

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

MONDAY, NOVEMBER 8, 2004

SESSION OF 2004

188TH OF THE GENERAL ASSEMBLY

No. 64

HOUSE OF REPRESENTATIVES

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

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

PRAYER

REV. DJ PAGLIA, Chaplain of the House of Representatives, offered the following prayer:

Shall we pray:

Our Heavenly Father, we thank You for giving us the privilege and opportunity to serve this great Commonwealth of Pennsylvania because of the confidence and trust that has been given to each of us. Help us to live as well as perform our duties as public servants who are dedicated to the best interests of each of our citizens.

We ask You to bless each Representative who has been returned to this chamber, as well as our newly elected Representatives. We pray Your blessing upon the members of the staff, the clerks, and each one who shares in the work and administration of this chamber. Help us to realize that we cannot perform our duties without divine wisdom. We are instructed with these sobering words: "If any of you is deficient in wisdom, let him ask of the 'Giving God' who gives to everyone liberally and abundantly."

We ask You to continue to keep Your hand of protection and blessing upon our President, our Governor, and upon our great nation of America.

To You, our Father, belongs all wisdom, power, and glory forever. 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 for Thursday, October 21, 2004, will be postponed until printed.

JOURNALS APPROVED

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

Wednesday, June 23;
Thursday, June 24; and
Monday, June 28.

Without objection, those Journals will be approved.

BILLS REMOVED FROM TABLE

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

HB 2607;
HB 2804;
HB 2870;
HB 2875;
HB 2883;
HB 2888;
HB 2901;
HB 1720;
HB 1723; and
HB 1922.

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

BILLS ON SECOND CONSIDERATION

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

HB 2607, PN 3859; HB 2804, PN 4328; HB 2870, PN 4572; HB 2875, PN 4573; HB 2883, PN 4457; HB 2888, PN 4477; HB 2901, PN 4556; HB 1720, PN 4240; HB 1723, PN 4241; and HB 1922, PN 4239.

BILLS RECOMMITTED

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

HB 2607;
HB 2804;
HB 2870;
HB 2875;
HB 2883;

HB 2888;
HB 2901;
HB 1720;
HB 1723; and
HB 1922.

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

CALENDAR

BILL ON FINAL PASSAGE

The House proceeded to consideration on final passage of **HB 1116, PN 4245**, entitled:

An Act providing for the certification of persons conducting hazardous painting; and providing for a penalty.

On the question,
Shall the bill pass finally?

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader.
Mr. S. SMITH. Mr. Speaker, I move that HB 1116 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 HB 1116 be taken off the table.

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

ACTUARIAL NOTE

The SPEAKER. The Chair acknowledges receipt of the following actuarial note: HB 1922, PN 4239.

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

COMMUNICATIONS FROM DEPARTMENT OF EDUCATION

The SPEAKER. The Speaker acknowledges receipt of the Mandate Waiver Program's annual report for 2003-2004 from the Pennsylvania Department of Education.

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

The SPEAKER. The Speaker acknowledges receipt of the Education Empowerment Act Annual Report for school year 2003-2004.

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

COMMUNICATION FROM OFFICE OF SMALL BUSINESS ADVOCATE

The SPEAKER. The Speaker acknowledges receipt of the Office of Small Business Advocate Budget Request for Fiscal Year 2005-2006.

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

COMMUNICATION FROM TEMPLE UNIVERSITY

The SPEAKER. The Speaker acknowledges, in compliance with Act 12A of 2003, the consolidated financial statements of Temple University for fiscal year 2003-2004.

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

COMMUNICATION FROM STATE CIVIL SERVICE COMMISSION

The SPEAKER. The Speaker acknowledges receipt of the Annual Report for Fiscal Year 2003-2004 from the State Civil Service Commission.

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

COMMUNICATION FROM DEPARTMENT OF STATE

The SPEAKER. The Speaker acknowledges receipt of the report on the operation of the Department of State's Uniform Commercial Code Filing Office.

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

LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes the majority whip, who moves for a leave of absence for the gentlelady from Montgomery, Ms. WEBER, for the week, and the gentleman from Cumberland, Mr. NAILOR, for the day. Without objection, those leaves will be granted.

The Chair recognizes the minority whip, who moves for a leave of absence for the week for the gentleman from Clinton, Mr. HANNA; for the gentleman from York, Mr. STETLER, for the day; for the gentleman from Westmoreland, Mr. PALLONE, for the day. 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.

