

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

MONDAY, JUNE 28, 2004

SESSION OF 2004

188TH OF THE GENERAL ASSEMBLY

No. 45

HOUSE OF REPRESENTATIVES

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

Everlasting God, You who existed before any other existence and are still to remain though all else wither and fail, we need You. We have so many issues to resolve before we recess for the summer we feel slightly overwhelmed and more than a bit annoyed, and yet we come to this frantic place every year. Some issues are different, some remain the same; some with whom we attempt to come to some sort of compromise are different, some remain the same. How is it that You remain unchanged? How is it that You love us when we go down the same paths time and time again? How is it that You answer our prayers but we choose our own answers anyway?

We thank You, O God, that Your power never fails and Your might never wavers. Even though we pretend to be self-sufficient, we know in our hearts this is truly an illusion. We need only to survive a near miss, see the horrors of war, or live through a devastating illness to realize how much we need You. May we be wise enough to not wait for tragedy to call upon Your name and ask for Your hand as we walk the often treacherous path of life. We ask that You would hold us in Your timeless care.

So as we attempt to wrap things up this week, we ask that You give us a sense of Your presence as we serve this Commonwealth to the best of our capabilities. Incite us to be diligent in the tasks by which we earn our daily bread, but should they seek in us a work against Your purpose, enable us to give them no hearing. So may we be agents of Your holy will and find fellowship with all who love and serve You. Enlighten us, sustain us, direct us, we pray. 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 Thursday, June 24, 2004, will be postponed until printed.

JOURNALS APPROVED

The SPEAKER. However, the following Journals are in print: Wednesday, March 31; Thursday, April 1; and Monday, April 12, 2004. Without objection, they will be approved.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2759 By Representatives CLYMER, BAKER, BARRAR, BASTIAN, BELFANTI, BROWNE, CAUSER, CRAHALLA, CRUZ, DAILEY, DALEY, DENLINGER, DeWEESE, FAIRCHILD, FICHTER, GEORGE, GOODMAN, HARHAI, HARRIS, HERSHEY, HESS, HORSEY, KILLION, KOTIK, LAUGHLIN, MANN, MARKOSEK, McILHATTAN, NAILOR, O'NEILL, PICKETT, REED, RUBLEY, SAINATO, SANTONI, SATHER, SEMMEL, SOLOBAY, STERN, THOMAS, TIGUE, TRUE, WATSON, WEBER, WOJNAROSKI, YOUNGBLOOD, SURRA, LEVDANSKY, BENNINGHOFF, HUTCHINSON and GOOD

An Act amending the act of July 9, 1981 (P.L.208, No.66), known as the Public Employee Retirement Commission Act, further providing for actuarial notes.

Referred to Committee on FINANCE, June 28, 2004.

No. 2760 By Representatives BAKER, STERN, CREIGHTON, DAILEY, HESS, KELLER, MANDERINO, MUNDY, PISTELLA, SATHER, T. STEVENSON, TANGRETTI, E. Z. TAYLOR, J. TAYLOR, THOMAS, TIGUE, WALKO, YOUNGBLOOD and DeLUCA

An Act amending the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act, reenacting and amending provisions relating to certificates of need.

Referred to Committee on HEALTH AND HUMAN SERVICES, June 28, 2004.

No. 2761 By Representatives FEESE, DALLY, CAPPELLI, THOMAS, ARMSTRONG, BALDWIN, BASTIAN, BOYD, BUNT, BUXTON, CIVERA, S. E. CORNELL, COSTA, CRAHALLA, CREIGHTON, DENLINGER, FAIRCHILD,

FLEAGLE, GEIST, GINGRICH, GODSHALL, GOODMAN, GRUCELA, GRUITZA, HANNA, HARHAI, HARPER, HENNESSEY, HERMAN, HERSHEY, HESS, HICKERNELL, HORSEY, HUTCHINSON, LaGROTTA, MAHER, MANN, MARKOSEK, MARSICO, McCALL, MILLARD, R. MILLER, S. MILLER, MUSTIO, NAILOR, PICKETT, REED, REICHLEY, ROSS, SAYLOR, SCAVELLO, STEIL, R. STEVENSON, T. STEVENSON, E. Z. TAYLOR, TIGUE, TRUE, TURZAI, WEBER, WILT, WRIGHT, GILLESPIE and LEWIS

An Act providing for dispute resolution procedures relating to residential construction defects between contractors and members of associations; and prescribing penalties.

Referred to Committee on COMMERCE, June 28, 2004.

No. 2762 By Representative STABACK

An Act authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Conservation and Natural Resources, to convey to Anthony R. Domiano, Sr., and Anthony R. Domiano, Jr., a certain tract of land situate in the Borough of Archbald, Lackawanna County, in exchange for certain tracts of land.

Referred to Committee on STATE GOVERNMENT, June 28, 2004.

No. 2763 By Representatives FRANKEL, BISHOP, CORRIGAN, DeWEESE, FABRIZIO, GERGELY, GOODMAN, HALUSKA, JOSEPHS, LaGROTTA, LEVDANSKY, MUNDY, REICHLEY, ROEBUCK, SOLOBAY, TANGRETTI, THOMAS, TIGUE, WHEATLEY and CURRY

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

Referred to Committee on HEALTH AND HUMAN SERVICES, June 28, 2004.

No. 2764 By Representatives VEON, GOODMAN, BEBKO-JONES, BELARDI, BELFANTI, CORRIGAN, COSTA, COY, DALEY, DeWEESE, FABRIZIO, FRANKEL, GINGRICH, GRUITZA, JAMES, KOTIK, LAUGHLIN, MARKOSEK, PAYNE, PRESTON, SAYLOR, SOLOBAY, SURRA, WALKO, WOJNAROSKI, YUDICHAK, GERGELY, GRUCELA, HORSEY, KIRKLAND, LaGROTTA, LEACH, PALLONE, PISTELLA, RUFFING, SHANER, STABACK, THOMAS, WASHINGTON and YOUNGBLOOD

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for incorporated units of national veterans organizations.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, June 28, 2004.

No. 2766 By Representatives GILLESPIE, ARMSTRONG, BALDWIN, BUNT, CAPPELLI, CRUZ, DENLINGER, GINGRICH, GOODMAN, HENNESSEY, HERSHEY, LEDERER, R. MILLER, NICKOL, SAYLOR, SCAVELLO,

THOMAS, WASHINGTON, WOJNAROSKI and YOUNGBLOOD

An Act amending the act of May 3, 1933 (P.L.242, No.86), referred to as the Cosmetology Law, further providing for school of cosmetology requirements.

Referred to Committee on PROFESSIONAL LICENSURE, June 28, 2004.

No. 2767 By Representatives LEACH, LEDERER, BEBKO-JONES, BROWNE, CRAHALLA, CURRY, DeWEESE, FABRIZIO, FRANKEL, GEORGE, HENNESSEY, HORSEY, JAMES, JOSEPHS, LAUGHLIN, LEVDANSKY, MANDERINO, MANN, RUBLEY, THOMAS, SCRIMENTI, TIGUE, WALKO, WASHINGTON, WEBER, WHEATLEY and YOUNGBLOOD

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for a mental health court division.

Referred to Committee on JUDICIARY, June 28, 2004.

No. 2768 By Representatives GODSHALL, CAPPELLI, CAUSER, CORRIGAN, CRAHALLA, CREIGHTON, HANNA, HERSHEY, HORSEY, LEWIS, SCRIMENTI and YOUNGBLOOD

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for audit of moneys.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, June 28, 2004.

No. 2769 By Representative VANCE

An Act amending the act of July 22, 1974 (P.L.589, No.205), known as the Unfair Insurance Practices Act, further defining "abuse," "unfair methods of competition" and "unfair or deceptive acts or practices."

Referred to Committee on HEALTH AND HUMAN SERVICES, June 28, 2004.

No. 2770 By Representatives PRESTON, FLICK, BUXTON, CRAHALLA, LAUGHLIN, PETRARCA, READSHAW, SAINATO, BEBKO-JONES, BUNT, CREIGHTON, DALEY, DENLINGER, J. EVANS, FABRIZIO, FAIRCHILD, GEORGE, GERGELY, GOODMAN, HORSEY, HUTCHINSON, JAMES, JOSEPHS, KIRKLAND, KOTIK, LEDERER, LEVDANSKY, MANN, McCALL, McGEEHAN, MELIO, NAILOR, PALLONE, PISTELLA, SAYLOR, SCHRODER, SCRIMENTI, B. SMITH, STABACK, SURRA, TANGRETTI, THOMAS, TIGUE, WALKO, WASHINGTON, WATERS, WEBER, YOUNGBLOOD and BOYD

An Act prohibiting unauthorized disclosure of wireless telephone information.

Referred to Committee on CONSUMER AFFAIRS, June 28, 2004.

No. 2771 By Representatives WATSON, KENNEY, NICKOL, BROWNE, S. E. CORNELL, CRAHALLA, CURRY, GINGRICH, HORSEY, JAMES, LaGROTTA, SEMMEL, YOUNGBLOOD and O'NEILL

An Act amending the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act, further providing for purpose of certain provisions, for definitions, for powers of the Department of Health, for administration and for issuance of license; and for the establishment of State clinical advisory committees.

Referred to Committee on HEALTH AND HUMAN SERVICES, June 28, 2004.

No. 2772 By Representatives MAITLAND, BROWNE, DeWEESE, GEIST, GEORGE, GINGRICH, GOOD, HARPER, HERSHEY, HORSEY, JAMES, REICHLEY, SAYLOR, E. Z. TAYLOR, THOMAS, TIGUE, WASHINGTON and WEBER

An Act amending the act of July 22, 1974 (P.L.589, No.205), known as the Unfair Insurance Practices Act, further providing for unfair methods of discrimination.

