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LEGISLATIVE JOURNAL

MONDAY, DECEMBER 15, 2003

SESSION OF 2003

187TH OF THE GENERAL ASSEMBLY

No. 104

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (JOHN M. PERZEL)

PRESIDING

PRAYER

REV. JULIANN V. WHIPPLE, Chaplain of the House of Representatives, offered the following prayer:

Let us pray:

O God of indescribable grandeur, to You we raise our thoughts in prayer. We marvel at finding You in the brightness of a moonlit night and in the exquisite beauty of the flower in a neighbor's garden, in the wisdom of ancient literature and in a child's innocent question. Regardless what avenue we pursue, You are there. You are implied in every challenge we face. You are the foundation of every answer we discover. Your greatness exceeds all descriptive words.

With that said, we ask that we would be aware of Your nearness during this holiday season. May the joyful songs of the season seep into the pores of our very being. We take this moment to ponder Your faithfulness, even when we have ignored You. We reach for Your peace that turns us from our frantic preoccupation with so much that denies life. May the brightness of Your glory be reflected on us in this time. May it shine through us, changing what we see and hear as we pass through Your world.

All-knowing God, You are aware that holidays are often the most painful time of year for so many. Our losses loom largely in the forefront of our mind. We remember laughter with loved ones who have passed to be with You, and we ache at the thought. Remind us that nothing that has been good and lovely can ever perish. We must go on living strengthened by the past, patiently confident for the future, for You are interwoven into the history of the human race and Your light is the symbol and promise of our hope, which sustains us and renews our broken hearts with joy.

So be with us now as we attempt to focus on the duties required by our offices. Have Your way with us that we might be the useful and productive persons we were created to be. Let us find our steadiness in You. Hear these our prayers. 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 Friday, December 12, 2003, will be postponed until printed.

For the information of the members, the Chief Clerk is taking dinners for Christmas Eve, just to make sure you get exactly what you would like. Only kidding.

HOUSE BILLS

INTRODUCED AND REFERRED

No. 2248 By Representatives J. TAYLOR, PETRONE, WHEATLEY, GODSHALL, HALUSKA, LEDERER, CAPPELLI and MANN

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, further providing for the grant of limited letters of administration and for the administration of estates.

Referred to Committee on JUDICIARY, December 15, 2003.

No. 2256 By Representatives GABIG, CASORIO, ARMSTRONG, BOYD, CREIGHTON, METCALFE, THOMAS and WILT

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for life imprisonment.

Referred to Committee on JUDICIARY, December 15, 2003.

No. 2257 By Representatives ROHRER, ARMSTRONG, BELFANTI, CLYMER, CORRIGAN, COSTA, CREIGHTON, CRUZ, DeLUCA, FORCIER, GOOD, LEDERER, LEH, McILHATTAN, REICHLEY, SCAVELLO, SOLOBAY, T. STEVENSON, E. Z. TAYLOR, TIGUE and YOUNGBLOOD

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for promulgation of vehicle equipment standards and for prohibitions relating to sun screening and other materials.

Referred to Committee on TRANSPORTATION, December 15, 2003.

No. 2258 By Representatives JOSEPHS, CORRIGAN, CURRY, FRANKEL, FREEMAN, HORSEY, JAMES, LEACH, MANDERINO, MUNDY, PISTELLA, TANGRETTI, THOMAS and YUDICHAK

An Act requiring certifications by tobacco product manufacturers; providing for a directory of cigarettes approved for stamping and sale; conferring powers and imposing duties on the Attorney General and the Department of Revenue; providing for the incidence and rate of tax; and imposing penalties.

Referred to Committee on FINANCE, December 15, 2003.

No. 2259 By Representatives STURLA, RUBLEY, BALDWIN, BEBKO-JONES, BELFANTI, BROWNE, COHEN, CRUZ, CURRY, DALLY, FABRIZIO, FRANKEL, FREEMAN, GEORGE, GERGELY, GOODMAN, JAMES, JOSEPHS, KELLER, KIRKLAND, LAUGHLIN, LEACH, LEVDANSKY, McGEEHAN, SATHER, THOMAS, TIGUE, WANSACZ, WASHINGTON and YOUNGBLOOD

An Act providing for the comprehensive tracking of information concerning asthma.

Referred to Committee on HEALTH AND HUMAN SERVICES, December 15, 2003.

HOUSE RESOLUTION INTRODUCED AND REFERRED

No. 516 By Representatives DeLUCA, THOMAS, GEIST, MANDERINO, BALDWIN, BEBKO-JONES, BIANCUCCI, E. Z. TAYLOR, BOYD, CAUSER, CRAHALLA, COHEN, CURRY, DAILEY, DENLINGER, DeWEESE, FORCIER, FABRIZIO, GEORGE, GERGELY, GRUCELA, HERMAN, HERSHEY, HORSEY, JAMES, JOSEPHS, KIRKLAND, LaGROTTA, LAUGHLIN, LEACH, LEVDANSKY, MARKOSEK, McGEEHAN, MUNDY, PALLONE, PETRARCA, PISTELLA, PRESTON, READSHAW, ROBERTS, SCRIMENTI, SOLOBAY, TANGRETTI, TIGUE, WALKO, WANSACZ, WHEATLEY, WILLIAMS and YOUNGBLOOD

A Resolution establishing a task force to investigate the incidence and causality of hospital-acquired infections.

Referred to Committee on HEALTH AND HUMAN SERVICES, December 15, 2003.

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.
Mr. S. SMITH. Mr. Speaker, I move that the following bill be taken from the table: HB 1284.

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

ACTUARIAL NOTE

The SPEAKER. The Chair acknowledges receipt of the actuarial note on amendment No. 4554 to HB 990, PN 2112.

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

CALENDAR

RESOLUTION

Mr. S. SMITH called up **HR 95, PN 573**, entitled:

A Concurrent Resolution addressing the health care crisis and establishing the Health Insurance Affordability Commission to undertake a comprehensive review of the causes of various social, health-related and financial impacts resulting from recent changes and long-term trends in the health care insurance market and to make recommendations.

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The Chair recognizes the majority leader.
Mr. S. SMITH. Mr. Speaker, I move that the following resolution be placed upon the table: HR 95.

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

RESOLUTION REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.
Mr. S. SMITH. Mr. Speaker, I move that the following resolution be taken off the table: HR 95.

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

COMMUNICATION FROM GOVERNOR

APPROVAL OF HOUSE BILL

The Speaker laid before the House a communication in writing from the office of His Excellency, the Governor of the Commonwealth, advising that the following House bill had been approved and signed by the Governor:

HB 85.

BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.
Mr. S. SMITH. Mr. Speaker, I move that the following bills be taken off the table: HB 463 and HB 1132.

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

BILLS TABLED

The SPEAKER. The Chair recognizes the majority leader.

Mr. S. SMITH. Mr. Speaker, I move that the following bills be placed upon the table: HB 463 and HB 1132.

On the question,

Will the House agree to the motion?

Motion was agreed to.

PETITION REFERRED

The SPEAKER. Pursuant to Article VI, section 4, of the Constitution, the Speaker is hereby referring the attached petition for impeachment to the Judiciary Committee.

RULES COMMITTEE MEETING

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

BILL REREPORTED FROM COMMITTEE

HB 66, PN 2958

By Rep. S. SMITH

An Act authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to Warren County, certain lands situate in the Township of Conewango, Warren County; and authorizing and directing the removal of the use restriction and reversionary covenant placed on the real estate previously conveyed to Warren County and imposing other restrictions on said Warren County property, situate in the Township of Elk, Warren County.

RULES.

**BILLS ON CONCURRENCE
REPORTED FROM COMMITTEE**

HB 88, PN 3082

By Rep. S. SMITH

An Act amending the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act, further providing for the schedule of compensation; and further defining "employee."

RULES.

HB 521, PN 3062

By Rep. S. SMITH

An Act amending the act of October 6, 1998 (P.L.705, No.92), known as the Keystone Opportunity Zone and Keystone Opportunity and Expansion Zone Act, further providing for short title, for definitions, for keystone opportunity zones, for keystone opportunity expansion zones, for keystone opportunity improvement zones, for application, for review, for criteria, for authorization of keystone opportunity zone, for residency, for qualified businesses and for corporate net income tax.

RULES.

HB 1018, PN 2303

By Rep. S. SMITH

An Act amending the act of July 9, 1990 (P.L.340, No.78), known as the Public Safety Emergency Telephone Act, further providing for

definitions, for local government immunity and for powers and duties of the Pennsylvania Emergency Management Agency; establishing a Statewide integrated wireless E-911 State plan; establishing a Wireless E-911 Emergency Services Fund and disbursements therefrom; further providing for collection of an E-911 surcharge from wireless customers and for annual reporting; establishing a wireless E-911 Emergency Services Advisory Committee; and providing for rules and regulations.

RULES.

SB 850, PN 1315

By Rep. S. SMITH

An Act authorizing the City of Scranton and Redevelopment Authority of the City of Scranton, Lackawanna County, to transfer, sell and convey to the University of Scranton certain Project 70 lands free of restrictions imposed by the Project 70 Land Acquisition and Borrowing Act.

RULES.

