

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, JUNE 6, 2006

SESSION OF 2006

190TH OF THE GENERAL ASSEMBLY

No. 33

HOUSE OF REPRESENTATIVES

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

THE SPEAKER PRO TEMPORE (MATTHEW E. BAKER) PRESIDING

PRAYER

REV. JULIANN V. WHIPPLE, Chaplain of the House of Representatives, offered the following prayer:

Today is the anniversary of D-day, the day when 150,000 Allied soldiers landed on the shores of Normandy and over 9,000 were killed or wounded. Today it seems fitting to offer up our prayers to God as did so many Americans on that day, a day when even the hustle and bustle of Union Station for a few fleeting moments became and was later described as a house of worship.

Let us pray:

God of our Fathers, no matter how we continue to evolve, tragedy often reminds us to turn to You in prayer. It reminds us all of the transient nature of life, the price of human folly, the need for healing, and the enduring, steadfast hope found within the human heart. We look back, O Lord, to remind ourselves of where we have been, and we would ask that You would lead us as You did our predecessors.

We pray for all those on the battlefields around the world this day, that You would give them strength in the convictions of their faith so they would never feel alone or deserted. Surround their families who wait at home for them with compassionate people on whom they can rely while their loved ones are away. Help us never to forget how blessed we are to live in this country of Yours and the incredibly high cost paid for our freedom.

As we bow down before You this morning, we pray that by Your help we may be worthy to receive Your blessings upon our efforts. In this place may people see truth upheld, honesty loved, and kindness practiced. May our private lives and our public actions be consistent with our prayers. 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, June 5, 2006, will be postponed until printed.

JOURNALS APPROVED

The SPEAKER pro tempore. However, the following Journals are printed and are approved:

Monday, December 12;
Tuesday, December 13;
Wednesday, December 14;
Thursday, December 15; and
Tuesday, December 20, 2005.

HOUSE BILLS INTRODUCED AND REFERRED

No. 902 By Representatives TIGUE, BELFANTI, BEYER, BOYD, BUXTON, CALTAGIRONE, CAPPELLI, COHEN, DALEY, FRANKEL, FREEMAN, GEORGE, GOODMAN, GRUCELA, LEDERER, MANDERINO, MANN, MARSICO, MUNDY, PARKER, PISTELLA, READSHAW, REICHLEY, ROEBUCK, SANTONI, SCAVELLO, STABACK, STERN, R. STEVENSON, E. Z. TAYLOR, WALKO, WANSACZ, YUDICHAK, McILHATTAN, STURLA, J. TAYLOR and SIPTROTH

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further defining "educational improvement organization"; and expanding educational improvement organization contribution beneficiaries to include nonpublic schools.

Referred to Committee on EDUCATION, June 6, 2006.

No. 2699 By Representatives KENNEY, OLIVER, WATSON, ROSS, BEBKO-JONES, BISHOP, JAMES, KIRKLAND, MYERS, WATERS, ADOLPH, BARRAR, BLACKWELL, BOYD, BUXTON, CALTAGIRONE, CIVERA, COHEN, COSTA, CRAHALLA, CRUZ, DALLY, DERMODY, FABRIZIO, GANNON, GEORGE, GILLESPIE, GODSHALL, GOODMAN, HARHART, HENNESSEY, HESS, W. KELLER, KILLION, LEACH, LEDERER, LEVDANSKY, MACKERETH, MAHER, MAITLAND, MANN, McGEEHAN, MICOZZIE, O'BRIEN, PARKER, PETRONE, PHILLIPS, QUIGLEY, RAYMOND, ROEBUCK, RUBLEY, SABATINA, SHAPIRO, SIPTROTH,

T. STEVENSON, E. Z. TAYLOR, J. TAYLOR, THOMAS, TIGUE, TRUE, WILLIAMS, YUDICHAK, O'NEILL, SATHER and CORNELL

An Act authorizing and directing the Department of Public Welfare to establish and maintain a managed health care program for medical assistance recipients; requiring actuarially sound rates for certain managed care organizations; providing for the right of appeal and approval by the General Assembly of changes to the Commonwealth medical assistance plan and associated waivers; and repealing inconsistent portions of other acts.

Referred to Committee on HEALTH AND HUMAN SERVICES, June 6, 2006.

No. 2715 By Representatives BAKER, BELFANTI, CLYMER, PICKETT, BASTIAN, BEYER, CALTAGIRONE, CAPPELLI, CAUSER, CAWLEY, GEIST, GINGRICH, GOODMAN, HARPER, HASAY, JAMES, KILLION, MAITLAND, MANN, MARKOSEK, McGEEHAN, MICOZZIE, R. MILLER, MUNDY, NAILOR, PALLONE, PETRARCA, PHILLIPS, REED, REICHLEY, SCAVELLO, SCHRODER, SIPTROTH, SOLOBAY, TANGRETTI, E. Z. TAYLOR, THOMAS, TIGUE, WALKO, WILT, YOUNGBLOOD and FABRIZIO

An Act amending the act of June 24, 1976 (P.L.424, No.101), referred to as the Emergency and Law Enforcement Personnel Death Benefits Act, extending benefits to State or county probation or parole officers, investigators or supervisors.

Referred to Committee on STATE GOVERNMENT, June 6, 2006.

No. 2716 By Representatives BAKER, BELFANTI, CLYMER, PICKETT, ALLEN, BASTIAN, BEYER, CALTAGIRONE, CAPPELLI, CAUSER, CAWLEY, DALEY, DENLINGER, GABIG, GEIST, GINGRICH, GOODMAN, GRUCELA, HARPER, HASAY, HESS, JAMES, JOSEPHS, KILLION, LEACH, LEDERER, MAITLAND, MANN, MARKOSEK, McGEEHAN, McILHATTAN, MICOZZIE, R. MILLER, PALLONE, PETRARCA, PHILLIPS, REED, REICHLEY, SCAVELLO, SCHRODER, SIPTROTH, SOLOBAY, STABACK, E. Z. TAYLOR, J. TAYLOR, THOMAS, TIGUE, WALKO, WILT, WRIGHT and YOUNGBLOOD

An Act amending the act of December 16, 1998 (P.L.980, No.129), known as the Police Officer, Firefighter, Correction Employee and National Guard Member Child Beneficiary Education Act, extending benefits to State or county probation and parole officers.

Referred to Committee on STATE GOVERNMENT, June 6, 2006.

No. 2717 By Representatives MELIO, GEORGE, WOJNAROSKI, CALTAGIRONE, BEBKO-JONES, BELARDI, BELFANTI, BLACKWELL, BUNT, COHEN, CORRIGAN, CRAHALLA, DeWEESE, FLEAGLE, FREEMAN, GOODMAN, GRUCELA, JAMES, KOTIK, LaGROTTA, LEACH, MAHER, MARKOSEK, O'NEILL, PARKER, PETRARCA, PISTELLA, REICHLEY, ROONEY, SANTONI, SEMMEL, SIPTROTH, B. SMITH, SOLOBAY, STABACK, SURRA, TANGRETTI, J. TAYLOR, THOMAS,

TIGUE, WALKO, YOUNGBLOOD, SCHRODER and FABRIZIO

An Act providing for a shared-ride program for persons with disabilities; ensuring Statewide coverage; and making an appropriation.

Referred to Committee on TRANSPORTATION, June 6, 2006.

No. 2718 By Representatives O'NEILL, McILHATTAN, BEBKO-JONES, BELFANTI, BEYER, CALTAGIRONE, CAWLEY, CRAHALLA, CREIGHTON, DeWEESE, FABRIZIO, FREEMAN, GEIST, GEORGE, GOODMAN, GRUCELA, HARHAI, HENNESSEY, JAMES, KOTIK, LEDERER, MARKOSEK, McGEEHAN, MYERS, PALLONE, PARKER, PAYNE, PHILLIPS, PISTELLA, PYLE, SCAVELLO, SIPTROTH, SOLOBAY, SURRA, E. Z. TAYLOR, THOMAS, TIGUE and YOUNGBLOOD

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, providing for reimbursement for prosthetic devices.

Referred to Committee on HEALTH AND HUMAN SERVICES, June 6, 2006.

No. 2719 By Representatives CLYMER, BAKER, BALDWIN, BASTIAN, BELFANTI, BENNINGHOFF, CALTAGIRONE, DALLY, DeLUCA, DeWEESE, GEORGE, GINGRICH, GOODMAN, GRUCELA, HENNESSEY, HERSHEY, KOTIK, LEACH, LEDERER, MARKOSEK, PETRARCA, PICKETT, PISTELLA, READSHAW, REED, SATHER, SAYLOR, SCAVELLO, STERN, E. Z. TAYLOR, TIGUE, WANSACZ, WOJNAROSKI, YOUNGBLOOD, FABRIZIO and SIPTROTH

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, providing for increase to State supplemental assistance for persons in personal care homes and for the abrogation of regulations.

Referred to Committee on HEALTH AND HUMAN SERVICES, June 6, 2006.

No. 2720 By Representatives ROBERTS, COHEN and CALTAGIRONE

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, further providing for solicitors' compensation.

Referred to Committee on STATE GOVERNMENT, June 6, 2006.

No. 2721 By Representatives T. STEVENSON, ALLEN, BEBKO-JONES, CAWLEY, COHEN, FLAHERTY, FRANKEL, GEORGE, GOODMAN, KOTIK, MANN, McGEEHAN, SCAVELLO, SOLOBAY, E. Z. TAYLOR, WILT, O'NEILL, SIPTROTH and J. TAYLOR

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for onsite automatic external defibrillators.

Referred to Committee on EDUCATION, June 6, 2006.

No. 2723 By Representatives O'BRIEN, T. STEVENSON, CAPPELLI, KILLION, LEACH, MANN, McILHATTAN, MELIO, MUSTIO, PALLONE, READSHAW, R. STEVENSON, E. Z. TAYLOR, J. TAYLOR, WALKO and YOUNGBLOOD

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, further providing for certification of employees.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, June 6, 2006.

No. 2724 By Representatives T. STEVENSON, O'BRIEN, CAPPELLI, KILLION, LEACH, MANN, McILHATTAN, MELIO, MUSTIO, PALLONE, READSHAW, R. STEVENSON, E. Z. TAYLOR, J. TAYLOR, THOMAS, WALKO and YOUNGBLOOD

An Act amending the act of May 23, 1945 (P.L.926, No.369), referred to as the Public Eating and Drinking Place Law, further providing for requirements of public eating and drinking places.

Referred to Committee on HEALTH AND HUMAN SERVICES, June 6, 2006.

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
June 5, 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, June 12, 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, June 12, 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.

BILL REMOVED FROM TABLE

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

Mr. S. SMITH. Mr. Speaker, I move that the following bill be taken off the table: HB 1462.

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

BILL TABLED

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

Mr. S. SMITH. Mr. Speaker, I move that the following bill be placed on the table: HB 1462.

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

GUESTS INTRODUCED

The SPEAKER pro tempore. The Chair would like to acknowledge the following guests of Representative Josh Shapiro who are seated in the gallery. They are Melissa Curry, Haben Goitom, Daniel Knox, Katherine Mason, Marissa Parker, Mena Ryley, Francesca Schoenwandt, Gabriela Arce de Smith, Amy Sparrow, Aaron Walker, Stephanie Wenger, Steven White, and Anatasia Sheffler-Wood. Please rise and be recognized.

LEAVES OF ABSENCE

The SPEAKER pro tempore. Are there requests of leaves of absence?

The Chair recognizes the majority whip, who requests a leave of absence for the day for the gentleman, Mr. PHILLIPS, from Northumberland County, and the gentleman, Mr. McILHINNEY, from Bucks County. Without objection, the leaves of absence are granted.

GUESTS INTRODUCED

The SPEAKER pro tempore. The Chair welcomes the board of supervisors of Hilltown Township, Bucks County, along with the township manager. They are the guests of Representative Kathy Watson and are visiting Harrisburg for the day. They are located in the balcony. 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—200

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

ADDITIONS—1

Rooney

NOT VOTING—0

EXCUSED—2

McIlhinney Phillips

LEAVES ADDED—6

Cornell	LaGrotta	O'Brien	Sather
Donatucci	McGill		

LEAVES CANCELED—3

McIlhinney O'Brien Phillips

GUEST INTRODUCED

The SPEAKER pro tempore. The Chair welcomes Bryanna Hahn, a sophomore at Penn State and a summer intern at the district office, who is a guest of Representative Karen Beyer, located to the left of the Speaker. Please rise and be recognized.

NAZARETH HOSPITAL RECOGNIZED

The SPEAKER pro tempore. Most people are not aware if they are at risk for a stroke. That is why it is important to learn the warning signs and risk factors, because stroke is a medical emergency.

As part of their outreach to the community, Nazareth Hospital's first-class stroke team members are here today raising awareness of the signs of a stroke and emphasizing the importance of early medical treatment. Nazareth Hospital has been ranked number one in Pennsylvania and among the top 5 percent nationwide for stroke treatment for the past 3 years.

I invite all members and staff to go to the East Wing for a stroke risk assessment by this award-winning team of professionals. They will be there until 2 o'clock. Apparently they are there now.

I now have this special privilege of introducing a very special guest who has joined us here in the chamber. I invite the members to give a warm and heartfelt welcome to Nazareth Hospital's president and CEO (chief executive officer), Patricia B. DeAngelis, seated here in the front to my left. Pat, will you stand and be recognized.

And Pat is accompanied by Christina Fitz-Patrick, chief operating officer; and Mary Ann Carter, vice president for Mission Ministry/Healthy Community at the hospital. Welcome, ladies. Please rise and be recognized.

GUEST INTRODUCED

The SPEAKER pro tempore. I am pleased to announce and welcome Maegen Demko, who is serving as a guest page with us today. Maegen is the guest of Representative Todd Eachus. She will be graduating from Hazleton Area School District at the end of this week and will be attending Boston University in the fall. Welcome, Maegen.

RULES COMMITTEE MEETING

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

BILL ON CONCURRENCE
REPORTED FROM COMMITTEE

SB 157, PN 1803 (Amended)

By Rep. S. SMITH

An Act amending the act of December 31, 1965 (P.L.1257, No.511), known as The Local Tax Enabling Act, further providing for delegation of taxing powers and restrictions thereon; providing for local services taxes; repealing provisions relating to emergency and municipal services taxes and to continuation of occupational privilege taxes; further providing for collection of and restricted use of certain taxes; and making editorial changes.

RULES.

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.

EDWIN SCHOLL INTRODUCED

The SPEAKER pro tempore. The Chair at this time recognizes the gentleman, Mr. McGill, who has an introduction.

Mr. MCGILL. Thank you, Mr. Speaker.

If you look down to the front of the House, you will see a gentleman dressed in Lewis and Clark attire. It is Ed Scholl from my district, and he is joined here today with his brother, George, also from Horsham, and his brother, Eugene. Ed has been part of the Lewis and Clark Expedition, and not being an expert on Lewis and Clark, although I did pick up quite a bit from the PowerPoint presentation that was given in the rotunda this morning, it is my pleasure to allow our resident expert on Lewis and Clark, Representative Lynn Herman, to say a few words for our honored guest up front.

The SPEAKER pro tempore. The gentleman is recognized and may proceed.

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

If I could have everybody's attention. As most of you know, Representative Frank Pistella and I cochair the House History Caucus, and as part of cochairing the House History Caucus, I have been following the Lewis and Clark Trail for the last 4 years.

These years, 2003-2006, mark the bicentennial of the famed Lewis and Clark Expedition through the Louisiana Purchase Territory, across the Rocky Mountains, to the Pacific Ocean, and on return. This year, 2006, marks the bicentennial of their return trip back to St. Louis. I had the great fortune to meet Ed Scholl in Fort Mandan last year as he was portraying and still does portray a fellow Pennsylvanian.

Now, Lewis and Clark, the captains, are famed for their expedition. They also took with them approximately 45 men, and some of these people were from Pennsylvania. One of them was Pvt. Hugh Hall from Carlisle, Pennsylvania.

And Mr. Scholl, when I met him in Fort Mandan and we exchanged pleasantries, as he was asking me to unveil or unfold a Pennsylvania flag, told me that he was from Pennsylvania portraying a fellow Pennsylvanian. I asked him at some point in time during his reenacting for the past 4 years, please come to the State Capitol and make a presentation to each and every one of us. So Ed Scholl portrays Pvt. Hugh Hall from Carlisle. Pvt. Hugh Hall at that time was approximately 31 years old. He was 5 foot 8 inches tall, had gray eyes, light hair, and as described in military records, a sandy complexion, but he was one of those that Lewis and Clark interviewed when they camped in 1803 at Camp Dubois and recruited him as one of their expeditionary soldiers.

So I am very pleased to present to you Pvt. Hugh Hall, who actually is being portrayed, reenacted by Ed Scholl of Philadelphia.

Now, Mr. Scholl gave a presentation this morning in the Capitol Rotunda to a group of schoolchildren, as well as to our

visitors, but for every one of you, I want to invite you to a luncheon, where Ed is going to make himself available at a luncheon at the Ryan Office Building from noon to 1 o'clock, for a nice luncheon, and also you can talk with him about his experiences being a reenactor and portraying Pvt. Hugh Hall from Carlisle in Pennsylvania.

Thank you very much, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

GUESTS INTRODUCED

The SPEAKER pro tempore. The Chair welcomes John and Barbara Hasson and Peter and Alice Anne Bossov of Montgomery County, representing Crossing the Finish Line, a charity which gives vacation respites to families suffering terminal illnesses. They are the guests today of Representative Kate Harper, and they are located in the balcony. Please rise and be recognized.

LEAVE OF ABSENCE

The SPEAKER pro tempore. Returning to leaves of absence, the majority whip requests a leave of absence for the gentlelady, Miss CORNELL, from Montgomery County. Without objection, the leave of absence will be granted.

CALENDAR**RULES SUSPENDED**

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

Mr. LEVDANSKY. Mr. Speaker, I move for a suspension of the rules for the immediate consideration of HR 676.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—199

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

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

NAYS—0

NOT VOTING—1

Rooney

EXCUSED—3

Cornell McIlhinney Phillips

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

RESOLUTION

Mr. LEVDANSKY called up **HR 676, PN 3782**, entitled:

A Concurrent Resolution urging the Pennsylvania Congressional Delegation to support legislation calling for Federal approval of the extension of the Lewis and Clark National Historic Trail.

On the question,
Will the House adopt the resolution?

The SPEAKER pro tempore. On that question, the gentleman, Mr. Levdansky, is recognized.

Mr. LEVDANSKY. Thank you, Mr. Speaker.

Mr. Speaker, while the western part of the Lewis and Clark Expedition and the Corps of Discovery from the heartland of our country to the Pacific Ocean is justly famous, many people are not aware of Pennsylvania's key role in this expedition. Meriwether Lewis trained for the trip in Pennsylvania and obtained goods and equipment from State merchants. He departed Elizabeth on August 31, 1803, in a keelboat that was built by John Walker at the Bayard shipyards in Elizabeth. He traveled up the, I am sorry, down, which is northward, along

the Monongahela River to the city of Pittsburgh and eventually down the Ohio River on the first section of the journey.

This joint resolution would urge our Federal lawmakers to support legislation that would extend the national trail eastward so that the story of the entire trip, including the contributions of Pennsylvania as well as eight other States, might be recognized and taught to all Americans.

The Lewis and Clark National Trail was designated a historic trail on March 21, 1978. According to the National Park Service, the 3,700-mile trail is the second longest of 23 national trails, beginning in Hartford, Illinois, and passing through 10 other Midwestern and Western States. Mr. Speaker, this concurrent resolution would urge our Federal lawmakers to extend that national trail back through, back through the States that incorporate the earliest part of the Lewis and Clark Expedition, beginning in Philadelphia, extending across the State to Elizabeth, Pennsylvania, up to Pittsburgh, and down the Ohio River.

Mr. Speaker, I would urge your support for this concurrent resolution.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Centre County, Mr. Herman.

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

And as my colleague, Representative Levdansky, has so eloquently spoken, I forgot in my earlier remarks to inform the members of Pennsylvania's key role in the incipient stages of the Lewis and Clark Expedition across the continent, and many of our very famous Pennsylvanians were very instrumental in Philadelphia as well as in Lancaster in ensuring that he had the intellect and the training and the knowledge that he needed to make this expedition the success that it was.

But I also forgot to mention that earlier this year, just a month ago, I introduced, this General Assembly, this House of Representatives, had also passed HR 713, which commends Ed Scholl for his 4-year portrayal of Pvt. Hugh Hall in the Discovery Expedition in St. Charles, Missouri, and thereafter. And I had also forgot to mention that Ed shared with me today and reminded me that when I met him in Fort Mandan, North Dakota, I presented him with a small commemorative flag, a 3-inch by 5-inch flag of Pennsylvania, a Pennsylvania flag, which he informed me today that he carries with him every day since that time to make him aware that this actually started in Pennsylvania, and he is in Pennsylvania portraying a fellow Pennsylvanian, Pvt. Hugh Hall.

And so thank you very much, Mr. Speaker, for allowing me to also add those remarks to the record.

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—199

Adolph	Fichter	Maher	Sabatina
Allen	Flaherty	Maitland	Sainato
Argall	Fleagle	Major	Samuelson
Armstrong	Flick	Manderino	Santoni
Baker	Forcier	Mann	Sather
Baldwin	Frankel	Markosek	Saylor

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

NAYS-0

NOT VOTING-1

Rooney

EXCUSED-3

Cornell McIlhinney Phillips

The majority of the members elected to the House having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

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

GUESTS INTRODUCED

The SPEAKER pro tempore. The Chair is pleased to introduce Mr. William J. McNulty. He is a retired deputy commissioner of the Philadelphia Fire Department. He is a guest of the Honorable Dennis O'Brien, and Mr. McNulty is seated in the gallery. Please rise and be recognized.

