

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

MONDAY, FEBRUARY 4, 2002

SESSION OF 2002

186TH OF THE GENERAL ASSEMBLY

No. 10

HOUSE OF REPRESENTATIVES

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

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

ANNOUNCEMENT BY SPEAKER

The SPEAKER. At the conclusion of the prayer when we say the Pledge of Allegiance, because of the obstruction I would ask that the members salute the flags that are hanging from the balcony.

PRAYER

DR. KIRBY NELSON KELLER, Chaplain of the House of Representatives and president of Evangelical School of Theology, Myerstown, Pennsylvania, offered the following prayer:

Let us pray:

Almighty God and Father of us all, in the Holy Scriptures the prophets of old ask this probing question: What does the Lord require of you but to do justice, love mercy, and walk humbly with your God? Forgive us, Father, when in the busyness of life, we often push God to the margins of our lives, leaving us vulnerable to the distorted logic of self-interest.

Lord, bless every member of this chamber today. Help them to go about their work with a desire to seek that which is just and good for the Commonwealth, and may all their actions reflect a love and compassion for all of our citizens. And, Lord, help us all do our work with an attitude of humble service that comes as we, each in our own way, seek to walk with You.

Lord, in Your mercy, hear our prayer that we offer in Your name. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal of Wednesday, January 30, 2002, will be postponed until printed. The Chair hears no objection.

JOURNALS APPROVED

The SPEAKER. The Journals for Tuesday, November 13, and Wednesday, November 14, 2001, are available for approval. Without objection, the Journals will stand approved.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2330 By Representatives CLYMER, M. BAKER, CORRIGAN, CREIGHTON, GODSHALL, HERSHEY, JOSEPHS, MUNDY, PICKETT, PRESTON, ROHRER, SOLOBAY, STURLA, WASHINGTON and WATSON

An Act amending Title 45 (Legal Notices) of the Pennsylvania Consolidated Statutes, adding a definition of "community paper of mass dissemination"; and further providing for legal advertising.

Referred to Committee on STATE GOVERNMENT, February 4, 2002.

No. 2331 By Representatives CLYMER, M. BAKER, BARRAR, BELFANTI, BUNT, CAPPELLI, CIVERA, CLARK, CREIGHTON, DAILEY, D. EVANS, FAIRCHILD, FEESE, FORCIER, GODSHALL, HARPER, JAMES, KELLER, MACKERETH, McGEEHAN, McILHATTAN, NICKOL, PETRARCA, RAYMOND, ROHRER, ROSS, RUBLEY, SATHER, SHANER, B. SMITH, SOLOBAY, STEELMAN, STERN, R. STEVENSON, TANGRETTI, E. Z. TAYLOR, TIGUE, TRICH, WALKO, WASHINGTON, WATSON and WOJNAROSKI

An Act providing for a pilot project for accident reports; and establishing the Accident Report Form Study Committee.

Referred to Committee on TRANSPORTATION, February 4, 2002.

No. 2332 By Representatives LEDERER, McGEEHAN, GEORGE, CORRIGAN, BELARDI, LESCOVITZ, READSHAW, BEBKO-JONES, EACHUS, LaGROTTA, MARKOSEK, LAUGHLIN, SHANER, GRUCELA, WOJNAROSKI, THOMAS, YUDICHAK, JOSEPHS, SCRIMENTI, MELIO, STABACK, YOUNGBLOOD, CAWLEY, ROBERTS, PIPPY, TRELLO, KELLER, BROWNE, HORSEY, SOLOBAY, DeLUCA, HASAY, WALKO, ARMSTRONG, CRUZ, J. TAYLOR, HARHAI, MYERS, PISTELLA, MAHER, FREEMAN, L. I. COHEN and PETRARCA

An Act amending the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment Compensation Law,

further providing for the determination of unemployment compensation benefits for senior citizens.

Referred to Committee on LABOR RELATIONS, February 4, 2002.