GUESTS INTRODUCED

The SPEAKER. The Chair would like to welcome to the hall of the House Lt. Col. Wendell May and four Eagle Scout candidates. They are the guests today of Representative Gordon Denlinger. They are located in the balcony. Would those guests please rise and be recognized by the House.

LEAVES OF ABSENCE

The SPEAKER. Requests for leaves of absence.

The Chair recognizes the majority whip, who requests a leave of absence for the gentleman from Northumberland, Mr. PHILLIPS, and the gentleman from Lehigh, Mr. SEMMEL. Without objection, those leaves will be granted.

The Chair recognizes the minority whip, who moves for leaves of absence for the gentleman from Allegheny, Mr. LEVDANSKY; the gentleman from Luzerne, Mr. EACHUS; the gentleman from Philadelphia, Mr. JAMES; and the gentleman from Westmoreland, Mr. PALLONE. Without objection, those leaves will be granted.

MASTER ROLL CALL

The SPEAKER. The Chair is about to take the master roll. The members will proceed to vote.

The following roll call was recorded:

PRESENT—196

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

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—6

Eachus	Levdansky	Phillips	Semmel
James	Pallone		

RESOLUTIONS PURSUANT TO RULE 35Mr. GOOD called up **HR 512, PN 3066**, entitled:

A Resolution congratulating Millcreek Township, Erie County, on the celebration of its 200th anniversary during 2003.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—196

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

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Eachus	Levdansky	Phillips	Semmel
James	Pallone		

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

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Mr. EGOLF called up **HR 513, PN 3067**, entitled:

A Resolution commemorating the centennial of powered flight and designating December 17, 2003, as the "Centennial of Powered Flight Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—196

Adolph	Evans, D.	Lewis	Samuelson
Allen	Evans, J.	Lynch	Santoni

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Eachus	Levdansky	Phillips	Semmel
James	Pallone		

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

CHILDREN AND YOUTH COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Wayne, Mr. Birmelin, for the purposes of an announcement.

Mr. BIRMELIN. Thank you, Mr. Speaker.

At the call of the recess, I am calling a meeting of the House Children and Youth Committee in the rear of the hall of the

House. That is the House Children and Youth Committee meeting at the call of the recess.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

At the call of the recess, there will be a meeting of the Children and Youth Committee in the rear of the hall of the House.

REPUBLICAN CAUCUS

The SPEAKER. The Chair recognizes the gentledady from Chester, Mrs. Taylor, for the purposes of an announcement.

Mrs. TAYLOR. Thank you, Mr. Speaker.

At the call of the recess, the majority Republican Caucus will meet in the caucus room, and, Mr. Speaker, I anticipate about 2 hours.

The SPEAKER. The Chair thanks the gentledady.

TOURISM AND RECREATIONAL DEVELOPMENT COMMITTEE MEETING

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

Mr. GODSHALL. Thank you, Mr. Speaker.

I would like to remind the members of the Tourism and Recreation Committee that we have a meeting directly across from my office, I believe it is room 148, in the Main Capitol Building, to move HB 2236.

So I would appreciate your prompt attendance. It will not be a long meeting. It is scheduled for 3 o'clock, as of this time, in room 148. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Tourism and Recreational Development Committee will have a meeting in room 148, Main Capitol Building, at 3 p.m.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The Chair recognizes the chairman of the Appropriations Committee, the gentleman, Mr. Argall, from Schuylkill County.

Mr. ARGALL. Thank you, Mr. Speaker.

At the declaration of the recess, the Appropriations Committee meeting will be held in room 245.

The SPEAKER. At the declaration of the recess, the Appropriations Committee meeting will be held in room 245.

DEMOCRATIC CAUCUS

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Cohen, for the purposes of an announcement.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, there will be a Democratic caucus immediately upon the call of the recess.

The SPEAKER. The Chair thanks the gentleman.

GUESTS INTRODUCED

The SPEAKER. The Chair would like to ask for some order. The minority leader is going to make an important pronouncement. The gentleman is entitled to be heard.

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

Shakespeare had a wonderful phrase that “The course of true love never did run smooth.” The course of international affairs has never run smooth, but since the commencement of our national experience, we have always had intrepid young people to go into harm’s way.

This House chamber in so many ways is a dynamic, familial setting, and one of the most special and scintillating characters we have amongst us is Wally Macon, the chief panjandrum of our administrative operations here on the floor. I do not know whether Wally has ever been referred to in quite that gilded terminology, but nevertheless, Wally, please stand up and wave so some of the new GOP partisans can recognize one of our stalwarts.

Anyway, friends, Wally’s son has just returned from the Middle East in early December, and we had prepared a citation for the young man, and it was obviously of piquant coincidence that the weekend’s news would render the capture of that brutal dictator. It is a time for bipartisanship. It is a time for accolades not only for our Armed Forces but for President Bush and the executive branch of our Federal administration.

But without lauding them too long, I want to get right back to Wallace Paul Macon III and ask that our United States Air Force veteran and currently serving trooper stand up and be recognized, and in a moment or two, I want to have Wallace Paul Macon IV— In fact, I will do that right now. Stream of consciousness is my hallmark. Will Wallace Paul Macon IV please stand up, even though he might not know he is standing up.

I will conclude my remarks momentarily, Mr. Speaker.

Wally received a Joint Commendation Award for his endeavors in the Middle East. He is a highly qualified and technical communications and computer expert with the Air Force. Tom Tigue, Bob Belfanti, many of us, Merle Phillips, realize that the NCO Corps, the noncommissioned officer cadre of our Armed Forces, is the vital element that keeps things together, and his endeavors have been lauded by his superior officers. We are going to present him with a citation momentarily.

But I did want to take the floor. I thank the Speaker of the House for his flexibility this morning and again want to say, this is just symbolic of so many families and so many good news opportunities that will be shared by men and women around our Commonwealth under the yuletide setting and Christmas trees far and wide, but since this is Ted Mazia’s House floor in some ways as the Chief Clerk and Wally works with Ted, Wally works with us, this is such a community day, a family day, and it is a great day for the House of Representatives, for Wallace Paul Macon III and his family – his mom, Sandy; his brother and his wife; his sister – and the whole team to be here today.

Thank you very much, Mr. Speaker.

Happy holidays to the Macon family. Congratulations on behalf of the House of Representatives.

APPROPRIATIONS COMMITTEE MEETING

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

Mr. ARGALL. We have some additional amendments to prepare, so the Appropriations Committee will not be able to meet until 2 o’clock, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Appropriations Committee will be meeting at 2 o’clock.

Are there any further announcements?

RECESS

The SPEAKER. This House stands in recess until 3:30.

AFTER RECESS

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

THE SPEAKER PRO TEMPORE (PATRICIA H. VANCE) PRESIDING

BILL REMOVED FROM TABLE

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

Mr. S. SMITH. Madam Speaker, I move that the following bill be taken from the table: HB 1827.

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 1827, PN 2373.

BILL RECOMMITTED

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 1827.

On the question,

Will the House agree to the motion?

Motion was agreed to.

GUESTS INTRODUCED

The SPEAKER pro tempore. The House will come to order.

The Chair is pleased to welcome to the hall of the House Glenda Lopez, who is a guest of Representative Baldwin. She is an intern in his district office. Would the lady please rise.

The Chair is also pleased to welcome to the House Shane Leister, an eighth grade student from Milford Middle School. He is here for shadow day to learn about the career of

State Representative Paul Clymer and Representative Kate Harper. He is located to the left of the Speaker. Would he please rise.

BILLS REREPORTED FROM COMMITTEE

HB 60, PN 2909 By Rep. ARGALL

An Act amending the act of January 19, 1968 (1967 P.L.992, No.442), entitled, as amended, "An act authorizing the Commonwealth of Pennsylvania and the local government units thereof to preserve, acquire or hold land for open space uses," defining "municipal corporation"; further providing for property acquired in fee simple and for local taxing option; and making an editorial change.

APPROPRIATIONS.

HB 104, PN 121 By Rep. ARGALL

An Act amending the act of December 18, 1984 (P.L.1004, No.204), entitled "An act extending benefits to police chiefs or heads of police departments of political subdivisions of the Commonwealth who have been removed from bargaining units by the Pennsylvania Labor Relations Board," further providing for the salary of nonunion police officers.

APPROPRIATIONS.

HB 148, PN 163 By Rep. ARGALL

An Act amending the act of August 23, 1961 (P.L.1068, No.484), entitled, as amended, "An act to provide for the creation and administration of a Coal and Clay Mine Subsidence Insurance Fund within the Department of Environmental Protection for the insurance of compensation for damages to subscribers thereto; declaring false oaths by the subscribers to be misdemeanors; providing penalties for the violation thereof; and making an appropriation," further providing for definitions; establishing a mine subsidence assistance program; and imposing duties on the Department of Environmental Protection.

APPROPRIATIONS.

HB 578, PN 2959 By Rep. ARGALL

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for annual budget, additional or increased appropriations and transfer of funds.

APPROPRIATIONS.

HB 606, PN 3088 (Amended) By Rep. ARGALL

An Act enabling counties and municipalities to develop comprehensive watershed storm water plans and to regulate storm water within designated watershed boundaries; imposing duties and conferring powers on the Department of Environmental Protection, on the Environmental Quality Board, on counties and on municipalities; and providing for financing.

