

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

SATURDAY, JUNE 30, 1990

SESSION OF 1990

174TH OF THE GENERAL ASSEMBLY

No. 49

### HOUSE OF REPRESENTATIVES

The House convened at 3:35 p.m., e.d.t.

#### THE SPEAKER PRO TEMPORE (IVAN ITKIN) PRESIDING

##### PRAYER

REV. CLYDE W. ROACH, Chaplain of the House of Representatives, from Harrisburg, Pennsylvania, offered the following prayer:

Let us pray:

Almighty God, our Father, we recognize that Thine is the kingdom, the power, and the glory and that You have blessed us with Your abundance beyond measure. We also thank You for the amazing grace given to this House of Representatives to budget for this abundance. By it, may the citizens and institutions of this great Commonwealth be empowered to labor for You for another year.

And, precious Lord, as we enter another summer vacation season, help us to rest and relax our bodies and minds that our strength might be renewed like that of the eagle so that when we return to this House, we will be ready to give our all for the promotion of this great Commonwealth.

In Your dear name we pray. Amen.

##### PLEDGE OF ALLEGIANCE

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

##### JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Friday, June 29, 1990, will be postponed until printed. The Chair hears no objection.

##### LEAVES OF ABSENCE

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

The Chair is informed that there are no leaves of absence for the Democratic members.

The Chair now recognizes the minority whip, the gentleman from Huntingdon, Mr. Hayes.

Mr. HAYES. Thank you.

I request a leave for the gentleman from Dauphin County, Mr. DININNI, for the day.

The SPEAKER pro tempore. Without objection, the leave of absence is granted.

##### MASTER ROLL CALL

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

(A roll-call vote was taken.)

##### FILMING PERMISSION

The SPEAKER pro tempore. For the advice of the members, the Chair has given permission to Gabrielle DeRose of WTAJ-TV 10 to film on the floor of the House for the next 10 minutes.

##### LEAVE OF ABSENCE

The SPEAKER pro tempore. The Chair will return to leaves of absence and recognize the majority leader, who amends the report that there are no leaves on the Democratic side and indicates a leave for the gentleman from Philadelphia, Mr. PIEVSKY.

Without objection, the leave of absence is granted.

##### MASTER ROLL CALL RETAKEN

The SPEAKER pro tempore. The Chair now will take the master roll over again to reflect the additional leave request on the part of the gentleman from Philadelphia, Mr. Pievsky. Members will proceed to vote on the master roll.

The following roll call was recorded:

##### PRESENT—200

Acosta	Donatucci	Lashingier	Ritter
Adolph	Dorr	Laughlin	Robbins
Allen	Durham	Lee	Robinson
Angstadt	Evans	Leh	Roebuck
Argall	Fairchild	Lescovitz	Rudy
Barley	Fargo	Levdansky	Ryan
Battisto	Farmer	Linton	Rybak
Belardi	Fee	Lloyd	Saloom
Belfanti	Fleagle	Lucyk	Saurman
Billow	Flick	McCall	Scheetz
Birmelin	Foster	McHale	Schuler
Bishop	Fox	McNally	Scrimenti
Black	Freeman	McVerry	Semmel
Blaum	Freind	Maiale	Serafini
Bortner	Gallen	Maine	Smith, B.

Bowley	Gamble	Markosek	Smith, S. H.
Boyes	Gannon	Marsico	Snyder, D. W.
Brandt	Geist	Mayernik	Snyder, G.
Broujos	George	Melio	Staback
Bunt	Gigliotti	Merry	Stairs
Burd	Gladeck	Michlovic	Steighner
Burns	Godshall	Micozzie	Stish
Bush	Gruitza	Mihalich	Strittmatter
Caltagirone	Gruppo	Miller	Stuban
Cappabianca	Hagarty	Moehlmann	Tangretti
Carlson	Haluska	Morris	Taylor, E. Z.
Carn	Harper	Mowery	Taylor, F.
Cawley	Hasay	Mrkonic	Taylor, J.
Cessar	Hayden	Murphy	Telek
Chadwick	Hayes	Nahill	Thomas
Civera	Heckler	Nailor	Tigue
Clark, B. D.	Herman	Noye	Trello
Clark, D. F.	Hershey	O'Brien	Trich
Clark, J. H.	Hess	Olasz	Van Horne
Clymer	Howlett	Oliver	Veon
Cohen	Hughes	Perzel	Vroon
Colafiglia	Itkin	Pesci	Wambach
Colaizzo	Jackson	Petrarca	Wass
Cole	Jadlowiec	Petrone	Weston
Cornell	James	Phillips	Williams
Corrigan	Jarolin	Piccola	Wilson
Cowell	Johnson	Pistella	Wogan
Coy	Josephs	Pitts	Wozniak
DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Wright, R. C.
Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	
Dietterick	Kukovich	Richardson	O'Donnell,
Distler	LaGrotta	Rieger	Speaker
Dombrowski	Langtry		

ADDITIONS—0  
 NOT VOTING—0  
 EXCUSED—2

Dininni      Pievsky

**WELCOMES**

The SPEAKER pro tempore. The Chair at this time is pleased to welcome to the hall of the House Mike McCall, who is the cousin of our Representative Keith McCall, and his fiancée, Sue Sandefer. They are the guests of Representative McCall, and they are located to the left of the Speaker. Would they please rise and be recognized.

The Chair also wishes to welcome to the House of Representatives Mr. and Mrs. Steven Delinko, Mr. Jeff Delinko, Master David Delinko, and Master Jason Delinko, who are the guests of the gentleman from Westmoreland, Mr. Petrarca. Will the guests please rise and be acknowledged. I believe they are in the balcony.

The Chair recognizes the gentleman from Dauphin, Mr. Wambach.

Mr. WAMBACH. Mr. Speaker, on behalf of Mary McCall, Representative McCall's mother, I would like to ask the Chair, was the fiancée you introduced Mike McCall, his cousin's fiancée or Keith McCall's fiancée? I think his mother would like to—

The SPEAKER pro tempore. I think it is the cousin's fiancée.

Mr. WAMBACH. Oh. Thank you. I will relate that to his mother, who is frantically on the phone right now.

Thank you very much.

The SPEAKER pro tempore. The Chair thanks the gentleman.

**CALENDAR**

**BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of SB 1111, PN 2352, entitled:

An Act amending the act of November 24, 1976 (P. L. 1163, No. 259), entitled "Generic Equivalent Drug Law," further providing for the addition and deletion of generic drugs from the formulary.

On the question,

Will the House agree to the bill on third consideration?

Mr. KUKOVICH offered the following amendments No. A3058:

Amend Title, page 1, line 4, by inserting a period after "drugs"

Amend Title, page 1, line 4, by striking out "from the formulary."

Amend Bill, page 1, lines 7 through 18; pages 2 through 4, lines 1 through 30; page 5, lines 1 through 24, by striking out all of said lines on said pages and inserting

Section 1. The definition of "generically equivalent drug" in section 2 of the act of November 24, 1976 (P.L.1163, No.259), referred to as the Generic Equivalent Drug Law, is amended to read:

Section 2. As used in this act:

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"Generically equivalent drug" means a drug product [having the same generic name, dosage form and labeled potency, meeting standards of the United States Pharmacopoeia or National Formulary or their successors, if applicable, and not found in violation of the requirements of the United States Food and Drug Administration or the Pennsylvania Department of Health.] that the Commissioner of Food and Drugs of the United States Food and Drug Administration has approved as safe and effective and has determined to be therapeutically equivalent, as listed in "The Approved Drug Products with Therapeutic Equivalence Evaluations," (Food and Drug Administration "Orange Book"), provided, however, that drug products found by the United States Food and Drug Administration to have a narrow therapeutic range shall not be considered generically equivalent for the purposes of this act.

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Section 2. Section 3(a) and (f) of the act, amended December 15, 1988 (P.L.1257, No.154), are amended to read:

Section 3. (a) Whenever a pharmacist receives a prescription for a brand name drug [he shall, unless requested otherwise by the purchaser, substitute a less expensive generically equivalent drug product listed in the formulary of generic and brand name drug products developed by the Department of Health as provided in section 5(b) unless the prescriber indicates otherwise.] the pharmacist shall substitute a less expensive generically equivalent drug unless requested otherwise by the purchaser or indicated otherwise by the prescriber. The bottom of every prescription blank shall be imprinted with the words "substitution permissible" and shall contain one signature line for the physician's or

other authorized prescriber's signature. The prescriber's signature shall validate the prescription and, unless the prescriber handwrites "brand necessary" or "brand medically necessary," shall designate approval of substitution of a drug by a pharmacist pursuant to this act. Imprinted conspicuously on the prescription blanks shall be the words: "In order for a brand name product to be dispensed, the prescriber must handwrite 'brand necessary' or 'brand medically necessary' in the space below." All information printed on the prescription blank shall be in eight-point uppercase print. In the case of an oral prescription, there will be no substitution if the prescriber expressly indicates to the pharmacist that the brand name drug is necessary and substitution is not allowed. Substitution of a less expensive generically equivalent drug [product] shall be contingent on whether the pharmacy has the brand name or generically equivalent drug in stock.

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(f) No pharmacist shall substitute a generically equivalent drug [product for a prescribed brand name drug product if the brand name drug product or the generic drug type is not included in the formulary developed by the Department of Health in accordance with the provisions of section 5(b).] for a prescribed brand name drug unless the generically equivalent drug meets the definition of generically equivalent drug set forth in this act and the secretary has not prohibited the use of the drug in accordance with section 5.

Section 3. Sections 4(b) and 5 of the act are amended to read:

Section 4. \*\*\*

(b) Every pharmacy shall post in a conspicuous place, easily accessible to the general public, a list of commonly used generically equivalent drugs [from the formulary] containing the generic names and brand names where applicable.

\*\*\*

Section 5. (a) The Department of Health shall have the power and its duty shall be to:

- (1) Administer and enforce the provisions of this act.
- (2) Adopt necessary regulations consistent with this act.
- (3) Publicize the provisions of this act.
- (4) [Distribute in cooperation with the Pennsylvania Board of Pharmacy periodically an updated formulary of generically equivalent drug products to all pharmacies in the Commonwealth.] Publish by notice in the Pennsylvania Bulletin the addition or deletion of generically equivalent drugs and any determination by the secretary to not recognize a generically equivalent drug in accordance with section 5(b). The department shall also provide notice that a complete list of generically equivalent drugs may be obtained from the United States Food and Drug Administration. This notice shall be published at least every three months.

(b) [The Secretary of Health in cooperation with the Pennsylvania Drug, Device and Cosmetic Board shall within 180 days of the effective date of this act establish a formulary of generically equivalent drugs and the name of their manufacturers. In compiling the list of generic and brand name drug products for inclusion in the formulary, the secretary may adopt in whole or in part formularies adopted by the United States Department of Health, Education and Welfare for their maximum allowable cost program for drug reimbursements under Title XVIII and Title XIX of the Social Security Act. In the event of an emergency, as determined by the secretary to affect the health or safety of the public, the secretary may remove a drug product from the list without public hearings. If the formulary for the maximum allowable cost program is adopted by the secretary, formal hearings as required in the act of June 4, 1945 (P.L.1388, No.422), known as the "Administrative Agency Law," may be waived otherwise the inclusions of all drugs in the formulary shall be in compliance with the provisions of the Administrative Agency Law. The formulary may be added to or deleted from upon the motion of the secretary or on the petition

of any interested party however before such addition or deletion the secretary shall request the advice in writing from the Drug, Device and Cosmetic Board whether a drug should be added or deleted. Such advice shall be rendered to the secretary within a reasonable time. After considering the available facts, the secretary shall make a finding with respect to such drug and may issue a regulation on its substitution for a period of one year. The status of such drugs as well as the formulary shall be reviewed annually by the secretary.] The secretary, with the advice of the Pennsylvania Drug, Device and Cosmetic Board, may determine that a drug shall not be recognized as a generically equivalent drug for purposes of substitution in Pennsylvania and the time after which recognition shall be restored.

(c) Whenever the United States Food and Drug Administration has determined a drug product as having a narrow therapeutic range, the manufacturer may submit an application for review of generic equivalence with the Office of Drugs, Devices and Cosmetics. Within 14 days of receiving a complete application and information, the representative of the Office of Drugs, Devices and Cosmetics shall forward any pertinent clinical information or bioequivalence studies to a consultant pharmacologist designated by the Pennsylvania Drug, Device and Cosmetic Board for review. The consultant pharmacologist shall have a total of 60 days to review any clinical information after he has received all of the data needed for review from the drug manufacturer. The consultant pharmacologist shall then make his recommendation in writing to the Technical Advisory Committee (TAC). After at least 30 days notice, but no longer than 60 days notice, from the time the TAC receives the recommendation on a drug from the pharmacologist, a public hearing shall be held by the TAC, or by personnel of the department designated by the secretary, to hear testimony from all parties affected by the possible inclusion of such a drug as a generically equivalent drug for purposes of substitution in Pennsylvania. Such notice shall be mailed to every drug manufacturer that is authorized to do business in this Commonwealth and to all persons who have made a timely request of the TAC for advance notice of its public hearings and shall be published in the Pennsylvania Bulletin. The TAC shall meet quarterly, and at that time shall review the recommendations of the consultant pharmacologist and the information provided at the public hearing and make its recommendation to the Drug, Device and Cosmetic Board within ten working days after the quarterly meeting. The board shall have 14 days to make its recommendation to the secretary. Any decision to reject or to recognize such a drug as generically equivalent for purposes of substitution in Pennsylvania must be accompanied by a written explanation of the basis for the decision. A manufacturer may not resubmit an application after it has been rejected unless additional information is included which responds to the written explanation of the basis for rejection of the original application. After considering the available facts, the secretary shall make a finding with respect to such drug and shall issue a determination on its substitution for a period of one year, within 14 working days. The date of this determination shall be the date such drug shall be legally substitutable in this Commonwealth. The department shall issue a quarterly update. The status of such drugs shall be reviewed annually by the secretary.

(d) Any drug product, having been previously included in the Pennsylvania Generic Drug Formulary, which the United States Food and Drug Administration has determined as having a narrow therapeutic range shall be considered generically equivalent for the purposes of this act unless the secretary, with the advice of the Pennsylvania Drug, Device and Cosmetic Board, makes an independent determination that such a product is not generically equivalent in accordance with the provisions of subsection (c).

Section 4. This act shall take effect in 60 days.

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

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman from Westmoreland, Mr. Kukovich.

Mr. KUKOVICH. Thank you, Mr. Speaker.

If the members will recall, about 3 days ago we overwhelmingly passed Representative Itkin's bill, HB 2635. SB 1111 is a companion bill coming over from the Senate.

There is agreement between the House and Senate leaders regarding this amendment into SB 1111. It would cause both of the bills to conform and make sure that generic drugs approved by the FDA (Food and Drug Administration) would be available as substitutes in the Commonwealth. However, there was a question about certain generic drugs that might have a rather narrow therapeutic range. We dealt with that by amendment to Representative Itkin's bill. This amendment adopts that review process that would then be required in SB 1111, and the two bills would at that point conform to the review process.

Since it is agreed to between the Senate and the House, I would ask for an affirmative vote.

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

The following roll call was recorded:

YEAS—200

Acosta	Donatucci	Lashinger	Ritter
Adolph	Dorr	Laughlin	Robbins
Allen	Durham	Lee	Robinson
Angstadt	Evans	Leh	Roebuck
Argall	Fairchild	Lescovitz	Rudy
Barley	Fargo	Levdansky	Ryan
Battisto	Farmer	Linton	Rybak
Belardi	Fee	Lloyd	Saloom
Belfanti	Fleagle	Lucyk	Saurman
Billow	Flick	McCall	Scheetz
Birmelin	Foster	McHale	Schuler
Bishop	Fox	McNally	Scrimenti
Black	Freeman	McVerry	Semmel
Blaum	Freind	Maiale	Serafini
Bortner	Gallen	Maine	Smith, B.
Bowley	Gamble	Markosek	Smith, S. H.
Boyes	Gannon	Marsico	Snyder, D. W.
Brandt	Geist	Mayernik	Snyder, G.
Broujos	George	Melio	Staback
Bunt	Gigliotti	Merry	Stairs
Burd	Gladeck	Michlovic	Steighner
Burns	Godshall	Micozzie	Stish
Bush	Gruitza	Mihalich	Strittmatter
Caltagirone	Gruppo	Miller	Suban
Cappabianca	Hagarty	Moehlmann	Tangretti
Carlson	Haluska	Morris	Taylor, E. Z.
Carn	Harper	Mowery	Taylor, F.
Cawley	Hasay	Mrkonic	Taylor, J.
Cessar	Hayden	Murphy	Telek
Chadwick	Hayes	Nahill	Thomas
Civera	Heckler	Nailor	Tigue
Clark, B. D.	Herman	Noye	Trello
Clark, D. F.	Hershey	O'Brien	Trich
Clark, J. H.	Hess	Olasz	Van Horne
Clymer	Howlett	Oliver	Veon
Cohen	Hughes	Perzel	Vroon
Colafiglia	Itkin	Pesci	Wambach
Colaizzo	Jackson	Petrarca	Wass
Cole	Jadlowiec	Petrone	Weston
Cornell	James	Phillips	Williams
Corrigan	Jarolin	Piccola	Wilson

Cowell	Johnson	Pistella	Wogan
Coy	Josephs	Pitts	Wozniak
DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Wright, R. C.
Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	
Dietterick	Kukovich	Richardson	O'Donnell,
Distler	LaGrotta	Rieger	Speaker
Dombrowski	Langtry		

NAYS—0

NOT VOTING—0

EXCUSED—2

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The question was determined in the affirmative, and the amendments were 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 from Allegheny, Mr. Mayernik. For what purpose does the gentleman rise?

Mr. MAYERNIK. Thank you, Mr. Speaker.

I ask that the bill be held over temporarily. I have two amendments being drafted. I called for both at the same time. I have one of them in my hand right now that just came down. I am sure the other one will be down temporarily. I only found out that this bill was on the calendar today, as did many other members. It should be very shortly; I am sure before the end of the session day. So I would ask that we hold the bill over temporarily.

The SPEAKER pro tempore. What is the majority leader's pleasure?

The Chair recognizes the majority leader.

Mr. DeWEESE. Mr. Speaker, with all due respect to the gentleman from Allegheny County, we need this run at this time. It is a part of the budget process. When we send this to the Senate, it needs to be reprinted, and I would respectfully request that we move on it at this time.

Mr. MAYERNIK. Mr. Speaker, I have submitted the amendment to the amendment clerk. It is in place ready to go.

The SPEAKER pro tempore. Has the amendment been circulated to the members' desks? No.

Mr. Mayernik, the clerk informs me that the amendment has not been circulated.

Mr. MAYERNIK. The amendment is in the hands of the amendment clerk though, Mr. Speaker. How long would it take to circulate it? And we have had amendments before in this House already drafted and run before some of us have had an opportunity to see them. I would be happy to describe the amendment to the members of this chamber.

The SPEAKER pro tempore. Mr. Mayernik, I am told the majority leader does not want this bill to be held up. We are going to run it.

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.

YEAS—198

Acosta	Dombrowski	Langtry	Rieger
Adolph	Donatucci	Lashingner	Ritter
Allen	Dorr	Laughlin	Robbins
Angstadt	Durham	Lee	Robinson
Argall	Evans	Leh	Roebuck
Barley	Fairchild	Lescovitz	Rudy
Battisto	Fargo	Levdansky	Ryan
Belardi	Farmer	Linton	Rybak
Belfanti	Fee	Lloyd	Saloom
Billow	Fleagle	Lucyk	Scheetz
Birmelin	Flick	McCall	Schuler
Bishop	Foster	McHale	Scrimenti
Black	Fox	McNally	Semmel
Blaum	Freeman	McVerry	Serafini
Bortner	Freind	Maiale	Smith, B.
Bowley	Gallen	Maine	Smith, S. H.
Boyes	Gamble	Markosek	Snyder, D. W.
Brandt	Gannon	Marsico	Snyder, G.
Broujos	Geist	Mayernik	Staback
Bunt	George	Melio	Stairs
Burd	Gigliotti	Merry	Steighner
Burns	Gladeck	Michlovic	Stish
Bush	Godshall	Micozzie	Strittmatter
Caltagirone	Gruitza	Mihalich	Suban
Cappabianca	Gruppo	Miller	Tangretti
Carlson	Hagarty	Moehlmann	Taylor, E. Z.
Carn	Haluska	Morris	Taylor, F.
Cawley	Harper	Mowery	Taylor, J.
Cessar	Hasay	Mrkonic	Telek
Chadwick	Hayden	Murphy	Thomas
Civera	Hayes	Nahill	Tigue
Clark, B. D.	Herman	Nailor	Trello
Clark, D. F.	Hershey	Noye	Trich
Clark, J. H.	Hess	O'Brien	Van Horne
Clymer	Howlett	Olasz	Veon
Cohen	Hughes	Oliver	Vroon
Colaella	Itkin	Perzel	Wambach
Colaizzo	Jackson	Pesci	Wass
Cole	Jadlowiec	Petrarca	Weston
Cornell	James	Petrone	Williams
Corrigan	Jarolin	Phillips	Wilson
Cowell	Johnson	Piccola	Wogan
Coy	Josephs	Pistella	Wozniak
DeLuca	Kaiser	Pitts	Wright, D. R.
DeWeese	Kasunic	Pressmann	Wright, J. L.
Daley	Kenney	Preston	Wright, R. C.
Davies	Kondrich	Raymond	Yandrisevits
Dempsey	Kosinski	Reber	
Dietterick	Kukovich	Reinard	O'Donnell,
Distler	LaGrotta	Richardson	Speaker

NAYS—2

Heckler Saurman

NOT VOTING—0

EXCUSED—2

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

Ordered, That the clerk 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.

FILMING PERMISSION

The SPEAKER pro tempore. The Chair wishes to advise the members of the House that it has given permission to John Sanks of WPVI-TV, channel 6, to film on the floor of the House for the next 10 minutes.

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of SB 1617, PN 2353, entitled:

An Act amending the act of July 2, 1984 (P. L. 527, No. 106), entitled "Recreational Improvement and Rehabilitation Act," further defining "recreation purposes"; further providing for additional rehabilitation projects; changing the allocation of funds and the availability of funds to cities of the first class; and making a repeal.

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.

YEAS—200

Acosta	Donatucci	Lashingner	Ritter
Adolph	Dorr	Laughlin	Robbins
Allen	Durham	Lee	Robinson
Angstadt	Evans	Leh	Roebuck
Argall	Fairchild	Lescovitz	Rudy
Barley	Fargo	Levdansky	Ryan
Battisto	Farmer	Linton	Rybak
Belardi	Fee	Lloyd	Saloom
Belfanti	Fleagle	Lucyk	Saurman
Billow	Flick	McCall	Scheetz
Birmelin	Foster	McHale	Schuler
Bishop	Fox	McNally	Scrimenti
Black	Freeman	McVerry	Semmel
Blaum	Freind	Maiale	Serafini
Bortner	Gallen	Maine	Smith, B.
Bowley	Gamble	Markosek	Smith, S. H.
Boyes	Gannon	Marsico	Snyder, D. W.
Brandt	Geist	Mayernik	Snyder, G.
Broujos	George	Melio	Staback
Bunt	Gigliotti	Merry	Stairs
Burd	Gladeck	Michlovic	Steighner
Burns	Godshall	Micozzie	Stish
Bush	Gruitza	Mihalich	Strittmatter
Caltagirone	Gruppo	Miller	Suban
Cappabianca	Hagarty	Moehlmann	Tangretti
Carlson	Haluska	Morris	Taylor, E. Z.
Carn	Harper	Mowery	Taylor, F.
Cawley	Hasay	Mrkonic	Taylor, J.
Cessar	Hayden	Murphy	Telek
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Civera	Heckler	Nailor	Tigue
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Cohen	Hughes	Perzel	Vroon
Colafrella	Itkin	Pesci	Wambach
Colaizzo	Jackson	Petrarca	Wass
Cole	Jadlowiec	Petrone	Weston
Cornell	James	Phillips	Williams
Corrigan	Jarolin	Piccola	Wilson
Cowell	Johnson	Pistella	Wogan
Coy	Josephs	Pitts	Wozniak
DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Wright, R. C.
Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	
Dietterick	Kukovich	Richardson	O'Donnell,
Distler	LaGrotta	Rieger	Speaker
Dombrowski	Langtry		

NAYS—0

NOT VOTING—0

EXCUSED—2

Dininni            Pievsky

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

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

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The House proceeded to third consideration of **SB 967, PN 2390**, entitled:

An Act authorizing the Department of Environmental Resources to defend, indemnify and hold harmless the Consolidated Rail Corporation in actions arising under the acceptance of a certain railroad line; and providing for an advisory committee.

On the question,

Will the House agree to the bill on third consideration?

Mr. BUSH offered the following amendments No. A2990:

Amend Bill, page 2, by inserting between lines 16 and 17

Section 3: The Department of Environmental Resources may develop the segment of the right-of-way from the village of Blackwell in Tioga County to Wellsboro Junction in Tioga County into a recreational trail. The Department of Environmental Resources shall allow the segment of the right-of-way from the village of Blackwell in Tioga County to the Borough of Jersey Shore in Lycoming County to revert to a natural condition.

Amend Sec. 3, page 2, line 17, by striking out "3" and inserting

4

Amend Sec. 4, page 3, line 20, by striking out "4" and inserting

5

On the question,

Will the House agree to the amendments?

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman, Mr. Bush.

Mr. BUSH. Thank you, Mr. Speaker.

Mr. Speaker, SB 967 has rather limited implications as it stands. However, there is another Senate bill, SB 640, coming along at some point which will establish a system of rails-to-trails all over the Commonwealth. So what we do here today on SB 967 will have some implications for the future, and I would like to beg the indulgence of the House while I explain this amendment to SB 967 very briefly.

The amendment to SB 967 which I offer today is very straightforward. It proposes to go beyond the simple assumption of liability contained in SB 967 by defining the uses to which the Conrail right-of-way can be put.

Because of significant differences between Tioga County and Lycoming County in the Pine Creek Valley, my amendment specifies that the right-of-way can be used in two separate and distinct ways. In Tioga County a recreational trail would be permitted. In Lycoming County, however, my county, the right-of-way would be allowed to revert to a natural condition.

To understand this amendment, it is necessary first to understand the reasons behind it. First and foremost, it is important to understand that there is a significant difference in the geography, the demographics, and the local attitudes between the two counties as they relate to this proposed trail.

In Tioga County the right-of-way goes primarily through wilderness area, including the beautiful Pennsylvania Grand Canyon, with limited access to Pine Creek. The land abutting the right-of-way is 95 percent owned by the Commonwealth, and the majority of the people are in favor of the establishment of a recreational trail. For all of those reasons I support the establishment of a trail in the northern 24 miles of the right-of-way located in Tioga County.

The southern 38 miles of the right-of-way, which is located in Lycoming County, entirely in my 84th Legislative District with the exception of 2 miles at the southern part of Tioga, presents distinctly different problems. The land abutting the right-of-way is more than 50 percent privately owned. The population in the Pine Creek Valley resides along the creekbed and thus along the right-of-way. The right-of-way goes through six villages in this southern stretch. And finally, over 90 percent of the residents of the Lycoming section of the right-of-way are strongly opposed to the establishment of a recreational trail.

The reasons for this opposition are numerous. Obviously, with so much of the right-of-way frontage in private hands, there is a genuine concern about invasion of privacy, something which most feel will erode a significant part of the value of their properties. The prospect of thousands of strangers hiking or biking through their front yards, with the attendant possibilities of littering, vandalism, and break-ins, causes very strong concern.

But this concern, even though valid, is not the serious one. At the present time, the Pine Creek Valley, because of its natural beauty, is being overused. This potential problem was recognized officially by DER (Department of Environmental Resources) back in 1976 when it declared in a policy statement that "Pine Creek is already on the brink of overuse." Fourteen years later, that problem is now acute.

Taking care of services like solid waste disposal and emergency services is already straining the resources of townships in the valley - townships required to provide those and other services with very limited tax bases. Local officials have the very real concern that the influx of more people because of a recreational trail will strain their limited resources to the breaking point.

And finally, there is the corollary concern that DER, despite its present interest, will not, in the long run, be able to sustain the appropriations levels necessary to maintaining the trail along with the attendant camping, sanitary, and other facilities which are proposed. As residents of an area where DER already has heavy responsibilities, they see firsthand the negative results caused by the fact that DER is chronically underfunded. It is not difficult to envision a time in the not too distant future when the townships and the residents in the valley are stuck with the results of benign neglect by DER. We have only to look at the disintegrating condition of our State park system to see the reality of this possibility.

For all of these reasons, as the Representative for the residents of the Lycoming County section of the Pine Creek Valley, I ask for your support of the amendment which I am offering. I am not opposed to the rails-to-trails concept. I simply believe that it should not be used in the part of the Pine Creek Valley contained in my legislative district.

The Pine Creek Valley is one of the genuine treasures in our Commonwealth. Its natural beauty is unsurpassed. But its ecology and its infrastructure are very fragile. It must be treated with care and respect if it is to be preserved for future generations to enjoy.

It is easy for people who do not reside in the valley to advocate the establishment of this recreational trail. They want to enjoy its benefits but with no assumption of responsibility for the serious problems it very well may create. It is for that reason that I choose to speak for the people who will be most affected by the outcome, at the same time recognizing that there are proponents who reside in other parts of my legislative district.

The residents of the valley in Lycoming County have legitimate concerns, and they are the ones who will be the most affected. Please respect their responsible opposition to the proposed trail by voting for my amendment.

If the trail is confined to Tioga County where it is logical and where it will be welcomed, it will have the opportunity to prove whether or not it is a benefit or a problem. If the former proves to be true, extension of the trail southward can be considered at a future time. If the latter proves to be true, we will have prevented an important segment of this unique natural resource from being decimated by the serious problems of overuse.

I respectfully ask for support of my amendment.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Murphy.

Mr. MURPHY. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to Mr. Bush's amendment.

Rails-to-trails by their nature work if the integrity of the rail right-of-way is kept intact. It does no good to either split that right-of-way up or to just take a piece of it.

This is a wonderful opportunity for all the residents of the Commonwealth. There is, as Mr. Bush said, an opportunity to create a 62-mile trail through some of the most unparalleled, beautiful areas in the Commonwealth, through the Pine Creek. It is an opportunity that DER has long recognized and has worked closely with Conrail to keep intact this abandoned, or soon to be abandoned, right-of-way. In fact, for the last 6 months, in an attempt to address some of the problems that Representative Bush raised, the Department of Environmental Resources has assigned four patrolmen, forest patrolmen, to the right-of-way area in order to assure the residents that the right-of-way area will be maintained and patrolled.

If we do not accept this property, the property and the opportunity for a rails-to-trails will be lost, and when it is lost, it will be lost forever. We will not have another opportunity to create a 62-mile hiking and biking trail in this area. That does not mean that the trail would not be continued to be used. It would be used but would not be protected. It would be used in many illegal uses - all-terrain vehicles. It could conceivably be used for dumping purposes.

So while Mr. Bush's intent I think is worthwhile, it does not do two things: One, it does not protect the integrity of the trail; and two, it does not address the very problems that the residents of that valley will face anyhow, because the trail, while it might revert back to natural use, will be an attraction. It will be something that people will want to use anyhow.

As Mr. Bush mentioned, there will be other opportunities around the Commonwealth like this. This is a new type of recreational use. It is a new type of recreational use that has become very popular in other States. Recently the New York Times published an article about San Francisco, where they are creating a 400-mile trail. In western Pennsylvania there are a couple opportunities available to us now, as there are in the eastern part of the State.

Pine Creek is an opportunity that is here today, and I am hopeful that the Representatives will decide to grasp that opportunity, to begin to use it so that the people in this Commonwealth might be able to enjoy the Pine Creek area, the 62-mile right-of-way.

The legislation requires DER to set up an advisory committee that will have involved in it the chairmen of the local county planning commissions, the chairman of the board of supervisors of each of the townships and the counties, the chairmen of the county boards of commissioners, so that DER will be required to work closely with local government officials to assure that this trail is properly maintained and properly policed.

But please, please, do not vote for this amendment, because if you do, you will be giving away a wonderful opportunity for the Commonwealth and for all of its residents. Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Bradford, Mr. Chadwick.

Mr. CHADWICK. Thank you, Mr. Speaker.

Mr. Speaker, with great reluctance I must stand to oppose this amendment.

As I understand it, the Federal legislation requires that we go all or nothing. You cannot break up a trail like this amendment proposes. Unfortunately, that would mean we would lose this terrific opportunity to put a trail through the Pennsylvania Grand Canyon, and for that reason I urge a negative vote. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Lehigh, Mr. McHale.

Mr. McHALE. Thank you, Mr. Speaker.

Mr. Speaker, would the gentleman, Mr. Bush, stand for brief interrogation?

The SPEAKER pro tempore. The gentleman from Lycoming consents to being interrogated, and the gentleman from Lehigh may proceed.

Mr. McHALE. Mr. Speaker, I listened to the comments of the gentleman, Mr. Murphy, a few moments ago, and he indicated that the total length of the proposed trail is 62 miles. Is that correct?

Mr. BUSH. That is correct.

Mr. McHALE. And I could not hear your earlier comments when you described the length of the two segments into which you would like to divide that 62-mile trail. As described in your amendment, you indicate, first of all, a right-of-way from the village of Blackwell in Tioga County to Wellsboro Junction in Tioga County. What is the length of that segment?

Mr. BUSH. That section is 24 miles long, going largely through wilderness area.

Mr. McHALE. I might state parenthetically, I have had the privilege of hiking through that area on many occasions and have a great admiration for it.

Now, the second segment is the right-of-way from the village of Blackwell in Tioga County to the borough of Jersey Shore. What is the length of that segment?

Mr. BUSH. That is 38 miles.

Mr. McHALE. Now, as I understand it, if your amendment were successful and the 62 miles were broken down into those two segments, is it correct to say that my constituents and the constituents of all the members of the House would be able to use that 24-mile segment for recreational purposes?

Mr. BUSH. That is correct.

Mr. McHALE. If your amendment is successful and the 38-mile segment, more than half the distance, is allowed to revert to a natural condition, as you describe it, would my constituents be able to use that right-of-way for any purpose?

Mr. BUSH. They would not, because it would be allowed to grow up in natural vegetation and revert to a natural condition.

Mr. McHALE. Then if I understand you correctly, should your amendment pass, my constituents and the constituents of every other member would not be able to use that 38-mile

segment and only those property owners who were fortunate enough to live along that segment would be allowed to use that portion of the right-of-way. Is that correct?

Mr. BUSH. I would expect they would not use it either after it is reverted to a natural condition. I might say that the question of whether or not the southern 38-mile section could be used, if the amendment passes, would be left to future legislatures, after we install the 24-mile northern section and see how it works.

Mr. McHALE. Thank you, Mr. Speaker.

Mr. Speaker, may I speak briefly on the legislation?

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

Mr. McHALE. Thank you, Mr. Speaker.

Mr. Speaker, I simply want to echo the comments of the gentleman, Mr. Murphy, and the gentleman, Mr. Chadwick. I think it is important that we defeat this amendment, and I say so with great respect and admiration for the gentleman, Mr. Bush.

If this amendment passes, more than half the proposed right-of-way will be eliminated from the potential use of my constituents and the constituents of every other member of this General Assembly with the exception of Mr. Bush, and I realize the interest that he is protecting and I certainly respect his effort on behalf of his constituents, but the simple fact is, if we serve his constituents today, we will be denying this recreational benefit to our constituents tomorrow.

I believe, having served as an attorney for a community which 10 years ago converted a rail right-of-way to a trail and which discovered very few problems in the aftermath of that particular action, that we really have to pay attention today to the benefit of all Pennsylvanians and not those who are indeed fortunate enough to live in Mr. Bush's legislative district.

I strongly urge a negative vote on the Bush amendment.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Lycoming, Mr. Bush, for the second time.

Mr. BUSH. Mr. Speaker, in brief rebuttal to the comments of Representative Murphy. He said that if my amendment passes, we will be losing an opportunity to keep the right-of-way intact for future use. That is absolutely not true.

Originally I had proposed to offer an amendment which would have simply eliminated Lycoming County from this bill, but the proponents argued that that in fact would have damaged the intactness of the right-of-way, and indeed, it would have. So I changed the amendment to allow for the Commonwealth to manage the whole right-of-way, to allow for the transfer of indemnity to the Commonwealth, but in the amendment I am specifying two different uses, two distinctly different uses, for the two sections in question.

This would accomplish the purpose of the rail banking theory under which rails-to-trails operates. If at some future time that right-of-way is needed for railroads again, it would be a simple matter to clear away the vegetation that is proposed on the bottom 38-mile section and restore it to a rail right-of-way. That is the theory of rails-to-trails.



Mr. Murphy said that problems that I had raised, some of them had been addressed over the passage of months. I want to make it clear that the problems I raise are not problems that generate from me myself. They are problems that are reflecting the attitudes of the residents of the Pine Creek Valley in Lycoming County.

If my amendment passes, those residents would accept SB 967. If it does not pass, they are violently against this legislation.

I think it is wrong for the Department of Environmental Resources to ram down the throats of residents of any location a program which they definitely do not want. DER is the agency that will be administering this program, and that is a large part of the source of concern. The people in the Pine Creek Valley live with DER on a regular basis. They know its shortcomings, and they know despite the current promises, it is distinctly possible that underfunding will cause DER to not be able to fulfill those promises, leaving the residents of the valley and the township governments in the valley stuck with massive new problems which they cannot afford to handle. It is very easy for people from outside to advocate this recreational trail, but I think it is important to bear in mind that they do that advocacy while bearing no responsibility whatsoever for the consequences. The people I am speaking for here today are going to have to live with the consequences one way or another.

For that reason I appeal to all of you to support this amendment.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Luzerne, Mr. Hasay.

Mr. HASAY. Thank you, Mr. Speaker.

Mr. Speaker, I rise and ask each of you to support the gentleman from Lycoming, Mr. Bush's amendment to this bill. I rise out of sheer respect for the gentleman from Lycoming, Mr. Bush. This amendment and this bill affects the gentleman's House district. Who knows that district better than the legislator himself? There are a number of concerns that the amendment addresses of the gentleman, Mr. Bush, and I ask your support. Thank you.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—100

Adolph	Dorr	Johnson	Ryan
Allen	Durham	Kenney	Saurman
Angstadt	Fairchild	Kondrich	Scheetz
Argall	Fargo	Langtry	Schuler
Barley	Farmer	Lashinger	Semmel
Birmelin	Fleagle	Laughlin	Serafini
Black	Flick	Leh	Smith, B.
Boyes	Foster	Lescovitz	Smith, S. H.
Brandt	Fox	Marsico	Snyder, D. W.
Bunt	Freind	Micozzie	Snyder, G.
Burd	Gallen	Miller	Stairs
Burns	Gannon	Mochlmann	Strittmatter
Bush	Geist	Morris	Suban
Carlson	Gladeck	Mowery	Tangretti
Cessar	Godshall	Nahill	Taylor, E. Z.
Civera	Gruppo	Nailor	Taylor, J.
Clark, B. D.	Hagarty	Noye	Telek

Clark, D. F.	Hasay	O'Brien	Vroon
Clark, J. H.	Hayes	Perzel	Wambach
Clymer	Heckler	Phillips	Wass
Colafella	Herman	Piccola	Weston
Cornell	Hershhey	Pitts	Wilson
Davies	Hess	Raymond	Wogan
Dietterick	Jackson	Reber	Wright, J. L.
Distler	Jadlowiec	Reinard	Wright, R. C.

NAYS—100

Acosta	Donatucci	Lucyk	Ritter
Battisto	Evans	McCall	Robbins
Belardi	Fee	McHale	Robinson
Belfanti	Freeman	McNally	Roebuck
Billow	Gamble	McVerry	Rudy
Bishop	George	Maiale	Rybak
Blaum	Gigliotti	Maine	Saloom
Bortner	Gruitza	Markosek	Scrimenti
Bowley	Haluska	Mayernik	Staback
Broujos	Harper	Melio	Steighner
Caltagirone	Hayden	Merry	Stish
Cappabianca	Howlett	Michlovic	Taylor, F.
Carn	Hughes	Mihalich	Thomas
Cawley	Itkin	Mrkoncic	Tigue
Chadwick	James	Murphy	Trello
Cohen	Jarolin	Olasz	Trich
Colaizzo	Josephs	Oliver	Van Horne
Cole	Kaiser	Pesci	Veon
Corrigan	Kasunic	Petrarca	Williams
Cowell	Kosinski	Petrone	Wozniak
Coy	Kukovich	Pistella	Wright, D. R.
DeLuca	LaGrotta	Pressmann	Yandrisevits
DeWeese	Lee	Preston	
Daley	Levdansky	Richardson	O'Donnell,
Dempsey	Linton	Rieger	Speaker
Dombrowski	Lloyd		

NOT VOTING—0

EXCUSED—2

Dininni Pievsky

The question was determined in the negative, and the amendments were not agreed to.

On the question recurring,

Will the House agree to the bill on third consideration?

Mr. MURPHY offered the following amendment No. A3114:

Amend Sec. 2, page 2, lines 9 through 16, by striking out all of said lines and inserting

Section 2. Notwithstanding any provision of this act, the Department of Environmental Resources shall not develop or operate the property described in this act for recreational or historical purposes until the designated standing committees have reviewed a department management plan, as it specifically relates to the maintenance and operation of the project.

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman, Mr. Murphy.

Mr. MURPHY. Mr. Speaker, my amendment will require the Department of Environmental Resources to provide their management plan for this trail to the standing committees of the House and the Senate for review before they can begin operation and maintenance of this project.

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

Mr. DEMPSEY. Thank you, Mr. Speaker.

I rise to support Mr. Murphy's amendment. I think it will restore some integrity to the trail, and I think it will give us some control over the management of it. 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—200

Acosta	Donatucci	Lashinger	Ritter
Adolph	Durham	Laughlin	Robbins
Allen	Evans	Lee	Robinson
Angstadt	Fairchild	Leh	Roebuck
Argall	Fargo	Lescovitz	Rudy
Barley	Farmer	Levdansky	Ryan
Battisto	Fee	Linton	Rybak
Belardi	Fleagle	Lloyd	Saloom
Belfanti	Flick	Lucy	Saurman
Billow	Foster	McCall	Scheetz
Birmelin	Fox	McHale	Schuler
Bishop	Freeman	McNally	Scrimenti
Black	Freind	McVerry	Semmel
Blaum	Gallen	Maiale	Serafini
Bortner	Gamble	Maine	Smith, B.
Bowley	Gannon	Markosek	Smith, S. H.
Boyes	Geist	Marsico	Snyder, D. W.
Brandt	George	Mayernik	Snyder, G.
Broujos	Gigliotti	Melio	Staback
Bunt	Gladeck	Merry	Stairs
Burd	Godshall	Michlovic	Steighner
Burns	Gruitza	Micozzie	Stish
Bush	Gruppo	Mihalich	Strittmatter
Caltagirone	Hagarty	Miller	Stuban
Cappabianca	Haluska	Moehlmann	Tangretti
Carlson	Harper	Morris	Taylor, E. Z.
Carn	Hasay	Mowery	Taylor, F.
Cawley	Hayden	Mrkoncic	Taylor, J.
Cessar	Hayes	Murphy	Telek
Chadwick	Heckler	Nahill	Thomas
Civera	Herman	Nailor	Tigue
Clark, B. D.	Hershey	Noye	Trello
Clark, D. F.	Hess	O'Brien	Trich
Clark, J. H.	Howlett	Olasz	Van Horne
Clymer	Hughes	Oliver	Veon
Cohen	Itkin	Perzel	Vroon
Colafrella	Jackson	Pesci	Wambach
Colaizzo	Jadlowiec	Petrarca	Wass
Cole	James	Petrone	Weston
Cornell	Jarolin	Phillips	Williams
Corrigan	Johnson	Piccola	Wilson
Cowell	Josephs	Pistella	Wogan
Coy	Kaiser	Pitts	Wozniak
DeLuca	Kasunic	Pressmann	Wright, D. R.
DeWeese	Kenney	Preston	Wright, J. L.
Daley	Kondrich	Raymond	Wright, R. C.
Davies	Kosinski	Reber	Yandrisevits
Dempsey	Kukovich	Reinard	
Dietterick	LaGrotta	Richardson	O'Donnell,
Distler	Langtry	Rieger	Speaker
Dombrowski			

NAYS—0

NOT VOTING—0

EXCUSED—2

Dininni Piewsky

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 from Lycoming, Mr. Bush.

Mr. BUSH. Mr. Speaker, I rise to oppose SB 967 in its present form.

Speaking for the residents of the valley, I am very sorry that we so narrowly lost the amendment that would have allowed us to support the bill enthusiastically. But right now it seems to me that it is a very strange bit of timing that this bill is moving at the present time. Estimates on the cost of implementing this trail have ranged between \$1 million and \$3 million. It strikes me as strange that we are moving a piece of legislation at this time when we all know we are spending the day in this Capitol trying to scrounge together enough money to balance a budget.

In addition to that, there is in existence SB 640, which has passed the Senate and which is residing in the committee of this House at the present time. SB 640 is the bill that would establish a system and a program for all of the rails-to-trails programs across the Commonwealth. It strikes me as strange that Lycoming County is being singled out for this singular action before SB 640 runs.

For those reasons, for the reasons which I mentioned before - my concern about the fact that DER is forcing a program down the throats of people who do not want it - I would respectfully ask that this bill be opposed, particularly at the present time. Thank you, Mr. Speaker.

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.

YEAS—146

Acosta	Dempsey	Lescovitz	Robbins
Angstadt	Dombrowski	Levdansky	Robinson
Argall	Donatucci	Linton	Roebuck
Barley	Durham	Lloyd	Rudy
Battisto	Evans	Lucyk	Rybak
Belardi	Fairchild	McCall	Saloom
Belfanti	Farmer	McHale	Saurman
Billow	Fee	McNally	Scheetz
Bishop	Freeman	McVerry	Scrimenti
Blaum	Gallen	Maiale	Semmel
Bortner	Gamble	Maine	Serafini
Bowley	Geist	Markosek	Smith, S. H.
Broujos	George	Marsico	Snyder, D. W.
Burd	Gigliotti	Mayernik	Snyder, G.
Burns	Gruitza	Melio	Staback

Caltagirone	Haluska	Merry	Steighner
Cappabianca	Harper	Michlovic	Stish
Carlson	Hayden	Mihalich	Stuban
Carn	Heckler	Moehlmann	Tangretti
Cawley	Hess	Morris	Taylor, E. Z.
Chadwick	Howlett	Mrkonic	Taylor, F.
Civera	Hughes	Murphy	Thomas
Clark, B. D.	Itkin	Nahill	Tigue
Clark, D. F.	Jackson	Olasz	Trello
Clark, J. H.	Jadlowiec	Oliver	Trich
Cohen	James	Pesci	Van Horne
Colafella	Jarolin	Petrarca	Veon
Colaizzo	Josephs	Petrone	Wambach
Cole	Kaiser	Piccola	Wass
Cornell	Kasunic	Pistella	Williams
Corrigan	Kondrich	Pressmann	Wozniak
Cowell	Kosinski	Preston	Wright, D. R.
Coy	Kukovich	Reber	Wright, J. L.
DeLuca	LaGrotta	Reinard	Yandrisevits
DeWeese	Langtry	Richardson	
Daley	Laughlin	Rieger	O'Donnell,
Davies	Lee	Ritter	Speaker

**NAYS—54**

Adolph	Fleagle	Johnson	Raymond
Allen	Flick	Kenney	Ryan
Birmelin	Foster	Lashinger	Schuler
Black	Fox	Leh	Smith, B.
Boyes	Freind	Micozzie	Stairs
Brandt	Gannon	Miller	Strittmatter
Bunt	Gladeck	Mowery	Taylor, J.
Bush	Godshall	Nailor	Telek
Cessar	Gruppo	Noye	Vroon
Clymer	Hagarty	O'Brien	Weston
Dietterick	Hasay	Perzel	Wilson
Distler	Hayes	Phillips	Wogan
Dorr	Herman	Pitts	Wright, R. C.
Fargo	Hershey		

**NOT VOTING—0**

**EXCUSED—2**

Dininni            Pievsky

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.

**FILMING PERMISSION**

The SPEAKER pro tempore. The Chair wishes to advise the members of the House that it has given permission to Doug Legore of WHTM-TV, channel 27, to film on the floor of the House for 10 minutes.

**BILLS ON THIRD CONSIDERATION CONTINUED**

The House proceeded to third consideration of **SB 1550, PN 2409**, entitled:

An Act providing for the capital budget for the fiscal year 1990-1991.

On the question,  
Will the House agree to the bill on third consideration?  
Mr. CAPPABIANCA offered the following amendments  
No. A3110:

Amend Sec. 2, page 2, line 17, by striking out all of said line and inserting	Assistance Projects	170,000,000	General Fund
Amend Sec. 2, page 2, line 22, by striking out all of said line and inserting	(i) Highways	32,500,000	Motor License
Amend Sec. 2, page 2, line 27, by striking out all of said line and inserting	Interstate	65,000,000	
Amend Sec. 2, page 3, line 3, by striking out all of said line and inserting	Total	\$620,000,000	

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

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman, Mr. Cappabianca.

Mr. CAPPABIANCA. Thank you, Mr. Speaker.

SB 1550 is the capital debt authorization bill. What the amendment does is increase the authorization in three different areas: \$20 million for the transportation assistance, \$8.5 million for highway projects, and \$29 million for advance construction of interstate highways.

I would ask for an affirmative vote on the amendment.

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

Mr. PITTS. Mr. Speaker, the amendment is agreed to by our side.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

**YEAS—200**

Acosta	Donatucci	Lashinger	Ritter
Adolph	Dorr	Laughlin	Robbins
Allen	Durham	Lee	Robinson
Angstadt	Evans	Leh	Roebuck
Argall	Fairchild	Lescovitz	Rudy
Barley	Fargo	Levdansky	Ryan
Battisto	Farmer	Linton	Rybak
Belardi	Fee	Lloyd	Saloom
Belfanti	Fleagle	Lucyk	Saurman
Billow	Flick	McCall	Scheetz
Birmelin	Foster	McHale	Schuler
Bishop	Fox	McNally	Scrimenti
Black	Freeman	McVerry	Semmel
Blaum	Freind	Maiale	Serafini
Bortner	Gallen	Maine	Smith, B.
Bowley	Gamble	Markosek	Smith, S. H.
Boyes	Gannon	Marsico	Snyder, D. W.
Brandt	Geist	Mayermik	Snyder, G.
Broujos	George	Melio	Staback
Bunt	Gigliotti	Merry	Stairs
Burd	Gladeck	Michlovic	Steighner
Burns	Godshall	Micozzie	Stish
Bush	Gruitza	Mihalich	Strittmatter
Caltagirone	Gruppo	Miller	Stuban
Cappabianca	Hagarty	Moehlmann	Tangretti
Carlson	Haluska	Morris	Taylor, E. Z.

Carn	Harper	Mowery	Taylor, F.
Cawley	Hasay	Mrkonic	Taylor, J.
Cessar	Hayden	Murphy	Telek
Chadwick	Hayes	Nahill	Thomas
Civera	Heckler	Nailor	Tigue
Clark, B. D.	Herman	Noye	Trello
Clark, D. F.	Hershey	O'Brien	Trich
Clark, J. H.	Hess	Olasz	Van Horne
Clymer	Howlett	Oliver	Veon
Cohen	Hughes	Perzel	Vroon
Colafella	Itkin	Pesci	Wambach
Colaizzo	Jackson	Petrarca	Wass
Cole	Jadlowiec	Petrone	Weston
Cornell	James	Phillips	Williams
Corrigan	Jarolin	Piccola	Wilson
Cowell	Johnson	Pistella	Wogan
Coy	Josephs	Pitts	Wozniak
DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Wright, R. C.
Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	
Dietterick	Kukovich	Richardson	O'Donnell,
Distler	LaGrotta	Rieger	Speaker
Dombrowski	Langtry		

NAYS—0

NOT VOTING—0

EXCUSED—2

Dininni      Pievsky

The question was determined in the affirmative, and the amendments were 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.

YEAS—200

Acosta	Donatucci	Lashinger	Ritter
Adolph	Dorr	Laughlin	Robbins
Allen	Durham	Lee	Robinson
Angstadt	Evans	Leh	Roebuck
Argall	Fairchild	Lescovitz	Rudy
Barley	Fargo	Levdansky	Ryan
Battisto	Farmer	Linton	Rybak
Belardi	Fee	Lloyd	Saloom
Belfanti	Fleagle	Lucyk	Saurman
Billow	Flick	McCall	Scheetz
Birmelin	Foster	McHale	Schuler
Bishop	Fox	McNally	Scrimenti
Black	Freeman	McVerry	Semmel
Blaum	Freind	Maiale	Serafini
Bortner	Gallen	Maine	Smith, B.
Bowley	Gamble	Markosek	Smith, S. H.
Boyes	Gannon	Marsico	Snyder, D. W.
Brandt	Geist	Mayernik	Snyder, G.
Broujos	George	Meljo	Staback
Bunt	Gigliotti	Merry	Stairs
Burd	Gladeck	Michlovic	Steighner
Burns	Godshall	Micozzie	Stish
Bush	Gruitza	Mihalich	Strittmatter
Caltagirone	Gruppo	Miller	Stuban
Cappabianca	Hagarty	Moehlmann	Tangretti

Carlson	Haluska	Morris	Taylor, E. Z.
Carn	Harper	Mowery	Taylor, F.
Cawley	Hasay	Mrkonic	Taylor, J.
Cessar	Hayden	Murphy	Telek
Chadwick	Hayes	Nahill	Thomas
Civera	Heckler	Nailor	Tigue
Clark, B. D.	Herman	Noye	Trello
Clark, D. F.	Hershey	O'Brien	Trich
Clark, J. H.	Hess	Olasz	Van Horne
Clymer	Howlett	Oliver	Veon
Cohen	Hughes	Perzel	Vroon
Colafella	Itkin	Pesci	Wambach
Colaizzo	Jackson	Petrarca	Wass
Cole	Jadlowiec	Petrone	Weston
Cornell	James	Phillips	Williams
Corrigan	Jarolin	Piccola	Wilson
Cowell	Johnson	Pistella	Wogan
Coy	Josephs	Pitts	Wozniak
DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Wright, R. C.
Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	
Dietterick	Kukovich	Richardson	O'Donnell,
Distler	LaGrotta	Rieger	Speaker
Dombrowski	Langtry		

NAYS—0

NOT VOTING—0

EXCUSED—2

Dininni      Pievsky

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

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

\* \* \*

The House proceeded to third consideration of SB 1140, PN 2329, entitled:

An Act amending the act of December 19, 1988 (P. L. 1262, No. 156), entitled "Local Option Small Games of Chance Act," further providing for the conducting of games of chance, the organizations which may conduct such games, how, where and by whom they may be conducted, referendums, powers of the department and penalties.

On the question,

Will the House agree to the bill on third consideration?

The SPEAKER pro tempore. SB 1140 on page 4 will go over for today. The Chair hears no objection.

Mr. TRELLO. Mr. Speaker?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Trello.

Mr. TRELLO. Mr. Speaker, I have an objection to going over SB 1140, and I would like to call the bill up.

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

Mr. DeWEESE. Mr. Speaker, it is with great reluctance that I would oppose the gentleman from Coraopolis, but due to the flow of business and the delicate nature of our after-

noon and our evening as we pour toward a resolution on our 1990-91 fiscal budget, I would ask that the gentleman's motion not be sustained. Thank you.

**BILL PASSED OVER**

The **SPEAKER** pro tempore. The Chair recognizes the minority leader, Mr. Ryan.

