

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

THURSDAY, NOVEMBER 18, 2004

SESSION OF 2004

188TH OF THE GENERAL ASSEMBLY

No. 71

### HOUSE OF REPRESENTATIVES

The House convened at 11 a.m., e.s.t.

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

#### PRAYER

HON. GIBSON C. ARMSTRONG, member of the House of Representatives, offered the following prayer:

Let us pray:

Eternal God, for the gift of life, the gift of another day, we thank You. We thank You for the gifts of health and liberty and prosperity. Thank You for giving us a government where we the people choose our leaders and make our own laws. Thank You for those who have gone before us, to whom we can still turn for guidance even though they are gone.

We remember the words of Moses, the great Hebrew lawgiver, whose words are painted on the foundation of the stone of "The Apotheosis," holding up the feet of William Penn, who said, "Remember the days of old, consider the years of many generations: ask thy father, and he will show thee; thy elders, and they will tell thee."

May we not be guilty of being too proud to consider the ways of old and the ways of men like Penn and Franklin and Governor Morris. May we take to heart the words of men like Benjamin Franklin, who said, "The longer I live, the more convinced I am that God governs in the affairs of men. And if a sparrow cannot fall without His notice, can an empire rise without His aid? The Sacred Writings tell us that 'Except the Lord build the house, they labour in vain that build it.' I firmly believe this. I also believe that without His aid, we shall succeed in building this nation no better than the builders of the Tower of Babel."

So, Lord, we take time now to seek Your favor and guidance, that we might build on a solid foundation. May You teach us here to hear Your voice and do Your will, that the laws of men made here in this chamber would reflect the glory of the laws of heaven.

Watch over our troops serving our nation in harm's way. Keep them safe in Baghdad, Fallujah, and Kabul, across the seven seas. Hear the prayers of millions around the world who do not know the freedom of religion and even today are persecuted for daring to declare their faith in You. Grant them deliverance from their oppressors.

We ask all these things in the name of the Ancient of Days. 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, November 17, 2004, will be postponed until printed.

### 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**

AMENDED SENATE BILL RETURNED  
FOR CONCURRENCE AND  
REFERRED TO COMMITTEE ON RULES

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives by amending said amendments to **SB 1192, PN 1974**.

Ordered, That the clerk present the same to the House of Representatives for its concurrence.

**SENATE MESSAGE**

HOUSE BILLS  
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 1238, PN 1522; HB 2587, PN 4462; and HB 2599, PN 4499**, with information that the Senate has passed the same without amendment.

**SENATE MESSAGE**

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

The clerk of the Senate, being introduced, returned **HB 138, PN 4594; HB 249, PN 4736; HB 310, PN 4735; HB 1620, PN 4717; HB 1860, PN 4744; HB 2227, PN 4641; and HB 2978, PN 4750**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

**BILL ON SECOND CONSIDERATION**

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

**SB 798, PN 1923.**

**BILL RECOMMITTED**

The SPEAKER. The Chair recognizes the majority leader.  
Mr. S. SMITH. Mr. Speaker, I move that SB 798 be recommitted to the Committee on Appropriations.

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 1030 be taken off the table.

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

**BILL ON SECOND CONSIDERATION**

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

**SB 1030, PN 1973.**

**BILL RECOMMITTED**

The SPEAKER. The Chair recognizes the majority leader.  
Mr. S. SMITH. Mr. Speaker, I move that SB 1030 be recommitted to the Committee on Appropriations.

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

**REMARKS SUBMITTED FOR THE RECORD**

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

Mr. PETRI. Mr. Speaker, I have some comments for the record.

The SPEAKER. The gentleman is in order and may submit his remarks for the record.

Mr. PETRI submitted the following remarks for the Legislative Journal:

Mr. Speaker, it is my privilege to bring to the attention of the Speaker and the members of the Pennsylvania House of Representatives the names of 12 students in the Council Rock School District who recently participated in an essay contest on "Fire Safety in the Home."

Mr. Speaker, the contest was sponsored by the Society of Chartered Property and Casualty Underwriters and was cosponsored by the school district.

Whereas, fire safety in the home is an important subject for the entire family to discuss and practice. The knowledge of understanding what to do in case of a fire can help save a life or prevent serious injury from occurring.

Now therefore, Mr. Speaker and the members of the House of Representatives, it is my privilege to congratulate and place in the Legislative Journal the names of the outstanding students: Kathryn Ferretti, Matteo Cariola, Camille Smith, Anna DiDonato, Lauren Griffin, Taylor Scull, Lindsey Norden, James McCarron, Lauren Alper, Dmitriy Proshlyakov, Becky Harrington, Jake Magida.

**GUEST INTRODUCED**

The SPEAKER. The Chair would like to welcome to the hall of the House Nate Golub, a graduate student in political science at Lehigh University. He is an intern for Representative Samuelson in his district office. He is also obviously the guest of Representative Samuelson. He is located to the left of the Speaker. Would Nate please rise and be recognized.

**RESOLUTION REPORTED  
FROM COMMITTEE**

**HR 927, PN 4737**

By Rep. B. SMITH

A Resolution directing the Legislative Budget and Finance Committee to conduct a study on the social, economic, philosophical and practical impact of providing expanded hunting opportunities, including hunting on Sunday, in this Commonwealth.

GAME AND FISHERIES.

**LEAVES OF ABSENCE**

The SPEAKER. The Chair recognizes the majority whip, the gentleman from Lycoming, Mr. Feese, who moves for a leave of absence for today for the gentleman from Huntingdon, Mr. SATHER; the gentleman from Berks, Mr. LEH; and the gentleman from Warren, Mr. LYNCH. Without objection, those leaves will be granted.

The Chair recognizes the minority whip, who moves for a leave of absence for today for the gentelady from Erie, Ms. BEBKO-JONES, and the gentleman from Fayette, Mr. ROBERTS. 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—195**

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

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—7

Bebko-Jones	Lch	Nailor	Sather
Godshall	Lynch	Roberts	

LEAVES ADDED—1

Mackereth

LEAVES CANCELED—1

Lch

**BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **SB 673, PN 1902**, entitled:

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.

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

**YEAS—195**

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

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

NAYS-0

NOT VOTING-0

EXCUSED-7

Bebko-Jones	Leh	Nailor	Sather
Godshall	Lynch	Roberts	

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same with amendment in which the concurrence of the Senate is requested.

\* \* \*

The House proceeded to third consideration of **SB 936, PN 1250**, entitled:

An Act providing for the Pennsylvania Amber Alert System; authorizing and directing the Pennsylvania State Police to establish and maintain the Pennsylvania Amber Alert System; assessing costs; and providing for immunity and penalties.

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 Delaware, Mr. Vitali.

Mr. VITALI. Mr. Speaker, this bill is not in our pre-session report, and I do not believe it is on the screen either or on the board.

It is up on the screen now.

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-195

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



NAYS—0

NOT VOTING—0

EXCUSED—7

Bebko-Jones	Leh	Nailor	Sather
Godshall	Lynch	Roberts	

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

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

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The House proceeded to third consideration of **SB 1032, PN 1920**, entitled:

An Act amending Title 54 (Names) of the Pennsylvania Consolidated Statutes, consolidating provisions on judicial procedure for name changes; further providing for name change by order of court; and making a repeal related to judicial procedure for name changes.

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

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

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

The following roll call was recorded:

YEAS—195

Adolph	Evans, J.	Lewis	Samuelson
Allen	Fabrizio	Mackereith	Santoni
Argall	Fairchild	Maher	Saylor
Armstrong	Fecse	Maitland	Scavello
Baker	Fichter	Major	Schroder
Baldwin	Fleagle	Manderino	Scrimenti
Bard	Flick	Mann	Semmel
Barrar	Forcier	Markosck	Shaner
Bastian	Frankel	Marsico	Smith, B.
Belardi	Frecman	McCall	Smith, S. H.
Belfanti	Gabig	McGechan	Solobay
Benninghoff	Gannon	McGill	Staback
Bianucci	Gcist	McIlhattan	Stairs
Birmclin	George	McIlhinney	Steil
Bishop	Gergely	McNaughton	Stern
Blaum	Gillespic	Melio	Stetler
Boyd	Gingrich	Metcalfe	Stevenson, R.
Browne	Good	Micozzie	Stevenson, T.
Bunt	Goodman	Millard	Sturla
Butkovitz	Gruccia	Miller, R.	Surra
Buxton	Gruitza	Miller, S.	Tangretti
Caltagirone	Habay	Mundy	Taylor, E. Z.
Cappelli	Haluska	Mustio	Taylor, J.
Casorio	Hanna	Myers	Thomas
Causer	Harhai	Nickol	Tigue
Cawley	Harhart	O'Brien	Travaglio
Civera	Harper	Oliver	True

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Bebko-Jones	Leh	Nailor	Sather
Godshall	Lynch	Roberts	

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

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

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The House proceeded to third consideration of **SB 981, PN 1332**, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for Educational Assistance Program definitions; and establishing the Educational Assistance Program Fund.

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

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

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

The following roll call was recorded:

YEAS—195

Adolph	Evans, J.	Lewis	Samuelson
Allen	Fabrizio	Mackereith	Santoni
Argall	Fairchild	Maher	Saylor

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

NAYS-0

NOT VOTING-0

EXCUSED-7

Bebko-Jones	Lch	Nailor	Sather
Godshall	Lynch	Roberts	

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

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

**GUESTS INTRODUCED**

The SPEAKER. The Chair is pleased to welcome to the hall of the House guest pages of Representative Mario Scavello. They are Cailin Yost and Kimberly Welsh. Cailin and Kimberly attend the Stroudsburg Area School District. Also, please

welcome Cailin's mother, Cecilia Yost, who is seated to the left of the Speaker. Would those three guests please rise and be recognized.

The Chair is also pleased to welcome to the hall of the House David Walters from Cedar Cliff High School and Sarah Scarlotto from Red Land High School. Both students are serving in the district office as their senior project. They are the guests of Representative Bruce Smith. They are seated in the balcony. Would they please rise and be recognized.

**BILL ON CONCURRENCE  
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 994, PN 4666**, entitled:

An Act empowering municipalities, counties and public transportation agencies to work cooperatively to establish Transit Revitalization Investment Districts (TRID), including partnerships with the National Railroad Passenger Corporation requiring planning studies, comprehensive plan and zoning amendments and use of existing statutes and techniques to achieve transit-oriented development, redevelopment, community revitalization and enhanced community character through TRID creation; establishing value capture areas as a means to reserve and use future, designated incremental tax revenues for public transportation capital improvements, related site development improvements and maintenance; promoting the involvement of and partnerships with the private sector in TRID development and implementation; encouraging public involvement during TRID planning and implementation; and providing for duties of the Department of Community and Economic Development.

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

**BILL RECOMMITTED**

The SPEAKER. The Chair recognizes the majority leader. Mr. S. SMITH. Mr. Speaker, I move that HB 994, PN 4666, be recommitted to the Committee on Rules.

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

**BILL ON CONCURRENCE  
IN SENATE AMENDMENTS  
TO HOUSE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to House amendments to **SB 1052, PN 1946**, entitled:

An Act authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to Erie-Western Pennsylvania Port Authority and to Robert L. and Karen N. Douth, Leona B. Disbrow, Louise F. Waller, Mary Schabacker, Paul D. and Mary Ann Brugger, and Ralph and Janet Toland, Sr., certain lands situate in the City of Erie, County of Erie; authorizing the Department of General Services, with the approval of the Governor, to grant and convey to Derry Township Municipal Authority a certain easement for sanitary sewer purposes, together with an existing sanitary sewer line and appurtenances, situate in Derry Township, Dauphin County; authorizing and directing the Department of General Services with the approval of the Governor,

to grant and convey to Summerdale Associates, L.P. certain lands situate in the Township of East Pennsboro, County of Cumberland; and 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.

On the question,

Will the House concur in Senate amendments to House amendments?

The SPEAKER. The gentleman, Mr. Smith, moves that the House do concur in the amendments.

On the question recurring,

Will the House concur in Senate amendments to House amendments?

The following roll call was recorded:

#### YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Bebko-Jones	Leh	Nailor	Sather
Godshall	Lynch	Roberts	

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

Ordered, That the clerk inform the Senate accordingly.

#### GUESTS INTRODUCED

The SPEAKER. We have several special guests here today with us. The majority leader brought them all the way from Punxsutawney. We have Mike Johnston and Bill Cooper, and Punxsutawney Phil is here to give us a fast vote to make sure our winter goes quick. The majority leader says Phil is a little nervous. It appears that Phil is more well-behaved than most of the members out there, so— Thank you for the opportunity, Phil.

#### RESOLUTION PURSUANT TO RULE 35

Mr. BARRAR called up **HR 929, PN 4741**, entitled:

A Resolution designating the week of January 23 through 29, 2005, as "Pennsylvania Certified Registered Nurse Anesthetists Week."

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

#### YEAS—195

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

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

NAYS-0

NOT VOTING-0

EXCUSED-7

Bebko-Jones	Lch	Nailor	Sather
Godshall	Lynch	Roberts	

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

**SUPPLEMENTAL CALENDAR B**

**RULES SUSPENDED**

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

Mr. B. SMITH. Mr. Speaker, I move that the rules of the House be suspended for the immediate consideration of HR 927, PN 4737.

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

The following roll call was recorded:

YEAS-195

Adolph	Evans, J.	Lewis	Samuelson
Allcn	Fabrizio	Mackcroth	Santoni
Argall	Fairchild	Maher	Saylor
Armstrong	Feese	Maitland	Scavello
Bakcr	Fichter	Major	Schroder
Baldwin	Fleagle	Manderino	Scrimenti
Bard	Flick	Mann	Semmel
Barrar	Forcier	Markosck	Shaner
Bastian	Frankel	Marsico	Smith, B.
Belardi	Freeman	McCall	Smith, S. H.
Belfanti	Gabig	McGechan	Solobay
Benninghoff	Gannon	McGill	Solobay
Bianucci	Geist	McIlhattan	Staback
Birmclin	George	McIlhinny	Stairs
			Steil

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

NAYS-0

NOT VOTING-0

EXCUSED-7

Bebko-Jones	Leh	Nailor	Sather
Godshall	Lynch	Roberts	

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.

**RESOLUTION**

Mr. B. SMITH called up **HR 927, PN 4737**, entitled:

A Resolution directing the Legislative Budget and Finance Committee to conduct a study on the social, economic, philosophical and practical impact of providing expanded hunting opportunities, including hunting on Sunday, in this Commonwealth.

On the question,  
Will the House adopt the resolution?

The SPEAKER. On that question, the Chair recognizes the gentleman from York, Mr. Smith.

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

HR 927 deals with Sunday hunting, and what it does is it empowers or directs the Legislative Budget and Finance Committee to study all aspects of Sunday hunting in Pennsylvania. This does not permit Sunday hunting in

Pennsylvania, but since it has been discussed so often recently, I think it is vital that we have some experts do a complete, thorough study and report back to the House in 180 days on what Pennsylvanians think about Sunday hunting.

Mr. Speaker, I move that – not move – I urge all members to vote “yes” on HR 927.

The SPEAKER. The gentleman from Lackawanna, Mr. Staback.

Mr. STABACK. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of HR 927. The planned work of the Legislative Budget and Finance Committee will be, to my knowledge, the most comprehensive look at the issue of Sunday hunting on record.

As described in the resolution, the study is going to be wide-ranging, balanced, and extremely informative. For all of us who care about the future of hunting in Pennsylvania, HR 927 will allow for the organized gathering of facts and perceptions regarding the issue.

The product of the Legislative Budget and Finance Committee, Mr. Speaker, will be of great value, and I ask for total support of the House for the Smith resolution.

Thank you.

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

Mr. GERGELY. Thank you, Mr. Speaker.

I would like to recognize Chairman Smith for taking the initiative to run HR 927. The intent of the resolution is 100 percent the intent that I had with HR 743. With a few changes, we have come to a compromise to run this resolution. But it is a major step forward for sportsmen in Pennsylvania that want to see us have access to opportunities every day.

In the 1930s we eliminated the prohibition to fishing on Sundays. Possibly during this sine die session we will be eliminating the prohibition on Sunday beer sales. The blue laws we are addressing one at a time. We have given opportunities for motorcyclists, their freedom of choice with helmet laws. I am proud to see that the chairman has recognized that Sunday hunting and its economic impacts are being studied.

The Congressional Sportsmen’s Foundation has listed the Sunday hunting issue as their number one issue in the States. I am on the board of directors with the National Assembly of Sportsmen’s Caucuses. We are going to be aggressively addressing this in the 10 States that do not have Sunday hunting prohibitions.

So thank you, Mr. Speaker. This is a good vote. The NRA (National Rifle Association) has considered any prohibition against Sunday hunting a victory in that State. So this is a pro-NRA vote, a pro-Congressional Sportsmen’s Foundation vote, and it is a pro vote to economic development in the northern-tier counties like Allegheny County and the southeast.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Northumberland, Representative Phillips.

The gentleman deserves to be heard. Please, keep the noise levels down.

Mr. Phillips.

Mr. PHILLIPS. Thank you, Mr. Speaker.

Just to make it clear, this does not authorize Sunday hunting, and to also make it clear, I am opposed to Sunday hunting, although I have sponsored this resolution.

The purpose of sponsoring this resolution is I believe we have to be fair and we have to look at all aspects of Sunday hunting. What effect will it have – and this is what this resolution will say – what impact does it have not only on Sunday hunting, but what impact does it have on all hunting? What impact does it have on religion, religious groups? How will it affect them and what is their feeling? What effect does it have on regulated shooting areas? What impact would it be if we had Sunday hunting? Regulated shooting areas bring in a lot of money to this State. To get into Sunday hunting, it may affect them as far as their costs, and we have to look into that. What effect does it have on agriculture? Get out there and see what the agricultural community thinks of Sunday hunting. If Sunday hunting falls into place, how many acres will be posted? I have had many hunters call and say if Sunday hunting comes into place, I had one individual who farms 3,000 acres say he would post every acre if it comes into place.

But in fairness, for those who want to look into this, I think we have to look at both aspects, whether we are for it or whether we are against it. And even private landowners, what effect will it have on them?

I know we are also going to look at our youth programs. Many years ago when I was chairman of the Fish and Game Committee, I sponsored the youth programs, and I believe we can do a lot better with our youth and expand those programs and try to get more youth involved in hunting and bring in more programs.

So this is not just saying we are going to have Sunday hunting; this is to see what effect, if we look at it, it would have in every aspect of Sunday hunting and how it would affect every aspect of it.

So therefore, I would ask for an affirmative vote.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentlelady from Berks, Mrs. Miller. Mrs. MILLER. Thank you, Mr. Speaker.

Mr. Speaker, yesterday when this legislation came out of the House Game and Fisheries Committee, I expressed some concern that the mention of agriculture does not occur in the resolution but it is at the very end of the resolution where it just says that the Legislative Budget and Finance Committee must present a report to the Agriculture and Rural Affairs Committee.

I would hope that the agriculture community is consulted very early in this process, because much of the public lands in Pennsylvania that will be used for public hunting are under the private control of farmers. So, Mr. Speaker, I am encouraging the Legislative Budget and Finance Committee to make sure that the opinions of the farming community are considered very highly in this legislation, to look to a system by which those farmers who do allow their lands to remain unposted so that the public can come in and use them for public hunting are perhaps given some financial incentive when we know the tax burdens that many of these same farmers pay in local property taxes.

So, Mr. Speaker, I am not standing here today to oppose this resolution but primarily to say that it needs to have definitely at the table, from the start, the involvement and inclusion of Pennsylvania’s farm community.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentlelady.

The gentleman from Elk, Mr. Surra.

Mr. SURRA. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of HR 927, and to be clear, I have long been an advocate for expanding hunting on

Sundays in Pennsylvania. However, in my discussions with Chairman Smith, I think it is appropriate that we look at the entire scope of Sunday hunting and its impact, potential impact, on Pennsylvania – how it will impact on the economic aspect of our State; how it will impact on the farming community and people’s religious beliefs – and I think it is prudent that we look at the entire scope of the project.

At the end of the day, I would hope that we work very closely with the people opposed to Sunday hunting and we work with the farming community. They have serious issues. They have serious issues with the Game Commission – crop damage, trespass – and I think this should be used as an opportunity for them to address some of these issues and possibly move forward towards Sunday hunting.

You know, the tradition of hunting in Pennsylvania is in serious jeopardy, in my opinion. Not too many years ago, we had 1.3 million license buyers in the State of Pennsylvania. Last year for the first time, we were down to under a million. We have lost over 300,000 hunting license purchasers in the last 15 years.

Mr. Speaker, young people are not taking up the sport of hunting. Hunters are middle-aged or over. Average hunters quit hunting in their sixties. If we continue down this path, Mr. Speaker, in another 15 or 20 years, we could well be under 500,000 license buyers. Then the Game Commission will be in serious jeopardy and possibly not have the revenue that they need to sustain themselves and run our programs.

So I think it is appropriate that we look at the issue, the big picture – how it impacts on everybody; the potential it would have for increasing opportunities for people to hunt; how it could increase revenue for our sporting-goods stores and our motels and restaurants. People from out of State do not come into Pennsylvania and hunt on weekends because they can only hunt on Saturdays.

So I want to thank Chairman Smith for bringing this before the House. I encourage a positive vote, and I hope that someday we can join the vast majority of other States in the United States and have Sunday hunting in Pennsylvania.

And just as a caution to the people who still have serious reservations about Sunday hunting, in previous hearings that we had dealing with the issue, in States where they implemented Sunday hunting recently, in the last 5 or 10 years, they went through the same consternation, the same worry, the same problems that we are experiencing here, and at the end of the day, when it was implemented, everybody agrees, what was the big deal?

Change is always difficult; change is always hard. I suggest that we go slow and we study it in the proper manner, and I encourage an affirmative vote.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentlelady from Crawford, Mrs. Forcier.

Mrs. FORCIER. Thank you, Mr. Speaker.

I just want to take a moment and go back in history a little bit. I was very fortunate to have the chairman of Game and Fisheries ask to have a public hearing in my district several years ago on Sunday hunting. I did not stack the deck; I just invited people to come and speak, and it was really amazing how in my area where we live, eat, and breathe hunting, we take our vacation for hunting, that the majority of the people in the

6th Legislative District, I can assure you, are opposed to Sunday hunting.

Now, I am not telling you to vote “yes” or “no” on this resolution; I am just asking you to be cautious. There are a lot of good reasons to be cautious, because in my area, the farmers in the Crawford County Farm Bureau, they are telling that they will be posting their property if this would ever go through on Sunday hunting.

I know we have to look at every aspect, and I appreciate the speakers before me talking about all the different things we have to look at, but again, I am just asking you to be cautious on this resolution, keep an eye on what is going on with this committee, because this is a very serious issue, and when you start talking and opening up Sunday hunting, it will cause some problems.

So I appreciate the opportunity to speak before you today on this important issue.

Thank you, Mr. Speaker.

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

Mr. SAMUELSON. Thank you, Mr. Speaker.

I hope that this study regarding Sunday hunting will also consider the impact on Pennsylvania families. There is a very interesting sentence in this resolution. I am looking at page 1, line 8, where it says “WHEREAS, Sporting and recreational activities of all forms provide a healthy way to escape hectic lifestyles and spend more time with family and friends....”

