

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, JANUARY 24, 2006

SESSION OF 2006

190TH OF THE GENERAL ASSEMBLY

No. 3

HOUSE OF REPRESENTATIVES

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

THE SPEAKER PRO TEMPORE (MATTHEW E. BAKER) PRESIDING

PRAYER

HON. BOB BASTIAN, member of the House of Representatives, offered the following prayer:

Since this is the first session day of the new year, happy new year to all.

May we pray:

Lord, You anoint us to be Your holy people in this world, yet we have not always been faithful to You. We have not always loved and accepted one another. We have not always reached out to those who are poor, hungry, or lost. Forgive us and fill us with Your light, that we may delight in Your goodness and serve You with joy.

May we as legislators be faithful and remember those constituents who are poor, hungry, and lost. May we see the light, and when we vote, we need to always remember those in this great Commonwealth who are less fortunate than we are.

Recently in a message to prisoners, I spoke of hope, hope to be free someday to enjoy the blessings that we too often take for granted. Continue, Lord, to speak to those incarcerated men and women, to touch their hearts.

And finally, Lord, keep Your Almighty hand of protection on those who serve us in this country in harm's way and return them to their loved ones.

We ask these things in Your holy name. Amen.

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 Monday, January 23, 2006, will be postponed until printed.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2375 By Representatives RAYMOND, ALLEN, BALDWIN, BEBKO-JONES, BIANCUCCI, BISHOP, BOYD, BUNT, CALTAGIRONE, CAPPELLI, CORNELL, CRAHALLA, DALLY, DeLUCA, J. EVANS, FRANKEL, FREEMAN, GEIST, GINGRICH, GODSHALL, GOOD, HARHART, HARRIS, HERMAN, HERSHEY, KAUFFMAN, W. KELLER, KILLION, KOTIK, LEDERER, MARKOSEK, MARSICO, MUSTIO, NAILOR, O'NEILL, PAYNE, PETRARCA, PICKETT, QUIGLEY, REICHLEY, ROSS, SIPTROTH, SONNEY, STABACK, E. Z. TAYLOR, TRUE, WATSON, WILT, YOUNGBLOOD, DiGIROLAMO, THOMAS, DONATUCCI and CRUZ

An Act requiring institutions of higher education to implement alcohol policies; providing for enforcement by the Pennsylvania Liquor Control Board; and prescribing a penalty.

Referred to Committee on LIQUOR CONTROL, January 24, 2006.

No. 2376 By Representatives RAYMOND, BALDWIN, BEBKO-JONES, BIANCUCCI, BISHOP, BUNT, CALTAGIRONE, CAPPELLI, CORNELL, CRAHALLA, DALLY, FRANKEL, FREEMAN, GEIST, GINGRICH, GOOD, HARHART, HARRIS, W. KELLER, KILLION, LEDERER, MANN, MARSICO, MICOZZIE, R. MILLER, MUSTIO, O'NEILL, QUIGLEY, ROSS, SCHRODER, SIPTROTH, E. Z. TAYLOR, TRUE, WATSON, WILT, YOUNGBLOOD and DONATUCCI

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for responsible alcohol management remediation for licensees.

Referred to Committee on LIQUOR CONTROL, January 24, 2006.

No. 2377 By Representatives GABIG, DALEY, CREIGHTON and RAPP

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for discovery in dependency matters.

Referred to Committee on JUDICIARY, January 24, 2006.

No. 2378 By Representatives FLEAGLE, MUNDY, CALTAGIRONE, WATSON, HERMAN, PICKETT, J. TAYLOR, B. SMITH, LaGROTTA, TURZAI, CRAHALLA, SOLOBAY, McCALL, WHEATLEY, WALKO, MARKOSEK, SCAVELLO, RAPP, HERSHEY, BOYD, WRIGHT, GOODMAN, GOOD, CAPPELLI, SAYLOR, HARPER, TRUE, SHAPIRO, BARRAR, HARHART, S. MILLER, SANTONI, HESS, ROSS, RUBLEY, CORNELL, ALLEN, SIPTROTH, PHILLIPS, SEMMEL, REICHLEY, MACKERETH, PALLONE, GEIST and MICOZZIE

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for a tax credit for employer child care.

Referred to Committee on FINANCE, January 24, 2006.

No. 2379 By Representatives CASORIO, MARKOSEK and PALLONE

An Act authorizing and directing the Department of General Services, with the approval of the Governor and the Pennsylvania Historical and Museum Commission, to accept by donation a tract of land and any improvements on the tract, situate in Penn Township, Westmoreland County.

Referred to Committee on STATE GOVERNMENT, January 24, 2006.

No. 2380 By Representatives J. TAYLOR, D. EVANS, BELFANTI, BISHOP, BOYD, BUNT, BUXTON, CALTAGIRONE, DALEY, DALLY, DeLUCA, DeWEESE, EACHUS, FLICK, FRANKEL, GEORGE, GERBER, GOOD, GOODMAN, GRUCELA, HALUSKA, JAMES, JOSEPHS, KILLION, KOTIK, LaGROTTA, LEDERER, LEVDANSKY, MANDERINO, MARKOSEK, MUNDY, O'NEILL, PARKER, PETRONE, PISTELLA, PRESTON, RAYMOND, READSHAW, REICHLEY, ROBERTS, ROEBUCK, SANTONI, SOLOBAY, STABACK, STETLER, STURLA, THOMAS, TIGUE, VEON, WALKO, WHEATLEY, WILLIAMS and WOJNAROSKI

An Act amending the act of July 7, 2005 (P.L. , No.1A), known as the General Appropriation Act of 2005, increasing the State appropriation to the Pennsylvania Housing Finance Agency for the Homeowner's Emergency Mortgage Assistance Program.

Referred to Committee on APPROPRIATIONS, January 24, 2006.

No. 2381 By Representatives BOYD, METCALFE, YEWIC, TRUE, FORCIER, ALLEN, ARGALL, ARMSTRONG, BAKER, BALDWIN, BARRAR, BASTIAN, BIRMELIN, BUNT, CALTAGIRONE, CAPPELLI, CAUSER, CAWLEY, CLYMER, CORRIGAN, CREIGHTON, DALLY, DeLUCA, DENLINGER, ELLIS, FAIRCHILD, FEESE, FICHTER, FLEAGLE, FLICK, GABIG, GANNON, GEIST, GILLESPIE, GINGRICH, GODSHALL, GRUCELA, HABAY, HALUSKA, HARRIS, HERSHEY, HESS, HICKERNELL, HUTCHINSON, KAUFFMAN, M. KELLER, LEH, MACKERETH, MAITLAND, MAJOR, MARKOSEK, MARSICO, McILHATTAN, McNAUGHTON, MELIO, MICOZZIE, MILLARD, R. MILLER, S. MILLER, MUSTIO,

MYERS, PAYNE, PERZEL, PETRARCA, PHILLIPS, PICKETT, PYLE, QUIGLEY, RAPP, REED, ROBERTS, ROHRER, SATHER, SCHRODER, B. SMITH, S. H. SMITH, SONNEY, STABACK, STAIRS, STERN, R. STEVENSON, T. STEVENSON, TANGRETTI, E. Z. TAYLOR, TIGUE, TURZAI, WILT and ZUG

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for marriage.

