

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

SUNDAY, JULY 4, 2004

SESSION OF 2004

188TH OF THE GENERAL ASSEMBLY

No. 51

HOUSE OF REPRESENTATIVES

The House convened at 5:20 a.m., e.d.t.

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

PRAYER DISPENSED WITH

The SPEAKER. The prayer and the pledge will be dispensed with. All right. It is the Fourth of July; you are right. We will do it.

PLEDGE OF ALLEGIANCE

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

The SPEAKER. God knows, you all needed the prayers more than you needed the pledge, but—

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the Journal for Saturday, July 3, 2004, will be postponed until printed. The Chair hears no objection.

LEAVES OF ABSENCE

The SPEAKER. The Chair is about to take leaves of absence and recognizes the majority whip, who moves for a leave of absence for the gentleman from Bucks, Mr. O'NEILL. Without objection, that leave will be granted.

The Chair recognizes the minority whip, who moves for a leave of absence for the gentelady from Philadelphia, Ms. MANDERINO. Without objection, that leave will be granted.

MASTER ROLL CALL

The SPEAKER. We are about to take the master roll. Members will proceed to vote.

The following roll call was recorded:

PRESENT—201

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—2

Manderino O'Neill

LEAVES ADDED—3

Armstrong Egolf True

SUPPLEMENTAL CALENDAR A

BILLS ON CONCURRENCE
IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 1912, PN 4143**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the person with disability plate and placard, for physical examinations, for reports on mental or physical disabilities or disorders and for determination of incompetency.

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

The SPEAKER. It is moved by the gentlelady, Mrs. Vance, that the House do concur in the amendments inserted by the Senate.

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

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

The following roll call was recorded:

YEAS—201

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

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Manderino O'Neill

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

Ordered, That the clerk inform the Senate accordingly.

* * *

The House proceeded to consideration of concurrence in Senate amendments to **HB 2654, PN 4249**, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, reenacting and amending provisions relating to parking authorities and relating to taxicabs and limousines in cities of the first class; further providing for parking authority purposes and powers and special provisions in cities of the first class; providing for restrictions on parking authorities in cities of the first class; further providing for contract bids for parking authorities; further defining "limousine service"; making legislative findings as to taxicabs in cities of the first class; further providing, as to taxicabs in cities of the first class, for rates, for contested complaints, for driver certification, for budgets and fees, for certificates and medallions, for contested complaints, for wages, for regulations and for budget and fees; further providing, as to limousines in cities of the first class, for certificates of public convenience and for regulations; and making repeals related to allocation assessments against public utilities for regulatory expenses, to certificates of public convenience for taxicabs and to taxicabs in cities of the first class.

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

The SPEAKER. It is moved by the gentleman, Mr. Taylor, that the House do concur in the amendments inserted by the Senate.

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

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

The following roll call was recorded:

YEAS—201

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Manderino O'Neill

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.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HB 1912, PN 4143

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the person with disability plate and placard, for physical examinations, for reports on mental or physical disabilities or disorders and for determination of incompetency.

HB 2654, PN 4249

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, reenacting and amending provisions relating to parking authorities and relating to taxicabs and limousines in cities of the first class; further providing for parking authority purposes and powers and special provisions in cities of the first class; providing for restrictions on parking authorities in cities of the first class; further providing for contract bids for parking authorities; further defining "limousine service"; making legislative findings as to taxicabs in cities of the first class; further providing, as to taxicabs in cities of the first class, for rates, for contested complaints, for driver certification, for budgets and fees, for certificates and medallions, for contested complaints, for wages, for regulations and for budget and fees; further providing, as to limousines in cities of the first class, for certificates of public convenience and for regulations; and making repeals related to allocation assessments against public utilities for regulatory expenses, to certificates of public convenience for taxicabs and to taxicabs in cities of the first class.

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

SUPPLEMENTAL CALENDAR B

BILL ON CONCURRENCE IN SENATE AMENDMENTS AS AMENDED

The House proceeded to consideration of concurrence in Senate amendments to the following **HB 147, PN 4323**, as further amended by the House Rules Committee:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, authorizing a film production tax credit; and providing for the powers and duties of the Department of Community and Economic Development and the Department of Revenue.

On the question,

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

The SPEAKER. It is moved by the gentleman, Mr. Stevenson, that the House do concur in the amendments.

The gentleman, Mr. Samuelson.

Mr. SAMUELSON. Thank you.

I would like to interrogate Mr. Stevenson on this bill.

The SPEAKER. The gentleman, Mr. Stevenson, indicates he will stand for interrogation. The gentleman, Mr. Samuelson, is in order and may proceed.

Mr. SAMUELSON. Thank you.

I am just looking for an explanation of what the Senate amendments were. I remember we considered this bill last November. How did this change?

Mr. T. STEVENSON. Mr. Speaker, the Senate felt that it was a violation, I believe, of the interstate commerce clause to

have two requirements in the bill that we approved, so we just deleted them; the Senate deleted them. Those requirements were requiring 50 percent of the below-the-line hires come from Pennsylvania residents and at least 50 percent of the filming days are done in Pennsylvania.

