

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

MONDAY, JUNE 3, 2002

SESSION OF 2002

186TH OF THE GENERAL ASSEMBLY

No. 42

HOUSE OF REPRESENTATIVES

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

THE SPEAKER PRO TEMPORE (PATRICIA H. VANCE) PRESIDING

PRAYER

REV. ROBERT A. GRAYBILL, Chaplain of the House of Representatives, offered the following prayer:

If you feel like you want to bow your head, that is fine. Basically, I ask of you, though, to just pause and allow the spirit of God to touch your life as I share these words.

Almighty God, we stop for a moment in the midst of our day to invite Your Spirit to quietly touch the souls of each of us gathered here. Over the past few days and a few days yet to come, many of our communities gather together for high school graduations. It is a great time to praise our youth for their fine efforts in study, to recognize the beautiful gifts within them, and to encourage their young hearts to nurture the goodness that is upon them. We thank You, Almighty God, for the thousands of young people who have remained diligent in their learning, sincere in their desire to grow up to be fine men and women, and are graduating across our Commonwealth.

O Lord, You have blessed us a hundredfold and more.

As we think about them, we remember our days of high school in which we were challenged both in the classroom and outside the halls of the school to be faithful to our God and to uphold the standards of goodness within our society. O Lord God, we have tried, but now we ask of You to touch our souls again with Your Spirit as we try to face the current challenges of today's world. We cannot do it alone. We need Your help to encourage the youth to believe in the goodness of Your creation and to live peacefully with one another in this world.

We ask of You to refresh our hearts, those of us gathered here, with those experiences of learning over the years since we graduated, and give each of us Your courage to lead our people now, young and old alike, to find Your goodness within their hearts, to sense it within their communities, and to know that it is real across our great Commonwealth.

O Lord, You have blessed us with great youth and fine leaders. Together may we work for the goodness of Your creation this day, we pray. 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 Wednesday, May 8, 2002, will be postponed until printed. The Chair hears no objection.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2647 By Representatives HARHAI, LEDERER, BELARDI, WASHINGTON, CRUZ, MARKOSEK, KELLER, EGOLF, HORSEY, YOUNGBLOOD, SHANER, SCHRODER, CORRIGAN, SOLOBAY, READSHAW, BEBKO-JONES, HERSHEY, MELIO, WATERS, STABACK, CREIGHTON, BELFANTI, THOMAS, GRUCELA, ROONEY, PISTELLA, WANSACZ, J. WILLIAMS and MAHER

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for learners' permits.

Referred to Committee on TRANSPORTATION, May 13, 2002.

No. 2648 By Representatives LYNCH, HUTCHINSON, JADLOWIEC, McILHATTAN and FORCIER

An Act amending the act of December 19, 1984 (P.L.1140, No.223), known as the Oil and Gas Act, further providing for definitions, for protection of fresh groundwater and casing requirements and for well reporting requirements; and providing for orphan wells.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, May 13, 2002.

No. 2649 By Representatives CLYMER, THOMAS, ARMSTRONG, M. BAKER, BASTIAN, COLEMAN, CREIGHTON, DALLY, EGOLF, HARHAI, HESS, LEDERER, LESCOVITZ, MELIO, PALLONE, READSHAW, ROHRER, STEELMAN, STERN, E. Z. TAYLOR, WASHINGTON and WATSON

An Act amending the act of June 9, 1936 (1st Sp. Sess., P.L.13, No.4), entitled, as reenacted and amended, "An act imposing an emergency State tax on liquor, as herein defined, sold by the Pennsylvania Liquor Control Board; providing for the collection and payment of such tax; and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board," providing for a tax

on liquor; and establishing the Age Verification Tax Fund and providing for its use.

Referred to Committee on LIQUOR CONTROL, May 13, 2002.

No. 2650 By Representatives CLYMER, THOMAS, ARMSTRONG, M. BAKER, BASTIAN, COLEMAN, CREIGHTON, DALLY, EGOLF, HARHAI, HESS, LEDERER, LESCOVITZ, MELIO, PALLONE, READSHAW, ROHRER, STEELMAN, STERN, E. Z. TAYLOR, WASHINGTON and WATSON

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, requiring certain licensees to install, maintain and use electronic age verification equipment.

Referred to Committee on LIQUOR CONTROL, May 13, 2002.

No. 2651 By Representatives SEMMEL, ZUG, TIGUE, ALLEN, ARMSTRONG, M. BAKER, BEBKO-JONES, BROOKS, BUNT, CAPPELLI, CLARK, CREIGHTON, DALEY, DALLY, DeWEESE, EGOLF, FAIRCHILD, FEESE, FICHTER, FREEMAN, GEIST, GEORGE, GORDNER, GRUCELA, HENNESSEY, HERMAN, HERSHEY, HORSEY, KELLER, LAUGHLIN, LEH, LUCYK, MANN, MARSICO, McCALL, MELIO, NAILOR, PHILLIPS, PICKETT, PISTELLA, READSHAW, RUBLEY, SATHER, SCHULER, SHANER, B. SMITH, S. H. SMITH, STABACK, STERN, E. Z. TAYLOR, WALKO, YOUNGBLOOD, YUDICHAK, S. MILLER, MICHLOVIC, ADOLPH, WANSACZ, SOLOBAY, HESS and McGEEHAN

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for the purposes of the Pennsylvania Veterans' Memorial Trust Fund.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, May 13, 2002.

No. 2652 By Representatives BELARDI, WANSACZ, STABACK, CAPPELLI, ROONEY, GEORGE, MARKOSEK, WASHINGTON, NAILOR, BISHOP, BELFANTI, MELIO, SHANER, JOSEPHS, READSHAW, DeWEESE, WOJNAROSKI, MUNDY, LAUGHLIN, BUTKOVITZ, YOUNGBLOOD, ROBINSON, SCHRODER, CAWLEY, LEDERER, GEIST, GRUCELA, D. EVANS, TIGUE, DeLUCA, HORSEY, JAMES, McGEEHAN, FRANKEL, WALKO, SAINATO, HARHAI, J. WILLIAMS, PISTELLA and G. WRIGHT

An Act amending the act of January 8, 1960 (1959 P.L.2119, No.787), known as the Air Pollution Control Act, providing additional powers and duties relating to harmful biological substances in the air of residential buildings.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, May 13, 2002.

No. 2653 By Representatives ALLEN, LUCYK, SEMMEL, ADOLPH, ARGALL, BASTIAN, BEBKO-JONES, BELARDI, BISHOP, BROOKS, BUNT, CALTAGIRONE, CAPPELLI,

CORRIGAN, COY, CREIGHTON, CRUZ, DALEY, DALLY, DeWEESE, FAIRCHILD, FICHTER, GEORGE, GRUCELA, HARHART, HASAY, HERMAN, HORSEY, HUTCHINSON, JAMES, KELLER, LaGROTTA, LAUGHLIN, LEDERER, LEH, LESCOVITZ, LYNCH, MANN, MARKOSEK, MARSICO, McCALL, McILHATTAN, MICHLOVIC, S. MILLER, NAILOR, PETRARCA, PISTELLA, ROBINSON, RUBLEY, RUFFING, SANTONI, SATHER, SAYLOR, SCHRODER, SHANER, B. SMITH, SOLOBAY, STABACK, R. STEVENSON, SURRA, E. Z. TAYLOR, J. TAYLOR, TURZAI, WALKO, WATSON, WILT, WOJNAROSKI, G. WRIGHT, YOUNGBLOOD, YUDICHAK and GEIST

An Act amending the act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law, further defining "income" for "PACE" and "PACENET" to exclude certain veterans' disability payments.

Referred to Committee on FINANCE, May 13, 2002.

No. 2654 By Representatives PALLONE, THOMAS, COSTA, DeLUCA, D. EVANS, GRUCELA, HARHAI, JAMES, LAUGHLIN, MELIO, SAINATO, SHANER, J. TAYLOR, WALKO, WASHINGTON and YOUNGBLOOD

An Act authorizing a video lottery system at certain retail liquor establishments; providing for disbursements of revenues; imposing duties on the Division of the State Lottery; establishing an advisory committee; imposing a video lottery tax; and making an appropriation.

Referred to Committee on FINANCE, May 13, 2002.

No. 2655 By Representatives NICKOL, ARMSTRONG, M. BAKER, BASTIAN, CAPPELLI, CLYMER, CREIGHTON, DeWEESE, J. EVANS, FREEMAN, GEIST, GEORGE, HARHART, HORSEY, JAMES, KENNEY, LAUGHLIN, McCALL, McILHATTAN, R. MILLER, PALLONE, PICKETT, RUBLEY, SCHULER, SCRIMENTI, STEELMAN, T. STEVENSON, E. Z. TAYLOR, THOMAS, WATSON, WILT and YOUNGBLOOD

An Act amending the act of December 18, 1984 (P.L.1005, No.205), known as the Municipal Pension Plan Funding Standard and Recovery Act, further providing for the certification of municipal pension costs, for the administration of the General Municipal Pension System State Aid Program and for the continuation of the financially distressed municipal pension system recovery program; adding provisions for the establishment and administration of in-service retirement option in local governments; and repealing the financially distressed municipal pension plan determination procedure.

Referred to Committee on LOCAL GOVERNMENT, May 13, 2002.

No. 2656 By Representatives GEIST, DeLUCA, ALLEN, BUNT, CAPPELLI, CLARK, COLAFELLA, CORRIGAN, CREIGHTON, CURRY, FEESE, FREEMAN, GEORGE, HENNESSEY, HESS, HORSEY, KELLER, MANN, MARSICO, McCALL, McGEEHAN, McILHATTAN, McNAUGHTON, MICHLOVIC, S. MILLER, PALLONE, PICKETT, PIPPY, READSHAW, RUBLEY, SATHER, SAYLOR, SEMMEL, SOLOBAY, STABACK, STEELMAN, T. STEVENSON, STURLA, E. Z. TAYLOR, THOMAS, TIGUE, WASHINGTON, WOJNAROSKI, M. WRIGHT and YUDICHAK

An Act amending the act of May 26, 1947 (P.L.318, No.140), known as the CPA Law, further providing for discipline; and imposing duties on the State Board of Accountancy and the Legislative Reference Bureau.

Referred to Committee on PROFESSIONAL LICENSURE, May 13, 2002.

No. 2657 By Representatives GEIST, DeLUCA, ALLEN, BUNT, CAPPELLI, CLARK, COLAFELLA, CORRIGAN, CREIGHTON, CURRY, FEESE, FREEMAN, GEORGE, HENNESSEY, HESS, HORSEY, KELLER, MANN, MARSICO, McCALL, McGEEHAN, McILHATTAN, McNAUGHTON, MICHLOVIC, S. MILLER, PALLONE, PICKETT, PIPPY, READSHAW, RUBLEY, SATHER, SAYLOR, SOLOBAY, STABACK, STEELMAN, T. STEVENSON, STURLA, E. Z. TAYLOR, THOMAS, TIGUE, WALKO, WASHINGTON, WOJNAROSKI, M. WRIGHT and YUDICHAK

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

Referred to Committee on JUDICIARY, May 13, 2002.