Referred to Committee on STATE GOVERNMENT, January 24, 2006.

No. 2382 By Representatives DONATUCCI, BEBKO-JONES, BIANCUCCI, BLACKWELL, BOYD, CALTAGIRONE, DeWEESE, GEORGE, JAMES, KOTIK, MICOZZIE, O'NEILL, PISTELLA, REICHLEY, YOUNGBLOOD, THOMAS, CRUZ and LESCOVITZ

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for unlawful acts relative to liquor, malt and brewed beverages and licensees.

Referred to Committee on LIQUOR CONTROL, January 24, 2006.

No. 2383 By Representatives DONATUCCI, BELARDI, RAYMOND, BLACKWELL, CALTAGIRONE, CORRIGAN, CRAHALLA, CREIGHTON, DeWEESE, FABRIZIO, FRANKEL, GEIST, GOODMAN, W. KELLER, KOTIK, O'NEILL, SHANER, SIPTROTH, SOLOBAY, SONNEY, STABACK, TIGUE and YOUNGBLOOD

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, requiring the Bureau of Alcohol Education to make certain reports to the General Assembly.

Referred to Committee on LIQUOR CONTROL, January 24, 2006.

COMMUNICATION FROM INSURANCE DEPARTMENT

The SPEAKER pro tempore. The Speaker acknowledges receipt of a report from the Pennsylvania Insurance Department entitled Motor Vehicle Financial Responsibility Law submitted pursuant to section 1723 of PA Title 75.

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

SENATE MESSAGE

HOUSE BILL
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 87, PN 81**, with information that the Senate has passed the same without amendment.

SENATE MESSAGE**RECESS RESOLUTION
FOR CONCURRENCE**

The clerk of the Senate, being introduced, presented the following extract from the Journal of the Senate, which was read as follows:

In the Senate
January 23, 2006

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the Regular Session of the Senate recesses this week, it reconvene on Monday, January 30, 2006, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the Regular Session of the House of Representatives recesses this week, it reconvene on Monday, January 30, 2006, unless sooner recalled by the Speaker of the House of Representatives.

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

On the question,
Will the House concur in the resolution of the Senate?
Resolution was concurred in.
Ordered, That the clerk inform the Senate accordingly.

GUEST INTRODUCED

The SPEAKER pro tempore. The Chair welcomes Jeff Eshenour, who is the guest of Representative Mark Keller. He is a guest page, and he is located in the front with the pages. Please rise and be recognized.

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

HB 552, PN 3388 (Amended) By Rep. LEH

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, defining "gift card," "gift certificate" and "qualified gift certificate"; and further providing for unclaimed property.

FINANCE.

HB 2069, PN 3389 (Amended) By Rep. LEH

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for a critical infrastructure tax credit.

FINANCE.

HB 2088, PN 3387 (Amended) By Rep. HESS

An Act amending the act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law, further providing for Federal programs.

AGING AND OLDER ADULT SERVICES.

HB 2234, PN 3113

By Rep. HESS

An Act providing for eligibility for the PACENET program and for expiration of act.

AGING AND OLDER ADULT SERVICES.

HB 2374, PN 3390 (Amended)

By Rep. LEH

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing, in motorbus road tax credits or refund, for bus company reimbursement for motor fuel tax.

FINANCE.

GUESTS INTRODUCED

The SPEAKER pro tempore. The Chair welcomes Barry Weaver and daughter, Stacy Weaver, who are guests of Representative Tom Creighton, and they are located to the left of the Speaker. Please rise and be recognized.

LEAVES OF ABSENCE

The SPEAKER pro tempore. The Chair recognizes the majority whip, who requests leaves of absence for the gentledady from Montgomery County, Ms. HARPER; the gentledady from Crawford County, Mrs. FORCIER; and the gentleman from Allegheny County, Mr. DIVEN; that is a request for leaves of absence for the week, and for the day, the gentleman from York County, Mr. SAYLOR, and the gentleman from Bucks County, Mr. O'NEILL. Without objection, the leaves of absence will be granted.

The minority whip is recognized for purposes of requesting a leave of absence for the gentleman from Mercer County, Mr. GRUITZA; the gentleman from Philadelphia County, Mr. RIEGER; and that is for the week, and for the day, the gentleman, Mr. DERMODY. Without objection, the leaves of absence will be so granted.

**PALMYRA HIGH SCHOOL GIRLS
FIELD HOCKEY TEAM PRESENTED**

The SPEAKER pro tempore. Will members please take their seats. Members will please take their seats.

The gentledady, Mrs. Gingrich, has a citation presentation. The gentledady may proceed when she is ready.

Mrs. GINGRICH. Thank you, Mr. Speaker.

I am very proud, colleagues, and really honored and excited to introduce to you today the Palmyra High School Girls Field Hockey Team, who happen to be the 2005 State champions in the AA category, so we are incredibly proud of this group, and I am glad all the girls could be here today. This team is very special in a lot of ways. They are jam-packed with talent, of course, but their endurance is incredible. There is no question about it.

They had an incredible season and then went on to defeat Oley Valley 4 to nothing in the State championship to capture that award for all of us to be thrilled with today. So let us give

them a hand, and I will tell you a little bit more about who they are.

I wish every one of the girls could be up here. It would be tough fitting them. So with me today to receive the citation is the head coach, Wendy Reichenbach, and we have got the three team captains with us today, who led this austere group; that is Amy Bonenberger, Brianna Davies, and Kelly Fitzpatrick. One of the things that is special about these girls is that many of them have played field hockey together since they were in second or third grade with the Rec Commission's team called the Weed Whackers. Now, if that does not prove that practice can make perfect, nothing will. So we are delighted to have them here today.

I want to tell you a little bit about the outstanding accomplishments of some of these team members before I let them go.

This year's senior captain is Kelly Fitzpatrick. She set two new State scoring records for most goals in one season – the number is 66 – and the most goals scored in a career, 155, which is outstanding work on the field.

Four of our seniors this year were named to high school All-Americans; again, the first team, Kelly Fitzpatrick and Brooke Hoffsmith; and the second team, Amy Bonenberger and Brianna Davies.