But what they did, they strengthened the bill in a way, and they are requiring at least 60 percent of the production expenses be done in Pennsylvania to qualify for the tax credit. So they have strengthened the bill, and you know, I feel they have weakened the bill, but they feel it is a violation of the interstate commerce clause.

Mr. SAMUELSON. Would this bill apply to both movies and television productions?

Mr. T. STEVENSON. Yes, Mr. Speaker. It applies to all feature film, television series, and television series of 15 minutes or more in length that are intended for a national audience.

Mr. SAMUELSON. In the news recently, there has been some discussion of MTV bringing the show “Real World” to the city of Philadelphia. Would they qualify for this tax credit to produce the “Real World” show on MTV?

Mr. T. STEVENSON. If that is longer than 15 minutes, it would qualify as a TV series.

Mr. SAMUELSON. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

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

The SPEAKER. 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	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	Mann	Semmel
Bastian	Forcier	Markosek	Shaner
Bebko-Jones	Frankel	Marsico	Smith, B.
Belardi	Freeman	McCall	Smith, S. H.
Belfanti	Gabig	McGeehan	Solobay
Benninghoff	Gannon	McGill	Staback
Bianucci	Geist	McIlhattan	Stairs
Birmelin	George	McIlhinney	Steil
Bishop	Gergely	McNaughton	Stern
Blaum	Gillespie	Melio	Stetler
Boyd	Gingrich	Metcalfe	Stevenson, R.
Browne	Godshall	Micozzie	Stevenson, T.
Bunt	Good	Millard	Sturla
Butkovitz	Goodman	Miller, R.	Surra
Buxton	Grucela	Miller, S.	Tangretti
Caltagirone	Gruitza	Mundy	Taylor, E. Z.
Cappelli	Habay	Mustio	Taylor, J.
Casorio	Haluska	Myers	Thomas
Causser	Hanna	Nailor	Tigue
Cawley	Harhai	Nickol	Travaglio
Civera	Harhart	O'Brien	True
Clymer	Harper	Oliver	Turzai
Cohen	Harris	Pallone	Vance
Coleman	Hasay	Payne	Veon
Cornell, S. E.	Hennessey	Petrarca	Vitali

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

NAYS—1

Samuelson

NOT VOTING—0

EXCUSED—2

Manderino O'Neill

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

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

SUPPLEMENTAL CALENDAR C

REPORT OF COMMITTEE OF CONFERENCE

Mr. ARGALL called up for consideration the following report of the committee of conference on **HB 2579, PN 4326**, entitled:

An Act to provide from the General Fund for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and for the public schools for the fiscal year July 1, 2004, to June 30, 2005, for certain institutions and organizations, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2004; to provide appropriations from the State Lottery Fund, the Energy Conservation and Assistance Fund, the Hazardous Material Response Fund, The State Stores Fund, the Milk Marketing Fund, the Home Investment Trust Fund, the Emergency Medical Services Operating Fund, the Tuition Payment Fund, the Banking Department Fund, the Firearm Records Check Fund, the Ben Franklin Technology Development Authority Fund, the Tobacco Settlement Fund, the Health Care Provider Retention Account and the Alternative Fuels Incentive Grant Fund to the Executive Department; to provide appropriations from the Judicial Computer System Augmentation Account to the Judicial Department for the fiscal year July 1, 2004, to June 30, 2005; to provide appropriations from the Motor License Fund for the fiscal year July 1, 2004, to June 30, 2005, for the proper operation of the several departments of the Commonwealth and the Pennsylvania State Police authorized to spend Motor License Fund moneys; to provide for the appropriation of Federal funds to the Executive Department of the Commonwealth and for the establishment

of restricted receipt accounts for the fiscal year July 1, 2004, to June 30, 2005, and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2004; to provide for the additional appropriation of Federal and State funds from the General Fund, for the Executive and the Legislative Departments of the Commonwealth for the fiscal year July 1, 2003, to June 30, 2004, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2003.

On the question,

Will the House adopt the report of the committee of conference?

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

(Members proceeded to vote.)

The SPEAKER. There seems to have been an electrical error here.

PARLIAMENTARY INQUIRY

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

Mr. VITALI. Parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. VITALI. Do you need a rules suspension to do this since you have to wait 24 hours?

The SPEAKER. The Parliamentarian indicates the gentleman is correct.

VOTE STRICKEN

The SPEAKER. The clerk will strike the board.

RULES SUSPENDED

The SPEAKER. The Chair recognizes the majority leader.