APPROPRIATIONS.

HB 752, PN 2917 By Rep. ARGALL

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for sentences for offenses committed with firearms.

APPROPRIATIONS.

HB 1235, PN 1519 By Rep. ARGALL

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, further providing for personnel of shade tree commission, their appointment, terms and vacancies.

APPROPRIATIONS.

HB 1236, PN 1520 By Rep. ARGALL

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, further providing for shade tree commission members, their appointment, terms and vacancies.

APPROPRIATIONS.

HB 1448, PN 1823 By Rep. ARGALL

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, authorizing the Pennsylvania Game Commission to issue permits for foxhound training preserves and fixing the permit fee for foxhound training preserve permits.

APPROPRIATIONS.

HB 1472, PN 3006 By Rep. ARGALL

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, adding definitions; and further providing for the capital stock franchise tax.

APPROPRIATIONS.

HB 1535, PN 3089 (Amended) By Rep. ARGALL

An Act amending the act of December 31, 1965 (P.L.1257, No.511), known as The Local Tax Enabling Act, further providing for administrative personnel for the collection of taxes, for earned income taxes and for collection of taxes by suit; and providing for costs of collection of delinquent per capita, occupation, occupational privilege and earned income taxes.

APPROPRIATIONS.

HB 1696, PN 2180 By Rep. ARGALL

An Act amending the act of October 30, 1987 (P.L.375, No.75), entitled, "An act providing for the designation of certain trees and land on the grounds of the State Capitol in Harrisburg as 'Soldiers' Grove' in honor of war veterans; imposing duties upon the Department of General Services; and making an appropriation," providing for the placement of a certain monument in Soldiers' Grove.

APPROPRIATIONS.

HB 1801, PN 2341 By Rep. ARGALL

An Act amending the act of June 25, 1931 (P.L.1352, No.332), referred to as the Delaware River Joint Toll Bridge Compact, further providing for powers and duties and for audits.

APPROPRIATIONS.

HB 1905, PN 2492

By Rep. ARGALL

An Act amending the act of December 4, 1996 (P.L.911, No.147), known as the Telemarketer Registration Act, further providing for definitions and for unlawful acts and penalties.

APPROPRIATIONS.

HB 1926, PN 2906

By Rep. ARGALL

An Act authorizing the Department of Transportation to convey to Elkland Township a tract of land situate in Elkland Township, Sullivan County, Pennsylvania.

APPROPRIATIONS.

HB 1980, PN 2585

By Rep. ARGALL

An Act amending the act of May 26, 1988 (P.L.448, No.73), known as the College and University Security Information Act, further providing for crime statistics and security policies and procedures.

APPROPRIATIONS.

HB 1996, PN 2948

By Rep. ARGALL

An Act amending Title 62 (Procurement) of the Pennsylvania Consolidated Statutes, further providing for guaranteed energy savings and contracts.

APPROPRIATIONS.

HB 2014, PN 2656

By Rep. ARGALL

An Act establishing an accountability reporting system for institutions of higher education with teacher preparation programs; and imposing additional powers and duties on the Department of Education.

APPROPRIATIONS.

HB 2021, PN 2663

By Rep. ARGALL

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for unlawful acts relative to liquor, malt and brewed beverages and licensees.

APPROPRIATIONS.

HB 2046, PN 2696

By Rep. ARGALL

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for license to carry firearms.

APPROPRIATIONS.

HB 2144, PN 3003

By Rep. ARGALL

An Act amending the act of May 18, 1937 (P.L.654, No.174), entitled, as amended, "An act to provide for the safety and to protect the health and morals of persons while employed; prescribing certain regulations and restrictions concerning places where persons are employed, and the equipment, apparatus, materials, devices and machinery used therein; prescribing certain powers and duties of the

Department of Labor and Industry relative to the enforcement of this act; and fixing penalties," providing for firehouses in first class cities.

APPROPRIATIONS.

SB 133, PN 1219

By Rep. ARGALL

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.

APPROPRIATIONS.

SB 145, PN 1248

By Rep. ARGALL

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, further providing for municipal police education and training definitions, training and reimbursement.

APPROPRIATIONS.

SB 157, PN 1318 (Amended)

By Rep. ARGALL

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for regulation of credit card marketing on a college or university campus.

APPROPRIATIONS.

SB 483, PN 1319 (Amended)

By Rep. ARGALL

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, further providing for life insurance applications; and extending the expiration date of provisions relating to health care insurance individual accessibility.

APPROPRIATIONS.

SB 596, PN 658

By Rep. ARGALL

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, establishing criteria and authority for school districts to include character education in curriculum planning and the Character Education Grant Program.

APPROPRIATIONS.

CALENDAR CONTINUED**BILL ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 990, PN 2112**, entitled:

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, further defining "superannuation age."

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

Mr. REICHLEY offered the following amendment No. **A4105**:

Amend Sec. 1 (Sec. 5102), page 2, lines 15 and 16, by striking out “ELIGIBILITY POINTS” and inserting
years of credited service as a district justice

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

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

Mr. REICHLEY. Thank you, Madam Speaker.

This amendment would alter the original provisions of this bill, which had contemplated providing an alternative means of retirement benefits for district justices in Pennsylvania for reaching 24 years of service and the age of 50 instead of the traditional 35 years of service and age 65. The amendment alters it to 24 years of exclusive service as a district justice.

This would significantly narrow the class of people who would be entitled to retirement at full benefits with this amended provision. It does not create any greater benefit. It does not change the multiplier. It merely identifies that the years of service have to be fulfilled solely as a district justice.

I would ask the members for unanimous approval of the amendment. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS-196

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

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

NAYS-0

NOT VOTING-0

EXCUSED-6

Eachus	Levdansky	Phillips	Semmel
James	Pallone		

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

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

Mr. REICHLEY offered the following amendment No. **A4554**:

Amend Sec. 1 (Sec. 5102), page 2, line 16, by inserting after “50”
at the expiration of the current term of service if the district justice has less than three years remaining in the current term of service

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

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

Mr. REICHLEY. Thank you, Madam Speaker.

This amendment is an attempt to meet the concerns voiced by Representative Saylor in caucus. There was a concern that district justices who would now be entitled to the amended provisions for retirement should fulfill the balance of their term. What this amendment would require is that in the situation where a district justice has become eligible for full retirement at 24 years of service, with less than 3 years remaining in a term of office, they would have to fill out the remainder of the term of office before being able to retire with the full benefits.

And again I would ask the members for unanimous approval of the amendment, and I compliment Representative Saylor for bringing this to my attention originally.

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

(Members proceeded to vote.)

VOTE STRICKEN

The SPEAKER pro tempore. Strike the vote, please.

PARLIAMENTARY INQUIRY

The SPEAKER pro tempore. On the amendment, the Chair recognizes the gentleman from York County, Mr. Saylor.

Mr. SAYLOR. I would like to pose a parliamentary question to the Parliamentarian.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. SAYLOR. If this amendment goes in, does this preclude my amendment 4534 to the bill?

The SPEAKER pro tempore. Even if this goes in and your amendment would also go in, yours would supersede the Reichley amendment.

Mr. SAYLOR. So my amendment could still be offered, even though this goes in?

The SPEAKER pro tempore. Yes, it can.

Mr. SAYLOR. Thank you.

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

The following roll call was recorded:

YEAS-195

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

Creighton	Hutchinson	Raymond	Weber
Cruz	Josephs	Readshaw	Wheatley
Curry	Keller	Reed	Williams
Dailey	Kenney	Reichley	Wilt
Daley	Killion	Rieger	Wojnaroski
DeLuca	Kirkland	Roberts	Wright
Denlinger	Kotik	Roebuck	Yewcic
Dermody	LaGrotta	Rohrer	Youngblood
DeWeese	Laughlin	Rooney	Yudichak
DiGirolamo	Leach	Ross	Zug
Diven	Lederer	Rubley	
Donatucci	Leh	Ruffing	Perzel,
Egolf	Lescovitz	Sainato	Speaker
Evans, D.			

NAYS-0

NOT VOTING-1

Dally

EXCUSED-6

Eachus	Levdansky	Phillips	Semmel
James	Pallone		

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

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

Mr. SAYLOR offered the following amendment No. **A4534**:

Amend Sec. 1 (Sec. 5102), page 2, line 16, by inserting after "50"
at the expiration of the current term of service

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

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman from York County, Mr. Saylor.

Mr. SAYLOR. Thank you, Madam Speaker.

My amendment basically is put into the bill to require that district justices must finish their terms of office to receive early retirement benefits. I do not believe it is fair to the voters of this Commonwealth or any judicial district to have a district justice retire in the middle of a term and not fulfill his responsibility that he or she may have sought.

So this amendment would simply require that for a district justice to retire early, they must fulfill their commitment to the taxpayers, and that is, fulfill the term of office of 6 years that they were elected to. They cannot retire in the middle of a term.

It is not fair to the voters of this Commonwealth to have district justices receiving extra benefits to retire early when they are failing to meet their commitment to finish a term. I have talked to district justices in York County, and they agree that this is a fair amendment and that it should be something that all district justices agree to.

So I ask for your kind support in this amendment.
Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the amendment, the Chair recognizes the gentleman from Philadelphia, Mr. Horsey.

