

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

MONDAY, OCTOBER 4, 2004

SESSION OF 2004

188TH OF THE GENERAL ASSEMBLY

No. 56

### HOUSE OF REPRESENTATIVES

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

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

#### PRAYER

REV. GLEN BAYLY, Guest Chaplain of the House of Representatives, offered the following prayer:

Let us join our hearts in prayer:

Our gracious and loving Heavenly Father, we come before You today to take this moment out to honor You and to seek Your favor upon this place. We thank You for Your many blessings this afternoon. We thank You for Your kindness and goodness to us. We thank You for our material blessings, the abundance that we share in this land. We thank You for food and clothing and shelter. We thank You for our freedoms – freedom of speech and the press, freedom of worship, and freedom of assembly. We thank You for our relationships that You have given us, the things that we enjoy in life. Each and every good thing comes from Your hand, and we would pause to give thanks today.

We also ask You to forgive us today for those things that we do that harm our relationship with You and our relationships with others. We thank You that You are a merciful and loving God and desire to forgive us today.

Then we ask Your blessing on our government today. For each thing that is done in this chamber and in this body of government, we pray Your blessing upon it. May it be Your will, whatever is done, that it would be to the advancement of good and that the people of the State of Pennsylvania would be blessed as a result.

We also would ask that You would be with those who are protecting our freedoms today on the front lines in Iraq and Afghanistan. We commit them to Your care and ask You to grant them success. We ask for peace in those nations, that the governments would be established and that those individuals in those lands would also experience freedom.

Lord, we do ask for our President Bush today that You would be with him and grant him Your peace and grant him wisdom and guidance. We pray for our Governor Rendell that You would likewise bless him and direct him and guide him as he leads our State.

And also we would ask now for the individuals of this body. We pray for each one and their families today. We ask that You would give Your hand of blessing upon them, and may You bless their physical health and their family relationships.

May love be the center of our lives, and may we not get so busy that we do not spend time with those that we care for most.

And, Lord, we pray for financial needs, we pray for emotional needs today, and we ask for these same things for all the people of our State.

Guide us now in this session and we commit it to You, and we ask all these things in Your holy and precious name. Amen.

#### PLEDGE OF ALLEGIANCE

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

#### JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Wednesday, September 29, 2004, will be postponed until printed.

#### JOURNALS APPROVED

The SPEAKER. However, the following Journals are in print:

Monday, May 10;  
Tuesday, May 11;  
Wednesday, May 12;  
Monday, May 17;  
Tuesday, May 18;  
Wednesday, May 19;  
Monday, May 24;  
Tuesday, May 25;  
Wednesday, May 26;  
Monday, June 7;  
Tuesday, June 8;  
Wednesday, June 9;  
Monday, June 14; and  
Tuesday, June 15, 2004.

Without objection, these Journals will be approved.

#### HOUSE BILLS INTRODUCED AND REFERRED

No. 2860 By Representatives RUBLEY, NICKOL, ARMSTRONG, BARD, BASTIAN, BELFANTI, CLYMER, CRAHALLA, FAIRCHILD, FICHTER, FLEAGLE, FRANKEL, GEORGE, GINGRICH, GOOD, GOODMAN, HARRIS, HENNESSEY, HORSEY, LAUGHLIN,

LEVDANSKY, S. MILLER, NAILOR, PHILLIPS, SCAVELLO, SCHRODER, B. SMITH, STEIL, STERN, R. STEVENSON, E. Z. TAYLOR, TIGUE, VANCE, WATSON, WILT, YUDICHAK, YOUNGBLOOD and BROWNE

An Act amending Title 27 (Environmental Resources) of the Pennsylvania Consolidated Statutes, further providing for definitions and for the Pennsylvania Infrastructure Investment Authority.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, October 4, 2004.

**No. 2861** By Representatives RUBLEY, NICKOL, ARMSTRONG, BARD, BASTIAN, BELFANTI, CLYMER, CRAHALLA, FAIRCHILD, FICHTER, FLEAGLE, FRANKEL, GEORGE, GINGRICH, GOOD, GOODMAN, HARRIS, HENNESSEY, HORSEY, LAUGHLIN, LEVDANSKY, S. MILLER, NAILOR, PHILLIPS, SCAVELLO, SCHRODER, B. SMITH, STEIL, STERN, R. STEVENSON, E. Z. TAYLOR, TIGUE, VANCE, WATSON, WILT, YUDICHAK, BROWNE and YOUNGBLOOD

An Act amending the act of March 1, 1988 (P.L.82, No.16), known as the Pennsylvania Infrastructure Investment Authority Act, further providing for definitions.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, October 4, 2004.

**No. 2862** By Representatives RUBLEY, NICKOL, ARMSTRONG, BARD, BASTIAN, BELFANTI, CLYMER, CRAHALLA, FAIRCHILD, FICHTER, FLEAGLE, FRANKEL, GEORGE, GINGRICH, GOOD, GOODMAN, HARRIS, HENNESSEY, HORSEY, LAUGHLIN, LEVDANSKY, S. MILLER, NAILOR, PHILLIPS, SCAVELLO, SCHRODER, B. SMITH, STEIL, STERN, E. Z. TAYLOR, TIGUE, VANCE, WATSON, YUDICHAK, YOUNGBLOOD and BROWNE

An Act amending the act of June 21, 1957 (P.L.390, No.212), referred to as the Right-to-Know Law, further providing for definitions.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, October 4, 2004.

**No. 2864** By Representatives KENNEY, PERZEL, J. TAYLOR and O'BRIEN

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further imposing penalties for violation of school zone speed limits.

Referred to Committee on TRANSPORTATION, October 4, 2004.

**No. 2873** By Representatives BELARDI, STABACK, McCALL, DeWEESE, TIGUE, GRUCELA, BROWNE, KOTIK, REICHLEY, THOMAS, LAUGHLIN, McGEEHAN, PISTELLA, DONATUCCI, ROONEY, BEBKO-JONES, GOODMAN, LEACH, DALEY, YOUNGBLOOD, WASHINGTON, HORSEY, WALKO and COSTA

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for general requirements for school buses.

Referred to Committee on TRANSPORTATION, October 4, 2004.

**No. 2874** By Representatives O'BRIEN, ARMSTRONG, BOYD, CAPPELLI, CRAHALLA, DALLY, DENLINGER, GEORGE, HENNESSEY, KELLER, KILLION, R. MILLER, NAILOR, PAYNE, REICHLEY, SCAVELLO, SCHRODER, B. SMITH, T. STEVENSON, E. Z. TAYLOR, YOUNGBLOOD and WEBER

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing, in wiretapping and electronic surveillance, for further providing for corrupt organizations; and orders and for expiration.

Referred to Committee on JUDICIARY, October 4, 2004.

**No. 2875** By Representatives STEIL, ARMSTRONG, RUBLEY and SCHRODER

An Act amending the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment Compensation Law, providing for a study to make recommendations for redesigning the contribution rate notice form and related documents.

Referred to Committee on LABOR RELATIONS, October 4, 2004.

**No. 2876** By Representatives HICKERNELL, ARMSTRONG, BALDWIN, BARD, BENNINGHOFF, BOYD, DALEY, DeWEESE, GEIST, GINGRICH, HARPER, HERSHEY, NICKOL, PAYNE, SCAVELLO and TRUE

An Act amending the act of February 1, 1966 (1965 P.L.1656, No.581), known as The Borough Code, further providing for investment of borough funds.

Referred to Committee on LOCAL GOVERNMENT, October 4, 2004.

**No. 2877** By Representatives BENNINGHOFF, ARMSTRONG, BELFANTI, BOYD, CAPPELLI, DENLINGER, FAIRCHILD, GEIST, GINGRICH, HARRIS, HENNESSEY, HORSEY, LEACH, MANN, R. MILLER, S. MILLER, PICKETT, SCAVELLO, TIGUE, YOUNGBLOOD and BROWNE

An Act providing funding for standards and for implementation of a 211 abbreviated dialing code for information and human services referral telephone service; establishing the 211 Advisory Committee; and making an appropriation.

Referred to Committee on HEALTH AND HUMAN SERVICES, October 4, 2004.

**No. 2878** By Representatives CAWLEY, TIGUE, KOTIK, LAUGHLIN and DIVEN

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, imposing an additional tax upon cigarettes; and creating the Flood Protection and Mitigation Tax Fund.

Referred to Committee on FINANCE, October 4, 2004.

**No. 2879** By Representatives CAWLEY, TIGUE, KOTIK, LAUGHLIN and DIVEN

An Act imposing an additional tax on liquor; establishing the Flood Protection and Mitigation Tax Fund; and conferring powers and duties on the Pennsylvania Emergency Management Agency and the Pennsylvania Liquor Control Board.

Referred to Committee on FINANCE, October 4, 2004.

**No. 2880** By Representatives DeLUCA, ARMSTRONG, BEBKO-JONES, BELFANTI, CAWLEY, COSTA, CREIGHTON, DALEY, EGOLF, FAIRCHILD, FLEAGLE, FRANKEL, GEORGE, GRUCELA, HARHAI, HENNESSEY, HERSHEY, HESS, HORSEY, JOSEPHS, KENNEY, LAUGHLIN, LEVDANSKY, MANDERINO, MARKOSEK, MUNDY, PETRARCA, READSHAW, RUBLEY, SAYLOR, SCRIMENTI, SHANER, SOLOBAY, STABACK, T. STEVENSON, E. Z. TAYLOR, THOMAS, TIGUE, WALKO, YOUNGBLOOD, SCAVELLO, REICHLEY, TURZAI, CRAHALLA, BALDWIN, GOODMAN, LEACH and FREEMAN

An Act amending Title 4 (Amusements) of the Pennsylvania Consolidated Statutes, further providing for financial interests of public officials in racing and gaming.

Referred to Committee on TOURISM AND RECREATIONAL DEVELOPMENT, October 4, 2004.