No. 2333 By Representatives ARMSTRONG, CAPPELLI, CREIGHTON, GEORGE, GODSHALL, HENNESSEY, JAMES, ROHRER, SCHRODER, THOMAS and YOUNGBLOOD

An Act establishing the Office of Administrative Hearings as an independent administrative agency to provide an impartial tribunal for contested cases in certain agencies; providing for the powers and duties of the Office of Administrative Hearings and for the appointment, powers and duties of a chief administrative law judge and administrative law judge.

Referred to Committee on JUDICIARY, February 4, 2002.

No. 2334 By Representatives STEELMAN, GEORGE, BEBKO-JONES, BELFANTI, COY, DeWEESE, EACHUS, D. EVANS, FAIRCHILD, FREEMAN, GRUCELA, HARHAI, HORSEY, JOSEPHS, LaGROTTA, LESCOVITZ, LEVDANSKY, MAHER, MANN, MARKOSEK, McCALL, MELIO, MUNDY, PISTELLA, READSHAW, ROBERTS, RUBLEY, SAMUELSON, SANTONI, SCHRODER, SCRIMENTI, SOLOBAY, STABACK, STURLA, SURRA, THOMAS, TIGUE, TRAVAGLIO, TRELLO, VEON, VITALI, WALKO, WANSACZ, WOJNAROSKI, G. WRIGHT, YOUNGBLOOD, YUDICHAK, M. COHEN, PALLONE, TANGRETTI and McGEEHAN

An Act authorizing a referendum on the incurring of indebtedness in the amount of \$150,000,000 for certain purposes relating to environmental stewardship; and establishing a restricted receipt account within the Environmental Stewardship Fund and the Environmental Stewardship Sinking Fund.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, February 4, 2002.

No. 2335 By Representatives TURZAI, STETLER, ARMSTRONG, M. BAKER, BARRAR, BOYES, BROWNE, BUNT, CAPPELLI, COLAFELLA, CREIGHTON, DALLY, FAIRCHILD, FEESE, FRANKEL, GABIG, HABAY, HERSHEY, HUTCHINSON, LEH, MAHER, MANN, MARKOSEK, McCALL, McILHATTAN, METCALFE, S. MILLER, PETRARCA, PICKETT, PIPPY, RAYMOND, READSHAW, ROHRER, ROSS, RUBLEY, SAINATO, SAYLOR, SCHRODER, SEMMEL, S. H. SMITH, STABACK, R. STEVENSON, T. STEVENSON, E. Z. TAYLOR, WANSACZ, WATSON, WILT, YOUNGBLOOD and ZUG

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further defining "taxable income" for corporate net income tax.

Referred to Committee on FINANCE, February 4, 2002.

BILL SIGNED BY SPEAKER

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

HB 1813, PN 2681

An Act amending the act of July 9, 1987 (P.L.220, No.39), known as the Social Workers, Marriage and Family Therapists and Professional Counselors Act, further providing for the definition of "practice of professional counseling" and for exemption from licensure.

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

BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority whip. Mr. S. SMITH. Mr. Speaker, I move the following bills from the table:

HB 167;
HB 614;
HB 979;
HB 1104;
HB 1245; and
HB 1953.

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

BILLS TABLED

The SPEAKER. The Chair recognizes the majority whip. Mr. S. SMITH. Mr. Speaker, I move the following bills be returned to the table:

HB 167;
HB 614;
HB 979;
HB 1104;
HB 1245; and
HB 1953.

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

COMMUNICATIONS FROM SPEAKER

The SPEAKER. The clerk will read the following communications from the Speaker.

The following communications were read:

House of Representatives

Commonwealth of Pennsylvania
Harrisburg

January 28, 2002

The Honorable Matthew J. Ryan
Speaker of the House
House of Representatives
Room 139, MC
Harrisburg, PA 17120

Dear Speaker Ryan:

Please accept this letter as my resignation as Chairman of the House Ethics Committee.

Sincerely,
John J. Taylor
State Representative
177th Legislative District

* * *

House of Representatives
Commonwealth of Pennsylvania
Harrisburg

January 28, 2002

The Honorable Brett Feese
412 South Office Building
Harrisburg, PA 17120

Dear Brett:

Please be advised that I have appointed you Chairman of the Ethics Committee.