(Members proceeded to vote.)

LEAVE OF ABSENCE

The SPEAKER. The Chair returns to leaves of absence and recognizes the majority whip, who moves for a leave of absence for the gentleman from Warren, Mr. LYNCH. Without objection, his name will be added to the leaves of absence.

MASTER ROLL CALL CONTINUED

The SPEAKER. On the master roll, the clerk will record the vote.

The following roll call was recorded:

PRESENT—196

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

Eachus	Leh	Ruffing	Perzel,
Egolf	Lescovitz		Speaker

ADDITIONS—0

NOT VOTING—0

EXCUSED—6

Hanna	Nailor	Stetler	Weber
Lynch	Pallone		

LEAVES CANCELED—1

Pallone

GUESTS INTRODUCED

The SPEAKER. The Chair welcomes to the hall of the House Mrs. Nancy Jacobs and her children, Lauren, Katie, Nathan, and Grace. They are here today as guests of Representative Lynn Herman. They are seated in the balcony. Would those guests please rise and be recognized.

We have other special guests here today. They are administrators and parents from the Timothy School in Chester County, and they are visiting the Capitol today as the guests of Representative Carole Rubley. They are Judith D'Angelo, Julie Clipp, Tom Gervasi, and Judy Horrocks. They are seated to the left of the Speaker. Would those guests please rise and be recognized.

We have a special guest here today as the guest of the Delaware County delegation along with the Speaker, the president of the Machinists Union 1776. His name is Bob Boland. He is to the left of the Speaker. Would that guest please rise and be recognized.

RESOLUTION PURSUANT TO RULE 35

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

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

On the question,
Will the House adopt the resolution?

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

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

Mr. LEH. Thank you, Mr. Speaker.

I rise to make some comments on the resolution.

Mr. Speaker, I rise today to discuss a serious topic that concerns all parents in this Commonwealth. Two and a half years ago Robin and Bryan Essick did not know that the infection that their 9-year-old daughter, Emily Katzaman, brought home from school would take her life and take her from her very family. These brave parents, who were unaware that Emily had contracted meningitis, still wonder if she would be alive today had they rushed her to the hospital, or better yet, had they known that there was a vaccine to prevent their children from ever contracting it.

While Robin and Bryan do not know how Emily contracted the infection, it is known that more than 15 percent of all people carry the bacterium which causes it, and those highest at risk are older children and adolescents. Even those in colleges and universities contract the disease. This rare but deadly infection has even camouflaged itself to look like the flu, and with colder weather coming upon us, the threat is even greater.

It is caused by a viral or bacterial infection which attacks the key organs and can kill a healthy person in days by attacking the brain and spinal cord. Between 300 and 450 people die each year in the United States from meningitis, and this devastates lives and leaves destruction in its path. This deadly infection has already destroyed the Essick family.

Robin was quoted in the Reading Eagle earlier this year as saying, "You always think 'This could never happen to me.' Then imagine finding out your child's disease could have been prevented by a vaccine." This is why resolution 634 is so important. It is why the Essick family has joined me here in the hall today in their efforts to alert and educate parents across this Commonwealth about meningitis and how it can possibly be prevented.

These are our children we are talking about. These are the young and the innocent, like Emily, that we need to protect. So I ask my colleagues today in the House to recognize the need and importance to educate everyone about meningitis through the unanimous adoption of HR 634.

Mr. Speaker, thank you very much.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—196

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

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Hanna	Nailor	Stetler	Weber
Lynch	Pallone		

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

GUESTS INTRODUCED

The SPEAKER. The Chair recognizes the gentleman from Berks, Mr. Leh.

Mr. LEH. Thank you, Mr. Speaker.

I rise for a personal privilege.

The SPEAKER. The gentleman is recognized under unanimous consent.

Mr. LEH. I would like to thank the members for their vote, and at this time if the members would please help me welcome and introduce them to Robin and Bryan Essick. They are seated to the left of the Speaker.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

RESOLUTION PURSUANT TO RULE 35

Mr. ARGALL called up **HR 906, PN 4579**, entitled:

A Resolution proclaiming November 15, 2004, as "America Recycles Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—196

Adolph	Evans, D.	Levdansky	Sainato
Allen	Evans, J.	Lewis	Samuelson
Argall	Fabrizio	Mackereth	Santoni
Armstrong	Fairchild	Maher	Sather
Baker	Feese	Maitland	Saylor

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

NAYS-0

NOT VOTING-0

EXCUSED-6

Hanna	Nailor	Stetler	Weber
Lynch	Pallone		

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

**BILL AND VETO MESSAGE
REMOVED FROM TABLE**

The SPEAKER. The Chair recognizes the majority leader. Mr. S. SMITH. Mr. Speaker, I move that HB 2758 be taken off the table.