Representative Thaddeus Kirkland would like the House to welcome as his guests the Alpha Kappa Alpha Sorority, Inc. They are here today, and they are seated in the upper balcony. Please rise and be recognized.

RESOLUTIONS PURSUANT TO RULE 35

Mr. WHEATLEY called up **HR 753, PN 4056**, entitled:

A Resolution designating the week of May 1 through 7, 2006, as "Cover the Uninsured Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-198

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

NAYS-0

NOT VOTING—2

Roebuck Rooney

EXCUSED—3

Cornell McIlhinney Phillips

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

* * *

Mr. SHANER called up **HR 756, PN 4059**, entitled:

A Resolution honoring Pennsylvania Army National Guard Specialist Brian Sheetz for his heroism and bravery in saving the lives of his fellow soldiers while serving in Iraq.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

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

Ellis	Leach	Roberts	Yudichak
Evans, D.	Lederer	Rohrer	Zug
Evans, J.	Leh	Ross	
Fabrizio	Lescovitz	Rubley	
Fairchild	Levdansky	Ruffing	Perzel,
Feese	Mackereth	Sabatina	Speaker

NAYS—0

NOT VOTING—3

Cruz Roebuck Rooney

EXCUSED—3

Cornell McIlhinney Phillips

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

* * *

The SPEAKER pro tempore. Members, please take your seats. We are about to take up a condolence resolution for a fallen soldier hero. Members, please take your seats.

Mr. KILLION called up **HR 758, PN 4068**, entitled:

A Resolution honoring the life and extending condolences for the supreme sacrifice of Marine Corps Sergeant James F. Fordyce of Newtown Square, Delaware County, who was killed on February 17, 2006, in a helicopter crash off the coast of Djibouti during the performance of duties in support of Operation Enduring Freedom.

On the question,
Will the House adopt the resolution?

The SPEAKER pro tempore. On that question, the gentleman, Mr. Killion, is recognized.

Mr. KILLION. Thank you, Mr. Speaker.

I am pleased to stand here today. This is tough duty, and I am going to keep my remarks brief, as I will be presenting this resolution to the family at an event in Newtown Square, Pennsylvania, my legislative district. They were unable to be here today. But I am looking for your vote on behalf of Sgt. James Fordyce, a hero, a Pennsylvania hero, who on his second tour of duty in Iraq perished with nine of his fellow servicemen when their helicopter crashed.

Please vote in favor of this bill. I appreciate your help. This is a fine young man, and I would like to extend condolences from the entire House to his family.

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—199

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

NAYS—0

NOT VOTING—1

Rooney

EXCUSED—3

Cornell McIlhinney Phillips

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

* * *

Mr. ROHRER called up **HR 759, PN 4069**, entitled:

A Resolution expressing support for broader access to the cooperative Farm Credit System.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—199

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

NAYS—0

NOT VOTING—1

Rooney

EXCUSED-3

Cornell McIlhinney Phillips

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

* * *

Mr. SOLOBAY called up **HR 768, PN 4100**, entitled:

A Resolution designating the month of June 2006 as “Foster Grandparent Program Month” in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-198

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

Fabrizio Fairchild Lescovitz Levdansky Rubley Ruffing Perzel, Speaker

NAYS-0

NOT VOTING-2

Roebuck Rooney

EXCUSED-3

Cornell McIlhinney Phillips

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

* * *

Mr. LEACH called up **HR 769, PN 4101**, entitled:

A Resolution designating June 10, 2006, as “Alex’s Lemonade Stand Day” in Pennsylvania and encouraging all citizens to contribute to the Alex’s Lemonade Stand Foundation and other pediatric cancer research programs.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-199

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

DeLuca	Keller, M.	Ramaley	Watson
Denlinger	Keller, W.	Rapp	Wheatley
Dermody	Kenney	Raymond	Williams
DeWeese	Killion	Readshaw	Wilt
DiGirolamo	Kirkland	Reed	Wojnaroski
Diven	Kotik	Reichley	Wright
Donatucci	LaGrotta	Rieger	Yewcic
Eachus	Leach	Roberts	Youngblood
Ellis	Lederer	Roebuck	Yudichak
Evans, D.	Leh	Rohrer	Zug
Evans, J.	Lescovitz	Ross	
Fabrizio	Levdansky	Rubley	Perzel,
Fairchild	Mackereth	Ruffing	Speaker
Feese			

NAYS—0

NOT VOTING—1

Rooney

EXCUSED—3

Cornell McIlhinney Phillips

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

* * *

Mr. W. KELLER called up **HR 770, PN 4102**, entitled:

A Resolution designating May 22, 2006, as “Pennsylvania Ports Day” in recognition of all the publicly and privately owned ports, port authorities and maritime-related businesses in this Commonwealth.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

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

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

NAYS—0

NOT VOTING—2

Roebuck Rooney

EXCUSED—3

Cornell McIlhinney Phillips

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

* * *

Mr. STERN called up **HR 771, PN 4103**, entitled:

A Resolution proclaiming the week of June 12 through 18, 2006, as “State Veterans’ Home Week.”

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—199

Adolph	Fichter	Maher	Sabatina
Allen	Flaherty	Maitland	Sainato
Argall	Fleagle	Major	Samuelson
Armstrong	Flick	Manderino	Santoni
Baker	Forcier	Mann	Sather
Baldwin	Frankel	Markosek	Saylor
Barrar	Freeman	Marsico	Scavello
Bastian	Gabig	McCall	Schroder
Bebko-Jones	Gannon	McGeehan	Semmel
Belardi	Geist	McGill	Shaner
Belfanti	George	McIlhatten	Shapiro
Benninghoff	Gerber	McNaughton	Siptroth
Beyer	Gergely	Melio	Smith, B.
Biancucci	Gillespie	Metcalfe	Smith, S. H.
Birmelin	Gingrich	Micozzie	Solobay
Bishop	Godshall	Millard	Sonney

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

NAYS-0

NOT VOTING-1

Rooney

EXCUSED-3

Cornell McIlhinney Phillips

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

* * *

Ms. PICKETT called up **HR 773, PN 4105**, entitled:

A Resolution designating June 4, 2006, as "Veterans Appreciation Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-199

Adolph	Fichter	Maher	Sabatina
Allen	Flaherty	Maitland	Sainato
Argall	Fleagle	Major	Samuelson
Armstrong	Flick	Manderino	Santoni
Baker	Forcier	Mann	Sather
Baldwin	Frankel	Markosek	Saylor

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

NAYS-0

NOT VOTING-1

Rooney

EXCUSED-3

Cornell McIlhinney Phillips

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

GUEST INTRODUCED

The SPEAKER pro tempore. The Chair welcomes Jenna Lewis, a student at Penn State University, daughter of President Judge Richard Lewis of Dauphin County. She is the guest of Representative Ron Marsico, and she is located to the left of the Speaker. Please rise and be recognized.

STATEMENT BY MR. MCGEEHAN

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. McGeehan, upon unanimous consent, and the gentleman may proceed.

Mr. MCGEEHAN. Thank you, Mr. Speaker.

Mr. Speaker, today could not pass without recognizing the significance of this day, June 6, and the events that happened in 1944. Obviously this day in history marks D-day, and if I may, Mr. Speaker, with our young men and women fighting abroad at this moment, if I could read an excerpt from a national radio broadcast that was broadcast that afternoon before the events of June 6 of 1944 were certain. President Roosevelt spoke to the nation that day. If I may, Mr. Speaker, begin.

President Roosevelt said, "My Fellow Americans:

"Last night, when I spoke with you about the fall of Rome, I knew at that moment that troops of the United States and our Allies were crossing the Channel in another and greater operation. It has come to pass with success thus far.

"And so, in this poignant hour, I ask you to join with me in prayer:

"Almighty God: Our sons, pride of our nation, this day have set upon a mighty endeavor, a struggle to preserve our Republic, our religion, and our civilization, and to set free a suffering humanity.

"Lead them straight and true; give strength to their arms, stoutness to their hearts, steadfastness in their faith.

"They will need Thy blessings. Their road will be long and hard. For the enemy is strong. He may hurl back our forces. Success may not come with rushing speed, but we shall return again and again; and we know that by Thy grace, and by the righteousness of our cause, our sons will triumph.

"They will be sore tried, by night and by day, without rest – until the victory is won. The darkness will be rent by noise and flame. Men's souls will be shaken with the violences of war....

"Some will never return. Embrace these, Father, and receive them, Thy heroic servants, into Thy kingdom.

"And for us at home – fathers, mothers, children, wives, sisters, and brothers of brave men overseas, whose thoughts and prayers are ever with them – help us, Almighty God, to rededicate ourselves in renewed faith in Thee in this hour of great sacrifice....

"With Thy blessing, we shall prevail over the unholy forces of our enemy. Help us to conquer the apostles of greed and racial arrogances. Lead us to the saving of our country, and with our sister nations into a world unity that will spell a sure peace – a peace invulnerable to the schemings of unworthy men. And a peace that will let all of men live in freedom, reaping the just rewards of their honest toil.

"Thy will be done, Almighty God.

"Amen.

"Franklin D. Roosevelt – June 6, 1944."

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and commends our World War II veterans, both fallen and living.

REPUBLICAN CAUCUS

The SPEAKER pro tempore. The Chair has been advised that the Republican Caucus will meet at 12:30.

DEMOCRATIC CAUCUS

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

Mr. COHEN. Mr. Speaker, the House Democratic Caucus will meet immediately upon the call of the recess.

The SPEAKER pro tempore. The Chair thanks the gentleman.

We expect to return to the floor at 2 p.m.

ANNOUNCEMENT BY MR. HERMAN

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

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

I would like to remind members that the House History Caucus is sponsoring a luncheon at the foyer of the Ryan Office Building at noon where you will have an opportunity to speak personally with Mr. Ed Scholl, who has portrayed Pvt. Hugh Hall of the Lewis and Clark Expedition. So I encourage everybody to come for a luncheon and conversation with Mr. Scholl, who will make himself available at that time.

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, the House stands in recess until the call of the Chair.

We expect to be back at 2 p.m.

AFTER RECESS

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

LEAVE OF ABSENCE CANCELED

The SPEAKER pro tempore. Without objection, the Chair returns to leave of absence and notes the presence of the gentleman, Mr. Phillips, on the floor, and he will be added to the master roll call.

SENATE MESSAGE**HOUSE BILL
CONCURRED IN BY SENATE**

The clerk of the Senate, being introduced, returned **HB 2304, PN 3228**, with information that the Senate has passed the same without amendment.

LEAVES OF ABSENCE

The SPEAKER pro tempore. The Chair recognizes the minority whip, who requests a leave of absence for the gentleman, Mr. LaGROTTA. Without objection, the leave of absence is granted.

The Chair recognizes the majority whip, who requests a leave of absence for the gentleman, Mr. McGILL, and the gentleman, Mr. SATHER. Without objection, the leaves of absence are granted.

Returning to leaves of absence, the Chair receives a request for a leave of absence from the majority whip, who requests a leave of absence for the gentleman, Mr. O'BRIEN. Without objection, the leave is granted.

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 names of James Sovich and Matthew Baxter, who have 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 James Sovich and Matthew Baxter.

Whereas, James Sovich and Matthew Baxter 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 these young men. They are members of Troop 280.

Now therefore, Mr. Speaker and the members of the House of Representatives, it is my privilege to congratulate and place in the Legislative Journal the names of James Sovich and Matthew Baxter.

CALENDAR CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of HB 901, PN 3978, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for lighting on motorcycles.

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

The SPEAKER pro tempore. 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-196

Table with 4 columns: Adolph, Allen, Argall, Armstrong, Feese, Fichter, Flaherty, Fleagle, Maher, Maitland, Major, Manderino, Sabatina, Sainato, Samuelson, Santoni

Table with 4 columns of names: Baker, Baldwin, Barrar, Bastian, Bebk-Jones, Belardi, Belfanti, Benninghoff, Beyer, Biancucci, Birmelin, Bishop, Blackwell, Blaum, Boyd, Bunt, Buxton, Caltagirone, Cappelli, Casorio, Causer, Cawley, Civera, Clymer, Cohen, Corrigan, Costa, Crahalla, Creighton, Cruz, Curry, Daley, Dally, DeLuca, Denlinger, Dermody, DeWeese, DiGirolamo, Diven, Donatucci, Eachus, Ellis, Evans, D., Evans, J., Fabrizio, Fairchild, Flick, Forcier, Frankel, Freeman, Gabig, Gannon, Geist, George, Gerber, Gergely, Gillespie, Gingrich, Godshall, Good, Goodman, Grell, Grucela, Gruitza, Haluska, Hanna, Harhai, Harhart, Harper, Harris, Hasay, Hennessey, Herman, Hershey, Hess, Hickernell, Hutchinson, James, Josephs, Kauffman, Keller, M., Keller, W., Kenney, Killion, Kirkland, Kotik, Leach, Lederer, Leh, Lescovitz, Levdansky, Mackereth, Mann, Markosek, Marsico, McCall, McGeehan, McIlhattan, McNaughton, Melio, Metcalfe, Micozzie, Millard, Miller, R., Miller, S., Mundy, Mustio, Myers, Nailor, Nickol, Oliver, O'Neill, Pallone, Parker, Payne, Petrarca, Petri, Petrone, Phillips, Pickett, Pistella, Preston, Pyle, Quigley, Ramaley, Rapp, Raymond, Readshaw, Reed, Reichley, Rieger, Roberts, Roebuck, Rohrer, Ross, Rubley, Ruffing, Saylor, Scavello, Schroder, Semmel, Shaner, Shapiro, Sipthro, Smith, B., Smith, S. H., Solobay, Sonney, Staback, Stairs, Steil, Stern, Stetler, Stevenson, R., Stevenson, T., Sturla, Surra, Tangretti, Taylor, E. Z., Taylor, J., Thomas, Tigue, True, Turzai, Veon, Vitali, Walko, Wansacz, Waters, Watson, Wheatley, Williams, Wilt, Wojnaroski, Wright, Yewcic, Youngblood, Yudichak, Zug, Perzel, Speaker

NAYS-0

NOT VOTING-1

Rooney

EXCUSED-6

Table with 4 columns: Cornell, LaGrotta, McGill, McIlhinney, O'Brien, Sather

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 1195, PN 1401, entitled:

An Act amending the act of July 6, 1989 (P.L.169, No.32), known as the Storage Tank and Spill Prevention Act, further providing for Underground Storage Tank Pollution Prevention Program.

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

The SPEAKER pro tempore. 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—196

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

NAYS—0

NOT VOTING—1

Rooney

EXCUSED—6

Cornell	McGill	O'Brien	Sather
LaGrotta	McIlhinney		

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 2399, PN 3961**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for grading the offense of impersonating a public servant.

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

The SPEAKER pro tempore. 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—196

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

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

NAYS-0

NOT VOTING-1

Rooney

EXCUSED-6

Cornell	McGill	O'Brien	Sather
LaGrotta	McIlhinney		

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 2401, PN 3435**, entitled:

An Act amending the act of March 7, 1901 (P.L.20, No.14), referred to as the Second Class City Law, further providing for penalty for false personification.

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

The SPEAKER pro tempore. 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?

LEAVE OF ABSENCE CANCELED

The SPEAKER pro tempore. The Chair recognizes the presence of the gentleman, Mr. McIlhinney, on the floor of the House, and he shall be added to the master roll call.

CONSIDERATION OF HB 2401 CONTINUED

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS-197

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

NAYS-0

NOT VOTING-1

Rooney

EXCUSED-5

Cornell	McGill	O'Brien	Sather
LaGrotta			

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.

GUEST INTRODUCED

The SPEAKER pro tempore. The Chair welcomes Josiah Shelly, a summer intern in the district office, who is a senior at York College and is the guest of Representative Baldwin, and Josiah is located to the left of the Speaker. Please rise and be recognized.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2402, PN 3436**, entitled:

An Act amending the act of June 25, 1919 (P.L.581, No.274), referred to as the First Class City Government Law, further providing for penalty for false personification.

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

The SPEAKER pro tempore. 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—197

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

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

NAYS—0

NOT VOTING—1

Rooney

EXCUSED—5

Cornell	McGill	O'Brien	Sather
LaGrotta			

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 2403, PN 3437**, entitled:

An Act repealing the act of June 1, 1915 (P.L.708, No.326), entitled "An act to prevent the wearing of the badge of the Bureau of Police, in cities of the first class, by unauthorized persons, and providing a penalty therefor."

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

The SPEAKER pro tempore. 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—197

Adolph	Feese	Maher	Sabatina
Allen	Fichter	Maitland	Sainato
Argall	Flaherty	Major	Samuelson
Armstrong	Fleagle	Manderino	Santoni

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

NAYS-0

NOT VOTING-1

Rooney

EXCUSED-5

Cornell	McGill	O'Brien	Sather
LaGrotta			

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.

STATEMENT BY MRS. BEYER

The SPEAKER pro tempore. For what purpose does the gentelady, Mrs. Beyer, rise?

Mrs. BEYER. A point of personal privilege, Mr. Speaker.

The SPEAKER pro tempore. The gentelady will state her personal privilege.

Mrs. BEYER. I would just like to comment for the record that the previous four bills that have been voted on affirmatively and unanimously by my colleagues, I would like to express my personal gratitude to my colleagues. These bills were extraordinarily important, and I would like to just share very quickly how these bills came about.

My brother, William Brown, is a Westmoreland County detective, and there were a rash of incidents in the western part of the State where someone was going around impersonating a police officer with the intent to victimize, and what we did is, by passing this today affirmatively in the House – and I hope that the Senate passes it very quickly and the Governor signs it – what we will do is, we are passing legislation that protects specifically women and children from being victimized, and I thank my colleagues for passing these bills.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the lady.

RULES SUSPENDED

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

Mr. S. SMITH. Mr. Speaker, I move for an immediate suspension of the rules for consideration of SB 303.

On the question,

Will the House agree to the motion?

LEAVE OF ABSENCE

The SPEAKER pro tempore. The Chair returns to leaves of absence and, at the request of the minority whip, requests a leave of absence for the gentleman, Mr. DONATUCCI. Without objection, the leave of absence is granted.

RULES SUSPENSION CONTINUED

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS-196

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

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

NAYS-0

NOT VOTING-1

Rooney

EXCUSED-6

Cornell	LaGrotta	O'Brien	Sather
Donatucci	McGill		

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 **SB 303, PN 1780**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for fees for constables.

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS-195

Adolph	Flaherty	Maitland	Sabatina
Allen	Fleagle	Major	Sainato
Argall	Flick	Manderino	Samuelson
Armstrong	Forcier	Mann	Santoni
Baker	Frankel	Markosek	Saylor
Baldwin	Freeman	Marsico	Scavello
Barrar	Gabig	McCall	Schroder
Bastian	Gannon	McGeehan	Semmel
Bebko-Jones	Geist	McLhattan	Shaner
Belardi	George	McIlhinney	Shapiro
Belfanti	Gerber	McNaughton	Sipthoth
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	Gruitza	Myers	Stetler
Buxton	Haluska	Nailor	Stevenson, R.
Caltagirone	Hanna	Nickol	Stevenson, T.
Cappelli	Harhai	Oliver	Sturla
Causar	Harhart	O'Neill	Surra
Cawley	Harper	Pallone	Tangretti
Civera	Harris	Parker	Taylor, E. Z.
Clymer	Hasay	Payne	Taylor, J.
Cohen	Hennessey	Petrarca	Thomas
Corrigan	Herman	Petri	Tigue
Costa	Hershey	Petrone	True
Crahalla	Hess	Phillips	Turzai
Creighton	Hickernell	Pickett	Veon
Cruz	Hutchinson	Pistella	Vitali
Curry	James	Preston	Walko
Daley	Josephs	Pyle	Wansacz
Dally	Kauffman	Quigley	Waters
DeLuca	Keller, M.	Ramaley	Watson
Denlinger	Keller, W.	Rapp	Wheatley
Dermody	Kenney	Raymond	Williams
DeWeese	Killion	Readshaw	Wilt
DiGirolamo	Kirkland	Reed	Wojnaroski
Diven	Kotik	Reichley	Wright
Eachus	Leach	Rieger	Yewcic
Ellis	Lederer	Roberts	Youngblood
Evans, D.	Leh	Roebuck	Yudichak
Evans, J.	Lescovitz	Rohrer	Zug
Fabrizio	Levdansky	Ross	
Fairchild	Mackereth	Rubley	Perzel,
Feese	Maher	Ruffing	Speaker
Fichter			

NAYS-1

Casorio

NOT VOTING-1

Rooney

EXCUSED-6

Cornell	LaGrotta	O'Brien	Sather
Donatucci	McGill		

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

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

RULES SUSPENDED

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

Mr. S. SMITH. Mr. Speaker, I request an immediate consideration of suspension of the rules for SB 775.

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

The following roll call was recorded:

YEAS—196

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

NAYS—0

NOT VOTING—1

Rooney

EXCUSED—6

Cornell	LaGrotta	O'Brien	Sather
Donatucci	McGill		

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.

MEMBER'S PRESENCE RECORDED

The SPEAKER pro tempore. The Chair recognizes the presence of the gentleman, Mr. Rooney, and his name will be added to the master roll call.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 775, PN 1795**, entitled:

An Act amending the act of June 19, 2002 (P.L.377, No.56), known as the Interstate Compact for the Supervision of Adult Offenders Act, imposing an application fee; providing for the collection and the use of the application fee; and providing for definitions.