Referred to Committee on INSURANCE, June 28, 2004.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 804 By Representatives BAKER, BEBKO-JONES, KENNEY, OLIVER, ARGALL, BALDWIN, BENNINGHOFF, BISHOP, CAPPELLI, CAUSER, CLYMER, CORRIGAN, CRAHALLA, CREIGHTON, CRUZ, DALEY, DeWEESE, D. EVANS, FABRIZIO, FAIRCHILD, FEESE, FLEAGLE, FORCIER, FRANKEL, GEIST, GEORGE, GINGRICH, GOOD, HARPER, HARRIS, HENNESSEY, HERSHEY, HORSEY, HUTCHINSON, JOSEPHS, LAUGHLIN, LEH, LEWIS, MACKERETH, MAHER, MAJOR, MARKOSEK, MARSICO, McILHATTAN, S. MILLER, O'BRIEN, O'NEILL, PALLONE, PAYNE, PICKETT, READSHAW, REICHLEY, ROEBUCK, ROSS, RUBLEY, SAINATO, SANTONI, SHANER, SOLOBAY, STABACK, STERN, STETLER, THOMAS, TIGUE, TURZAI, WEBER, WILT, WOJNAROSKI, YOUNGBLOOD, CURRY, WASHINGTON and BROWNE

A Resolution encouraging the Department of Health to develop a plan for identifying chronic kidney disease in the early stages and evaluating and managing persons with chronic kidney disease and to circulate to physicians and other health care providers the generally accepted standards regarding clinical care for the early identification of chronic kidney disease and clinical management of persons at the highest risk for the disease.

Referred to Committee on HEALTH AND HUMAN SERVICES, June 28, 2004.

No. 806 By Representatives VEON, DeWEESE, BELARDI, BUXTON, DALEY, FABRIZIO, GERGELY, JAMES, LYNCH, PIPPY, SCRIMENTI, WALKO, WOJNAROSKI, GEORGE, HESS, LAUGHLIN, McGEEHAN, READSHAW, THOMAS, WASHINGTON and YOUNGBLOOD

A Resolution requesting the Federal Railroad Administration and the Pennsylvania Department of Transportation Rail Freight Advisory Committee to conduct a comprehensive review of the use of remote control locomotives, opposing the use of remote control locomotives until the review has been completed and requiring notification procedures when remote control locomotives are used in the Commonwealth of Pennsylvania.

Referred to Committee on TRANSPORTATION, June 28, 2004.

SENATE BILLS FOR CONCURRENCE

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

SB 871, PN 1730

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, June 28, 2004.

SB 1039, PN 1744

Referred to Committee on STATE GOVERNMENT, June 28, 2004.

SB 1040, PN 1742

Referred to Committee on APPROPRIATIONS, June 28, 2004.

SB 1042, PN 1743

Referred to Committee on APPROPRIATIONS, June 28, 2004.

REPORT SUBMITTED

The SPEAKER. The Speaker acknowledges receipt of the report entitled "Pricing Factors for Auto Emissions Testing in Pennsylvania" submitted by the Office of Attorney General in accordance with HR 577.

(Copy of communication is on file with the Chief Clerk.)

REPORT SUBMITTED

The SPEAKER. The Speaker acknowledges receipt, in accordance with HR 8 of 2003, the final report of the Commission on Rural Education.

(Copy of communication is on file with the Chief Clerk.)

ACTUARIAL NOTE

The SPEAKER. The Speaker acknowledges receipt of the following actuarial note: HB 2269, PN 3120.

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

GUESTS INTRODUCED

The SPEAKER. The Chair welcomes Carl Kleinhenn, a summer intern; John Christman, summer intern and the nephew of the former House employee, Toni Christman, who are all guests here today of Representative Dennis Leh. They are located to the left of the Speaker. Would those guests please rise and be recognized.

RULES COMMITTEE MEETING

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

BILLS REREPORTED FROM COMMITTEE

HB 1470, PN 1856 By Rep. S. SMITH

An Act amending the act of July 22, 1974 (P.L.589, No.205), known as the Unfair Insurance Practices Act, further providing for unfair acts.

RULES.

HB 2022, PN 4073 By Rep. S. SMITH

An Act amending the act of April 16, 1992 (P.L.155, No.28), known as the Assessors Certification Act, further providing for nonapplicability.

APPROPRIATIONS.

HB 2482, PN 4149 By Rep. S. SMITH

An Act establishing the State Railroad Infrastructure Bank and the State Railroad Infrastructure Bank Fund; and providing for the powers and duties of the Department of Community and Economic Development.

APPROPRIATIONS.

HB 2606, PN 3847 By Rep. S. SMITH

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for removal of vehicles from certain accident scenes where no serious personal injury has occurred.

RULES.

HB 2719, PN 4094 By Rep. S. SMITH

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for waiting period after application for marriage license.

RULES.

HB 2758, PN 4169 By Rep. S. SMITH

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, providing for fire company reduction and closure provisions for cities of the first class.

APPROPRIATIONS.

**BILL ON CONCURRENCE
REPORTED FROM COMMITTEE**

HB 2042, PN 4058 By Rep. S. SMITH

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for wild turkey hunting.

RULES.

BILLS ON SECOND CONSIDERATION

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

HB 1470, PN 1856; HB 2022, PN 4073; HB 2482, PN 4149; HB 2606, PN 3847; HB 2719, PN 4094; and HB 2758, PN 4169.

LEAVES OF ABSENCE

The SPEAKER. The Chair turns to leaves of absence.

The Chair recognizes the majority whip, who moves for a leave of absence for the gentelady from Chester, Mrs. TAYLOR, for today and tomorrow; the gentleman from Delaware, Mr. RAYMOND; the gentleman from Erie, Mr. J. EVANS. Without objection, those leaves will be granted.

The Chair recognizes the minority whip, who moves for a leave of absence for the gentleman from Northampton, Mr. SAMUELSON. Without objection, that leave will also be granted.

BILLS RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader. Mr. S. SMITH. Mr. Speaker, I move the following bills be recommitted to the Committee on Appropriations:

HB 1470;
HB 2022;
HB 2482;
HB 2606;
HB 2719; and
HB 2758.

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

GUEST INTRODUCED

The SPEAKER. The Chair welcomes Abby Snook from York County. She is the guest today of Representative Keith Gillespie. She is located in the guest page area. Would Abby please stand and be recognized.

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—199

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—4

Evans, J.	Raymond	Samuelson	Taylor, E. Z.
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LEAVES ADDED—1

Yudichak

LEAVES CANCELED—2

Evans, J. Taylor, E.Z.

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 from the table:

HB 2470;
SB 1052; and
SB 1100.

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

BILLS ON SECOND CONSIDERATION

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

HB 2470, PN 3522; SB 1052, PN 1704; and SB 1100, PN 1573.

BILLS RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader. Mr. S. SMITH. Mr. Speaker, I move that the following bills be committed to the Committee on Appropriations:

HB 2470;
SB 1052; and
SB 1100.

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

GUEST INTRODUCED

The SPEAKER. The Chair welcomes Rosie Scharf, who is the guest today and the daughter of Representative David Millard. Would Rosie please rise and be recognized.

CRAIG MILLER PRESENTED

The SPEAKER. At this time the Chair recognizes Representative Roy Baldwin for the purposes of a citation.

Mr. BALDWIN. Mr. Speaker, fellow Representatives, staff, and guests, I would like to welcome Craig Miller and his parents, Clint and Sharon, to the floor of the House.

Craig is the 2004 PIAA Class AAA State champion in the 1600-meter race. He not only won the race but he also established a new State record of 4 minutes 9 seconds in the event. His closest competitor was over 5 seconds behind him. Craig also won the Class AAA State cross-country title last fall.

The most amazing fact about Craig's feats is that he is only a sophomore. He will be entering his junior year this coming year. Watch out for this streak in the future. Just last week Craig ran a 4:06 time at the Adidas National Championship mile and placed third.

Please congratulate Craig for his accomplishments.
Thank you.

COUNCIL ROCK SOUTH HIGH SCHOOL GIRLS SOCCER TEAM PRESENTED

The SPEAKER. The Chair at this time recognizes Scott Petri for the purposes of a citation. Representative Petri.

Mr. PETRI. Thank you, Mr. Speaker.

Good morning.

It gives me immense pleasure to welcome to the House chamber the PIAA spring girls soccer champions, the Golden Hawks of Council Rock South. Before you are team captains Amanda Allesio and Kim Hickey, and Coach Dunn, and assistant coach Christian Slota.

State champions in the AAA division, this amazing team enjoyed an undefeated season and is ranked third in the nation. The champion of this division has come from Bucks County 10 of the last 12 years; quite a feat.

Team members as a unit and individuals have stacked up accolades over the season and since winning the championship. Standing before you today at the back of the House floor is nearly the entirety of the Suburban One American Conference Liberty Division team. Also here is the Philadelphia Inquirer Southeast Pennsylvania Player of the Year, a member of the Pennsylvania all-State girls soccer team, the Pennsylvania Gatorade Player of the Year, Amanda Allesio. Another winner, Whitney Weinraub, who received Philadelphia Inquirer Rookie of the Year and Bucks County Courier Times Player of the Year. There are also several other award winners on the team.

But, Mr. Speaker, their talents do not end on the soccer field. This team averages 3.4 as the GPA, and they have plenty of National Honor Society members who have kicked, passed, and blocked their way to this State championship.

Together with their coach, a motivator and a leader, Jim Dunn, this group has combined talents of athletics, instinct, endurance, and heart. Coach Dunn has been named "Coach of the Year" by the Bucks County Courier Times nine times.

Celebrated professional basketball coach Pat Riley once said that a champion needs motivation above and beyond in order to win. From what I have learned of these girls, they had that right from the beginning of the season. They outscored their opponents 100 to 8 and recorded 19 shutouts.

I am extremely proud to honor this team, its accomplishments, and issue a joint resolution. I would ask that you stand and rise and applaud this group for their efforts both in the classroom and on the field.

Congratulations, Coach Dunn and Coach Slota, Principal Mike Holland, and the players.

Thank you very much for the team ball, which has been signed by all the players. I will keep it as a treasured item in my office.

Thank you.

LA SALLE COLLEGE HIGH SCHOOL LACROSSE TEAM PRESENTED

The SPEAKER. At this time the Chair would recognize Representative Kenney for the purpose of a citation, but if I could have the attention of the members just for one moment, just for a moment.

