsylvania Consolidated Statutes are amended to read:

§ 1543. Driving while operating privilege is suspended or revoked.

(b) Certain offenses.—

(1) Any person who drives a motor vehicle on any highway or trafficway of this Commonwealth at a time when their operating privilege is suspended or revoked as a condition of acceptance of Accelerated Rehabilitative Disposition for a violation of section 3731 (relating to driving under influence of alcohol or controlled substance) or because of a violation of section 1547(b)(1) (relating to suspension for refusal) or 3731 or suspended under section 1581 (relating to Driver's License Compact) for an offense substantially similar to a violation of section 3731 shall, upon conviction, be guilty of a [summary offense] misdemeanor of the third degree and shall be sentenced to pay a fine of \$1,000 and to undergo imprisonment for a period of not less than 90 days.

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

The following roll call was recorded:

YEAS—196

Adolph	Evans, J.	Major	Schroder
Argall	Fairchild	Manderino	Schuler
Armstrong	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	Taylor, E. Z.
Buxton	Harhai	Nailor	Taylor, J.
Caltagirone	Harhart	Nickol	Thomas
Cappelli	Harper	O'Brien	Tigue
Casorio	Hasay	Oliver	Travaglio
Cawley	Hennessey	Pallone	Trello
Clark	Herman	Perzel	Trich
Clymer	Hershey	Petrarca	Tulli
Cohen, L. I.	Horsey	Petrone	Turzai
Cohen, M.	Hutchinson	Phillips	Vance
Colafella	Jadlowiec	Pickett	Veon
Coleman	James	Pippy	Vitali
Cornell	Josephs	Pistella	Walko
Corrigan	Kaiser	Preston	Wansacz
Costa	Keller	Raymond	Washington
Coy	Kenney	Readshaw	Waters
Creighton	Kirkland	Reinard	Watson
Cruz	Krebs	Roberts	Williams, J.
Curry	LaGrotta	Robinson	Wilt
Dailey	Laughlin	Roebuck	Wogan
Daley	Lawless	Rohrer	Wojnaroski
Dally	Lederer	Rooney	Wright, G.
DeLuca	Leh	Ross	Wright, M.
Dermody	Lescovitz	Rublely	Yewcic
DeWeese	Levdansky	Ruffing	Youngblood
DiGirolamo	Lewis	Sainato	Yudichak
Diven	Lucyk	Samuelson	Zug
Donatucci	Lynch	Santoni	
Eachus	Mackereth	Sather	
Egolf	Maher	Saylor	Ryan,
Evans, D.	Maitland		Speaker

NAYS-1

Hess

NOT VOTING-0

EXCUSED-5

Allen	Rieger	Tangretti	Zimmerman
Civera			

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

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

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

The following roll call was recorded:

YEAS-197

Adolph	Evans, J.	Maitland	Schroder
Argall	Fairchild	Major	Schuler
Armstrong	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	Taylor, E. Z.
Buxton	Harhai	Myers	Taylor, J.
Caltagirone	Harhart	Nailor	Thomas
Cappelli	Harper	Nickol	Tigue
Casorio	Hasay	O'Brien	Travaglio
Cawley	Hennessey	Oliver	Trello
Clark	Herman	Pallone	Trich
Clymer	Hershey	Perzel	Tulli
Cohen, L. I.	Hess	Petrarca	Turzai
Cohen, M.	Horsey	Petrone	Vance
Colafella	Hutchinson	Phillips	Veon
Coleman	Jadlowiec	Pickett	Vitali
Cornell	James	Pippy	Walko
Corrigan	Josephs	Pistella	Wansacz
Costa	Kaiser	Preston	Washington
Coy	Keller	Raymond	Waters
Creighton	Kenney	Readshaw	Watson
Cruz	Kirkland	Reinard	Williams, J.
Curry	Krebs	Roberts	Wilt
Dailey	LaGrotta	Robinson	Wogan
Daley	Laughlin	Roebuck	Wojnaroski
Dally	Lawless	Rohrer	Wright, G.
DeLuca	Lederer	Rooney	Wright, M.
Dermody	Leh	Ross	Yewcic
DeWeese	Lescovitz	Rublely	Youngblood
DiGirolamo	Levdansky	Ruffing	Yudichak
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

Allen	Rieger	Tangretti	Zimmerman
Civera			

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 2180, PN 2914**, entitled:

An Act amending Titles 42 (Judiciary and Judicial Procedure) and 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, providing for legislative security officers.

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

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

The question is, shall the bill pass finally?

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

(Members proceeded to vote.)

The SPEAKER. Members, this vote is being revoked, so check the board to make sure you are recorded.

Mr. Casorio, for what purpose do you rise? There is nothing in order but the taking of the roll.

Mr. CASORIO. Could we get a brief explanation of this bill, Mr. Speaker?

The SPEAKER. There is really nothing in order but the taking of the roll.

On the question recurring,
Shall the bill pass finally?

The following roll call was recorded:

YEAS—196

Adolph	Evans, J.	Major	Schroder
Argall	Fairchild	Manderino	Schuler
Armstrong	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	Stem
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	Taylor, E. Z.
Buxton	Harhai	Nailor	Taylor, J.
Caltagirone	Harhart	Nickol	Thomas
Cappelli	Harper	O'Brien	Tigue
Casorio	Hasay	Oliver	Travaglio
Cawley	Hennessey	Pallone	Trello
Clark	Herman	Perzel	Trich
Clymer	Hershey	Petrarca	Tulli
Cohen, L. I.	Hess	Petrone	Turzai
Cohen, M.	Horsley	Phillips	Vance
Colafella	Hutchinson	Pickett	Veon
Coleman	Jadlowiec	Pippy	Vitali
Cornell	James	Pistella	Walko
Corrigan	Kaiser	Preston	Wansacz
Costa	Keller	Raymond	Washington
Coy	Kenney	Readshaw	Waters
Creighton	Kirkland	Reinard	Watson
Cruz	Krebs	Roberts	Williams, J.
Curry	LaGrotta	Robinson	Wilt
Dailey	Laughlin	Roebuck	Wogan
Daley	Lawless	Rohrer	Wojnaroski
Dally	Lederer	Rooney	Wright, G.
DeLuca	Leh	Ross	Wright, M.

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

NAYS—1

Josephs

NOT VOTING—0

EXCUSED—5

Allen	Rieger	Tangretti	Zimmerman
Civera			

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

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

The SPEAKER. Mr. Casorio, would you like to interrogate Mr. Tulli at this time, and then if there is something unsatisfactory to you, you can put in a reconsideration.