Mr. S. SMITH. Mr. Speaker, I move that the rules of the House be suspended for immediate consideration of House Conference Report No. 2579, PN 4326.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—196

Adolph	Egolf	Levdansky	Sainato
Allen	Evans, D.	Lewis	Santoni
Argall	Evans, J.	Lynch	Sather
Armstrong	Fabrizio	Mackereth	Saylor
Baker	Fairchild	Maher	Scavello
Baldwin	Feese	Maitland	Schroder
Bard	Fichter	Major	Scrimenti
Barrar	Fleagle	Mann	Semmel
Bastian	Flick	Markosek	Shaner
Bebko-Jones	Forcier	Marsico	Smith, B.
Belardi	Frankel	McCall	Smith, S. H.
Belfanti	Gabig	McGeehan	Solobay
Benninghoff	Gannon	McGill	Staback
Bianucci	Geist	McIlhattan	Stairs
Birmelin	George	McIlhinney	Steil
Bishop	Gergely	McNaughton	Stern
Blaum	Gillespie	Melio	Stetler

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

NAYS—5

Freeman	Metcalfe	Samuelson	Vitali
Hutchinson			

NOT VOTING—0

EXCUSED—2

Manderino	O'Neill
-----------	---------

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.

REPORT OF COMMITTEE OF CONFERENCE

Mr. ARGALL called up for consideration the following report of the committee of conference on **HB 2579, PN 4326**, entitled:

An Act to provide from the General Fund for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and for the public schools for the fiscal year July 1, 2004, to June 30, 2005, for certain institutions and organizations, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2004; to provide appropriations from the State Lottery Fund, the Energy Conservation and Assistance Fund, the Hazardous Material Response Fund, The State Stores Fund, the Milk Marketing Fund, the Home Investment Trust Fund, the Emergency Medical Services Operating Fund, the Tuition Payment Fund, the Banking Department Fund, the Firearm Records Check Fund, the Ben Franklin Technology Development Authority Fund, the Tobacco Settlement Fund, the Health Care Provider Retention Account and the Alternative Fuels Incentive Grant Fund to the Executive Department; to provide

appropriations from the Judicial Computer System Augmentation Account to the Judicial Department for the fiscal year July 1, 2004, to June 30, 2005; to provide appropriations from the Motor License Fund for the fiscal year July 1, 2004, to June 30, 2005, for the proper operation of the several departments of the Commonwealth and the Pennsylvania State Police authorized to spend Motor License Fund moneys; to provide for the appropriation of Federal funds to the Executive Department of the Commonwealth and for the establishment of restricted receipt accounts for the fiscal year July 1, 2004, to June 30, 2005, and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2004; to provide for the additional appropriation of Federal and State funds from the General Fund, for the Executive and the Legislative Departments of the Commonwealth for the fiscal year July 1, 2003, to June 30, 2004, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2003.

On the question recurring,

Will the House adopt the report of the committee of conference?

The SPEAKER. 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, J.	Levdansky	Santoni
Allen	Fabrizio	Lewis	Sather
Argall	Fairchild	Lynch	Saylor
Armstrong	Feese	Mackereth	Scavello
Baker	Fichter	Maher	Schroder
Baldwin	Fleagle	Maitland	Scrimenti
Bard	Flick	Majors	Semmel
Barrar	Frankel	Mann	Shaner
Bastian	Freeman	Markosek	Smith, B.
Bebko-Jones	Gabig	Marsico	Smith, S. H.
Belardi	Gannon	McCall	Staback
Belfanti	Geist	McGeehan	Stairs
Benninghoff	George	McGill	Steil
Biancucci	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
Causser	Hanna	Myers	Tigue
Cawley	Harhai	Nailor	Travaglio
Civera	Harhart	Nickol	True
Clymer	Harper	O'Brien	Turzai
Cohen	Harris	Oliver	Vance
Coleman	Hasay	Pallone	Veon
Cornell, S. E.	Hennessey	Payne	Vitali
Corrigan	Herman	Petri	Walko
Costa	Hershey	Petrone	Wansacz
Coy	Hess	Phillips	Washington
Crahalla	Hickernell	Pickett	Waters
Creighton	Horsey	Pistella	Watson
Cruz	Hutchinson	Preston	Weber
Curry	James	Raymond	Wheatley
Dailey	Josephs	Readshaw	Williams
Daley	Keller	Reed	Wilt
Dally	Kenney	Reichley	Wojnaroski
DeLuca	Killion	Rieger	Wright
Denlinger	Kirkland	Roberts	Yewcic
Dermody	Kotik	Roebuck	Youngblood
DeWeese	LaGrotta	Rooney	Yudichak
DiGirolamo	Laughlin	Ross	Zug
Diven	Leach	Rubley	
Donatucci	Lederer	Ruffing	

Eachus	Leh	Sainato	Perzel,
Evans, D.	Lescovitz	Samuelson	Speaker

NAYS—8

Birmelin	Egolf	Metcalfe	Rohrer
Casorio	Forcier	Petrarca	Solobay

NOT VOTING—0

EXCUSED—2

Manderino	O'Neill
-----------	---------

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the committee of conference was adopted.

Ordered, That the clerk inform the Senate accordingly.

The SPEAKER. The Chair thanks the gentleman, Mr. Vitali. That would have been a major error on our part. Thank you.

STATEMENT BY MR. ARGALL

Mr. ARGALL. Mr. Speaker?

The SPEAKER. The gentleman, Mr. Argall.

Mr. ARGALL. Would I be in order just to say thank you to the members of the House and the staff, especially Representative Evans.

