

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

WEDNESDAY, OCTOBER 15, 2003

SESSION OF 2003

187TH OF THE GENERAL ASSEMBLY

No. 85

### HOUSE OF REPRESENTATIVES

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

**THE SPEAKER (JOHN M. PERZEL)**

**PRESIDING**

#### PRAYER

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

Let us pause in prayer:

O Gracious God, we pause for a moment to offer our thanks to You for another day of life upon this earth. No matter how great and powerful we think we are or how small and insignificant we might feel at times, we are alive today because of the gift of life God gives to each of us, and, Lord, we thank You.

We thank You also for the staff who work diligently day to day to keep the business of this body moving along. Through many hours of phoning, planning, pushing, they give of their abilities to make life better for all of us. So, O Lord God, please know that we appreciate their efforts, and help us never to take them for granted.

We lift our words of thanks for the families of each of these Representatives gathered here this day. Though many hours of work and tons of evening meetings take these men and women away from their families, the quality time spent with spouses, parents, children, it is valuable. So, Lord, we thank You so much for those moments with our families. Help us all to treasure them more than anything else in all the world.

And we thank You, Almighty God, for the good people in every district. They are the souls who wait patiently for their government to deal with the challenges of their communities. It is their faithful and understanding support in thought and deed that gives to this body a solid reason to keep on trying to improve the quality of life for all the people of Pennsylvania. We thank You, God, for the good people of our districts.

So, Almighty God, please hear our thanks and appreciation for all the gifts You give to us this day, from the breath of life, to our families, to the people with whom we work and whom we represent.

We are grateful for all we ask. 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 Tuesday, October 14, 2003, will be postponed until printed.

#### HOUSE BILLS

##### INTRODUCED AND REFERRED

**No. 2095** By Representatives SCHRODER, ADOLPH, ARMSTRONG, BARRAR, CLYMER, CREIGHTON, DENLINGER, DeWEESE, FRANKEL, GABIG, HARRIS, HERSHEY, LAUGHLIN, LEACH, LEDERER, LEH, MANDERINO, NICKOL, O'NEILL, PISTELLA, READSHAW, E. Z. TAYLOR, THOMAS, TIGUE, WALKO, WEBER and YOUNGBLOOD

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further defining "income" for support purposes.

Referred to Committee on JUDICIARY, October 15, 2003.

**No. 2096** By Representatives VITALI, ARMSTRONG, CURRY, FREEMAN, LEACH, TANGRETTI, WALKO and WILLIAMS

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, providing for public access to community revitalization grant information.

Referred to Committee on FINANCE, October 15, 2003.

**No. 2097** By Representatives TURZAI, NICKOL, CAWLEY, CRAHALLA, GEIST, GOODMAN, McILHATTAN, NAILOR, PAYNE, R. STEVENSON, TIGUE, WOJNAROSKI, T. STEVENSON, HARRIS, CAPPELLI, PHILLIPS, RUBLEY, BENNINGHOFF, YOUNGBLOOD, O'NEILL, BOYD, REED, BALDWIN, ZUG, YUDICHAK, E. Z. TAYLOR, MACKERETH, HERSHEY, LEVDANSKY, CAUSER, FAIRCHILD, LEH and WEBER

An Act providing for the establishment of the Pennsylvania Corporate Tax Reform Commission to evaluate the structure and system of taxation of business enterprises in this Commonwealth, for the appointment of the members of the commission, for the appointment of advisory panels, for the powers and duties of the commission and for the cooperation by other Commonwealth entities; and providing for legislative impact statements.

Referred to Committee on FINANCE, October 15, 2003.

**No. 2098** By Representatives READSHAW, SAINATO, SHANER, CASORIO, WHEATLEY, WOJNAROSKI, FABRIZIO, PETRONE and CALTAGIRONE

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, further providing for the date of the general primary in years in which the President of the United States is nominated.

Referred to Committee on STATE GOVERNMENT, October 15, 2003.

**No. 2099** By Representatives READSHAW, SAINATO, SHANER, CASORIO, WHEATLEY, PETRONE, FABRIZIO and CALTAGIRONE

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, further providing for the date of the general primary.

Referred to Committee on STATE GOVERNMENT, October 15, 2003.

The SPEAKER. Would the gentlelady from Cumberland please come to the desk. Mrs. Vance.

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

**BILLS REMOVED FROM TABLE**

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

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

HB 81;  
HB 82;  
HB 164; and  
HB 1455.

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

**BILLS TABLED**

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

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

HB 81;  
HB 82;  
HB 164; and  
HB 1455.

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

**BILL REMOVED FROM TABLE**

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

Mr. S. SMITH. Madam Speaker, I move that the following bill be taken from the table: HB 1211.

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

**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:

**HB 1211, PN 2632.**

**BILL RECOMMENDED**

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

Mr. S. SMITH. Madam Speaker, I move that the following bill be recommitted to Appropriations: HB 1211.

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

**SENATE MESSAGE**

**ADJOURNMENT RESOLUTION  
FOR CONCURRENCE**

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

In the Senate  
October 14, 2003

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene on Monday, October 20, 2003, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, That when the House of Representatives adjourns this week, it reconvene on Monday, October 20, 2003, unless sooner recalled by the Speaker of the House of Representatives.

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

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

**GUESTS INTRODUCED**

The SPEAKER pro tempore. The Chair is pleased to welcome to the hall of the House, as the guests of Representative Julie Harhart, Pat Stewart and Tim Hausman. They are seated in the gallery. Would they please rise.

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

**HB 1530, PN 2796** (Amended) By Rep. STAIRS

An Act providing for Commonwealth support for a Mental Health and Mental Retardation Staff Member Loan Forgiveness Program for Commonwealth residents who graduate from institutions of higher education and who apply their degrees to careers as mental health and mental retardation staff members in this Commonwealth.

## EDUCATION.

**HB 2066, PN 2797** (Amended) By Rep. GEIST

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further defining "collectible motor vehicle"; defining "I-CAR"; further providing for application for certificate of title, for transfer of vehicle ownership and for reconstructed vehicles; providing for titling and inspection of reconstructed, modified and specially constructed vehicles; further providing for required registration and certificate of title; providing for fees for reconstructed, modified and specially constructed vehicle inspection and for certificate of appointment for reconstructed vehicle inspection sites; and further providing for issuance of certificate of inspection and for State replacement vehicle identification number plate.

## TRANSPORTATION.

**HB 2083, PN 2773** By Rep. O'BRIEN

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for child custody jurisdiction and enforcement.

## JUDICIARY.

**SB 133, PN 1219** (Amended) By Rep. GEIST

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for chemical testing to determine amount of alcohol or controlled substance and for abandonment of vehicles.

## TRANSPORTATION.

**RESOLUTION REPORTED  
FROM COMMITTEE**

**HR 344, PN 2282** By Rep. GEIST

A Resolution encouraging the Delaware River Joint Toll Bridge Commission to develop and implement a uniform toll rate structure and a volume discount system for commercial E-ZPass users.

## TRANSPORTATION.

**LEAVE OF ABSENCE**

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

The Chair recognizes the majority whip, who requests that the gentleman, Mr. LYNCH, from Warren County be placed on leave for today.

There are no leaves of absence requested from the minority caucus.

**MASTER ROLL CALL**

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

The following roll call was recorded:

## PRESENT—199

Adolph	Evans, J.	Levdansky	Samuelson
Allen	Fabrizio	Lewis	Santoni
Argall	Fairchild	Mackereth	Sather
Armstrong	Feese	Maher	Saylor
Baker	Fichter	Maitland	Scavello
Baldwin	Fleagle	Major	Schroder
Bard	Flick	Manderino	Scrimenti
Barrar	Forcier	Mann	Semmel
Bastian	Frankel	Markosek	Shaner
Bebko-Jones	Freeman	Marsico	Smith, B.
Belardi	Gannon	McCall	Smith, S. H.
Benninghoff	Geist	McGeehan	Solobay
Bianucci	George	McGill	Staback
Birmelin	Gergely	McIlhattan	Stairs
Bishop	Gillespie	McIlhinney	Steil
Blaum	Gingrich	McNaughton	Stern
Boyd	Godshall	Melio	Stetler
Browne	Good	Metcalfe	Stevenson, R.
Bunt	Goodman	Micozzie	Stevenson, T.
Butkovitz	Gordner	Miller, R.	Sturla
Buxton	Grucela	Miller, S.	Surra
Caltagirone	Gruitza	Mundy	Tangretti
Cappelli	Habay	Mustio	Taylor, E. Z.
Casorio	Haluska	Myers	Taylor, J.
Causer	Hanna	Nailor	Thomas
Cawley	Harhai	Nickol	Tigue
Civera	Harhart	O'Brien	Travaglio
Clymer	Harper	Oliver	True
Cohen	Harris	O'Neill	Turzai
Coleman	Hasay	Pallone	Vance
Cornell	Hennessey	Payne	Veon
Corrigan	Herman	Petrarca	Vitali
Costa	Hershey	Petri	Walko
Coy	Hess	Petrone	Wansacz
Crahalla	Hickernell	Phillips	Washington
Creighton	Horsey	Pickett	Waters
Cruz	Hutchinson	Pistella	Watson
Curry	James	Preston	Weber
Dailey	Josephs	Raymond	Wheatley
Daley	Keller	Readshaw	Williams
Dally	Kenney	Reed	Wilt
DeLuca	Killion	Reichley	Wojnaroski
Denlinger	Kirkland	Rieger	Wright
Dermody	Kotik	Roberts	Yewcic
DeWeese	LaGrotta	Rohrer	Youngblood
DiGirolamo	Laughlin	Rooney	Yudichak
Diven	Leach	Ross	Zug
Donatucci	Lederer	Rubley	
Eachus	Leh	Ruffing	Perzel,
Egolf	Lescovitz	Sainato	Speaker
Evans, D.			

NAYS-0

NOT VOTING-0

EXCUSED-4

Belfanti Gabig Lynch Roebuck

LEAVES ADDED-1

Harper

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER pro tempore. The Chair recognizes the gentleman from Bucks County, Mr. Petri, who asks to file remarks for the record.

Mr. PETRI submitted the following remarks for the Legislative Journal:

Mr. Speaker, it is my privilege to bring to the attention of the Speaker and the members of the Pennsylvania House of Representatives the name of Steven Dash, who has recently been awarded Scouting's highest honor - Eagle Scout.

Mr. Speaker, I would like to read to the members of the House of Representatives the following citation of merit honoring Steven Dash.

Whereas, Steven Dash earned the Eagle Award in Scouting. This is the highest award that Boy Scouts can bestow and as such represents great sacrifice and tremendous effort on the part of this young man. He is a member of Troop 147.

Now therefore, Mr. Speaker and members of the House of Representatives, it is my privilege to congratulate and place in the Legislative Journal the name of Steven Dash.

CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mrs. WATSON called up HR 432, PN 2750, entitled:

A Resolution joining in the 27th observance of the Great American Smokeout, on November 20, 2003.

On the question, Will the House adopt the resolution?

The following roll call was recorded:

YEAS-199

Adolph Evans, J. Levdansky Samuelson
Allen Fabrizio Lewis Santoni
Argall Fairchild Mackereth Sather
Armstrong Feese Maher Saylor
Baker Fichter Maitland Scavello
Baldwin Fleagle Major Schroder
Bard Flick Manderino Scrimenti
Barrar Forcier Mann Semmel
Bastian Frankel Markosek Shaner
Bebko-Jones Freeman Marsico Smith, B.
Belardi Gannon McCall Smith, S. H.
Benninghoff Geist McGeehan Solobay
Biancucci George McGill Staback
Birmelin Gergely McIlhatten Stairs

Bishop Gillespie McIlhinney Steil
Blaum Gingrich McNaughton Stern
Boyd Godshall Melio Stetler
Browne Good Metcalfe Stevenson, R.
Bunt Goodman Micozzie Stevenson, T.
Butkovitz Gordner Miller, R. Sturla
Buxton Grucela Miller, S. Surra
Caltagirone Gruitza Mundy Tangretti
Cappelli Habay Mustio Taylor, E. Z.
Casorio Haluska Myers Taylor, J.
Causar Hanna Nailor Thomas
Cawley Harhai Nickol Tighe
Civera Harhart O'Brien Travaglio
Clymer Harper Oliver True
Cohen Harris O'Neill Turzai
Coleman Hasay Pallone Vance
Cornell Hennessey Payne Veon
Corrigan Herman Petrarca Vitali
Costa Hershey Petri Walko
Coy Hess Petrone Wansacz
Crahalla Hickernell Phillips Washington
Creighton Horsey Pickett Waters
Cruz Hutchinson Pistella Watson
Curry James Preston Weber
Dailey Josephs Raymond Wheatley
Daley Keller Readshaw Williams
Dally Kenney Reed Wilt
DeLuca Killion Reichley Wojnaroski
Denlinger Kirkland Rieger Wright
Dermody Kotik Roberts Yewcic
DeWeese LaGrotta Rohrer Youngblood
DiGirolamo Laughlin Rooney Yudichak
Diven Leach Ross Zug
Donatucci Lederer Rubley
Eachus Leh Ruffing
Egolf Lescovitz Sainato
Evans, D. Speaker

NAYS-0

NOT VOTING-0

EXCUSED-4

Belfanti Gabig Lynch Roebuck

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

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Mrs. TAYLOR called up HR 434, PN 2751, entitled:

A Resolution designating the week of November 2 through 8, 2003, as "Adult Day Services Week" in Pennsylvania.

On the question, Will the House adopt the resolution?