No. 2658 By Representatives GODSHALL, BELFANTI, CAPPELLI, CLARK, CLYMER, CREIGHTON, FAIRCHILD, FEESE, FICHTER, HARHAI, HENNESSEY, HERSHEY, LEH, McCALL, R. MILLER, PALLONE, PETRARCA, PICKETT, SHANER, SOLOBAY, STABACK, WASHINGTON and YOUNGBLOOD

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for application of weight restrictions to tow trucks.

Referred to Committee on TRANSPORTATION, May 13, 2002.

No. 2659 By Representatives R. MILLER, NICKOL, CAPPELLI, CREIGHTON, FEESE, HANNA, MARSICO, READSHAW, SAYLOR, SCHULER, S. H. SMITH, STEELMAN, STEIL, STETLER, R. STEVENSON, E. Z. TAYLOR, THOMAS, TIGUE, TULLI, WATSON and WILT

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, further providing for limitations on incurring of debt by school districts, for assessor reports, for adoption of referendum on the question of the levy of an earned income and net profits tax, for referendum requirements for increasing property taxes previously reduced and for local tax study commission; providing for continuity of homestead exclusion; and further providing for disposition of earned income and net profits tax revenue.

Referred to Committee on FINANCE, May 13, 2002.

No. 2660 By Representatives TANGRETTI, BELFANTI, CAPPELLI, CLARK, CORRIGAN, CREIGHTON, CURRY, DeLUCA, FICHTER, FREEMAN, GRUCELA, HARHAI, HERSHEY, HORSEY, KELLER, LEDERER, McCALL, McGEEHAN, MELIO, MICOZZIE, R. MILLER, NAILOR, PALLONE, PISTELLA, READSHAW, ROONEY, ROSS, RUBLEY, SATHER, SHANER, B. SMITH, SOLOBAY,

STABACK, STEELMAN, THOMAS, TIGUE, TRELLO, WATERS, J. WILLIAMS, WOJNAROSKI, G. WRIGHT, YEWCIC, YOUNGBLOOD and MAHER

An Act amending the act of May 25, 1945 (P.L.1050, No.394), known as the Local Tax Collection Law, providing for records in possession of tax collector.

Referred to Committee on LOCAL GOVERNMENT, May 22, 2002.

No. 2661 By Representatives J. BAKER, ARGALL, BENNINGHOFF, CASORIO, CLARK, DALLY, EGOLF, FEESE, FLICK, GRUCELA, HARHAI, HERSHEY, HESS, HORSEY, LEH, LEWIS, MAYERNIK, McCALL, METCALFE, PALLONE, READSHAW, RUFFING, SHANER, SOLOBAY, STABACK, STERN, THOMAS, TIGUE, WANSACZ and WATSON

An Act requiring inmates in State correctional facilities to make payment toward the cost of room and board.

Referred to Committee on JUDICIARY, May 22, 2002.

No. 2662 By Representatives VANCE, SCHULER, PICKETT, M. BAKER, BENNINGHOFF, BROWNE, BUNT, CAPPELLI, CLARK, CORRIGAN, CREIGHTON, DALEY, FAIRCHILD, FLEAGLE, FORCIER, GODSHALL, HARHART, HARPER, HENNESSEY, HERSHEY, HESS, HORSEY, HUTCHINSON, LAUGHLIN, LEH, MACKERETH, MANN, McNAUGHTON, MICOZZIE, S. MILLER, NICKOL, READSHAW, ROSS, RUBLEY, SATHER, SAYLOR, SCHRODER, SHANER, STABACK, STEELMAN, TANGRETTI, E. Z. TAYLOR, THOMAS, WALKO, WATSON, WOJNAROSKI and ZIMMERMAN

An Act establishing an informal dispute resolution process for long-term care nursing facilities and an informal dispute resolution panel within the Department of Health; and providing for membership of the panel, for the scope of informal resolution review and for data collection.

Referred to Committee on AGING AND OLDER ADULT SERVICES, May 22, 2002.

No. 2663 By Representatives TIGUE, M. COHEN, CORRIGAN, HENNESSEY, HORSEY, KELLER, MELIO, PALLONE, SCRIMENTI, SHANER, WASHINGTON, J. WILLIAMS, YOUNGBLOOD and COSTA

An Act amending the act of May 25, 1945 (P.L.1050, No.394), known as the Local Tax Collection Law, further providing for the compensation of the tax collector in cities of the third class shared.

Referred to Committee on LOCAL GOVERNMENT, May 22, 2002.

No. 2664 By Representatives B. SMITH, DeWEESE, MACKERETH, STERN, WOJNAROSKI, HARPER, PALLONE, CREIGHTON, BEBKO-JONES, VANCE, HORSEY, LEDERER, BROOKS, R. MILLER, LAUGHLIN, JOSEPHS, COLEMAN, HARHAI, HERSHEY, JAMES, PIPPY, WATERS, YOUNGBLOOD, MAITLAND, J. EVANS and FEESE

An Act selecting, designating and adopting celestite, more commonly known as celestine, as the official State mineral of the Commonwealth of Pennsylvania.

Referred to Committee on STATE GOVERNMENT, May 22, 2002.

No. 2665 By Representatives MACKERETH, R. MILLER, NICKOL, ARMSTRONG, CAPPELLI, CREIGHTON, DALLY, FAIRCHILD, GEORGE, HENNESSEY, HERSHEY, JAMES, ROSS, B. SMITH, SOLOBAY, E. Z. TAYLOR and YOUNGBLOOD

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, further providing for private services, gifts, payments and contracts which are prohibited.

Referred to Committee on LOCAL GOVERNMENT, May 30, 2002.

No. 2666 By Representatives ROSS, GEIST, BROOKS, CURRY, FRANKEL, HORSEY, SCHRODER, STEELMAN, E. Z. TAYLOR, J. TAYLOR, WATSON and M. WRIGHT

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for careless driving.

Referred to Committee on TRANSPORTATION, May 30, 2002.

No. 2667 By Representatives J. TAYLOR, BEBKO-JONES, BELFANTI, CAPPELLI, CAWLEY, L. I. COHEN, CRUZ, DeLUCA, FLEAGLE, FRANKEL, FREEMAN, GEORGE, HARHAI, HENNESSEY, HORSEY, JAMES, KELLER, LAUGHLIN, MELIO, MICOZZIE, ROSS, SOLOBAY, STABACK, STEELMAN, THOMAS, TRELLO, WATSON, G. WRIGHT and YOUNGBLOOD

An Act amending Title 40 (Insurance) of the Pennsylvania Consolidated Statutes, providing for occupational therapy services.

Referred to Committee on INSURANCE, May 30, 2002.

No. 2668 By Representative SCAVELLO

An Act repealing certain acts and parts thereof relating to taxation.

Referred to Committee on FINANCE, May 30, 2002.

No. 2669 By Representative SCAVELLO

An Act repealing obsolete provisions on tax extensions.

Referred to Committee on FINANCE, May 30, 2002.

No. 2670 By Representatives GEORGE, BELARDI, JOSEPHS, McCALL, FREEMAN, STABACK, PISTELLA, SURRA, CASORIO, HARHAI, HORSEY, JAMES, LAUGHLIN, LEVDANSKY, MELIO, MUNDY, PALLONE, ROONEY, SATHER, SHANER, STEELMAN, THOMAS, TIGUE, TRELLO, J. WILLIAMS, WOJNAROSKI, YOUNGBLOOD and SCRIMENTI

An Act requiring public notice of certain real property purchases and oil and gas leases by the Commonwealth; and providing for a right of certain public officials to examine and review Inspector General reports.

Referred to Committee on STATE GOVERNMENT, May 30, 2002.

No. 2671 By Representatives O'BRIEN, ALLEN, BASTIAN, BEBKO-JONES, BELFANTI, BISHOP, BROOKS, CALTAGIRONE, CAPPELLI, CLARK, COY, CREIGHTON, CRUZ, CURRY, DALEY, DALLY, DeWEESE, FAIRCHILD, GEORGE, GRUCELA, HARHAI, HARPER, HENNESSEY, HERMAN, HERSHEY, HORSEY, JAMES, JOSEPHS, KELLER, LAUGHLIN, LEH, LESCOVITZ, MANDERINO, MELIO, R. MILLER, PETRARCA, PICKETT, PISTELLA, ROBINSON, ROHRER, SAINATO, SANTONI, SATHER, SAYLOR, SHANER, SOLOBAY, STABACK, STRITTMATTER, STURLA, SURRA, E. Z. TAYLOR, J. TAYLOR, WALKO, WANSACZ, WASHINGTON, WATSON, WILT, G. WRIGHT and YOUNGBLOOD

An Act providing funding for standards and for implementation of a 211 abbreviated dialing code for information and human services referral telephone service; establishing the Pennsylvania 211 Advisory Committee; and making an appropriation.

Referred to Committee on HEALTH AND HUMAN SERVICES, June 3, 2002.

No. 2672 By Representatives ROSS, ALLEN, CAPPELLI, CORRIGAN, CREIGHTON, GEIST, HENNESSEY, HERSHEY, MANDERINO, NICKOL, PHILLIPS, SATHER, T. STEVENSON, WATSON, BROOKS, TIGUE and SHANER

An Act regulating deferred deposit loans and certain lenders; and providing for the powers and duties of the Department of Banking and for licenses.

Referred to Committee on COMMERCE AND ECONOMIC DEVELOPMENT, June 3, 2002.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 583 By Representatives SEMMEL, KELLER, HUTCHINSON, ALLEN, ARMSTRONG, M. BAKER, BASTIAN, BEBKO-JONES, BELARDI, BELFANTI, BROWNE, BUNT, CALTAGIRONE, CAPPELLI, CIVERA, COLEMAN, CORRIGAN, COSTA, COY, CREIGHTON, CRUZ, DALEY, DeLUCA, DeWEESE, DIGIROLAMO, DONATUCCI, EGOLF, FAIRCHILD, FEESE, FICHTER, FORCIER, FRANKEL, FREEMAN, GABIG, GEIST, GEORGE, GORDNER, GRUCELA, HARHAI, HARHART, HENNESSEY, HERMAN, HERSHEY, HESS, JAMES, LAUGHLIN, LEDERER, LEH, LESCOVITZ, LUCYK, MANN, MARKOSEK, MARSICO, McCALL, McGILL, McNAUGHTON, MELIO, R. MILLER, MUNDY, NAILOR, PETRARCA, PHILLIPS, PIPPY, PISTELLA, READSHAW, SAMUELSON, SANTONI, SCHULER, SHANER, B. SMITH, SOLOBAY, STABACK, STEELMAN, STERN, R. STEVENSON, SURRA, E. Z. TAYLOR, THOMAS, TIGUE, TURZAI, WANSACZ,

WATSON, WILT, WOJNAROSKI, G. WRIGHT, YOUNGBLOOD, YUDICHAK, ZUG, J. TAYLOR, ADOLPH and McGEEHAN

A Resolution urging the Congress to amend Title 10, United States Code, to permit full concurrent receipt of military retired pay and other veterans compensation, including dependents' allowances.