Very truly yours,
Matthew J. Ryan
The Speaker

LEAVES OF ABSENCE

The SPEAKER. The Chair turns to leaves of absence and recognizes the gentleman, Mr. Smith, who requests leave for today's session for the gentleman from Philadelphia County, Mr. PERZEL. Without objection, the leave will be granted. The Chair hears none.

The gentleman, Mr. Veon, the minority whip, requests leave of absence for the week for the gentleman from Washington, Mr. LESCOVITZ; the lady from Philadelphia County, Ms. YOUNGBLOOD, for today. Without objection, the leaves will be granted. The Chair hears no objection.

GUESTS INTRODUCED

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

The Chair is pleased to welcome to the hall of the House today, as the guests of Representative Matt Baker, Courtney Lynn Jackson, who is here with her mother and father,

Dottie and Don Gardiner. Would these guests please rise. They are

seated in the rear of the House.

POLISH DELEGATION INTRODUCED

The SPEAKER. Members, please take your seats. Sergeants at Arms, clear the area in the rear of the chamber.

We have a number of important guests here with us today from Poland. It is a delegation made up of five gentlemen. Four of them hold high positions in the various Polish local governments that they represent; the fifth gentleman is a member of the Polish National Parliament. Because their names were not in Gaelic, I could not pronounce some of them, so I have asked their interpreter to please come to the rostrum to take over that chore.

Would the gentlemen, as their names are called, please rise.

Mr. OSTREGA. The delegation is made up of five members of the local government, as the Speaker said, and the representative of the National Parliament, the House of Representatives or equivalent of that: Mr. Tomasz Tomczykiewicz, who is a former mayor of the city of Pszczyna, currently a member of the Polish National Parliament; Mr. Henryk Dzaman is the mayor of the city of Chelm; Mr. Piotr Pawnik is the deputy mayor of the city of Nowy Sacz; Mr. Alojzy Sobura is the deputy mayor of the city of Kielce; and Mr. Wiltold Kochan is a councilor in the council of the Province, which is roughly an equivalent of a State in the Polish administration, of the Province of Malopolska.

The SPEAKER. Prior to session, I had an opportunity to join with these gentlemen, welcoming them to Pennsylvania. They are here for several more days, although today they are returning to Philadelphia, and I am not sure just what their travel plans are after that. I know Cleveland.

But they told me that yesterday they were privileged, is the way they put it, to watch the Super Bowl with a group of people who were entertaining them down in Philadelphia. They had some big Super Bowl party there with 60 people. So I can imagine what that experience was like if they have never had an athletic event such as our Super Bowl Sunday. The event is as much an event in the kitchens of the Commonwealth and the nation as it is on the field of play, and I suspect that both took place yesterday.

Welcome again, and we hope you will return time and time again. If any of you would like to meet with these gentlemen, feel free to walk over and chat with them. They are very, very nice people.

ALLENTOWN CENTRAL CATHOLIC HIGH SCHOOL GIRLS VOLLEYBALL AND CROSS-COUNTRY TRACK TEAMS PRESENTED

The SPEAKER. The Chair at this time recognizes the lady, Miss Mann.

Miss MANN. Thank you, Mr. Speaker.

It is my pleasure to stand before you this morning, this afternoon. I have with me Representatives Harhart, Baker, and Browne to assist me this morning.

I have a great opportunity to recognize some special high school students this morning, this afternoon. I have got to get the time right.

I am sure that at some time, at some point, we have all had the opportunity to think about what goes into the making of a

champion. We know that it takes dedication, perseverance, talent, commitment, and a belief in teamwork. Today I have the privilege of introducing two championship teams from Allentown Central Catholic High School. This school certainly has a lot to be proud of with not one but two teams capturing the 2001 PIAA Class AAA State championships, and it is not the first time I have had the pleasure of introducing one of the school's teams. Central Catholic has a tradition of excellence, both academically and athletically.

Last year you joined me to honor the girls basketball team, who took the top spot in the State. The boys team was runner-up in the State championship. So we have the girls capturing State titles 2 years in a row, and I think it is time that the boys get working. I could not miss that opportunity.