Not to stop there, our coach, Wendy Reichenbach, was actually named the Mid-East Region High School Coach of the Year by the National Field Hockey Coaches Association.

So please join me in honoring this crew of talented, energetic young women who worked as a team and accomplished more than one goal. Thank you.

CONDOLENCE RESOLUTION

The SPEAKER pro tempore. Members, please take your seats. Chairman George Hasay has a few remarks to offer on behalf of a veteran.

Mr. HASAY. Thank you, Mr. Speaker.

Mr. Speaker, I have a condolence resolution.

With humble respect and deep pride—

The SPEAKER pro tempore. Will the gentleman suspend.

This is a condolence resolution. Members, please take your seats.

Mr. HASAY. This is a condolence resolution of a 24-year-old man that served in Iraq; a great sense of loss. The Pennsylvania House of Representatives wishes to honor the memory of 1st Lt. Michael Cleary, who came from my district in Dallas. He served proudly as a platoon leader with the courageous members of the Explosive Ordinance Disposal Team in E Company, 1st and 15th Infantry Regiment, 3d Brigade, 3d Infantry Division, of the United States Army. He was sent to Iraq in January of '04. Tragically on December 20 of '05, Lieutenant Cleary was killed in an ambush near Samarra, Iraq.

A superb soldier with great integrity, a great team player, strong leadership skills.

Resolved, that the House of Representatives of the Commonwealth of Pennsylvania proclaim with enduring sorrow the passing of 1st Lt. Michael Cleary.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The House will observe a moment of silence in this veteran's memory.

(Whereupon, the members of the House and all visitors stood in a moment of silence in solemn respect to the memory of 1st Lt. Michael J. Cleary.)

The SPEAKER pro tempore. The Chair thanks the members.

GUEST INTRODUCED

The SPEAKER pro tempore. Representative Carole Rubley has a guest page serving on the House floor today. Christopher Anderson is homeschooled, and he lives in Phoenixville, Chester County. Please rise and be recognized.

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—194

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

Evans, D.	Lescovitz	Rohrer	Zug
Evans, J.	Levdansky	Rooney	
Fabrizio	Mackereth	Ross	Perzel,
Fairchild	Maher	Rubley	Speaker

ADDITIONS—0

NOT VOTING—0

EXCUSED—8

Dermody	Forcier	Harper	Rieger
Diven	Gruitza	O'Neill	Saylor

LEAVES ADDED—1

Blackwell

LEAVES CANCELED—1

O'Neill

CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mr. RAMALEY called up **HR 544, PN 3364**, entitled:

A Resolution expressing condolences on the death of Monsignor Charles Owen Rice of the Diocese of Pittsburgh.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—193

Adolph	Feese	Major	Sainato
Allen	Fichter	Manderino	Samuelson
Argall	Fleagle	Mann	Santoni
Armstrong	Flick	Markosek	Sather
Baker	Frankel	Marsico	Scavello
Baldwin	Freeman	McCall	Schroder
Barrar	Gabig	McGeehan	Semmel
Bastian	Gannon	McGill	Shaner
Bebko-Jones	Geist	McIlhattan	Shapiro
Belardi	George	McIlhinney	Siptroth
Belfanti	Gerber	McNaughton	Smith, B.
Benninghoff	Gergely	Melio	Smith, S. H.
Beyer	Gillespie	Metcalfe	Solobay
Biancucci	Gingrich	Micozzie	Sonney
Birmelin	Godshall	Millard	Staback
Bishop	Good	Miller, R.	Stairs
Blackwell	Goodman	Miller, S.	Steil
Blaum	Grell	Mundy	Stern
Boyd	Grucela	Mustio	Stetler
Bunt	Haluska	Myers	Stevenson, R.
Buxton	Hanna	Nailor	Stevenson, T.
Caltagirone	Harhai	Nickol	Sturla
Cappelli	Harhart	O'Brien	Surra
Casorio	Harris	Oliver	Tangretti
Causer	Hasay	Pallone	Taylor, E. Z.
Cawley	Hennessey	Parker	Taylor, J.
Civera	Herman	Payne	Thomas
Clymer	Hershey	Petrarca	Tigue
Cohen	Hess	Petri	True
Cornell	Hickernell	Petrone	Turzai
Corrigan	Hutchinson	Phillips	Veon

Costa	James	Pickett	Vitali
Crahalla	Josephs	Pistella	Walko
Creighton	Kauffman	Preston	Wansacz
Cruz	Keller, M.	Pyle	Waters
Curry	Keller, W.	Quigley	Watson
Daley	Kenney	Ramaley	Wheatley
Dally	Killion	Rapp	Williams
DeLuca	Kirkland	Raymond	Wilt
Denlinger	Kotik	Readshaw	Wojnaroski
DeWeese	LaGrotta	Reed	Wright
DiGirolamo	Leach	Reichley	Yewcic
Donatucci	Lederer	Roberts	Youngblood
Eachus	Leh	Roebuck	Yudichak
Ellis	Lescovitz	Rohrer	Zug
Evans, D.	Levdansky	Rooney	
Evans, J.	Mackereth	Ross	
Fabrizio	Maher	Rubley	Perzel,
Fairchild	Maitland	Ruffing	Speaker

NAYS—0

NOT VOTING—1

Habay

EXCUSED—8

Dermody	Forcier	Harper	Rieger
Diven	Gruitza	O'Neill	Saylor

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

* * *

Mr. BARRAR called up **HR 545, PN 3365**, entitled:

A Resolution designating the week of January 22 through 28, 2006, as "Pennsylvania Certified Registered Nurse Anesthetists Week."

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—194

Adolph	Feese	Maitland	Ruffing
Allen	Fichter	Major	Sainato
Argall	Fleagle	Manderino	Samuelson
Armstrong	Flick	Mann	Santoni
Baker	Frankel	Markosek	Sather
Baldwin	Freeman	Marsico	Scavello
Barrar	Gabig	McCall	Schroder
Bastian	Gannon	McGeehan	Semmel
Bebko-Jones	Geist	McGill	Shaner
Belardi	George	McIlhattan	Shapiro
Belfanti	Gerber	McIlhinney	Siptroth
Benninghoff	Gergely	McNaughton	Smith, B.
Beyer	Gillespie	Melio	Smith, S. H.
Biancucci	Gingrich	Metcalfe	Solobay
Birmelin	Godshall	Micozzie	Sonney
Bishop	Good	Millard	Staback
Blackwell	Goodman	Miller, R.	Stairs
Blaum	Grell	Miller, S.	Steil
Boyd	Grucela	Mundy	Stern
Bunt	Habay	Mustio	Stetler
Buxton	Haluska	Myers	Stevenson, R.