Referred to Committee on INTERGOVERNMENTAL AFFAIRS, May 13, 2002.

No. 584 By Representatives PRESTON, BEBKO-JONES, BISHOP, CALTAGIRONE, CREIGHTON, CRUZ, DeWEESE, D. EVANS, FICHTER, FRANKEL, HARHAI, HENNESSEY, HERSHEY, HORSEY, JAMES, JOSEPHS, LAUGHLIN, LEH, McGEEHAN, MELIO, MYERS, PALLONE, PISTELLA, READSHAW, ROBINSON, SHANER, SOLOBAY, THOMAS, TRELLO, J. WILLIAMS, G. WRIGHT and YOUNGBLOOD

A Resolution urging the Federal Communications Commission to clarify the role of the state public utility commissions in the implementation of a 2-1-1 abbreviated dialing code for health and human services delivery.

Referred to Committee on INTERGOVERNMENTAL AFFAIRS, May 13, 2002.

No. 585 By Representatives COY, BUXTON, LEDERER, G. WRIGHT, STABACK, ALLEN, ARMSTRONG, M. BAKER, BEBKO-JONES, BIRMELIN, BUNT, CLARK, CORRIGAN, CREIGHTON, DeLUCA, DERMODY, FICHTER, GRUCELA, HENNESSEY, HERSHEY, HESS, HORSEY, KELLER, LESCOVITZ, MELIO, METCALFE, MICOZZIE, S. MILLER, PETRARCA, PISTELLA, READSHAW, ROONEY, SANTONI, SATHER, SCHRODER, SCHULER, B. SMITH, SOLOBAY, R. STEVENSON, E. Z. TAYLOR, J. TAYLOR, TIGUE, TURZAI, WANSACZ, WATSON, YOUNGBLOOD, CALTAGIRONE, DONATUCCI, BELARDI, CAPPELLI, CAWLEY, CRUZ, GABIG, GEIST, GEORGE, HERMAN, HUTCHINSON, JAMES, LAUGHLIN, MANN, MARKOSEK, MARSICO, McCALL, McGILL, McNAUGHTON, ROBINSON, SHANER, THOMAS, WALKO, WOJNAROSKI and McGEEHAN

A Resolution calling on the Congress of the United States to redraft and enact legislation similar to the Child Pornography Prevention Act of 1996 in a form which will pass constitutional muster.

Referred to Committee on INTERGOVERNMENTAL AFFAIRS, May 13, 2002.

No. 587 By Representatives CORNELL, ALLEN, BELFANTI, CAPPELLI, CLARK, M. COHEN, COLAFELLA, CREIGHTON, DALEY, DERMODY, FREEMAN, GABIG, GEIST, GEORGE, HARHAI, HARPER, HENNESSEY, KAISER, LAUGHLIN, PALLONE, PHILLIPS, READSHAW, ROSS, B. SMITH, E. Z. TAYLOR, TRELLO, TRICH, WOJNAROSKI and YOUNGBLOOD

A Concurrent Resolution memorializing the President and Congress of the United States to support the admission of Estonia, Latvia and Lithuania to the North Atlantic Treaty Organization.

Referred to Committee on RULES, May 22, 2002.

No. 588 By Representatives GODSHALL, BUNT, CAPPELLI, CLARK, CORRIGAN, COSTA, CREIGHTON, DALEY, FICHTER, GEORGE, HARHAI, HENNESSEY, HERSHEY, JADLOWIEC, JAMES, LEH, MAHER, MANN, McGEEHAN, MELIO, PETRARCA, PISTELLA, ROBINSON, ROEBUCK, ROHRER, SHANER, STABACK, J. TAYLOR, WASHINGTON, WATSON, WILT, G. WRIGHT and BROOKS

A Concurrent Resolution memorializing the Congress of the United States to approve legislation eliminating the requirement in the Clean Air Act for 2% of content by weight oxygenate in reformulated gasoline and phasing out the use of MTBE.

Referred to Committee on INTERGOVERNMENTAL AFFAIRS, May 30, 2002.

No. 590 By Representatives SATHER, SCHULER, GRUCELA, M. BAKER, CAPPELLI, PICKETT, B. SMITH, PISTELLA, BLAUM, BROOKS, CALTAGIRONE, COY, CREIGHTON, CRUZ, DALEY, DALLY, DeWEESE, FAIRCHILD, GABIG, GEIST, GEORGE, HENNESSEY, HERMAN, HESS, HORSEY, HUTCHINSON, JAMES, KENNEY, LAUGHLIN, LESCOVITZ, MELIO, R. MILLER, S. MILLER, ROBINSON, ROEBUCK, ROSS, SANTONI, SAYLOR, SEMMEL, SHANER, SOLOBAY, STABACK, STERN, E. Z. TAYLOR, TIGUE, VANCE, WALKO, WANSACZ, WASHINGTON, G. WRIGHT, YOUNGBLOOD and L. I. COHEN

A Resolution directing the Legislative Budget and Finance Committee to conduct a study on the need for the development of a protective services program within this Commonwealth for physically and cognitively impaired adults between 18 and 59 years of age.

Referred to Committee on RULES, June 3, 2002.

SENATE BILLS FOR CONCURRENCE

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

SB 1118, PN 1398

Referred to Committee on URBAN AFFAIRS, May 13, 2002.

SB 1158, PN 1449

Referred to Committee on GAME AND FISHERIES, May 13, 2002.

SB 1429, PN 1978

Referred to Committee on APPROPRIATIONS, May 13, 2002.

SENATE RESOLUTION FOR CONCURRENCE

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

SR 213, PN 1926

Referred to Committee on INTERGOVERNMENTAL AFFAIRS, May 13, 2000.

BILLS REMOVED FROM TABLE

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

Mr. PERZEL. Madam Speaker, I move that the following bills be taken off the table:

HB 1700;
HB 2081;
HB 2082;
HB 2083;
HB 2424; and
HB 2635.

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

BILLS ON SECOND CONSIDERATION

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

HB 1700, PN 3892; HB 2081, PN 3860; HB 2082, PN 2760; HB 2083, PN 3861; HB 2424, PN 3440; and HB 2635, PN 3847.

BILLS RECOMMITTED

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

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

HB 1700;
HB 2081;
HB 2082;
HB 2083;
HB 2424; and
HB 2635.

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

**COMMUNICATION FROM
AUDITOR GENERAL**

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

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

ACTUARIAL NOTES

The SPEAKER pro tempore. The Chair acknowledges receipt of the following actuarial notes: amendments 1913, 2542, 2543, and 2549 to HB 1360, PN 1683; HB 2582, PN 3736; HB 2655, PN 3904; HB 1604, PN 1961; and HB 2591, PN 3878.

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

GUESTS INTRODUCED

The SPEAKER pro tempore. The Chair is pleased to welcome to the hall of the House, as the guests of Representative Kate Harper, Diane Gordon, Emily Gordon, and Jeffrey Gordon from Blue Bell in Montgomery County. They are seated in the gallery. Would the guests please rise.

BILLS REMOVED FROM TABLE

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

Mr. PERZEL. Madam Speaker, I move that the following bills be taken off the table:

HB 208;
HB 1750; and
SB 106.

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

BILLS TABLED

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

Mr. PERZEL. Madam Speaker, I move that the following bills be placed on the table:

HB 208;
HB 1750; and
SB 106.

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

COMMUNICATIONS FROM GOVERNOR**APPROVAL OF HOUSE BILLS**

The Speaker 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 247, HB 402, HB 411, HB 1459, HB 2087, and HB 2305.

GUESTS INTRODUCED

The SPEAKER pro tempore. The Chair is pleased to welcome to the hall of the House, as a guest page of Representative Wallis Brooks, Chris McNabb of Bryn Mawr. He is here today with his mother, Mary, and brother, Connor. Would the family please rise.

The Chair is also pleased to welcome to the hall of the House, as guests of Representative Lita Cohen from Montgomery County, Lee Tabas and Mark Simon, who are located in the gallery. Would those people please rise.

Could we please have some order in the House. Could we please have some order. Would the members please take their seats.

**RADNOR HIGH SCHOOL
BOYS SWIM TEAM PRESENTED**

The SPEAKER pro tempore. The Chair is pleased to welcome the gentleman from Delaware County, Mr. Adolph, for the purpose of a citation.

Mr. ADOLPH. Thank you, Madam Speaker.

On behalf of Representative Greg Vitali and Representative Tom Gannon, it is my pleasure to present to my colleagues the 2001-2002 PIAA-AA State swimming champions from Radnor High School in Delaware County.

This competition took place this year up at State College. This is the first-ever State championship for this team. They repeated as five-time district champs, and along the way, they broke five school records, won 10 gold medals at the State championship. All seven swimmers that swam in the competition won medals. These athletes are also student athletes. The seniors will be attending such fine institutions as the University of Delaware, University of Pennsylvania, and Emory. We are very proud of these student athletes.

With me behind are coach Tom Robinson; the captains of the swim team, Kevin Scott, Drew Brooke, and Colin Gibson. I would appreciate if the members of the House would give them the applause that they so deservedly deserve. Thank you.

I would also like the rest of the swim team of the Red Raiders to stand up in the back, and I would appreciate a round of applause for the other swimmers.

Thank you very much.

GUESTS INTRODUCED

The SPEAKER pro tempore. The Chair is also pleased to welcome to the hall of the House, as guests of Representative Lewis, the winners of the "There Ought To Be a Law" contest. Allyson Dorner, a fourth grade student from Dingman-Delaware Elementary School, is here today with her mother, Patricia, and her grandmother, Carol Glucksman. Also, Kristian Kalch, a fourth grade student from Pocono Elementary Center, is here today with his parents, Jamie and Eric, and Kristian's best friend, Frankie. They are seated in the gallery. Would they please rise.

**HARRITON HIGH SCHOOL
SCIENCE OLYMPIAD TEAM PRESENTED**

The SPEAKER pro tempore. The Chair recognizes the ladies, Wallis Brooks and Lita Cohen, for the purpose of a citation.

Mrs. BROOKS. We are pleased to welcome members of the Harriton High School Science Olympiad team and their coach, Bob Schwartz. This team has won the State award and came in second in the Federal, and we would like the members in the back of the room to stand up, please.

On March 14, Harriton prevailed over 25 other schools at the regional tournament, winning the 23-event tournament with 11 gold and 6 silver medals. The coaches are Danielle Michelman, Lee Mescolotto, Brian Gauvin. The team members are Louis Bergelson, Alistair Boettiger, Carl Boettiger, Evan Coopersmith, Alan Deckelbaum, Kareem Estafan, Ethan Fleegler, Tal Grunwald, Vincenzo Guglielmello, Annie Jirapatnakul, Mark Joseph, Na Rae Ju, Geoff Jung, Alex Kurtzman, Niko Kurtzman, Katy Lewis, Ryan Limor, Dan Lofaro, Ben Madway, Ariela Marcus-Sells, Cliff Miller, Alan Monroe, Rob Neff, David Peretz, Mayank Puri, Dave Slochower, Mike Stein, Susie Sun, Chris Thajudeen, Anna Tsykalova, Forrest Walker, Lowell Walker, and Sarah Weiss.