The House proceeded to third consideration of SB 820, PN 1583, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further prohibiting contraband.

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

Mr. SURRA offered the following amendment No. A4780:

Amend Title, page 1, line 2, by inserting after "further" providing for protection of employment of crime victims and witnesses; and further

Amend Sec. 1, page 1, lines 5 and 6, by striking out all of said lines and inserting

Section 1. Sections 4957 and 5123 of Title 18 of the Pennsylvania Consolidated Statutes are amended by adding subsections to read:

§ 4957. Protection of employment of crime victims and witnesses.

(d) Definition.— As used in this section, the term "victim" shall have the same meaning given to it in section 103 of the act of November 24, 1998 (P.L.882, No.111), known as the Crime Victims Act.

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

The following roll call was recorded:

YEAS-197

Adolph	Evans, J.	Maitland	Schroder
Argall	Fairchild	Major	Schuler
Armstrong	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	Taylor, E. Z.
Buxton	Harhai	Myers	Taylor, J.
Caltagirone	Harhart	Nailor	Thomas
Cappelli	Harper	Nickol	Tigue
Casorio	Hasay	O'Brien	Travaglio
Cawley	Hennessey	Oliver	Trello
Clark	Herman	Pallone	Trich
Clymer	Hershey	Perzel	Tulli
Cohen, L. I.	Hess	Petrarca	Turzai
Cohen, M.	Horsey	Petrone	Vance
Colafella	Hutchinson	Phillips	Veon
Coleman	Jadlowiec	Pickett	Vitali
Cornell	James	Pippy	Walko
Corrigan	Josephs	Pistella	Wansacz
Costa	Kaiser	Preston	Washington
Coy	Keller	Raymond	Waters
Creighton	Kenney	Readshaw	Watson
Cruz	Kirkland	Reinard	Williams, J.
Curry	Krebs	Roberts	Wilt
Dailey	LaGrotta	Robinson	Wogan
Daley	Laughlin	Roebuck	Wojnaroski
Dally	Lawless	Rohrer	Wright, G.
DeLuca	Lederer	Rooney	Wright, M.
Dermody	Leh	Ross	Yewcic
DeWeese	Lescovitz	Rubleby	Youngblood
DiGirolamo	Levdansky	Ruffing	Yudichak
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

Allen	Rieger	Tangretti	Zimmerman
Civera			

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

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS-197

Adolph	Evans, J.	Maitland	Schroder
Argall	Fairchild	Major	Schuler
Armstrong	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	Taylor, E. Z.
Buxton	Harhai	Myers	Taylor, J.
Caltagirone	Harhart	Nailor	Thomas
Cappelli	Harper	Nickol	Tigue
Casorio	Hasay	O'Brien	Travaglio
Cawley	Hennessey	Oliver	Trello
Clark	Herman	Pallone	Trich
Clymer	Hershey	Perzel	Tulli
Cohen, L. I.	Hess	Petrarca	Turzai
Cohen, M.	Horsey	Petrone	Vance
Colafella	Hutchinson	Phillips	Veon
Coleman	Jadlowiec	Pickett	Vitali
Cornell	James	Pippy	Walko
Corrigan	Josephs	Pistella	Wansacz
Costa	Kaiser	Preston	Washington
Coy	Keller	Raymond	Waters
Creighton	Kenney	Readshaw	Watson
Cruz	Kirkland	Reinard	Williams, J.
Curry	Krebs	Roberts	Wilt
Dailey	LaGrotta	Robinson	Wogan
Daley	Laughlin	Roebuck	Wojnaroski
Dally	Lawless	Rohrer	Wright, G.
DeLuca	Lederer	Rooney	Wright, M.
Dermody	Leh	Ross	Yewcic
DeWeese	Lescovitz	Rubleby	Youngblood
DiGirolamo	Levdansky	Ruffing	Yudichak
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

Allen	Rieger	Tangretti	Zimmerman
Civera			

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

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

GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House, from Hershey, Pennsylvania, Mr. and Mrs. Albert Bos. They are here as the guests of Representative Tulli. Would the guests please rise. They are to the left of the Speaker.

BILLS ON THIRD CONSIDERATION

BILLS PASSED OVER TEMPORARILY

The SPEAKER. Page 5 is over temporarily.

BILL PASSED OVER

The SPEAKER. Page 6. HB 2115 is over.

The House proceeded to third consideration of **HB 2016, PN 2851**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for applicability and uniformity of law and for disposition and use of liquid fuels and fuels tax.

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

Mr. WILT offered the following amendment No. A4676:

Amend Title, page 1, line 2, by inserting after "Statutes," further defining "highway";

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

; and further providing for refunds.

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

Section 1. The definition of "highway" in section 102 of Title 75 of the Pennsylvania Consolidated Statutes is amended to read:
§ 102. Definitions.

Subject to additional definitions contained in subsequent provisions of this title which are applicable to specific provisions of this title, the following words and phrases when used in this title shall have, unless the context clearly indicates otherwise, the meanings given to them in this section:

"Highway." The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel. The term includes a roadway open to the use of the public for vehicular travel on grounds of a college or university or public or private school or public or historical park, or any trail on public or private land when used by off-highway recreational vehicles.

Section 2. Section 6101 of Title 75 is amended to read:

Amend Sec. 2, page 2, lines 10 through 12, by striking out all of said lines and inserting

Section 3. Sections 9010(c) introductory paragraph and 9017(d) of Title 75 are amended and the sections are amended by adding subsections to read:

Amend Sec. 2, page 3, by inserting between lines 8 and 9 § 9017. Refunds.

[(d) Off-highway recreational vehicles.—

(1) When the tax imposed by this chapter has been paid on fuel used in off-highway recreational vehicles within this Commonwealth, an amount equal to the revenue generated by the tax, but not derived therefrom, may be appropriated through the General Fund to the Department of Conservation and Natural Resources. It is the intent of this chapter that all proceeds from the tax paid on fuel used in off-highway recreational vehicles within this Commonwealth be paid without diminution of the Motor License Fund.

(2) The Department of Conservation and Natural Resources shall biennially calculate the amount of liquid fuel consumed by off-highway recreational vehicles and furnish information relating to its calculations and data as may be required by the Appropriations Committee of the Senate and the Appropriations Committee of the House of Representatives.

