

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

MONDAY, NOVEMBER 21, 2005

SESSION OF 2005

189TH OF THE GENERAL ASSEMBLY

No. 70

HOUSE OF REPRESENTATIVES

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

THE SPEAKER PRO TEMPORE (MATTHEW E. BAKER) PRESIDING

PRAYER

The SPEAKER pro tempore. The prayer will be offered by our Guest Chaplain, Rabbi Solomon Isaacson.

RABBI ISAACSON. Good afternoon.

I would just like to take a personal moment to convey my condolences to the family of Councilman Cohen in Philadelphia. He was a staunch adversary on behalf of the people of Philadelphia as a councilman at large, and I would just like to take the opportunity and ask all of us if we can just have a brief moment of silence in his memory.

Since all of you are also champions of your subjects where you serve, those people, therefore I think it is just proper that we should just pay our respects for a moment.

Thank you.

(A moment of silence was observed.)

RABBI ISAACSON. Thank you very much.

RABBI SOLOMON ISAACSON, Guest Chaplain of the House of Representatives, offered the following prayer:

(Prayer in Hebrew.)

For those of you that did not understand Hebrew, may He who blessed our forefathers, Abraham, Isaac, and Jacob, may He bless the United States Armed Forces wherever they may be, who stand guard over our land and over the cities where they are now situated – along the land, in the air, and on the sea. May Hashem, our God, cause the enemies who rise up against us to be struck down before them. May the Holy One, blessed be He, preserve and rescue our fighting men from every trouble and distress and from every plague and illness, and may He send blessing and success in their every endeavor. May He lead our enemies under their sway, and may He adorn them with the crown of salvation and with the diadem of triumph, and may there be fulfilled for them the verse, for it is God, your God, who goes with you to battle for you, your enemies for you, and to save you. And let us now say amen.

(Prayer in Hebrew.)

He who grants salvation to the kings and dominion to rulers, whose kingdom is a kingdom spanning all eternities, His servant from all the evil swords, who places a road in the sea and a path in the mighty waters, may He bless, safeguard, preserve, help, exalt, make great, extol, and raise high our beloved President and Vice President, our Governor, and the Speaker of the House of Representatives, and all the Representatives here today, and even those that are not here with us.

The King who reigns over kings, in His mercy, may He sustain them and protect them from every trouble, woe, and injury; may He rescue them; may He gather peoples under their sway and cause their enemies to fall before them. Wherever they turn, may they succeed.

The King who reigns over kings, in His mercy, may He put into their heart and into the heart of all their counselors and officials compassion to do good with us and with all the people of our land in their days and in ours. So may it be the will of the Almighty, and let us say amen.

STATEMENT BY RABBI ISAACSON

RABBI ISAACSON. On a personal note, I would like to take the opportunity to wish all of you a happy and healthy Thanksgiving. We have a lot to be thankful for. Thank God many of us that were here last year are here again this year. We have a lot to appreciate from the Almighty – our beloved families, our children, our grandchildren – and we have a lot to be thankful for that the Almighty has allowed us to live in a land such as we do and this great State that we live in now. It is up to us to make this a better place for all of us, each one of us in their position, and as Representatives of the esteemed House of Representatives for the State of Pennsylvania, I know that is a tremendous responsibility, but obviously your constituents felt that you were the best qualified and the most qualified, and I believe that all of you will do the best you can. So we have a lot to be thankful for and have the Thanksgiving.

I wish and pray that all of you will enjoy the holiday and that you will all go and have a good time and come back in good health and happiness and continue to serve and take good care of your constituents.

Thank you and God bless.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER pro tempore. Without objection, the approval of the Journal of Thursday, November 17, 2005, will be postponed until printed. The Chair hears no objection.

**HOUSE BILLS
INTRODUCED AND REFERRED**

No. 2247 By Representatives MANDERINO, HASAY, THOMAS, ARMSTRONG, BEBKO-JONES, BELARDI, BIANCUCCI, BISHOP, BLACKWELL, BUXTON, CALTAGIRONE, COHEN, COSTA, CRAHALLA, CREIGHTON, CURRY, DALLY, DeLUCA, DIVEN, DONATUCCI, D. EVANS, FABRIZIO, FRANKEL, FREEMAN, GEIST, GEORGE, GERGELY, GOODMAN, GRUCELA, HANNA, HARHART, HARPER, HERMAN, HESS, HICKERNELL, JAMES, JOSEPHS, LaGROTTA, LEACH, LEDERER, LEVDANSKY, McCALL, MUNDY, O'NEILL, PALLONE, PETRONE, PISTELLA, PRESTON, REED, ROEBUCK, SAMUELSON, SCAVELLO, SHAPIRO, SOLOBAY, SURRA, TANGRETTI, E. Z. TAYLOR, TIGUE, TRUE, VITALI, WALKO, WATERS, WILLIAMS, WOJNAROSKI and YOUNGBLOOD

An Act amending the act of April 8, 1937 (P.L.262, No.66), known as the Consumer Discount Company Act, further providing for definitions and for licensure; and prohibiting payday loans.

Referred to Committee on CONSUMER AFFAIRS, November 21, 2005.

No. 2248 By Representatives DALLY, ADOLPH, CALTAGIRONE, GINGRICH, HARPER, HARRIS, MUSTIO, REICHLEY, WILT and YUDICHAK

An Act amending the act of March 28, 2000 (P.L.23, No.7), known as the Fair Credit Extension Uniformity Act, further providing for the definition of "debt."

Referred to Committee on CONSUMER AFFAIRS, November 21, 2005.

No. 2249 By Representatives DALLY, ADOLPH, ARMSTRONG, CALTAGIRONE, GINGRICH, GODSHALL, HARPER, HARRIS, HENNESSEY, MUSTIO, REICHLEY, SCAVELLO, E. Z. TAYLOR, THOMAS, WILT, YOUNGBLOOD and YUDICHAK

An Act amending the act of May 16, 1923 (P.L.207, No.153), referred to as the Municipal Claim and Tax Lien Law, changing the date from which, and the rate of which, interest is charged on certain delinquent taxes and other municipal claims; and modernizing the law relating to collection of such taxes and claims.

Referred to Committee on FINANCE, November 21, 2005.

No. 2250 By Representatives TIGUE, BEBKO-JONES, BELFANTI, BOYD, CALTAGIRONE, CAWLEY, CORRIGAN, COSTA, CREIGHTON, DeLUCA, EACHUS, FRANKEL, FREEMAN, GEORGE, GOODMAN, GRUCELA, HARPER, HENNESSEY, HERSHEY, W. KELLER, KIRKLAND, KOTIK, LEDERER, McGEEHAN, O'NEILL,

PETRONE, PISTELLA, RAPP, RUBLEY, SCAVELLO, SCHRODER, SOLOBAY, STABACK, TANGRETTI, E. Z. TAYLOR, THOMAS, WATERS, YOUNGBLOOD and YUDICHAK

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for notice publication by recognizing the Internet and for emergency certification to overcome teacher shortages.

Referred to Committee on EDUCATION, November 21, 2005.

No. 2251 By Representatives T. STEVENSON, BARRAR, BOYD, CALTAGIRONE, CAPPELLI, CAUSER, CREIGHTON, GEIST, GOODMAN, HERSHEY, KAUFFMAN, KILLION, LEH, MARKOSEK, MARSICO, McILHATTAN, MUSTIO, O'NEILL, PETRI, REICHLEY, ROHRER, ROSS, SCHRODER, R. STEVENSON, E. Z. TAYLOR, THOMAS, TURZAI, WILT, YOUNGBLOOD and BENNINGHOFF

An Act amending Title 15 (Corporations and Unincorporated Associations) of the Pennsylvania Consolidated Statutes, repealing annual registration requirements for registered limited liability partnerships and limited liability companies; and making an editorial change.

Referred to Committee on COMMERCE, November 21, 2005.

No. 2252 By Representatives O'NEILL, ARMSTRONG, BARRAR, BENNINGHOFF, BEYER, BIANCUCCI, BUNT, CALTAGIRONE, CAUSER, CAWLEY, CLYMER, COHEN, CRAHALLA, DeWEESE, FICHTER, FRANKEL, FREEMAN, GEORGE, GERGELY, GINGRICH, GOOD, GOODMAN, GRUCELA, HALUSKA, HARPER, HENNESSEY, HERMAN, HUTCHINSON, JAMES, MACKERETH, MANDERINO, MANN, MARKOSEK, McGEEHAN, McILHATTAN, McILHINNEY, MELIO, R. MILLER, MUNDY, PHILLIPS, PYLE, READSHAW, REED, REICHLEY, SATHER, SCAVELLO, SHANER, SIPTROTH, SOLOBAY, SONNEY, STABACK, R. STEVENSON, SURRA, TANGRETTI, E. Z. TAYLOR, J. TAYLOR, THOMAS, TRUE, WATSON, WILT, WRIGHT and YOUNGBLOOD

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, prohibiting discrimination against volunteer ambulance services.

Referred to Committee on INSURANCE, November 21, 2005.

No. 2253 By Representatives GEORGE, ADOLPH, BEBKO-JONES, BELARDI, BUNT, CALTAGIRONE, COHEN, CRAHALLA, CURRY, DeLUCA, DeWEESE, FRANKEL, FREEMAN, GERGELY, GOOD, GOODMAN, GRUCELA, HERMAN, JAMES, KOTIK, LEVDANSKY, MARKOSEK, McGEEHAN, PETRARCA, PETRONE, PISTELLA, READSHAW, RUBLEY, STABACK, STURLA, SURRA, THOMAS, TIGUE, WALKO, WOJNAROSKI, YOUNGBLOOD and YUDICHAK

An Act establishing the State Energy Office and an advisory council; and imposing duties on the State Energy Office.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, November 21, 2005.

No. 2254 By Representatives NICKOL, BUNT, CALTAGIRONE, COHEN, CRAHALLA, DeWEESE, FRANKEL, FREEMAN, GERGELY, GILLESPIE, GRUCELA, HENNESSEY, KILLION, MAITLAND, MANN, R. MILLER, MUNDY, MUSTIO, PAYNE, REICHLEY, RUBLEY, B. SMITH, STETLER, E. Z. TAYLOR and TIGUE

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for the definition of "eligible entity" and for special occasion permits.

Referred to Committee on LIQUOR CONTROL, November 21, 2005.

No. 2255 By Representatives BEYER, CALTAGIRONE, CRAHALLA, CREIGHTON, DALLY, HENNESSEY, METCALFE, REICHLEY and E. Z. TAYLOR

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for term of district superintendents and assistant district superintendents, for removal of district superintendents and assistant district superintendents and for compensation plans for school administrators.

Referred to Committee on EDUCATION, November 21, 2005.

No. 2256 By Representatives HALUSKA, PHILLIPS, STABACK, B. SMITH, ARMSTRONG, BEBKO-JONES, CLYMER, DeWEESE, EACHUS, FABRIZIO, FREEMAN, GEIST, GODSHALL, GOODMAN, GRUCELA, HARHAI, HERSHEY, KOTIK, MARKOSEK, McILHATTAN, PYLE, QUIGLEY, READSHAW, REICHLEY, SAINATO, SCAVELLO, SOLOBAY, TIGUE, WOJNAROSKI and YOUNGBLOOD

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, establishing a beginner hunting license.

Referred to Committee on GAME AND FISHERIES, November 21, 2005.

No. 2257 By Representatives HALUSKA, CURRY, DALEY, DeWEESE, FABRIZIO, GEIST, GEORGE, GERGELY, GOODMAN, GRUCELA, HARHAI, HENNESSEY, KIRKLAND, KOTIK, LEACH, MARKOSEK, PETRARCA, READSHAW, THOMAS, WATERS, WOJNAROSKI, YOUNGBLOOD and YUDICHAK

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, further providing for contributions for the purchase of credit for creditable nonstate service by certain mine workers.

Referred to Committee on STATE GOVERNMENT, November 21, 2005.