There are some who would argue that the more activities we add to our weekends and the more activities we add to our hectic lifestyles means less time for family and friends, and I think it is important that we listen to those voices, too. I do realize that Sundays, now many things happen on Sundays, including 24-hour shopping, cheerleading competitions, youth football games that start on Sunday mornings, and now, by a vote of this legislature, even slot machines on Sundays, but I think we have to be very careful to analyze the impact on Pennsylvania families.

I am glad that this resolution mentions families. We have to be sure that we consider that carefully and that we listen to those voices and try to do everything we can to protect our families.

The SPEAKER. The gentleman, Mr. Smith.

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

I will be very brief, but I do want to respond to some of the comments.

Number one, we did, the Game and Fisheries did have five statewide hearings on Sunday hunting in past years – I think it was 5 years ago. At four out of those five hearings, Sunday hunting was opposed by the majority of sportsmen as well as organizations that testified.

Responding to the last speaker, the comment that I remember the most about families was a hunter who stood up and said, if we have Sunday hunting in Pennsylvania, the divorce rate will go up. So I think it is very important that we pass this all-encompassing study, and that is what I want to emphasize. This does not permit Sunday hunting; this studies all aspects of the impact of possible Sunday hunting in Pennsylvania.

One last thought. Ohio and Maryland recently passed Sunday hunting laws, new Sunday hunting laws. When they did that, they also increased the penalty for trespassing by hunters. I think that our laws on trespassing by hunters are very weak,

and that is another aspect of this resolution that I want the Legislative Budget and Finance Committee to explore.

Finally, Mr. Speaker, I concur with all the other speakers, almost all the other speakers, who said vote “yes” for this resolution.

Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—167

Adolph	Fleagle	Manderino	Saylor
Allen	Flick	Mann	Scavello
Argall	Frankel	Markosck	Scrimenti
Baker	Frecman	Marsico	Semmel
Barrar	Gabig	McCall	Shaner
Bastian	Gannon	McGechan	Smith, B.
Belardi	Geist	McGill	Smith, S. H.
Belfanti	George	McIlhinney	Solobay
Benninghoff	Gergely	McNaughton	Staback
Bianucci	Gingrich	Melio	Stairs
Bishop	Good	Metcalfe	Steil
Blaum	Goodman	Micozzic	Stetler
Brownc	Gruccia	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	Harper	Nickol	Thomas
Causar	Harris	O’Brien	Tigue
Cawley	Hasay	Oliver	Travaglio
Civcra	Hennessey	O’Neill	Turzai
Cohen	Hess	Pallone	Vance
Cornell, S. E.	Horsey	Paync	Vcon
Corrigan	James	Petrarca	Vitali
Costa	Josephs	Petri	Walko
Crahalla	Keller	Petronc	Wansacz
Cruz	Kenncy	Phillips	Washington
Curry	Killion	Pickett	Waters
Dalcy	Kirkland	Pistella	Watson
DeLuca	Kotik	Preston	Weber
Dermody	LaGrotta	Raymond	Wheatley
DiGirolamo	Laughlin	Readshaw	Williams
Divcn	Leach	Reichley	Wojnaroski
Donatucci	Lederer	Rieger	Wright
Eachus	Lescovitz	Roebuck	Yeweic
Egolf	Lcvdanskv	Rooney	Youngblood
Evans, D.	Lewis	Ross	Yudichak
Evans, J.	Mackereth	Ruffing	Zug
Fabrizio	Mahr	Sainato	
Fairchild	Maitland	Samuelson	Perzel,
Feese	Major	Santoni	Speaker
Fichter			

NAYS—28

Armstrong	Crcighton	Harhart	Rohrer
Baldwin	Dailey	Herman	Rubley
Bard	Dally	Hershey	Schroder
Birmclin	Denlinger	Hickernell	Stern
Boyd	DeWeese	Hutchinson	Stevenson, R.
Clymer	Forcier	McIlhattan	True
Coleman	Gillespie	Rced	Wilt

NOT VOTING—0

EXCUSED—7

Bebko-Jones	Leh	Nailor	Sather
Godshall	Lynch	Roberts	

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

**RULES COMMITTEE MEETING**

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

**BILLS SIGNED BY SPEAKER**

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

**HB 1238, PN 1522**

An Act amending the act of February 11, 1998 (P.L.58, No.15), known as the Combustible and Flammable Liquids Act, further providing for self-service dispensing stations, for prohibition and for penalties.

**HB 2587, PN 4462**

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.

**HB 2599, PN 4499**

An Act designating Exit 37 on Interstate Route 81 in Cumberland County, known as the Newville Interchange, as the 87th Infantry Division Patton’s 3rd U.S. Army - WWII Memorial Interchange.

**SB 137, PN 1921**

An Act amending the act of February 13, 1970 (P.L.19, No.10), entitled “An act enabling certain minors to consent to medical, dental and health services, declaring consent unnecessary under certain circumstances,” further providing for consent to treatment; providing for release of medical records; and requiring a report by the Legislative Budget and Finance Committee.

**SB 921, PN 1326**

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, providing for delivery sales of cigarettes.

**SB 1073, PN 1485**

An Act redesignating the bridge on State Route 228 which passes over Interstate 79 in Cranberry Township, Butler County, as the 79th Infantry Division Memorial Bridge.

**SB 1112, PN 1605**

An Act establishing the Board of Directors of the Rouse Estate; and making repeals.

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

**BILLS ON CONCURRENCE  
REPORTED FROM COMMITTEE**

**HB 138, PN 4594**

By Rep. S. SMITH

An Act amending the act of June 29, 1953 (P.L.304, No.66), known as the Vital Statistics Law of 1953, providing for the Vital Statistics Improvement Account; and further providing for local registrars' fees, for reports to county registration commissions and for issuance of certificates of death.

RULES.

**HB 249, PN 4736**

By Rep. S. SMITH

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, further providing for tax levies.

RULES.

**HB 310, PN 4735**

By Rep. S. SMITH

An Act designating a portion of State Route 1040 known as Spur Road in East Cocalico Township, Lancaster County, as Colonel George Howard Boulevard and designating a bridge over railroad tracks on the Fruitville Pike, State Route 72, in Manheim Township, Lancaster County, as the General Richard M. Scott Bridge.

RULES.

**HB 994, PN 4666**

By Rep. S. SMITH

An Act empowering municipalities, counties and public transportation agencies to work cooperatively to establish Transit Revitalization Investment Districts (TRID), including partnerships with the National Railroad Passenger Corporation requiring planning studies, comprehensive plan and zoning amendments and use of existing statutes and techniques to achieve transit-oriented development, redevelopment, community revitalization and enhanced community character through TRID creation; establishing value capture areas as a means to reserve and use future, designated incremental tax revenues for public transportation capital improvements, related site development improvements and maintenance; promoting the involvement of and partnerships with the private sector in TRID development and implementation; encouraging public involvement during TRID planning and implementation; and providing for duties of the Department of Community and Economic Development.

RULES.

**HB 1620, PN 4717**

By Rep. S. SMITH

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

RULES.

**HB 1860, PN 4744**

By Rep. S. SMITH

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, further providing for investment of county funds, for definitions and for police duties.

RULES.

**HB 2227, PN 4641**

By Rep. S. SMITH

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.

RULES.

**HB 2572, PN 4654**

By Rep. S. SMITH

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for summary offenses involving vehicles.

RULES.

**SB 1192, PN 1974**

By Rep. S. SMITH

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, further providing for investment of moneys of the Commonwealth; and making a related repeal.

RULES.

**CALENDAR CONTINUED**

**BILL ON CONCURRENCE  
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 994, PN 4666**, entitled:

An Act empowering municipalities, counties and public transportation agencies to work cooperatively to establish Transit Revitalization Investment Districts (TRID), including partnerships with the National Railroad Passenger Corporation requiring planning studies, comprehensive plan and zoning amendments and use of existing statutes and techniques to achieve transit-oriented development, redevelopment, community revitalization and enhanced community character through TRID creation; establishing value capture areas as a means to reserve and use future, designated incremental tax revenues for public transportation capital improvements, related site development improvements and maintenance; promoting the involvement of and partnerships with the private sector in TRID development and implementation; encouraging public involvement during TRID planning and implementation; and providing for duties of the Department of Community and Economic Development.

On the question,

Will the House concur in Senate amendments?

The SPEAKER. It has been moved by the gentlelady, Mrs. Rubley, that the House do concur in the amendments inserted by the Senate.



**RULES SUSPENDED**

The SPEAKER. At this time the Chair recognizes the gentleman, Mr. Eachus, for the purpose of suspension of the rules for immediate consideration of amendment A5216.

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

Mr. EACHUS. Thank you, Mr. Speaker.

This is an agreed-to amendment. It is technical in nature. It removes lines 21 through 26 of the bill on page 10, and I would like a motion to suspend, Mr. Speaker.

The SPEAKER. The gentleman moves for the suspension of the rules, again, for amendment A5216.

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

The following roll call was recorded:

**YEAS—195**

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

**NAYS—0**

**NOT VOTING—0**

**EXCUSED—7**

Bebko-Jones	Leh	Nailor	Sather
Godshall	Lynch	Roberts	

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 concur in Senate amendments?

Mr. EACHUS offered the following amendment No. A5216:

Amend Sec. 502, page 10, lines 21 through 26, by striking out all of said lines

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

The following roll call was recorded:

**YEAS—195**

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

Dermody	Kotik	Roebuck	Yewcic
DeWeese	LaGrotta	Rohrer	Youngblood
DiGirolamo	Laughlin	Rooney	Yudichak
Divn	Leach	Ross	Zug
Donatucci	Lederer	Rubley	
Eachus	Lescovitz	Ruffing	Perzel,
Egolf	Lcvdanský	Sainato	Speaker
Evans, D.			

NAYS—0

NOT VOTING—0

EXCUSED—7

Bebko-Jones	Lch	Nailor	Sathcr
Godshall	Lynch	Roberts	

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 concur in Senate amendments as amended?

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

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

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

The following roll call was recorded:

YEAS—194

Adolph	Evans, D.	Lewis	Samuelson
Allen	Evans, J.	Mackereth	Santoni
Argall	Fabrizio	Maher	Saylor
Armstrong	Fairchild	Maitland	Scavello
Baker	Feese	Major	Schroder
Baldwin	Fichter	Manderino	Scrimenti
Bard	Fleagle	Mann	Semmel
Barrar	Flick	Markosek	Shaner
Bastian	Forcier	Marsico	Smith, B.
Belardi	Frankel	McCall	Smith, S. H.
Belfanti	Freeman	McGeehan	Solobay
Benninghoff	Gabig	McGill	Staback
Bianucci	Gannon	McIlhattan	Stairs
Birmelin	Geist	McIlhinney	Steil
Bishop	George	McNaughton	Stern
Blaum	Gergely	Melio	Stetler
Boyd	Gillespie	Metcalfe	Stevenson, R.
Brown	Gingrich	Micozzic	Stevenson, T.
Bunt	Good	Millard	Sturla
Butkovitz	Goodman	Miller, R.	Surra
Buxton	Gruccia	Miller, S.	Tangretti
Caltagirone	Gruitza	Mundy	Taylor, E. Z.
Cappelli	Habay	Mustio	Taylor, J.
Casorio	Haluska	Myers	Thomas
Causcr	Harhai	Nickol	Tiguc
Cawley	Harhart	O'Brien	Travaglio
Civcra	Harper	Oliver	Truc
Clymcr	Harris	O'Neill	Turzai
Cohen	Hasay	Pallone	Vance
Colcman	Hennessey	Paync	Vcon
Cornell, S. E.	Hcrman	Petrarca	Vitali

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

NAYS—1

Hanna

NOT VOTING—0

EXCUSED—7

Bebko-Jones	Leh	Nailor	Sather
Godshall	Lynch	Roberts	

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

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

### BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 79, PN 1944**, entitled:

An Act amending the act of July 6, 1995 (P.L.255, No.34), known as the Dual Party Relay Service and Telecommunication Device Distribution Program Act, expanding the scope of the act; further providing for definitions; providing for establishment of the Print Media Access System Program; further providing for establishment of dual party relay service; and making editorial changes.

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

Mr. **FLICK** offered the following amendment No. **A5108**:

Amend Sec. 5 (Sec. 4), page 6, line 9, by striking out "Bureau of Blindness and Visual Services in" and inserting

Office of Vocational Rehabilitation of

Amend Sec. 5 (Sec. 4), page 7, lines 16 and 17, by striking out "Bureau of Blindness and Visual Services in" and inserting

Office of Vocational Rehabilitation of

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

The SPEAKER. On that question, the Chair recognizes the gentleman, Mr. Flick. The gentleman, Mr. Flick, waives off.

Does the gentleman, Mr. Vitali, wish to be recognized?

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

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Bekko-Jones	Leh	Nailor	Sather
Godshall	Lynch	Roberts	

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

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

## EXCUSED—7

Bebko-Jones	Lch	Nailor	Sather
Godshall	Lynch	Roberts	

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same with amendment in which the concurrence of the Senate is requested.

## RULES SUSPENDED

The SPEAKER. The Chair turns to page 2 of today's House calendar.

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

Mr. S. SMITH. Mr. Speaker, I move that the rules of the House be suspended for immediate consideration of SB 779, PN 1971.

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

The following roll call was recorded:

## YEAS—195

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

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

## NAYS—0

## NOT VOTING—0

## EXCUSED—7

Bebko-Jones	Leh	Nailor	Sather
Godshall	Lynch	Roberts	

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.

## BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 779, PN 1971**, entitled:

An Act amending the act of June 30, 1981 (P.L.128, No.43), known as the Agricultural Area Security Law, further providing for purchase of agricultural conservation easements; and abrogating a regulation.

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 gentlelady, Mrs. Miller.

Mrs. MILLER. Mr. Speaker, I have two amendments filed to this bill that I have asked for a suspension of the rules in which to offer them. They are currently being prepared by Legislative Reference Bureau, and I would like to have the opportunity to have this bill gone over.

## DECISION OF CHAIR RESCINDED

The SPEAKER. The Chair apologizes, and without objection, the Chair rescinds its announcement that the bill has been agreed to for the third time.

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

## BILL PASSED OVER

The SPEAKER. The Chair will go over SB 779.

\* \* \*

The House proceeded to third consideration of **SB 1233, PN 1848**, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for general powers of the Pennsylvania Liquor Control Board, for sales by Pennsylvania Liquor Stores and for unlawful acts relative to liquor, malt and brewed beverages.

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

Mr. **CLYMER** offered the following amendment No. **A5002**:

Amend Title, page 1, lines 18 through 20, by striking out all of said lines and inserting  
Liquor Control Board, for sales by Pennsylvania Liquor Stores; prohibiting issuance of a liquor license for a store or other retail establishment; and further providing for unlawful acts relative to liquor, malt and brewed beverages.

Amend Bill, page 2, by inserting between lines 20 and 21  
Section 3. The act is amended by adding a section to read:

Section 406.2. Retail Stores.—A State liquor store may not be located in a grocery store, department store or any other retail establishment.

Amend Sec. 3, page 2, line 21, by striking out “3” and inserting  
4

Amend Sec. 4, page 3, line 29, by striking out “4” and inserting  
5

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

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

Mr. CLYMER. Thank you, Mr. Speaker.

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

Mr. CLYMER. Mr. Speaker, I am offering amendment A5002, and my proposal would indicate that a State liquor store may not be located in a grocery store or supermarket, department store, or any retail establishment.

Many of us know that alcohol is the most abused drug in Pennsylvania. Routinely we hear about underage drinking, about binge drinking in our universities and colleges. We read the news media, and we see unfortunate circumstances occurring where a person was in a serious accident or a fatal accident and alcohol abuse was the reason. And we have always tried to have a controlled substance as public policy, and that is why we have our State store system, and this legislation, this amendment that I am proposing here this afternoon, is to try to keep the sale of alcoholic beverages in the State stores that we have and not to expand it within the retail establishments.

Now, I know that in my amendment it is quite clear what a supermarket, grocery store, is and a department store. In our caucus yesterday, the issue was raised about a strip mall as a retail establishment, could a State store be in that vicinity or in one of those stores, and our investigation into that issue is that it would depend on who owned the strip mall and who owned the leases of those stores that were there, and this is only if someone would complain about alcohol being sold in that

strip mall. I want to clarify that, that only if there was a complaint would this issue arise. And if it would arise, each case would have to be considered individually, and the chief counsel of the Liquor Control Board would then have to look at the issue and make a decision as to whether or not this legislation that I am proposing would either remove the sale of those alcoholic beverages or allow them to stay.

The LCB could also write their own regulations on the definition of “retail establishment” as well, and I wanted to bring this up because the issue was mentioned in our caucus, and I wanted to clarify that definition of “retail establishment” and its ramification prior to the vote being taken.

So I would ask the members to support me on this issue. I think it is an important one, and this certainly would be a benefit to Pennsylvania families and to our Pennsylvania communities.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Delaware, Mr. Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

Will the maker of the amendment stand for brief interrogation?

Mr. CLYMER. I will.

The SPEAKER. The gentleman, Mr. Clymer, indicates he will stand for interrogation. The gentleman, Mr. Vitali, is in order.

Mr. VITALI. The first thing I want to ask is, I just want to be clear about what you said as far as strip malls. There is a liquor store in my district, in the Manoa Shopping Center, which is a standard shopping center with an anchor store and adjacent maybe 20 other retail stores, and one of those stores has for many years been a liquor store, a State store. Could your amendment affect that? Could your amendment possibly cause that one to close?

Mr. CLYMER. If there was a complaint by someone saying that they were offended by having the sale of alcoholic beverages in that strip mall, that would come down to where the LCB, with its chief counsel, would make a decision as to whether or not that fit the definition of “retail establishment,” and so that would be played out. It probably would go to the courts for a final decision. If the decision that was made by the LCB, if they said that it did not fit this definition, then that would be the end of it, but if those who were saying that they wanted to move one step further, they wanted to continue to protest it, then it would probably go to Commonwealth Court for them to decide on that decision.

Mr. VITALI. What is your legislative intent as far as a typical retail store in a typical shopping center?

Mr. CLYMER. Mr. Speaker, what I am trying to do is to control the availability of the sale of alcohol, to restrict it just to the wine shops and to the stores, the State stores themselves that are now established throughout the Commonwealth of Pennsylvania. The idea is not to have it in the Wal-Marts or the Kmart or the supermarkets, not to have the State stores in there but to have them where they are now presently established.

Mr. VITALI. But I am not talking about that. I am talking about a retail store with an entrance to the outside in a typical shopping center, not in the grocery store itself, not in a Wal-Mart, but beyond the anchor stores, those retail stores adjacent to the anchor stores. What is your legislative intent?

Do you intend by this amendment to prohibit State stores from occupying those retail stores in shopping centers?

Mr. CLYMER. I will be with you in just a minute, Mr. Speaker.

Thank you, Mr. Speaker, for your indulgence.

The intent of my legislation is strictly to get the sale of alcohol out of the supermarkets and out of the grocery stores. That is the intent of this legislation.

Mr. VITALI. So it is not your intent to apply to a retail store whose only function is a State store with a separate entrance to the outside?

Mr. CLYMER. No; that is not the intent.

Mr. VITALI. Okay. My next question is, this would apply, I believe it is clear, would apply to the new policy of the Liquor Control Board to put a State store within larger stores. I think they are in supermarkets now. Is that true?

Mr. CLYMER. That is correct.

Mr. VITALI. So this amendment, it is your intention to prohibit those stores, to make them go out of operation?

Mr. CLYMER. That is correct.

Mr. VITALI. Okay.

Do you know how long they have been in operation?

Mr. CLYMER. I would say in the last 6 months; 6 months, perhaps.

Mr. VITALI. Do we have any data on how they are operating? In other words, do we have any data on whether there have been any abuses beyond the normal abuses you have? Do we have any data on customer satisfaction, public approval? Do we have any data at all on that new innovation by the LCB?

Mr. CLYMER. The issue is that, realistically, they are profitable; they are making money for the Commonwealth, but there have been no studies to indicate the downside, the social implications that have resulted. For instance, when there is an increase in underage drinking, when there is more alcohol abuse in our society as well, those figures have not been related to date to the sale of the alcohol that is in these supermarkets, but obviously, when you make more alcohol available, the social problems increase. But to answer your question specifically, there has not been a connection because they have just been open less than 6 months or around 6 months.

Mr. VITALI. Is there any data on whether there have been increased sales to minors because of these stores being here?

Mr. CLYMER. No; there is nothing to show that. Obviously, the clerks that are working in the State stores, they are still State store clerks, and they are very competent, they are very professional, and they do the job to make sure that there is no sale to underage customers.

Mr. VITALI. Thank you, Mr. Speaker.

That concludes my interrogation.

The SPEAKER. The Chair thanks the gentleman.

Does the gentleman from Delaware, Mr. Raymond, wish to be recognized? The Chair recognizes the gentleman.

Mr. RAYMOND. Thank you, Mr. Speaker.

Mr. Speaker, would the maker of the amendment stand for a very brief interrogation?

The SPEAKER. The gentleman indicates he will stand. The gentleman, Mr. Raymond, is in order.

Mr. RAYMOND. I just have one question to clarify for the members in the chamber today.

The intent of your legislation deals strictly with liquor stores within grocery stores. It has nothing to do with beer sales anywhere. Correct?

Mr. CLYMER. That is correct.

Mr. RAYMOND. Thank you, Mr. Speaker.

Mr. Speaker, on the amendment?

The SPEAKER. On the amendment, but the gentleman is entitled to be heard. Please keep the noise levels down.

Mr. RAYMOND. Thank you, Mr. Speaker.

Mr. Speaker, I oppose this amendment, and for all of you who have watched the debates over at least my 20 years in the legislature, the Liquor Control Board has done an outstanding job of controlling the sale of liquor in Pennsylvania. The liquor-stores-within-grocery-stores concept is done only to provide convenience for the consumers in Pennsylvania. They are stores that are wholly owned, operated, and run by LCB employees. They do an outstanding job. It is a progressive step for the system to move forward. They have done a great job, and as has been noted, there are absolutely no facts, figures, or suggestions that the liquor stores are not doing their job within grocery stores, without grocery stores, everywhere in Pennsylvania.

So I would appreciate a “no” vote on the amendment.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Monroe, Mr. Scavello. The gentleman waives off.

The gentleman from Montgomery, Mr. Bunt.

Mr. BUNT. Thank you, Mr. Speaker.

Mr. Speaker, may I interrogate the gentleman?

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

Mr. BUNT. Thank you, Mr. Speaker.

Mr. Speaker, is it your intent to not put out of business but to take out of existence two locations in Montgomery County – one, I know, is in Blue Bell, Clemens food store – where a pilot store now exists, a liquor store within a grocery store?

Mr. CLYMER. That is correct, Mr. Speaker. If this bill were to become law, those stores would be removed from those supermarkets.

Mr. BUNT. And, Mr. Speaker, second question: Do you consider wine a distilled spirit or a beverage that you would include in this category?

Mr. CLYMER. Mr. Speaker, if the wine is sold in the liquor store and the liquor store is removed, then the wines would go as well.

Mr. BUNT. Thank you, Mr. Speaker.

That would complete my interrogation.

Mr. Speaker, on the amendment?

The SPEAKER. The gentleman is in order and may proceed.

Mr. BUNT. Mr. Speaker, based upon the responses to my inquiries, I would urge the members to vote “no” on the amendment.

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

Mr. DONATUCCI. Thank you, Mr. Speaker.