The following roll call was recorded:

YEAS-199

Adolph Evans, J. Levdansky Samuelson
Allen Fabrizio Lewis Santoni
Argall Fairchild Mackereth Sather
Armstrong Feese Maher Saylor
Baker Fichter Maitland Scavello
Baldwin Fleagle Major Schroder

Bard	Flick	Manderino	Scrimenti
Barrar	Forcier	Mann	Semmel
Bastian	Frankel	Markosek	Shaner
Bebko-Jones	Freeman	Marsico	Smith, B.
Belardi	Gannon	McCall	Smith, S. H.
Benninghoff	Geist	McGeehan	Solobay
Biancucci	George	McGill	Staback
Birmelin	Gergely	McIlhattan	Stairs
Bishop	Gillespie	McIlhinney	Steil
Blaum	Gingrich	McNaughton	Stern
Boyd	Godshall	Melio	Stetler
Browne	Good	Metcalfe	Stevenson, R.
Bunt	Goodman	Micozzie	Stevenson, T.
Butkovitz	Gordner	Miller, R.	Sturla
Buxton	Grucela	Miller, S.	Surra
Caltagirone	Gruitza	Mundy	Tangretti
Cappelli	Habay	Mustio	Taylor, E. Z.
Casorio	Haluska	Myers	Taylor, J.
Causer	Hanna	Nailor	Thomas
Cawley	Harhai	Nickol	Tigue
Civera	Harhart	O'Brien	Travaglio
Clymer	Harper	Oliver	True
Cohen	Harris	O'Neill	Turzai
Coleman	Hasay	Pallone	Vance
Cornell	Hennessey	Payne	Veon
Corrigan	Herman	Petrarca	Vitali
Costa	Hershey	Petri	Walko
Coy	Hess	Petrone	Wansacz
Crahalla	Hickernell	Phillips	Washington
Creighton	Horsey	Pickett	Waters
Cruz	Hutchinson	Pistella	Watson
Curry	James	Preston	Weber
Dailey	Josephs	Raymond	Wheatley
Daley	Keller	Readshaw	Williams
Dally	Kenney	Reed	Wilt
DeLuca	Killion	Reichley	Wojnaroski
Denlinger	Kirkland	Rieger	Wright
Dermody	Kotik	Roberts	Yewcic
DeWeese	LaGrotta	Rohrer	Youngblood
DiGirolamo	Laughlin	Rooney	Yudichak
Diven	Leach	Ross	Zug
Donatucci	Lederer	Rubley	
Eachus	Leh	Ruffing	Perzel,
Egolf	Lescovitz	Sainato	Speaker
Evans, D.			

NAYS-0

NOT VOTING-0

EXCUSED-4

Belfanti	Gabig	Lynch	Roebuck
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

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Mrs. TAYLOR called up **HR 435, PN 2752**, entitled:

A Resolution designating the week of October 12 through 18, 2003, as "Pennsylvania Brachial Plexus Injury Awareness Week."

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-199

Adolph	Evans, J.	Levdansky	Samuelson
Allen	Fabrizio	Lewis	Santoni
Argall	Fairchild	Mackereth	Sather
Armstrong	Feese	Maher	Saylor
Baker	Fichter	Maitland	Scavello
Baldwin	Fleagle	Major	Schroder
Bard	Flick	Manderino	Scrimenti
Barrar	Forcier	Mann	Semmel
Bastian	Frankel	Markosek	Shaner
Bebko-Jones	Freeman	Marsico	Smith, B.
Belardi	Gannon	McCall	Smith, S. H.
Benninghoff	Geist	McGeehan	Solobay
Biancucci	George	McGill	Staback
Birmelin	Gergely	McIlhattan	Stairs
Bishop	Gillespie	McIlhinney	Steil
Blaum	Gingrich	McNaughton	Stern
Boyd	Godshall	Melio	Stetler
Browne	Good	Metcalfe	Stevenson, R.
Bunt	Goodman	Micozzie	Stevenson, T.
Butkovitz	Gordner	Miller, R.	Sturla
Buxton	Grucela	Miller, S.	Surra
Caltagirone	Gruitza	Mundy	Tangretti
Cappelli	Habay	Mustio	Taylor, E. Z.
Casorio	Haluska	Myers	Taylor, J.
Causer	Hanna	Nailor	Thomas
Cawley	Harhai	Nickol	Tigue
Civera	Harhart	O'Brien	Travaglio
Clymer	Harper	Oliver	True
Cohen	Harris	O'Neill	Turzai
Coleman	Hasay	Pallone	Vance
Cornell	Hennessey	Payne	Veon
Corrigan	Herman	Petrarca	Vitali
Costa	Hershey	Petri	Walko
Coy	Hess	Petrone	Wansacz
Crahalla	Hickernell	Phillips	Washington
Creighton	Horsey	Pickett	Waters
Cruz	Hutchinson	Pistella	Watson
Curry	James	Preston	Weber
Dailey	Josephs	Raymond	Wheatley
Daley	Keller	Readshaw	Williams
Dally	Kenney	Reed	Wilt
DeLuca	Killion	Reichley	Wojnaroski
Denlinger	Kirkland	Rieger	Wright
Dermody	Kotik	Roberts	Yewcic
DeWeese	LaGrotta	Rohrer	Youngblood
DiGirolamo	Laughlin	Rooney	Yudichak
Diven	Leach	Ross	Zug
Donatucci	Lederer	Rubley	
Eachus	Leh	Ruffing	Perzel,
Egolf	Lescovitz	Sainato	Speaker
Evans, D.			

NAYS-0

NOT VOTING-0

EXCUSED-4

Belfanti	Gabig	Lynch	Roebuck
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

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Mr. WATERS called up **HR 437, PN 2753**, entitled:

A Resolution recognizing and honoring Miss America 2003, Erika Harold, for her inspirational commitment to service, academic excellence and political ambition.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-199

Adolph	Evans, J.	Levdansky	Samuelson
Allen	Fabrizio	Lewis	Santoni
Argall	Fairchild	Mackereth	Sather
Armstrong	Feese	Maher	Saylor
Baker	Fichter	Maitland	Scavello
Baldwin	Fleagle	Major	Schroder
Bard	Flick	Manderino	Scrimenti
Barrar	Forcier	Mann	Semmel
Bastian	Frankel	Markosek	Shaner
Bebko-Jones	Freeman	Marsico	Smith, B.
Belardi	Gannon	McCall	Smith, S. H.
Benninghoff	Geist	McGeehan	Solobay
Biancucci	George	McGill	Staback
Birmelin	Gergely	McIlhattan	Stairs
Bishop	Gillespie	McIlhinney	Steil
Blaum	Gingrich	McNaughton	Stern
Boyd	Godshall	Melio	Stetler
Browne	Good	Metcalfe	Stevenson, R.
Bunt	Goodman	Micozzie	Stevenson, T.
Butkovitz	Gordner	Miller, R.	Sturla
Buxton	Grucela	Miller, S.	Surra
Caltagirone	Gruitza	Mundy	Tangretti
Cappelli	Habay	Mustio	Taylor, E. Z.
Casorio	Haluska	Myers	Taylor, J.
Causer	Hanna	Nailor	Thomas
Cawley	Harhai	Nickol	Tigue
Civera	Harhart	O'Brien	Travaglio
Clymer	Harper	Oliver	True
Cohen	Harris	O'Neill	Turzai
Coleman	Hasay	Pallone	Vance
Cornell	Hennessey	Payne	Veon
Corrigan	Herman	Petrarca	Vitali
Costa	Hershey	Petri	Walko
Coy	Hess	Petrone	Wansacz
Crahalla	Hickernell	Phillips	Washington
Creighton	Horsley	Pickett	Waters
Cruz	Hutchinson	Pistella	Watson
Curry	James	Preston	Weber
Dailey	Josephs	Raymond	Wheatley
Daley	Keller	Readshaw	Williams
Dally	Kenney	Reed	Wilt
DeLuca	Killion	Reichley	Wojnaroski
Denlinger	Kirkland	Rieger	Wright
Dermody	Kotik	Roberts	Yewcic
DeWeese	LaGrotta	Rohrer	Youngblood
DiGirolamo	Laughlin	Rooney	Yudichak
Diven	Leach	Ross	Zug
Donatucci	Lederer	Rubley	
Eachus	Leh	Ruffing	Perzel,
Egolf	Lescovitz	Sainato	Speaker
Evans, D.			

NAYS-0

NOT VOTING-0

EXCUSED-4

Belfanti                  Gabig                  Lynch                  Roebuck

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

**FILMING PERMISSION**

The SPEAKER pro tempore. The Chair has given permission to Mr. James C. Mentzer to take a photograph of Mr. Flick at his desk.

**RESOLUTIONS PURSUANT TO RULE 35**

Mr. O'BRIEN called up **HR 438, PN 2754**, entitled:

A Resolution commemorating the 25th anniversary of LaSalle University's Communications Department.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-199

Adolph	Evans, J.	Levdansky	Samuelson
Allen	Fabrizio	Lewis	Santoni
Argall	Fairchild	Mackereth	Sather
Armstrong	Feese	Maher	Saylor
Baker	Fichter	Maitland	Scavello
Baldwin	Fleagle	Major	Schroder
Bard	Flick	Manderino	Scrimenti
Barrar	Forcier	Mann	Semmel
Bastian	Frankel	Markosek	Shaner
Bebko-Jones	Freeman	Marsico	Smith, B.
Belardi	Gannon	McCall	Smith, S. H.
Benninghoff	Geist	McGeehan	Solobay
Biancucci	George	McGill	Staback
Birmelin	Gergely	McIlhattan	Stairs
Bishop	Gillespie	McIlhinney	Steil
Blaum	Gingrich	McNaughton	Stern
Boyd	Godshall	Melio	Stetler
Browne	Good	Metcalfe	Stevenson, R.
Bunt	Goodman	Micozzie	Stevenson, T.
Butkovitz	Gordner	Miller, R.	Sturla
Buxton	Grucela	Miller, S.	Surra
Caltagirone	Gruitza	Mundy	Tangretti
Cappelli	Habay	Mustio	Taylor, E. Z.
Casorio	Haluska	Myers	Taylor, J.
Causer	Hanna	Nailor	Thomas
Cawley	Harhai	Nickol	Tigue
Civera	Harhart	O'Brien	Travaglio
Clymer	Harper	Oliver	True
Cohen	Harris	O'Neill	Turzai
Coleman	Hasay	Pallone	Vance
Cornell	Hennessey	Payne	Veon
Corrigan	Herman	Petrarca	Vitali
Costa	Hershey	Petri	Walko
Coy	Hess	Petrone	Wansacz
Crahalla	Hickernell	Phillips	Washington
Creighton	Horsley	Pickett	Waters
Cruz	Hutchinson	Pistella	Watson
Curry	James	Preston	Weber
Dailey	Josephs	Raymond	Wheatley
Daley	Keller	Readshaw	Williams
Dally	Kenney	Reed	Wilt

DeLuca	Killion	Reichley	Wojnaroski
Denlinger	Kirkland	Rieger	Wright
Dermody	Kotik	Roberts	Yewcic
DeWeese	LaGrotta	Rohrer	Youngblood
DiGirolamo	Laughlin	Rooney	Yudichak
Diven	Leach	Ross	Zug
Donatucci	Lederer	Rubley	
Eachus	Leh	Ruffing	Perzel,
Egolf	Lescovitz	Sainato	Speaker
Evans, D.			

NAYS—0

NOT VOTING—0

EXCUSED—4

Belfanti	Gabig	Lynch	Roebuck
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

\* \* \*

Mr. O'BRIEN called up **HR 439, PN 2755**, entitled:

A Resolution recognizing C. Matthew Dennison for outstanding accomplishments in competitive employment and commending the St. Louis Cardinals and the Wilmington Blue Rocks baseball teams for employing and working with adults with autism.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—199

Adolph	Evans, J.	Levdansky	Samuelson
Allen	Fabrizio	Lewis	Santoni
Argall	Fairchild	Mackereth	Sather
Armstrong	Feese	Maher	Saylor
Baker	Fichter	Maitland	Scavello
Baldwin	Fleagle	Major	Schroder
Bard	Flick	Manderino	Scrimenti
Barrar	Forcier	Mann	Semmel
Bastian	Frankel	Markosek	Shaner
Bebko-Jones	Freeman	Marsico	Smith, B.
Belardi	Gannon	McCall	Smith, S. H.
Benninghoff	Geist	McGeehan	Solobay
Biancucci	George	McGill	Staback
Birmelin	Gergely	McIlhattan	Stairs
Bishop	Gillespie	McIlhinney	Steil
Blaum	Gingrich	McNaughton	Stern
Boyd	Godshall	Melio	Stetler
Browne	Good	Metcalfe	Stevenson, R.
Bunt	Goodman	Micozzie	Stevenson, T.
Butkovitz	Gordner	Miller, R.	Sturla
Buxton	Grucela	Miller, S.	Surra
Caltagirone	Gruitza	Mundy	Tangretti
Cappelli	Habay	Mustio	Taylor, E. Z.
Casorio	Haluska	Myers	Taylor, J.
Causer	Hanna	Nailor	Thomas
Cawley	Harhai	Nickol	Tigue
Civera	Harhart	O'Brien	Travaglio
Clymer	Harper	Oliver	True
Cohen	Harris	O'Neill	Turzai
Coleman	Hasay	Pallone	Vance
Cornell	Hennessey	Payne	Veon

Corrigan	Herman	Petrarca	Vitali
Costa	Hershey	Petri	Walko
Coy	Hess	Petrone	Wansacz
Crahalla	Hickernell	Phillips	Washington
Creighton	Horsey	Pickett	Waters
Cruz	Hutchinson	Pistella	Watson
Curry	James	Preston	Weber
Dailey	Josephs	Raymond	Wheatley
Daley	Keller	Readshaw	Williams
Dally	Kenney	Reed	Wilt
DeLuca	Killion	Reichley	Wojnaroski
Denlinger	Kirkland	Rieger	Wright
Dermody	Kotik	Roberts	Yewcic
DeWeese	LaGrotta	Rohrer	Youngblood
DiGirolamo	Laughlin	Rooney	Yudichak
Diven	Leach	Ross	Zug
Donatucci	Lederer	Rubley	
Eachus	Leh	Ruffing	Perzel,
Egolf	Lescovitz	Sainato	Speaker
Evans, D.			