No. 2258 By Representatives HALUSKA, BEBKO-JONES, BELARDI, CALTAGIRONE, COSTA, DALEY, DeWEESE, FABRIZIO, FICHTER, FREEMAN, GEORGE, GINGRICH, GOODMAN, GRUCELA, HANNA, HARHAI, HARRIS, HERMAN, HESS, KILLION, KOTIK, LEVDANSKY, MARKOSEK, WOJNAROSKI, YOUNGBLOOD, YUDICHAK, WALKO, McGEEHAN, McILHATTAN, MICOZZIE, MUNDY, MUSTIO, NAILOR, O'NEILL, PETRARCA, RAMALEY, RAPP, READSHAW, REED, REICHLEY, RUBLEY, SAINATO, SAYLOR, SCAVELLO, STABACK, SURRA, TANGRETTI, THOMAS, TIGUE, TURZAI and GEIST

An Act establishing the Fire and Emergency Service Grant Program; providing for powers and duties of the Pennsylvania Fire and Emergency Service Advisory Board and Pennsylvania Emergency Management Agency; establishing the Fire and Emergency Service Grant Fund and Fire and Emergency Service Fund; and providing for a grant program and for an annual report.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, November 21, 2005.

No. 2259 By Representative KENNEY

An Act providing for maintenance of the Benjamin Rush State Park in Philadelphia County.

Referred to Committee on STATE GOVERNMENT, November 21, 2005.

No. 2260 By Representatives SURRA, THOMAS, DeWEESE, BELARDI, BIANCUCCI, CALTAGIRONE, CREIGHTON, GRUCELA, HALUSKA, KIRKLAND, KOTIK, MUNDY, PISTELLA, READSHAW, SIPTROTH, STABACK, TIGUE and YOUNGBLOOD

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for reports by police.

Referred to Committee on TRANSPORTATION, November 21, 2005.

No. 2261 By Representatives DIVEN, CAWLEY and DeLUCA

An Act amending Title 4 (Amusements) of the Pennsylvania Consolidated Statutes, further providing for Category 2 slot machine license.

Referred to Committee on TOURISM AND RECREATIONAL DEVELOPMENT, November 21, 2005.

HOUSE RESOLUTION INTRODUCED AND REFERRED

No. 521 By Representatives PISTELLA, BALDWIN, BASTIAN, BEBKO-JONES, BEYER, CALTAGIRONE, CAPPELLI, CORRIGAN, CREIGHTON, DALEY, FICHTER, FRANKEL, GEIST, GILLESPIE, HARHAI, HERSHEY, HESS, LEH, MUNDY, PETRARCA, PHILLIPS, RAPP, READSHAW, RUBLEY, SATHER, SOLOBAY, STERN, THOMAS, WATERS, YOUNGBLOOD and KIRKLAND

A Resolution condemning the merchandising and marketing practices of Abercrombie & Fitch.

Referred to Committee on CONSUMER AFFAIRS, November 21, 2005.

SENATE BILLS FOR CONCURRENCE

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

SB 629, PN 1371

Referred to Committee on JUDICIARY, November 21, 2005.

SB 868, PN 1332

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, November 21, 2005.

BILLS REMOVED FROM TABLE

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

Mr. S. SMITH. Mr. Speaker, I move that the following bills be taken from the table:

HB 194;
HB 348;
HB 487;
HB 544;
HB 611;
HB 731;
HB 1085;
HB 1326;
HB 1632;
HB 1770;
HB 1879;
HB 2017;
HB 2139;
HB 2157;
HB 2191; and
HB 138.

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

BILLS ON SECOND CONSIDERATION

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

HB 194, PN 202; HB 348, PN 2999; HB 487, PN 526; HB 544, PN 2957; HB 611, PN 684; HB 731, PN 3054; HB 1085, PN 3051; HB 1326, PN 3105; HB 1632, PN 2017; HB 1770, PN 2265; HB 1879, PN 3056; HB 2017, PN 2778; HB 2139, PN 2943; HB 2157, PN 2980; HB 2191, PN 3026; and HB 138, PN 139.

BILLS RECOMMITTED

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

Mr. S. SMITH. Mr. Speaker, I move that the following bills be recommitted to the Appropriations Committee:

HB 194;
HB 348;
HB 487;
HB 544;
HB 611;
HB 731;
HB 1085;
HB 1326;
HB 1632;
HB 1770;
HB 1879;
HB 2017;
HB 2139;
HB 2157;
HB 2191; and
HB 138.

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

BILLS REMOVED FROM TABLE

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

Mr. S. SMITH. Mr. Speaker, I move that HB 1920 and SB 18 be taken off the table.

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

BILLS TABLED

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

Mr. S. SMITH. Mr. Speaker, I move that HB 1920 and SB 18 be placed on the table.

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

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 565, PN 3150 (Amended)

By Rep. FLICK

An Act amending the act of May 21, 1992 (P.L.241, No.36), referred to as the Credit Card Information Act, prohibiting certain credit card information on receipts.

CONSUMER AFFAIRS.

LEAVES OF ABSENCE

The SPEAKER pro tempore. The Chair recognizes the majority whip, who requests a leave of absence for the day for the gentleman from Allegheny County, Mr. MAHER, and the gentleman from Philadelphia County, Mr. O'BRIEN. Without objection, the leaves of absence are granted.

And the Chair recognizes the minority whip, who requests a leave of absence for the week for the gentleman from Fayette County, Mr. SHANER; and for the day, from Lackawanna County, Mr. STABACK; the gentleman from Philadelphia County, Mr. RIEGER; the gentleman from Northampton County, Mr. ROONEY; the gentleman from Philadelphia County, Mr. KELLER; the gentleman, Mr. CRUZ, from Philadelphia County; the gentleman from York County, Mr. STETLER; the gentleman from Northampton County, Mr. SAMUELSON; and the gentleman from Lackawanna County, Mr. WANSACZ. Without objection, the leaves of absence are granted.

MASTER ROLL CALL

The SPEAKER pro tempore. The Chair is about to take the master roll call. Members will proceed to vote.

The following roll call was recorded:

PRESENT—192

Adolph	Fabrizio	Lescovitz	Rohrer
Allen	Fairchild	Levdansky	Ross
Argall	Feese	Mackereth	Rubley
Armstrong	Fichter	Maitland	Ruffing
Baker	Fleagle	Major	Sainato
Baldwin	Flick	Manderino	Santoni
Barrar	Forcier	Mann	Sather
Bastian	Frankel	Markosek	Saylor
Bebko-Jones	Freeman	Marsico	Scavello
Belardi	Gabig	McCall	Schroder
Belfanti	Gannon	McGeehan	Semmel
Benninghoff	Geist	McGill	Shapiro
Beyer	George	McIlhatten	Siptroth
Bianucci	Gerber	McIlhinney	Smith, B.
Birmelin	Gergely	McNaughton	Smith, S. H.
Bishop	Gillespie	Melio	Solobay
Blackwell	Gingrich	Metcalfe	Sonney
Blaum	Godshall	Micozzie	Stairs
Boyd	Good	Millard	Steil
Bunt	Goodman	Miller, R.	Stern
Butkovitz	Grell	Miller, S.	Stevenson, R.
Buxton	Grucela	Mundy	Stevenson, T.
Caltagirone	Gruitza	Mustio	Sturla
Cappelli	Habay	Myers	Surra
Casorio	Haluska	Nailor	Tangretti
Causar	Hanna	Nickol	Taylor, E. Z.
Cawley	Harhai	Oliver	Taylor, J.
Civera	Harhart	O'Neill	Thomas
Clymer	Harper	Pallone	Tigye
Cohen	Harris	Parker	True
Cornell	Hasay	Payne	Turzai
Corrigan	Hennessey	Petrarca	Veon
Costa	Herman	Petri	Vitali
Crahalla	Hershey	Petrone	Walko
Creighton	Hess	Phillips	Waters
Curry	Hickernell	Pickett	Watson
Daley	Hutchinson	Pistella	Wheatley
Dally	James	Preston	Williams
DeLuca	Josephs	Pyle	Wilt
Denlinger	Kauffman	Quigley	Wojnaroski
Dermody	Keller, M.	Ramaley	Wright

DeWeese	Kenney	Rapp	Yewcic
DiGirolamo	Killion	Raymond	Youngblood
Diven	Kirkland	Readshaw	Yudichak
Donatucci	Kotik	Reed	Zug
Eachus	LaGrotta	Reichley	
Ellis	Leach	Roberts	
Evans, D.	Lederer	Roebuck	Perzel,
Evans, J.	Leh		Speaker

ADDITIONS—0

NOT VOTING—0

EXCUSED—11

Cruz	O'Brien	Samuelson	Stetler
Keller, W.	Rieger	Shaner	Wansacz
Maher	Rooney	Staback	

LEAVES ADDED—2

Clymer	Pallone
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LEAVES CANCELED—4

Keller, W.	Pallone	Samuelson	Stetler
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REMARKS SUBMITTED 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 name of John G. Swearer III, who has recently been awarded Scouting's highest honor – Eagle Scout.

Mr. Speaker, I would like to read to the members of the House of Representatives the following citation of merit honoring John G. Swearer III.

Whereas, John G. Swearer III earned the Eagle Award in Scouting. This is the highest award that Boy Scouts can bestow and as such represents great sacrifice and tremendous effort on the part of this young man. John is a member of Troop 29.

Now therefore, Mr. Speaker and members of the House of Representatives, it is my privilege to congratulate and place in the Legislative Journal the name of John G. Swearer III.

REMARKS SUBMITTED FOR THE RECORD

Mr. M. KELLER 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 name of Sean Patrick Day, who has recently been awarded Scouting's highest honor – Eagle Scout.

Mr. Speaker, I would like to read to the members of the House of Representatives the following citation of merit honoring Sean Patrick Day.

Whereas, Sean Patrick Day earned the Eagle Award in Scouting. This is the highest award that Boy Scouts can bestow and as such represents great sacrifice and tremendous effort on the part of this young man. Sean is a member of Troop 64.

Now therefore, Mr. Speaker and members of the House of Representatives, it is my privilege to congratulate and place in the Legislative Journal the name of Sean Patrick Day.

ACTUARIAL NOTE

The SPEAKER pro tempore. The Chair is in receipt of an actuarial note to HB 1599, PN 2147.

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

MISS PRE-TEEN PENNSYLVANIA PRESENTED

The SPEAKER pro tempore. The gentleman, Mr. Bastian, is recognized to come to the podium and make a citation presentation.

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

It gives me pleasure and a real honor to introduce this young lady to this Assembly today. Pre-Teen America is a scholarship and recognition program that recognizes the brightest and top female honor students ages 7 through 12.

On August 21 of this year, Cassandra was selected from 97 young ladies to represent Pennsylvania. She was evaluated in seven judging categories that included academic achievement, volunteer service to community, school honors and activities, development of personal abilities, general knowledgeability, communicative ability, and on-stage expressiveness.

In addition to receiving the overall award, she had the highest score in the communicative interview portion of the program. She also competed in the optional speech and talent events, receiving first runner-up honors in talent and the top award for speech presentation.

She will represent Pennsylvania over the next year in many, many events and will represent the nation in the national event with other States. This young lady has been very involved in many, many programs in her community and in Somerset County. She lives just 3 miles from where September 11th occurred, with the crash of Flight 93. She was in school that day and remembers that very well. The school is about a mile from where Flight 93 crashed.

If you would please give her a true welcome from this body to Miss Pre-Teen Pennsylvania, Cassandra Petrilla.

To my left also are some of her family members, if they would stand as I mention their names – Georgiann and Christopher Petrilla, her parents; Nicholas Petrilla, her brother; and George and Mary Ann Jock, her maternal grandparents. Give them a welcome also, if you would.

LEGISLATIVE FELLOWS INTRODUCED

The SPEAKER pro tempore. The Chair is pleased to announce the 2005 fall semester Legislative Fellows. The Legislative Fellowship Program, which is sponsored by the House of Representatives through the Bipartisan Management Committee, has a bright class this year. Six students have been assigned to either a committee chairman or leadership office for a 13-week fellowship.