I agree 100 percent with Chairman Raymond. I request a “no” vote on this. This is a step backward for the system.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Clymer, for the second time.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, if one would just think of this issue, when you go shopping into a supermarket and you take your family with you, you are talking about the number one alcohol being the most abused drug in Pennsylvania, and it is not the same as going shopping for a can of stewed tomatoes or a head of cabbage or a carton of milk. I do not think that relationship should be there, and if we are going to create public policy where we are trying to set standards that would be important for our communities and for our families, then you would support this legislation.

The dollars that we contribute for alcohol and drug rehabilitation continue to escalate here in the Commonwealth of Pennsylvania. At least that is my understanding. So it seems that the appropriate thing to do, to bring under control the availability of this most abused drug not only in Pennsylvania but across the Commonwealth, is to put reasonable parameters around it and try to control it.

Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS-59

Armstrong	Denlinger	Hutchinson	Reed
Baker	Egolf	James	Rohrer
Bastian	Fairchild	Kirkland	Rooney
Belardi	Fecse	Kotik	Samuelson
Benninghoff	Fleagle	Major	Smith, S. H.
Birmelin	Forcier	McIlhattan	Stern
Boyd	Gabig	Metcalfc	Stevenson, R.
Browne	Geist	Miller, S.	Surra
Cappelli	Gillespie	Myers	True
Casorio	Gingrich	Pallone	Washington
Causar	Harris	Petrarca	Wilt
Clymer	Hasay	Phillips	Wojnaroski
Coleman	Hershey	Pickett	Ycwcic
Creighton	Hess	Preston	Zug
Dailey	Hickernell	Readshaw	

NAYS-136

Adolph	Fichter	Mann	Scrimenti
Allen	Flick	Markosck	Semmel
Argall	Frankel	Marsico	Shaner
Baldwin	Freeman	McCall	Smith, B.
Bard	Gannon	McGechan	Solobay
Barrar	George	McGill	Staback
Belfanti	Gergely	McIlhinney	Stairs
Biancucci	Good	McNaughton	Steil
Bishop	Goodman	Melio	Stetler
Blaum	Grucela	Micozzie	Stevenson, T.
Bunt	Gruitza	Millard	Sturla
Butkovitz	Habay	Miller, R.	Tangretti
Buxton	Haluska	Mundy	Taylor, E. Z.
Caltagirone	Hanna	Mustio	Taylor, J.
Cawley	Harhai	Nickol	Thomas
Civera	Harhart	O'Brien	Tigue
Cohen	Harper	Oliver	Travaglio
Cornell, S. E.	Hennessey	O'Neill	Turzai
Corrigan	Herman	Payne	Vance
Costa	Horscy	Petri	Vcon
Crahalla	Josephs	Petrone	Vitali
Cruz	Keller	Pistella	Walko
Curry	Kenncy	Raymond	Wansacz
Daley	Killion	Reichley	Waters
Dally	LaGrotta	Rieger	Watson

DeLuca	Laughlin	Rocbuck	Weber
Dermody	Leach	Ross	Wheatley
DeWeese	Lederer	Rubley	Williams
DiGirolamo	Lescovitz	Ruffing	Wright
Diven	Levdansky	Sainato	Youngblood
Donatucci	Lewis	Santoni	Yudichak
Eachus	Mackereth	Saylor	
Evans, D.	Maher	Scavello	Perzel, Speaker
Evans, J.	Maitland	Schroder	
Fabrizio	Mandrino		

NOT VOTING-0

EXCUSED-7

Bebko-Jones	Lch	Nailor	Sather
Godshall	Lynch	Roberts	

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

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

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

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

The following roll call was recorded:

YEAS-171

Adolph	Fichter	Mandrino	Scavello
Allen	Flick	Mann	Schroder
Argall	Frankel	Markosek	Scrimenti
Baker	Freeman	Marsico	Semmel
Baldwin	Gannon	McCall	Shaner
Bard	Geist	McGechan	Smith, B.
Barrar	George	McGill	Smith, S. H.
Belardi	Gergely	McIlhinney	Solobay
Belfanti	Good	McNaughton	Staback
Benninghoff	Goodman	Melio	Stairs
Biancucci	Grucela	Micozzie	Steil
Bishop	Gruitza	Millard	Stetler
Blaum	Habay	Miller, R.	Stevenson, R.
Browne	Haluska	Mundy	Stevenson, T.
Bunt	Hanna	Mustio	Sturla
Butkovitz	Harhai	Mycrs	Surra
Buxton	Harhart	Nickol	Tangretti
Caltagirone	Harper	O'Brien	Taylor, E. Z.
Cappelli	Harris	Oliver	Taylor, J.
Casorio	Hasay	O'Neill	Thomas
Causar	Hennessey	Pallone	Tigue
Cawley	Herman	Payne	Travaglio
Civera	Hess	Petrarca	Turzai
Cohen	Hickernell	Petri	Vance
Cornell, S. E.	Horscy	Petrone	Vcon
Corrigan	James	Phillips	Vitali
Costa	Josephs	Pickett	Walko
Crahalla	Keller	Pistella	Wansacz
Cruz	Kenney	Preston	Washington
Curry	Killion	Raymond	Waters
Daley	Kirkland	Rcadshaw	Watson
Dally	Kotik	Reed	Weber
DeLuca	LaGrotta	Reichley	Wheatley
Dermody	Laughlin	Rieger	Williams

DeWeese	Leach	Rocbuck	Wilt
DiGirolamo	Lederer	Rooney	Wojnarowski
Diven	Lescovitz	Ross	Wright
Donatucci	Lcvdanský	Rubley	Yeweic
Eachus	Lewis	Ruffing	Youngblood
Evans, D.	Mackereth	Sainato	Yudichak
Evans, J.	Maher	Samuelson	
Fabrizio	Maitland	Santoni	Perzel,
Fairchild	Major	Saylor	Speaker
Fecsc			

## NAYS—24

Armstrong	Crcighton	Gabig	Mctcalfe
Bastian	Dailey	Gillespie	Miller, S.
Birmelin	Denlinger	Gingrich	Rohrer
Boyd	Egolf	Hershcy	Stern
Clymer	Fleagle	Hutchinson	True
Coleman	Forcier	McIlhattan	Zug

## NOT VOTING—0

## EXCUSED—7

Bebko-Jones	Leh	Nailor	Sather
Godshall	Lynch	Roberts	

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

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

### FAREWELL ADDRESS BY MR. COLEMAN

The SPEAKER. The Chair at this time would like to welcome up the young man from Armstrong County, Representative Jeff Coleman.

Mr. COLEMAN. Mr. Speaker, thank you for the privilege of standing at this rostrum for my very first and I presume last time as a member of the House of Representatives.

I feel so privileged to be standing before all of you today, because after all, I was never really supposed to be here.

A few days before the election in 2000, the headline in the Indiana Gazette read “David vs. Goliath,” and they were not kidding. A conservative, young Republican – 25 years old, just out of college – up against a respected 11 1/2-year incumbent in a district where 67 percent of the registered voters belonged to the other party.

My formal resume was pretty short, and my ethnic pedigree as a Filipino-American did not quite fit the traditional profile of western Pennsylvania. I say all this not to brag about an old win or in any way boast about the temporary trust that the voters conferred on me twice. I cite the circumstances to tell you how profoundly grateful I am to the people of Armstrong and Indiana Counties for the privilege of speaking up for them for these past 4 years.

When I was elected against those steep and challenging odds, they voted for me in large part, I think, because they hoped that somehow I would be different, that I would be part of the change and not blend into the wallpaper of the State Capitol;

that, for them, this Capitol has often been a source of mistrust and cynicism.

I know that for most of you, you came to this chamber by some remarkable twist as well – I would submit by divine appointment and a clear calling to serve others. But I have learned that all of us, regardless of formal education or income or social standing, on swearing-in day are given an equal chance to change the direction of our district and the Commonwealth.

Now, I chose to spend my time here, as you know, not by penning many cosponsorship memos. I left that up to the more able and astute in our ranks. No, I decided that I would, in my own way, try to let the people back home share the seat with me – all 60,000 of them – by giving voice to their gut and core convictions, by speaking up during our congenial debates on taxes or spending or gambling or a particular policy that impacted the institution of the family.

I decided to fill my time when I was at home, my weekdays in high school auditoriums and Saturday mornings in often packed-out fire hall breakfasts, pleading with audience after audience to get involved; to not concede this arena of public service to the seemingly permanent elected officials, those professionals who do this job; to call, to write, to e-mail us during the heated discussions that PCN (Pennsylvania Cable Network) brings to their living room; to lay aside their cynical bent towards this place, even if they think, because of what they have read in the paper, that the skids are greased and the deal has been cut by a tiny handful of people in some Harrisburg backroom. I challenged them, our constituents, to speak out against taxes and bloated spending plans; to ask where the money goes in some new budget line item; and to do the math on their home calculator when one of us makes a claim that just does not make sense.

I tried to stir the passions of my constituents and every collection of people that would lend me a microphone, not to give you more angry letters to answer or more unpleasant encounters in the grocery store but because I believe, like most of you, that the people we serve have been blessed with such uncommon good sense, rooted in their faith and their life experiences, but also a quiet reserve and a decency that keeps them from asking us or confronting us with the tough questions or ever challenging us on the ballot. I believe that only by questioning us can we ever truly be accountable to the people that sent us here.

Again and again, in letters to the editor or calls to a local talk show, they have expressed distrust in this system, and I respectfully say, too often for pretty good reason. I think it is time for all of us in public service, from the blue counties and the red ones, myself included, to trust them, to trust them, and their intuition and judgment a little bit more.

Friends, I will always consider it an honor to have been numbered on the long roll call that includes women and men like you, and I will leave the House taking with me volumes, volumes, of wise advice and counsel. So many of you, almost an even number of Democrats and Republicans, from the top of the seniority list to the place where I rank, have taken a personal interest in my life and extended the hand of friendship. I am so glad that you did, and I cherish and treasure your many, many, many kindnesses.

I have learned so much from you during these 4 remarkable years. You have shared from a lifetime of experiences – in the classroom or courtroom or farm, running a restaurant or a



Main Street shop, your service in the military, or for many of you, practicing the fine art of public service.

My favorite days as your colleague – and there are so many – but the minutes when I felt most honored to be part of this House of Representatives came on those long, marathon nights before a big vote, when the ties and tongues were loosened a little bit, when candor and laughter came a little bit easier; those long, grueling hours before a front-page vote, often edging out our weekend plans, well past midnight, before the sun comes up. It is during those nights or early mornings, waiting to cast a vote or standing in line for my turn to speak, that I learned the most about your lives and your families – the fascinating vocations you had before you earned this title and the good years you have spent as a member of this body.

You told stories about those grand, raucous debates that once echoed from the leaders' podiums; a time before the smoking ban, before the ever-watching camera, when lobbyists still roamed behind that brass rail. You told about the lions of the legislature who used their gifts of persuasion – the gesture, the wink, or the quick, disarming wit to turn a debate and win the day.

Through all of you, through so many of you, I have truly come to value the grand legacy and potential, the great potential, of this House.

I will be spending, I think, the next few days and months thanking so many of you in person for all you have done to make me feel a part of this place, but I hope you will understand if I publicly acknowledge just one member today, because the things I have learned from him have come mostly from observation, not phone calls or dinners or e-mails or that many personal exchanges.

This member, for me, has come to represent the burning ideal of public service: earnest, honest, cheerful, respectful, decent; the first to fight for a good cause, spending every ounce of energy; the first to extend a handshake when he is on the winning side or falls a vote or two short of the mark; quick to credit a good staff; quick to apologize for an oversight or a mistake. He steers clear of the gossip or joining in a laugh about another member. He is, in every sense, in every sense of the word, a gentleman. I think he would be the one I would want to represent our profession in every high school civics textbook.

Representative Paul Clymer, thank you, sir, for the life and the example that you lead, and I think all of us would agree that, even in the debate today, all of those attributes were well exemplified.

But some of the great collection of friends I will take with me have never stood for elective office. They are all over this building – friends who polish the brass and the marble or empty the trash or shine the shoes or cut hair or carry letters or newspapers from one office to another. They run the cameras behind that balcony or take pictures when a second-grade class visits the Capitol. They are professionals in every sense who do their public service with quiet excellence, never earning their own headlines. I will never forget the people here who make this building the people's palace.

I close today with a salute to my own loyal staff, a talented and energetic group that served me and the 60th District here in Harrisburg and our offices in Ford City and Apollo and for 2 years in Blairsville and Homer City. Every day they lent me their talents with such class and grace under pressure. To these friends and a great, great team of dozens of young, ideal-driven

volunteers, because of you, we have met our goals, and in this chapter of our lives, I think we can all be proud that, thanks to you, we have finished well.

Finally, the success of the past 4 years would have never been, never been, without the wisdom, the sound judgment, and the unconditional love of my wife Rebecca. She has placed so many of her own goals and ambitions on hold so that I could pursue mine.

To my one true love and my best friend, thank you. I just cannot wait to see what new adventures God has in His plan for our lives, and I cannot imagine sharing it with anyone else.

Friends, I am truly blessed – a great wife; wonderful parents, Keith and Milan, who are seated to my left today; my brother Joel; and many, many, many friends.

May God bless this honorable House and all who are privileged to serve.

Thank you, and God bless you.

## SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 2572, PN 4654**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

## 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 brief Intergovernmental Affairs Committee meeting at the rear of the House at the break.

Thank you.

The SPEAKER. There will be a brief Intergovernmental Affairs Committee meeting at the rear of the House at the break.

## REPUBLICAN CAUCUS

The SPEAKER. The Chair recognizes the gentlelady from Chester, Mrs. Taylor.

Mrs. TAYLOR. Mr. Speaker, there will be an immediate Republican informal and formal caucus in the caucus room immediately following the recess.

The SPEAKER. The Chair thanks the gentlelady.

## DEMOCRATIC CAUCUS

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

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, the Democratic caucus will also include both formal and informal discussions. It will be held immediately upon the call of the recess.

The SPEAKER. The Chair thanks the gentleman.

**APPROPRIATIONS COMMITTEE MEETING**

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

Mr. ARGALL. Thank you, Mr. Speaker.

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

The SPEAKER. The Chair thanks the gentleman.

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

**ANNOUNCEMENT BY MR. B. SMITH**

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

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

There will be a brief but important meeting of the central Pennsylvania Republican caucus in my office at the call of the recess.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

Are there any further announcements?

**RECESS**

The SPEAKER. This House is in recess until 3 p.m.

**AFTER RECESS**

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

**HOUSE BILLS  
INTRODUCED AND REFERRED**

**No. 3004** By Representatives McILHINNEY, BASTIAN, BENNINGHOFF, BOYD, BROWNE, S. E. CORNELL, CRAHALLA, DeLUCA, GINGRICH, GOODMAN, HORSEY, REICHLEY, SCAVELLO, B. SMITH, STABACK, THOMAS, TIGUE, TRUE, WASHINGTON, WATSON and YOUNGBLOOD

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for controlled substances testing for school bus and school vehicle drivers.

Referred to Committee on TRANSPORTATION, November 18, 2004.

**No. 3005** By Representatives McILHINNEY, CRAHALLA, DENLINGER, HARPER, HORSEY, MANN, PAYNE, PHILLIPS, SATHER and TIGUE

An Act amending the act of December 17, 1968 (P.L.1224, No.387), known as the Unfair Trade Practices and Consumer Protection Law, further defining "unfair methods of competition" and "unfair or deceptive acts or practices"; and further providing for unlawful acts.

Referred to Committee on CONSUMER AFFAIRS, November 18, 2004.

**No. 3006** By Representatives LEWIS, BASTIAN, BISHOP, CALTAGIRONE, CAPPELLI, CREIGHTON, GOODMAN, HANNA, HERSHEY, McILHATTAN, MUSTIO, O'NEILL, PHILLIPS, PICKETT, PISTELLA, SANTONI, SATHER, SCAVELLO, SEMMEL, SOLOBAY and TIGUE

An Act amending Title 27 (Environmental Resources) of the Pennsylvania Consolidated Statutes, providing for dam and flood control project loans; authorizing certain indebtedness; providing for a referendum; and establishing the Dam and Flood Control Project Fund and the Dam and Flood Control Project Revolving Loan Fund.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, November 18, 2004.

**No. 3007** By Representatives KENNEY and BROWNE

An Act amending the act of October 20, 1966 (3rd Sp.Sess., P.L.96, No.6), known as the Mental Health and Mental Retardation Act of 1966, further providing for the financial stability of community health and mental retardation services.

Referred to Committee on HEALTH AND HUMAN SERVICES, November 18, 2004.

**No. 3008** By Representatives KENNEY and BROWNE

An Act amending the act of April 14, 1972 (P.L.221, No.63), known as the Pennsylvania Drug and Alcohol Abuse Control Act, further providing for the financial stability of community drug and alcohol programs.

Referred to Committee on HEALTH AND HUMAN SERVICES, November 18, 2004.

**HOUSE RESOLUTION  
INTRODUCED AND REFERRED**

**No. 931** By Representatives WALKO, VEON, LaGROTTA, PETRARCA, TANGRETTI, BEBKO-JONES, CAPPELLI, CASORIO, CURRY, DeWEESE, FABRIZIO, FRANKEL, GEORGE, GERGELY, GOODMAN, GRUCELA, HERSHEY, JAMES, JOSEPHS, KOTIK, LAUGHLIN, LEDERER, MANDERINO, MANN, McCALL, MELIO, MUNDY, PALLONE, PISTELLA, READSHAW, REED, ROEBUCK, SAINATO, SCRIMENTI, SHANER, SURRA, THOMAS, WASHINGTON, WHEATLEY and YUDICHAK

A Resolution memorializing the Governor to establish a drug importation program for the Commonwealth.

Referred to Committee on INTERGOVERNMENTAL AFFAIRS, November 18, 2004.

**SENATE BILLS FOR CONCURRENCE**

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

**SB 564, PN 628**

Referred to Committee on INTERGOVERNMENTAL AFFAIRS, November 18, 2004.

**SB 1259, PN 1896**

Referred to Committee on STATE GOVERNMENT,  
November 18, 2004.

**BILLS REREPORTED FROM COMMITTEE****SB 93, PN 1963**

By Rep. ARGALL

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for costs, for the offense of burglary and for certain bullets prohibited.

## APPROPRIATIONS.

**SB 856, PN 1951**

By Rep. ARGALL

An Act amending the act of May 15, 1939 (P.L.134, No.65), referred to as the Fireworks Law, regulating sale and use of fireworks.

## APPROPRIATIONS.

**SB 895, PN 1141**

By Rep. ARGALL

An Act designating a portion of State Route 1040 known as Spur Road in East Cocalico Township, Lancaster County, Pennsylvania, as Colonel George Howard Boulevard.

## APPROPRIATIONS.

**LEAVE OF ABSENCE CANCELED**

The SPEAKER. The Chair notes the presence in the hall of the House of the gentleman from Berks, Mr. Leh. His name will be added to the master roll.

**BILL REMOVED FROM TABLE**

The SPEAKER. The Chair recognizes the majority leader.  
Mr. S. SMITH. Mr. Speaker, I move that SB 492 be taken off the table.

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

**BILL ON SECOND CONSIDERATION**

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

**SB 492, PN 1653.****BILL RECOMMITTED**

The SPEAKER. The Chair recognizes the majority leader.  
Mr. S. SMITH. Mr. Speaker, I move that SB 492 be recommitted to the Committee on Appropriations.

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

**SUPPLEMENTAL CALENDAR A****BILL ON CONCURRENCE  
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 249, PN 4736**, entitled:

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, further providing for tax levies.

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

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

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

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

The following roll call was recorded:

## YEAS—196

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

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Bebko-Jones	Lynch	Roberts	Sather
Godshall	Nailor		

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

Ordered, That the clerk inform the Senate accordingly.

**LEAVE OF ABSENCE**

The SPEAKER. At this time the Chair recognizes the majority whip, who moves for a leave of absence for the gentlelady from York, Mrs. MACKERETH. Without objection, that leave will be granted.

**BILLS ON CONCURRENCE  
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 310, PN 4735**, entitled:

An Act designating a portion of State Route 1040 known as Spur Road in East Cocalico Township, Lancaster County, as Colonel George Howard Boulevard and designating a bridge over railroad tracks on the Fruitville Pike, State Route 72, in Manheim Township, Lancaster County, as the General Richard M. Scott Bridge.

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

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

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

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

(Members proceeded to vote.)

VOTE STRICKEN

The SPEAKER. The clerk will strike the vote.

**MOTION TO SUSPEND RULES**

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

Mr. GEORGE. Mr. Speaker, I move for a suspension of the rules for amendment A5251.

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

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

Mr. GEORGE. Mr. Speaker, I request that our colleagues join with us in suspending the rules in that I found out that the young man whom we have honored by naming a bridge after him, the young man that lost his life over in Iraq, and all of you, including the Speaker, had joined in sponsorship and passed unanimously, that bill has been amended, and because of the closing hours of this session, I am asking to suspend the rules so that we can place an amendment attempting to name this bridge after this dead American who made the supreme sacrifice.

Thank you.  
The SPEAKER. The Chair thanks the gentleman.

**BILL PASSED OVER TEMPORARILY**

The SPEAKER. The Chair at this time will temporarily go over amendment A5251 along with HB 310.

\* \* \*

The House proceeded to consideration of concurrence in Senate amendments to **HB 1620, PN 4717**, entitled:

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

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

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

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

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

The following roll call was recorded:

YEAS—195

Adolph	Evans, J.	Lcvdanský	Samuelson
Allen	Fabrizio	Lewis	Santoni
Argall	Fairchild	Maher	Saylor
Armstrong	Fecse	Maitland	Scavello
Bakcr	Fichter	Major	Schroder
Baldwin	Fleagle	Manderino	Scrimenti
Bard	Flick	Mann	Semmel
Barrar	Forcier	Markoseck	Shaner
Bastian	Frankel	Marsico	Smith, B.

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

NAYS-0

NOT VOTING-0

EXCUSED-7

Bebko-Jones	Lynch	Nailor	Sather
Godshall	Mackereth	Roberts	

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

Ordered, That the clerk inform the Senate accordingly.

\* \* \*

The House proceeded to consideration of concurrence in Senate amendments to **HB 1860, PN 4744**, entitled:

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, further providing for investment of county funds, for definitions and for police duties.

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

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

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

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

The following roll call was recorded:

YEAS-195

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

NAYS-0

NOT VOTING-0

EXCUSED-7

Bebko-Jones	Lynch	Nailor	Sather
Godshall	Mackereth	Roberts	

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

Ordered, That the clerk inform the Senate accordingly.

\* \* \*

The House proceeded to consideration of concurrence in Senate amendments to **HB 2227, PN 4641**, entitled:

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.

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

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

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

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

The following roll call was recorded:

YEAS—195

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

Denlinger	Kirkland	Rieger	Wright
Dermody	Kotik	Roebuck	Yewcic
DeWeese	LaGrotta	Rohrer	Youngblood
DiGirolamo	Laughlin	Rooney	Yudichak
Diven	Leach	Ross	Zug
Donatucci	Lederer	Rubley	
Eachus	Lch	Ruffing	Perzcl,
Egolf	Lescovitz	Sainato	Speaker
Evans, D.			

NAYS—0

NOT VOTING—0

EXCUSED—7

Bebko-Jones	Lynch	Nailor	Sather
Godshall	Mackereth	Roberts	

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

Ordered, That the clerk inform the Senate accordingly.