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

The SPEAKER pro tempore. 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—197

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

Cappelli	Hanna	Oliver	Sturla
Casorio	Harhai	O'Neill	Surra
Causer	Harhart	Pallone	Tangretti
Cawley	Harper	Parker	Taylor, E. Z.
Civera	Harris	Payne	Taylor, J.
Clymer	Hasay	Petrarca	Thomas
Cohen	Hennessey	Petri	Tigue
Corrigan	Herman	Petrone	Tue
Costa	Hershey	Phillips	Turzai
Crahalla	Hess	Pickett	Veon
Creighton	Hickernell	Pistella	Vitali
Cruz	Hutchinson	Preston	Walko
Curry	James	Pyle	Wansacz
Daley	Josephs	Quigley	Waters
Dally	Kauffman	Ramaley	Watson
DeLuca	Keller, M.	Rapp	Wheatley
Denlinger	Keller, W.	Raymond	Williams
Dermody	Kenney	Readshaw	Wilt
DeWeese	Killion	Reed	Wojnaroski
DiGirolamo	Kirkland	Reichley	Wright
Diven	Kotik	Rieger	Yewcic
Eachus	Leach	Roberts	Youngblood
Ellis	Lederer	Roebuck	Yudichak
Evans, D.	Leh	Rohrer	Zug
Evans, J.	Lescovitz	Rooney	
Fabrizio	Levdansky	Ross	
Fairchild	Mackereth	Rubley	Perzel,
Feese	Maher	Ruffing	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—6

Cornell	LaGrotta	O'Brien	Sather
Donatucci	McGill		

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

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

RULES SUSPENDED

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

Mr. S. SMITH. Mr. Speaker, I request an immediate suspension of the rules for consideration of SB 986.

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

The following roll call was recorded:

YEAS—197

Adolph	Fichter	Maitland	Sabatina
Allen	Flaherty	Major	Sainato
Argall	Fleagle	Manderino	Samuelson
Armstrong	Flick	Mann	Santoni
Baker	Forcier	Markosek	Saylor
Baldwin	Frankel	Marsico	Scavello
Barrar	Freeman	McCall	Schroder
Bastian	Gabig	McGeehan	Semmel
Bebko-Jones	Gannon	McIlhattan	Shaner
Belardi	Geist	McIlhinney	Shapiro

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Cornell	LaGrotta	O'Brien	Sather
Donatucci	McGill		

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 **SB 986, PN 1317**, entitled:

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, further providing for personal property.

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

The SPEAKER pro tempore. 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—197

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Cornell	LaGrotta	O'Brien	Sather
Donatucci	McGill		

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

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

GUEST INTRODUCED

The SPEAKER pro tempore. The Chair welcomes Mr. Dan Flaherty from Lafayette College, who is here as a guest of Representative Sturla and is working in the district office as a summer intern. He is seated to the left of the Speaker. Please rise and be recognized.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 28, PN 3529**, entitled:

An Act authorizing the Department of Transportation, with the approval of the Governor, to grant and convey to the Philadelphia Redevelopment Authority a tract of land situate in the City of Philadelphia, Philadelphia County.

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

Mrs. **LEDERER** offered the following amendment No. **A06150**:

Amend Sec. 1, page 1, line 15, by striking out "14TH" and inserting

5th

Amend Sec. 1, page 2, line 5, by striking out "14TH" and inserting

5th

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

The following roll call was recorded:

YEAS—197

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

Cappelli	Hanna	Oliver	Sturla
Casorio	Harhai	O'Neill	Surra
Causer	Harhart	Pallone	Tangretti
Cawley	Harper	Parker	Taylor, E. Z.
Civera	Harris	Payne	Taylor, J.
Clymer	Hasay	Petrarca	Thomas
Cohen	Hennessey	Petri	Tigue
Corrigan	Herman	Petrone	True
Costa	Hershey	Phillips	Turzai
Crahalla	Hess	Pickett	Veon
Creighton	Hickernell	Pistella	Vitali
Cruz	Hutchinson	Preston	Walko
Curry	James	Pyle	Wansacz
Daley	Josephs	Quigley	Waters
Dally	Kauffman	Ramaley	Watson
DeLuca	Keller, M.	Rapp	Wheatley
Denlinger	Keller, W.	Raymond	Williams
Dermody	Kenney	Readshaw	Wilt
DeWeese	Killion	Reed	Wojnaroski
DiGiroloamo	Kirkland	Reichley	Wright
Diven	Kotik	Rieger	Yewcic
Eachus	Leach	Roberts	Youngblood
Ellis	Lederer	Roebuck	Yudichak
Evans, D.	Leh	Rohrer	Zug
Evans, J.	Lescovitz	Rooney	
Fabrizio	Levdansky	Ross	
Fairchild	Mackereth	Rubley	Perzel,
Feese	Maher	Ruffing	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-6

Cornell	LaGrotta	O'Brien	Sather
Donatucci	McGill		

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 pro tempore. 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-197

Adolph	Fichter	Maitland	Sabatina
Allen	Flaherty	Major	Sainato
Argall	Fleagle	Manderino	Samuelson
Armstrong	Flick	Mann	Santoni
Baker	Forcier	Markosek	Saylor
Baldwin	Frankel	Marsico	Scavello
Barrar	Freeman	McCall	Schroder
Bastian	Gabig	McGeehan	Semmel
Bebko-Jones	Gannon	McIlhattan	Shaner
Belardi	Geist	McIlhinney	Shapiro
Belfanti	George	McNaughton	Siptroth

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

NAYS-0

NOT VOTING-0

EXCUSED-6

Cornell	LaGrotta	O'Brien	Sather
Donatucci	McGill		

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.

RULES SUSPENDED

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

Mr. S. SMITH. Mr. Speaker, I ask for an immediate suspension of the rules for consideration of SB 1056.

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

The following roll call was recorded:

YEAS—197

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Cornell	LaGrotta	O'Brien	Sather
Donatucci	McGill		

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 **SB 1056, PN 1445**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for commercial driver's license requirements.

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

Mr. **WILT** offered the following amendment No. **A07873**:

Amend Title, page 1, line 3, by removing the period after "requirements" and inserting

and for operation of all-terrain vehicles and snowmobiles by persons under sixteen years of age.

Amend Bill, page 2, by inserting between lines 5 and 6

Section 3. Section 7725(b), (c) and (e) of Title 75 are amended and the section is amended by adding a subsection to read:

§ 7725. Operation by persons under age sixteen.

* * *

(b) Operation of an ATV by persons under eight years of age.—No person under eight years of age shall operate [a snowmobile or] an ATV upon State-owned land.

* * *

(b.2) Operation of a snowmobile by persons under ten years of age.—No person under ten years of age shall operate a snowmobile upon State-owned land.

(c) Snowmobile and ATV safety certification.—No person 8 to 15 years of age shall operate [a snowmobile or] an ATV and no person between 10 and 15 years of age shall operate a snowmobile in this Commonwealth unless the person satisfies one of the following conditions:

(1) Is under the direct supervision of a certified snowmobile or ATV safety instructor during a safety training course.

(2) Is on land owned or leased by a parent or legal guardian.

(3) Has received safety training as prescribed by the department and has received the appropriate safety certificate issued by the department.

(4) Holds an appropriate safety certificate issued under the authority of another state or Province of Canada and recognized by the department.

* * *

(e) Permitting unauthorized operation.—No owner of a snowmobile or an ATV shall authorize or permit the operation thereof within this Commonwealth by any person under 16 years of age unless the person under 16 years of age is the holder of a valid and appropriate safety certificate, or except as authorized in subsections (b), (b.2) and (c).

* * *

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 **SPEAKER** pro tempore. On that question, the gentleman, Mr. Vitali, is recognized.

Mr. **VITALI**. Could we just have a brief explanation of that one?

The SPEAKER pro tempore. The gentleman, Mr. Geist, has agreed, and he may proceed.

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

This is exactly the same amendment that was passed by the House before.

Mr. VITALI. Thank you, Mr. Speaker.

Could I continue with my interrogation?

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

Mr. VITALI. I really do not know what the contents are. Could you just sort of explain what is in the amendment?

Mr. GEIST. This will bring the age of riding a snowmobile on State land up from the age of 8 to 10.

Mr. VITALI. In other words, right now if you are an 8-year-old, you can ride, but that will increase it?

Mr. GEIST. Yes, it will.

Mr. VITALI. And that is basically all it does?

Mr. GEIST. That is it.

Mr. VITALI. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—197

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

DiGirolamo	Kirkland	Reichley	Wright
Diven	Kotik	Rieger	Yewcic
Eachus	Leach	Roberts	Youngblood
Ellis	Lederer	Roebuck	Yudichak
Evans, D.	Leh	Rohrer	Zug
Evans, J.	Lescovitz	Rooney	
Fabrizio	Levdansky	Ross	
Fairchild	Mackereth	Rubley	Perzel,
Feese	Maher	Ruffing	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—6

Cornell	LaGrotta	O'Brien	Sather
Donatucci	McGill		

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 pro tempore. 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—196

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

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

NAYS-1

Maitland

NOT VOTING-0

EXCUSED-6

Cornell	LaGrotta	O'Brien	Sather
Donatucci	McGill		

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

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

PARLIAMENTARY INQUIRY

The SPEAKER pro tempore. For what purpose does the gentleman, Mr. Daley, rise?

Mr. DALEY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. DALEY. Thank you, Mr. Speaker.

HR 299 was a study report that was sent to the Legislative Budget and Finance Committee, passed this House on June 29, 2005, on a unanimous vote, Mr. Speaker. That report was supposed to be delivered back to this House no later than January 31, 2006, pursuant to the resolution, Mr. Speaker. The finished study was delivered to the Legislative Budget and Finance Committee, to our knowledge, the last week of March 2006, and subsequent to that, a meeting was scheduled by the chairman and was sunshined and then it was canceled.

Mr. Speaker, as a parliamentary inquiry, we would like to know what we as a House can do to have that report produced to the House, and I talked to the Parliamentarian. I wanted to place these remarks on the record. I am not going to ask Mr. Myer to be on the spot at this point, because there are certain things that I may need to do for our Parliamentarian, but I wanted to place this on the record that we would like to have this report released pursuant to the resolution, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman, and we will look into this matter and report back to the gentleman.

Mr. DALEY. Thank you, Mr. Speaker.

I will provide the information to the Parliamentarian so that he will have the information necessary to make that inquiry to the Legislative Budget and Finance Committee.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2248, PN 3136**, entitled:

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."

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

The SPEAKER pro tempore. 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-152

Adolph	Flaherty	Markosek	Santoni
Argall	Flick	Marsico	Saylor
Barrar	Frankel	McCall	Semmel
Bastian	Freeman	McGeehan	Shaner
Bebko-Jones	Gabig	McIlhattan	Siptroth
Belardi	Gannon	McIlhinney	Smith, B.
Belfanti	George	McNaughton	Smith, S. H.
Beyer	Gerber	Melio	Solobay
Biancucci	Gergely	Micozzie	Staback
Bishop	Gingrich	Miller, R.	Stairs
Blackwell	Good	Mundy	Steil
Blaum	Goodman	Myers	Stetler
Bunt	Grucela	Nailor	Stevenson, R.
Buxton	Gruitza	Nickol	Stevenson, T.
Caltagirone	Haluska	Oliver	Sturla
Cappelli	Hanna	O'Neill	Surra
Casorio	Harhai	Pallone	Tangretti
Cawley	Harhart	Parker	Taylor, E. Z.
Civera	Harris	Payne	Taylor, J.
Clymer	Hasay	Petrarca	Thomas
Cohen	Hennessey	Petrone	Turzai
Corrigan	Herman	Pistella	Veon
Costa	Hershey	Preston	Vitali
Crahalla	Hutchinson	Pyle	Walko
Cruz	James	Ramaley	Wansacz
Curry	Josephs	Raymond	Waters
Daley	Keller, W.	Readshaw	Wheatley
Dally	Kenney	Reichley	Williams
DeLuca	Killion	Rieger	Wilt
Dermody	Kirkland	Roberts	Wojnaroski
DeWeese	Kotik	Roebuck	Wright
DiGirolamo	Leach	Rooney	Yewcic
Diven	Lederer	Ross	Youngblood
Eachus	Leh	Rubley	Yudichak

Evans, D.	Lescovitz	Ruffing	Zug
Evans, J.	Levdansky	Sabatina	
Fabrizio	Maitland	Sainato	
Feese	Manderino	Samuelson	Perzel,
Fichter	Mann		Speaker

NAYS-45

Allen	Fleagle	Mackereth	Rapp
Armstrong	Forcier	Maher	Reed
Baker	Geist	Major	Rohrer
Baldwin	Gillespie	Metcalfe	Scavello
Benninghoff	Godshall	Millard	Schroder
Birmelin	Grell	Miller, S.	Shapiro
Boyd	Harper	Mustio	Sonney
Causar	Hess	Petri	Stern
Creighton	Hickernell	Phillips	Tigue
Denlinger	Kauffman	Pickett	True
Ellis	Keller, M.	Quigley	Watson
Fairchild			

NOT VOTING-0

EXCUSED-6

Cornell	LaGrotta	O'Brien	Sather
Donatucci	McGill		

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.

RULES SUSPENDED

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

Mr. ARMSTRONG. Mr. Speaker, I move for an immediate suspension of the rules for consideration of HB 2318.

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

The following roll call was recorded:

YEAS-197

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

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

NAYS-0

NOT VOTING-0

EXCUSED-6

Cornell	LaGrotta	O'Brien	Sather
Donatucci	McGill		

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 2318, PN 3979**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for securing loads in vehicles by permitting an exception for forage transportation from the field to storage facilities.

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

Mr. **ARMSTRONG** offered the following amendment No. **A07832**:

Amend Sec. 1 (Sec. 4903), page 2, line 3, by inserting after "facilities"

unless hazardous driving conditions are created or caused thereby or otherwise result therefrom

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

The following roll call was recorded:

YEAS—196

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

NAYS—1

Miller, S.

NOT VOTING—0

EXCUSED—6

Cornell	LaGrotta	O'Brien	Sather
Donatucci	McGill		

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

The question is, shall the bill pass finally?

The Chair recognizes the gentleman, Mr. Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, will the prime sponsor consent to interrogation, please?

The SPEAKER pro tempore. The gentleman has agreed, and you may proceed, sir.

Mr. COHEN. Thank you.

Mr. Speaker, I appreciate the amendment we just passed that hopefully removed the traffic safety hazard that the bill may have imposed in its original language.

Will the gentleman explain why this bill is needed now?

Mr. ARMSTRONG. Thank you, Mr. Speaker.

In the State of Pennsylvania, there is currently what is known as a feather exemption, which exempts chicken haulers from having to pay fines. If incidental feathers blow off their trucks, they are not allowed to be fined for that by the State Police.

This bill simply expands the concept of that feather exemption to include small pieces of silage and small pieces of fodder that may unintentionally blow off a piece of agricultural rolling stock during harvest season.

Mr. COHEN. Is this a major problem in the farming communities?

Mr. ARMSTRONG. It is. Farmers can be cited for littering if plant material, however small, blows off their vehicles during harvest season. And keep in mind, it is not just the time that they lose. If they have got a piece of equipment that is contracted out at up to several hundred dollars an hour and that crew has to wait for a wagon or a truck to arrive or get back after being fined, this can cost more than just the fine. It can cost several hundred to several thousand dollars.

Mr. COHEN. And right now with this amendment, the new language does not apply if the debris is a traffic hazard?

Mr. ARMSTRONG. That is correct.

Just to point out a couple of words in this, "unintentional," "chopped fragments," "loose fragments." So this only applies to incidental, small debris that is of an infrequent nature. Obviously, if there is a dramatic case of maybe hay bales falling off a truck over, you know, an extended period of time or distance, that would obviously not be covered under this.

Mr. COHEN. Okay. Thank you, Mr. Speaker.

I have no further questions.

Mr. ARMSTRONG. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentlelady, Mrs. Miller.

Mrs. MILLER. Thank you, Mr. Speaker.

Mr. Speaker, prior to considering the previous amendment, I had tried to get the recognition of the Speaker and was unable to do that.

The SPEAKER pro tempore. The Chair apologizes.

Mrs. MILLER. However, I did want to stand on final passage to indicate why I was concerned about that amendment,

because it does place into the language of this much-needed bill a determination that I think may cause the agricultural community more legal headaches than was necessary, and, Mr. Speaker, that is because they are going to give to the State Police and other law enforcement the opportunity to define what is hazardous.

Mr. Speaker, this legislation was designed to deal with fragments of harvested crops that would blow off a vehicle. It was not intended to address an entire truckload of hay bales coming unattached from the truck or transport that is being used for it because it is not properly tied down.

Mr. Speaker, I am concerned about how this is going to play into when given to the local law enforcement the opportunity to determine where a few fragments of harvested crops, silage, corn fodder, whatever we are talking about is going to be on the highway and then could, unfortunately, be used against the farmer, through no fault of his own, through the opportunity for them to define what is hazardous.

I am very much supportive of this language that was initially introduced, Mr. Speaker. I am not asking that the members vote against this legislation. However, I do hope that we tighten up this determination of what is hazardous as this legislation proceeds through the Senate.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the lady.

The Chair recognizes the gentleman, Mr. Armstrong.

Mr. ARMSTRONG. Thank you, Mr. Speaker.

The concerns of my good friend from Berks County notwithstanding, this bill is supported by the Farm Bureau, the administration, the Department of Agriculture, the State Police, and the Department of Transportation, and I would urge an affirmative vote.

Thank you.

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—196

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

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

NAYS—1

Casorio

NOT VOTING—0

EXCUSED—6

Cornell	LaGrotta	O'Brien	Sather
Donatucci	McGill		

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.

RULES SUSPENDED

The SPEAKER pro tempore. The Chair recognizes the gentlelady, Mrs. Gingrich.

Mrs. GINGRICH. Mr. Speaker, I move for an immediate suspension of the rules for consideration of HB 1447, PN 1745.

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

The following roll call was recorded:

YEAS—197

Adolph	Fichter	Maitland	Sabatina
Allen	Flaherty	Major	Sainato
Argall	Fleagle	Manderino	Samuelson
Armstrong	Flick	Mann	Santoni
Baker	Forcier	Markosek	Saylor
Baldwin	Frankel	Marsico	Scavello
Barrar	Freeman	McCall	Schroder
Bastian	Gabig	McGeehan	Semmel
Bebko-Jones	Gannon	McIlhattan	Shaner
Belardi	Geist	McIlhinney	Shapiro
Belfanti	George	McNaughton	Siptroth

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

NAYS-0

NOT VOTING-0

EXCUSED-6

Cornell	LaGrotta	O'Brien	Sather
Donatucci	McGill		

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 1447, PN 1745**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for probable cause arrests in misdemeanor sexual offenses.

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

The SPEAKER pro tempore. 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 gentleman, Mr. DeLuca, is recognized.
Mr. DeLUCA. Thank you, Mr. Speaker.

Mr. Speaker, I had an amendment, which I want to withdraw, but I would like to comment on it first before I withdraw it.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. DeLUCA. This amendment, Mr. Speaker, addresses the hiring of illegal aliens. As you know, before we broke previous to the election, we did pass a bill pertaining to State grants pertaining to illegal aliens. Now, I am willing to withdraw this bill with the commitment that the Judiciary Committee will look at my bill in the committee to address this issue. As we know, this is a big issue on the Federal level, and I do not know what is going to happen there, but I know we can address this on the State level, and what this bill says is that anyone who hires an illegal alien and gets convicted of that by the immigration department, they would lose their professional license with the respective board, depending on where they are.

I think it is about time that we address this issue. We like to play the game of blaming the illegal aliens for coming over here. Well, let us put the blame where it belongs – on the employers who want to continue to drive down the wages, have cheap wages, and pay these individuals under the table. It is about time that Pennsylvania joins some of the other States to address this issue.

Now, I am going to withdraw this bill today, but there will be a lot of other titles coming out of the Judiciary Committee, and I certainly am willing to withdraw today, but if I cannot get that bill out of the committee, I will attach this bill to other bills coming up.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS-197

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

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

NAYS-0

NOT VOTING-0

EXCUSED-6

Cornell	LaGrotta	O'Brien	Sather
Donatucci	McGill		

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.

BILL ON FINAL PASSAGE

The House proceeded to consideration on final passage of **HB 1526, PN 1859**, entitled:

An Act amending the act of April 8, 1937 (P.L.262, No.66), known as the Consumer Discount Company Act, further providing for powers conferred on licensees.

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS-192

Adolph	Flaherty	Manderino	Sabatina
Allen	Fleagle	Mann	Sainato
Argall	Flick	Markosek	Samuelson
Armstrong	Forcier	Marsico	Santoni

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

NAYS-5

Casorio	Freeman	Maher	Vitali
Crahalla			

NOT VOTING-0

EXCUSED-6

Cornell	LaGrotta	O'Brien	Sather
Donatucci	McGill		

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.

ANNOUNCEMENT BY MR. PAYNE

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Payne, for an announcement.

Mr. PAYNE. Thank you, Mr. Speaker.

A point of personal privilege.

I just want to remind the members that tomorrow is the Pennsylvania NASCAR (National Association for Stock Car Auto Racing) Day at the Capitol. We plan on having the drivers in the House chamber when we start, and we do start early tomorrow at 10 o'clock. They are going to go from here to the Senate chambers at 10:30, and then they will be out on Commonwealth Avenue at 11 o'clock for the public event.