NAYS—0

NOT VOTING—0

EXCUSED—4

Belfanti	Gabig	Lynch	Roebuck
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

\* \* \*

Mr. WOJNAROSKI called up **HR 445, PN 2756**, entitled:

A Resolution designating the month of November 2003 as "Alzheimer's Disease Awareness Month."

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—199

Adolph	Evans, J.	Levdansky	Samuelson
Allen	Fabrizio	Lewis	Santoni
Argall	Fairchild	Mackereth	Sather
Armstrong	Feese	Maher	Saylor
Baker	Fichter	Maitland	Scavello
Baldwin	Fleagle	Major	Schroder
Bard	Flick	Manderino	Scrimenti
Barrar	Forcier	Mann	Semmel
Bastian	Frankel	Markosek	Shaner
Bebko-Jones	Freeman	Marsico	Smith, B.
Belardi	Gannon	McCall	Smith, S. H.
Benninghoff	Geist	McGeehan	Solobay
Biancucci	George	McGill	Staback
Birmelin	Gergely	McIlhattan	Stairs
Bishop	Gillespie	McIlhinney	Steil
Blaum	Gingrich	McNaughton	Stern
Boyd	Godshall	Melio	Stetler
Browne	Good	Metcalfe	Stevenson, R.
Bunt	Goodman	Micozzie	Stevenson, T.
Butkovitz	Gordner	Miller, R.	Sturla
Buxton	Grucela	Miller, S.	Surra
Caltagirone	Gruitza	Mundy	Tangretti
Cappelli	Habay	Mustio	Taylor, E. Z.

Casorio	Haluska	Myers	Taylor, J.
Causer	Hanna	Nailor	Thomas
Cawley	Harhai	Nickol	Tigue
Civera	Harhart	O'Brien	Travaglio
Clymer	Harper	Oliver	True
Cohen	Harris	O'Neill	Turzai
Coleman	Hasay	Pallone	Vance
Cornell	Hennessey	Payne	Veon
Corrigan	Herman	Petrarca	Vitali
Costa	Hershey	Petri	Walko
Coy	Hess	Petrone	Wansacz
Crahalla	Hickernell	Phillips	Washington
Creighton	Horse	Pickett	Waters
Cruz	Hutchinson	Pistella	Watson
Curry	James	Preston	Weber
Dailey	Josephs	Raymond	Wheatley
Daley	Keller	Readshaw	Williams
Dally	Kenney	Reed	Wilt
DeLuca	Killion	Reichley	Wojnaroski
Denlinger	Kirkland	Rieger	Wright
Dermody	Kotik	Roberts	Yewcic
DeWeese	LaGrotta	Rohrer	Youngblood
DiGirolamo	Laughlin	Rooney	Yudichak
Diven	Leach	Ross	Zug
Donatucci	Lederer	Rubley	
Eachus	Leh	Ruffing	Perzel,
Egolf	Lescovitz	Sainato	Speaker
Evans, D.			

NAYS-0

NOT VOTING-0

EXCUSED-4

Belfanti	Gabig	Lynch	Roebuck
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

\* \* \*

Mrs. LEDERER called up **HR 446, PN 2757**, entitled:

A Resolution urging the Federal Communications Commission and major television networks to curb or eliminate the growing amount of profanity on television, especially during the "family hour."

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-199

Adolph	Evans, J.	Levdansky	Samuelson
Allen	Fabrizio	Lewis	Santoni
Argall	Fairchild	Mackereth	Sather
Armstrong	Feese	Maher	Saylor
Baker	Fichter	Maitland	Scavello
Baldwin	Fleagle	Major	Schroder
Bard	Flick	Manderino	Scrimenti
Barrar	Forcier	Mann	Semmel
Bastian	Frankel	Markosek	Shaner
Bebko-Jones	Freeman	Marsico	Smith, B.
Belardi	Gannon	McCall	Smith, S. H.
Benninghoff	Geist	McGeehan	Solobay
Bianucci	George	McGill	Staback
Birmelin	Gergely	McIlhatten	Stairs

Bishop	Gillespie	McIlhinney	Steil
Blaum	Gingrich	McNaughton	Stern
Boyd	Godshall	Melio	Stetler
Browne	Good	Metcalfe	Stevenson, R.
Bunt	Goodman	Micozzie	Stevenson, T.
Butkovitz	Gordner	Miller, R.	Sturla
Buxton	Grucela	Miller, S.	Surra
Caltagirone	Gruitza	Mundy	Tangr etti
Cappelli	Habay	Mustio	Taylor, E. Z.
Casorio	Haluska	Myers	Taylor, J.
Causer	Hanna	Nailor	Thomas
Cawley	Harhai	Nickol	Tigue
Civera	Harhart	O'Brien	Travaglio
Clymer	Harper	Oliver	True
Cohen	Harris	O'Neill	Turzai
Coleman	Hasay	Pallone	Vance
Cornell	Hennessey	Payne	Veon
Corrigan	Herman	Petrarca	Vitali
Costa	Hershey	Petri	Walko
Coy	Hess	Petrone	Wansacz
Crahalla	Hickernell	Phillips	Washington
Creighton	Horse	Pickett	Waters
Cruz	Hutchinson	Pistella	Watson
Curry	James	Preston	Weber
Dailey	Josephs	Raymond	Wheatley
Daley	Keller	Readshaw	Williams
Dally	Kenney	Reed	Wilt
DeLuca	Killion	Reichley	Wojnaroski
Denlinger	Kirkland	Rieger	Wright
Dermody	Kotik	Roberts	Yewcic
DeWeese	LaGrotta	Rohrer	Youngblood
DiGirolamo	Laughlin	Rooney	Yudichak
Diven	Leach	Ross	Zug
Donatucci	Lederer	Rubley	
Eachus	Leh	Ruffing	Perzel,
Egolf	Lescovitz	Sainato	Speaker
Evans, D.			

NAYS-0

NOT VOTING-0

EXCUSED-4

Belfanti	Gabig	Lynch	Roebuck
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

\* \* \*

Ms. PICKETT called up **HR 447, PN 2758**, entitled:

A Resolution designating October 25, 2003, as "Make a Difference Day" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-199

Adolph	Evans, J.	Levdansky	Samuelson
Allen	Fabrizio	Lewis	Santoni
Argall	Fairchild	Mackereth	Sather
Armstrong	Feese	Maher	Saylor
Baker	Fichter	Maitland	Scavello
Baldwin	Fleagle	Major	Schroder



Bard	Flick	Manderino	Scrimenti
Barrar	Forcier	Mann	Semmel
Bastian	Frankel	Markosek	Shaner
Bebko-Jones	Freeman	Marsico	Smith, B.
Belardi	Gannon	McCall	Smith, S. H.
Benninghoff	Geist	McGeehan	Solobay
Biancucci	George	McGill	Staback
Birmelin	Gergely	McIlhattan	Stairs
Bishop	Gillespie	McIlhinney	Steil
Blaum	Gingrich	McNaughton	Stern
Boyd	Godshall	Melio	Stetler
Browne	Good	Metcalfe	Stevenson, R.
Bunt	Goodman	Micozzie	Stevenson, T.
Butkovitz	Gordner	Miller, R.	Sturla
Buxton	Grucela	Miller, S.	Surra
Caltagirone	Gruitza	Mundy	Tangretti
Cappelli	Habay	Mustio	Taylor, E. Z.
Casorio	Haluska	Myers	Taylor, J.
Causer	Hanna	Nailor	Thomas
Cawley	Harhai	Nickol	Tigue
Civera	Harhart	O'Brien	Travaglio
Clymer	Harper	Oliver	True
Cohen	Harris	O'Neill	Turzai
Coleman	Hasay	Pallone	Vance
Cornell	Hennessey	Payne	Veon
Corrigan	Herman	Petrarca	Vitali
Costa	Hershey	Petri	Walko
Coy	Hess	Petrone	Wansacz
Crahalla	Hickernell	Phillips	Washington
Creighton	Horsey	Pickett	Waters
Cruz	Hutchinson	Pistella	Watson
Curry	James	Preston	Weber
Dailey	Josephs	Raymond	Wheatley
Daley	Keller	Readshaw	Williams
Dally	Kenney	Reed	Wilt
DeLuca	Killion	Reichley	Wojnaroski
Denlinger	Kirkland	Rieger	Wright
Dermody	Kotik	Roberts	Yewcic
DeWeese	LaGrotta	Rohrer	Youngblood
DiGirolamo	Laughlin	Rooney	Yudichak
Diven	Leach	Ross	Zug
Donatucci	Lederer	Rubley	
Eachus	Leh	Ruffing	Perzel,
Egolf	Lescovitz	Sainato	Speaker
Evans, D.			

NAYS-0

NOT VOTING-0

EXCUSED-4

Belfanti	Gabig	Lynch	Roebuck
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

\* \* \*

Mrs. RUBLEY called up **HR 448, PN 2759**, entitled:

A Resolution designating the week of October 19 through 25, 2003, as "Radon Action Week" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-199

Adolph	Evans, J.	Levdansky	Samuelson
Allen	Fabrizio	Lewis	Santoni
Argall	Fairchild	Mackereth	Sather
Armstrong	Feese	Maher	Saylor
Baker	Fichter	Maitland	Scavello
Baldwin	Fleagle	Major	Schroder
Bard	Flick	Manderino	Scrimenti
Barrar	Forcier	Mann	Semmel
Bastian	Frankel	Markosek	Shaner
Bebko-Jones	Freeman	Marsico	Smith, B.
Belardi	Gannon	McCall	Smith, S. H.
Benninghoff	Geist	McGeehan	Solobay
Biancucci	George	McGill	Staback
Birmelin	Gergely	McIlhattan	Stairs
Bishop	Gillespie	McIlhinney	Steil
Blaum	Gingrich	McNaughton	Stern
Boyd	Godshall	Melio	Stetler
Browne	Good	Metcalfe	Stevenson, R.
Bunt	Goodman	Micozzie	Stevenson, T.
Butkovitz	Gordner	Miller, R.	Sturla
Buxton	Grucela	Miller, S.	Surra
Caltagirone	Gruitza	Mundy	Tangretti
Cappelli	Habay	Mustio	Taylor, E. Z.
Casorio	Haluska	Myers	Taylor, J.
Causer	Hanna	Nailor	Thomas
Cawley	Harhai	Nickol	Tigue
Civera	Harhart	O'Brien	Travaglio
Clymer	Harper	Oliver	True
Cohen	Harris	O'Neill	Turzai
Coleman	Hasay	Pallone	Vance
Cornell	Hennessey	Payne	Veon
Corrigan	Herman	Petrarca	Vitali
Costa	Hershey	Petri	Walko
Coy	Hess	Petrone	Wansacz
Crahalla	Hickernell	Phillips	Washington
Creighton	Horsey	Pickett	Waters
Cruz	Hutchinson	Pistella	Watson
Curry	James	Preston	Weber
Dailey	Josephs	Raymond	Wheatley
Daley	Keller	Readshaw	Williams
Dally	Kenney	Reed	Wilt
DeLuca	Killion	Reichley	Wojnaroski
Denlinger	Kirkland	Rieger	Wright
Dermody	Kotik	Roberts	Yewcic
DeWeese	LaGrotta	Rohrer	Youngblood
DiGirolamo	Laughlin	Rooney	Yudichak
Diven	Leach	Ross	Zug
Donatucci	Lederer	Rubley	
Eachus	Leh	Ruffing	Perzel,
Egolf	Lescovitz	Sainato	Speaker
Evans, D.			