Under the dedicated guidance of head coach Jack Pressmann – and I think that is a familiar name and face to many of you; as you know, Jack was a member of the House for 6 years and served in the district that I serve in now – under his guidance, Central Catholic girls cross-country team presented a stellar season and captured the top award in the State.

The school's volleyball team, under the guidance of head coach Laurie Corcoran, worked hard this year, completing a successful season as the top girls team in Class AAA in the State.

These young ladies are the embodiment of true sportsmanship, excelling on the track, on the court, and in the classroom. These athletes excelled in sports, but they also have worked hard in school, proving that you do not have to sacrifice academics for athletics. Through their hard work, they have become role models for other young athletes, especially young women, to follow.

I would like to present the following young ladies: Robin Lewullis, Emily Guman, Jackie Adamshick, and Mary Bacher, who are standing behind us here. And I also would like to recognize, if we could, and give them all a round of applause, the teammates and the coaches in the back of the hall who are with us as well. But I would like for us to express our recognition for their accomplishments, for the great example that they have set to their peers. Please join with me in welcoming these ladies and congratulating them on their fine seasons and their State championships. Thank you.

The SPEAKER. Mr. Pressmann, welcome to Harrisburg again.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—198

Adolph	Egolf	Maher	Saylor
Allen	Evans, D.	Maitland	Schroder
Argall	Evans, J.	Major	Schuler
Armstrong	Fairchild	Manderino	Scrimenti
Baker, J.	Feese	Mann	Semmel
Baker, M.	Fichter	Markosek	Shaner
Bard	Fleagle	Marsico	Smith, B.
Barley	Flick	Mayernik	Smith, S. H.
Barrar	Forcier	McCall	Solobay
Bastian	Frankel	McGeehan	Staback
Bebko-Jones	Freeman	McGill	Stairs
Belardi	Gabig	McIlhattan	Steelman
Belfanti	Gannon	McIlhinney	Steil

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—3

Lescovitz	Perzel	Youngblood
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LEAVES ADDED—1

Horsey

CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mr. WRIGHT called up **HR 391, PN 3140**, entitled:

A Resolution designating the week of February 3 through 9, 2002, as "Students in Free Enterprise Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The SPEAKER. On the question of the adoption of the resolution, the Chair recognizes the gentleman, Mr. Wright.

Mr. WRIGHT. Thank you, Mr. Speaker.
Today I am very proud to once again offer a resolution to

acknowledge a very strong—

The SPEAKER. Will the gentleman yield for a moment until the guests leave the rear of the hall.

Conferences in the aisle, please break up. Conferences on the floor, please. This is a short session today. Save your conversation.

Mr. Wright.

Mr. WRIGHT. Thank you.

Today I present to the House a resolution honoring SIFE Week. SIFE Week is Students in Free Enterprise. It is an international, national, and within our State, various chapters at universities and the colleges from around the great State that have chapters that the students experience and try to promote free enterprise in our system. Most of these are our future business leaders, community leaders.

SIFE, which was originally started by Sam Walton of Wal-Mart, started this as a promotion for the free enterprise system. There are over 750 universities across the State that have chapters.

GUESTS INTRODUCED

Mr. WRIGHT. We have a very large group today of college students from many colleges across the State that are here to witness the House once again acknowledging and honoring the SIFE students of Pennsylvania.

So, Mr. Speaker, I would appreciate a good vote and a nice round, a hand, for our visitors in the back of the hall, many of our college students from various universities across the State, the SIFE students of Pennsylvania, to honor SIFE Week in Pennsylvania. They are seated in the back, if they could stand, and if the members could give them a warm round of applause.

Thank you.

The SPEAKER. It is the understanding of the Chair that present in the hall of the House are a number of guests of the lady, Mrs. Vance, who also are part of the group called SIFE. They are from Central Penn College. Would they please rise or wave so that we can acknowledge their presence.

LEAVE OF ABSENCE

The SPEAKER. The Chair, prior to taking the vote, returns to a leave of absence and places the gentleman, Mr. HORSEY, on leave, without objection. The Chair hears no objection.