(3) The General Assembly shall review the fuel consumption calculations of the Department of Conservation and Natural Resources to determine the amount of liquid fuels tax paid on liquid fuels consumed in the propulsion of off-highway recreational vehicles in this Commonwealth and may annually appropriate to the Department of Conservation and Natural Resources the amount so determined.

(4) Money appropriated under paragraph (3) shall be used for the benefit of motorized and nonmotorized recreational trails by the Department of Conservation and Natural Resources as provided in the Intermodal Surface Transportation Efficiency Act of 1991 (Public Law 102-240, 105 Stat. 1914).]

(d.1) Motorized recreational vehicles.—An amount equal to 50% of the tax imposed by section 9004(a) (relating to imposition of tax, exemptions and deductions) on fuel consumed in the operation of motorized recreational vehicles within this Commonwealth, but not to exceed \$1,000,000, shall be refunded out of the Liquid Fuels Tax Fund to the Department of Conservation and Natural Resources in the following manner:

(1) There is hereby established a special nonlapsing restricted receipts account in the State Treasury to be known as the Recreational Trails Trust Fund.

(2) One-half of the tax revenues, not to exceed \$1,000,000, generated by the tax imposed by section 9004(a) on fuel used in motorized recreational vehicles used within this Commonwealth, as determined by the Department of Conservation and Natural Resources, shall be annually refunded to the department through the Recreational Trails Trust Fund.

(3) All moneys in the fund are hereby appropriated on a continuing nonlapsing basis to the Department of Conservation and Natural Resources for the activities referred to in paragraph (5).

(4) All interest earned by the fund and refunds or repayments shall be credited to the fund and are hereby appropriated in the same manner as paragraph (3).

(5) All money in the fund shall be used by the Department of Conservation and Natural Resources in accordance with the recommendations of the Snowmobile and ATV Advisory Committee for the acquisition, creation and maintenance of trails used by motorized recreational vehicles and for enforcement in State forests and State parks.

Amend Sec. 3, page 3, line 9, by striking out "3" and inserting
4

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

The following roll call was recorded:

YEAS—197

Adolph	Evans, J.	Maitland	Schroder
Argall	Fairchild	Major	Schuler
Armstrong	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	Taylor, E. Z.
Buxton	Harhai	Myers	Taylor, J.
Caltagirone	Harhart	Nailor	Thomas
Cappelli	Harper	Nickol	Tigue
Casorio	Hasay	O'Brien	Travaglio
Cawley	Hennessey	Oliver	Trello
Clark	Herman	Pallone	Trich
Clymer	Hershey	Perzel	Tulli
Cohen, L. I.	Hess	Petrarca	Turzai
Cohen, M.	Horsey	Petrone	Vance
Colafrilla	Hutchinson	Phillips	Veon
Coleman	Jadlowiec	Pickett	Vitali
Cornell	James	Pippy	Walko
Corrigan	Josephs	Pistella	Wansacz
Costa	Kaiser	Preston	Washington
Coy	Keller	Raymond	Waters
Creighton	Kenney	Readshaw	Watson
Cruz	Kirkland	Reinard	Williams, J.
Curry	Krebs	Roberts	Wilt
Dailey	LaGrotta	Robinson	Wogan
Daley	Laughlin	Roebuck	Wojnaroski
Dally	Lawless	Rohrer	Wright, G.
DeLuca	Lederer	Rooney	Wright, M.
Dermody	Leh	Ross	Yewcic
DeWeese	Lescovitz	Rublely	Youngblood
DiGirolamo	Levdansky	Ruffing	Yudichak
Diven	Lewis	Sainato	Zug
Donatucci	Lucyk	Samuelson	
Eachus	Lynch	Santoni	
Egolf	Mackereth	Sather	Ryan, Speaker
Evans, D.	Maher	Saylor	

NAYS—0

NOT VOTING—0

EXCUSED—5

Allen	Rieger	Tangretti	Zimmerman
Civera			

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—191

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

NAYS—6

Baker, M. Gordner Schroder Zug
Godshall Krebs

NOT VOTING—0

EXCUSED—5

Allen Rieger Tangretti Zimmerman
Civera

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 2182, PN 2939**, entitled:

An Act designating the portion of State Route 413 between its intersection with State Route 13 and the Pennsylvania Turnpike in Bristol Township, Bucks County, as Veterans Memorial Highway.

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 this bill be recommitted to Rules.

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

REPUBLICAN CAUCUS

The SPEAKER. The Chair recognizes the gentleman, Mr. Argall, for the purpose of making a caucus announcement. Members, please pay attention to the announcements.

Mr. Argall.

Mr. ARGALL. Thank you, Mr. Speaker.

House Republicans will caucus at 1 o'clock downstairs in the majority caucus room. I am told we need an hour, and it is very important that members attend.

DEMOCRATIC CAUCUS

The SPEAKER. Mr. Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, there also will be a Democratic caucus. There will be informal discussions in the Democratic caucus immediately, and we will have a caucus at 1 o'clock.

The SPEAKER. It is the intention of the Chair to recess until 3 o'clock. Is there any objection to that from the caucus leaders?
All right.

Any announcements?

**STATE GOVERNMENT
COMMITTEE MEETING**

The SPEAKER. Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, to the members of the State Government Committee, we will continue our committee meeting tomorrow at 10 o'clock in room 60 of the East Wing. We will be considering two bills specifically — a land transfer and HB 2100, the open records bill.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

RECESS

The SPEAKER. Any other announcements?

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

RECESS EXTENDED

The time of recess was extended until 3:30 p.m.; further extended until 4 p.m.

AFTER RECESS

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

FINANCE COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman, Mr. Boyes, who calls for an immediate meeting of the Finance Committee at the rear of the hall of the House.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman, Mr. Barley, who calls for an immediate meeting of the Appropriations Committee in the Appropriations Committee conference room.

The Chair has been assured that these meetings will take no more than 5 to 10 minutes, and I would ask the members to come up from the offices to the floor.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

SB 286, PN 1181

An Act amending the act of March 28, 1984 (P.L.150, No.28), known as the Automobile Lemon Law, amending the title of the act;

and further providing for definitions, for repair obligations, for manufacturer's duty for refund or replacement and for resale of returned motor vehicle.

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

RULES COMMITTEE MEETING

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

**BILLS ON CONCURRENCE
REPORTED FROM COMMITTEE**

HB 212, PN 3043 By Rep. PERZEL

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, providing for the possession of shed antlers; and further providing for the time periods of permits, for permit fees, for records, for reports and for disabled person permits.

RULES.