Caltagirone	Hanna	Nailor	Stevenson, T.
Cappelli	Harhai	Nickol	Sturla
Casorio	Harhart	O'Brien	Surra
Causer	Harris	Oliver	Tangretti
Cawley	Hasay	Pallone	Taylor, E. Z.
Civera	Hennessey	Parker	Taylor, J.
Clymer	Herman	Payne	Thomas
Cohen	Hershey	Petrarca	Tigue
Cornell	Hess	Petri	True
Corrigan	Hickernell	Petrone	Turzai
Costa	Hutchinson	Phillips	Veon
Crahalla	James	Pickett	Vitali
Creighton	Josephs	Pistella	Walko
Cruz	Kauffman	Preston	Wansacz
Curry	Keller, M.	Pyle	Waters
Daley	Keller, W.	Quigley	Watson
Dally	Kenney	Ramaley	Wheatley
DeLuca	Killion	Rapp	Williams
Denlinger	Kirkland	Raymond	Wilt
DeWeese	Kotik	Readshaw	Wojnaroski
DiGirolamo	LaGrotta	Reed	Wright
Donatucci	Leach	Reichley	Yewcic
Eachus	Lederer	Roberts	Youngblood
Ellis	Leh	Roebuck	Yudichak
Evans, D.	Lescovitz	Rohrer	Zug
Evans, J.	Levdansky	Rooney	
Fabrizio	Mackereth	Ross	Perzel,
Fairchild	Maher	Rubley	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-8

Dermody	Forcier	Harper	Rieger
Diven	Gruitza	O'Neill	Saylor

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

* * *

Mr. METCALFE called up **HR 546, PN 3366**, entitled:

A Resolution designating February 6, 2006, as "Ronald Reagan Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-193

Adolph	Feese	Major	Sainato
Allen	Fichter	Manderino	Samuelson
Argall	Fleagle	Mann	Santoni
Armstrong	Flick	Markosek	Sather
Baker	Frankel	Marsico	Scavello
Baldwin	Freeman	McCall	Schroder
Barrar	Gabig	McGeehan	Semmel
Bastian	Gannon	McGill	Shaner
Bebko-Jones	Geist	McIlhattan	Shapiro
Belardi	George	McIlhinney	Siptroth
Belfanti	Gerber	McNaughton	Smith, B.
Benninghoff	Gergely	Melio	Smith, S. H.
Beyer	Gillespie	Metcalfe	Solobay
Bianucci	Gingrich	Micozzie	Sonney

Birmelin	Godshall	Millard	Staback
Bishop	Good	Miller, R.	Stairs
Blackwell	Goodman	Miller, S.	Steil
Blaum	Grell	Mundy	Stern
Boyd	Grucela	Mustio	Stetler
Bunt	Haluska	Myers	Stevenson, R.
Buxton	Hanna	Nailor	Stevenson, T.
Caltagirone	Harhai	Nickol	Sturla
Cappelli	Harhart	O'Brien	Surra
Casorio	Harris	Oliver	Tangretti
Causer	Hasay	Pallone	Taylor, E. Z.
Cawley	Hennessey	Parker	Taylor, J.
Civera	Herman	Payne	Thomas
Clymer	Hershey	Petrarca	Tigue
Cohen	Hess	Petri	True
Cornell	Hickernell	Petrone	Turzai
Corrigan	Hutchinson	Phillips	Veon
Costa	James	Pickett	Vitali
Crahalla	Josephs	Pistella	Walko
Creighton	Kauffman	Preston	Wansacz
Cruz	Keller, M.	Pyle	Waters
Curry	Keller, W.	Quigley	Watson
Daley	Kenney	Ramaley	Wheatley
Dally	Killion	Rapp	Williams
DeLuca	Kirkland	Raymond	Wilt
Denlinger	Kotik	Readshaw	Wojnaroski
DeWeese	LaGrotta	Reed	Wright
DiGirolamo	Leach	Reichley	Yewcic
Donatucci	Lederer	Roberts	Youngblood
Eachus	Leh	Roebuck	Yudichak
Ellis	Lescovitz	Rohrer	Zug
Evans, D.	Levdansky	Rooney	
Evans, J.	Mackereth	Ross	Perzel,
Fabrizio	Maher	Rubley	Speaker
Fairchild	Maitland	Ruffing	

NAYS-0

NOT VOTING-1

EXCUSED-8

Habay

Dermody	Forcier	Harper	Rieger
Diven	Gruitza	O'Neill	Saylor

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

* * *

Mrs. TRUE called up **HR 547, PN 3367**, entitled:

A Resolution recognizing the month of February 2006 as "Children's Dental Health Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-193

Adolph	Feese	Maitland	Sainato
Allen	Fichter	Major	Samuelson
Argall	Fleagle	Manderino	Santoni
Armstrong	Flick	Mann	Sather
Baker	Frankel	Markosek	Scavello

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

NAYS-0

NOT VOTING-1

McIlhinney

EXCUSED-8

Dermody	Forcier	Harper	Rieger
Diven	Gruitza	O'Neill	Saylor

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

SUPPLEMENTAL CALENDAR A

RESOLUTION PURSUANT TO RULE 35

Mr. ROSS called up **HR 548, PN 3385**, entitled:

A Resolution recognizing the 100th anniversary of Longwood Gardens.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-194

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

NAYS-0

NOT VOTING-0

EXCUSED-8

Dermody	Forcier	Harper	Rieger
Diven	Gruitza	O'Neill	Saylor

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

GUESTS INTRODUCED

The SPEAKER pro tempore. Representative Sue Cornell has a guest in the gallery, Salvatore Alemanno. Please rise and be recognized. Welcome to the House.

The Chair welcomes Elizabeth Rodriguez, a Latino outreach coordinator for State Representative Karen Beyer, and Elizabeth is located to the left of the Speaker. Please rise and be recognized.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Feese, for a committee announcement.

Mr. FEESE. Thank you, Mr. Speaker.

Mr. Speaker, at the declaration of the recess, the House Appropriations Committee will meet in the House Appropriations conference room.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The House Appropriations Committee will meet in the House Appropriations conference room at the recess.

REPUBLICAN CAUCUS

The SPEAKER pro tempore. The Chair recognizes the gentlelady, Mrs. Taylor, for an announcement.

Mrs. TAYLOR. Thank you, Mr. Speaker.

The Republican Caucus will have an informal meeting immediately following the recess and a formal meeting at 1.

The SPEAKER pro tempore. The Chair thanks the lady.

DEMOCRATIC CAUCUS

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

Mr. CASORIO. Thank you, Mr. Speaker.

