

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

MONDAY, JUNE 24, 2002

SESSION OF 2002

186TH OF THE GENERAL ASSEMBLY

No. 51

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (MATTHEW J. RYAN) PRESIDING

PRAYER

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

May you be in the spirit of prayer as I share these words:

Almighty God, as we begin a new and a perhaps long week of discussion and debate about the well-being of our Commonwealth, we pause before You and ask that our hearts will not lose sight of Your gracious and simple gifts upon us.

We pause to give thanks for the simple ability to talk, to speak, to share our thoughts aloud, for we are reminded of many a person who struggles this day to speak because illness and tragedy have robbed them of their speech.

We offer our thanks for the capacity to hear – to enjoy the simple and beautiful sounds of a bird, to be moved by the serious comments of our brethren gathered, to hear once again a nurturing word of love from our family at the close of the day.

We return our thanks for the simple gifts of smell and taste, from that smell of that freshly brewed cup of morning coffee to that good evening meal that tastes so good. We are grateful for the simple pleasures we enjoy.

And, Lord, we also say thanks for what is sometimes forgotten yet very significant – the ability to walk. We are free to move from place to place by our own strength. Some cannot do that, and all of us must remember not to forget it is a gift from Thee.

Sometimes in the midst of a busy week we must pause and remember how good You have been to us. So hear our thanks for the many simple gifts, and if You may, give to each of us a renewed sense of strength so we can meet the challenges of this new week.

Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Wednesday, June 19, 2002, will be postponed until printed. The Chair hears no objection.

JOURNALS APPROVED

The SPEAKER. Without objection, the Journals for Wednesday, February 13; Thursday, February 14; Wednesday, February 27; and Monday, March 11, 2002, will stand approved as printed. The Chair hears no objection, and the Journals are approved.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2615 By Representatives RUBLEY, STEIL, GRUCELA, MELIO, ARMSTRONG, BASTIAN, BUNT, CAPPELLI, CIVERA, CORRIGAN, CREIGHTON, DAILEY, DALEY, DALLY, DiGIROLAMO, DIVEN, FEESE, FLICK, FREEMAN, GODSHALL, HANNA, HARHAI, HENNESSEY, HERMAN, HERSHEY, LEH, MARSICO, McCALL, McNAUGHTON, PALLONE, PIPPY, PISTELLA, READSHAW, ROSS, SAINATO, SCHRODER, SEMMEL, SHANER, B. SMITH, STEELMAN, R. STEVENSON, TANGRETTI, E. Z. TAYLOR, THOMAS, TIGUE, VANCE, WALKO, WATSON, M. WRIGHT, YOUNGBLOOD, YUDICHAK and ZIMMERMAN

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for the powers and duties of intermediate units, for the education of exceptional children and for payments relating to the education of exceptional children; and making editorial changes.

Referred to Committee on EDUCATION, June 20, 2002.

No. 2729 By Representatives GODSHALL, LUCYK, DeWEESE, FEESE, ADOLPH, M. BAKER, COSTA, HALUSKA, LEDERER, LYNCH, NAILOR, SANTONI, SCAVELLO, TULLI, WILT, M. WRIGHT, ZIMMERMAN, BELFANTI, BROWNE, CAPPELLI, CREIGHTON, FAIRCHILD, GORDNER, HERMAN, HERSHEY, HORSEY, McCALL, McILHATTAN, MICOZZIE, PICKETT, SATHER, SHANER, STABACK, TIGUE, WALKO, WATSON, YOUNGBLOOD, HANNA, GEIST, FRANKEL and HESS

An Act providing for the establishment of the Pennsylvania Travel and Tourism Partnership and imposing powers and duties on the Department of Community and Economic Development related to tourism promotion.

Referred to Committee on TOURISM AND RECREATIONAL DEVELOPMENT, June 20, 2002.

No. 2730 By Representative STABACK

An Act redesignating the Northeast Veterans Center as the Gino J. Merli Northeast Veterans Center.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, June 20, 2002.

No. 2731 By Representatives LYNCH, CAPPELLI, CREIGHTON, DALEY, DeLUCA, HORSEY, McILHATTAN, READSHAW, ROHRER, SATHER, B. SMITH, STERN, THOMAS, WASHINGTON and G. WRIGHT

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, authorizing time parameters for action on pardons.

Referred to Committee on JUDICIARY, June 20, 2002.

No. 2732 By Representatives SOLOBAY, DeLUCA, YUDICHAK, COSTA, MANN, GRUCELA, DeWEESE, LESCOVITZ, ROONEY, MARKOSEK, BEBKO-JONES, LAUGHLIN, LUCYK, MICOZZIE, CREIGHTON, CAPPELLI, HALUSKA, GEORGE, R. STEVENSON, TRAVAGLIO, WOJNAROSKI, TIGUE, SURRA, COY, WALKO, KELLER, WILT, McCALL, GODSHALL, HARHAI, NICKOL, MANDERINO, SHANER, CORRIGAN, PETRARCA, BUNT, BELFANTI, READSHAW, LEVDANSKY, ROBERTS, STABACK, WANSACZ, YOUNGBLOOD, GORDNER, HESS, HORSEY, J. WILLIAMS, TANGRETTI and GRUITZA

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 distribution formula of the foreign fire insurance tax.

Referred to Committee on FINANCE, June 20, 2002.

No. 2733 By Representatives SOLOBAY, DeLUCA, YUDICHAK, COSTA, MANN, GRUCELA, DeWEESE, LESCOVITZ, ROONEY, MARKOSEK, BEBKO-JONES, LAUGHLIN, LUCYK, MICOZZIE, CREIGHTON, CAPPELLI, HALUSKA, GEORGE, R. STEVENSON, TRAVAGLIO, WOJNAROSKI, TIGUE, SURRA, COY, WALKO, KELLER, WILT, McCALL, GODSHALL, HARHAI, ARMSTRONG, MANDERINO, SHANER, CORRIGAN, PETRARCA, BUNT, BELFANTI, READSHAW, LEVDANSKY, ROBERTS, STABACK, WANSACZ, YOUNGBLOOD, GORDNER, HESS, HORSEY, J. WILLIAMS, TANGRETTI and GRUITZA

An Act amending the act of June 11, 1968 (P.L.149, No.84), known as the Volunteer Firefighters' Relief Association Act, further providing for the expenditure of the funds of a volunteer firefighters' relief association.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, June 20, 2002.

No. 2734 By Representatives CALTAGIRONE, THOMAS, FAIRCHILD, MARKOSEK, HENNESSEY, BELFANTI,

SATHER, HERSHEY, LEDERER, STERN, WATSON, LAUGHLIN, KIRKLAND, SHANER, HARHAI, CAPPELLI, YOUNGBLOOD and J. WILLIAMS

An Act amending the act of May 28, 1937 (P.L.955, No.265), known as the Housing Authorities Law, further providing for award of contracts.

Referred to Committee on URBAN AFFAIRS, June 20, 2002.

No. 2735 By Representatives STERN, LEDERER, ARMSTRONG, METCALFE, GEIST, GORDNER, NAILOR, DeWEESE, S. MILLER, CORRIGAN, FAIRCHILD, WATSON, BUNT, SHANER, ALLEN, S. H. SMITH, CREIGHTON, BASTIAN, SOLOBAY, LEH, E. Z. TAYLOR, CAPPELLI, SCHULER, HUTCHINSON, SAMUELSON, R. STEVENSON, SATHER, EGOLF, DAILEY, LAUGHLIN, ROHRER, CLYMER, WILT, M. BAKER, STABACK, PHILLIPS, BELFANTI, PICKETT, TURZAI, GABIG, BENNINGHOFF, PISTELLA, TIGUE, RAYMOND and YOUNGBLOOD

An Act providing for the use of certain historical writings, documents and records in public schools and during public school events; and prohibiting censorship based on religious or other references in certain historical writings, documents and records.

Referred to Committee on EDUCATION, June 20, 2002.

No. 2736 By Representatives KENNEY, BROWNE, YOUNGBLOOD, BEBKO-JONES, M. BAKER, BARD, BELARDI, BELFANTI, BUNT, CAPPELLI, CIVERA, L. I. COHEN, CORRIGAN, CURRY, DALEY, DeLUCA, FEESE, FRANKEL, GEORGE, GORDNER, GRUCELA, HENNESSEY, JAMES, KELLER, LAUGHLIN, LEDERER, LEH, MANDERINO, McCALL, McGEEHAN, McNAUGHTON, MELIO, MUNDY, PIPPY, PISTELLA, READSHAW, SEMMEL, SHANER, STABACK, STEELMAN, STERN, STETLER, SURRA, E. Z. TAYLOR, J. TAYLOR, THOMAS, TIGUE, WANSACZ, WATSON, WILT and WOJNAROSKI

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, providing for reimbursement for certain medical assistance items and services.

Referred to Committee on HEALTH AND HUMAN SERVICES, June 20, 2002.

No. 2737 By Representatives ARMSTRONG, BELFANTI, FLICK, LYNCH, EACHUS, YEWCIC, SCHRODER, BASTIAN, J. BAKER, CAPPELLI, FEESE, LEH, METCALFE, PICKETT, ROHRER, SAYLOR, STEIL, WILT, BUXTON, CASORIO, KAISER, McGEEHAN, SURRA and YUDICHAK

An Act amending the act of July 6, 1995 (P.L.291, No.44), known as the Lead Certification Act, further defining "lead-based paint"; and further providing for enforcement and penalties.

Referred to Committee on LABOR RELATIONS, June 20, 2002.

**HOUSE RESOLUTION
INTRODUCED AND REFERRED**

No. 613 By Representatives CURRY, D. EVANS, BELFANTI, LAUGHLIN, SHANER, SURRA, TIGUE, WASHINGTON, G. WRIGHT, BARD, BEBKO-JONES, CALTAGIRONE, CREIGHTON, DeLUCA, DERMODY, FRANKEL, FREEMAN, GORDNER, GRUCELA, HANNA, HENNESSEY, HERSHEY, HORSEY, JAMES, JOSEPHS, KREBS, MELIO, MUNDY, PISTELLA, ROBINSON, ROEBUCK, RUBLEY, SCRIMENTI, STEELMAN, THOMAS, TRICH, J. WILLIAMS, YOUNGBLOOD and PALLONE

A Resolution establishing and directing a select committee of the House of Representatives to examine matters relating to the surpluses of Independence Blue Cross of Philadelphia, Highmark, Inc., and Capital Blue Cross of Harrisburg.

Referred to Committee on RULES, June 20, 2002.

SENATE BILLS FOR CONCURRENCE

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

SB 1164, PN 2122

Referred to Committee on JUDICIARY, June 20, 2002.

SB 1187, PN 2108

Referred to Committee on STATE GOVERNMENT, June 20, 2002.

SB 1243, PN 1600

Referred to Committee on GAME AND FISHERIES, June 20, 2002.

SB 1364, PN 2111

Referred to Committee on STATE GOVERNMENT, June 20, 2002.

SB 1368, PN 2112

Referred to Committee on STATE GOVERNMENT, June 20, 2002.

SB 1406, PN 1995

Referred to Committee on JUDICIARY, June 20, 2002.

SB 1453, PN 2110

Referred to Committee on STATE GOVERNMENT, June 20, 2002.

SENATE MESSAGE

HOUSE BILL

CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 1272, PN 1475**, with information that the Senate has passed the same without amendment.

SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 1670, PN 4016**; and **HB 2125, PN 4057**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

BILL SIGNED BY SPEAKER

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

HB 1272, PN 1475

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

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

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 96, HB 481, HB 1237, HB 1356, HB 1360, HB 1363, HB 1546, and HB 2312.

**COMMUNICATION FROM
PENNSYLVANIA COMMISSION ON
CRIME AND DELINQUENCY**

The SPEAKER. The Chair acknowledges receipt of the Annual Report of the Deputy Sheriffs' Education and Training Board, submitted by the Pennsylvania Commission on Crime and Delinquency.

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

**COMMUNICATION FROM
STATE CIVIL SERVICE COMMISSION**

The SPEAKER. The Chair further acknowledges receipt of the Veterans' Complaint Report submitted by the State Civil Service

Commission.

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

BILLS REMOVED FROM TABLE

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

SB 206;
SB 238;
SB 589;
SB 592;
SB 596;
SB 893;
HB 1414;
HB 1443;
HB 1465;
HB 1660;
HB 609; and
HB 612.

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:

SB 206, PN 2065; SB 238, PN 2128; SB 589, PN 2107; SB 592, PN 1438; and SB 596, PN 2076.

BILLS RECOMMENDED

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

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

SB 206;
SB 238;
SB 589;
SB 592;
SB 596; and
SB 893.

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

BILLS TABLED

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

HB 1414;
HB 1443;
HB 1465;
HB 1660;
HB 609; and
HB 612.

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

LEAVES OF ABSENCE

The SPEAKER. The Chair is about to take today's leaves of absence.

The majority whip requests a leave for the lady from Montgomery, Mrs. COHEN, for today's session; the gentleman from Montgomery, Mr. BUNT, for today's session.

The minority whip, Mr. Veon, requests leave for the gentleman from Lawrence, Mr. LaGROTTA; the gentleman from Erie, Mr. SCRIMENTI; the gentleman from Philadelphia, Mr. OLIVER; the gentleman from Northampton, Mr. SAMUELSON.

Mr. Oliver is on the floor of the House, and he is deleted from the leave requests.