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

HB 2758 RECONSIDERED

The SPEAKER. The Chair has immediately before it a reconsideration motion that the vote by which HB 2758, PN 4224, was defeated on the 20th day of October be reconsidered.

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

The following roll call was recorded:

YEAS-194

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

NAYS-0

NOT VOTING-2

Cohen	Lescovitz
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EXCUSED—6

Hanna Nailor Stetler Weber
Lynch Pallone

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

On the question recurring,
Shall the bill become law, the objections of the Governor to the contrary notwithstanding?

BILL AND VETO MESSAGE TABLED

The SPEAKER. The Chair recognizes the majority leader.
Mr. S. SMITH. Mr. Speaker, I move that HB 2758, PN 4224, be laid upon the table.

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

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2874, PN 4575**, entitled:

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

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

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

The Chair recognizes the gentleman from Northampton, Mr. Samuelson.

Mr. SAMUELSON. Thank you, Mr. Speaker.

I look for someone to give an explanation of this bill. Normally we have a caucus meeting on Monday to go over the legislation coming up for the week. So far we have not had caucus meetings this week.

The SPEAKER. The Chair apologizes to the gentleman, Mr. Samuelson. It is listed that both parties caucused on this bill prior to today.

The Chair recognizes the gentleman, Mr. Reichley, for a brief explanation of HB 2874.

Mr. REICHLEY. Thank you, Mr. Speaker.

This bill merely extends the date for authorization of wiretap legislation, and it also expands to cover the new gaming law that took effect in July in addition to the other enumerated offenses for which wiretap investigations are allowed in Pennsylvania.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—196

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Hanna Nailor Stetler Weber
Lynch Pallone

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

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

REPUBLICAN CAUCUS

The SPEAKER. The Chair recognizes the gentlelady, Mrs. Taylor, for the purpose of a caucus announcement.

Mrs. TAYLOR. Thank you, Mr. Speaker.

There will be a Republican majority caucus immediately following the call of the recess. It will be held, of course, in the majority caucus room, but it is immediately following the call for a recess.

Thank you.

The SPEAKER. The Chair thanks the lady.

DEMOCRATIC CAUCUS

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Williams, for the purpose of a caucus announcement.

Mr. WILLIAMS. Mr. Speaker, the Democrats will caucus right after the break. There will be no formal discussions.

The SPEAKER. The Chair thanks the gentleman.

TOURISM AND RECREATIONAL DEVELOPMENT COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Montgomery, Mr. Godshall, for the purpose of a committee announcement.

Mr. GODSHALL. Thank you, Mr. Speaker.

Immediately upon the break at the back of the House, there will be a meeting of the Tourism Committee for the purpose of moving one bill.

Thank you.

The SPEAKER. The Tourism Committee will meet in the back of the House at the break.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Schuylkill, Mr. Argall, the chairman of the Appropriations Committee, for the purpose of an announcement.

Mr. ARGALL. Thank you, Mr. Speaker.

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

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

INTERGOVERNMENTAL AFFAIRS COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman, Mr. Fairchild, for the purpose of a committee announcement.

Mr. FAIRCHILD. Thank you, Mr. Speaker.

There will be a short meeting. One bill will be voted on for the Intergovernmental Affairs Committee, and that will be at the back of the House at the recess.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Intergovernmental Affairs will meet at the back of the House at the recess.

LABOR RELATIONS COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman, Mr. Allen, for the purpose of a committee announcement.

Mr. ALLEN. Thank you, Mr. Speaker.

The House Labor Relations Committee will meet immediately in room 302—room 302—South Office Building.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

Labor Relations will meet in room 302 of the South Office Building immediately.

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Lehigh, Mr. Semmel, for the purpose of an announcement.

Mr. SEMMEL. Thank you, Mr. Speaker.

The Veterans Affairs and Emergency Preparedness Committee will meet on the call of the recess in the rear of the House.