We have three or four – we have three confirmed; one maybe – drivers, and we have 14 race cars or pace cars coming to the event. Again, it is tomorrow out on Commonwealth Avenue. I would ask you to stop out and thank all the sponsors, Pennsylvania-based companies, who sponsor the race cars.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

RESOLUTION PURSUANT TO RULE 35

The SPEAKER. We are about to have a resolution on the death of a police officer.

Mr. TAYLOR called up **HR 772, PN 4104**, entitled:

A Resolution noting with sadness the untimely death of Philadelphia Police Officer Gary Frank Skerski on May 8, 2006, at 46 years of age.

On the question,

Will the House adopt the resolution?

The SPEAKER. In a moment I will call upon my good friend from Philadelphia, the gentleman, Mr. Taylor, who is the prime sponsor of HR 772, but first I ask for the privilege of making a few remarks of my own.

Today in adopting this resolution, we honor the memory of a man of extraordinary bravery, a man who died to keep our communities safe and our families secure, Officer Gary Frank Skerski of the Philadelphia police force, killed during an armed robbery in Northeast Philadelphia.

Today we think of what might have been of a man who died in the line of duty and his friends from whom he is forever separated. Some of you here today are lucky enough to have grandchildren. Today we reflect with sadness on a man who will be denied that blessing because the son of Chester and Mary, the husband of Anne, and the father of Robert and Nicole has fallen. We will always remember; we will always be proud; we will always be grateful.

To Gary Skerski's family members, I offer a heartfelt condolence. Your pain is immense. We have been moved by your sorrow; we grieve with you. May the memories of Officer Gary Skerski and the good deeds of the man wearing Badge No. 7379 sustain us all.

At this time I call upon the gentleman, Mr. Taylor.

Mr. TAYLOR. Thank you, Mr. Speaker.

I know that all of our members of the House dread the thought of losing anyone – any soldier, any guardsman, any police officer, or any other public servant – that would require any of us to stand here and do a condolence resolution in their honor.

A few months back I had the unfortunate obligation of standing here with regard to Gennaro Pelligrini, who was also a Philadelphia police officer, who was killed while on duty in Iraq. Never did I think I would be here again for somebody that many of us knew so well.

But today, along with Speaker Perzel and Representative McGeehan and on behalf of the entire Philadelphia delegation, we ask your support of HR 772, which expresses the sympathy of the entire House to the family, friends, and fellow officers of Philadelphia Police Officer Gary Skerski, who was killed while saving the lives of numerous citizens.

Officer Skerski was someone that, you know, in my day-to-day life we relied on very often, and I am sure that Representative McGeehan and Speaker Perzel would say the same. He was somebody that you would call on very often to resolve a lot of those problematic situations in your district that can be resolved if somebody takes some effort to be proactive.

But Officer Skerski lost his life while responding to an armed robbery which was in progress in the Northwood section of Philadelphia. It is without dispute that Gary's courage prevented many people from being injured or killed.

Gary's death in that way was surprising because Gary was a community relations officer. He was assigned to the 15th Police District, and Gary Skerski volunteered that evening to do overtime, to be out on the street in Operation Safe Streets in the city of Philadelphia. And while everyone knew that Gary certainly was capable of apprehending a dangerous criminal, it was still odd, because Gary's job on a day-to-day basis was resolving problems that many of us resolve. He mediated disputes, tried to prevent injury, and stopped trouble before it started. This officer was uniquely suited for this job because he was a very peaceful man and at the same time, if you knew him, commanded a certain respect on the streets. He could reason with people, with people having problems, point out that their behavior was unneighborly, and suggested they act in a better fashion, or else, and in almost every situation that we called on Gary Skerski, those problems were resolved.

But on May 8 of this year, Gary did not have the opportunity to really work any of his magic as he responded to Pat's Cafe, which is only a few blocks from my home. The gunman in that bar that night, terrorizing about two dozen patrons, did not give Gary the time to really talk to him or talk him out of it as he was shot as he walked in the door. If Gary did have the time to talk to this particular gunman, maybe things would have been different.

He was much more than a problem-solver. I considered Officer Gary Skerski as really a common thread throughout every element in our community. Whether it was a parade or a protest, a sports banquet or community meeting, Gary Skerski was there, and his presence was always felt all the time in a very positive way.

So on behalf of those people whose lives were saved or who were prevented injury in Pat's Cafe that night, I say thank you to Gary, and on behalf of all the residents of the 15th Police District and throughout Philadelphia, we thank Gary for all his hard work and really express our sadness for losing a very, very important officer.

Now I would like to have Representative McGeehan make a comment.

Mr. MCGEEHAN. Thank you, Representative Taylor. Thank you for your generous gesture of allowing me to stand with you.

You are right, Gary was a friend to me and to you and certainly to the Speaker, but you need to know something about Gary. Police work was not his first job. He was not a fresh-faced, well-scrubbed rookie. He was hard, tough as nails from the hard, tough-as-nails neighborhood in Philadelphia. He was a Teamster before he became a police officer. He had a nose for trouble. The night I heard that he was shot, I thought if they can shoot Gary Skerski, no one is safe, not in Philadelphia, not in Pennsylvania, not in this country. He was wily, he was street-smart, and violence is everywhere, and it happened to Gary that night.

As Representative Taylor said, we interacted with Gary on a daily basis with literally hundreds of problems, and I have had hundreds of conversations with Officer Skerski, and he was not just a friend, he was a good friend, and whatever problem we talked about, whether it was an abandoned car, whether it was a troubled neighbor, whether it was some neighborhood dispute, a protest, a march, a vigil, we always ended our conversations by talking about family. People need to know that.

Gary had nine jobs, I think. Not only was he working the night he was killed, working overtime, but he worked a number of other jobs, as is the wont of many public servants. We ended every conversation by talking about his family, and he died that night earning a living for his family.

Politicians were part of his life, police work was part of his life, but his whole life was his wife, Anne; his son, Robert; his daughter, Nicole; and his mother and father. So he was a policeman, he was a former Teamster, he was a problem-solver, he was a friend of politicians, but his most important job was husband, father, and loving son, and I know we will all miss him.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

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

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Cornell	LaGrotta	McGill	Sather
Donatucci			

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

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2381, PN 3754**, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for marriage between one man and one woman.

On the question,

Will the House agree to the bill on third consideration?

Mr. **NAILOR** offered the following amendment No. **A07329**:

Amend Sec. 1 (Sec. 29), page 1, line 11, by inserting a period after "Commonwealth"

Amend Sec. 1 (Sec. 29), page 1, line 11; page 2, lines 1 through 3, by striking out ", and neither" in line 11, page 1 and all of lines 1 through 3, page 2

On the question,

Will the House agree to the amendment?

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

Mr. **NAILOR**. Thank you, Mr. Speaker.

I think we still are wrapped up in the resolution that we just passed. It was very, very moving.

We are dealing with a marriage amendment here to the Constitution of the Commonwealth of Pennsylvania. I have offered an amendment. We have a law, a statute, in place in Pennsylvania, a law in place – Defense of Marriage Act. I supported that act. I voted for that bill in 1996, and to the best of my knowledge, this act has never been challenged in the courts of Pennsylvania.

I have a number of concerns that were brought to my attention, and I would just like to share those with the members at this point involving the definition and the language used to define a marriage in Pennsylvania, particularly as it goes a little bit further than the initial language of “one man and one woman” and includes the language “substantially equivalent to” and some others. Will hospitals deny gay people the right to make medical decisions, or will partners even have the right to visit each other if one is seriously ill? And again, these are questions that were brought to my attention by individuals that visited my office. Will the courts use the definition to ignore or invalidate agreements on property legally or jointly purchased and paid for by gay couples if one passes away? Will the courts deny any type of survivor benefits to a partner? In New Jersey survivor benefits were challenged by a municipality for a woman who lost her partner in the line of duty as a member of a police force. Could the courts in Pennsylvania refuse adoption to gay couples or even invalidate ones already on the books? Could Pennsylvania courts use the definition to deny protection-from-abuse orders to couples, mainly straight couples, who do not fit this language? In Ohio they already have. Could Pennsylvania courts use the definition to deny rights and benefits to senior citizens living together without a marriage?

The unintended consequences of this legislation could go far beyond defining a marriage, and that is why my definition is a little different. My amendment would read “Only a marriage between one man and one woman shall be valid or recognized as a marriage in this Commonwealth.” It defines marriage, but it eliminates the unclear language that could very well be challenged in courts to cause unintended harm to unmarried couples, both heterosexual and gay relationships.

I do not know the answers to all of those questions that were asked of me by constituents that visited my offices. I do not know that anyone here really does know what the answer is, and that is why I think we need to clearly define what a marriage is in Pennsylvania and stop once it is defined and not come up with ambiguous language that can be misinterpreted and harm individuals simply because they are different than we are.

I thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Boyd.

Mr. BOYD. Thank you, Mr. Speaker.

While I certainly appreciate the intent of the maker of the amendment, I have to rise to oppose the amendment, and I am going to try and lay out for you very clearly why I believe this amendment would be misguided at this point. We have worked long and hard and looked at the other 19 States who have amended their Constitutions to define marriage as one man and one woman, and one consistent theme continues to be a part of that discussion, and it is actually the issue of what would be defined as civil unions. And quite frankly, the amendment that is offered by the gentleman would carve out a status and it would say that marriage is defined as one man and one woman; however, it would not address the issue of marriagelike

relationships. If you look at the amendment that we are proposing to the Constitution, it says – it goes a little bit further – it says that marriage is one man and one woman, and the State nor any of its political subdivisions shall create a union that is identical or substantially equivalent to that of marriage. That language, language that has been used in other States – language that has been used in Ohio, language that has been used in Florida – is directed at trying to make certain that the State does not create a marriagelike relationship, a civil union.

Well, many of you may say, well, Representative Boyd, what is the problem with civil unions? Marriage is a man and a woman, and men and men, women and women, whatever, is a civil union. Well, the problem is simply this: Civil unions are the Trojan horse of the activists who want to create a same-sex marriage relationship in States, and what do I mean by that? Right now in Connecticut, the Connecticut legislature did precisely what the Representative was talking about. They passed a law that said marriage is one man and one woman, but they also created a status that was called civil unions, and immediately after that law was passed, the gay and lesbian coalition filed a lawsuit, they filed a lawsuit and they said that a separate but equal status treats us as second-class citizens. You are providing marriagelike benefits; we deserve to be married. And they went further and they said that separate but equal is a violation of the 14th Amendment to the Constitution, the equal protection clause, and, you know, I am certainly not a Rhodes scholar, but I remember my basic constitutional law, and *Brown v. the Board of Education* clearly, clearly enumerated that separate but equal is unconstitutional. And so many, many legal scholars have said that the creation and allowing the creation of civil unions is really allowing a Trojan horse, whereby a State will say, yes, I believe that marriage is one man and one woman, but I create this separate but equal status. The courts, a lawsuit is filed, that is overturned, and in fact, the full benefit of marriage is provided to unmarried individuals.

Not just has this issue come up in Connecticut, but it has also been discussed in California, and in a recent California Superior Court decision, civil unions were determined to undermine the State’s interest in preserving marriage, that California granting marriagelike rights to same-sex couples points to the conclusion that there is no rational State interest in denying them the rights of marriage as well. California is a half a step away from Massachusetts in having same-sex marriage, and the whole essence of the marriage protection amendment is to protect the definition of marriage as being a relationship between one man and one woman.

I understand the essence of the argument that the gentleman makes. I respect his point of view. I respectfully say to you that if in fact you support the Nailor amendment at this point in time, if in fact you vote for this, you are voting to kill the marriage protection amendment. You are voting against defining marriage as one man and one woman, because effectually, it simply will not be the case. It will be overturned by court challenge, and we will not have a marriage protection amendment in the Commonwealth of Pennsylvania. If that is the way you choose to vote, that is the way you choose to vote, but please understand the subtlety of, well, I voted for it before I voted against it. This will definitely undergird, undercut the marriage protection amendment and is clearly a vote against protecting the sanctity of gender-based marriage.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Frankel.

Mr. FRANKEL. Thank you, Mr. Speaker.

This amendment may be the one thing that the previous speaker and I agree on in the course of this evening's discussion, but for different reasons.

I cannot support this amendment. I mean, we have in law – I was not here for that vote – the Defense of Marriage Act, and this basically takes that language and codifies it into the Constitution of the State of Pennsylvania. From my point of view, I mean, I would not have been supportive of the DOMA (Defense of Marriage Act) legislation initially, but from my point of view, a constitution is a sacred document that basically grants people rights and provides for their responsibilities. It is not a document that should be utilized in order to define a group as second-class citizens, and I just do not believe that we ought to be toying with a document that historically, whether it is the Federal Constitution or the State Constitution, is one that we worked very hard, that guarantees us our rights and our responsibilities, but it should not be used as it was certainly in the 19th century to define a separate class of people with a separate set of rights. I do not think that is a legitimate topic for a constitution, whether it is the State or the Federal level.

So for those reasons I would also oppose this amendment. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, for one of the few times in my legislative career, I am going to disagree with Mr. Frankel. I believe that the Nailor amendment is a worthwhile amendment. You know, whatever happens in this legislative debate, we can be sure that lawyers are going to make legal arguments. That is what lawyers do. Mr. Boyd has quoted the legal arguments that are made, and he has confused legal arguments with court decisions. A legal argument is not the same thing as a court decision.

Mr. Nailor's amendment would allow civil unions; it would allow other relationships between heterosexuals. Men and women live together without getting married; men and women sign various contracts; men and women have various unspoken but nevertheless very real understandings. The legislation that is introduced threatens to undermine all the understandings that unmarried heterosexuals have together, and it goes far, far beyond the purpose of this legislation.

I believe that Mr. Nailor is saying if you want to ban gay marriage, let us ban gay marriage, but let us not drag everything else into the picture. I do not understand how under State law we could have an unconstitutional section of the Constitution. Certainly gay marriage would not be unconstitutional under the Pennsylvania Constitution with this amendment because it is explicitly prohibited under the Pennsylvania Constitution. Mr. Boyd is saying, well, maybe it will be unconstitutional under the Federal Constitution, but I do not think so. Gays are not a protected class under the Federal Constitution. The Supreme Court decides who is and who is not a protected class. Racial minorities are protected classes to a major degree; women are a protected class to a lesser degree. There has not been any U.S. Supreme Court decision in the history of our country holding that gay Americans or gays in general, whether

they are American citizens or not, are a protected class. The arguments that Mr. Boyd makes are without any constitutional justification at a Federal level and without any constitutional justification at a State level.

As someone who is not keen on the idea of regulating the behavior of individuals in a negative way, I understand very much Mr. Frankel's concerns. It certainly would be easier for the voters to defeat the constitutional amendment if we had the amendment as it is now written, but I think since we are being presented with an opportunity to exempt many hundreds of thousands of Pennsylvanians from the adverse effect of this amendment, I think we ought to take that opportunity, we ought to pass the Nailor amendment, and we ought to show our constituents who would be adversely affected by the constitutional amendment that we are being confronted with that we care about their status and we are on their side.

I urge support for the Nailor amendment.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Yewcic.

Mr. YEWVIC. Thank you, Mr. Speaker.

I certainly rise to oppose the Nailor amendment for several reasons.

He said in his opening remarks that he was not certain how this would affect certain issues or rights that people may have, and I wanted to make clear that what the Pennsylvania marriage protection amendment will not do as written, it will not take any existing rights away from anyone. It will not affect benefits offered by private employers. It will not affect the rights of unmarried couples or common-law marriages. It will not affect wills, joint ownership of property, contracts, or agreements between unmarried individuals. It does not discriminate against anyone who wishes to get married under current law.

I think it is important to look and see that this marriage protection amendment is written to protect marriage, to say that marriage between one man and one woman in civil unions is equal to marriage. It is just a backdoor approach. You cannot say that we are going to have civil unions and give the same rights as marriage, because it really is just a smoke screen to destroy this amendment, and we ought to oppose this amendment offered by Mr. Nailor for that reason.

The issue is, does Pennsylvania support marriage between one man and one woman, and that is what we are to vote on. This current amendment would destroy the concept because civil unions are equal to marriage. There is no difference, and I would ask that we oppose the Nailor amendment.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Metcalfe.

Mr. METCALFE. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to the Nailor amendment.

I wanted to make the members aware that they probably have been contacted over the last several months by the Pennsylvania For Marriage Coalition, a coalition that is made up of the Pennsylvania Family Institute, the American Family Association chapter here in Pennsylvania, Eagle Forum, Concerned Women for America, Catholic Conference, many groups that have joined together to try and help preserve the historic and traditional definition of marriage as being between a man and a woman and allowing the people of Pennsylvania to be the ones that will define that through this process rather than allowing some man or woman that dons the black robe, that sits on a bench, to make that decision for us.

But these groups that have been working so hard to try and protect marriage with this amendment, in conjunction with Representative Boyd's efforts and many of us – Representative Tom Yewcic and Katie True and Teresa Forcier and all of us who have been working together on this issue – as we have been working to protect this, we have been receiving thousands of signatures, Mr. Speaker, we have been receiving thousands of signatures supporting the current language, and if the Nailor amendment were adopted, it would change what thousands of people have contacted us saying: that they want this language to be proposed in the amendment to be voted on by them in a future election once we get through this process.

So I would encourage anyone here who wants to support marriage as being between one man and one woman and ensure that judges are not allowed to redefine that for us, I would encourage anyone supportive of that definition, supportive of the Pennsylvania For Marriage Coalition's effort, anybody for that should reject this amendment, the Nailor amendment, and we should stay with the current language that is being proposed, Mr. Speaker.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Leach.

Mr. LEACH. Thank you, Mr. Speaker.

I rise actually to agree with the gentleman from Butler County in opposition to this amendment, although probably for somewhat different reasons. I have been asked by the leadership of the Value All Families Coalition to say that they ask for a "no" vote on this amendment. They oppose this amendment.

This amendment, while better than the original amendment, would still enshrine discrimination into our Constitution, and we urge a "no" vote for that reason on that. Thank you.

The SPEAKER. The Chair thanks the gentleman.

Does the gentleman, Mr. Nailor, wish to be recognized? The Chair recognizes the gentleman, Mr. Nailor.

Mr. NAILOR. Thank you, Mr. Speaker.

Just a couple of final comments, and I think everybody pretty much knows where we are coming from with this amendment. First, voting for this amendment is in no way, shape, or form trying to kill the bill, absolutely not. What I am trying to do with my bill is I want to be clear. I am not promoting or endorsing civil unions, as was suggested. My amendment does not do that. It simply provides a clear definition of "marriage," and it removes ambiguous language, language that can impose unintended harm on innocent individuals.

"Substantially equivalent" is language that is included in the bill that I am removing. What does that mean? It is not clearly defined. It will be defined by our courts and people that take it there. I am removing that, putting a period before that part of the sentence, and clearly defining a marriage as between one man and one woman in Pennsylvania, and I think that is what the people of Pennsylvania want.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—70

Adolph	Dermody	Marsico	Saylor
Baldwin	Eachus	Micozzie	Semmel
Barrar	Evans, D.	Miller, R.	Shaner
Belardi	Feese	Mundy	Siproth
Belfanti	Flaherty	Nailor	Smith, B.
Beyer	Flick	Nickol	Sonney
Biancucci	Freeman	O'Neill	Staback
Blaum	Gannon	Ramaley	Steil
Buxton	Gillespie	Reed	Stetler
Cawley	Gingrich	Reichley	Stevenson, T.
Civera	Good	Rieger	Sturla
Cohen	Goodman	Roberts	Taylor, J.
Costa	Gruitza	Ross	Veon
Crahalla	Harhart	Rublely	Vitali
Curry	Kenney	Ruffing	Wansacz
Daley	Lederer	Sainato	Watson
Dally	Levdansky	Samuelson	Yudichak
DeLuca	Mackereth		

NAYS—127

Allen	Geist	Major	Rohrer
Argall	George	Manderino	Rooney
Armstrong	Gerber	Mann	Sabatina
Baker	Gergely	Markosek	Santoni
Bastian	Godshall	McCall	Scavello
Bebko-Jones	Grell	McGeehan	Schroder
Benninghoff	Grucela	McIlhattan	Shapiro
Birmelin	Haluska	McIlhinney	Smith, S. H.
Bishop	Hanna	McNaughton	Solobay
Blackwell	Harhai	Melio	Stairs
Boyd	Harper	Metcalfe	Stern
Bunt	Harris	Millard	Stevenson, R.
Caltagirone	Hasay	Miller, S.	Surra
Cappelli	Hennessey	Mustio	Tangretti
Casorio	Herman	Myers	Taylor, E. Z.
Causer	Hershey	Oliver	Thomas
Clymer	Hess	Pallone	Tigue
Corrigan	Hickernell	Parker	True
Creighton	Hutchinson	Payne	Turzai
Cruz	James	Petrarca	Walko
Denlinger	Josephs	Petri	Waters
DeWeese	Kauffman	Petrone	Wheatley
DiGrolamo	Keller, M.	Phillips	Williams
Diven	Keller, W.	Pickett	Wilt
Ellis	Killion	Pistella	Wojnaroski
Evans, J.	Kirkland	Preston	Wright
Fabrizio	Kotik	Pyle	Yewcic
Fairchild	Leach	Quigley	Youngblood
Fichter	Leh	Rapp	Zug
Fleagle	Lescovitz	Raymond	
Forcier	Maher	Readshaw	Perzel,
Frankel	Maitland	Roebuck	Speaker
Gabig			

NOT VOTING—0

EXCUSED—6

Cornell	LaGrotta	O'Brien	Sather
Donatucci	McGill		

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

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

Mr. **BOYD** offered the following amendment No. **A07783**:

Amend Title, page 1, lines 1 through 3, by striking out all of said lines and inserting

Proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for marriage between one man and one woman.