I see a number of you talking to each other who stand up and ask me to have order in the hall of the House whenever you stand up and speak, and it is not quite fair that you would stand up and ask that when you speak but not at least give that same attention to someone else when it is their turn. The Chair thanks the gentlemen.

Representative Kenney.

Mr. KENNEY. Thank you, Mr. Speaker.

Mr. Speaker, as chairman of the House La Salle College High School caucus, on behalf of my colleague, Chuck McIlhinney, also a graduate of La Salle, I am asking my colleagues to join me today in recognizing the La Salle College High School lacrosse team.

Joining me at the dais, at the podium, are assistant coach Anthony Resch and team captains – let me get the team captains that are joining me – Bill Warner and Chris Mulholland. Two of the captains are not here, but I did want to join in congratulating them and ask that you join me.

They were the 2004 Pennsylvania State champions in lacrosse. The Explorers were 28 and 2. Their record included the 2004 Philadelphia Catholic League championship with a substantial win over St. Joe's Prep, which I know the Speaker of the House's chief of staff, Brian Preski, attended. La Salle beat the Prep 12 to 3, went on to win the 2004 Eastern Penn Scholastic Lacrosse Association championship and the 2004 Keystone Cup, Pennsylvania State championship. The team was recognized by the Philadelphia Inquirer as the Team of the Year, Coach Bill Leahy as Head Coach of the Year, and Tony Resch was recognized by the Pennsylvania Scholastic Lacrosse Association as Assistant Coach of the Year.

The team and their guests are seated in the rear of the House. Will the team please rise, and I ask that the House recognize them and congratulate them on a great season.

Thank you very much.

GUESTS INTRODUCED

The SPEAKER. We have here today several guests of Representative Dante Santoni. The Chair would welcome to the hall of the House his wife, Sharon; his daughters, Emma and Lia. He also has family members visiting from Sweden – Andreas Armfeldt and Cecilia Fahlborg – along with Representative Santoni's father, who is also a guest with us here today, Dante Santoni, Sr. The guests are all located to the left of the Speaker with the exception of his father, who is in the balcony. Would those guests please rise and be recognized.

CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mr. LEH called up **HR 634, PN 3527**, entitled:

A Resolution recognizing the week of November 8, 2004, as “Meningitis Awareness and Prevention Week.”

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

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

NAYS—0

NOT VOTING—1

Ruffing

EXCUSED—4

Evans, J.	Raymond	Samuelson	Taylor, E. Z.
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

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Ms. BEBKO-JONES called up **HR 673, PN 3654**, entitled:

A Resolution designating November 11, 2004, as “Welcome Home Veterans Day” in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

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

NAYS—0

NOT VOTING—1

Ruffing

EXCUSED—4

Evans, J. Raymond Samuelson Taylor, E. Z.

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

* * *

Ms. BEBKO-JONES called up HR 677, PN 3658, entitled:

A Resolution designating the month of October 2004 as "Domestic Violence Awareness Month" in Pennsylvania.

On the question, Will the House adopt the resolution?

The following roll call was recorded:

YEAS—199

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

DeWeese Laughlin Roebuck Yudichak
DiGirolamo Leach Rohrer Zug
Diven Lederer Rooney
Donatucci Leh Ross Perzel,
Eachus Lescovitz Rubley Speaker
Egolf

NAYS—0

NOT VOTING—0

EXCUSED—4

Evans, J. Raymond Samuelson Taylor, E. Z.

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

* * *

Ms. WEBER called up HR 751, PN 3918, entitled:

A Resolution designating the month of October 2004 as "Breast Cancer Awareness Month" and observing October 15, 2004, as "National Mammography Day" in this Commonwealth.

On the question, Will the House adopt the resolution?

The following roll call was recorded:

YEAS—199

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

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

NAYS-0

NOT VOTING-0

EXCUSED-4

Evans, J.	Raymond	Samuelson	Taylor, E. Z.
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

* * *

Mrs. CRAHALLA called up **HR 788, PN 4061**, entitled:

A Resolution recognizing November 2004 as "National Diabetes Month."

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-199

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

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

NAYS-0

NOT VOTING-0

EXCUSED-4

Evans, J.	Raymond	Samuelson	Taylor, E. Z.
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

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Mr. GOOD called up **HR 789, PN 4062**, entitled:

A Resolution commemorating November 2004 as "National Adoption Awareness Month."

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-199

Adolph	Evans, D.	Levdansky	Ruffing
Allen	Fabrizio	Lewis	Sainato
Argall	Fairchild	Lynch	Santoni
Armstrong	Feese	Mackereth	Sather
Baker	Fichter	Maher	Saylor
Baldwin	Fleagle	Maitland	Scavello
Bard	Flick	Major	Schroder
Barrar	Forcier	Manderino	Scrimenti
Bastian	Frankel	Mann	Semmel
Bebko-Jones	Freeman	Markosek	Shaner
Belardi	Gabig	Marsico	Smith, B.
Belfanti	Gannon	McCall	Smith, S. H.
Benninghoff	Geist	McGeehan	Solobay
Biancucci	George	McGill	Staback
Birmelin	Gergely	McIlhattan	Stairs
Bishop	Gillespie	McIlhinney	Steil
Blaum	Gingrich	McNaughton	Stern
Boyd	Godshall	Melio	Stetler
Browne	Good	Metcalfe	Stevenson, R.
Bunt	Goodman	Micozzie	Stevenson, T.

Butkovitz	Grucela	Millard	Sturla
Buxton	Gruitza	Miller, R.	Surra
Caltagirone	Habay	Miller, S.	Tangretti
Cappelli	Haluska	Mundy	Taylor, J.
Casorio	Hanna	Mustio	Thomas
Causer	Harhai	Myers	Tigue
Cawley	Harhart	Nailor	Travaglio
Civera	Harper	Nickol	True
Clymer	Harris	O'Brien	Turzai
Cohen	Hasay	Oliver	Vance
Coleman	Hennessey	O'Neill	Veon
Cornell, S. E.	Herman	Pallone	Vitali
Corrigan	Hershey	Payne	Walko
Costa	Hess	Petrarca	Wansacz
Coy	Hickernell	Petri	Washington
Crahalla	Horsey	Petrone	Waters
Creighton	Hutchinson	Phillips	Watson
Cruz	James	Pickett	Weber
Curry	Josephs	Pistella	Wheatley
Dailey	Keller	Preston	Williams
Daley	Kenney	Readshaw	Wilt
Dally	Killion	Reed	Wojnarowski
DeLuca	Kirkland	Reichley	Wright
Denlinger	Kotik	Rieger	Yewcic
Dermody	LaGrotta	Roberts	Youngblood
DeWeese	Laughlin	Roebuck	Yudichak
DiGirolamo	Leach	Rohrer	Zug
Diven	Lederer	Rooney	
Donatucci	Leh	Ross	Perzel,
Eachus	Lescovitz	Rubley	Speaker
Egolf			

NAYS-0

NOT VOTING-0

EXCUSED-4

Evans, J.	Raymond	Samuelson	Taylor, E. Z.
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

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Mrs. CRAHALLA called up **HR 802, PN 4153**, entitled:

A Resolution declaring September 21, 2004, as "Myositis Awareness Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-199

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

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

NAYS-0

NOT VOTING-0

EXCUSED-4

Evans, J.	Raymond	Samuelson	Taylor, E. Z.
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

HR 634 RECONSIDERED

The SPEAKER. The Chair has before it a reconsideration motion by the gentleman, Mr. Leh, who moves that the vote by which HR 634, PN 3527, was passed on the 28th day of June be reconsidered.

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

The following roll call was recorded:

YEAS-199

Adolph	Evans, D.	Levdansky	Ruffing
Allen	Fabrizio	Lewis	Sainato
Argall	Fairchild	Lynch	Santoni

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

NAYS-0

NOT VOTING-0

EXCUSED-4

Evans, J. Raymond Samuelson Taylor, E. Z.

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

LEAVE OF ABSENCE CANCELED

The SPEAKER. The Chair notes the presence in the hall of the House of the gentleman from Erie, Mr. Evans. Without objection, his name will be added to the master roll.

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

HB 1355, PN 1674

By Rep. HASAY

An Act repealing the act of April 7, 1830 (P.L.387, No.193), entitled, "An act graduating the duties upon wholesale dealers and retailers of merchandize, and prescribing the mode of issuing licenses and collecting said duties."

COMMERCE.

HB 1558, PN 4188 (Amended)

By Rep. HASAY

An Act amending the act of April 6, 1956 (1955 P.L.1414, No.465), known as the Second Class County Port Authority Act, further defining "port district"; authorizing second class A counties to create port authorities; and further providing for powers of port authorities, for membership of board, for power to convey property to port authorities and for short title.

COMMERCE.

HB 1732, PN 4189 (Amended)

By Rep. HASAY

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

COMMERCE.

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

SB 1102, PN 1756 (Amended)

By Rep. HASAY

An Act amending Titles 12 (Commerce and Trade) and 64 (Public Authorities and Quasi-Public Corporations) of the Pennsylvania Consolidated Statutes, providing for water supply and wastewater infrastructure capitalization; authorizing debt; defining "investor-owned water or wastewater enterprise"; and providing for Water Supply and Wastewater Infrastructure Program.

COMMERCE.

**LABOR RELATIONS
COMMITTEE MEETING**

The SPEAKER. At this time the Chair recognizes the gentleman from Schuylkill, Mr. Allen, for the purpose of calling a meeting.

Mr. ALLEN. Thank you, Mr. Speaker.

The Labor Relations Committee will meet immediately in room E-60 at the recess.

Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

The Labor Relations Committee will meet in room E-60 at the recess.

TRANSPORTATION COMMITTEE MEETING

The SPEAKER. The Chair at this time recognizes the gentleman from Blair, Mr. Geist, for the purpose of calling a meeting.

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

The Transportation Committee will hold a brief meeting in the back of the House upon the declaration of the recess; the Transportation Committee at the recess.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Transportation Committee will meet in the back of the House at the recess.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. At this time the Chair recognizes the gentleman from Schuylkill, Mr. Argall, for the purpose of a committee announcement.

Mr. ARGALL. Thank you, Mr. Speaker.

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

The SPEAKER. The Chair thanks the gentleman.