Without objection, the leaves as read will be granted. The Chair hears no objection.

I wondered when I saw "Mr. Oliver," because I had coffee with him on the turnpike.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—197

| | | | |
|-------------|-----------|------------|---------------|
| Adolph | Evans, J. | Major | Schroder |
| Allen | Fairchild | Manderino | Schuler |
| Argall | Feese | Mann | Semmel |
| Armstrong | Fichter | Markosek | Shaner |
| Baker, J. | Fleagle | Marsico | Smith, B. |
| Baker, M. | Flick | Mayernik | Smith, S. H. |
| Bard | Forcier | McCall | Solobay |
| Barrar | Frankel | McGeehan | Staback |
| Bastian | Freeman | McGill | Stairs |
| Bebko-Jones | Gabig | McIlhattan | Steelman |
| Belardi | Gannon | McIlhinney | Steil |
| Belfanti | Geist | McNaughton | Stern |
| Benninghoff | George | Melio | Stetler |
| Birmelin | Godshall | Metcalfe | Stevenson, R. |
| Bishop | Gordner | Michlovic | Stevenson, T. |
| Blaum | Grucela | Micozzie | Strittmatter |
| Boyes | Gruitza | Miller, R. | Sturla |
| Brooks | Habay | Miller, S. | Surra |
| Browne | Haluska | Mundy | Tangretti |
| Butkovitz | Hanna | Myers | Taylor, E. Z. |
| Buxton | Harhai | Nailor | Taylor, J. |
| Caltagirone | Harhart | Nickol | Thomas |
| Cappelli | Harper | O'Brien | Tigue |
| Casorio | Hasay | Oliver | Travaglio |
| Cawley | Hennessey | Pallone | Trello |
| Civera | Herman | Perzel | Trich |
| Clark | Hershey | Petrarca | Tulli |
| Clymer | 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 | Laughlin | Robinson | Wojnarowski |
| Daley | Lawless | Roebuck | Wright, G. |
| Dally | Lederer | Rohrer | Wright, M. |
| DeLuca | Leh | Rooney | Yewcic |
| Dermody | Lescovitz | Ross | Youngblood |
| DeWeese | Levdansky | Rubley | Yudichak |
| DiGirolamo | Lewis | Ruffing | Zimmerman |
| Diven | Lucyk | Sainato | Zug |
| Donatucci | Lynch | Santoni | |
| Eachus | Mackereth | Sather | |
| Egolf | Maher | Saylor | Ryan, |
| Evans, D. | Maitland | Scavello | Speaker |

ADDITIONS—0

NOT VOTING—0

EXCUSED—5

| | | | |
|--------------|----------|-----------|-----------|
| Bunt | LaGrotta | Samuelson | Scrimenti |
| Cohen, L. I. | | | |

GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today Mr. James Gonder of Philipsburg, Centre County, visiting as the guest of Representative Herman. He is seated to the left of the Chair. Would the gentleman please rise.

The Chair is especially pleased – may I have your attention, please? – the Chair is especially pleased to welcome to the hall of the House today a former member of this House and a former member of the Senate, Ms. Jeanette Reibman, here with her son, Edward Reibman, a Lehigh County member of the court of common pleas. Grandchildren Sam and Sarah Reibman are with them. They are the guests of the Northampton and Lehigh County delegations, and I would like to think my guests as well. Please rise, Judge and family.

**LEWISTOWN AREA HIGH SCHOOL
BASEBALL TEAM PRESENTED**

The SPEAKER. Mr. Clark. Mr. Sather.
Mr. CLARK. Thank you, Mr. Speaker.

Representative Benninghoff, Representative Sather, and myself would like to introduce to you the Lewistown Area High School Panthers, who won the PIAA State baseball championship, Class AA. This is their first State title for scholastic baseball, and they won that title with an 8-to-2 victory over Mifflinburg, which is in Representative Fairchild’s district. We want to thank him for accommodating us.

These gentlemen are not new to State championships. Many of the members of the team, when they were 15 years old, won the State championship at the Junior Babe Ruth level. They have worked very hard. Heart and determination were the keys to this

championship team as well as any championship team.

The odds were stacked against them, and they were first defeated in the District 6 finals by the Huntingdon Bearcats. They fought back; they persevered through the State playoffs, winning four single elimination games. Their teamwork carried them through the State championship, and today we would like to recognize them and congratulate them on their State championship.

This team truly exemplifies what high school sports and teamwork is all about, and we congratulate them on a well-deserved championship, a well-deserved championship season, and note with pride their hard work and determination and what hard work and determination can do for a team.

I would like to introduce to you their coach, John Bell, and their captains, Cody Zong, Dustin Maxwell, and Jason Mattern, along with the rest of the Lewistown Area High School Panthers in the back.

GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today members of the Jeff Coleman Action Team, high school volunteers from the 60th District, seated in the balcony. Would the action team please rise.

CALENDAR

RESOLUTION PURSUANT TO RULE 35

Mrs. TAYLOR called up **HR 610, PN 4058**, entitled:

A Resolution commemorating on September 14, 2002, the 188th anniversary of the writing of the poem by Francis Scott Key that became known as “The Star Spangled Banner.”

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

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

| | | | |
|-----------|------------|----------|--------------|
| Civera | Herman | Perzel | Trich |
| Clark | Hershey | Petrarca | Tulli |
| Clymer | 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 | Laughlin | Robinson | Wojnaroski |
| Daley | Lawless | Roebuck | Wright, G. |
| Dally | Lederer | Rohrer | Wright, M. |
| DeLuca | Leh | Rooney | Yewic |
| Dermody | Lescovitz | Ross | Youngblood |
| DeWeese | Levdansky | Rubley | Yudichak |
| DiGirolo | Lewis | Ruffing | Zimmerman |
| Diven | Lucyk | Sainato | Zug |
| Donatucci | Lynch | Santoni | |
| Eachus | Mackereth | Sather | |
| Egolf | Maher | Saylor | Ryan, |
| Evans, D. | Maitland | Scavello | Speaker |

NAYS—0

NOT VOTING—0

EXCUSED—5

| | | | |
|--------------|----------|-----------|-----------|
| Bunt | LaGrotta | Samuelson | Scrimenti |
| Cohen, L. I. | | | |

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

GUESTS INTRODUCED

The SPEAKER. The Chair would like to interrupt the deliberations long enough to introduce the Parliamentarian’s wife and her brother, John Collier. Anne-Marie and John, would you please rise, and Clancy.

That is why he is on his good behavior so far today. Yeah, it is early.

SUPPLEMENTAL CALENDAR B

RESOLUTION PURSUANT TO RULE 35

Mr. STABACK called up **HR 612, PN 4068**, entitled:

A Resolution expressing condolences on the passing of Gino J. Merli.

On the question,
Will the House adopt the resolution?

The SPEAKER. On the question of the adoption of the resolution, the Chair recognizes the gentleman, Mr. Staback. The gentleman will yield.

May I have your attention, please? Mr. Staback has been recognized. Sergeant at Arms, break up the conference in the rear there.

Mr. Staback.

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

Mr. Speaker, HR 612 is a condolence resolution on the passing of one of my constituents, Gino J. Merli.

It has been my good fortune to know Gino, his wife, Mary, their family, for a great number of years now. His passing is felt deeply throughout the northeast.

Perhaps some of you here today remember him, remember Gino when he visited with us back on November 9 of 1999 during the Veterans Day observance. Many of you had a chance to meet with him and socialize with him at that event.

Gino Merli was truly an American hero, a man who gave distinguished service to his country both in war and in peace.

As a teenager, just 18 years of age, Gino entered World War II. He was one of the many heroes who stormed the shores of Omaha Beach on D-day and later was involved in the Battle of the Bulge.

But in between those two campaigns, Gino, a machine gunner, was ordered to Belgium. He and 13 other men from the 1st Infantry Division were sent to set up a roadblock a few miles from the French border.

On September 4, 1944, a large number of German soldiers, perhaps as many as 1,500, engaged Gino’s small unit and knocked out one of the two machine-gun positions. Firing from the surviving foxhole, Gino and his assistant managed to kill a great number of the enemy, but they were quickly overtaken.

Gino’s assistant was killed and the remaining members of his unit were either killed, wounded, or captured, but Gino never abandoned his post. In fact, he kept fighting, expending more than 2,000 rounds as he held off various attacks throughout the night.

As the German soldiers approached, Gino covered himself with the body of his fallen assistant, feigning death. Bayonets were used to stab and prod the two bodies. On one such occasion, he was completely overturned with the use of bayonets. When the German soldiers would leave, satisfied that both men were dead, Gino would crawl up, turn his gun, and begin to open fire. At daybreak, what was left of the German unit surrendered when American reinforcements ordered a counterattack.

Gino Merli had been stabbed four times that night.

For this tremendous act of bravery and for not abandoning his post, Gino Merli was awarded our nation’s highest award for valor, the Congressional Medal of Honor, presented to him by President Harry Truman.

During his military career, Gino was also awarded the Bronze Star, the Battle of the Bulge Medal, and two Purple Hearts, at age 18.

Upon returning home, Gino began another type of service to his country. He dedicated his life to helping his fellow veterans, serving for three decades as the administrator at the Veterans Administration Medical Center in Plains Township in Luzerne County. For this work he was honored with the Chapel of the Four Chaplains Award. Gino was in the truest sense of the word an advocate for all veterans.

As a contributor to the Tom Brokaw book “The Greatest Generation Speaks,” but even more by his lifetime of public service, Gino Merli left a lasting legacy of a man who proudly did his duty.

During his recent funeral, a flag was presented to his family on behalf of a grateful nation. I hope that HR 612 will serve as a similar tribute from the Pennsylvania House of Representatives, and with that being said, Mr. Speaker, I would ask for an

affirmative vote on the measure.

Thank you.

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

The SPEAKER. On the question, those in favor will please rise; opposed, say "no."

(Whereupon, the members of the House and all visitors stood in a moment of silence in solemn respect to the memory of Gino J. Merli.)

The SPEAKER. The resolution is unanimously adopted.

GUEST INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today Chris Varano, a Mechanicsburg High School graduate who will be entering Villanova University this fall. He is shadowing Representative Nailor today, and he is seated to the left of the Speaker. Would the gentleman please rise.

LABOR RELATIONS COMMITTEE MEETING

The SPEAKER. The gentleman, Mr. Flick, has asked that you be advised that the Labor Relations Committee will meet at the rear of the House during the break.

TRANSPORTATION COMMITTEE MEETING

The SPEAKER. The gentleman, Mr. Pippy, do you have an announcement on behalf of Transportation?

Mr. PIPPY. Thank you, Mr. Speaker.

The Transportation Committee will meet at the back of the hall immediately upon the call of recess to report out SB 1225.

The SPEAKER. The Chair thanks the gentleman.

GUEST INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House a guest page, Matthew Muckler, a sophomore at Saint Joseph's University, here today as the guest of Representative Todd Eachus. He is seated here in the front of the House. Would the gentleman please rise.

REPUBLICAN CAUCUS

The SPEAKER. The Republicans will caucus at 1:45.

DEMOCRATIC CAUCUS

The SPEAKER. Mr. Cohen.

Mr. COHEN. Mr. Speaker, the Democrats will also caucus at 1:45.

The SPEAKER. All right.

It is the understanding of the Chair that at 3 o'clock we will return to the floor, although that is, of course, subject to extension. This is a week which you necessarily will keep at a very flexible mode.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. Appropriations will meet immediately upon the declaration of the recess in the Appropriations meeting room.

Does the majority leader or minority leader have any further business? Any further announcements?

Hearing none, this House will stand in recess until 3 p.m.

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS COMMITTEE MEETING

The SPEAKER. Mr. Michlovic. I am sorry.

Mr. MICHLOVIC. Mr. Speaker, I believe there is what is to be a short committee meeting of the Veterans Affairs and Emergency Preparedness Committee at the call of the recess as well. My colleague was not here to make the announcement.

The SPEAKER. Well, we will call for that meeting and see if anybody shows up.

RECESS

The SPEAKER. This House will stand in recess until 3 p.m.

RECESS EXTENDED

The time of recess was extended until 4 p.m.

AFTER RECESS

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

THE SPEAKER PRO TEMPORE (PATRICIA H. VANCE) PRESIDING

BILLS REREPORTED FROM COMMITTEE

HB 778, PN 4081 (Amended) By Rep. ARGALL

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

APPROPRIATIONS.

HB 1255, PN 1458 By Rep. ARGALL

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

APPROPRIATIONS.

SB 33, PN 2133 (Amended) By Rep. ARGALL

An Act amending the act of December 20, 1996 (P.L.1504, No.195), entitled, as reenacted and amended, "An act providing for the rights and

privileges of taxpayers, for designation of a taxpayers' rights advocate and for the powers, duties and responsibilities of the Department of Revenue and the Taxpayers' Rights Advocate," further providing for innocent spouse relief.

APPROPRIATIONS.

SB 206, PN 2065 By Rep. ARGALL

An Act amending the act of July 10, 1990 (P.L.404, No.98), known as the Real Estate Appraisers Certification Act, further providing for the State Board of Certified Real Estate Appraisers and for requirements relating to appraising real estate; prohibiting certain acts; providing for violations and for remedies; and making editorial changes.

APPROPRIATIONS.

SB 462, PN 1928 By Rep. ARGALL

An Act providing for the regulation of viatical settlements and for powers and duties of the Insurance Department.