**BILL ON CONCURRENCE  
IN SENATE AMENDMENTS  
TO HOUSE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to House amendments to **SB 1192, PN 1974**, entitled:

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, further providing for investment of moneys of the Commonwealth; and making a related repeal.

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

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

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

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

The following roll call was recorded:

YEAS—195

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

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Bebko-Jones	Lynch	Nailor	Sather
Godshall	Mackereth	Roberts	

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

Ordered, That the clerk inform the Senate accordingly.

**BILL ON CONCURRENCE  
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 138, PN 4594**, entitled:

An Act amending the act of June 29, 1953 (P.L.304, No.66), known as the Vital Statistics Law of 1953, providing for the Vital Statistics Improvement Account; and further providing for local registrars' fees, for reports to county registration commissions and for issuance of certificates of death.

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

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

At this time the Chair recognizes Mr. Sturla. Does Mr. Sturla wish to make a motion?

Would the gentleman please come to the rostrum for a second.

(Conference held at Speaker's podium.)

The SPEAKER. The gentleman indicates that the amendment has been withdrawn.

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

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

Mr. VITALI. Thank you, Mr. Speaker.

I am just wondering, is there an appropriate person here – I know that the prime sponsor has withdrawn – is there an appropriate person here to give a brief explanation of the bill, perhaps a committee chair?

The SPEAKER. The gentleman, Mr. Benninghoff, indicates that he will respond to any questions the gentleman might have. The gentleman is in order and may proceed.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

I believe the gentleman just asked for a brief summary.

As you know, for several years the coroners across the Commonwealth have been trying to get \$1 added to the death certificates. Last year in Act 47 the cost of death certificates was raised. What we have done is just taken that same money and made a designated fund, known as the Vital Statistics Improvement Fund, that would provide \$1 per death certificate per county to allow them to properly fund the betterment of some of their equipment and purchasing of new equipment.

This is supported by the Coroners Association across the Commonwealth. We have worked with the Department of Health to get this through. This does not add additional costs on to what was done last December in Act 47.

Mr. VITALI. Thank you.

The SPEAKER. The Chair thanks the gentleman.

Mr. Dally.

Mr. DALLY. Thank you, Mr. Speaker.

I would like to interrogate, well, I guess not the maker of the bill but the Representative who spoke previously, if I may.

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

Mr. DALLY. Mr. Speaker, questions about the local registrars.

How is a local registrar appointed?

Mr. BENNINGHOFF. I believe they are requested to run and they have to have a Senate approval. They are appointed by the Department of Health, but I do believe they go through an approval process.

Mr. DALLY. Okay. They are appointed by the Department of Health, and how long do they serve in that capacity?

Mr. BENNINGHOFF. Until death do they part. Generally, they are there as long as they choose to do it or decide to retire.

Mr. DALLY. Okay. And are those offices determined by population, or how many individuals serve in a given area?

Mr. BENNINGHOFF. Yes; demographic requirements are the designation for how many would be in per county.

Mr. DALLY. Okay. No further questions, Mr. Speaker. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair sees no one else prepared to ask the gentleman, Mr. Benninghoff, any questions.

On the question recurring,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—151

Adolph	Fecse	Lcvdansky	Saylor
Allen	Fichter	Lewis	Schroder
Argall	Fleagle	Maitland	Scrimenti
Baker	Flick	Major	Semmel
Barrar	Frankel	Manderino	Smith, B.
Bastian	Freeman	Mann	Smith, S. H.
Belardi	Gannon	Marsico	Solobay
Belfanti	Geist	McCall	Staback
Benninghoff	George	McGeehan	Stairs
Biancucci	Gillespie	McGill	Steil
Birmclin	Gingrich	McIlhinney	Stern
Bishop	Good	McNaughton	Stetler
Blaum	Goodman	Melio	Stevenson, R.
Brownc	Gruccia	Micozzie	Sturla
Bunt	Gruitza	Millard	Surra
Butkovitz	Haluska	Miller, R.	Tangretti
Buxton	Hanna	Miller, S.	Taylor, E. Z.
Caltagirone	Harhai	Mundy	Taylor, J.
Cappelli	Harhart	Myers	Thomas
Causcr	Harper	Nickol	Tigue
Cawley	Harris	O'Brien	Travaglio
Civcra	Hasay	Oliver	Vance
Clymcr	Hennessey	O'Neill	Vcon
Cohen	Herman	Payne	Wansacz
Colcman	Hershcy	Petri	Washington
Cornell, S. E.	Hcss	Petronc	Waters
Corrigan	Horsey	Phillips	Watson
Cruz	James	Pickett	Weber
Curry	Josephs	Preston	Williams
Daley	Keller	Raymond	Wilt
Dally	Kenncy	Reichley	Wright
DeWccsc	Killion	Rieger	Ycwcic
DiGirolamo	Kirkland	Roebuck	Youngblood
Donatucci	Laughlin	Rooney	Yudichak
Eachus	Lcach	Ross	Zug
Evans, D.	Lederer	Ruffing	
Evans, J.	Lch	Samuelson	Perzel,
Fabrizio	Lescovitz	Santoni	Speaker
Fairchild			

NAYS—44

Armstrong	Dermody	Maher	Rubley
Baldwin	Diven	Markosok	Sainato
Bard	Egolf	McIlhattan	Scavello
Boyd	Forcier	Metcalfe	Shaner
Casorio	Gabig	Mustio	Stevenson, T.
Costa	Gergely	Pallonc	Truc
Crahalla	Habay	Petrarca	Turzai
Creighton	Hickernell	Pistella	Vitali
Dailey	Hutchinson	Readshaw	Walko
DeLuca	Kotik	Reed	Wheatley
Denlinger	LaGrotta	Rohrer	Wojnaroski

NOT VOTING—0

EXCUSED—7

Bebko-Jones	Lynch	Nailor	Sather
Godshall	Mackereth	Roberts	

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

Ordered, That the clerk inform the Senate accordingly.

SUPPLEMENTAL CALENDAR C

BILL ON CONCURRENCE  
IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 2572, PN 4654**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for summary offenses involving vehicles.

On the question,

Will the House concur in Senate amendments?

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

On that question, the Chair recognizes Mr. Vitali. Mr. Vitali, you have been recognized.

Mr. VITALI. I am sorry; I missed that, Mr. Speaker. I was just looking for a brief explanation of this bill.

The SPEAKER. Mr. Baker.

Mr. BAKER. Thank you, Mr. Speaker.

This was approved unanimously in the House and the Senate.

The Senate merely took out the language that was inserted in the House that would exempt persons 70 years of age and over for jury duty. So that was removed in the Senate. The original language is then returned to the House, and that is what is before us.

Mr. VITALI. Would it be appropriate, Mr. Speaker, for me to ask about the up to a year to bring a summary action? That concerns me a little bit. That would be my question.

Mr. BAKER. Mr. Speaker, that language in the House bill has not changed whatsoever. It is the same in which we passed in the House.

Mr. VITALI. Thank you, Mr. Speaker.

Mr. BAKER. Thank you, Mr. Speaker.

On the question recurring,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—195

Adolph	Evans, J.	Lcvdansky	Samuelson
Allen	Fabrizio	Lewis	Santoni
Argall	Fairchild	Maher	Saylor
Armstrong	Fecse	Maitland	Scavello



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

## NAYS—0

## NOT VOTING—0

## EXCUSED—7

Bebko-Jones	Lynch	Nailor	Sather
Godshall	Mackereith	Roberts	

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

Ordered, That the clerk inform the Senate accordingly.

### FAREWELL ADDRESS BY MS. WEBER

The SPEAKER. At this time the Chair would like to recognize one of our members. Representative Melissa Murphy Weber at this time would like to give a few brief remarks.

Please, keep the noise level down.

Ms. WEBER. Well, I can trust you that I will not be singing, despite Mary Ann Dailey's wonderful job, nor may I be as

eloquent as Representative Jeff Coleman, but I will be very humble when I say that – I actually was not doing that for you guys to be quiet – 27 days ago my family and I were in a very dark place. We are coming out of it, and it is because of all of you and many of our friends and family who have extended a great deal of warmth and deep sincerity at a very difficult time. You shared with me many funny memories, and it is good to laugh. Laughter is certainly the key to many good things in life.

But I would like to thank all of you here today in the chamber who have helped make my time here very interesting, at times fun, at times frustrating, but always genuine and always real.

And I would like to thank the many of you here today who have helped support me as I came through the past several weeks, whether it was through a phone call, a personal note, the beautiful bouquets of flowers that had an endless parade both at my parents' house and at my house, so much so that the florist at my house started just driving them over to my parents' house because I had no more room in my house, but also the personal visits.

Again, it was an opportunity for my family to meet many of you and for many of you to meet my family and hear about the type of life and the type of home that I was very fortunate to have been raised in, which I think is what had a 100-percent impact on bringing me into this chamber and having the successes and the accomplishments that I have been able to have.

And at a time when one may think personal civility has been thrown out the window, all of you here in this chamber showed me that, no, personal civility does exist, and I may only hope that you all continue to see that and so that becomes more the norm than more the exception.

And when looking back over the past 2 years, I am reminded of the words of my dad: Work hard, be honest, and have fun. And while I am leaving this office sooner than I expected, sooner than I would have preferred, I am leaving with no regrets.

I have worked very hard for the constituents of the 148th in Montgomery County, and I have worked very hard to keep them informed on what was happening in Harrisburg; at times very difficult, because many times we do not always know what is happening here in Harrisburg. But I was also able to be involved in many aspects of the communities that I represent, and I was able to help them throughout the district; perhaps in one small filing, in one small favor, or even so much as just throwing out the first pitch, and thankfully, they did not let me know ahead of time that a Philadelphia Philly would be standing next to me when he, too, was throwing out the first pitch, because there was no pressure there. Mine did make it over home plate. I think so did his.

But even today I continue to receive the countless e-mails and voice mails and notes from constituents who have praised me for working on the issues that mattered most to them. A few of them have even commented that even though they did not vote for me, they will be sad to see me go. I am still trying to understand the logic in that e-mail, but at least it was genuine. I suppose that is a good note.

Honesty is also the cornerstone to anyone's success, and if you lack honesty, then you have no credibility, and without credibility, you are simply making noise and not making a difference. I am proud of the reputation that I have as being a

very honest and credible person. It has succeeded me to this date, and it will continue to bring me many more successes.

And I have also had a great deal of fun over the past 2 years. I have enjoyed meeting all the very different people throughout my district. I have enjoyed learning about the various groups trying to make a difference in each of their communities. And while at times I resented the personal sacrifices that I and my family had to endure while I was either up here or traveling to five different events in the course of 2 hours in the district, it always was worthwhile in the end, because you always knew that somebody there appreciated what you were doing.

Many people have asked how I did become a State Representative and why, and during the election I would say that I have one person to blame, but now I say I have one person to thank, and that is my former boss, the district attorney of Montgomery County, Bruce Castor.

And to the cynics here, it is not because I am looking to have my job back. He has actually already offered me a better job, but I have not yet agreed.

But he is in fact the individual who came to me after many others and sat me down and said to seriously consider running in this open seat. He asked me what I thought about politics and running for office. I will not tell you my response. I will only let you know that I laughed in his face. However, he then had me sit down, and together we discussed the pros and cons of elected office, and together we discussed the issues that I had worked on as a prosecutor and the opportunities that as a legislator I would have to further those issues but on a much broader scale base. I went home; I spoke with my husband, discussed it with my family and my parents, and together we all decided that as a 33-year-old, how could I say no to this opportunity.

So I thank him for encouraging me to move forward and to realize that I would be able to make a difference in yet another way for the families in Montgomery County, and in this case, for families in Pennsylvania.

I have been very fortunate, thanks to my leadership, to work on various issues that are important to all Pennsylvanians. From helping to change the Pennsylvania Constitution to protect children who were the victims or witnesses of heinous crimes to trying to strengthen the laws to further protect victims of domestic violence, I have worked to address weaknesses here that I saw first hand as a prosecutor.

But I have also worked to address problems I learned about from my constituents and from others across the Commonwealth. The first and foremost is the medical malpractice reform and the fight to ensure access to quality and affordable health care. I would like to thank Brett Feese for having the confidence in asking me to be part of a rally that we had 3 short weeks after I was sworn in as a freshman here in this chamber. My knees knocking, my Republican colleagues standing behind me, I stood at a podium and I called upon the Governor to declare a state of emergency. About 3 hours later, I started to breathe, because the nerves at that point were shattered, but I was very proud to be part of a caucus that was calling for this reform and recognizing the need to keep our doctors here in Pennsylvania.

Unfortunately, I now speak from personal experience. I do find peace in knowing that my dad was given every chance at survival, thanks to Dr. James Kenning, his neurosurgeon. Unfortunately, the acute leukemia was just too aggressive. But interestingly enough, earlier, in September, my mom was

diagnosed with colon cancer, and she is alive today with every expectation of beating her disease because her gastroenterologist, Dr. Jack Collazzo; her surgeon, Dr. Tony Coletta; and her oncologist, Dr. Steven Cohen, are three of the most fabulous individuals at Bryn Mawr Hospital. None of the doctors that I have mentioned, despite being heavily recruited from States across this nation, fled from Pennsylvania, and I am thankful to the Main Line Health System for continuing to work to keep those types of doctors and nurses and technicians here in Pennsylvania, working in our communities, so that families like mine can have all of what is possible in our medical world.

But in addition to having the opportunity to work on many pieces of legislation, I also know how fortunate I have been to work with some truly talented people.

First and foremost is my staff. Lori Koch, my secretary here in Harrisburg, came to me with I think over 24 years' experience. She is phenomenal at understanding the process, and she was phenomenal at keeping me even and levelheaded, which is not always easy to do.

I also want to thank Jennifer Algoe, my writer in Communications. Even on election day, people made a point to come up to me to say, "Melissa, your mailings were great. Not only were they informative, but they were easy for me to understand and to follow, and they gave me pointed, helpful information."

And in my district staff, Mimi Lindelow, who has about 23 years' experience, having first been with Lois Hagarty and then Lita Cohen and then me. She is very enthusiastic, and her biggest talent is when we have an event in the district, she knows every lobbyist to call to hit up for some door prize, some contribution, or some giveaway when we had events for our seniors and for our children.

And my deep thanks goes to the research staff and to the committees. While so many of you helped me and certainly my staff – I know, in particular, Rick O'Leary, I think, was on speed dial with my district office – I would like to specifically mention Michael Schwoyer, Dana Alwine, and Dave Thomas. Judiciary was obviously my background, and that is where I did a great many things, first under Chairman Gannon and then under Chairman O'Brien, and I would like to thank both of you for those opportunities. These three individuals were incredibly patient and assisted me in many different ways and always offered their guidance. I have a great deal of respect for each of them and for their work ethic.

And to the Sergeants at Arms in the back and all the pages and the messengers, your smiles and kindness every day I walk into this building will not be forgotten and are always appreciated.

To my freshman class, while I know I am biased, I do think that we are one of the brightest classes and we are made up of some of the most genuine people. I know that I do not need to say that I will miss all of you because I will stay in touch with all of you. I will continue to follow all of your careers, and, yes, Daylin, that does include yours. You are my parents' State Representative, so I am sure I will follow all of your mailings.

I will miss serving with all of you, but to the women of the House, I came from an office that at the top every position of authority, every position of leadership, was filled by a woman. I did not think it was possible to come to another arena where women would be just as successful as those in that small office

in Montgomery County, but when I came here, I was proud to come to meet all of you and come to learn all of your various backgrounds, all of your experiences, all of the balancing that you do on a daily basis, and yet still put your constituents and this job first.

I would like to give a special mention to Kate Harper. Not only do our districts share one another, but she truly did take me under her wing and help me both here in Harrisburg and home in the district and never hesitated to help me in any way that she could, even if it meant skipping something in her own district so that she could help me.

I am proud to be part of the women's caucus, where we have many ideas that upswell from our brains. That was coming for many, many months.

To the Montgomery County delegation, you welcomed this new kid on the block with open arms, with wonderful resources, and with constant advice and guidance, and I thank you very much for always looking out for me and never being too big-brotherish.

To John Perzel and Sam Smith, thank you for believing in me. As a freshman, I was very fortunate to take the lead on many important issues, and while some of it may have had to do with being the number one targeted seat, I know that much of it also had to do with the confidence that you had in my ability and the fact that I do not take no very easily as an answer. By the way, the freshman class would like to thank you very much for dinner last night, and when you get the bill, I will only caution you to remember that I was born and raised on the Main Line in Radnor, and I do have expensive taste. However, Roy Baldwin and Scott Boyd ordered everything.

To the team at HRCC (House Republican Campaign Committee) and to my campaign team, because I do know that they are listening, I think that you all are probably more devastated at the loss and the outcome on election day than I am. Perhaps it is because I was sufficiently numb on that day. However, specifically, I would like to mention Al Bowman; Paul Towhey; Shannon Royer; and my good friend, Brian Miles. Each of you gave more to this campaign than anyone has a right to ask and certainly than anyone has a right to expect, and each of you also were there for me and for my family as friends, and I thank you for that.

And to my family, their patience, their untiring support, and their love for me make me the person that I am proud to be today.

And as my chapter as a State Representative comes to a close, I do not know what will come next. I have been given some wonderful offers. However, I do know that over the next couple of weeks, I am going to spend time helping my mom open a women's clothing store that she and my dad had begun. And to my Republican colleagues, you can be assured that you will be treated with the utmost respect, and I will even give you a discount. However, because Republicans believe in the need for small businesses to profit, I will have to give the Democrats a little bit bigger of a discount. However, you all are also welcomed to shop at our store at any time. It is called A. B. Doran's, and it is on Lancaster Avenue in Wayne.

So with that, I do not say goodbye, because I know that I will see you all, but I will say simply, see you all later and thank you very much.

## SUPPLEMENTAL CALENDAR A CONTINUED

### CONSIDERATION OF HB 310 CONTINUED

The SPEAKER. The Chair returns to consideration of HB 310, PN 4735.

For the information of the members, the gentleman, Mr. George, has withdrawn his amendment.

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

The SPEAKER. It has been moved by the gentleman, Mr. Creighton, that the House concur in the amendments inserted by the Senate.

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

The following roll call was recorded:

#### YEAS—195

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

Eachus	Lch	Ruffing	Perzel,
Egolf	Lescovitz	Sainato	Speaker
Evans, D.			

NAYS—0

NOT VOTING—0

EXCUSED—7

Bebko-Jones	Lynch	Nailor	Sather
Godshall	Mackereth	Roberts	

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

Ordered, That the clerk inform the Senate accordingly.

### RESOLUTION REPORTED FROM COMMITTEE

**HR 922, PN 4709**

By Rep. FAIRCHILD

A Resolution urging formal acknowledgment from the United States Department of Housing and Urban Development (HUD) that Pennsylvania law precludes Pennsylvania domestic violence counselors and advocates from providing identifying information about victims of domestic violence to any person, institution, organization or government entity and that the confidentiality requirements of the Protection from Abuse Act supersede rules promulgated by HUD requiring disclosure of personally identifying information about victims of domestic violence to HUD's Homeless Management Information System.

INTERGOVERNMENTAL AFFAIRS.

### SENATE MESSAGE

HOUSE AMENDMENTS  
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to the Senate amendments to **HB 2405, PN 3381**.

### SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 2794, PN 4757**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

### FINANCE COMMITTEE MEETING

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

Mr. LEH. For the purpose of announcing a committee meeting, Mr. Speaker.

The SPEAKER. The gentleman is in order.

Mr. LEH. I would like to announce that at the call of the break, the House Finance Committee will meet briefly in the rear of the chamber.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The House Finance Committee will meet briefly in the rear of the chamber.

### RULES COMMITTEE MEETING

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

Would the gentleman, Mr. Civera, please come to the rostrum.

### BILL ON CONCURRENCE REPORTED FROM COMMITTEE

**HB 2794, PN 4757**

By Rep. S. SMITH

An Act designating a bridge on State Route 3012 over Clearfield Creek in Beccaria Township, Clearfield County, as the Private First Class Bradley G. Kritzer Bridge; and redesignating the bridge over the Monongahela River known as the Clairton-Glassport Bridge, Department of Transportation No. 02-2038-0010-0140, which connects the City of Clairton to the Borough of Glassport in Allegheny County, as the Senator Edward P. Zemprelli Bridge.

RULES.

### BILLS SIGNED BY SPEAKER

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

**HB 138, PN 4594**

An Act amending the act of June 29, 1953 (P.L.304, No.66), known as the Vital Statistics Law of 1953, providing for the Vital Statistics Improvement Account; and further providing for local registrars' fees, for reports to county registration commissions and for issuance of certificates of death.

**HB 249, PN 4736**

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, further providing for tax levies.

**HB 310, PN 4735**

An Act designating a portion of State Route 1040 known as Spur Road in East Cocalico Township, Lancaster County, as Colonel George Howard Boulevard and designating a bridge over railroad tracks on the Fruitville Pike, State Route 72, in Manheim Township, Lancaster County, as the General Richard M. Scott Bridge.

**HB 1620, PN 4717**

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

return for the imposition of Project 500 restrictions on other land owned by the Township of Wright, Luzerne County.

**HB 1860, PN 4744**

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, further providing for investment of county funds, for definitions and for police duties.

**HB 2227, PN 4641**

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.

**HB 2405, PN 3381**

An Act designating a certain bridge carrying SR 248 over Aquashicola Creek in Palmerton Borough, Carbon County, as the Colonel John Craig Memorial Bridge.

**HB 2572, PN 4654**

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for summary offenses involving vehicles.

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

**CALENDAR CONTINUED**

**BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **SB 904, PN 1905**, entitled:

An Act amending Titles 18 (Crimes and Offenses), 23 (Domestic Relations), 34 (Game), 42 (Judiciary and Judicial Procedure), 53 (Municipalities Generally), 68 (Real and Personal Property), 71 (State Government), 74 (Transportation) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, changing the name of "district justice" to "magisterial district judge" and replacing references to "justice of the peace" with "magisterial district judge."

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—195

Adolph	Evans, J.	Levdansky	Samuelson
Allen	Fabrizio	Lewis	Santoni
Argall	Fairchild	Maher	Saylor
Armstrong	Feese	Maitland	Scavello
Baker	Fichter	Major	Schroder
Baldwin	Fleagle	Manderino	Scrimenti
Bard	Flick	Mann	Semmel
Barrar	Forcier	Markosek	Shaner

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Bebko-Jones	Lynch	Nailor	Sather
Godshall	Mackereth	Roberts	

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

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

\* \* \*

The House proceeded to third consideration of **SB 1099, PN 1953**, entitled:

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.

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

Mr. O'BRIEN offered the following amendment No. A5157:

Amend Title, page 1, lines 1 through 4, by striking out all of said lines and inserting

Amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for interlocutory orders and for courts of common pleas; providing for summary offenses; and further providing for informal adjustment, for consent decrees, for disposition of delinquent children and for sentences for offenses against infants.

Amend Bill, page 1, lines 7 through 17; pages 2 and 3, lines 1 through 30; page 4, lines 1 through 22, by striking out all of said lines on said pages and inserting

Section 1. Section 702 of Title 42 of the Pennsylvania Consolidated Statutes is amended by adding a subsection to read:  
§ 702. Interlocutory orders.