**No. 2881** By Representatives R. MILLER, ARMSTRONG, BASTIAN, BOYD, CAPPELLI, CLYMER, CRAHALLA, DENLINGER, FAIRCHILD, GABIG, GEIST, GILLESPIE, GRUCELA, HARRIS, HENNESSEY, MACKERETH, NICKOL, PHILLIPS, PICKETT, RUBLEY, SCAVELLO, STERN, R. STEVENSON, TIGUE and BROWNE

An Act amending Title 4 (Amusements) of the Pennsylvania Consolidated Statutes, further providing for establishment of State Gaming Fund and net slot machine revenue distribution and for transfers from State Gaming Fund.

Referred to Committee on TOURISM AND RECREATIONAL DEVELOPMENT, October 4, 2004.

**No. 2882** By Representatives MANN, HENNESSEY, WASHINGTON, FRANKEL, FABRIZIO, STABACK, GOOD, GOODMAN, CAPPELLI, SCAVELLO, BEBKO-JONES, SHANER, PHILLIPS, GEIST, GERGELY, BUNT, MARKOSEK, LAUGHLIN, TIGUE, HERSHEY, BELFANTI, R. MILLER, COHEN, LEACH and YOUNGBLOOD

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for payment of court costs, restitution and fines.

Referred to Committee on JUDICIARY, October 4, 2004.

**No. 2883** By Representative J. TAYLOR

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, further providing for person entitled to letters of administration.

Referred to Committee on URBAN AFFAIRS, October 4, 2004.

### HOUSE RESOLUTIONS INTRODUCED AND REFERRED

**No. 854** By Representatives PERZEL, ARGALL, CIVERA, DeWEESE, FEESE, PHILLIPS, S. H. SMITH, E. Z. TAYLOR, VEON, DiGIROLAMO, ADOLPH, ALLEN, BAKER, BARRAR, BASTIAN, BIRMELIN, BLAUM, BUXTON, CALTAGIRONE, CAPPELLI, CASORIO, CORRIGAN, CRAHALLA, CURRY, DENLINGER, J. EVANS, FABRIZIO, FAIRCHILD, FICHTER, FLEAGLE, FRANKEL, FREEMAN, GEIST, GEORGE, GERGELY, GOOD, GRUITZA, HARHART, HENNESSEY, HESS, KOTIK, LaGROTTA, LAUGHLIN, LEWIS, MACKERETH, MAJOR, MANDERINO, MANN, MARKOSEK, MARSICO, McCALL, R. MILLER, MUNDY, NAILOR, NICKOL, PALLONE, PAYNE, PETRARCA, PETRI, PICKETT, PISTELLA, RAYMOND, READSHAW, RIEGER, ROBERTS, RUBLEY, SANTONI, SAYLOR, SHANER, B. SMITH, SOLOBAY, STABACK, STERN, T. STEVENSON, SURRA, THOMAS, TIGUE, TRUE, TURZAI, VANCE, WALKO, WATSON, WRIGHT, YUDICHAK, ZUG, TANGRETTI and HERMAN

A Resolution amending the Rules of the House of Representatives by adding a rule relating to financial interests in gaming entities.

Referred to Committee on RULES, October 4, 2004.

**No. 856** By Representatives STEIL, ARMSTRONG, RUBLEY, SCHRODER and DALLY

A Resolution directing the Labor Relations Committee and the Finance Committee to jointly review the unemployment compensation tax and to provide a joint report on findings and recommendations to the House of Representatives.

Referred to Committee on LABOR RELATIONS, October 4, 2004.

**No. 865** By Representative CIVERA

A Resolution authorizing a study with respect to the regulation and disposition of the reserves and surpluses of health insurers.

Referred to Committee on RULES, October 4, 2004.

### SENATE BILL FOR CONCURRENCE

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

**SB 1112, PN 1605**

Referred to Committee on HEALTH AND HUMAN SERVICES, October 4, 2004.

## CALENDAR

## BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 255, PN 1471**, entitled:

An Act relating to alternative fuels; establishing the Alternative Fuels Incentive Fund; authorizing grants and rebates to promote the use of alternative fuels; imposing duties on the Department of Environmental Protection; providing for an annual report; allocating funds collected from the utilities gross receipts tax; making an appropriation; and abrogating regulations.

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

## BILL TABLED

The SPEAKER. The Chair recognizes the majority leader.  
Mr. S. SMITH. Mr. Speaker, I move that SB 255 be placed upon the table.

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

## BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.  
Mr. S. SMITH. Mr. Speaker, I move that SB 255 be taken off the table.

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

## SENATE MESSAGE

HOUSE BILL  
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 237, PN 266**, with information that the Senate has passed the same without amendment.

## RULES COMMITTEE MEETING

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

RESOLUTION REPORTED  
FROM COMMITTEE

**HR 854, PN 4424** By Rep. S. SMITH

A Resolution amending the Rules of the House of Representatives by adding a rule relating to financial interests in gaming entities.

RULES.

## LEAVES OF ABSENCE

The SPEAKER. Are there requests for leaves of absence?

The Chair recognizes the majority whip, who requests a leave of absence for the gentelady from York, Mrs. MACKERETH. Without objection, that leave will be granted.

The Chair recognizes the minority leader, who moves for a leave of absence for the following members: the gentleman from Philadelphia, Mr. CRUZ; the gentleman from Philadelphia, Mr. EVANS; the gentleman from Westmoreland, Mr. PALLONE; and the gentleman from Allegheny, Mr. READSHAW. Without objection, those leaves will be granted.

## MASTER ROLL CALL

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

The following roll call was recorded:

## PRESENT—197

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

Eachus	Leh	Ruffing	
Egolf	Lescovitz	Sainato	Perzel,
Evans, J.	Levdansky	Samuelson	Speaker

ADDITIONS—0

NOT VOTING—0

EXCUSED—5

Cruz	Mackereth	Pallone	Readshaw
Evans, D.			

LEAVES ADDED—2

Dailey	Saylor
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LEAVES CANCELED—1

Pallone

### GUESTS INTRODUCED

The SPEAKER. The Chair would like to welcome to the hall of the House, as guests of Representative Mario Scavello and Representative Kelly Lewis, the Penn Estate Teen Steppers. This group of talented performers resides at the Penn Estate Homeowners Association, which is comprised of Stroud and Pocono Townships in Monroe County. The Steppers, along with their leader, Stephanie Polemir, are seated in the gallery. Also please welcome the families of this group. Would those guests please rise and be recognized.

The Chair welcomes to the hall of the House Carole Erikson and her daughter, Lydia, of Plymouth Township, Montgomery County. They are here today as the guests of Representative Melissa Weber and Representative Kate Harper. They are to the left of the Speaker. Would those guests please rise and be recognized.

The Chair welcomes to the hall of the House Ethan Swartz, who is serving as a guest page and is shadowing Representative Allan Egolf today. Ethan is an eighth grade homeschooler from Ickesburg in Perry County. Would Ethan please rise and be recognized.

### BERKS EAST GYMNASTICS TEAM PRESENTED

The SPEAKER. At this time the Chair recognizes the gentleman, Mr. Hennessey, for the purposes of a citation.

The gentleman is entitled to be heard. Please keep the noise levels down.

Mr. HENNESSEY. Thank you, Mr. Speaker.

I am joined today by Representative Carole Rubley and Representative Jacqueline Crahalla to introduce the girls from the Berks East gymnastics team. Thank you for your attention.

Joining us today here in the front and also in the rear of the House are members of the girls gymnastics team from Berks East Gymnastics located in Parker Ford, Pennsylvania, in my district. These girls won a State championship in May in gymnastics, and while all of our State champions are deserving of our congratulations, what makes these girls' accomplishments extraordinary is their path to that

championship and the adversity they overcame to succeed at their goal.

For years they had been coached by David Moskovitz and his wife, Lynn, who joins us today. But on the evening of December 12 last year, his car spun out of control on an icy patch of road and he lost his life. Now, that type of tragedy is hard to accept anytime, but it is especially hard to accept for children and especially during the holiday season.

Dave's accident occurred just after the season had begun. He coached the girls in their first meet in early December, and they won, but he challenged them that they could do even better, and then shortly thereafter he was gone. And it seemed to me when I read this story in the newspaper that these girls had two choices then. They could pack it in and go through the motions of the season and regroup to try to win the championship next year, or they could rise to the challenge of adversity and learn from it, use it as motivation, and go for the gold, and they chose, thankfully, to go for the gold, and they succeeded. Their story is a triumph of the human spirit, a life lesson in determination and perseverance against the odds. These girls will carry that lesson with them as they grow.

I am pleased to present on all our behalves a citation from the House of Representatives in Pennsylvania to Mrs. Moskovitz and the girls of Berks East Gymnastics.

I should also add, I just learned shortly before coming to the House floor that Coach Dave was himself awarded a legislative citation by the Ohio legislature in 1985 for his accomplishments as a gymnast at Ohio State University. So the citation today to the girls sort of closes the circle and makes it even more special for them, I am sure.

I will ask the members of the Berks East gymnastics team who are in the rear of the House to please stand and family and friends who are with them today, and please give them a round of applause to show your appreciation for their accomplishment.

Thank you. Thank you, Mr. Speaker.

### GUESTS INTRODUCED

The SPEAKER. The Chair would like to welcome to the hall of the House the Oxford Valley seniors of Bucks County. They are here today as guests of Representative Tony Melio. They are located in the gallery. Would those guests please stand and be recognized.

### ODYSSEY OF THE MIND TEAM INTRODUCED

The SPEAKER. The Chair at this time would like to recognize the gentleman from Bucks, Mr. Steil, for the purpose of introducing some guests.

Mr. STEIL. Thank you, Mr. Speaker.

Today I would like to welcome to the hall of the House the Odyssey of the Mind team from Afton Elementary School in Yardley, Pennsylvania. This team began practicing in November of last year, working 6 to 8 hours a week, until their first regional competition in Easton, Pennsylvania, in March, which they took first place. They then participated in the statewide competition in Altoona in April and also won first place, and they finished at the University of Maryland in May, taking fourth place in the world competition for this Odyssey of the Mind team.