The Appropriations Committee will meet in room 245 at the recess.

**STATE GOVERNMENT
COMMITTEE MEETING**

The SPEAKER. The Chair recognizes the gentleman from Bucks, Mr. Clymer, for the purpose of calling a committee meeting.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, the State Government Committee will meet at 3:30, at 3:30 in the Ryan Building. A State Government Committee meeting at 3:30 in the Ryan Building, room 205.

Thank you.

The SPEAKER. Mr. Clymer? Mr. Clymer?

We would ask if you could change that to 3:15?

Mr. CLYMER. 3:15; we will meet at 3:15, room 205.

The SPEAKER. Thank you, sir.

The State Government Committee will meet at 3:15 in room 205 in the Ryan Building.

**AGRICULTURE AND RURAL AFFAIRS
COMMITTEE MEETING**

The SPEAKER. The Chair at this time recognizes the gentleman from Chester, Mr. Hershey, for the purpose of a committee announcement.

Mr. HERSHEY. To make an announcement, committee announcement.

Thank you, Mr. Speaker.

I want to announce the Ag Committee will meet at the back of the House at the end of the day. We were planning for one at the break, but we are not quite ready. We will have a committee meeting at the back of the House at the end of the day.

Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

The Agriculture and Rural Affairs Committee will meet at the back of the House at the end of the day.

REPUBLICAN CAUCUS

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

Mr. BUNT. Thank you, Mr. Speaker.

Mr. Speaker, the majority members will convene in caucus immediately upon the call of the recess.

The SPEAKER. The Chair thanks the gentleman.

DEMOCRATIC CAUCUS

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

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, there will be a Democratic caucus to go over this week's schedule so far as we know it at the call of the recess.

The SPEAKER. Are there any further announcements?

RECESS

The SPEAKER. This House is in recess until 3:45.

AFTER RECESS

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

**THE SPEAKER PRO TEMPORE
(MATTHEW E. BAKER) PRESIDING****LEAVE OF ABSENCE**

The SPEAKER pro tempore. Returning to leaves, the gentleman, Mr. YUDICHAK, is recognized and is placed on leave. Without objection, the leave is granted.

BILLS REREPORTED FROM COMMITTEE

HB 109, PN 4085

By Rep. ARGALL

An Act regulating tanning facilities; providing for the registration of persons operating tanning facilities; requiring that certain warnings be given and safeguards be taken; imposing penalties; and making a repeal.

APPROPRIATIONS.

HB 818, PN 3109

By Rep. ARGALL

An Act amending the act of July 31, 1968 (P.L.805, No.247), known as the Pennsylvania Municipalities Planning Code, providing for impact of plat; and further providing for application for tentative approval of planned residential development.

APPROPRIATIONS.

HB 873, PN 4190 (Amended) By Rep. ARGALL

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

APPROPRIATIONS.

HB 1620, PN 3821 By Rep. ARGALL

An Act authorizing the release of Project 500 restrictions on certain land owned by the Township of Wright, Luzerne County, in return for the imposition of Project 500 restrictions on other land owned by the Township of Wright, Luzerne County.

APPROPRIATIONS.

HB 1954, PN 2554 By Rep. ARGALL

An Act amending the act of April 21, 1949 (P.L.665, No.155), known as the First Class City Home Rule Act, further providing for the general grant of power and authority.

APPROPRIATIONS.

HB 2022, PN 4073 By Rep. ARGALL

An Act amending the act of April 16, 1992 (P.L.155, No.28), known as the Assessors Certification Act, further providing for nonapplicability.

APPROPRIATIONS.

HB 2029, PN 2670 By Rep. ARGALL

An Act authorizing cities of the first class that have adopted a home rule charter to enforce ordinances, rules and regulations prohibiting dumping or disposal of waste, trash or debris.

APPROPRIATIONS.

HB 2269, PN 3120 By Rep. ARGALL

An Act amending the act of December 18, 1984 (P.L.1005, No.205), known as the Municipal Pension Plan Funding Standard and Recovery Act, further providing for the certification of municipal pension costs and for the administration of the General Municipal Pension System State Aid Program.

APPROPRIATIONS.

HB 2289, PN 3179 By Rep. ARGALL

An Act amending the act of December 19, 1996 (P.L.1478, No.190), entitled "An act relating to the recycling and reuse of waste tires; providing for the proper disposal of waste tires and the cleanup of stockpiled tires; authorizing investment tax credits for utilizing waste tires; providing remediation grants for the cleanup of tire piles and for pollution prevention programs for small business and households; establishing the Small Business and Household Pollution Prevention Program and management standards for small business hazardous waste; providing for a household hazardous waste program and for grant programs; making appropriations; and making repeals," further providing for the definition of "waste tire"; defining "waste tire recycling facility"; and further providing for the disposal of whole waste tires, for waste tire registry and for remediation liens.

APPROPRIATIONS.

HB 2299, PN 3199 By Rep. ARGALL

An Act authorizing the establishment and maintenance of health savings accounts; exempting contributions from taxation; imposing restrictions on health savings accounts; and prescribing penalties.

APPROPRIATIONS.

HB 2306, PN 3215 By Rep. ARGALL

An Act designating a bridge on State Route 11 crossing the Susquehanna River between Great Bend Township and Hallstead Borough, Susquehanna County, Pennsylvania, as the Community Memorial Bridge.

APPROPRIATIONS.

HB 2409, PN 3404 By Rep. ARGALL

An Act amending the act of December 20, 1991 (P.L.398, No.45), entitled "An act designating a certain bridge on Pennsylvania Route 45 in Northumberland and Union Counties as the Judge Herbert W. Cummings/Judge Harold M. McClure Memorial Bridge; and designating the bridge on which Main Street crosses Trout Creek in the Borough of Slatington, Lehigh County, as the General Thomas R. Morgan Bridge," further designating the General Thomas R. Morgan Bridge.

APPROPRIATIONS.

HB 2470, PN 4191 (Amended) By Rep. ARGALL

An Act amending the act of May 16, 2002 (P.L.315, No.46), known as the Community Services Block Grant Act, establishing the Commonwealth Community Action Partnership Program.

APPROPRIATIONS.

HB 2482, PN 4149 By Rep. ARGALL

An Act establishing the State Railroad Infrastructure Bank and the State Railroad Infrastructure Bank Fund; and providing for the powers and duties of the Department of Community and Economic Development.

APPROPRIATIONS.

HB 2498, PN 3617 By Rep. ARGALL

An Act amending Title 74 (Transportation) of the Pennsylvania Consolidated Statutes, designating a portion of State Route 6 in Wyoming County as a scenic byway.

APPROPRIATIONS.

HB 2521, PN 4192 (Amended) By Rep. ARGALL

An Act making an appropriation from a restricted revenue account within the General Fund and from Federal augmentation funds to the Pennsylvania Public Utility Commission.

APPROPRIATIONS.

HB 2636, PN 3906

By Rep. ARGALL

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for residential permit parking.

APPROPRIATIONS.

HB 2664, PN 3970

By Rep. ARGALL

An Act amending Title 74 (Transportation) of the Pennsylvania Consolidated Statutes, providing for flying while impaired; and imposing penalties.

APPROPRIATIONS.

HB 2713, PN 4055

By Rep. ARGALL

An Act authorizing the Department of General Services, with the approval of the Governor, to grant and convey to Derry Township Municipal Authority a certain easement for sanitary sewer purposes, together with an existing sanitary sewer line and appurtenances, situate in Derry Township, Dauphin County.

APPROPRIATIONS.

HB 2726, PN 4113

By Rep. ARGALL

An Act amending the act of June 14, 1961 (P.L.324, No.188), known as The Library Code, providing for fiscal year waiver of standards.

APPROPRIATIONS.

HB 2758, PN 4169

By Rep. ARGALL

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, providing for fire company reduction and closure provisions for cities of the first class.

APPROPRIATIONS.

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

HB 2745, PN 4137

By Rep. GEIST

A Supplement to the act of December 8, 1982 (P.L.848, No.235), known as the Highway-Railroad and Highway Bridge Capital Budget Act for 1982-1983, itemizing additional local and State bridge projects.

TRANSPORTATION.

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

SB 1092, PN 1557

By Rep. GEIST

An Act designating the proposed Route 222 bypass in Lehigh County from the point immediately South of I-78 in Lower Macungie Township, Lehigh County through portions of Upper Macungie Township, Lehigh County to the south interchange of Route 100 in Lower Macungie Township, Lehigh County as the Fred Jaendl Memorial Highway.

TRANSPORTATION.

SB 1139, PN 1757 (Amended)

By Rep. ALLEN

An Act amending the act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code Act, further providing for definitions, for application of act, for adoption of regulations, for administration and enforcement, for changes in Uniform Construction Code and for exemptions.

LABOR RELATIONS.

RULES COMMITTEE MEETING

The SPEAKER pro tempore. The majority leader calls for an immediate meeting of the Rules Committee.

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

HB 2722, PN 4102

By Rep. S. SMITH

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for medical professional liability actions.

RULES.

LEAVE OF ABSENCE CANCELED

The SPEAKER pro tempore. The presence of the gentlelady, Mrs. Taylor, is noted and will be spread across the record.

FILMING PERMISSION

The SPEAKER pro tempore. The Chair wishes to advise the members that he has given permission to Aaron Tomlinson of the CBS "60 Minutes" news organization, who will be providing videotape with audio on this day, June 28, 2004.

BILLS REMOVED FROM TABLE

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

Mr. S. SMITH. Mr. Speaker, I move that SB 922 and SB 1102 be removed from the table.

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:

SB 922, PN 1438.

BILLS RECOMMITTED

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

Mr. S. SMITH. Mr. Speaker, I move that SB 922 and SB 1102 be recommitted to the Appropriations Committee.

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

SUPPLEMENTAL CALENDAR A

**BILL ON CONCURRENCE
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 2042, PN 4058**, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for wild turkey hunting.

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

The SPEAKER pro tempore. Moved by the gentleman, Mr. Phillips, 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—200

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

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

NAYS—0

NOT VOTING—0

EXCUSED—3

Raymond Samuelson Yudichak

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

Ordered, That the clerk inform the Senate accordingly.