\*\*\*

(b.1) Interlocutory appeals as of right.—In a criminal case or a juvenile delinquency proceeding, the Commonwealth may appeal an interlocutory order if the Commonwealth certifies that the order will terminate or substantially handicap the prosecution. The certification shall not be contestable.

\*\*\*

Section 2. Section 911(a) of Title 42 is amended to read:  
§ 911. Courts of common pleas.

(a) General rule.—There shall be one court of common pleas for each judicial district of this Commonwealth consisting of the following number of judges:

Judicial District	Number of Judges
First	93
Second	[13] 15
Third	8
Fourth	1
Fifth	[41] 43
Sixth	9
Seventh	13
Eighth	3
Ninth	5
Tenth	11
Eleventh	[9] 10
Twelfth	8
Thirteenth	2
Fourteenth	5
Fifteenth	[13] 14
Sixteenth	3
Seventeenth	2
Eighteenth	1
Nineteenth	[12] 14
Twentieth	1
Twenty-first	6
Twenty-second	1
Twenty-third	[12] 13
Twenty-fourth	[4] 5
Twenty-fifth	2
Twenty-sixth	2
Twenty-seventh	[5] 6
Twenty-eighth	2
Twenty-ninth	5
Thirtieth	3
Thirty-first	10
Thirty-second	19
Thirty-third	2
Thirty-fourth	1

Thirty-fifth	4
Thirty-sixth	6
Thirty-seventh	2
Thirty-eighth	21
Thirty-ninth	4
Fortieth	3
Forty-first	2
Forty-second	2
Forty-third	6
Forty-fourth	1
Forty-fifth	[7] 8
Forty-sixth	2
Forty-seventh	5
Forty-eighth	2
Forty-ninth	4
Fiftieth	[5] 6
Fifty-first	3
Fifty-second	4
Fifty-third	4
Fifty-fourth	1
Fifty-fifth	1
Fifty-sixth	2
Fifty-seventh	2
Fifty-eighth	[1] 2
Fifty-ninth	1
Sixtieth	[1] 2

\*\*\*

Section 3. Title 42 is amended by adding a section to read:  
§ 6304.1. Summary offenses.

(a) Review.—Upon notice being certified to the court that a child has failed to comply with a lawful sentence imposed for a summary offense, a probation officer shall review the complaints and charges of delinquency pursuant to section 6304 (relating to powers and duties of probation officers) for the purpose of considering the commencement of proceedings under this chapter.

(b) Administration of money.—Any money subsequently paid by the child pursuant to the disposition of the charges shall be administered and disbursed in accordance with written guidelines adopted by the president judge of the court of common pleas. The court may direct that any portion of the money received from the child shall be deposited into a restitution fund established by the president judge of the court of common pleas pursuant to section 6352(a)(5) (relating to disposition of delinquent child).

Section 4. Section 6323 of Title 42 is amended by adding a subsection to read:

§ 6323. Informal adjustment.

\*\*\*

(f) Terms and conditions.—The terms and conditions of an informal adjustment may include payment by the child of reasonable amounts of money as costs, fees or restitution, including a supervision fee and contribution to a restitution fund established by the president judge of the court of common pleas pursuant to section 6352(a)(5) (relating to disposition of delinquent child).

Section 5. Sections 6340(c.1), 6352(a)(5) and 9718(a) of Title 42 are amended to read:

§ 6340. Consent decree.

\*\*\*

(c.1) Terms and conditions.—Consistent with the protection of the public interest, the terms and conditions of a consent decree may include payment by the child of reasonable amounts of money as costs, fees or restitution, including a supervision fee and contribution to a restitution fund established by the president judge of the court of common pleas pursuant to section 6352(a)(5) (relating to disposition of delinquent child) and shall, as appropriate to the circumstances of each case, include provisions which provide balanced attention to the protection of the community, accountability for offenses committed and the development of competencies to enable the child to become a responsible and productive member of the community.

\* \* \*

§ 6352. Disposition of delinquent child.

(a) General rule.—If the child is found to be a delinquent child the court may make any of the following orders of disposition determined to be consistent with the protection of the public interest and best suited to the child’s treatment, supervision, rehabilitation and welfare, which disposition shall, as appropriate to the individual circumstances of the child’s case, provide balanced attention to the protection of the community, the imposition of accountability for offenses committed and the development of competencies to enable the child to become a responsible and productive member of the community:

\* \* \*

(5) Ordering payment by the child of reasonable amounts of money as fines, costs, fees or restitution as deemed appropriate as part of the plan of rehabilitation considering the nature of the acts committed and the earning capacity of the child[.], including a contribution to a restitution fund. The president judge of the court of common pleas shall establish a restitution fund for the deposit of all contributions to the restitution fund which are received or collected. The president judge of the court of common pleas shall promulgate written guidelines for the administration of the fund. Disbursements from the fund shall be made, subject to the written guidelines and the limitations of this chapter, at the discretion of the president judge and used to reimburse crime victims for financial losses resulting from delinquent acts. For an order made under this subsection, the court shall retain jurisdiction until there has been full compliance with the order or until the delinquent child attains 21 years of age. Any restitution order which remains unpaid at the time the child attains 21 years of age shall continue to be collectible under section 9728 (relating to collection of restitution, reparation, fees, costs, fines and penalties).

\* \* \*

§ 9718. Sentences for offenses against infant persons.

(a) Mandatory sentence.—

(1) A person convicted of the following offenses when the victim is under 16 years of age shall be sentenced to a mandatory term of imprisonment as follows:

18 Pa.C.S. § 2702(a)(1) and (4) (relating to aggravated assault) - not less than two years.

18 Pa.C.S. [§ 3121(1), (2), (3), (4), (5) and (6)] § 3121(a)(1), (2), (3), (4) and (5) (relating to rape) - not less than five years.

18 Pa.C.S. § 3123 (relating to involuntary deviate sexual intercourse) - not less than five years.

(2) A person convicted of the following offenses when the victim is less than 13 years of age shall be sentenced to a mandatory term of imprisonment as follows:

18 Pa.C.S. § 2702(a)(1) (relating to aggravated assault) - not less than five years.

18 Pa.C.S. [§ 3125(1)] § 3125(a)(1) through (6) (relating to aggravated indecent assault) - not less than two and one-half years.

(3) A person convicted of the following offenses shall be sentenced to a mandatory term of imprisonment as follows:

18 Pa.C.S. § 3121(c) and (d) - not less than five years.

18 Pa.C.S. § 3125(a)(7) and (8) - not less than two and one-half years.

18 Pa.C.S. § 3125(b) - not less than five years.

\* \* \*

Section 6. (a) The provisions of 42 Pa.C.S. § 3135 shall not be applicable to the selection of judges for the judgeships created in the amendment of 42 Pa.C.S. § 911(a).

(b) Except as set forth in subsections (b.1), (c), (d) and (e), the new judgeships added by the amendment of 42 Pa.C.S. § 911(a) shall be established on January 2, 2006, and shall be initially filled by election at the 2005 municipal election.

(b.1) The new judgeships for the second judicial district added by the amendment of 42 Pa.C.S. § 911(a) shall be established on January 7, 2008, and shall be initially filled by election at the 2007 municipal election.

(c) The new judgeship for the eleventh judicial district added by the amendment of 42 Pa.C.S. § 911(a) shall be established on January 7, 2008, and shall be initially filled by election at the 2007 municipal election.

(d) The new judgeship for the fifteenth district added by the amendment of 42 Pa.C.S. § 911(a) shall be established on January 7, 2008, and shall be initially filled by election at the 2007 municipal election.

(e) The new judgeship for the sixtieth judicial district added by the amendment of 42 Pa.C.S. § 911(a) shall be established on January 7, 2008, and shall be initially filled by election at the 2007 municipal election.

Section 7. The addition of 42 Pa.C.S. § 9718(a)(3) shall apply to individuals sentenced on or after the effective date of this section.

Section 8. This act shall take effect immediately.

On the question,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—195

Adolph	Evans, J.	Lcvdansky	Samuclson
Allen	Fabrizio	Lewis	Santoni
Argall	Fairchild	Maher	Saylor
Armstrong	Fecsc	Maitland	Scavello
Baker	Fichter	Major	Schroder
Baldwin	Fleagle	Manderino	Scrimonti
Bard	Flick	Mann	Semmel
Barrar	Forcier	Markosek	Shaner
Bastian	Frankel	Marsico	Smith, B.
Belardi	Frceman	McCall	Smith, S. H.
Belfanti	Gabig	McGeehan	Solobay
Benninghoff	Gannon	McGill	Staback
Biancucci	Geist	McIlhattan	Stairs
Birmelin	George	McIlhinney	Steil
Bishop	Gergely	McNaughton	Stern
Blaum	Gillespic	Melio	Stetler
Boyd	Gingrich	Metcalfe	Stevenson, R.
Browne	Good	Micozzie	Stevenson, T.
Bunt	Goodman	Millard	Sturla
Butkovitz	Gruclala	Miller, R.	Surra
Buxton	Gruitza	Miller, S.	Tangretti
Caltagironc	Habay	Mundy	Taylor, E. Z.
Cappelli	Haluska	Mustio	Taylor, J.
Casorio	Hanna	Myers	Thomas
Causcr	Harhai	Nickol	Tiguc
Cawley	Harhart	O’Brien	Travaglio
Civera	Harper	Oliver	True
Clymer	Harris	O’Neill	Turzai
Cohen	Hasay	Pallone	Vance
Coleman	Hennessey	Payne	Veon
Cornell, S. E.	Herman	Petrarca	Vitali
Corrigan	Hershey	Petri	Walko
Costa	Hess	Petrone	Wansacz
Crahalla	Hickernell	Phillips	Washington
Craighton	Horscy	Pickett	Waters
Cruz	Hutchinson	Pistella	Watson
Curry	James	Preston	Wcber
Daily	Josephs	Raymond	Whcatley
Daley	Keller	Readshaw	Williams
Dally	Kenney	Reed	Wilt
DeLuca	Killion	Rcichley	Wojnaroski
Denlinger	Kirkland	Rieger	Wright
Dermody	Kotik	Roebuck	Yewcic
DeWeese	LaGrotta	Rohrer	Youngblood
DiGirolamo	Laughlin	Rooney	Yudichak
Diven	Leach	Ross	Zug

Donatucci	Ledcrer	Rubley	
Eachus	Leh	Ruffing	Perzel,
Egolf	Lescovitz	Sainato	Speaker
Evans, D.			

NAYS—0

NOT VOTING—0

EXCUSED—7

Bebko-Jones	Lynch	Nailor	Sather
Godshall	Mackcrcth	Roberts	

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

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

**RULES SUSPENDED**

The SPEAKER. The Chair recognizes the gentleman, Mr. O'Brien.

Mr. O'BRIEN. Mr. Speaker, I move that the rules of the House be suspended in order to bring up immediate consideration of amendment 5319.

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

The following roll call was recorded:

YEAS—195

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

Corrigan	Hershey	Petri	Walko
Costa	Hess	Petrone	Wansacz
Crahalla	Hickernell	Phillips	Washington
Crcighton	Horscy	Pickett	Waters
Cruz	Hutchinson	Pistella	Watson
Curry	James	Preston	Weber
Daily	Josephs	Raymond	Whcatley
Daley	Keller	Readshaw	Williams
Dally	Kenney	Reed	Wilt
DeLuca	Killion	Reichley	Wojnaroski
Denlinger	Kirkland	Rieger	Wright
Dermody	Kotik	Roebuck	Yewcic
DeWeese	LaGrotta	Rohrer	Youngblood
DiGirolamo	Laughlin	Rooney	Yudichak
Diven	Leach	Ross	Zug
Donatucci	Ledcrer	Rubley	
Eachus	Leh	Ruffing	Perzel,
Egolf	Lescovitz	Sainato	Speaker
Evans, D.			

NAYS—0

NOT VOTING 0

EXCUSED—7

Bebko-Jones	Lynch	Nailor	Sather
Godshall	Mackcrcth	Roberts	

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

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

Mr. O'BRIEN offered the following amendment No. **A5319**:

Amend Title, page 1, line 5 (A5157), by striking out "interlocutory orders and for"

Amend Bill, page 1, lines 13 through 23 (A5157), by striking out all of said lines and inserting

Section 1. Section 911(a) of Title 42 of the Pennsylvania Consolidated Statutes is amended to read:

Amend Sec. 3, page 2, line 53 (A5157), by striking out "3" and inserting

2

Amend Sec. 4, page 3, line 11 (A5157), by striking out "4" and inserting

3

Amend Sec. 5, page 3, line 22 (A5157), by striking out "5" and inserting

4

Amend Sec. 5 (Sec. 9718), page 4, line 39 (A5157), by striking out "and (8)"

Amend Sec. 6, page 4, line 43 (A5157), by striking out "6" and inserting

5

Amend Sec. 7, page 5, line 7 (A5157), by striking out "7" and inserting

6

Amend Sec. 8, page 5, line 10 (A5157), by striking out "8" and inserting

7



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

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Bebko-Jones	Lynch	Nailor	Sather
Godshall	Mackerech	Roberts	

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

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

RULES SUSPENDED

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

Mr. SCAVELLO. Mr. Speaker, I move that the rules of the House be suspended for immediate consideration of amendment 5263.

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

The SPEAKER. The Chair recognizes Mr. Vitali.  
Mr. VITALI. I am just looking for a brief explanation of this bill.

The SPEAKER. It is not debatable, Mr. Vitali. It is a suspension motion. I thought you had a question for the Chair.

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

The following roll call was recorded:

YEAS—195

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

Dermody	Kotik	Rocbuck	Yeweic
DeWeese	LaGrotta	Rohrer	Youngblood
DiGirolamo	Laughlin	Rooney	Yudichak
Divcn	Leach	Ross	Zug
Donatucci	Lederer	Rubley	
Eachus	Leh	Ruffing	Perzel,
Egolf	Lescovitz	Sainato	Speaker
Evans, D.			

NAYS—0

NOT VOTING—0

EXCUSED—7

Bebko-Jones	Lynch	Nailor	Sathcr
Godshall	Mackereth	Roberts	

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

On the question recurring,

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

Mr. SCAVELLO offered the following amendment No. A5263:

Amend Title, page 1, line 7 (A5157), by inserting after "decrees,"

for compulsory arbitration,

Amend Sec. 5, page 3, line 22 (A5157), by inserting after "6352(a)(5)"

, 7361(b)(2)(ii)

Amend Sec. 5, page 4, by inserting between lines 15 and 16 (A5157)

§ 7361. Compulsory arbitration.

\*\*\*

(b) Limitations.—No matter shall be referred under subsection (a):

\*\*\*

(2) where the amount in controversy, exclusive of interest and costs, exceeds:

\*\*\*

(ii) [\$25,000] \$35,000 in any other judicial district.

\*\*\*

On the question,

Will the House agree to the amendment?

The SPEAKER. The gentleman, Mr. Vitali, did ask for a brief explanation of the amendment.

Mr. SCAVELLO. Thank you, Mr. Speaker.

What the amendment does is, in the smaller-sized counties, right now the arbitration limitation is \$25,000, and what it does is it raises it by \$10,000, and what it pretty much does is it saves counties moneys if an arbitration is a possibility rather than having a court case heard. The judge in my district felt that it could eliminate a tremendous amount of court costs. And that \$25,000 figure has not been changed in many years, so we are asking for a \$10,000 increase of the arbitration.

The SPEAKER. Does the gentleman, Mr. Vitali, have another question?

Mr. VITALI. Mr. Speaker, now, we are talking civil actions, arbitration being that civil arbitration they would go to in lieu of going before a court of common pleas judge?

Mr. SCAVELLO. Correct.

Mr. VITALI. And what counties does this apply? To all counties or just counties of a certain class?

Mr. SCAVELLO. Counties from fourth on – fourth, fifth, sixth, seventh, eighth.

Mr. VITALI. Right. And current upper limit of arbitration is what?

Mr. SCAVELLO. Right now the limit is \$25,000, and I am asking it to be raised to \$35,000.

Mr. VITALI. Any opposition you are aware of?

Mr. SCAVELLO. No, not at all.

Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—195

Adolph	Evans, J.	Lcvdansky	Samuelson
Allen	Fabrizio	Lewis	Santoni
Argall	Fairchild	Mahr	Saylor
Armstrong	Fcsc	Maitland	Scavello
Baker	Fichter	Major	Schroder
Baldwin	Ficagle	Mandcrino	Scrimenti
Bard	Flick	Mann	Semmel
Barrar	Forcier	Markosek	Shaner
Bastian	Frankel	Marsico	Smith, B.
Belardi	Freeman	McCall	Smith, S. H.
Belfanti	Gabig	McGeehan	Solobay
Benninghoff	Gannon	McGill	Staback
Bianucci	Geist	McIlhattan	Stairs
Birmelin	George	McIlhinney	Steil
Bishop	Gergely	McNaughton	Stern
Blaum	Gillespic	Melio	Stetler
Boyd	Gingrich	Metcalfe	Stevenson, R.
Browne	Good	Micozzic	Stevenson, T.
Bunt	Goodman	Millard	Sturla
Butkovitz	Grucela	Miller, R.	Surra
Buxton	Gruitza	Miller, S.	Tangretti
Caltagirone	Habay	Mundy	Taylor, E. Z.
Cappelli	Haluska	Mustio	Taylor, J.
Casorio	Hanna	Myers	Thomas
Causcr	Harhai	Nickol	Tiguc
Cawley	Harhart	O'Brien	Travaglio
Civra	Harper	Oliver	Truc
Clymer	Harris	O'Neill	Turzai
Cohen	Hasay	Pallone	Vance
Coleman	Hennessey	Payne	Vcon
Cornell, S. E.	Herman	Petrarca	Vitali
Corrigan	Hershey	Petri	Walko
Costa	Hess	Petrone	Wansacz
Crahalla	Hickernell	Phillips	Washington
Creighton	Horsey	Pickett	Waters
Cruz	Hutchinson	Pistella	Watson
Curry	James	Preston	Webcr
Dailey	Josephs	Raymond	Wheatley
Daley	Keller	Readshaw	Williams
Dally	Kenney	Reed	Wilt
DeLuca	Killion	Reichley	Wojnaroski
Dcnlincr	Kirkland	Rieger	Wright
Dermody	Kotik	Rocbuck	Yeweic
DeWeese	LaGrotta	Rohrer	Youngblood
DiGirolamo	Laughlin	Rooney	Yudichak
Divcn	Leach	Ross	Zug

Donatucci	Ledcrer	Rubley	
Eachus	Leh	Ruffing	Perzel,
Egolf	Lescovitz	Sainato	Speaker
Evans, D.			

NAYS—0

NOT VOTING—0

EXCUSED—7

Bebko-Jones	Lynch	Nailor	Sather
Godshall	Mackcreth	Roberts	

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

On the question recurring,

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

**RULES SUSPENDED**

The SPEAKER. The Chair recognizes the gentleman from Beaver, Mr. Biancucci.

Mr. BIANCUCCI. Mr. Speaker, I move that the rules of the House be suspended for immediate consideration of amendment 5262.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—195

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

Corrigan	Hershey	Petri	Walko
Costa	Hess	Petrone	Wansacz
Crahalla	Hickernell	Phillips	Washington
Crcighton	Horscy	Pickett	Waters
Cruz	Hutchinson	Pistella	Watson
Curry	James	Preston	Weber
Daily	Josephs	Raymond	Whcatley
Daley	Keller	Readshaw	Williams
Dally	Kenney	Reed	Wilt
DeLuca	Killion	Reichley	Wojnaroski
Denlinger	Kirkland	Rieger	Wright
Dermody	Kotik	Roebuck	Yewcic
DeWeese	LaGrotta	Rohrer	Youngblood
DiGirolamo	Laughlin	Rooney	Yudichak
Diven	Leach	Ross	Zug
Donatucci	Ledcrer	Rubley	
Eachus	Leh	Ruffing	Perzel,
Egolf	Lescovitz	Sainato	Speaker
Evans, D.			

NAYS—0

NOT VOTING 0

EXCUSED—7

Bebko-Jones	Lynch	Nailor	Sather
Godshall	Mackcreth	Roberts	

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

On the question recurring,

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

Mr. BIANCUCCI offered the following amendment No. **A5262**:

Amend Sec. 2 (Sec. 911), page 2, line 27 (A5157), by striking out all of said line and inserting  
 Thirty-sixth [6] Z

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair at this time recognizes the gentleman from Beaver, Mr. Biancucci.

Mr. BIANCUCCI. Thank you, Mr. Speaker.

Mr. Speaker, this amendment adds one judge to Beaver County. The county commissioners and the president judge have filed the appropriate papers. I thank you for the affirmative vote.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—195

Adolph	Evans, J.	Levdansky	Samuelson
Allen	Fabrizio	Lewis	Santoni
Argall	Fairchild	Maher	Saylor
Armstrong	Feese	Maitland	Scavello

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

NAYS-0

NOT VOTING-0

EXCUSED-7

Bebko-Jones	Lynch	Nailor	Sather
Godshall	Mackereth	Roberts	

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

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS-195

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

NAYS-0

NOT VOTING-0

EXCUSED-7

Bebko-Jones	Lynch	Nailor	Sather
Godshall	Mackereth	Roberts	

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same with amendment in which the concurrence of the Senate is requested.

\* \* \*

The House proceeded to third consideration of **SB 356, PN 1887**, entitled:

An Act amending Titles 18 (Crimes and Offenses) and 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for persons not to possess, use, manufacture, control, sell or transfer firearms, for general regulations relating to dissemination of criminal history record information, for responsibilities of law enforcement agencies and for information relating to prospective child-care personnel.

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

**RULES SUSPENDED**

The SPEAKER. The Chair recognizes the gentleman, Mr. O'Brien.

Mr. O'BRIEN. Mr. Speaker, I move that the rules of the House be suspended for immediate consideration of amendment A5220.

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

The following roll call was recorded:

YEAS—194

Adolph	Evans, D.	Lescovitz	Samuelson
Allcn	Evans, J.	Lcvdanskv	Santoni
Argall	Fabrizio	Lewis	Saylor
Armstrong	Fairchild	Maitland	Scavello
Baker	Fccsc	Major	Schroder
Baldwin	Fichter	Manderino	Scrimenti
Bard	Fleagle	Mann	Semmel
Barrar	Flick	Markosck	Shaner
Bastian	Forcier	Marsico	Smith, B.
Belardi	Frankel	McCall	Smith, S. H.
Belfanti	Frecman	McGechan	Solobay
Benninghoff	Gabig	McGill	Staback
Bianucci	Gannon	McIlhattan	Stairs
Birmclin	Geist	McIlhincv	Stcil
Bishop	George	McNaughton	Stern
Blaum	Gergely	Melio	Stetler
Boyd	Gillespic	Metcalfe	Stevnson, R.
Browne	Gingrich	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
Causcr	Hanna	Nickol	Tigue
Cawley	Harhai	O'Brien	Travaglio
Civera	Harhart	Oliver	True
Clymer	Harper	O'Neill	Turzai
Cohen	Harris	Pallonc	Vancc
Coleman	Hasay	Payne	Veon
Cornell, S. E.	Hennessey	Petrarca	Vitali
Corrigan	Hcrman	Petri	Walko
Costa	Hershey	Petronc	Wansacz
Crahalla	Hess	Phillips	Washington
Creighton	Hickernell	Pickett	Waters
Cruz	Horscy	Pistella	Watson
Curry	Hutchinson	Preston	Weber
Dailey	James	Raymond	Wheatley
Daley	Josephs	Readshaw	Williams
Dally	Keller	Reed	Wilt

DeLuca	Kenney	Rcichley	Wojnaroski
Denfinger	Killion	Rieger	Wright
Dermody	Kirkland	Roebuck	Yewcic
DeWeese	Kotik	Rohrer	Youngblood
DiGirolamo	LaGrotta	Rooney	Yudichak
Diven	Laughlin	Ross	Zug
Donatucci	Lcach	Rubly	
Eachus	Lederer	Ruffing	Perzel,
Egolf	Leh	Sainato	Speaker

NAYS—1

Maher

NOT VOTING—0

EXCUSED—7

Bebko-Jones	Lynch	Nailor	Sather
Godshall	Mackereth	Roberts	

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

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

Mr. O'BRIEN offered the following amendment No. **A5220**:

Amend Title, page 1, lines 1 through 8, by striking out all of said lines and inserting

Amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for criminal history record information.