HB 437, PN 3044 By Rep. PERZEL

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, adding provisions relating to the labeling, sale and distribution of fertilizer and of soil and plant amendments; providing for the powers and duties of the Department of Agriculture; establishing the Agronomic Regulatory Account; prescribing penalties; and making a repeal.

RULES.

HB 454, PN 2967 By Rep. PERZEL

An Act requiring the Department of Health to establish bloodborne pathogen standards for public employees.

RULES.

HB 846, PN 2587 By Rep. PERZEL

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

RULES.

HB 1219, PN 3066 (Amended) By Rep. PERZEL

An Act amending the act of July 31, 1968 (P.L.805, No.247), known as the Pennsylvania Municipalities Planning Code, further providing for planning commission, for zoning ordinance amendments, for procedure for landowner curative amendments, for certain findings, for hearings and for governing body's functions.

RULES.

LEAVE OF ABSENCE

The SPEAKER. The Chair recognizes the gentleman, Mr. Smith, who asks that the gentleman, Mr. EGOLF, be placed on leave for the balance of today's session. Without objection, leave is granted. The Chair hears no objection.

CALENDAR CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 16, PN 1585**, entitled:

An Act amending the act of May 29, 1956 (1955 P.L.1804, No.600), referred to as the Municipal Police Pension Law, further providing for benefits and for payment into police pension funds by members.

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?

LEAVE OF ABSENCE

The SPEAKER. Prior to taking the vote, the Chair returns to leaves of absence and recognizes the gentleman, Mr. Veon, who requests that the gentleman, Mr. KIRKLAND, be placed on leave for the balance of today's session. Without objection, the leave is granted. The Chair hears no objection.

CONSIDERATION OF SB 16 CONTINUED

On the question recurring,
Shall the bill pass finally?
The SPEAKER. Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:

YEAS—192

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

Coleman	Jadlowiec	Pickett	Vance
Cornell	James	Pippy	Veon
Corrigan	Josephs	Pistella	Vitali
Costa	Kaiser	Preston	Walko
Coy	Keller	Raymond	Wansacz
Creighton	Kenney	Readshaw	Washington
Cruz	Krebs	Reinard	Watson
Curry	LaGrotta	Roberts	Williams, J.
Dailey	Laughlin	Robinson	Wilt
Daley	Lawless	Roebuck	Wogan
Dally	Lederer	Rohrer	Wojnaroski
DeLuca	Leh	Rooney	Wright, G.
Dermody	Lescovitz	Ross	Wright, M.
DeWeese	Levdansky	Ruble	Yewcic
DiGirolo	Lewis	Ruffing	Youngblood
Diven	Lucyk	Sainato	Yudichak
Donatucci	Lynch	Samuelson	Zug
Eachus	Mackereth	Santoni	
Evans, D.	Maher	Sather	
Evans, J.	Maitland	Saylor	Ryan,
Fairchild	Major		Speaker

NAYS—0

NOT VOTING—3

Barrar	Clymer	Waters
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EXCUSED—7

Allen	Egolf	Rieger	Zimmerman
Civera	Kirkland	Tangretti	

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

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

SUPPLEMENTAL CALENDAR A

BILLS ON CONCURRENCE
IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 454, PN 2967**, entitled:

An Act requiring the Department of Health to establish bloodborne pathogen standards for public employees.

On the question,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—195

Adolph	Fairchild	Major	Schroder
Argall	Feese	Manderino	Schuler
Armstrong	Fichter	Mann	Scrimenti
Baker, J.	Fleagle	Markosek	Semmel
Baker, M.	Flick	Marsico	Shaner
Bard	Forcier	Mayernik	Smith, B.
Barley	Frankel	McCall	Smith, S. H.

Barrar	Freeman	McGeehan	Solobay
Bastian	Gabig	McGill	Staback
Bebko-Jones	Gannon	McIlhattan	Stairs
Belardi	Geist	McIlhinney	Steelman
Belfanti	George	McNaughton	Steil
Benninghoff	Godshall	Melio	Stern
Birmelin	Gordner	Metcalfe	Stetler
Bishop	Grucela	Michlovic	Stevenson, R.
Blaum	Gruitza	Micozzie	Stevenson, T.
Boyes	Habay	Miller, R.	Strittmatter
Browne	Haluska	Miller, S.	Sturla
Bunt	Hanna	Mundy	Surra
Butkovitz	Harhai	Myers	Taylor, E. Z.
Buxton	Harhart	Nailor	Taylor, J.
Caltagirone	Harper	Nickol	Thomas
Cappelli	Hasay	O'Brien	Tigue
Casorio	Hennessey	Oliver	Travaglio
Cawley	Herman	Pallone	Trello
Clark	Hershey	Perzel	Trich
Clymer	Hess	Petrarca	Tulli
Cohen, L. I.	Horsey	Petrone	Turzai
Cohen, M.	Hutchinson	Phillips	Vance
Colafella	Jadlowiec	Pickett	Veon
Coleman	James	Pippy	Vitali
Cornell	Josephs	Pistella	Walko
Corrigan	Kaiser	Preston	Wansacz
Costa	Keller	Raymond	Washington
Coy	Kenney	Readshaw	Waters
Creighton	Krebs	Reinard	Watson
Cruz	LaGrotta	Roberts	Williams, J.
Curry	Laughlin	Robinson	Wilt
Dailey	Lawless	Roebuck	Wogan
Daley	Lederer	Rohrer	Wojnaroski
Dally	Leh	Rooney	Wright, G.
DeLuca	Lescovitz	Ross	Wright, M.
Dermody	Levdansky	Ruble	Yewcic
DeWeese	Lewis	Ruffing	Youngblood
DiGirolo	Lucyk	Sainato	Yudichak
Diven	Lynch	Samuelson	Zug
Donatucci	Mackereth	Santoni	
Eachus	Maher	Sather	Ryan,
Evans, D.	Maitland	Saylor	Speaker
Evans, J.			

NAYS—0

NOT VOTING—0

EXCUSED—7

Allen	Egolf	Rieger	Zimmerman
Civera	Kirkland	Tangretti	

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

Ordered, That the clerk inform the Senate accordingly.

* * *

The House proceeded to consideration of concurrence in Senate amendments to **HB 846, PN 2587**, entitled:

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

On the question,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Allen	Egolf	Rieger	Zimmerman
Civera	Kirkland	Tangretti	

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

Ordered, That the clerk inform the Senate accordingly.