I would like to introduce the team members: Stephanie Alba, Eric Bukowski, Brian Dratch, Tyler Dratch, Hannah Frank, Jake Kruty, and Michael McDavid. They are seated in the gallery along with their coaches, Marnie Dratch and Frank Kruty.

Thank you very much.

**SUSAN KEGERISE PRESENTED**

The SPEAKER. The Chair recognizes Representative Marsico for the purpose of a citation.

Mr. MARSICO. Thank you, Mr. Speaker.

Members of the House, please welcome Mrs. Susan Kegerise, principal of Paxtonia Elementary School here in Dauphin County. Mrs. Kegerise has been voted "Principal of the Year" by the Pennsylvania Association of Elementary and Secondary School Principals in Pennsylvania.

Mrs. Kegerise has been an outstanding educator and leader in the Central Dauphin School District for 30 years, and I consider it a privilege to honor her for her commitment and dedication to our students.

Mr. Speaker, may I have some attention, please, from the members?

The SPEAKER. The gentleman is entitled to be heard. The gentleman is correct. Please, please keep the noise levels down.

Mr. MARSICO. There is no greater mission in life than preparing our students to be good learners, workers, parents, and leaders. Mrs. Kegerise has certainly done her part to make her students' futures brighter.

Mrs. Kegerise is a graduate of West Chester University and the Pennsylvania State University. She is currently a doctoral student at Widener University. She has been principal at Paxtonia since January 1997. She started her career as an elementary teacher in 1974 at West Hanover Elementary School in Dauphin County. She later taught at Paxtonia Elementary and then served for more than 10 years as an instructor for the district's elementary school gifted program.

She is here with her husband, Randy; daughter, Krista; father, Cleon; and sister, Lorraine, seated to the left of the Speaker. Would you please rise and be acknowledged? Thank you.

It is my pleasure at this time to present Mrs. Kegerise with an official citation on behalf of the House of Representatives, voted as the best principal of the year in Pennsylvania.

Thank you very much.

**RESOLUTIONS PURSUANT TO RULE 35**

Mr. WOJNAROSKI called up HR 834, PN 4346, entitled:

A Resolution honoring Victoria Lynn Bechtold, Miss Pennsylvania 2004, for her outstanding achievements as a pageant contestant, student and citizen and wishing her good fortune in her pursuit to become Miss America.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Cruz	Mackereth	Pallone	Readshaw
Evans, D.			

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

\* \* \*

Mr. PISTELLA called up **HR 835, PN 4347**, entitled:

A Resolution commemorating the 250th anniversary of the French and Indian War and honoring the heroism of George Washington and his soldiers, who fought and some of whom gave their lives defending English claims in the middle colonies between 1754 and 1760.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

## YEAS—197

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

NAYS—0

NOT VOTING—0

## EXCUSED—5

Cruz  
Evans, D.

Mackereth

Pallone

Readshaw

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

\* \* \*

Mr. WRIGHT called up **HR 839, PN 4367**, entitled:

A Resolution commending the Student Assistance Program on its 20th anniversary.

On the question,  
Will the House adopt the resolution?

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

Mr. WRIGHT. Thank you, Mr. Speaker.

It is a privilege for me today to commend a program that has tremendously helped students for the past 20 years in Pennsylvania. In sponsoring HR 839, I want it to be known throughout Pennsylvania what a valuable program it has been.

The Student Assistance Program is designed to assist student personnel in identifying issues including alcohol, tobacco, drugs, and mental health issues, all factors which pose a barrier to student success. The primary goal is to help students overcome their barriers in order that they may achieve, remain in school, and advance. When this program first began in 1984, four school districts, including Neshaminy School District in my legislative district in Bucks County, were involved in the pilot program.

I would like to introduce the following people who have been integral in the Student Assistance Program in Pennsylvania, and they are on the floor here to the left of the Speaker.

The SPEAKER. Just one second, Mr. Wright.

Ladies and gentlemen, please. The gentleman has every right to be heard. Please keep the noise levels down.

## GUESTS INTRODUCED

Mr. WRIGHT. Thank you.

I would like to introduce Myrna Delgado, division chief, Student and Safe School Services, Department of Education; Kim Swarner, the communications coordinator for the Student and Safe School Services; Sherry Peters, mental health-Student Assistance Program coordinator, Office of Mental Health and Substance Abuse Services; and Jeff Holter, president of the Pennsylvania Association of Student Assistance Professionals.

Ladies and gentlemen, please help me applaud these individuals of the Student Assistance Program. My heartfelt congratulations to all of you and the SAP team members across the Commonwealth. May your successes lead to another 20 years of helping students achieve their greatest potential.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—197

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Cruz	Mackereth	Pallone	Readshaw
Evans, D.			

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

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Ms. WEBER called up HR 840, PN 4371, entitled:

A Resolution designating the month of September 2004 as "Youth Soccer Month" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Cruz	Mackereth	Pallone	Readshaw
Evans, D.			



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

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Mr. LEACH called up HR 842, PN 4393, entitled:

A Resolution encouraging the Congress of the United States to fully fund the National Aeronautics and Space Administration's (NASA's) Vision for Space Exploration program.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-197

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

NAYS-0

NOT VOTING-0

EXCUSED-5

- |           |           |         |          |
|-----------|-----------|---------|----------|
| Cruz      | Mackereth | Pallone | Readshaw |
| Evans, D. |           |         |          |

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

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Mrs. MILLER called up HR 845, PN 4396, entitled:

A Resolution designating the month of October 2004 as "Fire Prevention Month" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-197

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

Donatucci	Lederer	Rublely	
Eachus	Leh	Ruffing	
Egolf	Lescovitz	Sainato	Perzel,
Evans, J.	Levdansky	Samuelson	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-5

Cruz	Mackereth	Pallone	Readshaw
Evans, D.			

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

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Mr. LEWIS called up **HR 846, PN 4397**, entitled:

A Resolution designating the month of October 2004 as "Blood Donation Month" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-197

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

Daley	Keller	Reed	Williams
Dally	Kenney	Reichley	Wilt
DeLuca	Killion	Rieger	Wojnaroski
Denlinger	Kirkland	Roberts	Wright
Dermody	Kotik	Roebuck	Yewcic
DeWeese	LaGrotta	Rohrer	Youngblood
DiGirolamo	Laughlin	Rooney	Yudichak
Diven	Leach	Ross	Zug
Donatucci	Lederer	Rublely	
Eachus	Leh	Ruffing	
Egolf	Lescovitz	Sainato	Perzel,
Evans, J.	Levdansky	Samuelson	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-5

Cruz	Mackereth	Pallone	Readshaw
Evans, D.			

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

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

Mr. LEWIS called up **HR 847, PN 4398**, entitled:

A Resolution designating the month of October 2004 as "Polio Survivor Month" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-197

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

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

NAYS-0

NOT VOTING-0

EXCUSED-5

Cruz	Mackereth	Pallone	Readshaw
Evans, D.			

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

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Mr. LEWIS called up HR 848, PN 4399, entitled:

A Resolution memorializing the Congress of the United States to award Sergeant Harvey Possinger, 35th Infantry Regiment, 25th Infantry Division, United States Army, the Medal of Honor for his valor at Belete Pass in Luzon, Philippine Islands, on March 8, 1945.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-196

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

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

NAYS-0

NOT VOTING-1

Ruffing

EXCUSED-5

Cruz	Mackereth	Pallone	Readshaw
Evans, D.			

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

\*\*\*

Mr. PISTELLA called up HR 849, PN 4400, entitled:

A Resolution designating September 26, 2004, as "American Gold Star Mothers' Day" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-197

Adolph	Fabrizio	Lewis	Santoni
Allen	Fairchild	Lynch	Sather
Argall	Feese	Maher	Saylor
Armstrong	Fichter	Maitland	Scavello
Baker	Fleagle	Major	Schroder
Baldwin	Flick	Manderino	Scrimenti

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

NAYS-0

NOT VOTING-0

EXCUSED-5

Cruz	Mackereth	Pallone	Readshaw
Evans, D.			

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

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Mr. DENLINGER called up **HR 850, PN 4401**, entitled:

A Resolution recognizing October 1 through 7, 2004, as "Dyslexia Awareness Week" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-197			
Adolph	Fabrizio	Lewis	Santoni
Allen	Fairchild	Lynch	Sather
Argall	Feese	Maher	Saylor
Arnstrong	Fichter	Maitland	Scavello
Baker	Fleagle	Major	Schroder
Baldwin	Flick	Manderino	Scrimenti
Bard	Forcier	Mann	Semmel
Barrar	Frankel	Markosek	Shaner
Bastian	Freeman	Marsico	Smith, B.
Bebko-Jones	Gabig	McCall	Smith, S. H.
Belardi	Gannon	McGeehan	Solobay
Belfanti	Geist	McGill	Staback
Benninghoff	George	McIlhattan	Stairs
Biancucci	Gergely	McIlhinney	Steil
Birmelin	Gillespie	McNaughton	Stern
Bishop	Gingrich	Melio	Stetler
Blaum	Godshall	Metcalfe	Stevenson, R.
Boyd	Good	Micozzie	Stevenson, T.
Browne	Goodman	Millard	Sturla
Bunt	Grucela	Miller, R.	Surra
Butkovitz	Gruitza	Miller, S.	Tangretti
Buxton	Habay	Mundy	Taylor, E. Z.
Caltagirone	Haluska	Mustio	Taylor, J.
Cappelli	Hanna	Myers	Thomas
Casorio	Harhai	Nailor	Tigue
Causer	Harhart	Nickol	Travaglio
Cawley	Harper	O'Brien	True
Civera	Harris	Oliver	Turzai
Clymer	Hasay	O'Neill	Vance
Cohen	Hennessey	Payne	Veon
Coleman	Herman	Petrarca	Vitali
Cornell, S. E.	Hershey	Petri	Walko
Corrigan	Hess	Petrone	Wansacz
Costa	Hickernell	Phillips	Washington
Crahalla	Horsey	Pickett	Waters
Creighton	Hutchinson	Pistella	Watson
Curry	James	Preston	Weber
Dailey	Josephs	Raymond	Wheatley
Daley	Keller	Reed	Williams
Dally	Kenney	Reichley	Wilt
DeLuca	Killion	Rieger	Wojnaroski
Denlinger	Kirkland	Roberts	Wright
Demody	Kotik	Roebuck	Yewcic
DeWeese	LaGrotta	Rohrer	Youngblood
DiGirolamo	Laughlin	Rooney	Yudichak
Diven	Leach	Ross	Zug
Donatucci	Lederer	Ruble	
Eachus	Leh	Ruffing	
Egolf	Lescovitz	Sainato	Perzel,
Evans, J.	Levdansky	Samuelson	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-5

Cruz	Mackereth	Pallone	Readshaw
Evans, D.			