CALENDAR CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2316, PN 3237**, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for protection from abuse definitions and for emergency relief by minor judiciary.

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—193

Adolph	Evans, D.	Levdansky	Sainato
Allen	Evans, J.	Lewis	Santoni
Argall	Fabrizio	Lynch	Saylor
Armstrong	Fairchild	Mackereth	Scavello

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

NAYS-7

Causar	Forcier	Metcalfe	Sather
Crahalla	Hutchinson	Reichley	

NOT VOTING-0

EXCUSED-3

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

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

BILL RECOMMITTED

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

Mr. S. SMITH. Mr. Speaker, I move that HB 2722 be recommitted to the Appropriations Committee.

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

SUPPLEMENTAL CALENDAR C

RULES SUSPENDED

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

Mr. ARGALL. Mr. Speaker, I move for the immediate suspension of the rules for the consideration of HB 2521.

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

The following roll call was recorded:

YEAS-200

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

NAYS—0

NOT VOTING—0

EXCUSED—3

Raymond Samuelson Yudichak

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

BILL ON THIRD CONSIDERATION

BILL PASSED OVER TEMPORARILY

The SPEAKER pro tempore. HB 2521 will be over temporarily.

SUPPLEMENTAL CALENDAR B

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2713, PN 4055**, entitled:

An Act authorizing the Department of General Services, with the approval of the Governor, to grant and convey to Derry Township Municipal Authority a certain easement for sanitary sewer purposes, together with an existing sanitary sewer line and appurtenances, situate in Derry Township, Dauphin County.

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

Mr. **CAWLEY** offered the following amendment No. **A2511**:

Amend Title, page 1, line 5, by removing the period after "County" and inserting
; and authorizing the release of Project 70 restrictions imposed on certain lands owned by the City of Scranton, Lackawanna County, being conveyed by the city in return for the imposition of Project 70 restrictions on certain lands being conveyed to the city.

Amend Bill, page 3, by inserting between lines 18 and 19 Section 2. Conveyance in City of Scranton; Lackawanna County.

(a) Authorization.—Pursuant to the requirements of section 20(b) of the act of June 22, 1964 (Sp.Sess., P.L.131, No.8), known as the Project 70 Land Acquisition and Borrowing Act, the General Assembly hereby authorizes the release of the restrictions imposed by section 20 of the Project 70 Land Acquisition and Borrowing Act from the land owned by the City of Scranton, Lackawanna County, being conveyed to Lackawanna Land & Energy, Inc., and more particularly described in subsection (c), in exchange for the imposition of section 20 of the Project 70 Land Acquisition and Borrowing Act restriction on lands owned by Lackawanna Land & Energy, Inc., being conveyed to the City of Scranton, and more particularly described in subsection (d).

(b) Freedom of restrictions.—The lands described in subsection (c), owned by the City of Scranton and being conveyed to Lackawanna Land & Energy, Inc., shall be free of the restrictions on use and alienation imposed by section 20 of the Project 70 Land Acquisition and Borrowing Act upon the imposition of and recording of the Project 70 deed restrictions set forth in subsection (e)

on the parcel of replacement land owned by Lackawanna Land & Energy, Inc., and being conveyed to the City of Scranton.

(c) Land to be released from restrictions.—The parcel of land authorized to be released from restrictions is located in the City of Scranton, Lackawanna County, and more particularly described as follows:

All that certain lot, piece or parcel of land situate, lying and being in the City of Scranton, County of Lackawanna, Pennsylvania, bounded and described as follows:

Beginning at a point along the southerly side of Gilbert Street, on a bearing South fifty three Degrees thirty two Minutes forty three Seconds East, (S 53 Degrees 32 Minutes 43 Seconds E), a distance of four hundred eighty and no hundredths feet, (480.00 feet) from the intersection of the southerly right-of-way line of Gilbert Street, and the easterly right-of-way line of Rockwell Avenue.

THENCE continuing along said southerly right-of-way line of Gilbert Street, South fifty three Degrees thirty two Minutes forty three Seconds East, (S 53 Degrees 32 Minutes 43 Seconds E), a distance of one hundred one and twenty one hundredths feet, (101.21 feet), to a point;

THENCE North twenty eight Degrees fifty two Minutes seventeen Seconds East, (N 28 Degrees 52 Minutes 17 Seconds E), a distance of two hundred five and fifty hundredths feet, (205.50 feet), to a point;

THENCE North fifty six Degrees twenty five Minutes fifty eight Seconds West, (N 56 Degrees 25 Minutes 58 Seconds W), a distance of two hundred seventeen and forty seven hundredths feet, (217.47 feet), to a point, along the easterly right-of-way line of Leach Street;

THENCE along the easterly right-of-way line of Leach Street, North thirty five Degrees thirty five Minutes thirty six Seconds East, (N 35 Degrees 35 Minutes 36 Seconds E), a distance of two hundred eighty one and ninety one hundredths feet, (218.91 feet), to a point;

THENCE South sixty Degrees twelve Minutes six Seconds East, (S 60 Degrees 12 Minutes 06 Seconds E), a distance of three hundred sixty eight and sixty nine hundredths feet, (368.69 feet), to a point;

THENCE South fifty nine Degrees eight Minutes forty nine Seconds East (S 59 Degrees 08 Minutes 49 Seconds E), a distance of six hundred seventy two and sixty two hundredths feet, (672.62 feet), to a point;

THENCE South sixty seven Degrees fifty one Minutes ten Seconds West, (S 67 Degrees 51 Minutes 10 Seconds W), a distance of three hundred nine and ninety three hundredths feet, (309.93 feet), to a point;

THENCE North twenty two Degrees eight Minutes fifty Seconds West, (N 22 Degrees 08 Minutes 50 Seconds W), a distance of one hundred forty and no hundredths feet, (140.00 feet), to a point, along the southerly right-of-way line of Gilbert Street, on a curve;

THENCE along the southerly right-of-way line of said Gilbert Street, on a curve to the right having a radius of three hundred twenty five and no hundredths feet, (325.00 feet), having a chord bearing South seventy seven Degrees forty Minutes forty nine Seconds West, (S 77 Degrees 40 Minutes 49 Seconds W), a chord distance of one hundred ten and ninety three hundredths feet, (110.93 feet), to a point, the start of a tangent, along the southerly right-of-way line of Gilbert Street;

THENCE South eighty seven Degrees thirty Minutes seventeen Seconds West, (S 87 Degrees 30 Minutes 17 Seconds W), a distance of one hundred forty and no hundredths feet, (140.00 feet), to a point;

THENCE South two Degrees twenty nine Minutes forty three Seconds East (S 02 Degrees 29 Minutes 43 Seconds E), a distance of one hundred thirty four and ninety eight hundredths feet, (134.98 feet), to a point;

THENCE South eighty seven Degrees thirty Minutes seventeen Seconds West, (S 87 Degrees 30 Minutes 17 Seconds W), a distance of four hundred thirty seven and forty three hundredths feet, (437.43 feet), to a point;

THENCE North fifty three Degrees thirty two Minutes forty three Seconds West, (N 53 Degrees 32 Minutes 43 Seconds W), a distance of one hundred seventy and no hundredths feet, (170.00 feet), to a point;

THENCE North thirty six Degrees twenty seven Minutes seventeen Seconds East, (N 36 Degrees 27 Minutes 17 Seconds E), a distance of one hundred sixty and no hundredths feet, (160.00 feet), to a point, the place of beginning.

Containing 8.784 Acres of land, more or less.

(d) Land on which restrictions are to be imposed.—The replacement parcel to be subject to the restrictions in exchange for the parcel described in subsection (c) is located in the City of Scranton, Lackawanna County, and more particularly described as follows:

ALL that certain lot, piece or parcel of land, situate, lying and being in the City of Scranton, County of Lackawanna and Commonwealth of Pennsylvania, bounded and described as follows to wit:

Beginning along the southerly right-of-way line of Wells Street, at the intersection of the lot herein described and Lot No. 93 of the Leggetts Creek Park Subdivision;

Thence along the southerly right-of-way line of Wells Street, South fifty five Degrees forty four Minutes forty four seconds East (S 55 Degrees 44 Minutes 44 Seconds E), a distance of one hundred thirty six and sixty five hundredths (136.65 feet) feet, to a point;

Thence leaving said right-of-way, South seventeen Degrees twenty four Minutes four Seconds West (S 17 Degrees 24 Minutes 04 Seconds W), a distance of one hundred forty one and thirty four hundredths (141.34 feet) feet, to a point;

Thence South sixty Degrees forty nine Minutes fourteen Seconds West (S 60 Degrees 49 Minutes 14 Seconds W), a distance of one hundred and no hundredths (100.00 feet) feet; to a point;

Thence South eighty eight Degrees twenty four Minutes forty four Seconds West (S 88 Degrees 24 Minutes 44 Seconds W), a distance of one thousand one hundred eleven and ninety seven hundredths (1111.97 feet) feet, to a point;

Thence South seventy two degrees four Minutes thirty three Seconds West (S 72 degrees 04 Minutes 33 Seconds W) a distance of twenty seven and ninety eight hundredths (27.98 feet) feet, to a point;

Thence along Lands of The City of Scranton, North fifty nine Degrees eight Minutes forty nine Seconds West (N 59 Degrees 08 Minutes 49 Seconds W), a distance of four hundred sixty eight and sixty eight hundredths (468.68 feet) feet, to a point, at the southwest corner of Lot No. 75;

Thence along the southerly line of Lots Nos. 75, 76, 77, 78, 79, 80 and 81, North eighty six degrees thirty four Minutes fifty Seconds East (N 86 Degrees 34 Minutes 50 Seconds E), a distance of six hundred forty three and forty two hundredths (643.42 feet) feet, to a point;

Thence along Lot No. 81 of the Leggetts Creek Subdivision North three Degrees twenty five Minutes ten Seconds West (N 03 Degrees 25 Minutes 10 Seconds W) a distance of one hundred seventy four and ninety two hundredths (174.92 feet) feet, to the point, along the southerly right-of-way line of Gilbert Street;

Thence along the southerly right-of-way line of Gilbert Street on a curve to the left having a radius of 225.00 ft., having an arc length of 200.45 ft., Chord Bearing North sixty one Degrees three Minutes thirty Seconds East (N 61 Degrees 03 Minutes 30 Seconds E), a chord distance of one hundred ninety three and eighty nine hundredths (193.89 feet) feet, to a point, along lands of the Marvine Dutch Gap Little League;

Thence leaving said southeasterly right-of-way line of Gilbert Street, and along lands of the Little League South fifty six Degrees twenty six Minutes Eighteen Seconds East (S 56 Degrees 26 Minutes 18 Seconds E), a distance of sixty seven and fifty six hundredths (67.56 feet) feet to a point;

Thence along said Marvine Gap Little League South eighteen Degrees thirty seven Minutes forty two Seconds West (S 18 Degrees 37 Minutes 42 Seconds W), a distance of two hundred thirty five and no hundredths (235.00 feet) feet, to a point;

Thence continuing along said Little League property North eighty five Degrees seven Minutes forty two Seconds East (N 85 Degrees 07 Minutes 42 Seconds E), a distance of two hundred seventy five and no hundredths (275.00 feet) feet, to a point;

Thence along a curve to the left, having a radius of six hundred eighty and no hundredths (680.00 feet) feet, arc length of three hundred forty two and eighty seven hundredths (342.87 feet) feet, Chord of three hundred thirty nine and twenty five hundredths (339.25 feet) feet, Chord Bearing North seventy degrees forty one Minutes no Seconds East (N 70 Degrees 41 Minutes 00 Seconds E), to the point.