I am pleased to welcome to the hall of the House today the six Legislative Fellows who began their internship in September. They are seated in the rear of the House, and as I mention your name and a brief description, please rise, and then we will recognize you at the end.

Mary Barnhart, an interdisciplinary humanities major from Penn State Harrisburg, assigned to Representative Keith McCall.

Laura Harding, a public policy major from Penn State Harrisburg, assigned to Representative Paul Semmel.

Lisa Kubeika, an American studies major from Penn State Schuylkill, assigned to Representative Mark Cohen.

Randy Laughlin, a public administration major from Kutztown University, assigned to Representative Mike Veon.

David Toth, a political science major from King's College, assigned to Representative Ron Raymond.

Paul Vezzetti, a political science major from California University, assigned to Dr. Paula Hess.

The students are here today with Susan Cohen and Peter Wambach. Please welcome them.

ARCHIVAL INTERN INTRODUCED

The SPEAKER pro tempore. Also recognizing the fall 2005 Bipartisan Management Committee's archival intern, one student was selected this semester to participate in the Archival Internship Program. The internship began on September 19 and will be here until December 16, and we are pleased to welcome to the House today David Poletto, a graduate student at Shippensburg University, working toward a degree in applied history. David is working on the historical records of the House Judiciary Committee. David is the constituent of Representative Mark McNaughton. Please rise and be recognized.

GUEST INTRODUCED

The SPEAKER pro tempore. The Chair welcomes Sarah Morbeto, a sophomore at Big Spring High School, Newville, Pennsylvania, who is shadowing Representative Tim Hennessey to learn more about the legislative process for class credit, and Sarah is located in the balcony. Please rise and be recognized.

CALENDAR

RESOLUTION PURSUANT TO RULE 35

Mr. BELFANTI called up **HR 389, PN 2414**, entitled:

A Resolution recognizing the 50th anniversary of the AFL-CIO.

On the question,

Will the House adopt the resolution?

(Members proceeded to vote.)

LEAVE OF ABSENCE CANCELED

The SPEAKER pro tempore. The Chair notes for the record the presence of the gentleman, Mr. Samuelson, and he will be added to the master roll call.

CONSIDERATION OF HR 389 CONTINUED

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

The following roll call was recorded:

YEAS—193

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

NAYS—0

NOT VOTING—0

EXCUSED—10

Cruz	O'Brien	Shaner	Stetler
Keller, W.	Rieger	Staback	Wansacz
Maher	Rooney		

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

LEAVE OF ABSENCE

The SPEAKER pro tempore. The Chair recognizes the minority leader, who asks for a leave of absence for the gentleman, Mr. PALLONE. Without objection, the leave of absence is granted.

RESOLUTIONS PURSUANT TO RULE 35

Mr. STEIL called up **HR 478, PN 2861**, entitled:

A Resolution honoring the life and extending condolences for the supreme sacrifice of Private First Class Nathaniel DeTample, Pennsylvania National Guard Company A, 1st Battalion, 111th Infantry, who tragically lost his life while in the service of his country when his vehicle hit a roadside bomb near Beiji, Iraq, on August 9, 2005.

On the question,
Will the House adopt the resolution?

The SPEAKER pro tempore. The gentleman may proceed.
Mr. STEIL. Thank you, Mr. Speaker.

Representative Corrigan and I are here today to honor another of our native sons.

There are many callings in this world; there are many careers that our young men and women choose. None of those is a higher calling than the service of their country. Today we honor a young man who gave his life in that service and in that calling. Pfc. Nathaniel DeTample of Falls Township graduated in 2004 from Pennsbury High School. He wanted to be a cop, just like his dad, and in that endeavor, he enrolled at Shippensburg University but saw the need of his country and left Shippensburg to join the Pennsylvania National Guard with the hope of continuing his education after his service.

Private First Class DeTample's unit was deployed to Iraq in March 2005 for the purpose of performing stability and support operations in the Beiji area north of Baghdad.

On August 9, 2005, the Humvee in which he was riding was hit by a roadside bomb. Private First Class DeTample succumbed to his injuries along with four other of Pennsylvania's sons and two who were injured.

So today Representative Corrigan and I are asking you to honor Pfc. Nathaniel DeTample, who died in the service of this Commonwealth and in the service of this country.

I ask for an affirmative vote on HR 478, and I want to introduce Private First Class DeTample's family who are with us today, if they would please stand – Glenn DeTample, father; Kim DeTample, mother; Vicky DeTample, sister; Staten DeTample, brother; and Kristin Farina, a very close family friend.

We thank you for being here. We thank you for the honor that this House can bestow upon your son. It is very little, but it is something that we feel very heartfelt.

Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—192

Adolph	Fabrizio	Lescovitz	Ross
Allen	Fairchild	Leydansk	Rubley
Argall	Feese	Mackereth	Ruffing
Armstrong	Fichter	Maitland	Sainato
Baker	Fleagle	Major	Samuelson
Baldwin	Flick	Manderino	Santoni
Barrar	Forcier	Mann	Sather
Bastian	Frankel	Markosek	Saylor
Bebko-Jones	Freeman	Marsico	Scavello
Belardi	Gabig	McCall	Schroder
Belfanti	Gannon	McGeehan	Semmel
Benninghoff	Geist	McGill	Shapiro
Beyer	George	McIlhatten	Siptroth
Bianucci	Gerber	McIlhinney	Smith, B.
Birmelin	Gergely	McNaughton	Smith, S. H.
Bishop	Gillespie	Melio	Solobay
Blackwell	Gingrich	Metcalfe	Sonney
Blaum	Godshall	Micozzie	Stairs
Boyd	Good	Millard	Steil
Bunt	Goodman	Miller, R.	Stern
Butkovitz	Grell	Miller, S.	Stevenson, R.
Buxton	Grucela	Mundy	Stevenson, T.
Caltagirone	Gruitza	Mustio	Sturla
Cappelli	Habay	Myers	Surra
Casorio	Haluska	Nailor	Tangretti
Causar	Hanna	Nickol	Taylor, E. Z.
Cawley	Harhai	Oliver	Taylor, J.
Civera	Harhart	O'Neill	Thomas
Clymer	Harper	Parker	Tigue
Cohen	Harris	Payne	True
Cornell	Hasay	Petrarca	Turzai
Corrigan	Hennessey	Petri	Veon
Costa	Herman	Petrone	Vitali
Crahalla	Hershey	Phillips	Walko
Creighton	Hess	Pickett	Waters
Curry	Hickernell	Pistella	Watson
Daley	Hutchinson	Preston	Wheatley
Dally	James	Pyle	Williams
DeLuca	Josephs	Quigley	Wilt
Denlinger	Kauffman	Ramaley	Wojnaroski
Dermody	Keller, M.	Rapp	Wright
DeWeese	Kenney	Raymond	Yewcic
DiGiroloamo	Killion	Readshaw	Youngblood
Diven	Kirkland	Reed	Yudichak
Donatucci	Kotik	Reichley	Zug
Eachus	LaGrotta	Roberts	
Ellis	Leach	Roebuck	
Evans, D.	Lederer	Rohrer	Perzel,
Evans, J.	Leh		Speaker

NAYS—0

NOT VOTING—0

EXCUSED—11

Cruz	O'Brien	Rooney	Stetler
Keller, W.	Pallone	Shaner	Wansacz
Maher	Rieger	Staback	

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

* * *

Mr. R. STEVENSON called up **HR 508, PN 3077**, entitled:

A Resolution paying tribute to and honoring the memory of Staff Sgt. Shawn A. Graham, a member of the 56th Brigade Combat Team, 36th Infantry Division, 124th Armored Cavalry Regiment of the Texas Army National Guard, who tragically lost his life while on active duty in Iraq.

On the question,
Will the House adopt the resolution?

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

Mr. R. STEVENSON. Thank you, Mr. Speaker.

With sorrow and deep respect, I rise today to honor the life and service of S. Sgt. Shawn Graham, who made the ultimate sacrifice for his fellow citizens when he gave his life in the line of duty in Baghdad, Iraq, on September 25, 2005.

Sergeant Graham was the third member of his family to serve in harm's way during the past several years. His father, Thomas, a Vietnam war veteran, returned several months ago from duty in Afghanistan. His brother, Nicholas, has served two tours in Iraq with the Marine Corps.

Sergeant Graham, a native of Grove City, Pennsylvania, served in the Marine Corps for 10 years, from 1990 to 2000. He then enlisted in the Army, where most recently he served in the Army National Guard's 124th Cavalry Regiment, 36th Infantry Division.

In conversations this past summer, Shawn told his mother, Kathleen Graham, that he believed we were doing the right thing. He was very impressed with the resiliency of the Iraqi people. He talked with her about "...oil wells being blown up, water pipes being blown up, and the Iraqis" who were "out there, the next day, fixing them. The Iraqis are tired of the insurgents.... The hotline is active 24 hours a day with people calling in tips and we need to be there." In those conversations Sergeant Graham further reassured his mother by saying, "If anything happens to me, Mom, I was doing what I wanted to be doing. Be happy for me."

Mrs. Graham promised her son that she would tell people about those conversations if she ever got the chance. With his death, she believes this is her opportunity to speak. "We support the military 100 percent," she said. "We need to continue to think" about them "and pray for them."

Today we honor Sergeant Graham for his service and for his sacrifice. I would like to also thank Mrs. Graham for sharing those conversations with us.

I ask for unanimous support for this resolution.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—192

Adolph	Fabrizio	Lescovitz	Ross
Allen	Fairchild	Leydansk	Rubley

Argall	Feese	Mackereth	Ruffing
Armstrong	Fichter	Maitland	Sainato
Baker	Fleagle	Major	Samuelson
Baldwin	Flick	Manderino	Santoni
Barrar	Forcier	Mann	Sather
Bastian	Frankel	Markosek	Saylor
Bebko-Jones	Freeman	Marsico	Scavello
Belardi	Gabig	McCall	Schroder
Belfanti	Gannon	McGeehan	Semmel
Benninghoff	Geist	McGill	Shapiro
Beyer	George	McIlhattan	Siptroth
Biancucci	Gerber	McIlhinney	Smith, B.
Birmelin	Gergely	McNaughton	Smith, S. H.
Bishop	Gillespie	Melio	Solobay
Blackwell	Gingrich	Metcalfe	Sonney
Blaum	Godshall	Micozzie	Stairs
Boyd	Good	Millard	Steil
Bunt	Goodman	Miller, R.	Stern
Butkovitz	Grell	Miller, S.	Stevenson, R.
Buxton	Grucela	Mundy	Stevenson, T.
Caltagirone	Gruitza	Mustio	Sturla
Cappelli	Habay	Myers	Surra
Casorio	Haluska	Nailor	Tangretti
Causer	Hanna	Nickol	Taylor, E. Z.
Cawley	Harhai	Oliver	Taylor, J.
Civera	Harhart	O'Neill	Thomas
Clymer	Harper	Parker	Tigue
Cohen	Harris	Payne	True
Cornell	Hasay	Petrarca	Turzai
Corrigan	Hennessey	Petri	Veon
Costa	Herman	Petrone	Vitali
Crahalla	Hershey	Phillips	Walko
Creighton	Hess	Pickett	Waters
Curry	Hickernell	Pistella	Watson
Daley	Hutchinson	Preston	Wheatley
Dally	James	Pyle	Williams
DeLuca	Josephs	Quigley	Wilt
Denlinger	Kauffman	Ramaley	Wojnaroski
Dermody	Keller, M.	Rapp	Wright
DeWeese	Kenney	Raymond	Yewcic
DiGirolamo	Killion	Readshaw	Youngblood
Diven	Kirkland	Reed	Yudichak
Donatucci	Kotik	Reichley	Zug
Eachus	LaGrotta	Roberts	
Ellis	Leach	Roebuck	
Evans, D.	Lederer	Rohrer	Perzel,
Evans, J.	Leh		Speaker

NAYS-0

NOT VOTING-0

EXCUSED-11

Cruz	O'Brien	Rooney	Stetler
Keller, W.	Pallone	Shaner	Wansacz
Maher	Rieger	Staback	

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

* * *

Mr. GEIST called up **HR 512, PN 3106**, entitled:

A Resolution honoring Pennsylvania Advocates for Nutrition and Activity (PANA) for its dedication and commitment to creating healthier schools and communities in this Commonwealth and working to promote policies and environments that support healthy eating and activity.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-192

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

NAYS-0

NOT VOTING-0

EXCUSED-11

Cruz	O'Brien	Rooney	Stetler
Keller, W.	Pallone	Shaner	Wansacz
Maher	Rieger	Staback	

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

* * *

Mr. KENNEY called up **HR 515, PN 3120**, entitled:

A Resolution designating the month of November 2005 as "Pennsylvania Hospice Month."