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

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Mr. GERGELY called up **HR 852, PN 4414**, entitled:

A Resolution honoring and congratulating all Pennsylvanians who participated in the Athens 2004 Olympic Games.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Cruz	Mackereth	Pallone	Readshaw
Evans, D.			

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

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Mr. GERGELY called up HR 853, PN 4415, entitled:

A Resolution honoring cooperative fish nurseries for their invaluable contribution and undeniable dedication to the public waters of Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

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

NAYS—0

NOT VOTING—0

## EXCUSED—5

Cruz Mackereth Pallone Readshaw  
Evans, D.

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

**SUBCOMMITTEE MEETING**

The SPEAKER pro tempore. The Chair recognizes the gentleman from Dauphin County, Mr. McNaughton, for the purpose of an announcement.

Mr. McNAUGHTON. Thank you, Madam Speaker.

At the call of the recess I would like to call for a meeting of the Subcommittee on Boroughs of the Local Government Committee in the back of the hall of the House to take action on a bill for the committee meeting tomorrow.

Thank you.

The SPEAKER pro tempore. The gentleman, Mr. McNaughton, calls a meeting of the Subcommittee on Boroughs at the rear of the hall at recess.

**STATE GOVERNMENT COMMITTEE MEETING**

The SPEAKER pro tempore. The Chair recognizes the gentleman from Bucks County, Mr. Clymer, for the purpose of an announcement.

Mr. CLYMER. Thank you, Madam Speaker.

To members of the State Government Committee, we will meet at 3 o'clock in room 205 in the Ryan Building. We have two bills that we want to do, and that is room 205 in the Ryan Building at 3 o'clock.

Thank you.

The SPEAKER pro tempore. The gentleman, Mr. Clymer, announces a meeting of the State Government Committee in the Ryan Building, room 205, at 3 p.m.

**INSURANCE COMMITTEE MEETING**

The SPEAKER pro tempore. The Chair recognizes the gentleman from Delaware County, Mr. Micozzie, for the purpose of an announcement.

Mr. MICOZZIE. Thank you, Madam Speaker.

There will be a majority Insurance Committee meeting in room 60 of the East Wing at the call of the recess.

Thank you.

The SPEAKER pro tempore. Would the gentleman, Mr. Micozzie, please come to the rostrum.

**GUEST INTRODUCED**

The SPEAKER pro tempore. The Chair is pleased to welcome to the hall of the House Paul Guyon, who is the guest of Representative Lederer. He is seated in the balcony. Would the gentleman please rise.

The gentleman, Mr. Micozzie, has announced that the Insurance Committee will meet in room 60 at the adjournment of the session; in room 60, the Insurance Committee.

**REPUBLICAN CAUCUS**

The SPEAKER pro tempore. The Chair recognizes the lady from Chester County, Mrs. Taylor, for the purpose of a caucus announcement.

Mrs. TAYLOR. Thank you, Madam Speaker.

At the call of the recess there will be a very important Republican majority caucus meeting in the caucus room. Again, immediately following the call of the recess the caucus will meet in the caucus room on a very important matter.

Thank you.

The SPEAKER pro tempore. The Chair thanks the lady.

**DEMOCRATIC CAUCUS**

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Cohen, from Philadelphia for a caucus announcement.

Mr. COHEN. Thank you, Madam Speaker.

There also will be a Democratic caucus immediately upon the call of the recess.

The SPEAKER pro tempore. The Chair would like to ask Mrs. Taylor, is an hour sufficient time if we return to the floor at 3 p.m.?

Mrs. TAYLOR. Madam Speaker, I think an hour will be sufficient for our debate.

The SPEAKER pro tempore. Thank you.

**APPROPRIATIONS COMMITTEE MEETING**

The SPEAKER pro tempore. The Chair recognizes the gentleman from Schuylkill, Mr. Argall, for an announcement.

Mr. ARGALL. Thank you, Madam Speaker.

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

The SPEAKER pro tempore. The gentleman announces an Appropriations meeting at the recess in room 245.

**RECESS**

The SPEAKER pro tempore. Are there any other announcements?

The House now stands in recess until 3:15; 3:15.

**RECESS EXTENDED**

The time of recess was extended until 3:45 p.m.

**AFTER RECESS**

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

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

**LEAVE OF ABSENCE CANCELED**

The SPEAKER. The Chair notes the presence on the floor of the hall of the House of the gentleman, Mr. Pallone. Without objection, his name will be added to the master roll.

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

**HB 2775, PN 4460 (Amended)** By Rep. ARGALL

An Act establishing the Chesapeake Bay Watershed Education Program; providing for the issuance of grants and for the powers and duties of the Department of Education.

**APPROPRIATIONS.**

**SB 346, PN 363** By Rep. CLYMER

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

**STATE GOVERNMENT.**

**SB 1222, PN 1820** By Rep. CLYMER

An Act providing for effect of standards adopted by the Voting Standards Development Board in the 2004 general election.

**STATE GOVERNMENT.**

**BILLS REREPORTED FROM COMMITTEE**

**HB 770, PN 897** By Rep. ARGALL

An Act providing for prescription drug redistribution within health care facilities.

**APPROPRIATIONS.**

**HB 1073, PN 1253** By Rep. ARGALL

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for jurisdiction and proceedings, for relief and order and for sentencing procedure for murder of the first degree; and providing for mental retardation of defendant.

**APPROPRIATIONS.**

**BILL RECOMMITTED**

The SPEAKER. The Chair recognizes the majority leader. Mr. S. SMITH. Mr. Speaker, I move that HB 1073 be recommitted to the Committee on Rules.

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

**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 237, PN 266**

An Act amending the act of August 24, 1963 (P.L.1175, No.497), known as the Mechanics' Lien Law of 1963, further providing for waiver by contractor.

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

**RESOLUTION RECOMMITTED**

The SPEAKER. The Chair recognizes the majority leader. Mr. S. SMITH. Mr. Speaker, I move that HR 866 be recommitted to the Committee on Rules.

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

**CALENDAR CONTINUED**

**RESOLUTION**

Mr. WRIGHT called up **HR 833, PN 4412**, entitled:

A Resolution recognizing the week of September 27 through October 3, 2004, "Equal Parents' Week."

On the question,  
Will the House adopt the resolution?

**RESOLUTION PASSED OVER TEMPORARILY**

The SPEAKER. The Chair recognizes the gentlelady from Philadelphia, Ms. JOSEPHS.

Ms. JOSEPHS. Thank you.

We were told this was not going to run until later. I have amendments. I do not think it is a noncontroversial resolution.

The SPEAKER. We were not told there were amendments. However, we will go over the resolution temporarily.

Ms. JOSEPHS. Thank you.

**SUPPLEMENTAL CALENDAR B**

**RESOLUTIONS PURSUANT TO RULE 35**

Mr. DiGIROLAMO called up **HR 855, PN 4425**, entitled:

A Resolution designating the month of September 2004 as "Alcohol and Drug Addiction Recovery Month" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-197

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

NAYS-0

NOT VOTING-1

Donatucci

EXCUSED-4

Cruz                      Evans, D.                      Mackereth                      Readshaw

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

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Mr. SCRIMENTI called up HR 857, PN 4427, entitled:

A Resolution declaring the month of September 2004 as "Pennsylvania Grape Month."

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-197

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

NAYS-0

NOT VOTING-1

Donatucci



EXCUSED—4

Cruz Evans, D. Mackereth Readshaw

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

\*\*\*

Mr. CURRY called up HR 858, PN 4428, entitled:

A Resolution congratulating the Pioneer Fire Company on the occasion of its 120th anniversary.

On the question, Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

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

NAYS—0

NOT VOTING—0

EXCUSED—4

Cruz Evans, D. Mackereth Readshaw

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 859, PN 4429, entitled:

A Resolution designating the week of October 4 through 8, 2004, as "General Casimir Pulaski Week" in Pennsylvania and commemorating the achievements and contributions General Casimir Pulaski made to the United States.

On the question, Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

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

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

NAYS-0

NOT VOTING-0

EXCUSED-4

Cruz	Evans, D.	Mackereth	Readshaw
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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 860, PN 4430, entitled:

A Resolution designating the month of October 2004 as "Polish-American Month" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-198

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

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

NAYS-0

NOT VOTING-0

EXCUSED-4

Cruz	Evans, D.	Mackereth	Readshaw
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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. FRANKEL called up HR 861, PN 4431, entitled:

A Resolution designating October 8, 2004, as "Celebrate 350 Day" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-198

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

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

NAYS-0

NOT VOTING-0

EXCUSED-4

Cruz	Evans, D.	Mackereth	Readshaw
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

LEAVE OF ABSENCE

The SPEAKER. The Chair recognizes the majority whip, who moves for a leave of absence for the gentleman from York, Mr. SAYLOR. Without objection, that leave will be granted.

RESOLUTIONS PURSUANT TO RULE 35

Mr. CRUZ called up HR 862, PN 4432, entitled:

A Resolution acknowledging and affirming the integral role of Hispanics in the development of this Commonwealth and our nation and designating September 15 through October 15, 2004, as "Hispanic Heritage Month" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-197

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

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

NAYS-0

NOT VOTING-0

EXCUSED-5

Cruz	Mackereth	Readshaw	Saylor
Evans, D.			