Mr. HORSEY. Thank you, Madam Speaker.

Madam Speaker, may I interrogate the maker of the amendment?

The SPEAKER pro tempore. The gentleman agrees. You may proceed.

Mr. HORSEY. Madam Speaker, what is the present standard for other justices? If I am sitting on the State Supreme Court and I reach the age of 70, do I immediately leave or do I stay till the end of my term?

Mr. SAYLOR. The State of Pennsylvania has a mandatory retirement age of 70 for judges. This would not affect the judges, the mandatory retirement age. This is only for those who seek early retirement before they would get to the age of 60 or 65.

Mr. HORSEY. One more time, Madam Speaker.

If I am a Pennsylvania State justice and I reach the age of 70, do I retire at my age of 70 or do I fulfill my full term?

Mr. SAYLOR. Let me get this clear, make sure I am answering you correctly.

You at the age of 70 have fulfilled your term; you are forced to retire by the Commonwealth of Pennsylvania, and you will also get the benefits allowed to you under Pennsylvania's pension law.

Mr. HORSEY. So in parallel parity to your particular bill, let us talk about district justices, because there is a similarity; they both sit on the bench. What is the correlation or similarity between district justices and Supreme Court justices or Superior Court justices?

Mr. SAYLOR. The district justices have the same mandatory retirement age as do Supreme Court justices, Superior Court judges, Commonwealth Court judges, or common pleas judges. That is why this amendment does not change any of that. This only affects those justices who plan to retire at the age of 50 or after 24 years of service.

Mr. HORSEY. Madam Speaker, if I am 50 years old and I reach the age of 50 as a district justice, what does your amendment do? Does it say I have to retire at that immediate time or I have to finish my, what is it, 10-year term?

Mr. SAYLOR. You must finish whatever is left in your remaining 6-year term that you have. If you are at the age of 50 and it is going to take you 3 more years, you must go to 53 to get the extra benefits you would get by retiring early. You cannot quit in the middle of a term.

Mr. HORSEY. So we are doing this for district justices, but we do not have that same standard for Superior Court judges or State Supreme Court judges?

Mr. SAYLOR. I have not introduced this bill. This is not my bill. It is only my amendment to protect the taxpayers.

This bill only deals with district justices, not Supreme Court justices or common pleas judges. This gives the district justices an incentive – not my amendment; the bill – gives them an allowability to retire at an earlier age than our common pleas judges or our Supreme Court judges.

Mr. HORSEY. Okay. Thank you, Madam Speaker.

My concern, Madam Speaker, is continuity—

The SPEAKER pro tempore. Would the gentleman wish to comment on the legislation?

Mr. HORSEY. Thank you, Madam Speaker.

The SPEAKER pro tempore. You may proceed.

Mr. HORSEY. My concern is continuity within the court system. If I can be a State Supreme Court justice and I reach 70 and I have to immediately retire versus a district justice and I become 50 and I have got to sit on the bench for 9 more years or 8 more years, there is no continuity in the retirement structure for Superior Court, common pleas court judges, and district justices.

I am going to support the amendment, even though it breaks up the continuity of the judicial system, and you know, no judge called me to say do not support it. I am going to support it, but it does obstruct the continuity of the court system.

But with that, I would thank you, Madam Speaker. Thank you.

The SPEAKER pro tempore. On the amendment, the Chair recognizes the gentleman from Luzerne, Mr. Tigie.

Mr. TIGUE. Thank you, Madam Speaker.

I would like to ask the gentleman a question, please.

The SPEAKER pro tempore. You mean the sponsor of the amendment?

Mr. TIGUE. Yes.

The SPEAKER pro tempore. The gentleman agrees. You may proceed.

Mr. TIGUE. Madam Speaker, what would happen if someone became disabled in the middle of the term but otherwise they would qualify for this retirement?

Mr. SAYLOR. As far as those kinds of things, medical disabilities and stuff, this would not affect that at all. This is just for those who by their own will, not by medical reasons or necessity would have to retire. It would not change that. It is just for those who offer to retire with good health and want to retire early to take advantage of this bill.

Mr. TIGUE. Let me rephrase the question.

What happens if someone thinks, they have no legal determination that they are disabled but because of a stroke or whatever condition, they think they should perhaps not sit on the bench? How would this affect them?

Mr. SAYLOR. If a district justice wanted to retire early, under my amendment, because they felt for their health reasons, whether it be the pressure of the job or whatever it may be, unless they had a medical disability, they would be covered as they are now. They would have to get whatever they are now qualified for in the middle of their term.

But there are provisions in the law for health reasons, but in this particular bill, this only deals with justices and giving them an advantage to retire early and rewards them for an early retirement.

Mr. TIGUE. Thank you, Madam Speaker.

The SPEAKER pro tempore. Does the gentleman wish to comment on the amendment?

Mr. TIGUE. Yes, Madam Speaker.

The SPEAKER pro tempore. You may proceed.

Mr. TIGUE. Thank you.

I would actually support this amendment if it allowed for situations where through no fault of their own the district justice had to resign or retire and would qualify. However, we do not allow these exclusions in this amendment, so if something happened midterm, even if it was not to the individual justice but to someone in his family perhaps, they would be penalized; they could not retire under the same system.

I think it is unfair to put people under two different rules. Someone may be able to stay there; someone may be able to not. Plus, we have this situation, this takes effect in 60 days. Within 14 months – well, I guess longer than that – within 2 years, some district justices can retire, and within 6 years, others would have to wait, so I think we are setting up, again, a two-tiered system.

So I would ask that you defeat this amendment, and perhaps we can address this in an amendment that is drafted much better than this.

Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Lehigh, Mr. Reichley, on the amendment.

Mr. REICHLEY. Thank you, Madam Speaker.

I regretfully have to rise in opposition to this amendment, and I think the members need to really look at what the original intent of the piece of legislation is.

We have a situation right now where district justices serve 6-year terms. There are some instances in which a district justice must run for reelection if only for to serve a few months into the next proceeding term in order to qualify for their full pension.

What I have proposed is to narrow down the select class of people for whom this would not only be eligible, but unfortunately, Representative Saylor, the gentleman from York County's amendment would require a person who has been reelected, who is serving their 1 year, perhaps 18 months, of the new term and would now qualify, be forcing that person to serve for an extended period of time, until the completion of that term of office, and I frankly do not think that is fair to the constituents of that particular magisterial district.

I think what we have to take into account is that there are some individuals who are serving as district justices who have fulfilled their duty, and it is necessary to usher them to their retirement in order to let other more interested, energetic individuals take over from the office. I think the impact of Representative Saylor's amendment would be to require that person to essentially hang on and hang on, and therefore, it does not do any justice to the constituents of that particular magisterial district.

Representative Tigue, the gentleman from Luzerne, raises a very interesting point, that there is potentially some issue that a person could become disabled or feel that they are no longer qualified or able to serve in their full capacity and yet the impact or the import of Representative Saylor's amendment would be to force that person into the completion of the term of office.

The Assembly has just approved by unanimous vote my previous amendment, which would be to force a person who has 3 years or less to complete that term of office. This was an attempt to accommodate Representative Saylor's concerns about individuals unjustifiably obtaining this qualification for full benefit packages.

There is nothing regarding the age 70 retirement provision. This does not affect mandatory retirement ages. It really goes to the issue of an individual who is within a term of office, who no longer feels capable or qualified to complete that term.

And as I said, unfortunately, I must rise and ask the members to vote against the Saylor amendment.

Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from York County, Mr. Saylor, on the amendment for the second time.

Mr. SAYLOR. Thank you, Madam Speaker.

First of all, I want to make it clear: The only privilege you are doing is, this bill in particular creates a new class of retirement in Pennsylvania. We are giving district justices the right that we do not even give ourselves or our State employees. My amendment only makes it better.

Since when can State employees who decide to retire after a short period of time take all their benefits with them? We say you have to serve a certain amount of time as a State employee or as a legislator or as a judge. We are going to create a special class of citizens for district justices only to allow them to retire early and take taxpayers' money in a pension without requiring them to fulfill their commitment to taxpayers? That makes no sense.

When I talked to the district justices, all of them agreed it was common sense that they should have to fulfill their commitment to the voters of this Commonwealth. It is only common sense that if you are going to give somebody a reward for retiring early, they fulfill their commitment to the taxpayers.

Do we want the Governor of this Commonwealth appointing district justices all over this Commonwealth instead of letting the voters choose that, and that is what you get when you take the whole process out of the election and let the Governors appoint these people. By letting them retire early, it is a fallacy to believe that the electors have any decisionmaking process in our local judicial districts.

If there is a problem with anything, it is more the bill. My amendment is to make the bill better and more palatable to the taxpayers of this Commonwealth. We have great district justices across this Commonwealth, but at the same time, they realize what is common sense, and common sense is a commitment to fill a term of office you have committed yourself to, unless your health does not allow you to do so.

So to create a special class and get early retirement, they should have to fulfill their commitments to this Commonwealth, and I believe it is only right for these people, men and women that serve us in the judicial proceedings, if they are going to get special privileges, to as well fulfill those other special commitments.

Thank you, and I ask for your support of this amendment.

The SPEAKER pro tempore. On the amendment, the Chair recognizes the gentleman from Berks County, Mr. Caltagirone.