APPROPRIATIONS.

SB 1366, PN 2079 By Rep. ARGALL

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, further regulating abandoned property.

APPROPRIATIONS.

**BILLS REPORTED FROM COMMITTEES,
CONSIDERED FIRST TIME, AND
RECOMMITTED TO COMMITTEE ON RULES**

HB 2730, PN 4073 By Rep. SEMMEL

An Act redesignating the Northeast Veterans Center as the Gino J. Merli Northeast Veterans Center.

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS.

HB 2737, PN 4080 By Rep. FLICK

An Act amending the act of July 6, 1995 (P.L.291, No.44), known as the Lead Certification Act, further defining "lead-based paint"; and further providing for enforcement and penalties.

LABOR RELATIONS.

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

SB 1225, PN 2078 By Rep. GEIST

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for definitions, for vehicles not requiring certificate of title and for vehicles exempt from registration; providing for electric personal assistive mobility devices; and further providing for driving upon sidewalk.

TRANSPORTATION.

SB 1429, PN 1978

By Rep. ARGALL

An Act amending the act of July 1, 1985 (P.L.120, No.32), entitled "An act creating a special fund in the Treasury Department for use in attracting major industry into this Commonwealth; establishing a procedure for the appropriation and use of moneys in the fund; establishing the Tax Stabilization Reserve Fund; and providing for expenditures from such account," further providing for transfer of portion of revenue surplus.

APPROPRIATIONS.

BILL ON SECOND CONSIDERATION

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

SB 462, PN 1928.

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.

BILLS REREPORTED FROM COMMITTEE

HB 2683, PN 4054 By Rep. PERZEL

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

RULES.

HB 2713, PN 4037 By Rep. PERZEL

An Act amending the act of December 22, 1989 (P.L.687, No.90), known as the Mortgage Bankers and Brokers and Consumer Equity Protection Act, defining "mortgage solicitor"; further providing for application for license; and providing for registration of mortgage solicitors.

RULES.

**RESOLUTION REPORTED
FROM COMMITTEE**

HR 590, PN 3924 By Rep. PERZEL

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.

RULES.

**BILL ON CONCURRENCE
REPORTED FROM COMMITTEE**

HB 2125, PN 4057

By Rep. PERZEL

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

RULES.

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 2713, PN 4037; and HB 2683, PN 4054.

BILLS RECOMMENDED

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

Mr. PERZEL. Madam Speaker, I move that HB 2683 and HB 2713 be recommitted to the Committee on Appropriations.

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

CALENDAR CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 1100, PN 2077**, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, further providing for governing body of municipal authorities and for certain fiscal reporting.

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

BILL RECOMMENDED

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

Mr. PERZEL. Madam Speaker, I move that SB 1100 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 2552**,

PN 3890, entitled:

An Act amending Title 15 (Corporations and Unincorporated Associations) of the Pennsylvania Consolidated Statutes, further providing for qualifications of directors.

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

BILL RECOMMENDED

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

Mr. PERZEL. Madam Speaker, I move that HB 2552 be recommitted to the Rules Committee.

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

SUPPLEMENTAL CALENDAR A

**BILL ON CONCURRENCE
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 2125, PN 4057**, entitled:

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

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

The SPEAKER pro tempore. Moved by the gentleman, Mr. Smith, that the House concur in the amendments inserted by the Senate.

On the question recurring,
Will the House concur in Senate 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—195

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

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

NAYS-2

| | |
|---------|--------|
| Haluska | Yewcic |
|---------|--------|

NOT VOTING-0

EXCUSED-5

| | | | |
|--------------|----------|-----------|-----------|
| Bunt | LaGrotta | Samuelson | Scrimenti |
| Cohen, L. I. | | | |

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

Ordered, That the clerk inform the Senate accordingly.

CALENDAR CONTINUED

RESOLUTION

Mr. CIVERA called up **HR 607, PN 3992**, entitled:

A Resolution extending the time period for a report by a select committee on funding public education.

On the question,
Will the House adopt the resolution?

Mr. CIVERA offered the following amendment No. **A3615**:

Amend First Resolve Clause, page 1, line 15, by inserting after "2002,"
or sooner

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

The SPEAKER pro tempore. The Chair now recognizes the gentleman from Delaware County, Mr. Civera.

Mr. CIVERA. Thank you, Madam Speaker.

Madam Speaker, this amendment has been agreed to by the Republican leadership as well as the Democratic leadership – that the report would be to the end of session or sooner is the language in the amendment – and I would ask the members of the General Assembly to support such an amendment. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS-197

| | | | |
|-------------|------------|------------|---------------|
| Adolph | Evans, J. | Major | Schroder |
| Allen | Fairchild | Manderino | Schuler |
| Argall | Feese | Mann | Semmel |
| Armstrong | Fichter | Markosek | Shaner |
| Baker, J. | Fleagle | Marsico | Smith, B. |
| Baker, M. | Flick | Mayernik | Smith, S. H. |
| Bard | Forcier | McCall | Solobay |
| Barrar | Frankel | McGeehan | Staback |
| Bastian | Freeman | McGill | Stairs |
| Bebko-Jones | Gabig | McIlhattan | Steelman |
| Belardi | Gannon | McIlhinney | Steil |
| Belfanti | Geist | McNaughton | Stern |
| Benninghoff | George | Melio | Stetler |
| Birmelin | Godshall | Metcalf | Stevenson, R. |
| Bishop | Gordner | Michlovic | Stevenson, T. |
| Blaum | Grucela | Micozzie | Strittmatter |
| Boyes | Gruitza | Miller, R. | Sturla |
| Brooks | Habay | Miller, S. | Surra |
| Browne | Haluska | Mundy | Tangretti |
| Butkovitz | Hanna | Myers | Taylor, E. Z. |
| Buxton | Harhai | Nailor | Taylor, J. |
| Caltagirone | Harhart | Nickol | Thomas |
| Cappelli | Harper | O'Brien | Tigue |
| Casorio | Hasay | Oliver | Travaglio |
| Cawley | Hennessey | Pallone | Trello |
| Civera | Herman | Perzel | Trich |
| Clark | Hershey | Petrarca | Tulli |
| Clymer | 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 | Laughlin | Robinson | Wojnaroski |
| Daley | Lawless | Roebuck | Wright, G. |
| Dally | Lederer | Rohrer | Wright, M. |
| DeLuca | Leh | Rooney | Yewcic |
| Dermody | Lescovitz | Ross | Youngblood |
| DeWeese | Levdansky | Rubley | Yudichak |
| DiGirolamo | Lewis | Ruffing | Zimmerman |
| Diven | Lucyk | Sainato | Zug |

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

NAYS-0

NOT VOTING-0

EXCUSED-5

| | | | |
|--------------|----------|-----------|-----------|
| Bunt | LaGrotta | Samuelson | Scrimenti |
| Cohen, L. I. | | | |

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

On the question,
Will the House adopt the resolution as amended?

The following roll call was recorded:

YEAS-197

| | | | |
|-------------|------------|------------|---------------|
| Adolph | Evans, J. | Major | Schroder |
| Allen | Fairchild | Manderino | Schuler |
| Argall | Feese | Mann | Semmel |
| Armstrong | Fichter | Markosek | Shaner |
| Baker, J. | Fleagle | Marsico | Smith, B. |
| Baker, M. | Flick | Mayermik | Smith, S. H. |
| Bard | Forcier | McCall | Solobay |
| Barrar | Frankel | McGeehan | Staback |
| Bastian | Freeman | McGill | Stairs |
| Bebko-Jones | Gabig | McIlhattan | Steelman |
| Belardi | Gannon | McIlhinney | Steil |
| Belfanti | Geist | McNaughton | Stern |
| Benninghoff | George | Melio | Stetler |
| Birmelin | Godshall | Metcalfe | Stevenson, R. |
| Bishop | Gordner | Michlovic | Stevenson, T. |
| Blaum | Grucela | Micozzie | Strittmatter |
| Boyes | Gruitza | Miller, R. | Sturla |
| Brooks | Habay | Miller, S. | Surra |
| Browne | Haluska | Mundy | Tangretti |
| Butkovitz | Hanna | Myers | Taylor, E. Z. |
| Buxton | Harhai | Nailor | Taylor, J. |
| Caltagirone | Harhart | Nickol | Thomas |
| Cappelli | Harper | O'Brien | Tigue |
| Casorio | Hasay | Oliver | Travaglio |
| Cawley | Hennessey | Pallone | Trello |
| Civera | Herman | Perzel | Trich |
| Clark | Hershey | Petrarca | Tulli |
| Clymer | 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 | Laughlin | Robinson | Wojnaroski |
| Daley | Lawless | Roebuck | Wright, G. |
| Dally | Lederer | Rohrer | Wright, M. |
| DeLuca | Leh | Rooney | Yewcic |
| Dermody | Lescovitz | Ross | Youngblood |
| DeWeese | Levdansky | Rubley | Yudichak |
| DiGirolamo | Lewis | Ruffing | Zimmerman |
| Diven | Lucyk | Sainato | Zug |

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

NAYS-0

NOT VOTING-0

EXCUSED-5

| | | | |
|--------------|----------|-----------|-----------|
| Bunt | LaGrotta | Samuelson | Scrimenti |
| Cohen, L. I. | | | |

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

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

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.
Mr. PERZEL. Mr. Speaker, I move that SB 1429 be taken from the table.

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

COMMUNICATIONS FROM SPEAKER

The SPEAKER. The clerk will read the following communications.

The following communications were read:

House of Representatives
Commonwealth of Pennsylvania
Harrisburg

June 24, 2002

The Honorable Lita Indzel Cohen
145A East Wing
Main Capitol Building
Harrisburg, PA 17120

Dear Lita:

Please be advised that I am appointing you to serve as Chairman of the Subcommittee on Education of the Appropriations Committee for the remainder of the 2001-2002 Sessions of the General Assembly.

Very truly yours,
Matthew J. Ryan
The Speaker

* * *

House of Representatives
Commonwealth of Pennsylvania
Harrisburg

June 24, 2002

The Honorable Matthew E. Baker
161A East Wing
Main Capitol Building
Harrisburg, PA 17120

Dear Matt:

Please be advised that I am appointing you to serve as Chairman of the Subcommittee on Health and Human Services of the Appropriations Committee for the remainder of the 2001-2002 Sessions of the General Assembly.

Very truly yours,
Matthew J. Ryan
The Speaker

BILL SIGNED BY SPEAKER

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

HB 2125, PN 4057

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

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

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2335, PN 3229**, entitled:

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

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

Ms. **MUNDY** offered the following amendment No. **A3560**:

Amend Title, page 1, line 10, by inserting after "penalties," " further providing for exclusions from tax; and

Amend Bill, page 1, lines 14 through 16, by striking out all of said lines and inserting

Section 1. Section 204 of the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, is amended by adding a paragraph to read:

Section 204. Exclusions from Tax.—The tax imposed by section 202 shall not be imposed upon

* * *

(62) The sale at retail to or use by a public school district or a construction contractor employed by a public school district, of any materials and building supplies, other than machinery or equipment, used in the construction, reconstruction, remodeling, repairs and maintenance of any public school building, facility or structure within this Commonwealth.

Section 2. Section 401(3)4(c) of the act, amended May 12, 1999 (P.L.26, No.4), is amended to read:

Amend Sec. 2, page 3, line 8, by striking out "2" and inserting
3

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

The following roll call was recorded:

YEAS—197

| | | | |
|-------------|------------|------------|---------------|
| Adolph | Evans, J. | Major | Schroder |
| Allen | Fairchild | Manderino | Schuler |
| Argall | Feese | Mann | Semmel |
| Armstrong | Fichter | Markosek | Shaner |
| Baker, J. | Fleagle | Marsico | Smith, B. |
| Baker, M. | Flick | Mayernik | Smith, S. H. |
| Bard | Forcier | McCall | Solobay |
| Barrar | Frankel | McGeehan | Staback |
| Bastian | Freeman | McGill | Stairs |
| Bebko-Jones | Gabig | McIlhattan | Steelman |
| Belardi | Gannon | McIlhinney | Steil |
| Belfanti | Geist | McNaughton | Stern |
| Benninghoff | George | Melio | Stetter |
| Birmelin | Godshall | Metcalfe | Stevenson, R. |
| Bishop | Gordner | Michlovic | Stevenson, T. |
| Blaum | Grucela | Micozzie | Strittmatter |
| Boyes | Gruitza | Miller, R. | Sturla |
| Brooks | Habay | Miller, S. | Surra |
| Browne | Haluska | Mundy | Tangretti |
| Butkovitz | Hanna | Myers | Taylor, E. Z. |
| Buxton | Harhai | Nailor | Taylor, J. |
| Caltagirone | Harhart | Nickol | Thomas |
| Cappelli | Harper | O'Brien | Tigue |
| Casorio | Hasay | Oliver | Travaglio |
| Cawley | Hennessey | Pallone | Trello |
| Civera | Herman | Perzel | Trich |
| Clark | Hershey | Petrarca | Tulli |
| Clymer | 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 | Laughlin | Robinson | Wojnaroski |
| Daley | Lawless | Roebuck | Wright, G. |
| Dally | Lederer | Rohrer | Wright, M. |
| DeLuca | Leh | Rooney | Yewcic |
| Dermody | Lescovitz | Ross | Youngblood |
| DeWeese | Levdansky | Rublely | Yudichak |
| DiGirolamo | Lewis | Ruffing | Zimmerman |
| Diven | Lucyk | Sainato | Zug |
| Donatucci | Lynch | Santoni | |
| Eachus | Mackereth | Sather | |
| Egolf | Maher | Saylor | Ryan, |
| Evans, D. | Maitland | Scavello | Speaker |

NAYS—0

NOT VOTING—0

EXCUSED—5

Bunt LaGrotta Samuelson Scrimenti
Cohen, L. I.