Thence along the southerly right-of-way line of Wells Street, South fifty five degrees forty four Minutes forty four Seconds East (S 55 Degrees 44 Minutes 44 Seconds E), a distance of eighteen and six hundredth (18.06 feet) feet, to a point, common to Lot No. 92 and Lot No. 90;

Thence along line of Lot No. 92 South thirty five Degrees seven Minutes five Seconds West (S 35 Degrees 07 Minutes 05 Seconds W), a distance of one hundred forty four and eighty seven hundredths (144.87 feet) feet to a point at the start of a curve to the right;

Thence along a curve to the right, having a radius of two hundred fifty and thirty hundredths (250.30 feet) feet, arc length of fifty and eleven hundredths (55.11 feet) feet and a Chord of fifty five (55 feet) feet, Chord Bearing South fifty nine Degrees twenty six Minutes twenty six Seconds West (S 59 Degrees 26 Minutes 26 Seconds W), to a point.

Thence along the westerly line of Lot No. 92 and Lot No. 93, South thirty five Degrees twenty nine Minutes four Seconds East (S 35 Degrees 29 Minutes 04 Seconds E), a distance of one hundred forty eight and twenty four hundredths (148.24 feet) feet, to a point;

Thence along Lot No. 93, North seventy eight Degrees ten Minutes forty two seconds East (N 78 Degrees 10 Minutes 42 Seconds E), a distance of fifty five and forty seven hundredths (55.47 feet) feet, to a point;

Thence along Lot No. 93, North sixty one Degrees nine Minutes forty four seconds East, (N 61 Degrees 09 Minutes 44 Seconds E), a distance of one hundred thirty and eighty eight hundredths (130.88 feet), to a point;

Thence along Lot No. 93, North twenty seven Degrees six Minutes thirty one seconds East, (N 27 Degrees 06 Minutes 31 Seconds E), a distance of eighty nine and ninety nine hundredths (89.99 feet) feet, to a point, along the southerly right-of-way line of Wells Street, to the point of beginning.

Containing 9.253 Acres of land, more or less.

(e) Deed restriction.—The Deed restriction to be transferred to the parcel described in subsection (d) shall read as follows:

This indenture is given to provide land for recreation, conservation and historical purposes as said purposes are defined in the act of June 22, 1964 (Sp.Sess., P.L.131, No.8), known as the Project 70 Land Acquisition and Borrowing Act.

(f) Costs.—The parties to this transaction shall bear their respective costs.

(g) Execution.—The deed of conveyance shall be executed and approved as provided by law.

Amend Sec. 2, page 3, line 19, by striking out “2” and inserting

3

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. On that question, the gentleman, Mr. Cawley, is recognized.

Mr. CAWLEY. Thank you, Mr. Speaker.

Mr. Speaker, this amendment to HB 2713 is for a land transfer, Project 70, in the city of Scranton. Eighty-three homes will be constructed in a 30-acre park. I do not know anyone that is against it, including the mayor, the Senate – no one, Mr. Speaker. I would appreciate your affirmative vote on it.

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—200

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

NAYS—0

NOT VOTING—0

EXCUSED—3

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

On the question,
Will the House agree to the bill on third consideration as amended?
Bill 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—200

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

NAYS-0

NOT VOTING-0

EXCUSED-3

Raymond Samuelson Yudichak

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 2664, PN 3970, entitled:

An Act amending Title 74 (Transportation) of the Pennsylvania Consolidated Statutes, providing for flying while impaired; and imposing penalties.

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

RULES SUSPENDED

The SPEAKER pro tempore. On that issue, the gentleman, Mr. Blaum, is recognized for a suspension of rules.

Mr. BLAUM. Thank you, Mr. Speaker.

Mr. Speaker, I would like to ask for a suspension of the rules to offer an agreed-to amendment, which makes the bill even stronger, and I would ask the members for an affirmative vote.

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

The following roll call was recorded:

YEAS-200

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

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

NAYS-0

NOT VOTING-0

EXCUSED-3

Raymond Samuelson Yudichak

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

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

Mr. BLAUM offered the following amendment No. A2711:

Amend Sec. 1 (Chapter Analysis), page 1, lines 11 through 14, by striking out all of said lines and inserting

- 6501. Definitions.
6502. Offense.
6503. Penalty.
6504. Testing.
6505. Reporting.

Amend Sec. 1, page 1, lines 15 and 16, by striking out all of said lines and inserting § 6501. Definitions.

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

"Flight crew." Any person who performs or is assigned to perform any duty in an aircraft during the time which the aircraft is undergoing preflight inspection or maintenance or boarding or carrying passengers or crew or at any time the aircraft is under power or in flight.

"Law enforcement officer." Includes any officer with current certification as provided for in 53 Pa.C.S. Ch. 21 Subch. D (relating to municipal police education and training) and those officers with limited jurisdiction whose jurisdiction is an airport.

§ 6502. Offense.

(a) General rule.—No individual may act or attempt to act as flight crew of an aircraft in this

Amend Sec. 1 (Sec. 6501), page 2, line 5, by striking out “or” where it appears the third time

Amend Sec. 1 (Sec. 6501), page 2, by inserting between lines 5 and 6

(4) while under the influence of any combination of a drug and alcohol which affects the individual’s faculties in any way contrary to safety; or

Amend Sec. 1 (Sec. 6501), page 2, line 6, by striking out “(4)” and inserting

(5)

Amend Sec. 1 (Sec. 6501), page 2, by inserting between lines 9 and 10

(b) Owner.—An owner of an aircraft or the person in charge of an aircraft may not knowingly permit an individual to act or attempt to act as flight crew of an aircraft if the individual is under the influence of alcohol or a drug, or any combination thereof, which affects the individual’s faculties in any way contrary to safety.

Amend Sec. 1 (Sec. 6502), page 2, line 10, by striking out “6502” and inserting

6503

Amend Sec. 1 (Sec. 6502), page 2, line 11, by striking out “6501” and inserting

6502

Amend Sec. 1 (Sec. 6502), page 2, line 18, by striking out “To” and inserting

For a violation of section 6502(a), to

Amend Sec. 1 (Sec. 6503), page 2, line 21, by striking out “6503” and inserting

6504

Amend Sec. 1 (Sec. 6503), page 2, line 24, by striking out “6501” and inserting

6502

Amend Sec. 1 (Sec. 6503), page 3, line 2, by striking out “not”

Amend Sec. 1 (Sec. 6503), page 3, line 3, by striking out “6504” and inserting

6505

Amend Sec. 1 (Sec. 6503), page 3, line 5, by striking out “6501” and inserting

6502

Amend Sec. 1 (Sec. 6503), page 3, line 10, by inserting after “subsection”

(a) or

Amend Sec. 1 (Sec. 6503), page 3, line 12, by striking out “6504” and inserting

6505

Amend Sec. 1 (Sec. 6503), page 3, line 14, by striking out “6501” and inserting

6502

Amend Sec. 1 (Sec. 6503), page 5, line 4, by striking out “6501” and inserting

6502

Amend Sec. 1 (Sec. 6503), page 5, line 26, by striking out “6501” and inserting

6502

Amend Sec. 1 (Sec. 6504), page 6, line 11, by striking out “6504” and inserting

6505

Amend Sec. 1 (Sec. 6504), page 6, line 15, by striking out “6503(b)” and inserting

6504(b)

Amend Sec. 1 (Sec. 6504), page 6, line 17, by striking out all of said line and inserting

this chapter.

On the question,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—200

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

NAYS—0

NOT VOTING—0

EXCUSED—3

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

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

REMARKS SUBMITTED FOR THE RECORD

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

Keeping our skies safer is the intent of the legislation contained in HB 2664. Pennsylvania is one of only three States in the nation that has no law defining and criminalizing flying an aircraft while impaired by alcohol or drugs.

This legislation closes the loophole in State law that does not criminally punish pilots who fly while impaired. With this bill, pilots or members of a flight crew would be prohibited from operating or servicing an aircraft when their blood-alcohol content is 0.02 percent or higher. This standard would apply for any reading within 8 or fewer hours before a flight. Included in this bill are penalties and required evaluation and treatment for substance abuse.

Flying while impaired is a serious risk to public safety. Pilots who drink and then fly are jeopardizing their safety, the safety of their passengers, and the safety of countless people in their flight path.

I respectfully request an affirmative vote for HB 2664.

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—200

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

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

NAYS—0

NOT VOTING—0

EXCUSED—3

Raymond Samuelson Yudichak

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. ROBERTS

The SPEAKER pro tempore. The gentleman, Mr. Roberts, is recognized.

Mr. ROBERTS. Thank you, Mr. Speaker.