Mr. CALTAGIRONE. Thank you, Madam Speaker.

Just to clear the air a little bit, there are 544 district justices in this Commonwealth, number one. The studies that we have had completed, the actuarial studies, indicated that there is just a handful of them that would even qualify, to begin with, for this benefit.

And it had been alluded to that there are differences in pension plans. We look no further than this House of Representatives. We ourselves after 5 years qualify for a pension. Let us not delude ourselves into thinking that there are not differences in pension plans; there are. We ourselves have our own design on our own pension plan, number one. Number two, State employees basically after 20 years qualify for their pensions. There are differences, of course, with the State Police and many others.

What we are saying here, and I do support Representative Reichley's comments, and I would urge a negative vote on the Saylor amendment, because what we are doing is allowing district justices after serving 24 years – remember, it is 24 years at age 50 – that they could qualify for the pension. That is basically what this attempt is at. I think Saylor's amendment basically would destroy the intent of Representative Reichley.

I would ask you for a negative vote on the Saylor amendment. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Lehigh, Mr. Reichley, on the amendment for the second time.

Mr. REICHLEY. Thank you, Madam Speaker.

I just echo the comments of the gentleman from Berks as well, but just to keep in mind for the members, what you are doing is forcing a person who believes they are no longer qualified or capable of fulfilling office to serve through the remainder of the term, which could be as long as 5 years and 9 months in some situations.

The members have to really ask, do you want to perpetuate a person who is no longer capable of fulfilling the job from remaining in office, which would be the impact of Representative Saylor's amendment. And I have great respect for the gentleman from York County; I understand what his intention is, but I think it would have, unfortunately, a counterproductive impact on what we are trying to do within this piece of legislation.

While a person who may not strictly go out on a disability situation could retire at this time, if you have an individual who because of a stroke or whatever feels I cannot do this anymore, I need to go out and I have my 24 years in, Representative Saylor's amendment would force that person to continue in through the remainder of the term of office, and regretfully, I must ask the members to defeat the amendment. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS-79

Allen	Gabig	Marsico	Saylor
Argall	Gannon	McIlhenny	Scavello
Armstrong	Gillespie	McNaughton	Scrimenti
Baker	Godshall	Melio	Smith, B.
Bard	Habay	Metcalfe	Smith, S. H.
Barrar	Hanna	Miller, R.	Stairs
Bebko-Jones	Harper	Miller, S.	Steil
Benninghoff	Hennessey	Myers	Stetler
Birmelin	Herman	Nailor	Stevenson, T.
Boyd	Hershey	Nickol	Sturla
Bunt	Keller	O'Brien	Taylor, J.
Casorio	Kenny	Oliver	Thomas
Civera	Leh	O'Neill	Vance
DeLuca	Lewis	Pickett	Vitali
Denlinger	Lynch	Preston	Washington
Egolf	Mackereth	Raymond	Wilt
Evans, J.	Maher	Readshaw	Wojnaroski
Feese	Major	Rohrer	
Fichter	Manderino	Rubley	Perzel,
Fleagle	Markosek	Ruffing	Speaker
Flick			

NAYS-117

Adolph	DeWeese	Kirkland	Samuelson
Baldwin	DiGirolamo	Kotik	Santoni
Bastian	Diven	LaGrotta	Sather
Belardi	Donatucci	Laughlin	Schroder
Belfanti	Evans, D.	Leach	Shaner
Bianucci	Fabrizio	Lederer	Solobay
Bishop	Fairchild	Lescovitz	Staback
Blaum	Forcier	Maitland	Stern
Browne	Frankel	Mann	Stevenson, R.
Butkovitz	Freeman	McCall	Surra
Buxton	Geist	McGeehan	Tangretti
Caltagirone	George	McGill	Taylor, E. Z.
Cappelli	Gergely	McIlhatten	Tigue
Causer	Gingrich	Micozzie	Travaglio
Cawley	Good	Mundy	True
Clymer	Goodman	Mustio	Turzai
Cohen	Grucela	Payne	Veon
Coleman	Gruitza	Petrarca	Walko
Cornell	Haluska	Petri	Wansacz
Corrigan	Harhai	Petrone	Waters
Costa	Harhart	Pistella	Watson
Coy	Harris	Reed	Weber
Crahalla	Hasay	Reichley	Wheatley
Creighton	Hess	Rieger	Williams
Cruz	Hickernell	Roberts	Wright
Curry	Horsey	Roebuck	Yewcic
Dailey	Hutchinson	Rooney	Youngblood
Daley	Josephs	Ross	Yudichak
Dally	Killion	Sainato	Zug
Demody			

NOT VOTING-0

EXCUSED-6

Eachus	Levdansky	Phillips	Semmel
James	Pallone		

Less than the majority having voted in the affirmative, the question was determined in the negative and the amendment was not agreed to.

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

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

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

The following roll call was recorded:

YEAS-184

Adolph	Evans, J.	Lescovitz	Sather
Allen	Fabrizio	Mackereth	Scavello
Argall	Fairchild	Maher	Schroder
Baker	Feese	Major	Scrimenti
Baldwin	Fichter	Manderino	Shaner
Barrar	Fleagle	Mann	Smith, B.
Bastian	Flick	Markosek	Smith, S. H.
Bebko-Jones	Forcier	Marsico	Solobay
Belardi	Frankel	McCall	Staback

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

NAYS—12

Armstrong	Egolf	Lynch	Petri
Bard	Herman	Maitland	Rohrer
Benninghoff	Lewis	Metcalfe	Saylor

NOT VOTING—0

EXCUSED—6

Eachus	Levdansky	Phillips	Semmel
James	Pallone		

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. REICHLEY

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

Mr. REICHLEY. Madam Speaker, just to express my thanks to the members and also to compliment Representative Caltagirone, who worked on this bill for many years and for his service to this project, and also to thank Representative Saylor

for his very well reasoned and very well intentioned amendment, and I thank the members. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

**BILL ON CONCURRENCE
IN SENATE AMENDMENTS
AS AMENDED**

The House proceeded to consideration of concurrence in Senate amendments to the following **HB 1222, PN 3047**, as further amended by the House Rules Committee:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for identification of incorrect debtor; further defining "other specified offense" for purposes of DNA data and testing; and further providing for summary offenses involving vehicles, for law enforcement records, for duration of commitment and review, for sentence of intermediate punishment and for assessments.

On the question,

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

The SPEAKER pro tempore. It is moved by the lady, Ms. Weber, that the House concur in the amendments.

The Chair recognizes the gentleman from Franklin County, Mr. Coy, on concurrence.

Mr. COY. Thank you, Madam Speaker.

A couple of our members asked for a brief explanation of the activity on the part of the Senate in which the House is being asked to concur. A brief explanation; we would appreciate it.

The SPEAKER pro tempore. The Chair recognizes the lady from Montgomery, Ms. Weber, for an explanation of the Senate amendments.

The Chair recognizes the lady, Ms. Weber.

Ms. WEBER. Thank you, Madam Speaker.

Essentially, the Senate's amendments consist of three aspects. The first was a restructuring of my bill, of the language; sufficient to say, technical in nature. It does not change the substance of the language of the bill that we voted on and sent to the Senate.

The second amendment deals with debtor identification. Specifically, the Senate brought our statute into compliance with a recent Pennsylvania Supreme Court decision.

And the third change was literally changing an "and" to an "or" as it relates to the DUI (driving under the influence) bill that this House also recently passed and sent to the Senate.

Mr. COY. Thank you, Madam Speaker.

We would also urge concurrence in the amendments placed by the Senate in the bill.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

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

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

(Members proceeded to vote.)

VOTE STRICKEN

The SPEAKER pro tempore. Strike the vote, please.
We have two people who wish to be recognized.

The Chair recognizes the gentleman from Philadelphia, Mr. Thomas, on concurrence.

Mr. THOMAS. Thank you, Madam Speaker.

Madam Speaker, may I interrogate the former speaker who provided clarification to HB 1222?

The SPEAKER pro tempore. The Chair recognizes the lady from Montgomery County, who agrees to the interrogation.

Mr. THOMAS. Thank you.

Madam Speaker, I do not want to delay this too long, but in your second explanation as to the Senate amendment, you talked about “and/or.” Now, “and/or” as a general rule does not mean a whole lot, but based on where that “and/or” might apply within the context of the bill, it could make a real change, and I would like if you could explain, I would like for you to explain where the “and/or” change was made.

Ms. WEBER. Thank you.

Madam Speaker, to answer your question, and I agree, you change an “and” and an “or,” that can make significant changes.

The DUI law, prior to us changing it recently, always required, under “intermediate punishment,” for an offender to be placed on house arrest and have electronic monitoring. In one of the changes in one of the sections during our changing of the overall revamping of the DUI law, it was incorrectly made an “or” where it should be an “and.” So in order to keep it consistent that when a defendant is sentenced to intermediate punishment you must still have, one, house arrest and, two, electronic surveillance, we are simply making sure that it remains having those two.

And I apologize; I misspoke earlier. It was changing an “or” to correct it back to an “and,” which is what it should be and has always been.

Mr. THOMAS. Thank you, Madam Speaker.

Madam Speaker, thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Horsey, on concurrence.

Mr. HORSEY. Madam Speaker, may I interrogate the defender of the concurrence?