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

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

Mr. **VEON** offered the following amendment No. **A3583**:

Amend Title, page 1, line 10, by inserting after “penalties,” providing for reduction and elimination of real property taxes; establishing the School Property Tax Elimination Fund; providing for distributions from the fund; imposing additional sales and use tax and personal income tax; requiring the Joint State Government Commission to make certain recommendations to the General Assembly; and

Amend Bill, page 1, lines 14 through 16, by striking out all of said lines and inserting

Section 1. The act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, is amended by adding an article to read:

ARTICLE II-B

SCHOOL PROPERTY TAX ELIMINATION

Section 201-B. Short title of article.

This article shall be known and may be cited as the School Property Tax Elimination Act.

Section 202-B. Definitions.

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

“Base year.” The first school district fiscal year beginning after June 30, 2001.

“Department.” The Department of Revenue of the Commonwealth.

“Enrollment factor.” The average daily membership of a school district divided by the average daily membership of the school district for the base year.

“Fund.” The School Property Tax Elimination Fund established in section 204-B.

“Phase-out year one.” The first school district fiscal year beginning after June 30, 2002.

“Phase-out year two.” The first school district fiscal year beginning after June 30, 2003.

“Property tax billings.” The school district real property tax liability reflected on tax notices distributed with respect to real property in the school district, without regard to penalties, discounts or credits.

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

“Secretary.” The Secretary of Education of the Commonwealth.

“Tax expenditure.” A tax expenditure as the term is used in section 624 of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929.

Section 203-B. Real property tax reduction and elimination.

(a) First year reduction.—For phase-out year one, a school district shall not issue or cause to be issued aggregate property tax billings exceeding 50% of the school district’s base year property tax billings plus 2.5%. The millage of the real property tax shall be adjusted to comply with this subsection.

(b) Elimination.—For phase-out year two and each fiscal year thereafter, a school district shall not be permitted to levy, assess or collect

real property taxes. This subsection shall not apply to delinquent real property taxes levied or assessed prior to phase-out year two.
Section 204-B. School Property Tax Elimination Fund.

(a) Establishment.—

(1) There is hereby established in the State Treasury a special fund to be known as the School Property Tax Elimination Fund.

(2) The State Treasurer shall be custodian of the fund, which shall be subject to the provisions of law applicable to funds listed in section 302 of the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code.

(3) To the extent provided by sections 206-B and 207-B, taxes imposed pursuant to this article shall be received by the department and paid to the State Treasurer and, along with interest and penalties and any refunds and credits paid, shall be credited to the fund not less frequently than every two weeks.

(4) During any period prior to the credit of moneys to the fund, interest earned on moneys received by the department and paid to the State Treasurer pursuant to this article shall be deposited into the fund.

(5) All moneys in the fund, including, but not limited to, moneys credited to the fund pursuant to this section, prior year encumbrances and the interest earned thereon, shall not lapse or be transferred to any other fund, but shall remain in the fund and shall be used exclusively as provided in this article.

(6) Pending their disbursement, moneys received on behalf of or deposited into the fund shall be invested or reinvested as are other funds in the custody of the State Treasurer in the manner provided by law. All earnings received from the investment or deposit of such funds shall be credited to the fund.

(7) The State Treasurer shall be authorized to borrow moneys from the General Fund in the event that the moneys in the fund are insufficient to make a distribution required under section 205-B. Such borrowing shall be repaid to the General Fund at the earliest practicable date.

(b) Limitations on fund.—Moneys deposited in or appropriated to the fund shall be used solely as provided in this article. School districts shall spend all distributions from the fund for the purpose of phasing out school property taxes as provided under this article.

(c) Termination of fund.—The fund shall terminate on December 31, 2004. All moneys remaining in the fund on the termination date shall be transferred to the General Fund and shall be refunded pro rata on the immediately following annual personal income tax return.
Section 205-B. Distributions from the School Property Tax Elimination Fund.

(a) Reports to Secretary of Education.—For phase-out year one and phase-out year two, a school district shall provide to the secretary a report of the following information in a form acceptable to the secretary by the date provided by the secretary:

(1) The school district’s enrollment factor as of the date set by the secretary.

(2) The school district’s property tax billings for the base year and any subsequent year.

(3) Any documentation required by the secretary.

(b) Eligibility for distributions.—

(1) A school district that does not submit a complete and correct report under subsection (a) shall not be eligible for distributions from the fund until such complete and correct report is submitted.

(2) (i) Until a school district is in full compliance with the eligibility requirements of this article, the school district shall not receive any State funding, under this article or otherwise.

(ii) The secretary shall issue a certification to the State Treasurer of any school district that is not in such compliance and separate certification when such

school district comes into full compliance.

(c) Certification and distribution dates.—

(1) The secretary shall issue a certification regarding a school district's eligibility for distributions from the fund at least 30 days before the beginning of the school district fiscal year or within 60 days of receipt of a complete and correct report required under subsection (a), whichever is later. The secretary shall also certify the amount of the distribution pursuant to subsection (d) or (e), as applicable.

(2) The State Treasurer shall make distributions from the fund to each eligible school district after certification is made by the secretary as follows:

(i) By 30 days after certification, 10% of the amount certified for the fiscal year.

(ii) By 120 days after certification, an additional 30% of the amount certified for the fiscal year.

(iii) By 210 days after certification, an additional 40% of the amount certified for the fiscal year.

(iv) By 300 days after certification, an additional 20% of the amount certified for the fiscal year.

(d) Distributions for phase-out year one.—The amount distributed to each eligible school district for phase-out year one shall be 50% of:

(1) the school district's property tax billings for the base year, increased by 2.5%; or

(2) the school district's property tax billings for the base year multiplied by the enrollment factor, increased by 2.5%; whichever is greater.

(e) Distributions for phase-out year two.—The amount distributed to each eligible school district for phase-out year two shall be:

(1) the school district's property tax billings for the base year, increased by 5%; or

(2) the school district's property tax billings for the base year multiplied by the enrollment factor, increased by 5%; whichever is greater.

(f) Distributions for fiscal years after phase-out year two.—For school district fiscal years beginning after phase-out year two, the General Assembly shall annually appropriate moneys from the General Fund to continue the distributions to school districts under this section.

Section 206-B. Additional sales and use tax imposed.

(a) Sales tax.—There is hereby imposed upon each separate sale at retail of tangible personal property or services as defined in Article II a tax on the purchase price. The tax shall be collected by the vendor from the purchaser and shall be paid over to the Commonwealth as provided in Article II.

(b) Use tax.—There is hereby imposed upon the use of tangible personal property purchased at retail and on services purchased at retail as defined in Article II a tax on the purchase price. The person who makes the use shall pay over the tax to the Commonwealth. The use tax imposed under this subsection shall not be paid over to the Commonwealth by any person who has paid the tax imposed by subsection (a) or has paid the tax imposed by this subsection to the vendor with respect to the use.

(c) Hotel tax.—There is hereby imposed an excise tax on the rent upon every occupancy of a room or rooms in a hotel as defined in Article II. The tax shall be collected by the operator or owner from the occupant and paid over to the Commonwealth as provided in Article II.

(d) Rate.—The tax imposed by subsections (a), (b) and (c) shall be at the rate of 1%, which shall be computed as provided in section 503(d)(2) of the act of June 5, 1991 (P.L.9, No.6), known as the Pennsylvania Intergovernmental Cooperation Authority Act for Cities of the First Class.

(e) Deposit of tax proceeds.—The department shall deposit taxes collected under this section prior to July 1, 2004, in the fund pursuant to the provisions of section 204-B, except that revenues collected after June 30, 2004, shall be deposited in the General Fund.

(f) Rules and regulations.—The rules and regulations promulgated under Article II shall be applicable to the taxes imposed by this section.

(g) Construction.—The tax imposed by this section shall be in addition to any tax imposed by the Commonwealth pursuant to Article II. The provisions of Article II shall apply to the tax imposed by this article. Section 207-B. Additional personal income tax imposed.

(a) Personal income tax.—There is hereby imposed a tax upon each class of income as defined in Article III. The tax shall be collected and shall be paid over to the Commonwealth as provided in Article III.

(b) Rate.—The tax imposed by subsection (a) shall be at the rate of 1.1%.

(c) Deposit of tax proceeds.—The department shall deposit taxes collected under this section prior to July 1, 2004, in the fund pursuant to the provisions of section 204-B, except that revenues collected after June 30, 2004, shall be deposited in the General Fund.

(d) Rules and regulations.—The rules and regulations promulgated under Article III shall be applicable to the tax imposed by this section.

(e) Construction.—The tax imposed by this section shall be in addition to any tax imposed by the Commonwealth pursuant to Article III. The provisions of Article III shall apply to the tax imposed by this article. Section 208-B. Commission to propose elimination of tax expenditures.

(a) Recommendations.—The Joint State Government Commission shall recommend to the General Assembly the elimination of such tax expenditures as is necessary to yield sufficient revenues for the funding of distributions under section 205-B. In making recommendations, the Joint State Government Commission shall consider the adequacy of revenues, equity in the distribution of the tax burden, economic efficiency and administrative efficiency. The Joint State Government Commission shall present to the Senate and the House of Representatives draft legislation that may implement the recommendations submitted under this subsection.

(b) Legislation.—The chair of the Appropriations Committee of the Senate and the chair of the Appropriations Committee of the House of Representatives shall each introduce the draft legislation received under subsection (a) in bill form for action by that chair's respective legislative body. The bill shall provide for the transfer of any revenue raised by the elimination of tax expenditures through June 30, 2004, to the fund.

(c) Deadlines for recommendations and legislation.—The following deadlines shall apply:

(1) The recommendations and draft legislation required under subsection (a) shall be delivered to the President pro tempore of the Senate, the chair of the Appropriations Committee of the Senate, the Speaker of the House of Representatives and the chair of the Appropriations Committee of the House of Representatives within 90 days of the effective date of this section.

(2) The legislation required under subsection (b) shall be introduced within 30 days of the receipt of the recommendations and draft legislation under subsection (a).

(d) Intent.—It is the intent of the General Assembly to enact legislation to fully fund the phase-out of the school district real property tax after receiving the report of the Joint State Government Commission under this section.

Section 209-B. Limitation on unfunded mandates.

Until the termination of the fund, the Commonwealth may not impose upon a school district any part of the total costs of new programs or services or increases in existing programs or services, unless a specific appropriation is made sufficient to pay, in the same budget year, the school district for that purpose. The amount of State revenue paid to school districts, taken as a group, shall not be reduced below that amount in effect on the effective date of this section. Where costs are transferred from one school district to another school district, either by law or court order, any statutory limitation or other such limitation, shall be adjusted and transferred accordingly so the total costs are not increased as a result of such transfer.

Section 2. Section 401(3)4(c) of the act, amended May 12, 1999 (P.L.26, No.4), is amended to read:

Amend Bill, page 3, line 8, by striking out all of said line and

inserting

Section 3. All acts and parts of acts are repealed insofar as they are inconsistent with this act.

Section 4. This act shall take effect as follows:

(1) The amendment of section 401(3)4(c) of the act shall take effect in 60 days.

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

On the question,

Will the House agree to the amendment?

The SPEAKER. Mr. Perzel, on the Veon amendment.

Mr. PERZEL. Mr. Speaker, is there a fiscal note on that particular amendment?

The SPEAKER. We have no fiscal note, nor does there appear to be one.

Mr. PERZEL. Then, Mr. Speaker, I would just ask that either that amendment be withdrawn or ruled out of order, Mr. Speaker; either one.

Mr. LESCOVITZ. Mr. Speaker?

The SPEAKER. Mr. Lescovitz.

Mr. LESCOVITZ. It is my understanding that Mr. Veon did request a fiscal note from the Appropriations Committee.

The SPEAKER. Mr. Argall, do you have a fiscal note? Do you know if one has been ordered?

Mr. ARGALL. We do not have a fiscal note, Mr. Speaker.

The SPEAKER. I cannot interrogate Mr. Veon. He is not here.

Mr. LESCOVITZ. Mr. Speaker, we are going to try to find the actual letter that was sent to the Appropriations Committee. If the Appropriations chairman would like to see a copy of it, we can get it to him.

AMENDMENT PASSED OVER

The SPEAKER. That is a start. We will go over the Veon amendment for the moment, without objection. The Chair hears none.

On the question recurring,

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

Mr. EGOLF offered the following amendment No. **A3629**:

Amend Title, page 1, line 10, by inserting after "penalties," " further providing for exclusions from sales and use tax; and

Amend Bill, page 1, lines 14 through 16, by striking out all of said lines and inserting

Section 1. Section 204 of the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, is amended by adding a clause to read:

Section 204. Exclusions from Tax.—The tax imposed by section 202 shall not be imposed upon

* * *

(61) The sale at retail or use of safety or protective helmets.