This year's budget deliberations were not quite as exciting as last year's, and that is a very good thing, and I would like to thank all of you for your kind assistance and persistence.

STATEMENT BY MR. D. EVANS

The SPEAKER. The gentleman, Mr. Evans.

Mr. D. EVANS. Mr. Speaker, I, too, would like to thank my leaders as well as the majority leader and the chair of Appropriations for their help and cooperation, and I especially want to make sure I thank my staff, Miriam Fox, who deserves a real good hand for her work itself.

But mainly, I think it is a good budget, but especially it is a good budget that was able to get those paychecks in our pockets.

Thank you very much.

RULES SUSPENDED

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

Mr. S. SMITH. Mr. Speaker, I move that the rules of the House be suspended for immediate consideration of Conference Committee Report HB 564, PN 4325.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—201

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Manderino O'Neill

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.

REPORT OF COMMITTEE OF CONFERENCE

Mr. BUNT called up for consideration the following report of the committee of conference on **HB 564, PN 4325**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for background checks of prospective employees; providing for optometric externs; further providing for management information reports, for reports to the Secretary of Education, for withholding of State appropriations, for delinquent taxes and appointment of collector, for power of board of school directors to reopen certain budgets, for referendum or public hearing required prior to construction or lease and for school police officers; providing for attendance at schools for the performing arts; further providing for cost of tuition and maintenance of certain exceptional children in approved institutions and for actual cost of tuition and maintenance of certain exceptional children in chartered schools for the sight and hearing impaired; providing for agreements with institutions of higher education; further providing for firefighter and emergency services training and for educational assistance program; adding provisions relating to character education program; establishing the Pennsylvania Athletic Oversight Committee; further providing for powers of charter schools, for charter school facilities, for causes for nonrenewal or termination of charter, for education empowerment districts, for mandate waiver program, for limitations on education empowerment districts and for election or appointment and term and organization of boards of trustees of community colleges; providing for Community College Nonmandated Capital Restricted Account; further providing for Board of Governors of the State System of Higher Education, for educational improvement tax credit, for small district assistance and for temporary special aid to school districts; providing for basic education funding for 2003-2004 school year and for payments on account of Limited English Proficiency programs; and further providing for payments to intermediate units, for special education payments to school districts, for Commonwealth reimbursements for charter schools and cyber charter schools and for Pennsylvania Accountability grants.

On the question,

Will the House adopt the report of the committee of conference?

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

Mr. VITALI. Thank you, Mr. Speaker.

I wonder if we could have a brief explanation of this.

Mr. S. SMITH. Mr. Speaker, I will—

The SPEAKER. The gentleman, Mr. Smith, indicates that he will give that brief explanation.

Mr. S. SMITH. Mr. Speaker, this is the Education Code bill, which is basically the language that drives out all of the \$5 billion that is going to public education this year.

On the question recurring,

Will the House adopt the report of the committee of conference?

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

The following roll call was recorded:

YEAS—201

Adolph	Evans, D.	Levdansky	Samuelson
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	Mann	Semmel
Bastian	Forcier	Markosek	Shaner
Bebko-Jones	Frankel	Marsico	Smith, B.
Belardi	Freeman	McCall	Smith, S. H.
Belfanti	Gabig	McGeehan	Solobay
Benninghoff	Gannon	McGill	Staback

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Manderino O'Neill

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the committee of conference was adopted.

Ordered, That the clerk inform the Senate accordingly.

SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 2472, PN 4320**; and **HB 2726, PN 4321**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

RULES COMMITTEE MEETING

The SPEAKER. The gentleman, Mr. Smith, calls for an immediate meeting of the Rules Committee.

BILLS ON CONCURRENCE REPORTED FROM COMMITTEE

HB 2472, PN 4320

By Rep. S. SMITH

An Act amending the act of February 9, 1999 (P.L.1, No.1), known as the Capital Facilities Debt Enabling Act, adding and amending definitions; and further providing for borrowing limitations, for bond terms and conditions, for the Capital Debt Fund, for registration of bonds, for appropriation for and limitation on redevelopment assistance capital projects and for funding and administration of redevelopment assistance capital projects.

RULES.

HB 2726, PN 4321

By Rep. S. SMITH

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 and for State aid for 2004-2005.

RULES.

BILL REREPORTED FROM COMMITTEE

SB 971, PN 1340

By Rep. ARGALL

An Act amending the act of July 8, 1978 (P.L.752, No.140), known as the Public Employee Pension Forfeiture Act, further defining "crimes related to public office or public employment" to include certain sexual offenses committed by school employees against students.

APPROPRIATIONS.

SUPPLEMENTAL CALENDAR D

RULES SUSPENDED

The SPEAKER. The Chair recognizes the majority leader.

Mr. S. SMITH. Mr. Speaker, I move that the rules of the House be suspended for immediate consideration of SB 971, PN 1340.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—201

Adolph	Evans, D.	Levdansky	Samuelson
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	Mann	Semmel
Bastian	Forcier	Markosek	Shaner

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Manderino O'Neill

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

The House proceeded to third consideration of **SB 971, PN 1340**, entitled:

An Act amending the act of July 8, 1978 (P.L.752, No.140), known as the Public Employee Pension Forfeiture Act, further defining "crimes related to public office or public employment" to include certain sexual offenses committed by school employees against students.