Amend Bill, page 1, lines 11 through 19; pages 2 through 5, lines 1 through 30; page 6, lines 1 through 5, by striking out all of said lines on said pages and inserting

Section 1. Sections 9114 and 9121 of Title 18 of the Pennsylvania Consolidated Statutes are amended to read:  
§ 9114. Correction of inaccurate information.

Within [15] 30 days of the detection of inaccurate data in a criminal history record, regardless of the manner of discovery, the criminal justice agency which reported the information shall comply with the following procedures to effect correction:

- (1) Correct its own records.
- (2) Notify all [recipients, including the central repository,] criminal justice agencies to whom the inaccurate data was disseminated of the inaccurate data and the required correction.

§ 9121. General regulations.

(a) Dissemination to criminal justice agencies.—Criminal history record information maintained by any criminal justice agency shall be disseminated without charge to any criminal justice agency or to any noncriminal justice agency that is providing a service for which a criminal justice agency is responsible.

(b) Dissemination to noncriminal justice agencies and individuals.—Criminal history record information shall be disseminated by a State or local police department to any individual or noncriminal justice agency [only] upon request. Except as provided in subsection (b.1)[:

- (1) A] a fee may be charged by a State or local police department for each request for criminal history record information by an individual or noncriminal justice agency, except that no fee shall be charged to an individual who makes the request in order to apply to become a volunteer [with an

affiliate of Big Brothers of America or Big Sisters of America or with a rape crisis center or domestic violence program.

(2) Before a State or local police department disseminates criminal history record information to an individual or noncriminal justice agency, it shall extract from the record all notations of arrests, indictments or other information relating to the initiation of criminal proceedings where:

- (i) three years have elapsed from the date of arrest;
- (ii) no conviction has occurred; and
- (iii) no proceedings are pending seeking a conviction.] and serve without compensation with:

(1) an affiliate of Big Brothers of America or Big Sisters of America;

(2) Little League Baseball, Inc.;

(3) a rape crisis center or domestic violence;

(4) a volunteer fire department;

(5) a volunteer ambulance service;

(6) Boy Scouts of America;

(7) Girl Scouts of the United States of America;

(8) a religious related group or organization;

(9) YMCA;

(10) YWCA;

(11) a block parent program, including the McGruff

House Program; or

(12) any other group that primarily works with children.

(b.1) Exception.—Subsection (b)[(1) and (2)] shall not apply if the request is made by a county children and youth agency or the Department of Public Welfare in the performance of duties relating to children and youth under the act of June 24, 1937 (P.L.2017, No.396), known as the County Institution District Law, section 2168 of the act of August 9, 1955 (P.L.323, No.130), known as The County Code, the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, 23 Pa.C.S. Ch. 63 (relating to child protective services) or 42 Pa.C.S. Ch. 63 (relating to juvenile matters).

(c) Data required to be kept.—Any criminal justice agency which disseminates criminal history record information must indicate to the recipient that the information disseminated is only that information contained in its own file, the date of the last entry, and that a summary of the Statewide criminal history record information may be obtained from the central repository.

(d) Extracting from the record.—When criminal history record information is maintained by a criminal justice agency in records containing investigative information, intelligence information, treatment information or other nonpublic information, the agency [may] shall extract and disseminate only the criminal history record information if the dissemination is to be made to a noncriminal justice agency or individual.

(e) Dissemination procedures.—Criminal justice agencies may establish reasonable procedures for the dissemination of criminal history record information. These procedures may include day, time and reason for dissemination.

(f) Notations on record.—

(1) Repositories must enter as a permanent part of an individual's criminal history record information file, a listing of all persons and agencies to whom they have disseminated that particular criminal history record information and the date and purpose for which the information was disseminated. [Such listing shall be maintained separate from the record itself.]

(2) Criminal justice agencies disseminating criminal history record information shall maintain a log indicating:

(i) The date of dissemination.

(ii) The subject of the criminal history record information.

(iii) The person disseminating the criminal history record information.

(iv) The agency or individual receiving the criminal history record information.

(v) The reason for the request of the criminal history record information.

(3) The log under paragraph (2) shall be used for criminal justice agencies when disseminating to another criminal justice agency and for noncriminal justice agencies and individuals.

Section 2. This act shall take effect in 60 days.

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the gentleman, Mr. O'Brien.

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

This amendment, very simply, provides free background checks for the following organizations: an affiliate of Big Brothers of America or Big Sisters of America; Little League Baseball, Inc.; a rape crisis center or domestic violence; a volunteer fire company; a volunteer ambulance company; Boy Scouts of America; Girl Scouts of the United States of America; a religious related group or organization; YMCA; YWCA; a block parent program, including the McGruff House Program; or any other group that primarily works with children.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—195

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

Daley	Keller	Readshaw	Williams
Dally	Kenney	Reed	Wilt
DeLuca	Killion	Reichley	Wojnaroski
Denlinger	Kirkland	Rieger	Wright
Dermody	Kotik	Roebuck	Yeweic
DeWeese	LaGrotta	Rohrer	Youngblood
DiGirolamo	Laughlin	Rooney	Yudichak
Diven	Leach	Ross	Zug
Donatucci	Lederer	Rubley	
Eachus	Lch	Ruffing	Perzel,
Egolf	Lescovitz	Sainato	Speaker
Evans, D.			

NAYS—0

NOT VOTING—0

EXCUSED—7

Bebko-Jones	Lynch	Nailor	Sather
Godshall	Mackereth	Roberts	

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

On the question,

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

The SPEAKER. The other amendments are out of order.

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—195

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

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Bebko-Jones	Lynch	Nailor	Sather
Godshall	Mackereth	Roberts	

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same with amendment in which the concurrence of the Senate is requested.

**SUPPLEMENTAL CALENDAR D**

**BILL ON CONCURRENCE  
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 2794, PN 4757**, entitled:

An Act designating a bridge on State Route 3012 over Clearfield Creek in Beccaria Township, Clearfield County, as the Private First Class Bradley G. Kritzer Bridge; and redesignating the bridge over the Monongahela River known as the Clairton-Glassport Bridge, Department of Transportation No. 02-2038-0010-0140, which connects the City of Clairton to the Borough of Glassport in Allegheny County, as the Senator Edward P. Zemprelli Bridge.

On the question,

Will the House concur in Senate amendments?

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

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

Mr. LEVDANSKY. Thank you, Mr. Speaker.

Mr. Speaker, I would rather not be in this position to ask the House to do what I am about to ask you to do. For most people, naming a bridge or a road in your district is normally a pro forma thing, but I found in my 20 years that people back home pay attention. There are some of my constituents that think that naming any public infrastructure that is built with taxpayer dollars, to name it after a public official is inappropriate. There are others of my constituents that believe that naming a public infrastructure after a living former public official is inappropriate as well.

Mr. Speaker, myself, if anybody in my district thinks that we ought to name a road or a bridge after anybody, my position is, I want to see a letter of support from the local government saying that that is what they support, because then I know that there is sufficient public support for doing this.

Mr. Speaker, what the Senate did was put an amendment in the bill. This bill, offered by Representative Bud George, names a road after a young man in his legislative district that was killed in the Iraqi conflict, and clearly, that is an honor that that young soldier so richly deserves for the sacrifice of his life. But, Mr. Speaker, the Senate has done in a parliamentary maneuver, by amending Representative George's bill on third consideration in the Senate and sending it over here, it is putting me in the difficult and uncomfortable position of trying to undo what they did.

Mr. Speaker, what this bill does, what the amendment does – I support the bill – but what the amendment does is names a bridge in my legislative district after a former State Senator who represented that community also. Typically, we offer each other the professional courtesy of offering bills to name roads and bridges in our own districts.

Mr. Speaker, that is what has gone on here. The Senate and a particular Senator from the other end of the State, two Senators from the other end of the State, have decided that they know what is best for the constituents in my legislative district as far as what they think we ought to rename the Clairton-Glassport Bridge.

Now, a lot of people back home think that we should not name this bridge at all. If anything, we ought to call it the Wilson Bridge, which is a particular ward of the city of Clairton. Others think that we ought to name it for Louie Worrell or Mo Ginanni or Bill Fekety, some really local good people who have passed away in the last couple years, who gave their life service, community service, to the city of Clairton.

Mr. Speaker, when I asked the elected officials in the city of Clairton if they supported this, they were silent. I asked them if they would send me a letter of support indicating that they support this. They would not do it. Now, if local elected officials in my legislative district will not stand up and say they favor an amendment that is inserted by two Senators from the other end of the State, I think we ought to think long and hard about doing that.

Mr. Speaker, I also just want to point out, Mr. Speaker, part of the reason, in addition to all those reasons I think why we should not agree to the Senate amendment, one final thing that causes me great concern, the gentleman that this bridge will be named after, this former State Senator, was general counsel to a company that ended up going bankrupt, and before it went

bankrupt, there was an indictment brought against him and other officials in this company.

Mr. Speaker, 2,600 people from my district and surrounding communities lost \$69 million of their life's investments on a scheme, on a scheme that was perpetrated by certain individuals, some of whom were indicted, some of whom were convicted, and some of whom were in prison. Now, while this particular individual that will be named by the Senate amendment was indicted, he was acquitted. He was indicted and acquitted – and so was O.J. Simpson – and in their view, in the view of so many people, in the view of so many people in my district, naming this bridge after this former State Senator is an insult to them. It will be a daily reminder to them of their life's investments that they lost in a Ponzi scheme. That is offensive to them.

Mr. Speaker, if the people in my legislative district asked me to do something, I would do it, but I think the will of the majority of the people in an individual member's legislative district ought to be the overriding factor on whether or not we name a bridge or a road or another public infrastructure after a former public official.

### MOTION TO SUSPEND RULES

Mr. LEVDANSKY. Mr. Speaker, given all of these reasons, given all of these reasons and in a desire to recognize the wishes of the people of my legislative district and in an effort to honor the young man that Representative Bud George intends to honor, we, Mr. Speaker, can resolve this dilemma by moving to adopt the prior printer's number.

So, Mr. Speaker, I would make a motion to revert HB 2794 to the prior printer's number, and that prior printer's number, Mr. Speaker, is number 4280.

The SPEAKER. The gentleman would need to move to suspend the rules in order to revert to a prior printer's number. Do you wish to make that motion?

Mr. LEVDANSKY. Mr. Speaker, whichever. You know, if we just cannot consider, if I cannot move the prior printer's number, you are saying we must suspend the rules to in fact do that?

The SPEAKER. Yes.

Mr. LEVDANSKY. Okay.

Then, Mr. Speaker, I so move that we suspend the rules so that I may offer the motion to revert to the prior printer's number.

On the question,

Will the House agree to the motion?

The SPEAKER. On the Republican side, the majority leader has deferred to the gentleman from Blair, Mr. Geist.

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

This process with Representative George has gone on for a long time. We made a commitment to him to move this piece of legislation. At this very late hour in the session, as we sine die, it would be a shame to alter this bill and send it back and not have it passed. I do not want to get into the merit of the naming, but I want to urge the members to vote "no" on the suspension of the rules. We made a commitment on this piece of legislation, and let us get it passed.

Thank you.



The SPEAKER. The minority leader defers to the gentleman from Clearfield, Mr. George.

Mr. GEORGE. Mr. Speaker, this is a very sad moment for me in my 30 years. I have never experienced anything like this. I thought most things that were personal should be left behind, that we are here to do the people's business. And, Mr. Speaker, over the last 30 years, I learned very early that we do not tell the Senate very often what to do. Many times they do things that we have very little to say.

Mr. Speaker, I heard a young lady that will not return tell about how fortunate she was to serve. I feel that way about colleagues, that there are times when we can spar but there are times, Mr. Speaker, where we are only one, and we speak with one voice, and we speak in regard to that that is most important.

If in fact we suspend the rules and if in fact an amendment would change this bill – Mr. Speaker, I did not ask the Senate to put another name in or take a name out; that is their business – all I know is that all the leaders and all of you that were aware, whether you signed on, you all voted for it. There is a mother and dad in Blain City, in Coalport, Pennsylvania, that will never realize a day where they see the children of their son, never realize a day where they can be proud of the accomplishments, and the only thing that we can offer them through their sadness is a little plate on the bridge naming him for the sacrifice that he made for you and me.

I am asking that we defeat the motion to suspend the rules, and I thank you.

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

Mr. MAHER. Parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MAHER. Is it an appropriate parliamentary inquiry to ascertain whether the bridge proposed to be named over Clearfield Creek in this bill is the same subject matter that was addressed in the amendment in which the gentleman, Mr. George, withdrew moments ago to another bill?

The SPEAKER. That would not be a parliamentary inquiry. That would have to be asked of the gentleman, Mr. George.

Mr. MAHER. I think that is out of order.

The SPEAKER. It is not debatable.

Mr. MAHER. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—54

Armstrong	Good	Melio	Schroder
Bard	Haluska	Millard	Scrimenti
Birmclin	Harper	Miller, R.	Solobay
Browne	Hennessey	Myers	Stetler
Cawley	Horsey	Nickol	Sturla
Clymer	Josephs	Petri	Tigue
Cohen	Leach	Roebuck	Turzai
Crahalla	Leh	Rohrer	Vance
Curry	Lcvdanský	Rooney	Vitali
Egolf	Maher	Rubley	Waters
Evans, J.	Mann	Sainato	Wright
Frecman	Marsico	Samuelson	Yudichak
Gabig	McGechan	Saylor	Zug
Gillespie	McNaughton		

NAYS—141

Adolph	Diven	Kotik	Ruffing
Allen	Donatucci	LaGrotta	Santoni
Argall	Eachus	Laughlin	Scavello
Baker	Evans, D.	Lederer	Semmel
Baldwin	Fabrizio	Lescovitz	Shaner
Barrar	Fairchild	Lewis	Smith, B.
Bastian	Fecse	Maitland	Smith, S. H.
Belardi	Fichter	Major	Staback
Belfanti	Fleagle	Manderino	Stairs
Berninghoff	Flick	Markosek	Steil
Biancucci	Forcier	McCall	Stern
Bishop	Frankel	McGill	Stevenson, R.
Blaum	Gannon	McIlhattan	Stevenson, T.
Boyd	Geist	McIlhinney	Surra
Bunt	George	Metcalfe	Tangretti
Butkovitz	Gergely	Micozzic	Taylor, E. Z.
Buxton	Gingrich	Miller, S.	Taylor, J.
Caltagirone	Goodman	Mundy	Thomas
Cappelli	Gruccia	Mustio	Travaglio
Casorio	Gruitza	O'Brien	Truc
Causer	Habay	Oliver	Veon
Civra	Hanna	O'Neill	Walko
Coleman	Harhai	Pallone	Wansacz
Cornell, S. E.	Harhart	Payne	Washington
Corrigan	Harris	Petrarca	Watson
Costa	Hasay	Petrone	Webber
Creighton	Herman	Phillips	Wheatley
Cruz	Hershey	Pickett	Williams
Daily	Hess	Pistella	Wilt
Daley	Hickernell	Preston	Wojnarowski
Dally	Hutchinson	Raymond	Yewcic
DeLuca	James	Readshaw	Youngblood
Denlinger	Keller	Reed	
Dermodý	Kenney	Reichley	Perzel,
DeWeese	Killion	Rieger	Speaker
DiGirolamo	Kirkland	Ross	

NOT VOTING—0

EXCUSED—7

Bebko-Jones	Lynch	Nailor	Sather
Godshall	Mackereth	Roberts	

Less than a majority of the members 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 concur in Senate amendments?

The SPEAKER. The gentleman from Allegheny, Mr. Preston.

Mr. PRESTON. On concurrence.

The SPEAKER. The gentleman is in order.

Mr. PRESTON. Mr. Speaker, I would ask that we concur in the Senate amendments, and I do want to be able to say, with all due respect, because the aforegentleman's name also happened to serve in the House, and he served in the Senate. He also served, in my personal opinion – and I say this very sincerely – when he was here, he served with distinction and class and honor, and I think it is only entitled that that should happen in his senatorial district, where he is from. I know everybody is entitled to an opinion, but I can only go by from what I know and the gentleman's record here as a member of this House and as a member in leadership also in the Senate, having been a

member of the Allegheny County delegation and having served in the Senate as a member of the Allegheny County delegation.

I would ask for concurrence, with all due respect.

Thank you.

The SPEAKER. Mr. George.

Mr. GEORGE. Mr. Speaker, I apologize. I thank you for your patience. I thank our good colleague, Mr. Geist, and also the minority chairman, Mr. McCall. I thank you all, and I can assure you that there is a family up in Coalport, Pennsylvania, a father and a mother, that will thank you from the bottom of their hearts.

Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

**PARLIAMENTARY INQUIRY**

The SPEAKER. The gentleman from Allegheny, Mr. Maher.

Mr. MAHER. A parliamentary inquiry, Mr. Speaker.

Is this bill divisible between page 1, line 30, and page 2, line 1?

The SPEAKER. Mr. Maher, we do not divide bills.

Mr. MAHER. Thank you for the response.

The SPEAKER. The gentleman is welcome.

On the question recurring,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

**YEAS—194**

Adolph	Evans, D.	Lescovitz	Samuelson
Allcn	Evans, J.	Lewis	Santoni
Argall	Fabrizio	Maher	Saylor
Armstrong	Fairchild	Maitland	Scavello
Bakcr	Fecsc	Major	Schroder
Baldwin	Fichter	Manderino	Serimnti
Bard	Fleagle	Mann	Semmel
Barrar	Flick	Markosck	Shaner
Bastian	Forcier	Marsico	Smith, B.
Belardi	Frankel	McCall	Smith, S. H.
Belfanti	Frecman	McGechan	Solobay
Benninghoff	Gabig	McGill	Staback
Biancucci	Gannon	McIlhattan	Stairs
Birmclin	Geist	McIlhinny	Steil
Bishop	George	McNaughton	Stern
Blaum	Gergely	Melio	Stetler
Boyd	Gillcspic	Metcalfe	Stevenson, R.
Browne	Gingrich	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
Causcr	Hanna	Nickol	Tigue
Cawley	Harhai	O'Brien	Travaglio
Civcr	Harhart	Oliver	Truc
Clymer	Harper	O'Neill	Turzai
Cohen	Harris	Pallonc	Vance
Coleman	Hasay	Paync	Vcon
Cornell, S. E.	Hennessey	Petrarca	Vitali
Corrigan	Hcrman	Petri	Walko
Costa	Hcrshcy	Petrone	Wansacz
Crahalla	Hess	Phillips	Washington
Crcighton	Hickernell	Pickett	Waters

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

**NAYS—1**

Levdansky

**NOT VOTING—0**

**EXCUSED—7**

Bebko-Jones	Lynch	Nailor	Sather
Godshall	Mackereth	Roberts	

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

Ordered, That the clerk inform the Senate accordingly.

**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 2794, PN 4757**

An Act designating a bridge on State Route 3012 over Clearfield Creek in Beccaria Township, Clearfield County, as the Private First Class Bradley G. Kritzer Bridge; and redesignating the bridge over the Monongahela River known as the Clairton-Glassport Bridge, Department of Transportation No. 02-2038-0010-0140, which connects the City of Clairton to the Borough of Glassport in Allegheny County, as the Senator Edward P. Zemprelli Bridge.

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

**CALENDAR CONTINUED**

**BILL ON THIRD CONSIDERATION**

The House proceeded to third consideration of **SB 1167, PN 1955**, entitled:

An Act amending the act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law, defining "less expensive"; and further providing for generic drugs and for amount of rebate for certain prescription drugs.

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

Mr. HESS offered the following amendment No. A5086:

Amend Title, page 1, line 6, by inserting after “appropriation,” ” providing for disposition of funds;

Amend Bill, page 1, lines 15 through 17, by striking out all of said lines and inserting

Section 1. Section 311 of the act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law, amended November 21, 1996 (P.L.741, No.134), is amended to read:

Section 311. Disposition of funds.

(a) State Lottery Fund.—

(1) All moneys received from the operation of the State lottery shall be deposited in a State Lottery Fund which is hereby created. Such moneys shall be used to the extent necessary for the payment of lottery prizes but the amount so used shall not be less than 40% of the amount of which tickets or shares have been sold. All payments of lottery prizes and for expenses of operation of the lottery shall be made as provided by law.

(2) All moneys remaining after payment of prizes and operating expenses shall remain in the State Lottery Fund and shall be allocated in accordance with subsection (c) for the purpose of providing:

(i) property tax relief for the elderly for taxes paid in 1971 and thereafter pursuant to the provisions of the act of March 11, 1971 (P.L.104, No.3), known as the Senior Citizens Rebate and Assistance Act, and for the purpose of providing];

(ii) free or reduced fare transit service for the elderly pursuant to Chapter 9 and the act of February 11, 1976 (P.L.14, No.10), known as the Pennsylvania Rural and Intercity Common Carrier Surface Transportation Assistance Act];

(iii) limited pharmaceutical assistance for the elderly pursuant to this act under the PACE and PACENET programs; and

(iv) funding to the Department of Aging for distribution to local area agencies on aging and senior community centers.

(3) In the event sufficient funds are not available from the lottery receipts to meet the requirements of the Senior Citizens Rebate and Assistance Act or for providing free or reduced fare transit service for the elderly under Chapter 9 and the Pennsylvania Rural and Intercity Common Carrier Surface Transportation Assistance Act, additional funds to fulfill these obligations shall be appropriated from the General Fund for this purpose.

(b) Appropriations.—The moneys in said State Lottery Fund shall be appropriated [only] as follows:

(1) For the payment of prizes to the holders of winning lottery tickets or shares.

(2) For the expenses of the division in its operation of the lottery.

(3) For property tax relief and free or reduced fare transit service for the elderly, limited pharmaceutical assistance under the PACE and PACENET programs, and to the Department of Aging for distribution to local area agencies on aging and senior community centers, as provided under subsection (a).

(c) Limits on allocations.—Of the remaining moneys under subsection (a)(2):

(1) No less than 25% shall be allocated to the local area agencies on aging through a block grant formula based upon the most current United States Decennial Census Data information.

(2) No less than 2% shall be allocated to the senior community centers through distribution from the local area agencies on aging.

(d) Annual reporting.—Local area agencies on aging shall prepare an annual report on the expenditure of moneys allocated under subsection (c). The senior community centers shall provide data to the

local agency with information on expenditures, program areas in which funds are spent and the number of individuals receiving services. In addition to the senior community centers information, the local area agencies on aging shall include in their annual report information on expenditures, program areas in which funds are spent and the number of individuals receiving services. Local area agencies on aging shall provide the annual reports to the Department of Aging, and the Department of Aging shall provide the information to the Appropriations Committee of the Senate, the Aging and Youth Committee of the Senate, the Appropriations Committee of the House of Representatives and the Aging and Older Adult Services Committee of the House of Representatives.