Section 2. Section 401(3)4(c) of the act, amended May 12, 1999 (P.L.26, No.4), is amended to read:

Amend Sec. 2, page 3, line 8, by striking out "2" and inserting

3

On the question,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—197

| | | | |
|-------------|------------|------------|---------------|
| Adolph | Evans, J. | Major | Schroder |
| Allen | Fairchild | Manderino | Schuler |
| Argall | Feese | Mann | Semmel |
| Armstrong | Fichter | Markosek | Shaner |
| Baker, J. | Fleagle | Marsico | Smith, B. |
| Baker, M. | Flick | Mayernik | Smith, S. H. |
| Bard | Forcier | McCall | Solobay |
| Barrar | Frankel | McGeehan | Staback |
| Bastian | Freeman | McGill | Stairs |
| Bebko-Jones | Gabig | McIlhattan | Steelman |
| Belardi | Gannon | McIlhinney | Steil |
| Belfanti | Geist | McNaughton | Stern |
| Benninghoff | George | Melio | Stetler |
| Birmelin | Godshall | Metcalf | Stevenson, R. |
| Bishop | Gordner | Michlovic | Stevenson, T. |
| Blaum | Grucela | Micozzie | Strittmatter |
| Boyes | Gruitza | Miller, R. | Sturla |
| Brooks | Habay | Miller, S. | Surra |
| Browne | Haluska | Mundy | Tangretti |
| Butkovitz | Hanna | Myers | Taylor, E. Z. |
| Buxton | Harhai | Nailor | Taylor, J. |
| Caltagirone | Harhart | Nickol | Thomas |
| Cappelli | Harper | O'Brien | Tigue |
| Casorio | Hasay | Oliver | Travaglio |
| Cawley | Hennessey | Pallone | Trello |
| Civera | Herman | Perzel | Trich |
| Clark | Hershey | Petrarca | Tulli |
| Clymer | 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 | Laughlin | Robinson | Wojnaroski |
| Daley | Lawless | Roebuck | Wright, G. |
| Dally | Lederer | Rohrer | Wright, M. |
| DeLuca | Leh | Rooney | Yewcic |
| Dermody | Lescovitz | Ross | Youngblood |
| DeWeese | Levdansky | Rubley | Yudichak |
| DiGirolamo | Lewis | Ruffing | Zimmerman |
| Diven | Lucyk | Sainato | Zug |
| Donatucci | Lynch | Santoni | |
| Eachus | Mackereth | Sather | |
| Egolf | Maher | Saylor | Ryan, |
| Evans, D. | Maitland | Scavello | Speaker |

NAYS—0

NOT VOTING—0

EXCUSED—5

| | | | |
|--------------|----------|-----------|-----------|
| Bunt | LaGrotta | Samuelson | Scrimenti |
| Cohen, L. I. | | | |

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

On the question recurring,

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

BILL PASSED OVER TEMPORARILY

The SPEAKER. Without objection, HB 2335 will go over temporarily, awaiting further information from the gentleman, Mr. Lescovitz.

* * *

The House proceeded to third consideration of HB 2348, PN 3260, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing for the sale or transfer of unused net operating lost tax credits.

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

Ms. MUNDY offered the following amendment No. A3561:

Amend Title, page 1, line 10, by inserting after "providing" for exclusions from tax and Amend Bill, page 2, lines 5 through 8, by striking out all of said lines and inserting Section 1. Section 204 of the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, is amended by adding a paragraph to read: Section 204. Exclusions from Tax.—The tax imposed by section 202 shall not be imposed upon

* * *

(62) The sale at retail to or use by a public school district or a construction contractor employed by a public school district, of any materials and building supplies, other than machinery or equipment, used in the construction, reconstruction, remodeling, repairs and maintenance of any public school building, facility or structure within this Commonwealth.

Section 2. The definition of "taxable income" in section 401(3)4 of the act is amended by adding a paragraph to read:

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

Amend Sec. 3, page 3, line 12, by striking out "3" and inserting 4

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

The following roll call was recorded:

YEAS-197

Table listing names of those in yeas: Adolph, Allen, Argall, Armstrong, Baker, J., Baker, M., Bard, Barrar, Bastian, Bebkco-Jones, Belardi, Belfanti, Benninghoff, Evans, J., Fairchild, Feese, Fichter, Fleagle, Flick, Forcier, Frankel, Freeman, Gabig, Gannon, Geist, George, Major, Manderino, Mann, Markosek, Marsico, Mayernik, McCall, McGeehan, McGill, McIlhattan, McIlhinney, McNaughton, Melio, Schroder, Schuler, Semmel, Shaner, Smith, B., Smith, S. H., Solobay, Staback, Stairs, Steelman, Steil, Stern, Stetler

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

NAYS-0

NOT VOTING-0

EXCUSED-5

Table listing names of those excused: Bunt, Cohen, L. I., LaGrotta, Samuelson, Scrimenti

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

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

Mr. EGOLF offered the following amendment No. A3630:

Amend Title, page 1, line 10, by inserting after "for" exclusions from sales and use tax and for Amend Bill, page 2, lines 5 through 8, by striking out all of said lines and inserting Section 1. Section 204 of the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, is amended by adding a clause to read:

Section 204. Exclusions from Tax.—The tax imposed by section 202 shall not be imposed upon

* * *

(62) The sale at retail or use of safety or protective helmets.

Section 2. The definition of "taxable income" in section 401(3)4 of the act is amended by adding a paragraph to read:

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

3
Amend Sec. 2, page 3, line 11, by striking out “this paragraph” and inserting

the amendment of section 401(3)4 of the act
Amend Sec. 3, page 3, line 12, by striking out “3” and inserting
4

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

The following roll call was recorded:

YEAS—197

| | | | |
|-------------|------------|------------|---------------|
| Adolph | Evans, J. | Major | Schroder |
| Allen | Fairchild | Manderino | Schuler |
| Argall | Feese | Mann | Semmel |
| Armstrong | Fichter | Markosek | Shaner |
| Baker, J. | Fleagle | Marsico | Smith, B. |
| Baker, M. | Flick | Mayernik | Smith, S. H. |
| Bard | Forcier | McCall | Solobay |
| Barrar | Frankel | McGeehan | Staback |
| Bastian | Freeman | McGill | Stairs |
| Bebko-Jones | Gabig | McIlhattan | Steelman |
| Belardi | Gannon | McIlhinney | Steil |
| Belfanti | Geist | McNaughton | Stern |
| Benninghoff | George | Melio | Stetler |
| Birmelin | Godshall | Metcalfe | Stevenson, R. |
| Bishop | Gordner | Michlovic | Stevenson, T. |
| Blaum | Grucela | Micozzie | Strittmatter |
| Boyes | Gruitza | Miller, R. | Sturla |
| Brooks | Habay | Miller, S. | Surra |
| Browne | Haluska | Mundy | Tangretti |
| Butkovitz | Hanna | Myers | Taylor, E. Z. |
| Buxton | Harhai | Nailor | Taylor, J. |
| Caltagirone | Harhart | Nickol | Thomas |
| Cappelli | Harper | O’Brien | Tigue |
| Casorio | Hasay | Oliver | Travaglio |
| Cawley | Hennessey | Pallone | Trello |
| Civera | Herman | Perzel | Trich |
| Clark | Hershey | Petrarca | Tulli |
| Clymer | 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 | Laughlin | Robinson | Wojnaroski |
| Daley | Lawless | Roebuck | Wright, G. |
| Dally | Lederer | Rohrer | Wright, M. |
| DeLuca | Leh | Rooney | Yeweic |
| Dermody | Lescovitz | Ross | Youngblood |
| DeWeese | Levdansky | Rubley | Yudichak |
| DiGiroloamo | Lewis | Ruffing | Zimmerman |
| Diven | Lucyk | Sainato | Zug |
| Donatucci | Lynch | Santoni | |
| Eachus | Mackereth | Sather | |
| Egolf | Maher | Saylor | Ryan, |
| Evans, D. | Maitland | Scavello | Speaker |

NAYS—0

NOT VOTING—0

EXCUSED—5

Bunt LaGrotta Samuelson Scrimenti
Cohen, L. I.

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

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

The SPEAKER. Mr. Lescovitz, I assume the gentleman, Mr. Veon, has the same problem with this amendment as he did with the last one. Do you have any further information for us?

Mr. LESCOVITZ. Mr. Speaker, we are now contacting Mr. Veon’s staff up on the fourth floor to get a copy of the letter that they said they sent to the Appropriations chairman.

The SPEAKER. Mr. Perzel.

(Conference held at Speaker’s podium.)

The SPEAKER. Mr. Lescovitz.

Mr. LESCOVITZ. Mr. Speaker, Representative Veon is on his way to the floor, and maybe he can explain where the letter is. So he should be here in a little bit under a minute.

BILL PASSED OVER TEMPORARILY

The SPEAKER. The bill will go over temporarily.

SUPPLEMENTAL CALENDAR C

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1255, PN 1458**, entitled:

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

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

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

The question is, shall the bill pass finally?

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

(Members proceeded to vote.)

VOTE STRICKEN

The SPEAKER. Mr. Costa, do you desire recognition on this bill?

Mr. COSTA. Mr. Speaker, real quick.

The SPEAKER. Strike the vote.

The gentleman, Mr. Costa, is recognized. Everyone should have an opportunity to speak on his own bill.

Mr. COSTA. Thank you, Mr. Speaker.

Real quickly, I would like to explain what this bill does.

About a year ago, I went to my shoemaker, and he had a stack of shoes. He asked me how long he had to keep them. So with the help of Representative Joe Markosek, we found out that in 1988 this House passed an act that permitted drycleaners and launderers to get rid of clothes after 90 days, providing they notified them in 30 days to come and get rid of them. All we are doing is amending this act to permit shoemakers to do the same thing.

So I ask you, Mr. Speaker, help me help my shoemaker; vote for this bill.

The SPEAKER. Mr. Costa, at great risk, you opened this debate, and Mr. Trello now seeks recognition on this topical subject.

Mr. TRELLO. Mr. Speaker, this is a very important piece of legislation.

If we had this bill a number of years ago, Pinocchio would have had a brother, but because of all those shoes laying around the shoemaker's shop, Mr. Gepetto had no room and no time to build another Pinocchio, so because of that, he never had a brother, and let us never let that happen again.

Thank you. Vote "yes" on the bill.

The SPEAKER. The Chair recognizes the gentleman, Mr. Perzel, on this weighty topic.

Mr. PERZEL. Thank you, Mr. Speaker.

One of our candidates for Governor said he was so poor he could only afford two pairs of shoes. This would give him an excellent opportunity of being able to go out to one of the local shoemakers and pick up an extra pair.

So I would suggest the members vote "yes."

The SPEAKER. Mr. Casorio.

Mr. CASORIO. Mr. Speaker, as the only son of a shoemaker in the room – Dad, if you are watching this, hello – Frank's Shoe Repair has been in Irwin since 1934, Mr. Speaker, and I could tell you, when my dad is not in the back room talking to people named Rocco, he would approve of this bill. I am all for it.

The SPEAKER. Mrs. Lederer.

Mrs. LEDERER. Mr. Speaker, I have to correct Representative— I am not allowed to mention his name. I, too, am a child of a shoemaker.

We have one more speaker.

The SPEAKER. Mr. Scavello.

Mr. SCAVELLO. Mr. Speaker, I think we would have to be a heel to vote against this. My dad also fixed shoes part time.

The SPEAKER. Mr. Markosek, your family history in connection with shoemaking.

Mr. MARKOSEK. No shoemakers in my family, Mr. Speaker, but I just want to say that Representative Costa was kind enough to mention the fact that on this shoemaker bill, I helped him cobble it together.

Thank you, Mr. Speaker.

The SPEAKER. I am going to quit. That is it.

Well, almost. Mr. Cawley.

Mr. CAWLEY. Thank you.

Mr. Speaker, after hearing all of the people who were sons and daughters of shoemakers, I must say that my great-great-great-great-grandfather was born in a manger. Thank you.

The SPEAKER. On the question, Mr. Petrone. That is it.

Mr. PETRONE. Thank you, Mr. Speaker.

Mr. Speaker, after hearing all these true, delightful stories about ancestors of our members, I have to tell you a story that happened not too long ago, a true one.

A friend of mine went back to a town in Italy where one of the battles occurred in 1944. He was walking down the street, and he got deja vu. Everything he remembered was exactly like it was 60 years ago. The shoemaker's shop was in the same place. He walked into that shoemaker's shop and looked in this gentleman's eyes, and it was the same man that he met and had a glass of wine with there during the battle in 1944. They hugged; they embraced – Smitty and Tony. He said, "I'm glad to see you. How are you?" He said he pulled out of his pocket a little ticket. He said, "I left my combat boots here with you in 1944." He says, "Do you think you still might have them?" Tony: "Wait a minute," he says, "and let me check." He came back out about 2 minutes later. He says, "Come back tomorrow; they'll be ready."

The SPEAKER. Come back tomorrow and maybe this bill will have passed.