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

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Mr. ARGALL called up HR 863, PN 4433, entitled:

A Resolution designating October 10, 2004, as "Put the Brakes on Fatalities Day" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-197

Adolph	Fabrizio	Lewis	Samuelson
Allen	Fairchild	Lynch	Santoni
Argall	Feese	Maher	Sather

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

NAYS--0

NOT VOTING--0

EXCUSED--5

Cruz	Mackereth	Readshaw	Saylor
Evans, D.			

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

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Mr. SATHER called up HR 867, PN 4437, entitled:

A Resolution designating the week of October 12 through 20, 2004, as "Bone and Joint Decade National Awareness Week" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS--197

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

NAYS--0

NOT VOTING--0

EXCUSED--5

Cruz	Mackereth	Readshaw	Saylor
Evans, D.			

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

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Ms. BARD called up **HR 868, PN 4438**, entitled:

A Resolution designating the month of September 2004 as "Prostate Cancer Awareness Month" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-197

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

NAYS-0

NOT VOTING-0

EXCUSED-5

Cruz	Mackereth	Readshaw	Saylor
Evans, D.			

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

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Ms. BARD called up **HR 869, PN 4439**, entitled:

A Resolution designating October 21, 2004, as "Biomedical Research Day" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-197

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

NAYS-0

NOT VOTING-0

EXCUSED-5

Cruz Mackereth Readshaw Saylor  
Evans, D.

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

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Miss MANN called up **HR 870, PN 4440**, entitled:

A Resolution recognizing the anniversary of the 150th birthday of General Harry Clay Trexler, one of the greatest and most accomplished businessmen, civic leaders and philanthropists of Lehigh County.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-197

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

Egolf            Lescovitz         Ruffing           Perzel,  
Evans, J.        Levdansky         Sainato           Speaker

NAYS-0

NOT VOTING-0

EXCUSED-5

Cruz            Mackereth         Readshaw         Saylor  
Evans, D.

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

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Mr. DALEY called up **HR 871, PN 4441**, entitled:

A Resolution recognizing October 9, 2004, as "Windsong's Legacy Day" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-197

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

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Cruz	Mackereth	Readshaw	Saylor
Evans, D.			

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

\* \* \*

Mr. HERSHEY called up HR 873, PN 4442, entitled:

A Resolution designating the month of October 2004 as "Pennsylvania Preferred Month."

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

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

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Cruz	Mackereth	Readshaw	Saylor
Evans, D.			

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

## CALENDAR CONTINUED

### CONSIDERATION OF HR 833 CONTINUED

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

## RULES SUSPENDED

The SPEAKER. On that question, the Chair recognizes the gentlelady from Philadelphia, Ms. Josephs, for a suspension of the rules for amendment A3721.

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

The SPEAKER. On that question.  
Ms. JOSEPHS. Thank you, Mr. Speaker.

I am just wondering what I need to do. I do not think this is a noncontroversial resolution. I do not think it should have come up under rule 35, and I can argue that, but I do not know what the—

The SPEAKER. Ms. Josephs, it is not a rule 35 resolution. It came out of Judiciary Committee.

Ms. JOSEPHS. It is now no longer characterized as noncontroversial. Is that correct?

The SPEAKER. It never was a noncontroversial resolution. It came out of committee.

Ms. JOSEPHS. Oh, sorry. Thank you for the correction.

I am asking for a suspension of the rules for an amendment which would clarify the standard the court is to use when deciding disputes in visitation and custody matters—

Mr. DeWEESE. Mr. Speaker?  
 Ms. JOSEPHS. —and I would appreciate a “yes” vote.  
 The SPEAKER. The Chair thanks the gentledady.

**PARLIAMENTARY INQUIRY**

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

Mr. DeWEESE. A point of inquiry.

The SPEAKER. The gentleman will state his point.

Mr. DeWEESE. The Democratic Caucus was not able to focus on this bill yet, and I would like to inquire to the Chair if it would be possible to postpone this vote until tomorrow.

I do not understand exactly what happened, but we were not able to caucus on this bill. This is not a delaying tactic. It is just one that in the course of business, it would be helpful if we could vote on it tomorrow.

(Conference held.)

Mr. DeWEESE. Mr. Speaker?

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

Mr. DeWEESE. In the best tradition of the House, two people who were momentarily seeing opposites have come to a compromise, and we are going to forgo the necessity of a caucus and vote this as a 35, as a rule 35—

The SPEAKER. It is under regular resolutions.

Mr. DeWEESE. —as a regular resolution.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The question is on the motion of the suspension of the rules.

For that purpose, the Chair recognizes the gentledady, Ms. Josephs.

Ms. JOSEPHS. Before we broke, I think I just asked for a suspension of the rules. I would appreciate everybody’s vote. I do not think there is going to be opposition to that.

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

Mr. WRIGHT. We agree.

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

Mr. VITALI. I do not know if it is just me, Mr. Speaker, but something is wrong with the computer system. The amendment is not showing up, and we are getting an error reading.

The SPEAKER. According to our technical people, Mr. Vitali, the amendment should be there but it is not. We are looking into it right now.

The Chair would ask the clerk to read the amendment, the three lines.

The clerk read the following amendment No. A3721:

Amend Resolution, page 4, by inserting between lines 4 and 5  
 WHEREAS, The courts should continue to apply the best interest of the child standard in all custody disputes; and

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

Mr. MAHER. Mr. Speaker, the amendment is not appearing on the system on my desk. I think somebody was just

enunciating some of the words. Perhaps they could enunciate it again.

The SPEAKER. The clerk just read the entire two-line amendment. Would the clerk please read the amendment one more time.

Mr. MAHER. Perhaps he could read it again so we might hear it better back here.

The SPEAKER. Would you read the amendment one more time.

The clerk reread the following amendment No. A3721:

Amend Resolution, page 4, by inserting between lines 4 and 5  
 WHEREAS, The courts should continue to apply the best interest of the child standard in all custody disputes; and

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

The following roll call was recorded:

**YEAS—190**

Adolph	Evans, J.	Lescovitz	Rubleby
Allen	Fabrizio	Levdansky	Sainato
Argall	Fairchild	Lewis	Samuelson
Armstrong	Feece	Lynch	Santoni
Baker	Fichter	Maher	Sather
Baldwin	Fleagle	Maitland	Scavello
Bard	Flick	Major	Scrimenti
Barrar	Frankel	Manderino	Semmel
Bastian	Freeman	Mann	Shaner
Bebko-Jones	Gabig	Markosek	Smith, B.
Belardi	Gannon	Marsico	Smith, S. H.
Belfanti	Geist	McCall	Solobay
Benninghoff	George	McGeehan	Staback
Biancucci	Gergely	McGill	Stairs
Birmelin	Gillespie	McIlhattan	Steil
Bishop	Gingrich	McIlhinney	Stern
Blaum	Godshall	McNaughton	Stetler
Boyd	Good	Melio	Stevenson, R.
Browne	Goodman	Micozzie	Sturla
Bunt	Grucela	Millard	Surra
Butkovitz	Gruitza	Miller, R.	Tangretti
Buxton	Habay	Miller, S.	Taylor, E. Z.
Caltagirone	Haluska	Mundy	Taylor, J.
Cappelli	Hanna	Mustio	Thomas
Casorio	Harhai	Myers	Tigue
Causer	Harhart	Nailor	Travaglio
Cawley	Harper	Nickol	True
Civera	Harris	O’Brien	Turzai
Clymer	Hasay	Oliver	Vance
Cohen	Hennessey	O’Neill	Veon
Coleman	Herman	Pallone	Vitali
Cornell, S. E.	Hershey	Payne	Walko
Corrigan	Hess	Petrarca	Wansacz
Costa	Hickernell	Petri	Washington
Crahalla	Horsey	Petrone	Waters
Curry	Hutchinson	Phillips	Watson
Dailey	James	Pickett	Weber
Daley	Josephs	Pistella	Wheatley
Dally	Keller	Preston	Williams
DeLuca	Kenney	Raymond	Wojnaroski
Denlinger	Killion	Reed	Wright
Dermody	Kirkland	Reichley	Yewcic
DeWeese	Kotik	Rieger	Youngblood
DiGirolamo	LaGrotta	Roberts	Yudichak
Diven	Laughlin	Roebuck	Zug
Donatucci	Leach	Rohrer	
Eachus	Lederer	Rooney	Perzel,
Egolf	Leh	Ross	Speaker



NAYS-7

Creighton Forcier	Metcalf Ruffing	Schroder Stevenson, T.	Wilt
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NOT VOTING-0

EXCUSED-5

Cruz Evans, D.	Mackereth	Readshaw	Saylor
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A majority of the members required by the rules having voted in the affirmative, the question was determined in the affirmative and the motion was agreed to.

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

Ms. JOSEPHS offered the following amendment No. A3721:

Amend Resolution, page 4, by inserting between lines 4 and 5  
WHEREAS, The courts should continue to apply the best interest of the child standard in all custody disputes; and

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

The SPEAKER. The House has immediately before it the Josephs amendment A3721.

On that question, the Chair recognizes the gentlelady, Ms. Josephs.

Ms. JOSEPHS. When you have a dispute between—  
The SPEAKER. Just one moment.

The gentlelady deserves to be heard. Please. I know you have not seen each other for quite some time, but please keep the noise levels down.

Ms. Josephs.

Ms. JOSEPHS. Thank you, Mr. Speaker.

When you end up with a dispute between parents over child custody, the court is and has been traditionally asked to look to the best interest of the child. I just want to reiterate that, make sure that in this resolution we are still asking the court to look at the best interest of the child.

Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Metcalfe.

Mr. METCALFE. Mr. Speaker, we still cannot read her amendment, which I know a lot of us would be more comfortable if we could read her amendment on a computer before we actually voted it, and I think that was part of the reason some of us voted against suspension.