Section 2. Section 502 of the act is amended by adding a definition to read:

Amend Sec. 2, page 2, line 10, by striking out “2” and inserting  
3

Amend Sec. 3, page 5, line 1, by striking out “3” and inserting  
4

Amend Sec. 4, page 5, line 3, by striking out “4” and inserting  
5

Amend Sec. 5, page 5, line 10, by striking out all of said line and inserting

Section 6. This act shall take effect as follows:

(1) The amendment of section 311 of the act shall take effect in 60 days.

(2) The remainder of this act shall take effect immediately.

On the question,

Will the House agree to the amendment?

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

Mr. HESS. Thank you, Mr. Speaker.

This amendment is to SB 1167. This amendment provides about \$26 million to the senior centers and to the AAA (area agencies on aging) agencies. This money would come from the Lottery Fund, and this would help over a half million senior citizens.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Eachus.

Mr. EACHUS. Mr. Speaker, I rise to oppose amendment 5086.

I rise to oppose this equation not for my own selfish interest, because my county, under this equation, Luzerne County, is increased by \$1.37 million, but because this hurts rural counties, places like Franklin and Monroe, Butler, Cumberland, Chester, Lancaster, and York Counties; places that will see their funding decreased for their area agency on aging.

### AMENDMENT TABLED

Mr. EACHUS. This bill sets a standard that truly diminishes the quality of service in our rural regions of Pennsylvania, and for that reason, Mr. Speaker, I ask for amendment A5086 to be tabled, sir.

The SPEAKER. It has been motioned by the gentleman that the amendment be tabled. It is only debatable by the floor leaders.

On the question,

Will the House agree to the motion?

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

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

Mr. Speaker, I am in one of those awkward positions where I have to go against one of my members, and while I have personally a definite interest in support of what the gentleman's amendment is seeking to do, because of the content of this bill, I have real concerns that it will complicate its passage, and given the content of the base bill, the work that has gone in behind the scenes to work out and negotiate a compromise in that regard, I regret that I need to ask the members to support the motion to table.

The SPEAKER. The gentleman, Mr. DeWeese, defers to the gentleman, Mr. Eachus.

Mr. EACHUS. Thank you, Mr. Speaker.

I ask all of our colleagues to consider this motion to table. I agree with the majority leader's assessment, and I hope that the caucus will follow.

The SPEAKER. Mr. Hess, it is only debatable by the floor leaders. The gentleman, Mr. Smith, has already spoken.

Mr. HESS. Point of personal privilege.

The SPEAKER. A point of personal privilege is not really in order at this point, Mr. Hess.

PARLIAMENTARY INQUIRY

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

Mr. PISTELLA. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. PISTELLA. So that the members are clear, the motion that has been made is merely to table this amendment.

The SPEAKER. Yes.

Mr. PISTELLA. Upon the vote, if it would be successful, is SB 1167 then immediately before the membership for a vote then?

The SPEAKER. Yes.

Mr. PISTELLA. Okay.

Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—173

Table listing names of members who voted YEAS, including Adolph, Allcn, Argall, Armstrong, Baldwin, Bard, Barrar, Belardi, Belfanti, Bianucci, Birmelin, Bishop, Blaum, Boyd, Brownc, Bunt, Butkovitz, Buxton, Eachus, Egolf, Evans, D., Evans, J., Fabrizio, Fcsc, Fichter, Flick, Forcier, Frankel, Freeman, Gabig, Gannon, George, Gergely, Gillespie, Goodman, Gruccia, Lescovitz, Levdansky, Maher, Major, Manderino, Mann, Markosek, McCall, McGechan, McGill, McIlhattan, McNaughton, Melio, Metcalfe, Micozzic, Millard, Miller, R., Miller, S., Santoni, Saylor, Scavello, Schroder, Scrimenti, Semmel, Shaner, Smith, B., Smith, S. H., Solobay, Staback, Stairs, Steil, Stetler, Stevenson, R., Stevenson, T., Sturla, and Surra.

Table listing names of members who voted NAYS, including Caltagirone, Cappelli, Casorio, Causar, Cawley, Civera, Clymer, Cohen, Coleman, Cornell, S. E., Corrigan, Costa, Crahalla, Creighton, Cruz, Curry, Dailey, Daley, Dally, DeLuca, Denlinger, Dermody, DeWeese, DiGirolamo, Diven, Donatucci, Gruitza, Habay, Haluska, Hanna, Harhai, Harhart, Harper, Harris, Hasay, Hennessey, Hershey, Hickernell, Horsey, Hutchinson, James, Josephs, Keller, Kenney, Killion, Kirkland, Kotik, LaGrotta, Laughlin, Leach, Lederer, Lch, Mundy, Mustio, Myers, Nickol, O'Brien, Oliver, O'Neill, Pallone, Payne, Petrarca, Petri, Petrone, Preston, Raymond, Readshaw, Rced, Reichley, Rieger, Rocbuck, Rohrer, Rooney, Ross, Rubley, Ruffing, Sainato, Samuelson, Tangretti, Taylor, E. Z., Taylor, J., Thomas, Tigue, Travaglio, Truc, Turzai, Vance, Vcon, Vitali, Walko, Wansacz, Washington, Waters, Weber, Wheatley, Williams, Wojnaroski, Yewcic, Youngblood, and Yudichak.

NAYS—22

Table listing names of members who voted NAYS, including Baker, Bastian, Benninghoff, Fairchild, Fleagle, Geist, Gingrich, Good, Herman, Hess, Lewis, Maitland, Marsico, McIlhinney, Phillips, Pickett, Pistella, Stern, Watson, Wilt, Wright, and Zug.

NOT VOTING—0

EXCUSED—7

Table listing names of members who were EXCUSED, including Bebko-Jones, Godshall, Lynch, Mackereth, Nailor, Roberts, and Sather.

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

The SPEAKER. The House has immediately before it SB 1167.

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—195

Table listing names of members who voted YEAS, including Adolph, Allen, Argall, Armstrong, Baker, Baldwin, Evans, J., Fabrizio, Fairchild, Fcsc, Fichter, Fleagle, Levdansky, Lewis, Maher, Maitland, Major, Manderino, Samuclson, Santoni, Saylor, Scavello, Schroder, Scrimenti, and Stairs.

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

NAYS-0

NOT VOTING-0

EXCUSED-7

Bebko-Jones	Lynch	Nailor	Sather
Godshall	Mackereth	Roberts	

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same with amendment in which the concurrence of the Senate is requested.

VOTE CORRECTIONS

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

Mr. THOMAS. Mr. Speaker, to correct the record.

The SPEAKER. The gentleman is in order and may proceed.

Mr. THOMAS. My button malfunctioned on the Eachus motion. I would like to be recorded in the negative rather than in the affirmative.

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

Mr. THOMAS. Thank you.

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

Mr. WOJNAROSKI. To correct the record, please.

The SPEAKER. The gentleman is in order.

Mr. WOJNAROSKI. Mr. Speaker, on HB 138 I was recorded in voting in the negative. I would like to be recorded in the affirmative.

Thank you, Mr. Speaker.

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

Mr. Reichley.

Mr. REICHLEY. Thank you, Mr. Speaker.

My button malfunctioned on the motion to table the Hess amendment. I would like to be recorded in the negative on that, please.

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

The gentleman, Mr. Hanna.

Mr. HANNA. Thank you, Mr. Speaker.

I would like to correct the record.

The SPEAKER. The gentleman is in order.

Mr. HANNA. Thank you.

This morning on HB 994 I was recorded in the negative. I would like to be recorded in the affirmative.

The SPEAKER. The Chair thanks the gentleman.

Mr. HANNA. Thank you, Mr. Speaker.

The SPEAKER. Ms. Manderino.

Ms. MANDERINO. Thank you, Mr. Speaker.

A correction of the record.

The SPEAKER. The gentlady is in order.

Ms. MANDERINO. Thank you.

Yesterday on SB 1096, amendment 5016, I was recorded in the affirmative. I wish the record to reflect that I had intended to vote in the negative.

Thank you.

The SPEAKER. The Chair thanks the gentlady.

CONSIDERATION OF SB 779 CONTINUED

The SPEAKER. The Chair returns to SB 779 and recognizes the gentlady, Mrs. Miller, who offers the following amendment, which the clerk will read.

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

Mrs. MILLER offered the following amendment No. A5304:

Amend Title, page 1, line 6, by inserting after "APPROPRIATION:"

providing for construction of act;

Amend Bill, page 4, by inserting between lines 4 and 5

Section 2. The act is amended by adding a section to read:

Section 14.6. Construction.

Nothing in this act shall be construed to prohibit the Commonwealth and a county from jointly acquiring, by donation, an agricultural conservation easement.

- Amend Sec. 2, page 4, line 5, by striking out “2” and inserting 3
- Amend Sec. 3, page 4, line 11, by striking out “3” and inserting 4
- Amend Sec. 4, page 4, line 13, by striking out “4” and inserting 5

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

The SPEAKER. On that question, the Chair recognizes the gentledady, Mrs. Miller.

Mrs. MILLER. Thank you, Mr. Speaker.

Mr. Speaker, amendment 5304 to SB 779 corrects a problem with the Agricultural Area Security Act when it comes to accepting donated easements that will be offered by farmers to the State board and the county board without any request for any financial reimbursement for the value of that conservation easement.

Mr. Speaker, this amendment is necessary because the State board has determined that the existing law does not allow them to accept donated conservation easements, and for that purpose I would like to offer this amendment and suspend the rules in order to do so.

The SPEAKER. Mrs. Miller, we have already suspended the rules in order to run the bill, so you do not need to suspend the rules to run the amendment.

Mrs. MILLER. Mr. Speaker, I was just looking at the board seeing suspension of rules, so therefore, I chose to do that, thinking that was my directive.

The SPEAKER. No problem.

Mrs. MILLER. Mr. Speaker, thank you for allowing me to offer this amendment.

This is an issue that will have great significance for Berks County. If this law is not amended prior to the end of this year, we will lose the opportunity to accept a donated easement in Berks County that is valued at nearly \$250,000. That is a significant amount of savings for our program in the Commonwealth, which is determined to be the national leader in preserving farmland.

Mr. Speaker, I would encourage all of my colleagues here in the House to vote affirmatively for this amendment.

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

The following roll call was recorded:

YEAS—195

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

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Bebko-Jones	Lynch	Nailor	Sather
Godshall	Mackereth	Roberts	

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

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

The SPEAKER. Would the gentleman, Mr. Readshaw, please come to the rostrum.

For what purpose does the gentledady, Ms. Harper, rise?

Ms. HARPER. Mr. Speaker, when you are ready, I would like to speak on final passage.

The SPEAKER. The Chair thanks the gentledady.

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

Mr. READSHAW offered the following amendment No. A4618:

Amend Title, page 1, line 6, by inserting after "EASEMENTS;" providing for specific agricultural conservation easement;

Amend Bill, page 3, by inserting between lines 29 and 30 Section 2. The act is amended by adding a section to read:

Section 14.6. Specific agricultural conservation easement.

The Commonwealth shall purchase an agricultural conservation easement on a farmland tract of at least 75 contiguous acres used during the Battle of Gettysburg that lies within the original Gettysburg Battlefield Map drawn by John B. Bachelder in 1876 and that is adjacent to State Route 116.

Amend Sec. 2, page 3, line 30, by striking out "2" and inserting 3

Amend Sec. 3, page 4, line 5, by striking out "3" and inserting 4

Amend Sec. 4, page 4, line 7, by striking out "4" and inserting 5

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

(Members proceeded to vote.)

VOTE STRICKEN

The SPEAKER. Strike the board.

The gentleman, Mr. Grucela.

Mr. GRUCELA. Thank you, Mr. Speaker.

Mr. Speaker, would the maker of the amendment stand for interrogation, brief interrogation?

The SPEAKER. The gentleman, Mr. Readshaw, indicates he will stand for interrogation.

Mr. GRUCELA. Thank you, Mr. Speaker.

Mr. Speaker, it is my understanding that the Department of Agriculture has come out against this particular piece of legislation. Is there anyone who can explain if that is correct and what that might be? On the amendment.

Mr. READSHAW. Mr. Speaker, is that question directed to me?

Mr. GRUCELA. Yes, Mr. Speaker, if it can be answered.

Mr. READSHAW. Thank you.

I have no knowledge of that. No one has ever contacted me as being in the negative, as being against this amendment.

The SPEAKER. The House will be at ease.

The Chair recognizes the gentleman, Mr. Grucela.

Mr. GRUCELA. Thank you, Mr. Speaker.

Mr. Speaker, I offer my apologies to Representative Readshaw. The interrogation is not on the amendment but on the final passage of the bill.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Well, it is going to be one of you. Mr. Samuelson.

Mr. SAMUELSON. Thank you, Mr. Speaker.

The amendment I do not believe is on the computer. In fact, the computer is saying something about an amendment-bill discrepancy when you hit the session button.

The SPEAKER. We are aware of that. We are making copies right now, Mr. Samuelson.

Copies are on the way, Mr. Samuelson.

It appears it is your turn, Mr. Vitali. The gentleman is in order.

Mr. VITALI. Thank you, Mr. Speaker.

Would the maker of the amendment give us a brief explanation?

The SPEAKER. The gentleman indicates he will stand for interrogation. The gentleman is in order.

Mr. READSHAW. Thank you, Mr. Speaker.

This particular amendment is a specific agricultural conservation easement, and it concerns a farmland tract, 75 contiguous acres, used during the Battle of Gettysburg, which lies within the original Gettysburg Battlefield Map, and it is located on Route 116, on Hanover Road. It is known as the Daniel Lady farm. It is the site where on July 1, 1863, General Lee summoned his generals to prepare for the pursuing battle.

It is a recognized historical site, and as we attempt to maintain farmland and in fact, during the course of that, recognizing and preserving historical sites, that is the context of the amendment.

Mr. VITALI. May I continue, Mr. Speaker?

The SPEAKER. With interrogation?

Mr. VITALI. Yes, Mr. Speaker.

The SPEAKER. The gentleman is in order.

Mr. VITALI. Has a specific price been set yet for this conservation easement? Has a specific price yet been set for this conservation easement?

Mr. READSHAW. I had directed for a note yesterday. I have the confirmation by way of fax. I have not received it from the Appropriations Committee.

Mr. VITALI. Okay. Where would the funds come from to pay for this conservation easement?

Mr. READSHAW. Well, obviously the funds would come from the funds that are dedicated to this particular piece of legislation.

Mr. VITALI. Has the administration or the Department of Agriculture taken a position on this particular property?

Mr. READSHAW. No; I have had no correspondence from either concerning this amendment.

Mr. VITALI. Thank you, Mr. Speaker. That concludes my interrogation.

The SPEAKER. The Chair thanks the gentleman.

The gentlelady from Berks, Mrs. Miller.

Mrs. MILLER. Thank you, Mr. Speaker.

Mr. Speaker, amendment 4618 would set a very bad precedent for the State's agricultural land preservation attempt to preserve farmland in Pennsylvania that has ranked us as a national leader.

Mr. Speaker, this is an attempt to circumvent a system that has been working since 1989 when we established this program. In that system, any farm that wants to voluntarily participate in the Agricultural Area Security Act, in the farmland preservation portion of it, has the opportunity to go to the county board, ask for the county board's consideration, have their land scored based on soil type, location, and a multitude of factors. Those farms compete with every other farm in the county. They are then selected by a board that is appointed by county commissioners.

Mr. Speaker, this is a system that has worked so well that we have been the prototype for other States' agricultural land preservation programs. What this amendment is attempting to

do is to totally circumvent the county boards. It is directing through legislation that we will determine who is going to be selected – in this case, probably a very worthy farm – but my question is, if this farm is worthy of being preserved, why has it not been selected by the Adams County Agricultural Land Preservation Board? I did ask that question to the legislator from Adams County, who answered me that it was determined that this farm did not meet the eligibility ranking in order to be selected at this time.

Mr. Speaker, for us to start legislating and circumventing the county board system would be a serious error, and I am encouraging my colleagues to please not start tinkering with a system that has worked very well and by allowing us now to start picking and choosing what farms should be selected here in the halls of the House of Representatives. This needs to be a county decision, and I would encourage my colleagues to vote “no” on the Readshaw amendment. Allow this farm to be selected by the Adams County Agricultural Land Preservation Board as it competes equally with private ownership of farmland as well as other public lands.

So, Mr. Speaker, please, I encourage my colleagues to vote “no” on the Readshaw amendment.

The SPEAKER. The gentleman from Montgomery, Mr. Bunt.

Mr. BUNT. Thank you, Mr. Speaker.

Mr. Speaker, the previous speaker, Representative Miller from Berks County, very convincingly asked most of the questions that I was about to ask of the gentleman, Mr. Readshaw.

With all due respect to the gentleman, he has been working very effectively and very honorably on this issue for many, many years, and it is an issue that I have offered to be of assistance to the gentleman, but this is not the bill to do it with. As the previous speaker had indicated, Mr. Speaker, each farm that comes in for consideration has a regiment to follow, and that ranking is determined by developmental pressures, soil qualities, as the previous speaker had indicated.

So again, the previous individual, Mrs. Miller, stole most of my thunder. But if I could, Mr. Speaker, has the gentleman filed a fiscal note to this amendment?

The SPEAKER. We do not have one.

Mr. READSHAW. Mr. Speaker?

The SPEAKER. Mr. Readshaw.

Mr. READSHAW. Mr. Speaker, I had turned that request in yesterday by fax. I have a confirmation the fax was successful, but as yet, I have not received that.

The SPEAKER. Mr. Bunt, the gentleman asked for one and has confirmation that he did ask for one. At this time it would be the opinion of the Chair to allow the gentleman to offer the amendment.

Mr. BUNT. Mr. Speaker, then would I be in order to ask for the defeat of the amendment?

The SPEAKER. The gentleman is in order.

The gentlelady from Bucks, Mrs. Watson. The lady waives off. I apologize.

The gentleman from York, Mr. Nickol.

Mr. NICKOL. Thank you, Mr. Speaker.

I was wondering if the sponsor of the amendment would consent to interrogation.

The SPEAKER. The gentleman indicates he will. The gentleman, Mr. Nickol, is in order.

Mr. NICKOL. Representing a portion of Adams County, my one concern that I would appreciate a response to is, the money that would be used to purchase the agricultural easements on this farm, does it come from Adams County’s allotment of State funds, or from Adams County, or does it come from the Commonwealth? In other words, will the purchase of these easements in any way diminish the money that Adams County would have to use for other farms?

Mr. READSHAW. Mr. Speaker, it is my understanding that it will come from the State.

If I may add an addition here on a previous question about the fiscal note. I understand it is now posted on the system. The cost would be between \$150,000 and \$200,000.

Mr. NICKOL. Mr. Speaker, maybe I did not hear the response correctly. My question is, does this money come out of the pockets of Adams County, the State funds that go directly to Adams County, to be used at their discretion—

The SPEAKER. Mr. Nickol—

Mr. NICKOL. —or is this supplemental?

The SPEAKER. The gentleman indicated in his last answer that the money would come from the State, approximately \$150,000 to—

Mr. READSHAW. \$200,000, Mr. Speaker.

Mr. NICKOL. Mr. Speaker, my understanding is that in a more recent appraisal, this land is appraised at \$400,000. Would this amendment commit Adams County to purchasing the easements if the price is higher than what is being appropriated?

Mr. READSHAW. Mr. Speaker, I do not believe that it will. As I stated before, just by the fiscal note, the information that I received, it is between \$150,000 and \$200,000.

Mr. NICKOL. Mr. Speaker, my understanding is, that is what the fiscal note said, but we have received more recent information since then indicating that the appraised value of the land is much higher than the gentleman included.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentlelady from Montgomery, Ms. Harper.

Ms. HARPER. Thank you, Mr. Speaker.

First, I would like to commend the gentleman for trying to save a farm near Gettysburg, which is one of the most beautiful places in Pennsylvania.

Secondly, however, I would like to ask the Speaker if a motion to table the amendment would be in order, since we do not have the benefit of the fiscal analysis of whether this makes sense at this time.

The SPEAKER. The motion is in order.

#### AMENDMENT TABLED

Ms. HARPER. I would like to make a motion to table then, Mr. Speaker, with all due respect to the gentleman, Mr. Readshaw.

The SPEAKER. The gentlelady moves that amendment 4618 be tabled.

On the question,

Will the House agree to the motion?

The SPEAKER. That motion is debatable by the floor leaders.



Does Mr. Smith yield to Mr. Bunt? The gentleman, Mr. Smith, yields to the gentleman, Mr. Bunt.

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

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

The following roll call was recorded:

YEAS—112

Adolph	Evans, J.	Maitland	Rubley
Argall	Fairchild	Major	Ruffing
Armstrong	Fecsc	Mann	Samuclson
Baker	Fichter	Marsico	Saylor
Baldwin	Fleagle	McGill	Scavello
Bard	Flick	McIlhattan	Schroder
Barrar	Forcier	McIlhinney	Scrimenti
Bastian	Gabig	McNaughton	Semmel
Belfanti	Gannon	Metcalfe	Smith, S. H.
Birmelin	Geist	Micozzie	Stairs
Boyd	Gillespie	Millard	Steil
Brown	Gingrich	Miller, R.	Stern
Bunt	Good	Miller, S.	Stevenson, R.
Cappelli	Habay	Mustio	Stevenson, T.
Casorio	Harhart	Nickol	Taylor, E. Z.
Causar	Harper	O’Brien	Taylor, J.
Civera	Harris	Oliver	True
Clymer	Hasay	O’Neill	Turzai
Coleman	Hennessey	Payne	Vance
Cornell, S. E.	Herman	Petri	Vitali
Crahalla	Hershey	Phillips	Watson
Creighton	Hickernell	Pickett	Weber
Dailey	Hutchinson	Raymond	Wilt
Dally	Kenncy	Reed	Wright
Denlinger	Killion	Reichley	Zug
DiGirolamo	Leh	Rieger	
Donatucci	Lcvdansky	Rohrer	Perzel,
Egolf	Lewis	Ross	Speaker
Evans, D.	Maher		

NAYS—83

Allen	Fabrizio	Lederer	Solobay
Belardi	Frankel	Lscovitz	Staback
Benninghoff	Freeman	Manderino	Stetler
Biancucci	George	Markosek	Sturla
Bishop	Gergely	McCall	Surra
Blaum	Goodman	McGeehan	Tangretti
Butkovitz	Grucela	Melio	Thomas
Buxton	Gruitza	Mundy	Tiguc
Caltagirone	Haluska	Myers	Travaglio
Cawley	Hanna	Pallone	Veon
Cohen	Harhai	Petrarca	Walko
Corrigan	Hess	Petrone	Wansacz
Costa	Horsey	Pistella	Washington
Cruz	James	Preston	Waters
Curry	Josephs	Readshaw	Wheatley
Daley	Keller	Roebuck	Williams
DeLuca	Kirkland	Rooney	Wojnaroski
Dermody	Kotik	Sainato	Yewcic
DeWeese	LaGrotta	Santoni	Youngblood
Divcn	Laughlin	Shaner	Yudichak
Eachus	Leach	Smith, B.	