On the question recurring,

Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—197

| | | | |
|-------------|------------|------------|---------------|
| Adolph | Evans, J. | Major | Schroder |
| Allen | Fairchild | Manderino | Schuler |
| Argall | Feese | Mann | Semmel |
| Armstrong | Fichter | Markosek | Shaner |
| Baker, J. | Fleagle | Marsico | Smith, B. |
| Baker, M. | Flick | Mayernik | Smith, S. H. |
| Bard | Forcier | McCall | Solobay |
| Barrar | Frankel | McGeehan | Staback |
| Bastian | Freeman | McGill | Stairs |
| Bebko-Jones | Gabig | McIlhattan | Steelman |
| Belardi | Gannon | McIlhinney | Steil |
| Belfanti | Geist | McNaughton | Stern |
| Benninghoff | George | Melio | Stetler |
| Birmelin | Godshall | Metcalfe | Stevenson, R. |
| Bishop | Gordner | Michlovic | Stevenson, T. |
| Blaum | Grucela | Micozzie | Strittmatter |
| Boyes | Gruitza | Miller, R. | Sturla |
| Brooks | Habay | Miller, S. | Surra |
| Browne | Haluska | Mundy | Tangretti |
| Butkovitz | Hanna | Myers | Taylor, E. Z. |
| Buxton | Harhai | Nailor | Taylor, J. |
| Caltagirone | Harhart | Nickol | Thomas |
| Cappelli | Harper | O'Brien | Tigue |
| Casorio | Hasay | Oliver | Travaglio |
| Cawley | Hennessey | Pallone | Trello |
| Civera | Herman | Perzel | Trich |
| Clark | Hershey | Petrarca | Tulli |
| Clymer | 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 | Kenny | Reinard | Watson |
| Cruz | Kirkland | Rieger | Williams, J. |
| Curry | Krebs | Roberts | Wilt |

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

NAYS—0

NOT VOTING—0

EXCUSED—5

| | | | |
|--------------|----------|-----------|-----------|
| Bunt | LaGrotta | Samuelson | Scrimenti |
| Cohen, L. I. | | | |

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

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

RULES SUSPENDED

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

Mr. YUDICHAK. Mr. Speaker, I move that the rules of the House be suspended to permit the immediate consideration of HB 778.

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

The following roll call was recorded:

YEAS—197

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

| | | | |
|------------|------------|----------|--------------|
| Cawley | Hennessey | Pallone | Trello |
| Civera | Herman | Perzel | Trich |
| Clark | Hershey | Petrarca | Tulli |
| Clymer | 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 | Laughlin | Robinson | Wojnaroski |
| Daley | Lawless | Roebuck | Wright, G. |
| Dally | Lederer | Rohrer | Wright, M. |
| DeLuca | Leh | Rooney | Yewcic |
| Dermody | Lescovitz | Ross | Youngblood |
| DeWeese | Levdansky | Rubley | Yudichak |
| DiGirolamo | Lewis | Ruffing | Zimmerman |
| Diven | Lucyk | Sainato | Zug |
| Donatucci | Lynch | Santoni | |
| Eachus | Mackereth | Sather | |
| Egolf | Maher | Saylor | Ryan, |
| Evans, D. | Maitland | Scavello | Speaker |

NAYS—0

NOT VOTING—0

EXCUSED—5

| | | | |
|--------------|----------|-----------|-----------|
| Bunt | LaGrotta | Samuelson | Scrimenti |
| Cohen, L. I. | | | |

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

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 778, PN 4081**, entitled:

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

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

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

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

The following roll call was recorded:

YEAS—175

| | | | |
|-----------|-----------|-----------|----------|
| Adolph | Evans, J. | Major | Scavello |
| Allen | Fairchild | Manderino | Schroder |
| Argall | Feese | Mann | Schuler |
| Armstrong | Fichter | Markosek | Semmel |

| | | | |
|-------------|-----------|------------|---------------|
| Baker, J. | Fleagle | Marsico | Shaner |
| Baker, M. | Flick | Mayernik | Smith, S. H. |
| Bard | Frankel | McCall | Solobay |
| Barrar | Freeman | McGeehan | Staback |
| Bebko-Jones | Gannon | McGill | Stairs |
| Belardi | Geist | McIlhinney | Steelman |
| Belfanti | George | Melio | Stern |
| Birmelin | Godshall | Michlovic | Stetler |
| Bishop | Gordner | Micozzie | Stevenson, T. |
| Blaum | Grucela | Miller, R. | Strittmatter |
| Boyes | Gruitza | Miller, S. | Sturla |
| Brooks | Habay | Mundy | Surra |
| Browne | Haluska | Myers | Tangretti |
| Butkovitz | Hanna | Nailor | Taylor, J. |
| Buxton | Harhai | Nickol | Thomas |
| Caltagirone | Harhart | O'Brien | Tigue |
| Cappelli | Harper | Oliver | Travaglio |
| Casorio | Hasay | Pallone | Trello |
| Cawley | Hennessey | Perzel | Trich |
| Civera | Herman | Petrarca | Tulli |
| Clark | Hershey | Petrone | Vance |
| Clymer | Hess | Phillips | Veon |
| Cohen, M. | Horse | Pippy | Vitali |
| Colafella | 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 | Wojnaroski |
| Dailey | Laughlin | Robinson | Wright, G. |
| Daley | Lawless | Roebuck | Wright, M. |
| Dally | Lederer | Rooney | Yewic |
| DeLuca | Leh | Ross | Youngblood |
| Dermody | Lescovitz | Rubley | Yudichak |
| DeWeese | Levdansky | Ruffing | Zimmerman |
| DiGirolamo | Lucyk | Sainato | Zug |
| Diven | Mackereth | Santoni | |
| Donatucci | Maher | Sather | Ryan, |
| Eachus | Maitland | Saylor | Speaker |
| Evans, D. | | | |

NAYS--22

| | | | |
|-------------|------------|------------|---------------|
| Bastian | Gabig | McNaughton | Steil |
| Benninghoff | Hutchinson | Metcalfe | Stevenson, R. |
| Coleman | Jadlowiec | Pickett | Taylor, E. Z. |
| Creighton | Lewis | Rohrer | Turzai |
| Egolf | Lynch | Smith, B. | Wilt |
| Forcier | McIlhattan | | |

NOT VOTING--0

EXCUSED--5

| | | | |
|--------------|----------|-----------|-----------|
| Bunt | LaGrotta | Samuelson | Scrimenti |
| Cohen, L. I. | | | |

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

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

* * *

The House proceeded to third consideration of **SB 1366**,

PN 2079, entitled:

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, further regulating abandoned property.

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

Mr. **GEORGE** offered the following amendment No. **A3634**:

Amend Title, page 1, line 30, by removing the period after "property" and inserting ; requiring public notice of certain real property purchases by the Commonwealth; and providing for a right of certain public officials to examine and review Inspector General reports.

Amend Bill, page 25, by inserting between lines 5 and 6

Section 15. The act is amended by adding sections to read:

Section 1508. Notice of Real Property Purchase.--Whenever an agency of State Government intends to enter into a contract to purchase real property valued at more than one hundred thousand dollars (\$100,000), the agency shall first publish a description of the project and proposed criteria for the selection of real estate in the Pennsylvania Bulletin at least thirty days before any contract is signed or a specific property is selected.

Section 1603. Right to Examine and Review Inspector General Reports.--(a) Upon request, the Attorney General, Auditor General and State Treasurer shall have the right to examine and review all reports prepared by the Inspector General on State programs or contracts when the Attorney General conducts a criminal investigation on relevant programs or contracts or when the Auditor General or State Treasurer exercises official duties under this act.

(b) The Inspector General may temporarily delay the releasing of a report up to thirty (30) days from the date of the request of the Attorney General, Auditor General or State Treasurer under subsection (a) for the purpose of deleting the names of confidential informants or protecting an ongoing criminal investigation or prosecution conducted by Federal, State or local government agencies.

Amend Sec. 15, page 25, line 6, by striking out "15" and inserting 16

Amend Sec. 16, page 25, line 12, by striking out "16" and inserting 17

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

The following roll call was recorded:

YEAS--197

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

| | | | |
|-------------|------------|----------|---------------|
| Butkovitz | Hanna | Myers | Taylor, E. Z. |
| Buxton | Harhai | Nailor | Taylor, J. |
| Caltagirone | Harhart | Nickol | Thomas |
| Cappelli | Harper | O'Brien | Tigue |
| Casorio | Hasay | Oliver | Travaglio |
| Cawley | Hennessey | Pallone | Trello |
| Civera | Herman | Perzel | Trich |
| Clark | Hershey | Petrarca | Tulli |
| Clymer | 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 | Laughlin | Robinson | Wojnaroski |
| Daley | Lawless | Roebuck | Wright, G. |
| Dally | Lederer | Rohrer | Wright, M. |
| DeLuca | Leh | Rooney | Yewcic |
| Dermody | Lescovitz | Ross | Youngblood |
| DeWeese | Levdansky | Rubley | Yudichak |
| DiGirolamo | Lewis | Ruffing | Zimmerman |
| Diven | Lucyk | Sainato | Zug |
| Donatucci | Lynch | Santoni | |
| Eachus | Mackereth | Sather | |
| Egolf | Maher | Saylor | Ryan, |
| Evans, D. | Maitland | Scavello | Speaker |

NAYS—0

NOT VOTING—0

EXCUSED—5

| | | | |
|--------------|----------|-----------|-----------|
| Bunt | LaGrotta | Samuelson | Scrimenti |
| Cohen, L. I. | | | |

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

On the question,

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

Mr. **GEORGE** offered the following amendment No. **A3635**:

Amend Sec. 6 (Sec. 1301.12), page 14, by inserting between lines 26 and 27

(d.1) Each holder of property under this article, within sixty (60) days of the expiration of the five (5) year period following which the property is presumed abandoned and unclaimed, shall mail a notice to the owner of the property or, if known by the holder, any other person entitled to the property, at the last known address of the owner or other person, as shown by the records of the holder. The notice shall contain the information required under subsection (d).

On the question,

Will the House agree to the amendment?

The SPEAKER. For what purpose does the lady rise?

Ms. HARPER. Mr. Speaker, the bill is not on our screens. We do not know what amendment we are voting on. The

amendment is not on the screen; the bill is.

The SPEAKER. The amendment is 3635. Would you punch it up on the computer and see if—

Ms. HARPER. The board is listing a different amendment. That might be the problem.

The SPEAKER. Thank you.

There is a correction required. The clerk will please read the proper number.

(The clerk read the amendment again.)

The SPEAKER. The Chair thanks the lady for calling that to the attention of the House.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—197

| | | | |
|-------------|------------|------------|---------------|
| Adolph | Evans, J. | Major | Schroder |
| Allen | Fairchild | Manderino | Schuler |
| Argall | Feese | Mann | Semmel |
| Armstrong | Fichter | Markosek | Shaner |
| Baker, J. | Fleagle | Marsico | Smith, B. |
| Baker, M. | Flick | Mayernik | Smith, S. H. |
| Bard | Forcier | McCall | Solobay |
| Barrar | Frankel | McGeehan | Staback |
| Bastian | Freeman | McGill | Stairs |
| Bebko-Jones | Gabig | McIlhattan | Steelman |
| Belardi | Gannon | McIlhinney | Steil |
| Belfanti | Geist | McNaughton | Stern |
| Benninghoff | George | Melio | Stetler |
| Birmelin | Godshall | Metcalfe | Stevenson, R. |
| Bishop | Gordner | Michlovic | Stevenson, T. |
| Blaum | Grucela | Micozzie | Strittmatter |
| Boyes | Gruitza | Miller, R. | Sturla |
| Brooks | Habay | Miller, S. | Surra |
| Browne | Haluska | Mundy | Tangretti |
| Butkovitz | Hanna | Myers | Taylor, E. Z. |
| Buxton | Harhai | Nailor | Taylor, J. |
| Caltagirone | Harhart | Nickol | Thomas |
| Cappelli | Harper | O'Brien | Tigue |
| Casorio | Hasay | Oliver | Travaglio |
| Cawley | Hennessey | Pallone | Trello |
| Civera | Herman | Perzel | Trich |
| Clark | Hershey | Petrarca | Tulli |
| Clymer | 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 | Laughlin | Robinson | Wojnaroski |
| Daley | Lawless | Roebuck | Wright, G. |
| Dally | Lederer | Rohrer | Wright, M. |
| DeLuca | Leh | Rooney | Yewcic |
| Dermody | Lescovitz | Ross | Youngblood |
| DeWeese | Levdansky | Rubley | Yudichak |
| DiGirolamo | Lewis | Ruffing | Zimmerman |
| Diven | Lucyk | Sainato | Zug |
| Donatucci | Lynch | Santoni | |
| Eachus | Mackereth | Sather | |
| Egolf | Maher | Saylor | Ryan, |

Evans, D. Maitland Scavello Speaker

NAYS—0

NOT VOTING—0

EXCUSED—5

Bunt LaGrotta Samuelson Scrimenti
Cohen, L. I.

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

On the question recurring,

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

RULES SUSPENDED

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

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

The SPEAKER. Mr. Stetler. The gentleman withdraws his amendment temporarily. Oh, no; I am sorry. Could you give us the amendment number?