Congratulations to the Science Olympiad winning team from Harriton High School and their coach, Bob Schwartz.

LEAVES OF ABSENCE

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

The majority whip informs us that they have no request for leaves.

The Chair recognizes the minority whip, who requests leaves of absence for the lady, Ms. STEELMAN, from Indiana County; and the gentlemen, Messrs. TANGRETTI and PALLONE, from Westmoreland. Without objection, the leaves of absence are granted.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—199

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

Bishop	Godshall	Melio	Stetler
Blaum	Gordner	Metcalfe	Stevenson, R.
Boyes	Grucela	Michlovic	Stevenson, T.
Brooks	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
Civera	Herman	Perzel	Trich
Clark	Hershey	Petrarca	Tulli
Clymer	Hess	Petrone	Turzai
Cohen, L. I.	Horsey	Phillips	Vance
Cohen, M.	Hutchinson	Pickett	Veon
Colafella	Jadlowiec	Pippy	Vitali
Coleman	James	Pistella	Walko
Cornell	Josephs	Preston	Wansacz
Corrigan	Kaiser	Raymond	Washington
Costa	Keller	Readshaw	Waters
Coy	Kenney	Reinard	Watson
Creighton	Kirkland	Rieger	Williams, J.
Cruz	Krebs	Roberts	Wilt
Curry	LaGrotta	Robinson	Wojnaroski
Dailey	Laughlin	Roebuck	Wright, G.
Daley	Lawless	Rohrer	Wright, M.
Dally	Lederer	Rooney	Yewcic
DeLuca	Leh	Ross	Youngblood
Dermody	Lescovitz	Rubley	Yudichak
DeWeese	Levdansky	Ruffing	Zimmerman
DiGirolamo	Lewis	Sainato	Zug
Diven	Lucyk	Samuelson	
Donatucci	Lynch	Santoni	Ryan,
Eachus	Mackereth	Sather	Speaker
Egolf			

ADDITIONS—0

NOT VOTING—0

EXCUSED—3

Pallone Steelman Tangretti

REPUBLICAN CAUCUS

The SPEAKER pro tempore. The Chair recognizes the caucus chair, Mr. Feese.

Mr. FEESE. Thank you, Madam Speaker.

Madam Speaker, the Republicans will caucus upon the call of the recess, and we expect to return to the floor at 3:30.

DEMOCRATIC CAUCUS

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Lescovitz, for the purpose of a caucus announcement.

Mr. LESCOVITZ. Thank you, Madam Speaker.

The Democrats will caucus at the call of the recess, and we have a special guest coming in at 2 o'clock. So I would appreciate it if all of the Democratic members would come to caucus for 2 o'clock. Thank you.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER pro tempore. Upon the declaration of the recess, there will be an immediate meeting of the Appropriations Committee in room 245.

GUESTS INTRODUCED

The SPEAKER pro tempore. The Chair is pleased to welcome to the hall of the House, as guests of Representative Julie Harhart, Kristen Mery, who is accompanied by her parents, Linda and Wayne Mery; and Ashley Mayberry, accompanied by her parents, Eugene and Patrice Mayberry; her grandmother, Florence Mayberry; and brother, Ryan Mayberry. Kristen and Ashley were chosen as this year's "There Ought To Be a Law" contest winners that was held by Representative Harhart. They are seated in the gallery. Would you please rise.

The Chair is also pleased to welcome to the hall of the House, from Bala Cynwyd Middle School, the science winners and State champions who are fourth in the nation. Would they please rise.

RECESS

The SPEAKER pro tempore. The House will now stand in recess until 3:30 p.m.

AFTER RECESS

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

BILLS REREPORTED FROM COMMITTEE

HB 325, PN 3863

By Rep. ARGALL

An Act amending the act of December 1, 1977 (P.L.249, No.83), entitled, as amended, "An act prohibiting employers from firing employees who lose time from employment in the line of duty as volunteer firemen, fire police and volunteer members of ambulance services and rescue squads; and providing penalties," further providing for the termination or discipline of volunteer firefighters; and making editorial changes.

APPROPRIATIONS.

HB 968, PN 3857

By Rep. ARGALL

An Act amending the act of September 27, 1961 (P.L.1700, No.699), known as the Pharmacy Act, defining "pharmacy technician" and "immediate supervision;" and providing for registration, qualifications and supervision of pharmacy technicians.

APPROPRIATIONS.

HB 1034, PN 3855

By Rep. ARGALL

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for willful failure to pay support orders.

APPROPRIATIONS.

HB 1392, PN 3856

By Rep. ARGALL

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, prohibiting profits received by third party persons from the commission of a crime.

APPROPRIATIONS.

HB 2117, PN 3728

By Rep. ARGALL

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, further providing for payments to counties for services to children.

APPROPRIATIONS.

HB 2593, PN 3746

By Rep. ARGALL

An Act designating the main entrance road to the Benjamin Rush State Park, intersecting with Southampton Road in Philadelphia County, as Senator Hank Salvatore Drive.

APPROPRIATIONS.

CALENDAR

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2490, PN 3569**, entitled:

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

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

BILL RECOMMITTED

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

Mr. PERZEL. Madam Speaker, I move that HB 2490 be recommitted to the Appropriations Committee.

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

* * *

The House proceeded to third consideration of **HB 2491, PN 3570**, entitled:

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

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

BILL RECOMMITTED

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

Mr. PERZEL. Madam Speaker, I move that HB 2491 be recommitted to the Appropriations Committee.

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

* * *

The House proceeded to third consideration of **HB 2492, PN 3571**, entitled:

A Supplement to the act of November 30, 1965 (P.L.843, No.355), known as the Temple University—Commonwealth Act, making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

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

BILL RECOMMITTED

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

Mr. PERZEL. Madam Speaker, I move that HB 2492 be recommitted to the Appropriations Committee.

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

* * *

The House proceeded to third consideration of **HB 2493, PN 3572**, entitled:

A Supplement to the act of July 7, 1972 (P.L.743, No.176), known as the Lincoln University-Commonwealth Act, making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

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

BILL RECOMMITTED

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

Mr. PERZEL. Madam Speaker, I move that HB 2493 be recommitted to the Appropriations Committee.

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

RULES COMMITTEE MEETING

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

**BILL ON CONCURRENCE
REPORTED FROM COMMITTEE**

SB 769, PN 1843 By Rep. PERZEL

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, further providing for members of the civil service commission, for organization and a quorum of the commission and for compensation.

RULES.

SUPPLEMENTAL CALENDAR A

RESOLUTION PURSUANT TO RULE 35

Mr. MAITLAND called up **HR 586, PN 3909**, entitled:

A Resolution designating June 3, 2002, as "Transverse Myelitis Awareness Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—199

Adolph	Evans, D.	Maher	Saylor
Allen	Evans, J.	Maitland	Scavello
Argall	Fairchild	Major	Schroder
Armstrong	Feese	Manderino	Schuler
Baker, J.	Fichter	Mann	Scrimenti
Baker, M.	Fleagle	Markosek	Semmel
Bard	Flick	Marsico	Shaner
Barrar	Forcier	Mayernik	Smith, B.
Bastian	Frankel	McCall	Smith, S. H.
Bebko-Jones	Freeman	McGeehan	Solobay
Belardi	Gabig	McGill	Staback
Belfanti	Gannon	McIlhattan	Stairs
Benninghoff	Geist	McIlhinney	Steil
Birmelin	George	McNaughton	Stern
Bishop	Godshall	Melio	Stetler
Blaum	Gordner	Metcalfe	Stevenson, R.
Boyes	Grucela	Michlovic	Stevenson, T.
Brooks	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
Civera	Herman	Perzel	Trich
Clark	Hershey	Petrarca	Tulli
Clymer	Hess	Petrone	Turzai
Cohen, L. I.	Horsley	Phillips	Vance
Cohen, M.	Hutchinson	Pickett	Veon
Colafella	Jadlowiec	Pippy	Vitali
Coleman	James	Pistella	Walko
Cornell	Josephs	Preston	Wansacz
Corrigan	Kaiser	Raymond	Washington
Costa	Keller	Readshaw	Waters
Coy	Kenney	Reinard	Watson
Creighton	Kirkland	Rieger	Williams, J.
Cruz	Krebs	Roberts	Wilt
Curry	LaGrotta	Robinson	Wojnaroski
Daily	Laughlin	Roebuck	Wright, G.
Daley	Lawless	Rohrer	Wright, M.
Dally	Lederer	Rooney	Yewcic
DeLuca	Leh	Ross	Youngblood
Dermody	Lescovitz	Rubley	Yudichak
DeWeese	Levdansky	Ruffing	Zimmerman
DiGirolamo	Lewis	Sainato	Zug
Diven	Lucyk	Samuelson	
Donatucci	Lynch	Santoni	Ryan,
Eachus	Mackereth	Sather	Speaker
Egolf			

NAYS—0

**NOT VOTING—0
EXCUSED—3**

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

CALENDAR CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1482, PN 3473**, entitled:

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, further providing for the disposition of the proceeds from the special Lake Erie fishing permits.

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—199

Adolph	Evans, D.	Maher	Saylor
Allen	Evans, J.	Maitland	Scavello
Argall	Fairchild	Major	Schroder
Armstrong	Feese	Manderino	Schuler
Baker, J.	Fichter	Mann	Scrimenti
Baker, M.	Fleagle	Markosek	Semmel
Bard	Flick	Marsico	Shaner
Barrar	Forcier	Mayernik	Smith, B.
Bastian	Frankel	McCall	Smith, S. H.
Bebko-Jones	Freeman	McGeehan	Solobay
Belardi	Gabig	McGill	Staback
Belfanti	Gannon	McIlhattan	Stairs
Benninghoff	Geist	McIlhinney	Steil
Birmelin	George	McNaughton	Stern
Bishop	Godshall	Melio	Stetler
Blaum	Gordner	Metcalf	Stevenson, R.
Boyes	Grucela	Michlovic	Stevenson, T.
Brooks	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
Civera	Herman	Perzel	Trich
Clark	Hershey	Petrarca	Tulli
Clymer	Hess	Petrone	Turzai
Cohen, L. I.	Horsey	Phillips	Vance
Cohen, M.	Hutchinson	Pickett	Veon
Colafella	Jadlowiec	Pippy	Vitali
Coleman	James	Pistella	Walko
Cornell	Josephs	Preston	Wansacz
Corrigan	Kaiser	Raymond	Washington
Costa	Keller	Readshaw	Waters
Coy	Kenney	Reinard	Watson
Creighton	Kirkland	Rieger	Williams, J.
Cruz	Krebs	Roberts	Wilt
Curry	LaGrotta	Robinson	Wojnaroski
Dailey	Laughlin	Roebuck	Wright, G.
Daley	Lawless	Rohrer	Wright, M.
Dally	Lederer	Rooney	Yewcic
DeLuca	Leh	Ross	Youngblood
Dermody	Lescovitz	Rubley	Yudichak
DeWeese	Levdansky	Ruffing	Zimmerman
DiGirolamo	Lewis	Sainato	Zug
Diven	Lucyk	Samuelson	

Donatucci Lynch Santoni Ryan,
Eachus Mackereth Sather Speaker
Egolf

NAYS—0

NOT VOTING—0

EXCUSED—3

Pallone Steelman 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.