Mr. **RYAN**. Mr. Speaker, I assume there has been a motion now to put this particular bill over. If not, I make it and join with the majority leader, and also, by way of apology, which I think is what Mr. DeWeese was doing, we both apologize but also explain to the members that, you know, there comes a time when we have to maybe go away from the script that we would like to do and address the issue that we have to address today, and that issue today is budget and budget-related bills.

I think that the calendar as it is marked to be rolled right now is very broad, perhaps even too broad, but it has been contained to a great extent, and I join with the gentleman in asking that this bill be put over, and I so move if that has not yet been done.

The **SPEAKER** pro tempore. Moved by the gentleman from Delaware that SB 1140 be passed over for today.

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

The **SPEAKER** pro tempore. On the gentleman's motion, the Chair recognizes the gentleman from Allegheny, Mr. Trello.

Mr. **TRELLO**. Mr. Speaker, with all due respect to the majority and minority leaders, I can appreciate their concerns because I think our first priority is to pass the budget, but I think our other priority is to the citizens of this great Commonwealth. You know, I want the members of this General Assembly to remember that all politics are local, and thousands upon thousands of organizations that deal with funding their favorite charitable organizations are depending on the amendments to the small games of chance so they can go on with their summer programs to raise moneys for their favorite charities. I think we have an obligation to them, too, and I oppose the motion to pass this thing over. I object to it.

The **SPEAKER** pro tempore. On the motion of the minority leader to pass over SB 1140, PN 2329, the yeas and nays will now be taken.

Mr. **TRELLO**. Mr. Speaker, will you explain the vote, what a "yes" vote and a "no" vote is.

The **SPEAKER** pro tempore. Those who vote to support the minority leader in passing the bill over will vote "aye"; those who wish to have the bill called up today will vote "no" - pass over, "aye"; call up today, "no."

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

The following roll call was recorded:

**YEAS—146**

Adolph	Farmer	Linton	Ryan
Barley	Fleagle	Lloyd	Rybak
Belfanti	Flick	McHale	Saurman
Birmelin	Foster	McVerry	Scheetz
Bishop	Fox	Maiale	Schuler

Black	Freeman	Maine	Semmel
Blaum	Freind	Marsico	Serafini
Bowley	Gamble	Melio	Smith, B.
Brandt	Gannon	Merry	Smith, S. H.
Broujos	Geist	Michlovic	Snyder, D. W.
Bunt	George	Micozzie	Snyder, G.
Burd	Gladeck	Mihalich	Staback
Burns	Godshall	Miller	Stairs
Bush	Gruitza	Moehlmann	Stish
Caltagirone	Gruppo	Morris	Strittmatter
Carlson	Hagarty	Mowery	Suban
Cessar	Haluska	Mrkonic	Tangretti
Chadwick	Hasay	Murphy	Taylor, E. Z.
Civera	Hayden	Nahill	Taylor, J.
Clark, J. H.	Hayes	Nailor	Telek
Clymer	Heckler	Noye	Thomas
Cohen	Herman	O'Brien	Trich
Colaizzo	Hershey	Oliver	Veon
Cornell	Hess	Perzel	Vroon
Corrigan	Hughes	Phillips	Wambach
Cowell	Itkin	Piccola	Wass
Coy	Jackson	Pistella	Weston
DeWeese	Jadlowiec	Pitts	Williams
Davies	Johnson	Pressmann	Wilson
Dempsey	Josephs	Raymond	Wogan
Dietterick	Kenney	Reber	Wright, D. R.
Distler	Kondrich	Reinard	Wright, J. L.
Donatucci	Kukovich	Rieger	Wright, R. C.
Durham	Langtry	Ritter	Yandrisevits
Evans	Lashingier	Robbins	
Fairchild	Leh	Roebuck	O'Donnell,
Fargo	Lescovitz	Rudy	Speaker

**NAYS—54**

Acosta	Colafella	Kasunic	Petrarca
Allen	Cole	Kosinski	Petrone
Angstadt	DeLuca	LaGrotta	Preston
Argall	Daley	Laughlin	Richardson
Battisto	Dombrowski	Lee	Robinson
Belardi	Dorr	Levdansky	Saloom
Billow	Fee	Lucyk	Scrimenti
Bortner	Gallen	McCall	Steighner
Boyes	Gigliotti	McNally	Taylor, F.
Cappabianca	Harper	Markosek	Tigue
Carn	Howlett	Mayernik	Trello
Cawley	James	Olasz	Van Horne
Clark, B. D.	Jarolin	Pesci	Wozniak
Clark, D. F.	Kaiser		

**NOT VOTING—0**

**EXCUSED—2**

Dininni      Pievsky

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

**STATEMENT BY MR. TRELLO**

The **SPEAKER** pro tempore. The Chair now recognizes the gentleman, Mr. Trello. For what purpose does the gentleman rise?

Mr. **TRELLO**. Just to make a brief comment, Mr. Speaker; a very brief comment.

The **SPEAKER** pro tempore. Without objection, under unanimous consent, the gentleman may proceed.

Mr. **TRELLO**. Mr. Speaker, I have always gone along with the wishes of this General Assembly in their wisdom, and maybe they did make the right decision and maybe they did not. The only thing I would like to express to this General

Assembly is that there are an awful lot of good, hard-working taxpayers out there who have devoted much of their time to charity and they were depending on this bill. It has been on the calendar now for 7 days. Although I do accept the wishes of this General Assembly, I also regret that they took that action, and hopefully, in the very, very near future, we can take this bill up again. Thank you very, very much.

The SPEAKER pro tempore. The Chair appreciates the concerns of the member and appreciates his remarks.

\* \* \*

The House proceeded to third consideration of **SB 1201, PN 1773**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), entitled "Public School Code of 1949," further providing for courses of instruction relating to alcohol and chemical abuse; and providing for in-service training for teachers in the field of substance abuse.

On the question,

Will the House agree to the bill on third consideration?

The SPEAKER pro tempore. Without objection, SB 1201 on page 4 will be passed over for today.

The Chair now recognizes the lady, Mrs. Langtry.

Mrs. LANGTRY. Thank you, Mr. Speaker.

Mr. Speaker, I rise to object to passing over SB 1201 because I have an amendment to the bill.

The SPEAKER pro tempore. The Chair recognizes the majority leader on the lady's objection to passing over SB 1201.

Mr. DeWEESE. Mr. Speaker, for the same reason that we enunciated for the last gentleman, I would also request that the gentledady from Allegheny County's motion not be agreed to and that we continue to march. Thank you.

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

Mr. RYAN. Mr. Speaker, this one is a little different, because as your floor leader will tell you, this bill was marked to vote. The leader's calendar shows this bill as marked to vote. I had advised the lady that it was going to be marked to vote. The people in our caucus were all told that this marking on the calendar, the leader's calendar, was that this bill was going to be voted. So there is a difference.

**BILL PASSED OVER**

The SPEAKER pro tempore. The lady has a prerogative to have a bill called up. I am going to accept the majority leader's recommendation as in the form of a motion.

I will acknowledge that the majority leader now moves that SB 1201, PN 1773, be passed over for today.

Those in favor of sustaining the majority leader will vote "aye"; those wishing to have the bill called up today will vote "no."

On the question,

Will the House agree to the motion?

The following roll call was recorded:

**YEAS—103**

Acosta	Donatucci	Lloyd	Robinson
Battisto	Evans	Lucyk	Roebuck
Belardi	Fee	McCall	Rudy
Belfanti	Freeman	McHale	Rybak
Billow	Gamble	McNally	Saloom
Bishop	George	Maiale	Scrimenti
Blaum	Gigliotti	Maine	Staback
Bortner	Gruitza	Markosek	Steighner
Bowley	Haluska	Mayernik	Stish
Broujos	Harper	Melio	Stuban
Caltagirone	Hayden	Michlovic	Tangretti
Cappabianca	Howlett	Mihalich	Taylor, F.
Carn	Hughes	Morris	Thomas
Cawley	Itkin	Mrkonic	Tigue
Clark, B. D.	James	Murphy	Trello
Cohen	Jarolin	Olasz	Trich
Colafiglia	Josephs	Oliver	Van Horne
Colaizzo	Kaiser	Pesci	Veon
Cole	Kasunic	Petrarca	Wambach
Cornell	Kosinski	Petrone	Williams
Corrigan	Kukovich	Pistella	Wozniak
Cowell	LaGrotta	Pressmann	Wright, D. R.
Coy	Laughlin	Preston	Yandrisevits
DeLuca	Lescovitz	Richardson	
DeWeese	Levdansky	Rieger	O'Donnell,
Daley	Linton	Ritter	Speaker
Dombrowski			

**NAYS—96**

Adolph	Dorr	Jadlowiec	Reber
Allen	Durham	Johnson	Reinard
Angstadt	Fairchild	Kenney	Robbins
Argall	Fargo	Kondrich	Ryan
Barley	Farmer	Langtry	Saurman
Birmelin	Fleagle	Lashinger	Scheetz
Black	Flick	Lee	Schuler
Boyes	Foster	Leh	Semmel
Brandt	Fox	McVerry	Serafini
Bunt	Freind	Marsico	Smith, B.
Burd	Gallen	Merry	Smith, S. H.
Burns	Gannon	Micozzie	Snyder, D. W.
Bush	Geist	Miller	Snyder, G.
Carlson	Gladeck	Moehlmann	Stairs
Cessar	Godshall	Mowery	Strittmatter
Chadwick	Gruppo	Nahill	Taylor, E. Z.
Civera	Hagarty	Nailor	Telek
Clark, D. F.	Hasay	Noye	Vroon
Clark, J. H.	Hayes	O'Brien	Wass
Clymer	Heckler	Perzel	Weston
Davies	Herman	Phillips	Wilson
Dempsey	Hershey	Piccola	Wogan
Dietterick	Hess	Pitts	Wright, J. L.
Distler	Jackson	Raymond	Wright, R. C.

**NOT VOTING—1**

Taylor, J.

**EXCUSED—2**

Dininni      Pievsky

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

\* \* \*

The House proceeded to third consideration of **HB 2199, PN 3774**, entitled:

An Act providing for motivational boot camps for certain youthful offenders; and providing for selection of participants.

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.

YEAS—200

- |              |           |            |               |
|--------------|-----------|------------|---------------|
| Acosta       | Donatucci | Lashinger  | Ritter        |
| Adolph       | Dorr      | Laughlin   | Robbins       |
| Allen        | Durham    | Lee        | Robinson      |
| Angstadt     | Evans     | Leh        | Roebuck       |
| Argall       | Fairchild | Lescovitz  | Rudy          |
| Barley       | Fargo     | Levdansky  | Ryan          |
| Battisto     | Farmer    | Linton     | Rybak         |
| Belardi      | Fee       | Lloyd      | Saloom        |
| Belfanti     | Fleagle   | Lucyk      | Saurman       |
| Billow       | Flick     | McCall     | Scheetz       |
| Birmelin     | Foster    | McHale     | Schuler       |
| Bishop       | Fox       | McNally    | Scrimenti     |
| Black        | Freeman   | McVerry    | Semmel        |
| Blaum        | Freind    | Maiale     | Serafini      |
| Bortner      | Gallen    | Maine      | Smith, B.     |
| Bowley       | Gamble    | Markosek   | Smith, S. H.  |
| Boyes        | Gannon    | Marsico    | Snyder, D. W. |
| Brandt       | Geist     | Mayernik   | Snyder, G.    |
| Broujos      | George    | Melio      | Staback       |
| Bunt         | Gigliotti | Merry      | Stairs        |
| Burd         | Gladeck   | Michlovic  | Steighner     |
| Burns        | Godshall  | Micozzie   | Stish         |
| Bush         | Gruitza   | Mihalich   | Strittmatter  |
| Caltagirone  | Gruppo    | Miller     | Stuban        |
| Cappabianca  | Hagarty   | Moehlmann  | Tangretti     |
| Carlson      | Haluska   | Morris     | Taylor, E. Z. |
| Carn         | Harper    | Mowery     | Taylor, F.    |
| Cawley       | Hasay     | Mrkoncic   | Taylor, J.    |
| Cessar       | Hayden    | Murphy     | Telek         |
| Chadwick     | Hayes     | Nahill     | Thomas        |
| Civera       | Heckler   | Nailor     | Tigue         |
| Clark, B. D. | Herman    | Noye       | Trello        |
| Clark, D. F. | Hershey   | O'Brien    | Trich         |
| Clark, J. H. | Hess      | Olasz      | Van Horne     |
| Clymer       | Howlett   | Oliver     | Veon          |
| Cohen        | Hughes    | Perzel     | Vroon         |
| Colaifella   | Itkin     | Pesci      | Wambach       |
| Colaizzo     | Jackson   | Petrarca   | Wass          |
| Cole         | Jadlowiec | Petrone    | Weston        |
| Cornell      | James     | Phillips   | Williams      |
| Corrigan     | Jarolin   | Piccola    | Wilson        |
| Cowell       | Johnson   | Pistella   | Wogan         |
| Coy          | Josephs   | Pitts      | Wozniak       |
| DeLuca       | Kaiser    | Pressmann  | Wright, D. R. |
| DeWeese      | Kasunic   | Preston    | Wright, J. L. |
| Daley        | Kenney    | Raymond    | Wright, R. C. |
| Davies       | Kondrich  | Reber      | Yandrisevits  |
| Dempsey      | Kosinski  | Reinard    |               |
| Dietterick   | Kukovich  | Richardson | O'Donnell,    |
| Distler      | LaGrotta  | Rieger     | Speaker       |
| Dombrowski   | Langtry   |            |               |

NAYS—0

NOT VOTING—0

EXCUSED—2

- |         |         |
|---------|---------|
| Dininni | Pievsky |
|---------|---------|

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 SB 295, PN 2077, entitled:

An Act amending the act of August 13, 1963 (P. L. 774, No. 390), entitled "County Jail Prisoner Temporary Release Law," deleting gender specific language; and authorizing the collection of confinement costs in cases relating to prisoners confined only during weekends or short periods of time.

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.

YEAS—200

- |              |           |           |               |
|--------------|-----------|-----------|---------------|
| Acosta       | Donatucci | Lashinger | Ritter        |
| Adolph       | Dorr      | Laughlin  | Robbins       |
| Allen        | Durham    | Lee       | Robinson      |
| Angstadt     | Evans     | Leh       | Roebuck       |
| Argall       | Fairchild | Lescovitz | Rudy          |
| Barley       | Fargo     | Levdansky | Ryan          |
| Battisto     | Farmer    | Linton    | Rybak         |
| Belardi      | Fee       | Lloyd     | Saloom        |
| Belfanti     | Fleagle   | Lucyk     | Saurman       |
| Billow       | Flick     | McCall    | Scheetz       |
| Birmelin     | Foster    | McHale    | Schuler       |
| Bishop       | Fox       | McNally   | Scrimenti     |
| Black        | Freeman   | McVerry   | Semmel        |
| Blaum        | Freind    | Maiale    | Serafini      |
| Bortner      | Gallen    | Maine     | Smith, B.     |
| Bowley       | Gamble    | Markosek  | Smith, S. H.  |
| Boyes        | Gannon    | Marsico   | Snyder, D. W. |
| Brandt       | Geist     | Mayernik  | Snyder, G.    |
| Broujos      | George    | Melio     | Staback       |
| Bunt         | Gigliotti | Merry     | Stairs        |
| Burd         | Gladeck   | Michlovic | Steighner     |
| Burns        | Godshall  | Micozzie  | Stish         |
| Bush         | Gruitza   | Mihalich  | Strittmatter  |
| Caltagirone  | Gruppo    | Miller    | Stuban        |
| Cappabianca  | Hagarty   | Moehlmann | Tangretti     |
| Carlson      | Haluska   | Morris    | Taylor, E. Z. |
| Carn         | Harper    | Mowery    | Taylor, F.    |
| Cawley       | Hasay     | Mrkoncic  | Taylor, J.    |
| Cessar       | Hayden    | Murphy    | Telek         |
| Chadwick     | Hayes     | Nahill    | Thomas        |
| Civera       | Heckler   | Nailor    | Tigue         |
| Clark, B. D. | Herman    | Noye      | Trello        |
| Clark, D. F. | Hershey   | O'Brien   | Trich         |
| Clark, J. H. | Hess      | Olasz     | Van Horne     |
| Clymer       | Howlett   | Oliver    | Veon          |
| Cohen        | Hughes    | Perzel    | Vroon         |
| Colaifella   | Itkin     | Pesci     | Wambach       |
| Colaizzo     | Jackson   | Petrarca  | Wass          |
| Cole         | Jadlowiec | Petrone   | Weston        |
| Cornell      | James     | Phillips  | Williams      |
| Corrigan     | Jarolin   | Piccola   | Wilson        |
| Cowell       | Johnson   | Pistella  | Wogan         |
| Coy          | Josephs   | Pitts     | Wozniak       |

DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Wright, R. C.
Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	
Dietterick	Kukovich	Richardson	O'Donnell,
Distler	LaGrotta	Rieger	Speaker
Dombrowski	Langtry		

NAYS—0

NOT VOTING—0

EXCUSED—2

Dininni            Piewsky

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

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

\* \* \*

The House proceeded to third consideration of **SB 1193, PN 2107**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for period of revocation or suspension of operating privilege and for requirements for driving under influence offenders.

On the question,

Will the House agree to the bill on third consideration?

Mr. CALTAGIRONE offered the following amendments No. A2665:

Amend Sec. 1 (Sec. 1541), page 1, line 18, by striking out "counseling or"

Amend Sec. 1 (Sec. 1541), page 2, line 1, by striking out "satisfy" and inserting successfully complete

Amend Sec. 1 (Sec. 1541), page 2, line 1, by striking out "counseling or"

Amend Sec. 1 (Sec. 1541), page 2, line 2, by inserting after "program"

ordered by the court

Amend Sec. 1 (Sec. 1541), page 2, line 3, by striking out "Satisfactory" and inserting

Successful

Amend Sec. 1 (Sec. 1541), page 2, line 4, by striking out "counseling or"

Amend Sec. 1 (Sec. 1541), page 2, line 6, by striking out "counseling or"

Amend Sec. 1 (Sec. 1541), page 2, line 7, by striking out "satisfy" and inserting

successfully complete

Amend Sec. 1 (Sec. 1541), page 2, line 7, by striking out "counseling or"

Amend Sec. 1 (Sec. 1541), page 2, line 11, by inserting after "PRIVILEGE."

The treatment agency shall immediately notify the court of successful completion of the treatment program.

Amend Sec. 1 (Sec. 1541), page 2, lines 12 and 13, by striking out "stated requirements of a counseling or"

Amend Sec. 2 (Sec. 1548), page 3, line 30, by striking out "counseling or"

Amend Sec. 2 (Sec. 1548), page 4, line 3, by striking out "counseling or"

Amend Sec. 2 (Sec. 1548), page 4, line 8, by striking out "Court Reporting Network" and inserting department

Amend Sec. 2 (Sec. 1548), page 4, line 10, by inserting after "counseling"

treatment

Amend Sec. 2 (Sec. 1548), page 4, line 12, by striking out "counseling or"

Amend Sec. 2 (Sec. 1548), page 4, lines 12 and 13, by striking out "added to the Court Reporting Network" and inserting forwarded to the department

Amend Sec. 2 (Sec. 1548), page 4, line 15, by striking out "counseling or"

Amend Sec. 2 (Sec. 1548), page 4, line 19, by striking out "counseling or"

Amend Sec. 2 (Sec. 1548), page 4, line 22, by striking out "the Department of Health"

Amend Sec. 3, page 4, lines 26 and 27, by striking out "IN 60 DAYS" and inserting

December 1, 1990

On the question,

Will the House agree to the amendments?

The SPEAKER pro tempore. On that question, the Chair recognizes Mr. Caltagirone.

Mr. CALTAGIRONE. Thank you, Mr. Speaker.

This is an agreed-to amendment. It is technical in nature, clarifying some language by the prime sponsor of the bill from the Senate.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—200

Acosta	Donatucci	Lashingier	Ritter
Adolph	Dorr	Laughlin	Robbins
Allen	Durham	Lee	Robinson
Angstadt	Evans	Leh	Roebuck
Argall	Fairchild	Lescovitz	Rudy
Barley	Fargo	Levdansky	Ryan
Battisto	Farmer	Linton	Rybak
Belardi	Fee	Lloyd	Saloom
Belfanti	Fleagle	Lucyk	Saurman
Billow	Flick	McCall	Scheetz
Birmelin	Foster	McHale	Schuler
Bishop	Fox	McNally	Scrimenti
Black	Freeman	McVerry	Semmel
Blaum	Freind	Maiale	Serafini
Bortner	Gallen	Maine	Smith, B.
Bowley	Gamble	Markosek	Smith, S. H.
Boyes	Gannon	Marsico	Snyder, D. W.
Brandt	Geist	Mayernik	Snyder, G.
Broujos	George	Melio	Staback
Bunt	Gigliotti	Merry	Stairs
Burd	Gladeck	Michlovic	Steighner
Burns	Godshall	Micozzie	Stish
Bush	Gruitza	Mihalich	Strittmatter
Caltagirone	Gruppo	Miller	Stuban
Cappabianca	Hagarty	Moehlmann	Tangretti
Carlson	Haluska	Morris	Taylor, E. Z.
Carn	Harper	Mowery	Taylor, F.
Cawley	Hasay	Mrkonic	Taylor, J.
Cessar	Hayden	Murphy	Telek
Chadwick	Hayes	Nahill	Thomas
Civera	Heckler	Nailor	Tigue
Clark, B. D.	Herman	Noye	Trello
Clark, D. F.	Hershey	O'Brien	Trich
Clark, J. H.	Hess	Olasz	Van Horne
Clymer	Howlett	Oliver	Veon



Cohen	Hughes	Perzel	Vroon
Colafiglia	Itkin	Pesci	Wambach
Colaizzo	Jackson	Petrarca	Wass
Cole	Jadlowiec	Petrone	Weston
Cornell	James	Phillips	Williams
Corrigan	Jarolin	Piccola	Wilson
Cowell	Johnson	Pistella	Wogan
Coy	Josephs	Pitts	Wozniak
DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Wright, R. C.
Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	
Dietterick	Kukovich	Richardson	O'Donnell,
Distler	LaGrotta	Rieger	Speaker
Dombrowski	Langtry		

NAYS—0

NOT VOTING—0

EXCUSED—2

Dininni      Pievsky

The question was determined in the affirmative, and the amendments were agreed to.

On the question,

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

Mr. NOYE offered the following amendments No. A2909:

Amend Title, page 1, line 3, by inserting after "privilege" ; further providing for driving while operating privilege is suspended or revoked

Amend Bill, page 2, by inserting between lines 13 and 14 Section 2. Section 1543 of Title 75 is amended to read:

§ 1543. Driving while operating privilege is suspended or revoked.

(a) Offense defined.—Except as provided in subsection (b), any person who drives a motor vehicle on any highway or trafficway of this Commonwealth after the commencement of a suspension, revocation or cancellation of the operating privilege and before the operating privilege has been restored is guilty of a summary offense and shall, upon conviction, be sentenced to pay a fine of \$200.

(b) Certain offenses.—

(1) Any person who drives a motor vehicle on any highway or trafficway of this Commonwealth at a time when their operating privilege is suspended or revoked as a condition of acceptance of Accelerated Rehabilitative Disposition for a violation of section 3731 (relating to driving under influence of alcohol or controlled substance) or because of a violation of section 1547(b)(1) (relating to suspension for refusal) or 3731 shall, upon conviction, be guilty of a summary offense and shall be sentenced to pay a fine of \$1,000 and to undergo imprisonment for a period of not less than 90 days.

(2) Any person who drives a motor vehicle on any highway or trafficway of this Commonwealth at a time when their operating privilege is suspended or revoked for a reason other than those described in paragraph (1), and who is subject to a period of suspension or revocation in connection with section 1547(b)(1) or 3731 where such period has not as yet commenced, shall be sentenced to pay a fine of \$1,000.

(c) Suspension or revocation of operating privilege.—Upon receiving a certified record of the conviction of any person under this section, the department shall suspend or revoke that person's operating privilege as follows:

(1) If the department's records show that the person was under suspension, recall or cancellation on the date of

violation, the department shall suspend the person's operating privilege for an additional one-year period.

(2) If the department's records show that the person was under revocation on the date of violation, the department shall revoke the person's operating privilege for an additional two-year period.

(d) Citation of appropriate subsection.—Prior to filing a citation for a violation of this section with the issuing authority named in the citation, the police officer shall verify the basis for the suspension with the department. Upon receiving the verification, the officer shall cite the appropriate subsection of this section on the citation.

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

3

Amend Sec. 3, page 4, line 26, by striking out "3" and inserting

4

On the question,

Will the House agree to the amendments?

The SPEAKER pro tempore. On that question, the Chair recognizes Mr. Noye.

Mr. NOYE. Thank you, Mr. Speaker.

Mr. Speaker, this amendment is a correction to what I feel and a lot of people in criminal justice feel is an oversight in the motor laws of this Commonwealth as they relate to DUI (driving under the influence) suspensions.

What is happening is that people who are driving while under suspension continue to drive, and if they are arrested while under suspension and it is a DUI-related offense, the courts, by their interpretation, are putting that violation at the end of the list of other violations rather than immediately moving to implement the DUI laws of the Commonwealth. If the individual has a string of violations that are not DUI related and they lose their license and they continue to operate while under suspension, they continue to, as they are caught, put those violations in the order in which they occur. If it is a DUI-related offense, instead of it going immediately, it goes to the end of the list, and thus the penalty and the increased suspension time is avoided until that offense comes up before the court.

This was brought to my attention by the probation and parole office in one of my counties because of problems they were experiencing with some of their clients. They asked that this amendment be introduced, and that is why I am doing so. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—200

Acosta	Donatucci	Lashingier	Ritter
Adolph	Dorr	Laughlin	Robbins
Allen	Durham	Lee	Robinson
Angstadt	Evans	Leh	Roebuck
Argall	Fairchild	Lescovitz	Rudy
Barley	Fargo	Levdanskyy	Ryan
Battisto	Farmer	Linton	Rybak
Belardi	Fee	Lloyd	Saloom
Belfanti	Fleagle	Lucyk	Saurman
Billow	Flick	McCall	Scheetz
Birmelin	Foster	McHale	Schuler

Bishop	Fox	McNally	Scrimenti
Black	Freeman	McVerry	Semmel
Blaum	Freind	Maiale	Serafini
Bortner	Gallen	Maine	Smith, B.
Bowley	Gamble	Markosek	Smith, S. H.
Boyes	Gannon	Marsico	Snyder, D. W.
Brandt	Geist	Mayernik	Snyder, G.
Broujos	George	Melio	Staback
Bunt	Gigliotti	Merry	Stairs
Burd	Gladeck	Michlovic	Steighner
Burns	Godshall	Micozzie	Stish
Bush	Gruitza	Mihalich	Strittmatter
Caltagirone	Gruppo	Miller	Stuban
Cappabianca	Hagarty	Moehlmann	Tangretti
Carlson	Haluska	Morris	Taylor, E. Z.
Carn	Harper	Mowery	Taylor, F.
Cawley	Hasay	Mrkonic	Taylor, J.
Cessar	Hayden	Murphy	Telek
Chadwick	Hayes	Nahill	Thomas
Civera	Heckler	Nailor	Tigue
Clark, B. D.	Herman	Noye	Trello
Clark, D. F.	Hershey	O'Brien	Trich
Clark, J. H.	Hess	Olasz	Van Horne
Clymer	Howlett	Oliver	Veon
Cohen	Hughes	Perzel	Vroon
Colaella	Itkin	Pesci	Wambach
Colaizzo	Jackson	Petrarca	Wass
Cole	Jadlowiec	Petrone	Weston
Cornell	James	Phillips	Williams
Corrigan	Jarolin	Piccola	Wilson
Cowell	Johnson	Pistella	Wogan
Coy	Josephs	Pitts	Wozniak
DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Wright, R. C.
Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	
Dietterick	Kukovich	Richardson	O'Donnell,
Distler	LaGrotta	Rieger	Speaker
Dombrowski	Langtry		

NAYS—0

NOT VOTING—0

EXCUSED—2

Dininni      Pievsky

The question was determined in the affirmative, and the amendments were agreed to.

On the question recurring,

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

Bill as amended was agreed to.

The SPEAKER 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.

YEAS—200

Acosta	Donatucci	Lashinger	Ritter
Adolph	Dorr	Laughlin	Robbins
Allen	Durham	Lee	Robinson
Angstadt	Evans	Leh	Roebuck
Argall	Fairchild	Lescovitz	Rudy
Barley	Fargo	Levdansky	Ryan
Battisto	Farmer	Linton	Rybak
Belardi	Fee	Lloyd	Saloom
Belfanti	Fleagle	Lucyk	Saurman
Billow	Flick	McCall	Scheetz

Birmelin	Foster	McHale	Schuler
Bishop	Fox	McNally	Scrimenti
Black	Freeman	McVerry	Semmel
Blaum	Freind	Maiale	Serafini
Bortner	Gallen	Maine	Smith, B.
Bowley	Gamble	Markosek	Smith, S. H.
Boyes	Gannon	Marsico	Snyder, D. W.
Brandt	Geist	Mayernik	Snyder, G.
Broujos	George	Melio	Staback
Bunt	Gigliotti	Merry	Stairs
Burd	Gladeck	Michlovic	Steighner
Burns	Godshall	Micozzie	Stish
Bush	Gruitza	Miller	Strittmatter
Caltagirone	Gruppo	Moehlmann	Stuban
Cappabianca	Hagarty	Morris	Tangretti
Carlson	Haluska	Mowery	Taylor, E. Z.
Carn	Harper	Mrkonic	Taylor, F.
Cawley	Hasay	Murphy	Taylor, J.
Cessar	Hayden	Nahill	Telek
Chadwick	Hayes	Nailor	Thomas
Civera	Heckler	Noye	Tigue
Clark, B. D.	Herman	O'Brien	Trello
Clark, D. F.	Hershey	Olasz	Trich
Clark, J. H.	Hess	Oliver	Van Horne
Clymer	Howlett	Perzel	Veon
Cohen	Hughes	Pesci	Vroon
Colaella	Itkin	Petrarca	Wambach
Colaizzo	Jackson	Petrone	Wass
Cole	Jadlowiec	Phillips	Weston
Cornell	James	Piccola	Williams
Corrigan	Jarolin	Pistella	Wilson
Cowell	Johnson	Pitts	Wogan
Coy	Josephs	Pressmann	Wozniak
DeLuca	Kaiser	Preston	Wright, D. R.
DeWeese	Kasunic	Raymond	Wright, J. L.
Daley	Kenney	Reber	Wright, R. C.
Davies	Kondrich	Reinard	Yandrisevits
Dempsey	Kosinski	Richardson	
Dietterick	Kukovich	Rieger	O'Donnell,
Distler	LaGrotta		Speaker
Dombrowski	Langtry		

NAYS—0

NOT VOTING—0

EXCUSED—2

Dininni      Pievsky

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

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

\* \* \*

The House proceeded to third consideration of **SB 1458, PN 2001**, entitled:

An Act amending the act of January 17, 1968 (P. L. 11, No. 5), entitled "The Minimum Wage Act of 1968," providing for certain exceptions from the minimum wage provisions.

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.

YEAS—200

- |              |           |            |               |
|--------------|-----------|------------|---------------|
| Acosta       | Donatucci | Lashinger  | Ritter        |
| Adolph       | Dorr      | Laughlin   | Robbins       |
| Allen        | Durham    | Lee        | Robinson      |
| Angstadt     | Evans     | Leh        | Roebuck       |
| Argall       | Fairchild | Lescovitz  | Rudy          |
| Barley       | Fargo     | Levdansky  | Ryan          |
| Battisto     | Farmer    | Linton     | Rybak         |
| Belardi      | Fee       | Lloyd      | Saloom        |
| Belfanti     | Fleagle   | Lucyk      | Saurman       |
| Billow       | Flick     | McCall     | Scheetz       |
| Birmelin     | Foster    | McHale     | Schuler       |
| Bishop       | Fox       | McNally    | Scrimenti     |
| Black        | Freeman   | McVerry    | Semmel        |
| Blaum        | Freind    | Maiale     | Serafini      |
| Bortner      | Gallen    | Maine      | Smith, B.     |
| Bowley       | Gamble    | Markosek   | Smith, S. H.  |
| Boyes        | Gannon    | Marsico    | Snyder, D. W. |
| Brandt       | Geist     | Mayernik   | Snyder, G.    |
| Broujos      | George    | Melio      | Staback       |
| Bunt         | Gigliotti | Merry      | Stairs        |
| Burd         | Gladeck   | Michlovic  | Steighner     |
| Burns        | Godshall  | Micozzie   | Stish         |
| Bush         | Gruitza   | Mihalich   | Strittmatter  |
| Caltagirone  | Gruppo    | Miller     | Suban         |
| Cappabianca  | Hagarty   | Moehlmann  | Tangretti     |
| Carlson      | Haluska   | Morris     | Taylor, E. Z. |
| Carn         | Harper    | Mowery     | Taylor, F.    |
| Cawley       | Hasay     | Mrkoncic   | Taylor, J.    |
| Cessar       | Hayden    | Murphy     | Telek         |
| Chadwick     | Hayes     | Nahill     | Thomas        |
| Civera       | Heckler   | Nailor     | Tigue         |
| Clark, B. D. | Herman    | Noye       | Trello        |
| Clark, D. F. | Hershey   | O'Brien    | Trich         |
| Clark, J. H. | Hess      | Olasz      | Van Horne     |
| Clymer       | Howlett   | Oliver     | Veon          |
| Cohen        | Hughes    | Perzel     | Vroon         |
| Colafranca   | Itkin     | Pesci      | Wambach       |
| Colaizzo     | Jackson   | Petrarca   | Wass          |
| Cole         | Jadlowiec | Petrone    | Weston        |
| Cornell      | James     | Phillips   | Williams      |
| Corrigan     | Jarolin   | Piccola    | Wilson        |
| Cowell       | Johnson   | Pistella   | Wogan         |
| Coy          | Josephs   | Pitts      | Wozniak       |
| DeLuca       | Kaiser    | Pressmann  | Wright, D. R. |
| DeWeese      | Kasunic   | Preston    | Wright, J. L. |
| Daley        | Kenney    | Raymond    | Wright, R. C. |
| Davies       | Kondrich  | Reber      | Yandrisevits  |
| Dempsey      | Kosinski  | Reinard    |               |
| Dietterick   | Kukovich  | Richardson | O'Donnell,    |
| Distler      | LaGrotta  | Rieger     | Speaker       |
| Dombrowski   | Langtry   |            |               |

NAYS—0

NOT VOTING—0

EXCUSED—2

- |         |         |
|---------|---------|
| Dininni | Pievsky |
|---------|---------|

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.

\* \* \*

HB 1361 PASSED OVER TEMPORARILY

The SPEAKER pro tempore. Without objection, HB 1361, PN 3620, will go over for today.

The Chair recognizes the gentleman from Lehigh, Mr. Snyder.

Mr. D. W. SNYDER. Mr. Speaker, I object to HB 1361 going over for today. I would like to have it held over temporarily, please.

The SPEAKER pro tempore. Without objection, HB 1361, PN 3620, will go over temporarily.

\* \* \*

The House proceeded to third consideration of SB 558, PN 1102, entitled:

An Act amending the act of February 19, 1980 (P. L. 15, No. 9), entitled "Real Estate Licensing and Registration Act," providing for continuing education.

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.

YEAS—200

- |              |           |           |               |
|--------------|-----------|-----------|---------------|
| Acosta       | Donatucci | Lashinger | Ritter        |
| Adolph       | Dorr      | Laughlin  | Robbins       |
| Allen        | Durham    | Lee       | Robinson      |
| Angstadt     | Evans     | Leh       | Roebuck       |
| Argall       | Fairchild | Lescovitz | Rudy          |
| Barley       | Fargo     | Levdansky | Ryan          |
| Battisto     | Farmer    | Linton    | Rybak         |
| Belardi      | Fee       | Lloyd     | Saloom        |
| Belfanti     | Fleagle   | Lucyk     | Saurman       |
| Billow       | Flick     | McCall    | Scheetz       |
| Birmelin     | Foster    | McHale    | Schuler       |
| Bishop       | Fox       | McNally   | Scrimenti     |
| Black        | Freeman   | McVerry   | Semmel        |
| Blaum        | Freind    | Maiale    | Serafini      |
| Bortner      | Gallen    | Maine     | Smith, B.     |
| Bowley       | Gamble    | Markosek  | Smith, S. H.  |
| Boyes        | Gannon    | Marsico   | Snyder, D. W. |
| Brandt       | Geist     | Mayernik  | Snyder, G.    |
| Broujos      | George    | Melio     | Staback       |
| Bunt         | Gigliotti | Merry     | Stairs        |
| Burd         | Gladeck   | Michlovic | Steighner     |
| Burns        | Godshall  | Micozzie  | Stish         |
| Bush         | Gruitza   | Mihalich  | Strittmatter  |
| Caltagirone  | Gruppo    | Miller    | Suban         |
| Cappabianca  | Hagarty   | Moehlmann | Tangretti     |
| Carlson      | Haluska   | Morris    | Taylor, E. Z. |
| Carn         | Harper    | Mowery    | Taylor, F.    |
| Cawley       | Hasay     | Mrkoncic  | Taylor, J.    |
| Cessar       | Hayden    | Murphy    | Telek         |
| Chadwick     | Hayes     | Nahill    | Thomas        |
| Civera       | Heckler   | Nailor    | Tigue         |
| Clark, B. D. | Herman    | Noye      | Trello        |
| Clark, D. F. | Hershey   | O'Brien   | Trich         |
| Clark, J. H. | Hess      | Olasz     | Van Horne     |
| Clymer       | Howlett   | Oliver    | Veon          |

Cohen	Hughes	Perzel	Vroon
Colaifella	Itkin	Pesci	Wambach
Colaizzo	Jackson	Petrarca	Wass
Cole	Jadlowiec	Petrone	Weston
Cornell	James	Phillips	Williams
Corrigan	Jarolin	Piccola	Wilson
Cowell	Johnson	Pistella	Wogan
Coy	Josephs	Pitts	Wozniak
DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Wright, R. C.
Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	
Dietterick	Kukovich	Richardson	O'Donnell,
Distler	LaGrotta	Rieger	Speaker
Dombrowski	Langtry		

NAYS—0

NOT VOTING—0

EXCUSED—2

Dininni      Pievsky

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

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

\* \* \*

The House proceeded to third consideration of **SB 756, PN 2367**, entitled:

An Act providing for the certification of real estate appraisers; specifying requirements for certification; providing for sanctions and penalties; and making an appropriation.

On the question,

Will the House agree to the bill on third consideration?

Mr. LLOYD offered the following amendments No. **A2970**:

Amend Sec. 2, page 32, line 19, by striking out "AN" and inserting

A written

Amend Sec. 4, page 34, lines 3 through 8, by striking out "BE MEMBERS" in line 3, all of lines 4 through 8 and inserting have appropriate appraisal experience and education and shall have demonstrated adherence to standards of professional practice.

Amend Sec. 5, page 37, by inserting between lines 24 and 25

(10) To submit annually pursuant to the Financial Institutions Reform, Recovery and Enforcement Act of 1989 a roster listing individuals who have received State certification.

Amend Sec. 9, page 41, line 12, by striking out "TO THE APPRAISAL SUBCOMMITTEE ESTABLISHED" and inserting

fees required

Amend Sec. 9, page 41, lines 14 and 15, by striking out "FEES REQUIRED UNDER THAT ACT"

On the question,

Will the House agree to the amendments?

The SPEAKER pro tempore. On that question, the Chair recognizes Mr. Lloyd.

Mr. LLOYD. Thank you, Mr. Speaker.  
Mr. Speaker, this is a technical amendment requested by the Federal agency responsible for the appraisal law. It makes clear that appraisals must be written. It makes clear that no one organization gets favoritism in terms of picking board members. It makes clear that the State has an obligation to send to Washington each year a list of who all has a State certificate, and it corrects the reference with regard to where the Federal fee money goes.

I would ask for a "yes" vote.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Butler, Mr. Burd.

Mr. BURD. Thank you, Mr. Speaker.

I only want to say this is an agreed-to amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—200

Acosta	Donatucci	Lashinger	Ritter
Adolph	Dorr	Laughlin	Robbins
Allen	Durham	Lee	Robinson
Angstadt	Evans	Leh	Roebuck
Argall	Fairchild	Lescovitz	Rudy
Barley	Fargo	Levdansky	Ryan
Battisto	Farmer	Linton	Rybak
Belardi	Fee	Lloyd	Saloom
Belfanti	Fleagle	Lucyk	Saurman
Billow	Flick	McCall	Scheetz
Birmelin	Foster	McHale	Schuler
Bishop	Fox	McNally	Scrimenti
Black	Freeman	McVerry	Semmel
Blaum	Freind	Maiiale	Serafini
Bortner	Gallen	Maine	Smith, B.
Bowley	Gamble	Markosek	Smith, S. H.
Boyes	Gannon	Marsico	Snyder, D. W.
Brandt	Geist	Mayernik	Snyder, G.
Broujos	George	Melio	Staback
Bunt	Gigliotti	Merry	Stairs
Burd	Gladeck	Michlovic	Steighner
Burns	Godshall	Micozzie	Stish
Bush	Gruitza	Mihalich	Strittmatter
Caltagirone	Gruppo	Miller	Stuban
Cappabianca	Hagarty	Moehlmann	Tangretti
Carlson	Haluska	Morris	Taylor, E. Z.
Carn	Harper	Mowery	Taylor, F.
Cawley	Hasay	Mrkonic	Taylor, J.
Cessar	Hayden	Murphy	Telek
Chadwick	Hayes	Nahill	Thomas
Civera	Heckler	Nailor	Tigue
Clark, B. D.	Herman	Noye	Trello
Clark, D. F.	Hershey	O'Brien	Trich
Clark, J. H.	Hess	Olasz	Van Horne
Clymer	Howlett	Oliver	Veon
Cohen	Hughes	Perzel	Vroon
Colaifella	Itkin	Pesci	Wambach
Colaizzo	Jackson	Petrarca	Wass
Cole	Jadlowiec	Petrone	Weston
Cornell	James	Phillips	Williams
Corrigan	Jarolin	Piccola	Wilson
Cowell	Johnson	Pistella	Wogan
Coy	Josephs	Pitts	Wozniak
DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Wright, R. C.
Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	

Dietterick	Kukovich	Richardson	O'Donnell,
Distler	LaGrotta	Rieger	Speaker
Dombrowski	Langtry		

NAYS—0

NOT VOTING—0

EXCUSED—2

Dininni      Pievsky

The question was determined in the affirmative, and the amendments were 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.

YEAS—183

Acosta	Dorr	Laughlin	Robinson
Adolph	Durham	Lescovitz	Roebuck
Allen	Evans	Levdansky	Rudy
Angstadt	Fairchild	Linton	Ryan
Argall	Fargo	Lloyd	Rybak
Barley	Farmer	Lucyk	Saloom
Battisto	Fee	McCall	Saurman
Belardi	Fleagle	McHale	Scheetz
Belfanti	Flick	McNally	Schuler
Billow	Foster	McVerry	Scrimenti
Bishop	Freeman	Maiale	Semmel
Black	Freind	Maine	Serafini
Blaum	Gallen	Markosek	Smith, B.
Bortner	Gamble	Marsico	Smith, S. H.
Bowley	Gannon	Mayernik	Snyder, G.
Brandt	Geist	Melio	Staback
Broujos	George	Merry	Stairs
Bunt	Gigliotti	Michlovic	Steighner
Burd	Gladeck	Micozzie	Stish
Burns	Gruitza	Mihalich	Strittmatter
Bush	Gruppo	Moehlmann	Stuban
Caltagirone	Haluska	Morris	Tangretti
Cappabianca	Harper	Mowery	Taylor, E. Z.
Carlson	Hasay	Mrkonic	Taylor, F.
Carn	Hayden	Murphy	Taylor, J.
Cawley	Hayes	Nahill	Telek
Cessar	Heckler	Nailor	Thomas
Chadwick	Herman	Noye	Tigue
Civera	Hershey	Olasz	Trello
Clark, B. D.	Hess	Oliver	Trich
Clark, D. F.	Howlett	Pesci	Van Horne
Clymer	Hughes	Petrarca	Veon
Cohen	Itkin	Petrone	Vroon
Colaafella	Jadlowiec	Phillips	Wambach
Colaizzo	James	Piccola	Wass
Cole	Jarolin	Pistella	Williams
Cornell	Johnson	Pitts	Wilson
Corrigan	Josephs	Pressmann	Wogan
Cowell	Kaiser	Preston	Wozniak
Coy	Kasunic	Raymond	Wright, D. R.
DeLuca	Kondrich	Reber	Wright, J. L.
DeWeese	Kosinski	Reinard	Wright, R. C.
Daley	Kukovich	Richardson	Yandrisevits
Davies	LaGrotta	Rieger	
Dietterick	Langtry	Ritter	O'Donnell,
Distler	Lashinger	Robbins	Speaker
Donatucci			

NAYS—17

Birmelin	Fox	Kenney	O'Brien
Boyes	Godshall	Lee	Perzel
Clark, J. H.	Hagarty	Leh	Snyder, D. W.
Dempsey	Jackson	Miller	Weston
Dombrowski			

NOT VOTING—0

EXCUSED—2

Dininni      Pievsky

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.

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SB 845 PASSED OVER TEMPORARILY

The SPEAKER pro tempore. SB 845, PN 2340. Will the House agree to the bill?

Mr. RYAN. Mr. Speaker, I have an amendment to this that I am trying to work out with the gentleman, Mr. Thomas. Would you pass this over for the moment?

The SPEAKER pro tempore. Without objection, SB 845 will go over temporarily.

\*\*\*

The House proceeded to third consideration of SB 278, PN 2337, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for pedestrian-control signals; and further providing for the prohibition against discharging, disciplining or discriminating against an employee for refusal to operate a motor vehicle or for filing a complaint or instituting or testifying in a proceeding relating to a motor vehicle safety rule.

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.

YEAS—200

Acosta	Donatucci	Lashinger	Ritter
Adolph	Dorr	Laughlin	Robbins
Allen	Durham	Lee	Robinson
Angstadt	Evans	Leh	Roebuck
Argall	Fairchild	Lescovitz	Rudy
Barley	Fargo	Levdansky	Ryan
Battisto	Farmer	Linton	Rybak
Belardi	Fee	Lloyd	Saloom
Belfanti	Fleagle	Lucyk	Saurman
Billow	Flick	McCall	Scheetz
Birmelin	Foster	McHale	Schuler

Bishop	Fox	McNally	Scrimenti
Black	Freeman	McVerry	Semmel
Blaum	Freind	Maiale	Serafini
Bortner	Gallen	Maine	Smith, B.
Bowley	Gamble	Markosek	Smith, S. H.
Boyes	Gannon	Marsico	Snyder, D. W.
Brandt	Geist	Mayernik	Snyder, G.
Broujos	George	Melio	Staback
Bunt	Gigliotti	Merry	Stairs
Burd	Gladeck	Michlovic	Steighner
Burns	Godshall	Micozzie	Stish
Bush	Gruitza	Mihalich	Strittmatter
Caltagirone	Gruppo	Miller	Stuban
Cappabianca	Hagarty	Moehlmann	Tangretti
Carlson	Haluska	Morris	Taylor, E. Z.
Carn	Harper	Mowery	Taylor, F.
Cawley	Hasay	Mrkonic	Taylor, J.
Cessar	Hayden	Murphy	Telek
Chadwick	Hayes	Nahill	Thomas
Civera	Heckler	Nailor	Tigue
Clark, B. D.	Herman	Noye	Trello
Clark, D. F.	Hershey	O'Brien	Trich
Clark, J. H.	Hess	Olasz	Van Horne
Clymer	Howlett	Oliver	Veon
Cohen	Hughes	Perzel	Vroon
Colafiglia	Itkin	Pesci	Wambach
Colaizzo	Jackson	Petrarca	Wass
Cole	Jadlowiec	Petrone	Weston
Cornell	James	Phillips	Williams
Corrigan	Jarolin	Piccola	Wilson
Cowell	Johnson	Pistella	Wogan
Coy	Josephs	Pitts	Wozniak
DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Wright, R. C.
Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	
Dietterick	Kukovich	Richardson	O'Donnell,
Distler	LaGrotta	Rieger	Speaker
Dombrowski	Langtry		

NAYS—0

NOT VOTING—0

EXCUSED—2

Dininni      Pievsky

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

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

\* \* \*

The House proceeded to third consideration of **SB 1368, PN 2330**, entitled:

An Act amending the act of September 30, 1985 (P. L. 240, No. 61), entitled "Turnpike Organization, Extension and Toll Road Conversion Act," further providing for a turnpike interchange at New Cumberland Army Depot.

On the question,

Will the House agree to the bill on third consideration?

Mr. McCALL offered the following amendments No. A2606:

Amend Title, page 2, line 17, by removing the period after "Depot" and inserting

and for an interchange on the Northeast Extension.

Amend Sec. 1, page 2, line 22, by inserting after "amended" and the subsection is amended by adding a paragraph

Amend Sec. 1 (Sec. 3), page 3, by inserting between lines 9 and 10

(9) Construct an interchange on the Northeast Extension with State Route 903 in Carbon County. The commission may commence construction of this interchange notwithstanding the construction schedule established by this section.

On the question,

Will the House agree to the amendments?

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

Mr. McCALL. Thank you, Mr. Speaker.

Mr. Speaker, this amendment would provide for an additional interchange on the northeast extension of the Pennsylvania Turnpike. Currently between exits 34 and 35 there is approximately 25 miles of distance between those two exits. This amendment would provide for an approximately 12- to 15-mile shortcut for all of my colleagues that travel from southeastern Pennsylvania to the Pocono Mountains - to Big Boulder, Jack Frost, Galleria, Lake Harmony, all those points in the Poconos.

I would ask that the members of the General Assembly adopt this amendment.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Somerset, Mr. Lloyd.

Mr. LLOYD. I would like to ask a question to the maker of the amendment.

The SPEAKER pro tempore. The gentleman from Carbon consents to being interrogated, and the gentleman from Somerset may proceed.

Mr. LLOYD. Mr. Speaker, we negotiated—some of us were not very happy with those negotiations—for priorities in the turnpike expansion bill 4 or 5 years ago. I do not have any problem with putting some other project on the list. What I am concerned about is the second sentence, which says that "The commission may commence construction of this interchange notwithstanding the construction schedule established by this section." Does that mean that regardless of where in the priority list this project is put, if we vote for this amendment, we are voting to allow this to go ahead of the Mon Valley Expressway and U.S. 219 and U.S. 220 or whatever if the Turnpike Commission so decides?

Mr. McCALL. Mr. Speaker, it is at the discretion of the commission.

Mr. LLOYD. Mr. Speaker, on the amendment.

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

Mr. LLOYD. Mr. Speaker, I just suggest that those people who had projects or who have projects on that priority list might be aware of the fact that voting for this will potentially move their project down even further. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—179

Acosta	Distler	Kukovich	Rieger
Adolph	Dombrowski	LaGrotta	Ritter
Allen	Donatucci	Lashinger	Robbins
Angstadt	Dorr	Laughlin	Roebuck
Argall	Durham	Leh	Rudy
Barley	Evans	Lescovitz	Ryan
Battisto	Fairchild	Levdansky	Rybak
Belardi	Farmer	Linton	Saloom
Belfanti	Fee	Lucyk	Saurman
Billow	Fleagle	McCall	Scheetz
Birmelin	Foster	McHale	Schuler
Bishop	Fox	McNally	Scrimenti
Black	Freeman	McVerry	Semmel
Blaum	Freind	Maiale	Serafini
Bortner	Gallen	Maine	Smith, B.
Boyes	Gamble	Markosek	Snyder, D. W.
Brandt	Gannon	Marsico	Snyder, G.
Broujos	Geist	Mayernik	Staback
Bunt	George	Melio	Steighner
Burd	Gigliotti	Michlovic	Stish
Burns	Gladeck	Micozzie	Strittmatter
Bush	Godshall	Miller	Suban
Caltagirone	Gruitza	Moehlmann	Tangretti
Cappabianca	Gruppo	Morris	Taylor, E. Z.
Carlson	Hagarty	Mowery	Taylor, F.
Carn	Haluska	Mrkonic	Taylor, J.
Cawley	Harper	Murphy	Thomas
Cessar	Hasay	Nahill	Tigue
Chadwick	Hayden	Nailor	Trello
Civera	Hayes	O'Brien	Trich
Clark, B. D.	Herman	Olasz	Van Horne
Clark, J. H.	Hess	Oliver	Veon
Clymer	Howlett	Perzel	Vroon
Cohen	Hughes	Pesci	Wambach
Colaizzo	Itkin	Petrarca	Weston
Cole	Jackson	Petrone	Williams
Cornell	James	Phillips	Wilson
Corrigan	Jarolin	Piccola	Wogan
Cowell	Johnson	Pistella	Wright, D. R.
Coy	Josephs	Pressmann	Wright, J. L.
DeLuca	Kaiser	Preston	Wright, R. C.
DeWeese	Kasunic	Raymond	Yandrisevits
Daley	Kenney	Reber	
Davies	Kondrich	Reinard	O'Donnell,
Dempsey	Kosinski	Richardson	Speaker
Dietterick			

NAYS—21

Bowley	Hershey	Merry	Smith, S. H.
Clark, D. F.	Jadlowiec	Mihalich	Stairs
Colafella	Langtry	Noye	Telek
Fargo	Lee	Pitts	Wass
Flick	Lloyd	Robinson	Wozniak
Heckler			

NOT VOTING—0

EXCUSED—2

Dininni      Pievsky

The question was determined in the affirmative, and the amendments were 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. Smith, from York.

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

The bill itself deals with the largest employer in York County, and just this week they officially announced the layoff of more than 400 employees. Passage of this bill means jobs to York County and central Pennsylvania. It also will signal strong cooperation between State and Federal Government. It will be a strong signal that Pennsylvania cares about jobs. It is also a strong indication to the Pennsylvania Turnpike Commission that negotiations should immediately resume with the Department of Defense.

In addition, Mr. Speaker, it is very important that this bill pass today. The Federal Government has already put up its share in its budget of \$5.3 million. If negotiations do not get underway and an agreement is made, that \$5.3 million could lapse. Passage of this bill today could make the New Cumberland Army Depot the most accessible base in the United States. It could definitely mean more jobs for us.

I urge your support. Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Dauphin, Mr. Wambach.

Mr. WAMBACH. Thank you, Mr. Speaker.

Mr. Speaker, I join with Representative Bruce Smith in urging our colleagues to support SB 1368. SB 1368, Mr. Speaker, is a clarification of the original act in 1985 when we gave to the Turnpike Commission the negotiating power with the Department of Defense for construction of a turnpike interchange at the New Cumberland Army Depot. This clarifies beyond the negotiation stage the fact that the commission now will have the authorization and is directed to build the interchange at the New Cumberland Army Depot.

As Representative Smith has indicated, obviously with a new distribution center to the tune of hundreds of millions of dollars that has been constructed at the New Cumberland Army Depot, the New Cumberland Army Depot, for my colleagues' information, is the chief distribution center for the Department of the Army for the entire eastern United States as well as part of Europe. It is a much-utilized defense installation, and by building the interchange directly into the New Cumberland Army Depot, it will in fact decrease the road usage in the surrounding areas and be a direct link to the turnpike with the New Cumberland Army Depot.

So I urge you in a bipartisan manner to support SB 1368. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Cumberland, Mr. Broujos.

Mr. BROUJOS. Mr. Speaker, the thing that is most important about this bill is that it makes sense - it is common sense, it is good judgment, and it is good planning. It should have taken place a long time ago. The entire area will benefit from

it, and it helps to suggest to the Turnpike Commission that there should be a great deal of flexibility in their planning and in their design and implementation of their service to the community.

Thank you. I ask for support of this bill.