CONSIDERATION OF HR 391 CONTINUED

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

The following roll call was recorded:

YEAS—197

Adolph	Egolf	Maitland	Schroder
Allen	Evans, D.	Major	Schuler
Argall	Evans, J.	Manderino	Scrimenti
Armstrong	Fairchild	Mann	Semmel
Baker, J.	Feese	Markosek	Shaner
Baker, M.	Fichter	Marsico	Smith, B.
Bard	Fleagle	Mayermik	Smith, S. H.
Barley	Flick	McCall	Solobay
Barrar	Forcier	McGeehan	Staback

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

NAYS—0

NOT VOTING—0

EXCUSED—4

Horsey	Lescovitz	Perzel	Youngblood
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

* * *

Mrs. RUBLEY called up HR 406, PN 3205, entitled:

A Resolution designating March 24, 2002, as "World TB Day" in Pennsylvania.

On the question, Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

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

NAYS-0

NOT VOTING-0

EXCUSED-4

Horsely	Lescovitz	Perzel	Youngblood
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

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Mrs. RUBLEY called up **HR 407, PN 3206**, entitled:

A Resolution declaring the week of February 10 through 16, 2002, as "Child Passenger Safety Week."

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-197

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

NAYS-0

NOT VOTING-0

EXCUSED-4

Horsely	Lescovitz	Perzel	Youngblood
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

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Mrs. RUBLEY called up **HR 408, PN 3207**, entitled:

A Resolution designating the week of February 10 through 16, 2002, as "Career and Technical Education Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

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

NAYS—0

NOT VOTING—0

EXCUSED—4

Horsey	Lescovitz	Perzel	Youngblood
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

SUPPLEMENTAL CALENDAR A

RESOLUTION PURSUANT TO RULE 35

Mr. SATHER called up **HR 411, PN 3230**, entitled:

A Resolution designating February 6, 2002, as "Ronald Reagan Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

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

Eachus Maher Saylor Speaker

NAYS—0

NOT VOTING—0

EXCUSED—4

Horsey Lescovitz Perzel Youngblood

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

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 221, PN 3231 (Amended) By Rep. STAIRS

An Act amending the act of January 25, 1966 (1965 P.L.1546, No.541), referred to as the Higher Education Scholarship Law, further providing for the length of scholarships; and making an appropriation.

EDUCATION.

The SPEAKER. There will be no further votes.

GROUNDHOG DAY REMARKS

The SPEAKER. Mr. Smith, do you desire recognition?

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

I need to make an announcement, I guess.

The SPEAKER. Oh, my.

Mr. Smith.

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

I wanted to make sure you understood what I was up here for. I did not want to blindside you.

The SPEAKER. Mr. Smith, are you responsible for passing out these cookies of rabbits without ears?

Mr. S. SMITH. I am responsible for passing out the groundhog cookies, but if the Speaker thinks they are rabbits without ears, then they can be rabbits without ears for the day.

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

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

I appreciate being recognized for this purpose to make an announcement relative to the findings of Punxsutawney Phil on Groundhog Day, February 2, 2002. Locally, they kind of pumped it up as 02/02/02, which was a nice little novelty.

The president of the Groundhog Club, Bill Cooper, has been telling people that Groundhog Day is for fun, is fun for no good reason, and I think that is really what it was about. We had about 40,000 people up at Gobbler’s Knob. Punxsutawney is a town of a little over 6,000, 6,500 people. So we had 40,000 people up there to see Punxsy Phil come out.

I want to read the official proclamation that he gave to the Groundhog Club. You need to listen to it. It is kind of cute.

The SPEAKER. Will the gentleman yield.

Members, please. This is important.

Mr. S. SMITH. Well, I can withhold the cookies if it is not

important enough. This is kind of cute anyways. This was the official proclamation from Punxsy Phil:

Thank God I live in the land of the free and brave
and I live in a burrow and not in a cave.
I bin sleepin’, bin noddin’, bin living
better than Bin Laden.
I only come out to eat and have fun
My Groundhog Day job is to study the sun.
The sky is light, the signal is strong,
My shadow I see,
So winter will be
Six more weeks long.