I had an amendment for the bill that just passed, and in fact I have another amendment that is identical, but I wanted to make some comments on this legislation.

In Fayette County, we have the Fayette Area Coordinated Transportation department, also known as FACT. FACT provides transportation to thousands of people every month, which includes many, many senior citizens, and I am happy to say that our transportation program has been a tremendous success.

Our transportation program, FACT, has been funded as a 3-year demonstration project. Unfortunately, that project has ended and the funding will soon go away. The amendment that I had to this bill would have provided money to continue funding our FACT program, which will in fact continue providing transportation for our constituents, which is a very valuable service, and I was hoping that today my amendments would pass and we would get the project funded.

After all, we talk a lot about mass transportation here—Mr. Speaker, could we have just a little bit of order, please?

The SPEAKER pro tempore. The gentleman is entirely correct. There is too much noise on the floor. Members, please take your seats. The gentleman is entitled to be heard.

Mr. ROBERTS. After all, we talk a lot about mass transportation here, and we provide a significant amount of money for mass transportation projects across the State. Unfortunately, Fayette County's mass transit program does not qualify for the funding that we have been providing to others because it is a relatively new system, and because it is a new system, it was not included in the initial legislation that provided funding, and my amendment was designed to correct that problem.

Now, Fayette County's transportation project meets all the requirements of a class 3 urban transit system, and it is just as deserving to be funded as are the other transit systems across Pennsylvania. Now, there are currently 19 other class 3 transit systems, and they receive about \$23.5 million annually. If my amendments were to pass today, Fayette County would qualify for approximately \$600,000. But the kicker is that the funding for Fayette County would have to come out of the same pot of money that is now being used for the other class 3s. That means that the other 19 class 3 transit systems would have to give up some of their funding in order to fund Fayette County, and I am sure that is not something that my colleagues representing those areas would like to see happen. And I do not want to do that, but I am also concerned about losing the transportation program that my constituents so richly deserve, because we have come to depend on our little buses that travel around the county, and I do not want to lose them.

Now, I have been advised that we will soon be addressing this issue with other legislation, which in fact includes the language of my amendment, and hopefully the funding that Fayette County so richly deserves will be approved with the coming legislation. So I look forward to working with all of you on this project, and perhaps we can find a reasonable and acceptable solution to this situation. Mr. Speaker, that is why I withdrew my amendment on this bill that just passed, and, Mr. Speaker, I have an amendment for HB 2498, which I am also going to withdraw at this time.

Thank you very much.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Would the gentleman, Mr. Casorio, kindly come to the rostrum.

(Conference held at Speaker's podium.)

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

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2636, PN 3906**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for residential permit parking.

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

Mr. CASORIO offered the following amendment No. **A2544**:

Amend Title, page 1, line 2, by removing the period after "parking" and inserting

; and providing for a moratorium on the emission inspection program.

Amend Bill, page 1, by inserting between lines 16 and 17

Section 2. Title 75 is amended by adding a section to read:

§ 4706.2. Moratorium on emission inspection program.

Notwithstanding any of the provisions of this chapter or any law to the contrary, neither the department nor any other department or agency of the Commonwealth shall continue or implement any vehicle emission inspection program until the following occurs:

(1) The Environmental Protection Agency approves and issues rules and regulations for the use and implementation of on-board vehicle emission diagnostic testing systems that can provide less expensive and more convenient exhaust checks.

(2) A joint department and Department of Environmental Protection emission inspection policy review panel issues findings and recommendations for the use and implementation in this Commonwealth of on-board vehicle emission diagnostic testing systems to the Transportation Committee of the Senate and the Transportation Committee of the House of Representatives. Any vehicle emission program currently in effect shall cease immediately until legislative action can occur to implement such findings and recommendations.

Amend Sec. 2, page 1, line 17, by striking out "2" and inserting

3

On the question,

Will the House agree to the amendment?

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

Mr. CASORIO. Thank you, Mr. Speaker.

Mr. Speaker, amendment 2544 to HB 2636 calls for an immediate moratorium on the vehicle auto emissions testing program. Mr. Speaker, those of us in the western part of this State and the eastern part of this State have been subjected to this test for, quite frankly, too many years. Now the central part of the State has been subjected to this onerous test, Mr. Speaker, and they are feeling the pain as well.

Mr. Speaker, we have been dealing with this issue since 1996 before I came into office with the Envirotest debacle, and again, my amendment, Mr. Speaker, calls for an immediate moratorium so that we can do further studies on the vehicle auto emissions testing program, and I would ask for an affirmative vote.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

AMENDMENT TABLED

The SPEAKER. The Chair recognizes the gentleman from Blair, Mr. Geist.

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

Mr. Speaker, we have been down this road. So many of us know the arguments. I have stood at this microphone and defended the compromise that was reached with the Federal courts by Governor Rendell. This amendment really needs to be studied further, and at this time I would like to make a motion to table the amendment.

The SPEAKER. The gentleman from Blair, Mr. Geist, moves that the House do table amendment A2544.

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

The SPEAKER. That is debatable only by the floor leaders or their designee.

Does the gentleman, Mr. DeWeese, wish to defer to the gentleman, Mr. Casorio?

Mr. GEIST. Mr. Speaker?

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

Mr. GEIST. Mr. Speaker, could we have a moment until we check with Brian on this, because I might want to amend my emotion, my motion – my emotions, also.

The SPEAKER. The House will be at ease.

It is the understanding of the Chair that Mr. DeWeese has yielded to Mr. Casorio.

Mr. DeWEESE. Mr. Speaker, I was under the momentary impression that the gentleman from Blair County might be retracting the motion at hand and asking for a motion on constitutionality, which would give a variety of our membership an opportunity to speak.

The SPEAKER. The gentleman, Mr. Geist.

Mr. GEIST. Mr. Speaker, I needed two moments with Brian, please.

Thank you.

The SPEAKER. Mr. Geist, we just gave you two moments. We will give you two moments more.

For what purpose does the gentleman, Mr. McCall, rise?

Mr. McCALL. Mr. Speaker, I was wondering if it was appropriate for me to stand and support the gentleman’s motion at this point?

The SPEAKER. The Chair does understand that you have stood to support the gentleman, Mr. Geist, but in light of that, it is the leader’s privilege to allow whatever member he would like to speak to speak. But the Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Casorio.

Mr. CASORIO. Thank you, Mr. Speaker.

Mr. Speaker, I thank the Democratic leader for deferring to me as well.

Mr. Speaker, I agree wholeheartedly with the Republican chairman of the Transportation Committee. We have been down this road before, and quite frankly, as I have said time and time again and apparently there will be times after this – I am not certain – that I would hope that we would continue to go down this road and revisit this issue.

Mr. Speaker, this motion to table certainly begs the question of why? Mr. Speaker, we should be voting the merits of this amendment up or down, yes or no, and we could move on, Mr. Speaker. The motion to table, Mr. Speaker, does not address the issue of the onerous auto emissions testing program in western Pennsylvania and in other parts of the State.

Mr. Speaker, we need to address amendment 2544 and we need to do that in short order, so I ask the members, please, to vote against the motion to table; bring the amendment to the floor; we will discuss the merits of the amendment; and then we will vote “yes” or “no.” That is the procedure of the House,

and that is the process that we should be going through, Mr. Speaker.

So I would ask that the members vote against the motion to table, and then we can bring up amendment 2544 for a vote.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Geist.

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

Like my colleague on the Transportation Committee, Mr. McCall, we have worked very closely with Governor Rendell on this issue since he became Governor, and I would ask that we table this amendment and would urge a “yes” vote.

Thank you.

The SPEAKER. Those in favor of tabling will vote “aye”; those opposed will vote “no.”

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

The following roll call was recorded:

YEAS—140

Adolph	Fairchild	Mackereth	Ross
Allen	Feese	Maher	Rubley
Argall	Fichter	Maitland	Sainato
Armstrong	Fleagle	Major	Santoni
Baker	Flick	Manderino	Sather
Baldwin	Forcier	Marsico	Saylor
Bard	Gabig	McCall	Scavello
Barrar	Gannon	McGill	Schroder
Bastian	Geist	McIlhattan	Semmel
Belardi	Gillespie	McIlhinney	Smith, B.
Benninghoff	Gingrich	McNaughton	Smith, S. H.
Birmelin	Godshall	Metcalfe	Staback
Boyd	Good	Micozzie	Stairs
Browne	Grucela	Millard	Steil
Bunt	Habay	Miller, R.	Stern
Butkovitz	Haluska	Miller, S.	Stevenson, R.
Buxton	Harhart	Mundy	Stevenson, T.
Cappelli	Harper	Mustio	Taylor, E. Z.
Causer	Harris	Myers	Taylor, J.
Civera	Hasay	Nailor	Thomas
Clymer	Hennessey	Nickol	True
Cohen	Herman	O’Brien	Turzai
Coleman	Hershey	Oliver	Vance
Cornell, S. E.	Hess	O’Neill	Vitali
Crahalla	Hickernell	Payne	Washington
Creighton	Hutchinson	Petrarca	Watson
Curry	James	Petri	Weber
Dailey	Josephs	Phillips	Wheatley
Dally	Kenney	Pickett	Williams
Denlinger	Killion	Reed	Wilt
Dermody	Kirkland	Reichley	Wright
DiGirolo	LaGrotta	Rieger	Zug
Donatucci	Leh	Roebuck	
Egolf	Levdansky	Rohrer	
Evans, D.	Lewis	Rooney	Perzel,
Evans, J.	Lynch		Speaker

NAYS—60

Bebko-Jones	Diven	Leach	Shaner
Belfanti	Eachus	Lederer	Solobay
Bianucci	Fabrizio	Lescovitz	Stetler
Bishop	Frankel	Mann	Sturla
Blaum	Freeman	Markosek	Surra
Caltagirone	George	McGeehan	Tangretti
Casorio	Gergely	Melio	Tigue
Cawley	Goodman	Pallone	Travaglio

Corrigan	Gruitza	Petrone	Veon
Costa	Hanna	Pistella	Walko
Coy	Harhai	Preston	Wansacz
Cruz	Horsey	Readshaw	Waters
Daley	Keller	Roberts	Wojnaroski
DeLuca	Kotik	Ruffing	Yewcic
DeWeese	Laughlin	Scrimenti	Youngblood

NOT VOTING—0

EXCUSED—3

Raymond	Samuelson	Yudichak
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The majority having voted in the affirmative, the question was determined in the affirmative and the motion was agreed to.