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.

## YEAS—200

Acosta	Donatucci	Lashingner	Ritter
Adolph	Dorr	Laughlin	Robbins
Allen	Durham	Lee	Robinson
Angstadt	Evans	Leh	Roebuck
Argall	Fairchild	Lescovitz	Rudy
Barley	Fargo	Levdansky	Ryan
Battisto	Farmer	Linton	Rybak
Belardi	Fee	Lloyd	Saloom
Belfanti	Fleagle	Lucyk	Saurman
Billow	Flick	McCall	Scheetz
Birmelin	Foster	McHale	Schuler
Bishop	Fox	McNally	Scrimenti
Black	Freeman	McVerry	Semmel
Blaum	Freind	Maiale	Serafini
Bortner	Gallen	Maine	Smith, B.
Bowley	Gamble	Markosek	Smith, S. H.
Boyes	Gannon	Marsico	Snyder, D. W.
Brandt	Geist	Mayernik	Snyder, G.
Broujos	George	Melio	Staback
Bunt	Gigliotti	Merry	Stairs
Burd	Gladeck	Michlovic	Steighner
Burns	Godshall	Micozzie	Stish
Bush	Gruitza	Mihalich	Strittmatter
Caltagirone	Gruppo	Miller	Suban
Cappabianca	Hagarty	Moehlmann	Tangretti
Carlson	Haluska	Morris	Taylor, E. Z.
Carn	Harper	Mowery	Taylor, F.
Cawley	Hasay	Mrkoncic	Taylor, J.
Cessar	Hayden	Murphy	Telek
Chadwick	Hayes	Nahill	Thomas
Civera	Heckler	Nailor	Tigue
Clark, B. D.	Herman	Noye	Trello
Clark, D. F.	Hershey	O'Brien	Trich
Clark, J. H.	Hess	Olasz	Van Horne
Clymer	Howlett	Oliver	Veon
Cohen	Hughes	Perzel	Vroon
Colaflera	Itkin	Pesci	Wambach
Colaizzo	Jackson	Petrarca	Wass
Cole	Jadlowiec	Petrone	Weston
Cornell	James	Phillips	Williams
Corrigan	Jarolin	Piccola	Wilson
Cowell	Johnson	Pistella	Wogan
Coy	Josephs	Pitts	Wozniak
DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Wright, R. C.
Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	
Dietterick	Kukovich	Richardson	O'Donnell,
Distler	LaGrotta	Rieger	Speaker
Dombrowski	Langtry		

## NAYS—0

## NOT VOTING—0

## EXCUSED—2

Dininni

Pievsky

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.

BILLS ON CONCURRENCE  
IN SENATE AMENDMENTS

The clerk of the Senate, being introduced, returned the following **HB 334, PN 3836**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for certificate of title applications, transfers and security interests and for manufacturer and dealer registration plates; providing for special registration plates for Pearl Harbor survivors and for circus and carnival use; further providing for suspension of registration, suspension of vehicle business registration plates, revocation or suspension of operating privilege and cancellation of driver's license; providing for personnel actions based on certain employee safety considerations and for the Motor Vehicle Transaction Recovery Fund; further providing for a certain restricted receipts fund, for certificates of registration and decals and for exemptions from registration; and making a repeal.

On the question,

Will the House concur in Senate amendments?

The SPEAKER pro tempore. Moved by the gentleman, Mr. O'Brien, that the House concur in the amendments inserted by the Senate.

The question recurs, will the House concur in the amendments inserted by the Senate? The Chair recognizes the gentleman from Philadelphia, Mr. Richardson.

Mr. RICHARDSON. Mr. Speaker, could you please ask the prime sponsor of the bill to explain what the Senate amendments were.

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

Mr. O'BRIEN. Mr. Speaker, I just have a memo that explains briefly what it is, and I will just read it to the gentleman:

House Bill 334...contains a variety of amendments to Title 75....

Specifically, this legislation requires an application for a certificate of title to be remitted to the Department within 20 days of sale, transfer or entry into the Commonwealth. A motor vehicle dealer will be required to apply for a certificate of title for a vehicle held for resale longer than six months. A security interest will be perfected at the time an application for a certificate of title is received or date stamped by the Department. In order to receive motor vehicle dealer registration plates, a dealer will have to post a bond in the amount of \$20,000 to indemnify the Commonwealth and his customers.

This legislation further requires the Department to issue special registration plates to a documented sur-



vivor of Pearl Harbor and authorizes the issuance of a special registration plate for use on trucks and truck tractors used exclusively in the circus and carnival industry during the period from April 1 through September 30 of any year. The requirement that a juvenile offender's operating privilege be suspended or revoked when a consent decree is entered into based upon any such offenses that would, for an adult be a conviction has been repealed at the request of the Juvenile Court Judge's Commission. However, the Department will be required to suspend the driver's license for six months of a juvenile offender placed under a consent decree for driving under the influence. Various provisions relating to the Department's authorization to cancel driver's licenses have been added.

The major thrust of this legislation is the establishment of the Motor Vehicle Transaction Recovery Fund. The Fund will provide the Departments of Transportation and Revenue with the requisite funds necessary to process documents relating to the titling and registration of vehicles where a motor vehicle dealer or person authorized to act as an agent of the Department failed to forward the funds to the Department.

Because of the establishment of the Fund, the sole responsibility of motor vehicle dealers for remitting sales taxes and title and registration fees when paid to them by the purchaser, and the requirement that such be paid to the Commonwealth through a separate check issued by the purchaser or his lender have been repealed.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Richardson.

Mr. RICHARDSON. Mr. Speaker, in all of what you said, does that mean that this is going to be a study that is going to take place?

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

Mr. O'BRIEN. Would you repeat that, Mr. Speaker? I did not hear your question.

Mr. RICHARDSON. Yes. I would just like to know whether or not in all that you read, does this now mean that this is going to be a study that is going to be invoked?

Mr. O'BRIEN. A study?

Mr. RICHARDSON. A study.

Mr. O'BRIEN. A study of what? I do not understand.

Mr. RICHARDSON. A study of everything that you just read. I did not understand what the amendment changes were, and I am asking whether or not this amendment is a study that is going to take place with respect to the Motor Vehicle Code.

Mr. O'BRIEN. I am sorry, Mr. Speaker. I did not hear you.

Mr. RICHARDSON. You read a lot of things, and I do not think the members really understood. I said, does this now mean there is going to be a study that is going to be invoked by the department to look into those areas that you just enumerated or are these actual changes that are going to take place relevant to the Motor Vehicle Code? This is your bill, I assume.

Mr. O'BRIEN. These are changes in the Motor Vehicle Code, Mr. Speaker.

Mr. RICHARDSON. Okay. Now, what does it do? I was trying to get you to say that this is a study. It is not a study. You read it, but what does it mean to the average person on the street?

Mr. O'BRIEN. Mr. Speaker, it contains HB 1410, which previously passed the House and went over to the Senate; it contains provisions in HB 1950, which recently passed this House overwhelmingly and is now in the Senate; and provisions of SB 298 are included in the bill.

Mr. RICHARDSON. So this is a combination of a lot of things that now are a part of these amendments from the Senate that are now a part of your bill.

Mr. O'BRIEN. Mr. Speaker, the contents, as I understand it, of this House bill are amendments that were offered by the Senate that contain bills, legislation that we passed overwhelmingly in the House, and this is a vehicle to get them done at this time.

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

Mr. O'BRIEN. Except the recovery fund. Except the recovery fund, which is new, and I can show you this amendment which explains it, Mr. Speaker.

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

Mr. RICHARDSON. Mr. Speaker, I am finished with my interrogation.

Vote the bill. Thank you very much.

The SPEAKER pro tempore. The question is, will the House concur in the amendments inserted by the Senate? Those voting to concur will vote "aye"; those voting to non-concur will vote "no."

On the question recurring,

Will the House concur in Senate amendments?

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

YEAS—200

Acosta	Donatucci	Lashinger	Ritter
Adolph	Dorr	Laughlin	Robbins
Allen	Durham	Lee	Robinson
Angstadt	Evans	Leh	Roebuck
Argall	Fairchild	Lescovitz	Rudy
Barley	Fargo	Levdansky	Ryan
Battisto	Farmer	Linton	Rybak
Belardi	Fee	Lloyd	Saloom
Belfanti	Fleagle	Lucyk	Saurman
Billow	Flick	McCall	Scheetz
Birmelin	Foster	McHale	Schuler
Bishop	Fox	McNally	Scrimenti
Black	Freeman	McVerry	Simmel
Blaum	Freind	Maiale	Serafini
Bortner	Gallen	Maine	Smith, B.
Bowley	Gamble	Markosek	Smith, S. H.
Boyes	Gannon	Marsico	Snyder, D. W.
Brandt	Geist	Mayernik	Snyder, G.
Broujos	George	Melio	Staback
Bunt	Gigliotti	Merry	Stairs
Burd	Gladeck	Michlovic	Steighner
Burns	Godshall	Micozzie	Stish
Bush	Gruitza	Mihalich	Strittmatter
Caltagirone	Gruppo	Miller	Stuban
Cappabianca	Hagarty	Moehlmann	Tangretti
Carlson	Haluska	Morris	Taylor, E. Z.

Carn	Harper	Mowery	Taylor, F.
Cawley	Hasay	Mrkonic	Taylor, J.
Cessar	Hayden	Murphy	Telek
Chadwick	Hayes	Nahill	Thomas
Civera	Heckler	Nailor	Tigue
Clark, B. D.	Herman	Noye	Trello
Clark, D. F.	Hershey	O'Brien	Trich
Clark, J. H.	Hess	Olasz	Van Horne
Clymer	Howlett	Oliver	Veon
Cohen	Hughes	Perzel	Vroon
Colafrella	Itkin	Pesci	Wambach
Colaizzo	Jackson	Petrarca	Wass
Cole	Jadlowiec	Petrone	Weston
Cornell	James	Phillips	Williams
Corrigan	Jarolin	Piccola	Wilson
Cowell	Johnson	Pistella	Wogan
Coy	Josephs	Pitts	Wozniak
DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Wright, R. C.
Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	
Dietterick	Kukovich	Richardson	O'Donnell,
Distler	LaGrotta	Rieger	Speaker
Dombrowski	Langtry		

NAYS—0

NOT VOTING—0

EXCUSED—2

Dininni      Pievsky

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

Ordered, That the clerk inform the Senate accordingly.

\* \* \*

The clerk of the Senate, being introduced, returned the following **HB 368, PN 3778**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act amending the act of July 1, 1981 (P. L. 191, No. 57), entitled "An act establishing certain fees to be charged by registers of wills in counties of the fifth, sixth, seventh and eighth class and providing for fees in counties of the second, second A, third and fourth class," providing for the fees to be levied by register of wills in counties of the second through eighth class.

On the question,

Will the House concur in Senate amendments?

The **SPEAKER pro tempore**. Moved by the gentleman, Mr. Gallen, that the House concur in the amendments inserted by the Senate.

The question recurs, will the House concur in the amendments inserted by the Senate? On that question, the Chair recognizes the gentleman from Berks, Mr. Gallen.

Mr. **GALLEN**. Mr. Speaker, the Senate just made a technical change to this legislation. It is the same as when we passed it before.

I would appreciate an affirmative vote. Thank you, Mr. Speaker.

The **SPEAKER pro tempore**. Those voting to concur will vote "aye"; those voting to nonconcur will vote "no."

On the question recurring,  
Will the House concur in Senate amendments?  
The **SPEAKER pro tempore**. Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

YEAS—200

Acosta	Donatucci	Lashingner	Ritter
Adolph	Dorr	Laughlin	Robbins
Allen	Durham	Lee	Robinson
Angstadt	Evans	Leh	Roebuck
Argall	Fairchild	Lescovitz	Rudy
Barley	Fargo	Levdansky	Ryan
Battisto	Farmer	Linton	Rybak
Belardi	Fee	Lloyd	Saloom
Belfanti	Fleagle	Lucyk	Saurman
Billow	Flick	McCall	Scheetz
Birmelin	Foster	McHale	Schuler
Bishop	Fox	McNally	Scrimenti
Black	Freeman	McVerry	Semmel
Blaum	Freind	Maiale	Serafini
Bortner	Gallen	Maine	Smith, B.
Bowley	Gamble	Markosek	Smith, S. H.
Boyes	Gannon	Marsico	Snyder, D. W.
Brandt	Geist	Mayernik	Snyder, G.
Broujos	George	Melio	Staback
Bunt	Gigliotti	Merry	Stairs
Burd	Gladeck	Michlovic	Steighner
Burns	Godshall	Micozzie	Stish
Bush	Gruitza	Mihalich	Strittmatter
Caltagirone	Gruppo	Miller	Stuban
Cappabianca	Hagarty	Moehlmann	Tangretti
Carlson	Haluska	Morris	Taylor, E. Z.
Carn	Harper	Mowery	Taylor, F.
Cawley	Hasay	Mrkonic	Taylor, J.
Cessar	Hayden	Murphy	Telek
Chadwick	Hayes	Nahill	Thomas
Civera	Heckler	Nailor	Tigue
Clark, B. D.	Herman	Noye	Trello
Clark, D. F.	Hershey	O'Brien	Trich
Clark, J. H.	Hess	Olasz	Van Horne
Clymer	Howlett	Oliver	Veon
Cohen	Hughes	Perzel	Vroon
Colafrella	Itkin	Pesci	Wambach
Colaizzo	Jackson	Petrarca	Wass
Cole	Jadlowiec	Petrone	Weston
Cornell	James	Phillips	Williams
Corrigan	Jarolin	Piccola	Wilson
Cowell	Johnson	Pistella	Wogan
Coy	Josephs	Pitts	Wozniak
DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Wright, R. C.
Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	
Dietterick	Kukovich	Richardson	O'Donnell,
Distler	LaGrotta	Rieger	Speaker
Dombrowski	Langtry		

NAYS—0

NOT VOTING—0

EXCUSED—2

Dininni      Pievsky

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

Ordered, That the clerk inform the Senate accordingly.

\* \* \*

The clerk of the Senate, being introduced, returned the following **HB 700, PN 3834**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act prohibiting health care practitioners from balance billing for services to certain patients.

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

The **SPEAKER pro tempore**. Moved by the gentleman, Mr. Kukovich, that the House concur in the amendments inserted by the Senate.

The question recurs, will the House concur in the amendments inserted by the Senate? On that question, the Chair recognizes the gentleman from Westmoreland, Mr. Kukovich.

Mr. **KUKOVICH**. Thank you, Mr. Speaker.

There are two technical changes. The substance has not been changed, and it is, in essence, in the same form as it was when it passed the House.

The two changes are to change the wording from "overcharge" to "balance billing" because it has a less negative tone to the health care practitioners; and secondly, the name has been changed from MOM (medicare overcharge measure) to something like HCPMFCA (Health Care Practitioners Medicare Fee Control Act), which I cannot pronounce. But I would ask for concurrence, because the substance is just as strong as its original form.

The **SPEAKER pro tempore**. The Chair recognizes the gentleman from Montgomery, Mr. Saurman.

Mr. **SAURMAN**. Thank you, Mr. Speaker.

Mr. Speaker, I spoke on this bill when it was here before and unfortunately was unable to persuade enough people to oppose it. I would like to speak again. There are some real problems, I think, with this bill.

First of all, if you are medicare eligible, you will find that the number of doctors that you can attend or go to is limited only to those who accept medicare payments. Even though you may have a specialist who is the very doctor that you might want to go to, if you are medicare eligible, if you were Mr. Trump, you could not go there. So you do limit then the number of doctors that anyone who is medicare eligible can go to.

Another thing that is likely to happen, although it is not written into the law, is that because of the way the repayments are made, doctors will either spend less time with our seniors—

Mr. **D. R. WRIGHT**. Mr. Speaker?

The **SPEAKER pro tempore**. The Chair recognizes the gentleman from Clarion, Mr. Wright.

Mr. **D. R. WRIGHT**. With all due deference to my good friend, Representative Saurman, it is going to be a long night. It seems to me that he is speaking to the bill rather than to the amendments, and I would ask him to address the change in the amendments rather than his objections to the bill.

The **SPEAKER pro tempore**. The gentleman from Clarion is correct. The gentleman from Montgomery must confine his remarks to the Senate amendments.

Mr. **SAURMAN**. Mr. Speaker, I would then urge that we do not concur so that this bill could go back to a conference committee and that conference committee then take action to correct the misgivings that I would have with this legislation, which I feel will be detrimental to our seniors. Thank you.

The **SPEAKER pro tempore**. The Chair recognizes the gentleman from Philadelphia, Mr. Richardson.

Mr. **RICHARDSON**. Mr. Speaker, thank you very much.

I just rise to support the Senate amendments and to say that the senior citizens of this Commonwealth will do much better after this MOM bill is passed. Thank you very much.

The **SPEAKER pro tempore**. The Chair recognizes the gentleman from Delaware, Mr. Gannon.

Mr. **GANNON**. Mr. Speaker, I would like to interrogate Representative Kukovich.

The **SPEAKER pro tempore**. The gentleman from Westmoreland consents to being interrogated, and the gentleman from Delaware may proceed.

Mr. **GANNON**. Mr. Speaker, does this bill as amended by the Senate provide that a person who is receiving medicare benefits would still be required to pay any deductible or coinsurance charges?

Mr. **KUKOVICH**. Yes. It is in the same form as whenever it passed the House.

There are no substantive changes whatsoever. We had this debate before, and it passed overwhelmingly before.

Mr. **GANNON**. But I was not asking you whether or not it passed overwhelmingly—

Mr. **KUKOVICH**. And my response was "yes."

Mr. **GANNON**. The answer is yes, they still will be responsible for deductibles and coinsurance. Thank you, Mr. Speaker.

The **SPEAKER pro tempore**. Those voting to concur will vote "aye"; those voting to nonconcur will vote "no."

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

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

YEAS—165

Acosta	Evans	Linton	Roebuck
Adolph	Fairchild	Lloyd	Rudy
Allen	Fee	Lucyk	Rybak
Angstadt	Fleagle	McCall	Saloom
Argall	Foster	McHale	Scrimenti
Battisto	Fox	McNally	Semmel
Belardi	Freeman	Maiale	Serafini
Belfanti	Freind	Maine	Smith, B.
Billow	Gamble	Markosek	Snyder, D. W.
Bishop	Gannon	Marsico	Snyder, G.
Black	Geist	Mayernik	Staback
Blaum	George	Melio	Stairs
Bortner	Gigliotti	Merry	Steighner
Bowley	Gladeck	Michlovic	Stish
Boyes	Gruitza	Micozzie	Stuban
Broujos	Gruppo	Mihalich	Tangretti
Bunt	Hagarty	Morris	Taylor, E. Z.
Burns	Haluska	Mowery	Taylor, F.
Caltagirone	Harper	Mrkonic	Taylor, J.

Cappabianca	Hasay	Murphy	Telek
Carn	Hayden	Nahill	Thomas
Cawley	Hayes	Nailor	Tigue
Cessar	Herman	O'Brien	Trello
Civera	Hess	Olasz	Trich
Clark, B. D.	Howlett	Oliver	Van Horne
Cohen	Hughes	Perzel	Veon
Colaafella	Itkin	Pesci	Vroon
Colaizzo	James	Petrarca	Wambach
Cole	Jarolin	Petrone	Wass
Corrigan	Johnson	Phillips	Weston
Cowell	Josephs	Pistella	Williams
Coy	Kaiser	Pitts	Wilson
DeLuca	Kasunic	Pressmann	Wogan
DeWeese	Kenney	Preston	Wozniak
Daley	Kondrich	Raymond	Wright, D. R.
Davies	Kosinski	Reber	Wright, J. L.
Dietterick	Kukovich	Reinard	Wright, R. C.
Distler	LaGrotta	Richardson	Yandrisevits
Dombrowski	Lashingner	Rieger	
Donatucci	Laughlin	Ritter	O'Donnell,
Dorr	Lescovitz	Robbins	Speaker
Durham	Levdansky	Robinson	

NAYS—34

Barley	Clymer	Jackson	Noye
Birmelin	Dempsey	Jadlowiec	Piccola
Brandt	Fargo	Langtry	Ryan
Burd	Farmer	Lee	Saurman
Bush	Flick	Leh	Scheetz
Carlson	Gallen	McVerry	Schuler
Chadwick	Godshall	Miller	Smith, S. H.
Clark, D. F.	Heckler	Moehlmann	Strittmatter
Clark, J. H.	Hershey		

NOT VOTING—1

Cornell

EXCUSED—2

Dininni Pievsky

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

Ordered, That the clerk inform the Senate accordingly.

\* \* \*

The clerk of the Senate, being introduced, returned the following **HB 1294, PN 3468**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for exemption from registration fees; increasing the penalty for certain parking violations relating to handicapped and disabled veterans' parking spaces; and authorizing local authorities to permit handicapped persons and disabled veterans to issue certain statements.

On the question,

Will the House concur in Senate amendments?

The SPEAKER pro tempore. Moved by the gentleman, Mr. DeLuca, that the House concur in the amendments inserted by the Senate.

The question recurs, will the House concur in the amendments inserted by the Senate? On that question, the Chair recognizes the gentleman from Allegheny, Mr. DeLuca.

Mr. DeLUCA. Thank you, Mr. Speaker.

Mr. Speaker, the Senate made a couple of small changes in HB 1294. One, for nonprofit organizations which care for or otherwise provide services for elderly and infirm people and nonprofit organizations which principally serve mentally and physically handicapped or disabled persons, they introduced a \$10 fee on their registration. They also made a small change in the notification notice. They changed it to a statement to be adopted by the local governments by ordinance. They also reduced the \$100 fee to \$50 - \$50 to \$200.

Mr. Speaker, I ask for an affirmative vote on concurrence. Thank you.

The SPEAKER pro tempore. Those in favor of concurring will vote "aye"; those voting to nonconcur will vote "no."

On the question recurring,

Will the House concur in Senate amendments?

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

YEAS—200

Acosta	Donatucci	Lashingner	Ritter
Adolph	Dorr	Laughlin	Robbins
Allen	Durham	Lee	Robinson
Angstadt	Evans	Leh	Roebuck
Argall	Fairchild	Lescovitz	Rudy
Barley	Fargo	Levdansky	Ryan
Battisto	Farmer	Linton	Rybak
Belardi	Fee	Lloyd	Saloom
Belfanti	Fleagle	Lucyk	Saurman
Billow	Flick	McCall	Scheetz
Birmelin	Foster	McHale	Schuler
Bishop	Fox	McNally	Scrimenti
Black	Freeman	McVerry	Semmel
Blaum	Freind	Maiale	Serafini
Bortner	Gallen	Maine	Smith, B.
Bowley	Gamble	Markosek	Smith, S. H.
Boyes	Gannon	Marsico	Snyder, D. W.
Brandt	Geist	Mayernik	Snyder, G.
Broujos	George	Melio	Staback
Bunt	Gigliotti	Merry	Stairs
Burd	Gladeck	Michlovic	Steighner
Burns	Godshall	Micozzie	Stish
Bush	Gruitza	Mihalich	Strittmatter
Caltagirone	Gruppo	Miller	Stuban
Cappabianca	Hagarty	Moehlmann	Tangretti
Carlson	Haluska	Morris	Taylor, E. Z.
Carn	Harper	Mowery	Taylor, F.
Cawley	Hasay	Mrkonic	Taylor, J.
Cessar	Hayden	Murphy	Telek
Chadwick	Hayes	Nahill	Thomas
Civera	Heckler	Nailor	Tigue
Clark, B. D.	Herman	Noye	Trello
Clark, D. F.	Hershey	O'Brien	Trich
Clark, J. H.	Hess	Olasz	Van Horne
Clymer	Howlett	Oliver	Veon
Cohen	Hughes	Perzel	Vroon
Colaafella	Itkin	Pesci	Wambach
Colaizzo	Jackson	Petrarca	Wass
Cole	Jadlowiec	Petrone	Weston
Cornell	James	Phillips	Williams
Corrigan	Jarolin	Piccola	Wilson
Cowell	Johnson	Pistella	Wogan
Coy	Josephs	Pitts	Wozniak
DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Wright, R. C.
Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	
Dietterick	Kukovich	Richardson	O'Donnell,
Distler	LaGrotta	Rieger	Speaker

Dombrowski Langtry

NAYS—0  
NOT VOTING—0  
EXCUSED—2

Dininni Pievsky

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

Ordered, That the clerk inform the Senate accordingly.

\* \* \*

The clerk of the Senate, being introduced, returned the following **HB 1556, PN 3708**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act amending the act of July 1, 1981 (P. L. 193, No. 58), entitled "An act establishing certain fees to be charged by clerks of the orphans' courts of counties of the fifth, sixth, seventh and eighth class and providing for fees in counties of the second, second A, third and fourth class," providing for the fees to be levied by clerks of orphans' courts in second through eighth class counties.

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

The **SPEAKER** pro tempore. Moved by the gentleman, Mr. Gallen, that the House concur in the amendments inserted by the Senate.

Those in favor of voting to concur will vote "aye"; those voting to nonconcur will vote "no."

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

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

YEAS—200

Acosta	Donatucci	Lashinger	Ritter
Adolph	Dorr	Laughlin	Robbins
Allen	Durham	Lee	Robinson
Angstadt	Evans	Leh	Roebuck
Argall	Fairchild	Lescovitz	Rudy
Barley	Fargo	Levdansky	Ryan
Battisto	Farmer	Linton	Rybak
Belardi	Fee	Lloyd	Saloom
Belfanti	Fleagle	Lucyk	Saurman
Billow	Flick	McCall	Scheetz
Birmelin	Foster	McHale	Schuler
Bishop	Fox	McNally	Scrimenti
Black	Freeman	McVerry	Semmel
Blaum	Freind	Maiale	Serafini
Bortner	Gallen	Maine	Smith, B.
Bowley	Gamble	Markosek	Smith, S. H.
Boyes	Gannon	Marsico	Snyder, D. W.
Brandt	Geist	Mayernik	Snyder, G.
Broujos	George	Melio	Staback
Bunt	Gigliotti	Merry	Stairs
Burd	Gladeck	Michlovic	Steighner
Burns	Godshall	Micozzie	Stish
Bush	Gruitza	Mihalich	Strittmatter
Caltagirone	Gruppo	Miller	Stuban
Cappabianca	Hagarty	Moehlmann	Tangretti
Carlson	Haluska	Morris	Taylor, E. Z.
Carn	Harper	Mowery	Taylor, F.
Cawley	Hasay	Mrkonic	Taylor, J.

Cessar	Hayden	Murphy	Telek
Chadwick	Hayes	Nahill	Thomas
Civera	Heckler	Nailor	Tigue
Clark, B. D.	Herman	Noye	Trello
Clark, D. F.	Hershey	O'Brien	Trich
Clark, J. H.	Hess	Olasz	Van Horne
Clymer	Howlett	Oliver	Veon
Cohen	Hughes	Perzel	Vroon
Colaella	Itkin	Pesci	Wambach
Colaizzo	Jackson	Petrarca	Wass
Cole	Jadlowiec	Petrone	Weston
Cornell	James	Phillips	Williams
Corrigan	Jarolin	Piccola	Wilson
Cowell	Johnson	Pistella	Wogan
Coy	Josephs	Pitts	Wozniak
DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Wright, R. C.
Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	
Dietterick	Kukovich	Richardson	O'Donnell,
Distler	LaGrotta	Rieger	Speaker
Dombrowski	Langtry		

NAYS—0  
NOT VOTING—0  
EXCUSED—2

Dininni Pievsky

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

Ordered, That the clerk inform the Senate accordingly.

\* \* \*

The clerk of the Senate, being introduced, returned the following **HB 1955, PN 3709**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for application for certificate of title and notice of change of name or address; providing for notice to insurers regarding collision coverage on rental vehicles; further providing for use and display of illuminated signs, issuance of certificate of inspection, width of vehicles, and fraudulent documents and plates.

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

The **SPEAKER** pro tempore. Moved by the gentleman, Mr. Markosek, that the House concur in the amendments inserted by the Senate.

The question recurs, will the House concur in the amendments inserted by the Senate? On the question, the Chair recognizes the gentleman from Allegheny, Mr. Markosek.

Mr. **MARKOSEK**. Thank you, Mr. Speaker.

I recommend that we do concur with the Senate amendments. Thank you.

The **SPEAKER** pro tempore. Those voting to concur will vote "aye"; those voting to nonconcur will vote "no."

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

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

YEAS—200

Acosta	Donatucci	Lashinger	Ritter
Adolph	Dorr	Laughlin	Robbins
Allen	Durham	Lee	Robinson
Angstadt	Evans	Leh	Roebuck
Argall	Fairchild	Lescovitz	Rudy
Barley	Fargo	Levdansky	Ryan
Battisto	Farmer	Linton	Rybak
Belardi	Fee	Lloyd	Saloom
Belfanti	Fleagle	Lucyk	Saurman
Billow	Flick	McCall	Scheetz
Birmelin	Foster	McHale	Schuler
Bishop	Fox	McNally	Scrimenti
Black	Freeman	McVerry	Semmel
Blaum	Freind	Maiale	Serafini
Bortner	Gallen	Maine	Smith, B.
Bowley	Gamble	Markosek	Smith, S. H.
Boyes	Gannon	Marsico	Snyder, D. W.
Brandt	Geist	Mayernik	Snyder, G.
Broujos	George	Melio	Staback
Bunt	Gigliotti	Merry	Stairs
Burd	Gladeck	Michlovic	Steighner
Burns	Godshall	Micozzie	Stish
Bush	Gruitza	Mihalich	Strittmatter
Caltagirone	Gruppo	Miller	Suban
Cappabianca	Hagarty	Moehlmann	Tangretti
Carlson	Haluska	Morris	Taylor, E. Z.
Carn	Harper	Mowery	Taylor, F.
Cawley	Hasay	Mrkonic	Taylor, J.
Cessar	Hayden	Murphy	Telek
Chadwick	Hayes	Nahill	Thomas
Civera	Heckler	Nailor	Tigue
Clark, B. D.	Herman	Noye	Trello
Clark, D. F.	Hershey	O'Brien	Trich
Clark, J. H.	Hess	Olasz	Van Horne
Clymer	Howlett	Oliver	Veon
Cohen	Hughes	Perzel	Vroon
Colaifella	Itkin	Pesci	Wambach
Colaizzo	Jackson	Petrarca	Wass
Cole	Jadlowiec	Petrone	Weston
Cornell	James	Phillips	Williams
Corrigan	Jarolin	Piccola	Wilson
Cowell	Johnson	Pistella	Wogan
Coy	Josephs	Pitts	Wozniak
DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Wright, R. C.
Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	O'Donnell,
Dietterick	Kukovich	Richardson	Speaker
Distler	LaGrotta	Rieger	
Dombrowski	Langtry		

NAYS—0

NOT VOTING—0

EXCUSED—2

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

Ordered, That the clerk inform the Senate accordingly.

BILL ON CONCURRENCE  
IN SENATE AMENDMENTS AS AMENDED

The House proceeded to consideration of concurrence in Senate amendments to the following **HB 2221, PN 3885**, as further amended by the House Rules Committee:

An Act amending the act of August 6, 1941 (P. L. 861, No. 323), referred to as the "Pennsylvania Board of Probation and Parole Law," providing for the cost of pre-parole drug screening tests; and further providing for notice of parole hearings.

On the question,

Will the House concur in Senate amendments as amended by the Rules Committee?

The SPEAKER pro tempore. Moved by the gentleman, Mr. Blaum, that the House concur in the amendments.

The question recurs, will the House concur in Senate amendments? The Chair recognizes the gentleman, Mr. Blaum, on the question.

Mr. BLAUM. I ask for concurrence, Mr. Speaker.

The SPEAKER pro tempore. Those voting to concur will vote "aye"; those voting to nonconcur will vote "no."

On the question recurring,

Will the House concur in Senate amendments as amended by the Rules Committee?

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

YEAS—200

Acosta	Donatucci	Lashinger	Ritter
Adolph	Dorr	Laughlin	Robbins
Allen	Durham	Lee	Robinson
Angstadt	Evans	Leh	Roebuck
Argall	Fairchild	Lescovitz	Rudy
Barley	Fargo	Levdansky	Ryan
Battisto	Farmer	Linton	Rybak
Belardi	Fee	Lloyd	Saloom
Belfanti	Fleagle	Lucyk	Saurman
Billow	Flick	McCall	Scheetz
Birmelin	Foster	McHale	Schuler
Bishop	Fox	McNally	Scrimenti
Black	Freeman	McVerry	Semmel
Blaum	Freind	Maiale	Serafini
Bortner	Gallen	Maine	Smith, B.
Bowley	Gamble	Markosek	Smith, S. H.
Boyes	Gannon	Marsico	Snyder, D. W.
Brandt	Geist	Mayernik	Snyder, G.
Broujos	George	Melio	Staback
Bunt	Gigliotti	Merry	Stairs
Burd	Gladeck	Michlovic	Steighner
Burns	Godshall	Micozzie	Stish
Bush	Gruitza	Mihalich	Strittmatter
Caltagirone	Gruppo	Miller	Suban
Cappabianca	Hagarty	Moehlmann	Tangretti
Carlson	Haluska	Morris	Taylor, E. Z.
Carn	Harper	Mowery	Taylor, F.
Cawley	Hasay	Mrkonic	Taylor, J.
Cessar	Hayden	Murphy	Telek
Chadwick	Hayes	Nahill	Thomas
Civera	Heckler	Nailor	Tigue
Clark, B. D.	Herman	Noye	Trello
Clark, D. F.	Hershey	O'Brien	Trich
Clark, J. H.	Hess	Olasz	Van Horne
Clymer	Howlett	Oliver	Veon
Cohen	Hughes	Perzel	Vroon
Colaifella	Itkin	Pesci	Wambach
Colaizzo	Jackson	Petrarca	Wass
Cole	Jadlowiec	Petrone	Weston

Cornell	James	Phillips	Williams
Corrigan	Jarolin	Piccola	Wilson
Cowell	Johnson	Pistella	Wogan
Coy	Josephs	Pitts	Wozniak
DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Wright, R. C.
Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	
Dietterick	Kukovich	Richardson	O'Donnell,
Distler	LaGrotta	Rieger	Speaker
Dombrowski	Langtry		

NAYS—0

NOT VOTING—0

EXCUSED—2

Dininni            Pievsky

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

Ordered, That the clerk inform the Senate accordingly.

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

The clerk of the Senate, being introduced, returned the following **SB 1272, PN 2320**, with information that the Senate has concurred in the amendments made by the House by amending said amendments in which the concurrence of the House of Representatives is requested:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the Catastrophic Loss Benefits Continuation Fund; creating the offense of trespass by motor vehicles; and further providing for fines, penalties and suspension of driver's license for unauthorized operation of motor vehicles on private real property.

On the question,

Will the House concur in Senate amendments to House amendments?

The SPEAKER pro tempore. Moved by the majority leader that the House concur in the amendments inserted by the Senate.

The question recurs, will the House concur in the amendments inserted by the Senate? The Chair recognizes the gentleman from Somerset, Mr. Lloyd.

The gentleman, Mr. Lloyd, yields to the gentleman from Berks, Mr. Davies.

Mr. DAVIES. Mr. Speaker, I want to interrogate Mr. Lloyd.

The SPEAKER pro tempore. The gentleman from Berks wishes to interrogate Mr. Lloyd. The gentleman from Somerset agrees to be interrogated, and the gentleman from Berks may proceed.

Mr. DAVIES. Mr. Speaker, can you just briefly explain to me what the provisions are, how it will financially involve the Commonwealth?

Mr. LLOYD. Mr. Speaker, the bill as it left the House authorized the CAT Fund (Catastrophic Loss Trust Fund) replacement fund to borrow money from the Workers' Compensation Security Fund. The Governor estimates a need over the next 5 or 6 years or so of about \$33 million. The Senate amended that bill in the following ways: Most importantly, the Senate sunsets that authority so that the authority to borrow will expire on July 1 of 1993 unless we act to continue it.

The Senate also clarified language in the bill to make sure that there is no question that when money is borrowed, that that does not require employers to contribute anything else to the fund.

The Senate also changed the rate of interest which is going to be paid. When the bill left the House, it provided for a 6-percent interest rate on the money which is borrowed. The Senate changed that to be the rate of interest that the fund is actually earning on its own investments, which right now is about 8.8 percent.

In addition, the Insurance Commissioner would be required to give an annual accounting of the amount of money which it is contemplated will be borrowed.

Those are the Senate changes in the bill.

Mr. DAVIES. Mr. Speaker, then over that interim of time or eventually, it will be paid back with the current method we have of these surcharges? All of those funds will be paid back at this new fixed rate of interest.

Mr. LLOYD. That is correct, Mr. Speaker.

Mr. DAVIES. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The question recurs, will the House concur in the amendments inserted by the Senate? Those voting to concur will vote "aye"; those voting to non-concur will vote "no."

On the question recurring,

Will the House concur in Senate amendments to House amendments?

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

YEAS—188

Acosta	Dorr	Langtry	Robbins
Adolph	Durham	Lashingier	Robinson
Barley	Evans	Laughlin	Roebuck
Battisto	Fairchild	Lescovitz	Rudy
Belardi	Fargo	Levdansky	Ryan
Belfanti	Farmer	Linton	Rybak
Billow	Fee	Lloyd	Saloom
Bishop	Fleagle	Lucyk	Saurman
Black	Flick	McCall	Scheetz
Blaum	Foster	McHale	Schuler
Bortner	Fox	McNally	Scrimenti
Bowley	Freeman	McVerry	Semmel
Boyes	Freind	Maiale	Serafini
Brandt	Gallen	Maine	Smith, B.
Broujos	Gamble	Markosek	Smith, S. H.
Bunt	Gannon	Mayernik	Snyder, D. W.
Burd	Geist	Melio	Snyder, G.
Burns	George	Merry	Staback
Bush	Gigliotti	Michlovic	Stairs
Caltagirone	Gladeck	Micozzie	Steighner
Cappabianca	Godshall	Mihalich	Stish
Carlson	Gruitza	Miller	Strittmatter
Carn	Gruppo	Moehlmann	Stuban

Cawley	Hagarty	Morris	Tangretti
Cessar	Haluska	Mrkonic	Taylor, E. Z.
Chadwick	Harper	Murphy	Taylor, F.
Civera	Hasay	Nahill	Telek
Clark, B. D.	Hayden	Nailor	Thomas
Clark, D. F.	Hayes	O'Brien	Tigue
Clark, J. H.	Heckler	Olasz	Trello
Clymer	Herman	Oliver	Trich
Cohen	Hershey	Perzel	Van Horne
Colaella	Hess	Pesci	Veon
Colaizzo	Howlett	Petrarca	Vroon
Cole	Hughes	Petrone	Wambach
Cornell	Itkin	Phillips	Wass
Corrigan	Jackson	Piccola	Weston
Cowell	Jadlowiec	Pistella	Williams
Coy	James	Pitts	Wilson
DeLuca	Jarolin	Pressmann	Wozniak
DeWeese	Johnson	Preston	Wright, D. R.
Daley	Josephs	Raymond	Wright, J. L.
Davies	Kaiser	Reber	Wright, R. C.
Dempsey	Kasunic	Reinard	Yandrisevits
Dietterick	Kondrich	Richardson	
Distler	Kosinski	Rieger	O'Donnell,
Dombrowski	Kukovich	Ritter	Speaker
Donatucci	LaGrotta		

NAYS—10

Allen	Birmelin	Leh	Mowery
Angstadt	Kenney	Marsico	Noye
Argall	Lee		

NOT VOTING—2

Taylor, J.	Wogan
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EXCUSED—2

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

Ordered, That the clerk inform the Senate accordingly.

**REPORTS OF COMMITTEES OF CONFERENCE CONSIDERED**

Mr. COWELL called up for consideration the following Report of the Committee of Conference on **HB 1083, PN 3839**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), known as the "Public School Code of 1949," further providing for the purposes and powers of the State System of Higher Education, for maintenance projects and project contracts; providing for disposition of property; further providing for nondiscrimination; and making editorial changes.

On the question,

Will the House adopt the report of the committee of conference?

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman from Allegheny, Mr. Cowell.

Mr. COWELL. Thank you, Mr. Speaker.

Mr. Speaker, the Conference Committee Report on HB 1083 very much looks like HB 1944 as it was approved by this House of Representatives several months ago. That was legislation primarily sponsored by Representatives Coy and Schuler.

The legislation deals with the State System of Higher Education. It would allow the State System to lease property as a lessor. It provides certain mechanisms to be used by the system to dispose of property, and part of that mechanism will involve oversight by the General Assembly. It also expands the authority of the State System to engage in contracts related to the maintenance of, the renovation of, and the improvement of State System property. And finally, it includes a nondiscrimination clause and extends a nondiscrimination policy to those who seek to contract with the State System.

I would urge that we agree to the conference committee report.

On the question recurring,

Will the House adopt the report of the committee of conference?

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

YEAS—200

Acosta	Donatucci	Lashingier	Ritter
Adolph	Dorr	Laughlin	Robbins
Allen	Durham	Lee	Robinson
Angstadt	Evans	Leh	Roebuck
Argall	Fairchild	Lescovitz	Rudy
Barley	Fargo	Levdansky	Ryan
Battisto	Farmer	Linton	Rybak
Belardi	Fee	Lloyd	Saloom
Belfanti	Fleagle	Lucyk	Saurman
Billow	Flick	McCall	Scheetz
Birmelin	Foster	McHale	Schuler
Bishop	Fox	McNally	Scrimenti
Black	Freeman	McVerry	Semmel
Blaum	Freind	Maiale	Serafini
Bortner	Gallen	Maine	Smith, B.
Bowley	Gamble	Markosek	Smith, S. H.
Boyes	Gannon	Marsico	Snyder, D. W.
Brandt	Geist	Mayermik	Snyder, G.
Broujos	George	Melio	Staback
Bunt	Gigliotti	Merry	Stairs
Burd	Gladeck	Michlovic	Steighner
Burns	Godshall	Micozzie	Stish
Bush	Gruitza	Mihalich	Strittmatter
Caltagirone	Gruppo	Miller	Stuban
Cappabianca	Hagarty	Moehlmann	Tangretti
Carlson	Haluska	Morris	Taylor, E. Z.
Carn	Harper	Mowery	Taylor, F.
Cawley	Hasay	Mrkonic	Taylor, J.
Cessar	Hayden	Murphy	Telek
Chadwick	Hayes	Nahill	Thomas
Civera	Heckler	Nailor	Tigue
Clark, B. D.	Herman	Noye	Trello
Clark, D. F.	Hershey	O'Brien	Trich
Clark, J. H.	Hess	Olasz	Van Horne
Clymer	Howlett	Oliver	Veon
Cohen	Hughes	Perzel	Vroon
Colaella	Itkin	Pesci	Wambach
Colaizzo	Jackson	Petrarca	Wass
Cole	Jadlowiec	Petrone	Weston
Cornell	James	Phillips	Williams
Corrigan	Jarolin	Piccola	Wilson
Cowell	Johnson	Pistella	Wogan
Coy	Josephs	Pitts	Wozniak
DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Wright, R. C.
Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	
Dietterick	Kukovich	Richardson	O'Donnell,
Distler	LaGrotta	Rieger	Speaker



Dombrowski Langtry

NAYS—0

NOT VOTING—0

EXCUSED—2

Dininni Pievsky

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the committee of conference was adopted.

Ordered, That the clerk inform the Senate accordingly.

\* \* \*

Mr. McHALE called up for consideration the following Report of the Committee of Conference on SB 576, PN 2388, entitled:

An Act providing for a Statewide emergency telephone number "911" system; providing for contributions from telephone subscribers; providing a penalty; and making a repeal.

On the question,

Will the House adopt the report of the committee of conference?

The SPEAKER pro tempore. On the question, the Chair recognizes the gentleman from Lehigh, Mr. McHale.

Mr. McHALE. Thank you, Mr. Speaker.

Mr. Speaker, the matter before the House now is the Conference Committee Report on SB 576. This is the Public Safety Emergency Telephone Act, a piece of legislation intended to encourage the adoption of "911" emergency telephone service statewide in the Commonwealth of Pennsylvania. I believe, Mr. Speaker, that this conference report is noncontroversial. It was endorsed unanimously by all 6 conferees, and I am pleased to report that it passed the Senate last night by a margin of 49 to 0.

SB 576 provides substantial funding to counties to cover the expense of both capital equipment and recurring costs, including personnel, through the imposition of a monthly consumer surcharge. We had originally considered a grant program and had discarded that because of the enormous expense involved. We had later considered a no-interest revolving loan fund. The difficulty with that proposal was that it would have taken 7 or 8 years for the system to come to the Commonwealth of Pennsylvania. As a final and, I think, best alternative, we have selected the method now included in the conference report.

The bill mandates that a consumer surcharge shall not exceed 5 cents per consumer per day in any county in the State, and indeed, I expect that in most counties the daily charge per consumer will be less than 3 cents. No more than 60 percent of the surcharge may be used to pay for the cost of personnel, salaries, and benefits.

The bill originally called for a voter referendum before the monthly surcharge could be implemented. This would have resulted in a flood of new applications twice per year, following the primary and general elections. As a result, Mr.

Speaker, we have chosen another alternative that I think well serves the public interest. The conference report replaces the referendum procedure with a public hearing process. The commissioners in a county wishing to adopt "911" service will develop a "911" plan and, once prepared, give 10 days published notice of a public meeting to discuss the proposed plan. The notice will include the exact amount of the consumer surcharge. Only after the public hearing, having solicited public comment, will the commissioners make a final decision whether to adopt and implement the "911" plan.

This remains, Mr. Speaker, a "may" bill. No county will be required to adopt "911." However, the financial incentives are so strong that I believe virtually every county will choose to implement "911" emergency telephone service, benefiting thousands of Pennsylvanians each year and saving an untold number of lives. Thank you, Mr. Speaker.

On the question recurring,

Will the House adopt the report of the committee of conference?

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

YEAS—200

Acosta	Donatucci	Lashinger	Ritter
Adolph	Dorr	Laughlin	Robbins
Allen	Durham	Lee	Robinson
Angstadt	Evans	Leh	Roebuck
Argall	Fairchild	Lescovitz	Rudy
Barley	Fargo	Levdansky	Ryan
Battisto	Farmer	Linton	Rybak
Belardi	Fee	Lloyd	Saloom
Belfanti	Fleagle	Lucyk	Saurman
Billow	Flick	McCall	Scheetz
Birmelin	Foster	McHale	Schuler
Bishop	Fox	McNally	Scrimenti
Black	Freeman	McVerry	Semmel
Blaum	Freind	Maiale	Serafini
Bortner	Gallen	Maine	Smith, B.
Bowley	Gamble	Markosek	Smith, S. H.
Boyes	Gannon	Marsico	Snyder, D. W.
Brandt	Geist	Mayernik	Snyder, G.
Broujos	George	Melio	Staback
Bunt	Gigliotti	Merry	Stairs
Burd	Gladeck	Michlovic	Steighner
Burns	Godshall	Micozzie	Stish
Bush	Gruitza	Mihalich	Strittmatter
Caltagirone	Gruppo	Miller	Stuban
Cappabianca	Hagarty	Moehlmann	Tangretti
Carlson	Haluska	Morris	Taylor, E. Z.
Carn	Harper	Mowery	Taylor, F.
Cawley	Hasay	Mrkonc	Taylor, J.
Cessar	Hayden	Murphy	Telek
Chadwick	Hayes	Nahill	Thomas
Civera	Heckler	Nailor	Tigue
Clark, B. D.	Herman	Noye	Trello
Clark, D. F.	Hershey	O'Brien	Trich
Clark, J. H.	Hess	Olasz	Van Horne
Clymer	Howlett	Oliver	Veon
Cohen	Hughes	Perzel	Vroon
Colafella	Itkin	Pesci	Wambach
Colaizzo	Jackson	Petrarca	Wass
Cole	Jadlowiec	Petrone	Weston
Cornell	James	Phillips	Williams
Corrigan	Jarolin	Piccola	Wilson
Cowell	Johnson	Pistella	Wogan
Coy	Josephs	Pitts	Wozniak
DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Wright, R. C.

Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	
Dietterick	Kukovich	Richardson	O'Donnell,
Distler	LaGrotta	Rieger	Speaker
Dombrowski	Langtry		

NAYS—0

NOT VOTING—0

EXCUSED—2

Dininni      Pievsky

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the committee of conference was adopted.

Ordered, That the clerk inform the Senate accordingly.

**RESOLUTIONS**

Mr. MURPHY called up **HR 219, PN 2655**, entitled:

Urging the Department of Transportation and the Pennsylvania Turnpike Commission to conduct a study of unconnected turnpike interchanges, with particular concern to the I-70 intersection at Breezewood, Pennsylvania, to insure maximum public safety and convenience.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—199

Acosta	Donatucci	Lashing	Ritter
Adolph	Dorr	Laughlin	Robbins
Allen	Durham	Lee	Robinson
Angstadt	Evans	Leh	Roebuck
Argall	Fairchild	Lescovitz	Rudy
Barley	Fargo	Levdansky	Ryan
Battisto	Farmer	Linton	Rybak
Belardi	Fee	Lloyd	Saloom
Belfanti	Fleagle	Lucyk	Saurman
Billow	Flick	McCall	Scheetz
Birmelin	Foster	McHale	Schuler
Bishop	Fox	McNally	Scrimenti
Black	Freeman	McVerry	Semmel
Blaum	Freind	Maiale	Serafini
Bortner	Gallen	Maine	Smith, B.
Bowley	Gamble	Markosek	Smith, S. H.
Boyes	Gannon	Marsico	Snyder, D. W.
Brandt	Geist	Mayernik	Snyder, G.
Broujos	George	Melio	Staback
Bunt	Gigliotti	Merry	Stairs
Burd	Gladeck	Michlovic	Steighner
Burns	Godshall	Micozzie	Stish
Bush	Gruitza	Mihalich	Strittmatter
Caltagirone	Gruppo	Miller	Stuban
Cappabianca	Hagarty	Moehlmann	Tangretti
Carlson	Haluska	Morris	Taylor, E. Z.
Carn	Harper	Mowery	Taylor, F.
Cawley	Hasay	Mrkonic	Taylor, J.
Cessar	Hayden	Murphy	Telek
Chadwick	Hayes	Nahill	Thomas
Civera	Heckler	Naylor	Tigue
Clark, B. D.	Herman	Noye	Trello
Clark, D. F.	Hershey	O'Brien	Trich
Clark, J. H.	Howlett	Olasz	Van Horne
Clymer	Hughes	Oliver	Veon
Cohen	Itkin	Perzel	Vroon
Colafella	Jackson	Pesci	Wambach
Colaizzo	Jadlowiec	Petrarca	Wass

Cole	James	Petrone	Weston
Cornell	Jarolin	Phillips	Williams
Corrigan	Johnson	Piccola	Wilson
Cowell	Josephs	Pistella	Wogan
Coy	Kaiser	Pitts	Wozniak
DeLuca	Kasunic	Pressmann	Wright, D. R.
DeWeese	Kenney	Preston	Wright, J. L.
Daley	Kondrich	Raymond	Wright, R. C.
Davies	Kosinski	Reber	Yandrisevits
Dempsey	Kukovich	Reinard	
Dietterick	LaGrotta	Richardson	O'Donnell,
Distler	Langtry	Rieger	Speaker
Dombrowski			

NAYS—1

Hess

NOT VOTING—0

EXCUSED—2

Dininni      Pievsky

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

\* \* \*

Mr. VEON called up **HR 220, PN 2656**, entitled:

Urging AMTRAK to create a Pittsburgh to Cleveland route; and urging the Pennsylvania Department of Transportation to commit State funds to said route.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—200

Acosta	Donatucci	Lashing	Ritter
Adolph	Dorr	Laughlin	Robbins
Allen	Durham	Lee	Robinson
Angstadt	Evans	Leh	Roebuck
Argall	Fairchild	Lescovitz	Rudy
Barley	Fargo	Levdansky	Ryan
Battisto	Farmer	Linton	Rybak
Belardi	Fee	Lloyd	Saloom
Belfanti	Fleagle	Lucyk	Saurman
Billow	Flick	McCall	Scheetz
Birmelin	Foster	McHale	Schuler
Bishop	Fox	McNally	Scrimenti
Black	Freeman	McVerry	Semmel
Blaum	Freind	Maiale	Serafini
Bortner	Gallen	Maine	Smith, B.
Bowley	Gamble	Markosek	Smith, S. H.
Boyes	Gannon	Marsico	Snyder, D. W.
Brandt	Geist	Mayernik	Snyder, G.
Broujos	George	Melio	Staback
Bunt	Gigliotti	Merry	Stairs
Burd	Gladeck	Michlovic	Steighner
Burns	Godshall	Micozzie	Stish
Bush	Gruitza	Mihalich	Strittmatter
Caltagirone	Gruppo	Miller	Stuban
Cappabianca	Hagarty	Moehlmann	Tangretti
Carlson	Haluska	Morris	Taylor, E. Z.
Carn	Harper	Mowery	Taylor, F.
Cawley	Hasay	Mrkonic	Taylor, J.
Cessar	Hayden	Murphy	Telek
Chadwick	Hayes	Nahill	Thomas
Civera	Heckler	Naylor	Tigue
Clark, B. D.	Herman	Noye	Trello
Clark, D. F.	Hershey	O'Brien	Trich
Clark, J. H.	Howlett	Olasz	Van Horne
Clymer	Hughes	Oliver	Veon
Cohen	Itkin	Perzel	Vroon
Colafella	Jackson	Pesci	Wambach
Colaizzo	Jadlowiec	Petrarca	Wass

Colaizzo	Jackson	Petrarca	Wass
Cole	Jadlowiec	Petrone	Weston
Cornell	James	Phillips	Williams
Corrigan	Jarolin	Piccola	Wilson
Cowell	Johnson	Pistella	Wogan
Coy	Josephs	Pitts	Wozniak
DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Wright, R. C.
Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	
Dietterick	Kukovich	Richardson	O'Donnell,
Distler	LaGrotta	Rieger	Speaker
Dombrowski	Langtry		

NAYS—0  
 NOT VOTING—0  
 EXCUSED—2

Dininni      Pievsky

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

\* \* \*

Mr. CORRIGAN called up HR 336, PN 3748, entitled:

Memorializing the United States Congress to amend Chapter 13 of the Federal Bankruptcy Code so that it is consistent with the provisions of Chapter 7 of the Code that pertain to dischargeable debts.

On the question,  
 Will the House adopt the resolution?

The following roll call was recorded:

YEAS—200

Acosta	Donatucci	Lashing	Ritter
Adolph	Dorr	Laughlin	Robbins
Allen	Durham	Lee	Robinson
Angstadt	Evans	Leh	Roebuck
Argall	Fairchild	Lescovitz	Rudy
Barley	Fargo	Levdansky	Ryan
Battisto	Farmer	Linton	Rybak
Belardi	Fee	Lloyd	Saloom
Belfanti	Fleagle	Lucyk	Saurman
Billow	Flick	McCall	Scheetz
Birmelin	Foster	McHale	Schuler
Bishop	Fox	McNally	Scrimenti
Black	Freeman	McVerry	Semmel
Blaum	Freind	Maiale	Serafini
Bortner	Gallen	Maine	Smith, B.
Bowley	Gamble	Markosek	Smith, S. H.
Boyes	Gannon	Marsico	Snyder, D. W.
Brandt	Geist	Mayernik	Snyder, G.
Broujos	George	Melio	Staback
Bunt	Gigliotti	Merry	Stairs
Burd	Gladeck	Michlovic	Steighner
Burns	Godshall	Micozzie	Stish
Bush	Gruitza	Mihalich	Strittmatter
Caltagirone	Gruppo	Miller	Stuban
Cappabianca	Hagarty	Moehlmann	Tangretti
Carlson	Haluska	Morris	Taylor, E. Z.
Carn	Harper	Mowery	Taylor, F.
Cawley	Hasay	Mrkonic	Taylor, J.
Cessar	Hayden	Murphy	Telek
Chadwick	Hayes	Nahill	Thomas
Civera	Heckler	Nailor	Tigue
Clark, B. D.	Herman	Noye	Trello
Clark, D. F.	Hershey	O'Brien	Trich
Clark, J. H.	Hess	Olasz	Van Horne
Clymer	Howlett	Oliver	Veon
Cohen	Hughes	Perzel	Vroon

Colafella	Itkin	Pesci	Wambach
Colaizzo	Jackson	Petrarca	Wass
Cole	Jadlowiec	Petrone	Weston
Cornell	James	Phillips	Williams
Corrigan	Jarolin	Piccola	Wilson
Cowell	Johnson	Pistella	Wogan
Coy	Josephs	Pitts	Wozniak
DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Wright, R. C.
Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	
Dietterick	Kukovich	Richardson	O'Donnell,
Distler	LaGrotta	Rieger	Speaker
Dombrowski	Langtry		

NAYS—0  
 NOT VOTING—0  
 EXCUSED—2

Dininni      Pievsky

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

\* \* \*

Mr. BOWLEY called up HR 339, PN 3790, entitled:

Honoring the bicentennial anniversary of the United States Coast Guard.