Amend Bill, page 1, lines 6 through 11; page 2, lines 1 through 26, by striking out all of said lines on said pages and inserting

Section 1. The following amendment to the Constitution of Pennsylvania is proposed in accordance with Article XI:

That Article I be amended by adding a section to read:

§ 29. Marriage.

Only a marriage between one man and one woman shall be valid or recognized as a marriage in this Commonwealth, and neither the Commonwealth nor any of its political subdivisions shall create or recognize a legal union identical or substantially equivalent to that of marriage for unmarried individuals.

Section 2. (a) Upon the first passage by the General Assembly of this proposed constitutional amendment, the Secretary of the Commonwealth shall proceed immediately to comply with the advertising requirements of section 1 of Article XI of the Constitution of Pennsylvania and shall transmit the required advertisements to two newspapers in every county in which such newspapers are published in sufficient time after passage of this proposed constitutional amendment.

(b) Upon the second passage by the General Assembly of this proposed constitutional amendment, the Secretary of the Commonwealth shall proceed immediately to comply with the advertising requirements of section 1 of Article XI of the Constitution of Pennsylvania and shall transmit the required advertisements to two newspapers in every county in which such newspapers are published in sufficient time after passage of this proposed constitutional amendment. The Secretary of the Commonwealth shall submit this proposed constitutional amendment to the qualified electors of this Commonwealth at the first primary, general or municipal election which meets the requirements of and is in conformance with section 1 of Article XI of the Constitution of Pennsylvania and which occurs at least three months after the proposed constitutional amendment is passed by the General Assembly.

On the question,

Will the House agree to the amendment?

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

Mr. **BOYD**. Thank you, Mr. Speaker, very much. I appreciate it.

Mr. Speaker, amendment A7783 is an amendment that makes a small change to the marriage protection amendment. It was introduced in January of this year.

As you know, the Pennsylvania marriage protection amendment is a proposal to add section 29 to Article I of the Pennsylvania Constitution. A7783 changes the proposed language to read, and I am going to read it for you, “Only a marriage between one man and one woman shall be valid or recognized as a marriage in this Commonwealth, and neither the Commonwealth nor any of its political subdivisions shall create or recognize a legal union” – and that is the change, the word “status” to “union” – “identical or substantially equivalent to that of marriage for unmarried individuals.” We are proposing to change the wording in line 16.

We believe marriage is the union of one man and one woman, a designation that is outlined in Pennsylvania’s Defense of Marriage Act, that has already been referred to

today, that was passed by the General Assembly in 1996, a designation recognized by civilizations for thousands of years, a designation that is recognized by cultures and religions all across the globe, and a designation that is recognized by the vast majority of Pennsylvanians. And with this seemingly overwhelming understanding and agreement on the definition of “marriage,” many have asked, why is an amendment to the Pennsylvania Constitution necessary at all, and that is a valid question.

In 1996 when this body passed the Defense of Marriage Act, it did so with overwhelming bipartisan support. In that same year, President William Jefferson Clinton signed a Federal Defense of Marriage Act providing for similar protection of marriage at the Federal level. However, and this is extremely important, Mr. Speaker, over the past 10 years there has been a slow but steady erosion of the clear, crisp lines that define marriage throughout the nation. Activists in other nations pressed for and accomplished same-sex marriages. The Netherlands and Canada have legalized same-sex marriages.

In America, the erosion has been through a series of court decisions. Vermont and Connecticut legalized civil unions, and then in 2004, by a directive of the Supreme Court of Massachusetts, that State became the first U.S. State to legalize same-sex marriage. Since 2004, courts in many States – Iowa, Maryland, New Jersey, Washington, Georgia, Utah, and I could go on – have been asked to consider the legality and the constitutionality of the defense of marriage provisions, and the question that looms heavy on many is, what will those courts decide?

Pennsylvania is vulnerable, Mr. Speaker, to precisely the challenges initiated in our neighboring States. Because no formal case has been filed to date does not mean the exposure for Pennsylvania is less real or less imminent. And prudence dictates a proactive approach. As you know, amending the Constitution is a multiyear process requiring numerous hurdles for constitutional change. Waiting until the horse is out of the barn hardly seems like the time to repair the fence.

Time is critical. Prior to going to the people for a vote, the amendment must pass two successive sessions of the General Assembly. Effectually it must be done in both the House and the Senate by June 30 of this year for the amendment to meet the constitutional requirements for passage in the ’05-’06 session.

One last point, Mr. Speaker, regarding constitutional amendments. They are done by voter referendum. The ultimate decision on the definition of marriage should be up to the people of Pennsylvania. Please listen to this, Mr. Speaker. In a recent Mason-Dixon poll, Pennsylvanians, when asked this question, who do you feel should decide the definition of marriage in Pennsylvania, the voters or the courts, 73 percent said the voters, 14 percent said the courts, and 13 percent were not sure. I believe, Mr. Speaker, for no other reason than this, the results of that poll, that we have a moral responsibility to pass this amendment. We have a responsibility to give the people the right to vote to change their own Constitution. If the people believe marriage is not a union of one man and one woman, the people will not enshrine this definition in their Constitution.

Some may say, okay, Scott, marriage is the union of one man and one woman, but what about civil unions? Well, in the first amendment offered this evening, we already addressed that issue, and clearly the courts have defined that a separate class is

not something that should be put into our Constitution. As I already read, in the California Superior Court decision, the court weighed in very, very poignantly on that issue.

There are a number of additional points that I want to make before I yield the floor on this issue. There has been much consternation expressed about the effect the MPA, the marriage protection amendment, will have on health benefits provided by employers to domestic partners. Those of you who are concerned about this issue, I encourage you to pay attention. I will give you a short and truthful answer. If Pennsylvania adopts the marriage protection amendment in its proposed form that is before you tonight, no effect on health benefit packages provided by private or public employers will be seen. To document this assertion, one needs only to look at the current status of same-sex benefit plans in operation in the Commonwealth today.

Currently Pennsylvania has a law that defines marriage as one man and one woman, yet businesses all across Pennsylvania are providing benefits to domestic partners. The city of Philadelphia and Montgomery County provide benefits to life partners and domestic partners. If the basis for providing these benefits was marital status and these individuals are currently not married or recognized as married under Pennsylvania law, then how are they getting those benefits? Well, the answer is quite simple. It is because those benefits are provided based on some status other than marriage.

This was precisely the finding of the Pennsylvania Supreme Court when it was specifically asked to review the city of Philadelphia's same-sex benefit program. Asking whether the city could provide health benefits to domestic partners – this is right out of the court journal – “there are considerable differences between marriage and the Life Partner relationship. Life Partnership is simply not the functional equivalent of marriage.” The court went on to postulate that benefits may be provided for a myriad of reasons having nothing to do with marriage. Life partner benefits are provided to compete with industry and to attract the best and brightest employees. The key point is this: Domestic partnership benefits are provided to employees based on a status that is not specifically related to marital union.

Further documentation of this fact is from a recent court decision in Utah. In a five-page opinion, Third District justice Stephen Roth wrote this word in an issue regarding a Defense of Marriage Act in their Constitution – it is almost identical to ours – he wrote, “ ‘adult designees’ ” – the city of Salt Lake provided benefits to adult designees – “ ‘adult designees’ dependent insurance plan is ultimately defined by the relationship between an employer and an employee and has NOTHING to do with marriage. The Adult Designee Benefit therefore is not ‘substantially equivalent’ ” – please understand, this is the judge's ruling; the exact language we have in our proposed amendment is “substantially equivalent” – “Benefit therefore is not ‘substantially equivalent’ to any benefit provided under Utah law to a man and woman because they are married, nor does it make the relationship between employee and an adult designee ‘substantially equivalent’ in legal effect to marriage between a man and a woman.”

While it is clear that the MPA will have no effect on public employee benefit packages, it is abundantly crystal clear that the MPA will have absolutely no effect on private employer benefit packages at all. Those employee benefit packages are contractual agreements between employees and employers, and

the State has no jurisdiction in defining the criteria by which those benefits are paid to domestic partners.

Let us tackle another myth that opponents of the MPA have alleged will occur in Pennsylvania if the marriage protection language is added to the Constitution. Many – the ACLU (American Civil Liberties Union), domestic violence groups – have cited problems in Ohio, which adopted a marriage protection amendment in 2004. They have asserted that if adopted, the MPA will preclude domestic partners in Pennsylvania from the protections provided by the Pennsylvania protection-from-abuse statutes. This is simply untrue. The concern of domestic violence groups is clearly specific to Ohio and is clearly unique to Ohio. Ohio domestic law – those of you who are attorneys, listen to this – the Ohio domestic violence law refers to “family or household member” and then defines “family or household member” as “a person living as a spouse, or a former spouse.” In Ohio, a PFA (protection from abuse) is directed only at a spousal-equivalent relationship, and it put it in conflict with the marriage protection amendment, but that situation does not exist in Pennsylvania.

In Pennsylvania, the statute, the abuse statute, defines “abuse” as “the occurrence of one or more of the following acts between family or household members, sexual or intimate partners or persons who share biological parenthood...” Protection-from-abuse orders are issued in Pennsylvania regardless of marital status. They will continue to function with the full force of Pennsylvania's protection-from-abuse laws whether the marriage protection amendment is adopted or not.

And the final subject I wish to address as we consider the marriage protection amendment is the simple question, why is this important at all? Who cares? I mean, ultimately, who cares if the court redefines marriage? What is the big deal? What impact does it have? What impact does the marriage of Adam and Steve have on your marriage, Representative Boyd? Are you not just – and I have been called this, by the way – are you not just a homophobic bigot who cannot stand the thought of homosexual marriage? Well, the short answer is, the relationship of a gay couple will have no impact on my close to 28 years of happily married bliss to my lovely wife, Nancy. But that is not the question that is before the Assembly today. Mr. Speaker?

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

Mr. BOYD. Thank you, Mr. Speaker.

That is not the question that is before the Assembly today. The question is what impact this will have on society if we allow the courts to redefine the institution of marriage.

There are three fundamental questions before us today. Without the marriage protection amendment, what ultimately will marriage and the family look like 30 years from now? I ask you, what is the family going to look like 30 years from now? What broader impact will this redefinition have on our society as a whole? And who and how will those determinations be made? Well, I am going to endeavor to answer this very succinctly.

Without the marriage protection amendment, what will marriage and the family look like in 30 years? The answer is, I do not know and neither do you. Nobody knows, because we simply have not experienced the long-term effects of this newest sexual revolution. Allowing the courts to redefine marriage will be jettisoning our State into a vast untested social experiment.

We have glimpses of the future, though. I have with me the March 20 issue of Newsweek magazine. I do not know if you can read the headline: “Polygamists, Unite.” This is March 20 of this year, 2006. Page 52, the society section. In the article it says polygamists are “emerging in the wake of the gay-marriage movement.” In the year 2036, how many of you believe that polygamy will be prevalent? I do not know whether it will be or not, but it appears that some folks want to push that envelope.

The Washington Times reported that in Canada, where same-sex marriage was legalized, Prime Minister Paul Martin commissioned a study to debunk conservative assertions that the legalization of same-sex marriages was birthing a move to overturn antipolygamy laws. Oops, be careful what you wish for, you just might get it. The study confirmed that a legal challenge to Canada’s antipolygamy laws would be successful. This is a quote: “ ‘Why criminalize behavior?’ asked Martha Bailey, . . . ” one of the study’s three law professors that authored this study. “ ‘We don’t criminalize adultery,’ ” do we?

Probably the most disconcerting glimpse into the future came from an AP (Associated Press) report out of the Washington Post last Wednesday. This is last Wednesday, Mr. Speaker, May 31, 2006. The newest movement out of the Netherlands – where did the same-sex marriage movement start? the first nation to legalize it, the Netherlands – out of the Netherlands in an AP report, Washington Post, mainstream had an article that said that there was a new political party calling for the lowering of the age of consensual sex from 16 to 12 – from 16 to 12. A political party has formed called the Charity, Freedom and Diversity Party, and its platform advocates lowering the age of consent. The party president said forbidding children from sex makes them curious.

The Boston Globe reported in April of this year about a Lexington second grade teacher who read a fairytale about gay marriage to a class without parental notification. “The King & King,” a book where two princes kiss at the end, was first published in the Netherlands, recently translated into English, and now it is a part of the curriculum in the Lexington public school system. The superintendent of schools said that the school has no obligation to notify parents about the book. Quote: “Lexington is committed to teaching children about the world they live in, and in Massachusetts same-sex marriage is legal.”

Is this a problem? Many believe that it is not. The point is that the failure to pass the MPA will facilitate the redefinition of marriage and family, and the change will penetrate every institution of society.

Mr. Speaker, it is an incredibly important piece of legislation. In the interests of time and dinner, I will save my final remarks for passage. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Leach.

Mr. LEACH. Thank you, Mr. Speaker.

Mr. Speaker, may I briefly interrogate the maker of the amendment?

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

Mr. LEACH. Mr. Speaker, is it my understanding that the purpose of this amendment is to prevent the court from striking down DOMA and redefining marriage in a way that would include same-sex marriage? Is that basically the goal of this amendment?

Mr. BOYD. Mr. Speaker, the goal of the amendment is to allow the people of Pennsylvania to vote as to whether or not to

define “marriage” as a union between one man and one woman and for the State or any of its political subdivisions to, you know, not have a substantially equivalent relationship.

Mr. LEACH. But the gentleman in his elocution on the amendment, I believe, talked about judges redefining marriage. Is that something you are trying to prevent with this amendment?

Mr. BOYD. Mr. Speaker, we believe that it is important, if and when the current Defense of Marriage Act would be challenged by a court, that there is constitutional clarity within Pennsylvania’s Constitution. The Constitution is the expressed will of the people. Putting their definition of marriage, what they believe marriage would be, in the Constitution is the goal.

Mr. LEACH. Mr. Speaker, is it not true then that a judge who is bent on redefining marriage could strike down this constitutional amendment just as easily as he could strike down DOMA by simply invoking Federal law; in other words, saying that this amendment, this constitutional amendment to the State Constitution, violates the Federal equal protection clause, for example. The judge could strike down this amendment if he wanted to just as easily as he could strike down DOMA. Is that not true, as a matter of law?

Mr. BOYD. Well, Mr. Speaker, as a nonattorney, as a matter of law, my understanding is that if and when there would be a court challenge or when there would be a court challenge, the court will look at the will of the people in the Constitution and they will use that as guidance as to what the definition of marriage would be.

Mr. LEACH. Okay. Mr. Speaker, that is actually not one of the prongs of constitutional analysis that the court will look at, but I will move on.

Mr. Speaker, the maker of the amendment discussed some bad things that will happen, some negative consequences that will happen, if marriage is redefined. Now, marriage has been allowed between same-sex couples in Massachusetts now for I think almost 2 years, and I am just wondering if the maker of the amendment can illustrate for us specifically what bad things have happened in Massachusetts as a result of marriage between same-sex couples being legal there?

Mr. BOYD. Well, Mr. Speaker, I guess the definition of what you and I think are bad may be different.

Mr. LEACH. Okay. Well, if we look to Massachusetts as an example of what will happen to Pennsylvania if we have same-sex marriage, can you point to something in Massachusetts that would give us pause here in Pennsylvania, that would make us say, oh, my gosh, we do not want that to happen here, and if you have something like that, if you have any specific citations for the information you gave me, any studies, anything like that, I would be grateful.

Mr. BOYD. Well, I did reference actually one thing anecdotally. Certainly the concern about the change in curriculum within elementary schools is one. Another one is that Catholic Charities, which was the largest agency providing adoptions, because their religious tenet was to not place children in same-sex homes, the State threatened to pull their license because they said same-sex marriage was legal in Massachusetts, so no longer does Catholic Charities provide adoptions in the State of Massachusetts.

Mr. LEACH. Okay. I guess that is Catholic Charities’ choice, but maybe I can narrow my question to address specifically what we are talking about today. Have there been any negative impacts that you can point to on heterosexual

marriage that have resulted in Massachusetts? Are heterosexuals getting married less often? Not having as many kids? Getting divorced more? Is there anything like that? There has been a lot of discussion about preserving the sanctity of marriage. I am just wondering how heterosexual marriage has fared in a State where same-sex couples can get married.

Mr. BOYD. Well, it has only been about 18 months since the court made the ruling and legalized same-sex marriage in Massachusetts. However, I can tell you, for example in the Netherlands, the number of children being born out of wedlock, and there has been a general deterioration of the concept of marriage, either among homosexuals or heterosexuals, and—

Mr. LEACH. Wait; I am sorry. What study is that, and do they attribute that, does that study attribute that to gay marriage?

Mr. BOYD. The study just tracks it postlegalization of same-sex marriage in the Netherlands.

Mr. LEACH. Mr. Speaker, was the maker of the amendment aware that since gay marriage, I am told, has been legal in Massachusetts, the divorce rate among heterosexual couples has declined. Are you aware of that?

Mr. BOYD. Where?

Mr. LEACH. Massachusetts.

Mr. BOYD. Did that study attribute that to the legalization of same-sex marriage?

Mr. LEACH. No; no. No, Mr. Speaker, it did what you did. It just—

The SPEAKER. Would the gentleman yield. Would the gentleman yield.

Mr. LEACH. Yes.

The SPEAKER. The purpose of interrogation is for a member to find out information from another member, not to affirm or disclaim information from a further member somewhere else. So please keep— You can use that in your arguments, but you cannot ask any questions.

Mr. LEACH. Okay. Thank you, Mr. Speaker. I will move on. I only have one more question.

I have one more question, which is, there has been some discussion here and elsewhere about the impact of children on all of this. In crafting the amendment and the bill, did you consider, and if you did, can you walk us through how you considered, the impact of this amendment on the children of gay couples?

Mr. BOYD. Mr. Speaker, the fundamental intent of the marriage protection amendment is to protect the traditional definition of marriage as one man and one woman.

Mr. LEACH. Thank you, Mr. Speaker.

Mr. Speaker, I have concluded my interrogation. If I may just make a few comments on the amendment.

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

Mr. LEACH. Thank you, Mr. Speaker.

Mr. Speaker, some people have argued that this amendment will adversely affect domestic partnership acts, the protection-from-abuse enforcement, common-law marriages, a number of other things, and I agree with a lot of those arguments, Mr. Speaker, but my opposition to this amendment is much more fundamental.

Mr. Speaker, first of all, I just want to make a legal point. The legal point I want to make is that this amendment does nothing to protect the exclusivity of heterosexual marriage. If a judge or a panel of judges wanted to strike down DOMA, which is apparently the fear that is driving this amendment, then they

could do that, and we have seen that in other States; the maker of the amendment is right. But if they wanted to do that in Pennsylvania, even with this amendment, they could do that just as easily. If I am a judge, either a State or Federal judge, who wants to strike down the exclusivity and allow same-sex marriage, all I have to do under the supremacy clause is cite Federal law. All I have to do is say that this violates the 14th Amendment's equal protection clause. Pennsylvania may not pass a constitutional amendment that violates the equal protection clause to the 14th Amendment. So if I am a judge and I do not care what the law is and I just want to strike down this law, I just want to allow gay marriage, I have the tools to do that. There is nothing about this amendment that would do that. So people should be clear that as a matter of law, this amendment does nothing to stop judges. All this amendment does is make it harder for future legislatures, which inevitably will happen, to want to repeal DOMA. It makes it more difficult to do that, but that is all it does. There is a canard to say that the constitutional amendment prohibits the courts from citing Federal law.

I want to say a couple more words about the argument, because we have heard about activist judges a lot, Mr. Speaker, and I have been trying to figure out what the term "activist judges" means. I have heard that a lot, and I think I know what it means. I think it means that an activist court is any court that makes a decision that I disagree with, because there is no consistent decision on activist judges, and in fact, let us look at the Massachusetts court which has cited this judicial activism. The Massachusetts Supreme Court did not wake up one day and say, let us legalize same-sex marriage. The Massachusetts Supreme Court took a case that was before it and was interpreting a democratically passed antidiscrimination statute in Massachusetts, and the statute said you cannot discriminate specifically on the basis of sexual orientation. So the court had no choice but to strike down the ban on same-sex marriage. An activist judge – an activist judge, Mr. Speaker – would have said, you know, the law requires me to strike down a discriminatory ban on same-sex marriage, but I am against same-sex marriage, I do not think it is a good idea, so I am going to uphold the ban on same-sex marriage because I do not like it. That would have been judicial activism. But this was not judicial activism; this was a court interpreting a law which had been passed by the people who did not want discrimination in the State of Massachusetts based on that.

You know, Mr. Speaker, for much of the nation's history, marriage was defined as the union between one man and one woman of the same race. That was the law throughout the land for many, many years. But in 1967 the United States Supreme Court in a case called *Loving v. Virginia* struck down the antimiscegenation statutes. An activist court, I suppose you could say, said such laws were discriminatory and unconstitutional. Now, Mr. Speaker, we would never think of going back. Who here in this room is willing to stand up and say, *Loving v. Virginia* should be overruled; the court was wrong to overturn the ban on interracial marriage? The fact is, the United States Supreme Court, again interpreting a democratically elected constitutional amendment, redefined marriage and made it better by making it more inclusive.