NAYS-0

NOT VOTING-0

EXCUSED-4

Belfanti	Gabig	Lynch	Roebuck
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

\* \* \*

Mrs. RUBLEY called up **HR 449, PN 2760**, entitled:

A Resolution proclaiming November 15, 2003, as “America Recycles Day” in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-199

Adolph	Evans, J.	Levdansky	Samuelson
Allen	Fabrizio	Lewis	Santoni
Argall	Fairchild	Mackereth	Sather
Armstrong	Feese	Maher	Saylor
Baker	Fichter	Maitland	Scavello
Baldwin	Fleagle	Major	Schroder
Bard	Flick	Manderino	Scrimenti
Barrar	Forcier	Mann	Semmel
Bastian	Frankel	Markosek	Shaner
Bebko-Jones	Freeman	Marsico	Smith, B.
Belardi	Gannon	McCall	Smith, S. H.
Benninghoff	Geist	McGeehan	Solobay
Biancucci	George	McGill	Staback
Birmelin	Gergely	McIlhattan	Stairs
Bishop	Gillespie	McIlhinney	Steil
Blaum	Gingrich	McNaughton	Stern
Boyd	Godshall	Melio	Stetler
Browne	Good	Metcalfe	Stevenson, R.
Bunt	Goodman	Micozzie	Stevenson, T.
Butkovitz	Gordner	Miller, R.	Sturla
Buxton	Grucela	Miller, S.	Surra
Caltagirone	Gruitza	Mundy	Tangretti
Cappelli	Habay	Mustio	Taylor, E. Z.
Casorio	Haluska	Myers	Taylor, J.
Causser	Hanna	Nailor	Thomas
Cawley	Harhai	Nickol	Tigue
Civera	Harhart	O'Brien	Travaglio
Clymer	Harper	Oliver	True
Cohen	Harris	O'Neill	Turzai
Coleman	Hasay	Pallone	Vance
Cornell	Hennessey	Payne	Veon
Corrigan	Herman	Petrarca	Vitali
Costa	Hershey	Petri	Walko
Coy	Hess	Petrone	Wansacz
Crahalla	Hickernell	Phillips	Washington
Creighton	Horsey	Pickett	Waters
Cruz	Hutchinson	Pistella	Watson
Curry	James	Preston	Weber
Dailey	Josephs	Raymond	Wheatley
Daley	Keller	Readshaw	Williams
Dally	Kenney	Reed	Wilt
DeLuca	Killion	Reichley	Wojnaroski
Denlinger	Kirkland	Rieger	Wright
Dermody	Kotik	Roberts	Yewcic
DeWeese	LaGrotta	Rohrer	Youngblood
DiGirolamo	Laughlin	Rooney	Yudichak
Diven	Leach	Ross	Zug
Donatucci	Lederer	Rubley	
Eachus	Leh	Ruffing	Perzel,
Egolf	Lescovitz	Sainato	Speaker
Evans, D.			

NAYS-0

NOT VOTING-0

EXCUSED-4

Belfanti	Gabig	Lynch	Roebuck
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

SUPPLEMENTAL CALENDAR A

RESOLUTION PURSUANT TO RULE 35

Mr. DeWEESE called up **HR 450, PN 2787**, entitled:

A Resolution recognizing and honoring the achievements of the Enlow Fork Mine Rescue Team and other mine rescue teams sponsored by CONSOL Energy Incorporated.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-199

Adolph	Evans, J.	Levdansky	Samuelson
Allen	Fabrizio	Lewis	Santoni
Argall	Fairchild	Mackereth	Sather
Armstrong	Feese	Maher	Saylor
Baker	Fichter	Maitland	Scavello
Baldwin	Fleagle	Major	Schroder
Bard	Flick	Manderino	Scrimenti
Barrar	Forcier	Mann	Semmel
Bastian	Frankel	Markosek	Shaner
Bebko-Jones	Freeman	Marsico	Smith, B.
Belardi	Gannon	McCall	Smith, S. H.
Benninghoff	Geist	McGeehan	Solobay
Biancucci	George	McGill	Staback
Birmelin	Gergely	McIlhattan	Stairs
Bishop	Gillespie	McIlhinney	Steil
Blaum	Gingrich	McNaughton	Stern
Boyd	Godshall	Melio	Stetler
Browne	Good	Metcalfe	Stevenson, R.
Bunt	Goodman	Micozzie	Stevenson, T.
Butkovitz	Gordner	Miller, R.	Sturla
Buxton	Grucela	Miller, S.	Surra
Caltagirone	Gruitza	Mundy	Tangretti
Cappelli	Habay	Mustio	Taylor, E. Z.
Casorio	Haluska	Myers	Taylor, J.
Causser	Hanna	Nailor	Thomas
Cawley	Harhai	Nickol	Tigue
Civera	Harhart	O'Brien	Travaglio
Clymer	Harper	Oliver	True
Cohen	Harris	O'Neill	Turzai
Coleman	Hasay	Pallone	Vance
Cornell	Hennessey	Payne	Veon
Corrigan	Herman	Petrarca	Vitali
Costa	Hershey	Petri	Walko
Coy	Hess	Petrone	Wansacz
Crahalla	Hickernell	Phillips	Washington
Creighton	Horsey	Pickett	Waters
Cruz	Hutchinson	Pistella	Watson
Curry	James	Preston	Weber
Dailey	Josephs	Raymond	Wheatley
Daley	Keller	Readshaw	Williams
Dally	Kenney	Reed	Wilt
DeLuca	Killion	Reichley	Wojnaroski
Denlinger	Kirkland	Rieger	Wright
Dermody	Kotik	Roberts	Yewcic
DeWeese	LaGrotta	Rohrer	Youngblood
DiGirolamo	Laughlin	Rooney	Yudichak
Diven	Leach	Ross	Zug
Donatucci	Lederer	Rubley	
Eachus	Leh	Ruffing	Perzel,
Egolf	Lescovitz	Sainato	Speaker
Evans, D.			

NAYS—0

NOT VOTING—0

EXCUSED—4

Belfanti Gabig Lynch Roebuck

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

### CALENDAR CONTINUED

#### BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 951, PN 1117**, 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 sales and use tax definitions, for sales and use tax exclusions, for personal income tax definitions and for classes of personal income; providing for a credit against personal income tax; further providing for realty transfer tax definitions, for realty transfer tax exclusions and for penalties for failing to fulfill a historic covenant; and conferring powers and duties on the Pennsylvania Historical and Museum Commission.

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

The SPEAKER pro tempore. The gentleman, Mr. Egolf, offers the following amendment, which the clerk will read.  
Sorry; the gentleman has withdrawn that amendment.

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

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

The question is, shall the bill pass finally?

On the question, the Chair recognizes the gentleman from Westmoreland, Mr. Tangretti.

Mr. TANGRETTI. Thank you, Madam Speaker.

Madam Speaker, we have been dealing with this issue for a number of years now. As a matter of fact, you and I have passed this out of this House on a previous occasion. This is a many-member bipartisan effort. Many of you in this chamber are cosponsors of this bill for obvious reasons. This concept has been recognized and adopted in one fashion or another by 43 other States, and I think it is about time that we as Pennsylvanians adopt it as well.

We need to come to realize about how providing these tax incentives for historic districts and properties can revitalize our cities and small towns and boroughs. It has been very, very effective, as I mentioned, in other States in stabilizing neighborhoods; enhancing the market value of those communities, those residential areas; providing a quality of lifestyle that is becoming more and more desirable among those

who move from job to job. There is a study by a Carnegie Mellon University professor that says that we have a whole range of job opportunities where young entrepreneurs and engineers and software experts and computer experts and all these folks who can go anywhere in the country to live would prefer to live in a city or a small town with the kinds of amenities that this bill will create. And it provides a very positive alternative to sprawl, in addition to which it has been proven to be an economic development tool not only from historic tourism but the relocation criteria for these various companies that look to relocate businesses in other parts of the country.

I think that it is something that we as a State have an absolute duty to do, and I think the Governor has recognized that in his economic stimulus package by adopting Representative Freeman's Elm Street bill concept, the Main Street concept, and various other methods of providing economic stimulus to revitalize our small cities and towns. And I am happy to report that Governor Rendell has embraced this bill as well as 952, Representative Frankel's bill, as part of that stimulus package.

So I would ask again for your support for this bill. We will send it to the Senate. We believe that the Senate is on board with this concept, not only as part of the stimulus package but as a concept unto itself. So, Madam Speaker, I would ask for an affirmative vote from my colleagues.

Thank you very much.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,  
Shall the bill pass finally?

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

The following roll call was recorded:

#### YEAS—199

Adolph	Evans, J.	Levdansky	Samuelson
Allen	Fabrizio	Lewis	Santoni
Argall	Fairchild	Mackereth	Sather
Armstrong	Feese	Maher	Saylor
Baker	Fichter	Maitland	Scavello
Baldwin	Fleagle	Major	Schroder
Bard	Flick	Manderino	Scrimenti
Barrar	Forcier	Mann	Semmel
Bastian	Frankel	Markosek	Shaner
Bebko-Jones	Freeman	Marsico	Smith, B.
Belardi	Gannon	McCall	Smith, S. H.
Benninghoff	Geist	McGeehan	Solobay
Biancucci	George	McGill	Staback
Birmelin	Gergely	McIlhattan	Stairs
Bishop	Gillespie	McIlhinney	Steil
Blaum	Gingrich	McNaughton	Stern
Boyd	Godshall	Melio	Stetler
Browne	Good	Metcalfe	Stevenson, R.
Bunt	Goodman	Micozzie	Stevenson, T.
Butkovitz	Gordner	Miller, R.	Sturla
Buxton	Grucela	Miller, S.	Surra
Caltagirone	Gruitza	Mundy	Tangretti
Cappelli	Habay	Mustio	Taylor, E. Z.
Casorio	Haluska	Myers	Taylor, J.
Causer	Hanna	Nailor	Thomas
Cawley	Harhai	Nickol	Tigue
Civera	Harhart	O'Brien	Travaglio
Clymer	Harper	Oliver	True

Cohen	Harris	O'Neill	Turzai
Coleman	Hasay	Pallone	Vance
Cornell	Hennessey	Payne	Veon
Corrigan	Herman	Petrarca	Vitali
Costa	Hershey	Petri	Walko
Coy	Hess	Petrone	Wansacz
Crahalla	Hickernell	Phillips	Washington
Creighton	Horsey	Pickett	Waters
Cruz	Hutchinson	Pistella	Watson
Curry	James	Preston	Weber
Dailey	Josephs	Raymond	Wheatley
Daley	Keller	Readshaw	Williams
Dally	Kenney	Reed	Wilt
DeLuca	Killion	Reichley	Wojnaroski
Denlinger	Kirkland	Rieger	Wright
Dermody	Kotik	Roberts	Yewcic
DeWeese	LaGrotta	Rohrer	Youngblood
DiGirolamo	Laughlin	Rooney	Yudichak
Diven	Leach	Ross	Zug
Donatucci	Lederer	Rubley	
Eachus	Leh	Ruffing	Perzel, Speaker
Egolf	Lescovitz	Sainato	
Evans, D.			

NAYS—0

NOT VOTING—0

EXCUSED—4

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

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

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

**HB 2004, PN 2798** (Amended) By Rep. CLYMER

An Act amending the compact contained in the act of June 5, 1937 (P.L.1664, No.348), entitled "An act to ratify and adopt a compact or agreement negotiated by commissioners designated by the Governor of the Commonwealth of Pennsylvania, and commissioners designated by the Governor of the State of Ohio, relative to the development, use, and control of the Pymatuning Lake and the State owned land surrounding said lake for fishing, hunting, recreational, and park purposes," changing provisions relating to the operation of motor boats.

STATE GOVERNMENT.

**DEMOCRATIC CAUCUS**

The SPEAKER pro tempore. If there are no announcements, this House stands in recess until— Strike that, please.

The Chair recognizes the gentleman from Philadelphia, Mr. Cohen.

Mr. COHEN. Madam Speaker, the Democrats are going to caucus immediately upon the call of the recess.

Do we have information as to what time we will be back?

The SPEAKER pro tempore. 1 o'clock, sir.

Mr. COHEN. Thank you.  
We will have a Democratic caucus and informal discussions immediately upon the call of the recess.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the lady from Chester County, Mrs. Taylor.

Mrs. TAYLOR. Thank you, Madam Speaker.

There will be no Republican caucus at this moment. Watch your computers, because we may be meeting later on in the day. But as we know at this hour, there will be no majority caucus meeting.

Thank you, Madam Speaker.

**RECESS**

The SPEAKER pro tempore. This House now stands in recess until 1 p.m.

**RECESS EXTENDED**

The time of recess was extended until 1:45 p.m.; further extended until 2:30 p.m.

**AFTER RECESS**

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

**THE SPEAKER (JOHN M. PERZEL) PRESIDING**

**BILL SIGNED BY SPEAKER**

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

**SB 846, PN 1033**

An Act authorizing the release of Project 70 restrictions imposed on certain lands owned by the Township of Willistown, Chester County, and imposing Project 70 restrictions on certain lands being conveyed to the township.

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

**SUPPLEMENTAL CALENDAR B**

**RESOLUTION PURSUANT TO RULE 35**

Mr. McGEEHAN called up **HR 453, PN 2795**, entitled:

A Resolution recognizing October 18, 2003, as "World Water Monitoring Day" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-199

Adolph	Evans, J.	Levdansky	Samuelson
Allen	Fabrizio	Lewis	Santoni
Argall	Fairchild	Mackereth	Sather
Armstrong	Feese	Maher	Saylor
Baker	Fichter	Maitland	Scavello
Baldwin	Fleagle	Major	Schroder
Bard	Flick	Manderino	Scrimenti
Barrar	Forcier	Mann	Semmel
Bastian	Frankel	Markosek	Shaner
Bebko-Jones	Freeman	Marsico	Smith, B.
Belardi	Gannon	McCall	Smith, S. H.
Benninghoff	Geist	McGeehan	Solobay
Biancucci	George	McGill	Staback
Birmelin	Gergely	McIlhattan	Stairs
Bishop	Gillespie	McIlhinney	Steil
Blaum	Gingrich	McNaughton	Stern
Boyd	Godshall	Melio	Stetler
Browne	Good	Metcalfe	Stevenson, R.
Bunt	Goodman	Micozzie	Stevenson, T.
Butkovitz	Gordner	Miller, R.	Sturla
Buxton	Grucela	Miller, S.	Surra
Caltagirone	Gruitza	Mundy	Tangretti
Cappelli	Habay	Mustio	Taylor, E. Z.
Casorio	Haluska	Myers	Taylor, J.
Causar	Hanna	Nailor	Thomas
Cawley	Harhai	Nickol	Tigue
Civera	Harhart	O'Brien	Travaglio
Clymer	Harper	Oliver	True
Cohen	Harris	O'Neill	Turzai
Coleman	Hasay	Pallone	Vance
Cornell	Hennessey	Payne	Veon
Corrigan	Herman	Petrarca	Vitali
Costa	Hershey	Petri	Walko
Coy	Hess	Petrone	Wansacz
Crahalla	Hickernell	Phillips	Washington
Creighton	Horsely	Pickett	Waters
Cruz	Hutchinson	Pistella	Watson
Curry	James	Preston	Weber
Dailey	Josephs	Raymond	Wheatley
Daley	Keller	Readshaw	Williams
Dally	Kenney	Reed	Wilt
DeLuca	Killion	Reichley	Wojnaroski
Denlinger	Kirkland	Rieger	Wright
Dermody	Kotik	Roberts	Yewcic
DeWeese	LaGrotta	Rohrer	Youngblood
DiGirolamo	Laughlin	Rooney	Yudichak
Diven	Leach	Ross	Zug
Donatucci	Lederer	Rubley	
Eachus	Leh	Ruffing	Perzel,
Egolf	Lescovitz	Sainato	Speaker
Evans, D.			