On the question,  
 Will the House adopt the resolution?

The following roll call was recorded:

YEAS—200

Acosta	Donatucci	Lashing	Ritter
Adolph	Dorr	Laughlin	Robbins
Allen	Durham	Lee	Robinson
Angstadt	Evans	Leh	Roebuck
Argall	Fairchild	Lescovitz	Rudy
Barley	Fargo	Levdansky	Ryan
Battisto	Farmer	Linton	Rybak
Belardi	Fee	Lloyd	Saloom
Belfanti	Fleagle	Lucyk	Saurman
Billow	Flick	McCall	Scheetz
Birmelin	Foster	McHale	Schuler
Bishop	Fox	McNally	Scrimenti
Black	Freeman	McVerry	Semmel
Blaum	Freind	Maiale	Serafini
Bortner	Gallen	Maine	Smith, B.
Bowley	Gamble	Markosek	Smith, S. H.
Boyes	Gannon	Marsico	Snyder, D. W.
Brandt	Geist	Mayernik	Snyder, G.
Broujos	George	Melio	Staback
Bunt	Gigliotti	Merry	Stairs
Burd	Gladeck	Michlovic	Steighner
Burns	Godshall	Micozzie	Stish
Bush	Gruitza	Mihalich	Strittmatter
Caltagirone	Gruppo	Miller	Stuban
Cappabianca	Hagarty	Moehlmann	Tangretti
Carlson	Haluska	Morris	Taylor, E. Z.
Carn	Harper	Mowery	Taylor, F.
Cawley	Hasay	Mrkonic	Taylor, J.
Cessar	Hayden	Murphy	Telek
Chadwick	Hayes	Nahill	Thomas
Civera	Heckler	Nailor	Tigue
Clark, B. D.	Herman	Noye	Trello
Clark, D. F.	Hershey	O'Brien	Trich
Clark, J. H.	Hess	Olasz	Van Horne
Clymer	Howlett	Oliver	Veon
Cohen	Hughes	Perzel	Vroon
Colafella	Itkin	Pesci	Wambach

Colaizzo	Jackson	Petrarca	Wass
Cole	Jadlowiec	Petrone	Weston
Cornell	James	Phillips	Williams
Corrigan	Jarolin	Piccola	Wilson
Cowell	Johnson	Pistella	Wogan
Coy	Josephs	Pitts	Wozniak
DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Wright, R. C.
Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	
Dieterick	Kukovich	Richardson	O'Donnell,
Distler	LaGrotta	Rieger	Speaker
Dombrowski	Langtry		

NAYS—0

NOT VOTING—0

EXCUSED—2

Dininni Pievsky

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

\* \* \*

Mr. MORRIS called up HR 342, PN 3832, entitled:

Acknowledging and supporting acceptance of the Bill of Responsibilities developed by the Freedoms Foundation at Valley Forge.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—200

Acosta	Donatucci	Lashinger	Ritter
Adolph	Dorr	Laughlin	Robbins
Allen	Durham	Lee	Robinson
Angstadt	Evans	Leh	Roebuck
Argall	Fairchild	Lescovitz	Rudy
Barley	Fargo	Levdansky	Ryan
Battisto	Farmer	Linton	Rybak
Belardi	Fee	Lloyd	Saloom
Belfanti	Fleagle	Lucyk	Saurman
Billow	Flick	McCall	Scheetz
Birmelin	Foster	McHale	Schuler
Bishop	Fox	McNally	Scrimenti
Black	Freeman	McVerry	Semmel
Blaum	Freind	Maiale	Serafini
Bortner	Gallen	Maine	Smith, B.
Bowley	Gamble	Markosek	Smith, S. H.
Boyes	Gannon	Marsico	Snyder, D. W.
Brandt	Geist	Mayernik	Snyder, G.
Broujos	George	Melio	Staback
Bunt	Gigliotti	Merry	Stairs
Burd	Gladeck	Michlovic	Steighner
Burns	Godshall	Micozzie	Stish
Bush	Gruitza	Mihalich	Strittmatter
Caltagirone	Gruppo	Miller	Stuban
Cappabianca	Hagarty	Moehlmann	Tangretti
Carlson	Haluska	Morris	Taylor, E. Z.
Carn	Harper	Mowery	Taylor, F.
Cawley	Hasay	Mrkonic	Taylor, J.
Cessar	Hayden	Murphy	Telek
Chadwick	Hayes	Nahill	Thomas
Civera	Heckler	Nailor	Tigue
Clark, B. D.	Herman	Noye	Trello
Clark, D. F.	Hershey	O'Brien	Trich
Clark, J. H.	Hess	Olasz	Van Horne
Clymer	Howlett	Oliver	Veon
Cohen	Hughes	Perzel	Vroon
Colafella	Itkin	Pesci	Wambach

Colaizzo	Jackson	Petrarca	Wass
Cole	Jadlowiec	Petrone	Weston
Cornell	James	Phillips	Williams
Corrigan	Jarolin	Piccola	Wilson
Cowell	Johnson	Pistella	Wogan
Coy	Josephs	Pitts	Wozniak
DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Wright, R. C.
Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	
Dieterick	Kukovich	Richardson	O'Donnell,
Distler	LaGrotta	Rieger	Speaker
Dombrowski	Langtry		

NAYS—0

NOT VOTING—0

EXCUSED—2

Dininni Pievsky

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

\* \* \*

Mrs. HARPER called up HR 344, PN 3827, entitled:

Proclaiming July 29, 1990, as "Modeling and Charm School Day" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—200

Acosta	Donatucci	Lashinger	Ritter
Adolph	Dorr	Laughlin	Robbins
Allen	Durham	Lee	Robinson
Angstadt	Evans	Leh	Roebuck
Argall	Fairchild	Lescovitz	Rudy
Barley	Fargo	Levdansky	Ryan
Battisto	Farmer	Linton	Rybak
Belardi	Fee	Lloyd	Saloom
Belfanti	Fleagle	Lucyk	Saurman
Billow	Flick	McCall	Scheetz
Birmelin	Foster	McHale	Schuler
Bishop	Fox	McNally	Scrimenti
Black	Freeman	McVerry	Semmel
Blaum	Freind	Maiale	Serafini
Bortner	Gallen	Maine	Smith, B.
Bowley	Gamble	Markosek	Smith, S. H.
Boyes	Gannon	Marsico	Snyder, D. W.
Brandt	Geist	Mayernik	Snyder, G.
Broujos	George	Melio	Staback
Bunt	Gigliotti	Merry	Stairs
Burd	Gladeck	Michlovic	Steighner
Burns	Godshall	Micozzie	Stish
Bush	Gruitza	Mihalich	Strittmatter
Caltagirone	Gruppo	Miller	Stuban
Cappabianca	Hagarty	Moehlmann	Tangretti
Carlson	Haluska	Morris	Taylor, E. Z.
Carn	Harper	Mowery	Taylor, F.
Cawley	Hasay	Mrkonic	Taylor, J.
Cessar	Hayden	Murphy	Telek
Chadwick	Hayes	Nahill	Thomas
Civera	Heckler	Nailor	Tigue
Clark, B. D.	Herman	Noye	Trello
Clark, D. F.	Hershey	O'Brien	Trich
Clark, J. H.	Hess	Olasz	Van Horne
Clymer	Howlett	Oliver	Veon
Cohen	Hughes	Perzel	Vroon
Colafella	Itkin	Pesci	Wambach
Colaizzo	Jackson	Petrarca	Wass

Cole	Jadlowiec	Petrone	Weston
Cornell	James	Phillips	Williams
Corrigan	Jarolin	Piccola	Wilson
Cowell	Johnson	Pistella	Wogan
Coy	Josephs	Pitts	Wozniak
DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Wright, R. C.
Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	
Dietterick	Kukovich	Richardson	O'Donnell,
Distler	LaGrotta	Rieger	Speaker
Dombrowski	Langtry		

NAYS—0

NOT VOTING—0

EXCUSED—2

Dininni      Pievsky

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

**CONCURRENT RESOLUTIONS**

Mrs. HAGARTY called up **HR 340, PN 3809**, entitled:

Creating a task force and advisory committee to develop a plan to diagnose, treat and refer substance abusers.

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—200

Acosta	Donatucci	Lashinger	Ritter
Adolph	Dorr	Laughlin	Robbins
Allen	Durham	Lee	Robinson
Angstadt	Evans	Leh	Roebuck
Argall	Fairchild	Lescovitz	Rudy
Barley	Fargo	Levdansky	Ryan
Battisto	Farmer	Linton	Rybak
Belardi	Fee	Lloyd	Saloom
Belfanti	Fleagle	Lucyk	Saurman
Billow	Flick	McCall	Scheetz
Birmelin	Foster	McHale	Schuler
Bishop	Fox	McNally	Scrimenti
Black	Freeman	McVerry	Semmel
Blaum	Freind	Maiale	Serafini
Bortner	Gallen	Maine	Smith, B.
Bowley	Gamble	Markosek	Smith, S. H.
Boyes	Gannon	Marsico	Snyder, D. W.
Brandt	Geist	Mayernik	Snyder, G.
Broujos	George	Melio	Staback
Bunt	Gigliotti	Merry	Stairs
Burd	Gladeck	Michlovic	Steighner
Burns	Godshall	Micozzie	Stish
Bush	Gruitza	Mihalich	Strittmatter
Caltagirone	Gruppo	Miller	Stuban
Cappabianca	Hagarty	Moehlmann	Tangretti
Carlson	Haluska	Morris	Taylor, E. Z.
Carn	Harper	Mowery	Taylor, F.
Cawley	Hasay	Mrkonic	Taylor, J.
Cessar	Hayden	Murphy	Telek
Chadwick	Hayes	Nahill	Thomas
Civera	Heckler	Nailor	Tigue
Clark, B. D.	Herman	Noye	Trello
Clark, D. F.	Hershey	O'Brien	Trich
Clark, J. H.	Hess	Olasz	Van Horne
Clymer	Howlett	Oliver	Veon
Cohen	Hughes	Perzel	Vroon
Colaella	Itkin	Pesci	Wambach
Colaizzo	Jackson	Petrarca	Wass

Cole	Jadlowiec	Petrone	Weston
Cornell	James	Phillips	Williams
Corrigan	Jarolin	Piccola	Wilson
Cowell	Johnson	Pistella	Wogan
Coy	Josephs	Pitts	Wozniak
DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Wright, R. C.
Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	
Dietterick	Kukovich	Richardson	O'Donnell,
Distler	LaGrotta	Rieger	Speaker
Dombrowski	Langtry		

NAYS—0

NOT VOTING—0

EXCUSED—2

Dininni      Pievsky

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

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

\* \* \*

Mr. JAROLIN called up **HR 341, PN 3810**, entitled:

Memorializing President Bush to conduct an aerial satellite survey of the forests in this country to determine gypsy moth damage.

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—200

Acosta	Donatucci	Lashinger	Ritter
Adolph	Dorr	Laughlin	Robbins
Allen	Durham	Lee	Robinson
Angstadt	Evans	Leh	Roebuck
Argall	Fairchild	Lescovitz	Rudy
Barley	Fargo	Levdansky	Ryan
Battisto	Farmer	Linton	Rybak
Belardi	Fee	Lloyd	Saloom
Belfanti	Fleagle	Lucyk	Saurman
Billow	Flick	McCall	Scheetz
Birmelin	Foster	McHale	Schuler
Bishop	Fox	McNally	Scrimenti
Black	Freeman	McVerry	Semmel
Blaum	Freind	Maiale	Serafini
Bortner	Gallen	Maine	Smith, B.
Bowley	Gamble	Markosek	Smith, S. H.
Boyes	Gannon	Marsico	Snyder, D. W.
Brandt	Geist	Mayernik	Snyder, G.
Broujos	George	Melio	Staback
Bunt	Gigliotti	Merry	Stairs
Burd	Gladeck	Michlovic	Steighner
Burns	Godshall	Micozzie	Stish
Bush	Gruitza	Mihalich	Strittmatter
Caltagirone	Gruppo	Miller	Stuban
Cappabianca	Hagarty	Moehlmann	Tangretti
Carlson	Haluska	Morris	Taylor, E. Z.
Carn	Harper	Mowery	Taylor, F.
Cawley	Hasay	Mrkonic	Taylor, J.
Cessar	Hayden	Murphy	Telek
Chadwick	Hayes	Nahill	Thomas
Civera	Heckler	Nailor	Tigue
Clark, B. D.	Herman	Noye	Trello
Clark, D. F.	Hershey	O'Brien	Trich
Clark, J. H.	Hess	Olasz	Van Horne
Clymer	Howlett	Oliver	Veon
Cohen	Hughes	Perzel	Vroon

Colaifella	Itkin	Pesci	Wambach
Colaizzo	Jackson	Petrarca	Wass
Cole	Jadlowiec	Petrone	Weston
Cornell	James	Phillips	Williams
Corrigan	Jarolin	Piccola	Wilson
Cowell	Johnson	Pistella	Wogan
Coy	Josephs	Pitts	Wozniak
DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Wright, R. C.
Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	
Dietterick	Kukovich	Richardson	O'Donnell,
Distler	LaGrotta	Rieger	Speaker
Dombrowski	Langtry		

NAYS—0

NOT VOTING—0

EXCUSED—2

Dininni      Pievsky

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

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

\* \* \*

Mr. DeWEESE called up SR 170, PN 2279, entitled:

A Concurrent Resolution commemorating the 20th anniversary of the Pennsylvania Bulletin.

On the question,

Will the House concur in the resolution of the Senate?

The following roll call was recorded:

YEAS—200

Acosta	Donatucci	Lashing	Ritter
Adolph	Dorr	Laughlin	Robbins
Allen	Durham	Lee	Robinson
Angstadt	Evans	Leh	Roebuck
Argall	Fairchild	Lescovitz	Rudy
Barley	Fargo	Levdansky	Ryan
Battisto	Farmer	Linton	Rybak
Belardi	Fee	Lloyd	Saloom
Belfanti	Fleagle	Lucy	Saurman
Billow	Flick	McCall	Scheetz
Birmelin	Poster	McHale	Schuler
Bishop	Fox	McNally	Scrimenti
Black	Freeman	McVerry	Semmel
Blaum	Freind	Maiale	Serafini
Bortner	Gallen	Maine	Smith, B.
Bowley	Gamble	Markosek	Smith, S. H.
Boyes	Gannon	Marsico	Snyder, D. W.
Brandt	Geist	Mayernik	Snyder, G.
Broujos	George	Melio	Staback
Bunt	Gigliotti	Merry	Stairs
Burd	Gladeck	Michlovic	Steighner
Burns	Godshall	Micozzie	Stish
Bush	Gruitza	Mihalich	Strittmatter
Caltagirone	Gruppo	Miller	Stuban
Cappabianca	Hagarty	Moehlmann	Tangretti
Carlson	Haluska	Morris	Taylor, E. Z.
Carn	Harper	Mowery	Taylor, F.
Cawley	Hasay	Mrkonic	Taylor, J.
Cessar	Hayden	Murphy	Telek
Chadwick	Hayes	Nahill	Thomas
Civera	Heckler	Nailor	Tigue
Clark, B. D.	Herman	Noye	Trello
Clark, D. F.	Hershey	O'Brien	Trich
Clark, J. H.	Hess	Olasz	Van Horne
Clymer	Howlett	Oliver	Veon

Cohen	Hughes	Perzel	Vroon
Colaifella	Itkin	Pesci	Wambach
Colaizzo	Jackson	Petrarca	Wass
Cole	Jadlowiec	Petrone	Weston
Cornell	James	Phillips	Williams
Corrigan	Jarolin	Piccola	Wilson
Cowell	Johnson	Pistella	Wogan
Coy	Josephs	Pitts	Wozniak
DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Wright, R. C.
Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	
Dietterick	Kukovich	Richardson	O'Donnell,
Distler	LaGrotta	Rieger	Speaker
Dombrowski	Langtry		

NAYS—0

NOT VOTING—0

EXCUSED—2

Dininni      Pievsky

The question was determined in the affirmative, and the resolution was concurred in.

Ordered, That the clerk inform the Senate accordingly.

\* \* \*

Mr. DeWEESE called up SR 172, PN 2382, entitled:

A Concurrent Resolution creating a task force and advisory committee to develop a plan to diagnose, treat and refer substance abusers.

On the question,

Will the House concur in the resolution of the Senate?

The following roll call was recorded:

YEAS—200

Acosta	Donatucci	Lashing	Ritter
Adolph	Dorr	Laughlin	Robbins
Allen	Durham	Lee	Robinson
Angstadt	Evans	Leh	Roebuck
Argall	Fairchild	Lescovitz	Rudy
Barley	Fargo	Levdansky	Ryan
Battisto	Farmer	Linton	Rybak
Belardi	Fee	Lloyd	Saloom
Belfanti	Fleagle	Lucy	Saurman
Billow	Flick	McCall	Scheetz
Birmelin	Foster	McHale	Schuler
Bishop	Fox	McNally	Scrimenti
Black	Freeman	McVerry	Semmel
Blaum	Freind	Maiale	Serafini
Bortner	Gallen	Maine	Smith, B.
Bowley	Gamble	Markosek	Smith, S. H.
Boyes	Gannon	Marsico	Snyder, D. W.
Brandt	Geist	Mayernik	Snyder, G.
Broujos	George	Melio	Staback
Bunt	Gigliotti	Merry	Stairs
Burd	Gladeck	Michlovic	Steighner
Burns	Godshall	Micozzie	Stish
Bush	Gruitza	Mihalich	Strittmatter
Caltagirone	Gruppo	Miller	Stuban
Cappabianca	Hagarty	Moehlmann	Tangretti
Carlson	Haluska	Morris	Taylor, E. Z.
Carn	Harper	Mowery	Taylor, F.
Cawley	Hasay	Mrkonic	Taylor, J.
Cessar	Hayden	Murphy	Telek
Chadwick	Hayes	Nahill	Thomas
Civera	Heckler	Nailor	Tigue
Clark, B. D.	Herman	Noye	Trello
Clark, D. F.	Hershey	O'Brien	Trich
Clark, J. H.	Hess	Olasz	Van Horne

Clymer	Howlett	Oliver	Veon
Cohen	Hughes	Perzel	Vroon
Colafrella	Itkin	Pesci	Wambach
Colaizzo	Jackson	Petrarca	Wass
Cole	Jadlowiec	Petrone	Weston
Cornell	James	Phillips	Williams
Corrigan	Jarolin	Piccola	Wilson
Cowell	Johnson	Pistella	Wogan
Coy	Josephs	Pitts	Wozniak
DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Wright, R. C.
Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	
Dietterick	Kukovich	Richardson	O'Donnell,
Distler	LaGrotta	Rieger	Speaker
Dombrowski	Langtry		

NAYS—0

NOT VOTING—0

EXCUSED—2

Dininni Pievsky

The question was determined in the affirmative, and the resolution was concurred in.

Ordered, That the clerk inform the Senate accordingly.

**REORGANIZATION PLAN NO. 1,  
RESOLUTION A**

Mr. DeWEESE called up **RP 1, Resolution A**, entitled:

In the House, May 22, 1990.

Resolved, That Reorganization Plan No. 1 of 1990 transmitted to the General Assembly under date of May 22, 1990 which is incorporated herein by reference be approved.

On the question,

Will the House adopt Reorganization Plan No. 1, Resolution A?

The following roll call was recorded:

YEAS—198

Acosta	Donatucci	Langtry	Rieger
Adolph	Dorr	Lashinger	Ritter
Allen	Durham	Laughlin	Robbins
Angstadt	Evans	Lee	Robinson
Argall	Fairchild	Leh	Roebuck
Barley	Fargo	Lescovitz	Rudy
Battisto	Farmer	Levdansky	Ryan
Belardi	Fee	Linton	Rybak
Belfanti	Fleagle	Lloyd	Saloom
Billow	Flick	Lucyk	Saurman
Birmelin	Foster	McCall	Scheetz
Bishop	Fox	McHale	Schuler
Black	Freeman	McNally	Scrimenti
Blaum	Freind	McVerry	Semmel
Bortner	Gallen	Maiale	Serafini
Boyes	Gamble	Maine	Smith, B.
Brandt	Gannon	Markosek	Smith, S. H.
Broujos	Geist	Marsico	Snyder, D. W.
Bunt	George	Mayernik	Snyder, G.
Burd	Gigliotti	Melio	Staback
Burns	Gladeck	Merry	Stairs
Bush	Godshall	Michlovic	Steighner
Caltagirone	Gruzta	Micozzie	Stish
Cappabianca	Gruppo	Mihalich	Strittmatter
Carlson	Hagarty	Miller	Suban
Carn	Haluska	Moehlmann	Tangretti
Cawley	Harper	Morris	Taylor, E. Z.
Cessar	Hasay	Mowery	Taylor, F.

Chadwick	Hayden	Mrkonic	Taylor, J.
Civera	Hayes	Murphy	Telek
Clark, B. D.	Heckler	Nahill	Thomas
Clark, D. F.	Herman	Nailor	Trello
Clark, J. H.	Hershey	Noye	Trich
Clymer	Hess	O'Brien	Van Horne
Cohen	Howlett	Olasz	Veon
Colafrella	Hughes	Oliver	Vroon
Colaizzo	Itkin	Perzel	Wambach
Cole	Jackson	Pesci	Wass
Cornell	Jadlowiec	Petrarca	Weston
Corrigan	James	Petrone	Williams
Cowell	Jarolin	Phillips	Wilson
Coy	Johnson	Piccola	Wogan
DeLuca	Josephs	Pistella	Wozniak
DeWeese	Kaiser	Pitts	Wright, D. R.
Daley	Kasunic	Pressmann	Wright, J. L.
Davies	Kenney	Preston	Wright, R. C.
Dempsey	Kondrich	Raymond	Yandrisevits
Dietterick	Kosinski	Reber	
Distler	Kukovich	Reinard	O'Donnell,
Dombrowski	LaGrotta	Richardson	Speaker

NAYS—2

Bowley Tighe

NOT VOTING—0

EXCUSED—2

Dininni Pievsky

A majority of the members elected to the House having voted in the affirmative on Reorganization Plan No. 1, Resolution A, the question was determined in the affirmative and the resolution was adopted.

Ordered, That the clerk inform the Senate and His Excellency, the Governor, accordingly.

**SB 967 RECONSIDERED**

The SPEAKER pro tempore. The Chair has in its possession a reconsideration motion filed by the gentlemen, Mr. Hayes and Mr. Bush, who move that the vote by which SB 967, PN 2390, was passed on the 30th day of June be reconsidered.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—200

Acosta	Donatucci	Lashinger	Ritter
Adolph	Dorr	Laughlin	Robbins
Allen	Durham	Lee	Robinson
Angstadt	Evans	Leh	Roebuck
Argall	Fairchild	Lescovitz	Rudy
Barley	Fargo	Levdansky	Ryan
Battisto	Farmer	Linton	Rybak
Belardi	Fee	Lloyd	Saloom
Belfanti	Fleagle	Lucyk	Saurman
Billow	Flick	McCall	Scheetz
Birmelin	Foster	McHale	Schuler
Bishop	Fox	McNally	Scrimenti
Black	Freeman	McVerry	Semmel
Blaum	Freind	Maiale	Serafini
Bortner	Gallen	Laine	Smith, B.
Bowley	Gamble	Markosek	Smith, S. H.
Boyes	Gannon	Marsico	Snyder, D. W.
Brandt	Geist	Mayernik	Snyder, G.
Broujos	George	Melio	Staback
Bunt	Gigliotti	Merry	Stairs

Burd	Gladeck	Michlovic	Steighner
Burns	Godshall	Micozzie	Stish
Bush	Gruitza	Mihalich	Strittmatter
Caltagirone	Gruppo	Miller	Stuban
Cappabianca	Hagarty	Moehlmann	Tangretti
Carlson	Haluska	Morris	Taylor, E. Z.
Carn	Harper	Mowery	Taylor, F.
Cawley	Hasay	Mrkonic	Taylor, J.
Cessar	Hayden	Murphy	Telek
Chadwick	Hayes	Nahill	Thomas
Civera	Heckler	Nailor	Tigue
Clark, B. D.	Herman	Noye	Trello
Clark, D. F.	Hershey	O'Brien	Trich
Clark, J. H.	Hess	Olasz	Van Horne
Clymer	Howlett	Oliver	Veon
Cohen	Hughes	Perzel	Vroon
Colafella	Itkin	Pesci	Wambach
Colaizzo	Jackson	Petrarca	Wass
Cole	Jadlowiec	Petrone	Weston
Cornell	James	Phillips	Williams
Corrigan	Jarolin	Piccola	Wilson
Cowell	Johnson	Pistella	Wogan
Coy	Josephs	Pitts	Wozniak
DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Wright, R. C.
Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	
Dietterick	Kukovich	Richardson	O'Donnell,
Distler	LaGrotta	Rieger	Speaker
Dombrowski	Langtry		

NAYS—0

NOT VOTING—0

EXCUSED—2

Dininni      Pievsky

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

On the question recurring,  
Shall the bill pass finally?

**DECISION OF CHAIR RESCINDED**

The SPEAKER pro tempore. Without objection, the Chair rescinds its statement that SB 967 was agreed to on third consideration as amended.

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

**AMENDMENT A2990 RECONSIDERED**

The SPEAKER pro tempore. The Chair has in its possession a reconsideration motion filed by gentlemen, Mr. Ryan and Mr. Bush, who move that the vote by which amendment A2990 to SB 967 was defeated on the 30th day of June be reconsidered.

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

The following roll call was recorded:

YEAS—199

Acosta	Donatucci	Langtry	Rieger
Adolph	Dorr	Lashingar	Ritter
Allen	Durham	Laughlin	Robbins
Angstadt	Evans	Lee	Robinson
Argall	Fairchild	Leh	Roebuck
Barley	Fargo	Lescovitz	Rudy
Battisto	Farmer	Levdanskyy	Ryan
Belardi	Fee	Linton	Rybak
Belfanti	Fleagle	Lloyd	Saloom
Billow	Flick	Lucyk	Saurman
Birmelin	Foster	McCall	Scheetz
Bishop	Fox	McHale	Schuler
Black	Freeman	McNally	Scrimenti
Blaum	Freind	McVerry	Sammel
Bortner	Gallen	Maiale	Serafini
Bowley	Gamble	Maine	Smith, B.
Boyes	Gannon	Markosek	Smith, S. H.
Brandt	Geist	Marsico	Snyder, D. W.
Broujos	George	Mayernik	Snyder, G.
Bunt	Gigiotti	Melio	Staback
Burd	Gladeck	Merry	Stairs
Burns	Godshall	Michlovic	Steighner
Bush	Gruitza	Micozzie	Stish
Caltagirone	Gruppo	Mihalich	Strittmatter
Cappabianca	Hagarty	Miller	Stuban
Carlson	Haluska	Moehlmann	Tangretti
Carn	Harper	Morris	Taylor, E. Z.
Cawley	Hasay	Mowery	Taylor, F.
Cessar	Hayden	Mrkonic	Taylor, J.
Chadwick	Hayes	Murphy	Telek
Civera	Heckler	Nahill	Thomas
Clark, B. D.	Herman	Nailor	Tigue
Clark, D. F.	Hershey	Noye	Trich
Clark, J. H.	Hess	O'Brien	Van Horne
Clymer	Howlett	Olasz	Veon
Cohen	Hughes	Oliver	Vroon
Colafella	Itkin	Perzel	Wambach
Colaizzo	Jackson	Pesci	Wass
Cole	Jadlowiec	Petrarca	Weston
Cornell	James	Petrone	Williams
Corrigan	Jarolin	Phillips	Wilson
Cowell	Johnson	Piccola	Wogan
Coy	Josephs	Pistella	Wozniak
DeLuca	Kaiser	Pitts	Wright, D. R.
DeWeese	Kasunic	Pressmann	Wright, J. L.
Daley	Kenney	Preston	Wright, R. C.
Davies	Kondrich	Raymond	Yandrisevits
Dempsey	Kosinski	Reber	
Dietterick	Kukovich	Reinard	O'Donnell,
Distler	LaGrotta	Richardson	Speaker
Dombrowski			

NAYS—0

NOT VOTING—1

Trello

EXCUSED—2

Dininni      Pievsky

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

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

The clerk read the following amendments No. A2990:

Amend Bill, page 2, by inserting between lines 16 and 17

Section 3. The Department of Environmental Resources may develop the segment of the right-of-way from the village of Blackwell in Tioga County to Wellsboro Junction in Tioga County into a recreational trail. The Department of Environmental Resources shall allow the segment of the right-of-way from the village of Blackwell in Tioga County to the Borough of



Jersey Shore in Lycoming County to revert to a natural condition.

Amend Sec. 3, page 2, line 17, by striking out "3" and inserting

4

Amend Sec. 4, page 3, line 20, by striking out "4" and inserting

5

On the question recurring,

Will the House agree to the amendments?

The SPEAKER pro tempore. On that question, the Chair recognizes Mr. Bush.

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

I appreciate the courtesy of the House in reconsidering the vote on this amendment. I apologize for taking this extra time on this hectic day, but with the previous vote being so close, I feel an obligation to the people I represent to make one last attempt to persuade a few more members to my point of view.

Previous speakers on the opposite side of this argument have acknowledged that the Pine Creek Valley is one of the most beautiful areas in the Commonwealth of Pennsylvania. I said in my earlier remarks that it is one of this Commonwealth's true treasures. It does, however, have a very fragile ecology and infrastructure supporting it. The fear of overuse of this treasure is a very real one.

I want to make it very clear that the residents of the valley are not trying to build a wall around this resource; quite the contrary. At the present time there are literally thousands of Pennsylvanians and people from out of State who come in to enjoy its forests and its waters on a regular basis.

One other thing I should point out which I neglected to point out before is that at the present time there are hundreds upon hundreds of miles of trails already existent in the area in question. What the residents of the valley do not want is a new attraction that could be publicized and would be publicized, thereby attracting what has been estimated to be in the tens of thousands of additional people into the Pine Creek Valley.

My amendment, contrary to what has been said heretofore, does no violence to the right-of-way. It does no violence to the rails-to-trails concept. It does no violence to the rail banking concept. The right-of-way can, with my amendment, be managed by the Commonwealth; liability can be transferred. My amendment would simply direct that in the Lycoming County segment of the right-of-way, it would have a different use.

In response to Mr. McHale earlier, he asked if his constituents could use that right-of-way in Lycoming County and I said no. Perhaps that was a bit of an overstatement because they could use it as access to Pine Creek, but it would be allowed to grow up in natural vegetation, thereby furnishing cover for songbirds and wild game and a screen for the private property owners along the right-of-way.

DER, as we all know, is underfunded right now. Those people who live in the Pine Creek Valley are so aware of this because they see responsibilities of DER being neglected at the present time. Now DER is asking to take on a new project and commit more funds when it cannot take care of what it has,

and all we have to do is look at the problems with the State park system right now to know what that is all about. The \$1 to \$3 million that is proposed to build this trail could better be used to maintain and reconstruct our existing State parks.

Mr. Speaker, I have been a lonesome voice on this issue because I represent the one district that can be affected by adverse consequences if this trail is allowed to go forward as proposed. Those negative consequences will affect only people in my district and only people in Mr. Carlson's district. I said before, it is very easy to propose the advent of this trail when you have no responsibility for its consequences, but the people in the valley cannot run away from those consequences. They are going to be stuck with them. And when we have a department like DER, with a sketchy record, with a history of not being funded adequately to take care of its responsibilities, taking over the management of a resource which can develop extreme consequences for the people of the valley, I ask you most respectfully to support my amendment. Those of you who voted with me before, I appreciate your vote very much. I hope you will see fit to continue that vote, and I would ask a few more, a few more members, to stand for those property owners and those township officials who are being threatened by this proposal of the Department of Environmental Resources.

I ask for a positive vote on this amendment.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Murphy.

Mr. MURPHY. Very briefly, Mr. Speaker, I rise to oppose the amendment.

Let me point out to the members that this is a Senate bill, and the prime sponsor of the bill in the Senate, Senator Madigan, is the Senator for both of these counties, among others, and he is in strong support of this legislation. He believes that it is an important opportunity not only for the people of Pennsylvania but for the people of this district. I believe that Representative Bush's concerns can be adequately addressed, and frankly, if we do not act on this piece of legislation, we will lose a wonderful opportunity. The Federal rail banking legislation, under which this falls, requires that a right-of-way be maintained. If it is not retained, if it is not maintained, we could lose the whole opportunity, not only the part that Mr. Bush is responsible for but also the part through the Pine Creek Gorge, which I think everybody agrees ought to be maintained as a trail.

For those reasons I would ask for your opposition to this amendment. Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Lehigh, Mr. McHale.

Mr. McHALE. Thank you, Mr. Speaker.

Mr. Speaker, it is with great hesitation that I rise to oppose the gentleman, Mr. Bush. No member of this chamber is held in higher esteem than Mr. Bush, and I truly regret that I must oppose him on this particular issue.

The simple fact is, the trail that has been proposed is 62 miles in length. If Mr. Bush's amendment passes, some 38 miles of that trail will not be open to general recreational use by the public.

I appreciate and understand the perspective that is presented by the gentleman, Mr. Bush, today, but on behalf of all the people of Pennsylvania, I ask that we vote "no" on the Bush amendment.

The SPEAKER pro tempore. Does the gentleman from Lycoming seek recognition?

Mr. BUSH. I would just make one brief response to Mr. McHale. It is true that if my amendment passes, the section of the right-of-way in my district would not be available to general recreation, but I think it is very important to understand that the Pine Creek Valley in my district is rife with recreational opportunities. It does not need this additional trail to be a recreational area.

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

The following roll call was recorded:

YEAS—100

Adolph	Durham	Johnson	Reber
Allen	Fairchild	Kenney	Reinard
Angstadt	Fargo	Kondrich	Robbins
Argall	Farmer	Langtry	Ryan
Barley	Fleagle	Lashingier	Saurman
Birmelin	Flick	Leh	Scheetz
Black	Foster	Lucyk	Schuler
Boyes	Fox	McVerry	Semmel
Brandt	Freind	Marsico	Serafini
Bunt	Gallen	Merry	Smith, B.
Burd	Gannon	Micozzie	Smith, S. H.
Burns	Geist	Miller	Snyder, D. W.
Bush	Gladeck	Mochlmann	Snyder, G.
Carlson	Godshall	Morris	Stairs
Cessar	Gruppo	Mowery	Strittmatter
Civera	Hagarty	Nahill	Taylor, E. Z.
Clark, B. D.	Hasay	Nailor	Taylor, J.
Clark, D. F.	Hayes	Noye	Telek
Clark, J. H.	Heckler	O'Brien	Vroon
Clymer	Herman	Olasz	Wass
Cornell	Hershey	Perzel	Weston
Davies	Hess	Phillips	Wilson
Dietterick	Jackson	Piccola	Wogan
Distler	Jadlowiec	Pitts	Wright, J. L.
Dorr	Jarolin	Raymond	Wright, R. C.

NAYS—100

Acosta	Dombrowski	Linton	Roebuck
Battisto	Donatucci	Lloyd	Rudy
Belardi	Evans	McCall	Rybak
Belfanti	Fee	McHale	Saloom
Billow	Freeman	McNally	Scrimenti
Bishop	Gamble	Maiale	Staback
Blaum	George	Maine	Steighner
Bortner	Gigliotti	Markosek	Stish
Bowley	Gruitza	Mayernik	Stuban
Broujos	Haluska	Melio	Tangretti
Caltagirone	Harper	Michlovic	Taylor, F.
Cappabianca	Hayden	Mihalich	Thomas
Carn	Howlett	Mrkonc	Tigue
Cawley	Hughes	Murphy	Trello
Chadwick	Itkin	Oliver	Trich
Cohen	James	Pesci	Van Horne
Colafrilla	Josephs	Petrarca	Veon
Colaizzo	Kaiser	Petrone	Wambach
Cole	Kasunic	Pistella	Williams
Corrigan	Kosinski	Pressmann	Wozniak
Cowell	Kukovich	Preston	Wright, D. R.
Coy	LaGrotta	Richardson	Yandrisevits
DeLuca	Laughlin	Rieger	
DeWeese	Lee	Ritter	O'Donnell, Speaker
Daley	Lescovitz	Robinson	

Dempsey                      Levdansky  
NOT VOTING—0  
EXCUSED—2

Dininni                      Pievsky

The question was determined in the negative, and the amendments were not agreed to.

On the question recurring,

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

Bill as amended was agreed to.

The SPEAKER 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.

YEAS—153

Acosta	Distler	Lescovitz	Robinson
Angstadt	Dombrowski	Levdansky	Roebuck
Argall	Donatucci	Linton	Rudy
Barley	Evans	Lloyd	Rybak
Battisto	Fairchild	Lucyk	Saloom
Belardi	Farmer	McCall	Saurman
Belfanti	Fee	McHale	Scheetz
Billow	Fox	McNally	Scrimenti
Bishop	Freeman	McVerry	Semmel
Blaum	Gallen	Maiale	Serafini
Bortner	Gamble	Maine	Smith, S. H.
Bowley	Geist	Markosek	Snyder, D. W.
Boyes	George	Marsico	Staback
Broujos	Gigliotti	Mayernik	Staigner
Burd	Gladeck	Melio	Stish
Burns	Godshall	Merry	Stuban
Caltagirone	Gruitza	Michlovic	Tangretti
Cappabianca	Haluska	Mihalich	Taylor, F.
Carlson	Harper	Miller	Taylor, J.
Carn	Hasay	Morris	Telek
Cawley	Hayden	Mowery	Thomas
Cessar	Heckler	Mrkonc	Tigue
Chadwick	Howlett	Murphy	Trello
Clark, B. D.	Hughes	Nahill	Trich
Clymer	Itkin	Olasz	Van Horne
Cohen	Jadlowiec	Oliver	Veon
Colafrilla	James	Pesci	Wambach
Colaizzo	Jarolin	Petrarca	Wass
Cole	Johnson	Petrone	Williams
Cornell	Josephs	Piccola	Wilson
Corrigan	Kaiser	Pistella	Wogan
Cowell	Kasunic	Pressmann	Wozniak
Coy	Kondrich	Preston	Wright, D. R.
DeLuca	Kosinski	Reber	Wright, J. L.
DeWeese	Kukovich	Reinard	Yandrisevits
Daley	LaGrotta	Richardson	
Davies	Langtry	Rieger	O'Donnell, Speaker
Dempsey	Laughlin	Ritter	
Dietterick	Lee	Robbins	

NAYS—47

Adolph	Fargo	Jackson	Raymond
Allen	Fleagle	Kenney	Ryan
Birmelin	Flick	Lashingier	Schuler
Black	Foster	Leh	Smith, B.
Brandt	Freind	Micozzie	Snyder, G.
Bunt	Gannon	Moehlmann	Stairs
Bush	Gruppo	Nailor	Strittmatter
Civera	Hagarty	Noye	Taylor, E. Z.
Clark, D. F.	Hayes	O'Brien	Vroon

Clark, J. H.	Herman	Perzel	Weston
Dorr	Hershey	Phillips	Wright, R. C.
Durham	Hess	Pitts	

NOT VOTING—0

EXCUSED—2

Dininni            Pievsky

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.

**BILLS ON THIRD CONSIDERATION CONTINUED**

The House proceeded to third consideration of SB 676, PN 2338, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the definitions of "abandoned vehicle" and "motor vehicle"; and providing for the removal of vehicles abandoned on the Pennsylvania Turnpike System.

On the question,

Will the House agree to the bill on third consideration?

Mr. PETRARCA offered the following amendments No. A3128:

Amend Title, page 1, line 5, by inserting after "handicapped;" assigning development of high speed intercity rail passenger service to the Pennsylvania Turnpike Commission;

Amend Bill, page 3, by inserting between lines 12 and 13

Section 2. Title 75 is amended by adding a section to read:

§ 6116. High speed intercity system.

The Pennsylvania Turnpike Commission shall propose and make recommendations for the establishment and operation of a high speed intercity rail passenger system within this Commonwealth connecting Philadelphia, Paoli, Lancaster, Harrisburg, Lewistown, State College, Altoona, Johnstown, Greensburg and Pittsburgh. The commission shall also study the feasibility of adding connecting service from this main service line to the following areas: New Castle, Meadville, Erie, Scranton, Wilkes Barre and Allentown.

Amend Sec. 2, page 3, line 13, by striking out "2" and inserting

3

Amend Bill, page 3, by inserting between lines 25 and 26

Section 4. To carry out the provisions of section 2, the Pennsylvania Turnpike Commission shall solicit proposals from vendors interested in developing, in conjunction with the commission, a high speed intercity rail system within this Commonwealth. The commission may employ such professional, technical and clerical staff and engage the services of consultants as it deems necessary to carry out its responsibilities under this act. The commission shall make its final report under this act no later than 12 months after receipt of the update of the demand model from the Milrite Council, including preliminary designation, if appropriate, of a vendor, adoption of a plan, franchising agreement and a request for an appropriation from the General

Assembly to fund the program. This recommendation shall address the following specific areas and issues:

- (1) The level of demand for high speed intercity rail service in this Commonwealth as updated by the Milrite Council.
- (2) The degree of high speed rail service required to meet such demand.
- (3) System, equipment, roadbed, right-of-way and other technical and technological options.
- (4) Location and extent of the specific routes in the system.
- (5) Cost of implementing the system.
- (6) Socio-economic impact of the system; and value-captured station sites.
- (7) Financing, ownership and operating requirements for the system in separate station sites.

Section 5. To carry out the provisions of section 2, the Milrite Council shall complete an update of the demand model and shall present it to the Pennsylvania Turnpike Commission upon its completion.

Section 6. To carry out the provisions of section 2, the Pennsylvania Turnpike Commission shall make at least annual reports of its activities and recommendations with respect to this act to the General Assembly and the Governor and shall meet at least ten times per year with an oversight committee composed of the members of the transportation committees of the Senate and House of Representatives.

Section 7. The sum of \$150,000 is hereby appropriated to the Pennsylvania Turnpike Commission and the sum of \$140,000 is hereby appropriated to the Milrite Council to carry out the provisions of section 2 of this act. Such appropriations shall not lapse. In addition to the moneys appropriated in this section and such other moneys as may be appropriated from time to time by the General Assembly for its work, the commission is authorized to make application for and expend such Federal grants as may be available and may also receive and expend contributions from other public, quasi-public or private sources as may become available.

Amend Sec. 3, page 3, line 25, by striking out "3" and inserting

8

On the question,

Will the House agree to the amendments?

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman from Westmoreland, Mr. Petrarca.

Mr. PETRARCA. Thank you, Mr. Speaker.

All this amendment does is ask the Turnpike Commission to have a feasibility study on high-speed rail. There were 141 signatures on the bill, and they will report back to us within a year. Thank you.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—200

Acosta	Donatucci	Lashinger	Ritter
Adolph	Dorr	Laughlin	Robbins
Allen	Durham	Lee	Robinson
Angstadt	Evans	Leh	Roebuck
Argall	Fairchild	Lescovitz	Rudy
Barley	Fargo	Levdansky	Ryan
Battisto	Farmer	Linton	Rybak
Belardi	Fee	Lloyd	Saloom
Belfanti	Fleagle	Lucyk	Saurman
Billow	Flick	McCall	Scheetz
Birmelin	Foster	McHale	Schuler

Bishop	Fox	McNally	Scrimenti
Black	Freeman	McVerry	Semmel
Blaum	Freind	Maiale	Serafini
Bortner	Gallen	Maine	Smith, B.
Bowley	Gamble	Markosek	Smith, S. H.
Boyes	Gannon	Marsico	Snyder, D. W.
Brandt	Geist	Mayernik	Snyder, G.
Broujos	George	Melio	Staback
Bunt	Gigliotti	Merry	Stairs
Burd	Gladeck	Michlovic	Steighner
Burns	Godshall	Micozzie	Stish
Bush	Gruitza	Mihalich	Strittmatter
Caltagirone	Gruppo	Miller	Stuban
Cappabianca	Hagarty	Moehlmann	Tangretti
Carlson	Haluska	Morris	Taylor, E. Z.
Carn	Harper	Mowery	Taylor, F.
Cawley	Hasay	Mrkonic	Taylor, J.
Cessar	Hayden	Murphy	Telek
Chadwick	Hayes	Nahill	Thomas
Civera	Heckler	Nailor	Tigue
Clark, B. D.	Herman	Noye	Trello
Clark, D. F.	Hershey	O'Brien	Trich
Clark, J. H.	Hess	Olasz	Van Horne
Clymer	Howlett	Oliver	Veon
Cohen	Hughes	Perzel	Vroon
Colafella	Itkin	Pesci	Wambach
Colaizzo	Jackson	Petrarca	Wass
Cole	Jadlowiec	Petrone	Weston
Cornell	James	Phillips	Williams
Corrigan	Jarolin	Piccola	Wilson
Cowell	Johnson	Pistella	Wogan
Coy	Josephs	Pitts	Wozniak
DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Wright, R. C.
Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	
Dietterick	Kukovich	Richardson	O'Donnell,
Distler	LaGrotta	Rieger	Speaker
Dombrowski	Langtry		

NAYS—0

NOT VOTING—0

EXCUSED—2

Dininni      Pievsky

The question was determined in the affirmative, and the amendments were agreed to.

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

Mr. B. D. CLARK offered the following amendments No. A2954:

Amend Title, page 1, line 5, by inserting after "handi-capped;" further providing for tire equipment, for bumpers and for promulgation of vehicle equipment standards;

Amend Bill, page 3, by inserting between lines 12 and 13 Section 2. Sections 4103 and 4525 of Title 75 are amended by adding subsections to read:  
§ 4103. Promulgation of vehicle equipment standards.  
\*\*\*

(f) Standards for modified vehicles.—The department shall promulgate regulations establishing standards for the operation of motor vehicles with a modified chassis. The regulations shall include, but not be limited to, vehicle height and weight, suspension systems, bumpers, headlights and other lighting equipment, brakes and brake lines, fuel tanks and any other areas the depart-

ment deems appropriate for the safe operation of motor vehicles with a modified chassis.

§ 4525. Tire equipment and traction surfaces.

\*\*\*

(d.1) Tire width.—

(1) It is unlawful for any person to operate or move, or cause or permit to be moved, any vehicle with tires that extend beyond the body line of the vehicle. The installation of add-on fender flares in order to extend the body line is permitted in accordance with department regulations.

(2) This subsection does not apply to any vehicle which is operated under a permit issued in accordance with section 4969 (relating to permit for movement of vehicles with over-size wheels and tires) or to vehicles registered as street rods.

\*\*\*

Section 3. Section 4536 of Title 75 is amended to read:

§ 4536. Bumpers.

(a) General rule.—No person shall operate any vehicle upon a highway without bumpers of a type specified by regulations of the department in both the front and rear unless the vehicle was originally designed and manufactured to be used without bumpers.

(b) Height restriction.—No person shall operate upon a highway a vehicle which has been modified with respect to its height from the ground unless the vehicle conforms to department standards.

(c) Exception.—This section shall not apply to [any] special mobile equipment [or implement of husbandry that is not so equipped by the original manufacturer], implements of husbandry or farm trucks as they were originally manufactured.

Amend Sec. 2, page 3, line 13, by striking out "2" and inserting

4

Amend Sec. 3, page 3, line 26, by striking out "3" and inserting

5

Amend Sec. 3, page 3, by inserting between lines 28 and 29

(2) Sections 2 and 3 shall take effect in 180 days.

Amend Sec. 3, page 3, line 29, by striking out "(2)" and inserting

(3)

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

The SPEAKER pro tempore. On that question, the Chair recognizes Mr. Clark.

Mr. B. D. CLARK. Thank you, Mr. Speaker.

This amendment is actually HB 2220, which requires the Department of Transportation to promulgate regulations dealing with altered vehicles. These are the pickup trucks where they raise them real high off the ground. It requires them to have regulations for bumpers, the height of the vehicle, the width of the tires, and the headlights. There was a young girl killed in my district by one of these vehicles, and I think the department should enact regulations.

I would appreciate an affirmative vote.

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

The following roll call was recorded:

YEAS—200

Acosta	Donatucci	Lashinger	Ritter
Adolph	Dorr	Laughlin	Robbins
Allen	Durham	Lee	Robinson
Angstadt	Evans	Leh	Roebuck
Argall	Fairchild	Lescovitz	Rudy
Barley	Fargo	Levdansky	Ryan
Battisto	Farmer	Linton	Rybak
Belardi	Fee	Lloyd	Saloom
Belfanti	Fleagle	Lucyk	Saurman
Billow	Flick	McCall	Scheetz
Birmelin	Foster	McHale	Schuler
Bishop	Fox	McNally	Scrimenti
Black	Freeman	McVerry	Semmel
Blaum	Freind	Maiale	Serafini
Bortner	Gallen	Maine	Smith, B.
Bowley	Gamble	Markosek	Smith, S. H.
Boyes	Gannon	Marsico	Snyder, D. W.
Brandt	Geist	Mayernik	Snyder, G.
Broujos	George	Melio	Staback
Bunt	Gigliotti	Merry	Stairs
Burd	Gladeck	Michlovic	Steighner
Burns	Godshall	Micozzie	Stish
Bush	Gruitza	Mihalich	Strittmatter
Caltagirone	Gruppo	Miller	Stuban
Cappabianca	Hagarty	Moehlmann	Tangretti
Carlson	Haluska	Morris	Taylor, E. Z.
Carn	Harper	Mowery	Taylor, F.
Cawley	Hasay	Mrkonic	Taylor, J.
Cessar	Hayden	Murphy	Telek
Chadwick	Hayes	Nahill	Thomas
Civera	Heckler	Nailor	Tigue
Clark, B. D.	Herman	Noye	Trello
Clark, D. F.	Hershey	O'Brien	Trich
Clark, J. H.	Hess	Olasz	Van Horne
Clymer	Howlett	Oliver	Veon
Cohen	Hughes	Perzel	Vroon
Colafella	Itkin	Pesci	Wambach
Colaizzo	Jackson	Petrarca	Wass
Cole	Jadlowiec	Petrone	Weston
Cornell	James	Phillips	Williams
Corrigan	Jarolin	Piccola	Wilson
Cowell	Johnson	Pistella	Wogan
Coy	Josephs	Pitts	Wozniak
DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Wright, R. C.
Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	
Dietterick	Kukovich	Richardson	O'Donnell,
Distler	LaGrotta	Rieger	Speaker
Dombrowski	Langtry		

NAYS—0

NOT VOTING—0

EXCUSED—2

Dininni      Pievsky

The question was determined in the affirmative, and the amendments were agreed to.

On the question recurring,

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

Bill as amended was agreed to.

The SPEAKER 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.

YEAS—200

Acosta	Donatucci	Lashinger	Ritter
Adolph	Dorr	Laughlin	Robbins
Allen	Durham	Lee	Robinson
Angstadt	Evans	Leh	Roebuck
Argall	Fairchild	Lescovitz	Rudy
Barley	Fargo	Levdansky	Ryan
Battisto	Farmer	Linton	Rybak
Belardi	Fee	Lloyd	Saloom
Belfanti	Fleagle	Lucyk	Saurman
Billow	Flick	McCall	Scheetz
Birmelin	Foster	McHale	Schuler
Bishop	Fox	McNally	Scrimenti
Black	Freeman	McVerry	Semmel
Blaum	Freind	Maiale	Serafini
Bortner	Gallen	Maine	Smith, B.
Bowley	Gamble	Markosek	Smith, S. H.
Boyes	Gannon	Marsico	Snyder, D. W.
Brandt	Geist	Mayernik	Snyder, G.
Broujos	George	Melio	Staback
Bunt	Gigliotti	Merry	Stairs
Burd	Gladeck	Michlovic	Steighner
Burns	Godshall	Micozzie	Stish
Bush	Gruitza	Mihalich	Strittmatter
Caltagirone	Gruppo	Miller	Stuban
Cappabianca	Hagarty	Moehlmann	Tangretti
Carlson	Haluska	Morris	Taylor, E. Z.
Carn	Harper	Mowery	Taylor, F.
Cawley	Hasay	Mrkonic	Taylor, J.
Cessar	Hayden	Murphy	Telek
Chadwick	Hayes	Nahill	Thomas
Civera	Heckler	Nailor	Tigue
Clark, B. D.	Herman	Noye	Trello
Clark, D. F.	Hershey	O'Brien	Trich
Clark, J. H.	Hess	Olasz	Van Horne
Clymer	Howlett	Oliver	Veon
Cohen	Hughes	Perzel	Vroon
Colafella	Itkin	Pesci	Wambach
Colaizzo	Jackson	Petrarca	Wass
Cole	Jadlowiec	Petrone	Weston
Cornell	James	Phillips	Williams
Corrigan	Jarolin	Piccola	Wilson
Cowell	Johnson	Pistella	Wogan
Coy	Josephs	Pitts	Wozniak
DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Wright, R. C.
Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	
Dietterick	Kukovich	Richardson	O'Donnell,
Distler	LaGrotta	Rieger	Speaker
Dombrowski	Langtry		

NAYS—0

NOT VOTING—0

EXCUSED—2

Dininni      Pievsky

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

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

\* \* \*

The House proceeded to third consideration of **SB 1091, PN 2248**, entitled:

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, requiring that alternative operator service providers make certain disclosures to customers before providing service; regulating certain rates; further providing for civil penalties for violations; providing protection for public utility employees who report a violation or suspected violation of Federal, State or local law; providing protection for such employees who participate in investigations, hearings, inquiries or court actions; and prescribing remedies and penalties.

On the question,

Will the House agree to the bill on third consideration?

Mr. D. R. WRIGHT offered the following amendments No. A3080:

Amend Sec. 1 (Sec. 2906), page 1, by inserting between lines 16 and 17

(a) Jurisdiction.—The commission shall have jurisdiction over alternative operator service providers at least to the extent as set forth in subsections (b) through (g).

Amend Sec. 1 (Sec. 2906), page 1, line 17, by striking out “(A)” and inserting

(b) Amend Sec. 1 (Sec. 2906), page 2, line 3, by striking out “(B)” and inserting

(c) Amend Sec. 1 (Sec. 2906), page 2, line 11, by striking out “(C)” and inserting

(d) Amend Sec. 1 (Sec. 2906), page 2, line 18, by inserting after “BE”

made orally prior to the completion of the call, permitting the call to be terminated at no charge, and by written notice

Amend Sec. 1 (Sec. 2906), page 2, line 24, by striking out “(D)” and inserting

(e) Amend Sec. 1 (Sec. 2906), page 2, lines 26 and 27, by striking out “OFFER TO SWITCH A CUSTOMER BACK TO THE ORIGINATING LOCAL EXCHANGE” and inserting

, upon request and without charge, transfer a customer to any other

Amend Sec. 1 (Sec. 2906), page 2, lines 28 and 29, by striking out “AND INFORM THE CUSTOMER THAT THE SWITCH WILL BE MADE WITHOUT CHARGE.” and inserting in the relevant geographic area so that the transfer is accomplished at and billed from the point of origination of the call. If such a transfer is not technically possible, the alternative operator service provider shall inform the customer that the call cannot be transferred as requested and that the customer should hang up and attempt to reach the carrier through the means provided by that carrier.