SUPPLEMENTAL CALENDAR C

**BILL ON CONCURRENCE
IN SENATE AMENDMENTS
TO HOUSE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to House amendments to **SB 769, PN 1843**, entitled:

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, further providing for members of the civil service commission, for organization and a quorum of the commission and for compensation.

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

The **SPEAKER** pro tempore. Moved by the gentleman, Mr. Perzel, that the House concur in the amendments.

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

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—199

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

Belfanti	Gannon	McIlhattan	Stairs
Benninghoff	Geist	McIlhinney	Steil
Birmelin	George	McNaughton	Stern
Bishop	Godshall	Melio	Stetler
Blaum	Gordner	Metcalfe	Stevenson, R.
Boyes	Grucela	Michlovic	Stevenson, T.
Brooks	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
Civera	Herman	Perzel	Trich
Clark	Hershey	Petrarca	Tulli
Clymer	Hess	Petrone	Turzai
Cohen, L. I.	Horsey	Phillips	Vance
Cohen, M.	Hutchinson	Pickett	Veon
Colafella	Jadlowiec	Pippy	Vitali
Coleman	James	Pistella	Walko
Cornell	Josephs	Preston	Wansacz
Corrigan	Kaiser	Raymond	Washington
Costa	Keller	Readshaw	Waters
Coy	Kenney	Reinard	Watson
Creighton	Kirkland	Rieger	Williams, J.
Cruz	Krebs	Roberts	Wilt
Curry	LaGrotta	Robinson	Wojnaroski
Dailey	Laughlin	Roebuck	Wright, G.
Daley	Lawless	Rohrer	Wright, M.
Dally	Lederer	Rooney	Yewcic
DeLuca	Leh	Ross	Youngblood
Dermody	Lescovitz	Rubley	Yudichak
DeWeese	Levdansky	Ruffing	Zimmerman
DiGirolamo	Lewis	Sainato	Zug
Diven	Lucyk	Samuelson	
Donatucci	Lynch	Santoni	Ryan, Speaker
Eachus	Mackereth	Sather	
Egolf			

NAYS-0

NOT VOTING-0

EXCUSED-3

Pallone	Steelman	Tangretti
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments to House amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

FINANCE COMMITTEE MEETING

The SPEAKER pro tempore. Announcement of interest to the members: the Finance Committee meeting scheduled for Tuesday, June 4, at 9:30 a.m., has been moved from room 60, East Wing, to room 205, Ryan Office Building.

SUPPLEMENTAL CALENDAR B

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2593, PN 3746**, entitled:

An Act designating the main entrance road to the Benjamin Rush State Park, intersecting with Southampton Road in Philadelphia County, as Senator Hank Salvatore Drive.

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-199

Adolph	Evans, D.	Maher	Saylor
Allen	Evans, J.	Maitland	Scavello
Argall	Fairchild	Major	Schroder
Armstrong	Feese	Manderino	Schuler
Baker, J.	Fichter	Mann	Scrimenti
Baker, M.	Fleagle	Markosek	Semmel
Bard	Flick	Marsico	Shaner
Barrar	Forcier	Mayernik	Smith, B.
Bastian	Frankel	McCall	Smith, S. H.
Bebko-Jones	Freeman	McGeehan	Solobay
Belardi	Gabig	McGill	Staback
Belfanti	Gannon	McIlhattan	Stairs
Benninghoff	Geist	McIlhinney	Steil
Birmelin	George	McNaughton	Stern
Bishop	Godshall	Melio	Stetler
Blaum	Gordner	Metcalfe	Stevenson, R.
Boyes	Grucela	Michlovic	Stevenson, T.
Brooks	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
Civera	Herman	Perzel	Trich
Clark	Hershey	Petrarca	Tulli
Clymer	Hess	Petrone	Turzai
Cohen, L. I.	Horsey	Phillips	Vance
Cohen, M.	Hutchinson	Pickett	Veon
Colafella	Jadlowiec	Pippy	Vitali
Coleman	James	Pistella	Walko
Cornell	Josephs	Preston	Wansacz
Corrigan	Kaiser	Raymond	Washington
Costa	Keller	Readshaw	Waters
Coy	Kenney	Reinard	Watson
Creighton	Kirkland	Rieger	Williams, J.
Cruz	Krebs	Roberts	Wilt
Curry	LaGrotta	Robinson	Wojnaroski
Dailey	Laughlin	Roebuck	Wright, G.
Daley	Lawless	Rohrer	Wright, M.
Dally	Lederer	Rooney	Yewcic
DeLuca	Leh	Ross	Youngblood
Dermody	Lescovitz	Rubley	Yudichak
DeWeese	Levdansky	Ruffing	Zimmerman
DiGirolamo	Lewis	Sainato	Zug
Diven	Lucyk	Samuelson	

Donatucci Lynch Santoni Ryan,
Eachus Mackereth Sather Speaker
Egolf

NAYS—0

NOT VOTING—0

EXCUSED—3

Pallone Steelman 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.

CALENDAR CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1043, PN 1188**, entitled:

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, further providing for retention and reinstatement of service credits.

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

BILL RECOMMITTED

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

Mr. PERZEL. Madam Speaker, I move that HB 1043, PN 1188, be recommitted to the Committee on Rules.

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

SUPPLEMENTAL CALENDAR B CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2117, PN 3728**, entitled:

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, further providing for payments to counties for services to children.

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

Mr. **CASORIO** offered the following amendment No. **A2498**:

Amend Title, page 1, line 3, by inserting after "providing"
for blind pension eligibility and amount and

Amend Bill, page 1, lines 7 through 9, by striking out all of said lines and inserting

Section 1. Section 506 of the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, amended December 26, 1974 (P.L.991, No.324), June 21, 1977 (P.L.18, No.14) and April 6, 1980 (P.L.99, No.37), is amended to read:

Section 506. Eligibility.—The department shall provide a State blind pension to any blind person who:

- (1) Resides in Pennsylvania;
- (2) Is not an inmate of any penal institution or hospital for mental disease;
- (3) Has actual annual income of his own of [less] not more than [four thousand two hundred sixty dollars (\$4,260)] the Poverty Level by Family Size, for One Person, established by the Bureau of the Census;
- (4) Owns real or personal property of a combined value of not more than seven thousand five hundred dollars (\$7500); and who
- (5) Has not disposed of any property without fair consideration within the two years immediately preceding the date of application for State blind pension, or while receiving such pension, if ownership of such property, together with his other property, would render him ineligible for such pension;
- (6) Is not receiving supplemental security income for the aged, blind and disabled pursuant to Title XVI of the Federal Social Security Act.

With respect to the determination of eligibility for State blind pension, the value of real property shall be deemed to be its assessed value minus encumbrances but in no case shall the assessed value be more than thirty percent of the official market value; the value of personal property shall be deemed to be its actual value; and interest in property owned by the entireties shall be deemed to be a one-half interest. Determination of the amount of an applicant's income and the value of his property shall be made by the department without regard to any Federal laws or regulations respecting income and resources of applicants for aid to the blind. The valuation of real property for the purposes of clause (4) shall not be increased by reason of reassessment, except to the extent that the real property has been actually enlarged or improved. Determination of the amount of an applicant's income shall exclude any increase in

(i) social security payments to him provided under Federal law and taking effect subsequent to January 1, 1971; (ii) railroad retirement benefits provided to him under the Railroad Retirement Act of 1937, 45 U.S.C. § 228 et seq., and taking effect subsequent to January 1, 1976; and (iii) veterans' benefits provided to him and administered by the Veterans' Administration and taking effect subsequent to January 1, 1976.

Section 2. Section 507 of the act, amended April 6, 1980 (P.L.99, No.37), is amended to read:

Section 507. Amount of Pension.—Except as provided for payment for nursing home care, the amount paid after the effective date of this act to an eligible blind person having actual annual income of his own [of three thousand sixty dollars (\$3,060) or less] equal to the Poverty Level by Family Size, for One Person, established by the Bureau of the Census, shall be one hundred dollars (\$100) monthly[,], and the monthly amount paid to any other eligible blind person shall be fixed in such amount that the sum of his actual annual income and State blind pension equals [four thousand two hundred sixty dollars (\$4,260)] the Poverty Level by Family Size, for One Person, established by the Bureau of the Census, plus one thousand two hundred dollars (\$1,200) a year.

Section 3. Section 704.1(e) of the act, added July 9, 1976 (P.L.846,

No. 148), is amended to read:

Amend Sec. 2, page 2, line 13, by striking out all of said line and inserting

Section 4. This act shall apply as follows:

(1) If the amendment of sections 506(3) and 507 of the act take effect after July 1, 2002, the amendment of those sections shall apply retroactively to July 1, 2002.

(2) The amendment of section 704.1(e) of the act

Amend Sec. 2, page 2, line 15, by striking out “act” and inserting paragraph

Amend Sec. 2, page 2, line 17, by striking out “act” and inserting paragraph

Amend Sec. 3, page 2, line 18, by striking out all of said line and inserting

Section 5. This act shall take effect as follows:

(1) The following provisions shall take effect in 60 days:

(i) The amendment of section 704.1(e) of the act.

(ii) Section 4(2) of this act.

(2) The following provisions shall take effect July 1, 2002,

or immediately, whichever is later:

(i) The amendment of section 506 of the act.

(ii) The amendment of section 507 of the act.

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

On the question,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—198

Adolph	Evans, D.	Maher	Saylor
Allen	Evans, J.	Maitland	Scavello
Argall	Fairchild	Major	Schroder
Armstrong	Feese	Manderino	Schuler
Baker, J.	Fichter	Mann	Scrimenti
Baker, M.	Fleagle	Markosek	Semmel
Bard	Flick	Marsico	Shaner
Barrar	Forcier	Mayernik	Smith, B.
Bastian	Frankel	McCall	Smith, S. H.
Bebko-Jones	Freeman	McGeehan	Solobay
Belardi	Gabig	McGill	Staback
Belfanti	Gannon	McIlhattan	Stairs
Benninghoff	Geist	McIlhinney	Steil
Birmelin	George	McNaughton	Stern
Bishop	Godshall	Melio	Stetler
Blaum	Gordner	Metcalfe	Stevenson, R.
Boyes	Grucela	Michlovic	Stevenson, T.
Brooks	Gruitza	Micozzie	Strittmatter
Browne	Habay	Miller, R.	Sturla
Bunt	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
Civera	Hennessey	Oliver	Trello
Clark	Herman	Perzel	Trich
Clymer	Hershey	Petrarca	Tulli
Cohen, L. I.	Hess	Petrone	Turzai
Cohen, M.	Horsey	Phillips	Vance
Colafella	Hutchinson	Pickett	Veon
Coleman	Jadlowiec	Pippy	Vitali
Cornell	James	Pistella	Walko
Corrigan	Josephs	Preston	Wansacz
Costa	Kaiser	Raymond	Washington
Coy	Keller	Readshaw	Waters
Creighton	Kenney	Reinard	Watson
Cruz	Kirkland	Rieger	Williams, J.
Curry	Krebs	Roberts	Wilt
Dailey	LaGrotta	Robinson	Wojnaroski

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

NAYS—0

NOT VOTING—1

Butkovitz

EXCUSED—3

Pallone

Steelman

Tangretti

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

On the question,

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

RULES SUSPENDED

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Grucela, for the purpose of a motion.