Mr. Speaker, the House Democrats will hold immediate informal discussions followed by a formal caucus at 1 p.m.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

RECESS

The SPEAKER pro tempore. Are there any further announcements?

Seeing none, this House now stands in recess until 2 p.m.

AFTER RECESS

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

**THE SPEAKER (JOHN M. PERZEL)
PRESIDING****BILLS REREPORTED FROM COMMITTEE****HB 15, PN 3167**

By Rep. FEESE

An Act amending Titles 18 (Crimes and Offenses) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the Substance Abuse Education and Demand Reduction Fund and for penalties.

APPROPRIATIONS.

HB 565, PN 3400 (Amended)

By Rep. FEESE

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.

APPROPRIATIONS.

HB 601, PN 3053

By Rep. FEESE

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for chemical testing to determine amount of alcohol or controlled substance.

APPROPRIATIONS.

HB 760, PN 3000

By Rep. FEESE

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing, in child protective services, for definitions, for release of information in confidential reports, for investigating performance of county agency, for annual reports to the Governor and General Assembly, for services for prevention, investigation and treatment of child abuse and for reports to Department of Public Welfare and coroner.

APPROPRIATIONS.

HB 1591, PN 1997

By Rep. FEESE

An Act amending the act of March 20, 2002 (P.L.154, No.13), known as the Medical Care Availability and Reduction of Error (Mcare) Act, extending patient safety standards to certain abortion facilities.

APPROPRIATIONS.

HB 1725, PN 2192

By Rep. FEESE

An Act amending the act of May 25, 1945 (P.L.1050, No.394), known as the Local Tax Collection Law, further providing for basic and continuing education programs for tax collectors; providing for records in possession of tax collector; further providing for expenses paid by taxing districts and for discounts, penalties and notice; providing for compensation for interim tax bills; and further providing for penalty.

APPROPRIATIONS.

HB 1813, PN 3214

By Rep. FEESE

An Act providing for the allocation of funds to county mental health and mental retardation programs, for cost-of-living adjustments and for the promulgation of rules and regulations.

APPROPRIATIONS.

HB 2027, PN 2804

By Rep. FEESE

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for unlawful devices and methods.

APPROPRIATIONS.

HB 2210, PN 3074

By Rep. FEESE

An Act designating a portion of State Route 422 in Berks County as the Sergeant William V. Fernandez Highway.

APPROPRIATIONS.

HB 2215, PN 3089

By Rep. FEESE

An Act authorizing and directing the Department of General Services, with the approval of the Department of Military and Veterans' Affairs and the Governor, to grant and convey, at a price determined through competitive bidding, certain lands situate in Columbia Borough, Lancaster County.

APPROPRIATIONS.

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

HB 617, PN 3401 (Amended)

By Rep. GANNON

An Act relating to crane operator licensure; establishing the State Board of Crane Operators; conferring powers and imposing duties; making an appropriation; and imposing penalties.

PROFESSIONAL LICENSURE.

HB 1022, PN 3497 (Amended)

By Rep. GANNON

An Act providing for long-term care patient access to pharmaceuticals; and conferring powers and duties on the State Board of Pharmacy and the Legislative Budget and Finance Committee.

PROFESSIONAL LICENSURE.

HB 1472, PN 1790

By Rep. O'BRIEN

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for invasion of privacy and for registration.

JUDICIARY.

HB 1966, PN 2699

By Rep. O'BRIEN

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for sexual offender registration procedures and applicability.

JUDICIARY.

HB 2117, PN 2912

By Rep. O'BRIEN

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for sentencing procedure for murder of the first degree.

JUDICIARY.

HB 2171, PN 3010

By Rep. O'BRIEN

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for conduct relating to sex offenders; imposing a penalty; and providing for sentences for sex offenders.

JUDICIARY.

HB 2203, PN 3071

By Rep. O'BRIEN

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for grading of the offense of failure to comply with registration of sexual offenders requirements.

JUDICIARY.

HB 2303, PN 3227

By Rep. GANNON

An Act amending the act of September 27, 1961 (P.L.1700, No.699), known as the Pharmacy Act, further providing for licensure; and imposing functions on the Commissioner of Professional and Occupational Affairs and the Legislative Reference Bureau.

PROFESSIONAL LICENSURE.

LEAVE OF ABSENCE CANCELED

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

SUPPLEMENTAL CALENDAR B

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1725, PN 2192**, entitled:

An Act amending the act of May 25, 1945 (P.L.1050, No.394), known as the Local Tax Collection Law, further providing for basic and continuing education programs for tax collectors; providing for records in possession of tax collector; further providing for expenses paid by taxing districts and for discounts, penalties and notice; providing for compensation for interim tax bills; and further providing for penalty.

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?

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

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—194

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

NAYS—0

NOT VOTING—1

Lederer

EXCUSED—7

Dermody	Forcier	Harper	Saylor
Diven	Gruitza	Rieger	

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 2027, PN 2804**, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for unlawful devices and methods.

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?

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

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—193

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

Curry	Keller, M.	Pyle	Waters
Daley	Keller, W.	Quigley	Watson
Dally	Kenney	Ramaley	Wheatley
DeLuca	Killion	Rapp	Williams
Denlinger	Kirkland	Raymond	Wilt
DeWeese	Kotik	Readshaw	Wojnaroski
DiGiroloamo	LaGrotta	Reed	Wright
Donatucci	Leach	Reichley	Yewcic
Eachus	Leh	Roberts	Youngblood
Ellis	Lescovitz	Roebuck	Yudichak
Evans, D.	Levdansky	Rohrer	Zug
Evans, J.	Mackereth	Rooney	
Fabrizio	Maher	Ross	
Fairchild	Maitland	Rubley	Perzel,
Feese	Major	Ruffing	Speaker

NAYS-1

Crahalla

NOT VOTING-1

Lederer

EXCUSED-7

Dermody	Forcier	Harper	Saylor
Diven	Gruitza	Rieger	

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 1813, PN 3214**, entitled:

An Act providing for the allocation of funds to county mental health and mental retardation programs, for cost-of-living adjustments and for the promulgation of rules and regulations.

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?

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

Mr. VITALI. Thank you, Mr. Speaker.

Would the maker of the bill stand for brief interrogation?

The SPEAKER. The gentleman, Mr. Kenney, indicates he will stand. The gentleman is in order and may proceed.

Mr. VITALI. Could we initially have a brief explanation of this bill?

Mr. KENNEY. Yes. Thank you, Mr. Speaker.