Look out the window and you will see the snow. Actually, I kind of modified that this year. I said it will be 6 weeks long since we really have not had much winter up until now.

Thank you, Mr. Speaker, for your recognition.

The SPEAKER. The Chair thanks the gentleman.

It is my understanding that the gentleman, Mr. Barley, from the county of Lancaster, has some statement to make along the same lines.

Mr. BARLEY. Well, thank you, Mr. Speaker.

This is always a challenge, because the groundhog from southern Lancaster County, Octorara Orphie, has never been the feature in a movie. So we are at a disadvantage when it comes to the attention that this impostor in Punxsutawney always is able to garner.

But the question I have for Punxsutawney Phil, I was reading, I believe it was in the Pittsburgh Gazette, that it was his intention to forecast the winner of the Super Bowl, and I do not know what happened. He, like, backed away from that. I did not see him making his projection. So I am asking publicly, and maybe the gentleman from Jefferson will be able to explain to us sometime why we did not see that. My guess, he would have been held accountable. That was a definite forecast that we would have been able to determine whether he was right or wrong.

This year, however, the Octorara Orphie, the groundhog who finds his home on the banks of the Octoraro Creek between Lancaster and Chester Counties, arrived early Saturday morning from his burrow, and as he has been for the last 90 years, forecasting the weather with complete and total accuracy, once again has indicated after seeing his shadow, scurrying back in the burrow, that we will be subject to 6 more weeks of winter weather.

The SPEAKER. At least the animals were together on something.

Mr. Smith.

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

I guess I will just respond to the interrogation of the previous speaker.

As best I can tell, and far be it for me to speak for Punxsutawney Phil; only the president of the Groundhog Club can interpret groundhogese. You know, none of us can do that. He is the only one that has that skill, and as best I can tell from talking to the locals, when Phil was roused on Saturday morning to come out and make his prediction and he realized, as a good western Pennsylvanian, that the Steelers were not in the Super Bowl, he just kind of lost all interest in what was going on and said, the heck with it. The Super Bowl did not really matter if the Steelers were not there.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Lawless, who desires unanimous consent to make a statement.

Mr. LAWLESS. Thank you, Mr. Speaker.

The SPEAKER. Mr. Lawless, would you please yield for a moment for caucus announcements? I meant to do that before.

REPUBLICAN CAUCUS

The SPEAKER. Mr. Argall.

Mr. ARGALL. Thank you, Mr. Speaker.

At the announcement of the recess we will have a relatively brief caucus downstairs.

DEMOCRATIC CAUCUS

The SPEAKER. Mr. Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, there will be a caucus upon the recess to discuss the calendar for Tuesday and Wednesday.

The SPEAKER. The Chair thanks the gentleman.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. Mr. Barley calls a meeting of the Appropriations Committee on the declaration of the recess in the Appropriations conference room.

STATEMENT BY MR. LAWLESS

The SPEAKER. Mr. Lawless, I apologize for the delay.

Mr. LAWLESS. Thank you, Mr. Speaker.

Mr. Speaker, as promised, I will rise every day to fight for Erin's Law, 4-year-old Erin, who sits in a duPont Hospital after a kidney transplant.

We passed this legislation, which would eliminate or help to eliminate E. coli bacteria disease with our young people in this State, back in June in this General Assembly. However, it sits in the Senate. Once again this weekend I was addressed by a Senator who told me it will go nowhere because my name is on that bill.

Mr. Speaker, as politics are played with Senator Jubelirer and Senator Waugh, Senator Waugh recently reported in a news article. That news article stated Senator Waugh claims some in the agriculture community have concerns about the cost of my bill. If he is so worried about cost, what have 4-year-old Erin Jacobs' costs been since she was infected by E. coli at a petting zoo? What dollar figure does the Senator place on the loss of her kidneys? How many bucks are three-quarters of a colon going for these days? That is not to mention the pain, the expenses of 10 operations in 15 months. What will the cost be for the next child who has to fight for life because of Senator Waugh's political spite of me?