The House proceeded to consideration of concurrence in Senate amendments to **HB 212, PN 3043**, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, providing for the possession of shed antlers; and further providing for the time periods of permits, for permit fees, for records, for reports and for disabled person permits.

On the question,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Allen	Egolf	Rieger	Zimmerman
Civera	Kirkland	Tangretti	

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

Ordered, That the clerk inform the Senate accordingly.

* * *

The House proceeded to consideration of concurrence in Senate amendments to **HB 437, PN 3044**, entitled:

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, adding provisions relating to the labeling, sale and distribution of fertilizer and of soil and plant amendments; providing for the powers and duties of the Department of Agriculture; establishing the Agronomic Regulatory Account; prescribing penalties; and making a repeal.

On the question,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—195

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

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Allen	Egolf	Rieger	Zimmerman
Civera	Kirkland	Tangretti	

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

Ordered, That the clerk inform the Senate accordingly.

BILLS REREPORTED FROM COMMITTEE

HB 1222, PN 1413

By Rep. **BARLEY**

An Act amending the act of May 25, 1945 (P.L.1050, No.394), known as the Local Tax Collection Law, further providing for compensation of tax collectors in first class townships; and making an editorial change.

APPROPRIATIONS.

HB 1259, PN 3040

By Rep. **BARLEY**

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.

APPROPRIATIONS.

HB 1434, PN 3041

By Rep. **BARLEY**

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for the verification of identity in summary offense cases.

APPROPRIATIONS.

HB 1449, PN 3067 (Amended)

By Rep. **BARLEY**

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for the establishment, membership and powers and duties of the Master Plan for Higher Education Review Committee; and further providing for the adoption of the master plan.

APPROPRIATIONS.

HB 1516, PN 3069 (Amended) By Rep. BARLEY

An Act providing for a direct care advanced training program, for tuition reimbursement and financial payments for direct care employees upon program completion; and conferring powers and duties on the Department of Education.

APPROPRIATIONS.

HB 1923, PN 3018 By Rep. BARLEY

An Act amending the act of April 8, 1982 (P.L.310, No.87), referred to as the Recorder of Deeds Fee Law, further providing for a fee for recording a document in counties of the second A, third, fourth, fifth, sixth, seventh and eighth classes and home rule charter counties of these classes.

APPROPRIATIONS.

HB 2087, PN 2772 By Rep. BARLEY

An Act amending the act of July 6, 1984 (P.L.614, No.127), known as the Sheriff Fee Act, providing for the establishment and modification of fees and for an additional fee in counties of the second class.

APPROPRIATIONS.

HB 2125, PN 3068 (Amended) By Rep. BARLEY

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, authorizing licensed hunters to remove deer over baited areas in certain areas pursuant to Pennsylvania Game Commission regulations; and increasing the penalty for safety zone violations.

APPROPRIATIONS.

HB 2202, PN 3038 By Rep. BARLEY

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further defining "vehicle"; defining "electric personal assistive mobility device" or "EPAMD"; and further providing for driving upon sidewalk.

APPROPRIATIONS.

HB 2203, PN 3015 By Rep. BARLEY

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, further providing for requirement for home inspectors and for required contractual provision regarding home inspections.

APPROPRIATIONS.

SB 230, PN 243 By Rep. BARLEY

An Act designating December 15 of each year as "Bill of Rights Day."

APPROPRIATIONS.

SB 280, PN 286 By Rep. BARLEY

An Act prohibiting the sale of products containing dog or cat fur, skin or hair; defining a criminal offense; directing the Bureau of Consumer Protection to conduct investigations; and imposing penalties.

APPROPRIATIONS.

SB 611, PN 662 By Rep. BARLEY

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

APPROPRIATIONS.

SB 965, PN 1538 By Rep. BARLEY

An Act relating to the implementation of plans for redistricting the General Assembly.

APPROPRIATIONS.

SB 985, PN 1586 By Rep. BARLEY

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, further providing for classification of counties, for expenses of elected county officers attending the annual meetings of their associations and for other meeting expenses paid by the counties.

APPROPRIATIONS.

SB 1200, PN 1612 By Rep. BARLEY

An Act to apportion the Commonwealth of Pennsylvania into congressional districts in conformity with constitutional requirements; providing for the nomination and election of Congressmen; and requiring publication of notice of the establishment of congressional districts following the Federal decennial census.

APPROPRIATIONS.

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 1434, PN 3041; HB 1259, PN 3040; HB 2202, PN 3038; SB 965, PN 1538; SB 985, PN 1586; and SB 1200, PN 1612.

SUPPLEMENTAL CALENDAR B

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 280, PN 286**, entitled:

An Act prohibiting the sale of products containing dog or cat fur, skin or hair; defining a criminal offense; directing the Bureau of Consumer Protection to conduct investigations; and imposing penalties.

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—195

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

Donatucci	Mackereth	Santoni	
Eachus	Maher	Sather	Ryan,
Evans, D.	Maitland	Saylor	Speaker
Evans, J.			

NAYS—0

NOT VOTING—0

EXCUSED—7

Allen	Egolf	Rieger	Zimmerman
Civera	Kirkland	Tangretti	

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

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

The House proceeded to third consideration of **SB 230, PN 243**, entitled:

An Act designating December 15 of each year as "Bill of Rights Day."

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—195

Adolph	Fairchild	Major	Schroder
Argall	Feese	Manderino	Schuler
Armstrong	Fichter	Mann	Scrimenti
Baker, J.	Fleagle	Markosek	Semmel
Baker, M.	Flick	Marsico	Shaner
Bard	Forcier	Mayernik	Smith, B.
Barley	Frankel	McCall	Smith, S. H.
Barrar	Freeman	McGeehan	Solobay
Bastian	Gabig	McGill	Staback
Bebko-Jones	Gannon	McIlhattan	Stairs
Belardi	Geist	McIlhinney	Steelman
Belfanti	George	McNaughton	Steil
Benninghoff	Godshall	Melio	Stern
Birmelin	Gordner	Metcalfe	Stetler
Bishop	Grucela	Michlovic	Stevenson, R.
Blaum	Gruitza	Micozzie	Stevenson, T.
Boyes	Habay	Miller, R.	Strittmatter
Browne	Haluska	Miller, S.	Sturla
Bunt	Hanna	Mundy	Surra
Butkovitz	Harhai	Myers	Taylor, E. Z.
Buxton	Harhart	Nailor	Taylor, J.
Caltagirone	Harper	Nickol	Thomas
Cappelli	Hasay	O'Brien	Tigue
Casorio	Hennessey	Oliver	Travaglio