Thank you.

The SPEAKER. Veterans Affairs will meet in the rear of the House at the recess.

GAME AND FISHERIES COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from York, Mr. Smith, for the purpose of an announcement.

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

The Game and Fisheries Committee will meet immediately in room 60. We have one very important bill, and I want the members to be aware that we are meeting immediately in room 60 at the call of the recess.

Thank you, Mr. Speaker.

The SPEAKER. There will be an immediate meeting of the Game and Fisheries Committee in room 60.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. For the information of the members, there will be no further votes today. It is the anticipation of the Chair that tomorrow there will be no votes until around 1 o'clock, but the members should be in their offices to be able to hear any announcements that might be made in case there would be an earlier time.

The desk will remain open to receive committee reports.

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

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

HB 2862, PN 4445 By Rep. SEMMEL

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.

VETERANS AFFAIRS AND EMERGENCY
PREPAREDNESS.

HB 2931, PN 4566 By Rep. GODSHALL

An Act authorizing and directing the Department of General Services, with the approval of the Pennsylvania Historical and Museum Commission and the Governor, to execute a corrective deed to revise a deed restriction on certain real estate conveyed to the Northumberland County Historical Society, situate in the Township of Upper Augusta, County of Northumberland, Commonwealth of Pennsylvania; and making a repeal.

TOURISM AND RECREATIONAL DEVELOPMENT.

SB 432, PN 1901 (Amended) By Rep. SEMMEL

An Act amending the act of July 9, 1990 (P.L.340, No.78), known as the Public Safety Emergency Telephone Act, further providing for the Wireless E-911 Emergency Services Fund.

VETERANS AFFAIRS AND EMERGENCY
PREPAREDNESS.

**BILL REPORTED AND REREFERRED TO
COMMITTEE ON
ENVIRONMENTAL RESOURCES AND ENERGY**

SB 977, PN 1496 By Rep. SEMMEL

An Act amending the act of December 3, 1998 (P.L.946, No.125), known as the Forest Lands Beautification Act, further providing for funding for the Forest Lands Beautification Restricted Account.

VETERANS AFFAIRS AND EMERGENCY
PREPAREDNESS.

BILLS REREPORTED FROM COMMITTEE

HB 1187, PN 3284 By Rep. ARGALL

An Act authorizing and directing the Department of Health to establish a task force to investigate toxic mold in homes, schools and buildings and the potential health hazards it may cause; and providing for exposure limits.

APPROPRIATIONS.

HB 1720, PN 4240 By Rep. ARGALL

An Act amending the act of May 22, 1951 (P.L.317, No.69), known as The Professional Nursing Law, providing for delegation of functions necessary for the support of nursing services.

APPROPRIATIONS.

HB 1723, PN 4241 By Rep. ARGALL

An Act amending the act of March 2, 1956 (1955 P.L.1211, No.376), known as the Practical Nurse Law, providing for the delegation of functions.

APPROPRIATIONS.

HB 1759, PN 2279 By Rep. ARGALL

An Act amending the act of November 24, 1999 (P.L.884, No.54), known as the Prescribed Pediatric Extended Care Centers Act, providing for definitions; and further providing for regulations.

APPROPRIATIONS.

HB 1977, PN 3595 By Rep. ARGALL

An Act providing for lyme and related tick-borne disease diagnosis and treatment, for denial, revocation or suspension of license or discipline of treating physicians and doctors of osteopathy and for professional misconduct proceedings.

APPROPRIATIONS.

HB 2738, PN 4126 By Rep. ARGALL

An Act amending the act of June 27, 1939 (P.L.1199, No.404), entitled "An act relating to the assessment of real and personal property and other subjects of taxation in counties of the first class; providing for the appointment of members of the board of revision of taxes by the judges of the courts of common pleas; providing for the appointment, by the board, of personal property assessors, real estate assessors and assistant real estate assessors, clerks and other employees; fixing the salaries of members of the board, assessors and assistant assessors, and providing for the payment of salaries and expenses from the county treasury; prescribing the powers and duties of the board and of the assessors, the time and manner of making assessments, of the revision and notice of assessments and of appeals therefrom; prescribing the records of assessments; and repealing existing laws," providing for the definition of "assessment ratio"; and establishing a revenue-neutral tax rate after a countywide revision of real property assessment.

APPROPRIATIONS.