NAYS-0

NOT VOTING-0

EXCUSED-4

Belfanti	Gabig	Lynch	Roebuck
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

CALENDAR CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1068, PN 2631**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing State reimbursement for mobile classroom facilities; and making editorial changes.

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

Mr. **HALUSKA** offered the following amendment No. **A3623**:

Amend Title, page 1, line 5, by inserting after "providing" for firefighter and emergency service training as creditable high school courses and for

Amend Bill, page 1, lines 9 through 12, by striking out all of said lines and inserting

Section 1. The act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, is amended by adding a section to read:

Section 1550. Firefighter and Emergency Service Training.—(a) Firefighter and emergency service training may be added to high school curricula as credit-earning courses.

(b) The courses may be made available only to students sixteen (16) years of age or older and may include:

(1) Training as a firefighter I from the National Board of Professional Qualifications.

(2) Training as an emergency medical technician by the Department of Health under the act of July 3, 1985 (P.L.164, No.45), known as the "Emergency Medical Services Act."

(c) Any person who provides training under this section and who has direct contact with students receiving training shall be subject to the provisions of section 111.

(d) If the school district adds firefighter and emergency service training as credit-earning courses, the school district shall provide transportation and supervision for firefighter and emergency service training that takes place off school grounds. Supervision of training shall be conducted as a cooperative education program in accordance with the provisions of 22 Pa. Code § 11.28 (relating to out-of-school programs) or any regulation promulgated subsequently to replace that section.

Section 2. Section 2574(a) of the act, amended September 29, 1959 (P.L.992, No.407), is amended to read:

Amend Sec. 2, page 3, line 7, by striking out "2" and inserting  
3

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

The following roll call was recorded:

YEAS-199

Adolph	Evans, J.	Levdansky	Samuelson
Allen	Fabrizio	Lewis	Santoni
Argall	Fairchild	Mackereth	Sather
Armstrong	Feese	Maher	Saylor
Baker	Fichter	Maitland	Scavello
Baldwin	Fleagle	Major	Schroder
Bard	Flick	Manderino	Scrimenti

Barrar	Forcier	Mann	Semmel
Bastian	Frankel	Markosek	Shaner
Bebko-Jones	Freeman	Marsico	Smith, B.
Belardi	Gannon	McCall	Smith, S. H.
Benninghoff	Geist	McGeehan	Solobay
Biancucci	George	McGill	Staback
Birmelin	Gergely	McIlhattan	Stairs
Bishop	Gillespie	McIlhinney	Steil
Blaum	Gingrich	McNaughton	Stern
Boyd	Godshall	Melio	Stetler
Browne	Good	Metcalfe	Stevenson, R.
Bunt	Goodman	Micozzie	Stevenson, T.
Butkovitz	Gordner	Miller, R.	Sturla
Buxton	Grucela	Miller, S.	Surra
Caltagirone	Gruitza	Mundy	Tangretti
Cappelli	Habay	Mustio	Taylor, E. Z.
Casorio	Haluska	Myers	Taylor, J.
Causar	Hanna	Nailor	Thomas
Cawley	Harhai	Nickol	Tigue
Civera	Harhart	O'Brien	Travaglio
Clymer	Harper	Oliver	True
Cohen	Harris	O'Neill	Turzai
Coleman	Hasay	Pallone	Vance
Cornell	Hennessey	Payne	Veon
Corrigan	Herman	Petrarca	Vitali
Costa	Hershey	Petri	Walko
Coy	Hess	Petrone	Wansacz
Crahalla	Hickernell	Phillips	Washington
Creighton	Horsey	Pickett	Waters
Cruz	Hutchinson	Pistella	Watson
Curry	James	Preston	Weber
Dailey	Josephs	Raymond	Wheatley
Daley	Keller	Readshaw	Williams
Dally	Kenney	Reed	Wilt
DeLuca	Killion	Reichley	Wojnaroski
Denlinger	Kirkland	Rieger	Wright
Dermody	Kotik	Roberts	Yewcic
DeWeese	LaGrotta	Rohrer	Youngblood
DiGirolamo	Laughlin	Rooney	Yudichak
Diven	Leach	Ross	Zug
Donatucci	Lederer	Rubley	
Eachus	Leh	Ruffing	Perzel,
Egolf	Lescovitz	Sainato	Speaker
Evans, D.			

NAYS—0

NOT VOTING—0

EXCUSED—4

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

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

**BILL PASSED OVER TEMPORARILY**

The SPEAKER. This bill will be over temporarily.

\* \* \*

The House proceeded to third consideration of **HB 952, PN 1118**, entitled:

An Act providing for tax credits for historic commercial sites; and conferring powers and duties on the Department of Community and Economic Development, the Pennsylvania Historical and Museum Commission and the Department of Revenue.

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?

The Chair recognizes the gentleman from Allegheny, Mr. Frankel.

Mr. FRANKEL. Thank you, Mr. Speaker.

Just before we recessed we passed HB 951, which was a historic tax credit for homes in neighborhoods that was entered by Representative Tangretti. My bill, 952, is the State historic tax credit for commercial property, and it, like 951, enjoys broad bipartisan support. This bill will leverage dollars at the Federal level that 21 other States across the country have been using to renovate and revitalize downtowns across the United States.

Here in Pennsylvania many of our older cities have major white elephants in their downtown commercial districts that have gone for years undeveloped, unrehabilitated, because we lack the essential tools necessary to create the partnerships with private developers to make these happen. In the city of Pittsburgh we have a number of these types of projects that I think are reflected in other communities across Pennsylvania that we have had no shortage of developers who have been interested in looking at, but when it comes down to trying to make the deal, we always have a gap. This State historic tax credit will bridge that gap and make many of these developments come to reality and help restore the downtowns of cities across the State of Pennsylvania, and I hope that all of you will join me in supporting it.

Thank you very much.

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—199

Adolph	Evans, J.	Levdansky	Samuelson
Allen	Fabrizio	Lewis	Santoni
Argall	Fairchild	Mackereth	Sather
Armstrong	Feese	Maher	Saylor
Baker	Fichter	Maitland	Scavello
Baldwin	Fleagle	Major	Schroder
Bard	Flick	Manderino	Scrimenti
Barrar	Forcier	Mann	Semmel
Bastian	Frankel	Markosek	Shaner
Bebko-Jones	Freeman	Marsico	Smith, B.
Belardi	Gannon	McCall	Smith, S. H.

Benninghoff	Geist	McGeehan	Solobay
Biancucci	George	McGill	Staback
Birmelin	Gergely	McIlhattan	Stairs
Bishop	Gillespie	McIlhinney	Steil
Blaum	Gingrich	McNaughton	Stern
Boyd	Godshall	Melio	Stetler
Browne	Good	Metcalfe	Stevenson, R.
Bunt	Goodman	Micozzie	Stevenson, T.
Butkovitz	Gordner	Miller, R.	Sturla
Buxton	Grucela	Miller, S.	Surra
Caltagirone	Gruitza	Mundy	Tangretti
Cappelli	Habay	Mustio	Taylor, E. Z.
Casorio	Haluska	Myers	Taylor, J.
Causer	Hanna	Nailor	Thomas
Cawley	Harhai	Nickol	Tigue
Civera	Harhart	O'Brien	Travaglio
Clymer	Harper	Oliver	True
Cohen	Harris	O'Neill	Turzai
Coleman	Hasay	Pallone	Vance
Cornell	Hennessey	Payne	Veon
Corrigan	Herman	Petrarca	Vitali
Costa	Hershey	Petri	Walko
Coy	Hess	Petrone	Wansacz
Crahalla	Hickernell	Phillips	Washington
Creighton	Horsey	Pickett	Waters
Cruz	Hutchinson	Pistella	Watson
Curry	James	Preston	Weber
Dailey	Josephs	Raymond	Wheatley
Daley	Keller	Readshaw	Williams
Dally	Kenney	Reed	Wilt
DeLuca	Killion	Reichley	Wojnaroski
Denlinger	Kirkland	Rieger	Wright
Dermody	Kotik	Roberts	Yewcic
DeWeese	LaGrotta	Rohrer	Youngblood
DiGiolamo	Laughlin	Rooney	Yudichak
Diven	Leach	Ross	Zug
Donatucci	Lederer	Rubley	
Eachus	Leh	Ruffing	Perzel,
Egolf	Lescovitz	Sainato	Speaker
Evans, D.			

NAYS—0

NOT VOTING—0

EXCUSED—4

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

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

**STATEMENT BY MR. TANGRETTI**

The SPEAKER. For what purpose does the gentleman, Mr. Tangretti, rise?

Mr. TANGRETTI. A point of personal privilege, Mr. Speaker.

The SPEAKER. The gentleman will state his point.

Mr. TANGRETTI. Mr. Speaker, I just wanted to take this opportunity to thank the members of the House for passing 951 and 952, the historic tax credit bills dealing with residential and commercial property. I also want to thank the various advocacy groups – Preservation Pennsylvania, 10,000 Friends, and the AIA (American Institute of Architects) – who were instrumental in helping with these bills. And also, Mr. Speaker, I want

to thank the chairman of the Appropriations Committee, Mr. Argall, who was very, very helpful as well in getting these bills to a position to be voted on.

Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

**CONSIDERATION OF HB 1068 CONTINUED**

The SPEAKER. The Chair returns back to page 1, HB 1068.

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 to suspend the rules for amendment A3740.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

**YEAS—199**

Adolph	Evans, J.	Levdansky	Samuelson
Allen	Fabrizio	Lewis	Santoni
Argall	Fairchild	Mackereth	Sather
Armstrong	Feese	Maher	Saylor
Baker	Fichter	Maitland	Scavello
Baldwin	Fleagle	Major	Schroder
Bard	Flick	Manderino	Scrimenti
Barrar	Forcier	Mann	Semmel
Bastian	Frankel	Markosek	Shaner
Bebko-Jones	Freeman	Marsico	Smith, B.
Belardi	Gannon	McCall	Smith, S. H.
Benninghoff	Geist	McGeehan	Solobay
Biancucci	George	McGill	Staback
Birmelin	Gergely	McIlhattan	Stairs
Bishop	Gillespie	McIlhinney	Steil
Blaum	Gingrich	McNaughton	Stern
Boyd	Godshall	Melio	Stetler
Browne	Good	Metcalfe	Stevenson, R.
Bunt	Goodman	Micozzie	Stevenson, T.
Butkovitz	Gordner	Miller, R.	Sturla
Buxton	Grucela	Miller, S.	Surra
Caltagirone	Gruitza	Mundy	Tangretti
Cappelli	Habay	Mustio	Taylor, E. Z.
Casorio	Haluska	Myers	Taylor, J.
Causer	Hanna	Nailor	Thomas
Cawley	Harhai	Nickol	Tigue
Civera	Harhart	O'Brien	Travaglio
Clymer	Harper	Oliver	True
Cohen	Harris	O'Neill	Turzai
Coleman	Hasay	Pallone	Vance
Cornell	Hennessey	Payne	Veon
Corrigan	Herman	Petrarca	Vitali
Costa	Hershey	Petri	Walko
Coy	Hess	Petrone	Wansacz
Crahalla	Hickernell	Phillips	Washington
Creighton	Horsey	Pickett	Waters
Cruz	Hutchinson	Pistella	Watson
Curry	James	Preston	Weber
Dailey	Josephs	Raymond	Wheatley
Daley	Keller	Readshaw	Williams
Dally	Kenney	Reed	Wilt

DeLuca	Killion	Reichley	Wojnaroski
Denlinger	Kirkland	Rieger	Wright
Dermody	Kotik	Roberts	Yewcic
DeWeese	LaGrotta	Rohrer	Youngblood
DiGirolamo	Laughlin	Rooney	Yudichak
Diven	Leach	Ross	Zug
Donatucci	Lederer	Rubley	
Eachus	Leh	Ruffing	Perzel,
Egolf	Lescovitz	Sainato	Speaker
Evans, D.			