Mr. Speaker, I also want to touch on some of the exchange that I had with the maker of the amendment. This is portrayed as an effort to save marriage, and the obvious question is, from what? And I have asked this question of people all over the

State who have e-mailed me, who have called me on this thing. “We need to save marriage,” “We need to protect marriage,” and I say, from what? And I want to know specifically from what. I want to know, are heterosexual couples not going to get married? Are they going to get divorced more? Are they not going to have children? Is there going to be more domestic violence? Are they— What is it? Fewer vacations? I mean, what is it that is going to happen to heterosexual couples as a result of that?

Now, we have a State, Mr. Speaker, Massachusetts, that has gay marriage, and in 18 months the divorce rate has gone down. Now, I do not attribute that to the gay-marriage legalization, but that is certainly as strong an argument for that as there was for the maker of the amendment who said, well, we are just correlating. Two things happened at the same time; there must be a correlation. If that is true, then you have got to give credit to the gay folks of Massachusetts for lowering the heterosexual divorce rate. Now, I do not make that claim, but that is where that argument goes.

Mr. Speaker, it is not enough to just claim that you are protecting the sanctity of marriage. If you have no specific adverse effects that you can point to to gay marriage, you are not protecting anything from anything. You are just discriminating, period. In Massachusetts, in fact, gay marriage has caused so few problems or no problems that much of the original opposition to it has melted away.

Mr. Speaker, I want to make an economic argument very briefly, because I know we are a body that always talks about economic development and how we want to make Pennsylvania more job-friendly and make Pennsylvania a more economically vibrant place. Mr. Speaker, how do we attract gay workers to Pennsylvania? How do we get the best medical researchers or computer programmers or mathematicians to come to Pennsylvania if they are gay and we pass an amendment that says very, very clearly, you are not welcome here? How do we attract a Fortune 500 company to build a new plant in Pennsylvania when the company’s gay employees and shareholders are going to say, do not dare move that plant to Pennsylvania, do not dare move that plant to a place that discriminates?

You know, much of the impetus for the Old South abandoning its racist past was its desire to be known as the New South, a progressive area, and bring economic development to the region. Yet ironically, we are contemplating going in exactly the opposite direction, Mr. Speaker. While we struggle to improve our economy, we are embracing discrimination and sending economic opportunities away.

Mr. Speaker, we also have to consider, how do we want gay couples to live? You know, everyone here represents gay people. Gay people are our friends, they are our neighbors, they are our family, and they are our constituents. How do you want them to live? Abraham Lincoln said, whenever I hear anyone arguing for slavery, I feel a strong impulse to see it tried on him personally. Could you live your life alone without a partner? Could you live your life as a second-class citizen because of the partner you choose? Could you live your life fighting to get basic rights – survivorship, the right to make medical decisions, the right to visit a sick partner in the hospital – that everyone else takes for granted? Could you change your sexuality to please some other segment of society or someone else’s religious teachings? In other words, as heterosexuals, could you choose to be gay in order to conform? If you answer

no to any of these questions, Mr. Speaker, if you cannot live your life this way, then I ask, how can you ask anyone else to?

Robert Ingersoll said, give to every human being every right that you claim for yourself. Twenty-eight percent of gay couples have children. What do we want them to do? What message do we want to send to their children? What alternative are we offering them? We hear the phrase “living in sin.” Do we want gay couples’ only alternative to be living in sin, or do we want to encourage them to build stable, monogamous, permanent, healthy, legally recognized families like the rest of us? If we do not allow them to marry or even form civil unions, Mr. Speaker, what alternative are we offering them? What do we want the tens of thousands of gay couples in Pennsylvania to do, and how do we promote the idea of family if we put up impediments to gay Pennsylvanians forming families?

We tell teens to abstain from sex until marriage. What are we telling gay teens? What do you tell gay teens? If you had a gay teen ask you, “You say to abstain until marriage, what am I supposed to do?” what would you tell them? Why send this message?

I want to tell you very briefly about a 10-year-old girl I spoke to on this. She has two women who are a lesbian couple who are her parents. They are the only parents she has ever known, and we were talking about this amendment, and she said, what are they trying to say? Are they trying to say that my family is not a family? Are they trying to say that there is something wrong with me? Why would we send this harsh and heartless message to this 10-year-old girl and to Pennsylvania’s other children of gay couples? We talk about kids. What about these kids?

Mr. Speaker, if you vote for this amendment, you will regret this vote. Strom Thurmond, George Wallace – later in their lives they all regretted the discriminatory votes that they cast as young men. Others like Senator Helms and Senator Bilbo and Governor Barnett and Lester Maddox did not, but look how they are regarded by history today. They may have voted what the polls in their district or their State said to do at the time, but no one will be building monuments to them. They are not well regarded by history.

We will all leave this place sometime, Mr. Speaker. Do we want our legacy to be writing, for the first time ever, discrimination into the Constitution? Do we want our legacy to be, for the first time ever, using our sacred, basic document not to expand human rights but to restrict human rights, not to expand the number of people who are included in the family, the human family that Pennsylvania is, but to reduce the number of people who are included in our family?

I would like to finish, Mr. Speaker, by reading you a couple of quotes which show what some other people are saying about gay marriage.

“In the interests of maintaining and promoting mental health, the APA” – (American Psychiatric Association) – “supports the legal recognition of same-sex civil marriage with all rights, benefits and responsibilities conferred by civil marriage, and opposes restrictions to those same rights, benefits and responsibilities.”

Rev. John Thomas, president of the United Church of Christ: The church “...should affirm the rights of gay” and “lesbian...persons to have their covenanted relationships recognized by the state as marriages equal in name, privileges, and responsibilities to married heterosexual couples.”

Herbert Chilstrom, bishop of the Evangelical Lutheran Church: "I am convinced that our churches and our society must affirm gay" and "lesbian...persons as completely equal in every way with those...who are heterosexual. It is time for those...who believe that the Gospel is for all and who believe that civil rights are for all to speak up.

"In the course of our lifetimes, we change our minds about things we once thought were settled forever. This has really become a justice issue. Gays are being treated unjustly, both by the church and by society. And it is not God's way. Any true conservative who cares about stability in our society ought to support gay unions, and ought to bless these relationships."

Bob Barr, former Republican Congressman of Georgia: "The Federal Marriage Amendment..., simply put, it takes a power away from the states that they have historically enjoyed.

"We meddle with the Constitution to our own peril. If we begin to treat the Constitution as our personal sandbox, in which to build and destroy castles as we please, we risk diluting the grandeur of having a Constitution in the first place."

Two more. "Gay and lesbian people have families, and their families should have legal protection, whether by marriage or civil union. A constitutional amendment banning same-sex marriages is a form of gay bashing...." Coretta Scott King.

And finally, "...as far as I'm concerned, Heather and I are married. We've built a home and a life together. She is the person I hope to spend the rest of my life with.

"We're just waiting for the state and federal laws to catch up with us." Mary Cheney, daughter of the Vice President.

Mr. Speaker, I urge the members to do the right thing here, to examine your consciences, to think of how you would want to be treated, to think about how your child would want to be treated and you would want your child to be treated in the event that you had a gay child, and we see by some of the people who have gay children, this does not discriminate based on ideology or political party. There are gay people in many, many families, and what would happen if one of our loved ones was gay? How would we want them to be treated? How would we want their partner to be treated? How would we want their children to be treated?

This is a basic issue of justice and common sense and fairness, Mr. Speaker, and I urge a "no" vote. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Yewcic.

Mr. YEWIC. Thank you, Mr. Speaker.

I rise to support the Boyd amendment. Marriage is the oldest God-given institution we have. The family is the bedrock of every civilization around the world. As a matter of fact, if you took a globe and spun it and arbitrarily stuck your finger and stopped it, every world religion, every culture, every society supports the idea that marriage is between a man and a woman.

Other countries that have looked at this issue have come to the same conclusion we have come to today; such as in France, of all places, who got it right when they essentially said in a report that "Marriage is not merely the contractual recognition of the love between a couple; it is a framework that imposes rights and duties, and that is designed to provide for the care and harmonious development of the child." We should all, we should all be considerate of the consequences for the child's development and construction of his or her identity. Having two fathers or having two mothers is biologically neither real nor plausible. If a court, an activist court, or a legislature tries to

redefine marriage, one only has to look around the world at their example of what happened there.

It has already been mentioned that the Netherlands was the first country in the world to legalize same-sex marriage, and in that country the argument was used by gay marriage advocates who rejected the idea that marriage is intrinsically connected to parenthood, and the Dutch people bought the argument, and that is the argument today that is being used, that there is no connection between marriage and bringing up children. That is what this is all about. Once marriage stops being about binding mothers and fathers together for the sake of the children they create, the need to get married gradually disappears, and today the Netherlands leads Western Europe in out-of-wedlock birthrates.

If same-sex marriages or civil unions become the law of the land, what effect will that have upon our institutions? For instance, a redefinition of marriage would impact what is taught in our schools, who can adopt, our health-care system, Social Security, and the religious liberty of pastors and churches, not to mention our schools and our private religious schools.

Children need moms and dads. To say that moms and dads, male and female, do not matter hurts by teaching to my children, your children, our children, that their gender, that their gender does not matter in families, causing harm in their development. Thousands upon thousands of studies have been conducted over the years showing that moms and dads are needed for the bringing up of children.

Faith-based organizations, what will happen if we had same-sex marriages or civil unions in this country or in this State? Will churches be forced to perform same-sex marriages? Will private religious schools be forced to teach something that they do not agree to? How about faith-based adoption agencies? We already heard that in Boston, Massachusetts, where same-sex marriages are legal, the Catholic adoption agencies are having to shut down because they do not want to be forced, they do not want to be forced by the State to do things that they do not agree with, according to their religious conviction.

I think it is important to recognize what the Pennsylvania marriage protection amendment will do. Number one, it will define marriage as the union of one man and one woman; it will make same-sex marriages illegal in Pennsylvania; it will prevent State legal recognition of counterfeit marriages such as civil unions; it will prevent the State of Pennsylvania from recognizing same-sex marriages performed in other States or foreign countries; it will protect our present marriage law from court challenge; and also and just as important, it will take the issue away from judges and from politicians by allowing the voters in Pennsylvania to define marriage in a statewide referendum.

Mr. Speaker, the vote on this amendment is a vote on the marriage amendment. It is essential that we pass this amendment and pass this bill to protect marriage between one man and one woman, because it is not just what the parents want. It is not an adult issue of the wants of an adult. It is also about the needs of our children.

History has shown, studies have shown the negative impact if we do not uphold the institution of marriage between one man and one woman, and I ask for your support for this amendment.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Denlinger.

Mr. DENLINGER. Thank you, Mr. Speaker.

While it does, at some level, amaze me that we are engaged in a statewide debate over the legal definition of marriage, we are so engaged today. And why are we having this discussion? Well, the reason is abundantly clear. Our judicial branch has become a threat to the sacred, time-honored institutions which long predate this Assembly – the oldest freely elected body on the North American Continent.

Being unsatisfied with their constitutional role of providing for the adjudication of criminal and civil matters, the judicial branch of government has, over time, decided to raise above the office of Governor in this State and to raise above the legislative work of this General Assembly. The increasingly activist judicial branch has decided that they will take it upon themselves to decide when we, the representatives of the people, are acting as they wish and when we are not. It is a sad hour indeed. Judicial tyranny is no less heinous than any other form of tyranny, and make no mistake about it, Mr. Speaker, your work is considered second rate and your role subordinate to those on the bench today. What has become a national concern should be recognized as a Commonwealth concern by every man and woman duly elected and seated in this House of Representatives.

Further, I will add that this is not a Democratic or a Republican problem, and it is not a conservative or liberal problem. A judicial branch that has, in these times, taken upon itself the role of final arbiter of that which is best for the people can strip away our freedoms at will and it can act in ways that are morally reprehensible as the U.S. Supreme Court did prior to the Civil War, and will, I repeat, will continue to come down with agenda-driven decisions that are against the wishes of the good citizens of our land.

So why are we trying to amend the Constitution of Pennsylvania? It is, in so many ways, the last defense of the roughly 12 million people of our Commonwealth. Just a few years ago, this General Assembly and then Governor Ridge placed in statute our Defense of Marriage Act. The DOMA was overwhelmingly supported by the people of the Commonwealth, and Pennsylvania was one of many, many States to take a statutory step toward defining marriage as an institution. Unfortunately, we meet today on this same issue because of the activist judicial branch that I have just described. Mr. Speaker, it would take so little, so very little indeed for a judge in this Commonwealth to set aside the will of the people as expressed in our Defense of Marriage Act, and we need an ironclad statement, a statement that is impervious to the whims of the judiciary. We must step in and protect ourselves from judges who have lost sight of their proper role and have become the arrogant usurpers of the will of the people.

Mr. Speaker, I call on all who are here to defend the role of this House in shaping public policy. The people have spoken on this matter and did so in 1996. Now is the time to protect what is perhaps our oldest human institution from the carving knife of a judiciary that has lost the sight of its proper constitutional role.

Thank you, Mr. Speaker, and I encourage an affirmative vote on the Boyd amendment.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Frankel.

Mr. FRANKEL. Thank you, Mr. Speaker.

I rise in opposition to the Boyd amendment. I will not go through the excellent outline of arguments that my colleague

from Montgomery County provided, but I do think there are a few other points that need to be made today.

The maker of this amendment went to great pains in his remarks to say that this language would not have any impact on things like domestic partnership benefits, inheritance rights, medical decisionmaking, medical visitation. Well, quite frankly, the evidence is not there to defend that. If that is the case, I do not understand why he would not have supported the Nailor amendment. The Nailor amendment was narrowly defined. I agree, it probably would not have attacked institutions such as domestic partnership agreements. Nevertheless, we do have a record, and the record says that language almost identical to this that has been passed in other States has created litigation out the whazoo. It has forced governmental and public entities to withdraw agreements, labor agreements that have been negotiated, that provide for things like domestic partnership agreements and health insurance for domestic partners. Let me just tell you a few of those.

In Michigan, which passed a similar amendment, the Governor of Michigan removed domestic partnership benefits from the negotiated package, citing the need for a judicial ruling on whether the amendment bars public employees from providing benefits to same-sex partners, and the lawsuit continues. The Attorney General of Michigan issued a written opinion indicating that the provision of domestic partnership benefits to public employees would violate Michigan's antimarriage amendment. In Missouri the president of Columbia College refused to implement a proposal approved by the faculty to offer domestic partnership benefits to eligible employees, and Ohio State legislators suing the University of Miami, Miami University, arguing that the antimarriage amendment does not allow for domestic partnership benefits. Kent State has stopped ongoing negotiations to provide domestic partnership benefits. We can go on and on, and there are legislative initiatives in many of these States to do just that, and quite frankly, based on the history of this General Assembly, when I go back to my first term in 1999, this General Assembly voted overwhelmingly to penalize the State-related and State System universities by removing their entire appropriation if they dared to incorporate domestic partnership benefits. So I think this argument is pretty specious.

The fact of the matter is, there is an agenda. The maker may not own that agenda, but certainly many people who support this want to attack many of the institutions today that protect our nontraditional families, and that is far broader than just same-sex couples. We are talking about elderly people who live together and decide not to get married in order to preserve Social Security benefits. They want to have inheritance rights. They want to have medical visitation. They want to have the ability to make medical decisions for each other. They are going to be impacted, and there is no guarantee here that this does not do it. It is too vague. We do not understand what this language is. It is going to cause litigation for years to come, if we approve it.

I am stunned that we are talking about this issue today. To talk about defining marriage, I mean, clearly we are trying to replicate what is happening in Washington. I am not sure why this issue has risen to such a priority in this legislative body when we need to be dealing with substance. We need to be talking about minimum wage. We need to be talking about property tax. We need to be talking about public transportation.

There are lots of issues that rise to a much higher priority than dealing with defining marriage and taking away people's rights.

George Bush is doing the same thing in Washington. He wants to ignore the failed foreign policy. He wants to ignore the disaster that the recovery in the gulf coast is. He wants to ignore the increasing deficit. Why? George Bush wants to divert your attention. My guess is that is why the majority party wants to proffer this legislation.

Now, the fact of the matter is, the country, this country is moving steadily and inexorably towards a more open, tolerant community. Half of all Fortune 500 companies, half of them, provide domestic partnership benefits. Eleven States provide domestic partnership benefits. All of the Big Ten, all of the Ivy League, and all of our State-related universities provide domestic partnership benefits. The world is moving to recognize these nontraditional families that are critical to the fabric of our society, and we are saying in Pennsylvania we are going to shut the door on them, and I think that message, as my colleague from Montgomery County quickly noted, sends the wrong message to the rest of the country. It will stigmatize us as a State that defines ourselves by being intolerant and promoting discrimination. That is not the State I want to be a part of; that is not the State that I think you want to be a part of. Our job, your jobs as legislators are to protect and defend the Constitution, not to amend the Constitution to define discrimination on a law-abiding group of people.

Protect and defend; do not amend. Vote this amendment down. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Hutchinson.

Mr. HUTCHINSON. Thank you, Mr. Speaker.

Mr. Speaker, as I sit here listening to the debate about the proposed marriage protection amendment, I believe that one of the key, overwhelming questions we are facing today is the question of democracy itself, and that is, who should decide the definition of marriage? To me, the answer is very simple. I believe the voters should decide the definition of marriage and not some arrogant judges who wish to arbitrarily overturn the law. Yes, we are talking about a law that was enacted overwhelmingly by the elected representatives of the people as the Defense of Marriage Act 10 years ago. In fact, as was stated earlier, I am not going to go into all of the details, but I am not the only one who believes that the voters are the ones who should ratify the definition of marriage. Statewide polling shows that the people agree that they and not the courts should decide the definition of marriage.

Other speakers here today have asked, why do we need a constitutional amendment now? Well, Mr. Speaker, the fact of the matter is, this issue is being forced upon us by those who wish to overturn long-standing laws which protect the traditional institution of marriage. In fact, a recent article in USA Today lays out the national game plan, and I want to quote the headlines from that article. It says, quote, "Wave of lawsuits targets bans on same-sex marriage." That article goes on to say that there is a national organized effort to overturn defense of marriage laws in all of the States. All across the country lawsuits, which are sponsored by special interest groups like the American Civil Liberties Union, are utilizing carefully selected, strategic decisions of which States, in which order, and these groups are arguing that State Constitutions somehow – and I do not know how they come up with this – contain a right to

same-sex marriage. They are wrong. We need to clarify that within our own Constitution.

As you are all well aware, these lawsuits were inspired by the ruling of the Massachusetts Supreme Court that led to Massachusetts being the first State to legalize same-sex unions, but similar lawsuits are awaiting rulings by the top State courts in Washington and the State of New Jersey. There are also lawsuits making their way through State courts in California, Connecticut, Iowa, Maryland, and New York. As a matter of fact, nationwide there are more than 60 lawsuits which would strike down State marriage laws.

So what I am asking is that we in Pennsylvania must prevent our State courts from thwarting the will of the people. The only way that we can protect our time-honored view of marriage is to embody it in the Pennsylvania State Constitution, and we must get that constitutional process under way quickly in order to protect this essential building block for a strong society in the future. We must empower the voters and not the courts to determine the definition of marriage now and in the future.

I ask all of you to join me in supporting the marriage protection amendment. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Rohrer.

Mr. ROHRER. Thank you, Mr. Speaker.

Mr. Speaker, I wish to commend the maker of the amendment for his effort in bringing this matter before us. Mr. Speaker, I do not believe that there are any really more important issues, that we have issues that affect the people of this State. We know the issue of property tax. We know the people want that. It affects their wallets. It affects their abilities to live as families. We know that there are other things that need to be done, but, Mr. Speaker, there are few things that we would deal with as fundamental as that surrounding the definition of marriage and the family.

How many times have we stood on the floor, every member here, when we talk about education issues, welfare issues, tax issues – it makes no difference – we talk about the necessity for strong families, intact families, families in which children can be taught and raised. We talk about how to do this, how to preserve it, and yet it seems, as I listen to some on the floor tonight, as if that is something that we have forgotten about.

There are some arguments that I have heard here tonight that would suggest by the opponents of this amendment, that would suggest that this amendment and those who are in favor of maintaining the definition of the family as one man and one woman and children from that union, as if that concept put forward here today is one of change. We have been asked, the maker of the amendment was asked all kinds of questions during interrogation as if he had to justify why a man, a woman, and children in a marriage is the appropriate thing. I find that rather interesting. The burden of proof is not on the family as we have known it to be. The burden of proof is on those who want that to be changed, and on them I ask, what can you produce that is better for our children than a man and a woman united together in marriage? What is better for grandchildren? What is better for a woman? What is better for a man? We have what is called an institution of marriage. We are here today unbelievably in some respects defending that institution of marriage.

Ben Franklin, look at him standing up here pictured on the pictures before us. When the republic was handed to our early founders, he said this: Here is "a republic, if you can keep it."

And we have had to defend it, and our frame of government is under attack, but before our frame of government ever came, it came the family. Out of that came what we have, and we in this legislature happen to be here at a time when we are being called upon to defend that which has always been, that which has been laid out the best, historic, from ages down to now, and therefore, we have that option here before us, that which the amendment is before us seeks not to change what we have known, but seeks to preserve what we have, to preserve the family, to preserve the nuclear family, husband and wife and children, not two men, not one woman and three men, not any other combination thereof, and tonight because we know that we do have courts – and we have heard that argument – that have chosen to undo, we are forced now to say, how can we best preserve, and I would say that we as members of this House are here as caretakers of a legacy that has been provided to us.