HB 2870, PN 4572 By Rep. ARGALL

An Act amending the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment Compensation Law, further providing for State Unemployment Compensation Advisory Council.

APPROPRIATIONS.

HB 2875, PN 4573 By Rep. ARGALL

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.

APPROPRIATIONS.

SB 95, PN 1847

By Rep. ARGALL

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further defining “separate and apart” for purposes of divorce; providing for premarital agreements; further providing for decree of court in actions for divorce; further defining “marital property” for purposes of certain property rights; and further providing for equitable division of marital property, for disposition of property to defeat obligations and for statement of reasons for distribution.

APPROPRIATIONS.

SB 673, PN 1902 (Amended)

By Rep. ARGALL

An Act amending the act of June 26, 1992 (P.L.322, No.64), known as the Agriculture Education Loan Forgiveness Act, amending the title; and further providing for definitions, for the Agriculture Education Loan Forgiveness Program and for funding.

APPROPRIATIONS.

SB 938, PN 1903 (Amended)

By Rep. ARGALL

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further defining “multipurpose agricultural vehicle” and “special mobile equipment”; and further providing for use of farm vehicle plates, for accidents involving death or personal injury while not properly licensed, for reports by police and for width and for length of certain vehicles.

APPROPRIATIONS.

SB 959, PN 1855

By Rep. ARGALL

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the Constables’ Education and Training Account and for information required upon commitment and subsequent disposition.

APPROPRIATIONS.

LEAVE OF ABSENCE CANCELED

The SPEAKER pro tempore. The Chair returns to leaves of absence and notices the presence on the floor of the House of the gentleman from Westmoreland, Mr. Pallone. His name will be added to the master roll call.

RECESS

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

AFTER RECESS

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

BILL REREPORTED FROM COMMITTEE**HB 2486, PN 3572**

By Rep. ARGALL

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for passing and overtaking streetcars.

APPROPRIATIONS.

**BILLS REPORTED FROM COMMITTEES,
CONSIDERED FIRST TIME, AND TABLED****HB 2301, PN 3200**

By Rep. ALLEN

An Act amending the act of June 2, 1915 (P.L.736, No.338), known as the Workers’ Compensation Act, further providing for the schedule of compensation.

LABOR RELATIONS.

HB 2919, PN 4592 (Amended)

By Rep. FAIRCHILD

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for display of United States Flag and development of patriotism.

INTERGOVERNMENTAL AFFAIRS.

**RESOLUTION REPORTED
FROM COMMITTEE****HR 528, PN 4593 (Amended)**

By Rep. ALLEN

A Resolution directing the Legislative Budget and Finance Committee to determine the effectiveness of work force development programs.

LABOR RELATIONS.

RECESS

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

AFTER RECESS

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

**THE SPEAKER (JOHN M. PERZEL)
PRESIDING****TRANSPORTATION COMMITTEE MEETING**

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

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

I would like to call an immediate meeting of the Transportation Committee before Tuesday in the back of the House. Transportation Committee in the back of the House.

Thank you.

The SPEAKER. The Chair thanks the gentleman.
Transportation will meet immediately in the back of the House.

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

HB 2155, PN 4650 (Amended) By Rep. B. SMITH

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, providing for auditing and reporting; and further providing for classes of fishing licenses, permits related to fishing, fishing license fees and boat registration fees.

GAME AND FISHERIES.

JUDICIARY COMMITTEE MEETING

The SPEAKER. The gentleman, Mr. O'Brien.

Mr. O'BRIEN. Thank you, Mr. Speaker.

I would like to call a meeting of the Judiciary Committee in 302 of the Irvis Office Building.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Philadelphia, Mr. O'Brien.

Mr. O'BRIEN. Thank you, Mr. Speaker.

I would like to amend that previous announcement.

I would like to call for a meeting of the Judiciary Committee in the rear of the House immediately.

The SPEAKER. The Chair thanks the gentleman.

Judiciary will meet immediately in the rear of the House.

**HOUSE BILL
INTRODUCED AND REFERRED**

No. 2978 By Representative BIRMELIN

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for expenses for district justices; and making a related repeal.

Referred to Committee on JUDICIARY, November 8, 2004.

**NORTHEASTERN HIGH SCHOOL
BASEBALL TEAM PRESENTED**

The SPEAKER. The Chair at this time would like to ask Representative Gillespie and Representative Smith to come to the rostrum for the purpose of a citation.