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—192

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

NAYS—0

NOT VOTING—0

EXCUSED—11

Cruz	O'Brien	Rooney	Stetler
Keller, W.	Pallone	Shaner	Wansacz
Maher	Rieger	Staback	

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

* * *

Mr. REED called up **HR 516, PN 3121**, entitled:

A Resolution extending the deadline under House Resolution No. 161, Printer's No. 2744, for reporting by the Public Employee Retirement Commission.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—192

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

NAYS—0

NOT VOTING—0

EXCUSED—11

Cruz	O'Brien	Rooney	Stetler
Keller, W.	Pallone	Shaner	Wansacz
Maher	Rieger	Staback	

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

* * *

Mr. WHEATLEY called up **HR 517, PN 3122**, entitled:

A Resolution commemorating "National Hunger and Homelessness Awareness Week," November 13 through 19, 2005.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—192

Adolph	Fabrizio	Lescovitz	Ross
Allen	Fairchild	Levdansky	Rubley
Argall	Feese	Mackereth	Ruffing
Armstrong	Fichter	Maitland	Sainato
Baker	Fleagle	Major	Samuelson
Baldwin	Flick	Manderino	Santoni
Barrar	Forcier	Mann	Sather
Bastian	Frankel	Markosek	Saylor
Bebko-Jones	Freeman	Marsico	Scavello
Belardi	Gabig	McCall	Schroder
Belfanti	Gannon	McGeehan	Semmel
Benninghoff	Geist	McGill	Shapiro
Beyer	George	McLhattan	Siptroth
Biancucci	Gerber	McLhinney	Smith, B.
Birmelin	Gergely	McNaughton	Smith, S. H.
Bishop	Gillespie	Melio	Solobay
Blackwell	Gingrich	Metcalfe	Sonney
Blaum	Godshall	Micozzie	Stairs
Boyd	Good	Millard	Steil
Bunt	Goodman	Miller, R.	Stern
Butkovitz	Grell	Miller, S.	Stevenson, R.
Buxton	Grucela	Mundy	Stevenson, T.
Caltagirone	Gruitza	Mustio	Sturla
Cappelli	Habay	Myers	Surra
Casorio	Haluska	Nailor	Tangretti
Causer	Hanna	Nickol	Taylor, E. Z.
Cawley	Harhai	Oliver	Taylor, J.
Civera	Harhart	O'Neill	Thomas
Clymer	Harper	Parker	Tigue
Cohen	Harris	Payne	True
Cornell	Hasay	Petrarca	Turzai
Corrigan	Hennessey	Petri	Veon
Costa	Herman	Petrone	Vitali
Crahalla	Hershey	Phillips	Walko
Creighton	Hess	Pickett	Waters
Curry	Hickernell	Pistella	Watson
Daley	Hutchinson	Preston	Wheatley
Dally	James	Pyle	Williams
DeLuca	Josephs	Qigley	Wilt
Denlinger	Kauffman	Ramaley	Wojnaroski
Dermody	Keller, M.	Rapp	Wright
DeWeese	Kenney	Raymond	Yewcic
DiGirolamo	Killion	Readshaw	Youngblood
Diven	Kirkland	Reed	Yudichak
Donatucci	Kotik	Reichley	Zug
Eachus	LaGrotta	Roberts	
Ellis	Leach	Roebuck	

Evans, D.	Lederer	Rohrer	Perzel,
Evans, J.	Leh		Speaker

NAYS—0

NOT VOTING—0

EXCUSED—11

Cruz	O'Brien	Rooney	Stetler
Keller, W.	Pallone	Shaner	Wansacz
Maher	Rieger	Staback	

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

SUPPLEMENTAL CALENDAR A

RESOLUTIONS PURSUANT TO RULE 35

Mr. SEMMEL called up **HR 520, PN 3132**, entitled:

A Resolution commemorating the 250th anniversary of Pennsylvania's first militia law and designating Friday, November 25, 2005, as "National Guard Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—192

Adolph	Fabrizio	Lescovitz	Ross
Allen	Fairchild	Levdansky	Rubley
Argall	Feese	Mackereth	Ruffing
Armstrong	Fichter	Maitland	Sainato
Baker	Fleagle	Major	Samuelson
Baldwin	Flick	Manderino	Santoni
Barrar	Forcier	Mann	Sather
Bastian	Frankel	Markosek	Saylor
Bebko-Jones	Freeman	Marsico	Scavello
Belardi	Gabig	McCall	Schroder
Belfanti	Gannon	McGeehan	Semmel
Benninghoff	Geist	McGill	Shapiro
Beyer	George	McLhattan	Siptroth
Biancucci	Gerber	McLhinney	Smith, B.
Birmelin	Gergely	McNaughton	Smith, S. H.
Bishop	Gillespie	Melio	Solobay
Blackwell	Gingrich	Metcalfe	Sonney
Blaum	Godshall	Micozzie	Stairs
Boyd	Good	Millard	Steil
Bunt	Goodman	Miller, R.	Stern
Butkovitz	Grell	Miller, S.	Stevenson, R.
Buxton	Grucela	Mundy	Stevenson, T.
Caltagirone	Gruitza	Mustio	Sturla
Cappelli	Habay	Myers	Surra
Casorio	Haluska	Nailor	Tangretti
Causer	Hanna	Nickol	Taylor, E. Z.
Cawley	Harhai	Oliver	Taylor, J.
Civera	Harhart	O'Neill	Thomas
Clymer	Harper	Parker	Tigue
Cohen	Harris	Payne	True
Cornell	Hasay	Petrarca	Turzai
Corrigan	Hennessey	Petri	Veon
Costa	Herman	Petrone	Vitali
Crahalla	Hershey	Phillips	Walko
Creighton	Hess	Pickett	Waters

Curry	Hickernell	Pistella	Watson
Daley	Hutchinson	Preston	Wheatley
Dally	James	Pyle	Williams
DeLuca	Josephs	Quigley	Wilt
Denlinger	Kauffman	Ramaley	Wojnarowski
Dermody	Keller, M.	Rapp	Wright
DeWeese	Kenney	Raymond	Yewcic
DiGirolamo	Killion	Readshaw	Youngblood
Diven	Kirkland	Reed	Yudichak
Donatucci	Kotik	Reichley	Zug
Eachus	LaGrotta	Roberts	
Ellis	Leach	Roebuck	
Evans, D.	Lederer	Rohrer	Perzel,
Evans, J.	Leh		Speaker

NAYS-0

NOT VOTING-0

EXCUSED-11

Cruz	O'Brien	Rooney	Stetler
Keller, W.	Pallone	Shaner	Wansacz
Maher	Rieger	Staback	

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

* * *

Miss MANN called up **HR 522, PN 3134**, entitled:

A Resolution declaring December 5 through 9, 2005, as "Dream Come True Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-192

Adolph	Fabrizio	Lescovitz	Ross
Allen	Fairchild	Levdansky	Rubley
Argall	Feese	Mackereth	Ruffing
Armstrong	Fichter	Maitland	Sainato
Baker	Fleagle	Major	Samuelson
Baldwin	Flick	Manderino	Santoni
Barrar	Forcier	Mann	Sather
Bastian	Frankel	Markosek	Saylor
Bebko-Jones	Freeman	Marsico	Scavello
Belardi	Gabig	McCall	Schroder
Belfanti	Gannon	McGeehan	Semmel
Benninghoff	Geist	McGill	Shapiro
Beyer	George	McIlhattan	Siptroth
Biancucci	Gerber	McIlhinney	Smith, B.
Birmelin	Gergely	McNaughton	Smith, S. H.
Bishop	Gillespie	Melio	Solobay
Blackwell	Gingrich	Metcalf	Sonney
Blaum	Godshall	Micozzie	Stairs
Boyd	Good	Millard	Steil
Bunt	Goodman	Miller, R.	Stern
Butkovitz	Grell	Miller, S.	Stevenson, R.
Buxton	Grucela	Mundy	Stevenson, T.
Caltagirone	Gruitza	Mustio	Sturla
Cappelli	Habay	Myers	Surra
Casorio	Haluska	Nailor	Tangretti
Causser	Hanna	Nickol	Taylor, E. Z.
Cawley	Harhai	Oliver	Taylor, J.

Civera	Harhart	O'Neill	Thomas
Clymer	Harper	Parker	Tigue
Cohen	Harris	Payne	True
Cornell	Hasay	Petrarca	Turzai
Corrigan	Hennessey	Petri	Veon
Costa	Herman	Petrone	Vitali
Crahalla	Hershey	Phillips	Walko
Creighton	Hess	Pickett	Waters
Curry	Hickernell	Pistella	Watson
Daley	Hutchinson	Preston	Wheatley
Dally	James	Pyle	Williams
DeLuca	Josephs	Quigley	Wilt
Denlinger	Kauffman	Ramaley	Wojnarowski
Dermody	Keller, M.	Rapp	Wright
DeWeese	Kenney	Raymond	Yewcic
DiGirolamo	Killion	Readshaw	Youngblood
Diven	Kirkland	Reed	Yudichak
Donatucci	Kotik	Reichley	Zug
Eachus	LaGrotta	Roberts	
Ellis	Leach	Roebuck	
Evans, D.	Lederer	Rohrer	Perzel,
Evans, J.	Leh		Speaker

NAYS-0

NOT VOTING-0

EXCUSED-11

Cruz	O'Brien	Rooney	Stetler
Keller, W.	Pallone	Shaner	Wansacz
Maher	Rieger	Staback	

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

REPUBLICAN CAUCUS

The SPEAKER pro tempore. The Chair recognizes the gentlelady, Mrs. Elinor Taylor, for a caucus announcement.
Mrs. TAYLOR. Thank you very much, Mr. Speaker.
The Republican Caucus will meet at 2:15 and return to the floor at 5.

DEMOCRATIC CAUCUS

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Cohen, for a caucus announcement.
Mr. COHEN. Thank you, Mr. Speaker.
Mr. Speaker, the Democrats will also caucus at 2:15, and we will endeavor to be back on the floor by 5 o'clock.
The SPEAKER pro tempore. The Chair thanks the gentleman.

INTERGOVERNMENTAL AFFAIRS COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Fairchild, for a committee announcement.
Mr. FAIRCHILD. Thank you, Mr. Speaker.
There will be a very brief meeting of the Intergovernmental Affairs Committee at the rear of the House immediately after the announcement to recess.
Thank you very much, Mr. Speaker.

The SPEAKER pro tempore. The Intergovernmental Affairs Committee will meet at the rear of the House immediately.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER pro tempore. The Chair is pleased to recognize the gentleman, Mr. Fleagle, who has an Appropriations Committee announcement.

Mr. FLEAGLE. Thank you, Mr. Speaker.

There will be a House Appropriations Committee meeting immediately upon the call of recess in room 245, Appropriations complex.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Appropriations Committee will meet immediately at the recess.

Are there any other announcements?

RECESS

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

AFTER RECESS

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

THE SPEAKER (JOHN M. PERZEL) PRESIDING

LEAVE OF ABSENCE

The SPEAKER. The Chair returns to leaves of absence.

The Chair recognizes the majority whip, who moves for a leave of absence for the remainder of the day for the gentleman from Bucks, Mr. CLYMER. Without objection, that leave will be granted.

LEAVE OF ABSENCE CANCELED

The SPEAKER. The Chair notes the presence on the floor of the hall of the House of the gentleman, Mr. Pallone. His name will be added to the master roll.