Cawley	Herman	Pallone	Trello
Clark	Hershey	Perzel	Trich
Clymer	Hess	Petrarca	Tulli
Cohen, L. I.	Horsey	Petrone	Turzai
Cohen, M.	Hutchinson	Phillips	Vance
Colafella	Jadlowiec	Pickett	Veon
Coleman	James	Pippy	Vitali
Cornell	Josephs	Pistella	Walko
Corrigan	Kaiser	Preston	Wansacz
Costa	Keller	Raymond	Washington
Coy	Kenney	Readshaw	Waters
Creighton	Krebs	Reinard	Watson
Cruz	LaGrotta	Roberts	Williams, J.
Curry	Laughlin	Robinson	Wilt
Dailey	Lawless	Roebuck	Wogan
Daley	Lederer	Rohrer	Wojnaroski
Dally	Leh	Rooney	Wright, G.
DeLuca	Lescovitz	Ross	Wright, M.
Dermody	Levdansky	Rubley	Yewcic
DeWeese	Lewis	Ruffing	Youngblood
DiGirolamo	Lucyk	Sainato	Yudichak
Diven	Lynch	Samuelson	Zug
Donatucci	Mackereth	Santoni	Ryan,
Eachus	Maher	Sather	Speaker
Evans, D.	Maitland	Saylor	
Evans, J.			

NAYS-0

NOT VOTING-0

EXCUSED-7

Allen	Egolf	Rieger	Zimmerman
Civera	Kirkland	Tangretti	

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

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

CALENDAR CONTINUED

RULES SUSPENDED

The SPEAKER. The Chair recognizes the majority leader.

Mr. PERZEL. Mr. Speaker, I move that the rules of the House be suspended to permit the immediate consideration of SB 1215.

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

The following roll call was recorded:

YEAS-195

Adolph	Fairchild	Major	Schroder
Argall	Feese	Manderino	Schuler
Armstrong	Fichter	Mann	Scrimenti
Baker, J.	Fleagle	Markosek	Semmel
Baker, M.	Flick	Marsico	Shaner
Bard	Forcier	Mayernik	Smith, B.
Barley	Frankel	McCall	Smith, S. H.
Barrar	Freeman	McGeehan	Solobay
Bastian	Gabig	McGill	Staback

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

NAYS-0

NOT VOTING-0

EXCUSED-7

Allen	Egolf	Rieger	Zimmerman
Civera	Kirkland	Tangretti	

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

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of SB 1215, PN 1582, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, further providing for parking authority purposes and powers, bonds and facility transfers and for municipal authority definitions, method of incorporation, school district projects, purposes and powers, bonds, bondholders, governing bodies, contracting, property, termination and conveyances; and providing for continuation in office.

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

Mr. PERZEL offered the following amendment No. A4653:

Amend Title, page 1, line 3, by inserting after "bonds" , first class city provisions,

Amend Sec. 1, page 1, line 12, by inserting after "(3)" , 5508.1(k)

Amend Sec. 1, page 3, by inserting between lines 4 and 5 § 5508.1. Special provisions for authorities in cities of the first class.

(k) Compensation.—The chair selected under subsection (l) shall receive \$50,000 per annum[,]and the other members, including members appointed before the effective date of this chapter who participate in meetings on or after the effective date of this chapter, shall receive \$200 per meeting for their services. Board members shall be entitled to necessary expenses, including travel expenses, incurred in the discharge of duties.

Amend Sec. 5, page 22, line 2, by striking out "This" and inserting

Except for the amendment of 53 Pa.C.S. § 5508.1(k), this

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

The SPEAKER. On the question of the adoption of the amendment, those in favor will vote "aye"— Mr. Vitali, for what purpose do you rise?

Mr. VITALI. To interrogate the maker of the amendment.

AMENDMENT WITHDRAWN

The SPEAKER. The gentleman, Mr. Perzel.

Mr. PERZEL. Mr. Speaker, I apologize. I would like to withdraw that amendment.

The SPEAKER. The Chair thanks the gentleman. The amendment is withdrawn.

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—195

Table listing names of members who voted 'YEAS' including Adolph, Argall, Armstrong, Baker, J., Baker, M., Bard, Barley, Barrar, Bastian, Bebko-Jones, Belardi, Belfanti, Benninghoff, Birmelin, Fairchild, Feese, Fichter, Fleagle, Flick, Forcier, Frankel, Freeman, Gabig, Gannon, Geist, George, Godshall, Gordner, Major, Manderino, Mann, Markosek, Marsico, Mayernik, McCall, McGeehan, McGill, McIlhattan, McIlhinney, McNaughton, Melio, Metcalfe, Schroder, Schuler, Scrimenti, Semmel, Shaner, Smith, B., Smith, S. H., Solobay, Stabay, Stairs, Steelman, Steil, Stern, Stetler.

Table listing names of members who did not vote 'YEAS' including Bishop, Blaum, Boyes, Browne, Bunt, Butkovitz, Buxton, Caltagirone, Cappelli, Casorio, Cawley, Clark, Clymer, Cohen, L. I., Cohen, M., Colafella, Coleman, Cornell, Corrigan, Costa, Coy, Creighton, Cruz, Curry, Dailey, Daley, Dally, DeLuca, Dermody, DeWeese, DiGirolo, Diven, Donatucci, Eachus, Evans, D., Evans, J., Grucela, Gruitza, Habay, Haluska, Hanna, Harhai, Harhart, Harper, Hasay, Hennessey, Herman, Hershey, Hess, Horsey, Hutchinson, Jadlowiec, James, Josephs, Kaiser, Keller, Kenney, Krebs, LaGrotta, Laughlin, Lawless, Lederer, Leh, Lescovitz, Levdansky, Lewis, Lucyk, Lynch, Mackereth, Maher, Maitland, 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, Roberts, Robinson, Roebuck, Rohrer, Rooney, Ross, Rubley, Ruffing, Sainato, Samuelson, Santoni, Sather, Saylor, Stevenson, R., Stevenson, T., Strittmatter, Sturla, Surra, Taylor, E. Z., Taylor, J., Thomas, Tigue, Travaglio, Trello, Trich, Tulli, Turzai, Vance, Veon, Vitali, Walko, Wansacz, Washington, Waters, Watson, Williams, J., Wilt, Wogan, Wojnaroski, Wright, G., Wright, M., Yewwic, Youngblood, Yudichak, Zug, Ryan, Speaker.