The SPEAKER pro tempore. The lady agrees. You may proceed.

Mr. HORSEY. Thank you.

Madam Speaker, I am a little confused on the summary portion of the bill. It gives the right, when someone is accused of multiple offenses, summary offenses and traffic incidents, it gives the right to the courts that they may try them all at the same time or separate. Can you give me an instance as to what would be the interest of the court in not trying summary offenses all at one time?

Ms. WEBER. Yes. Madam Speaker, the purpose of the bill does not relate to the court and what the court can do; it relates to what a police officer or a municipal officer is permitted to do at the time of filing. So to make it the most succinct, when a police officer were to stop an individual for speeding and during the course of that check they found that that driver also had a suspended driver’s license, they were required to file —

Mr. HORSEY. I got you.

Ms. WEBER. I believe that I have now answered the question.

Mr. HORSEY. Thank you.

Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

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

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—196

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

NAYS—0

NOT VOTING—0

EXCUSED-6

Eachus	Levdansky	Phillips	Semmel
James	Pallone		

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

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

The SPEAKER pro tempore. If the members would all help us, before final passage, if you wish to speak on that, would you please stand up. We are missing them because you are sitting in your seats and we are starting to roll final passage and we do not realize that you want to be recognized, so we do not want to miss you, but we have to be able to see you as well. Thank you.

GUEST INTRODUCED

The SPEAKER pro tempore. The Chair welcomes Sonya Benova from the Czech Republic, who is the guest of Representative Robert Freeman of Northampton County. She is seated in the balcony. Would she please rise.

SUPPLEMENTAL CALENDAR C

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1235, PN 1519**, entitled:

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, further providing for personnel of shade tree commission, their appointment, terms and vacancies.

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS-196

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

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

NAYS-0

NOT VOTING-0

EXCUSED-6

Eachus	Levdansky	Phillips	Semmel
James	Pallone		

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

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

* * *

The House proceeded to third consideration of **HB 1236, PN 1520**, entitled:

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, further providing for shade tree commission members, their appointment, terms and vacancies.

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—196

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Eachus	Levdansky	Phillips	Semmel
James	Pallone		

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

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

* * *

The House proceeded to third consideration of **HB 1926, PN 2906**, entitled:

An Act authorizing the Department of Transportation to convey to Elkland Township a tract of land situate in Elkland Township, Sullivan County, Pennsylvania.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—196

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

Daley	Kenney	Rieger	Wojnaroski
Dally	Killion	Roberts	Wright
DeLuca	Kirkland	Roebuck	Yewcic
Denlinger	Kotik	Rohrer	Youngblood
Dermody	LaGrotta	Rooney	Yudichak
DeWeese	Laughlin	Ross	Zug
DiGirolamo	Leach	Rubley	
Diven	Lederer	Ruffing	
Donatucci	Leh	Sainato	Perzel,
Egolf	Lescovitz		Speaker

NAYS—0

NOT VOTING—0

EXCUSED—6

Eachus	Levdansky	Phillips	Semmel
James	Pallone		

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

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

* * *

The House proceeded to third consideration of **HB 1448, PN 1823**, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, authorizing the Pennsylvania Game Commission to issue permits for foxhound training preserves and fixing the permit fee for foxhound training preserve permits.

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

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

The question is, shall the bill pass finally?

On the bill, the Chair recognizes the gentleman from Lackawanna, Mr. Staback.

Mr. STABACK. Thank you, Madam Speaker.

Madam Speaker, HB 1448 is a very simple concept that would allow the Pennsylvania Game Commission the opportunity to issue permits to people who are interested in opening foxhound training areas where young hounds can be trained and conditioned to run foxes in the wild. Madam Speaker, there is no hunting, no shooting, no killing involved, just training and conditioning, pure and simple.

The bill has the support of numerous outdoorsmen as well as the United States Sportsmen’s Alliance, the PA Beagle Gundog Association, the Unified Sportsmen of Pennsylvania, as well as the Pennsylvania Game Commission, who indeed drafted the measure at my request and view it as probably the most restrictive measure of its kind anywhere in the country.

Madam Speaker, for those reasons I would ask for an affirmative vote on the measure.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from York County, Mr. Smith, on final passage.

Mr. B. SMITH. Thank you, Madam Speaker.

I would urge members to support this bill and vote “yes.”

Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Wilt, on final passage.

Mr. WILT. Thank you, Madam Speaker.

Would the maker of the bill stand for a brief interrogation, please?

The SPEAKER pro tempore. The gentleman agrees. You may proceed.

Mr. WILT. Thank you, Madam Speaker.

Madam Speaker, could you tell me in the bill what is the minimum tract of land that a person that wants to train these foxhounds needs to have in order to do this?

Mr. STABACK. 100 acres.

Mr. WILT. That is the minimum?

Mr. STABACK. Yes, Madam Speaker.

Mr. WILT. And does that have to be fenced?

Mr. STABACK. Yes, Madam Speaker, it does.

Mr. WILT. And what is the height of— What are the requirements on the fencing? Are you familiar with what the Game Commission requires?

Mr. STABACK. The fencing has to be 8 feet high and the base of it has to be buried in the earth itself.

Mr. WILT. Okay. And how many foxes per acre or what is the maximum number of foxes that you can have within that 100-acre tract?

Mr. STABACK. One fox for every 10 acres.

Mr. WILT. Okay. And if those fox mate and there are other pups, how do you keep that requirement?

Mr. STABACK. Would you repeat that, please?

Mr. WILT. I guess I am wondering how the owner of this club or tract of land would be able to manage that number when these foxes mate, have other pups, things of that nature?

Mr. STABACK. Two ways. I guess they would have an option, number one, to put the foxes in of the same gender, to put all females in to begin with. However, if they chose to mix the breed, put male and female together, they would monitor to number by picturing, if you will, the feeding stations that are going to be set up across the acreage. By that I mean, let us say within the 100-acre plot they have five feeding areas. Each area will have a monitoring camera that will be taking pictures on a regular basis of the animals that come to that feeding station. If it is determined that they have more than the number of foxes that are allotted in that 100-acre area, then they will trap them out and return them to the fox farm where they acquired them.

Mr. WILT. And is there a limitation as to how many foxhounds can be trained on that 100-acre tract at a given time?

Mr. STABACK. Well, what we are talking about are young foxhounds. Most of them that are going to be coming in there for training probably do not know a fox from a squirrel. So to begin with, it really does not make a lot of difference. You can have one, two, or three at any given time coming in, but to be truly effective, it should be a one-on-one kind of proposition.

Mr. WILT. But in the bill there is really no stipulation. If somebody wanted to put 25 dogs out there at one time for training purposes, that would be permitted?

Mr. STABACK. I guess you could put 25 out there at one time, but it really would be very, very poor training conditions. You would not accomplish anything at all doing that.

Mr. WILT. I appreciate your answer. One of my concerns is, if you do not manage the number of dogs that are being trained, then perhaps there is an opportunity for things to get out of hand within this fenced area.

Mr. STABACK. Sure. I think that the owners of the preserve itself would use discretion in that area and would not allow more than just a couple of dogs out there at any given time, especially those that are being trained. Now, if you are going to put one or two older dogs out there for conditioning, that is a little different because they are dogs that are already seasoned; they know what is going on, but for the young ones, you only need one or two at any given time.

Mr. WILT. Okay. Thank you.

I have a couple more quick things, and I appreciate your indulgence here.

I am not sure if we got to this in committee or not, Madam Speaker, and one of the things I wanted to ask is if this legislation is modeled after other States that have similar legislation on the books to regulate these training facilities.

Mr. STABACK. Yes; that is correct. When we asked the Game Commission to do the research on this, they went into and probably checked with a number of States. I cannot tell you exactly, you know, the names of those States right now, but I do know that they checked with a number of States where this activity has already taken place. They have taken the best parts from all of those statutes and put them together in what they consider to be today the most restrictive measure dealing with this issue that we have in the country.

Mr. WILT. Maybe you know this and maybe you do not, but how many of these facilities are in existence in Pennsylvania right now that are unregulated?

Mr. STABACK. I am not aware of that. I do not know of any that are— Well, God only knows. I do not know.

Mr. WILT. So we are actually doing a piece of legislation to regulate something that is or is not already going on in Pennsylvania. I thought this was already going on and we wanted to put some regulations in place.

Mr. STABACK. Foxhound hunting is an age-old tradition that has been going on for decades and decades and decades, but as far as the training of the dogs goes, I am not aware of any, any regulated area that we have in the State today. This measure will begin that process.

Mr. WILT. Okay. I appreciate that, and I understand people have been hunting foxes for a long time, I guess, but what I was not sure was whether there was an activity going on out there where someone wanted to begin training these dogs to hunt these fox and they were doing it in an unregulated fashion and so now it comes time for us to put some regulation on them.

Mr. STABACK. If they are doing it, I think they are probably doing it in a helter-skelter manner.

Mr. WILT. Okay. And one other question. I know every time we deal with these issues we have the Federation of Sportsmen's Clubs that come on board or do not come on board. Are they supporting this legislation or not?

Mr. STABACK. The federation, to my knowledge, has taken a neutral stand on it.

Mr. WILT. Neutral. Okay.

Thank you very much, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Smith, on final passage for the second time.