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 2216, PN 3090 By Rep. FEESE

An Act providing for State funding for the Low Income Home Energy Assistance Program.

APPROPRIATIONS.

BILLS REREPORTED FROM COMMITTEE

HB 338, PN 2209 By Rep. FEESE

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing, in gross receipts tax, for the imposition of tax; and making a related repeal.

APPROPRIATIONS.

HB 344, PN 365 By Rep. FEESE

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, excluding smoke detectors, fire extinguishers and other fire prevention and fire safety equipment from the sales and use tax.

APPROPRIATIONS.

HB 496, PN 535 By Rep. FEESE

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for the offense of the destruction of a survey monument; further providing for actions relating to land surveying; and making an editorial change.

APPROPRIATIONS.

HB 808, PN 2990 By Rep. FEESE

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

APPROPRIATIONS.

HB 1350, PN 1608 By Rep. FEESE

An Act designating State Route 291 in Delaware County as the Willie Mae James Leake Memorial Highway.

APPROPRIATIONS.

HB 1427, PN 2883 By Rep. FEESE

An Act amending the act of December 31, 1965 (P.L.1257, No.511), known as The Local Tax Enabling Act, further providing for collection of taxes, for audits of earned income taxes, for earned income taxes, for suits for tax collection, for penalties and for delinquent tax collection costs.

APPROPRIATIONS.

HB 1484, PN 2991 By Rep. FEESE

An Act amending the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act, providing for appeals concerning the State Workers' Insurance Fund; and establishing the State Workers' Insurance Appeal Board.

APPROPRIATIONS.

HB 1528, PN 1877

By Rep. FEESE

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for licenses and fees relating to taxidermists.

APPROPRIATIONS.

HB 1549, PN 1906

By Rep. FEESE

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

APPROPRIATIONS.

HB 1554, PN 3151 (Amended)

By Rep. FEESE

An Act amending the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act, prohibiting third-party guarantees of payment for admission; imposing powers and duties upon the Department of Health; and imposing penalties for violation.

APPROPRIATIONS.

HB 1834, PN 2448

By Rep. FEESE

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, further providing for electronic access to driver records to confirm organ donor status.

APPROPRIATIONS.

HB 1928, PN 2882

By Rep. FEESE

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for permits for movement of a mobile home or a modular housing unit and modular housing undercarriage.

APPROPRIATIONS.

HB 2041, PN 3027

By Rep. FEESE

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, further providing for the Health Care Provider Retention Program.

APPROPRIATIONS.

SB 260, PN 264

By Rep. FEESE

An Act joining with other states in an effort to establish an interstate compact to regulate designated insurance products.

APPROPRIATIONS.

SB 573, PN 623

By Rep. FEESE

An Act amending the act of May 21, 1943 (P.L.571, No.254), known as The Fourth to Eighth Class County Assessment Law, further providing for valuation of persons and property.

APPROPRIATIONS.

SB 599, PN 1322

By Rep. FEESE

An Act designating State Route 132 in Bucks County as the Armed Forces and Veterans Memorial Highway; designating a bridge on State Route 150 crossing the Beech Creek in Clinton and Centre Counties as the Beech Creek Veterans Memorial Bridge; and designating State Route 291 in Delaware County as the Willie Mae James Leake Memorial Highway.

APPROPRIATIONS.

SUPPLEMENTAL CALENDAR B**BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 344, PN 365**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, excluding smoke detectors, fire extinguishers and other fire prevention and fire safety equipment from the sales and use tax.

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—192

Adolph	Fairchild	Levdansky	Ross
Allen	Feeze	Mackereth	Rubley
Argall	Fichter	Maitland	Ruffing
Armstrong	Fleagle	Major	Sainato
Baker	Flick	Manderino	Samuelson
Baldwin	Forcier	Mann	Santoni
Barrar	Frankel	Markosek	Sather
Bastian	Freeman	Marsico	Saylor
Bebko-Jones	Gabig	McCall	Scavello
Belardi	Gannon	McGeehan	Schroder
Belfanti	Geist	McGill	Semmel
Benninghoff	George	McIlhattan	Shapiro
Beyer	Gerber	McIlhinney	Sipthroth
Bianucci	Gergely	McNaughton	Smith, B.
Birmelin	Gillespie	Melio	Smith, S. H.
Bishop	Gingrich	Metcalfe	Solobay
Blackwell	Godshall	Micozzie	Sonney
Blaum	Good	Millard	Stairs
Boyd	Goodman	Miller, R.	Steil
Bunt	Grell	Miller, S.	Stern
Butkovitz	Grucela	Mundy	Stevenson, R.
Buxton	Gruitza	Mustio	Stevenson, T.
Caltagirone	Habay	Myers	Sturla
Cappelli	Haluska	Nailor	Surra
Casorio	Hanna	Nickol	Tangretti
Causer	Harhai	Oliver	Taylor, E. Z.
Cawley	Harhart	O'Neill	Taylor, J.
Civera	Harper	Pallone	Thomas
Cohen	Harris	Parker	Tigue
Cornell	Hasay	Payne	True
Corrigan	Hennessey	Petrarca	Turzai
Costa	Herman	Petri	Veon
Crahalla	Hershey	Petrone	Vitali

Creighton	Hess	Phillips	Walko
Curry	Hickernell	Pickett	Waters
Daley	Hutchinson	Pistella	Watson
Dally	James	Preston	Wheatley
DeLuca	Josephs	Pyle	Williams
Denlinger	Kauffman	Quigley	Wilt
Dermody	Keller, M.	Ramaley	Wojnaroski
DeWeese	Kenney	Rapp	Wright
DiGirolamo	Killion	Raymond	Yewcic
Diven	Kirkland	Readshaw	Youngblood
Donatucci	Kotik	Reed	Yudichak
Eachus	LaGrotta	Reichley	Zug
Ellis	Leach	Roberts	
Evans, D.	Lederer	Roebuck	
Evans, J.	Leh	Rohrer	Perzel,
Fabrizio	Lescovitz		Speaker

NAYS—0

NOT VOTING—0

EXCUSED—11

Clymer	Maher	Rooney	Stetler
Cruz	O'Brien	Shaner	Wansacz
Keller, W.	Rieger	Staback	

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

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

* * *

The House proceeded to third consideration of **HB 1427, PN 2883**, entitled:

An Act amending the act of December 31, 1965 (P.L.1257, No.511), known as The Local Tax Enabling Act, further providing for collection of taxes, for audits of earned income taxes, for earned income taxes, for suits for tax collection, for penalties and for delinquent tax collection costs.

On the question,

Will the House agree to the bill on third consideration?

Mr. **DENLINGER** offered the following amendment No. **A03208**:

Amend Sec. 3, page 6, line 3, by inserting after "III"
, Division IV

Amend Sec. 3 (Sec. 13), page 7, line 23, by inserting after "income."

In determining earned income, the taxpayer may not offset business expenses.

Amend Sec. 3 (Sec. 13), page 8, line 8, by inserting after "tax)."

In determining net profits, the taxpayer may offset business net losses.

Amend Sec. 3 (Sec. 13), page 9, line 3, by inserting after "association"

, business, corporation, limited liability company

Amend Sec. 3 (Sec. 13), page 11, by inserting between lines 14 and 15

IV. Collection at Source

(a) Every employer having an office, factory, workshop, branch, warehouse, or other place of business within the taxing jurisdiction imposing a tax on earned income or net profits within the taxing district who employs one or more persons, other than domestic servants, for a salary, wage, commission or other compensation, who has not previously registered, shall, within fifteen days after becoming an employer, register with the officer his name and address and such other information as the officer may require.

(b) Every employer having an office, factory, workshop, branch, warehouse, or other place of business within the taxing jurisdiction imposing a tax on earned income or net profits within the taxing district who employs one or more persons, other than domestic servants, for a salary, wage, commission, or other compensation, shall deduct at the time of payment thereof, the tax imposed by ordinance or resolution on the earned income due to his employe or employes, and shall, on or before April 30, of the current year, July 31, of the current year, October 31, of the current year, and January 31, of the succeeding year, file a return and pay to the officer the amount of taxes deducted during the preceding three-month periods ending March 31, of the current year, June 30, of the current year, September 30, of the current year, and December 31, of the current year, respectively. Such return unless otherwise agreed upon between the officer and employer shall show the name and social security number of each such employe, the earned income of such employe during such preceding three-month period, the tax deducted therefrom, the political subdivisions imposing the tax upon such employe, the total earned income of all such employes during such preceding three-month period, and the total tax deducted therefrom and paid with the return.

Any employer who for two of the preceding four quarterly periods has failed to deduct the proper tax, or any part thereof, or has failed to pay over the proper amount of tax to the taxing authority, may be required by the officer to file his return and pay the tax monthly. In such cases, payments of tax shall be made to the officer on or before the last day of the month succeeding the month for which the tax was withheld.

(c) On or before February 28, of the succeeding year, every employer shall file with the officer:

(1) An annual return showing the total amount of earned income paid, the total amount of tax deducted, and the total amount of tax paid to the officer for the period beginning January 1, of the current year, and ending December 31, of the current year.

(2) A return withholding statement for each employe employed during all or any part of the period beginning January 1, of the current year, and ending December 31, of the current year, setting forth the employe's name, address and social security number, the amount of earned income paid to the employe during said period, the amount of tax deducted, the political subdivisions imposing the tax upon such employe, each political subdivision to which the withheld tax is remitted and the amount of tax paid to the officer. Every employer shall furnish two copies of the individual return to the employe for whom it is filed.

(d) Every employer who discontinues business prior to December 31, of the current year, shall, within thirty days after the discontinuance of business, file the returns and withholding statements hereinabove required and pay the tax due.

(e) Except as otherwise provided in section 9, every employer who willfully or negligently fails or omits to make the deductions required by this section shall be liable for payment of the taxes which he was required to withhold to the extent that such taxes have not been recovered from the employe.

(f) The failure or omission of any employer to make the deductions required by this section shall not relieve any employe from the payment of the tax or from complying with the requirements of the ordinance or resolution relating to the filing of declarations and returns.

On the question,

Will the House agree to the amendment?

AMENDMENT WITHDRAWN

The SPEAKER. It is the information of the Chair— On that question, the Chair recognizes the gentleman, Mr. Denlinger.

Mr. DENLINGER. Mr. Speaker, I will be making a motion to suspend the rules, but this amendment can be withdrawn.

The SPEAKER. The amendment is withdrawn.

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

RULES SUSPENDED

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

Mr. DENLINGER. Mr. Speaker, I move for an immediate suspension of the rules in order to vote amendment No. 4360.