Mr. GRUCELA. Thank you, Madam Speaker.

Madam Speaker, I would like to make a motion to suspend the rules so that I might offer amendment 2554, which would create a centralized adoption referral system.

The SPEAKER pro tempore. The gentleman, Mr. Grucela, moves that the rules of the House be suspended in order to offer amendment 2554.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—197

Adolph	Evans, D.	Maitland	Scavello
Allen	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.
Barrar	Forcier	McCall	Smith, S. H.
Bastian	Frankel	McGeehan	Solobay
Bebko-Jones	Freeman	McGill	Staback
Belardi	Gabig	McIlhattan	Stairs
Belfanti	Gannon	McIlhinney	Steil
Benninghoff	Geist	McNaughton	Stern
Birmelin	Godshall	Melio	Stetler
Bishop	Gordner	Metcalfe	Stevenson, R.

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

NAYS-1

Creighton

NOT VOTING-1

George

EXCUSED-3

Pallone Steelman 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.

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

Mr. GRUCELA offered the following amendment No. **A2554**:

Amend Title, page 1, line 4, by removing the period after "children" and inserting
; and establishing an adoption information retrieval system.

Amend Bill, page 2, by inserting between lines 12 and 13
Section 2. Article VII of the act is amended by adding a subarticle to read:

(f) Adoption Information Retrieval System

Section 781. Definitions.—As used in this subarticle:
"Agency" means any incorporated or unincorporated organization, society, institution or other entity, public or voluntary, which may receive or provide for the care of children, supervised by the department and providing adoption services in accordance with standards established by the department.

"Clerk" means the clerk of the division of the court of common pleas having jurisdiction over voluntary relinquishment, involuntary termination and adoption proceedings.

"Court" means the court of common pleas.

"Intermediary" means any person or agency acting between the biological parents and the proposed adoptive parents in arranging an adoption placement.

"System" means the Pennsylvania Adoption Information Retrieval System established in section 782.

Section 782. System.—(a) In order to develop more reliable data on adoption practices and to improve the analysis of trends and issues in adoptions, the department shall establish the Pennsylvania Adoption Information Retrieval System to serve as a Statewide data collection and reporting system for nonidentifying, statistical information regarding adoptions.

(b) On a quarterly basis and on forms prepared and distributed by the department, the clerk, in cooperation with the agency or intermediary that facilitated the adoption, shall forward to the department certain information concerning each adoption finalized by the court.

(c) It is the duty of the agency or intermediary that facilitated the adoption to cooperate to the fullest extent possible in providing the clerk information concerning the adoption which is requested by the department.

(d) The department shall develop an adoption data card, which shall be a streamlined form distributed to each court of common pleas. The form shall include the following nonidentifying information and data elements relating to each adoption finalized by a court:

- (1) The child's birth date, race and place of birth.
- (2) The birth date and race of the biological parents.
- (3) The birth date and race of the adoptive parent.
- (4) Whether the adoptive parent is a stepparent, foster parent or relative and any relationship to the child.

(5) Whether parental rights were terminated voluntarily or involuntarily, including the date when rights were terminated, or whether the biological parents consented to the adoption and the date the consents were entered.

(6) Whether the child was in the custody of a public or private agency or in a private placement arranged by an independent intermediary when the adoption petition was filed and for how long the child was in the placement prior to the filing of the adoption petition.

(7) The date the court entered the adoption decree.

(8) Whether the child was eligible for and received adoption assistance and what type of assistance.

(9) Any other information that the department may require by regulation.

(e) No later than May 1 of each year, the department shall submit to the Governor, to the Aging and Youth Committee and the Public Health and Welfare Committee of the Senate and to the Children and Youth Committee and the Health and Human Services Committee of the House of Representatives a report on the system based upon the statistical information received from the clerks. The department shall include in the report any analyses of the data or recommendations which it deems appropriate.

Amend Sec. 2, page 2, line 13, by striking out "2" and inserting
3

Amend Sec. 2, page 2, line 15, by striking out "act" and inserting
section

Amend Bill, page 2, line 18, by striking out all of said line and inserting

Section 4. This act shall take effect as follows:

- (1) The addition of Subarticle (f) of Article VII of the act

shall take effect in 180 days.
 (2) This section shall take effect immediately.
 (3) The remainder of this act shall take effect in 60 days.

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

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

Mr. VITALI. Thank you, Madam Speaker.
 Can we have a brief description of the amendment?

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

Mr. GRUCELA. Thank you again, Madam Speaker.

Basically, Madam Speaker, this amendment comes from recommendations that were made by the Legislative Budget and Finance Committee back in 1991. It would create the Pennsylvania Adoption Information Retrieval System. Under this program the clerks of the courts in each county would forward certain nonidentifying information to the DPW (Department of Public Welfare). In return there would be a standardized, streamlined adoption data card.

In the Legislative Budget and Finance Committee report, both the courts and DPW supported the creation of a streamlined, more reliable, and uniform data collection system on adoptions to be finalized in our State.

DPW will also annually submit to the Governor and the appropriate standing committees of the House and Senate a report on the statistical information that would be received from the courts.

The collection of basic information on adoptions, Madam Speaker, will enable our State to better understand trends and issues regarding these important adoption practices.

I would ask for an affirmative vote, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes again the gentleman from Delaware County, Mr. Vitali.

Mr. VITALI. Again, continuing interrogation, would it in any way affect the—

The SPEAKER pro tempore. Are you asking to interrogate the gentleman?

Mr. VITALI. Yes, Madam Speaker.

The SPEAKER pro tempore. Does the gentleman, Mr. Grucela, agree to the interrogation? He agrees. You may proceed.

Mr. VITALI. Does this in any way impact upon a child who was in fact adopted to gain access to her biological parents? Does the legislation deal with that issue at all?

Mr. GRUCELA. No.

Mr. VITALI. Thank you.

That concludes my interrogation.

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

The following roll call was recorded:

YEAS—199

Adolph	Evans, D.	Maher	Saylor
Allen	Evans, J.	Maitland	Scavello
Argall	Fairchild	Major	Schroder
Armstrong	Feese	Manderino	Schuler

Baker, J.	Fichter	Mann	Scrimenti
Baker, M.	Fleagle	Markosek	Semmel
Bard	Flick	Marsico	Shaner
Barrar	Forcier	Mayernik	Smith, B.
Bastian	Frankel	McCall	Smith, S. H.
Bebko-Jones	Freeman	McGeehan	Solobay
Belardi	Gabig	McGill	Staback
Belfanti	Gannon	McIlhattan	Stairs
Benninghoff	Geist	McIlhinney	Steil
Birmelin	George	McNaughton	Stern
Bishop	Godshall	Melio	Stetler
Blaum	Gordner	Metcalfe	Stevenson, R.
Boyes	Grucela	Michlovic	Stevenson, T.
Brooks	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
Civera	Herman	Perzel	Trich
Clark	Hershey	Petrarca	Tulli
Clymer	Hess	Petrone	Turzai
Cohen, L. I.	Horsey	Phillips	Vance
Cohen, M.	Hutchinson	Pickett	Veon
Colafella	Jadlowiec	Pippy	Vitali
Coleman	James	Pistella	Walko
Cornell	Josephs	Preston	Wansacz
Corrigan	Kaiser	Raymond	Washington
Costa	Keller	Readshaw	Waters
Coy	Kenney	Reinard	Watson
Creighton	Kirkland	Rieger	Williams, J.
Cruz	Krebs	Roberts	Wilt
Curry	LaGrotta	Robinson	Wojnarowski
Dailey	Laughlin	Roebuck	Wright, G.
Daley	Lawless	Rohrer	Wright, M.
Dally	Lederer	Rooney	Yewcic
DeLuca	Leh	Ross	Youngblood
Dermody	Lescovitz	Rubley	Yudichak
DeWeese	Levdansky	Ruffing	Zimmerman
DiGirolo	Lewis	Sainato	Zug
Diven	Lucyk	Samuelson	
Donatucci	Lynch	Santoni	Ryan,
Eachus	Mackereth	Sather	Speaker
Egolf			

NAYS—0

NOT VOTING—0

EXCUSED—3

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

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

Mr. DeWEESE offered the following amendment No. A2493:

Amend Title, page 1, line 4, by removing the period after “children” and inserting
 ; providing for liability insurance for family day care homes; and further providing for records in

family day care homes.

Amend Bill, page 2, by inserting between lines 12 and 13

Section 2. The act is amended by adding a section to read:

Section 1072.1. Liability Insurance.—In order to continue operation, a family day care home must have a comprehensive general liability insurance policy to cover all persons on the premises in a minimum amount to be determined by regulation of the department.

Section 3. Section 1075 of the act, added December 5, 1980 (P.L.1112, No.193), is amended to read:

Section 1075. Records.—Every individual who operates a family day care home registered under this article shall keep and maintain such records as required by the department. A copy of the insurance policy under section 1072.1 shall be kept on the premises.

Amend Sec. 2, page 2, line 13, by striking out “2” and inserting 4

Amend Sec. 3, page 2, line 18, by striking out all of said line and inserting

Section 5. This act shall take effect as follows:

(1) The following provisions shall take effect on the effective date of regulations promulgated to administer the amendment of section 1072.1 of the act:

(i) The addition of section 1072.1 of the act.

(ii) The amendment of section 1075 of the act.

(2) This section shall take effect immediately.

(3) The remainder of this act shall take effect in 60 days.

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman, Mr. DeWeese.

Mr. DeWEESE. Thank you, Madam Speaker.

This amendment is quite simple on its face but quite telling in its substance. A little child named Eli Baily was run over and killed in my district recently in a day-care parking area. The tragic accident and little Eli’s parents brought to my attention the fact that in day-care facilities with fewer than six children, liability insurance was not mandated, and so not only were the burial costs affected but Eli’s little sister, 4-year-old sister, is now undergoing psychiatric counseling, and none of those costs are being addressed by any liability structure. So this kind of amendment, which would affect day-care facilities with fewer than six children, would have, according to our actuarial studies, approximately a \$600-a-year cost. It seems like \$50 a month is not much money to pay so that this kind of tragedy would not affect anyone else like little

Eli Baily and his family.