NAYS—0

NOT VOTING—0

EXCUSED—4

Belfanti	Gabig	Lynch	Roebuck
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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. A3740:

Amend Title, page 1, line 5, by inserting after "thereto," "  
further providing for powers and duties of the  
intermediate unit board of directors;

Amend Bill, page 1, lines 9 through 12, by striking out all of said lines and inserting

Section 1. Section 914-A(5) of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, added May 4, 1970 (P.L.311, No.102), is amended to read:

Section 914-A. Powers and Duties of the Intermediate Unit Board of Directors.—An intermediate unit board of directors shall have the power and its duty shall be:

\* \* \*

(5) To adopt a program of services. Each intermediate unit may provide, but shall, except as hereinafter provided, be limited to, the following services: (i) curriculum development and instructional improvement services; (ii) educational planning services; (iii) instructional materials services; (iv) continuing professional education services; (v) pupil personnel services; (vi) State and Federal agency liaison services; and (vii) management services. Each additional service to be provided shall be first approved by a majority of all the boards of school directors comprising the intermediate unit at a meeting called by the intermediate unit board of directors for the express purpose of approving or disapproving any such additional service. Each intermediate unit may provide for the furnishing of any of the services mentioned in this clause or elsewhere in this act to nonpublic, nonprofit schools which schools are hereby authorized to contract for and purchase services from intermediate units so as to participate in the intermediate program. An intermediate unit may provide software, data processing and related professional services associated with subparagraphs (v), (vi) and (vii) to only those school districts which are both served by that intermediate unit as set forth in section 902-A and which have not previously purchased such services from the private sector.

\* \* \*

Section 2. Section 2574(a) of the act, amended September 29, 1959 (P.L.992, No.407), is amended to read:

Amend Sec. 2, page 3, line 7, by striking out all of said line and inserting

Section 3. This act shall take effect as follows:

(1) The amendment of section 2574(a) 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. The Chair recognizes the gentleman from Allegheny, Mr. Maher, for a brief explanation of his amendment.

Mr. MAHER. Thank you, Mr. Speaker.

This amendment would provide guidance for intermediate units as to who they may serve, the districts that they currently serve and not beyond those boundaries, particularly on matters dealing with management services and computer software.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Delaware, Mr. Vitali.

Mr. VITALI. Will the gentleman stand for brief interrogation?

The SPEAKER. The gentleman indicates that he will.

Mr. VITALI. I am just trying to understand this a little bit better. How will this change existing law? Maybe if you could give a concrete example of something that can happen now and cannot with this legislation, or cannot happen now but can with this legislation.

Mr. MAHER. Thank you, Mr. Speaker.

What this amendment would do is to clarify, intermediate units' purposes are to serve school districts, not to compete with the private sector. There are businesses across the State that employ folks in good family-sustaining jobs in the free market by offering a variety of computer software to customers. Some of those customers happen to be school districts. A couple of intermediate units have decided to go into the computer software business, directly compete with these homegrown Pennsylvania businesses that employ families, and without the burdens of being taxpayers, without the burdens of regulations that attach to private industry, it creates an unfair competitive advantage for the intermediate unit. And frankly, with the education challenges we have today, I would think we would all be in agreement that intermediate units would be well served to focus their efforts on matters pertaining to the education of the children of Pennsylvania and not with putting Pennsylvanians out of work.

Mr. VITALI. Could you, what intermediate units are doing this? Do you know of any specifically?

Mr. MAHER. Mr. Speaker, I am not in a position to give you an exhaustive study of intermediate units across the State. What we are dealing with here is a matter of principle that should IUs (intermediate units) be using their tax-exempt government status to reap an unfair competitive advantage and put Pennsylvanians out of work who are in homegrown businesses across the State, and I think it is a pretty clear question of principle.

Thank you, Mr. Speaker.

Mr. VITALI. That very well may be, but it really did not answer the question I asked. The question was, could you name any specific intermediate units involved here?



Mr. MAHER. Again, Mr. Speaker, and perhaps you did not hear me—

Mr. VITALI. If the answer is no, that is okay; I will listen to that.

Mr. MAHER. —I have not done a study of all those intermediate units and their range of software offerings.

Mr. VITALI. Okay. I am not asking for an exhaustive list; I just asked for one. What intermediate units are doing this? I am just trying to get a sense for the problem. Can you name one?

Mr. MAHER. Mr. Speaker, at the risk of misrecollecting, I believe IU-16 is one which is undertaking this.

Mr. VITALI. Okay; IU-16.

Now, give me a sense. Is this a for-profit enterprise? Do the intermediate units provide this software service for a profit?

Mr. MAHER. Mr. Speaker, I am afraid I did not understand what it is that you are asking, and in terms of the interrogation, are you trying to learn something about the amendment or are you trying to learn something about market conditions? I am a bit confused.

Mr. VITALI. Let me just ask the question again just to see if you can answer it. The intermediate unit in question, are they providing these software services for a profit or not for a profit?

Mr. MAHER. Well, Mr. Speaker, I do not have access to their books. Obviously, one would hope that they at least can make sufficient wealth from exploiting their competitive advantage to destroy the profitmaking businesses that are employing Pennsylvanians. It seems to me, I do not understand really what your question is, and I have not studied whether or not they are making money doing this.

Mr. VITALI. Well, let me just ask it again then. You are prohibiting intermediate units from providing software services. I am trying to understand the current practice. Are they doing this for a profit now or are they doing this as a public service?

Mr. MAHER. You would have to ask them what their theory is. My understanding is in terms of public service, there certainly is not a public service with coming in and destroying the jobs of Pennsylvanians who are homegrown businesses and have built a practice in a very competitive marketplace and that government should come in and use its advantages that it cannot go out of business. It does not have to worry about cash flow; it does not have to pay taxes; it is not subject to regulations—

Mr. VITALI. But my question again, if you could just listen to my question, are they doing this for a profit or not? I am trying to get a sense for—

Mr. MAHER. Mr. Speaker, I—

Mr. VITALI. —the practice you are trying to prohibit.

Mr. MAHER. Mr. Speaker—

Mr. VITALI. Profit? Yes or no?

Mr. MAHER. —I attempted to answer that question repeatedly. I am sorry you do not like the answer, but I have no further answer than the same answer I provided repeatedly.

Mr. VITALI. Do you know what they are charging for their services?

Mr. MAHER. I do not have a price list with me, Mr. Speaker.

Mr. VITALI. Do you know who they are providing services to?

Mr. MAHER. They are providing services and what this amendment gets to are to school districts beyond the intermediate unit service area.

Mr. VITALI. So your amendment would prohibit intermediate units from providing computer services to school districts beyond their service area.

Mr. MAHER. That is correct.

Mr. VITALI. Okay. You are not aware of what is being charged or if there is a charge for these services.

Mr. MAHER. There most definitely is a charge, but as I replied to you earlier, Mr. Speaker, I do not have a price list.

Mr. VITALI. But this could be money flowing in and out of the school districts we are talking about.

Mr. MAHER. Well, that would stand to reason, Mr. Speaker.

Mr. VITALI. Okay. Well, if that stands to reason, could you tell me what the fiscal note is for this amendment?

Mr. MAHER. The fiscal note is, I believe, available on your machine, Mr. Speaker, and it will conclude that there is no fiscal impact on the Commonwealth. Again, we are dealing with subdivisions of the Commonwealth, an intermediate unit.

Mr. VITALI. Okay. That concludes my interrogation. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Bucks, Mr. Corrigan.

Mr. CORRIGAN. Thank you, Mr. Speaker.

I congratulate Representative Maher on his initiative. I think the intermediate units across the State have been out of control for an awful long time. We have an intermediate unit in Bucks County that services 14 school districts, and they have grown to such proportions that it is unfathomable the kind of money that is spent and the service that is provided for the money that is spent. I think we ought to address intermediate units in more depth.

Again, I thank Representative Maher for his initiative, and I strongly recommend a “yes” vote on the amendment. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Philadelphia, Mr. Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, I confess some puzzlement about this amendment. Intermediate units are set up to serve school districts. That is why we created them; that is their purpose. What this amendment does is it says an intermediate unit cannot serve a school district in terms of providing data services if the school district is getting those services or has gotten them at any time in the past from some private firm. It seems to me that this is an odd thing to do. It seems to me odd that we should be stopping one governmental unit from helping another governmental unit. It seems that if a local school district wanted to contract with an intermediate unit instead of a private business, presumably the local school district would only contract with the intermediate unit if it felt it was either getting a lower price or was going to get better services, and here we are setting forth a legislative obstacle toward the local school board contracting with its own intermediate unit.

I really do not understand the merits of this. I do not understand the rationale for it. Mr. Maher did not go into much rationale in discussing this with Mr. Vitali. I am very suspicious about what the benefits of this amendment are, and I would urge a “no” vote.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Lehigh, Mr. Browne.

Mr. BROWNE. Thank you, Mr. Speaker.

I rise in strong support of the Maher amendment.

There is currently a discussion going on in the Intergovernmental Affairs Committee regarding the issue of government competition in areas that are traditionally the function of private enterprise, and that debate and that discussion will continue. However, one thing that we as an Assembly should be able to stand by and state as a majority opinion of this Assembly is that in matters that are statutorily provided, when government entities or agencies are established through statute, that they should not be able to go outside the original intent of that statute in regard to the service they provide.

Now, there is a debate currently in court regarding what an intermediate unit can provide, but I think based on my reading of the enabling statute, that intermediate unit is only allowed to provide services to the school districts in the region where they were originally established, and the Maher amendment would put in greater detail the fact that if an intermediate unit is providing services, it should only provide the services to the school districts that they are contracted with.

I think it is a very important amendment to clarify the intermediate unit statute, and I request its unanimous support. Thank you.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

#### YEAS-161

Adolph	Diven	Lederer	Sather
Allen	Donatucci	Leh	Saylor
Argall	Eachus	Lewis	Scavello
Armstrong	Egolf	Mackereth	Schroder
Baker	Evans, D.	Maher	Scrimenti
Baldwin	Evans, J.	Maitland	Semmel
Bard	Feese	Major	Smith, B.
Barrar	Fichter	Mann	Smith, S. H.
Bastian	Fleagle	Markosek	Solobay
Belardi	Flick	Marsico	Staback
Benninghoff	Forcier	McCall	Stairs
Biancucci	Frankel	McGeehan	Steil
Birmelin	Gannon	McGill	Stern
Bishop	Geist	McIlhattan	Stetler
Blaum	George	McIlhinney	Stevenson, R.
Boyd	Gergely	McNaughton	Stevenson, T.
Browne	Gillespie	Metcalfe	Surra
Bunt	Gingrich	Micozzie	Taylor, E. Z.
Butkovitz	Godshall	Miller, R.	Taylor, J.
Buxton	Good	Miller, S.	Tigue
Caltagirone	Goodman	Mustio	Travaglio
Cappelli	Grucela	Nailor	True
Causar	Habay	Nickol	Turzai
Cawley	Haluska	O'Brien	Vance
Civera	Harhai	Oliver	Veon
Clymer	Harhart	Payne	Walko
Coleman	Harper	Petrone	Wansacz
Cornell	Hasay	Pickett	Waters
Corrigan	Hennessey	Pistella	Weber
Costa	Herman	Preston	Wheatley
Coy	Hershey	Raymond	Williams
Crahalla	Hess	Readshaw	Wilt
Creighton	Hickernell	Reed	Wojnaroski
Cruz	Horsey	Reichley	Yewcic
Dailey	Hutchinson	Rieger	Youngblood

Dally	Keller	Roberts	Yudichak
DeLuca	Kenney	Rohrer	Zug
Denlinger	Killion	Ross	
Dermody	Kirkland	Rubley	
DeWeese	Kotik	Samuelson	Perzel,
DiGirolamo	LaGrotta	Santoni	Speaker

#### NAYS-38

Bebko-Jones	Hanna	Mundy	Sainato
Casorio	Harris	Myers	Shaner
Cohen	James	O'Neill	Sturla
Curry	Josephs	Pallone	Tangretti
Daley	Laughlin	Petrarca	Thomas
Fabrizio	Leach	Petri	Vitali
Fairchild	Lescovitz	Phillips	Washington
Freeman	Levdansky	Rooney	Watson
Gordner	Manderino	Ruffing	Wright
Gruitza	Melio		

#### NOT VOTING-0

#### EXCUSED-4

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

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

#### YEAS-199

Adolph	Evans, J.	Levdansky	Samuelson
Allen	Fabrizio	Lewis	Santoni
Argall	Fairchild	Mackereth	Sather
Armstrong	Feese	Maher	Saylor
Baker	Fichter	Maitland	Scavello
Baldwin	Fleagle	Major	Schroder
Bard	Flick	Manderino	Scrimenti
Barrar	Forcier	Mann	Semmel
Bastian	Frankel	Markosek	Shaner
Bebko-Jones	Freeman	Marsico	Smith, B.
Belardi	Gannon	McCall	Smith, S. H.
Benninghoff	Geist	McGeehan	Solobay
Biancucci	George	McGill	Staback
Birmelin	Gergely	McIlhattan	Stairs
Bishop	Gillespie	McIlhinney	Steil
Blaum	Gingrich	McNaughton	Stern
Boyd	Godshall	Melio	Stetler
Browne	Good	Metcalfe	Stevenson, R.
Bunt	Goodman	Micozzie	Stevenson, T.
Butkovitz	Gordner	Miller, R.	Sturla
Buxton	Grucela	Miller, S.	Surra
Caltagirone	Gruitza	Mundy	Tangretti
Cappelli	Habay	Mustio	Taylor, E. Z.
Casorio	Haluska	Myers	Taylor, J.