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

The following roll call was recorded:

YEAS—192

Adolph	Fairchild	Levdansky	Ross
Allen	Feese	Mackereth	Rubley
Argall	Fichter	Maitland	Ruffing
Armstrong	Fleagle	Major	Sainato
Baker	Flick	Manderino	Samuelson
Baldwin	Forcier	Mann	Santoni
Barrar	Frankel	Markosek	Sather
Bastian	Freeman	Marsico	Saylor
Bebko-Jones	Gabig	McCall	Scavello
Belardi	Gannon	McGeehan	Schroder
Belfanti	Geist	McGill	Semmel
Benninghoff	George	McIlhattan	Shapiro
Beyer	Gerber	McIlhinney	Siptroth
Biancucci	Gergely	McNaughton	Smith, B.
Birmelin	Gillespie	Melio	Smith, S. H.
Bishop	Gingrich	Metcalfe	Solobay
Blackwell	Godshall	Micozzie	Sonney
Blaum	Good	Millard	Stairs
Boyd	Goodman	Miller, R.	Steil
Bunt	Grell	Miller, S.	Stern
Butkovitz	Grucela	Mundy	Stevenson, R.
Buxton	Gruitza	Mustio	Stevenson, T.
Caltagirone	Habay	Myers	Sturla
Cappelli	Haluska	Nailor	Surra
Casorio	Hanna	Nickol	Tangretti
Causer	Harhai	Oliver	Taylor, E. Z.
Cawley	Harhart	O'Neill	Taylor, J.
Civera	Harper	Pallone	Thomas
Cohen	Harris	Parker	Tigue
Cornell	Hasay	Payne	True
Corrigan	Hennessey	Petrarca	Turzai
Costa	Herman	Petri	Veon
Crahalla	Hershey	Petrone	Vitali
Creighton	Hess	Phillips	Walko
Curry	Hickernell	Pickett	Waters
Daley	Hutchinson	Pistella	Watson
Dally	James	Preston	Wheatley
DeLuca	Josephs	Pyle	Williams
Denlinger	Kauffman	Quigley	Wilt
Dermody	Keller, M.	Ramaley	Wojnaroski
DeWeese	Kenny	Rapp	Wright
DiGiroloamo	Killion	Raymond	Yewcic
Diven	Kirkland	Readshaw	Youngblood
Donatucci	Kotik	Reed	Yudichak
Eachus	LaGrotta	Reichley	Zug
Ellis	Leach	Roberts	

Evans, D.	Lederer	Roebuck	
Evans, J.	Leh	Rohrer	Perzel,
Fabrizio	Lescovitz		Speaker

NAYS—0

NOT VOTING—0

EXCUSED—11

Clymer	Maher	Rooney	Stetler
Cruz	O'Brien	Shaner	Wansacz
Keller, W.	Rieger	Staback	

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. DENLINGER offered the following amendment No. **A04360:**

Amend Sec. 1 (Sec. 10), page 3, line 25, by striking out “on the basis of voting, voting” and inserting [on the basis of voting] at least ninety days prior to the end of the appointment or the expiration of a contract for earned income tax collection of all political subdivisions within the school district and including the school district, the board of school directors shall convene a meeting with at least ten days’ notice by first class mail. The meeting shall be convened no less than sixty days prior to the end of the appointment or the expiration of a contract for earned income tax collection of all political subdivisions. Voting

Amend Sec. 3, page 6, line 3, by inserting after “III”
, Division IV

Amend Sec. 3 (Sec. 13), page 7, line 23, by inserting after “income.”

In determining earned income, the taxpayer may not offset business losses.

Amend Sec. 3 (Sec. 13), page 8, line 8, by inserting after “tax).”

In determining net profits, the taxpayer may offset business losses from one business, profession or activity against profits from another business, profession or activity.

Amend Sec. 3 (Sec. 13), page 11, by inserting between lines 14 and 15

IV. Collection at Source

(a) Every employer having an office, factory, workshop, branch, warehouse, or other place of business within the taxing jurisdiction imposing a tax on earned income or net profits within the taxing district who employs one or more persons, other than domestic servants, for a salary, wage, commission or other compensation, who has not previously registered, shall, within fifteen days after becoming an employer, register with the officer his name and address and such other information as the officer may require.

(b) Every employer having an office, factory, workshop, branch, warehouse, or other place of business within the taxing jurisdiction imposing a tax on earned income or net profits within the taxing district who employs one or more persons, other than domestic servants, for a salary, wage, commission, or other compensation, shall deduct at the time of payment thereof, the tax imposed by ordinance or resolution on the earned income due to his employe or employes, and shall, on or before April 30, of the current year, July 31, of the current year, October 31, of the current year, and January 31, of the succeeding year, file a return and pay to the officer the amount of taxes deducted during the preceding three-month periods ending March 31, of the current

year, June 30, of the current year, September 30, of the current year, and December 31, of the current year, respectively. Such return unless otherwise agreed upon between the officer and employer shall show the name and social security number of each such employe, the earned income of such employe during such preceding three-month period, the tax deducted therefrom, the political subdivisions imposing the tax upon such employe, the total earned income of all such employes during such preceding three-month period, and the total tax deducted therefrom and paid with the return.

Any employer who for two of the preceding four quarterly periods has failed to deduct the proper tax, or any part thereof, or has failed to pay over the proper amount of tax to the taxing authority, may be required by the officer to file his return and pay the tax monthly. In such cases, payments of tax shall be made to the officer on or before the last day of the month succeeding the month for which the tax was withheld.

(c) On or before February 28, of the succeeding year, every employer shall file with the officer:

(1) An annual return showing the total amount of earned income paid, the total amount of tax deducted, and the total amount of tax paid to the officer for the period beginning January 1, of the current year, and ending December 31, of the current year.

(2) A return withholding statement for each employe employed during all or any part of the period beginning January 1, of the current year, and ending December 31, of the current year, setting forth the employe's name, address and social security number, the amount of earned income paid to the employe during said period, the amount of tax deducted, [the political subdivisions imposing the tax upon such employe,] each political subdivision to which the withheld tax is remitted and the amount of tax paid to the officer. Every employer shall furnish two copies of the individual return to the employe for whom it is filed.

(d) Every employer who discontinues business prior to December 31, of the current year, shall, within thirty days after the discontinuance of business, file the returns and withholding statements hereinabove required and pay the tax due.

(e) Except as otherwise provided in section 9, every employer who wilfully or negligently fails or omits to make the deductions required by this section shall be liable for payment of the taxes which he was required to withhold to the extent that such taxes have not been recovered from the employe.

(f) The failure or omission of any employer to make the deductions required by this section shall not relieve any employe from the payment of the tax or from complying with the requirements of the ordinance or resolution relating to the filing of declarations and returns.

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

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

LEAVE OF ABSENCE CANCELED

The SPEAKER. The Chair notes the presence on the floor of the House of the gentleman, Mr. Keller. His name will be added to the master roll.

CONSIDERATION OF HB 1427 CONTINUED

The SPEAKER. Mr. Denlinger.

Mr. DENLINGER. Thank you, Mr. Speaker.

Mr. Speaker, this is just a correcting amendment in which schools and municipalities would establish a timeline for the selection of an EIT, earned income tax, collector.

It is a noncontroversial amendment and enhances the bill. Thank you.

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

(Members proceeded to vote.)

LEAVE OF ABSENCE CANCELED

The SPEAKER. The Chair notes the presence on the floor of the House of the gentleman, Mr. Stetler. His name will also be added to the master roll.

CONSIDERATION OF HB 1427 CONTINUED

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

The following roll call was recorded:

YEAS—194

Adolph	Fairchild	Lescovitz	Ross
Allen	Feese	Levdansky	Rubley
Argall	Fichter	Mackereth	Ruffing
Armstrong	Fleagle	Maitland	Sainato
Baker	Flick	Major	Samuelson
Baldwin	Forcier	Manderino	Santoni
Barrar	Frankel	Mann	Sather
Bastian	Freeman	Markosek	Saylor
Bebko-Jones	Gabig	Marsico	Scavello
Belardi	Gannon	McCall	Schroder
Belfanti	Geist	McGeehan	Semmel
Benninghoff	George	McGill	Shapiro
Beyer	Gerber	McIlhattan	Siptroth
Biancucci	Gergely	McIlhinney	Smith, B.
Birmelin	Gillespie	McNaughton	Smith, S. H.
Bishop	Gingrich	Melio	Solobay
Blackwell	Godshall	Metcalfe	Sonney
Blaum	Good	Micozzie	Stairs
Boyd	Goodman	Millard	Steil
Bunt	Grell	Miller, R.	Stern
Butkovitz	Grucela	Miller, S.	Stetler
Buxton	Gruitza	Mundy	Stevenson, R.
Caltagirone	Habay	Mustio	Stevenson, T.
Cappelli	Haluska	Myers	Sturla
Casorio	Hanna	Nailor	Surra
Causer	Harhai	Nickol	Tangretti
Cawley	Harhart	Oliver	Taylor, E. Z.
Civera	Harper	O'Neill	Taylor, J.
Cohen	Harris	Pallone	Thomas
Cornell	Hasay	Parker	Tigue
Corrigan	Hennessey	Payne	True
Costa	Herman	Petrarca	Turzai
Crahalla	Hershey	Petri	Veon
Creighton	Hess	Petrone	Vitali
Curry	Hickernell	Phillips	Walko
Daley	Hutchinson	Pickett	Waters
Dally	James	Pistella	Watson
DeLuca	Josephs	Preston	Wheatley
Denlinger	Kauffman	Pyle	Williams
Dermody	Keller, M.	Quigley	Wilt
DeWeese	Keller, W.	Ramaley	Wojnaroski
DiGirolamo	Kenney	Rapp	Wright
Diven	Killion	Raymond	Yewcic
Donatucci	Kirkland	Readshaw	Youngblood
Eachus	Kotik	Reed	Yudichak
Ellis	LaGrotta	Reichley	Zug
Evans, D.	Leach	Roberts	

Evans, J. Fabrizio	Lederer Leh	Roebuck Rohrer	Perzel, Speaker
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NAYS—0

NOT VOTING—0

EXCUSED—9

Clymer Cruz Maher	O'Brien Rieger	Rooney Shaner	Staback Wansacz
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The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

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

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

The following roll call was recorded:

YEAS—193

Adolph	Fairchild	Lescovitz	Ross
Allen	Feese	Levdansky	Rubley
Argall	Fichter	Mackereth	Ruffing
Armstrong	Fleagle	Maitland	Sainato
Baker	Flick	Major	Samuelson
Baldwin	Forcier	Manderino	Santoni
Barrar	Frankel	Mann	Sather
Bastian	Freeman	Markosek	Saylor
Bebko-Jones	Gabig	Marsico	Scavello
Belardi	Gannon	McCall	Schroder
Belfanti	Geist	McGeehan	Semmel
Benninghoff	George	McGill	Shapiro
Beyer	Gerber	McIlhattan	Siptroth
Biancucci	Gergely	McIlhinney	Smith, B.
Birmelin	Gillespie	McNaughton	Smith, S. H.
Bishop	Gingrich	Melio	Solobay
Blackwell	Godshall	Metcalfe	Sonney
Blaum	Good	Micozzie	Stairs
Boyd	Goodman	Millard	Steil
Bunt	Grell	Miller, R.	Stern
Butkovitz	Grucela	Miller, S.	Stetler
Buxton	Gruitza	Mundy	Stevenson, R.
Caltagirone	Habay	Mustio	Stevenson, T.
Cappelli	Haluska	Myers	Sturla
Casorio	Hanna	Nailor	Surra
Causser	Harhai	Nickol	Tangretti
Cawley	Harhart	Oliver	Taylor, E. Z.
Civera	Harper	O'Neill	Taylor, J.
Cohen	Harris	Pallone	Thomas
Cornell	Hasay	Parker	Tigue
Corrigan	Hennessey	Payne	True
Costa	Herman	Petrarca	Turzai
Crahalla	Hershey	Petri	Vitali
Creighton	Hess	Petrone	Walko
Curry	Hickernell	Phillips	Waters
Daley	Hutchinson	Pickett	Watson
Dally	James	Pistella	Wheatley
DeLuca	Josephs	Preston	Williams

Denlinger	Kauffman	Pyle	Wilt
Dermody	Keller, M.	Quigley	Wojnaroski
DeWeese	Keller, W.	Ramaley	Wright
DiGirolamo	Kenney	Rapp	Yewcic
Diven	Killion	Raymond	Youngblood
Donatucci	Kirkland	Readshaw	Yudichak
Eachus	Kotik	Reed	Zug
Ellis	LaGrotta	Reichley	
Evans, D.	Leach	Roberts	
Evans, J.	Lederer	Roebuck	Perzel,
Fabrizio	Leh	Rohrer	Speaker

NAYS—1

Veon

NOT VOTING—0

EXCUSED—9

Clymer Cruz Maher	O'Brien Rieger	Rooney Shaner	Staback Wansacz
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

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

HARRISBURG LEGISLATIVE LEAVE

The SPEAKER. The Chair recognizes the majority leader, who moves for a Capitol leave for the gentleman, Mr. SEMMEL. Without objection, that leave will be granted.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1528, PN 1877**, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for licenses and fees relating to taxidermists.