Both Senator Waugh and Senator pro tem/Lieutenant Governor – and whatever other position he may hold – Jubelirer claim there is opposition to the Erin's Law bill somewhere out there in the agriculture community, but they never have said who has the questions and what the questions are. Mr. Speaker, I have to this date not received one letter or correspondence since this bill passed in June opposing such legislation from either a group, organization, or even a person.

Highly respected Republican Secretary of Agriculture Sam Hayes gave us input on the bill more than a year ago and worked with us until we reached what were reasonable protections for both the people who display the animals and the children and adults who come in contact with them. There were not any nagging questions when the House unanimously passed this bill last June. If Senator Waugh knows of legitimate concerns about the legislation, why has he not scheduled hearings on them? After all, he is the Senate Agriculture and Rural Affairs Committee chairman.

Pennsylvania is one of just two States in this nation that does not have E. coli safeguards. If Senators Waugh and Jubelirer want vengeance on me because of my outspoken and maverick ways, that is fine with me; I can take it. But for God's sake, why do they have to risk the health and lives of Pennsylvania's children to get the pound of flesh they lust for me? By holding Erin's Law captive, the pound of flesh will not come from me; it will come many times over from future victims of E. coli infection in Pennsylvania. Do these Senators, Waugh and Jubelirer, have any sense of decency as a 4-year-old sits in quarantine in a duPont Hospital?

Her father contacted me late last week as he got out of the hospital after giving Erin one of his kidneys. Rick Jacobs has made this an issue. He will come to the Capitol as soon as he is healthy. I will have him sit on this floor so the people in this House can see the pain and suffering that a parent has gone through, and yet the Republican side of this aisle, as well as the Senate, has done nothing to save and preserve the health and welfare of the children of Pennsylvania.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

There will be no further votes, as I said.

The Republicans and Democrats both will caucus on the declaration of the recess.

RECESS

The SPEAKER. The Chair is going to recess the House for the sole purpose of bringing it back in to take the report of the Appropriations Committee, but there will be no further votes on any calendar today, without exception.

The Chair recesses the House at this time to the call of the Chair.

AFTER RECESS

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

BILLS REREPORTED FROM COMMITTEE

HB 670, PN 743

By Rep. BARLEY

An Act providing for technical assistance for employer-sponsored child day-care programs.

APPROPRIATIONS.

HB 935, PN 1054

By Rep. BARLEY

An Act amending the act of November 29, 1990 (P.L.585, No.148), known as the Confidentiality of HIV-Related Information Act, extending applicability of the act to other bloodborne pathogens.

APPROPRIATIONS.

HB 1293, PN 1523

By Rep. BARLEY

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, excluding from sales tax all equipment and devices which prohibit a weapon or firearm from being fired without a key or combination.

APPROPRIATIONS.

HB 1401, PN 2289

By Rep. BARLEY

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, exempting certain persons from Federal law relating to public assistance.

APPROPRIATIONS.

HB 1459, PN 1741

By Rep. BARLEY

An Act prohibiting a political subdivision or its authority or agency from requiring a proportion of workers on a construction project to be residents of a particular municipality.

APPROPRIATIONS.

HB 2059, PN 2709

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, further providing for high school certificates.

APPROPRIATIONS.

HB 2126, PN 3019

By Rep. BARLEY

An Act amending the act of June 22, 2001 (P.L.374, No.24), known as the Optional Occupation Tax Elimination Act, further providing for the definitions of "governing body" and "political subdivision," for earned income tax limits and for certain prohibition of occupation tax; and making an editorial correction.

APPROPRIATIONS.

HB 2213, PN 3039

By Rep. BARLEY

An Act establishing the Intragovernmental Council on Long-term Care and providing for its powers and duties; and making a repeal.

APPROPRIATIONS.

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER. Does the majority leader or minority leader have any further business?

Hearing none, the Chair recognizes the gentleman from Philadelphia County, Mr. Cruz.

Mr. CRUZ. Mr. Speaker, I move that this House do now adjourn until Tuesday, February 5, 2002, at 11 a.m., e.s.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 1:57 p.m., e.s.t., the House adjourned.