It is not up to us in this House to change that definition. If that definition is to be changed, it is to be changed by the people of this State. That is all this does, and I would say that every one of us here has a responsibility and a duty, understanding that we are here as representatives of the people, as folks who will be here for a moment and then will be passed, to preserve what we have been given in order that we can pass on to our children and future generations that which is best regarding the family, and that is one man and one woman as recognized by this Commonwealth.

And so, Mr. Speaker, I call upon our members to support this amendment – that is the right thing to do – and to push this issue forward for the people of the State to decide this most important fundamental issue.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Nickol.

Mr. NICKOL. Thank you, Mr. Speaker.

Let me share eight specific concerns, eight reasons this bill needs further consideration, eight issues that were never considered, eight reasons HB 2381 and this amendment should not be passed. The sponsors may be dismissive of my concerns. I am not an attorney. But I am not so sure they can be so quickly dismissive of concerns expressed by some of the very people who would likely litigate these issues.

The language of HB 2381 was passed around to the various sections of the Philadelphia Bar Association to get comments. The reaction, I am told, was almost like the lighting of the Capitol Christmas tree. Lights went off in each branch or section of the bar as lawyers read the proposed language and lit up with serious concerns as to the potential consequences of the language. This high level of concern resulted in the Philadelphia Bar Association passing a resolution expressing many of their specific concerns by unanimous vote.

We need to take the language of this amendment seriously. If we pass it, we in the General Assembly will largely be handing off any further say on this language to the courts, and we will effectively be tying the hands of future legislatures in dealing with some of these issues. Let me enumerate the concerns.

Number one, adoption and foster placement. Passage of the proposed amendment could adversely affect the viability of second parent adoption as well as adoption or foster placement with unmarried couples, thus depriving needy children of permanency and financial security.

Proponents of this amendment certainly did not tell us that this is a possibility, but it was identified as such by the bar association as a concern. If true, it would directly affect children, especially children in urban areas that are already short on foster homes. It could result in many children remaining in institutional care largely because unmarried opposite-sex couples could not be foster parents. This is a concern that goes far beyond the issue of same-sex marriage.

Number two, common-law marriage. When the General Assembly abolished common-law marriage with Act 144 in 2004, we took pains to make sure that no common-law marriage that took effect prior to January 1, 2005, would be deemed to be invalid by our action. Passage of the proposed amendment could prohibit the courts from recognizing the rights of people married at common law prior to January 1, 2005, to receive death benefits, pension benefits, health insurance, spousal support, alimony, or distribution of property.

I do not think any of us want to inadvertently tramp on the rights and protections of couples who are in otherwise legally recognized common-law marriages in Pennsylvania today. This concern expressed by the bar association needs to be scrutinized. Reread the second part of the amendment and you will see that it makes no exception for common-law marriages. This is an issue that goes far beyond the issue of same-sex marriage, and we need to make sure it does not occur.

Three, public employee benefits. Passage of the proposed amendment could result in the denial of benefits such as health, life, and pension to the domestic partners of public employees in the Commonwealth.

After a review by their solicitor, concern over its implication to domestic partner benefits has been expressed by unanimous vote of the Montgomery County Commissioners. They have been joined in their expression of concern by many public employee unions: PSEA (Pennsylvania State Education Association), APSCUF (Association of Pennsylvania State College and University Faculties), SEIU (Service Employees International Union), and the Pennsylvania AFL-CIO. All these unions oppose the legislation as interfering with collective bargaining.

Will this bill strip health insurance and other benefits from domestic partners of public employees and children in these relationships? The problems with this bill go far beyond the issue of same-sex marriage, and this issue clearly impacts on opposite-sex domestic partnerships just as well.

Four, private employment benefits. Passage of the proposed amendment could result in the denial of benefits such as health and life insurance to the domestic partners of private employees, private-sector employees, in this Commonwealth, those working in smaller companies not subject to ERISA (Employment Retirement Income Security Act).

I have distributed to members of my caucus a letter based on legal research performed by attorneys from the law firm of Pepper Hamilton LLP and a concurring opinion expressed by an attorney from the law firm of Ballard Spahr Andrews & Ingersoll, LLP, indicating that the amendment could adversely impact a private employer's ability to offer domestic partner benefits. I hope they have had a chance to review it. This same concern was expressed by an employer in my district, Isaac's Restaurant & Deli, which is based in Lancaster. They feel that we are interfering with their right to offer the benefits they want to their employees.

Stripping benefits from domestic partners of private employers and their children goes far beyond the issue of same-sex marriage. We need to make certain that this amendment is not written so broadly that it would have this consequence.

Five, private contract rights. The bar association also expressed concern that passage of the proposed amendment could prohibit the courts from enforcing private contracts between unmarried domestic partners, should these contracts be deemed to create rights substantially equivalent to those of marriage.

I would certainly need to know if this was the case, or not, before voting on this amendment. It is one thing to pass a constitutional amendment saying that the State and local governments cannot grant special rights for unmarried couples. It is something totally different to go after the legal rights of such couples to protect themselves by entering into private legal contracts.

Six, choice of law, other State rights and protections. Passage of the proposed amendment could result in the denial of medical decisionmaking and hospital visitation rights to those validly registered as members of domestic partnerships or civil unions under the laws of another State. This, too, was a concern expressed by the Philadelphia Bar Association.

In addition, the American Law Institute has expressed concern over conflicts-of-law issues that may arise between States that legalize civil unions and domestic partnerships and States that adopt constitutional amendments barring recognition of such relationships. These conflicts are in two broad areas: judgment enforcement and choice of law. These concerns go far beyond the issue of same-sex marriage. It is a matter of simple human decency.

Can you imagine the turmoil that would be created if other marriages were not federally protected and they were treated in the same way we are proposing to treat same-sex relationships legally recognized in another State? What if your spouse, after a spat, could simply load everything into a moving van and move to another State? What if that State was prevented from recognizing your relationship due to a constitutional amendment and you could not get the State to enforce a judgment from Pennsylvania regarding a proper division of assets?

Even more seriously, what about the kids? This nightmare situation does currently exist for a lesbian couple from Vermont where one party took the child from the relationship and moved to Virginia, which does not recognize their civil union performed in Vermont.

Even if Pennsylvania does not choose to legalize same-sex marriage, civil unions, or domestic partnerships, we should not put our heads in the sand to pretend they do not exist elsewhere. After all, 7 States and the District of Columbia plus 29 foreign countries legally recognize gay and lesbian relationships, and we live in a society where people frequently move from State to State every day.

Seven, domestic violence protections. Let me read from the Pennsylvania Coalition Against Domestic Violence.

"Approximately 20 appellate cases have been filed challenging Ohio's criminal and civil domestic violence statutes. On March 24, 2006, Ohio's Second Appellate District Court of Appeals opined that Ohio's domestic violence statute, as it relates to 'persons living as spouses', is unconstitutional in light of Ohio's 'Defense of Marriage Amendment'.... This decision significantly weakens Ohio's long-standing

commitment to protecting its citizens against domestic violence. In light of the strong similarities between Ohio and Pennsylvania law," this "...decision is instructive in its application to Pennsylvania law. The dangers posed by HB 2381 to domestic violence protections in Pennsylvania cannot be ignored."

Follow it up from the District Attorney's Office in Philadelphia: "I share the concerns expressed by the Pennsylvania Coalition Against Domestic Violence in their March 30, 2006 letter regarding the proposed 'Marriage Protection Amendment.'

"This amendment will jeopardize the ability of law enforcement to protect Pennsylvania's citizens from abuse and is a gigantic and unwarranted retreat from the protections afforded our citizens under Pennsylvania's Protection from Abuse Act."

This goes far beyond the issue of same-sex marriage and needs much closer examination.

Eight, and final, impact on older individuals living together. Let me read from a letter from the American Association of Retired Persons, AARP.

"...AARP remains uncertain about how such a Constitutional Amendment would affect certain segments of Pennsylvania's population, particularly older individuals living together who may have chosen to not get married for personal reasons. We believe that a thorough discussion of this legislation, by way of a public hearing, could identify issues such as this that may not be readily apparent in a first reading of the bill. It is important that these issues, many of which could have an effect on older Pennsylvanians, be examined to determine whether the current structure of the legislation reflects the true intent of its proponents."

The SeniorLAW Center of Pennsylvania: "I ask every legislator supporting this amendment if they recognize the harm this amendment will have on the elders of their districts? Do they realize that the rights that thousands of seniors and families rely on will be affected? This amendment could preclude recognition of families who are married by common law, including seniors who have spent their lives together, raised their children, and built their communities. If this amendment passes, seniors may lose their pension benefits, their social security, even their homes. They may lose their right to inherit. This amendment could eliminate property rights, financial supports, health coverage, and the right to make health care decisions about loved ones. It may indeed cause poverty and even homelessness."

This goes far beyond the issue of same-sex marriage. We need to make sure we are not inadvertently harming senior citizens living together without the benefit of marriage because one or both may lose retirement income or health-care benefits if they remarry.

Supporters of this amendment will, I am sure, soft-pedal these issues raised not by me, but by the bar association, AARP, the American Law Institute, and many other groups. If they are correct on even one or two of these issues, this House should not be acting in haste to pass the legislation. What do we have to lose by having a closer examination of these issues?

Supporters of this bill feel we need to pass it today because they do not trust that the courts of our State will uphold a State law we passed in 1996 defining marriage as between one man and one woman. They say that we do not have time to hold any real hearings on these issues, too. This is despite the fact that

there is no bill that has been introduced in this General Assembly to change the law defining marriage and no case has been filed in our State courts to overturn it. I hardly see the emergency.

I also find it quite ironic that supporters of the amendment who on one hand do not trust our courts seem to have total faith and confidence in these very same courts such that they can assure us today that these same courts will not misconstrue the rather vague language in the second part of the amendment and will not be interpreted as they intend.

Mr. Speaker, we are dealing with the basic law of our State, the Constitution of Pennsylvania, not a simple statute we can pass today and come back and change tomorrow. We are dealing with wording of an amendment that could potentially cause harm to some of our fellow citizens, not just gays and lesbians as the sponsors would probably prefer us to think, but children, senior citizens, and unmarried opposite-sex couples as well.

I urge defeat of the Boyd amendment and the bill as presently constituted. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Ross.

Mr. ROSS. Thank you, Mr. Speaker.

The debate that we have been hearing tonight really gives us pause. We have just heard quite a lengthy recitation of potential legal problems with this constitutional amendment. Other speakers have raised other serious questions.

Now, if this had been debated thoroughly in front of one of the committees and all these issues had been raised and sorted out, I would perhaps feel a little bit more comfortable going forward with a vote tonight, but in fact, the bill was passed out of the State Government Committee without a full hearing on it. There was a limited hearing thereafter, but again, many of the questions that were being discussed tonight have not been thoroughly debated.

MOTION TO RECOMMIT

Mr. ROSS. This is a very serious step that we are taking. Substantial litigation could occur if we would take the wrong measure, so therefore, tonight I would like to make a motion to recommit this bill to the Judiciary Committee.

The SPEAKER. The gentleman, Mr. Ross, has moved to recommit HB 2381 to the Committee on Judiciary.

On the question,

Will the House agree to the motion?

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

Mr. BOYD. Thank you, Mr. Speaker.

Mr. Speaker, I think it is interesting that the motion is to recommit the piece of legislation, the amendment, to a different committee than the committee in which it was voted out of. It was voted out of the State Government Committee. And this bill was introduced on January 24. Gosh, that is going back almost 5 months ago, and since that time I do not know that there is any piece of legislation that we have considered that has had more discussion and more debate among members, among the community, among one another. I mean, we have been

going through a couple hours' worth of debate already here this evening.

Mr. Speaker, this is an issue that is incredibly important to the people of Pennsylvania, and clearly this is an issue that is simply time-sensitive. This is a constitutional amendment. For a constitutional amendment to get to the ballot, to the people of Pennsylvania, it has to be done in two successive sessions, and it has to be done in a time frame where it can be published well in advance of the election. In effect, Mr. Speaker, we all know in this room that if this piece of legislation is not passed by the General Assembly by the end of June, it will be defunct for this legislative session.

With all due respect to my colleague, this is really a stall-and-kill tactic. I mean, ultimately if this bill is referred back to committee, this is over, and that means it is over for 2 years; that means the process cannot start again until the legislative session in January of 2007, and that will delay any type of a voter referendum until, I guess the earliest would be the year 2009.

Mr. Speaker, this issue has been debated. This issue has been discussed. We had a committee meeting on this issue, Mr. Speaker. It was a very, very, a very, very strongly debated committee meeting. There was a lot of dialogue, a lot of back-and-forth, and ultimately a very close vote in committee. To suggest that this piece of legislation did not have a full airing and a full dialogue among the members I just believe is at least somewhat inaccurate at this point.

Mr. Speaker, I urge the members to, I believe, Mr. Speaker, if I can, the proper would be to vote against the motion to table. I want to make sure that we are getting the right vote. Vote against the motion to table this or recommit this bill back to the Judiciary Committee.

Clearly, it is a death knell to the Pennsylvania marriage protection amendment. It is a vote against marriage in Pennsylvania. It is a vote to stall, delay, and kill the process, and I urge the coalition that is supporting this, and it supports a marriage between one man and one woman, to vote against the motion to recommit to Judiciary.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Yewcic.

Mr. YEWVIC. Thank you, Mr. Speaker.

I certainly rise to oppose the motion to recommit. This is not rocket science. We do not need committee hearings; we do not need more study. I think everybody in Pennsylvania, everyone in America understands that this is about marriage between one man and one woman. There is no reason to delay. This motion to recommit will be viewed as a vote to kill the marriage amendment. I want to be clear about that. That is what this will be viewed as.

So I would ask that we not recommit and let us vote the issue and put it into the hands of the voters in Pennsylvania on referendum. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Veon.

Mr. VEON. Thank you, Mr. Speaker.

Mr. Speaker, I rise to very strongly support this motion to recommit. With all due respect to even my good friend on this side of the aisle from Cambria County, he is right, this is not rocket science, but this is amending the Constitution of the State of Pennsylvania, amending the Constitution, and I think the gentleman from Chester County has made some very

compelling points. This issue does not just affect a narrow segment of the Pennsylvania population, that we are taking a very serious and significant step here to amend the Constitution, potentially, of the State of Pennsylvania.

This was introduced in January. There was one committee meeting, no public hearings, one committee meeting on an issue of this serious nature, and I do understand that this issue has been debated in many ways in the legislature, in our communities, in our neighborhoods, in our own homes, but an issue of this magnitude at the very least deserves some significant public hearings, at the very least, to take a drastic step to amend the Constitution of Pennsylvania.

It does not mean that the issue is dead for this year. We all understand that this session goes on till the end of November and that this can be done correctly, even from the advocates' point of view. It is fair to take a step back, to hold some public hearings, and if you want to bring this issue up for a vote, you will have plenty of opportunity to do that.

I strongly encourage a "yes" vote on the motion to recommit. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, when the bill came into the State Government Committee, as chairman, we did have a very energized debate on the bill, and then shortly thereafter, at the wish of the minority chair, who asked for a public hearing, we did have an extensive public hearing where both sides could invite people to come in to discuss the bill. So to say that we did not have a thorough discussion on the bill is not totally accurate.

And I, too, would ask that we cast a "no" vote on the motion to recommit.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentelady, Ms. Josephs.

Ms. JOSEPHS. Thank you, Mr. Speaker.

While the majority chair of the committee, of which I am the minority chair, is correct that we had kind of an informational hearing in the committee, he failed to mention that this informational-kind-of-a-hearing exercise happened after the vote was taken in committee, at which point I remarked and I will remark again, are we in "Alice in Wonderland"? It seems so, where the Red Queen, as you remember, called first for the verdict and then for the trial.

I hope that we can do better than that. I want to see real hearings, real debate, real discussion. Please vote "yes" on this motion to commit to the Judiciary Committee.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentelady.

The Chair recognizes the gentleman, Mr. Veon, for the second time.

Mr. VEON. Thank you, Mr. Speaker.

Mr. Speaker, I appreciate the point the gentleman made from Bucks County, and I also appreciate the point that the gentelady from Philadelphia made. I do understand that there was a public hearing, and I do understand it was after the vote in committee, but I do think the gentleman from Chester has made some compelling points about some very fine points of constitutional law, that we ought to take the time to at least, to at least give the advocates on both sides of the issue the opportunity to have a very specific, very detailed, very scholarly discussion and debate in that State Government Committee. Even when I have disagreed with the gentleman from Bucks,

we have had opportunities to have serious, significant scholarly discussions and debates. This issue cries out for that opportunity.

To amend the Constitution is one of our most important responsibilities, and we have an opportunity to say to the body here by passing this motion, let us make sure that we do this the right way – let us have that detailed discussion and debate, scholarly examination of these fine points of constitutional law – and to do that, we need to pass this motion to recommit the bill, and I again strongly encourage the members to do so.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Boyd, for the second time.

Mr. BOYD. Thank you, Mr. Speaker.

Just real, real briefly. I want to clarify something that was said earlier. Clearly, by constitutional provision, if this is not done by June 30 – we are not back in until September – this is put off until the next session. We have run into this issue before because it has to be published 90 days prior to the November election. We ran into that issue on a constitutional amendment before. So clearly, if we put it off now, it is put off until next session, I can guarantee you that.

The second thing is, I want to quote one of my colleagues who probably is not necessarily with me on this issue but makes a great point. She said, all you need is to have two lawyers in a room and you will have three opinions. We can discuss this thing until the cows come home. We can discuss this thing forever, and ultimately you will have various and sundry opinions from legal scholars from all over the nation, none of which will agree and none of which ultimately can truly predict what will happen.

Ultimately what this is about, a vote for the motion to recommit is a vote against the marriage protection amendment, it is a vote against defining marriage, and the first step in defining marriage is one man and one woman in the Commonwealth of Pennsylvania, and ultimately it is a vote taking out of the hands of the people the ability to amend their Constitution.

I strongly encourage a "no" vote. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Ross.

Mr. ROSS. Thank you, Mr. Speaker.

I want to begin by clarifying something that I said before just so that there is no misunderstanding. I have a great deal of respect for the chair of the State Government Committee and also for the members of that committee, and I in no way meant to say that they had failed to give serious consideration to this piece of legislation, and I know that they did. I know that they had a spirited debate, and I know that they thought long and hard before they voted.

However, many of the legal arguments that have come up have come up more recently. The letters that I have been receiving and I believe the information coming out of some of the bar association sources is more recent than their considerations. And really, I did not choose the Judiciary Committee idly. These issues are complex. They are naturally legal issues that would come before the Judiciary Committee, and I think that the Judiciary Committee is uniquely suited to be able to consider them.

And finally, the question of delay and the immediacy. We have no court cases currently pending that challenge the

domestic marriage act; we have nothing that currently is active here in Pennsylvania, but if we do this wrong, and quite frankly, those members that are actually in support of this amendment should also be very worried that we do not do it wrong, because they will then run the risk of losing what they are attempting.

Now, I think whether you are on either side of this issue, it is wise to take the time to have some further consideration of it and to make sure that we properly put to rest the legal issues that have been brought up here tonight.

So therefore I respectfully request an affirmative vote on my motion.

The SPEAKER. The Chair thanks the gentleman.

PARLIAMENTARY INQUIRY

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

Mr. BELFANTI. Thank you, Mr. Speaker.

I am rising for a point of parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BELFANTI. Thank you.

Mr. Speaker, can the Parliamentarian confirm what the maker of the amendment is implying that since this legislation must be adopted by two separate sessions of the General Assembly and in order for it to be printed to be put and placed on the ballot, that June deadline only applies to the second session where this legislation would pass. Why would it apply also to this session?

The SPEAKER. The concept is that you have to be able to change the General Assembly in between the two legislative sessions.

Mr. BELFANTI. I understand that.

The SPEAKER. It does have to have the 90 days' notice. The gentleman is correct.

Mr. BELFANTI. Well, since the question cannot appear on this November's ballot but would rather appear subsequent to another session, I still fail to see where that date comes into play.

The SPEAKER. The date comes into play because of the advertising requirements of the Commonwealth of Pennsylvania.

If you read section 2 of the bill, starting at line 4, "Upon the first passage by the General Assembly of this proposed constitutional amendment,..." that clarifies it.

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

The following roll call was recorded:

YEAS-88

Bebko-Jones	Gannon	Miller, R.	Santoni
Belardi	Gerber	Mundy	Saylor
Belfanti	Gergely	Myers	Shaner
Bishop	Gillespie	Nailor	Shapiro
Blackwell	Good	Nickol	Siptroth
Blaum	Goodman	Oliver	Smith, B.
Buxton	Gruitza	O'Neill	Solobay
Civera	Hanna	Parker	Steil
Cohen	James	Petrone	Stetler
Costa	Josephs	Pistella	Sturla
Crahalla	Keller, W.	Preston	Surra
Cruz	Kirkland	Ramaley	Taylor, J.