Amend Sec. 1 (Sec. 2906), page 3, line 5, by inserting after “ANY”

alternative operator service provider or

Amend Sec. 1 (Sec. 2906), page 3, line 9, by inserting after “NUMBER.”

In order to prevent the fraudulent use of its services, however, an alternative operator service provider, aggregator, owner, operator or lessee of a coin telephone or a certificated interLATA telephone service provider may block access if a waiver for this purpose is granted by the commission or the Federal Communications Commission. Such waivers granted by the commission may

be for a limited period of time on a specific piece of equipment or location upon application to the commission.

(f) Complaints.—The commission, on its own motion, or any customer, may institute a complaint before the commission pursuant to the provisions of Chapter 7 (relating to procedure on complaints) against alternative operator service providers alleging violations of this section. Alternative operator service providers shall be subject to civil penalties pursuant to section 3301 (relating to civil penalties for violations) for violations of the provisions of this section.

Amend Sec. 1 (Sec. 2906), page 3, line 10, by striking out “(E)” and inserting

(g) Amend Sec. 1 (Sec. 2906), page 3, line 23, by striking out “ALONG WITH THEIR OWN OPERATORS,”

Amend Sec. 1 (Sec. 2906), page 3, line 24, by inserting after “SERVICE”  
to aggregators

On the question,

Will the House agree to the amendments?

The SPEAKER pro tempore. On that question, the Chair recognizes Mr. Wright.

Mr. D. R. WRIGHT. Thank you, Mr. Speaker.

SB 1091 has two amendments to it. One would be HB 7; one would be HB 1205, which the House previously has passed unanimously. The amendment that you have before you provides an amendment to the alternative operator service providers section of the bill. It simply makes provisions to minimize fraud. It requires oral and written notification of the identity and prices of the AOS provider. It also stipulates that the PUC (Public Utility Commission) is authorized to enforce the provisions of the act.

I would ask for the adoption of this amendment, Mr. Speaker.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—200

Acosta	Donatucci	Lashinger	Ritter
Adolph	Dorr	Laughlin	Robbins
Allen	Durham	Lee	Robinson
Angstadt	Evans	Leh	Roebuck
Argall	Fairchild	Lescovitz	Rudy
Barley	Fargo	Levdansky	Ryan
Battisto	Farmer	Linton	Rybak
Belardi	Fee	Lloyd	Saloom
Belfanti	Fleagle	Lucyk	Saurman
Billow	Flick	McCall	Scheetz
Birmelin	Foster	McHale	Schuler
Bishop	Fox	McNally	Scrimenti
Black	Freeman	McVerry	Semmel
Blaum	Freind	Maiale	Serafini
Bortner	Gallen	Maine	Smith, B.
Bowley	Gamble	Markosek	Smith, S. H.
Boyes	Gannon	Marsico	Snyder, D. W.
Brandt	Geist	Mayernik	Snyder, G.
Broujos	George	Melio	Staback
Bunt	Gigliotti	Merry	Stairs
Burd	Gladeck	Michlovic	Steighner
Burns	Godshall	Micozzie	Stish
Bush	Gruitza	Mihalich	Stritmatter
Caltagirone	Gruppo	Miller	Stuban
Cappabianca	Hagarty	Moehlmann	Tangretti
Carlson	Haluska	Morris	Taylor, E. Z.
Carn	Harper	Mowery	Taylor, F.

Cawley	Hasay	Mrkonic	Taylor, J.
Cessar	Hayden	Murphy	Telek
Chadwick	Hayes	Nahill	Thomas
Civera	Heckler	Nailor	Tigue
Clark, B. D.	Herman	Noye	Trello
Clark, D. F.	Hershey	O'Brien	Trich
Clark, J. H.	Hess	Olasz	Van Horne
Clymer	Howlett	Oliver	Veon
Cohen	Hughes	Perzel	Vroon
Colaifella	Itkin	Pesci	Wambach
Colaizzo	Jackson	Petrarca	Wass
Cole	Jadlowiec	Petrone	Weston
Cornell	James	Phillips	Williams
Corrigan	Jarolin	Piccola	Wilson
Cowell	Johnson	Pistella	Wogan
Coy	Josephs	Pitts	Wozniak
DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Wright, R. C.
Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	
Dietterick	Kukovich	Richardson	O'Donnell,
Distler	LaGrotta	Rieger	Speaker
Dombrowski	Langtry		

NAYS—0

NOT VOTING—0

EXCUSED—2

Dininni      Pievsky

The question was determined in the affirmative, and the amendments were 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.

YEAS—197

Acosta	Dombrowski	LaGrotta	Ritter
Adolph	Donatucci	Langtry	Robbins
Allen	Dorr	Lashingner	Robinson
Angstadt	Durham	Laughlin	Roebuck
Argall	Evans	Lee	Rudy
Barley	Fairchild	Leh	Ryan
Battisto	Fargo	Lescovitz	Rybak
Belardi	Farmer	Levdansky	Saloom
Belfanti	Fee	Linton	Saurman
Billow	Fleagle	Lloyd	Scheetz
Birmelin	Flick	Lucyk	Schuler
Bishop	Foster	McCall	Scrimenti
Black	Fox	McHale	Semmel
Blaum	Freeman	McNally	Serafini
Bortner	Freind	McVerry	Smith, B.
Bowley	Gallen	Maiale	Smith, S. H.
Boyes	Gamble	Maine	Snyder, D. W.
Brandt	Gannon	Markosek	Snyder, G.
Broujos	Geist	Marsico	Staback
Bunt	George	Mayernik	Stairs
Burd	Gigliotti	Melio	Steighner
Burns	Gladeck	Merry	Stish
Bush	Godshall	Michlovic	Strittmatter
Caltagirone	Gruitza	Micozzie	Stuban
Cappabianca	Gruppo	Mihalich	Tangretti
Carlson	Hagarty	Miller	Taylor, E. Z.

Carn	Haluska	Moehlmann	Taylor, F.
Cawley	Harper	Morris	Taylor, J.
Cessar	Hasay	Mowery	Telek
Chadwick	Hayden	Mrkonic	Thomas
Civera	Hayes	Murphy	Tigue
Clark, B. D.	Heckler	Nahill	Trello
Clark, D. F.	Herman	Nailor	Trich
Clark, J. H.	Hershey	Noye	Van Horne
Clymer	Hess	Olasz	Veon
Cohen	Howlett	Oliver	Vroon
Colaifella	Hughes	Pesci	Wambach
Colaizzo	Itkin	Petrarca	Wass
Cole	Jackson	Petrone	Williams
Cornell	Jadlowiec	Phillips	Wilson
Corrigan	James	Piccola	Wogan
Cowell	Jarolin	Pistella	Wozniak
Coy	Johnson	Pitts	Wright, D. R.
DeLuca	Josephs	Pressmann	Wright, J. L.
DeWeese	Kaiser	Preston	Wright, R. C.
Daley	Kasunic	Raymond	Yandrisevits
Davies	Kenney	Reber	
Dempsey	Kondrich	Reinard	O'Donnell,
Dietterick	Kosinski	Richardson	Speaker
Distler	Kukovich	Rieger	

NAYS—3

O'Brien      Perzel      Weston

NOT VOTING—0

EXCUSED—2

Dininni      Pievsky

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.

**SB 1193 RECONSIDERED**

The SPEAKER pro tempore. The Chair has in its possession a reconsideration motion filed by the gentlemen, Mr. Noye and Mr. Dorr, who move that the vote by which SB 1193, PN 2107, was passed on the 30th day of June be reconsidered.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—200

Acosta	Donatucci	Lashingner	Ritter
Adolph	Dorr	Laughlin	Robbins
Allen	Durham	Lee	Robinson
Angstadt	Evans	Leh	Roebuck
Argall	Fairchild	Lescovitz	Rudy
Barley	Fargo	Levdansky	Ryan
Battisto	Farmer	Linton	Rybak
Belardi	Fee	Lloyd	Saloom
Belfanti	Fleagle	Lucyk	Saurman
Billow	Flick	McCall	Scheetz
Birmelin	Foster	McHale	Schuler
Bishop	Fox	McNally	Scrimenti
Black	Freeman	McVerry	Semmel
Blaum	Freind	Maiale	Serafini
Bortner	Gallen	Maine	Smith, B.
Bowley	Gamble	Markosek	Smith, S. H.

Boyes	Gannon	Marsico	Snyder, D. W.
Brandt	Geist	Mayernik	Snyder, G.
Broujos	George	Melio	Staback
Bunt	Gigliotti	Merry	Stairs
Burd	Gladeck	Michlovic	Steighner
Burns	Godshall	Micozzie	Stish
Bush	Gruitza	Mihalich	Strittmatter
Caltagirone	Gruppo	Miller	Stuban
Cappabianca	Hagarty	Moehlmann	Tangretti
Carlson	Haluska	Morris	Taylor, E. Z.
Carn	Harper	Mowery	Taylor, F.
Cawley	Hasay	Mrkonic	Taylor, J.
Cessar	Hayden	Murphy	Telek
Chadwick	Hayes	Nahill	Thomas
Civera	Heckler	Nailor	Tigue
Clark, B. D.	Herman	Noye	Trello
Clark, D. F.	Hershey	O'Brien	Trich
Clark, J. H.	Hess	Olasz	Van Horne
Clymer	Howlett	Oliver	Veon
Cohen	Hughes	Perzel	Vroon
Colafella	Itkin	Pesci	Wambach
Colaizzo	Jackson	Petrarca	Wass
Cole	Jadlowiec	Petrone	Weston
Cornell	James	Phillips	Williams
Corrigan	Jarolin	Piccola	Wilson
Cowell	Johnson	Pistella	Wogan
Coy	Josephs	Pitts	Wozniak
DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Wright, R. C.
Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	
Dietterick	Kukovich	Richardson	O'Donnell,
Distler	LaGrotta	Rieger	Speaker
Dombrowski	Langtry		

NAYS—0

NOT VOTING—0

EXCUSED—2

Dininni      Pievsky

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

On the question recurring,  
Shall the bill pass finally?

**DECISION OF CHAIR RESCINDED**

The SPEAKER pro tempore. Without objection, the Chair rescinds its statement that SB 1193 was agreed to on third consideration as amended.

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

**AMENDMENT A2909 RECONSIDERED**

The SPEAKER pro tempore. The Chair now has before it a reconsideration motion filed by the gentlemen, Mr. Noye and Mr. Dorr, who move that the vote by which the Noye amendment to SB 1193, PN 2107, was passed on the 30th day of June be reconsidered.

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

The following roll call was recorded:

YEAS—199

Acosta	Dombrowski	LaGrotta	Richardson
Adolph	Donatucci	Langtry	Rieger
Allen	Dorr	Lashingner	Ritter
Angstadt	Durham	Laughlin	Robbins
Argall	Evans	Lee	Robinson
Barley	Fairchild	Leh	Roebuck
Battisto	Fargo	Lescovitz	Rudy
Belardi	Farmer	Levdansky	Ryan
Belfanti	Fee	Linton	Rybak
Billow	Fleagle	Lloyd	Saloom
Birmelin	Flick	Lucyk	Saurman
Bishop	Foster	McCall	Scheetz
Black	Fox	McHale	Schuler
Blaum	Freeman	McNally	Scrimenti
Bortner	Freind	McVerry	Semmel
Bowley	Gallen	Maiale	Serafini
Boyes	Gamble	Maine	Smith, B.
Brandt	Gannon	Markosek	Smith, S. H.
Broujos	Geist	Marsico	Snyder, D. W.
Bunt	George	Mayernik	Snyder, G.
Burd	Gigliotti	Melio	Staback
Burns	Gladeck	Merry	Stairs
Bush	Godshall	Michlovic	Steighner
Caltagirone	Gruitza	Micozzie	Stish
Cappabianca	Gruppo	Mihalich	Strittmatter
Carlson	Hagarty	Miller	Stuban
Carn	Haluska	Moehlmann	Tangretti
Cawley	Harper	Morris	Taylor, E. Z.
Cessar	Hasay	Mowery	Taylor, F.
Chadwick	Hayden	Mrkonic	Taylor, J.
Civera	Hayes	Murphy	Telek
Clark, B. D.	Heckler	Nahill	Thomas
Clark, D. F.	Herman	Nailor	Tigue
Clark, J. H.	Hershey	Noye	Trello
Clymer	Hess	O'Brien	Trich
Cohen	Howlett	Olasz	Van Horne
Colafella	Hughes	Oliver	Veon
Colaizzo	Itkin	Perzel	Vroon
Cole	Jackson	Pesci	Wambach
Cornell	Jadlowiec	Petrarca	Wass
Corrigan	James	Petrone	Weston
Cowell	Jarolin	Phillips	Williams
Coy	Johnson	Piccola	Wilson
DeLuca	Josephs	Pistella	Wogan
DeWeese	Kaiser	Pitts	Wozniak
Daley	Kasunic	Pressmann	Wright, D. R.
Davies	Kenney	Preston	Wright, J. L.
Dempsey	Kondrich	Raymond	Wright, R. C.
Dietterick	Kosinski	Reber	Yandrisevits
Distler	Kukovich	Reinard	

NAYS—0

NOT VOTING—1

O'Donnell,  
Speaker

EXCUSED—2

Dininni      Pievsky

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

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

**AMENDMENTS WITHDRAWN**

The SPEAKER pro tempore. The gentleman from Perry, Mr. Noye, now moves to withdraw his amendment A2909.



On the question recurring,

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.

YEAS—200

- |              |           |            |               |
|--------------|-----------|------------|---------------|
| Acosta       | Donatucci | Lashinger  | Ritter        |
| Adolph       | Dorr      | Laughlin   | Robbins       |
| Allen        | Durham    | Lee        | Robinson      |
| Angstadt     | Evans     | Leh        | Roebuck       |
| Argall       | Fairchild | Lescovitz  | Rudy          |
| Barley       | Fargo     | Levdansky  | Ryan          |
| Battisto     | Farmer    | Linton     | Rybak         |
| Belardi      | Fee       | Lloyd      | Saloom        |
| Belfanti     | Fleagle   | Lucyk      | Saurman       |
| Billow       | Flick     | McCall     | Scheetz       |
| Birmelin     | Foster    | McHale     | Schuler       |
| Bishop       | Fox       | McNally    | Scrimenti     |
| Black        | Freeman   | McVerry    | Semmel        |
| Blaum        | Freind    | Maiale     | Serafini      |
| Bortner      | Gallen    | Maine      | Smith, B.     |
| Bowley       | Gamble    | Markosek   | Smith, S. H.  |
| Boyes        | Gannon    | Marsico    | Snyder, D. W. |
| Brandt       | Geist     | Mayernik   | Snyder, G.    |
| Broujos      | George    | Melio      | Staback       |
| Bunt         | Gigliotti | Merry      | Stairs        |
| Burd         | Gladeck   | Michlovic  | Steighner     |
| Burns        | Godshall  | Micozzie   | Stish         |
| Bush         | Gruitza   | Mihalich   | Strittmatter  |
| Caltagirone  | Gruppo    | Miller     | Suban         |
| Cappabianca  | Hagarty   | Moehlmann  | Tangretti     |
| Carlson      | Haluska   | Morris     | Taylor, E. Z. |
| Carn         | Harper    | Mowery     | Taylor, F.    |
| Cawley       | Hasay     | Mrkonic    | Taylor, J.    |
| Cessar       | Hayden    | Murphy     | Telek         |
| Chadwick     | Hayes     | Nahill     | Thomas        |
| Civera       | Heckler   | Nailor     | Tigue         |
| Clark, B. D. | Herman    | Noye       | Trello        |
| Clark, D. F. | Hershey   | O'Brien    | Trich         |
| Clark, J. H. | Hess      | Olasz      | Van Horne     |
| Clymer       | Howlett   | Oliver     | Veon          |
| Cohen        | Hughes    | Perzel     | Vroon         |
| Colaella     | Itkin     | Pesci      | Wambach       |
| Colaizzo     | Jackson   | Petrarca   | Wass          |
| Cole         | Jadlowiec | Petrone    | Weston        |
| Cornell      | James     | Phillips   | Williams      |
| Corrigan     | Jarolin   | Piccola    | Wilson        |
| Cowell       | Johnson   | Pistella   | Wogan         |
| Coy          | Josephs   | Pitts      | Wozniak       |
| DeLuca       | Kaiser    | Pressmann  | Wright, D. R. |
| DeWeese      | Kasunic   | Preston    | Wright, J. L. |
| Daley        | Kenny     | Raymond    | Wright, R. C. |
| Davies       | Kondrich  | Reber      | Yandrisevits  |
| Dempsey      | Kosinski  | Reinard    |               |
| Dieterick    | Kukovich  | Richardson |               |
| Distler      | LaGrotta  | Rieger     | O'Donnell,    |
| Dombrowski   | Langtry   |            | Speaker       |

NAYS—0

NOT VOTING—0

EXCUSED—2

- |         |         |
|---------|---------|
| Dininni | Pievsky |
|---------|---------|

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

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

\* \* \*

The House proceeded to third consideration of **HB 1361, PN 3620**, entitled:

An Act amending the act of July 31, 1968 (P. L. 805, No. 247), known as the "Pennsylvania Municipalities Planning Code," providing for transportation and sewer and water impact fees; and making repeals.

On the question,

Will the House agree to the bill on third consideration?

Mr. D. W. SNYDER offered the following amendments No. A2776:

Amend Sec. 1 (Article Heading), page 11, lines 4 through 6, by striking out all of said lines and inserting

ARTICLE V-A

Municipal Capital Improvement

Amend Sec. 1 (Sec. 801-B), page 11, line 7, by striking out "801-B" and inserting

501-A

Amend Sec. 1 (Sec. 801-B), page 11, line 17, by striking out "A COMPREHENSIVE PLAN, A" and inserting

either a municipal or county comprehensive plan,

Amend Sec. 1 (Sec. 801-B), page 11, line 18, by striking out "AND A" and inserting

and

Amend Sec. 1 (Sec. 802-B), page 11, line 19, by striking out "802-B" and inserting

502-A

Amend Sec. 1 (Sec. 802-B), page 11, line 24, by striking out "DESIGNED" and inserting

designated

Amend Sec. 1 (Sec. 802-B), page 11, lines 26 through 30, by striking out all of said lines

Amend Sec. 1 (Sec. 802-B), page 12, lines 3 and 4, by striking out "BUT NOT LIMITED TO,"

Amend Sec. 1 (Sec. 802-B), page 12, line 4, by striking out "TOLLWAY RAMPS"

Amend Sec. 1 (Sec. 802-B), page 12, line 5, by inserting after "IMPROVEMENTS."

The term shall not include the interstate highway system.

Amend Sec. 1 (Sec. 802-B), page 12, line 6, by striking out "ASSESSMENT" and inserting

fee

Amend Sec. 1 (Sec. 802-B), page 12, lines 8 and 9, by striking out "CAPITAL IMPROVEMENTS OR EXPANSIONS" and inserting

transportation capital improvements

Amend Sec. 1 (Sec. 802-B), page 12, lines 16 through 18, by striking out all of said lines and inserting

"Offsite improvements," those public capital improvements which are not onsite improvements and that serve the needs of more than one development.

Amend Sec. 1 (Sec. 802-B), page 12, line 20, by inserting after "PROPERTY"

, or the improvements constructed on the property abutting the applicants property necessary for the ingress or egress to the applicant's property,

Amend Sec. 1 (Sec. 802-B), page 12, lines 28 through 30; page 13, lines 1 through 3, by striking out "HIGHWAYS, RAMPS, ROADS OR STREETS, INCLUDING" in line 28, all of lines 29 and 30, page 12, all of lines 1 and 2 and "CAPITAL IMPROVEMENT PROGRAM." in line 3, page 13, and inserting  
public highways, roads or streets.

Amend Sec. 1 (Sec. 802-B), page 13, line 5, by inserting after "ENGINEER"

or planner

Amend Sec. 1 (Sec. 802-B), page 13, line 6, by inserting after "ENGINEER"

or is otherwise qualified by education and experience to perform traffic or transportation planning analyses of the type required in this act,

Amend Sec. 1 (Sec. 802-B), page 13, lines 12 through 14, by striking out "ROAD IMPROVEMENT" in line 12 and all of lines 13 and 14 and inserting

offsite road improvements that have a life expectancy of three or more years, not including costs for

Amend Sec. 1 (Sec. 803-B), page 13, line 22, by striking out "803-B" and inserting

503-A

Amend Sec. 1 (Sec. 803-B), page 13, line 28, by inserting after "PUBLIC"

transportation

Amend Sec. 1 (Sec. 803-B), page 14, lines 3 and 4, by striking out "ASSESSMENT"

Amend Sec. 1 (Sec. 803-B), page 14, lines 15 through 17, by striking out all of said lines

Amend Sec. 1 (Sec. 803-B), page 14, line 18, by striking out "(6)" and inserting

(5)

Amend Sec. 1 (Sec. 803-B), page 14, lines 21 and 22, by striking out "ASSESSABLE TRANSPORTATION" and inserting

applicable

Amend Sec. 1 (Sec. 803-B), page 14, line 27, by striking out "ASSESSABLE TRANSPORTATION" and inserting

applicable

Amend Sec. 1 (Sec. 803-B), page 15, line 5, by striking out "ASSESSMENT, EXACTION FEE OR"

Amend Sec. 1 (Sec. 803-B), page 15, line 6, by inserting after "THEREOF,"

exaction, fee,

Amend Sec. 1 (Sec. 803-B), page 15, lines 9 through 25, by striking out all of said lines and inserting

(c) No municipality may levy an impact fee prior to the enactment of a municipal impact fee ordinance adopted in accordance with the procedures set forth in this act, except as may be specifically authorized by the provisions of this act. A transportation impact fee shall be imposed by a municipality within a service area or areas only where such fees have been determined and imposed pursuant to the standards, provisions and procedures set forth herein.

(d) Impact fees may be used for costs incurred for improvements designated in the transportation capital improvement program attributable to new development, including the acquisition of land and rights-of-way; engineering, legal and planning costs; and all other costs which are directly related to road improvements within the service area or areas, including debt service. Impact fees shall not be imposed or used for costs associated with any of the following:

Amend Sec. 1 (Sec. 803-B), page 15, line 27, by inserting after "THE"

transportation

Amend Sec. 1 (Sec. 803-B), page 16, line 7, by striking out "FUND" and inserting

or fund

Amend Sec. 1 (Sec. 803-B), page 16, lines 22 and 23, by striking out "DEVELOPMENT, LAND" and inserting  
land development,

Amend Sec. 1 (Sec. 803-B), page 16, line 23, by striking out "ELEMENT" and inserting

project

Amend Sec. 1 (Sec. 804-B), page 16, line 25, by striking out "804-B" and inserting

504-A

Amend Sec. 1 (Sec. 804-B), page 16, lines 28 and 29, by striking out "ASSESSING OF ANY IMPACT FEE AS AUTHORIZED BY THIS ACT WITHIN ANY SERVICE AREA OR AREAS." and inserting

enactment of any impact fee ordinance.

Amend Sec. 1 (Sec. 804-B), page 16, line 30, by striking out "EMPLOY" and inserting

provide

Amend Sec. 1 (Sec. 804-B), page 17, line 3, by striking out "TO CALCULATE" and inserting

calculation of

Amend Sec. 1 (Sec. 804-B), page 17, line 3, by striking out "ASSESSED" and inserting

imposed

Amend Sec. 1 (Sec. 804-B), page 17, lines 7 and 8, by striking out all of said lines and inserting

by resolution of a municipality intending to adopt a transportation impact fee ordinance. The resolution shall describe the geographical area or areas of the municipality for which the advisory committee shall develop the land use assumptions and conduct the road sufficiency analysis studies.

Amend Sec. 1 (Sec. 804-B), page 17, line 19, by inserting after "ENGINEERS"

or planners

Amend Sec. 1 (Sec. 804-B), page 17, line 21, by inserting a period after "MEMBERS"

Amend Sec. 1 (Sec. 804-B), page 17, lines 21 and 22, by striking out "REPRESENTING THE REAL ESTATE, DEVELOPMENT AND BUILDING INDUSTRIES."

Amend Sec. 1 (Sec. 804-B), page 17, line 23, by inserting after "ENGINEERS"

or planner appointed to the advisory committee

Amend Sec. 1 (Sec. 804-B), page 18, line 2, by striking out "STATUTE" and inserting

industries at

Amend Sec. 1 (Sec. 804-B), page 18, lines 11 and 12, by striking out "180 DAYS FOLLOWING THE APPOINTMENT" and inserting

90 days following the first public meeting

Amend Sec. 1 (Sec. 804-B), page 19, line 3, by striking out "TRANSPORTATION SERVICE AREA OR AREAS" and inserting

area or areas as described by the municipal resolution

Amend Sec. 1 (Sec. 804-B), page 19, line 11, by inserting after "LAND"

use

Amend Sec. 1 (Sec. 804-B), page 19, line 14, by striking out "ORDINANCE OR"

Amend Sec. 1 (Sec. 804-B), page 19, lines 18 and 19, by striking out all of line 18 and "ROADWAY SUFFICIENCY ANALYSIS" in line 19 and inserting

designated area or areas

Amend Sec. 1 (Sec. 804-B), page 19, lines 25 and 26, by striking out "TRANSPORTATION SERVICE AREA OR AREAS OVER A PERIOD OF" and inserting

designated area or areas over a period of at least

Amend Sec. 1 (Sec. 804-B), page 19, line 28, by inserting an underscored comma after "PERIOD"

Amend Sec. 1 (Sec. 804-B), page 20, line 1, by inserting after "PLAN."

It may also refer to all professionally produced studies and reports pertaining to the municipality regarding such items as demographics, parks and recreation, economic development and any other study deemed appropriate by the municipality.

Amend Sec. 1 (Sec. 804-B), page 20, line 4, by striking out "REGULATIONS" and inserting  
land use assumptions

Amend Sec. 1 (Sec. 804-B), page 20, line 5, by striking out "45" and inserting  
30

Amend Sec. 1 (Sec. 804-B), page 20, lines 10 through 15, by striking out all of said lines

Amend Sec. 1 (Sec. 804-B), page 20, lines 18 through 24, by striking out the comma after "SHALL" in line 18, all of lines 19 through 23 and "DEVELOPMENT." in line 24 and inserting establish the existing level of infrastructure sufficiency and preferred levels of service within any designated area or areas of the municipality as described by the resolution adopted pursuant to the creation of the advisory committee. The roadway sufficiency analysis shall be prepared for any highway, road or street within the designated area or areas on which the need for road improvements attributable to projected future development is anticipated.

Amend Sec. 1 (Sec. 804-B), page 20, line 25, by inserting after "ENGINEER"  
or planner

Amend Sec. 1 (Sec. 804-B), page 20, line 26, by inserting after "ANALYSIS."

It shall be deemed that the roads, streets and highways not on the roadway sufficiency analysis report are not impacted by future development.

Amend Sec. 1 (Sec. 804-B), page 21, lines 2 and 3, by striking out "FOR EACH HIGHWAY, ROAD AND STREET WITHIN THE TRANSPORTATION SERVICE AREA" and inserting  
established

Amend Sec. 1 (Sec. 804-B), page 21, line 28, by inserting after "DEFICIENCIES"  
which need to be remedied

Amend Sec. 1 (Sec. 804-B), page 21, lines 29 and 30, by striking out all of line 29 and "WITHIN THE MUNICIPALITY" in line 30 and inserting

to accommodate existing traffic

Amend Sec. 1 (Sec. 804-B), page 22, by inserting between lines 11 and 12

(2) The advisory committee shall provide the governing body with the findings of the roadway sufficiency analysis. Following receipt of the advisory committee report, the governing body shall by resolution approve, disapprove or modify the roadway sufficiency analysis recommended by the advisory committee.

Amend Sec. 1 (Sec. 804-B), page 22, line 26, by striking out "5%" and inserting  
10%

Amend Sec. 1 (Sec. 804-B), page 22, line 29, by inserting after "IDENTIFIED"  
anticipated

Amend Sec. 1 (Sec. 804-B), page 23, line 15, by inserting after "IMPROVEMENTS"  
or portions thereof

Amend Sec. 1 (Sec. 804-B), page 23, line 25, by striking out "CATEGORY" and inserting  
the following categories

Amend Sec. 1 (Sec. 804-B), page 24, line 4, by striking out "TO ACCOMMODATE NEW GROWTH AND" and inserting  
or portions thereof attributable to projected future

Amend Sec. 1 (Sec. 804-B), page 24, line 7, by striking out "ALL ROAD IMPROVEMENTS" and inserting  
each road improvement

Amend Sec. 1 (Sec. 804-B), page 24, lines 8 and 9, by striking out "ALL CAPITAL IMPROVEMENTS" and inserting  
each capital improvement

Amend Sec. 1 (Sec. 804-B), page 24, lines 12 through 15, by striking out "IN THE CASE OF MUNICIPAL FUNDING, THE PLAN SHALL" in line 12, all of lines 13 and 14 and "OTHER REVENUE SOURCES." in line 15

Amend Sec. 1 (Sec. 804-B), page 24, line 17, by striking out "ALSO"

Amend Sec. 1 (Sec. 804-B), page 24, line 29, by inserting after "THE"

total

Amend Sec. 1 (Sec. 804-B), page 24, line 30; page 25, lines 1 through 3, by striking out "THOSE IMPROVEMENTS SET FORTH IN PARAGRAPH" in line 30, page 24, and all of lines 1 through 3, page 25

Amend Sec. 1 (Sec. 804-B), page 25, lines 7 and 8, by striking out "AND THE GOVERNING BODY OF THE MUNICIPALITY SHALL JOINTLY" and inserting

shall

Amend Sec. 1 (Sec. 804-B), page 25, lines 11 and 12, by striking out "THE GOVERNING BODY, IN CONSULTATION WITH THE ADVISORY COMMITTEE, SHALL" and inserting

The plan shall be available for public inspection at least ten working days prior to the date of the public hearing. After presentation of the recommendation by the advisory committee or its representatives at a public meeting of the governing body, the governing body may

Amend Sec. 1 (Sec. 804-B), page 25, lines 16 through 19, by striking out all of said lines and inserting

(4) The governing body may periodically request the impact fee advisory committee to review the capital improvements plan and impact fee charges and make recommendations for revisions for subsequent consideration and adoption by the governing body based only on the following:

Amend Sec. 1 (Sec. 804-B), page 25, line 25, by inserting after "DELAYS"

beyond the responsibility or control of the municipality

Amend Sec. 1 (Sec. 805-B), page 26, line 4, by striking out "805-B" and inserting

505-A

Amend Sec. 1 (Sec. 805-B), page 26, line 10, by striking out "804-B(E)(1)(III)" and inserting

504-A(e)(1)(iii)

Amend Sec. 1 (Sec. 805-B), page 26, line 14, by striking out "FOURTH EDITION AS"

Amend Sec. 1 (Sec. 805-B), page 26, line 15, by inserting after "ENGINEERS,"

fourth or subsequent edition as adopted by the municipality by ordinance or resolution

Amend Sec. 1 (Sec. 805-B), page 26, line 22, by striking out "803-B(A)" and inserting

503-A(a)

Amend Sec. 1 (Sec. 805-B), page 27, line 5, by striking out "GROWTH" and inserting

land use

Amend Sec. 1 (Sec. 805-B), page 27, lines 22 and 23, by striking out "PRIOR TO THE ENACTMENT OF AN IMPACT FEE ORDINANCE, WHICH SHALL SET" and inserting

The governing body shall enact an impact ordinance setting

Amend Sec. 1 (Sec. 805-B), page 27, lines 24 through 27, by striking out "THE GOVERNING" in line 24, all of lines 25 and 26 and "107." in line 27 and inserting

At least ten working days prior to the adoption of the ordinance at a public meeting, the ordinance shall be available for public inspection.

Amend Sec. 1 (Sec. 805-B), page 27, line 28, by striking out "803-B(A)" and inserting  
503-A(a)

Amend Sec. 1 (Sec. 805-B), page 28, line 2, by striking out "MEETING THE REQUIREMENTS OF THIS ACT"

Amend Sec. 1 (Sec. 805-B), page 28, line 8, by removing the period after "AREA" and inserting  
and such funds shall only be expended for that portion of the transportation capital improvements identified as being funded by impact fees under the transportation capital improvements plan.

Amend Sec. 1 (Sec. 805-B), page 28, line 19, by striking out "ASSESSED" and inserting  
imposed

Amend Sec. 1 (Sec. 805-B), page 28, line 20, by striking out "BY THE APPLICANT"

Amend Sec. 1 (Sec. 805-B), page 28, lines 21 through 24, by striking out "DEVELOPMENT OR SUBDIVISION" in line 21, all of lines 22 and 23, "WITH THE APPLICANT." in line 24 and inserting  
applicable development or subdivision.

Amend Sec. 1 (Sec. 805-B), page 28, lines 25 through 29, by striking out "PURSUANT" in line 25 and all of lines 26 through 29 and inserting

for the payment of any transportation impact fees, except the municipality may provide for the deposit with the municipality of financial security in an amount sufficient to cover the cost of the construction of any road improvement contained in the transportation capital improvement plan which is performed by the applicant.

Amend Sec. 1 (Sec. 805-B), page 29, line 3, by striking out "OFFSITE RIGHT-OF-WAY OR FOR" and inserting  
right-of-way,

Amend Sec. 1 (Sec. 805-B), page 29, line 9, by inserting after "WORK."

The fair market value of any land dedicated by the applicant shall be determined as of the date of the submission of the land development or subdivision application to the municipality.

Amend Sec. 1 (Sec. 805-B), page 29, line 12, by striking out "APPLICANT PAYING" and inserting  
payor of

Amend Sec. 1 (Sec. 805-B), page 29, line 15, by striking out "A CAPITAL IMPROVEMENT PROJECT CONTAINED WITHIN THE" and inserting  
an

Amend Sec. 1 (Sec. 805-B), page 29, line 18, by striking out "SEPARATE"

Amend Sec. 1 (Sec. 805-B), page 29, line 21, by striking out "SUCH FEES AND WHICH FEES REMAIN UNDISPERSED." and inserting  
the fees which remain undispersed

Amend Sec. 1 (Sec. 805-B), page 30, line 12, by striking out "PLAN" and inserting  
project

Amend Sec. 1 (Sec. 805-B), page 30, line 16, by inserting after "THE" where it appears the second time  
pro rata

Amend Sec. 1 (Sec. 806-B), page 30, lines 21 through 30; page 31, lines 1 through 23, by striking out all of said lines on said pages and inserting

Section 506-A. Appeals.—(a) Any person required to pay an impact fee shall have the right to contest the land use assumptions, the development and implementation of the transportation capital improvement program, the imposition of impact fees, the periodic updating of the transportation capital improvement

program, the refund of impact fees and all other matters relating to impact fees, including the constitutionality or validity of the impact fee ordinance by filing an appeal with the court of common pleas.

(b) A master may be appointed by the court to hear testimony on the issues and return the record and a transcript of the testimony, together with a report and recommendations, or the court may appoint a master to hold a nonrecord hearing and to make recommendations and return the same to the court, in which case either party may demand a hearing de novo before the court.

(c) Any cost incurred by parties in such an appeal shall be the separate responsibility of the parties.

Amend Sec. 1 (Sec. 807-B), page 31, line 24, by striking out "807-B" and inserting  
507-A

On the question,

Will the House agree to the amendments?

The SPEAKER pro tempore. On that question, the Chair recognizes Mr. Snyder.

Mr. D. W. SNYDER. Thank you, Mr. Speaker.

Mr. Speaker, I will be very brief on the discussion, because it is my understanding that we will be doing just a few amendments to HB 1361, which establishes the authority for municipalities to enact transportation impact fees, and then the bill will be tabled and held over until September for further debate.

However, Mr. Speaker, let me just discuss real quickly amendment 2776. With Representative Heckler, we have worked over the last month to put together a comprehensive package of amendments that addresses many of the concerns that have been raised by municipalities and other interested groups on the legislation that was reported out of the House Local Government Committee last month. Many of you heard some of those concerns raised several weeks ago when township officials visited Harrisburg. Very briefly, let me just mention a few of those.

The county impact fee appeal board was one that was of some concern. That has been removed through this amendment.

Secondly, Mr. Speaker, there have been some concerns from the Department of Transportation and municipalities that in some way HB 1361 would affect the way the Transportation Partnership Act works in the municipalities. This amendment takes out of HB 1361 any reference to assessments, because it is our intent not to affect at all the Transportation Partnership Act.

Mr. Speaker, you have also heard from your constituents issues about the process which they must follow in order to do various studies prior to the enactment of a transportation impact fee ordinance. This amendment tries to address those concerns by restricting the amount of public hearings that must be conducted before the adoption by the governing body. Under this amendment, the advisory committee would hold two public hearings: one after doing the land use assumptions; and secondly, after they have developed a capital improvement plan. There will be no public hearings required by local governments, but certainly they would have

that right to do so if they desire to have public input. The governing body would only have to have a public meeting at the time of adoption of the ordinance and not a public hearing.

Those are just three of the major concerns that are in the amendment, and as I have said, when this bill is debated in September, we will certainly be able to answer other concerns through interrogation or explain any issues that may come up on the floor.

I ask for support of amendment 2776. It is agreed to by the Builders Association and the municipal associations throughout Pennsylvania.

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

Mr. HECKLER. Thank you, Mr. Speaker.

I would join with Representative Snyder in urging a unanimous vote in favor of this amendment.

This bill, along with HB 444, which is, as I understand it, to be considered next, are both going to be cleaned up so that all of the various interests can look at them over the course of the summer, be tabled, and then we will come back here and deal with the controversial aspects in September. No matter where you stand amongst the various groups that are interested in this legislation, this should be an agreed-to, approved amendment. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—200

Acosta	Donatucci	Lashinger	Ritter
Adolph	Dorr	Laughlin	Robbins
Allen	Durham	Lee	Robinson
Angstadt	Evans	Leh	Roebuck
Argall	Fairchild	Lescovitz	Rudy
Barley	Fargo	Levdansky	Ryan
Battisto	Farmer	Linton	Rybak
Belardi	Fee	Lloyd	Saloom
Belfanti	Fleagle	Lucyk	Saurman
Billow	Flick	McCall	Scheetz
Birmelin	Foster	McHale	Schuler
Bishop	Fox	McNally	Scrimenti
Black	Freeman	McVerry	Semmel
Blaum	Freind	Maiale	Serafini
Bortner	Gallen	Maine	Smith, B.
Bowley	Gamble	Markosek	Smith, S. H.
Boyes	Gannon	Marsico	Snyder, D. W.
Brandt	Geist	Mayernik	Snyder, G.
Broujos	George	Melio	Staback
Bunt	Gigliotti	Merry	Stairs
Burd	Gladeck	Michlovic	Steighner
Burns	Godshall	Micozzie	Stish
Bush	Gruitza	Mihalich	Strittmatter
Caltagirone	Gruppo	Miller	Stuban
Cappabianca	Hagarty	Moehlmann	Tangretti
Carlson	Haluska	Morris	Taylor, E. Z.
Carn	Harper	Mowery	Taylor, F.
Cawley	Hasay	Mrkonic	Taylor, J.
Cessar	Hayden	Murphy	Telek
Chadwick	Hayes	Nahill	Thomas
Civera	Heckler	Nailor	Tigue
Clark, B. D.	Herman	Noye	Trello
Clark, D. F.	Hershey	O'Brien	Trich
Clark, J. H.	Hess	Olasz	Van Horne
Clymer	Howlett	Oliver	Veon

Cohen	Hughes	Perzel	Vroon
Colaella	Itkin	Pesci	Wambach
Colaizzo	Jackson	Petrarca	Wass
Cole	Jadlowiec	Petrone	Weston
Cornell	James	Phillips	Williams
Corrigan	Jarolin	Piccola	Wilson
Cowell	Johnson	Pistella	Wogan
Coy	Josephs	Pitts	Wozniak
DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Wright, R. C.
Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	
Dietterick	Kukovich	Richardson	O'Donnell,
Distler	LaGrotta	Rieger	Speaker
Dombrowski	Langtry		

NAYS—0

NOT VOTING—0

EXCUSED—2

Dininni                      Pievsky

The question was determined in the affirmative, and the amendments were agreed to.

On the question,

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

Mr. RAYMOND offered the following amendments No. A2953:

Amend Sec. 1 (Sec. 802-B), page 13, line 26, by striking out "REQUIRE AN APPLICANT FOR" and inserting

establish, at the time of

Amend Sec. 1 (Sec. 802-B), page 13, line 27, by striking out "TO AGREE TO PAY" and inserting

, the amount of

Amend Sec. 1 (Sec. 805-B), page 30, by inserting between lines 20 and 21

(4) If the new development for which transportation impact fees were paid is not commenced prior to the expiration of building permits issued for the new development within the time limits established by applicable building codes within the municipality or if the building permit as issued for the new development is altered and the alteration results in a decrease in the amount of the impact fee due in accordance with the calculations set forth in subsection (a)(1).

On the question,

Will the House agree to the amendments?

The SPEAKER pro tempore. On that question, the Chair recognizes Mr. Raymond.

Mr. RAYMOND. Thank you, Mr. Speaker.

Mr. Speaker, this is an agreed-to amendment also, and this amendment clarifies two provisions of HB 1361. What it amends is, it clarifies when the fee is paid and when the fee will be refunded. The language states that the impact fee is calculated at the time of subdivision approval and paid at the time the building permit is issued. It further clarifies that if the development has not been commenced by the time the building permit has expired, the fee is refunded.

I would appreciate an affirmative vote on the amendment. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman from Delaware.

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

The following roll call was recorded:

YEAS—200

Acosta	Donatucci	Lashinger	Ritter
Adolph	Dorr	Laughlin	Robbins
Allen	Durham	Lee	Robinson
Angstadt	Evans	Leh	Roebuck
Argall	Fairchild	Lescovitz	Rudy
Barley	Fargo	Levdansky	Ryan
Battisto	Farmer	Linton	Rybak
Belardi	Fee	Lloyd	Saloom
Belfanti	Fleagle	Lucyk	Saurman
Billow	Flick	McCall	Scheetz
Birmelin	Foster	McHale	Schuler
Bishop	Fox	McNally	Scrimenti
Black	Freeman	McVerry	Semmel
Blaum	Freind	Maiale	Serafini
Bortner	Gallen	Maine	Smith, B.
Bowley	Gamble	Markosek	Smith, S. H.
Boyes	Gannon	Marsico	Snyder, D. W.
Brandt	Geist	Mayernik	Snyder, G.
Broujos	George	Melio	Staback
Bunt	Gigliotti	Merry	Stairs
Burd	Gladeck	Michlovic	Steighner
Burns	Godshall	Micozzie	Stish
Bush	Gruitza	Mihalich	Strittmatter
Caltagirone	Gruppo	Miller	Stuban
Cappabianca	Hagarty	Moehlimann	Tangretti
Carlson	Haluska	Morris	Taylor, E. Z.
Carn	Harper	Mowery	Taylor, F.
Cawley	Hasay	Mrkonic	Taylor, J.
Cessar	Hayden	Murphy	Telek
Chadwick	Hayes	Nahill	Thomas
Civera	Heckler	Nailor	Tigue
Clark, B. D.	Herman	Noye	Trello
Clark, D. F.	Hershey	O'Brien	Trich
Clark, J. H.	Hess	Olasz	Van Horne
Clymer	Howlett	Oliver	Veon
Cohen	Hughes	Perzel	Vroon
Colafella	Itkin	Pesci	Wambach
Colaizzo	Jackson	Petrarca	Wass
Cole	Jadlowiec	Petrone	Weston
Cornell	James	Phillips	Williams
Corrigan	Jarolin	Piccola	Wilson
Cowell	Johnson	Pistella	Wogan
Coy	Josephs	Pitts	Wozniak
DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Wright, R. C.
Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	
Dietterick	Kukovich	Richardson	O'Donnell,
Distler	LaGrotta	Rieger	Speaker
Dombrowski	Langtry		

NAYS—0

NOT VOTING—0

EXCUSED—2

Dininni      Pievsky

The question was determined in the affirmative, and the amendments were agreed to.

On the question recurring,

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

Mr. B. D. CLARK offered the following amendment No. A2630:

Amend Sec. 1 (Sec. 804-B), page 26, by inserting between lines 3 and 4

(f) Any improvements to Federal-aid or State highways to be funded in part by impact fees shall require the approval of the Department of Transportation and, if necessary, the United States Department of Transportation. Nothing in this act shall be deemed to alter or diminish the powers, duties or jurisdiction of the Department of Transportation with respect to State highways or the rural State highway system.

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. On that question, the Chair recognizes Mr. Clark.

Mr. B. D. CLARK. Thank you, Mr. Speaker.

This, I understand, is an agreed-to amendment. It just preserves the Department of Transportation's right to approve projects on State highways and Federal-aid highways. It would also permit the United States Department of Transportation to approve projects if needed.

This simply preserves the right of the department to control our State highways. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—199

Acosta	Donatucci	Langtry	Ritter
Adolph	Dorr	Lashinger	Robbins
Allen	Durham	Laughlin	Robinson
Angstadt	Evans	Lee	Roebuck
Argall	Fairchild	Leh	Rudy
Barley	Fargo	Lescovitz	Ryan
Battisto	Farmer	Levdansky	Rybak
Belardi	Fee	Linton	Saloom
Belfanti	Fleagle	Lloyd	Saurman
Billow	Flick	Lucyk	Scheetz
Birmelin	Foster	McCall	Schuler
Bishop	Fox	McHale	Scrimenti
Black	Freeman	McNally	Semmel
Blaum	Freind	McVerry	Serafini
Bortner	Gallen	Maiale	Smith, B.
Bowley	Gamble	Maine	Smith, S. H.
Boyes	Gannon	Markosek	Snyder, D. W.
Brandt	Geist	Marsico	Snyder, G.
Broujos	George	Mayernik	Staback
Bunt	Gigliotti	Melio	Stairs
Burd	Gladeck	Merry	Steighner
Burns	Godshall	Michlovic	Stish
Bush	Gruitza	Micozzie	Strittmatter
Caltagirone	Gruppo	Mihalich	Stuban
Cappabianca	Hagarty	Miller	Tangretti
Carlson	Haluska	Moehlimann	Taylor, E. Z.
Carn	Harper	Morris	Taylor, F.
Cawley	Hasay	Mowery	Taylor, J.
Cessar	Hayden	Mrkonic	Telek
Chadwick	Hayes	Murphy	Thomas
Civera	Heckler	Nahill	Tigue
Clark, B. D.	Herman	Nailor	Trello
Clark, D. F.	Hershey	O'Brien	Trich
Clark, J. H.	Hess	Olasz	Van Horne
Clymer	Howlett	Oliver	Veon
Cohen	Hughes	Perzel	Vroon
Colafella	Itkin	Pesci	Wambach
Colaizzo	Jackson	Petrarca	Wass
Cole	Jadlowiec	Petrone	Weston
Cornell	James	Phillips	Williams
Corrigan	Jarolin	Piccola	Wilson
Cowell	Johnson	Pistella	Wogan

Coy	Josephs	Pitts	Wozniak
DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Wright, R. C.
Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	
Dietterick	Kukovich	Richardson	O'Donnell,
Distler	LaGrotta	Rieger	Speaker
Dombrowski			

NAYS—1

Noye

NOT VOTING—0

EXCUSED—2

Dininni      Pievsky

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

On the question recurring,

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

**BILL PASSED OVER**

The SPEAKER pro tempore. Without objection, HB 1361, as amended, will go over.

The Chair recognizes Mr. Strittmatter. For what purpose does the gentleman rise?

Mr. STRITTMATTER. I would object to the motion to pass over the bill. I would like to continue the discussion and pass the bill finally.

The SPEAKER pro tempore. What is the pleasure of the majority leader?

The House will be at ease.

(Conference held.)

The SPEAKER pro tempore. Does the gentleman, Mr. Strittmatter, withdraw his objection that the bill be passed over?

Mr. STRITTMATTER. Yes, sir.

The SPEAKER pro tempore. The Chair thanks the gentleman.

HB 1361, as amended, will go over for today.

\* \* \*

The House proceeded to third consideration of **HB 444, PN 3625**, entitled:

An Act amending the act of May 2, 1945 (P. L. 382, No. 164), known as the "Municipality Authorities Act of 1945," further providing for powers.

On the question,

Will the House agree to the bill on third consideration?

Mr. D. W. SNYDER offered the following amendment No. A2858:

Amend Bill, page 4, lines 28 through 30; pages 5 through 13; lines 1 through 30; page 14, lines 1 through 28, by striking out all of said lines on said pages and inserting

(t) To charge certain enumerated fees to property owners who desire to or are required to connect to the Authority's sewer or water system. Such fees shall be based upon the duly adopted

fee schedule at the time of payment and shall be payable at the time of application for connection or at such other time as the property owner and the authority agree or in the case of projects to serve existing development, such fees shall be payable at a time to be determined by the Authority. An Authority shall have the right to require that no capacity shall be guaranteed for a property owner or owners until such time as the tapping fees enumerated herein have at the option of the Authority been paid or secured by other financial security. The fees shall be in addition to any charges assessed against the property in the construction of a sewer or water main by the Authority in accordance with clauses (r) and (s) as well as any other user charges imposed by the Authority pursuant to clause (h) and shall not include costs included in the calculation of such fees.

(1) The fees may include some or all of the following fee components, which shall be separately set forth in the appropriate resolution of the Authority establishing such fees:

(i) Connection fee. A fee which shall not exceed an amount based upon the actual cost of the connection of the property extending from the Authority's main to the property line or curb stop of the property so connected. The Authority may also base such fee upon an average cost for previously installed connections of similar type and size. In lieu of the payment of the fees, an Authority may require the construction and dedication of those facilities by the property owner or owners requesting such connection.

(ii) Customer facilities fee. A fee which shall not exceed an amount based upon the actual cost of facilities serving the connected property from the property line or curb stop to the proposed dwelling or building to be served. The fee shall be chargeable only in the event that the Authority and not the property owner or owners installs the customer facilities. In lieu of the payment of the customer facilities fee, an Authority may require the construction of those facilities by the property owner or owners requesting customer facilities. In the case of water service, the fee may include the cost of a water meter and installation if the Authority provides or installs the same. In any case where the property connected or to be connected with the sewer system of the Authority is not equipped with a water meter, the Authority may install such a meter at its own cost and expense; provided, however, that if the property is supplied with water from the facilities of a public water supply agency, the Authority shall not install such meter without the consent and approval of the public water supply agency.

(iii) Tapping fee. A fee which shall not exceed an amount based upon some or all of the following fee components, which shall be separately set forth in the appropriate resolution of the Authority establishing the fee. In lieu of the payment of the fee, an Authority may require the construction and dedication of only such capacity, distribution-collection or special purpose facilities necessary to supply service to the property owner or owners.

(A) Capacity part. A fee for capacity related facilities which may not exceed an amount that is based upon the cost of such facilities, including, but not limited to: source of supply, treatment, pumping, transmission, trunk, interceptor and outfall mains, storage, sludge treatment or disposal, interconnection or other general system facilities. Such facilities may include those that provide existing service and/or those that will provide future service. The cost of existing facilities, which shall not include facilities contributed to the Authority by any person, government or agency, shall be based upon their replacement cost or upon historical cost trended to current cost using published cost indexes, or upon the historical cost plus interest and other financing fees paid on bonds financing such facilities. In the case of existing facilities, outstanding debt related to the facilities shall be subtracted from the cost, provided however, no debt shall be subtracted which is attributable to facilities exclusively serving new customers. In the case of facilities to be constructed or acquired,

the cost of such facilities shall not exceed their reasonable estimated cost provided that any such facilities must be included in a duly adopted annual budget or a five-year capital improvement plan and the Authority has taken action in furtherance of said facilities such as the following:

- (I) obtained financing for the facilities;
- (II) entered into a contract obligating the Authority to construct or pay for the cost of construction of the facilities or its portion thereof in the event that multiple parties are constructing said facilities;
- (III) has obtained a permit for the facilities;
- (IV) has spent substantial sums or resources in furtherance of the facilities;
- (V) has entered into a contract obligating the Authority to purchase or acquire facilities owned by another;
- (VI) has prepared an engineering feasibility study specifically related to the facilities, which study recommends the construction of the facilities within a five-year period;
- (VII) has entered into a contract for the design of the facilities.

Under all cost approaches, the cost of said facilities shall be reduced by the amount of any grants or capital contributions which have financed such facilities. The capacity part of the tapping fee per unit of capacity required by the new customer shall not exceed the cost of the facilities as described herein divided by the design capacity of the facilities. Nothing contained herein shall prevent an Authority from allocation of its capacity related facilities to different sections or districts of its system, nor shall an Authority be prohibited from imposing additional capacity related tapping fees on specific groups of existing customers such as commercial and industrial customers, in conjunction with additional capacity requirements of such customers.

(B) Distribution or collection part. A fee which may not exceed an amount based upon the cost of distribution or collection facilities required to provide service, such as mains, hydrants and pumping stations. Such facilities may include those that provide existing service and/or those that will provide future service. The cost of existing facilities, which shall not include facilities contributed to the Authority by any person, government or agency, shall be based upon their replacement cost or upon historical cost trended to current cost using published cost indexes or upon the historical cost plus interest and other financing fees paid on bonds financing such facilities. In the case of existing facilities, outstanding debt related to the facilities shall be subtracted from the cost, provided however, no debt shall be subtracted which is attributable to facilities exclusively serving new customers. In the case of facilities to be constructed or acquired, the cost of such facilities shall not exceed their reasonable estimated cost. Under all cost approaches, the cost of said facilities shall be reduced by the amount of any grants or capital contributions which have financed such facilities. The distribution or collection part of the tapping fee per unit of capacity required by the new customer shall not exceed the cost of the facilities as described herein divided by the design capacity of the facilities. Nothing contained herein shall prevent an Authority from allocation of its distribution or collection related facilities to different sections or districts of its system, nor shall an Authority be prohibited from imposing additional distribution or collection related tapping fees on specific groups of existing customers such as commercial and industrial customers, in conjunction with additional capacity requirements of such customers.

(C) Special purpose part. Fees for special purpose facilities applicable only to a particular group of customers, or serving a particular purpose and/or serving a specific area, based upon the cost of such facilities, including, but not limited to, booster pump stations, fire service facilities and industrial wastewater treatment facilities. Such facilities may include those that provide existing service and/or those that will provide future service. The cost of

existing facilities, which shall not include facilities contributed to the Authority by any person, government or agency, shall be based upon their replacement cost or upon historical cost trended to current cost using published cost indexes or upon the historical cost plus interest and other financing fees paid on bonds financing such facilities. In the case of existing facilities, outstanding debt related to the facilities shall be subtracted from the cost, provided however, that no debt shall be subtracted which is attributable to facilities exclusively serving new customers. In the case of facilities to be constructed or acquired, the cost of such facilities shall not exceed their reasonable estimated cost. Under all cost approaches, the cost of said facilities shall be reduced by the amount of any grants or capital contributions which have financed such facilities. The special purpose part of the tapping fee per unit of capacity required by the new customer shall not exceed the cost of the facilities as described herein divided by the design capacity of the facilities. Nothing contained herein shall prevent an Authority from allocation of its special purpose related facilities to different sections or districts of its system, nor shall an Authority be prohibited from imposing additional special purpose related tapping fees on specific groups of existing customers such as commercial and industrial customers, in conjunction with additional capacity requirements of such customers.