Mr. B. SMITH. Thank you, Madam Speaker.

I just wanted to follow up and give a little bit more information to the members. This bill was considered by the Game and Fisheries Committee and passed committee by a vote of 22 to 3. The Game Commission definitely had input on the drafting of this legislation and had genuine concerns about the fencing, which you found out is part of the legislation, because they do not want these foxes to escape.

The rules are fairly stringent, and for all of these reasons I support the legislation, and I urge the members to vote for it.

Thank you, Madam Speaker.

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—115

Adolph	Donatucci	Kotik	Sather
Allen	Egolf	Laughlin	Saylor
Argall	Evans, D.	Lederer	Schroder
Baker	Fairchild	Lescovitz	Scrimenti
Baldwin	Feese	Lewis	Shaner
Barrar	Fleagle	Maitland	Smith, B.
Bastian	Forcier	Major	Smith, S. H.
Belardi	Frankel	Mann	Solobay
Belfanti	Gannon	McCall	Staback
Benninghoff	Geist	McGeehan	Stairs
Bianucci	George	McIlhattan	Stern
Birmelin	Gergely	McNaughton	Stevenson, T.
Blaum	Gillespie	Micozzie	Surra
Boyd	Goodman	Miller, S.	Tangretti
Butkovitz	Grucela	Mundy	Thomas
Cappelli	Haluska	Mustio	Tigue
Causer	Hanna	Myers	Travaglio
Civera	Harhai	Oliver	Turzai
Cohen	Harhart	Petrone	Veon
Coleman	Harris	Pickett	Wansacz
Corrigan	Hasay	Pistella	Washington
Coy	Herman	Preston	Waters
Creighton	Hershey	Readshaw	Williams
Cruz	Hess	Reed	Wojnaroski
Daley	Hickernell	Rieger	Yudichak
Dally	Horse	Rohrer	Zug
DeLuca	Hutchinson	Rooney	
Denlinger	Keller	Ruffing	Perzel,
Dermody	Kirkland	Santoni	Speaker
DeWeese			

NAYS—81

Armstrong	Flick	Markosek	Sainato
Bard	Freeman	Marsico	Samuelson
Bebko-Jones	Gabig	McGill	Scavello
Bishop	Gingrich	McIlhinney	Steil
Browne	Godshall	Melio	Stetler
Bunt	Good	Metcalfe	Stevenson, R.
Buxton	Gruitza	Miller, R.	Sturla
Caltagirone	Habay	Nailor	Taylor, E. Z.
Casorio	Harper	Nickol	Taylor, J.
Cawley	Hennessey	O'Brien	True
Clymer	Josephs	O'Neill	Vance

Cornell	Kenney	Payne	Vitali
Costa	Killion	Petrarca	Walko
Crahalla	LaGrotta	Petri	Watson
Curry	Leach	Raymond	Weber
Dailey	Leh	Reichley	Wheatley
DiGirolamo	Lynch	Roberts	Wilt
Diven	Mackereth	Roebuck	Wright
Evans, J.	Maher	Ross	Yewcic
Fabrizio	Manderino	Rubley	Youngblood
Fichter			

NOT VOTING—0

EXCUSED—6

Eachus	Levdansky	Phillips	Semmel
James	Pallone		

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

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

SUPPLEMENTAL CALENDAR A

BILLS ON CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 88, PN 3082**, entitled:

An Act amending the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act, further providing for the schedule of compensation; and further defining "employee."

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

The SPEAKER pro tempore. The Chair recognizes the gentleman from Northumberland, Mr. Belfanti.

Mr. BELFANTI. Thank you, Madam Speaker.

Madam Speaker, as the members of the chamber are aware, during the original debate on HB 88, many of the members of my caucus voted for this legislation with the expectation that there were going to be modifications made by the State Senate to make it fairer to injured workers. There were a few modifications made, Madam Speaker, but the amendments that we intended to offer here in the House we did not offer. The amendments that were offered in the Senate by Senator Kukovich went down as well. It is for that reason, Madam Speaker, with the issue, this is an issue dealing with the selection of voc experts in workers' compensation hearings.

Because the legislation has not been amended to the degree that we expected and the administration, the Department of Labor, had no position on the bill when it was first adopted by the House but subsequently, after it was amended and adopted in the Senate, the Department of Labor is now also opposed to HB 88, for that reason, Madam Speaker, I am asking for a "no" vote on the measure.

The SPEAKER pro tempore. It is moved by the gentleman, Mr. Turzai, that the House concur in the amendments inserted by the Senate.

On that question, the Chair recognizes the gentleman from Allegheny County, Mr. Turzai.

Mr. TURZAI. Thank you very much, Madam Speaker.

I would ask the members of the House of Representatives today to pass this bill. The bill was originally passed 199 to 0. It went over to the State Senate.

The amendments that have been added in the Senate have all been favorable and pro-employee amendments. In fact, the one requires that the Code of Professional Ethics for Rehabilitation Counselors be used with respect to expert witnesses, and another, in fact, says that any worker who has, in the scope of their employment, suffered injury or death while preventing the commission of a crime or lawfully apprehending a person reasonably suspected of committing a crime would be covered under workman comp.

The fact of the matter is the administration had indicated a neutral position, and the information I have been given is that the administration was maintaining a neutral position. Keep in mind that what this bill does is that it puts back into effect reforms that were passed in the 1996 workman compensation reform bill. A Commonwealth Court decision on a technicality essentially put this reform to a stop. The bill codifies the position that the Department of Labor and Industry took about how to use vocational experts, and they are now arguing it before the Supreme Court this same position.

Secondly, it is a fair one. Vocational experts must meet standards set by the department in regulation. These regulations have been in place since 1996. The Senate amendments strengthen the bill by requiring every vocational expert to follow a code of conduct for rehab counselors, and there is no reason to delay or defeat this bill with this or any amendments. We would ask that everybody please vote affirmatively.

Thank you very much, Madam Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. McGeehan.

Mr. MCGEEHAN. Thank you, Madam Speaker.

Madam Speaker, I want to echo the sentiments of the Democratic chair of the Labor Relations Committee.

You know, Madam Speaker, it is appropriate that we just dealt with a bill dealing with fox hunting, because this situation is tantamount to having the fox guard the henhouse.

Madam Speaker, this is a continuation of the abomination that the previous speaker spoke of in Act 57. It essentially turns over the vocational determination of an injured worker to those handpicked by the insurance industry.

Madam Speaker, Pennsylvania workers are under threat. I just point and ask for your attention just today to an announcement from IBM, one of the largest corporations in America, in which over 5,000 of their jobs will be transferred to India and China, and I will, Madam Speaker, relate just in this State alone to the steel tariff issue that has decimated the steel industry in Pennsylvania.

Madam Speaker, this bill and the concurrence of the Senate amendments will continue the assault on not only Pennsylvania workers but workers around the country, and I would ask for a negative vote.

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

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

The following roll call was recorded:

YEAS-102

Adolph	Egolf	Leh	Rohrer
Allen	Evans, J.	Lewis	Ross
Argall	Fairchild	Lynch	Rubley
Armstrong	Feese	Mackereth	Sather
Baker	Fichter	Maher	Saylor
Baldwin	Fleagle	Maitland	Scavello
Bard	Flick	Major	Schroder
Barrar	Forcier	Marsico	Smith, B.
Bastian	Gabig	McGill	Smith, S. H.
Benninghoff	Gannon	McIlhattan	Stairs
Birmelin	Geist	McIlhinney	Steil
Boyd	Gillespie	McNaughton	Stern
Browne	Gingrich	Metcalfe	Stevenson, R.
Bunt	Godshall	Micozzie	Stevenson, T.
Cappelli	Habay	Miller, R.	Taylor, E. Z.
Causar	Harhart	Miller, S.	True
Civera	Harper	Mustio	Turzai
Clymer	Harris	Nailor	Vance
Coleman	Hennessey	Nickol	Watson
Cornell	Herman	O'Neill	Weber
Crahalla	Hershey	Payne	Wilt
Creighton	Hess	Petri	Wright
Dailey	Hickernell	Pickett	Zug
Dally	Hutchinson	Raymond	
Denlinger	Kenney	Reed	Perzel,
DiGirolamo	Killion	Reichley	Speaker

NAYS-94

Bebko-Jones	Fabrizio	Mann	Shaner
Belardi	Frankel	Markosek	Solobay
Belfanti	Freeman	McCall	Staback
Biancucci	George	McGeehan	Stetler
Bishop	Gergely	Melio	Sturla
Blaum	Good	Mundy	Surra
Butkovitz	Goodman	Myers	Tangretti
Buxton	Grucela	O'Brien	Taylor, J.
Caltagirone	Gruitza	Oliver	Thomas
Casorio	Haluska	Petrarca	Tigue
Cawley	Hanna	Petrone	Travaglio
Cohen	Harhai	Pistella	Veon
Corrigan	Hasay	Preston	Vitali
Costa	Horsey	Readshaw	Walko
Coy	Josephs	Rieger	Wansacz
Cruz	Keller	Roberts	Washington
Curry	Kirkland	Roebuck	Waters
Daley	Kotik	Rooney	Wheatley
DeLuca	LaGrotta	Ruffing	Williams
Dermody	Laughlin	Sainato	Wojnaroski
DeWeese	Leach	Samuelson	Yewcic
Diven	Lederer	Santoni	Youngblood
Donatucci	Lescovitz	Scrimenti	Yudichak
Evans, D.	Manderino		

NOT VOTING-0

EXCUSED-6

Eachus	Levdansky	Phillips	Semmel
James	Pallone		

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

Ordered, That the clerk inform the Senate accordingly.