Causer	Hanna	Nailor	Thomas
Cawley	Harhai	Nickol	Tigue
Civera	Harhart	O'Brien	Travaglio
Clymer	Harper	Oliver	True
Cohen	Harris	O'Neill	Turzai
Coleman	Hasay	Pallone	Vance
Cornell	Hennessey	Payne	Veon
Corrigan	Herman	Petrarca	Vitali
Costa	Hershey	Petri	Walko
Coy	Hess	Petrone	Wansacz
Crahalla	Hickernell	Phillips	Washington
Creighton	Horsey	Pickett	Waters
Cruz	Hutchinson	Pistella	Watson
Curry	James	Preston	Weber
Dailey	Josephs	Raymond	Wheatley
Daley	Keller	Readshaw	Williams
Dally	Kenney	Reed	Wilt
DeLuca	Killion	Reichley	Wojnaroski
Denlinger	Kirkland	Rieger	Wright
Dermody	Kotik	Roberts	Yewcic
DeWeese	LaGrotta	Rohrer	Youngblood
DiGirolamo	Laughlin	Rooney	Yudichak
Diven	Leach	Ross	Zug
Donatucci	Lederer	Rubley	
Eachus	Leh	Ruffing	Perzel,
Egolf	Lescovitz	Sainato	Speaker
Evans, D.			

NAYS—0

NOT VOTING—0

EXCUSED—4

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

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

**REMARKS SUBMITTED FOR THE RECORD**

The SPEAKER. The Chair recognizes the gentleman from Montgomery, Mr. Godshall.

Mr. GODSHALL. Thank you, Mr. Speaker.

I would like to present some remarks for the record, please.

The SPEAKER. The gentleman is in order and may proceed to put the remarks on the record. The Chair thanks the gentleman.

Mr. GODSHALL submitted the following remarks for the Legislative Journal:

HB 1068 will change the Public School Code to stop penalizing school districts for choosing the most cost-effective renovation or expansion plans for their schools.

Currently, the code stipulates that a school district may not be reimbursed for a percentage of the cost of renovation and additions to existing "brick and mortar" buildings when they would normally be entitled to if modular units are not removed and replaced with brick and mortar classrooms.

My bill will remove this restriction and allow school districts to qualify for reimbursement from the State even if it does not plan to remove relocatable or modular classrooms upon completion of the renovation project.

I introduced this legislation to amend the School Code because of a situation faced by the North Penn School District, which is in my legislative district.

Following a demographic study conducted by the Pennsylvania Economy League, North Penn decided to renovate and add seven classrooms to Gwyn-Nor Elementary School. The school currently uses six modular classrooms to handle overflow.

The demographic study revealed that the present student population will decline in about 4 or 5 years, so the board decided that rather than increase the costs of new construction to include classrooms that will not be needed in a few years, the six modular units would continue to be used for the time being.

The Education Department ruled that it will not reimburse the district its entitled-to reimbursement percentage for the project because the plan does not call for removal of the existing modular units.

North Penn is appealing, but if the Education Department does not reverse its decision, it could mean the loss of approximately \$500,000 for the district.

This antiquated rule fails to recognize the high quality of today's modular classrooms, which are constructed the same way modular homes are. They are not easily torn down, and it can be quite costly to remove them.

More importantly, this antiquated rule could result in school districts spending more taxpayer dollars than necessary in order to qualify for a reimbursement from the State.

Now more than ever we need to work with our school districts to ensure tax dollars are spent responsibly.

The Pennsylvania School Boards Association supports the bill.

**RULES SUSPENDED**

The SPEAKER. The Chair turns to page 2, HB 832, PN 2630.

The Chair recognizes the gentleman, Mr. Smith.

Mr. S. SMITH. Mr. Speaker, I ask for a suspension of the rules to consider HB 832.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—199

Adolph	Evans, J.	Levdansky	Samuelson
Allen	Fabrizio	Lewis	Santoni
Argall	Fairchild	Mackereth	Sather
Armstrong	Feese	Maher	Saylor
Baker	Fichter	Maitland	Scavello
Baldwin	Fleagle	Major	Schroder
Bard	Flick	Manderino	Scrimenti
Barrar	Forcier	Mann	Semmel
Bastian	Frankel	Markosek	Shaner
Bebko-Jones	Freeman	Marsico	Smith, B.
Belardi	Gannon	McCall	Smith, S. H.
Benninghoff	Geist	McGeehan	Solobay
Biancucci	George	McGill	Staback
Birmelin	Gergely	McIlhattan	Stairs
Bishop	Gillespie	McIlhinney	Steil
Blaum	Gingrich	McNaughton	Stern
Boyd	Godshall	Melio	Stetler
Browne	Good	Metcalfe	Stevenson, R.
Bunt	Goodman	Micozzie	Stevenson, T.
Butkovitz	Gordner	Miller, R.	Sturla
Buxton	Grucela	Miller, S.	Surra
Caltagirone	Gruitza	Mundy	Tangretti
Cappelli	Habay	Mustio	Taylor, E. Z.
Casorio	Haluska	Myers	Taylor, J.
Causer	Hanna	Nailor	Thomas

Cawley	Harhai	Nickol	Tigue
Civera	Harhart	O'Brien	Travaglio
Clymer	Harper	Oliver	True
Cohen	Harris	O'Neill	Turzai
Coleman	Hasay	Pallone	Vance
Cornell	Hennessey	Payne	Veon
Corrigan	Herman	Petrarca	Vitali
Costa	Hershey	Petri	Walko
Coy	Hess	Petrone	Wansacz
Crahalla	Hickernell	Phillips	Washington
Creighton	Horshey	Pickett	Waters
Cruz	Hutchinson	Pistella	Watson
Curry	James	Preston	Weber
Dailey	Josephs	Raymond	Wheatley
Daley	Keller	Readshaw	Williams
Dally	Kenney	Reed	Wilt
DeLuca	Killion	Reichley	Wojnaroski
Denlinger	Kirkland	Rieger	Wright
Dermody	Kotik	Roberts	Yewcic
DeWeese	LaGrotta	Rohrer	Youngblood
DiGirolamo	Laughlin	Rooney	Yudichak
Diven	Leach	Ross	Zug
Donatucci	Lederer	Rubley	
Eachus	Leh	Ruffing	Perzel,
Egolf	Lescovitz	Sainato	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-4

Belfanti	Gabig	Lynch	Roebuck
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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.

**LEAVE OF ABSENCE**

The SPEAKER. The Chair returns to leaves of absence, and the majority whip requests a leave of absence for the gentelady from Montgomery, Ms. HARPER. Without objection, that leave will be granted.

**BILL ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 832, PN 2630**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for tattooing; and prohibiting certain body piercing.

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-198

Adolph	Evans, D.	Levdansky	Samuelson
Allen	Evans, J.	Lewis	Santoni
Argall	Fabrizio	Mackereth	Sather
Armstrong	Fairchild	Maher	Saylor
Baker	Feese	Maitland	Scavello
Baldwin	Fichter	Major	Schroder
Bard	Fleagle	Manderino	Scrimenti
Barrar	Flick	Mann	Semmel
Bastian	Forcier	Markosek	Shaner
Bebko-Jones	Frankel	Marsico	Smith, B.
Belardi	Freeman	McCall	Smith, S. H.
Benninghoff	Gannon	McGeehan	Solobay
Biancucci	Geist	McGill	Staback
Birmelin	George	McIlhattan	Stairs
Bishop	Gergely	McIlhinney	Steil
Blaum	Gillespie	McNaughton	Stern
Boyd	Gingrich	Melio	Stetler
Browne	Godshall	Metcalfe	Stevenson, R.
Bunt	Good	Micozzie	Stevenson, T.
Butkovitz	Goodman	Miller, R.	Sturla
Buxton	Gordner	Miller, S.	Surra
Caltagirone	Grucela	Mundy	Tangretti
Cappelli	Gruitza	Mustio	Taylor, E. Z.
Casorio	Habay	Myers	Taylor, J.
Causar	Haluska	Nailor	Thomas
Cawley	Hanna	Nickol	Tigue
Civera	Harhai	O'Brien	Travaglio
Clymer	Harhart	Oliver	True
Cohen	Harris	O'Neill	Turzai
Coleman	Hasay	Pallone	Vance
Cornell	Hennessey	Payne	Veon
Corrigan	Herman	Petrarca	Vitali
Costa	Hershey	Petri	Walko
Coy	Hess	Petrone	Wansacz
Crahalla	Hickernell	Phillips	Washington
Creighton	Horshey	Pickett	Waters
Cruz	Hutchinson	Pistella	Watson
Curry	James	Preston	Weber
Dailey	Josephs	Raymond	Wheatley
Daley	Keller	Readshaw	Williams
Dally	Kenney	Reed	Wilt
DeLuca	Killion	Reichley	Wojnaroski
Denlinger	Kirkland	Rieger	Wright
Dermody	Kotik	Roberts	Yewcic
DeWeese	LaGrotta	Rohrer	Youngblood
DiGirolamo	Laughlin	Rooney	Yudichak
Diven	Leach	Ross	Zug
Donatucci	Lederer	Rubley	
Eachus	Leh	Ruffing	Perzel,
Egolf	Lescovitz	Sainato	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-5

Belfanti	Harper	Lynch	Roebuck
Gabig			

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.

### STATEMENT BY MR. CRUZ

The SPEAKER. For what purpose does the gentleman, Mr. Cruz, rise?

Mr. CRUZ. Personal privilege, Mr. Speaker.

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

Mr. CRUZ. I just want to take the opportunity to thank Representative Maitland for introducing this bill. Two years ago I introduced this bill and I did not have the opportunity to reintroduce it, so I wanted to thank him for introducing it and the majority of the members voting for it.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

### BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 164, PN 1099**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for criminal victim aid good Samaritan civil immunity.

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

Mrs. **TRUE** offered the following amendment No. **A3654**:

Amend Title, page 1, line 2, by inserting after "Statutes," providing for court authority upon petition to remove child from foster parent; and

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

Section 1. Title 42 of the Pennsylvania Consolidated Statutes is amended by adding a section to read:

§ 6351.1. Authority of court upon petition to remove child from foster parent.

(a) Order required.—Notwithstanding sections 6324 (relating to taking into custody) and 6351(a) (relating to disposition of dependent child), if a county agency petitions the court for removal of a child because the foster parent has been convicted of an offense set forth in 23 Pa.C.S. § 6344(c) (relating to information relating to prospective child-care personnel), the court shall immediately enter an order removing the child from the foster parent.

(b) Limitation on placement.—If a court enters an order under subsection (a), the following apply:

(1) Except as set forth in paragraph (2), the court may, under section 6351(a), enter an order of disposition best suited to the child's safety; protection; and physical, mental and moral welfare.

(2) Notwithstanding section 6351(a), if the court finds that the foster parent has been convicted of an offense set forth in 23 Pa.C.S. § 6344(c), the court has no authority to place or return the child to the foster parent who was named in the petition filed by the county agency under subsection (a).

Section 2. Section 8331.3 of Title 42 is amended to read:

Amend Bill, page 2, by inserting between lines 8 and 9

Section 3. The addition of 42 Pa.C.S. § 6351.1 shall apply to petitions filed on or after the effective date of this section.

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

4

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

The SPEAKER. On that question, the Chair recognizes the gentledady, Mrs. True.

Mrs. TRUE. Thank you, Mr. Speaker.

Over the years of my being in the House, most of the legislation I have championed has been about protecting children, and this amendment, I am very hopeful, will continue along that path. Typically, I do not read on the House floor, but I would like to be very specific about just what this amendment does and ask for the support of the House.

This amendment will require a court to remove a dependent child placed in the care of a foster parent if children and youth services subsequently learns that the foster parent was convicted of an offense that would have prevented approval of the foster parent in the first place. The amendment also prevents the court from sending the child back to this foster parent after the child has been removed for this reason.

This is common sense, and I would ask for your support. Thank you.

The SPEAKER. The Chair thanks the gentledady.