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

Mr. **GEORGE** offered the following amendment No. **A03919**:

Amend Sec. 1, page 1, line 7, by inserting after "amended" and section 2904 is amended by adding a subsection

Amend Sec. 1 (Sec. 2904), page 2, by inserting between lines 26 and 27

(d) Limitation on fees.—The commission shall charge no more than \$1 for any permit provided for under this title to any person otherwise eligible for said permit in this Commonwealth who provides documentation that within the previous 24 months the person was:

(1) deployed overseas as a member of the Pennsylvania Army National Guard or Air National Guard on active Federal service for a period of 180 consecutive days or more or was released early from such service because of an injury or disease incurred in the line of duty; or

(2) deployed overseas as a member of the reserve component of the armed forces pursuant to 51 Pa.C.S. § 7301 (relating to definitions), for a period of 180 consecutive days or more or was released early from service because of an injury or disease incurred in the line of duty.

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

The SPEAKER. On that question, does the gentleman, Mr. George, wish to be recognized? The Chair recognizes the gentleman, Mr. George.

The House will be at ease.

AMENDMENT WITHDRAWN

Mr. GEORGE. Mr. Speaker?

The SPEAKER. Mr. George.

Mr. GEORGE. Thank you for your patience. We have decided to withdraw this. We are going to put it in, hopefully in the Game Committee, and run it out as a bill.

Thank you for your patience, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—192

Adolph	Fairchild	Mackereth	Rubley
Allen	Feese	Maitland	Ruffing
Argall	Fichter	Major	Sainato
Armstrong	Fleagle	Manderino	Samuelson
Baker	Flick	Mann	Santoni
Baldwin	Forcier	Markosek	Sather
Barrar	Frankel	Marsico	Saylor
Bastian	Gabig	McCall	Scavello
Bebko-Jones	Gannon	McGeehan	Schroder
Belardi	Geist	McGill	Semmel
Belfanti	George	McIlhattan	Shapiro
Benninghoff	Gerber	McIlhinney	Siptroth
Beyer	Gergely	McNaughton	Smith, B.
Biancucci	Gillespie	Melio	Smith, S. H.
Birmelin	Gingrich	Metcalfe	Solobay
Bishop	Godshall	Micozzie	Sonney
Blackwell	Good	Millard	Stairs
Blaum	Goodman	Miller, R.	Steil
Boyd	Grell	Miller, S.	Stern
Bunt	Grucela	Mundy	Stetler
Butkovitz	Gruitza	Mustio	Stevenson, R.
Buxton	Habay	Myers	Stevenson, T.
Caltagirone	Haluska	Nailor	Sturla
Cappelli	Hanna	Nickol	Surra
Casorio	Harhai	Oliver	Tangretti
Causser	Harhart	O'Neill	Taylor, E. Z.
Cawley	Harper	Pallone	Taylor, J.
Civera	Harris	Parker	Thomas
Cohen	Hasay	Payne	Tigue
Cornell	Hennessey	Petrarca	True

Corrigan	Herman	Petri	Turzai
Costa	Hershey	Petrone	Veon
Crahalla	Hess	Phillips	Vitali
Creighton	Hickernell	Pickett	Walko
Curry	Hutchinson	Pistella	Waters
Daley	James	Preston	Watson
Dally	Josephs	Pyle	Wheatley
DeLuca	Kauffman	Quigley	Williams
Denlinger	Keller, M.	Ramaley	Wilt
Dermody	Keller, W.	Rapp	Wojnaroski
DeWeese	Kenney	Raymond	Wright
DiGirolamo	Killion	Readshaw	Yewcic
Diven	Kirkland	Reed	Youngblood
Donatucci	Kotik	Reichley	Yudichak
Eachus	LaGrotta	Roberts	Zug
Ellis	Leach	Roebuck	
Evans, D.	Lederer	Rohrer	
Evans, J.	Leh	Ross	Perzel,
Fabrizio	Lescovitz		Speaker

NAYS—2

Freeman	Levdansky
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NOT VOTING—0

EXCUSED—9

Clymer	O'Brien	Rooney	Staback
Cruz	Rieger	Shaner	Wansacz
Maher			

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

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

* * *

The House proceeded to third consideration of **HB 2041, PN 3027**, entitled:

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, further providing for the Health Care Provider Retention Program.

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

Mr. CURRY offered the following amendment No. **A04358**:

Amend Title, page 1, line 4, by removing the period after "Program" and inserting
and for reporting.

Amend Sec. 1, page 1, lines 7 through 9, by striking out all of said lines and inserting

Section 1. Section 1302-A of the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, amended November 29, 2004 (P.L.1272, No.154), is amended to read:

Amend Bill, page 2, by inserting between lines 4 and 5

Section 2. Section 1306-A of the act, added December 23, 2003,(P.L.237, No.44), is amended to read:
Section 1306-A. Reporting.

(a) Report.—By May 15, 2004, the Insurance Department shall submit a report to the Governor, the chairperson and the minority chairperson of the Banking and Insurance Committee of the Senate and the chairperson and the minority chairperson of the Insurance

Committee of the House of Representatives regarding the program. The Insurance Department shall submit a second report by May 15, 2006.

The [report] reports shall include all of the following:

(1) The number of health care providers who applied for abatement under the program.

(2) The number of health care providers granted 100% abatement under the program.

(3) The number of health care providers granted 50% abatement under the program.

(4) Based upon available information, the number of health care providers who have left this Commonwealth after receiving abatement under the program.

(5) The number of and reason for any unapproved applications.

(6) Any other information relevant to assessing the success of the program.

(b) Exception.—The report shall not release information which could reasonably be expected to reveal the individual identity of a health care provider.

Section 3. Section 1310-A of the act, amended November 29, 2004 (P.L.1272, No.154), is amended to read:

Amend Sec. 2, page 2, line 8, by striking out “2” and inserting

4

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

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

Mr. CURRY. Thank you, Mr. Speaker.

Mr. Speaker, this amendment simply seeks to insert language requiring a follow-up report to detail the status of the program, and I request your support.

The SPEAKER. The Chair thanks the gentleman.
The House will be at ease.

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

The following roll call was recorded:

YEAS—194

Adolph	Fairchild	Lescovitz	Ross
Allen	Feese	Levdansky	Rubley
Argall	Fichter	Mackereth	Ruffing
Armstrong	Fleagle	Maitland	Sainato
Baker	Flick	Major	Samuelson
Baldwin	Forcier	Manderino	Santoni
Barrar	Frankel	Mann	Sather
Bastian	Freeman	Markosek	Saylor
Bebko-Jones	Gabig	Marsico	Scavello
Belardi	Gannon	McCall	Schroder
Belfanti	Geist	McGeehan	Semmel
Benninghoff	George	McGill	Shapiro
Beyer	Gerber	McIlhattan	Siptroth
Bianucci	Gergely	McIlhinney	Smith, B.
Birmelin	Gillespie	McNaughton	Smith, S. H.
Bishop	Gingrich	Melio	Solobay
Blackwell	Godshall	Metcalfe	Sonney
Blaum	Good	Micozzie	Stairs
Boyd	Goodman	Millard	Steil
Bunt	Grell	Miller, R.	Stern
Butkovitz	Grucela	Miller, S.	Stetler
Buxton	Gruitza	Mundy	Stevenson, R.
Caltagirone	Habay	Mustio	Stevenson, T.
Cappelli	Haluska	Myers	Sturla
Casorio	Hanna	Nailor	Surra
Causer	Harhai	Nickol	Tangretti

Cawley	Harhart	Oliver	Taylor, E. Z.
Civera	Harper	O'Neill	Taylor, J.
Cohen	Harris	Pallone	Thomas
Cornell	Hasay	Parker	Tigue
Corrigan	Hennessey	Payne	True
Costa	Herman	Petrarca	Turzai
Crahalla	Hershey	Petri	Veon
Creighton	Hess	Petrone	Vitali
Curry	Hickernell	Phillips	Walko
Daley	Hutchinson	Pickett	Waters
Dally	James	Pistella	Watson
DeLuca	Josephs	Preston	Wheatley
Denlinger	Kauffman	Pyle	Williams
Dermody	Keller, M.	Quigley	Wilt
DeWeese	Keller, W.	Ramaley	Wojnarowski
DiGirolamo	Kenney	Rapp	Wright
Diven	Killion	Raymond	Yewcic
Donatucci	Kirkland	Readshaw	Youngblood
Eachus	Kotik	Reed	Yudichak
Ellis	LaGrotta	Reichley	Zug
Evans, D.	Leach	Roberts	
Evans, J.	Lederer	Roebuck	Perzel,
Fabrizio	Leh	Rohrer	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—9

Clymer	O'Brien	Rooney	Staback
Cruz	Rieger	Shaner	Wansacz
Maher			

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—194

Adolph	Fairchild	Lescovitz	Ross
Allen	Feese	Levdansky	Rubley
Argall	Fichter	Mackereth	Ruffing
Armstrong	Fleagle	Maitland	Sainato
Baker	Flick	Major	Samuelson
Baldwin	Forcier	Manderino	Santoni
Barrar	Frankel	Mann	Sather
Bastian	Freeman	Markosek	Saylor
Bebko-Jones	Gabig	Marsico	Scavello
Belardi	Gannon	McCall	Schroder
Belfanti	Geist	McGeehan	Semmel
Benninghoff	George	McGill	Shapiro
Beyer	Gerber	McIlhattan	Siptroth

Biancucci	Gergely	McIlhinney	Smith, B.
Birmelin	Gillespie	McNaughton	Smith, S. H.
Bishop	Gingrich	Melio	Solobay
Blackwell	Godshall	Metcalfe	Sonney
Blaum	Good	Micozzie	Stairs
Boyd	Goodman	Millard	Steil
Bunt	Grell	Miller, R.	Stern
Butkovitz	Grucela	Miller, S.	Stetler
Buxton	Gruitza	Mundy	Stevenson, R.
Caltagirone	Habay	Mustio	Stevenson, T.
Cappelli	Haluska	Myers	Sturla
Casorio	Hanna	Nailor	Surra
Causer	Harhai	Nickol	Tangretti
Cawley	Harhart	Oliver	Taylor, E. Z.
Civera	Harper	O'Neill	Taylor, J.
Cohen	Harris	Pallone	Thomas
Cornell	Hasay	Parker	Tigue
Corrigan	Hennessey	Payne	True
Costa	Herman	Petrarca	Turzai
Crahalla	Hershey	Petri	Veon
Creighton	Hess	Petrone	Vitali
Curry	Hickernell	Phillips	Walko
Daley	Hutchinson	Pickett	Waters
Dally	James	Pistella	Watson
DeLuca	Josephs	Preston	Wheatley
Denlinger	Kauffman	Pyle	Williams
Dermody	Keller, M.	Quigley	Wilt
DeWeese	Keller, W.	Ramaley	Wojnaroski
DiGirolamo	Kenney	Rapp	Wright
Diven	Killion	Raymond	Yewcic
Donatucci	Kirkland	Readshaw	Youngblood
Eachus	Kotik	Reed	Yudichak
Ellis	LaGrotta	Reichley	Zug
Evans, D.	Leach	Roberts	
Evans, J.	Lederer	Roebuck	Perzel,
Fabrizio	Leh	Rohrer	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—9

Clymer	O'Brien	Rooney	Staback
Cruz	Rieger	Shaner	Wansacz
Maher			

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

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

* * *

The House proceeded to third consideration of **HB 496**, **PN 535**, entitled:

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for the offense of the destruction of a survey monument; further providing for actions relating to land surveying; and making an editorial change.

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

Mrs. **MILLER** offered the following amendment No. **A04230**:

Amend Sec. 1 (Sec. 3311), page 2, by inserting between lines 4 and 5

(c) Affirmative defense.—It is an affirmative defense to any prosecution for an offense under this section that the survey monument or marker was improperly placed by a professional land surveyor.

Amend Sec. 1 (Sec. 3311), page 2, line 5, by striking out “(c)” and inserting

(d)

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

HARRISBURG LEGISLATIVE LEAVE

The **SPEAKER**. The Chair returns to leaves of absence.
The gentleman, Mr. **JAMES**, requests a Capitol leave.
Without objection, that leave will also be granted.