Representative Gillespie.

Mr. GILLESPIE. Thank you, Mr. Speaker.

Representative Smith and I rise today to recognize and present House citations to the Northeastern High School's boys baseball team for their Class AA championship win. The Bobcats beat the Huntingdon Bearcats to win their first State championship.

Professional ballplayer Bo Jackson once said, "Set your goals high, and don't stop till you get there."

The Northeastern Bobcats certainly did not let anything get in their way of winning the State championship in their league.

Throughout the season the Bobcats averaged 9.2 runs a game. However, Huntingdon out-batted them 9 to 6 in the championship game. But that did not stop the Bobcats. The Bobcats used a solid defense to keep their rivals at bay, ultimately winning the game 6 to 3. Overall, the Bobcats won 22 of the 26 games they played last season.

At this time I would like to recognize the team members: Nick Shuman, Heriberto Batista, Chris Deitrick, Mike Dowling, Nate Fry, Derek Kline, Kory Leicht, Jon Malehorn, Steve Pokopec, Josh Reeser, Daven Remley, Alex Ribblett, Jason Swope, Andrew Wible, and Matt Witmer. The team's head coach is Don Kauffman, and the assistant coaches are Jason Johnson and Milt Bushey. Also present today is school superintendent Dr. Dennis Baughman and school principal Mr. Dennis Ashton. We also have parents in the gallery. If we could please recognize them all at this time.

We do have citations for all the team members, and I will be presenting four to the representatives up on the rostrum.

Thank you, Mr. Speaker.

MISS PENNSYLVANIA PRESENTED

The SPEAKER. The Chair at this time recognizes Representative Edward Wojnaroski for the purpose of a citation. Would the gentleman please come to the front dais.

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

Mr. WOJNAROSKI. Thank you, Mr. Speaker.

As always, the House of Representatives of Pennsylvania is always proud to recognize those individuals whose achievements bring great distinction upon themselves and this Commonwealth.

This afternoon I have the privilege of introducing to you Victoria Lynn Bechtold. She is being congratulated on being crowned Miss Pennsylvania 2004. She is a resident of my district in Richland Township in Cambria County. Victoria won the title of Miss Pennsylvania on June 26, 2004. A May 2004 graduate of the Honors College at Duquesne University, she maintained a 4.0 grade average and was named class valedictorian, and, ladies and gentlemen, she did that in 3 years.

Mr. Speaker?

The SPEAKER. The gentleman deserves some order. Please keep the noise levels down.

Mr. WOJNAROSKI. Victoria also earned the distinction of Pennsylvania's Outstanding Young Woman award in 2001. An accomplished operatic vocalist, Victoria's noble achievements deem her worthy to represent this Commonwealth as Miss Pennsylvania.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates Victoria Lynn Bechtold upon her most noteworthy accomplishments and offers best wishes for continued success in the future.

Before I have the privilege of introducing her to you, ladies and gentlemen, I also have the privilege of recognizing from my district her parents, Dave and Patte Bechtold, who are at my left. Also with her is her cousin, Mary Kay Picola. Mary Kay. And from Miss Pennsylvania, the business manager, Debi Swarner. Debi.

Ladies and gentlemen, I present to you Victoria Lynn Bechtold, Miss Pennsylvania 2004.

Miss BECHTOLD. Thank you very much, Representative Wojnaroski, for your kind words.

It is my pleasure to be here with you today, but while I have the opportunity to say a few brief remarks, I would like you all to take a moment and think to yourselves of the pressing problems that Pennsylvania now faces. For some it may be diseases such as cancer or AIDS (acquired immune deficiency syndrome); others may think of things such as terrorism, natural disasters – hurricanes, flooding – but the fact is that I believe that the solution to all of these problems lies somewhere in technology. For that reason I have taken my active role as Miss Pennsylvania to promote the integration of technology in Pennsylvania's schools throughout my year of service.

You may wonder why this is important, but I firmly believe that the brains of today will be the technology of tomorrow. Today's students are tomorrow's innovators. They are going to be the individuals using their ingenuity who are going to find cures for cancer and AIDS, solutions to terrorism, and better ways to prevent natural disasters. However, this cannot be accomplished by the classrooms of today.