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

The following roll call was recorded:

#### YEAS—198

Adolph	Evans, D.	Levdansky	Samuelson
Allen	Evans, J.	Lewis	Santoni
Argall	Fabrizio	Mackereth	Sather
Armstrong	Fairchild	Maher	Saylor
Baker	Feese	Maitland	Scavello
Baldwin	Fichter	Major	Schroder
Bard	Fleagle	Manderino	Scrimenti
Barrar	Flick	Mann	Semmel
Bastian	Forcier	Markosek	Shaner
Bebko-Jones	Frankel	Marsico	Smith, B.
Belardi	Freeman	McCall	Smith, S. H.
Benninghoff	Gannon	McGeehan	Solobay
Biancucci	Geist	McGill	Staback
Birmelin	George	McIlhattan	Stairs
Bishop	Gergely	McIlhinney	Steil
Blaum	Gillespie	McNaughton	Stern
Boyd	Gingrich	Melio	Stetler
Browne	Godshall	Metcalfe	Stevenson, R.
Bunt	Good	Micozzie	Stevenson, T.
Butkovitz	Goodman	Miller, R.	Sturla
Buxton	Gordner	Miller, S.	Surra
Caltagirone	Grucela	Mundy	Tangretti
Cappelli	Gruitza	Mustio	Taylor, E. Z.
Casorio	Habay	Myers	Taylor, J.
Causar	Haluska	Nailor	Thomas
Cawley	Hanna	Nickol	Tigue
Civera	Harhai	O'Brien	Travaglio
Clymer	Harhart	Oliver	True
Cohen	Harris	O'Neill	Turzai
Coleman	Hasay	Pallone	Vance
Cornell	Hennessey	Payne	Veon
Corrigan	Herman	Petrarca	Vitali
Costa	Hershey	Petri	Walko
Coy	Hess	Petrone	Wansacz
Crahalla	Hickernell	Phillips	Washington
Creighton	Horsey	Pickett	Waters
Cruz	Hutchinson	Pistella	Watson
Curry	James	Preston	Weber
Dailey	Josephs	Raymond	Wheatley
Daley	Keller	Readshaw	Williams
Dally	Kenney	Reed	Wilt
DeLuca	Killion	Reichley	Wojnaroski
Denlinger	Kirkland	Rieger	Wright

Dermody	Kotik	Roberts	Yewcic
DeWeese	LaGrotta	Rohrer	Youngblood
DiGirolamo	Laughlin	Rooney	Yudichak
Diven	Leach	Ross	Zug
Donatucci	Lederer	Rubley	
Eachus	Leh	Ruffing	Perzel,
Egolf	Lescovitz	Sainato	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-5

Belfanti	Harper	Lynch	Roebuck
Gabig			

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

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

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

The following roll call was recorded:

YEAS-198

Adolph	Evans, D.	Levdansky	Samuelson
Allen	Evans, J.	Lewis	Santoni
Argall	Fabrizio	Mackereth	Sather
Armstrong	Fairchild	Maher	Saylor
Baker	Feese	Maitland	Scavello
Baldwin	Fichter	Major	Schroder
Bard	Fleagle	Manderino	Scrimenti
Barrar	Flick	Mann	Semmel
Bastian	Forcier	Markosek	Shaner
Bebko-Jones	Frankel	Marsico	Smith, B.
Belardi	Freeman	McCall	Smith, S. H.
Benninghoff	Gannon	McGeehan	Solobay
Bianucci	Geist	McGill	Staback
Birmelin	George	McIlhattan	Stairs
Bishop	Gergely	McIlhinney	Steil
Blaum	Gillespie	McNaughton	Stern
Boyd	Gingrich	Melio	Stetler
Browne	Godshall	Metcalfe	Stevenson, R.
Bunt	Good	Micozzie	Stevenson, T.
Butkovitz	Goodman	Miller, R.	Sturla
Buxton	Gordner	Miller, S.	Surra
Caltagirone	Grucela	Mundy	Tangretti
Cappelli	Gruitza	Mustio	Taylor, E. Z.
Casorio	Habay	Myers	Taylor, J.
Causar	Haluska	Nailor	Thomas
Cawley	Hanna	Nickol	Tigue
Civera	Harhai	O'Brien	Travaglio
Clymer	Harhart	Oliver	True
Cohen	Harris	O'Neill	Turzai
Coleman	Hasay	Pallone	Vance
Cornell	Hennessey	Payne	Veon
Corrigan	Herman	Petrarca	Vitali
Costa	Hershey	Petri	Walko

Coy	Hess	Petrone	Wansacz
Crahalla	Hickernell	Phillips	Washington
Creighton	Horsey	Pickett	Waters
Cruz	Hutchinson	Pistella	Watson
Curry	James	Preston	Weber
Dailey	Josephs	Raymond	Wheatley
Daley	Keller	Readshaw	Williams
Dally	Kenney	Reed	Wilt
DeLuca	Killion	Reichley	Wojnaroski
Denlinger	Kirkland	Rieger	Wright
Dermody	Kotik	Roberts	Yewcic
DeWeese	LaGrotta	Rohrer	Youngblood
DiGirolamo	Laughlin	Rooney	Yudichak
Diven	Leach	Ross	Zug
Donatucci	Lederer	Rubley	
Eachus	Leh	Ruffing	Perzel,
Egolf	Lescovitz	Sainato	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-5

Belfanti	Harper	Lynch	Roebuck
Gabig			

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 **HB 1279, PN 1589**, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for sales on Saint Patrick's Day.

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

Mr. **RAYMOND** offered the following amendment No. **A3468**:

Amend Title, page 1, line 16, by inserting after "laws," " further providing for wine marketing; and

Amend Bill, page 1, lines 20 through 25, by striking out all of said lines and inserting

Section 1. Section 215 of the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, reenacted and amended June 29, 1987 (P.L.32, No.14), and amended or added December 9, 2002 (P.L.1653, No.212) and July 17, 2003 (P.L.63, No.15), is amended to read:

Section 215. Wine Marketing.--(a) There is hereby established within the board the Bureau of Wine which shall be responsible for the purchasing and the wholesale and retail marketing of premium wines so as to make these wines available to Pennsylvania consumers at competitive prices and in a convenient atmosphere.

(b) The management of the bureau shall be vested in a director, who shall be assisted by such other personnel as the board deems necessary.

(d)

(2) The term “wine,” as used in this section, shall mean liquor which is fermented from grapes and other fruits, having alcoholic content of twenty-four per centum or less. The term “wine” shall not include malt or brewed beverages, nor shall wine include any products containing alcohol derived from malt, grain, cereal, molasses or cactus.]

(e) The board is authorized to participate in or sponsor wine events for the purpose of educating consumers as to the wines available in this Commonwealth. The wine to be used for the event may be acquired through the State store system or may be donated from outside this Commonwealth. Participation in the tastings may be conditioned on the purchase of a ticket to the event. The event may include events occurring on premises licensed by the board, and the board may sell wine for off-premises consumption in an area designated by the board for such sale.

Section 2. Section 406(a) of the act, amended May 31, 1996 (P.L.312, No.49), February 18, 1998 (P.L.162, No.25), November 10, 1999 (P.L.514, No.47), December 20, 2000 (P.L.992, No.141) and December 9, 2002 (P.L.1653, No.212), is amended to read:

Amend Sec. 2, page 4, line 27, by striking out “2” and inserting

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

The SPEAKER. On that question, the Chair recognizes the gentleman, Mr. Raymond.

Mr. RAYMOND. Thank you, Mr. Speaker.

Mr. Speaker, this amendment is relatively simple, requested by the Liquor Control Board. It eliminates the office of the Bureau of Wine. It is within the LCB (Liquor Control Board). Currently the job is handled by the marketing section of the LCB, and it is just to do some housekeeping.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS-198

Adolph	Evans, D.	Levdansky	Samuelson
Allen	Evans, J.	Lewis	Santoni
Argall	Fabrizio	Mackereth	Sather
Armstrong	Fairchild	Maher	Saylor
Baker	Feese	Maitland	Scavello
Baldwin	Fichter	Major	Schroder
Bard	Fleagle	Manderino	Scrimenti
Barrar	Flick	Mann	Semmel
Bastian	Forcier	Markosek	Shaner
Bebko-Jones	Frankel	Marsico	Smith, B.
Belardi	Freeman	McCall	Smith, S. H.
Benninghoff	Gannon	McGeehan	Solobay
Bianucci	Geist	McGill	Staback
Birmelin	George	McIlhattan	Stairs
Bishop	Gergely	McIlhinney	Steil
Blaum	Gillespie	McNaughton	Stern
Boyd	Gingrich	Melio	Stetler
Browne	Godshall	Metcalfe	Stevenson, R.
Bunt	Good	Micozzie	Stevenson, T.
Butkovitz	Goodman	Miller, R.	Sturla
Buxton	Gordner	Miller, S.	Surra
Caltagirone	Grucela	Mundy	Tangretti
Cappelli	Gruitza	Mustio	Taylor, E. Z.
Casorio	Habay	Myers	Taylor, J.
Causer	Haluska	Nailor	Thomas
Cawley	Hanna	Nickol	Tigue
Civera	Harhai	O'Brien	Travaglio

Clymer	Harhart	Oliver	True
Cohen	Harris	O'Neill	Turzai
Coleman	Hasay	Pallone	Vance
Cornell	Hennessey	Payne	Veon
Corrigan	Herman	Petrarca	Vitali
Costa	Hershey	Petri	Walko
Coy	Hess	Petrone	Wansacz
Crahalla	Hickernell	Phillips	Washington
Creighton	Horsey	Pickett	Waters
Cruz	Hutchinson	Pistella	Watson
Curry	James	Preston	Weber
Dailey	Josephs	Raymond	Wheatley
Daley	Keller	Readshaw	Williams
Dally	Kenney	Reed	Wilt
DeLuca	Killion	Reichley	Wojnaroski
Denlinger	Kirkland	Rieger	Wright
Dermody	Kotik	Roberts	Yewcic
DeWeese	LaGrotta	Rohrer	Youngblood
DiGirolamo	Laughlin	Rooney	Yudichak
Diven	Leach	Ross	Zug
Donatucci	Lederer	Rubley	
Eachus	Leh	Ruffing	Perzel,
Egolf	Lescovitz	Sainato	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-5

Belfanti	Harper	Lynch	Roebuck
Gabig			

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

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS-158

Adolph	Flick	Markosek	Schroder
Allen	Frankel	Marsico	Scrimenti
Argall	Freeman	McCall	Semmel
Bard	Gannon	McGeehan	Shaner
Barrar	George	McGill	Smith, B.
Bebko-Jones	Gergely	McIlhinney	Solobay
Belardi	Godshall	McNaughton	Staback
Bianucci	Good	Melio	Stairs
Bishop	Goodman	Micozzie	Steil
Blaum	Grucela	Miller, R.	Stetler
Bunt	Gruitza	Miller, S.	Stevenson, R.
Butkovitz	Habay	Mundy	Stevenson, T.
Buxton	Haluska	Mustio	Sturla
Caltagirone	Hanna	Myers	Surra
Casorio	Harhai	Nailor	Tangretti
Causer	Harhart	Nickol	Taylor, E. Z.
Cawley	Hasay	O'Brien	Taylor, J.

Civera	Hennessey	Oliver	Thomas
Cohen	Herman	O'Neill	Tigue
Cornell	Horsey	Pallone	Travaglio
Corrigan	James	Payne	Turzai
Costa	Josephs	Petrarca	Vance
Coy	Keller	Petri	Veon
Crahalla	Kenney	Petrone	Vitali
Cruz	Killion	Pistella	Walko
Curry	Kirkland	Preston	Wansacz
Dailey	Kotik	Raymond	Washington
Daley	LaGrotta	Readshaw	Waters
Dally	Laughlin	Reichley	Weber
DeLuca	Leach	Rieger	Wheatley
Dermody	Lederer	Roberts	Williams
DeWeese	Leh	Rooney	Wilt
DiGirolamo	Lescovitz	Ross	Wojnaroski
Diven	Levdansky	Rubley	Wright
Donatucci	Lewis	Ruffing	Yewcic
Eachus	Mackereth	Sainato	Youngblood
Evans, D.	Maher	Samuelson	Yudichak
Evans, J.	Maitland	Santoni	
Fabrizio	Manderino	Saylor	Perzel,
Fichter	Mann	Scavello	Speaker

## NAYS—40

Armstrong	Coleman	Gingrich	Phillips
Baker	Creighton	Gordner	Pickett
Baldwin	Denlinger	Harris	Reed
Bastian	Egolf	Hershey	Rohrer
Benninghoff	Fairchild	Hess	Sather
Birmelin	Feese	Hickernell	Smith, S. H.
Boyd	Fleagle	Hutchinson	Stern
Browne	Forcier	Major	True
Cappelli	Geist	McIlhattan	Watson
Clymer	Gillespie	Metcalfe	Zug

## NOT VOTING—0

## EXCUSED—5

Belfanti	Harper	Lynch	Roebuck
Gabig			

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. There will be no further votes.

The desk will remain open to receive reports. There will be an announcement made about tomorrow in the offices when we have the information that we can give all the members.

### QUESTION OF PERSONAL PRIVILEGE

The SPEAKER. The Chair recognizes the gentlelady from Philadelphia, Ms. Rosita Youngblood.

Ms. YOUNGBLOOD. Mr. Speaker, could I have a point of personal privilege, please?

The SPEAKER. The gentlelady is entitled to be heard.

The Chair recognizes the gentlelady.

Ms. YOUNGBLOOD. Mr. Speaker, it has been 471 days since the constituents of the 198th Legislative District have had any staff in the district office. This travesty continues to exist. I think it is unfair that the constituents are not given the same

staffing complement and funding as other members are of this great institution.

Thank you.

The SPEAKER. The Chair thanks the gentlelady.

### APPROPRIATIONS COMMITTEE MEETING

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

Mr. ARGALL. Thank you, Mr. Speaker.

At the declaration of the recess, the House Appropriations Committee will meet in room 245.

The SPEAKER. The Appropriations Committee will be meeting at the declaration of the recess in room 245.

The House stands in recess to the call of the Chair.

The Chair rescinds. The House is at ease.

### THE SPEAKER PRO TEMPORE (MATTHEW E. BAKER) PRESIDING

### BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

**SB 68, PN 1223** (Amended)

By Rep. ARGALL

An Act providing for the capital budget for the fiscal year 2003-2004.

### APPROPRIATIONS.

### BILL REMOVED FROM TABLE

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

Mr. S. SMITH. Mr. Speaker, I move that SB 68 be removed from the table.

On the question,

Will the House agree to the motion?

Motion was agreed to.

### RECESS

The SPEAKER pro tempore. This House now stands in recess until the call of the Chair.

### AFTER RECESS

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



**THE SPEAKER (JOHN M. PERZEL)  
PRESIDING**

**BILLS AND RESOLUTIONS PASSED OVER**

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

**ADJOURNMENT**

The SPEAKER. The Chair recognizes the gentleman from Mercer, Mr. Wilt.

Mr. WILT. Mr. Speaker, I move that this House do now adjourn until Thursday, October 16, 2003, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 10:56 a.m., e.d.t., Thursday, October 16, 2003, the House adjourned.