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

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

The following roll call was recorded:

YEAS-201

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Manderino O'Neill

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same without amendment.

SENATE MESSAGE

**REPORTS OF COMMITTEES OF CONFERENCE
ADOPTED BY SENATE**

The clerk of the Senate, being introduced, informed that the Senate has adopted the reports of the committees of conference on the subject of the differences existing between the two Houses on **HB 564, PN 4325**; and **HB 2579, PN 4326**.

SENATE MESSAGE

**HOUSE AMENDMENTS
CONCURRED IN BY SENATE**

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to **SB 508, PN 1727**; **SB 979, PN 1779**; **SB 1039, PN 1791**; and **SB 1139, PN 1784**.

SUPPLEMENTAL CALENDAR E

RULES SUSPENDED

The **SPEAKER**. The Chair recognizes the majority leader.
Mr. S. SMITH. Mr. Speaker, I move that the rules of the House be suspended for immediate consideration of **SB 157, PN 1766**.

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

The following roll call was recorded:

YEAS—201

Adolph	Evans, D.	Levdansky	Samuelson
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	Mann	Semmel
Bastian	Forcier	Markosek	Shaner
Bebko-Jones	Frankel	Marsico	Smith, B.
Belardi	Freeman	McCall	Smith, S. H.
Belfanti	Gabig	McGeehan	Solobay
Benninghoff	Gannon	McGill	Staback
Biancucci	Geist	McIlhattan	Stairs
Birmelin	George	McIlhinney	Steil
Bishop	Gergely	McNaughton	Stern
Blaum	Gillespie	Melio	Stetler
Boyd	Gingrich	Metcalfe	Stevenson, R.
Browne	Godshall	Micozzie	Stevenson, T.
Bunt	Good	Millard	Sturla
Butkovitz	Goodman	Miller, R.	Surra
Buxton	Grucela	Miller, S.	Tangretti

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Manderino O'Neill

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 CONCURRENCE
IN SENATE AMENDMENTS
TO HOUSE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to House amendments to **SB 157, PN 1766**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for firefighter and emergency service training as creditable high school courses; reenacting provisions relating to education empowerment districts and for temporary aid for school districts affected by reductions in assessed value of real estate; reenacting provisions for powers and duties of the State Board of Education; and providing for regulation of credit card marketing on a college or university campus.

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

The **SPEAKER**. It is moved by the gentleman, Mr. Smith, that the House concur in the amendments.

The Chair recognizes the gentleman, Mr. Cohen.

Mr. COHEN. Thank you, Mr. Speaker.
Mr. Speaker, I do not think we have caucused on this. Could Mr. Smith explain what this bill does?

The SPEAKER. The House will be temporarily at ease.
Does Mr. Cohen seek recognition? Mr. Cohen.

Mr. COHEN. Mr. Speaker, could the gentleman, Mr. Flick, either give that document to me or read the document himself? Okay. Thank you.

Mr. Speaker, I have been given information from Mr. Flick that the Senate amendments were technical in nature, and they included a deletion of an unnecessary cross reference, the correction of an incorrect reference relative to the law governing EMT (emergency medical technician) training, and technical changes to a few definitions in the credit card marketing provisions. The Senate also reenacted sections 1705-B, 2502.30, and 2603-B(D)(III) of the code, and the reenactment was necessary because of the later than usual passage of the school funding bill, and these sections were not technically in effect for a period of time during the fiscal year.

I have no objection to the bill, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House concur in Senate amendments to House amendments?

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

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

NAYS—1

Harper

NOT VOTING—0

EXCUSED—2

Manderino O'Neill

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments to House amendments were concurred in.
Ordered, That the clerk inform the Senate accordingly.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SB 100, PN 1789

An Act providing for taxation by school districts, for State funds and for wage and net profits tax relief in cities of the first class; and making an appropriation.

SB 508, PN 1727

An Act amending the act of May 16, 1923 (P.L.207, No.153), referred to as the Municipal Claim and Tax Lien Law, providing for the definition of "charges, expenses and fees"; and further providing for redemption of property and for challenging foreclosure sales.

SB 979, PN 1779

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for declaration of policy; defining "contemporaneous alternative method"; repealing provisions relating to videotaped depositions by a child victim or child material witness; further providing for recorded testimony, for testimony by contemporaneous alternative methods, for admissibility of certain statements, for hearsay, for use of dolls, for child victims of sexual or physical abuse and for comparative negligence.

SB 1039, PN 1791

An Act amending Title 65 (Public Officers) of the Pennsylvania Consolidated Statutes, clarifying the definition of "agency."

SB 1139, PN 1784

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.

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

SUPPLEMENTAL CALENDAR F

RULES SUSPENDED

The SPEAKER. The Chair recognizes the majority leader.