This bill creates the community Mental Health and Mental Retardation Program Services and Support Act within the Department of Public Welfare. The reason for the legislation is, working with groups throughout Pennsylvania, Arc (Advocacy & Resources for Citizens), Vision for EQuality, the

Rehabilitation Facilities, organizations that are caring for our most vulnerable citizens, the mentally retarded and those with mental health, they wanted some assurances that every year they were not fighting to keep the funding they already had. And so what we propose is, not only with that funding that the previous year provided them, that we did not every budget season have to negotiate for a cost-of-living agreement; that this would be in place; every budget cycle this would be automatic.

Mr. VITALI. Okay. So this would be— For example, in the past several years, how much of an automatic cost increase would this have been?

Mr. KENNEY. As you know, the past couple years we have negotiated for about a 2-percent cost of living, and that was just simply through budget negotiations. So we have not guaranteed anything in this going forward.

Mr. VITALI. But if your legislation is in effect, I am trying to get a sense for how much would this yield to this particular line item every year. I am trying to get a sense for what we are guaranteeing.

Mr. KENNEY. I do not have the number to provide you. We are asking that it be indexed based on the Home Health Agency Market Basket Index, which is published by the Federal Register, but I am sorry, I do not have the dollar figure for you.

Mr. VITALI. Okay. And could you outline again what particular line item of the budget would be guaranteed this cost-of-living increase?

Mr. KENNEY. Within the Department of Public Welfare, the community MH/MR (mental health/mental retardation) programs budget line.

Mr. VITALI. Now, is there a reason for treating this particular line item different from, you know, the thousands—

Mr. KENNEY. Yeah.

Mr. VITALI. —of other line items in the budget? Why should this particular program get an automatic cost-of-living increase as opposed to all the other worthwhile programs in the budget?

Mr. KENNEY. There are other programs that are guaranteed increases that are already within the department. What we were trying to do is, as you know, this is a very vulnerable population, very difficult to maintain a work force, you know, in this environment, and as we continue to move to community services, moving these residents into the community programs, we thought it important that we assure that that work force can have some assurances that there will be adequate funding, you know, to address the concerns of the growing population of individuals with these disabilities.

Mr. VITALI. I just want to get it out now. It is my understanding that the Rendell administration opposes this bill. That is what was referenced in caucus. I just wanted to check that information.

Mr. KENNEY. This bill was before the Health and Human Services Committee. I have not heard that they oppose it. I know who supports it; as I said, the MH/MR program administrators, the Pennsylvania Association of Rehabilitation Facilities, the Pennsylvania Community Providers Association, the Mental Health Association of Pennsylvania, the Vision for EQuality, the Arc of Pennsylvania, but to answer your question—

Mr. VITALI. Please.

Mr. KENNEY. —I do not know where the Rendell administration stands.

Mr. VITALI. Okay. Thank you.

Mr. KENNEY. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Surra.

Mr. SURRA. Thank you, Mr. Speaker.

And I rise to support the Kenney legislation. Many of us, for a long time, have been trying to help give a little pay increase to our MH and MR providers and work force across the Commonwealth, but I just cannot sit here without saying something to remind this House of the hypocrisy that exists. The administration opposes this measure because it is going to be an increase in cost, and again, the only criticism I have of this legislation is, we should be doing this with the budget. We should not be passing the budget before we even have budget hearings.

Ask yourself this: How does this fit in with a cap spending limit on State government? How does this fit in with the Taxpayer's Bill of Rights that was all across our newspapers that was supported by many members in this body? It is a good program; something we have all supported; very necessary. But those two lines do not go in the same direction, Mr. Speaker, and I just want to point that out. Every day it is the same story. You cannot be for cutting taxes, capping growth, and increasing spending. Now, if we could print money like Washington, maybe we could be about that, but we cannot here in Pennsylvania. We have to have a balanced budget.

I just left a great press conference for a great organization, the Big Brothers and Big Sisters program, and we are going to work to try to put a \$5 million line item to make sure that that program is properly funded, and that program has great results. How does that fit into the Taxpayer's Bill of Rights scenario? So as we vote on these things and as we all stand up and pontificate, just keep that in mind.

Thank you.

LEAVE OF ABSENCE

The SPEAKER. The Chair returns to leaves of absence. The minority whip requests a leave of absence for the remainder of the week for the gentleman from Philadelphia, Mr. BLACKWELL. Without objection, that leave will be granted.

CONSIDERATION OF HB 1813 CONTINUED

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

Mr. CAPPELLI. Thank you, Mr. Speaker.

Would the gentleman from Philadelphia stand for brief interrogation?

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

Mr. CAPPELLI. Thank you, Mr. Speaker.

Mr. Speaker, do you have any figures or numbers on the number of community-based direct-care workers who are employed across the Commonwealth contractually through service agencies in counties?

Mr. KENNEY. No, I do not have those numbers.

Mr. CAPPELLI. Do you have any figures on the number of community-based MH/MR residents who have been transitioned back home and are residing in these community-based group homes?

Mr. KENNEY. Mr. Speaker, if you would just give me a second, we will look those up.

Mr. CAPPELLI. Thank you, Mr. Speaker.

Mr. KENNEY. Mr. Speaker, 208,000 people with mental illness are being served in community settings, with 2,256 patients still receiving care in 10 State facilities; 90,815 people with mental retardation are being served in community settings, with 1,473 residents still living in 6 State institutions. The community-based MH/MR services are now provided by a \$3 billion State and federally funded service system.

Mr. CAPPELLI. Thank you, Mr. Speaker.

So we have roughly 260,000 citizens being served in the community vis-à-vis community-based residential settings versus less than 5,000 being served through State hospitals and intermediate-care facilities. Is that accurate?

Mr. KENNEY. It is closer to 300,000 in the community and a little less than 5,000 in State institutions.

Mr. CAPPELLI. Thank you, Mr. Speaker.

Mr. Speaker, do you happen to know the average, statewide average hourly rate for a community-based direct-care worker in Pennsylvania?

Mr. KENNEY. The latest figures we have are, they make about \$8 an hour, about \$15,000 a year.

Mr. CAPPELLI. Would you know the, Mr. Speaker, would you know the average hourly wage or annual salary of their State Department of Welfare counterpart?

Mr. KENNEY. It is about twice the amount, about a little over \$15 an hour, which equates to double that salary.

Mr. CAPPELLI. Thank you, Mr. Speaker. That is very close to the figures that I have.

Lastly, Mr. Speaker, are you aware or do you have a percentage relative to the turnover rate annually for community-based direct-care workers?

Mr. KENNEY. Presently the latest figure we have on turnover is around 42 percent.

Mr. CAPPELLI. Thank you, Mr. Speaker. That concludes my interrogation.

If I could speak on the bill?

The SPEAKER. The gentleman is in order.

Mr. CAPPELLI. Thank you, Mr. Speaker.