Curry	Leach	Readshaw	Thomas
Daley	Lederer	Rieger	Veon
Dermody	Levdansky	Roebuck	Vitali
Diven	Mackereth	Rooney	Walko
Eachus	Maher	Ross	Wansacz
Evans, D.	Manderino	Rubley	Waters
Fabrizio	Mann	Ruffing	Wheatley
Flaherty	McGeehan	Sabatina	Williams
Frankel	McIlhinney	Sainato	Youngblood
Freeman	Micozzie	Samuelson	Yudichak

NAYS-109

Adolph	Evans, J.	Kenney	Reichley
Allen	Fairchild	Killion	Roberts
Argall	Feeze	Kotik	Rohrer
Armstrong	Fichter	Leh	Scavello
Baker	Fleagle	Lescovitz	Schroder
Baldwin	Flick	Maitland	Semmel
Barrar	Forcier	Major	Smith, S. H.
Bastian	Gabig	Markosek	Sonney
Benninghoff	Geist	Marsico	Staback
Beyer	George	McCall	Stairs
Bianucci	Gingrich	McIlhattan	Stern
Birmelin	Godshall	McNaughton	Stevenson, R.
Boyd	Grell	Melio	Stevenson, T.
Bunt	Grucela	Metcalfe	Tangretti
Caltagirone	Haluska	Millard	Taylor, E. Z.
Cappelli	Harhai	Miller, S.	Tigue
Casorio	Harhart	Mustio	True
Causer	Harper	Pallone	Turzai
Cawley	Harris	Payne	Watson
Clymer	Hasay	Petrarca	Wilt
Corrigan	Hennessey	Petri	Wojnarowski
Creighton	Herman	Phillips	Wright
Dally	Hershey	Pickett	Yewcic
DeLuca	Hess	Pyle	Zug
Denlinger	Hickernell	Quigley	
DeWeese	Hutchinson	Rapp	
DiGirolamo	Kauffman	Raymond	Perzel,
Ellis	Keller, M.	Reed	Speaker

NOT VOTING-0

EXCUSED-6

Cornell	LaGrotta	O'Brien	Sather
Donatucci	McGill		

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

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

The SPEAKER. On the Boyd amendment, the Chair has before it a list that shows that the gentleman from Philadelphia, Mr. Roebuck, is next.

Mr. ROEBUCK.

Mr. ROEBUCK. Thank you, Mr. Speaker.

I had not intended to speak on this particular amendment, but as I listened to the debate, I became very concerned about what I hear my fellow Representatives saying about this particular proposal. I noticed that some of my colleagues talked about long-term precedents in terms of the need to define marriage,

and somehow, Mr. Speaker, that reminded me about those Representatives who also spoke about long-term precedents when it was necessary to defend policies that discriminated against African-Americans in this Commonwealth and in this nation. Let us understand, Mr. Speaker, that precedent in and of itself does not justify injustice. Let us understand, Mr. Speaker, that if you want to do something that is harmful, it is easy to justify it in terms of talking about what is versus what is right.

I noticed also, Mr. Speaker, that there was a lot of talk about courts and about the danger of courts that somehow exceed their power, but let me tell you that as an African-American citizen of this nation, I am grateful that we have courts that challenged laws that were wrong, that legislatures did not challenge, that legislators justified, that legislators accepted. I am glad we had courts that challenged those laws and established in this nation a foundation of equal rights and equality. So if that is wrong, Mr. Speaker, I defend those courts. I hope we have more of them. I do not think anyone in this Commonwealth would be willing to exist under a system like that, and if you are willing to exist under a system like that, stand up and say it. But the reality is, Mr. Speaker, we need courts that do what courts are supposed to do, and that is that they are supposed to defend individual rights.

Let us understand, Mr. Speaker, that there is talk about the threat of thwarting the will of the people. Am I to understand, Mr. Speaker, that when it was the will of the people that I should be discriminated against, that was all right? When it was the will of the people that law should be enacted that said that Blacks were unequal, that was all right? When there were laws that said it was all right to segregate, that was all right? That seems to be what we are saying, Mr. Speaker, and that is fundamentally wrong, and we ought to say it is wrong. We ought not to go back to those days, Mr. Speaker, because indeed, if we go back to that, then we ought to be ashamed of ourselves as elected officials. If we want to go back to patterns of discriminating against any individual in this Commonwealth, Mr. Speaker, we ought to be ashamed of that, we ought not to do it, and anyone who votes to do that ought to think seriously about what they are doing to this Commonwealth and to this Constitution.

We are talking about amending the fundamental law of this State, and if we want to do that, let us do it on a basis that is based upon equality and fairness, and let us make sure that whatever we do when we write into the Constitution of our Commonwealth, we do not do anything that says that one person is somehow more equal than the other, that is all right, that in this Commonwealth we can treat people differently and discriminate against them.

Let us uphold what this Commonwealth is about. It was here that our nation was founded. Let us not lose sight of the fundamental and important obligation we have to continue to be the beacon of democracy and fair play and justice. Let us not lose sight of our commitment to doing that which is right.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the Boyd amendment, the Chair sees no one else.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—138

Adolph	Feese	Killion	Reed
Allen	Fichter	Kotik	Reichley
Argall	Flaherty	Leh	Roberts
Armstrong	Fleagle	Lescovitz	Rohrer
Baker	Flick	Levdansky	Ruffing
Baldwin	Forcier	Mackereth	Sainato
Barrar	Freeman	Maher	Saylor
Bastian	Gabig	Maitland	Scavello
Belardi	Gannon	Major	Schroder
Belfanti	Geist	Markosek	Semmel
Benninghoff	George	Marsico	Shaner
Beyer	Gergely	McCall	Siptroth
Bianucci	Gillespie	McIlhattan	Smith, S. H.
Birmelin	Gingrich	McNaughton	Sonney
Boyd	Godshall	Melio	Staback
Bunt	Goodman	Metcalfe	Stairs
Caltagirone	Grell	Micozzie	Stern
Cappelli	Grucela	Millard	Stevenson, R.
Casorio	Gruitza	Miller, R.	Stevenson, T.
Causar	Haluska	Miller, S.	Tangretti
Cawley	Hanna	Mustio	Taylor, E. Z.
Civera	Harhai	Nailor	Tigue
Clymer	Harhart	Pallone	True
Corrigan	Harper	Payne	Turzai
Crahalla	Harris	Petrarca	Wansacz
Creighton	Hasay	Petri	Watson
Daley	Hennessey	Petrone	Wilt
Dally	Herman	Phillips	Wojnaroski
DeLuca	Hershey	Pickett	Wright
Denlinger	Hess	Pyle	Yewcic
DeWeese	Hickernell	Quigley	Yudichak
DiGirolamo	Hutchinson	Ramaley	Zug
Ellis	Kauffman	Rapp	
Evans, J.	Keller, M.	Raymond	Perzel,
Fairchild	Kenney	Readshaw	Speaker

NAYS—59

Bebko-Jones	Gerber	Oliver	Solobay
Bishop	Good	O'Neill	Steil
Blackwell	James	Parker	Stetler
Blaum	Josephs	Pistella	Sturla
Buxton	Keller, W.	Preston	Surra
Cohen	Kirkland	Rieger	Taylor, J.
Costa	Leach	Roebuck	Thomas
Cruz	Lederer	Rooney	Veon
Curry	Manderino	Ross	Vitali
Dermody	Mann	Rubley	Walko
Diven	McGeehan	Sabatina	Waters
Eachus	McIlhinney	Samuelson	Wheatley
Evans, D.	Mundy	Santoni	Williams
Fabrizio	Myers	Shapiro	Youngblood
Frankel	Nickol	Smith, B.	

NOT VOTING—0

EXCUSED—6

Cornell	LaGrotta	O'Brien	Sather
Donatucci	McGill		

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?

Mr. **LEACH** offered the following amendment No. **A07076**:

Amend Title, page 1, lines 2 and 3, by striking out “BETWEEN ONE MAN AND ONE WOMAN”

Amend Sec. 1 (Sec. 29), page 1, lines 10 and 11; page 2, lines 1 through 3, by striking out all of said lines on said pages and inserting

A civil contract by which any two persons enter into lawful union to the exclusion of all others shall be valid and recognized in this Commonwealth as a marriage.

On the question,

Will the House agree to the amendment?

AMENDMENT WITHDRAWN

The **SPEAKER**. On that question, the Chair recognizes the gentleman, Mr. Leach. The gentleman indicates he waives off on 7076.

What about 7134, Mr. Leach? The gentleman waives off on the amendments.

On the question recurring,

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

Ms. **JOSEPHS** offered the following amendment No. **A07272**:

Amend Title, page 1, lines 2 and 3, by striking out “marriage BETWEEN ONE MAN AND ONE WOMAN.” and inserting pairing by civil contract.

Amend Sec. 1 (Sec. 29), page 1, lines 9 through 11; page 2, lines 1 through 3, by striking out “Marriage.” in line 9 and all of lines 10 and 11, page 1, all of lines 1 through 3, page 2 and inserting Pairing by civil contract.

A civil contract by which any two adults enter into a pairing to the exclusion of all others shall be valid and recognized in this Commonwealth. Such adults and their dependents shall be afforded the same benefits, protections, rights, privileges and obligations that are afforded to married persons and their dependents.

On the question,

Will the House agree to the amendment?

AMENDMENT WITHDRAWN

The **SPEAKER**. On that question, the Chair recognizes the gentlelady, Ms. Josephs.

Ms. **JOSEPHS**. Mr. Speaker, I am going to be merciful and waive off on this one.

The **SPEAKER**. The Chair thanks the gentlelady.

On the question recurring,

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

The **SPEAKER**. Does the gentleman, Mr. Frankel, wish to offer amendment 7436? Mr. Frankel? The gentleman waives off.

What about 7434 and 7435, Mr. Frankel? The gentleman waives off.

According to the Chair and the Parliamentarian, because of the Boyd amendment, all other amendments are out of order or they change the subject matter of the bill.

For what purpose does the gentlelady, Ms. Josephs, rise?

Ms. **JOSEPHS**. Thank you, Mr. Speaker.

There was a series of amendments that I had filed that were sequential to the amendment that I just waived off, but they were rewritten and filed in anticipation of the passage of the Boyd amendment. So I would appreciate it if you would look at those amendments and give me a ruling on whether those are out of order.

The **SPEAKER**. The Chair thanks the gentlelady. We will take a look.

Amendment 7862 changes the subject matter of the bill, therefore is out of order.

Amendment 7863 is in order.

For the information of the gentlelady, in order to offer 7863, there is a necessity for a suspension of the rules. We are looking at the rest of the amendments right now.

Amendment 7864 changes the subject matter of the bill. Therefore, it is out of order; the same way with 7865 and 7866.

Does the gentlelady wish to suspend the rules?

PARLIAMENTARY INQUIRY

Ms. **JOSEPHS**. Mr. Speaker, I would like to ask a parliamentary inquiry.

The **SPEAKER**. The gentlelady will state it.

Ms. **JOSEPHS**. Thank you, Mr. Speaker.

On the amendments which you disqualified, I guess is the word, because it changed the subject matter of the bill, I am very puzzled. We change the subject matter of bills all the time on the floor through amendments. We could say that the amendment that was offered initially that removed many sentences and left the— I do not know the county of the gentleman. If I can refer to his name, I will. Mr. Nailor’s amendment, that could be said to have changed the subject matter as well, but there was never any objection raised to that amendment when it was offered.

The amendment of the gentleman from Lancaster that we just passed, over the objections of myself and others, changed the word “status” to “union,” which one could make an argument changed the subject matter of the bill.

These are gut-and-replace amendments. We do it all the time. I really do not understand why I am not allowed to do it tonight on these amendments.

The **SPEAKER**. Will the gentlelady please come to the rostrum.

The House will be in recess for a minute. The gentlelady has asked for a minute or two to come back with additional information.

(Conference held at Speaker’s podium.)

The **SPEAKER**. The Chair recognizes the lady, Ms. Josephs. Ms. **JOSEPHS**. Thank you, Mr. Speaker.

I appreciate your indulgence while I spoke to people about the amendment that I am allowed to offer.

I am very sorry that I was not allowed to offer my other amendments. I accept the fact that the Chair has ruled in a

certain way. My question still really remains unanswered. I do not understand why we cannot change the subject matter of the bill. We do it all the time, but we can talk about that later.

I am not going to challenge the Chair, as I said, and I am going to waive off on this amendment as well.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentlelady.

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

The Chair recognizes the gentlelady, Ms. Josephs.

Ms. JOSEPHS. Thank you, Mr. Speaker.

I am a short politician. I will attempt to give a short speech.

I think this is a very sad day for this great institution for which I have great respect and for the Commonwealth of Pennsylvania, which historically led the way to greater liberties, greater civil rights, and greater freedoms with responsibility in this country.

I think it is not only sad from moral and ethical and personal reasons but from economic reasons as well. Several of the speakers who oppose this amendment have talked about the pall that it will place on our State. We will have a name across the country and across the world as being inhospitable, as being unconcerned about civil rights, as rushing forward to make judgment without the proper debate.

I do not know how we can bring business – excuse me, Mr. Speaker. I really would like some attention. I have not spoken—

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

Ms. JOSEPHS. I have not spoken very much on this bill, and I—

The SPEAKER. The gentlelady is correct. Please keep the noise down.

Ms. Josephs.

Ms. JOSEPHS. Thank you, Mr. Speaker.

I do not know how we can be expected to compete in a global economy, to bring businesses here, to bring the best kind of employees here and employers. We have this kind of amendment and this kind of image in front of the world.

I am also extremely distraught and distressed that our Constitution, which led the way for freedom and liberty – we were never like the United States Constitution and enshrined slavery and enshrined the disenfranchising of women; we never did those kinds of things – and now we are taking a step into a very murky, a very bad – I hope we are not taking this step – but even this debate I think is deleterious, is adverse, has a very negative impact not only on our image to the world but also in our own civic pride and our own pride and our history as being such a forefront of liberty and freedom.

I really do not understand except for the political reasons, which is to bring out the conservative vote when some people want the conservative vote out, why there is this rush to do this damage, this damage to families who are committed and loving,

this damage to children, and this damage to our State and to our economic development in this Commonwealth.

I am not going to vote for this amendment, that is not a big surprise. I hope that a majority of my colleagues here, not a Republican issue, not a Democratic issue, will follow my lead. I think our constituents admire us when they admire us for courage and for sticking to our principles, and for those of us who have principles, I recommend a “no” vote.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentlelady.

The Chair recognizes the gentleman, Mr. Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, different constituents of ours have different demands upon us. Some people want us to lower taxes, some people want us to raise taxes to pay for social programs, some people want us to make sure that they get governmental benefits of one kind or another, some of us want us to intervene with governmental agencies on their behalf, and some people really just want us to leave them alone, and there is a large group of people out there who are gay, who are living with somebody of the opposite sex, who really would just like us to leave them alone and not make moral judgments designed to interfere with the way they live their lives.

This bill, as has been said before, gets us into the business of discriminating against people for the first time. As has been said before, this bill changes a function of the Pennsylvania State Constitution from dealing with government relations with the citizens to the relations of citizens with each other.

This is not a constitutional amendment that we are going to be proud of years from now. This is a constitutional amendment which is going to cause pain among many, many people. It obviously will cause pain among gays who want to get married or gays who want to engage in a civil union, but beyond that, it will cause many problems for people who are in domestic partnerships, senior citizens and others who for one reason or another just want to live together and want to have certain limited and legal rights. We are enmeshing ourselves in people’s lives for no real reason. We are making a serious mistake.

I would urge a “no” vote.

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—136

Adolph	Feese	Lescovitz	Roberts
Allen	Fichter	Levdansky	Rohrer
Argall	Flaherty	Mackereith	Ruffing
Armstrong	Fleagle	Maher	Sainato
Baker	Flick	Maitland	Saylor
Baldwin	Forcier	Major	Scavello
Barrar	Gabig	Markosek	Schroder
Bastian	Gannon	Marsico	Semmel
Belardi	Geist	McCall	Shaner
Belfanti	George	McIlhattan	Siptroth
Benninghoff	Gillespie	McNaughton	Smith, S. H.
Beyer	Gingrich	Melio	Sonney
Bianucci	Godshall	Metcalfe	Staback
Birmelin	Goodman	Micozzie	Stairs

Boyd	Grell	Millard	Stern
Bunt	Gruitza	Miller, R.	Stevenson, R.
Caltagirone	Haluska	Miller, S.	Stevenson, T.
Cappelli	Hanna	Mustio	Surra
Casorio	Harhai	Nailor	Tangretti
Causer	Harhart	Pallone	Taylor, E. Z.
Cawley	Harper	Payne	Taylor, J.
Civera	Harris	Petrarca	Tigue
Clymer	Hasay	Petri	True
Corrigan	Hennessey	Petrone	Turzai
Crahalla	Herman	Phillips	Wansacz
Creighton	Hershey	Pickett	Wilt
Daley	Hess	Pyle	Wojnaroski
Dally	Hickernell	Quigley	Wright
DeLuca	Hutchinson	Ramaley	Yewcic
Denlinger	Kauffman	Rapp	Yudichak
DeWeese	Keller, M.	Raymond	Zug
DiGirolamo	Kenney	Readshaw	
Ellis	Killion	Reed	
Evans, J.	Kotik	Reichley	Perzel,
Fairchild	Leh		Speaker

NAYS-61

Bebko-Jones	Gerber	Myers	Shapiro
Bishop	Gergely	Nickol	Smith, B.
Blackwell	Good	Oliver	Solobay
Blaum	Grucela	O'Neill	Steil
Buxton	James	Parker	Stetler
Cohen	Josephs	Pistella	Sturla
Costa	Keller, W.	Preston	Thomas
Cruz	Kirkland	Rieger	Veon
Curry	Leach	Roebuck	Vitali
Dermody	Lederer	Rooney	Walko
Diven	Manderino	Ross	Waters
Eachus	Mann	Rubley	Watson
Evans, D.	McGeehan	Sabatina	Wheatley
Fabrizio	McIlhinney	Samuelson	Williams
Frankel	Mundy	Santoni	Youngblood
Freeman			

NOT VOTING-0

EXCUSED-6

Cornell	LaGrotta	O'Brien	Sather
Donatucci	McGill		

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

RESOLUTION PURSUANT TO RULE 35

Mr. COHEN called up **HR 781, PN 4144**, entitled:

A Resolution recognizing June 6, 2006, as "National Hunger Awareness Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-197

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

NAYS-0

NOT VOTING-0

EXCUSED-6

Cornell	LaGrotta	O'Brien	Sather
Donatucci	McGill		

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

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 2304, PN 3228

An Act designating the bridge carrying State Route 1025 over Interstate 79 in North Strabane Township, Washington County, as the Canon-McMillan Alumni Bridge.

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

VOTE CORRECTION

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

Mr. SURRA. Thank you, Mr. Speaker.

On the last vote on the constitutional amendment, my switch malfunctioned. I want to be recorded in the affirmative.

The SPEAKER. The gentleman's remarks will be spread across the record.

The House is in tomorrow at 10 a.m.
Are there any further announcements?

VOTE CORRECTION

The SPEAKER. Mr. Staback.

Mr. STABACK. Thank you, Mr. Speaker.

To correct the record, Mr. Speaker.

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

Mr. STABACK. On the Nailor amendment A7329, my switch malfunctioned. I would like to be recorded in the negative.

The SPEAKER. The Chair thanks the gentleman.

The gentleman's remarks will be spread across the record.

REMARKS SUBMITTED FOR THE RECORD**VOTE CORRECTION**

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

Mr. Speaker, I would like to have my vote corrected on HB 2381. My vote was recorded in the negative, and I would like the official record to reflect that I voted in the affirmative for HB 2381 on final passage. Thank you.

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. The gentleman, Mr. Semmel.

Mr. SEMMEL. Thank you, Mr. Speaker.

I would like to submit some remarks for the record on SB 1056. Thank you.

The SPEAKER. The gentleman is in order, and his remarks will be spread across the record.

I believe one of the pages is to get the remarks from Mr. Semmel.

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

Mr. Speaker, I would ask the members for an affirmative vote on SB 1056. This legislation creates a very important emergency management tool for our emergency response planning and readiness as it pertains to the provisions of our Emergency Management Code.

Many of you may remember the vivid photographs and news clips of Hurricane Katrina, in particular a picture of hundreds of school buses stranded in a parking lot with floodwaters up well past the top windows. This was occurring as multiple thousands of citizens were seeking means of transportation out of the city of New Orleans. These buses remained stranded in the floodwaters because there was a lack of planning in regard to qualified drivers of these vehicles.

Mr. Speaker, SB 1056 will assure that there will be qualified drivers, whether they are National Guard personnel, volunteer emergency responders, or able-bodied citizens that are chosen by emergency management officials, and I again ask the members for an affirmative vote on this important emergency management initiative.

Thank you, Mr. Speaker.

The SPEAKER. Would the membership please listen for caucus announcements in the morning; please listen for caucus announcements in the morning.

Mr. Cohen.

Mr. COHEN. Mr. Speaker, is there going to be a Republican caucus announcement?

The SPEAKER. We do not know yet. That announcement will be made in the morning on our side of the aisle.

Mr. COHEN. Okay.

The SPEAKER. Does the gentleman wish to have one?

Mr. COHEN. Mr. Speaker, Mr. Manzo suggested to me, and I think it is a good idea, we are going to just follow whatever the Republicans decide.

The SPEAKER. Well, that is a good idea, Mr. Cohen.

Thank you.

RECESS

The SPEAKER. This House is in recess to the call of the Chair.

AFTER RECESS

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

**THE SPEAKER PRO TEMPORE
(MATTHEW E. BAKER) PRESIDING****BILLS AND RESOLUTIONS PASSED OVER**

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

RECESS

The SPEAKER pro tempore. The gentleman from Montgomery County, Mr. Shapiro, is recognized.

Mr. SHAPIRO. Mr. Speaker, I move that this House do now recess until Wednesday, June 7, 2006, at 10 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,
Will the House agree to the motion?
Motion was agreed to, and at 9:59 a.m., e.d.t., Wednesday,
June 7, 2006, the House recessed.