Mr. S. SMITH. Mr. Speaker, I move that the rules of the House be suspended for immediate consideration of HB 2726, PN 4321.

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

The following roll call was recorded:

YEAS—201

Adolph	Evans, D.	Levdansky	Samuelson
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	Mann	Semmel
Bastian	Forcier	Markosek	Shaner
Bebko-Jones	Frankel	Marsico	Smith, B.
Belardi	Freeman	McCall	Smith, S. H.
Belfanti	Gabig	McGeehan	Solobay
Benninghoff	Gannon	McGill	Staback
Bianucci	Geist	McIlhattan	Stairs
Birmelin	George	McIlhinney	Steil
Bishop	Gergely	McNaughton	Stern
Blau	Gillespie	Melio	Stetler
Boyd	Gingrich	Metcalfe	Stevenson, R.
Browne	Godshall	Micozzie	Stevenson, T.
Bunt	Good	Millard	Sturla
Butkovitz	Goodman	Miller, R.	Surra
Buxton	Grucela	Miller, S.	Tangretti
Caltagirone	Gruitza	Mundy	Taylor, E. Z.
Cappelli	Habay	Mustio	Taylor, J.
Casorio	Haluska	Myers	Thomas
Causar	Hanna	Nailor	Tigue
Cawley	Harhai	Nickol	Travaglio
Civera	Harhart	O'Brien	True
Clymer	Harper	Oliver	Turzai
Cohen	Harris	Pallone	Vance
Coleman	Hasay	Payne	Veon
Cornell, S. E.	Hennessey	Petrarca	Vitali
Corrigan	Herman	Petri	Walko
Costa	Hershey	Petrone	Wansacz
Coy	Hess	Phillips	Washington
Crahalla	Hickernell	Pickett	Waters
Creighton	Horsey	Pistella	Watson
Cruz	Hutchinson	Preston	Weber
Curry	James	Raymond	Wheatley
Dailey	Josephs	Readshaw	Williams
Daley	Keller	Reed	Wilt
Dally	Kenny	Reichley	Wojnaroski
DeLuca	Killion	Rieger	Wright
Denlinger	Kirkland	Roberts	Yewcic

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Manderino O'Neill

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 CONCURRENCE
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 2726, PN 4321**, entitled:

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 and for State aid for 2004-2005.

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

The SPEAKER. It is moved by the gentleman, Mr. Stevenson, that the House concur in the amendments.

On that question, the Chair recognizes the gentleman, Mr. Eachus.

Mr. EACHUS. Thank you, Mr. Speaker.

Mr. Speaker, I have great concern about a section of this legislation that came over on concurrence from the Senate. I will refer the members to page 16 of the bill, section (c), referring to costs. I believe, sir, this will have a significant impact on prevailing wage, and I wanted to make sure that my statements were on the record today— Excuse me, Mr. Speaker. The numbers have changed a couple of times. I am on the wrong bill.

The SPEAKER. I apologize if there is confusion. I did go back, and I resuspended the rules for HB 2726, PN 4321.

Mr. EACHUS. Excuse me. I would like to reserve my comments for the appropriate legislation.

The SPEAKER. Not a problem, Mr. Eachus; not a problem.

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

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

The following roll call was recorded:

YEAS—201

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Manderino	O'Neill
-----------	---------

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.

RULES SUSPENDED

The SPEAKER. The Chair recognizes the majority leader.
Mr. S. SMITH. Mr. Speaker, I move that the rules of the House be suspended for immediate consideration of HB 2472, PN 4320.

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

The following roll call was recorded:

YEAS—201

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Manderino O'Neill

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 CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 2472, PN 4320**, entitled:

An Act amending the act of February 9, 1999 (P.L.1, No.1), known as the Capital Facilities Debt Enabling Act, adding and amending definitions; and further providing for borrowing limitations, for bond terms and conditions, for the Capital Debt Fund, for registration of bonds, for appropriation for and limitation on redevelopment assistance capital projects and for funding and administration of redevelopment assistance capital projects.

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

The SPEAKER. It is moved by the gentleman, Mr. Evans, that the House do concur in those amendments, and on that question, the Chair recognizes the gentleman, Mr. Eachus.

Mr. EACHUS. Thank you, Mr. Speaker.

Once again I would like to refer members to page 16 of this bill on concurrence, referring to costs, sections (c) and (d). Those would be lines 19 through 26. Mr. Speaker, I am concerned that the removal of professional services and the proportional requirements for State and non-State share within this language inserted just 40 minutes ago in the Senate could have a deleterious effect on prevailing wage.

Mr. Speaker, I truly believe that redevelopment assistance projects are fundamentally design and construction projects, and there should never be a situation where tax-exempt bond projects are used for either soft money and/or land acquisition.

Mr. Speaker, if the legislative intent of this language is to circumvent current prevailing wage laws and allow for some scheme to be able to purchase land and avoid construction costs associated with prevailing wage, it would be deeply concerning to many of our workers and construction trade workers around the Commonwealth, and I wanted to make sure I made that clear for the record this evening.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Beaver, Mr. Veon.