I strongly rise in support of HB 1813 and want to commend Chairman Kenney for his leadership on this issue. We have fought mightily, since I arrived here in 2001, with three different administrations, two Republican and one Democrat, to try and provide these professionals, these men and women who work and have dedicated themselves to attendant care 24 hours a day, 7 days a week, in service to some of our most vulnerable citizens. And I firmly contend and have made this clear to Secretary Richman that if any department in this Commonwealth needs to prioritize its fiscal plan annually, it is the Department of Public Welfare.

Too many citizens who cannot take care of themselves are being left by the wayside. Those who suffer from mental health and mental retardation obviously cannot care for themselves, and when we are providing an average hourly rate of a mere \$8 an hour to men and women who are nutritionists, who are nurses, who are physical therapists, who are true professional attendants, this type of recompense, it is no wonder we are seeing the horrendous turnover rate annually of some 40 to 42 percent.

Mr. Speaker, I would ask that we support HB 1813 to ensure that the 260-plus-thousand citizens in this State who depend on quality care and their families can be assured of that care through a livable wage that the Kenney bill represents.

I thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Nailor.

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

Clearly, there has been a trend in Pennsylvania to close our State facilities and to move these patients back into the community-based homes. The last couple of years for mental retardation, I know there have been increases of about 2 percent, but prior to that, I believe for the previous 3 years, there was nothing whatsoever given for the increased costs for providing these services for these very vulnerable people in our community.

These are citizens that, through no fault of their own, face some very serious challenges that many of us do not want to identify, we do not want to hear about; we just want to leave it alone and let it go away. But the State government does have a responsibility here, and I think this bill, HB 1813, addresses some of those responsibilities and commitments that State government should make.

Again, they are individuals who depend on us. Their families depend on us. They cannot turn this off at 4:30, their serious challenges, and they cannot take a weekend off. These families and these individuals and those that provide those services that we expect from them for these very vulnerable individuals do this on a daily basis, and I think as a State government we have a commitment, and I openly support HB 1813.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Petrone.

Mr. PETRONE. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of the Kenney legislation, and I commend Representative Kenney for pointing out a critical problem in this Commonwealth with the care of these people who so badly need help.

I have worked on legislation for loan forgiveness for MH/MR workers for 10 years. I have HB 49 in the Senate, which we pray will get action in this year, but I commend Representative Kenney and ask for everybody to support the bill and the needs of the people that are affected by this.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—194

Adolph	Fichter	Major	Ruffing
Allen	Fleagle	Manderino	Sainato
Argall	Flick	Mann	Samuelson
Armstrong	Frankel	Markosek	Santoni
Baker	Freeman	Marsico	Sather
Baldwin	Gabig	McCall	Scavello
Barrar	Gannon	McGeehan	Schroder
Bastian	Geist	McGill	Semmel
Bebko-Jones	George	McIlhattan	Shaner

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Blackwell	Diven	Gruitza	Rieger
Dermody	Forcier	Harper	Saylor

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 760, PN 3000**, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing, in child protective services, for definitions, for release of information in confidential reports, for investigating performance of county agency, for annual reports to the Governor and General Assembly, for services for prevention, investigation and treatment of child abuse and for reports to Department of Public Welfare and coroner.

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Blackwell	Diven	Gruitza	Rieger
Dermody	Forcier	Harper	Saylor

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 2215, PN 3089**, entitled:

An Act authorizing and directing the Department of General Services, with the approval of the Department of Military and Veterans' Affairs and the Governor, to grant and convey, at a price determined through competitive bidding, certain lands situate in Columbia Borough, Lancaster County.

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

DiGirolamo	LaGrotta	Readshaw	Wojnaroski
Donatucci	Leach	Reed	Wright
Eachus	Lederer	Reichley	Yewcic
Ellis	Leh	Roberts	Youngblood
Evans, D.	Lescovitz	Roebuck	Yudichak
Evans, J.	Levdansky	Rohrer	Zug
Fabrizio	Mackereth	Rooney	
Fairchild	Maher	Ross	Perzel,
Feese	Maitland	Ruble	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-8

Blackwell	Diven	Gruitza	Rieger
Dermody	Forcier	Harper	Saylor

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 CONCURRENCE
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 894, PN 2133**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for program of continuing professional development.

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

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

On that question, the gentleman from Westmoreland, Mr. Stairs.

Mr. STAIRS. Thank you, Mr. Speaker.

Representative Saylor is not present today, and he had asked if I would speak about his legislation if indeed it was brought up today. I want to ask the members to give a favorable vote in concurrence.

This is a bill that the Education Committee had worked on. It was done primarily for retired teachers. If a teacher had taught many, many years – and there is really a personal attachment to the certificate – and if they do not go back to teaching in the classroom, under the professional development proposal, they would have to give up their certificate, and we put it in this legislation so they could keep their certificate. If they go back to the classroom and teach for more than a year, whether it be an emergency or whatever the purpose would be, then they would have to get into the procedure of certification, professional development, like any other teacher would, but if they are not going to teach, they do not have to go through the 180 hours of professional development.

So the teachers groups and the school boards I think agree on this now, and I am hoping that the legislature will concur with Representative Saylor in his legislation that we had worked on in our committee.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

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

The following roll call was recorded:

YEAS-194

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

NAYS-0

NOT VOTING-0

EXCUSED—8

Blackwell	Diven	Gruitza	Rieger
Dermody	Forcier	Harper	Saylor

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

Ordered, That the clerk inform the Senate accordingly.

SUPPLEMENTAL CALENDAR C

RULES SUSPENDED

The SPEAKER. The Chair turns to supplemental calendar C, HB 565, PN 3400.

The Chair recognizes the gentleman, Mr. Baker.

Mr. BAKER. Mr. Speaker, I move for an immediate suspension of the rules for consideration of HB 565, PN 3400.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—194

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

Eachus	Lederer	Reichley	Yewcic
Ellis	Leh	Roberts	Youngblood
Evans, D.	Lescovitz	Roebuck	Yudichak
Evans, J.	Levdansky	Rohrer	Zug
Fabrizio	Mackereth	Rooney	
Fairchild	Maher	Ross	Perzel,
Feese	Maitland	Rubley	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—8

Blackwell	Diven	Gruitza	Rieger
Dermody	Forcier	Harper	Saylor

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

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 565, PN 3400**, entitled:

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.