Mr. STETLER. Yes, sir. The amendment is A3692.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—197

| | | | |
|-------------|-----------|------------|---------------|
| Adolph | Evans, J. | Major | Schroder |
| Allen | Fairchild | Manderino | Schuler |
| Argall | Feese | Mann | Semmel |
| Armstrong | Fichter | Markosek | Shaner |
| Baker, J. | Fleagle | Marsico | Smith, B. |
| Baker, M. | Flick | Mayernik | Smith, S. H. |
| Bard | Forcier | McCall | Solobay |
| Barrar | Frankel | McGeehan | Staback |
| Bastian | Freeman | McGill | Stairs |
| Bebko-Jones | Gabig | McIlhattan | Steelman |
| Belardi | Gannon | McIlhinney | Steil |
| Belfanti | Geist | McNaughton | Stern |
| Benninghoff | George | Melio | Stetler |
| Birmelin | Godshall | Metcalfe | Stevenson, R. |
| Bishop | Gordner | Michlovic | Stevenson, T. |
| Blaum | Grucela | Micozzie | Strittmatter |
| Boyes | Gruitza | Miller, R. | Sturla |
| Brooks | Habay | Miller, S. | Surra |
| Browne | Haluska | Mundy | Tangretti |
| Butkovitz | Hanna | Myers | Taylor, E. Z. |
| Buxton | Harhai | Nailor | Taylor, J. |
| Caltagirone | Harhart | Nickol | Thomas |
| Cappelli | Harper | O'Brien | Tigue |
| Casorio | Hasay | Oliver | Travaglio |
| Cawley | Hennessey | Pallone | Trello |
| Civera | Herman | Perzel | Trich |
| Clark | Hershey | Petrarca | Tulli |
| Clymer | 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 | Laughlin | Robinson | Wojnarowski |
| Daley | Lawless | Roebuck | Wright, G. |
| Dally | Lederer | Rohrer | Wright, M. |
| DeLuca | Leh | Rooney | Yewcic |
| Dermody | Lescovitz | Ross | Youngblood |
| DeWeese | Levdansky | Rubley | Yudichak |
| DiGirolamo | Lewis | Ruffing | Zimmerman |
| Diven | Lucyk | Sainato | Zug |
| Donatucci | Lynch | Santoni | |
| Eachus | Mackereth | Sather | |
| Egolf | Maher | Saylor | Ryan, |
| Evans, D. | Maitland | Scavello | Speaker |

NAYS—0

NOT VOTING—0

EXCUSED—5

Bunt LaGrotta Samuelson Scrimenti
Cohen, L. I.

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. STETLER offered the following amendment No. **A3692**:

Amend Sec. 2 (Sec. 1301.3), page 3, line 26, by inserting brackets before and after “, money orders”

Amend Sec. 2 (Sec. 1301.3), page 3, line 29, by inserting after “years”

or in the case of money orders for more than seven (7) years

On the question,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—197

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

| | | | |
|-------------|------------|------------|---------------|
| Birmelin | Godshall | Metcalf | Stevenson, R. |
| Bishop | Gordner | Michlovic | Stevenson, T. |
| Blaum | Grucela | Micozzie | Strittmatter |
| Boyes | Gruitza | Miller, R. | Sturla |
| Brooks | Habay | Miller, S. | Surra |
| Browne | Haluska | Mundy | Tangretti |
| Butkovitz | Hanna | Myers | Taylor, E. Z. |
| Buxton | Harhai | Nailor | Taylor, J. |
| Caltagirone | Harhart | Nickol | Thomas |
| Cappelli | Harper | O'Brien | Tigue |
| Casorio | Hasay | Oliver | Travaglio |
| Cawley | Hennessey | Pallone | Trello |
| Civera | Herman | Perzel | Trich |
| Clark | Hershey | Petrarca | Tulli |
| Clymer | 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 | Laughlin | Robinson | Wojnaroski |
| Daley | Lawless | Roebuck | Wright, G. |
| Dally | Lederer | Rohrer | Wright, M. |
| DeLuca | Leh | Rooney | Yewcic |
| Dermody | Lescovitz | Ross | Youngblood |
| DeWeese | Levdansky | Rubley | Yudichak |
| DiGirolamo | Lewis | Ruffing | Zimmerman |
| Diven | Lucyk | Sainato | Zug |
| Donatucci | Lynch | Santoni | |
| Eachus | Mackereth | Sather | |
| Egolf | Maher | Saylor | Ryan, |
| Evans, D. | Maitland | Scavello | Speaker |

NAYS-0

NOT VOTING-0

EXCUSED-5

| | | | |
|--------------|----------|-----------|-----------|
| Bunt | LaGrotta | Samuelson | Scrimenti |
| Cohen, L. I. | | | |

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

On the question recurring,

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

RULES SUSPENDED

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

Mr. DeWEESE. Mr. Speaker, I move that the rules of the House be suspended to permit me to offer amendment No. 3651.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS-197

| | | | |
|-------------|------------|------------|---------------|
| Adolph | Evans, J. | Major | Schroder |
| Allen | Fairchild | Manderino | Schuler |
| Argall | Feese | Mann | Semmel |
| Armstrong | Fichter | Markosek | Shaner |
| Baker, J. | Fleagle | Marsico | Smith, B. |
| Baker, M. | Flick | Mayernik | Smith, S. H. |
| Bard | Forcier | McCall | Solobay |
| Barrar | Frankel | McGeehan | Staback |
| Bastian | Freeman | McGill | Stairs |
| Bebko-Jones | Gabig | McIlhattan | Steelman |
| Belardi | Gannon | McIlhinney | Steil |
| Belfanti | Geist | McNaughton | Stern |
| Benninghoff | George | Melio | Stetler |
| Birmelin | Godshall | Metcalf | Stevenson, R. |
| Bishop | Gordner | Michlovic | Stevenson, T. |
| Blaum | Grucela | Micozzie | Strittmatter |
| Boyes | Gruitza | Miller, R. | Sturla |
| Brooks | Habay | Miller, S. | Surra |
| Browne | Haluska | Mundy | Tangretti |
| Butkovitz | Hanna | Myers | Taylor, E. Z. |
| Buxton | Harhai | Nailor | Taylor, J. |
| Caltagirone | Harhart | Nickol | Thomas |
| Cappelli | Harper | O'Brien | Tigue |
| Casorio | Hasay | Oliver | Travaglio |
| Cawley | Hennessey | Pallone | Trello |
| Civera | Herman | Perzel | Trich |
| Clark | Hershey | Petrarca | Tulli |
| Clymer | 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 | Laughlin | Robinson | Wojnaroski |
| Daley | Lawless | Roebuck | Wright, G. |
| Dally | Lederer | Rohrer | Wright, M. |
| DeLuca | Leh | Rooney | Yewcic |
| Dermody | Lescovitz | Ross | Youngblood |
| DeWeese | Levdansky | Rubley | Yudichak |
| DiGirolamo | Lewis | Ruffing | Zimmerman |
| Diven | Lucyk | Sainato | Zug |
| Donatucci | Lynch | Santoni | |
| Eachus | Mackereth | Sather | |
| Egolf | Maher | Saylor | Ryan, |
| Evans, D. | Maitland | Scavello | Speaker |

NAYS-0
NOT VOTING-0

EXCUSED-5

| | | | |
|--------------|----------|-----------|-----------|
| Bunt | LaGrotta | Samuelson | Scrimenti |
| Cohen, L. I. | | | |

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. DeWEESE offered the following amendment No. A3651:

Amend Title, page 1, line 30, by inserting after "Commonwealth," "

further providing for settlement and collection of State taxes; and

Amend Bill, page 2, lines 2 through 5, by striking out all of said lines and inserting

Section 1. Section 202 of the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, is amended by adding a subsection to read:

Section 202. Settlement and Collection of State Taxes.—The Department of Revenue shall have the power, and its duty shall be—
* * *

(p) Notwithstanding any other provision of law to the contrary, in the case of taxable income collected by the Department of Revenue under Article IV of the act of March 4, 1971 (P.L.6, No.2), known as the "Tax Reform Code of 1971," a net loss of taxable income for the 1977 taxable year may be carried over for ten (10) taxable years and a net loss of taxable income for the 1998 taxable year and any year thereafter may be carried over for twenty (20) taxable years.

Section 2. The definitions of "holder" and "secretary" in section 1301.1 of the act, added December 9, 1982 (P.L.1057, No.248), are amended to read:

Amend Sec. 2, page 2, line 20, by striking out "2" and inserting 3

Amend Sec. 3, page 8, line 9, by striking out "3" and inserting 4

Amend Sec. 4, page 9, line 11, by striking out "4" and inserting 5

Amend Sec. 5, page 9, line 28, by striking out "5" and inserting 6

Amend Sec. 6, page 13, line 8, by striking out "6" and inserting 7

Amend Sec. 6 (Sec. 1301.12), page 13, line 13, by striking out "twelve(12)" and inserting twelve (12)

Amend Sec. 7, page 14, line 30, by striking out "7" and inserting 8

Amend Sec. 8, page 16, line 9, by striking out "8" and inserting 9

Amend Sec. 9, page 18, line 3, by striking out "9" and inserting 10

Amend Sec. 10, page 19, line 21, by striking out "10" and inserting 11

Amend Sec. 11, page 21, line 17, by striking out "11" and inserting 12

Amend Sec. 12, page 21, line 28, by striking out "12" and inserting 13

Amend Sec. 13, page 24, line 17, by striking out "13" and inserting 14

Amend Sec. 14, page 24, line 30, by striking out "14" and inserting 15

Amend Bill, page 25, by inserting between lines 5 and 6

Section 16. Article IV of the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, is repealed to the extent that it is inconsistent with section 202(p) of the act.

Amend Sec. 15, page 25, line 6, by striking out "15" and inserting 17

Amend Sec. 16, page 25, line 12, by striking out "16" and inserting 18

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

The SPEAKER. On the question of the adoption of the amendment.

Mr. DeWEESE. Just 30 seconds, Mr. Speaker.

I would like to say on behalf of the gentleman from York and the gentelady from Lehigh, this is just another example of Democrats trying to advance a very favorable business agenda within our State. Our friends in the world of emerging technology were the beneficiaries of a lot of hard work by the gentleman from York and the gentelady from Lehigh, and I am glad that we have unanimity on this amendment.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Mr. Perzel.

Mr. PERZEL. Mr. Speaker, where was he last week on joint and several?

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

The following roll call was recorded:

YEAS—197

| | | | |
|-------------|------------|------------|---------------|
| Adolph | Evans, J. | Major | Schroder |
| Allen | Fairchild | Manderino | Schuler |
| Argall | Feese | Mann | Semmel |
| Armstrong | Fichter | Markosek | Shaner |
| Baker, J. | Fleagle | Marsico | Smith, B. |
| Baker, M. | Flick | Mayernik | Smith, S. H. |
| Bard | Forcier | McCall | Solobay |
| Barrar | Frankel | McGeehan | Staback |
| Bastian | Freeman | McGill | Stairs |
| Bebko-Jones | Gabig | McIlhattan | Steelman |
| Belardi | Gannon | McIlhinney | Steil |
| Belfanti | Geist | McNaughton | Stern |
| Benninghoff | George | Melio | Stetler |
| Birmelin | Godshall | Metcalfe | Stevenson, R. |
| Bishop | Gordner | Michlovic | Stevenson, T. |
| Blaum | Grucela | Micozzie | Strittmatter |
| Boyes | Gruitza | Miller, R. | Sturla |
| Brooks | Habay | Miller, S. | Surra |
| Browne | Haluska | Mundy | Tangretti |
| Butkovitz | Hanna | Myers | Taylor, E. Z. |
| Buxton | Harhai | Nailor | Taylor, J. |
| Caltagirone | Harhart | Nickol | Thomas |
| Cappelli | Harper | O'Brien | Tigue |
| Casorio | Hasay | Oliver | Travaglio |
| Cawley | Hennessey | Pallone | Trello |
| Civera | Herman | Perzel | Trich |
| Clark | Hershey | Petrarca | Tulli |
| Clymer | 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 | Laughlin | Robinson | Wojnaroski |
| Daley | Lawless | Roebuck | Wright, G. |
| Dally | Lederer | Rohrer | Wright, M. |
| DeLuca | Leh | Rooney | Yewcic |
| Dermody | Lescovitz | Ross | Youngblood |
| DeWeese | Levdansky | Rubley | Yudichak |
| DiGirolamo | Lewis | Ruffing | Zimmerman |
| Diven | Lucyk | Sainato | Zug |
| Donatucci | Lynch | Santoni | |
| Eachus | Mackereth | Sather | |
| Egolf | Maher | Saylor | Ryan, |
| Evans, D. | Maitland | Scavello | Speaker |

NAYS—0

NOT VOTING—0

EXCUSED—5

Bunt LaGrotta Samuelson Scrimenti
Cohen, L. I.