Mr. VEON. Thank you, Mr. Speaker.

Mr. Speaker, I would join with the gentleman in expressing tremendous concern about this provision that he articulated in this law, and there is no question in my mind that this is a sneak attack by the Republican members of the State Senate on the prevailing wage law. I do not think it is any secret that over the last 3 or 4 months there had been an effort to try to get this administration to back away from strict adherence and strict enforcement of the prevailing wage law, and for many of us who have been strong advocates of that law for many, many years, this provision raises great concern.

And as the gentleman described, if you look at those sections in this law, in my judgment, it is clearly an attempt, clearly an attempt, to circumvent, to allow for the circumvention of the prevailing wage law, and the section would allow that circumvention by allowing the State money that would be provided by the redevelopment assistance bill that will pass this House in a few moments to be used for soft costs, such as design, professional services, and land, and separate those soft costs out using State money for the soft costs, and then take the private money also involved in that project for the construction and, in my judgment at least, attempt to allow the private money applied for construction to then be non-prevailing-wage project.

Mr. Speaker, I just want to make it clear that I am going to vote for this bill, but I am going to work very hard with the Secretary of Labor and Industry, the officials in the Department of Labor and Industry, with the Governor himself, with the staff in the Governor's Office, to do everything possible to make sure that everybody involved understands that redevelopment assistance program is a program that fundamentally is a design and construction program, and you should not be allowed to lay off all of the State costs on the soft side simply as a way to circumvent the prevailing wage law, and if that effort and attempt is made, then I know that I will be back in this legislature very quickly to try to make sure that that cannot happen under Pennsylvania State law.

Mr. Speaker, with those concerns expressed, I do recognize that there is a tremendous amount of money involved here for capital projects, and I am going to vote for this bill and encourage you to do the same.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

PARLIAMENTARY INQUIRY

The SPEAKER. The Chair recognizes the gentlelady from Montgomery, Ms. Bard.

Ms. BARD. Thank you, Mr. Speaker.

Parliamentary inquiry.

I had an amendment filed to HB 2472. I am wondering if there is any way that I could offer that amendment, quickly.

The SPEAKER. It is our understanding, Ms. Bard, that your amendment was drawn to a prior printer's number. It would necessitate you sending it up to the Reference Bureau and having it redrafted.

I am sorry, and plus you would have to suspend the rules, and I do not think the crowd out there is of a mind to do that for you.

Ms. BARD. We could suspend the rules? I am sorry. I did not hear you, Mr. Speaker.

The SPEAKER. I am not so sure that the crowd out there is of a mind to suspend the rules for you, but you could try it.

Ms. BARD. Thank you, Mr. Speaker.

This amendment would continue the procedures that have been followed recently in State government where State buildings are green certified to meet LEED (Leadership in Energy and Environmental Design) standards, and this amendment would require that of expenditures of State moneys.

The SPEAKER. Maybe I did not say what I should have properly.

First off, your amendment is drafted to the wrong printer's number. You would have to get it drafted to the correct

printer's number, 4320, and even if you have done that, you would have to suspend the rules to get that amendment to be brought up immediately.

Ms. BARD. All right. Thank you, Mr. Speaker.

Given the lateness of the hour and the indulgence of the members, I will forgo this and hopefully have an opportunity in the future.

Thank you.

The SPEAKER. The entire body thanks the gentlelady.

On the question recurring,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—201

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Manderino O'Neill

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.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HB 2472, PN 4320

An Act amending the act of February 9, 1999 (P.L.1, No.1), known as the Capital Facilities Debt Enabling Act, adding and amending definitions; and further providing for borrowing limitations, for bond terms and conditions, for the Capital Debt Fund, for registration of bonds, for appropriation for and limitation on redevelopment assistance capital projects and for funding and administration of redevelopment assistance capital projects.

HB 2726, PN 4321

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 and for State aid for 2004-2005.

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

LEAVES OF ABSENCE

The SPEAKER. The Chair returns to leaves of absence. The majority whip requests a leave of absence for the gentlelady from Lancaster, Mrs. TRUE; the gentleman from Lancaster, Mr. ARMSTRONG; and the gentleman, Mr. EGOLF. Without objection, those leaves will be granted.

CALENDAR

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2035, PN 4227**, entitled:

An Act providing for minimum energy efficiency standards for certain appliances and equipment; and providing for the powers and duties of the Pennsylvania Public Utility Commission and of the Attorney General.