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—193

Adolph	Fleagle	Manderino	Sainato
Allen	Flick	Mann	Samuelson
Argall	Frankel	Markosek	Santoni
Armstrong	Freeman	Marsico	Sather
Baker	Gabig	McCall	Scavello
Baldwin	Gannon	McGeehan	Schroder
Barrar	Geist	McGill	Semmel
Bastian	George	McIlhattan	Shaner
Bebko-Jones	Gerber	McIlhinney	Shapiro
Belardi	Gergely	McNaughton	Siptroth
Belfanti	Gillespie	Melio	Smith, B.
Benninghoff	Gingrich	Metcalfe	Smith, S. H.
Beyer	Godshall	Micozzie	Solobay
Biancucci	Good	Millard	Sonney
Birmelin	Goodman	Miller, R.	Staback
Bishop	Grell	Miller, S.	Stairs
Blaum	Grucela	Mundy	Steil
Boyd	Habay	Mustio	Stern
Bunt	Haluska	Myers	Stetler
Buxton	Hanna	Nailor	Stevenson, R.
Caltagirone	Harhai	Nickol	Stevenson, T.
Cappelli	Harhart	O'Brien	Sturla
Casorio	Harris	Oliver	Surra
Causar	Hasay	O'Neill	Tangretti

Cawley	Hennessey	Pallone	Taylor, E. Z.
Civera	Herman	Parker	Taylor, J.
Clymer	Hershey	Payne	Thomas
Cohen	Hess	Petrarca	Tigue
Cornell	Hickernell	Petri	True
Corrigan	Hutchinson	Petrone	Turzai
Costa	James	Phillips	Veon
Crahalla	Josephs	Pickett	Vitali
Creighton	Kauffman	Pistella	Walko
Cruz	Keller, M.	Preston	Wansacz
Curry	Keller, W.	Pyle	Waters
Daley	Kenney	Quigley	Watson
Dally	Killion	Ramaley	Wheatley
DeLuca	Kirkland	Rapp	Williams
Denlinger	Kotik	Raymond	Wilt
DeWeese	LaGrotta	Readshaw	Wojnaroski
DiGirolamo	Leach	Reed	Wright
Donatucci	Lederer	Reichley	Yewcic
Eachus	Leh	Roberts	Youngblood
Ellis	Lescovitz	Roebuck	Yudichak
Evans, D.	Levdansky	Rohrer	Zug
Evans, J.	Mackereth	Rooney	
Fabrizio	Maher	Ross	
Feese	Maitland	Rubley	Perzel,
Fichter	Major	Ruffing	Speaker

NAYS-0

NOT VOTING-1

Fairchild

EXCUSED-8

Blackwell	Diven	Gruitza	Rieger
Dermody	Forcier	Harper	Saylor

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.

SUPPLEMENTAL CALENDAR B CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 601, PN 3053**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for chemical testing to determine amount of alcohol or controlled substance.

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

Mr. **ADOLPH** offered the following amendment No. **A04091**:

Amend Title, page 1, line 2, by inserting after “providing” for period of disqualification, revocation or suspension of operating privilege and

Amend Bill, page 1, lines 6 and 7, by striking out all of said lines and inserting

Section 1. Section 1541(a.1) of Title 75 of the Pennsylvania Consolidated Statutes is amended to read:

§ 1541. Period of disqualification, revocation or suspension of operating privilege.

* * *

(a.1) Credit toward serving period of suspension for certain violations.—Credit toward serving the period of suspension or revocation imposed for sections 1543(b)(1.1) (relating to driving while operating privilege is suspended or revoked), 3732 (relating to homicide by vehicle), 3735 (relating to homicide by vehicle while driving under [the] influence), 3735.1 (relating to aggravated assault by vehicle while driving under the influence), 3742 (relating to accidents involving death or personal injury), 3802 (relating to driving under influence of alcohol or controlled substance) and 3808(a)(2) (relating to illegally operating a motor vehicle not equipped with ignition interlock) shall not commence until the date of the person’s release from prison.

* * *

Section 2. Section 1547 of Title 75 is amended by adding a subsection to read:

Amend Sec. 2, page 2, line 6, by striking out “2” and inserting
3

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

The following roll call was recorded:

YEAS-194

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

Evans, J.	Levdansky	Rohrer	Zug
Fabrizio	Mackereth	Rooney	
Fairchild	Maher	Ross	Perzel,
Feese	Maitland	Rubley	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—8

Blackwell	Diven	Gruitza	Rieger
Dermody	Forcier	Harper	Saylor

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

On the question,

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

The SPEAKER. Would the gentleman, Mr. Vitali, please come to the rostrum.

(Conference held at Speaker's podium.)

ANNOUNCEMENT BY SPEAKER

The SPEAKER. At tomorrow's session we will be recognizing the 300th birthday of Benjamin Franklin. Unless a member tells us otherwise, we are adding all of the members' names to the resolution. The Chair apologizes. The resolution will be introduced tomorrow.

CONSIDERATION OF HB 601 CONTINUED

The SPEAKER. The gentleman, Mr. Vitali, has withdrawn his amendment.

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—194

Adolph	Fichter	Major	Ruffing
Allen	Fleagle	Manderino	Sainato
Argall	Flick	Mann	Samuelson
Armstrong	Frankel	Markosek	Santoni
Baker	Freeman	Marsico	Sather
Baldwin	Gabig	McCall	Scavello
Barrar	Gannon	McGeehan	Schroder
Bastian	Geist	McGill	Semmel

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Blackwell	Diven	Gruitza	Rieger
Dermody	Forcier	Harper	Saylor

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

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

BILLS SIGNED BY SPEAKER

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

HB 87, PN 81

An Act amending the act of January 19, 1968 (1967 P.L.992, No.442), entitled, as amended, "An act authorizing the Commonwealth of Pennsylvania and the local government units thereof to preserve, acquire or hold land for open space uses," defining "municipal

corporation"; further providing for property acquired in fee simple and for local taxing option; and making an editorial change.

HB 894, PN 2133

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 program of continuing professional development.

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

TRANSPORTATION COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman, Mr. Marsico, for the purpose of an announcement.

Mr. MARSICO. Mr. Speaker, the Transportation Committee will meet in room 205 of the Ryan Office Building immediately upon the declaration of recess.

The SPEAKER. The Chair thanks the gentleman.

At the recess the Transportation Committee will meet in room 205 of the Ryan Office Building.

The Chair recognizes the gentleman, Mr. Stairs, for the purpose of an announcement.

The gentleman withdraws that announcement.

There will be no further votes on the floor of the House today.

There will be a voting session tomorrow at 11.

RECESS

The SPEAKER. The House stands in recess.

AFTER RECESS

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

BILLS AND RESOLUTIONS PASSED OVER

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

RECESS

The SPEAKER. The Chair recognizes the gentleman from Montgomery, Mr. Gerber.

Mr. GERBER. Mr. Speaker, I move that this House do now recess until Wednesday, January 25, 2006, at 11 a.m., e.s.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 10:59 a.m., e.s.t., Wednesday, January 25, 2006, the House recessed.