NAYS—0

NOT VOTING—0

EXCUSED—7

Table listing names of members who were 'EXCUSED' including Allen, Civera, Egolf, Kirkland, Rieger, Tangretti, Zimmerman.

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

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

SUPPLEMENTAL CALENDAR C

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of HB 2203, PN 3015, entitled:

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, further providing for requirement for home inspectors and for required contractual provision regarding home inspections.

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—195

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Allen	Egolf	Rieger	Zimmerman
Civera	Kirkland	Tangretti	

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.

BILLS SIGNED BY SPEAKER

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

HB 212, PN 3043

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, providing for the possession of shed antlers; and further providing for the time periods of permits, for permit fees, for records, for reports and for disabled person permits.

HB 437, PN 3044

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, adding provisions relating to the labeling, sale and distribution of fertilizer and of soil and plant amendments; providing for the powers and duties of the Department of Agriculture; establishing the Agronomic Regulatory Account; prescribing penalties; and making a repeal.

HB 454, PN 2967

An Act requiring the Department of Health to establish bloodborne pathogen standards for public employees.

HB 846, PN 2587

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

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

SUPPLEMENTAL CALENDAR E

RESOLUTION PURSUANT TO RULE 35

Mr. METCALFE called up HR 378, PN 3046, entitled:

A Resolution designating the month of January 2002 as "Reflex Sympathetic Dystrophy Syndrome Awareness Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—195

Adolph	Fairchild	Major	Schroder
Argall	Feese	Manderino	Schuler
Armstrong	Fichter	Mann	Scrimenti
Baker, J.	Fleagle	Markosek	Semmel
Baker, M.	Flick	Marsico	Shaner
Bard	Forcier	Mayernik	Smith, B.
Barley	Frankel	McCall	Smith, S. H.
Barrar	Freeman	McGeehan	Solobay

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Allen	Egolf	Rieger	Zimmerman
Civera	Kirkland	Tangretti	

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

SUPPLEMENTAL CALENDAR D

The SPEAKER. The Chair turns to House calendar supplemental D, HB 1219 on concurrence in Senate amendments as amended.

Mr. Freeman, I saw you rise and Mr. Vitali rise, and I thought something is wrong, and you are right. The bill is not in the system at the moment.

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

Mr. FREEMAN. Thank you, Mr. Speaker.

Mr. Speaker, if I could also address the House on the subject of HB 1219 when it finally comes up on the computer.

The SPEAKER. That would be appropriate.

Mr. FREEMAN. Thank you, Mr. Speaker.

The SPEAKER. The House will stand at ease. We are waiting for HB 1219 to be reprinted. The House will stand at ease.

BILL ON CONCURRENCE IN SENATE AMENDMENTS AS AMENDED

The House proceeded to consideration of concurrence in Senate amendments to the following HB 1219, PN 3066, as further amended by the House Rules Committee:

An Act amending the act of July 31, 1968 (P.L.805, No.247), known as the Pennsylvania Municipalities Planning Code, further providing for planning commission, for zoning ordinance amendments, for procedure for landowner curative amendments, for certain findings, for hearings and for governing body's functions.

On the question,

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

The SPEAKER. I am advised that this bill is on the system.

Will the members check the system and see if HB 1219 is on your system. Everyone in front of the Speaker has it on their computers. It is necessary to key the bill in yourselves; it will not come up automatically. Now, I know that is a terrible burden.

Mr. Freeman.

Mr. FREEMAN. Thank you, Mr. Speaker.

I appreciate you making sure that we had it on our screens.

Mr. Speaker, I want to first commend a few members—

The SPEAKER. The gentleman will yield.

Please. This is the next to the last bill.

Mr. Freeman.

Mr. FREEMAN. Thank you, Mr. Speaker.

Mr. Speaker, I first want to commend a number of members on the other side of the aisle — Representatives Hennessey, Harper, and Watson in particular — who I know worked very diligently to try and craft better language in this bill. The handiwork they did on behalf of this legislation did improve it from what originally came over from the Senate and placed in a few more safeguards that make it better than what it was initially. That being said, however, I am still going to vote "no" on this proposal.

I believe we are faced here with a proposal where we are being asked to fix something that really is not broken. There are only a handful of communities which have experienced situations where developers' proposals have lingered for a long time without either approval or denial of those developmental proposals. It really is an issue that is confined primarily to the high-growth areas of our State, and the reason those development proposals have not met with approval or denial is because of the fact that they are being put forward in high-growth areas where planning departments, where local supervisors, are overwhelmed by the pace of development.

The idea of setting up, as this legislation does, an instance where we would have a deemed approval, even with the various safeguards which my colleagues very ably put into the bill, I think stands the planning process on its head and is a disservice not only towards good planning in this

Commonwealth but a disservice also to the local elected officials whom we entrust with the task of reviewing development plans and ensuring that what is being proposed is appropriate under their zoning ordinance and their comprehensive plan and, most importantly, fits the needs and look of their community. I do not think we should be taking that power away from them, and even with the safeguards, again, that my colleagues fought to put into this bill, we are better off staying with the current status quo system, because with that system we do not really force the hands of local officials. We do not force the issue where an issue is deemed approved as it would exist under this legislation.

The SPEAKER. Please. The Chair is having difficulty hearing the gentleman and I am sure that is true of a number of others. We will close down shortly, but at the moment, Mr. Freeman has the floor.

Mr. Freeman.

Mr. FREEMAN. Thank you, Mr. Speaker.

I believe we do not need to put in place in this Commonwealth a structure where we set the stage for plans being deemed approved without the municipality acting upon them. To do so I think opens up a Pandora's box of problems in those high-growth municipalities that are forced to grapple with the problems of sprawl, and as such I would urge the membership, despite the good work done, again, by the colleagues on the other side of the aisle, I would urge the membership to vote "no" on this. Let us not try and fix something that is not broke. Let us leave that authority in the hands of our local officials as we do now under the current MPC (Municipalities Planning Code).

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question of concurrence, Mr. Hennessey.

Mr. HENNESSEY. Thank you, Mr. Speaker.

Just a point of correction, Mr. Speaker.

The current bill, HB 1219, even as it has been amended, does not change existing law with regard to deemed approvals and deemed denials. It lets current law stay exactly as it is. What it does do is set some time limits for the presentation of an opponent's case. It takes curatives out of the current legislation and leaves them as they are presently.