So if we could hold this over until we can read it and consider it for a few minutes, I would greatly appreciate it.

Thank you, Mr. Speaker.

The SPEAKER. Are there any other members who would like copies before the vote is taken? Our people are handing them out now. Do all the members who wanted a copy have one now?

We hope that the new Chief Clerk is able to get the thing up on the system. There is one way in the back.

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

The following roll call was recorded:

YEAS-193

Adolph	Evans, J.	Lescovitz	Samuelson
Allen	Fabrizio	Levdansky	Santoni
Argall	Fairchild	Lewis	Sather
Armstrong	Feese	Lynch	Scavello
Baker	Fichter	Maher	Schroder
Baldwin	Fleagle	Maitland	Scrimenti
Bard	Flick	Major	Semmel
Barrar	Forcier	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	Stefler
Blaum	Gingrich	McNaughton	Stevenson, R.
Boyd	Godshall	Melio	Sturla
Browne	Good	Micozzie	Surra
Bunt	Goodman	Millard	Tangretti
Butkovitz	Grucela	Miller, R.	Taylor, E. Z.
Buxton	Gruitzza	Miller, S.	Taylor, J.
Caltagirone	Habay	Mundy	Thomas
Cappelli	Haluska	Mustio	Tigue
Casorio	Hanna	Myers	Travaglio
Causar	Harhai	Nailor	True
Cawley	Harhart	Nickol	Turzai
Civera	Harper	O'Brien	Vance
Clymer	Harris	Oliver	Veon
Cohen	Hasay	O'Neill	Vitali
Coleman	Hennessey	Pallone	Walko
Cornell, S. E.	Herman	Payne	Wansacz
Corrigan	Hershey	Petrarca	Washington
Costa	Hess	Petri	Waters
Crahalla	Hickermell	Petrone	Watson
Creighton	Horsey	Phillips	Weber
Curry	Hutchinson	Pickett	Wheatley
Dailey	James	Pistella	Williams
Daley	Josephs	Preston	Wilt
Dally	Keller	Raymond	Wojnaroski
DeLuca	Kenney	Reed	Wright
Denlinger	Killion	Rieger	Yewcic
Dermody	Kirkland	Roberts	Youngblood
DeWeese	Kotik	Roebuck	Yudichak
DiGirolamo	LaGrotta	Rohrer	Zug
Diven	Laughlin	Rooney	
Donatucci	Leach	Ross	
Eachus	Lederer	Rubley	Perzel,
Egolf	Leh	Sainato	Speaker

NAYS-4

Metcalf	Reichley	Ruffing	Stevenson, T.
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NOT VOTING-0

EXCUSED-5

Cruz Evans, D.	Mackereth	Readshaw	Saylor
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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 adopt the resolution as amended?

The following roll call was recorded:

YEAS—194

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

NAYS—2

Curry Josephs

NOT VOTING—1

Horsey

EXCUSED—5

Cruz Mackereth Readshaw Saylor  
Evans, D.

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

SUPPLEMENTAL CALENDAR A

RESOLUTION

Mr. PERZEL called up HR 854, PN 4424, entitled:

A Resolution amending the Rules of the House of Representatives by adding a rule relating to financial interests in gaming entities.

On the question,  
Will the House adopt the resolution?

RULES SUSPENDED

The SPEAKER. On that question, the Chair recognizes the gentleman from Jefferson, the majority leader, Mr. Smith.

Mr. S. SMITH. Mr. Speaker, I would move that we suspend the rules to consider HR 854 without amendment.

The SPEAKER. It is moved by the gentleman that HR 854 be brought up for immediate consideration, immediate suspension of the rules, without amendment.

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

The following roll call was recorded:

YEAS—195

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

Curry	Josephs	Pistella	Weber
Dailey	Keller	Preston	Wheatley
Daley	Kenney	Raymond	Williams
Dally	Killion	Reed	Wilt
DeLuca	Kirkland	Reichley	Wojnaroski
Denlinger	Kotik	Rieger	Wright
Dermody	LaGrotta	Roberts	Yewcic
DeWeese	Laughlin	Roebuck	Youngblood
DiGirolamo	Leach	Rohrer	Yudichak
Diven	Lederer	Rooney	Zug
Donatucci	Leh	Ross	
Eachus	Lescovitz	Rublely	Perzel,
Egolf	Levdansky	Ruffing	Speaker
Evans, J.			

## NAYS—2

Freeman	Vitali
---------	--------

## NOT VOTING—0

## EXCUSED—5

Cruz	Mackereth	Readshaw	Saylor
Evans, D.			

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.

The SPEAKER. The question is, will the House adopt the resolution?

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

Mr. VITALI. Mr. Speaker, I rise for the purpose of making a motion.

The SPEAKER. The gentleman will state his motion.

Mr. VITALI. Mr. Speaker, I would move to suspend the rules for the immediate consideration of amendment 3737, which would prohibit the use of tax dollars for so-called public service announcements, which House members use for campaigning purposes. It would also prohibit the telemarketing services employed by members to telephone into their own districts, and it would also prohibit the bulk e-mailing within 60 days of an election.

The SPEAKER. The ruling of the Chair is that the Smith motion ruled out the consideration of any further suspensions of the rules.

Mr. VITALI. Clarification, Mr. Speaker.

I understand the Smith amendment. What would be required for my amendment to be in order? I am not aware of anything in the rules that would prohibit me, after one motion is made, from making another motion to modify that. I am just struggling with this ruling. What would it take for my motion to be in order?

The SPEAKER. The gentleman would have to move to rescind the motion that the gentleman, Mr. Smith, made that the resolution be brought up without amendment.

Mr. VITALI. Now, what I am not clear about is, what limitation in the rules is there from making a motion to suspend at any point? I am not really aware of anything in the rules that prohibits making a motion to suspend at any point.

The SPEAKER. There is nothing in the rules, but we have just adopted a motion that said we would consider the resolution — and the rules were suspended — without amendment.

Mr. VITALI. I understand.  
Thank you, Mr. Speaker.

### MOTION TO RESCIND SUSPENSION OF RULES

Mr. VITALI. Then at this time I would make a motion to rescind, rescind the previous vote, so that we could consider the amendment prohibiting public service announcements. I so move.

The SPEAKER. It is moved by the gentleman from Delaware, Mr. Vitali, that the House rescind in its suspension of the rules on HR 854 as proposed by the gentleman, Mr. Smith.

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

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

Mr. S. SMITH. Thank you, Mr. Speaker.

I would simply ask the members to oppose the motion to rescind.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Greene, Mr. DeWeese.

Mr. DeWEESE. Mr. Speaker, because of the paramount importance of the Smith language, notwithstanding the efficacy of Mr. Vitali's effort, I would also conclude that Mr. Smith's proposal should go on unamended and we should get to the business of enhancing our House rules vis-a-vis the gaming dynamic.

So I would also ask a negative vote.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

### PARLIAMENTARY INQUIRY

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

Mr. PISTELLA. Mr. Speaker, I rise for a point of order; a parliamentary inquiry.

The SPEAKER. The gentleman is in order.

Mr. PISTELLA. Would not the appropriate steps to be taken by the gentleman from Delaware County be to file a reconsideration of the motion for the suspension of the rules as opposed to the Chair calling for a vote to rescind the suspension of the rules? I am basing this on the rules and the experience that I have had in the legislature of us not having this type of vote, to the best of my recollection, or ruling from the Chair.

The SPEAKER. The motion to suspend the rules is a procedural motion and at this time cannot be reconsidered.

Mr. PISTELLA. So then the ruling from the Parliamentarian would be, it would be appropriate or in order to do a separate vote to rescind the previously adopted motion to suspend the rules.

The SPEAKER. That is the ruling.

Mr. PISTELLA. Okay. Thank you very much, Mr. Speaker.

PARLIAMENTARY INQUIRY

The SPEAKER. And on that question, the Chair recognizes the gentleman, Mr. Vitali.

Mr. VITALI. I have a parliamentary inquiry. Then I would like to speak on the motion.

The parliamentary inquiry is, I simply need a simple majority of those voting to prevail. Is that correct?

The SPEAKER. You need a two-thirds vote, Mr. Vitali.

Mr. VITALI. Now, I am not clear on that point, because I am not asking for anything to be suspended at this point. I am asking to go back.

The SPEAKER. Mr. Vitali, page 323 of Mason's Manual: "The motion to rescind requires the same vote as would be required to repeal the act which it is sought to rescind."

Mr. VITALI. I understand.

Thank you, Mr. Speaker.

Then I would like to speak on my motion.

The SPEAKER. The gentleman is in order.

Mr. VITALI. Thank you, Mr. Speaker.

I think the importance of rescinding is that this really is one of the rare opportunities we will get to consider a very important issue. As you know, rules are not brought into play too often. What we have is a very controversial issue, the use of taxpayer dollars for campaigning purposes, and this is one of the rare opportunities we get.

This will not, in response to the gentleman from Greene County's arguments, delay things at all. We can still proceed with the motion in chief on the gambling issue. It will simply enhance it and will take advantage of one of those rare opportunities to consider the issue.

The issue of using taxpayer dollars for public service announcements is particularly timely right now, because we are into campaign season, well under way into campaign season, so it is particularly timely.

Mr. Speaker, my sense is that this is the type action that our constituents would support. It would be the appropriate time coming into an election season to be able to go on the record on.

So I would simply ask for an affirmative vote on this motion to rescind so that we can proceed not only with this rule but also the rule at hand on this slots issue.

So I would ask for an affirmative vote.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

Those in favor of rescinding will vote "aye"; those opposed, "no."

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

The following roll call was recorded:

YEAS-16

Curry	Hanna	Pallone	Sturla
Daley	Lescovitz	Preston	Tangretti
Freeman	McGeehan	Roberts	Vitali
Gruccela	Melio	Samuelson	Williams

NAYS-179

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

NOT VOTING-2

Bebko-Jones	Roebuck
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EXCUSED-5

Cruz	Mackereth	Readshaw	Saylor
Evans, D.			