(D) Reimbursement component. An amount necessary to recapture the allocable portion of facilities in order to reimburse the property owner or owners at whose expense such facilities were constructed, as set forth in clauses (z) and (z.1) hereof.

(E) Calculation of tapping fee components. (I) In arriving at the cost to be included in the tapping fee components, the same cost shall not be included in more than one part of the tapping fee.

(II) No tapping fee may be based upon or include the cost of expanding, replacing, updating or upgrading facilities serving existing customers in order to meet stricter efficiency, environmental, regulatory or safety standards or to provide better service to, or meet the needs of, existing customers.

(III) The cost used in calculating tapping fees shall not include maintenance and operation expenses. As used in this clause, "maintenance and operation expenses" are those expenditures made during the useful life of a sewer or water system for labor, materials, utilities, equipment accessories or appurtenances and other items which are necessary to manage and maintain the system capacity and performance and to provide the service for which the system was constructed.

(2) Every Authority changing a tapping, customer facilities or connection fee shall do so at a public meeting of the Authority. The Authority shall have available for public inspection a detailed itemization of all calculations clearly showing the manner in which the fees were determined. A revised tapping, customer facilities or connection fee may be imposed upon those who subsequently connect to the system.

(3) No Authority shall have the power to impose any connection fee, customer facilities fee, tapping fee or any similar fee except as provided specifically in this section.

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(y) Where a sewer or water system of an Authority is to be extended at the expense of the owner or owners of properties or where the Authority otherwise would construct the customer facilities referred to in section 4(B)(t)(ii) (other than water-meter installation), the property owner or owners shall have the right to construct the extension or install the customer facilities himself or themselves or through a subcontractor approved by the Authority, which approval shall not be unreasonably withheld: Provided That the Authority shall have the right, at its option, to perform the construction itself only if the Authority provides the extension or customer facilities at a lower cost and within the same timetable specified or proposed by the property owner or owners or his or their approved subcontractor. Construction by the prop-



erty owner or owners shall be in accordance with an agreement for the extension of the Authority's system and plans and specifications approved by the Authority and shall be undertaken only pursuant to the existing regulations, requirements, rules and standards of the Authority applicable to such construction and shall be further subject to inspection by an inspector authorized to approve such construction and employed by the Authority during construction. When a main is to be extended at the expense of the owner or owners of properties, the property owner or owners may be required to deposit with the Authority, in advance of construction, the Authority's estimated reasonable and necessary cost of reviewing plans, construction, inspections, administrative, legal and engineering services. The Authority may require that construction shall not commence until the property owner has posted appropriate financial security in accordance with subsection B.(s.1) of this act. The Authority may prescribe that the property owner or owners shall reimburse the Authority for reasonable and necessary expenses incurred as a result of the extension. If an independent firm is employed for engineering review of the plans and the inspection of improvements, reimbursement for such services shall be reasonable and in accordance with the ordinary and customary fees charged by the independent firm for work performed for similar services in the community, but in no event shall the fees exceed the rate or cost charged by the independent firm to the Authority when fees are not reimbursed or otherwise imposed on applicants. Upon completion of construction, the property owner or owners shall dedicate, and the Authority shall accept, the extension of the Authority's system, provided dedication of facilities and the installation complies with the plans, specification, regulations of the Authority and the agreement. An Authority may provide in its regulations those facilities which, having been constructed at the expense of the owner or owners of properties, the Authority will accept as a part of its system.

(z) Where a property owner constructs or causes to be constructed at his expense any extension of a sewer or water system of an Authority, the Authority shall provide for the reimbursement to the property owner when the owner of another property not in the development for which the extension was constructed, connects a service line directly to the extension within ten years of the date of the dedication of such extension to the Authority in accordance with the following provisions:

(1) Such reimbursement shall be equal to the distribution or collection part of each tapping fee collected as a result of subsequent connections. An Authority shall be entitled to deduct from each reimbursement payment an amount equal to five per centum which shall be deemed to represent the appropriate charge for administrative expenses and services rendered in calculating, collecting, monitoring and disbursing the reimbursement payments to the property owner entitled thereto.

(2) Reimbursement shall be limited to those lines which have not previously been paid for by the Authority.

(3) The Authority shall, in the preparation of the necessary reimbursement agreement with the property owner or owners for whose benefit reimbursement will be provided, attach as an exhibit an itemized listing of all sewer and water facilities for which reimbursement shall be provided.

(4) The total reimbursement to which a property owner or owners shall be entitled shall not exceed the cost of all labor and material, engineering design charges, the cost of performance and maintenance bonds, Authority review and inspection charges, as well as flushing and televising charges and any and all charges involved in the acceptance and dedication of such facilities by the Authority, less the amount which would be chargeable to such property owner based upon the Authority's collection and distribution tapping fees which would be applicable to all lands of the property owner served directly or indirectly through such extensions if the property owner did not fund the extension.

(5) An Authority shall be required to notify by certified mail, to their last known address, the property owner or owners for whose benefit such reimbursement shall apply within thirty days of the Authority's receipt of any such reimbursement payment. In the event that the property owner or owners have not claimed a reimbursement payment within one hundred twenty days of the mailing of the notice, the payment shall revert to and become the sole property of the Authority with no further obligation on the part of the Authority to refund the payment to the property owner or owners.

(z.1) Whenever a sewer system or water system or any part or extension thereof owned by an Authority has been constructed by the Authority at the expense of a private person or corporation or has been constructed by a private person or corporation under the supervision of the Authority at the expense of the private person or corporation, the Authority shall have the right to charge a tapping fee and refund said tapping fee or any part thereof to the person or corporation who has paid for the construction of said sewer or water system or any part or extension thereof.

Section 2. Notwithstanding section 4 of this act, this act shall apply immediately to any connection, customer facilities, tapping or similar fees which are increased or initially imposed subsequent to the date of final enactment.

Section 3. This act shall not affect any existing agreement which relates to the subject matter of this act. The provisions of section 4 B.(z) of the act shall be applicable to any agreement for extension of a sewer or water system of an Authority entered into after the effective date of this act.

Section 4. This act shall take effect in 180 days.

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. On that question, the Chair recognizes Mr. Snyder.

Mr. D. W. SNYDER. Thank you, Mr. Speaker.

Again because of the time, I will be very brief.

This amendment replaces the language of HB 444, which deals with the regulation of tapping fees for water and sewer systems. This is an agreed-to amendment, again between the industry representatives and the Pennsylvania Municipal Authorities Association and municipal associations. However, although there is an agreement on the language, we will be looking to bond counsel over the summer to make sure that there are no technical amendments that may have to be introduced in September.

However, I do appreciate unanimous support for this negotiated language. Thank you.

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

Mr. HECKLER. Thank you, Mr. Speaker.

Similarly, this amendment is agreed to and is a balanced amendment, and the purpose of calling this matter up is to get this amendment in so that the bill can then be passed over and reprinted so that the parties will have an opportunity to review it during the course of the summer.

I would urge a unanimous affirmative vote.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—199

Acosta	Dorr	Lashinger	Ritter
Adolph	Durham	Laughlin	Robbins
Allen	Evans	Lee	Robinson
Angstadt	Fairchild	Leh	Roebuck
Argall	Fargo	Lescovitz	Rudy
Barley	Farmer	Levdansky	Ryan
Battisto	Fee	Linton	Rybak
Belardi	Fleagle	Lloyd	Saloom
Belfanti	Flick	Lucyk	Saurman
Billow	Foster	McCall	Scheetz
Birmelin	Fox	McHale	Schuler
Black	Freeman	McNally	Scrimenti
Blaum	Freind	McVerry	Semmel
Bortner	Gallen	Maiale	Serafini
Bowley	Gamble	Maine	Smith, B.
Boyes	Gannon	Markosek	Smith, S. H.
Brandt	Geist	Marsico	Snyder, D. W.
Broujos	George	Mayernik	Snyder, G.
Bunt	Gigliotti	Melio	Staback
Burd	Gladeck	Merry	Stairs
Burns	Godshall	Michlovic	Steighner
Bush	Gruitza	Micozzie	Stish
Caltagirone	Gruppo	Mihalich	Strittmatter
Cappabianca	Hagarty	Miller	Stuban
Carlson	Haluska	Moehlmann	Tangretti
Carn	Harper	Morris	Taylor, E. Z.
Cawley	Hasay	Mowery	Taylor, F.
Cessar	Hayden	Mrkonic	Taylor, J.
Chadwick	Hayes	Murphy	Telek
Civera	Heckler	Nahill	Thomas
Clark, B. D.	Herman	Nailor	Tigue
Clark, D. F.	Hershey	Noye	Trello
Clark, J. H.	Hess	O'Brien	Trich
Clymer	Howlett	Olasz	Van Horne
Cohen	Hughes	Oliver	Veon
Colaifella	Itkin	Perzel	Vroon
Colaizzo	Jackson	Pesci	Wambach
Cole	Jadlowiec	Petrarca	Wass
Cornell	James	Petrone	Weston
Corrigan	Jarolin	Phillips	Williams
Cowell	Johnson	Piccola	Wilson
Coy	Josephs	Pistella	Wogan
DeLuca	Kaiser	Pitts	Wozniak
DeWeese	Kasunic	Pressmann	Wright, D. R.
Daley	Kenney	Preston	Wright, J. L.
Davies	Kondrich	Raymond	Wright, R. C.
Dempsey	Kosinski	Reber	Yandrisevits
Dietterick	Kukovich	Reinard	
Distler	LaGrotta	Richardson	O'Donnell,
Dombrowski	Langtry	Rieger	Speaker
Donatucci			

NAYS—0

NOT VOTING—1

Bishop

EXCUSED—2

Dininni      Pievsky

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. D. W. SNYDER offered the following amendments No. A2841:

Amend Sec. 1 (Sec. 4), page 8, by inserting between lines 26 and 27

(4) There shall be a presumption that any tapping fee imposed hereunder does not exceed the maximum amount permitted hereunder, if the amount of the tapping fee imposed does not exceed the amount or amounts recommended in a report by an independent consulting engineer or professional rate consultant retained by the authority to provide a report on the basis for tapping fees, and if the preparer of the report certifies that, in his opinion, the method used in computing the tapping fee is consistent with the provisions of this section, or describes any differences and states that the differences produce a fee no higher than would otherwise result. Such report shall be available for public inspection.

Amend Sec. 1 (Sec. 4), page 8, line 27, by striking out "(4)" and inserting

(5)

Amend Sec. 1 (Sec. 4), page 9, line 2, by striking out "(5)" and inserting

(6)

Amend Sec. 1 (Sec. 4), page 9, line 5, by striking out "(6)" and inserting

(7)

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

The SPEAKER pro tempore. On that question, the Chair recognizes Mr. Snyder.

Mr. D. W. SNYDER. Mr. Speaker, this is an amendment that was agreed to as recommended by a representative of the bond counsel industry. As I mentioned earlier, this may not be the only recommendation from the bond counsel industry, but the Pennsylvania Municipal Authorities Association and the Pennsylvania Home Builders Association have agreed that this language would be suitable in the amended form that we are considering today. It provides for a safe harbor for those authorities or municipalities which have a consulting engineer or a professional rate consultant put in a report that the rate that is fixed does comply with the act.

I ask for unanimous support.

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

The following roll call was recorded:

YEAS—200

Acosta	Donatucci	Lashinger	Ritter
Adolph	Dorr	Laughlin	Robbins
Allen	Durham	Lee	Robinson
Angstadt	Evans	Leh	Roebuck
Argall	Fairchild	Lescovitz	Rudy
Barley	Fargo	Levdansky	Ryan
Battisto	Farmer	Linton	Rybak
Belardi	Fee	Lloyd	Saloom
Belfanti	Fleagle	Lucyk	Saurman
Billow	Flick	McCall	Scheetz
Birmelin	Foster	McHale	Schuler
Bishop	Fox	McNally	Scrimenti
Black	Freeman	McVerry	Semmel
Blaum	Freind	Maiale	Serafini
Bortner	Gallen	Maine	Smith, B.
Bowley	Gamble	Markosek	Smith, S. H.
Boyes	Gannon	Marsico	Snyder, D. W.
Brandt	Geist	Mayernik	Snyder, G.
Broujos	George	Melio	Staback
Bunt	Gigliotti	Merry	Stairs
Burd	Gladeck	Michlovic	Steighner
Burns	Godshall	Micozzie	Stish
Bush	Gruitza	Mihalich	Strittmatter
Caltagirone	Gruppo	Miller	Stuban

Cappabianca	Hagarty	Mochlmann	Tangretti
Carlson	Haluska	Morris	Taylor, E. Z.
Carn	Harper	Mowery	Taylor, F.
Cawley	Hasay	Mrkonic	Taylor, J.
Cessar	Hayden	Murphy	Telek
Chadwick	Hayes	Nahill	Thomas
Civera	Heckler	Nailor	Tigue
Clark, B. D.	Herman	Noye	Trello
Clark, D. F.	Hershey	O'Brien	Trich
Clark, J. H.	Hess	Olasz	Van Horne
Clymer	Howlett	Oliver	Veon
Cohen	Hughes	Perzel	Vroon
Colafella	Itkin	Pesci	Wambach
Colaizzo	Jackson	Petrarca	Wass
Cole	Jadlowiec	Petrone	Weston
Cornell	James	Phillips	Williams
Corrigan	Jarolin	Piccola	Wilson
Cowell	Johnson	Pistella	Wogan
Coy	Josephs	Pitts	Wozniak
DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Wright, R. C.
Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	
Dietterick	Kukovich	Richardson	O'Donnell,
Distler	LaGrotta	Rieger	Speaker
Dombrowski	Langtry		

NAYS—0

NOT VOTING—0

EXCUSED—2

Dininni      Pievsky

The question was determined in the affirmative, and the amendments were agreed to.

On the question recurring,

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

**BILL PASSED OVER**

The SPEAKER pro tempore. Without objection, HB 444, PN 3625, as amended, will go over.

The Chair also orders the clerk to make sure that HB 444 and HB 1361 be reprinted as amended.

**APPROPRIATIONS COMMITTEE MEETING**

The SPEAKER pro tempore. The Chair recognizes the gentleman from Erie, Mr. Cappabianca, who calls a meeting of the Appropriations Committee at the rear of the House immediately.

**EDUCATION COMMITTEE MEETING**

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Cowell, for the purpose of an announcement.

Mr. COWELL. Thank you, Mr. Speaker.

Mr. Speaker, earlier today the Education Committee began a meeting and then recessed it. That meeting which was recessed at 1 p.m. will be reconvened in room 39E at 8:15 p.m. That is a meeting of the House Education Committee.

**HOUSE SCHEDULE**

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

Mr. DeWEESE. Mr. Speaker, I would like some attention from the members of both sides of the aisle. What I shall convey is of some importance to us during the evening.

At 7 o'clock sharp we shall be served our evening meal in the atrium, and at 8:30 the Democrats, and I think after consultation with my colleagues on the other side, both sides will caucus on the budget at 8:30 and we shall return to the floor to commence those deliberations at 9:30. So to repeat, dinner at 7 sharp; 8:30 our caucuses will commence; and hopefully we will have a 9:30 floor session.

If the caucuses go a little bit longer, that is a simple problem to remedy. We shall just push the floor session back.

I am very hopeful that we shall do the business of the budget this evening and conclude our spring involvement tonight. Thank you, Mr. Speaker.

**BILL REMOVED FROM TABLE**

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

Mr. DeWEESE. Mr. Speaker, I move that SB 1570 be taken from the table and placed on the active calendar.

On the question,

Will the House agree to the motion?

Motion was agreed to.

**BILL ON SECOND CONSIDERATION**

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

SB 1570, PN 2113.

**RULES COMMITTEE MEETING**

The SPEAKER pro tempore. The Chair now recognizes the majority leader, who requests that there be a Rules Committee meeting at the majority leader's desk immediately.

**VOTE CORRECTION**

The SPEAKER pro tempore. The Chair recognizes the gentleman from Elk, Mr. Distler.

Mr. DISTLER. To correct the record, Mr. Speaker.

On amendment A2606 to SB 1368, my switch malfunctioned, and I should have been voted in the negative.

The SPEAKER pro tempore. The gentleman's remarks will be spread upon the record.

**BILLS REPORTED FROM COMMITTEES,  
CONSIDERED FIRST TIME, AND  
RECOMMITTED TO COMMITTEE ON RULES**

**HB 1347, PN 3944 (Amended)**

By Rep. GAMBLE

An Act amending the act of May 1, 1933 (P. L. 103, No. 69), known as "The Second Class Township Code," further providing for the display of flags; and further providing for the composition of park or recreation boards.

LOCAL GOVERNMENT.

**HB 2634, PN 3636**

By Rep. RICHARDSON

An Act establishing a separate group of teaching hospitals for the purpose of State payments for medical assistance patients; providing for the formula for such payments; establishing a medical education loan repayment assistance program; and providing for further duties of the Pennsylvania Higher Education Assistance Agency.

HEALTH AND WELFARE.

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

**SB 1165, PN 1437**

By Rep. RICHARDSON

An Act providing a pilot program to establish a pilot Pediatric AIDS Institute Program; and making an appropriation.

HEALTH AND WELFARE.

**BILL REREPORTED FROM COMMITTEE**

**SB 867, PN 1329**

By Rep. CAPPABIANCA

An Act prohibiting certain conduct with respect to caves; prohibiting the sale of certain minerals; and imposing penalties.

APPROPRIATIONS.

**BILL ON SECOND CONSIDERATION**

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

**SB 867, PN 1329.**

**RESOLUTION REPORTED FROM COMMITTEE**

**SR 165, PN 2198**

By Rep. DeWEESE

A Concurrent Resolution commemorating the 50th anniversary of the opening of the Pennsylvania Turnpike.

RULES.

**BILLS ON CONCURRENCE REPORTED  
FROM RULES COMMITTEE**

**HB 591, PN 3779**

By Rep. DeWEESE

An Act amending the act of July 15, 1976 (P. L. 1036, No. 208), known as the "Volunteer Fire Company, Ambulance Service and Rescue Squad Assistance Act," providing for an exception to loan limits and adjusting loan limits; providing for a

referendum question on additional indebtedness; providing for contracts for services between the Commonwealth and volunteer fire, ambulance and rescue companies; and making appropriations.

RULES.

**HB 623, PN 1827**

By Rep. DeWEESE

An Act to provide additional appropriations from the General Fund for the expenses of the Executive Department and Judicial Department of the Commonwealth, the public debt and for the public schools for the fiscal year July 1, 1988, to June 30, 1989, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1988; to provide additional appropriations from the Motor License Fund to the Executive Department; to provide for the additional appropriation of Federal funds to the Executive Department of the Commonwealth for the fiscal year July 1, 1988, to June 30, 1989, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1988.

RULES.

**VOTE CORRECTIONS**

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Petrone.

Mr. PETRONE. Thank you, Mr. Speaker.

On Wednesday, June 27, on HB 2635, my switch was not operating properly. I was recorded as not voting. I would like to be recorded in the affirmative.

The SPEAKER pro tempore. The gentleman's remarks will be spread upon the record.

Mr. PETRONE. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair wishes to reiterate the announcement that dinner will be served in the atrium at 7 o'clock, caucus at 8:30, and return to the floor at 9:30.

The Chair recognizes the gentleman from Cumberland, Mr. Broujos.

Mr. BROUJOS. Mr. Speaker, on concurrence in HB 700, PN 3834, I would like to be recorded in the negative.

The SPEAKER pro tempore. The gentleman's remarks will be spread upon the record.

Mr. BROUJOS. Thank you.

**THE SPEAKER (ROBERT W. O'DONNELL)  
PRESIDING**

**BILLS SIGNED BY SPEAKER**

The Chair gave notice that he was about to sign the following bills, which were then signed:

**HB 334, PN 3836**

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for certificate of title applications, transfers and security interests and for manufacturer and dealer registration plates; providing for special registration plates for Pearl Harbor survivors and for circus and carnival use; further providing for suspension of registration, suspension of vehicle business registration plates, revocation or suspension of operating privilege and cancellation of driver's license; providing for personnel actions based on certain employee safety consider-

ations and for the Motor Vehicle Transaction Recovery Fund; further providing for a certain restricted receipts fund, for certificates of registration and decals and for exemptions from registration; and making a repeal.

**HB 368, PN 3778**

An Act amending the act of July 1, 1981 (P. L. 191, No. 57), entitled "An act establishing certain fees to be charged by registers of wills in counties of the fifth, sixth, seventh and eighth class and providing for fees in counties of the second, second A, third and fourth class," providing for the fees to be levied by register of wills in counties of the second through eighth class.

**HB 700, PN 3834**

An Act prohibiting health care practitioners from balance billing for services to certain patients.

**HB 1294, PN 3468**

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for exemption from registration fees; increasing the penalty for certain parking violations relating to handicapped and disabled veterans' parking spaces; and authorizing local authorities to permit handicapped persons and disabled veterans to issue certain statements.

**HB 1556, PN 3708**

An Act amending the act of July 1, 1981 (P. L. 193, No. 58), entitled "An act establishing certain fees to be charged by clerks of the orphans' courts of counties of the fifth, sixth, seventh and eighth class and providing for fees in counties of the second, second A, third and fourth class," providing for the fees to be levied by clerks of orphans' courts in second through eighth class counties.

**HB 1796, PN 2250**

An Act designating a certain bridge in Everett Borough, Bedford County, Pennsylvania, as the Ellis R. Weicht Bridge.

**HB 1955, PN 3709**

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for application for certificate of title and notice of change of name or address; providing for notice to insurers regarding collision coverage on rental vehicles; further providing for use and display of illuminated signs, issuance of certificate of inspection, width of vehicles, and fraudulent documents and plates.

**HB 2492, PN 3416**

An Act amending the act of July 11, 1985 (P. L. 209, No. 54), entitled "An act authorizing the incurring of debt for the purpose of financing the Federal share of construction of interstate highways," further providing for the power to incur debt.

**HB 2579, PN 3554**

An Act amending the act of December 17, 1988 (P. L. 2242, No. 69A), entitled "An act appropriating money from the Sunny Day Fund to the Department of Commerce for various projects throughout this Commonwealth for fiscal year 1988-1989," further providing for the award of funds for certain projects.

**HB 2710, PN 3772**

An Act amending the act of October 5, 1972 (Sp. Sess. No. 1, P. L. 2019, No. 4), entitled, as amended, "An act implementing the provisions of clause (1) of subsection (a) of section 7 of Article VIII of the Constitution of the Commonwealth of Penn-

sylvania authorizing the incurring of debt for the rehabilitation of areas affected by the Great Storm and Floods of September, 1971 and June, 1972, and the Great Flood of July, 1977 through urban redevelopment assistance; imposing duties upon the Governor, the Auditor General and State Treasurer; prescribing the procedures for the issuance, sale and payment of general obligations bonds, the funding of debt and refunding of bonds; exempting said bonds from State and local taxation; creating certain funds; and making an appropriation," further providing for the disposition of funds in the Disaster Relief Fund.

**RECESS**

The SPEAKER. The House will recess until 9:30.

**RECESS EXTENDED**

The time of recess was extended until 10 p.m.

**AFTER RECESS**

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

**SENATE MESSAGE**

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

The clerk of the Senate, being introduced, returned **HB 853, PN 3910**; and **HB 1141, PN 3888**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

**REPORT OF COMMITTEE ON COMMITTEES**

The SPEAKER. The Chair submits the following supplemental report of the Committee on Committees for the record.

The following report was submitted:

**Committee on Committees  
Supplemental Report**

In the House of Representatives  
June 30, 1990

**RESOLVED, that**

Representative Herman Mihalich, of Westmoreland County, is elected a member of the Liquor Control, Local Government, and Youth and Aging Committees, vice Representatives Dwight Evans, Connie Maine, and Richard Olasz resigned, respectively.

Respectfully submitted,  
Italo S. Cappabianca  
Chairman  
Committee on Committees

On the question,  
Will the House adopt the resolution?  
Resolution was adopted.

**BILLS SIGNED BY SPEAKER**

The Chair gave notice that he was about to sign the following bills, which were then signed:

**SB 295, PN 2077**

An Act amending the act of August 13, 1963 (P. L. 774, No. 390), entitled "County Jail Prisoner Temporary Release Law," deleting gender specific language; and authorizing the collection of confinement costs in cases relating to prisoners confined only during weekends or short periods of time.

**SB 558, PN 1102**

An Act amending the act of February 19, 1980 (P. L. 15, No. 9), entitled "Real Estate Licensing and Registration Act," providing for continuing education.

**SB 576, PN 2388**

An Act providing for a Statewide emergency telephone number "911" system; providing for contributions from telephone subscribers; providing a penalty; and making a repeal.

**SB 1272, PN 2320**

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the Catastrophic Loss Benefits Continuation Fund; creating the offense of trespass by motor vehicles; and further providing for fines, penalties and suspension of driver's license for unauthorized operation of motor vehicles on private real property.

**SB 1458, PN 2001**

An Act amending the act of January 17, 1968 (P. L. 11, No. 5), entitled "The Minimum Wage Act of 1968," providing for certain exceptions from the minimum wage provisions.

**SB 1617, PN 2353**

An Act amending the act of July 2, 1984 (P. L. 527, No. 106), entitled "Recreational Improvement and Rehabilitation Act," further defining "recreation purposes"; further providing for additional rehabilitation projects; changing the allocation of funds and the availability of funds to cities of the first class; and making a repeal.

**RULES SUSPENDED**

The SPEAKER. The Chair recognizes the majority leader. Mr. DeWEESE. Mr. Speaker, I move that House rule 30 be suspended for purposes of permitting HB 2458, PN 3932, to come directly to the calendar without going into the Rules Committee.

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

The SPEAKER. The motion is before the House. For what purpose does the gentleman, Mr. Davies, rise?

Mr. DAVIES. Was that a suspension of the rules, Mr. Speaker?

The SPEAKER. The Chair recognized the majority leader, who moved to suspend rule 30 to permit HB 2458, PN 3932, to be put directly on the calendar without going to the Rules Committee. We are about to take a vote on that issue.

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

The following roll call was recorded:

**YEAS—198**

Acosta	Dombrowski	Langtry	Rieger
Adolph	Donatucci	Lashinger	Ritter
Allen	Dorr	Laughlin	Robbins
Angstadt	Durham	Lee	Robinson
Argall	Evans	Leh	Roebuck
Barley	Fairchild	Lescovitz	Rudy
Battisto	Fargo	Levdansky	Ryan
Belardi	Farmer	Linton	Rybak
Belfanti	Fee	Lloyd	Saloom
Billow	Fleagle	Lucyk	Saurman
Birmelin	Flick	McCall	Scheetz
Bishop	Foster	McHale	Schuler
Black	Fox	McNally	Scrimenti
Blaum	Freeman	McVerry	Semmel
Bortner	Freind	Maiale	Serafini
Bowley	Gallen	Maine	Smith, B.
Boyes	Gamble	Markosek	Smith, S. H.
Brandt	Gannon	Marsico	Snyder, D. W.
Broujos	Geist	Mayernik	Snyder, G.
Bunt	George	Melio	Staback
Burd	Gigliotti	Merry	Stairs
Burns	Gladeck	Michlovic	Steighner
Bush	Godshall	Micozzie	Stish
Caltagirone	Gruitza	Mihalich	Strittmatter
Cappabianca	Gruppo	Miller	Suban
Carlson	Hagarty	Moehlmann	Tangretti
Carn	Haluska	Morris	Taylor, E. Z.
Cawley	Harper	Mowery	Taylor, F.
Cessar	Hasay	Mrkonic	Taylor, J.
Chadwick	Hayden	Murphy	Telek
Civera	Hayes	Nahill	Thomas
Clark, B. D.	Heckler	Nailor	Tigue
Clark, D. F.	Herman	Noye	Trello
Clark, J. H.	Hershey	O'Brien	Trich
Clymer	Hess	Olasz	Veon
Cohen	Howlett	Oliver	Vroon
Colaella	Hughes	Perzel	Wambach
Colaizzo	Itkin	Pesci	Wass
Cole	Jackson	Petrarca	Weston
Cornell	Jadlowiec	Petrone	Williams
Corrigan	James	Phillips	Wilson
Cowell	Jarolin	Piccola	Wogan
Coy	Johnson	Pistella	Wozniak
DeLuca	Kaiser	Pitts	Wright, D. R.
DeWeese	Kasunic	Pressmann	Wright, J. L.
Daley	Kenney	Preston	Wright, R. C.
Davies	Kondrich	Raymond	Yandrisevits
Dempsey	Kosinski	Reber	
Dietterick	Kukovich	Reinard	O'Donnell,
Distler	LaGrotta	Richardson	Speaker

**NAYS—0**

**NOT VOTING—2**

Josephs            Van Horne

**EXCUSED—2**

Dininni            Pievsky

A majority of the members elected to the House having voted in the affirmative, the question was determined in the affirmative and the motion was agreed to.

**SENATE MESSAGE****AMENDED HOUSE BILL  
RETURNED FOR CONCURRENCE**

The clerk of the Senate, being introduced, returned **HB 2458, PN 3932**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

**ADDITIONS AND DELETIONS OF SPONSORS**

The **SPEAKER**. The Chair acknowledges the receipt of additions and deletions of sponsors of bills, which will be submitted for the record.

The following list was submitted:

**ADDITIONS:**

HB 223, Colafella, Telek, Olasz, Yandrisevits, Dieterick, Black, Staback, Cawley, Petrarca, Saurman, Donatucci, D. R. Wright, Steighner, Fee, Gruitza, Wozniak, Cowell, Gigliotti, Tangretti, Maine, Freind, Boyes, McNally; HB 444, Mrkonic; HB 458, Allen; HB 887, Mrkonic; HB 1361, Mrkonic; HB 1399, Raymond; HB 2122, Mrkonic; HB 2152, Birmelin; HB 2272, Flick; HB 2376, Fox; HB 2411, James; HB 2412, James; HB 2413, James; HB 2561, Laughlin, Petrarca; HB 2568, James; HB 2569, James; HB 2570, James; HB 2641, Blaum; HB 2643, Blaum; HB 2676, McHale; HB 2685, James; HB 2687, Thomas, Linton; HB 2688, Michlovic, Richardson; HB 2689, James; HB 2691, Serafini; HB 2692, Serafini; HB 2695, Josephs, Preston; HB 2696, Kenney, James, G. M. Snyder; HB 2699, James; HB 2702, G. M. Snyder; HB 2704, Michlovic, Kenney; HB 2706, Kenney, G. M. Snyder; HB 2715, J. J. Taylor; HB 2729, Bortner; HB 2761, Fox, Adolph, Michlovic, Civera, Flick, Scrimenti; HB 2767, Hess, Harper, Adolph, J. J. Taylor, Coy, Michlovic, E. Z. Taylor, Burd, Civera, Raymond; HB 2768, J. J. Taylor; HB 2769, J. J. Taylor; HB 2770, J. J. Taylor; HB 2771, J. J. Taylor; HB 2772, J. J. Taylor; HB 2773, J. J. Taylor; HB 2774, J. J. Taylor; HB 2775, J. J. Taylor; HB 2776, J. J. Taylor; HB 2780, Michlovic; HB 2787, Adolph; HB 2789, McVerry; HB 2790, D. R. Wright, DeLuca, Gamble, Preston, Telek; HB 2793, DeLuca; HR 137, Hagarty; HR 337, Flick, E. Z. Taylor; HR 338, Harper; HR 340, Morris; HR 342, Laughlin, Fox, Adolph, Rudy; HR 345, Pistella, DeLuca, Dieterick, Telek, Michlovic, Mihalich, Laughlin, Hughes, E. Z. Taylor, Trello, Levdansky, J. J. Taylor, Raymond.

**DELETIONS:**

HB 444, Bunt; HB 773, Haluska; HB 1361, Bunt; HB 2603, Richardson.

**COMMUNICATION****LOBBYIST LIST PRESENTED**

The **SPEAKER**. The Chair acknowledges receipt of the registered lobbyists under the Lobbying Registration and Regulation Act, which the clerk will file.

The following communication was submitted:

Senate of Pennsylvania

June 30, 1990

To the Honorable, the Senate of the  
Commonwealth of Pennsylvania  
To the Honorable, the House of Representatives  
of the Commonwealth of Pennsylvania

In compliance with Act No. 712 of the 1961 Session and Act No. 212 of the 1976 Session of the General Assembly titled the "Lobbying Registration and Regulation Act," we herewith jointly present a list containing the names and addresses of the persons who have registered from June 1, 1990 through June 30, 1990 inclusive, for the 174th Session of the General Assembly. This list also contains the names and addresses of the organizations represented by these registrants.

Respectfully submitted:  
Mark R. Corrigan, Secretary  
Senate of Pennsylvania  
John J. Zubeck, Chief Clerk  
House of Representatives

(For list, see Appendix.)

**CALENDAR CONTINUED****BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **SB 845, PN 2340**, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to acquire, for a nominal sum or gift, on behalf of the Commonwealth, the New Freedom Theatre in the City of Philadelphia; providing for its renovation and authorizing an agreement for the exclusive possession and administration thereof by New Freedom Theatre, Inc.; and providing for the reversion of ownership to New Freedom Theatre, Inc.

On the question,

Will the House agree to the bill on third consideration?

Mr. THOMAS offered the following amendments No. A3148:

Amend Title, page 1, lines 7 through 13, by striking out all of said lines and inserting

Authorizing the Pennsylvania Historical and Museum Commission to acquire, for a nominal sum or gift, on behalf of the Commonwealth, the New Freedom Theatre in the City of Philadelphia; providing for its renovation and authorizing an agreement for the administration thereof by the New Freedom Theatre Group.

Amend Bill, page 3, lines 21 through 30; page 4, lines 1 through 22, by striking out all of said lines on said pages and inserting

Section 1. Acceptance of gift.

The Pennsylvania Historical and Museum Commission is hereby authorized and empowered to acquire for a nominal sum or gift, on behalf of the Commonwealth, the New Freedom Theatre which is located in the City of Philadelphia.

Section 2. Restoration and maintenance.

Upon acquisition, the Pennsylvania Historical and Museum Commission is directed to restore, improve and maintain, or contract for the restoration, improvement and maintenance of, the New Freedom Theatre.

Section 3. Supervision and management.

The Pennsylvania Historical and Museum Commission is authorized to enter into an agreement with the New Freedom Theatre Group whereby it shall have possession and administration of the New Freedom Theatre. The agreement shall establish the terms of possession in the form of a lease acceptable to both parties. The agreement shall contain a covenant of that group to maintain the property so as to promote public awareness of the history and culture of African-Americans.

Section 4. Effective date.

This act shall take effect immediately.

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

The SPEAKER. On that question, the Chair recognizes Mr. Thomas.

Mr. THOMAS. Thank you, Mr. Speaker.

I am offering amendment 3148 to SB 845, which basically spells out the transfer of title from New Freedom Theatre to the Pennsylvania Historical and Museum Commission.

I urge my colleagues on both sides of the aisle to support this amendment. Thank you.

The SPEAKER. The Chair recognizes Mr. Ryan.

Mr. RYAN. Mr. Speaker, the gentleman, Mr. Thomas, and I spent a good bit of today going back and forth on a series of amendments in an attempt to work out the problem of the New Freedom Theatre. I think we have worked it out. The amendments that we had discussed in caucus where this theater at some later date would revert back to the New Theatre Group have been eliminated. This is simply a conveyance of the property. There is no money involved in this amendment or bill. It is a conveyance of the property to the Commonwealth's Historical and Museum Society and provisions for them taking it over, maintaining it, and using it in connection with public awareness of the history and culture of African-Americans.

I would support the amendment and the bill as amended.

Mr. THOMAS. Thank you.

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

The following roll call was recorded:

YEAS—198

Acosta	Donatucci	Langtry	Rieger
Adolph	Dorr	Lashingier	Ritter
Allen	Durham	Laughlin	Robbins
Angstadt	Evans	Lee	Robinson
Argall	Fairchild	Leh	Roebuck
Barley	Fargo	Lescovitz	Rudy
Battisto	Farmer	Levdansky	Ryan
Belardi	Fee	Linton	Rybak
Belfanti	Fleagle	Lloyd	Saloom
Billow	Flick	Lucyk	Saurman
Birmelin	Foster	McCall	Scheetz
Bishop	Fox	McHale	Schuler
Black	Freeman	McNally	Scrimenti
Blaum	Freind	McVerry	Semmel
Bortner	Gallen	Maiale	Serafini
Bowley	Gamble	Maine	Smith, B.
Boyes	Gannon	Markosek	Smith, S. H.
Brandt	Geist	Marsico	Snyder, D. W.
Broujos	George	Mayernik	Snyder, G.
Bunt	Gigliotti	Melio	Staback
Burd	Gladeck	Merry	Stairs
Burns	Godshall	Michlovic	Steighner
Bush	Gruitza	Micozzie	Stish
Caltagirone	Gruppo	Mihalich	Strittmatter
Cappabianca	Hagarty	Miller	Stuban
Carlson	Haluska	Moehlmann	Tangretti
Carn	Harper	Morris	Taylor, E. Z.
Cawley	Hasay	Mowery	Taylor, F.
Cessar	Hayden	Mrkonic	Taylor, J.
Chadwick	Hayes	Murphy	Telek
Civera	Heckler	Nahill	Thomas
Clark, B. D.	Herman	Nailor	Tigue

Clark, J. H.	Hershey	Noye	Trello
Clymer	Hess	O'Brien	Trich
Cohen	Howlett	Olasz	Van Horne
Colafella	Hughes	Oliver	Veon
Colaizzo	Itkin	Perzel	Vroon
Cole	Jackson	Pesci	Wambach
Cornell	Jadlowiec	Petrarca	Wass
Corrigan	James	Petrone	Weston
Cowell	Jarolin	Phillips	Williams
Coy	Johnson	Piccola	Wilson
DeLuca	Josephs	Pistella	Wozniak
DeWeese	Kaiser	Pitts	Wright, D. R.
Daley	Kasunic	Pressmann	Wright, J. L.
Davies	Kenney	Preston	Wright, R. C.
Dempsey	Kondrich	Raymond	Yandrisevits
Dietterick	Kosinski	Reber	
Distler	Kukovich	Reinard	O'Donnell,
Dombrowski	LaGrotta	Richardson	Speaker

NAYS—0

NOT VOTING—2

Clark, D. F. Wogan

EXCUSED—2

Dininni Pievsky

The question was determined in the affirmative, and the amendments were agreed to.

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—187

Acosta	Dietterick	Langtry	Rieger
Adolph	Distler	Lashingier	Ritter
Allen	Dombrowski	Laughlin	Robbins
Angstadt	Donatucci	Lee	Robinson
Argall	Durham	Leh	Roebuck
Barley	Evans	Lescovitz	Rudy
Battisto	Fairchild	Levdansky	Ryan
Belardi	Farmer	Linton	Rybak
Belfanti	Fee	Lloyd	Saloom
Billow	Fleagle	Lucyk	Saurman
Birmelin	Flick	McCall	Scheetz
Bishop	Fox	McHale	Schuler
Black	Freeman	McNally	Scrimenti
Blaum	Freind	McVerry	Semmel
Bortner	Gallen	Maiale	Serafini
Bowley	Gamble	Maine	Smith, S. H.
Boyes	Gannon	Markosek	Snyder, D. W.
Brandt	Geist	Marsico	Snyder, G.
Broujos	George	Mayernik	Staback
Bunt	Gigliotti	Melio	Steighner
Burd	Gladeck	Michlovic	Stish
Burns	Godshall	Micozzie	Strittmatter
Bush	Gruitza	Mihalich	Stuban
Caltagirone	Gruppo	Miller	Tangretti
Cappabianca	Hagarty	Morris	Taylor, E. Z.
Carlson	Haluska	Mowery	Taylor, F.
Carn	Harper	Mrkonic	Taylor, J.
Cawley	Hasay	Murphy	Telek
Cessar	Hayden	Nahill	Thomas
Chadwick	Hayes	Nailor	Tigue
Civera	Herman	Noye	Trello
Clark, B. D.	Hershey	O'Brien	Trich



Clark, D. F.	Hess	Olasz	Van Horne
Clark, J. H.	Howlett	Oliver	Veon
Clymer	Hughes	Pesci	Vroon
Cohen	Itkin	Petrarca	Wambach
Colaella	Jackson	Petrone	Wass
Colaizzo	Jadlowiec	Phillips	Williams
Cole	James	Piccola	Wilson
Cornell	Jarolin	Pistella	Wozniak
Corrigan	Johnson	Pitts	Wright, D. R.
Cowell	Josephs	Pressmann	Wright, J. L.
Coy	Kaiser	Preston	Wright, R. C.
DeLuca	Kasunic	Raymond	Yandrisevits
DeWeese	Kondrich	Reber	
Daley	Kosinski	Reinard	O'Donnell,
Davies	LaGrotta	Richardson	Speaker
Dempsey			

NAYS—5

Fargo	Merry	Moehlmann	Stairs
Kenney			

NOT VOTING—8

Dorr	Heckler	Perzel	Weston
Foster	Kukovich	Smith, B.	Wogan

EXCUSED—2

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

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

**SUPPLEMENTAL CALENDAR A  
BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 614, PN 3934**, entitled:

An Act amending the act of December 19, 1984 (P. L. 1140, No. 223), known as the "Oil and Gas Act," further providing for definitions, well permits, well registration, inactive status, plugging requirements, well reporting requirements, bonding, the Oil and Gas Technical Advisory Board, public nuisances, civil penalties, determination of compliance, unlawful conduct, surcharges for new wells; and further providing for local ordinances.

On the question,

Will the House agree to the bill on third consideration?

Mr. D. R. WRIGHT offered the following amendments No. A3141:

Amend Title, page 1, line 21, by inserting after "wells" exempting certain wells from bonding requirements;

Amend Bill, page 3, by inserting between lines 21 and 22

Section 2. The act is amended by adding a section to read: Section 104. Exemptions.

All wells drilled prior to January 1, 1975, shall be exempt from the bonding provisions of this act.

Amend Sec. 2, page 3, line 22, by striking out "2" and inserting

3

Amend Sec. 3, page 4, line 25, by striking out "3" and inserting

4

Amend Sec. 4, page 16, line 22, by striking out "4" and inserting

5

Amend Sec. 5, page 27, line 9, by striking out "5" and inserting

6

Amend Sec. 6, page 27, line 21, by striking out "6" and inserting

7

Amend Sec. 7, page 30, line 9, by striking out "7" and inserting

8

Amend Sec. 8, page 30, line 26, by striking out "8" and inserting

9

Amend Sec. 9, page 32, line 11, by striking out "9" and inserting

10

On the question,

Will the House agree to the amendments?

The SPEAKER. On that question, the Chair recognizes Mr. Wright.

Mr. D. R. WRIGHT. Thank you, Mr. Speaker.

I am offering an amendment on behalf of small operators and landowners of small parcels in many instances in 20 counties in western Pennsylvania, which simply says that "All wells drilled prior to January 1, 1975, shall be exempt from the bonding provisions of this act."

There are substantial reasons for this amendment. I am sure that there will be some discussion on the amendment. I will be happy to speak about it before its final passage, but in the meantime I simply ask for your favorable consideration of this amendment.

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

Mr. BOWLEY. Thank you, Mr. Speaker.

Mr. Speaker, I reluctantly must rise and oppose this amendment, amendment 3141.

The bill that we are dealing with today, HB 614, has been under discussion for a little over a year. I have worked very closely, hopefully, with the various oil and gas industry groups around the Commonwealth. The amendment that is in the bill now, as it came out of the Appropriations Committee, is an agreed-to amendment. In its present form, the Governor, upon recommendation from DER (Department of Environmental Resources), would sign the bill.

The amendment attempts to say that all those gas and oil wells drilled prior to January 1, 1975, do not have to get bonded. Currently, your bond is used by the department in case an oil or gas well destroys someone's water well. The department has an opportunity to come back and get some money to correct that water-well problem that one of your constituents may have. If a particular oil and gas well operator cannot buy a bond, they only have to pay a \$50 fee of lieu of. Therefore, I do not feel there is any difference between a well drilled prior to January 1, 1975, and one drilled on January 2, 1975.

Mr. Speaker, I would ask for a negative vote.

The SPEAKER. The Chair recognizes Mr. Daley.

Mr. DALEY. Thank you, Mr. Speaker.

Would the maker of the amendment stand for brief interrogation?

The SPEAKER. The gentleman indicates that he will. The gentleman may proceed.

Mr. DALEY. The only question I have, Mr. Speaker, is, has anyone contacted the Governor's Office as to his intent if this amendment is included in this legislation?

Mr. D. R. WRIGHT. I have not contacted the Governor's Office. I just spoke recently with the secretary for legislation. They are not enthusiastic, I must say, about this amendment.

Mr. DALEY. My understanding is that the Governor anticipates a veto on this if this amendment is included. Is that your understanding?

Mr. D. R. WRIGHT. That is not my understanding. There was no commitment made one way or the other whether or not the Governor would veto it. There was no statement made that he would or that he would not.

Mr. DALEY. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes Mr. Black.

Mr. BLACK. I rise in support of the amendment.

My colleague, Representative Bowley, talks about money not being there to take care of problem wells. I live in the middle of the oil district, and the wells that have been taken care of by the department in recent years have been funded by various methods. There are funds in there for new wells that are drilled. The majority of the wells that are being drilled in that area at the present time are gas wells, and I do believe that there will be money there to take care of that problem.

I ask the members to support this amendment. Thank you.

The SPEAKER. The Chair recognizes Mr. Pressmann.

Mr. PRESSMANN. Thank you, Mr. Speaker.

Mr. Speaker, would the gentleman, Mr. Bowley, stand for a brief period of interrogation?

The SPEAKER. The gentleman indicates that he will. The gentleman may proceed.

Mr. PRESSMANN. Mr. Speaker, has the gentleman had any conversations with the Governor's Office in relation to what the Governor would do if this amendment were to pass into the bill?

Mr. BOWLEY. Yes, Mr. Speaker, I have.

As I indicated earlier, I worked long and hard with the Governor on this. In its current form, the Governor will sign this bill. If this amendment goes in, to the best of my knowledge from commitments I have had, the Governor will veto this legislation.

Mr. PRESSMANN. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes Mr. Wass.

Mr. WASS. Thank you, Mr. Speaker.

Mr. Speaker, may I interrogate Mr. Bowley, please?

The SPEAKER. The gentleman indicates he is willing to be interrogated. The gentleman may proceed.

Mr. WASS. Mr. Speaker, I understand that the amendment goes for wells beyond 1975. Would it be true that there are some wells that are not in production that would be included in this particular bonding?

Mr. BOWLEY. Yes, Mr. Speaker. Under the current law, all oil and gas wells in the Commonwealth, regardless of when they were drilled, if they are being operated, they have to have a bond.

Mr. WASS. Mr. Speaker, is it true that many wells are not being operated? There are wells that are dormant, wells that they do not even know where they are located on their particular tracts of land.

Mr. BOWLEY. That is correct, Mr. Speaker.

If you will look closely at the legislation, we have added a new definition for "orphan well" to take care of those wells that are discovered on someone's property that the current property owner did not drill and did not receive any economic benefit from.

Mr. WASS. Mr. Speaker, would you expand on that?

Mr. BOWLEY. Would I expand on it?

Mr. WASS. Yes.

Mr. BOWLEY. Certainly.

One of the concerns of the small oil and gas producers around the Commonwealth is, they are required to register all the wells on their property, whether they are in operation or not. We have added the definition of "orphan well" to try to address this problem where a property owner or an oil and gas operator can declare a well as an orphan well, meaning that this is an abandoned well that they have not received any economic benefit from and therefore should not be held liable for it.

Mr. WASS. Mr. Speaker, if I may, who then becomes liable for the well?

Mr. BOWLEY. Mr. Speaker, if they continue to operate the well that they have discovered, then they will have to post a bond for it. However, if they are not going to operate it, they are only responsible for the plugging of the well. They do not have to get a bond on the well.

Mr. WASS. Mr. Speaker, for those wells that are not identified to ownership and wells that are not in production, the landowner who is living there on that property is still liable for that well that he does not claim as his or is in nonproduction and is a well that was drilled sometime back in 1900 or 1910.

Mr. BOWLEY. Mr. Speaker, that is what we are trying to correct. We are trying to add a definition of "orphan well" to the Oil and Gas Act so that the property owners can declare to the department that that is an orphan well on their property, and therefore, they are not held responsible for bonding.

Mr. WASS. Mr. Speaker, then who is responsible for that well?

Mr. BOWLEY. The Commonwealth then, Mr. Speaker, is responsible for it.

Mr. WASS. The Commonwealth is responsible for all orphan wells.

Mr. BOWLEY. Yes, Mr. Speaker, unless they can successfully go back and find who the prior owner was and who received economic benefit from the production of that well.

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

The SPEAKER. The Chair recognizes Mr. Black.

Mr. BLACK. Mr. Speaker, will Mr. Bowley stand for a brief period of interrogation?

The SPEAKER. The gentleman indicates that he will. The gentleman may proceed.

Mr. BLACK. Mr. Speaker, can you give me any indication of the number of wells that would fall under the orphan category versus those that would be taken in under the grandfathering clause?

Mr. BOWLEY. Mr. Speaker, I could not give you an exact number. We do know that there are approximately 80,000 wells registered. I daresay there are probably at least that many more wells that are drilled in the Commonwealth that have not been registered, and many of those will qualify as orphan wells.

Mr. BLACK. So the problem will be taken care of because they are orphan wells? They will be plugged with Commonwealth funds?

Mr. BOWLEY. Mr. Speaker, the vast majority of those will be plugged with the orphan well fund that we are establishing under this act, unless it can be determined who the prior owner was, and then they will be held responsible for plugging.

Mr. BLACK. Do you know, to the present date, how many wells or the number of wells that have been plugged by the Commonwealth and paid for by funds out of the plugging fund?

Mr. BOWLEY. I am not aware of the exact number, although I will agree with you that it is a very few number, and hopefully we will try to get more plugged in the future that are causing environmental damage.

Mr. BLACK. One other question: The language in this bill, is this your language; is this agreed-to language by the Independent Petroleum Producers, the Governor's Office, and yourself?

Mr. BOWLEY. Mr. Speaker, this is language that has been worked on over the last couple months. I am not going to stand here and say that all four of those groups are supportive of it. I will say that I am supportive of it. The Governor would sign this language as it is. I believe the Pennsylvania Natural Gas Association supports the majority of it, along with POGAM (Pennsylvania Oil and Gas Association). However, I understand the Pennsylvania Independent Petroleum Producers probably agree with most of it but would like the amounts on the phase collateral reduced.

Mr. BLACK. So you are saying that if the Wright amendment is added, the Governor's Office will veto it. Does that leave the only group that is not approving it our Department of Environmental Resources?

Mr. BOWLEY. No, Mr. Speaker. I am saying that as it is currently written, if this bill would reach the Governor's desk, he would sign it. If changes are made, obviously he has a chance to veto it or sign it. I am just saying that at this current time, this is language that the Governor's Office will approve.

Mr. BLACK. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes Mr. Wright.

Mr. D. R. WRIGHT. Thank you, Mr. Speaker.

I think we all recognize that what we are dealing with here is an amendment to Act 223. Act 223 came before this body after a period of time in which there were identifiable problems that were recognized across the Commonwealth, and many of us joined in the support of that amendment, in the support of Act 223. That was in many ways a good act.

But one of the things that often happens when we pass good legislation is that we experience the law of unintended consequences; and the unintended consequences of Act 223 were that we were making it virtually impossible for several thousand people to come into compliance with the law, and those several thousand people range from widows with small tracts of land who have perhaps a producing well that brings in \$700, \$750 a year. They live on Social Security, and the bonding requirements simply are onerous. They cannot meet that obligation. There are thousands of small people, small operators, with one or two wells who cannot come into economic compliance with the legislation.

If I believed for a minute that the amendment that I am offering today was harmful to the environment, I would not be offering this amendment. I live in the pristine land of western Pennsylvania, the great county of Clarion, where we thrive on recreation and hunting and fishing. We prize highly our environment, and I would not stand here among you saying that we are going to violate and rape our environment. It absolutely is not the case.

It is of no value at all; it is virtually senseless to have legislation that ordinary people cannot comply with. What we are doing if we do not pass this amendment is that we are going to make some people in our Commonwealth either criminals or paupers. They will not be able to comply with the law or they will have to surrender their land to the tax agents.

This is an important amendment for 20 counties. Just a couple of years ago, 118 members of this General Assembly signed on to an amendment that would go much further than what this amendment does. There were 118 members who wanted total grandfathering. All this amendment does is to say that those wells prior to 1975 shall be exempt only from the bonding provisions, only the bonding provisions; they will be subject to every other provision of this law.

The question is raised whether or not the Governor will sign this bill or not. That is not something for me to decide. That is something for the Governor to decide. The last time I checked, as one of our distinguished members pointed out to me just a minute ago, this is not a unicameral body. This bill will go to the Senate, and then perhaps it will go to the Governor, and the Governor then can make a decision whether or not he wants to represent the 20 counties and several thousand people in our area in western Pennsylvania who have a genuine, deep concern about their own livelihood as well as the environment of our wonderful country.

Thank you very much, Mr. Speaker. I urge the adoption of this amendment.

The SPEAKER. Is the gentleman, Mr. Bowley, seeking recognition?

Mr. BOWLEY. Yes, I am, for 2 minutes.

The SPEAKER. The Chair is about to recognize Mr. Bowley. For the information of the members, it is the practice of the House to afford the author of the amendment the last opportunity to speak, and when the Chair observes no one at the microphone, we generally turn to the author of the amendment to see if he wants a second shot. Having done so, it is somewhat unexpected for the Chair to see other members rise after the author of the amendment.

Is the gentleman, Mr. Bowley, seeking recognition?

Mr. BOWLEY. Yes, I am.

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

Mr. BOWLEY. Mr. Speaker, I am sorry that the members of this body have to deal with a controversial amendment tonight. I just want to remind you that bonding in the Oil and Gas Act is used for the faithful performance of all of the drilling, water supply replacement, restoration, and plugging requirements of this act. If you do not require someone to bond and they pollute someone's water, there is no way the department can go back to get any money to correct that problem.

Mr. Speaker, if someone cannot afford a bond, do you know how much they have to pay per well per year? Fifty dollars in the fee in lieu of.

I think our members and the citizens of this Commonwealth, to protect our environment, should have bonding in place. I ask for a negative vote.

The SPEAKER. The Chair recognizes Mr. Michlovic.

Mr. MICHLOVIC. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose the amendment.

This amendment does not discriminate in the size of the various wells. There are some of the largest oil producers in the State that would be grandfathered under this amendment, and I think it is very dangerous. To give you an idea of what kinds of danger can be available here, there are polluted wells in Bradford, McKean County, in a State park there. The park superintendent can literally light his water. In Cobham Park in Warren County, they have polluted wells. They have to use surface water and bring it in. In Versailles Township in Allegheny County, there are a number of polluted wells. These things can be very dangerous and also a lot more than just an irritant to neighbors and people in the immediate area.

So I would urge that we oppose the amendment and defeat it. I would ask the members of the House to do so. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—126

Adolph	Distler	Kondrich	Rudy
Allen	Donatucci	Langtry	Ryan
Angstadt	Dorr	Lashinger	Saurman
Argall	Durham	Lee	Scheetz
Barley	Fairchild	Leh	Schuler
Belfanti	Fargo	Lescovitz	Semmel
Birmelin	Farmer	Lucyk	Serafini
Black	Fleagle	McCall	Smith, B.