Unfortunately, our students are still going to school in a 1950s-style classroom utilizing the chalkboard and overhead projectors. If you look around in this chamber, you will notice the laptop computers. This is what every classroom in Pennsylvania needs to look like and be equipped with, these wonderful forms of technology. When these are in place, Pennsylvania will promote leaders of tomorrow who are able to go out and be proper citizens, proper innovators, and proper leaders who are able to go out and innovate.

I would just like for you to consider one moment a possible scenario of a classroom: in a science classroom setting, the ocean floor. A teacher in the State of Pennsylvania actually logged on through a live satellite video link and connected their students with a diver live on the floor of the Caribbean. Now, which is going to be more enriching to a middle-school student – reading this information out of a textbook, or seeing this live before their eyes where they are able to interact and actively ask questions? This is so much more enriching, not only in the computer phase and in the computer labs but in every phase of this curriculum, and this is what I am trying to promote throughout my year.

So I hope that as legislators and as community leaders you will take an active role in promoting and enriching the lives of our students throughout Pennsylvania and work to integrate technology into every phase of their curriculum.

Thank you so much.

The SPEAKER. The House will be at ease.

The Chair would please ask the members to refrain from speaking. The committee in the back of the hall cannot hear. Please keep the noise level down.

The House will come to order.

GUESTS INTRODUCED

The SPEAKER. The Speaker is pleased to welcome to the hall of the House, as guests of Representative Gene McGill, Shamus Clune and Ms. Nickaisa Anzalone and their eighth grade gifted class from Wissahickon Middle School. They are the guests of Representative Gene McGill and

Representative Kate Harper. The students are in the gallery of the House. Would those students please rise and be recognized.

Visiting the Capitol today, as the guests of Representative Kerry Benninghoff, are teachers Shirley Donovan and Julie Gittings and six students from the State College Area High School. They are seated in the gallery. Would those guests please rise and be recognized by the House.

We are pleased to welcome four guest students from Kennett Middle School, who are the guests of Representative Chris Ross: Jalisa Miles, Kaitlyn Morson, Calla Kurtzhals, Jessica Pena. Also welcome their parents, who are seated in the gallery. They are Elizabeth Morson, Craig and Gail Kurtzhals, and Marianne Pena. Would they please stand and be recognized.

The Chair would like to welcome to the hall of the House Stephen Albert, who is a guest page, currently attending the Central Dauphin High School and Harrisburg Area Community College. He is the guest of Representative Ron Marsico of Dauphin County. Would that guest please rise and be recognized.

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 2864, PN 4446

By Rep. GEIST

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

TRANSPORTATION.

GUEST INTRODUCED

The SPEAKER. The Chair would like to welcome to the hall of the House Jessi Nolan, who is serving as a guest page for Representative Stephen Maitland. Jessi lives in Adams County and is an 11th grade student at the Fairfield High School. Would she please rise and be recognized.

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 223, PN 4658 (Amended)

By Rep. O'BRIEN

An Act establishing a procurement procedure for certain contracts for legal services entered into between Commonwealth agencies and private attorneys.

JUDICIARY.

HB 2331, PN 4659 (Amended)

By Rep. O'BRIEN

An Act providing for college and university faculty and staff criminal history background investigations and self-disclosure requirements.

JUDICIARY.

HB 2844, PN 4660 (Amended)

By Rep. O'BRIEN

An Act providing for the issuance of identification cards for retired law enforcement officers; and providing for the powers and duties of law enforcement agencies and the Pennsylvania State Police.

JUDICIARY.

HB 2932, PN 4657 (Amended) By Rep. O'BRIEN

An Act amending Titles 23 (Domestic Relations) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for multidisciplinary team; establishing the Child Abuse Multidisciplinary Response Account; providing for additional duties of the Department of Public Welfare; making an appropriation; and further providing for deposits into account.

JUDICIARY.

HB 2978, PN 4637 By Rep. O'BRIEN

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for expenses for district justices; and making a related repeal.

JUDICIARY.

SB 1099, PN 1916 (Amended) By Rep. O'BRIEN

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the number of judges of the courts of common pleas of certain judicial districts.

JUDICIARY.

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 Schuylkill, Mr. Goodman.

Mr. GOODMAN. Mr. Speaker, I move that this House do now adjourn until Tuesday, November 9, 2004, at 2:50 p.m., e.s.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 2:49 p.m., e.s.t., Tuesday, November 9, 2004, the House adjourned.