Less than the majority required by the rules having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

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

The SPEAKER. Mr. Vitali.  
Mr. VITALI. Thank you, Mr. Speaker.  
I rise to speak on the resolution.  
The SPEAKER. The gentleman is in order.

Mr. VITALLI. Thank you, Mr. Speaker.

I stand in opposition of the resolution, and there are two key numbers here. One is the number 57, and the second number is the number 144.

The number 57 is the number of days this resolution would remain in effect if we voted for it. This is a resolution involving legislative ownership in slots which will expire in 57 days. After that, it is as if it had never passed, and no rule would be in effect at that point until we adopt rules come January. So this really is not the way to approach it. Fifty-seven days; it is just not the way to approach it. It underscores the fact that this should be done— Prohibiting ownership interest in slots by legislators and government officials and political people should not be done by a House rule.

The second number, I think, significant to this is the number 144. One hundred forty-four, including the two rule suspensions we just did, are the total number of times we have suspended the House rules this session, and I bring that up to show the ease at which we can relax our rules if we want to. The problem is, if we put this prohibition of legislators having an ownership interest in slots in the House rules, we can suspend the House rules as easily, ironically, as we did to run this amendment today; as easily as we were able to suspend the rules to run this amendment today instead of when it should have been run, just as easily we can suspend the rules to eliminate this provision of the rules. That underscores the fact that it is really not the way to go.

I mean, another problem with this rule is what it does not cover. It covers legislators and their families only. It does not cover local officials. It does not cover local elected officials like school board people and others. It does not cover local political officials like county chairmen and so forth.

This really is, in a phrase, political cover. What this amendment, what HR 854 is, is simply political cover. It is a device to cover ourselves politically before the election, and I do not think we should really be participating in this. What we should really do— And if we do vote for this, it will be worse than doing nothing at all, because by doing it, we will take the pressure off of real reform, and so that is making the situation worse.

So what I would request is that we vote “no” on this device for political cover and then force the issue of reopening this bill so that we can come back and really make the necessary changes legislatively.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, I have before me HR 854, and I am very impressed with the many cosponsors that have signed on. That indicates that there is a real desire to resolve this 1 percent, this 1-percent interest that we are trying to eliminate. And as the Representative from Delaware County just pointed out, this resolution is temporary; that in 57 days it will expire and then we will have to reauthorize that language in the new House rules.

Mr. Speaker, in all probability, there is a bill coming over from the Senate, and we will probably have that bill in 48 hours. That legislation will not only deal with the 1-percent financial interest for legislators; it will also tackle some other very difficult issues that have been mentioned in the press. It will

deal with ownership of manufacturers, distributors, suppliers. It will deal with the issue of providing authorization to the Attorney General. It will also deal with the local community issue so that they have a say when a casino license is to be placed into their community. So it will have a wonderful impact on this Commonwealth if we just wait for those administrative changes to come through in the Senate legislation.

Now, Mr. Speaker, the perception here is that if we pass HR 854, the people of Pennsylvania are going to be of mind that we have done something that is really meaningful, really productive; that we have eliminated the problem. And who is to convey that message to the public? It is certainly not going to be the editorial boards of Pennsylvania newspapers. I doubt very much it will be the reporters here in the State Capitol, these investigative reporters who look at legislation and who over the past 3 months have found so many defects and defaults with this gambling bill that they are going to say, yep, the General Assembly has done their job; the 1-percent financial interest of legislators is now taken care of. What we are going to see is probably even harsher criticism because we have not done the right thing and done this work through legislation.

So are we really fixing the problem? We are not. What we will create is a perception through the press to the public that this General Assembly maybe has a problem with this gambling bill and that this temporary measure is nothing but smoke and mirrors, and we do not want that.

All of us work hard here. We come here to do the people's business. Let us remove this cloud of doubt and suspicion once and for all from over our Assembly, and the way we do it is with legislation, and one of the best prospects we have is that legislation which the Senate is sending us. It will probably have support of Senate Democrats as well as Republicans on that issue.

So let us not do the window dressing. Let us do it right, and I ask members that we can do it right, and I am going to oppose this House resolution for those reasons.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

## LEAVE OF ABSENCE

The SPEAKER. The Chair returns to leaves of absence, and the Chair is in receipt of a leave of absence for the gentleday from Montgomery, Mrs. Mary Ann DAILEY. Without objection, her name will be placed on leave.

## CONSIDERATION OF HR 854 CONTINUED

The SPEAKER. The gentleman from Philadelphia, Mr. Thomas.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of HR 854.

Mr. Speaker, I think the previous speaker hit the nail on the head when he said that there are 57 days. There are 57 days left in this term, and, Mr. Speaker, we have a process that is continuing — the process of selecting a Gaming Board, developing rules by which gaming will take place in the Commonwealth of Pennsylvania. That is ongoing.

People from across Pennsylvania have made it very clear that we need to deal with this issue of interests, and so, Mr. Speaker, I think that it is wise, that it is prudent, and that it is timely for

us to act now. We have a process, which is our rules, where we can make a statement and make it very clear what will be the rules as it relates to investing in the gaming industry in the Commonwealth of Pennsylvania on behalf of us as elected officials.

Yes, there is something going on in the Senate, but there has been a whole lot going on in the Senate. In fact, all the stuff going on in the Senate had us here until July 4 dealing with this issue. I do not want to wait on the Senate. I want us to act and act affirmatively.

And, Mr. Speaker, we are not attempting to say that this issue is over. What HR 854 represents is another step in the right direction, another step in the right direction. It is not over. When we come back after the election or whenever we come back, when we go into the next term, we will still have an opportunity to take another step in the right direction.

But on this day, at this time, in this place, let us act on HR 854, and let it represent one step, another step, in the right direction on this issue of gaming.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

Does the gentleman, Mr. Levdansky, seek recognition?

The gentleman, Mr. Smith. The Chair recognizes the majority leader, the gentleman, Mr. Smith.

Mr. S. SMITH. Thank you, Mr. Speaker.

Mr. Speaker, I do not want to belabor the debate or the discussion on this particular resolution. However, I think it is important to note that part of the purpose that we are considering this resolution in somewhat of an expedited fashion is that there was what, in my opinion, was a complete display of misinformation. At some point after this legislation was enacted and signed into law by the Governor earlier this year, there were reports that it would imply that by virtue of that law going into place, members of the legislature were going to be given up to 1 percent ownership in whatever facilities these might represent, and I just think it is worth putting on the record, Mr. Speaker, that that is absolutely a fallacy; that the provision in the original law was geared to limit what one could purchase, not what one would be given. And in spite of that misinformation and the fact that it was out there, clearly it has created a stir as to just what members of the legislature could in fact own.

This rule is something that in and of itself is a good thing. Is it a final step? Is it a final solution? No; I do not hold it out as a final solution to this particular issue of ownership, but at this point in time, it is a good thing to do. One previous speaker mentioned legislation that we anticipate coming from the Senate. Maybe it will be here tomorrow; maybe it will be Wednesday; maybe it will be the beginning of next week. I do not know. The fact is that in that interim, whatever that period of time, it allows this House to state on behalf of the members of this body — and we cannot speak for the Senate at this point in time; we cannot speak for the administration; we can only speak for ourselves at this moment in time — and it is saying that we as a membership will not own parts of the gaming operations or the supporting infrastructure to that.

Will we come back and do this in a more permanent fashion via law? It is my absolute intention that we will do so. At such time that this language or some other language that we agree upon that deals with ownership is enacted, then, frankly, this rule that is being put in place that is being criticized for only being there for 50-some days would not even be necessary.

However, should that not happen, I think it is important that we put this in place at this point in time.

The simple fact is, Mr. Speaker, that this is a short-term solution to a problem that we have, and that problem is that the public is concerned about a conflict of interest, if you will, of whether or not this legislature or the members of this legislature would have a conflict relative to ownership of gaming rights.

This rule is a short-term solution to resolving that, to state clearly and unequivocally to the public that we do not intend nor did we ever intend nor will we in the future, and hopefully, as I said, Mr. Speaker, we will make that more permanent in the form of law in the very near future, and I would urge the members to support the resolution.

Thank you, Mr. Speaker.

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

Mr. DeWEESE. Thank you, Mr. Speaker.

Tens of thousands of jobs are hanging in the balance. Just the agricultural economy in our State — people who raise horses, people who raise feed for horses, people who groom horses, people who house horses — thousands of jobs at these 14 facilities that should be coming on line in the next 8 to 14 months, thousands of jobs are hanging in the balance.

The second point I would like to make is that property tax reductions in the Commonwealth are also hanging in the balance. I agree with every syllable that the majority leader said. That does not happen all that often. I do not know whether it is worthy of laudation, but it certainly is worthy of note. Everything the gentleman said I concur with.

This is a chance for the honorable gentleman from Bucks, the chairman of the State Government Committee in the majority, the antagonist on this issue as opposed to some of us who would consider ourselves protagonists, to shoehorn into this measure a variety of changes that would sully, denigrate, and probably vitiate forever the gaming proposal. This proposal percolated many, many years in the General Assembly. It passed in July—

Mr. S. SMITH. Mr. Speaker? Mr. Speaker? Mr. Speaker?

The SPEAKER. For what purpose does the gentleman, Mr. Smith—

Mr. S. SMITH. Point of parliamentary inquiry or observation for you to consider.

I would urge you to respectfully keep the Democratic leader on the subject of the resolution and not the legislation that precipitated this rules resolution before us.

Thank you, Mr. Speaker.

Mr. DeWEESE. Mr. Speaker, if I might respond?

The SPEAKER. We, as the gentleman knows, we traditionally allow the floor leaders a little bit more latitude than the regular members. The Parliamentarian does feel that Mr. DeWeese was getting carried away.

So the gentleman, Mr. DeWeese—

Mr. DeWEESE. I am a good sport, Mr. Speaker. I will abbreviate my remarks.