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

Mr. **GEORGE** offered the following amendment No. **A2567**:

Amend Title, page 1, line 2, by removing the period after “parking” and inserting

; and providing for collection of information and reporting on removal of dead animals from highways.

Amend Bill, page 1, by inserting between lines 16 and 17

Section 2. Title 75 is amended by adding a section to read: **§ 6118. Removal of dead animals from highways: reporting.**

The department and the Pennsylvania Game Commission shall jointly develop a simple and inexpensive process using existing personnel and resources to measure the number of dead animals on and the speed with which the animals are removed from highways under the department’s jurisdiction. The department and the Pennsylvania Game Commission shall report in their respective annual reports to the General Assembly the data collected under this section and any recommendations to improve the speed with which dead animals are removed from highways.

Amend Sec. 2, page 1, line 17, by striking out “2” and inserting
3

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

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

Mr. **GEORGE**. Thank you, Mr. Speaker.

Mr. Speaker, I do not believe there are any of us that do not recognize that there have been much and many animals killed on the highway, and they lay there for days. They obstruct; they cause problems; they are dangerous, and all this amendment does is we echo and insist that the Game Commission and the Department of Transportation come to an agreement where they can get these animals off the road.

I think it is agreed to, and I believe that we do well by supporting it.

Thank you.

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

The following roll call was recorded:

YEAS—98

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

NAYS—102

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

NOT VOTING—0

EXCUSED—3

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

The **SPEAKER**. The Chair would recommend the members count the dead animals on their way to work each week.

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

The SPEAKER. The gentleman, Mr. George, wishes to be recognized.

Mr. GEORGE. I think I have got quite a bit of recognition on that. I am happy to see that the Republicans on our side pity those deer so much that they would sooner let them lay there and stink up the environment. But let me tell you something, Mr. Speaker: If it is a Democrat deer, I will pick it up.

The SPEAKER. The Chair thanks the gentleman.

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—165

Adolph	Egolf	Levdansky	Ruffing
Allen	Evans, D.	Lewis	Sainato
Argall	Evans, J.	Lynch	Santoni
Baker	Fabrizio	Mackereth	Saylor
Baldwin	Feese	Maher	Scavello
Bard	Fichter	Manderino	Schroder
Barrar	Flick	Mann	Scrimenti
Bebko-Jones	Frankel	Markosek	Shaner
Belardi	Freeman	Marsico	Smith, B.
Belfanti	Gabig	McCall	Solobay
Benninghoff	Gannon	McGeehan	Staback
Bianucci	Geist	McGill	Stairs
Birmelin	George	McIlhattan	Steil
Bishop	Gergely	McIlhinney	Stern
Blaum	Gillespie	McNaughton	Stetler
Browne	Goodman	Melio	Stevenson, R.
Bunt	Grucela	Micozzie	Stevenson, T.
Butkovitz	Gruitza	Miller, R.	Sturla
Buxton	Habay	Mundy	Surra
Caltagirone	Haluska	Myers	Tangretti
Cappelli	Hanna	Nickol	Taylor, J.
Casorio	Harhai	O'Brien	Thomas
Causer	Harhart	Oliver	Tigue
Cawley	Harper	O'Neill	Travaglio
Civera	Hennessey	Pallone	Turzai
Clymer	Hershey	Payne	Veon
Cohen	Hess	Petrarca	Vitali
Corrigan	Horsey	Petri	Walko
Costa	Hutchinson	Petrone	Wansacz
Coy	James	Phillips	Washington
Cruz	Josephs	Pistella	Waters
Curry	Keller	Preston	Wheatley
Dailey	Kenny	Readshaw	Williams
Daley	Killion	Reed	Wilt
Dally	Kirkland	Reichley	Wojnaroski
DeLuca	Kotik	Rieger	Wright
Dermody	LaGrotta	Roberts	Yewcic
DeWeese	Laughlin	Roebuck	Youngblood
DiGirolamo	Leach	Rohrer	
Diven	Lederer	Rooney	
Donatucci	Leh	Ross	Perzel,
Eachus	Lescovitz	Rublely	Speaker

NAYS—35

Armstrong	Fleagle	Maitland	Semmel
Bastian	Forcier	Major	Smith, S. H.
Boyd	Gingrich	Metcalfe	Taylor, E. Z.
Coleman	Godshall	Millard	True
Cornell, S. E.	Good	Miller, S.	Vance
Crahalla	Harris	Mustio	Watson
Creighton	Hasay	Nailor	Weber
Denlinger	Herman	Pickett	Zug
Fairchild	Hickernell	Sather	

NOT VOTING—0

EXCUSED—3

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

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

SUPPLEMENTAL CALENDAR C CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2521, PN 4192**, entitled:

An Act making an appropriation from a restricted revenue account within the General Fund and from Federal augmentation funds to the Pennsylvania Public Utility Commission.

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

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

The question is, shall the bill pass finally?

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

(Members proceeded to vote.)

PARLIAMENTARY INQUIRY

The SPEAKER. There is nothing in order but the taking of the roll.

For what purpose does the gentleman, Mr. Thomas, rise?
Mr. THOMAS. A parliamentary inquiry.

Did we not just vote on this bill?

The SPEAKER. We voted on suspension, Mr. Thomas.

Mr. THOMAS. Okay. Thank you.

The SPEAKER. You are welcome, sir.

On the question recurring,
Shall the bill pass finally?

The following roll call was recorded:

YEAS—200

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

NAYS—0

NOT VOTING—0

EXCUSED—3

Raymond Samuelson Yudichak

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 SIGNED BY SPEAKER

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

HB 2042, PN 4058

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for wild turkey hunting.

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

The SPEAKER. There will be no further votes on the floor of the House today.

Does the majority leader or minority leader have any comments for the order?

STATE GOVERNMENT COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Bucks, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, the State Government Committee will continue their meeting. It was temporarily interrupted so we could come back to session. That will be in room 205. I ask all members to come quickly there, and we will finish our meeting.

In addition, Mr. Speaker, I want to announce that the State Government Committee will be looking at HB 2744 and SB 1079 tomorrow. Notices, I believe, have gone out, but I want to state for the record that these two bills will be on our agenda.

Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

State Government will meet immediately in room 205.

VOTE CORRECTION

The SPEAKER. The gentleman, Mr. Petrarca.

Mr. PETRARCA. Thank you, Mr. Speaker.

To correct the record.

The SPEAKER. The gentleman is in order.

Mr. PETRARCA. On HB 2636, amendment 2544, on the motion to table, on that motion I voted in the affirmative. I wish the record to show that my vote should have been recorded in the negative.

The SPEAKER. The Chair thanks the gentleman. The gentleman's remarks will be spread across the record.

SUBCOMMITTEE MEETING

The SPEAKER. Mr. McIlhinney.

Mr. McILHINNEY. Thank you, Mr. Speaker.

The Technology Subcommittee for the Intergovernmental Affairs Committee will be canceled tomorrow morning, and it will be at the call of the Chair at the first break tomorrow.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.
The Technology Subcommittee will meet at the first break tomorrow.

AGRICULTURE AND RURAL AFFAIRS COMMITTEE MEETING

The SPEAKER. The gentleman, Mr. Hershey.
Mr. HERSHEY. The Ag Committee will have a short meeting at the back of the floor immediately. Two resolutions; it will not take long.
Thank you.
The SPEAKER. Thank you, Mr. Hershey.
The Ag Committee will have a short meeting at the back of the floor immediately.

RECESS

The SPEAKER. This House is recessed to the call of the Chair.

AFTER RECESS

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

THE SPEAKER PRO TEMPORE (PATRICIA H. VANCE) PRESIDING

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND RECOMMITTED TO COMMITTEE ON RULES

HB 2694, PN 4216 (Amended) By Rep. CLYMER

An Act amending Title 62 (Procurement) of the Pennsylvania Consolidated Statutes, providing for consolidated contracts, for a transfer of funds to the Commonwealth Financing Authority and for the definition of "participation agreement"; and further providing for cooperative use of supplies or services.

STATE GOVERNMENT.

BILL REPORTED AND REREFERRED TO COMMITTEE ON LABOR RELATIONS

HB 2749, PN 4162 By Rep. CLYMER

An Act amending the act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code Act, further providing for referenced standards; and abrogating regulations.

STATE GOVERNMENT.

RECESS

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

AFTER RECESS

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

THE SPEAKER PRO TEMPORE (ROBERT J. FLICK) PRESIDING

GUESTS INTRODUCED

The SPEAKER pro tempore. The Chair is pleased to welcome guests of Representative Mario Scavello, and they are Cub Scout Pack 85, located in the 176th Legislative District. The Cub Scouts are accompanied by their cubmaster, Wade Maloney. The Scouts and their families are seated in the gallery. Let us give them a warm welcome.

CALENDAR CONTINUED

STATE SYSTEM OF HIGHER EDUCATION PROPERTY REQUEST NO. 1, RESOLUTION A

Mr. S. SMITH called up for consideration **SSHER 1, Resolution A**, entitled:

Resolved, That State System of Higher Education Property Request No. 1 of 2004, transmitted by the State System of Higher Education under the Public School Code of 1949 to the General Assembly under date of April 19, 2004, which is incorporated herein by reference, be approved.

On the question,
Will the House adopt State System of Higher Education Property Request No. 1, Resolution A?

The following roll call was recorded:

YEAS—201

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

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Raymond Samuelson

A majority of the members elected to the House having voted in the affirmative on State System of Higher Education Property Request No. 1, Resolution A, the question was determined in the affirmative and the resolution was adopted.

Ordered, That the clerk inform the Senate and the State System of Higher Education accordingly.

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 gentleman, Mr. Kotik, from Allegheny County.

Mr. KOTIK. Mr. Speaker, I move that this House do now adjourn until Tuesday, June 29, 2004, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 10:59 a.m., e.d.t., Tuesday, June 29, 2004, the House adjourned.