CONSIDERATION OF HB 496 CONTINUED

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

The following roll call was recorded:

YEAS—194

Adolph	Fairchild	Lescovitz	Ross
Allen	Feese	Levdansky	Rubley
Argall	Fichter	Mackereth	Ruffing
Armstrong	Fleagle	Maitland	Sainato
Baker	Flick	Major	Samuelson
Baldwin	Forcier	Manderino	Santoni
Barrar	Frankel	Mann	Sather
Bastian	Freeman	Markosek	Saylor
Bebko-Jones	Gabig	Marsico	Scavello
Belardi	Gannon	McCall	Schroder
Belfanti	Geist	McGeehan	Semmel
Benninghoff	George	McGill	Shapiro
Beyer	Gerber	McIlhattan	Siptroth
Biancucci	Gergely	McIlhinney	Smith, B.
Birmelin	Gillespie	McNaughton	Smith, S. H.
Bishop	Gingrich	Melio	Solobay
Blackwell	Godshall	Metcalfe	Sonney
Blaum	Good	Micozzie	Stairs
Boyd	Goodman	Millard	Steil
Bunt	Grell	Miller, R.	Stern
Butkovitz	Grucela	Miller, S.	Stetler
Buxton	Gruitza	Mundy	Stevenson, R.
Caltagirone	Habay	Mustio	Stevenson, T.
Cappelli	Haluska	Myers	Sturla
Casorio	Hanna	Nailor	Surra
Causer	Harhai	Nickol	Tangretti
Cawley	Harhart	Oliver	Taylor, E. Z.
Civera	Harper	O'Neill	Taylor, J.
Cohen	Harris	Pallone	Thomas
Cornell	Hasay	Parker	Tigue
Corrigan	Hennessey	Payne	True
Costa	Herman	Petrarca	Turzai
Crahalla	Hershey	Petri	Veon
Creighton	Hess	Petrone	Vitali
Curry	Hickernell	Phillips	Walko
Daley	Hutchinson	Pickett	Waters
Dally	James	Pistella	Watson
DeLuca	Josephs	Preston	Wheatley
Denlinger	Kauffman	Pyle	Williams
Dermody	Keller, M.	Quigley	Wilt

DeWeese	Keller, W.	Ramaley	Wojnaroski
DiGirolamo	Kenney	Rapp	Wright
Diven	Killion	Raymond	Yewcic
Donatucci	Kirkland	Readshaw	Youngblood
Eachus	Kotik	Reed	Yudichak
Ellis	LaGrotta	Reichley	Zug
Evans, D.	Leach	Roberts	
Evans, J.	Lederer	Roebuck	Perzel,
Fabrizio	Leh	Rohrer	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-9

Clymer	O'Brien	Rooney	Staback
Cruz	Rieger	Shaner	Wansacz
Maher			

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-194

Adolph	Fairchild	Lescovitz	Ross
Allen	Feese	Levdansky	Rubley
Argall	Fichter	Mackereth	Ruffing
Armstrong	Fleagle	Maitland	Sainato
Baker	Flick	Major	Samuelson
Baldwin	Forcier	Manderino	Santoni
Barrar	Frankel	Mann	Sather
Bastian	Freeman	Markosek	Saylor
Bebko-Jones	Gabig	Marsico	Scavello
Belardi	Gannon	McCall	Schroder
Belfanti	Geist	McGeehan	Semmel
Benninghoff	George	McGill	Shapiro
Beyer	Gerber	McIlhattan	Siptroth
Biancucci	Gergely	McIlhinney	Smith, B.
Birmelin	Gillespie	McNaughton	Smith, S. H.
Bishop	Gingrich	Melio	Solobay
Blackwell	Godshall	Metcalfe	Sonney
Blaum	Good	Micozzie	Stairs
Boyd	Goodman	Millard	Steil
Bunt	Grell	Miller, R.	Stern
Butkovitz	Grucela	Miller, S.	Stetler
Buxton	Gruitza	Mundy	Stevenson, R.
Caltagirone	Habay	Mustio	Stevenson, T.
Cappelli	Haluska	Myers	Sturla
Casorio	Hanna	Nailor	Surra
Causar	Harhai	Nickol	Tangretti
Cawley	Harhart	Oliver	Taylor, E. Z.
Civera	Harper	O'Neill	Taylor, J.
Cohen	Harris	Pallone	Thomas
Cornell	Hasay	Parker	Tigue
Corrigan	Hennessey	Payne	True

Costa	Herman	Petrarca	Turzai
Crahalla	Hershey	Petri	Veon
Creighton	Hess	Petrone	Vitali
Curry	Hickernell	Phillips	Walko
Daley	Hutchinson	Pickett	Waters
Dally	James	Pistella	Watson
DeLuca	Josephs	Preston	Wheatley
Denlinger	Kauffman	Pyle	Williams
Dermody	Keller, M.	Quigley	Wilt
DeWeese	Keller, W.	Ramaley	Wojnaroski
DiGirolamo	Kenney	Rapp	Wright
Diven	Killion	Raymond	Yewcic
Donatucci	Kirkland	Readshaw	Youngblood
Eachus	Kotik	Reed	Yudichak
Ellis	LaGrotta	Reichley	Zug
Evans, D.	Leach	Roberts	
Evans, J.	Lederer	Roebuck	Perzel,
Fabrizio	Leh	Rohrer	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-9

Clymer	O'Brien	Rooney	Staback
Cruz	Rieger	Shaner	Wansacz
Maher			

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

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

* * *

The House proceeded to third consideration of **HB 1350, PN 1608**, entitled:

An Act designating State Route 291 in Delaware County as the Willie Mae James Leake Memorial Highway.

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-194

Adolph	Fairchild	Lescovitz	Ross
Allen	Feese	Levdansky	Rubley
Argall	Fichter	Mackereth	Ruffing
Armstrong	Fleagle	Maitland	Sainato
Baker	Flick	Major	Samuelson
Baldwin	Forcier	Manderino	Santoni
Barrar	Frankel	Mann	Sather
Bastian	Freeman	Markosek	Saylor
Bebko-Jones	Gabig	Marsico	Scavello
Belardi	Gannon	McCall	Schroder
Belfanti	Geist	McGeehan	Semmel

Benninghoff	George	McGill	Shapiro
Beyer	Gerber	McIlhattan	Siptroth
Biancucci	Gergely	McIlhinney	Smith, B.
Birmelin	Gillespie	McNaughton	Smith, S. H.
Bishop	Gingrich	Melio	Solobay
Blackwell	Godshall	Metcalfe	Sonney
Blaum	Good	Micozzie	Stairs
Boyd	Goodman	Millard	Steil
Bunt	Grell	Miller, R.	Stern
Butkovitz	Grucela	Miller, S.	Stetler
Buxton	Gruitza	Mundy	Stevenson, R.
Caltagirone	Habay	Mustio	Stevenson, T.
Cappelli	Haluska	Myers	Sturla
Casorio	Hanna	Nailor	Surra
Causer	Harhai	Nickol	Tangretti
Cawley	Harhart	Oliver	Taylor, E. Z.
Civera	Harper	O'Neill	Taylor, J.
Cohen	Harris	Pallone	Thomas
Cornell	Hasay	Parker	Tigue
Corrigan	Hennessey	Payne	True
Costa	Herman	Petrarca	Turzai
Crahalla	Hershey	Petri	Veon
Creighton	Hess	Petrone	Vitali
Curry	Hickernell	Phillips	Walko
Daley	Hutchinson	Pickett	Waters
Dally	James	Pistella	Watson
DeLuca	Josephs	Preston	Wheatley
Denlinger	Kauffman	Pyle	Williams
Dermody	Keller, M.	Quigley	Wilt
DeWeese	Keller, W.	Ramaley	Wojnaroski
DiGirolamo	Kenney	Rapp	Wright
Diven	Killion	Raymond	Yewcic
Donatucci	Kirkland	Readshaw	Youngblood
Eachus	Kotik	Reed	Yudichak
Ellis	LaGrotta	Reichley	Zug
Evans, D.	Leach	Roberts	
Evans, J.	Lederer	Roebuck	Perzel,
Fabrizio	Leh	Rohrer	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-9

Clymer	O'Brien	Rooney	Staback
Cruz	Rieger	Shaner	Wansacz
Maher			

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

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

CALENDAR CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1260, PN 1486**, entitled:

An Act designating polka music as the official folk music of the Commonwealth of Pennsylvania; and designating the American square dance as the official folk dance of the Commonwealth of Pennsylvania.

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

Mr. **DALLY** offered the following amendment No. **A02831**:

Amend Preamble, page 3, line 1, by striking out "the handicapped" and inserting
persons with disabilities

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

BILL PASSED OVER TEMPORARILY

The **SPEAKER**. The Chair rescinds. That bill is over temporarily.

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 1509, PN 1843

An Act authorizing the Department of General Services, with the approval of the Governor, to grant and convey to F & L Group, Inc., an access and utility easement across certain lands situate in the Hempfield Township, Westmoreland County.

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

**HOUSE BILL
INTRODUCED AND REFERRED**

No. 2100 By Representatives T. STEVENSON, FLICK, RUBLEY, BAKER, BASTIAN, CAPPELLI, KILLION, McILHATTAN, METCALFE, MUSTIO, PYLE, RAPP, REICHLLEY, ROSS, SAYLOR, SCHRODER, STEIL, R. STEVENSON, E. Z. TAYLOR, THOMAS, TURZAI and WILT

An Act amending the May 1, 1913 (P.L.155, No.104), entitled, "An act regulating the letting of certain contracts for the erection, construction, and alteration of public buildings," restricting the scope of the act.

Referred to Committee on STATE GOVERNMENT, November 21, 2005.

**BILLS REPORTED AND REREFERRED TO
COMMITTEE ON LOCAL GOVERNMENT**

HB 2063, PN 2839 By Rep. FAIRCHILD

An Act amending the act of July 31, 1968 (P.L.805, No.247), known as the Pennsylvania Municipalities Planning Code, further providing for implementation agreements.

INTERGOVERNMENTAL AFFAIRS.

HB 2064, PN 2840 By Rep. FAIRCHILD

An Act amending the act of February 1, 1966 (1965 P.L.1656, No.581), known as The Borough Code, further providing for intergovernmental cooperation, joint ownership and maintenance.

INTERGOVERNMENTAL AFFAIRS.

HB 2065, PN 2841

By Rep. FAIRCHILD

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, further providing for intergovernmental cooperation, joint ownership and maintenance.

INTERGOVERNMENTAL AFFAIRS.

HB 2066, PN 2842

By Rep. FAIRCHILD

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, further providing for intergovernmental cooperation, joint ownership and maintenance.

INTERGOVERNMENTAL AFFAIRS.

RECESS

The SPEAKER. This House stands in recess in regular session to the call of the Chair.

AFTER RECESS

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

COMMITTEE MEETING CANCELED

The SPEAKER. The Chair recognizes the gentleman from Delaware, Mr. Adolph.

Mr. ADOLPH. Thank you, Mr. Speaker.

Mr. Speaker, tomorrow morning at 9 o'clock we were going to have an Environmental Resources and Energy Committee meeting. That meeting is now canceled. Thank you.

The SPEAKER. The Chair thanks the gentleman.

Are there any further announcements in regular session?
There will be no further votes.

REPUBLICAN CAUCUS

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

Mrs. TAYLOR. Mr. Speaker, there will be a Republican caucus tomorrow at 10.

The SPEAKER. The Chair thanks the gentelady.

Mrs. TAYLOR. At 10 o'clock a Republican caucus. No breakfast.

DEMOCRATIC CAUCUS

The SPEAKER. Mr. Veon.

Mr. VEON. The Democrats will caucus at 10 o'clock, too, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

We will begin voting session tomorrow at 11.

RECESS

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

AFTER RECESS

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

THE SPEAKER PRO TEMPORE (JERRY BIRMELIN) 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.

RECESS

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Quigley, from Montgomery County.

Mr. QUIGLEY. Mr. Speaker, I move that this House do now recess until Tuesday, November 22, 2005, at 11:35 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 11:34 a.m., e.s.t., Tuesday, November 22, 2005, the House recessed.