I would ask for an affirmative vote, and I think this bill will pass muster with this amendment as it moves through the process. Thank you very much.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—199

Adolph	Evans, D.	Maher	Saylor
Allen	Evans, J.	Maitland	Scavello
Argall	Fairchild	Major	Schroder
Armstrong	Feese	Manderino	Schuler
Baker, J.	Fichter	Mann	Scrimenti
Baker, M.	Fleagle	Markosek	Semmel
Bard	Flick	Marsico	Shaner

Barrar	Forcier	Mayernik	Smith, B.
Bastian	Frankel	McCall	Smith, S. H.
Bebko-Jones	Freeman	McGeehan	Solobay
Belardi	Gabig	McGill	Staback
Belfanti	Gannon	McIlhatten	Stairs
Benninghoff	Geist	McIlhinney	Steil
Birmelin	George	McNaughton	Stern
Bishop	Godshall	Melio	Stetler
Blaum	Gordner	Metcalfe	Stevenson, R.
Boyes	Grucela	Michlovic	Stevenson, T.
Brooks	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
Civera	Herman	Perzel	Trich
Clark	Hershey	Petrarca	Tulli
Clymer	Hess	Petrone	Turzai
Cohen, L. I.	Horsey	Phillips	Vance
Cohen, M.	Hutchinson	Pickett	Veon
Colafella	Jadlowiec	Pippy	Vitali
Coleman	James	Pistella	Walko
Cornell	Josephs	Preston	Wansacz
Corrigan	Kaiser	Raymond	Washington
Costa	Keller	Readshaw	Waters
Coy	Kenney	Reinard	Watson
Creighton	Kirkland	Rieger	Williams, J.
Cruz	Krebs	Roberts	Wilt
Curry	LaGrotta	Robinson	Wojnaroski
Dailey	Laughlin	Roebuck	Wright, G.
Daley	Lawless	Rohrer	Wright, M.
Dally	Lederer	Rooney	Yewcic
DeLuca	Leh	Ross	Youngblood
Dermody	Lescovitz	Rubley	Yudichak
DeWeese	Levdansky	Ruffing	Zimmerman
DiGirolamo	Lewis	Sainato	Zug
Diven	Lucyk	Samuelson	
Donatucci	Lynch	Santoni	Ryan,
Eachus	Mackereth	Sather	Speaker
Egolf			

NAYS—0

NOT VOTING—0

EXCUSED—3

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

On the question recurring,

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

RULES SUSPENDED

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Yudichak, for the purpose of a motion.

Mr. YUDICHAK. Thank you, Madam Speaker.

I make a motion to suspend the rules on amendment 2552.

The SPEAKER pro tempore. Could you give us a brief description, please – brief.

Mr. YUDICHAK. Yes.

What this will do, this will improve the adoption subsidy program in Pennsylvania for special needs children. Currently, Pennsylvania counties only receive an 80-percent reimbursement. This amendment would change that reimbursement so that we will use Federal and State funds to make sure counties are fully reimbursed for this program, to make sure that children that have mental and physical disabilities get an opportunity to have a permanent home.

Thank you.

The SPEAKER pro tempore. The gentleman, Mr. Yudichak, moves that the rules of the House be suspended in order to offer amendment No. 2552.

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

The following roll call was recorded:

YEAS—199

Adolph	Evans, D.	Maher	Saylor
Allen	Evans, J.	Maitland	Scavello
Argall	Fairchild	Major	Schroder
Armstrong	Feese	Manderino	Schuler
Baker, J.	Fichter	Mann	Scrimenti
Baker, M.	Fleagle	Markosek	Semmel
Bard	Flick	Marsico	Shaner
Barrar	Forcier	Mayernik	Smith, B.
Bastian	Frankel	McCall	Smith, S. H.
Bebko-Jones	Freeman	McGeehan	Solobay
Belardi	Gabig	McGill	Staback
Belfanti	Gannon	McIlhattan	Stairs
Benninghoff	Geist	McIlhinney	Steil
Birmelin	George	McNaughton	Stern
Bishop	Godshall	Melio	Stetler
Blaum	Gordner	Metcalfe	Stevenson, R.
Boyes	Grucela	Michlovic	Stevenson, T.
Brooks	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
Civera	Herman	Perzel	Trich
Clark	Hershey	Petrarca	Tulli
Clymer	Hess	Petrone	Turzai
Cohen, L. I.	Horsey	Phillips	Vance
Cohen, M.	Hutchinson	Pickett	Veon
Colafella	Jadlowiec	Pippy	Vitali
Coleman	James	Pistella	Walko
Cornell	Josephs	Preston	Wansacz
Corrigan	Kaiser	Raymond	Washington
Costa	Keller	Readshaw	Waters
Coy	Kenney	Reinard	Watson
Creighton	Kirkland	Rieger	Williams, J.
Cruz	Krebs	Roberts	Wilt
Curry	LaGrotta	Robinson	Wojnaroski
Dailey	Laughlin	Roebuck	Wright, G.
Daley	Lawless	Rohrer	Wright, M.
Dally	Lederer	Rooney	Yeweic
DeLuca	Leh	Ross	Youngblood
Dermody	Lescovitz	Rubley	Yudichak
DeWeese	Levdansky	Ruffing	Zimmerman
DiGirolamo	Lewis	Sainato	Zug
Diven	Lucyk	Samuelson	
Donatucci	Lynch	Santoni	Ryan,

Eachus
Egolf

Mackereth

Sather

Speaker

NAYS—0

NOT VOTING—0

EXCUSED—3

Pallone

Steelman

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.

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

Mr. YUDICHAK offered the following amendment No. **A2552**:

Amend Title, page 1, line 4, by removing the period after “children” and inserting

and for adoption opportunities definitions, regulations and reimbursement; and making editorial changes.

Amend Bill, page 2, by inserting between lines 12 and 13

Section 2. Sections 771, 772, 773 and 774 of the act, added December 30, 1974 (P.L.1039, No.339), are amended to read:

Section 771. Declaration of Purpose.—This [subdivision] subarticle shall be interpreted and construed so as to effect the following purpose: to encourage and promote the placement in adoptive homes of children who are physically and/or mentally handicapped, emotionally disturbed, or hard to place by virtue of age, sibling relationship, or ethnicity.

Section 772. Definitions.—As used in this [subdivision] subarticle: “Adoption opportunity” is a subsidy which may include maintenance cost; medical, surgical, and psychological expenses; and other costs incident to the adoption.

“Child” means an individual who is under the age of:

(1) eighteen years[.]; or

(2) twenty-one years if a county agency determines, consistent with section 473 of the Social Security Act (49 Stat. 620, 42 U.S.C. § 673), that the child has a mental or physical handicap which warrants continuation of an adoption opportunity.

“County agency” means the county children and youth social service agency established under section 405 of the act of June 24, 1937 (P.L.2017, No.396), known as the “County Institution District Law,” and supervised by the department under Article IX.

“Eligible child” means a child in the legal custody of [local authorities] a county agency where parental rights have been terminated pursuant to the procedure set forth in Article III of the act of July 24, 1970 (P.L.620, No.208), known as the “Adoption Act,” and such child has been in foster placement for a period of not less than six months and where the child has been shown to be a difficult adoption placement because of a physical and/or mental handicap, emotional disturbance, or by virtue of age, sibling relationship, or ethnicity. A child in the legal custody of an agency approved by the department shall be an eligible child if the child is certified as eligible by the local authorities.

[“Local authorities” means county institution districts or their successors.]

Section 773. Rules and Regulations.—(a) The Department of Public Welfare shall establish and develop criteria and promulgate necessary regulations for [public child welfare] county agencies to

implement an adoption opportunity in accordance with the provisions of this [subdivision (e).] subarticle and sections 470 through 476 of the Social Security Act (49 Stat. 620, 42 U.S.C. §§ 670 through 676). It is the department's duty to assure that no county agency establishes policies or procedures which prevent the use of adoption opportunities for eligible children.

(b) The regulations shall include, but not be limited to, criteria for identifying eligible children and adoptive homes, procedures for implementing the subsidy, and reporting requirements by [local authorities] county agencies.

(c) All regulations established pursuant to this section shall be adopted pursuant to the act of July 31, 1968 (P.L.769, No.240), known as the "Commonwealth Documents Law," and the hearings referred to in section 202 of that act shall be mandatory.

Section 774. Adoption Opportunity Payments and Reimbursement.—(a) The amount of adoption subsidy for maintenance costs to an adoptive family shall not exceed the monthly payment rate for foster family care in the county in which the child [resides] is determined eligible.

(b) The department shall reimburse local authorities for [at least eighty percent (80%) of] the total cost of an adoption opportunity provided by [local authority] a county agency pursuant to the provisions of this [subdivision (e)] subarticle, provided the [local authority] county agency complies with the reporting requirements established by the department pursuant to section 773.

(c) No public funds shall be expended under this [subdivision (e)] subarticle on behalf of an eligible child until all available benefits under existing or future private, public, local, State, or Federal programs have been exhausted. Notwithstanding any other provision of law, adoptive families subsidized under the provisions of this [subdivision (e)] subarticle shall not be liable pursuant to the provisions of the act of October 20, 1966 (3rd Sp. Sess., P.L.96, No.6), known as the "Mental Health and Mental Retardation Act of 1966," or the act of June 24, 1937 (P.L.2045, No.397), known as "The Support Law," in the event that the adopted child needs services or assistance under the provisions of Article IV of this act or under the provisions of the "Mental Health and Mental Retardation Act of 1966."

Amend Sec. 2, page 2, line 13, by striking out "2" and inserting 3

Amend Sec. 3, page 2, line 18, by striking out "3" and inserting 4

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

The following roll call was recorded:

YEAS—199

Adolph	Evans, D.	Maher	Saylor
Allen	Evans, J.	Maitland	Scavello
Argall	Fairchild	Major	Schroder
Armstrong	Feese	Manderino	Schuler
Baker, J.	Fichter	Mann	Scrimenti
Baker, M.	Fleagle	Markosek	Semmel
Bard	Flick	Marsico	Shaner
Barrar	Forcier	Mayernik	Smith, B.
Bastian	Frankel	McCall	Smith, S. H.
Bebko-Jones	Freeman	McGeehan	Solobay
Belardi	Gabig	McGill	Staback
Belfanti	Gannon	McIlhattan	Stairs
Benninghoff	Geist	McIlhinney	Steil
Birmelin	George	McNaughton	Stern
Bishop	Godshall	Melio	Stetler
Blaum	Gordner	Metcalfe	Stevenson, R.
Boyes	Grucela	Michlovic	Stevenson, T.
Brooks	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
Civera	Herman	Perzel	Trich
Clark	Hershey	Petrarca	Tulli
Clymer	Hess	Petrone	Turzai
Cohen, L. I.	Horsey	Phillips	Vance
Cohen, M.	Hutchinson	Pickett	Veon
Colafella	Jadlowiec	Pippy	Vitali
Coleman	James	Pistella	Walko
Cornell	Josephs	Preston	Wansacz
Corrigan	Kaiser	Raymond	Washington
Costa	Keller	Readshaw	Waters
Coy	Kenney	Reinard	Watson
Creighton	Kirkland	Rieger	Williams, J.
Cruz	Krebs	Roberts	Wilt
Curry	LaGrotta	Robinson	Wojnaroski
Dailey	Laughlin	Roebuck	Wright, G.
Daley	Lawless	Rohrer	Wright, M.
Dally	Lederer	Rooney	Yewcic
DeLuca	Leh	Ross	Youngblood
Dermody	Lescovitz	Rubley	Yudichak
DeWeese	Levdansky	Ruffing	Zimmerman
DiGirolamo	Lewis	Sainato	Zug
Diven	Lucyk	Samuelson	
Donatucci	Lynch	Santoni	Ryan,
Eachus	Mackereth	Sather	Speaker
Egolf			

NAYS—0

NOT VOTING—0

EXCUSED—3

Pallone Steelman Tangretti

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?