The House proceeded to consideration of concurrence in Senate amendments to **HB 1018, PN 2303**, entitled:

An Act amending the act of July 9, 1990 (P.L.340, No.78), known as the Public Safety Emergency Telephone Act, further providing for definitions, for local government immunity and for powers and duties of the Pennsylvania Emergency Management Agency; establishing a Statewide integrated wireless E-911 State plan; establishing a Wireless E-911 Emergency Services Fund and disbursements therefrom; further providing for collection of an E-911 surcharge from wireless customers and for annual reporting; establishing a wireless E-911 Emergency Services Advisory Committee; and providing for rules and regulations.

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

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

Mr. FEESE. Thank you, Madam Speaker.

Madam Speaker, we would request a nonconcurrence in the amendments submitted by the Senate.

The Senate amended the bill by stripping out the original HB 1018 language. We believe that by sending this bill to conference committee, we can achieve the original intent of the House when we pass this bill. So we would ask the House to nonconcur.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Franklin County, Mr. Coy.

Mr. COY. Thank you, Madam Speaker.

I would concur with the gentleman's point that we nonconcur in the amendments placed by the Senate so that the bill can go to conference committee.

We feel likewise that there needs to be more work done to improve the bill and make it the product that we can all find acceptable. I would therefore suggest a negative vote that we nonconcur in the amendments.

The SPEAKER pro tempore. It is moved by the gentleman, Mr. Feese, that the House concur in the amendments inserted by the Senate, but the gentleman requests that the vote be in the negative.

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

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

The following roll call was recorded:

YEAS-0

NAYS-194

Adolph	Egolf	Leh	Samuelson
Allen	Evans, D.	Lescovitz	Santoni
Argall	Evans, J.	Lewis	Sather
Armstrong	Fabrizio	Lynch	Saylor
Baker	Fairchild	Mackereth	Scavello
Baldwin	Feese	Maher	Schroder
Bard	Fichter	Maitland	Scrimenti
Barrar	Fleagle	Major	Shaner
Bastian	Flick	Manderino	Smith, B.
Bebko-Jones	Forcier	Mann	Smith, S. H.
Belardi	Frankel	Markosek	Solobay

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

NOT VOTING—2

McCall Myers

EXCUSED—6

Eachus Levdansky Phillips Semmel
James Pallone

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the amendments were not concurred in.

Ordered, That the clerk inform the Senate accordingly.

SUPPLEMENTAL CALENDAR C CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 145, PN 1248**, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, further providing for municipal police education and training definitions, training, certification and reimbursement.

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

Mr. O'BRIEN offered the following amendment No. **A4694**:

Amend Title, page 1, line 3, by striking out “, certification”
Amend Sec. 1 (Sec. 2162), page 3, line 2, by inserting a period after “class”

Amend Sec. 1 (Sec. 2162), page 3, lines 3 through 6, by striking out all of said lines and inserting

and, for the purpose of training only,
(3) A security [officers] officer of a first class city housing authority or a police officer of a second class city housing authority.

Amend Sec. 3, page 3, line 12, by striking out “, 2168(b)”

Amend Sec. 3 (Sec. 2168), page 4, lines 5 through 19, by striking out all of said lines

Amend Sec. 3 (Sec. 2170), page 5, by inserting between lines 6 and 7

(vi) A housing authority security or police department.

Amend Bill, page 5, by inserting between lines 7 and 8

Section 4. This act shall apply to police officers required by this act to obtain certification under 42 Pa.C.S. Ch. 21 Subch. D (relating to municipal police and training) as follows:

(1) A police officer who, as of the effective date of this section, has successfully completed a basic training course similar to that required under 42 Pa.C.S. Ch. 21 Subch. D shall, after review by the Municipal Police Officers' Education and Training Commission, be certified as having met the basic training requirements of 42 Pa.C.S. Ch. 21 Subch. D.

(2) A police officer who, as of the effective date of this section, has not successfully completed a basic training course similar to that required under 42 Pa.C.S. Ch. 21 Subch. D and is, for that reason, not qualified for certification under paragraph (1), shall be able to perform the duties of a police officer for one year from the effective date of this section. By the end of that year, the police officer must be certified under paragraph (1).

Amend Sec. 4, page 5, line 8, by striking out “4” and inserting

5

On the question,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—196

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

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

NAYS-0

NOT VOTING-0

EXCUSED-6

Eachus	Levdansky	Phillips	Semmel
James	Pallone		

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?

The SPEAKER pro tempore. It is the understanding of the Chair that the other amendments have been withdrawn.

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS-196

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

NAYS-0

NOT VOTING-0

EXCUSED-6

Eachus	Levdansky	Phillips	Semmel
James	Pallone		

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.

CALENDAR CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1174, PN 1390**, entitled:

An Act establishing the Office of Community, Business and Education Partnerships and its powers and duties.

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS-196

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

DiGirolamo	Leach	Rubley	
Diven	Lederer	Ruffing	
Donatucci	Leh	Sainato	Perzel,
Egolf	Lescovitz		Speaker

NAYS-0

NOT VOTING-0

EXCUSED-6

Eachus	Levdansky	Phillips	Semmel
James	Pallone		

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.

GUESTS INTRODUCED

The SPEAKER pro tempore. The Chair is pleased to welcome to the hall of the House David White, a Ridley Township commissioner; Tom Micozzie, who is the son of Representative Nick Micozzie, who is an Upper Darby council member; Jim Peterson, Upper Darby Fire Department; Glen Robinson, Delaware County. They are the guests of Representative Mario Civera and Representative Nicholas Micozzie. They are seated to the left of the Speaker. Would they please rise.

Would the gentlemen, Roberts and Leach, please come to the podium.

(Conference held at Speaker's podium.)

SUPPLEMENTAL CALENDAR C CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 578, PN 2959**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for annual budget, additional or increased appropriations and transfer of funds.

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS-196

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

NAYS-0

NOT VOTING-0

EXCUSED-6

Eachus	Levdansky	Phillips	Semmel
James	Pallone		

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 2236, PN 3091 (Amended) By Rep. GODSHALL

An Act amending Title 64 (Public Authorities and Quasi-Public Corporations) of the Pennsylvania Consolidated Statutes, recodifying provisions on the Pennsylvania Convention Center Authority; further providing for definitions, for expansion funding, for bond powers and for jurisdiction of the Pennsylvania Supreme Court; providing for Pennsylvania Convention Center Assistance Fund, for convention center performance audits and for declaration of distress; further providing for the governing board, for moneys of the authority and for awarding of contracts; making conforming amendments; and making related repeals.

TOURISM AND RECREATIONAL DEVELOPMENT.

RESOLUTION REPORTED FROM COMMITTEE

HR 506, PN 3028 By Rep. BIRMELIN

A Resolution condemning the marketing practices of Abercrombie & Fitch Stores, Inc.

CHILDREN AND YOUTH.

BILL REPORTED AND REREFERRED TO COMMITTEE ON HEALTH AND HUMAN SERVICES

HB 2246, PN 3077 By Rep. BIRMELIN

An Act requiring information relating to parenting and prenatal and postpartum depression, postpartum psychosis and other emotional trauma counseling to be provided to a pregnant woman; and providing for the powers and duties of the Department of Health.

CHILDREN AND YOUTH.

SUPPLEMENTAL CALENDAR A CONTINUED

BILL ON CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 521, PN 3062**, entitled:

An Act amending the act of October 6, 1998 (P.L.705, No.92), known as the Keystone Opportunity Zone and Keystone Opportunity and Expansion Zone Act, further providing for short title, for definitions, for keystone opportunity zones, for keystone opportunity expansion zones, for keystone opportunity improvement zones, for application, for review, for criteria, for authorization of keystone opportunity zone, for residency, for qualified businesses and for corporate net income tax.

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

The SPEAKER pro tempore. It is moved by the gentleman, Mr. Feese, that the House concur in the amendments inserted by the Senate.

On the question recurring,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—196

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Eachus	Levdansky	Phillips	Semmel
James	Pallone		

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

Ordered, That the clerk inform the Senate accordingly.

The SPEAKER pro tempore. Are there any announcements? There will be no further votes.

DEMOCRATIC CAUCUS

The SPEAKER pro tempore. If I could have your attention for a moment, please.

The gentleman from Philadelphia, Mr. Cohen, is recognized for a caucus announcement.

Mr. COHEN. Thank you, Madam Speaker.

Madam Speaker, there will be a Democratic caucus to go over some odds and ends on tomorrow's schedule at 10:30 tomorrow morning. Democratic caucus at 10:30 tomorrow morning.

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER pro tempore. The Chair recognizes the lady from Montgomery County, Ms. Weber.

Ms. WEBER. Madam Speaker, I move that this House do now adjourn until Tuesday, December 16, 2003, at 11 a.m., e.s.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 5:04 p.m., e.s.t., the House adjourned.