Boyes	Flick	McVerry	Smith, S. H.
Brandt	Foster	Maine	Snyder, D. W.
Bunt	Fox	Marsico	Staback
Burd	Freind	Merry	Stairs
Burns	Gallen	Micozzie	Steighner
Bush	Gannon	Miller	Strittmatter
Carlson	Geist	Moehlmann	Stuban
Carn	Gladeck	Mowery	Tangretti
Cessar	Godshall	Nahill	Taylor, E. Z.
Chadwick	Gruitza	Nailor	Taylor, F.
Civera	Gruppo	Noye	Taylor, J.
Clark, B. D.	Hagarty	O'Brien	Telek
Clark, D. F.	Haluska	Olasz	Trello
Clark, J. H.	Hasay	Perzel	Van Horne
Clymer	Hayes	Pesci	Vron
Cohen	Heckler	Petrarca	Wambach
Cornell	Herman	Phillips	Wass
Corrigan	Hershey	Piccola	Weston
Coy	Hess	Pitts	Wilson
DeLuca	Jackson	Raymond	Wogan
DeWeese	Jadlowiec	Reber	Wright, D. R.
Davies	Jarolin	Reinard	Wright, J. L.
Dempsey	Johnson	Robbins	Wright, R. C.
Dietterick	Kenney		

NAYS—71

Acosta	Freeman	Lloyd	Ritter
Battisto	Gamble	McHale	Robinson
Belardi	George	McNally	Roebuck
Billow	Gigliotti	Majale	Rybak
Bishop	Harper	Markosek	Saloom
Blaum	Hayden	Mayernik	Scrimenti
Bortner	Howlett	Melio	Snyder, G.
Bowley	Hughes	Michlovic	Stish
Broujos	Itkin	Mihalich	Thomas
Caltagirone	James	Morris	Tigue
Cappabianca	Josephs	Mrkoncic	Trich
Cawley	Kaiser	Murphy	Veon
Colafella	Kasunic	Oliver	Williams
Cole	Kosinski	Pistella	Wozniak
Cowell	Kukovich	Pressmann	Yandrisevits
Daley	LaGrotta	Preston	
Dombrowski	Laughlin	Richardson	O'Donnell,
Evans	Levdansky	Rieger	Speaker
Fee			

NOT VOTING—3

Colaizzo	Linton	Petrone
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EXCUSED—2

Dininni	Pievsky
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The question was determined in the affirmative, and the amendments were agreed to.

On the question,

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

BILL PASSED OVER TEMPORARILY

The SPEAKER. This bill will be over temporarily.

SUPPLEMENTAL CALENDAR B

BILLS ON CONCURRENCE  
IN SENATE AMENDMENTS

The clerk of the Senate, being introduced, returned the following HB 591, PN 3779, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act amending the act of July 15, 1976 (P. L. 1036, No. 208), known as the "Volunteer Fire Company, Ambulance Service and Rescue Squad Assistance Act," providing for an exception to loan limits and adjusting loan limits; providing for a referendum question on additional indebtedness; providing for contracts for services between the Commonwealth and volunteer fire, ambulance and rescue companies; and making appropriations.

On the question,

Will the House concur in Senate amendments?

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

Mr. WAMBACH. Point of information, Mr. Speaker.

What was the disposition of HB 614 after the Wright amendment?

The SPEAKER. Over temporarily.

Mr. WAMBACH. Thank you, Mr. Speaker.

The SPEAKER. The question is, will the House concur in the amendments inserted by the Senate?

It is moved by the majority leader that the House do concur in the amendments inserted by the Senate.

The question recurs, will the House concur in the amendments inserted by the Senate? Those voting to concur will vote "aye"; those voting to nonconcur will vote "no."

On the question recurring,

Will the House concur in Senate amendments?

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

YEAS—196

Adolph	Donatucci	Lashinger	Robbins
Allen	Dorr	Laughlin	Robinson
Angstadt	Durham	Lee	Roebuck
Argall	Evans	Leh	Rudy
Barley	Fairchild	Lescovitz	Ryan
Battisto	Fargo	Levdansky	Rybak
Belardi	Farmer	Linton	Saloom
Belfanti	Fee	Lloyd	Saurman
Billow	Fleagle	Lucyk	Scheetz
Birmelin	Flick	McCall	Schuler
Bishop	Foster	McHale	Scrimenti
Black	Fox	McNally	Semmel
Blaum	Freeman	McVerry	Serafini
Bortner	Freind	Maiale	Smith, B.
Bowley	Gallen	Maine	Smith, S. H.
Boyes	Gamble	Markosek	Snyder, D. W.
Brandt	Gannon	Marsico	Snyder, G.
Broujos	Geist	Mayernik	Staback
Bunt	George	Melio	Stairs
Burd	Gigliotti	Merry	Steighner
Burns	Gladeck	Michlovic	Stish
Bush	Godshall	Micozzie	Strittmatter
Caltagirone	Gruitza	Mihalich	Stuban
Cappabianca	Gruppo	Miller	Tangretti
Carlson	Hagarty	Mochlmann	Taylor, E. Z.
Carn	Haluska	Morris	Taylor, F.
Cawley	Harper	Mowery	Taylor, J.
Cessar	Hasay	Mrkonic	Telek
Chadwick	Hayden	Murphy	Thomas
Civera	Hayes	Nahill	Tigue
Clark, B. D.	Heckler	Nailor	Trello
Clark, D. F.	Herman	Noye	Trich
Clark, J. H.	Hershey	O'Brien	Van Horne
Clymer	Hess	Olasz	Veon
Cohen	Howlett	Oliver	Vroon
Colafella	Hughes	Perzel	Wambach

Colaizzo	Itkiri	Pesci	Wass
Cole	Jackson	Petrarca	Weston
Cornell	Jadlowiec	Petrone	Williams
Corrigan	Jarolin	Phillips	Wilson
Cowell	Johnson	Piccola	Wogan
Coy	Josephs	Pistella	Wozniak
DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Wright, R. C.
Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	
Dietterick	Kukovich	Rieger	O'Donnell,
Distler	LaGrotta	Ritter	Speaker
Dombrowski	Langtry		

NAYS—0

NOT VOTING—4

Acosta	James	Pitts	Richardson
Dininni	Pievsky		

EXCUSED—2

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

Ordered, That the clerk inform the Senate accordingly.

\* \* \*

The clerk of the Senate, being introduced, returned the following **HB 623, PN 1827**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act to provide additional appropriations from the General Fund for the expenses of the Executive Department and Judicial Department of the Commonwealth, the public debt and for the public schools for the fiscal year July 1, 1988, to June 30, 1989, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1988; to provide additional appropriations from the Motor License Fund to the Executive Department; to provide for the additional appropriation of Federal funds to the Executive Department of the Commonwealth for the fiscal year July 1, 1988, to June 30, 1989, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1988.

On the question,

Will the House concur in Senate amendments?

The SPEAKER. It is moved by the majority leader that the House do not concur in the amendments inserted by the Senate.

The question recurs, will the House concur in the amendments inserted by the Senate? Those voting to concur will vote "aye"; those voting to nonconcur will vote "no."

On the question recurring,

Will the House concur in Senate amendments?

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

YEAS—0

NAYS—200

Acosta	Donatucci	Lashinger	Ritter
Adolph	Dorr	Laughlin	Robbins
Allen	Durham	Lee	Robinson
Angstadt	Evans	Leh	Roebuck
Argall	Fairchild	Lescovitz	Rudy

Barley	Fargo	Levdansky	Ryan
Battisto	Farmer	Linton	Rybak
Belardi	Fee	Lloyd	Saloom
Belfanti	Fleagle	Lucyk	Saurman
Billow	Flick	McCall	Scheetz
Birmelin	Foster	McHale	Schuler
Bishop	Fox	McNally	Scrimenti
Black	Freeman	McVerry	Semmel
Blaum	Freind	Maiale	Serafini
Bortner	Gallen	Maine	Smith, B.
Bowley	Gamble	Markosek	Smith, S. H.
Boyes	Gannon	Marsico	Snyder, D. W.
Brandt	Geist	Mayernik	Snyder, G.
Broujos	George	Melio	Staback
Bunt	Gigliotti	Merry	Stairs
Burd	Gladeck	Michlovic	Steighner
Burns	Godshall	Micozzie	Stish
Bush	Gruitza	Mihalich	Strittmatter
Caltagirone	Gruppo	Miller	Stuban
Cappabianca	Hagarty	Moehlmann	Tangretti
Carlson	Haluska	Morris	Taylor, E. Z.
Carn	Harper	Mowery	Taylor, F.
Cawley	Hasay	Mrkonc	Taylor, J.
Cessar	Hayden	Murphy	Telek
Chadwick	Hayes	Nahill	Thomas
Civera	Heckler	Nailor	Tigue
Clark, B. D.	Herman	Noye	Trello
Clark, D. F.	Hershey	O'Brien	Trich
Clark, J. H.	Hess	Olasz	Van Horne
Clymer	Howlett	Oliver	Veon
Cohen	Hughes	Perzel	Vroon
Colaella	Itkin	Pesci	Wambach
Colaizzo	Jackson	Petrarca	Wass
Cole	Jadlowiec	Petrone	Weston
Cornell	James	Phillips	Williams
Corrigan	Jarolin	Piccola	Wilson
Cowell	Johnson	Pistella	Wogan
Coy	Josephs	Pitts	Wozniak
DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Wright, R. C.
Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	
Dietterick	Kukovich	Richardson	O'Donnell,
Distler	LaGrotta	Rieger	Speaker
Dombrowski	Langtry		

NOT VOTING—0

EXCUSED—2

Dininni      Pievsky

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the amendments were not concurred in.

Ordered, That the clerk inform the Senate accordingly.

**RULES SUSPENDED**

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

Mr. FREEMAN. Mr. Speaker, as the hour of 11 p.m. approaches, I would like to make the motion that we suspend rule 15 so that we can continue in session.

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

The following roll call was recorded:

YEAS—196

Adolph	Donatucci	Langtry	Ritter
Allen	Dorr	Lashinger	Robbins
Angstadt	Durham	Laughlin	Robinson
Argall	Evans	Lee	Roebuck
Barley	Fairchild	Leh	Rudy
Battisto	Fargo	Lescovitz	Ryan
Belardi	Farmer	Levdansky	Rybak
Belfanti	Fee	Linton	Saloom
Billow	Fleagle	Lloyd	Saurman
Birmelin	Flick	Lucyk	Scheetz
Bishop	Foster	McCall	Schuler
Black	Fox	McHale	Scrimenti
Blaum	Freeman	McNally	Semmel
Bortner	Freind	McVerry	Serafini
Bowley	Gallen	Maiale	Smith, B.
Boyes	Gamble	Maine	Smith, S. H.
Brandt	Gannon	Markosek	Snyder, D. W.
Broujos	Geist	Marsico	Snyder, G.
Bunt	George	Mayernik	Staback
Burd	Gigliotti	Melio	Stairs
Burns	Gladeck	Merry	Steighner
Bush	Godshall	Michlovic	Stish
Caltagirone	Gruitza	Micozzie	Strittmatter
Cappabianca	Gruppo	Mihalich	Stuban
Carlson	Hagarty	Miller	Tangretti
Carn	Haluska	Moehlmann	Taylor, E. Z.
Cawley	Harper	Morris	Taylor, F.
Cessar	Hasay	Mowery	Taylor, J.
Chadwick	Hayden	Mrkonc	Telek
Civera	Hayes	Murphy	Thomas
Clark, B. D.	Heckler	Nahill	Tigue
Clark, D. F.	Herman	Nailor	Trello
Clark, J. H.	Hershey	Noye	Trich
Clymer	Hess	O'Brien	Van Horne
Cohen	Howlett	Olasz	Veon
Colaella	Hughes	Oliver	Vroon
Colaizzo	Itkin	Perzel	Wambach
Cole	Jackson	Pesci	Wass
Cornell	Jadlowiec	Petrone	Weston
Corrigan	James	Phillips	Williams
Cowell	Jarolin	Piccola	Wilson
Coy	Johnson	Pistella	Wogan
DeLuca	Josephs	Pitts	Wozniak
DeWeese	Kaiser	Pressmann	Wright, J. L.
Daley	Kasunic	Preston	Wright, R. C.
Davies	Kenney	Reber	Yandrisevits
Dempsey	Kondrich	Reinard	
Dietterick	Kosinski	Richardson	O'Donnell,
Distler	Kukovich	Rieger	Speaker
Dombrowski	LaGrotta		

NAYS—0

NOT VOTING—4

Acosta      Petrarca      Raymond      Wright, D. R.

EXCUSED—2

Dininni      Pievsky

A majority of the members elected to the House having voted in the affirmative, the question was determined in the affirmative and the motion was agreed to.

**VOTE CORRECTION**

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

Mr. PITTS. Mr. Speaker, I was out of my seat and missed the vote on concurrence in HB 591. I would like to be voted in the affirmative, please.

The SPEAKER. The remarks of the gentleman will be spread upon the record.

SUPPLEMENTAL CALENDAR C
BILL ON CONCURRENCE
IN SENATE AMENDMENTS

The clerk of the Senate, being introduced, returned the following HB 2458, PN 3932, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act making appropriations from the Workmen's Compensation Administration Fund to the Department of Labor and Industry to provide for the expenses of administering The Pennsylvania Workmen's Compensation Act and The Pennsylvania Occupational Disease Act for the fiscal year July 1, 1990, to June 30, 1991, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1990.

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

The SPEAKER. It is moved by the majority leader that the House do concur in the amendments inserted by the Senate.

The question recurs, will the House concur in the amendments inserted by the Senate?

The Chair recognizes the gentleman, Mr. Wass.

Mr. WASS. Mr. Speaker, would somebody explain what the changes are, what changes the Senate made?

The SPEAKER. The Chair recognizes the majority leader.

Mr. DeWEESE. Mr. Speaker, the answer to the gentleman's question is that the action taken reflects the Governor's 1-percent cost reduction in the workmen's comp.

Mr. WASS. Thank you very much.

The SPEAKER. Those voting to concur will vote "aye"; those voting to nonconcur will vote "no."

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

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

YEAS—198

Table listing names of members who voted 'yeas' for the amendments, including Acosta, Adolph, Allen, Angstadt, Argall, Barley, Battisto, Belardi, Belfanti, Billow, Birmelin, Bishop, Black, Blaum, Bortner, Bowley, Boyes, Brandt, Broujos, Bunt, Burd, Burns, and Bush.

Table listing names of members who voted 'nays' for the amendments, including Caltagirone, Cappabianca, Carlson, Carn, Cawley, Cessar, Chadwick, Civera, Clark, B. D., Clark, D. F., Clark, J. H., Clymer, Cohen, Colafella, Colaizzo, Cole, Cornell, Corrigan, Cowell, Coy, DeLuca, DeWeese, Daley, Davies, Dietterick, Distler, Dombrowski, Gruppo, Hagarty, Haluska, Harper, Hasay, Hayden, Hayes, Heckler, Herman, Hershey, Hess, Howlett, Hughes, Itkin, Jackson, Jadlowiec, James, Jarolin, Johnson, Josephs, Kaiser, Kasunic, Kenney, Kondrich, Kosinski, Kukovich, LaGrotta, Miller, Moehlmann, Morris, Mowery, Mrkonic, Murphy, Nahill, Nailor, Noye, O'Brien, Olasz, Oliver, Perzel, Pesci, Petrarca, Petrone, Phillips, Piccola, Pistella, Pitts, Pressmann, Preston, Raymond, Reber, Reinard, Richardson, Rieger, Stuban, Tangretti, Taylor, E. Z., Taylor, F., Taylor, J., Telek, Thomas, Tigue, Trello, Trich, Van Horne, Veon, Vroon, Wambach, Wass, Weston, Williams, Wilson, Wogan, Wozniak, Wright, D. R., Wright, J. L., Wright, R. C., and Yandrisevits.

NAYS—0

NOT VOTING—2

Dempsey Leh

EXCUSED—2

Dininni Pievsky

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

Ordered, That the clerk inform the Senate accordingly.

SUPPLEMENTAL CALENDAR B CONTINUED
CONCURRENT RESOLUTION

Mr. DeWEESE called up SR 165, PN 2198, entitled:

A Concurrent Resolution commemorating the 50th anniversary of the opening of the Pennsylvania Turnpike.

On the question,
Will the House concur in the resolution of the Senate?

The following roll call was recorded:

YEAS—199

Table listing names of members who voted 'yeas' for the concurrent resolution, including Acosta, Adolph, Allen, Angstadt, Argall, Barley, Battisto, Belardi, Belfanti, Billow, Birmelin, Bishop, Black, Blaum, Bortner, Bowley, Boyes, Brandt, Donatucci, Dorr, Durham, Evans, Fairchild, Fargo, Farmer, Fee, Fleagle, Flick, Foster, Fox, Freeman, Freind, Gallen, Gamble, Gannon, Geist, George, Gigliotti, Gladeck, Godshall, Gruitza, Langtry, Lashinger, Laughlin, Lee, Lescovitz, Levdansky, Linton, Lloyd, Lucyk, McCall, McHale, Schuler, Scrimenti, Semmel, Serafini, Smith, B., Smith, S. H., Snyder, D. W., Snyder, G., Staback, Stairs, Steighner, Stish, Strittmatter, Ritter, Robbins, Robinson, Roebuck, Rudy, Ryan, Rybak, Saloom, Saurman, Scheetz, Schuler, Scrimenti, Semmel, Serafini, Smith, B., Smith, S. H., Snyder, D. W., and Snyder, G.

Broujos	George	Mayernik	Staback
Bunt	Gigliotti	Melio	Stairs
Burd	Gladeck	Merry	Steighner
Burns	Godshall	Michlovic	Stish
Bush	Gruitza	Micozzie	Strittmatter
Caltagirone	Gruppo	Mihalich	Stuban
Cappabianca	Hagarty	Miller	Tangretti
Carlson	Haluska	Moehlmann	Taylor, E. Z.
Carn	Harper	Morris	Taylor, F.
Cawley	Hasay	Mowery	Taylor, J.
Cessar	Hayden	Mrkonic	Telek
Chadwick	Hayes	Nahill	Thomas
Civera	Heckler	Nailor	Tigue
Clark, B. D.	Herman	Noye	Trello
Clark, D. F.	Hershey	O'Brien	Trich
Clark, J. H.	Hess	Olasz	Van Horne
Clymer	Howlett	Oliver	Veon
Cohen	Hughes	Perzel	Vroon
Colafrella	Itkin	Pesci	Wambach
Colaizzo	Jackson	Petrarca	Wass
Cole	Jadlowiec	Petrone	Weston
Cornell	James	Phillips	Williams
Corrigan	Jarolin	Piccola	Wilson
Cowell	Johnson	Pistella	Wogan
Coy	Josephs	Pitts	Wozniak
DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Wright, R. C.
Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	
Dietterick	Kukovich	Richardson	O'Donnell,
Distler	LaGrotta	Rieger	Speaker
Dombrowski			

NAYS—0

NOT VOTING—1

Murphy

EXCUSED—2

Dininni      Pievsky

The question was determined in the affirmative, and the resolution was concurred in.

Ordered, That the clerk inform the Senate accordingly.

**BILLS SIGNED BY SPEAKER**

The Chair gave notice that he was about to sign the following bills, which were then signed:

**HB 591, PN 3779**

An Act amending the act of July 15, 1976 (P. L. 1036, No. 208), known as the "Volunteer Fire Company, Ambulance Service and Rescue Squad Assistance Act," providing for an exception to loan limits and adjusting loan limits; providing for a referendum question on additional indebtedness; providing for contracts for services between the Commonwealth and volunteer fire, ambulance and rescue companies; and making appropriations.

**HB 2458, PN 3932**

An Act making appropriations from the Workmen's Compensation Administration Fund to the Department of Labor and Industry to provide for the expenses of administering The Pennsylvania Workmen's Compensation Act and The Pennsylvania Occupational Disease Act for the fiscal year July 1, 1990, to June 30, 1991, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1990.

**SUPPLEMENTAL CALENDAR A CONTINUED  
CONSIDERATION OF HB 614 CONTINUED**

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

Mr. D. R. WRIGHT offered the following amendments  
No. A3140:

Amend Sec. 6 (Sec. 509), page 28, line 8, by inserting after "of" where it appears the second time  
**lawful**

Amend Sec. 6 (Sec. 509), page 28, line 10, by inserting brackets before and after "under any circumstances"

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

The SPEAKER. On that question, the Chair recognizes Mr. Wright.

Mr. D. R. WRIGHT. Thank you, Mr. Speaker.

This amendment is considerably less controversial than the other, I suspect. The amendment would make it clear that the DER (Department of Environmental Resources) employees shall be permitted to enter upon and inspect property in a lawful performance of their duties and not under any circumstances, as the bill currently reads.

I urge the adoption of this innocuous amendment.

The SPEAKER. The Chair recognizes Mr. Bowley.

Mr. BOWLEY. Thank you, Mr. Speaker.

Mr. Speaker, in light of the last vote, I will not oppose this amendment and ask for an affirmative vote.

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

The following roll call was recorded:

YEAS—200

Acosta	Donatucci	Lashingier	Ritter
Adolph	Dorr	Laughlin	Robbins
Allen	Durham	Lee	Robinson
Angstadt	Evans	Leh	Roebuck
Argall	Fairchild	Lescovitz	Rudy
Barley	Fargo	Levdansky	Ryan
Battisto	Farmer	Linton	Rybak
Belardi	Fee	Lloyd	Saloom
Belfanti	Fleagle	Lucyk	Saurman
Billow	Flick	McCall	Scheetz
Birmelin	Foster	McHale	Schuler
Bishop	Fox	McNally	Scrimenti
Black	Freeman	McVerry	Semmel
Blaum	Freind	Maiale	Serafini
Bortner	Gallen	Maine	Smith, B.
Bowley	Gamble	Markosek	Smith, S. H.
Boyes	Gannon	Marsico	Snyder, D. W.
Brandt	Geist	Mayernik	Snyder, G.
Broujos	George	Melio	Staback
Bunt	Gigliotti	Merry	Stairs
Burd	Gladeck	Michlovic	Steighner
Burns	Godshall	Micozzie	Stish
Bush	Gruitza	Mihalich	Strittmatter
Caltagirone	Gruppo	Miller	Stuban
Cappabianca	Hagarty	Moehlmann	Tangretti
Carlson	Haluska	Morris	Taylor, E. Z.
Carn	Harper	Mowery	Taylor, F.
Cawley	Hasay	Mrkonic	Taylor, J.
Cessar	Hayden	Murphy	Telek
Chadwick	Hayes	Nahill	Thomas



Civera	Heckler	Nailor	Tigue
Clark, B. D.	Herman	Noye	Trello
Clark, D. F.	Hershey	O'Brien	Trich
Clark, J. H.	Hess	Olasz	Van Horne
Clymer	Howlett	Oliver	Veon
Cohen	Hughes	Perzel	Vroon
Colafella	Itkin	Pesci	Wambach
Colaizzo	Jackson	Petrarca	Wass
Cole	Jadlowiec	Petrone	Weston
Cornell	James	Phillips	Williams
Corrigan	Jarolin	Piccola	Wilson
Cowell	Johnson	Pistella	Wogan
Coy	Josephs	Pitts	Wozniak
DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Wright, R. C.
Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	
Dietterick	Kukovich	Richardson	O'Donnell,
Distler	LaGrotta	Rieger	Speaker
Dombrowski	Langtry		

NAYS—0

NOT VOTING—0

EXCUSED—2

Dininni      Pievsky

The question was determined in the affirmative, and the amendments were agreed to.

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—192

Acosta	Donatucci	Lashingier	Robinson
Adolph	Dorr	Laughlin	Roebuck
Allen	Durham	Lee	Rudy
Angstadt	Evans	Leh	Ryan
Argall	Fairchild	Lescovitz	Rybak
Barley	Fargo	Linton	Saloom
Battisto	Farmer	Lloyd	Saurman
Belardi	Fee	Lucyk	Scheetz
Belfanti	Fleagle	McCall	Schuler
Billow	Flick	McNally	Scrimenti
Birmelin	Foster	McVerry	Semmel
Bishop	Fox	Maiale	Serafini
Black	Freind	Maine	Smith, B.
Bortner	Gallen	Markosek	Smith, S. H.
Bowley	Gamble	Marsico	Snyder, D. W.
Boyes	Gannon	Mayernik	Snyder, G.
Brandt	Geist	Melio	Staback
Broujos	George	Merry	Stairs
Bunt	Gigliotti	Micozzie	Steighner
Burd	Gladeck	Mihalich	Stish
Burns	Godshall	Miller	Strittmatter
Bush	Gruitza	Moehlmann	Stuban
Caltagirone	Gruppo	Morris	Tangretti
Cappabianca	Hagarty	Mowery	Taylor, E. Z.
Carlson	Haluska	Mrkonic	Taylor, F.
Carn	Harper	Nahill	Taylor, J.
Cawley	Hasay	Nailor	Telek
Cessar	Hayes	Noye	Thomas
Chadwick	Heckler	O'Brien	Tigue
Civera	Herman	Olasz	Trello

Clark, B. D.	Hershey	Oliver	Trich
Clark, D. F.	Hess	Perzel	Van Horne
Clark, J. H.	Howlett	Pesci	Veon
Clymer	Hughes	Petrarca	Vroon
Cohen	Itkin	Petrone	Wambach
Colafella	Jackson	Phillips	Wass
Colaizzo	Jadlowiec	Piccola	Weston
Cole	James	Pistella	Williams
Cornell	Jarolin	Pitts	Wilson
Corrigan	Johnson	Pressmann	Wogan
Coy	Josephs	Preston	Wozniak
DeLuca	Kaiser	Raymond	Wright, D. R.
DeWeese	Kasunic	Reber	Wright, J. L.
Daley	Kenney	Reinard	Wright, R. C.
Davies	Kondrich	Richardson	Yandrisevits
Dempsey	Kosinski	Rieger	
Dietterick	Kukovich	Ritter	O'Donnell,
Distler	LaGrotta	Robbins	Speaker
Dombrowski	Langtry		

NAYS—8

Blaum	Freeman	Levdansky	Michlovic
Cowell	Hayden	McHale	Murphy

NOT VOTING—0

EXCUSED—2

Dininni      Pievsky

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 SB 929, PN 1984, entitled:

An Act amending the act of December 18, 1984 (P. L. 1005, No. 205), entitled "Municipal Pension Plan Funding Standard and Recovery Act," further providing for the allocation of general municipal pension system State aid and for the distribution of the foreign fire insurance premium tax.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—200

Acosta	Donatucci	Lashingier	Ritter
Adolph	Dorr	Laughlin	Robbins
Allen	Durham	Lee	Robinson
Angstadt	Evans	Leh	Roebuck
Argall	Fairchild	Lescovitz	Rudy
Barley	Fargo	Levdansky	Ryan
Battisto	Farmer	Linton	Rybak
Belardi	Fee	Lloyd	Saloom
Belfanti	Fleagle	Lucyk	Saurman
Billow	Flick	McCall	Scheetz
Birmelin	Foster	McHale	Schuler
Bishop	Fox	McNally	Scrimenti
Black	Freeman	McVerry	Semmel
Blaum	Freind	Maiale	Serafini
Bortner	Gallen	Maine	Smith, B.
Bowley	Gamble	Markosek	Smith, S. H.

Boyes	Gannon	Marsico	Snyder, D. W.
Brandt	Geist	Mayernik	Snyder, G.
Broujos	George	Melio	Staback
Bunt	Gigliotti	Merry	Stairs
Burd	Gladeck	Michlovic	Steighner
Burns	Godshall	Micozzie	Stish
Bush	Gruitza	Mihalich	Strittmatter
Caltagirone	Gruppo	Miller	Stuban
Cappabianca	Hagarty	Moehlmann	Tangretti
Carlson	Haluska	Morris	Taylor, E. Z.
Carn	Harper	Mowery	Taylor, F.
Cawley	Hasay	Mrkonic	Taylor, J.
Cessar	Hayden	Murphy	Telek
Chadwick	Hayes	Nahill	Thomas
Civera	Heckler	Nailor	Tigue
Clark, B. D.	Herman	Noye	Trello
Clark, D. F.	Hershey	O'Brien	Trich
Clark, J. H.	Hess	Olasz	Van Horne
Clymer	Howlett	Oliver	Veon
Cohen	Hughes	Perzel	Vroon
Colaifella	Itkin	Pesci	Wambach
Colaizzo	Jackson	Petrarca	Wass
Cole	Jadlowiec	Petrone	Weston
Cornell	James	Phillips	Wilson
Corrigan	Jarolin	Piccola	Wilson
Cowell	Johnson	Pistella	Wogan
Coy	Josephs	Pitts	Wozniak
DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Wright, R. C.
Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	
Dietterick	Kukovich	Richardson	O'Donnell,
Distler	LaGrotta	Rieger	Speaker
Dombrowski	Langtry		

NAYS—0

NOT VOTING—0

EXCUSED—2

Dininni      Pievsky

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

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

\* \* \*

The House proceeded to third consideration of SB 1, PN 2414, entitled:

A Joint Resolution proposing amendments to the Constitution of the Commonwealth of Pennsylvania, changing provisions relating to judicial discipline; and providing for financial disclosure, for budgeting and for the financial affairs of the judiciary.

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

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

The question is, shall the bill pass finally?

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

YEAS—199

Acosta	Donatucci	Langtry	Rieger
Adolph	Dorr	Lashinger	Ritter
Allen	Durham	Laughlin	Robbins
Angstadt	Evans	Lee	Robinson
Argall	Fairchild	Leh	Roebuck
Barley	Fargo	Lescovitz	Rudy
Battisto	Farmer	Levdansky	Ryan
Belardi	Fee	Linton	Rybak
Belfanti	Fleagle	Lloyd	Saloom
Billow	Flick	Lucyk	Saurman
Birmelin	Foster	McCall	Scheetz
Bishop	Fox	McHale	Schuler
Black	Freeman	McNally	Scrimenti
Blaum	Freind	McVerry	Semmel
Bortner	Gallen	Maiale	Serafini
Bowley	Gamble	Maine	Smith, B.
Boyes	Gannon	Markosek	Smith, S. H.
Brandt	Geist	Marsico	Snyder, D. W.
Broujos	George	Mayernik	Snyder, G.
Bunt	Gigliotti	Melio	Staback
Burd	Gladeck	Merry	Stairs
Burns	Godshall	Michlovic	Steighner
Bush	Gruitza	Micozzie	Stish
Caltagirone	Gruppo	Mihalich	Strittmatter
Cappabianca	Hagarty	Miller	Stuban
Carlson	Haluska	Moehlmann	Tangretti
Carn	Harper	Morris	Taylor, E. Z.
Cawley	Hasay	Mowery	Taylor, F.
Cessar	Hayden	Mrkonic	Taylor, J.
Chadwick	Hayes	Murphy	Telek
Civera	Heckler	Nahill	Thomas
Clark, B. D.	Herman	Nailor	Tigue
Clark, D. F.	Hershey	Noye	Trello
Clark, J. H.	Hess	O'Brien	Trich
Clymer	Howlett	Olasz	Van Horne
Cohen	Hughes	Oliver	Veon
Colaifella	Itkin	Perzel	Vroon
Colaizzo	Jackson	Pesci	Wambach
Cole	Jadlowiec	Petrarca	Wass
Cornell	James	Petrone	Weston
Corrigan	Jarolin	Phillips	Wilson
Cowell	Johnson	Piccola	Wogan
Coy	Josephs	Pistella	Wozniak
DeLuca	Kaiser	Pitts	Wright, D. R.
DeWeese	Kasunic	Pressmann	Wright, J. L.
Daley	Kenney	Preston	Wright, R. C.
Davies	Kondrich	Raymond	Yandrisevits
Dempsey	Kosinski	Reber	
Dietterick	Kukovich	Reinard	O'Donnell,
Distler	LaGrotta	Richardson	Speaker
Dombrowski			

NAYS—0

NOT VOTING—1

EXCUSED—2

Williams

Dininni      Pievsky

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

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

\* \* \*

The House proceeded to third consideration of **SB 627, PN 2415**, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, providing for veterans' litigation awards.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

The Chair recognizes Mr. Broujos.

Mr. **BROUJOS**. Mr. Speaker, the amendments set forth in this Senate bill exempt the compensation and receipts of claims for damages for Vietnam herbicide claims from State and local income tax.

I would ask for concurrence.

The **SPEAKER**. The Chair recognizes Mr. Davies.

Mr. **DAVIES**. Mr. Speaker, I also ask for concurrence.

The **SPEAKER**. The Chair recognizes Mr. Hasay.

Mr. **HASAY**. Thank you, Mr. Speaker.

Mr. Speaker, SB 627 is the same language that passed the House here in HB 1039, which was the Agent Orange litigation bill, which addresses the interest of the Vietnam veteran and the litigation awards.

I am asking for a "yes" vote on this bill. Thank you, Mr. Speaker.

On the question recurring,

Shall the bill pass finally?

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

**YEAS—199**

Acosta	Donatucci	Langtry	Ritter
Adolph	Dorr	Lashinger	Robbins
Allen	Durham	Laughlin	Robinson
Angstadt	Evans	Lee	Roebuck
Argall	Fairchild	Leh	Rudy
Barley	Fargo	Lescovitz	Ryan
Battisto	Farmer	Levdansky	Rybak
Belardi	Fee	Linton	Saloom
Belfanti	Fleagle	Lloyd	Saurman
Billow	Flick	Lucyk	Scheetz
Birmelin	Foster	McCall	Schuler
Bishop	Fox	McHale	Scrimenti
Black	Freeman	McNally	Semmel
Blaum	Freind	McVerry	Serafini
Bortner	Gallen	Maiale	Smith, B.
Bowley	Gamble	Maine	Smith, S. H.
Boyes	Gannon	Markosek	Snyder, D. W.
Brandt	Geist	Marsico	Snyder, G.
Broujos	George	Mayernik	Staback
Bunt	Gigliotti	Melio	Stairs
Burd	Gladeck	Merry	Steighner
Burns	Godshall	Michlovic	Stish
Bush	Gruitza	Micozzie	Strittmatter
Caltagirone	Gruppo	Mihalich	Stuban
Cappabianca	Hagarty	Miller	Tangretti
Carlson	Haluska	Moehlmann	Taylor, E. Z.
Carn	Harper	Morris	Taylor, F.
Cawley	Hasay	Mowery	Taylor, J.
Cessar	Hayden	Mrkonic	Telek

Chadwick	Hayes	Murphy	Thomas
Civera	Heckler	Nahill	Tigue
Clark, B. D.	Herman	Nailor	Trello
Clark, D. F.	Hershey	Noye	Trich
Clark, J. H.	Hess	O'Brien	Van Horne
Clymer	Howlett	Olasz	Veon
Cohen	Hughes	Oliver	Vroon
Colafella	Itkin	Perzel	Wambach
Colaizzo	Jackson	Pesci	Wass
Cole	Jadlowiec	Petrarca	Weston
Cornell	James	Petrone	Williams
Corrigan	Jarolin	Phillips	Wilson
Cowell	Johnson	Piccola	Wogan
Coy	Josephs	Pistella	Wozniak
DeLuca	Kaiser	Pitts	Wright, D. R.
DeWeese	Kasunic	Pressmann	Wright, J. L.
Daley	Kenney	Preston	Wright, R. C.
Davies	Kondrich	Raymond	Yandrisevits
Dempsey	Kosinski	Reber	
Dietterich	Kukovich	Reinard	O'Donnell,
Distler	LaGrotta	Richardson	Speaker
Dombrowski			

**NAYS—0**

**NOT VOTING—1**

Rieger

**EXCUSED—2**

Dininni

Pievsky

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

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

\* \* \*

The House proceeded to third consideration of **SB 29, PN 29**, entitled:

An Act designating Interstate 476 as Veterans Memorial Highway.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

**YEAS—200**

Acosta	Donatucci	Lashinger	Ritter
Adolph	Dorr	Laughlin	Robbins
Allen	Durham	Lee	Robinson
Angstadt	Evans	Leh	Roebuck
Argall	Fairchild	Lescovitz	Rudy
Barley	Fargo	Levdansky	Ryan
Battisto	Farmer	Linton	Rybak
Belardi	Fee	Lloyd	Saloom
Belfanti	Fleagle	Lucyk	Saurman
Billow	Flick	McCall	Scheetz
Birmelin	Foster	McHale	Schuler
Bishop	Fox	McNally	Scrimenti
Black	Freeman	McVerry	Semmel
Blaum	Freind	Maiale	Serafini

Bortner	Gallen	Maine	Smith, B.
Bowley	Gamble	Markosek	Smith, S. H.
Boyes	Gannon	Marsico	Snyder, D. W.
Brandt	Geist	Mayernik	Snyder, G.
Broujos	George	Melio	Staback
Bunt	Gigliotti	Merry	Stairs
Burd	Gladeck	Michlovic	Steighner
Burns	Godshall	Micozzie	Stish
Bush	Gruitza	Mihalich	Strittmatter
Caltagirone	Gruppo	Miller	Stuban
Cappabianca	Hagarty	Moehlmann	Tangretti
Carlson	Haluska	Morris	Taylor, E. Z.
Carn	Harper	Mowery	Taylor, F.
Cawley	Hasay	Mrkonic	Taylor, J.
Cessar	Hayden	Murphy	Telek
Chadwick	Hayes	Nahill	Thomas
Civera	Heckler	Nailor	Tigue
Clark, B. D.	Herman	Noye	Trello
Clark, D. F.	Hershey	O'Brien	Trich
Clark, J. H.	Hess	Olasz	Van Horne
Clymer	Howlett	Oliver	Veon
Cohen	Hughes	Perzel	Vroon
Colaella	Itkin	Pesci	Wambach
Colaizzo	Jackson	Petrarca	Wass
Cole	Jadlowiec	Petrone	Weston
Cornell	James	Phillips	Williams
Corrigan	Jarolin	Piccola	Wilson
Cowell	Johnson	Pistella	Wogan
Coy	Josephs	Pitts	Wozniak
DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Wright, R. C.
Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	
Dietterick	Kukovich	Richardson	O'Donnell,
Distler	LaGrotta	Rieger	Speaker
Dombrowski	Langtry		

NAYS—0

NOT VOTING—0

EXCUSED—2

Dininni Pievsky

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

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

\*\*\*

The House proceeded to third consideration of SB 1268, PN 1580, entitled:

An Act designating a certain bridge over the West Branch of the Susquehanna River as the Carmen R. Rosamilia Bridge.

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

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

The question is, shall the bill pass finally?

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

YEAS—200

Acosta	Donatucci	Lashinger	Ritter
Adolph	Dorr	Laughlin	Robbins
Allen	Durham	Lee	Robinson
Angstadt	Evans	Leh	Roebuck
Argall	Fairchild	Lescovitz	Rudy
Barley	Fargo	Levdansky	Ryan
Battisto	Farmer	Linton	Rybak
Belardi	Fee	Lloyd	Saloom
Belfanti	Fleagle	Lucy	Saurman
Billow	Flick	McCall	Scheetz
Birmelin	Foster	McHale	Schuler
Bishop	Fox	McNally	Scrimenti
Black	Freeman	McVerry	Semmel
Blaum	Freind	Maiale	Serafini
Bortner	Gallen	Maine	Smith, B.
Bowley	Gamble	Markosek	Smith, S. H.
Boyes	Gannon	Marsico	Snyder, D. W.
Brandt	Geist	Mayernik	Snyder, G.
Broujos	George	Melio	Staback
Bunt	Gigliotti	Merry	Stairs
Burd	Gladeck	Michlovic	Steighner
Burns	Godshall	Micozzie	Stish
Bush	Gruitza	Mihalich	Strittmatter
Caltagirone	Gruppo	Miller	Stuban
Cappabianca	Hagarty	Moehlmann	Tangretti
Carlson	Haluska	Morris	Taylor, E. Z.
Carn	Harper	Mowery	Taylor, F.
Cawley	Hasay	Mrkonic	Taylor, J.
Cessar	Hayden	Murphy	Telek
Chadwick	Hayes	Nahill	Thomas
Civera	Heckler	Nailor	Tigue
Clark, B. D.	Herman	Noye	Trello
Clark, D. F.	Hershey	O'Brien	Trich
Clark, J. H.	Hess	Olasz	Van Horne
Clymer	Howlett	Oliver	Veon
Cohen	Hughes	Perzel	Vroon
Colaella	Itkin	Pesci	Wambach
Colaizzo	Jackson	Petrarca	Wass
Cole	Jadlowiec	Petrone	Weston
Cornell	James	Phillips	Williams
Corrigan	Jarolin	Piccola	Wilson
Cowell	Johnson	Pistella	Wogan
Coy	Josephs	Pitts	Wozniak
DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Wright, R. C.
Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	
Dietterick	Kukovich	Richardson	O'Donnell,
Distler	LaGrotta	Rieger	Speaker
Dombrowski	Langtry		

NAYS—0

NOT VOTING—0

EXCUSED—2

Dininni Pievsky

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.

VOTE CORRECTIONS

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

Mr. DORR. Mr. Speaker, apparently I was not recorded on SB 845. I would like to be recorded in the affirmative.

The SPEAKER. The remarks of the gentleman will be spread upon the record.

For what purpose does the gentleman, Mr. Heckler, rise?

Mr. HECKLER. To correct the record, Mr. Speaker.

On SB 845 I was not recorded on final passage. I would wish to be recorded in the affirmative.

The SPEAKER. The remarks of the gentleman will be spread upon the record.

The Chair recognizes the gentleman, Mr. Leh.

Mr. LEH. Mr. Speaker, on concurrence in HB 2458 my switch did not work. I wish to be recorded in the affirmative.

The SPEAKER. The remarks of the gentleman will be spread upon the record.

The Chair recognizes Mr. Foster.

Mr. FOSTER. Mr. Speaker, I was not recorded on SB 845. I would like to be recorded in the affirmative.

The SPEAKER. The Chair recognizes Mr. Dempsey.

Mr. DEMPSEY. Thank you, Mr. Speaker.

Mr. Speaker, on concurrence in HB 2458 the switch did not function. I would like to be recorded in the "yes" vote, please.

The SPEAKER. The remarks of all the gentlemen will be spread upon the record.

**PARLIAMENTARY INQUIRY**

The SPEAKER. The Chair recognizes Mr. Merry.

Mr. MERRY. Point of order, Mr. Speaker.

We recently voted on SB 1228 on final passage. I do not know what calendar that was on or what page number. I have no record of it.

The SPEAKER. For the information of the gentleman, the Chair understands the gentleman to be making an inquiry, not a point of order. HB 1228, on the regular calendar, page 5, was over for today. SB 1268 was on supplemental calendar A, and that was voted and passed.

Mr. MERRY. Okay. Thank you very much. I misunderstood the number between the House and Senate bills.

**VOTE CORRECTIONS**

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

Mr. RICHARDSON. Mr. Speaker, can I correct the record in this interim?

The SPEAKER. The gentleman may proceed.

Mr. RICHARDSON. Thank you very much.

Mr. Speaker, on HB 614, amendment A3141, my switch was inadvertently recorded in the negative. I would like to vote to the effect that had I been in my seat, I would have voted in the affirmative. And on HB 591 on concurrence in Senate amendments, I was not recorded, and I would have liked to have had the vote recorded in the affirmative had I been present in my seat. Thank you.

The SPEAKER. The remarks of the gentleman will be spread upon the record.

**RULES SUSPENDED**

The SPEAKER. The Chair recognizes the majority leader, who moves that House rule 30 be suspended to permit HB 2465, PN 3752, to go directly to the calendar without going to the Rules Committee.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

**YEAS—198**

Acosta	Dombrowski	LaGrotta	Ritter
Adolph	Donatucci	Langtry	Robbins
Allen	Dorr	Lashinger	Robinson
Angstadt	Durham	Laughlin	Roebuck
Argall	Evans	Lee	Rudy
Barley	Fairchild	Leh	Ryan
Battisto	Fargo	Lescovitz	Rybak
Belardi	Farmer	Levdansky	Saloom
Belfanti	Fee	Linton	Saurman
Billow	Fleagle	Lloyd	Scheetz
Birmelin	Flick	Lucyk	Schuler
Bishop	Foster	McCall	Scrimenti
Black	Fox	McNally	Semmel
Blaum	Freeman	McVerry	Serafini
Bortner	Freind	Maiale	Smith, B.
Bowley	Gallen	Maine	Smith, S. H.
Boyes	Gamble	Markosek	Snyder, D. W.
Brandt	Gannon	Marsico	Snyder, G.
Broujos	Geist	Mayernik	Staback
Bunt	George	Melio	Stairs
Burd	Gigliotti	Merry	Steighner
Burns	Gladeck	Michlovic	Stish
Bush	Godshall	Micozzie	Strittmatter
Caltagirone	Gruitza	Mihalich	Stuban
Cappabianca	Gruppo	Miller	Tangretti
Carlson	Hagarty	Moehlmann	Taylor, E. Z.
Carn	Haluska	Mowery	Taylor, F.
Cawley	Harper	Mrkonic	Taylor, J.
Cessar	Hasay	Murphy	Telek
Chadwick	Hayden	Nahill	Thomas
Civera	Hayes	Nailor	Tigue
Clark, B. D.	Heckler	Noye	Trello
Clark, D. F.	Heriman	O'Brien	Trich
Clark, J. H.	Hershey	Olasz	Van Home
Clymer	Hess	Oliver	Veon
Cohen	Howlett	Perzel	Vroon
Colaifella	Hughes	Pesci	Wambach
Colaizzo	Itkin	Petrarca	Wass
Cole	Jackson	Petrone	Weston
Cornell	Jadlowiec	Phillips	Williams
Corrigan	James	Piccola	Wilson
Cowell	Jarolin	Pistella	Wogan
Coy	Johnson	Pitts	Wozniak
DeLuca	Josephs	Pressmann	Wright, D. R.
DeWeese	Kaiser	Preston	Wright, J. L.
Daley	Kasunic	Raymond	Wright, R. C.
Davies	Kenney	Reber	Yandrisevits
Dempsey	Kondrich	Reinard	
Dieterick	Kosinski	Richardson	O'Donnell,
Distler	Kukovich	Rieger	Speaker

**NAYS—0**

## NOT VOTING—2

McHale Morris

## EXCUSED—2

Dininni Pievsky

A majority of the members elected to the House having voted in the affirmative, the question was determined in the affirmative and the motion was agreed to.

## SENATE MESSAGE

AMENDED HOUSE BILL  
RETURNED FOR CONCURRENCE

The clerk of the Senate, being introduced, returned **HB 2465, PN 3752**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

The **SPEAKER**. For the information of the members, we are awaiting Senate action on a series of bills. There is no way for the Chair to predict how long that will be.

## VOTE CORRECTIONS

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

Mr. McHALE. To correct the record, Mr. Speaker.

Mr. Speaker, on the vote just taken, the motion to suspend rule 30, I did in fact vote. My switch malfunctioned. I voted in the affirmative.

The **SPEAKER**. The remarks of the gentleman will be spread upon the record.

The Chair recognizes Mr. Morris.

Mr. MORRIS. Mr. Speaker, I failed to vote on that last vote, and I would have voted in the affirmative.

The **SPEAKER**. The remarks of the gentleman will be spread upon the record.

Mr. MORRIS. On the suspension of the rules, Mr. Speaker.

The **SPEAKER**. The Chair recognizes Mr. Colaizzo.

Mr. COLAIZZO. On Dave Wright's amendment, Mr. Speaker, amendment 3141 to HB 614, I was recorded as not voting. I would like to be recorded in the affirmative.

The **SPEAKER**. The remarks of the gentleman will be spread upon the record.

## ANNOUNCEMENT BY MR. LEVDANSKY

The **SPEAKER**. The Chair urges the attention of the House to the announcement by the gentleman, Mr. Levdansky.

Mr. LEVDANSKY. Mr. Speaker, I just want to call to the members' attention the results of our annual Democratic v. Republican House member softball game which we played on Wednesday evening.

In the warmups before the game, the Republicans were hitting line drives through the gaps and generally showcasing their power. We have seen their power players before -

Jadlowiec, Birmelin, Lashinger, Lee, Smith, Reber, and all the rest. They dominate us in tennis and basketball and nearly every other sport we engage in healthy competition in. Needless to say, the Democrats were not expected to dominate that evening.

However, nobody knew that Tom Tigue and Huck Gamble were really Ryne Sandberg and Jose Lind playing second base in disguise. Nobody really expected Dick Hayden and Tom Michlovic to play the outfield like "Golden Glove" candidates, and no one expected Leo Trich, our freshman pitcher, to show his ability and so effectively counter the power of the Republican bats.

These instrumental ingredients, when combined with the outstanding play of Freddie Belardi, Tom Murphy, Chris McNally, Mike Gruitza, Jim Roebuck, and Ivan Itkin, sealed our victory, a 19-to-2 drubbing without the support and play of any of the House Democratic leaders - a 19-to-2 margin. Now, Bill DeWeese, there is a margin that even you can try shooting for.

## ANNOUNCEMENT BY MR. GAMBLE

The **SPEAKER**. The Chair recognizes Mr. Gamble.

Mr. GAMBLE. Just to add to what Manager Levdansky had to say, I have a short poem:

We won a double header,  
The first game we blew them out.  
The second was a little closer,  
But now there is no doubt.

The real ball players sit on this side,  
We run, we hit, we're fast.  
And last Wednesday night, you pitiful R's,  
We really kicked you in the pants.

## ANNOUNCEMENT BY MR. REBER

The **SPEAKER**. The Chair recognizes Mr. Reber.

Mr. REBER. Thank you, Mr. Speaker.

Mr. Speaker, as usual, anything that comes from the mouth of the last speaker should have a label placed across it before it is placed into the record.

I think additionally, Mr. Speaker, it is indicative of what the Democratic Caucus always does - they have to read a script. As you noticed, Representative Levdansky as well as the prior speaker were both operating from a script. That is typical of what Governor Casey has passed along to all the Democrats to do tonight.

Additionally, Mr. Speaker, I think it would be remiss if we did not suggest, or should I say attest to the record, that we did provide something that was probably the best ammunition for the Democratic team the other night, and that was the fact that we had so many players, so many individuals participating in a national pastime, that we were also called upon to provide the umpire. I think anyone that was present, anyone that was present, can honestly say that Representative Herman was the best player on the Democratic team.

That is right; that is right, you do not have to cheer for him. The waiver papers have already been signed, the contract has been executed and attested by Representative DeWeese, and he is now and forever, as Representative Gladeck was a number of years ago, assigned to the Democratic Caucus.

Thank you, Mr. Speaker.

The SPEAKER. The Chair would point out to the gentleman that George Will, in his latest book, pointed out that umpires are natural Republicans, being insensitive to human feeling.

**SUPPLEMENTAL CALENDAR D**

**BILL ON CONCURRENCE  
IN SENATE AMENDMENTS**

The clerk of the Senate, being introduced, returned the following **HB 2465, PN 3752**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act amending the act of July 2, 1984 (P. L. 553, No. 110), known as the "Engineering School Equipment Act," further providing for reallocation of unused funds and for the expiration of the act.

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

The SPEAKER. It is moved by the majority leader that the House do concur in amendments inserted by the Senate.

The question recurs, will the House concur in the amendments inserted by the Senate? Those voting to concur will vote "aye"; those voting to nonconcur will vote "no."

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

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

**YEAS—200**

Acosta	Donatucci	Lashinger	Ritter
Adolph	Dorr	Laughlin	Robbins
Allen	Durham	Lee	Robinson
Angstadt	Evans	Leh	Roebuck
Argall	Fairchild	Lescovitz	Rudy
Barley	Fargo	Levdansky	Ryan
Battisto	Farmer	Linton	Rybak
Belardi	Fee	Lloyd	Saloom
Beljanti	Fleagle	Lucyk	Saurman
Billow	Flick	McCall	Scheetz
Birmelin	Foster	McHale	Schuler
Bishop	Fox	McNally	Scrimenti
Black	Freeman	McVerry	Semmel
Blaum	Freind	Maiale	Serafini
Bortner	Gallen	Maine	Smith, B.
Bowley	Gamble	Markosek	Smith, S. H.
Boyes	Gannon	Marsico	Snyder, D. W.
Brandt	George	Mayernik	Snyder, G.
Broujos	Gigliotti	Meljo	Staback
Bunt	Gladeck	Merry	Stairs
Burd	Godshall	Michlovic	Steighner
Burns	Gruitza	Micozzie	Stish
Bush	Gruppo	Mihalich	Strittmatter
Caltagirone	Hagarty	Miller	Stuban
Cappabianca	Haluska	Moehlmann	Tangretti
Carlson	Harper	Morris	Taylor, E. Z.
Carn		Mowery	Taylor, F.

Cawley	Hasay	Mrkonic	Taylor, J.
Cessar	Hayden	Murphy	Telek
Chadwick	Hayes	Nahill	Thomas
Civera	Heckler	Nailor	Tigue
Clark, B. D.	Herman	Noye	Trello
Clark, D. F.	Hershey	O'Brien	Trich
Clark, J. H.	Hess	Olasz	Van Horne
Clymer	Howlett	Oliver	Veon
Cohen	Hughes	Perzel	Vroon
Colafella	Itkin	Pesci	Wambach
Colaizzo	Jackson	Petrarca	Wass
Cole	Jadlowiec	Petrone	Weston
Cornell	James	Phillips	Williams
Corrigan	Jarolin	Piccola	Wilson
Cowell	Johnson	Pistella	Wogan
Coy	Josephs	Pitts	Wozniak
DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Wright, R. C.
Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	
Dietterick	Kukovich	Richardson	O'Donnell,
Distler	LaGrotta	Rieger	Speaker
Dombrowski	Langtry		

**NAYS—0**

**NOT VOTING—0**

**EXCUSED—2**

Dininni                      Pievsky

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

Ordered, That the clerk inform the Senate accordingly.

**SENATE MESSAGE**

**SENATE INSISTS ON AMENDMENTS  
NONCONCURRED IN BY HOUSE**

The clerk of the Senate, being introduced, informed that the Senate has insisted upon its amendments nonconcurring in by the House of Representatives to **HB 623, PN 1827**, and has appointed Senators **LOEPER, TILGHMAN** and **FUMO** a committee of conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

**MOTION INSISTING UPON NONCONCURRENCE  
IN SENATE AMENDMENTS**

Mr. DeWEESE moved that the House insist upon its non-concurrence in Senate amendments to **HB 623, PN 1827**, and that a committee of conference on the part of the House be appointed.

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

**APPOINTMENT OF  
COMMITTEE OF CONFERENCE**

The SPEAKER. The Chair appoints as a committee of conference on the part of the House on HB 623, PN 1827: Messrs. DeWEESE, PITTS and O'DONNELL.  
Ordered, That the clerk inform the Senate accordingly.

**BILL SIGNED BY SPEAKER**

The Chair gave notice that he was about to sign the following bill, which was then signed:

**HB 2465, PN 3752**

An Act amending the act of July 2, 1984 (P. L. 553, No. 110), known as the "Engineering School Equipment Act," further providing for reallocation of unused funds and for the expiration of the act.

**CONFERENCE COMMITTEE MEETING**

The SPEAKER. The Chair announces a meeting of the Conference Committee on HB 623 immediately in the Senate majority caucus room.

**RULES SUSPENDED**

The SPEAKER. The Chair recognizes the majority leader.