So I think it is important for the House to understand that this does not change the existing law with regard to deemed approvals or deemed denials. We may want to visit that in the future, but this law, this proposal, does not make any change in the deemed approval-deemed denial status quo. Thank you.

The SPEAKER. On the question of concurrence, Mr. Freeman for the second time.

Mr. FREEMAN. Thank you, Mr. Speaker.

I will not belabor the point. I realize the hour is late and the members are anxious to move on with the calendar. Just as a point of clarification, however, it is my understanding that although it does not alter dramatically the deemed approval process, the current status quo does hold out an option in terms of the way in which the hearing process works at the local level, which does actually give a lot more leeway to local officials dealing with the deemed approval process. Because of the hearing process, the way you can set up a hearing, you can avoid the haphazard approach to planning that can occur with the current deemed approval language. We are changing that, and I want to make it clear to the members, so that the deemed

approval process will come to the fore where before it could be held back through hearing processes in terms of how they were called.

Now, again I commend the gentleman, Mr. Hennessey, and the others on the other side of the aisle that crafted some more safeguards into it. They made a better bill out of what was coming over from the Senate. But in my opinion, I think we are better off with the current status quo. This issue, this issue has come up within the Local Government Committee. Our Townships Subcommittee has done yeoman's work on trying to find compromise language. I do not think it is appropriate at the eleventh hour of this year of the session to settle on a proposal that really does deserve more attention, more time, and more study.

So I would again urge the members to vote "no." Keep the status quo, and let us address this issue in the coming session next year.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

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

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

The following roll call was recorded:

YEAS—147

Adolph	Fairchild	Markosek	Saylor
Argall	Feese	Marsico	Schroder
Armstrong	Fichter	Mayernik	Schuler
Baker, J.	Fleagle	McGeehan	Scrimenti
Baker, M.	Flick	McGill	Semmel
Bard	Forcier	McIlhattan	Shaner
Barley	Gabig	McIlhinney	Smith, B.
Barrar	Gannon	McNaughton	Smith, S. H.
Bastian	Geist	Metcalfe	Stairs
Bebko-Jones	Godshall	Michlovic	Steil
Benninghoff	Gruitza	Micozzie	Stern
Birmelin	Habay	Miller, R.	Stevenson, R.
Bishop	Harhai	Miller, S.	Stevenson, T.
Blaum	Harhart	Myers	Strittmatter
Boyes	Harper	Nailor	Taylor, E. Z.
Browne	Hennessey	Nickol	Taylor, J.
Bunt	Herman	O'Brien	Thomas
Butkovitz	Hershey	Oliver	Travaglio
Buxton	Hess	Perzel	Tulli
Cappelli	Horsey	Petrone	Turzai
Casorio	Hutchinson	Phillips	Vance
Cawley	Jadlowiec	Pickett	Veon
Clark	James	Pippy	Walko
Clymer	Kaiser	Pistella	Washington
Cohen, L. I.	Keller	Preston	Waters
Coleman	Kenney	Raymond	Watson
Cornell	Krebs	Readshaw	Williams, J.
Corrigan	LaGrotta	Reinard	Wilt
Coy	Lawless	Roberts	Wogan
Creighton	Lederer	Robinson	Wojnaroski
Cruz	Leh	Roebuck	Wright, M.
Dailey	Lewis	Rohrer	Yewcic
Dally	Lynch	Rooney	Youngblood
DeLuca	Mackereth	Ross	Zug
DeWeese	Maher	Rublely	
DiGirolamo	Maitland	Ruffing	Ryan,
Donatucci	Major	Sainato	Speaker
Evans, J.			

NAYS—47

Belardi	Freeman	Manderino	Steelman
Belfanti	George	Mann	Stetler
Caltagirone	Gordner	McCall	Sturla
Colafella	Grucela	Melio	Surra
Costa	Haluska	Mundy	Tigue
Curry	Hanna	Pallone	Trello
Daley	Hasay	Petrarca	Trich
Dermody	Josephs	Samuelson	Vitali
Diven	Laughlin	Santoni	Wansacz
Eachus	Lescovitz	Sather	Wright, G.
Evans, D.	Levdansky	Solobay	Yudichak
Frankel	Lucyk	Staback	

NOT VOTING—1

Cohen, M.

EXCUSED—7

Allen	Egolf	Rieger	Zimmerman
Civera	Kirkland	Tangretti	

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

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

ANNOUNCEMENT BY SPEAKER

The SPEAKER. May I have the attention of the House, please.

Apparently we were more efficient in our chores today than expected. We have completed the voting schedule for the day. The two caucuses, however, did make arrangements, thinking we were going to be here late, for dinner. It was necessary to make the arrangements at 10:30, 11 o'clock this morning. So the two caucus rooms have dinner for members. Room 60 has dinner for the staff people.

We will go into session at 9:30 tomorrow morning; 9:30.

**STATE GOVERNMENT
COMMITTEE MEETING**

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

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, I have two important announcements to make for the members of the State Government Committee. Please listen up.

The continuing meeting that we had scheduled for tomorrow at 10 o'clock in room 60 is canceled, obviously because we are coming in tomorrow at 9:30.

The second announcement is that there is a meeting of the committee off the floor of the House in the back of the room immediately upon recess of today's session. So we are going to meet immediately in the back of the House. Please be prompt, and we have some information that we would like to dispense to the members of the committee.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the food, the food is ready at 5:30, so you can go from here downstairs to eat.

**LABOR RELATIONS
COMMITTEE MEETING**

The SPEAKER. Mr. Flick.

Mr. FLICK. Thank you, Mr. Speaker.

The meeting that was to have taken place tomorrow morning at 10 o'clock of the Labor Relations Committee in room 205 of the Ryan Office Building will be taking place, I guess, in the rear of the House at our first recess tomorrow, I would like to inform the members.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

RECESS

The SPEAKER. Any further announcements? Does the majority leader or minority leader have any further business? The Chair is going to declare a recess to the call of the Chair.

This House stands in recess to the call of the Chair. We will start voting tomorrow morning at 9:30. Remember that.

AFTER RECESS

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

**THE SPEAKER PRO TEMPORE
(PATRICIA H. VANCE) PRESIDING****BILLS PASSED OVER**

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

ADJOURNMENT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Lycoming County, Mr. Cappelli.

Mr. CAPPELLI. Madam Speaker, I move that this House do now adjourn until Wednesday, December 12, 2001, at 9:30 a.m., e.s.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 9:29 a.m., e.s.t., Wednesday, December 12, 2001, the House adjourned.