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

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.
The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—182

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

NAYS—16

Boyd	Forcier	McIlhattan	Rohrer
Causar	Gabig	Metcalfe	Smith, B.
Coleman	Hutchinson	Millard	Stevenson, R.
Creighton	Kotik	Mustio	Zug

NOT VOTING—0

EXCUSED—5

Armstrong	Manderino	O'Neill	True
Egolf			

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.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HB 564, PN 4325

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for background checks of prospective employees; providing for optometric externs; further providing for management information reports, for reports to the Secretary of Education, for withholding of State appropriations, for delinquent taxes and appointment of collector, for power of board of school directors to reopen certain budgets, for referendum or public hearing required prior to construction or lease and for school police officers; providing for attendance at schools for the performing arts; further providing for cost of tuition and maintenance of certain exceptional children in approved institutions and for actual cost of tuition and maintenance of certain exceptional children in chartered schools for the sight and hearing impaired; providing for agreements with institutions of higher education; further providing for firefighter and emergency services training and for educational assistance program; adding provisions relating to character education program; establishing the Pennsylvania Athletic Oversight Committee; further providing for powers of charter schools, for charter school facilities, for causes for nonrenewal or termination of charter, for education empowerment districts, for mandate waiver program, for limitations on education empowerment districts and for election or appointment and term and organization of boards of trustees of community colleges; providing for Community College Nonmandated Capital Restricted Account; further providing for Board of Governors of the State System of Higher Education, for educational improvement tax credit, for small district assistance and for temporary special aid to school districts; providing for basic education funding for 2003-2004 school year and for payments on account of Limited English Proficiency programs; and further providing for payments to intermediate units, for special education payments to school districts, for Commonwealth reimbursements for charter schools and cyber charter schools and for Pennsylvania Accountability grants.

HB 2579, PN 4326

An Act to provide from the General Fund for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and for the public schools for the fiscal year July 1, 2004, to June 30, 2005, for certain institutions and organizations, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2004; to provide appropriations from the State Lottery Fund, the Energy Conservation and Assistance Fund, the Hazardous Material Response Fund, The State Stores Fund, the Milk Marketing Fund, the Home Investment Trust Fund, the Emergency Medical Services Operating Fund, the Tuition Payment Fund, the Banking Department Fund, the Firearm Records Check Fund, the Ben Franklin Technology Development Authority Fund, the Tobacco Settlement Fund, the Health Care Provider Retention Account and the Alternative Fuels Incentive Grant Fund to the Executive Department; to provide appropriations from the Judicial Computer System Augmentation Account to the Judicial Department for the fiscal year July 1, 2004, to June 30, 2005; to provide appropriations from the Motor License Fund for the fiscal year July 1, 2004, to June 30, 2005, for the proper operation of the several departments of the Commonwealth and the Pennsylvania State Police authorized to spend Motor License Fund moneys; to provide for the appropriation of Federal funds to the Executive Department of the Commonwealth and for the establishment of restricted receipt accounts for the fiscal year July 1, 2004, to June 30, 2005, and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2004; to provide for the additional appropriation of Federal and State funds from the

General Fund, for the Executive and the Legislative Departments of the Commonwealth for the fiscal year July 1, 2003, to June 30, 2004, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2003.

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

ANNOUNCEMENT BY SPEAKER

The SPEAKER. It is the intention of the Chair to come back on the floor at 7:15, about 20 minutes from now. We are waiting for two bills. If the two bills do not get here by then, we will adjourn and go home by 7:30. I apologize for this. We had thought that our colleagues in the Senate would have sent them in a little bit more of an expeditious timeframe, but they have not.

MOTION TO ADJOURN

The SPEAKER. Mr. Miller.

Mr. MILLER. Mr. Speaker, I would like to make a motion that the House be adjourned until September 27.

The SPEAKER. Under any set of circumstances, Mr. Miller, even if all the members left, I would appreciate it if you would allow us to at least leave the desk open so that we can sign the bills that are coming back and forth between the two chambers. Some of them are bills that the members have wanted; some of them the Governor's Office has wanted.

Mr. MILLER. I appreciate that, Mr. Speaker.

The SPEAKER. I am sorry about that.

Mr. DeWeese.

MOTION WITHDRAWN

The SPEAKER. Mr. Miller.

Mr. MILLER. I withdraw the motion.

The SPEAKER. The Chair thanks the gentleman.

Mr. DeWEESE. Thank you, Mr. Speaker.

I was just going to thank the Speaker for his deliberate scheduling efforts under very, very difficult and challenging circumstances. It does seem that there is some languor and nonchalance somewhere in the process, and it certainly is not in the House of Representatives. Having said that, I think the Speaker made a very circumspect and prudent decision that we allow another 20 minutes, and then at 7:30 we should take the advice of the Speaker.

This has been a long and grueling enterprise which will approach 24 hours, and the health of our members is something that should be taken into consideration, and I want to compliment the Speaker on his decisive scheduling actions that were just consolidated a few moments ago.

0 I was going to rise and respectfully request that the gentleman reconsider. He did. I am very gratified, and we will just linger another 20 minutes.

RECESS

The SPEAKER. The House 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 (PATRICIA H. VANCE) PRESIDING

RULES SUSPENDED

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

Mr. S. SMITH. Madam Speaker, I move that the House suspend rule 15 so that when it reconvenes on Tuesday, we may begin at 11 a.m. instead of 1 p.m.

On the question,

Will the House agree to the motion?

Motion was agreed to.

ADJOURNMENT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Jefferson County, Mr. Smith.

Mr. S. SMITH. Madam Speaker, I move that this House do now adjourn until Tuesday, July 6, 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, July 6, 2004, the House adjourned.