The SPEAKER. The Chair thanks the gentleman.

Mr. DeWEESE. I would like to think that the gentleman's proposal to alter our rules is a substantive one. If we have to amend the Ethics Act later in the process, so be it. I think we are going to have the strongest gaming statute of any State. In the State of Nevada, a State Senator can own a casino. We have tried desperately— And by the way, they have not had any problems in Nevada relative to politicians owning anything.

I do not disagree. Let us cut out every nickel; let us cut out every dime, and I think that no member of the House of Representatives should vote against Mr. Smith's proposal, and I would ask for adoption of his legislation.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Since the minority leader is so disposed to talk about the gambling issue, I think it is only fair that I have a few minutes to make some remarks. I think that is only fair.

All right, Mr. Speaker—

The SPEAKER. We did stop the minority leader and tell him he went too far afield of what the subject before the House was. So, please, Mr. Clymer, just keep that in mind, but go ahead.

Mr. CLYMER. Okay. Thank you.

Mr. Speaker, I just would respectfully say that the minority leader, as he talked about the bill, that he also remember that it is regressive taxation; it is exploitation of the poor. It has enormous social costs. We are giving away gambling licenses worth \$300 million—

Mr. DeWEESE. Mr. Speaker? Mr. Speaker? Mr. Speaker?

Mr. CLYMER. Well, does the minority leader have a problem? Does he have a problem? Because I am talking about the same issues he is talking about but from a different viewpoint. Do I not have equal time? Come on, Mr. Speaker, equal time.

### PARLIAMENTARY INQUIRY

Mr. DeWEESE. Mr. Speaker, point of parliamentary inquiry.

The SPEAKER. He makes a valid point, Mr. DeWeese.

The Chair recognizes the gentleman, Mr. DeWeese.

Mr. DeWEESE. With all due respect, Mr. Speaker, the validity of his point would have been augmented if I had kept on going.

Notwithstanding the fact that the Parliamentarian, and through the Parliamentarian, the Speaker, inferred that I should limit my remarks, I think that floor leaders should have absolute, almost infinite latitude, but I decided for the interest of the chamber and the interest of debate and time and so forth that I would abbreviate my remarks, and I tried to sum it up in a minute or a minute and a half and went back to the resolution and asked for Mr. Smith's resolution to be supported. I decided not to talk anymore about gaming. I took the advice of the Chair.

Now, the gentleman, without — at least momentarily he is not the leader of the majority party — he should extinguish any enthusiasms he has on this measure. He should talk about the resolution and nothing but the resolution.

Thank you.

The SPEAKER. Mr. Clymer, the Chair would like to ask you to keep your remarks informational.

Mr. CLYMER. All right.

Mr. Speaker, I will acquiesce to my majority leader here, but I would just forewarn that if it is the intent of the minority leader to open up discussion on the gambling bill, I am here to provide the proper opposition.

And so, Mr. Speaker, I am going to conclude my remarks and say that we still have to look at this legislation, as

I remarked earlier, and hopefully we can come to some agreements on the Senate bill that I had articulated. I still think that 61,000 addictive slot machines are too many for Pennsylvania.

The SPEAKER. The Chair thanks the gentleman for the information.

### PARLIAMENTARY INQUIRY

The SPEAKER. The gentleman from Allegheny, Mr. Maher. The Chair recognizes you.

Mr. MAHER. Thank you, Mr. Speaker.

A parliamentary inquiry.

Is my understanding correct that the rules of this chamber expire on November 30 when our session expires constitutionally?

The SPEAKER. Not exactly what was said here earlier today, Mr. Maher. The rules that we have, generally when we start a new legislative session, unless the rules are changed, we go under the old rules that we had from the prior session, and in years past sometimes that has taken as late as March or April.

Mr. MAHER. So if we were to reconvene when we reconvene in January—

The SPEAKER. Yes.

Mr. MAHER. —the operative set of rules would be—

The SPEAKER. The rules that are in place now.

Mr. MAHER. —the rules before us. I thought at that point there were in fact no rules until we adopted rules.

The SPEAKER. That is not true, Mr. Maher. Technically, we go by precedent, and the best precedent we have are the previous House rules. So those are what we have always taken as long as we have all been here.

Mr. MAHER. So it would be precedent and not the rules per se but to the effect that the rules are precedent. Am I understanding that correctly?

The SPEAKER. Yes. Yes.

### MOTION TO RECOMMIT

Mr. MAHER. Mr. Speaker, I really am torn on this, but I think I would like to make a motion observing that there are, we have heard repeatedly, 57 days remaining in this session when the rules are fully operative, and recognizing that on page 3 that there is a 90-day transition period associated with the ownership, Mr. Speaker, I would like to make a motion, not a dilatory motion, but a motion to refer this resolution, well intended as it is, to the Rules Committee for amendment so that at least its full impact could be required before this session expires.

The SPEAKER. It has been motioned by the gentleman from Allegheny, Mr. Maher, that the resolution be recommitted to the Committee on Rules.

On the question,

Will the House agree to the motion?

Mr. MAHER. May I speak on that motion, Mr. Speaker?

The SPEAKER. The gentleman is in order.

Mr. MAHER. Just very briefly. Even if this resolution were to immediately return from the Rules Committee, I would be quite satisfied. I just think that in terms of accomplishing the

noble purpose behind this resolution, it would probably be helpful to ensure that it has effect of a rule by the conclusion of this session, Mr. Speaker.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. DeWeese.

Mr. DeWEESE. To try to be helpful to my honorable colleague and good friend from Allegheny County, Mr. Maher, one of the dazzling lights, one of the luminous parliamentarians on our side of the aisle, Mark Cohen, just pointed out, apropos of the dialog that was going on, that the rules do indeed endure in that hiatus between November 30 midnight and their readoption or some modification of the rules in January, and again, I am not an attorney, but I think they would say the prima facie evidence would be that we continue to spend money in December for our expense accounts and a wide variety of other things that go on in December under purview of the House rules. So with that as a precedent, the honorable gentleman's motion seems to be not dilatory but unnecessary. The rules do engage us in that time between November 30 midnight and the readoption.

So if given the chance, I would entreat with the gentleman to withdraw the motion, and if not, I think we should pummel it.

MOTION WITHDRAWN

The SPEAKER. The gentleman, Mr. Maher.

Mr. MAHER. Thank you, Mr. Speaker.

Please mark these words well, because they do not often get recited on this floor from this spot, but I have found the minority leader sufficiently persuasive that I will withdraw my motion.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—187

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

Civera	Hess	Pallone	Turzai
Cohen	Hickernell	Payne	Vance
Cornell, S. E.	Horsey	Petrarca	Veon
Corrigan	Hutchinson	Petri	Walko
Costa	James	Petrone	Wansacz
Crahalla	Josephs	Phillips	Washington
Curry	Keller	Pickett	Waters
Daley	Kenney	Pistella	Watson
Dally	Killion	Preston	Weber
DeLuca	Kirkland	Raymond	Wheatley
Denlinger	Kotik	Reed	Williams
Dermody	LaGrotta	Reichley	Wilt
DeWeese	Laughlin	Rieger	Wojnaroski
DiGirolamo	Leach	Roberts	Wright
Diven	Lederer	Roebuck	Yewcic
Donatucci	Leh	Rooney	Youngblood
Eachus	Lescovitz	Ross	Yudichak
Evans, J.	Levdansky	Rubley	Zug
Fabrizio	Lewis	Ruffing	
Fairchild	Lynch	Sainato	Perzel,
Feese	Maher	Samuelson	Speaker
Fichter			

NAYS—9

Birmelin	Creighton	Forcier	Rohrer
Clymer	Egolf	Gabig	Vitali
Coleman			

NOT VOTING—0

EXCUSED—6

Cruz	Evans, D.	Readshaw	Saylor
Dailey	Mackereth		

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

The SPEAKER. There will be no further votes on the floor. Are there any announcements?

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 2587, PN 4462 (Amended) By Rep. CLYMER

An Act authorizing and directing the Department of General Services, with the approval of the Pennsylvania Historical and Museum Commission and the Governor, to grant and convey to Milton Area School District, certain lands and building situate in the Township of West Chillisquaque, County of Northumberland, Commonwealth of Pennsylvania.

STATE GOVERNMENT.

HB 2561, PN 4461 (Amended) By Rep. CLYMER

An Act authorizing and directing the Department of General Services, with the approval of the Pennsylvania Historical and Museum Commission and the Governor, to grant and convey to Luzerne County Historical Society, certain lands and building situate in the Borough of Forty Fort, County of Luzerne, Commonwealth of Pennsylvania.

STATE GOVERNMENT.



**HB 2789, PN 4275**

By Rep. CLYMER

An Act authorizing and directing the Department of General Services, with the approval of the Department of Military and Veterans Affairs and the Governor, to grant and convey to the Borough of Doylestown, certain lands situate in the Borough of Doylestown, Bucks County.

STATE GOVERNMENT.

**HB 2856, PN 4404**

By Rep. MICOZZIE

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, including podiatrists to the health care providers retention program; and making a related repeal.

INSURANCE.

**SB 1208, PN 1852 (Amended)**

By Rep. CLYMER

An Act authorizing the Department of General Services, with the approval of the Governor, to grant and convey to Frenchcreek Township, Venango County, approximately 65.36 acres which includes the sewage treatment facilities, conveyance system, all improvements thereon and easements, at Polk Center in Polk Borough, Venango County.

STATE GOVERNMENT.

**BILL REMOVED FROM TABLE**

The SPEAKER. The Chair recognizes the majority leader.

Mr. S. SMITH. Mr. Speaker, I move that HB 2856 be taken from the table.

On the question,

Will the House agree to the motion?

Motion was agreed to.

**BILLS AND RESOLUTIONS PASSED OVER**

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

**ADJOURNMENT**

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Wheatley.

Mr. WHEATLEY. Mr. Speaker, I move that this House do now adjourn until Tuesday, October 5, 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 5:18 p.m., e.d.t., the House adjourned.