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

On the question recurring,

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

RULES SUSPENDED

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

Mr. MAHER. Mr. Speaker, I move that the rules of the House be suspended to permit me to offer amendment 3667.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—197

| | | | |
|-------------|------------|------------|---------------|
| Adolph | Evans, J. | Major | Schroder |
| Allen | Fairchild | Manderino | Schuler |
| Argall | Feese | Mann | Semmel |
| Armstrong | Fichter | Markosek | Shaner |
| Baker, J. | Fleagle | Marsico | Smith, B. |
| Baker, M. | Flick | Mayernik | Smith, S. H. |
| Bard | Forcier | McCall | Solobay |
| Barrar | Frankel | McGeehan | Staback |
| Bastian | Freeman | McGill | Stairs |
| Bebko-Jones | Gabig | McIlhattan | Steelman |
| Belardi | Gannon | McIlhinney | Steil |
| Belfanti | Geist | McNaughton | Stern |
| Benninghoff | George | Melio | Stetler |
| Birmelin | Godshall | Metcalfe | Stevenson, R. |
| Bishop | Gordner | Michlovic | Stevenson, T. |
| Blaum | Grucela | Micozzie | Strittmatter |
| Boyes | Gruitza | Miller, R. | Sturla |
| Brooks | Habay | Miller, S. | Surra |
| Browne | Haluska | Mundy | Tangretti |
| Butkovitz | Hanna | Myers | Taylor, E. Z. |
| Buxton | Harhai | Nailor | Taylor, J. |
| Caltagirone | Harhart | Nickol | Thomas |
| Cappelli | Harper | O'Brien | Tigue |
| Casorio | Hasay | Oliver | Travaglio |
| Cawley | Hennessey | Pallone | Trello |
| Civera | Herman | Perzel | Trich |
| Clark | Hershey | Petrarca | Tulli |
| Clymer | 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 | Laughlin | Robinson | Wojnaroski |
| Daley | Lawless | Roebuck | Wright, G. |
| Dally | Lederer | Rohrer | Wright, M. |
| DeLuca | Leh | Rooney | Yewcic |
| Dermody | Lescovitz | Ross | Youngblood |
| DeWeese | Levdansky | Rubley | Yudichak |
| DiGirolamo | Lewis | Ruffing | Zimmerman |
| Diven | Lucyk | Sainato | Zug |
| Donatucci | Lynch | Santoni | |
| Eachus | Mackereth | Sather | |
| Egolf | Maher | Saylor | Ryan, |
| Evans, D. | Maitland | Scavello | Speaker |

NAYS—0

NOT VOTING—0

EXCUSED—5

Bunt LaGrotta Samuelson Scrimenti
Cohen, L. I.

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. MAHER offered the following amendment No. A3667:

Amend Sec. 6 (Sec. 1301.12), page 13, line 16, by striking out the brackets before and after “each week for two (2) successive weeks”

On the question,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—197

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

| | | | |
|-------------|------------|----------|--------------|
| Buxton | Harhai | Nailor | Taylor, J. |
| Caltagirone | Harhart | Nickol | Thomas |
| Cappelli | Harper | O'Brien | Tigue |
| Casorio | Hasay | Oliver | Travaglio |
| Cawley | Hennessey | Pallone | Trello |
| Civera | Herman | Perzel | Trich |
| Clark | Hershey | Petrarca | Tulli |
| Clymer | 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 | Laughlin | Robinson | Wojnaroski |
| Daley | Lawless | Roebuck | Wright, G. |
| Dally | Lederer | Rohrer | Wright, M. |
| DeLuca | Leh | Rooney | Yewcic |
| Dermody | Lescovitz | Ross | Youngblood |
| DeWeese | Levdansky | Rubley | Yudichak |
| DiGirolamo | Lewis | Ruffing | Zimmerman |
| Diven | Lucyk | Sainato | Zug |
| Donatucci | Lynch | Santoni | |
| Eachus | Mackereth | Sather | |
| Egolf | Maher | Saylor | Ryan, |
| Evans, D. | Maitland | Scavello | Speaker |

NAYS-0

NOT VOTING-0

EXCUSED-5

| | | | |
|--------------|----------|-----------|-----------|
| Bunt | LaGrotta | Samuelson | Scrimenti |
| Cohen, L. I. | | | |

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

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

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

The following roll call was recorded:

YEAS-197

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

| | | | |
|-------------|------------|------------|---------------|
| Belardi | Gannon | McIlhinney | Steil |
| Belfanti | Geist | McNaughton | Stern |
| Benninghoff | George | Melio | Stetler |
| Birmelin | Godshall | Metcalfe | Stevenson, R. |
| Bishop | Gordner | Michlovic | Stevenson, T. |
| Blaum | Grucela | Micozzie | Strittmatter |
| Boyes | Gruitza | Miller, R. | Sturla |
| Brooks | Habay | Miller, S. | Surra |
| Browne | Haluska | Mundy | Tangretti |
| Butkovitz | Hanna | Myers | Taylor, E. Z. |
| Buxton | Harhai | Nailor | Taylor, J. |
| Caltagirone | Harhart | Nickol | Thomas |
| Cappelli | Harper | O'Brien | Tigue |
| Casorio | Hasay | Oliver | Travaglio |
| Cawley | Hennessey | Pallone | Trello |
| Civera | Herman | Perzel | Trich |
| Clark | Hershey | Petrarca | Tulli |
| Clymer | 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 | Laughlin | Robinson | Wojnaroski |
| Daley | Lawless | Roebuck | Wright, G. |
| Dally | Lederer | Rohrer | Wright, M. |
| DeLuca | Leh | Rooney | Yewcic |
| Dermody | Lescovitz | Ross | Youngblood |
| DeWeese | Levdansky | Rubley | Yudichak |
| DiGirolamo | Lewis | Ruffing | Zimmerman |
| Diven | Lucyk | Sainato | Zug |
| Donatucci | Lynch | Santoni | |
| Eachus | Mackereth | Sather | |
| Egolf | Maher | Saylor | Ryan, |
| Evans, D. | Maitland | Scavello | Speaker |

NAYS-0

NOT VOTING-0

EXCUSED-5

| | | | |
|--------------|----------|-----------|-----------|
| Bunt | LaGrotta | Samuelson | Scrimenti |
| Cohen, L. I. | | | |

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

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

* * *

The House proceeded to third consideration of **SB 33, PN 2133**, entitled:

An Act amending the act of December 20, 1996 (P.L. 1504, No. 195), entitled, as reenacted and amended, "An act providing for the rights and privileges of taxpayers, for designation of a taxpayers' rights advocate and for the powers, duties and responsibilities of the Department of Revenue and the Taxpayers' Rights Advocate," further providing for innocent spouse relief.

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

NAYS—0

The SPEAKER. It is the understanding of the Chair that there are no amendments to this bill.

NOT VOTING—0

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

EXCUSED—5

Bunt LaGrotta Samuelson Scrimenti
Cohen, L. I.

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

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

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

The following roll call was recorded:

The SPEAKER. The gentleman, Mr. Veon, would you come to the rostrum, please.

YEAS—197

| | | | |
|-------------|------------|------------|---------------|
| Adolph | Evans, J. | Major | Schroder |
| Allen | Fairchild | Manderino | Schuler |
| Argall | Feese | Mann | Semmel |
| Armstrong | Fichter | Markosek | Shaner |
| Baker, J. | Fleagle | Marsico | Smith, B. |
| Baker, M. | Flick | Mayernik | Smith, S. H. |
| Bard | Forcier | McCall | Solobay |
| Barrar | Frankel | McGeehan | Staback |
| Bastian | Freeman | McGill | Stairs |
| Bebko-Jones | Gabig | McIlhatten | Steelman |
| Belardi | Gannon | McIlhinney | Steil |
| Belfanti | Geist | McNaughton | Stern |
| Benninghoff | George | Melio | Stetler |
| Birmelin | Godshall | Metcalfe | Stevenson, R. |
| Bishop | Gordner | Michlovic | Stevenson, T. |
| Blaum | Grucela | Micozzie | Strittmatter |
| Boyes | Gruitza | Miller, R. | Sturla |
| Brooks | Habay | Miller, S. | Surra |
| Browne | Haluska | Mundy | Tangretti |
| Butkovitz | Hanna | Myers | Taylor, E. Z. |
| Buxton | Harhai | Nailor | Taylor, J. |
| Caltagirone | Harhart | Nickol | Thomas |
| Cappelli | Harper | O'Brien | Tigue |
| Casorio | Hasay | Oliver | Travaglio |
| Cawley | Hennessey | Pallone | Trello |
| Civera | Herman | Perzel | Trich |
| Clark | Hershey | Petrarca | Tulli |
| Clymer | 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 | Laughlin | Robinson | Wojnaroski |
| Daley | Lawless | Roebuck | Wright, G. |
| Dally | Lederer | Rohrer | Wright, M. |
| DeLuca | Leh | Rooney | Yewcic |
| Dermody | Lescovitz | Ross | Youngblood |
| DeWeese | Levdansky | Rubley | Yudichak |
| DiGirolamo | Lewis | Ruffing | Zimmerman |
| Diven | Lucyk | Sainato | Zug |
| Donatucci | Lynch | Santoni | |
| Eachus | Mackereth | Sather | |
| Egolf | Maher | Saylor | Ryan, |
| Evans, D. | Maitland | Scavello | Speaker |

(Conference held at Speaker's podium.)

CALENDAR CONTINUED

CONSIDERATION OF HB 2335 CONTINUED

The SPEAKER. Mr. Veon withdraws his amendments.

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

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

The following roll call was recorded:

YEAS—197

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

| | | | |
|-------------|------------|----------|--------------|
| Buxton | Harhai | Nailor | Taylor, J. |
| Caltagirone | Harhart | Nickol | Thomas |
| Cappelli | Harper | O'Brien | Tigue |
| Casorio | Hasay | Oliver | Travaglio |
| Cawley | Hennessey | Pallone | Trello |
| Civera | Herman | Perzel | Trich |
| Clark | Hershey | Petrarca | Tulli |
| Clymer | 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 | Laughlin | Robinson | Wojnaroski |
| Daley | Lawless | Roebuck | Wright, G. |
| Dally | Lederer | Rohrer | Wright, M. |
| DeLuca | Leh | Rooney | Yewcic |
| Dermody | Lescovitz | Ross | Youngblood |
| DeWeese | Levdansky | Rubley | Yudichak |
| DiGirolamo | Lewis | Ruffing | Zimmerman |
| Diven | Lucyk | Sainato | Zug |
| Donatucci | Lynch | Santoni | |
| Eachus | Mackereth | Sather | |
| Egolf | Maher | Saylor | Ryan, |
| Evans, D. | Maitland | Scavello | Speaker |

NAYS-0

NOT VOTING-0

EXCUSED-5

| | | | |
|--------------|----------|-----------|-----------|
| Bunt | LaGrotta | Samuelson | Scrimenti |
| Cohen, L. I. | | | |

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

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

CONSIDERATION OF HB 2348 CONTINUED

The SPEAKER. The gentleman, Mr. Veon, withdraws his amendment.

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

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

The following roll call was recorded:

YEAS-197

| | | | |
|-------------|------------|------------|---------------|
| Adolph | Evans, J. | Major | Schroder |
| Allen | Fairchild | Manderino | Schuler |
| Argall | Feese | Mann | Semmel |
| Armstrong | Fichter | Markosek | Shaner |
| Baker, J. | Fleagle | Marsico | Smith, B. |
| Baker, M. | Flick | Mayernik | Smith, S. H. |
| Bard | Forcier | McCall | Solobay |
| Barrar | Frankel | McGeehan | Staback |
| Bastian | Freeman | McGill | Stairs |
| Bebko-Jones | Gabig | McIlhattan | Steelman |
| Belardi | Gannon | McIlhinney | Steil |
| Belfanti | Geist | McNaughton | Stern |
| Benninghoff | George | Melio | Stetler |
| Birmelin | Godshall | Metcalfe | Stevenson, R. |
| Bishop | Gordner | Michlovic | Stevenson, T. |
| Blaum | Grucela | Micozzie | Strittmatter |
| Boyes | Gruitza | Miller, R. | Sturla |
| Brooks | Habay | Miller, S. | Surra |
| Browne | Haluska | Mundy | Tangretti |
| Butkovitz | Hanna | Myers | Taylor, E. Z. |
| Buxton | Harhai | Nailor | Taylor, J. |
| Caltagirone | Harhart | Nickol | Thomas |
| Cappelli | Harper | O'Brien | Tigue |
| Casorio | Hasay | Oliver | Travaglio |
| Cawley | Hennessey | Pallone | Trello |
| Civera | Herman | Perzel | Trich |
| Clark | Hershey | Petrarca | Tulli |
| Clymer | 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 | Laughlin | Robinson | Wojnaroski |
| Daley | Lawless | Roebuck | Wright, G. |
| Dally | Lederer | Rohrer | Wright, M. |
| DeLuca | Leh | Rooney | Yewcic |
| Dermody | Lescovitz | Ross | Youngblood |
| DeWeese | Levdansky | Rubley | Yudichak |
| DiGirolamo | Lewis | Ruffing | Zimmerman |
| Diven | Lucyk | Sainato | Zug |
| Donatucci | Lynch | Santoni | |
| Eachus | Mackereth | Sather | |
| Egolf | Maher | Saylor | Ryan, |
| Evans, D. | Maitland | Scavello | Speaker |

NAYS-0

NOT VOTING-0

EXCUSED-5

| | | | |
|--------------|----------|-----------|-----------|
| Bunt | LaGrotta | Samuelson | Scrimenti |
| Cohen, L. I. | | | |

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

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

The SPEAKER. Mr. Perzel, do you have any further business?
Mr. DeWeese?

Any announcements?

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. Mr. Argall.

Mr. ARGALL. Thank you, Mr. Speaker.

At the announcement of the recess, the House Appropriations Committee will meet in room 243.

The SPEAKER. Any other announcements? Committee chairmen announcements? Announcements by the majority or minority leaders? Corrections to the record?

There will be no further votes.

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

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

Hearing none, the Chair recognizes the lady, Ms. Pickett, from Bradford County.

Ms. PICKETT. Mr. Speaker, I move that this House do now adjourn until Tuesday, June 25, 2002, at 11 a.m., e.d.t., unless sooner recalled by the Chair.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 5:59 p.m., e.d.t., the House adjourned.