RULES SUSPENDED

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Veon, for the purpose of making a motion.

Mr. VEON. Thank you, Madam Speaker.

I would like to move to suspend the rules for the purpose of offering amendment A2619.

The SPEAKER pro tempore. Would you please give us a brief description of that amendment.

Mr. VEON. Yes. Thank you, Madam Speaker.

Madam Speaker, this amendment would simply grant additional authority to the Department of Public Welfare. That additional authority would allow them to check the finances of licensed nursing homes in the State of Pennsylvania.

I have had a situation in my legislative district with a facility that has bounced paychecks numerous times, and currently the Department of Public Welfare does not have the authority to at

least inspect the finances of a State licensed nursing home in the State of Pennsylvania. This amendment would give them that authority and would at least give the department the authority to, upon that inspection, use the finances of the home at least as a condition of that license in this State, and I would ask for an affirmative vote on the motion to suspend.

The SPEAKER pro tempore. The gentleman, Mr. Veon, moves that the rules of the House be suspended in order to offer amendment 2619.

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

The following roll call was recorded:

YEAS—198

Adolph	Evans, D.	Maher	Saylor
Allen	Evans, J.	Maitland	Scavello
Argall	Fairchild	Major	Schroder
Armstrong	Feese	Manderino	Schuler
Baker, J.	Fichter	Mann	Scrimanti
Baker, M.	Fleagle	Markosek	Semmel
Bard	Flick	Marsico	Shaner
Barrar	Forcier	Mayernik	Smith, B.
Bastian	Frankel	McCall	Smith, S. H.
Bebko-Jones	Freeman	McGeehan	Solobay
Belardi	Gabig	McGill	Staback
Belfanti	Gannon	McIlhattan	Stairs
Benninghoff	Geist	McIlhinney	Steil
Birmelin	George	McNaughton	Stern
Bishop	Godshall	Melio	Stetler
Blaum	Gordner	Metcalfe	Stevenson, R.
Boyes	Grucela	Michlovic	Stevenson, T.
Brooks	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
Civera	Herman	Perzel	Trich
Clark	Hershey	Petrarca	Tulli
Clymer	Hess	Petrone	Turzai
Cohen, L. I.	Horsey	Phillips	Vance
Cohen, M.	Hutchinson	Pickett	Veon
Colafella	Jadlowiec	Pippy	Vitali
Coleman	James	Pistella	Walko
Cornell	Josephs	Preston	Wansacz
Corrigan	Kaiser	Raymond	Washington
Costa	Keller	Readshaw	Waters
Coy	Kenney	Reinard	Watson
Cruz	Kirkland	Rieger	Williams, J.
Curry	Krebs	Roberts	Wilt
Dailey	LaGrotta	Robinson	Wojnaroski
Daley	Laughlin	Roebuck	Wright, G.
Dally	Lawless	Rohrer	Wright, M.
DeLuca	Lederer	Rooney	Yewcic
Dermody	Leh	Ross	Youngblood
DeWeese	Lescovitz	Rubley	Yudichak
DiGiroloamo	Levdansky	Ruffing	Zimmerman
Diven	Lewis	Sainato	Zug
Donatucci	Lucyk	Samuelson	
Eachus	Lynch	Santoni	Ryan,
Egolf	Mackereth	Sather	Speaker

NAYS—1

Creighton

NOT VOTING—0

EXCUSED—3

Pallone Steelman 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.

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

Mr. VEON offered the following amendment No. A2619:

Amend Title, page 1, line 4, by removing the period after “children” and inserting

and for personal care boarding homes.

Amend Bill, page 2, by inserting between lines 12 and 13 Section 2. Section 1001 of the act is amended by adding a definition to read:

Section 1001. Definitions.—As used in this article—

* * *

“Wage Payment and Collection Law” means the act of July 14, 1961 (P.L.637, No.329), known as the “Wage Payment and Collection Law.”

Section 3. Section 1026(b) of the act is amended to read:

Section 1026. Refusal to Issue License; Revocation; Notice.—* * *

(b) The department shall refuse to issue a license or shall revoke a license for any of the following reasons:

(1) Violation of or non-compliance with the provisions of this act or of regulations pursuant thereto[;].

(2) Fraud or deceit in obtaining or attempting to obtain a license[;].

(3) Lending, borrowing or using the license of another, or in any way knowingly aiding or abetting the improper granting of a license[;].

(4) Gross incompetence, negligence or misconduct in operating the facility[;].

(5) Mistreating or abusing individuals cared for in the facility.

(6) The Department of Labor and Industry has found that the facility operator has exhibited a pattern of failure to pay employees pursuant to the “Wage Payment and Collection Law.”

(7) The facility has Federal, State or local tax liens amounting in the aggregate to more than five percent of total revenues for the prior fiscal year or one hundred thousand dollars (\$100,000).

(8) The facility has received a notice of termination of electricity, heating or water supply.

* * *

Section 4. The act is amended by adding sections to read:

Section 1088. Materials to be Submitted with License Application.—In addition to any other materials the department deems necessary for licensure purposes, the department shall require each facility seeking licensure or relicensure to submit a signed affidavit stating that the applicant is in compliance with section 1026. The failure to provide such materials shall be cause for the department to deny a license to the applicant.

Section 1089. Authority to Audit Records.—Upon notification by a licensee or upon referral that a licensee has failed to meet the requirements of section 1026, the department shall have the authority to audit the financial records of any applicant or licensee. The failure of an applicant or licensee to allow the department to audit said records shall be cause for the department to revoke, suspend or deny a license.

Section 1090. Investigation.—Whenever the department, upon referral, inspection or investigation, learns that a licensee meets one of the

conditions under section 1026, the department shall automatically conduct an investigation as to whether or not patient health or safety is at risk. If the department determines based on this investigation that these circumstances constitute a threat to resident health or safety such as to constitute a Class I or Class II violation, it may, at its discretion, suspend or revoke the license of the facility operator, prohibit new residents from being admitted to the facility or issue a provisional license to the facility.

Section 1091. Plan of Correction.—If a facility is found by the department to meet the criteria in section 1090 and the department does not suspend or revoke the license of that facility, the department shall require the facility operator to submit a correction plan. If that correction plan requires periodic payments, the facility operator shall file monthly statements providing evidence that such payments have been made. The failure to submit or adhere to a correction plan approved by the department shall constitute cause for immediate revocation of that facility operator's license.

Amend Sec. 2, page 2, line 13, by striking out “2” and inserting
5

Amend Sec. 3, page 2, line 18, by striking out “3” and inserting
6

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

The following roll call was recorded:

YEAS—199

Adolph	Evans, D.	Maher	Saylor
Allen	Evans, J.	Maitland	Scavello
Argall	Fairchild	Major	Schroder
Armstrong	Feese	Manderino	Schuler
Baker, J.	Fichter	Mann	Scrimenti
Baker, M.	Fleagle	Markosek	Semmel
Bard	Flick	Marsico	Shaner
Barrar	Forcier	Mayernik	Smith, B.
Bastian	Frankel	McCall	Smith, S. H.
Bebko-Jones	Freeman	McGeehan	Solobay
Belardi	Gabig	McGill	Staback
Belfanti	Gannon	McIlhattan	Stairs
Benninghoff	Geist	McIlhinney	Steil
Birmelin	George	McNaughton	Stern
Bishop	Godshall	Melio	Stetler
Blaum	Gordner	Metcalfe	Stevenson, R.
Boyes	Grucela	Michlovic	Stevenson, T.
Brooks	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
Civera	Herman	Perzel	Trich
Clark	Hershey	Petrarca	Tulli
Clymer	Hess	Petrone	Turzai
Cohen, L. I.	Horsey	Phillips	Vance
Cohen, M.	Hutchinson	Pickett	Veon
Colafella	Jadlowiec	Pippy	Vitali
Coleman	James	Pistella	Walko
Cornell	Josephs	Preston	Wansacz
Corrigan	Kaiser	Raymond	Washington
Costa	Keller	Readshaw	Waters
Coy	Kenney	Reinard	Watson
Creighton	Kirkland	Rieger	Williams, J.
Cruz	Krebs	Roberts	Wilt
Curry	LaGrotta	Robinson	Wojnaroski
Dailey	Laughlin	Roebuck	Wright, G.
Daley	Lawless	Rohrer	Wright, M.
Dally	Lederer	Rooney	Yewcic

DeLuca	Leh	Ross	Youngblood
Dermody	Lescovitz	Rubley	Yudichak
DeWeese	Levdansky	Ruffing	Zimmerman
DiGirolamo	Lewis	Sainato	Zug
Diven	Lucyk	Samuelson	
Donatucci	Lynch	Santoni	Ryan,
Eachus	Mackereth	Sather	Speaker
Egolf			

NAYS—0

NOT VOTING—0

EXCUSED—3

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

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

Bill as amended was agreed to.

The SPEAKER 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?

(The bill analysis was read.)

REMARKS SUBMITTED FOR THE RECORD

Mrs. HARHART submitted the following remarks for the Legislative Journal:

Thank you, Madam Speaker.

HB 2117 will exempt parents who have been physically injured by their child from having to pay for that child's care and services while being held by the county on those charges.

The Pennsylvania Crimes Code defines “bodily injury” as the “impairment of physical condition or substantial pain.” This is not incidental contact, such as a simple pushing match between family members. Rather, this is causing some level of actual injury.

Currently, parents are responsible for paying for their child's cost of care, even when the child is being held by the county as a delinquent for victimizing his or her parents.

Under this bill, when parents are physically injured by their children, they would no longer have to pay for their care while being held by the county as a result of that act.

It is important to note that this only applies if the parent suffers bodily injuries. If the crime is theft or arson, the parents will still be responsible for the cost of the child's care.

There is ample case law to define “bodily injury,” so the parent will not be exempt from paying for a minor altercation.

The parents were already victimized once by the child and should not be victimized again by the courts.

Madam Speaker, members of the House, I urge you to support HB 2117.

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—170

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

NAYS—29

Armstrong	Forcier	Maitland	Rohrer
Bastian	Gabig	Major	Saylor
Benninghoff	Herman	Metcalfe	Scavello
Birmelin	Hutchinson	Miller, R.	Smith, S. H.
Clark	Jadlowiec	Nailor	Stern
Coleman	Lewis	Nickol	Stevenson, R.
Creighton	Mackereth	Pickett	Strittmatter
Egolf			

NOT VOTING—0

EXCUSED—3

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

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

concurrence.

The SPEAKER pro tempore. Are there any announcements by either of the floor leaders?

There will be no further votes today.

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 Erie, Mr. Evans.

Mr. J. EVANS. Madam Speaker, I move that this House do now adjourn until Tuesday, June 4, 2002, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 4:18 p.m., e.d.t., the House adjourned.