NOT VOTING—0

EXCUSED—7

Bebko-Jones	Lynch	Nailor	Sather
Godshall	Mackereth	Roberts	

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

On the question recurring,  
Will the House agree to the bill on third consideration as amended?  
Bill as amended 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 gentelady from Berks, Mrs. Miller.  
Mrs. MILLER. Mr. Speaker, the amendment that I had been waiting for for over 6 hours from Reference Bureau just entered the halls of the House. I would please ask the indulgence of the Speaker to suspend the rules to offer this final amendment.

The SPEAKER. The rules of the House have been suspended, so there is no need to suspend the rules, but we would like to get a copy of it.

Mrs. MILLER. Mr. Speaker, it is being clocked in as we speak.

The SPEAKER. The Chair thanks the gentelady.  
Mrs. Miller, if you could give us the number, we could put it on the system.

Mrs. MILLER. A4307 is my recollection, Mr. Speaker.  
Mr. Speaker, 5307.

The SPEAKER. We found that out.

DECISION OF CHAIR RESCINDED

The SPEAKER. Without objection, the Chair rescinds its announcement that the bill has been agreed to on third consideration.

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

Mrs. **MILLER** offered the following amendment No. **A5307**:

Amend Sec. 1 (Sec. 14.1), page 3, line 6, by inserting a colon after “**IS**”

Amend Sec. 1 (Sec. 14.1), page 3, lines 7 and 8, by striking out all of said lines and inserting

(A) at least ten acres in size and is either utilized for a crop unique to the area;

(B) at least ten acres in size and contiguous to a property

Amend Sec. 1 (Sec. 14.1), page 3, line 12, by striking out all of said line and inserting

(Public Law 99-514, 26 U.S.C. § 170(h)(3)); or

(C) contiguous to a property which has the same owner of record and which has a perpetual agricultural conservation easement in place.

(vi) A county may

Amend Sec. 1 (Sec. 14.1), page 3, line 14, by striking out all of said line and inserting

lease 25 acres in size unless the tract is:

(A) at least ten

Amend Sec. 1 (Sec. 14.1), page 3, line 15, by striking out “EITHER”

Amend Sec. 1 (Sec. 14.1), page 3, line 16, by striking out all of said line and inserting

the area:

(B) at least ten acres in size and contiguous to a property which has a

Amend Sec. 1 (Sec. 14.1), page 3, line 19, by striking out all of said line and inserting

section 170(h)(3) of the Internal Revenue Code of 1986; or

(C) contiguous to a property which has the same owner of record and which has a perpetual agricultural conservation easement in place.

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Chair recognizes the gentledady, Mrs. Miller.

Mrs. MILLER. Thank you, Mr. Speaker.

Mr. Speaker, the intention of this amendment is to simply allow a farmer who has preserved their farm and then purchases an adjacent farm that is under the 10-acre minimum to have the opportunity to include that with the preserved farmland under the State and county Farmland Preservation Program. This will allow us to close the gaps where, unfortunately, there are some that exist that could actually be detrimental to the efforts to preserve large blocks of farmland. This is very specific that it must be held, the land must be held by the farmer who also owns the larger farm that has been preserved, and, Mr. Speaker, again I would ask for an affirmative consideration by the House.

The SPEAKER. The Chair thanks the gentledady.

### PARLIAMENTARY INQUIRY

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

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, a point of parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. COHEN. I am puzzled why this amendment is being considered to be in order, whereas other amendments that were here when we started discussing this bill were not considered to be in order.

The SPEAKER. Any amendment we received we did allow without a suspension of the rules.

Mr. COHEN. Was there a motion to suspend the rules on this amendment?

The SPEAKER. No. Mr. Readshaw offered his amendment. The gentledady offered one a little bit earlier. She has offered this second one. Earlier in the day we suspended the rules to run SB 779.

Does the gentleman have an amendment?

Mr. COHEN. Mr. Speaker, I am interested in all the amendments being treated the same, and how would we get the other—

The SPEAKER. Does the gentleman have an amendment that he would like to offer?

Mr. COHEN. No, but I believe there is—

The SPEAKER. Does the gentleman have any members on his side that have an amendment that they would like to offer?

Mr. COHEN. I believe we do.

The SPEAKER. Well, then get us a copy, Mr. Cohen.

Mr. COHEN. So they would be in order if—

The SPEAKER. If we have a copy, sure.

Mr. COHEN. Okay. Thank you, Mr. Speaker.

### PARLIAMENTARY INQUIRY

The SPEAKER. Mr. Daley.

Mr. DALEY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DALEY. Would it be in order to table SB 779 with all amendments passed, including Sheila Miller’s amendment A5307, at this time?

The SPEAKER. If that is the will of this body, yes, it would.

### MOTION TO TABLE

Mr. DALEY. Mr. Speaker, I would like to move to table SB 779 with all amendments.

The SPEAKER. It is moved by the gentleman, Mr. Daley, that SB 779, along with all amendments, be tabled.

On the question,

Will the House agree to the motion?

The SPEAKER. It is only debatable by the floor leaders.

The Chair recognizes the majority leader, Mr. Smith. The gentleman defers to the gentledady, Ms. Harper.

Ms. HARPER. Thank you, Mr. Speaker.

I would like to urge my colleagues to vote against tabling SB 779. This bill is of critical importance to my county, Montgomery County, and to those of my colleagues in Berks, Bucks, and Chester. This bill would enable our counties to choose a local option and save farms smaller than 50 acres. We need this authority right now. We needed this authority yesterday, last year. We needed it last session when my colleague, Raymond Bunt, offered this bill and the session before that when he offered this bill and the session before that.

We do not want this bill to be tabled at the present time. We need it.

Thank you very much.

The SPEAKER. The Chair thanks the gentledady.

### PARLIAMENTARY INQUIRY

The SPEAKER. The gentleman, Mr. DeWeese.

Mr. DeWEESE. A point of parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DeWEESE. Would the Chair help us in ascertaining whether the Growing Greener amendments that we filed this summer are in order now if the rules suspension would be in place?

The SPEAKER. They would have to be reprinted to the new printer’s number, but they would be in order.

Mr. DeWEESE. They would be in order, but they would have to be reprinted to the current printer’s number.

The SPEAKER. Yes.

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

Could we be at ease for one minute.

The SPEAKER. The House will be at ease.  
Mr. DeWEESE. Thank you.

The SPEAKER. Mr. DeWeese, yo u asked for a moment.  
Mr. DeWEESE. Thank you very much, Mr. Speaker.

I am going to defer to Chairman Daley of Washington County on the motion.

Thank you, Mr. Speaker.

The SPEAKER. The gent leman, Mr. Daley.

Mr. DALEY. Thank you, Mr. Speaker.

We are asking that we table this SB 779 until we can clarify some of the amendments that have been placed in the bill. We are going to be here for the next couple days, so let us just table the bill and get the clarifications we need from the administration and get clarifications regarding the amendments that have been placed in the bill, and we can move this bill forward in the next day.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Smith.

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

Mr. Speaker, I think the gentlelady from Montgomery County a few minutes ago on a similar procedure expressed quite adequately the concerns relative to tabling this bill. It is an issue that is important to an entire region of the Commonwealth; it is an issue to which there has been much attention and effort to getting this legislation passed. It is an issue that, quite frankly, had it been addressed by this legislature in years past, might have made a big difference relative to some of the farmland preservation issues in that region.

So I would urge the members, Mr. Speaker, to vote against the motion to table and allow us to move forward with the basis of this legislation.

Thank you, Mr. Speaker.

The SPEAKER. Those voting to table SB 779 with amendments will vote “aye”; those opposed will vote “no.”

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

The following roll call was recorded:

YEAS—39

Bianucci	George	McGeehan	Surra
Blaum	Gergely	Mundy	Thomas
Buxton	Goodman	Petrarca	Tigue
Cawley	Hess	Preston	Travaglio
Cohen	Horsey	Readshaw	Vcon
Daley	Laughlin	Rieger	Walko
DeWeese	Lescovitz	Rooney	Wansacz
Divcn	Mann	Scrimenti	Wheatlcy
Eachus	Markosek	Solobay	Yudichak
Evans, D.	McCall	Staback	

NAYS—156

Adolph	Evans, J.	Lederer	Ruffing
Allen	Fabrizio	Lch	Sainato
Argall	Fairchild	Levdansky	Samuelson
Armstrong	Feese	Lewis	Santoni
Baker	Fichter	Maher	Saylor
Baldwin	Fleagle	Maitland	Scavello
Bard	Flick	Major	Schroder
Barrar	Forcier	Manderino	Semmel
Bastian	Frankel	Marsico	Shaner
Belardi	Freeman	McGill	Smith, B.

Belfanti	Gabig	McIlhattan	Smith, S. H.
Benninghoff	Gannon	McIlhinney	Stairs
Birmelin	Geist	McNaughton	Steil
Bishop	Gillespic	Melio	Stern
Boyd	Gingrich	Metcalfe	Stetler
Browne	Good	Micozzie	Stevenson, R.
Bunt	Gruccia	Millard	Stevenson, T.
Butkovitz	Gruitza	Miller, R.	Sturla
Caltagirone	Habay	Miller, S.	Tangretti
Cappelli	Haluska	Mustio	Taylor, E. Z.
Casorio	Hanna	Myers	Taylor, J.
Causer	Harhai	Nickol	True
Civcra	Harhart	O'Brien	Turzai
Clymer	Harper	Oliver	Vance
Coleman	Harris	O'Neill	Vitali
Cornell, S. E.	Hasay	Pallone	Washington
Corrigan	Hennessey	Payne	Waters
Costa	Herman	Petri	Watson
Crahalla	Hershey	Petronc	Webcr
Creighton	Hickernell	Phillips	Williams
Cruz	Hutchinson	Pickett	Wilt
Curry	James	Pistella	Wojnaroski
Dailey	Josephs	Raymond	Wright
Dally	Keller	Reed	Yewcic
DeLuca	Kenney	Reichlcy	Youngblood
Denlinger	Killion	Rocbuck	Zug
Dermody	Kirkland	Rohrer	
DiGirolamo	Kotik	Ross	Perzel,
Donatucci	LaGrotta	Rubley	Spacrcr
Egolf	Leach		

NOT VOTING—0

EXCUSED—7

Bebko-Jones	Lynch	Nailor	Sather
Godshall	Mackereth	Roberts	

Less than the majority 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 agree to the amendment?

The SPEAKER. We are on the Miller amendment A5307.

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

The following roll call was recorded:

YEAS—195

Adolph	Evans, J.	Levdansky	Samuelson
Allen	Fabrizio	Lewis	Santoni
Argall	Fairchild	Maher	Saylor
Armstrong	Fecsc	Maitland	Scavello
Baker	Fichter	Major	Schroder
Baldwin	Fleagle	Manderino	Scrimenti
Bard	Flick	Mann	Semmel
Barrar	Forcier	Markosek	Shaner
Bastian	Frankel	Marsico	Smith, B.
Belardi	Freeman	McCall	Smith, S. H.
Belfanti	Gabig	McGeehan	Solobay
Benninghoff	Gannon	McGill	Staback
Bianucci	Geist	McIlhattan	Stairs
Birmelin	George	McIlhinney	Steil
Bishop	Gergely	McNaughton	Stern
Blaum	Gillespic	Melio	Stetler
Boyd	Gingrich	Metcalfe	Stevenson, R.

Brown	Good	Micozzic	Stevenson, T.
Bunt	Goodman	Millard	Sturla
Butkovitz	Grucela	Miller, R.	Surra
Buxton	Gruitza	Miller, S.	Tangretti
Caltagirone	Habay	Mundy	Taylor, E. Z.
Cappelli	Haluska	Mustio	Taylor, J.
Casorio	Hanna	Myers	Thomas
Causser	Harhai	Nickol	Tigue
Cawley	Harhart	O'Brien	Travaglio
Civcra	Harper	Oliver	Truc
Clymer	Harris	O'Neill	Turzai
Cohen	Hasay	Pallone	Vance
Coleman	Hennessey	Paync	Vcon
Cornell, S. E.	Herman	Petrarca	Vitali
Corrigan	Hershey	Petri	Walko
Costa	Hess	Petrone	Wansacz
Crahalla	Hickernell	Phillips	Washington
Creighton	Horsey	Pickett	Waters
Cruz	Hutchinson	Pistella	Watson
Curry	James	Preston	Weber
Dailey	Josephs	Raymond	Wheatley
Daley	Keller	Readshaw	Williams
Dally	Kenney	Reed	Wilt
DeLuca	Killion	Reichley	Wojnaroski
Denlinger	Kirkland	Rieger	Wright
Dermody	Kotik	Roebuck	Ycweic
DeWeese	LaGrotta	Rohrer	Youngblood
DiGirolamo	Laughlin	Rooney	Yudichak
Divcn	Lcach	Ross	Zug
Donatucci	Lederer	Rubley	
Eachus	Lch	Ruffing	Perzel,
Egolf	Lescovitz	Sainato	Speaker
Evans, D.			

NAYS—0

NOT VOTING—0

EXCUSED—7

Bebko-Jones	Lynch	Nailor	Sather
Godshall	Mackereth	Roberts	

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

On the question recurring,

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

The SPEAKER. Are there any further amendments?

On the question recurring,

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

Bill as amended 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?

Mr. Daley.

Mr. DALEY. Thank you, Mr. Speaker.

All the members of the House have received a letter from Secretary Dennis Wolff opposing this legislation, but it is my understanding – and, Mr. Speaker, correct me if I am wrong – that now that SB 779, PN 1971, has been amended, this will

now go back to the Senate, based upon House amendments to the Senate bill. Is that correct?

The SPEAKER. The gentleman is in order.

Mr. DALEY. My question, Mr. Speaker – let me repeat it – now that SB 779, PN 1971, has been amended, I think two times this afternoon, it now goes back to the Senate on House amendments. Is that correct?

The SPEAKER. That is correct.

Mr. DALEY. The administration opposes this bill; Secretary Wolff opposes this legislation. However, Mr. Speaker, I am asking you to vote this bill, send it to the Senate, and let us get the corrections done on the bill, and we will come back with maybe a piece of legislation that will accommodate everyone's concerns.

Thank you, Mr. Speaker. I ask for an affirmative vote.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. BUNT. Thank you, Mr. Speaker.

I would concur with the gentleman, Mr. Daley, who is chairman of the Agriculture Committee, and urge an affirmative vote.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Philadelphia, Mr. Horsey. The gentleman waives off.

The gentlelady from Berks, Mrs. Miller.

Mrs. MILLER. Thank you, Mr. Speaker.

The previous gentleman mentioned the letter that we received from the Department of Agriculture expressing some concerns about SB 779. I just would like to point out to the membership and hopefully to those in the Senate who will be taking up this legislation in the very near future that counties, when this law was passed in 1988 and went into effect in 1989, had absolute discretion on the size of their farm as long as it met the base acreage in the Agricultural Area Security Act, which was 10 acres. Mr. Speaker, in 1995 that law, through regulation, was modified, inserting the 50-acre minimum criteria that is being objected to today and which would be corrected by the amendments that were placed in SB 779.

Mr. Speaker, this has always been a program that was supposed to allow counties the greatest discretion in determining which farms within their boundaries need to be preserved and allowing them to allocate their funds accordingly. Mr. Speaker, by allowing one county to determine that a 25-acre farm is significant for their agricultural industry does nothing to negatively impact other counties around the State. Each county is allocated a certain amount of funding on an annual basis; that is, their total amount to spend in their programs.

Looking at just this year, let us take, for example, Adams County. Adams County was given \$1.5 million to determine which farms were best to spend it on and preserve. Mr. Speaker, if you take a look at Lebanon County, they received \$1.8. Now, you can see that each county, if you looked up and down this list, would have a different number assigned to it by the State through a formula that looks at the amount of land that is being converted, the value of the farmland based on soils, and the amount of development pressure.

This is a very county-specific law. We need to allow counties, whether they are in the southeast of Pennsylvania or the northwest of Pennsylvania, to determine which farms are the ones that need to be preserved. And, Mr. Speaker, I sincerely hope that the Senate takes this legislation up and allows

counties like Berks County to be able to preserve these farms and that all of Pennsylvania remains the national leader in protecting our farmland.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentlelady.

The Chair recognizes the gentleman from Chester, Mr. Hershey.

Mr. HERSHEY. Thank you, Mr. Speaker.

I met some of these farmers on these small vegetable farms, and they have been there for 10 generations. And this is a “may” bill, up to the county leadership of the ag preserve board, and they would like to preserve these farms. They are making a living there, and I ask for an affirmative vote.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Monroe, Mr. Scavello.

Mr. SCAVELLO. Thank you, Mr. Speaker.

I also rise in support of SB 779 for the reasons mentioned, and I would also like to include Monroe County, one of the fastest growing counties in the State. What this bill does is it gives local control to the counties. They can make that decision on what lands to preserve. Every acre that we lose of farmland in this Commonwealth is gone forever. There are a tremendous amount of small farmers in our Commonwealth that are struggling today. I have one, Mrs. Shaffer in Jackson Township, with 40 acres of land, struggling to hold on to her farm, and this will be an opportunity to keep Mrs. Shaffer and her family on that farm.

Thank you, Mr. Speaker.

The SPEAKER. The gentlelady from Bucks, Mrs. Watson.

Mrs. WATSON. Thank you, Mr. Speaker.

I rise, too, in support of SB 779 and would like to speak for the Bucks County Agricultural Preservation Committee. This is something the committee has talked about really since the law changed in 1995, and as a supervisor in Warrington Township, I know how important this is. Our township stepped up to the plate when indeed some of our farms would not qualify under the law and indeed floated a bond issue to buy farms. But Bucks County is shrinking and the big farms are gone, and what we have are those, many times, terribly important but under 50 acres.

This is important for the preservation of farmland in Bucks County. It is an important way to stop the sprawl that has been gobbling up Bucks County, and I urge my colleagues to vote “yes,” and certainly, if we can speak to the Senate, we urge them to keep this.

Thank you.

The SPEAKER. The gentleman from Bucks, Mr. Petri.

Mr. PETRI. Thank you, Mr. Speaker.

I rise in support of this bill and want to echo my colleagues’ comments. I also want to remind the Senate that in Bucks County we have many, many farms that are under 50 acres in size, but they are important to our economy. In Upper Makefield, Upper Makefield Township has won the Governor’s Award for Excellence by linking small farms together and making them contiguous. This bill would allow that to continue. We have many niche markets that need to be preserved, and this is the right way to preserve farmland in Pennsylvania, by linking small farms together so that they can operate as individual small farms or as large farms, and I urge the Senate to support these provisions.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Chester, Mr. Schroder.

Mr. SCHRODER. Thank you, Mr. Speaker.

Mr. Speaker, I, too, rise in support of this bill and in particular the provision in the bill that allows local option for 25 acres, 25 contiguous acres. Mr. Speaker, it is very important that our smaller farms are eligible for the Farmland Preservation Program. Mr. Speaker, our failure to pass this bill and the administration’s failure to support it would be a dagger in the heart of our farmland preservation efforts in southeast Pennsylvania.

So, Mr. Speaker, for all the reasons that have been stated very eloquently by my colleagues, I urge the House to support this bill.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Chester, Mr. Ross.

Mr. ROSS. Thank you, Mr. Speaker.

I, too, rise in strong support of this bill. As the previous speaker had mentioned, there are smaller farms in Chester County. In particular, I would like to highlight one of the most successful new kinds of farming operations that we have in Chester County, which is wineries, grape-growing operations, and they typically can operate on quite small tracts, and they are critical in land preservation in Chester County.

It is very important with the smaller tracts of land that are still available to make sure that we can save some of these key elements, and I hope very strongly that we are able to pass this bill and also that we can get it signed into law.

Thank you, Mr. Speaker.

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—195

Adolph	Evans, J.	Lcvdansky	Samuelson
Allen	Fabrizio	Lewis	Santoni
Argall	Fairchild	Maher	Saylor
Armstrong	Fecce	Maitland	Scavello
Baker	Fichter	Major	Schroder
Baldwin	Fleagle	Manderino	Scrimenti
Bard	Flick	Mann	Semmel
Barrar	Forecjr	Markosek	Shaner
Bastian	Frankel	Marsico	Smith, B.
Belardi	Frceman	McCall	Smith, S. H.
Belfanti	Gabig	McGechan	Solobay
Benninghoff	Gannon	McGill	Staback
Biancucci	Geist	McIlhattan	Stairs
Birmclin	George	McIlhinney	Steil
Bishop	Gergely	McNaughton	Stern
Blaum	Gillespie	Melio	Stetler
Boyd	Gingrich	Metcalfe	Stevenson, R.
Browne	Good	Micozzie	Stevenson, T.
Bunt	Goodman	Millard	Sturla
Butkovitz	Gruccia	Miller, R.	Surra
Buxton	Gruitza	Miller, S.	Tangretti
Caltagirone	Habay	Mundy	Taylor, E. Z.
Cappelli	Haluska	Mustio	Taylor, J.
Casorio	Hanna	Myers	Thomas
Causer	Harhai	Nickol	Tigue
Cawley	Harhart	O’Brien	Travaglio

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Bebko-Jones	Lynch	Nailor	Sather
Godshall	Mackereth	Roberts	

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same with amendment in which the concurrence of the Senate is requested.

**BILL ON THIRD CONSIDERATION**

The House proceeded to third consideration of **SB 912, PN 1851**, entitled:

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, providing for crop insurance premium payments and for a report by the Department of Agriculture; and making a repeal.

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

**BILL RECOMMITTED**

The SPEAKER. The Chair recognizes the majority leader. Mr. S. SMITH. Mr. Speaker, I move that SB 912, PN 1851, be recommitted to the Committee on Appropriations.

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

**ANNOUNCEMENT BY MRS. TAYLOR**

The SPEAKER. The gentelady from Chester, Mrs. Taylor. Mrs. TAYLOR. Mr. Speaker, there will be an informal caucus immediately following the recess.

**ANNOUNCEMENT BY MR. COHEN**

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

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, there also will be informal discussions in the Democratic caucus room immediately following the recess.

The SPEAKER. The Chair thanks the gentleman.

Are there any further announcements?

There will be no further votes on the floor of the House this evening.

**VOTE CORRECTION**

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

Mr. CASORIO. To correct the record, Mr. Speaker.

The SPEAKER. The gentleman is in order.

Mr. CASORIO. Thank you, Mr. Speaker.

Mr. Speaker, on SB 779, amendment 4618, at the urging of my good friend, Representative Readshaw from Allegheny County, I was inaccurately recorded in the affirmative, and I would like to be recorded in the negative.

Thank you, Mr. Speaker.

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

Mr. Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Two things. First, a point of personal privilege.

My understanding is, we are done for the night. Is that correct?

The SPEAKER. Yes.

Mr. COHEN. Thank you, Mr. Speaker.

**DEMOCRATIC CAUCUS**

Mr. COHEN. And secondly, I would like to announce that there will be a Democratic caucus at 10:30 a.m. tomorrow.

The SPEAKER. The Chair thanks the gentleman.

**RECESS**

The SPEAKER. The House stands in recess to the call of the Chair.

**AFTER RECESS**

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

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

**BILLS AND RESOLUTIONS PASSED OVER**

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

**ADJOURNMENT**

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

Ms. WEBER. Mr. Speaker, I move that this House do now adjourn until Friday, November 19, 2004, at 11 a.m., e.s.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 10:59 a.m., e.s.t., Friday, November 19, 2004, the House adjourned.