Mr. DeWEESE. Mr. Speaker, I move that House rule 30 be suspended to permit the following bills to be read directly onto the calendar without going to the Rules Committee:

- HB 2515;
- HB 2516;
- HB 2517;
- HB 2519;
- HB 2520;
- HB 2521;
- HB 2522;
- HB 2523;
- HB 2524;
- HB 2525;
- HB 2526;
- HB 2527;
- HB 2528;
- HB 2529;
- HB 2530;
- HB 2532;
- HB 2533;
- HB 2534; and
- HB 2553.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

**YEAS—184**

Acosta	Dietterick	Kukovich	Rieger
Adolph	Distler	LaGrotta	Ritter
Allen	Dombrowski	Langtry	Robbins
Angstadt	Donatucci	Lashingner	Robinson

Argall	Dorr	Laughlin	Roebuck
Barley	Durham	Leh	Rudy
Battisto	Evans	Lescovitz	Ryan
Belardi	Fairchild	Levdansky	Rybak
Belfanti	Fargo	Linton	Saloom
Billow	Farmer	Lloyd	Saurman
Birmelin	Fee	Lucyk	Scheetz
Bishop	Fleagle	McCall	Scrimenti
Black	Flick	McHale	Semmel
Blaum	Foster	McNally	Serafini
Bortner	Fox	McVerry	Smith, B.
Bowley	Freeman	Maiale	Snyder, D. W.
Boyes	Freind	Maine	Snyder, G.
Brandt	Gallen	Markosek	Staback
Broujos	Gamble	Marsico	Stairs
Bunt	Gannon	Mayernik	Steighner
Burns	George	Melio	Stish
Bush	Gigliotti	Merry	Strittmatter
Caltagirone	Gladeck	Michlovic	Stuban
Cappabianca	Godshall	Micozzie	Tangretti
Carlson	Gruitza	Miller	Taylor, E. Z.
Carn	Gruppo	Moehlmann	Taylor, F.
Cawley	Hagarty	Morris	Telek
Cessar	Haluska	Mrkonic	Thomas
Chadwick	Harper	Murphy	Tigue
Civera	Hasay	Nahill	Trello
Clark, B. D.	Hayden	Nailor	Trich
Clark, D. F.	Hayes	Noye	Van Horne
Clark, J. H.	Heckler	Olasz	Veon
Clymer	Hershey	Perzel	Vroon
Cohen	Hess	Pesci	Wambach
Colafella	Howlett	Petrarca	Wass
Colaizzo	Hughes	Petrone	Williams
Cole	Itkin	Phillips	Wilson
Cornell	Jackson	Piccola	Wozniak
Corrigan	Jadlowiec	Pistella	Wright, D. R.
Cowell	James	Pitts	Wright, J. L.
Coy	Jarolin	Pressmann	Wright, R. C.
DeLuca	Kaiser	Preston	Yandrisevits
DeWeese	Kasunic	Raymond	
Daley	Kenney	Reber	O'Donnell,
Davies	Kondrich	Reinard	Speaker
Dempsey	Kosinski		

**NAYS—0**

**NOT VOTING—16**

Burd	Josephs	O'Brien	Smith, S. H.
Geist	Lee	Oliver	Taylor, J.
Herman	Mihalich	Richardson	Weston
Johnson	Mowery	Schuler	Wogan

**EXCUSED—2**

Dininni	Pievsky
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A majority of the members elected to the House having voted in the affirmative, the question was determined in the affirmative and the motion was agreed to.

**SENATE MESSAGE**

**AMENDED HOUSE BILLS  
RETURNED FOR CONCURRENCE**

The clerk of the Senate, being introduced, returned **HB 2515, PN 3913; HB 2516, PN 3914; HB 2517, PN 3915; HB 2519, PN 3916; HB 2520, PN 3917; HB 2521, PN 3918; HB 2522, PN 3919; HB 2523, PN 3920; HB 2524, PN 3921; HB 2525, PN 3922; HB 2526, PN 3923; HB 2527, PN 3924; HB 2528, PN 3925; HB 2529, PN 3926; HB 2530, PN 3927; HB 2532, PN 3928; HB 2533, PN 3929; HB 2534, PN 3930; and**



**HB 2553, PN 3931**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

### REPORT OF COMMITTEE OF CONFERENCE PRESENTED

Mr. O'DONNELL presented the Report of the Committee of Conference on **HB 623, PN 3943**.

### SENATE MESSAGE

#### HOUSE BILLS CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 2518, PN 3480; HB 2531, PN 3493; HB 2535, PN 3497; HB 2536, PN 3498; HB 2537, PN 3499; HB 2538, PN 3500; HB 2539, PN 3501; HB 2540, PN 3502; HB 2541, PN 3503; HB 2542, PN 3504; HB 2543, PN 3505; HB 2544, PN 3506; HB 2545, PN 3507; HB 2546, PN 3508; HB 2547, PN 3509; HB 2548, PN 3510; HB 2549, PN 3511; HB 2550, PN 3512; HB 2551, PN 3513; HB 2552, PN 3514; and HB 2554, PN 3516**, with information that the Senate has passed the same without amendment.

#### BILLS SIGNED BY SPEAKER

The Chair gave notice that he was about to sign the following bills, which were then signed:

**HB 2518, PN 3480**

A Supplement to the act of July 7, 1972 (P. L. 743, No. 176), entitled "Lincoln University-Commonwealth Act," making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated.

**HB 2531, PN 3493**

An Act making an appropriation to the Williamson Free School of Mechanical Trades in Delaware County.

**HB 2535, PN 3497**

An Act making appropriations to the Wistar Institute-Research, Philadelphia.

**HB 2536, PN 3498**

An Act making an appropriation to the Central Penn Oncology Group.

**HB 2537, PN 3499**

An Act making an appropriation to the Trustees of the University of Pennsylvania for cardiovascular studies.

**HB 2538, PN 3500**

An Act making an appropriation to St. Francis Hospital, Pittsburgh.

**HB 2539, PN 3501**

An Act making appropriations to St. Christopher's Hospital, Philadelphia.

**HB 2540, PN 3502**

An Act making an appropriation to the Lancaster Cleft Palate.

**HB 2541, PN 3503**

An Act making an appropriation to the Pittsburgh Cleft Palate.

**HB 2542, PN 3504**

An Act making an appropriation to the Trustees of Jefferson Medical College and Hospital of Philadelphia for a comprehensive program relating to Tay-Sachs disease.

**HB 2543, PN 3505**

An Act making an appropriation to the Burn Foundation of Greater Delaware Valley.

**HB 2544, PN 3506**

An Act making an appropriation to the Home for Crippled Children, Pittsburgh.

**HB 2545, PN 3507**

An Act making an appropriation to the Arsenal Family and Children's Center.

**HB 2546, PN 3508**

An Act making an appropriation to the Beacon Lodge Camp.

**HB 2547, PN 3509**

An Act making an appropriation to the Trustees of the University of Pennsylvania for the general maintenance and operation of the University of Pennsylvania Museum.

**HB 2548, PN 3510**

An Act making an appropriation to the Carnegie Museum of Natural History for maintenance and the purchase of apparatus, supplies and equipment.

**HB 2549, PN 3511**

An Act making an appropriation to the Franklin Institute Science Museum.

**HB 2550, PN 3512**

An Act making an appropriation to the Academy of Natural Sciences.

**HB 2551, PN 3513**

An Act making an appropriation to the Trustees of the Buhl Science Center.

**HB 2552, PN 3514**

An Act making an appropriation to the Museum of the Philadelphia Civic Center for maintenance and the purchase of apparatus, supplies and equipment.

**HB 2554, PN 3516**

An Act making an appropriation to the Everhart Museum in Scranton.

**SUPPLEMENTAL CALENDAR E  
BILLS ON CONCURRENCE  
IN SENATE AMENDMENTS**

The clerk of the Senate, being introduced, returned the following **HB 2515, PN 3913**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

A Supplement to the act of April 1, 1863 (P. L. 213, No. 227), entitled "An act to accept the grant of Public Lands, by the United States, to the several states, for the endowment of Agricultural Colleges," making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated.

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

The **SPEAKER**. It is moved by the majority leader that the House do concur.

The question recurs, will the House concur in the amendments inserted by the Senate? Those voting to concur will vote "aye"; those opposed, "nay."

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

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

**YEAS—194**

Acosta	Distler	Kukovich	Reinard
Adolph	Dombrowski	LaGrotta	Richardson
Allen	Donatucci	Langtry	Rieger
Angstadt	Dorr	Lashingier	Ritter
Argall	Durham	Laughlin	Robbins
Barley	Evans	Lee	Robinson
Battisto	Fairchild	Leh	Roebuck
Belardi	Fargo	Lescovitz	Rudy
Belfanti	Farmer	Levdansky	Ryan
Billow	Fee	Linton	Rybak
Birmelin	Fleagle	Lloyd	Saloom
Bishop	Flick	Lucyk	Saurman
Black	Foster	McCall	Scheetz
Blaum	Fox	McHale	Schuler
Bortner	Freeman	McNally	Scrimenti
Bowley	Freind	McVerry	Semmel
Boyes	Gallen	Maiale	Serafini
Brandt	Gamble	Maine	Smith, B.
Broujos	Gannon	Markosek	Snyder, D. W.
Bunt	Geist	Marsico	Snyder, G.
Burd	George	Mayernik	Staback
Burns	Gigliotti	Melio	Stairs
Bush	Gladeck	Merry	Steighner
Caltagirone	Godshall	Micozzie	Stish
Cappabianca	Gruitza	Mihalich	Strittmatter
Carlson	Gruppo	Miller	Tangretti
Carn	Hagarty	Moehlmann	Taylor, E. Z.
Cawley	Haluska	Morris	Taylor, F.
Cessar	Harper	Mowery	Taylor, J.
Chadwick	Hasay	Mrkonic	Telek
Civera	Hayden	Murphy	Thomas
Clark, B. D.	Hayes	Nahill	Tigue
Clark, D. F.	Heckler	Nailor	Trello
Clark, J. H.	Herman	Noye	Trich
Clymer	Hershey	O'Brien	Veon
Cohen	Hess	Olasz	Vroon
Colafiglia	Howlett	Oliver	Wambach
Colaizzo	Hughes	Perzel	Wass
Cole	Itkin	Pesci	Weston

Cornell	Jackson	Petrarca	Williams
Corrigan	Jadlowiec	Petrone	Wilson
Cowell	James	Phillips	Wogan
Coy	Jarolin	Piccola	Wright, D. R.
DeLuca	Josephs	Pistella	Wright, J. L.
DeWeese	Kaiser	Pitts	Wright, R. C.
Daley	Kasunic	Pressmann	Yandrisevits
Davies	Kenney	Preston	
Dempsey	Kondrich	Raymond	O'Donnell,
Dietterick	Kosinski	Reber	Speaker

**NAYS—0**

**NOT VOTING—6**

Johnson	Smith, S. H.	Van Horne	Wozniak
Michlovic	Stuban		

**EXCUSED—2**

Dininni	Pievsky
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The two-thirds majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

\* \* \*

The clerk of the Senate, being introduced, returned the following **HB 2516, PN 3914**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

A Supplement to the act of July 28, 1966 (3rd Sp. Sess., P. L. 87, No. 3), entitled "University of Pittsburgh—Commonwealth Act," making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated.

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

The **SPEAKER**. It is moved by the majority leader that the House do concur in the amendments inserted by the Senate.

The question recurs, will the House concur in the amendments inserted by the Senate? Those voting to concur will vote "aye"; those opposed, "nay."

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

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

**YEAS—200**

Acosta	Donatucci	Lashingier	Ritter
Adolph	Dorr	Laughlin	Robbins
Allen	Durham	Lee	Robinson
Angstadt	Evans	Leh	Roebuck
Argall	Fairchild	Lescovitz	Rudy
Barley	Fargo	Levdansky	Ryan
Battisto	Farmer	Linton	Rybak
Belardi	Fee	Lloyd	Saloom
Belfanti	Fleagle	Lucyk	Saurman
Billow	Flick	McCall	Scheetz
Birmelin	Foster	McHale	Schuler
Bishop	Fox	McNally	Scrimenti
Black	Freeman	McVerry	Semmel
Blaum	Freind	Maiale	Serafini
Bortner	Gallen	Maine	Smith, B.
Bowley	Gamble	Markosek	Smith, S. H.
Boyes	Gannon	Marsico	Snyder, D. W.
Brandt	Geist	Mayernik	Snyder, G.
Broujos	George	Melio	Staback

Bunt	Gigliotti	Merry	Stairs
Burd	Gladeck	Michlovic	Steighner
Burns	Godshall	Micozzie	Stish
Bush	Gruitza	Mihalich	Strittmatter
Caltagirone	Gruppo	Miller	Stuban
Cappabianca	Hagarty	Moehlmann	Tangretti
Carlson	Haluska	Morris	Taylor, E. Z.
Carn	Harper	Mowery	Taylor, F.
Cawley	Hasay	Mrkonic	Taylor, J.
Cessar	Hayden	Murphy	Telek
Chadwick	Hayes	Nahill	Thomas
Civera	Heckler	Nailor	Tigue
Clark, B. D.	Herman	Noye	Trello
Clark, D. F.	Hershey	O'Brien	Trich
Clark, J. H.	Hess	Olasz	Van Horne
Clymer	Howlett	Oliver	Veon
Cohen	Hughes	Perzel	Vroon
Colafella	Itkin	Pesci	Wambach
Colaizzo	Jackson	Petrarca	Wass
Cole	Jadlowiec	Petrone	Weston
Cornell	James	Phillips	Williams
Corrigan	Jarolin	Piccola	Wilson
Cowell	Johnson	Pistella	Wogan
Coy	Josephs	Pitts	Wozniak
DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Wright, R. C.
Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	
Dietterick	Kukovich	Richardson	O'Donnell,
Distler	LaGrotta	Rieger	Speaker
Dombrowski	Langtry		

NAYS—0

NOT VOTING—0

EXCUSED—2

Dininni      Pievsky

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

Ordered, That the clerk inform the Senate accordingly.

\* \* \*

The clerk of the Senate, being introduced, returned the following **HB 2517, PN 3915**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

A Supplement to the act of November 30, 1965 (P. L. 843, No. 355), entitled "Temple University—Commonwealth Act," making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated.

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

The **SPEAKER**. The majority leader moves that the House do concur.

The question recurs, will the House concur? Those voting to concur will vote "aye"; those voting to nonconcur will vote "no."

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

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

YEAS—197

Acosta	Donatucci	Laughlin	Robbins
Adolph	Dorr	Lee	Robinson
Allen	Durham	Leh	Roebuck
Angstadt	Evans	Lescovitz	Rudy
Argall	Fairchild	Levdansky	Ryan
Barley	Fargo	Linton	Rybak
Battisto	Fee	Lloyd	Saloom
Belardi	Fleagle	Lucyk	Saurman
Belfanti	Flick	McCall	Scheetz
Billow	Foster	McHale	Schuler
Birmelin	Fox	McNally	Scrimenti
Bishop	Freeman	McVerry	Semmel
Black	Freind	Maiale	Serafini
Blaum	Gallen	Maine	Smith, B.
Bowley	Gamble	Markosek	Smith, S. H.
Boyes	Geist	Marsico	Snyder, D. W.
Brandt	George	Mayermik	Snyder, G.
Broujos	Gigliotti	Melio	Staback
Bunt	Gladeck	Merry	Stairs
Burd	Godshall	Michlovic	Steighner
Burns	Gruitza	Micozzie	Stish
Bush	Gruppo	Mihalich	Strittmatter
Caltagirone	Hagarty	Miller	Stuban
Cappabianca	Haluska	Moehlmann	Tangretti
Carlson	Harper	Morris	Taylor, E. Z.
Carn	Hasay	Mowery	Taylor, F.
Cawley	Hayden	Mrkonic	Taylor, J.
Cessar	Hayes	Murphy	Telek
Chadwick	Heckler	Nahill	Thomas
Civera	Herman	Nailor	Tigue
Clark, B. D.	Hershey	Noye	Trello
Clark, D. F.	Hess	O'Brien	Trich
Clark, J. H.	Howlett	Olasz	Van Horne
Clymer	Hughes	Oliver	Veon
Cohen	Itkin	Perzel	Vroon
Colafella	Jackson	Pesci	Wambach
Colaizzo	Jadlowiec	Petrarca	Wass
Cole	James	Petrone	Weston
Cornell	Jarolin	Phillips	Williams
Corrigan	Johnson	Piccola	Wilson
Cowell	Josephs	Pistella	Wogan
Coy	Kaiser	Pitts	Wozniak
DeLuca	Kasunic	Pressmann	Wright, D. R.
DeWeese	Kenney	Preston	Wright, J. L.
Daley	Kondrich	Raymond	Wright, R. C.
Davies	Kosinski	Reber	Yandrisevits
Dempsey	Kukovich	Reinard	
Dietterick	LaGrotta	Richardson	O'Donnell,
Distler	Langtry	Rieger	Speaker
Dombrowski	Lashing	Ritter	

NAYS—1

Gannon

NOT VOTING—2

Bortner

Farmer

EXCUSED—2

Dininni

Pievsky

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

Ordered, That the clerk inform the Senate accordingly.

\* \* \*

The clerk of the Senate, being introduced, returned the following **HB 2519, PN 3916**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act making appropriations to the Trustees of the University of Pennsylvania.

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

The SPEAKER. The majority leader moves that the House do concur.

The question is, will the House concur? Those voting to concur will vote "aye"; those voting to nonconcur will vote "no."

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

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

YEAS—195

Acosta	Donatucci	Lashinger	Ritter
Adolph	Dorr	Laughlin	Robbins
Allen	Durham	Lee	Robinson
Angstadt	Evans	Leh	Roebuck
Argall	Fairchild	Lescovitz	Rudy
Barley	Fargo	Levdansky	Ryan
Battisto	Fee	Linton	Rybak
Belardi	Fleagle	Lloyd	Saloom
Belfanti	Flick	Lucyk	Saurman
Billow	Foster	McCall	Scheetz
Birmelin	Fox	McHale	Schuler
Bishop	Freeman	McNally	Scrimenti
Black	Freind	McVerry	Semmel
Blaum	Gallen	Maiale	Serafini
Bortner	Gamble	Maine	Smith, B.
Bowley	Gannon	Markosek	Smith, S. H.
Boyes	Geist	Marsico	Snyder, D. W.
Brandt	George	Mayernik	Snyder, G.
Broujos	Gigliotti	Melio	Staback
Bunt	Gladeck	Merry	Stairs
Burns	Godshall	Michlovic	Steighner
Bush	Gruitza	Micozzie	Stish
Caltagirone	Gruppo	Mihalich	Strittmatter
Cappabianca	Hagarty	Miller	Suban
Carlson	Haluska	Moehlmann	Tangretti
Carn	Harper	Morris	Taylor, E. Z.
Cawley	Hasay	Mowery	Taylor, F.
Cessar	Hayden	Mrkonic	Taylor, J.
Chadwick	Hayes	Murphy	Telek
Civera	Heckler	Nahill	Thomas
Clark, B. D.	Herman	Nailor	Tigue
Clark, D. F.	Hershey	Noye	Trello
Clark, J. H.	Hess	O'Brien	Trich
Clymer	Howlett	Olasz	Van Horne
Cohen	Hughes	Oliver	Veon
Colaella	Itkin	Perzel	Vroon
Colaizzo	Jackson	Pesci	Wambach
Cole	Jadlowiec	Petrarca	Wass
Cornell	James	Petrone	Weston
Corrigan	Jarolin	Phillips	Williams
Cowell	Johnson	Piccola	Wilson
Coy	Josephs	Pistella	Wogan
DeLuca	Kaiser	Pitts	Wozniak
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kennedy	Raymond	Wright, R. C.
Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	
Dietterick	LaGrotta	Richardson	O'Donnell,
Distler	Langtry	Rieger	Speaker
Dombrowski			

NAYS—1

Pressmann

NOT VOTING—4

Burd Farmer Kukovich Wright, D. R.

EXCUSED—2

Dininni Pievsky

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

Ordered, That the clerk inform the Senate accordingly.

\* \* \*

The clerk of the Senate, being introduced, returned the following **HB 2520, PN 3917**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act making appropriations to the Hahnemann University, Philadelphia.

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

The SPEAKER. The majority leader moves that the House do concur in the amendments.

The question recurs, will the House concur? Those voting to concur will vote "aye"; those voting to nonconcur will vote "no."

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

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

YEAS—199

Acosta	Donatucci	Lashinger	Ritter
Adolph	Dorr	Laughlin	Robbins
Allen	Durham	Lee	Robinson
Angstadt	Evans	Leh	Roebuck
Argall	Fairchild	Lescovitz	Rudy
Barley	Fargo	Levdansky	Ryan
Battisto	Farmer	Linton	Rybak
Belardi	Fee	Lloyd	Saloom
Belfanti	Fleagle	Lucyk	Saurman
Billow	Flick	McCall	Scheetz
Birmelin	Foster	McHale	Schuler
Bishop	Fox	McNally	Scrimenti
Black	Freeman	McVerry	Semmel
Blaum	Freind	Maiale	Serafini
Bortner	Gallen	Maine	Smith, B.
Bowley	Gamble	Markosek	Smith, S. H.
Boyes	Gannon	Marsico	Snyder, D. W.
Brandt	Geist	Mayernik	Snyder, G.
Broujos	George	Melio	Staback
Bunt	Gigliotti	Merry	Stairs
Burd	Gladeck	Michlovic	Steighner
Burns	Godshall	Micozzie	Stish
Bush	Gruitza	Mihalich	Strittmatter
Caltagirone	Gruppo	Miller	Suban
Cappabianca	Hagarty	Moehlmann	Tangretti
Carlson	Haluska	Morris	Taylor, E. Z.
Carn	Harper	Mowery	Taylor, F.
Cawley	Hasay	Mrkonic	Taylor, J.
Cessar	Hayden	Murphy	Telek
Chadwick	Hayes	Nahill	Thomas
Civera	Heckler	Nailor	Tigue
Clark, B. D.	Herman	Noye	Trello

Clark, D. F.	Hershey	O'Brien	Trich
Clark, J. H.	Hess	Olasz	Van Horne
Clymer	Howlett	Oliver	Veon
Cohen	Hughes	Perzel	Vroon
Colafrella	Itkin	Pesci	Wambach
Colaizzo	Jackson	Petrarca	Wass
Cole	Jadlowiec	Petrone	Weston
Cornell	James	Phillips	Williams
Corrigan	Jarolin	Piccola	Wilson
Cowell	Johnson	Pistella	Wogan
Coy	Josephs	Pitts	Wozniak
DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Wright, R. C.
Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	
Dietterick	LaGrotta	Richardson	O'Donnell,
Distler	Langtry	Rieger	Speaker
Dombrowski			

NAYS—0

NOT VOTING—1

Kukovich

EXCUSED—2

Dininni      Pievsky

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

Ordered, That the clerk inform the Senate accordingly.

\* \* \*

The clerk of the Senate, being introduced, returned the following **HB 2521, PN 3918**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act making appropriations to the Thomas Jefferson University, Philadelphia.

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

The SPEAKER. Moved by the majority leader that the House do concur.

The question recurs, will the House concur in the amendments? Those voting to concur will vote "aye"; those voting to nonconcur will vote "no."

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

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

YEAS—199

Acosta	Donatucci	Langtry	Rieger
Adolph	Dorr	Lashing	Robbins
Allen	Durham	Laughlin	Robinson
Angstadt	Evans	Lee	Roebuck
Argall	Fairchild	Leh	Rudy
Barley	Fargo	Lescovitz	Ryan
Battisto	Farmer	Levdansky	Rybak
Belardi	Fee	Linton	Saloom
Belfanti	Fleagle	Lloyd	Saurman
Billow	Flick	Lucyk	Scheetz
Birmelin	Foster	McCall	Schuler
Bishop	Fox	McHale	Scrimenti
Black	Freeman	McNally	Semmel
Blaum	Freind	McVerry	Serafini

Bortner	Gallen	Maiale	Smith, B.
Bowley	Gamble	Maine	Smith, S. H.
Boyes	Gannon	Markosek	Snyder, D. W.
Brandt	Geist	Marsico	Snyder, G.
Broujos	George	Mayermik	Staback
Bunt	Gigliotti	Melio	Stairs
Burd	Gladeck	Merry	Steighner
Burns	Godshall	Michlovic	Stish
Bush	Gruitza	Micozzie	Strittmatter
Caltagirone	Gruppo	Mihalich	Stuban
Cappabianca	Hagarty	Miller	Tangretti
Carlson	Haluska	Moehlmann	Taylor, E. Z.
Carn	Harper	Morris	Taylor, F.
Cawley	Hasay	Mowery	Taylor, J.
Cessar	Hayden	Mrkonic	Telek
Chadwick	Hayes	Murphy	Thomas
Civera	Heckler	Nahill	Tigue
Clark, B. D.	Herman	Nailor	Trello
Clark, D. F.	Hershey	Noye	Trich
Clark, J. H.	Hess	O'Brien	Van Horne
Clymer	Howlett	Olasz	Veon
Cohen	Hughes	Oliver	Vroon
Colafrella	Itkin	Perzel	Wambach
Colaizzo	Jackson	Pesci	Wass
Cole	Jadlowiec	Petrarca	Weston
Cornell	James	Petrone	Williams
Corrigan	Jarolin	Phillips	Wilson
Cowell	Johnson	Piccola	Wogan
Coy	Josephs	Pistella	Wozniak
DeLuca	Kaiser	Pitts	Wright, D. R.
DeWeese	Kasunic	Pressmann	Wright, J. L.
Daley	Kenney	Preston	Wright, R. C.
Davies	Kondrich	Raymond	Yandrisevits
Dempsey	Kosinski	Reber	
Dietterick	Kukovich	Reinard	O'Donnell,
Distler	LaGrotta	Richardson	Speaker
Dombrowski			

NAYS—1

Ritter

NOT VOTING—0

EXCUSED—2

Dininni      Pievsky

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

Ordered, That the clerk inform the Senate accordingly.

\* \* \*

The clerk of the Senate, being introduced, returned the following **HB 2522, PN 3919**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act making appropriations to The Medical College of Pennsylvania, East Falls, Philadelphia.

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

The SPEAKER. Moved by the majority leader that the House do concur.

The question recurs, will the House concur in the amendments inserted by the Senate? Those voting to concur will vote "aye"; those voting to nonconcur will vote "no."

On the question recurring,

**Will the House concur in Senate amendments?**

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

**YEAS—199**

Acosta	Donatucci	Langtry	Rieger
Adolph	Dorr	Lashingier	Robbins
Allen	Durham	Laughlin	Robinson
Angstadt	Evans	Lee	Roebuck
Argall	Fairchild	Leh	Rudy
Barley	Fargo	Lescovitz	Ryan
Battisto	Farmer	Levdansky	Rybak
Belardi	Fee	Linton	Saloom
Belfanti	Fleagle	Lloyd	Saurman
Billow	Flick	Lucyk	Scheetz
Birmelin	Foster	McCall	Schuler
Bishop	Fox	McHale	Scrimenti
Black	Freeman	McNally	Semmel
Blaum	Freind	McVerry	Serafini
Bortner	Gallen	Maiale	Smith, B.
Bowley	Gamble	Maine	Smith, S. H.
Boyes	Gannon	Markosek	Snyder, D. W.
Brandt	Geist	Marsico	Snyder, G.
Broujos	George	Mayernik	Staback
Bunt	Gigliotti	Melio	Stairs
Burd	Gladeck	Merry	Steighner
Burns	Godshall	Michlovic	Stish
Bush	Gruitza	Micozzie	Strittmatter
Caltagirone	Gruppo	Mihalich	Suban
Cappabianca	Hagarty	Miller	Tangretti
Carlson	Haluska	Moehlmann	Taylor, E. Z.
Carn	Harper	Morris	Taylor, F.
Cawley	Hasay	Mowery	Taylor, J.
Cessar	Hayden	Mrkonic	Telek
Chadwick	Hayes	Murphy	Thomas
Civera	Heckler	Nahill	Tigue
Clark, B. D.	Herman	Nailor	Trello
Clark, D. F.	Hershey	Noye	Trich
Clark, J. H.	Hess	O'Brien	Van Horne
Clymer	Howlett	Olasz	Veon
Cohen	Hughes	Oliver	Vroon
Colaifella	Itkin	Perzel	Wambach
Colaizzo	Jackson	Pesci	Wass
Cole	Jadlowiec	Petrarca	Weston
Cornell	James	Petrone	Williams
Corrigan	Jarolin	Phillips	Wilson
Cowell	Johnson	Piccola	Wogan
Coy	Josephs	Pistella	Wozniak
DeLuca	Kaiser	Pitts	Wright, D. R.
DeWeese	Kasunic	Pressmann	Wright, J. L.
Daley	Kenney	Preston	Wright, R. C.
Davies	Kondrich	Raymond	Yandrisevits
Dempsey	Kosinski	Reber	
Dietterick	Kukovich	Reinard	O'Donnell,
Distler	LaGrotta	Richardson	Speaker
Dombrowski			

**NAYS—1**

Ritter

**NOT VOTING—0**

**EXCUSED—2**

Dininni      Pievsky

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

Ordered, That the clerk inform the Senate accordingly.

\* \* \*

The clerk of the Senate, being introduced, returned the following **HB 2523, PN 3920**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act making an appropriation to the Philadelphia College of Osteopathic Medicine, Philadelphia.

On the question,

Will the House concur in Senate amendments?

The SPEAKER. Moved by the majority leader that the House do concur.

The question recurs, will the House concur in the amendments? Those voting to concur will vote "aye"; those voting to nonconcur will vote "no."

On the question recurring,

Will the House concur in Senate amendments?

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

**YEAS—197**

Acosta	Dombrowski	Langtry	Robbins
Adolph	Donatucci	Lashingier	Robinson
Allen	Dorr	Laughlin	Roebuck
Angstadt	Durham	Lee	Rudy
Argall	Evans	Leh	Ryan
Barley	Fairchild	Lescovitz	Rybak
Battisto	Fargo	Linton	Saloom
Belardi	Farmer	Lloyd	Saurman
Belfanti	Fee	Lucyk	Scheetz
Billow	Fleagle	McCall	Schuler
Birmelin	Flick	McHale	Scrimenti
Bishop	Foster	McNally	Semmel
Black	Fox	McVerry	Serafini
Blaum	Freeman	Maiale	Smith, B.
Bortner	Freind	Maine	Smith, S. H.
Bowley	Gallen	Markosek	Snyder, D. W.
Boyes	Gannon	Marsico	Snyder, G.
Brandt	Geist	Mayernik	Staback
Broujos	George	Melio	Stairs
Bunt	Gigliotti	Merry	Steighner
Burd	Gladeck	Michlovic	Stish
Burns	Godshall	Micozzie	Strittmatter
Bush	Gruitza	Mihalich	Suban
Caltagirone	Gruppo	Miller	Tangretti
Cappabianca	Hagarty	Moehlmann	Taylor, E. Z.
Carlson	Haluska	Morris	Taylor, F.
Carn	Harper	Mowery	Taylor, J.
Cawley	Hasay	Mrkonic	Telek
Cessar	Hayden	Murphy	Thomas
Chadwick	Hayes	Nahill	Tigue
Civera	Heckler	Nailor	Trello
Clark, B. D.	Herman	Noye	Trich
Clark, D. F.	Hershey	O'Brien	Van Horne
Clark, J. H.	Hess	Olasz	Veon
Clymer	Howlett	Oliver	Vroon
Cohen	Hughes	Perzel	Wambach
Colaifella	Itkin	Pesci	Wass
Colaizzo	Jackson	Petrarca	Weston
Cole	Jadlowiec	Petrone	Williams
Cornell	James	Phillips	Wilson
Corrigan	Jarolin	Piccola	Wogan
Cowell	Johnson	Pistella	Wozniak
Coy	Josephs	Pitts	Wright, D. R.
DeLuca	Kaiser	Pressmann	Wright, J. L.
DeWeese	Kasunic	Preston	Wright, R. C.
Daley	Kenney	Raymond	Yandrisevits
Davies	Kondrich	Reber	
Dempsey	Kosinski	Reinard	O'Donnell,

Dietterick Kukovich Richardson Speaker  
 Distler LaGrotta Rieger

NAYS—2

Levdansky Ritter

NOT VOTING—1

Gamble

EXCUSED—2

Dininni Pievsky

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

Ordered, That the clerk inform the Senate accordingly.

\* \* \*

The clerk of the Senate, being introduced, returned the following **HB 2524, PN 3921**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act making an appropriation to the Trustees of Drexel University, Philadelphia.

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

The SPEAKER. It is moved by the majority leader that the House do concur in the amendments inserted by the Senate.

The question recurs, will the House concur in the amendments inserted by the Senate? On that question, the Chair recognizes Mr. Gamble.

Mr. GAMBLE. Mr. Speaker, I would rather direct my question to all these bills on this calendar. Just for a clarification, I thought we had approved one amount and now they come back with increases. Can someone explain that to me?

I thought everything was cut and dried at a lower amount, and now all these are coming back with increases. I was not made aware of that before.

The SPEAKER. The Chair recognizes the majority leader.

Mr. DeWEESE. The gentleman, Mr. Gamble, should be aware that the original figures that were included in the budget were 1988-89 figures. What we have done is restore 1989-90 figures to the document.

Mr. GAMBLE. Thank you.

The SPEAKER. Those voting to concur will vote "aye"; those voting to nonconcur will vote "no."

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

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

YEAS—199

Acosta	Donatucci	Langtry	Ritter
Adolph	Dorr	Lashinger	Robbins
Allen	Durham	Laughlin	Robinson
Angstadt	Evans	Lee	Roebuck
Argall	Fairchild	Leh	Rudy
Barley	Fargo	Lescovitz	Ryan
Battisto	Farmer	Linton	Rybak
Belardi	Fee	Lloyd	Saloom

Belfanti	Fleagle	Lucyk	Saurman
Billow	Flick	McCall	Scheetz
Birmelin	Foster	McHale	Schuler
Bishop	Fox	McNally	Scrimenti
Black	Freeman	McVerry	Semmel
Blaum	Freind	Maiale	Serafini
Bortner	Gallen	Maine	Smith, B.
Bowley	Gamble	Markosek	Smith, S. H.
Boyes	Gannon	Marsico	Snyder, D. W.
Brandt	Geist	Mayernik	Snyder, G.
Broujos	George	Melio	Staback
Bunt	Gigliotti	Merry	Stairs
Burd	Gladeck	Michlovic	Steighner
Burns	Godshall	Micozzie	Stish
Bush	Gruitza	Mihalich	Strittmatter
Caltagirone	Gruppo	Miller	Stuban
Cappabianca	Hagarty	Moehlmann	Tangretti
Carlson	Haluska	Morris	Taylor, E. Z.
Carn	Harper	Mowery	Taylor, F.
Cawley	Hasay	Mrkonic	Taylor, J.
Cessar	Hayden	Murphy	Telek
Chadwick	Hayes	Nahill	Thomas
Civera	Heckler	Nailor	Tigue
Clark, B. D.	Herman	Noye	Trello
Clark, D. F.	Hershey	O'Brien	Trich
Clark, J. H.	Hess	Olasz	Van Horne
Clymer	Howlett	Oliver	Veon
Cohen	Hughes	Perzel	Vroon
Colaifella	Itkin	Pesci	Wambach
Colaizzo	Jackson	Petrarca	Wass
Cole	Jadlowiec	Petrone	Weston
Cornell	James	Phillips	Williams
Corrigan	Jarolin	Piccola	Wilson
Cowell	Johnson	Pistella	Wogan
Coy	Josephs	Pitts	Wozniak
DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Wright, R. C.
Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	
Dietterick	Kukovich	Richardson	O'Donnell,
Distler	LaGrotta	Rieger	Speaker
Dombrowski			

NAYS—0

NOT VOTING—1

Levdansky

EXCUSED—2

Dininni Pievsky

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

Ordered, That the clerk inform the Senate accordingly.

\* \* \*

The clerk of the Senate, being introduced, returned the following **HB 2525, PN 3922**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act making appropriations to the Delaware Valley College of Science and Agriculture at Doylestown.

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

The SPEAKER. It is moved by the majority leader that the House do concur.

The question recurs, will the House concur in the amendments inserted by the Senate? Those voting to concur will vote "aye"; those opposed, "no."

On the question recurring,

Will the House concur in Senate amendments?

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

YEAS—200

- Acosta Donatucci Lashinger Ritter
Adolph Dorr Laughlin Robbins
Allen Durham Lee Robinson
Angstadt Evans Leh Roebuck
Argall Fairchild Lescovitz Rudy
Barley Fargo Levdansky Ryan
Battisto Farmer Linton Rybak
Belardi Fee Lloyd Saloom
Belfanti Fleagle Lucyk Saurman
Billow Flick McCall Schetz
Birmelin Foster McHale Schuler
Bishop Fox McNally Scrimenti
Black Freeman McVerry Semmel
Blaum Freind Maiale Serafini
Bortner Gallen Maine Smith, B.
Bowley Gamble Markosek Smith, S. H.
Boyes Gannon Marsico Snyder, D. W.
Brandt Geist Mayernik Snyder, G.
Broujos George Melio Staback
Bunt Gigliotti Merry Stairs
Burd Gladeck Michlovic Steighner
Burns Godshall Micozzie Stish
Bush Gruitza Mihalich Strittmatter
Caltagirone Gruppo Miller Suban
Cappabianca Hagarty Moehlmann Tangretti
Carlson Haluska Morris Taylor, E. Z.
Carn Harper Mowery Taylor, F.
Cawley Hasay Mrkonic Taylor, J.
Cessar Hayden Murphy Telek
Chadwick Hayes Nahill Thomas
Civera Heckler Nailor Tigue
Clark, B. D. Herman Noye Trello
Clark, D. F. Hershey O'Brien Trich
Clark, J. H. Hess Olasz Van Horne
Clymer Howlett Oliver Veon
Cohen Hughes Perzel Vroon
Colaella Itkin Pesci Wambach
Colaizzo Jackson Petrarca Wass
Cole Jadlowiec Petrone Weston
Cornell James Phillips Williams
Corrigan Jarolin Piccola Wilson
Cowell Johnson Pistella Wogan
Coy Josephs Pitts Wozniak
DeLuca Kaiser Pressmann Wright, D. R.
DeWeese Kasunic Preston Wright, J. L.
Daley Kenney Raymond Wright, R. C.
Davies Kondrich Reber Yandrisevits
Dempsey Kosinski Reinard O'Donnell,
Dietterick Kukovich Richardson Speaker
Distler LaGrotta Rieger
Dombrowski Langtry

NAYS—0

NOT VOTING—0

EXCUSED—2

- Dininni Pievsky

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

Ordered, That the clerk inform the Senate accordingly.

\*\*\*

The clerk of the Senate, being introduced, returned the following HB 2526, PN 3923, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act making an appropriation to the Philadelphia University of the Arts, Philadelphia.

On the question,

Will the House concur in Senate amendments?

The SPEAKER. It is moved by the majority leader that the House do concur.

The question recurs, will the House concur in the amendments? Those voting to concur will vote "aye"; those voting to nonconcur will vote "no."

On the question recurring,

Will the House concur in Senate amendments?

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

YEAS—200

- Acosta Donatucci Lashinger Ritter
Adolph Dorr Laughlin Robbins
Allen Durham Lee Robinson
Angstadt Evans Leh Roebuck
Argall Fairchild Lescovitz Rudy
Barley Fargo Levdansky Ryan
Battisto Farmer Linton Rybak
Belardi Fee Lloyd Saloom
Belfanti Fleagle Lucyk Saurman
Billow Flick McCall Schetz
Birmelin Foster McHale Schuler
Bishop Fox McNally Scrimenti
Black Freeman McVerry Semmel
Blaum Freind Maiale Serafini
Bortner Gallen Maine Smith, B.
Bowley Gamble Markosek Smith, S. H.
Boyes Gannon Marsico Snyder, D. W.
Brandt Geist Mayernik Snyder, G.
Broujos George Melio Staback
Bunt Gigliotti Merry Stairs
Burd Gladeck Michlovic Steighner
Burns Godshall Micozzie Stish
Bush Gruitza Mihalich Strittmatter
Caltagirone Gruppo Miller Suban
Cappabianca Hagarty Moehlmann Tangretti
Carlson Haluska Morris Taylor, E. Z.
Carn Harper Mowery Taylor, F.
Cawley Hasay Mrkonic Taylor, J.
Cessar Hayden Murphy Telek
Chadwick Hayes Nahill Thomas
Civera Heckler Nailor Tigue
Clark, B. D. Herman Noye Trello
Clark, D. F. Hershey O'Brien Trich
Clark, J. H. Hess Olasz Van Horne
Clymer Howlett Oliver Veon
Cohen Hughes Perzel Vroon
Colaella Itkin Pesci Wambach
Colaizzo Jackson Petrarca Wass
Cole Jadlowiec Petrone Weston
Cornell James Phillips Williams
Corrigan Jarolin Piccola Wilson
Cowell Johnson Pistella Wogan
Coy Josephs Pitts Wozniak
DeLuca Kaiser Pressmann Wright, D. R.
DeWeese Kasunic Preston Wright, J. L.
Daley Kenney Raymond Wright, R. C.



Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	
Dietterick	Kukovich	Richardson	O'Donnell,
Distler	LaGrotta	Rieger	Speaker
Dombrowski	Langtry		

NAYS—0  
 NOT VOTING—0  
 EXCUSED—2

Dininni      Pievsky

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

Ordered, That the clerk inform the Senate accordingly.

\* \* \*

The clerk of the Senate, being introduced, returned the following **HB 2527, PN 3924**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act making an appropriation to the Philadelphia College of Textiles and Science.

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

The SPEAKER. It is moved by the majority leader that the House do concur.

The question recurs, will the House concur in the amendments? Those voting to concur will vote "aye"; those voting to nonconcur will vote "no."

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

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

YEAS—200

Acosta	Donatucci	Lashinger	Ritter
Adolph	Dorr	Laughlin	Robbins
Allen	Durham	Lee	Robinson
Angstadt	Evans	Leh	Roebuck
Argall	Fairchild	Lescovitz	Rudy
Barley	Fargo	Levdansky	Ryan
Battisto	Farmer	Linton	Rybak
Belardi	Fee	Lloyd	Saloom
Belfanti	Fleagle	Lucyk	Saurman
Billow	Flick	McCall	Scheetz
Birmelin	Foster	McHale	Schuler
Bishop	Fox	McNally	Scrimenti
Black	Freeman	McVerry	Semmel
Blaum	Freind	Maiale	Serafini
Bortner	Gallen	Maine	Smith, B.
Bowley	Gamble	Markosek	Smith, S. H.
Boyes	Gannon	Marsico	Snyder, D. W.
Brandt	Geist	Mayernik	Snyder, G.
Broujos	George	Melio	Staback
Bunt	Gigliotti	Merry	Stairs
Burd	Gladeck	Michlovic	Steighner
Burns	Godshall	Micozzie	Stish
Bush	Gruitza	Mihalich	Strittmatter
Caltagirone	Gruppo	Miller	Stuban
Cappabianca	Hagarty	Moehlmann	Tangretti
Carlson	Haluska	Morris	Taylor, E. Z.
Carn	Harper	Mowery	Taylor, F.
Cawley	Hasay	Mrkonic	Taylor, J.
Cessar	Hayden	Murphy	Telek

Chadwick	Hayes	Nahill	Thomas
Civera	Heckler	Nailor	Tigue
Clark, B. D.	Herman	Noye	Trello
Clark, D. F.	Hershey	O'Brien	Trich
Clark, J. H.	Hess	Olasz	Van Horne
Clymer	Howlett	Oliver	Veon
Cohen	Hughes	Perzel	Vroon
Colaifella	Itkin	Pesci	Wambach
Colaizzo	Jackson	Petrarca	Wass
Cole	Jadlowiec	Petrone	Weston
Cornell	James	Phillips	Williams
Corrigan	Jarolin	Piccola	Wilson
Cowell	Johnson	Pistella	Wogan
Coy	Josephs	Pitts	Wozniak
DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Wright, R. C.
Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	
Dietterick	Kukovich	Richardson	O'Donnell,
Distler	LaGrotta	Rieger	Speaker
Dombrowski	Langtry		

NAYS—0  
 NOT VOTING—0  
 EXCUSED—2

Dininni      Pievsky

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

Ordered, That the clerk inform the Senate accordingly.

\* \* \*

The clerk of the Senate, being introduced, returned the following **HB 2528, PN 3925**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act making appropriations to the Trustees of the Berean Training and Industrial School at Philadelphia.

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

The SPEAKER. It is moved by the majority leader that the House do concur.

The question recurs, will the House concur in the amendments? Those voting to concur will vote "aye"; those voting to nonconcur will vote "no."

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

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

YEAS—200

Acosta	Donatucci	Lashinger	Ritter
Adolph	Dorr	Laughlin	Robbins
Allen	Durham	Lee	Robinson
Angstadt	Evans	Leh	Roebuck
Argall	Fairchild	Lescovitz	Rudy
Barley	Fargo	Levdansky	Ryan
Battisto	Farmer	Linton	Rybak
Belardi	Fee	Lloyd	Saloom
Belfanti	Fleagle	Lucyk	Saurman
Billow	Flick	McCall	Scheetz
Birmelin	Foster	McHale	Schuler
Bishop	Fox	McNally	Scrimenti

Black	Freeman	McVerry	Semmel
Blaum	Freind	Maiale	Serafini
Bortner	Gallen	Maine	Smith, B.
Bowley	Gamble	Markosek	Smith, S. H.
Boyes	Gannon	Marsico	Snyder, D. W.
Brandt	Geist	Mayernik	Snyder, G.
Broujos	George	Melio	Staback
Bunt	Gigliotti	Merry	Stairs
Burd	Gladeck	Michlovic	Steighner
Burns	Godshall	Micozzie	Stish
Bush	Gruitza	Mihalich	Strittmatter
Caltagirone	Gruppo	Miller	Stuban
Cappabianca	Hagarty	Moehlmann	Tangretti
Carlson	Haluska	Morris	Taylor, E. Z.
Carn	Harper	Mowery	Taylor, F.
Cawley	Hasay	Mrkonic	Taylor, J.
Cessar	Hayden	Murphy	Telek
Chadwick	Hayes	Nahill	Thomas
Civera	Heckler	Nailor	Tigue
Clark, B. D.	Herman	Noye	Trello
Clark, D. F.	Hershey	O'Brien	Trich
Clark, J. H.	Hess	Olasz	Van Horne
Clymer	Howlett	Oliver	Veon
Cohen	Hughes	Perzel	Vroon
Colafella	Itkin	Pesci	Wambach
Colaizzo	Jackson	Petrarca	Wass
Cole	Jadlowiec	Petrone	Weston
Cornell	James	Phillips	Williams
Corrigan	Jarolin	Piccola	Wilson
Cowell	Johnson	Pistella	Wogan
Coy	Josephs	Pitts	Wozniak
DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Wright, R. C.
Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	
Dietterick	Kukovich	Richardson	O'Donnell,
Distler	LaGrotta	Rieger	Speaker
Dombrowski	Langtry		

NAYS—0

NOT VOTING—0

EXCUSED—2

Dininni      Pievsky

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

Ordered, That the clerk inform the Senate accordingly.

\* \* \*

The clerk of the Senate, being introduced, returned the following **HB 2529, PN 3926**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act making appropriations to the Downingtown Industrial and Agricultural School, Downingtown.

On the question,

Will the House concur in Senate amendments?

The SPEAKER. It is moved by the majority leader that the House do concur.

The question recurs, will the House concur in the amendments? Those voting to concur will vote "aye"; those voting to nonconcur will vote "no."

On the question recurring,  
Will the House concur in Senate amendments?  
The SPEAKER. Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

YEAS—199

Acosta	Donatucci	Langtry	Rieger
Adolph	Dorr	Lashinger	Ritter
Allen	Durham	Laughlin	Robbins
Angstadt	Evans	Lee	Robinson
Argall	Fairchild	Leh	Roebuck
Barley	Fargo	Lescovitz	Rudy
Battisto	Farmer	Levdanský	Ryan
Belardi	Fee	Linton	Rybak
Belfanti	Fleagle	Lloyd	Saloom
Billow	Flick	Lucyk	Saurman
Birmelin	Foster	McCall	Scheetz
Bishop	Fox	McHale	Schuler
Black	Freeman	McNally	Scrimenti
Blaum	Freind	McVerry	Semmel
Bortner	Gallen	Maiale	Serafini
Bowley	Gamble	Maine	Smith, B.
Boyes	Gannon	Markosek	Smith, S. H.
Brandt	Geist	Marsico	Snyder, D. W.
Broujos	George	Mayernik	Snyder, G.
Bunt	Gigliotti	Melio	Staback
Burd	Gladeck	Merry	Stairs
Burns	Godshall	Michlovic	Steighner
Bush	Gruitza	Micozzie	Stish
Caltagirone	Gruppo	Mihalich	Strittmatter
Cappabianca	Hagarty	Miller	Stuban
Carlson	Haluska	Moehlmann	Tangretti
Carn	Harper	Morris	Taylor, E. Z.
Cawley	Hasay	Mowery	Taylor, F.
Cessar	Hayden	Mrkonic	Taylor, J.
Chadwick	Hayes	Murphy	Telek
Civera	Heckler	Nahill	Thomas
Clark, B. D.	Herman	Nailor	Tigue
Clark, D. F.	Hershey	Noye	Trello
Clark, J. H.	Hess	O'Brien	Van Horne
Clymer	Howlett	Olasz	Veon
Cohen	Hughes	Oliver	Vroon
Colafella	Itkin	Perzel	Wambach
Colaizzo	Jackson	Pesci	Wass
Cole	Jadlowiec	Petrarca	Weston
Cornell	James	Petrone	Williams
Corrigan	Jarolin	Phillips	Wilson
Cowell	Johnson	Piccola	Wogan
Coy	Josephs	Pistella	Wozniak
DeLuca	Kaiser	Pitts	Wright, D. R.
DeWeese	Kasunic	Pressmann	Wright, J. L.
Daley	Kenney	Preston	Wright, R. C.
Davies	Kondrich	Raymond	Yandrisevits
Dempsey	Kosinski	Reber	
Dietterick	Kukovich	Reinard	O'Donnell,
Distler	LaGrotta	Richardson	Speaker
Dombrowski			

NAYS—0

NOT VOTING—1

EXCUSED—2

Trich

Dininni      Pievsky

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

Ordered, That the clerk inform the Senate accordingly.

\*\*\*

The clerk of the Senate, being introduced, returned the following **HB 2530, PN 3927**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act making an appropriation to the Johnson Technical Institute of Scranton.

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

The **SPEAKER**. It is moved by the majority leader that the House do concur.

The question recurs, will the House concur in the amendments? Those voting to concur will vote "aye"; those voting to nonconcur will vote "no."

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

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

YEAS—200

Acosta	Donatucci	Lashinger	Ritter
Adolph	Dorr	Laughlin	Robbins
Allen	Durham	Lee	Robinson
Angstadt	Evans	Leh	Roebuck
Argall	Fairchild	Lescovitz	Rudy
Barley	Fargo	Levdansky	Ryan
Battisto	Farmer	Linton	Rybak
Belardi	Fee	Lloyd	Saloom
Belfanti	Fleagle	Lucyk	Saurman
Billow	Flick	McCall	Scheetz
Birmelin	Foster	McHale	Schuler
Bishop	Fox	McNally	Scrimenti
Black	Freeman	McVerry	Semmel
Blaum	Freind	Maiale	Serafini
Bortner	Gallen	Maine	Smith, B.
Bowley	Gamble	Markosek	Smith, S. H.
Boyes	Gannon	Marsico	Snyder, D. W.
Brandt	Geist	Mayernik	Snyder, G.
Broujos	George	Melio	Staback
Bunt	Gigliotti	Merry	Stairs
Burd	Gladeck	Michlovic	Steighner
Burns	Godshall	Micozzie	Stish
Bush	Gruitza	Mihalich	Strittmatter
Caltagirone	Gruppo	Miller	Stuban
Cappabianca	Hagarty	Moehlmann	Tangretti
Carlson	Haluska	Morris	Taylor, E. Z.
Carn	Harper	Mowery	Taylor, F.
Cawley	Hasay	Mrkonic	Taylor, J.
Cessar	Hayden	Murphy	Telek
Chadwick	Hayes	Nahill	Thomas
Civera	Heckler	Nailor	Tigue
Clark, B. D.	Herman	Noye	Trello
Clark, D. F.	Hershey	O'Brien	Trich
Clark, J. H.	Hess	Olasz	Van Horne
Clymer	Howlett	Oliver	Veon
Cohen	Hughes	Perzel	Vroon
Colafrella	Itkin	Pesci	Wambach
Colaizzo	Jackson	Petrarca	Wass
Cole	Jadlowiec	Petrone	Weston
Cornell	James	Phillips	Williams
Corrigan	Jarolin	Piccola	Wilson
Cowell	Johnson	Pistella	Wogan
Coy	Josephs	Pitts	Wozniak
DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Wright, R. C.
Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	

Dietterick	Kukovich	Richardson	O'Donnell,
Distler	LaGrotta	Rieger	Speaker
Dombrowski	Langtry		

NAYS—0

NOT VOTING—0

EXCUSED—2

Dininni	Pievsky
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The two-thirds majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

\*\*\*

The clerk of the Senate, being introduced, returned the following **HB 2532, PN 3928**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act making an appropriation to the Pennsylvania College of Optometry, Philadelphia.

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

The **SPEAKER**. It is moved by the majority leader that the House do concur.

The question recurs, will the House concur in the amendments? Those voting to concur will vote "aye"; those voting to nonconcur will vote "no."

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

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

YEAS—200

Acosta	Donatucci	Lashinger	Ritter
Adolph	Dorr	Laughlin	Robbins
Allen	Durham	Lee	Robinson
Angstadt	Evans	Leh	Roebuck
Argall	Fairchild	Lescovitz	Rudy
Barley	Fargo	Levdansky	Ryan
Battisto	Farmer	Linton	Rybak
Belardi	Fee	Lloyd	Saloom
Belfanti	Fleagle	Lucyk	Saurman
Billow	Flick	McCall	Scheetz
Birmelin	Foster	McHale	Schuler
Bishop	Fox	McNally	Scrimenti
Black	Freeman	McVerry	Semmel
Blaum	Freind	Maiale	Serafini
Bortner	Gallen	Maine	Smith, B.
Bowley	Gamble	Markosek	Smith, S. H.
Boyes	Gannon	Marsico	Snyder, D. W.
Brandt	Geist	Mayernik	Snyder, G.
Broujos	George	Melio	Staback
Bunt	Gigliotti	Merry	Stairs
Burd	Gladeck	Michlovic	Steighner
Burns	Godshall	Micozzie	Stish
Bush	Gruitza	Mihalich	Strittmatter
Caltagirone	Gruppo	Miller	Stuban
Cappabianca	Hagarty	Moehlmann	Tangretti
Carlson	Haluska	Morris	Taylor, E. Z.
Carn	Harper	Mowery	Taylor, F.
Cawley	Hasay	Mrkonic	Taylor, J.
Cessar	Hayden	Murphy	Telek
Chadwick	Hayes	Nahill	Thomas
Civera	Heckler	Nailor	Tigue

Clark, B. D.	Herman	Noye	Trello
Clark, D. F.	Hershey	O'Brien	Trich
Clark, J. H.	Hess	Olasz	Van Horne
Clymer	Howlett	Oliver	Veon
Cohen	Hughes	Perzel	Vroon
Colaifella	Itkin	Pesci	Wambach
Colaizzo	Jackson	Petrarca	Wass
Cole	Jadlowiec	Petrone	Weston
Cornell	James	Phillips	Williams
Corrigan	Jarolin	Piccola	Wilson
Cowell	Johnson	Pistella	Wogan
Coy	Josephs	Pitts	Wozniak
DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Wright, R. C.
Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	
Dietterick	Kukovich	Richardson	O'Donnell,
Distler	LaGrotta	Rieger	Speaker
Dombrowski	Langtry		

NAYS—0

NOT VOTING—0

EXCUSED—2

Dininni      Pievsky

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

Ordered, That the clerk inform the Senate accordingly.

\* \* \*

The clerk of the Senate, being introduced, returned the following **HB 2533, PN 3929**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act making an appropriation to the Pennsylvania College of Podiatric Medicine, Philadelphia.

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

The SPEAKER. It is moved by the majority leader that the House do concur.

The question recurs, will the House concur in the amendments inserted by the Senate? Those voting to concur will vote "aye"; those voting to nonconcur will vote "no."

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

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

YEAS—200

Acosta	Donatucci	Lashinger	Ritter
Adolph	Dorr	Laughlin	Robbins
Allen	Durham	Lee	Robinson
Angstadt	Evans	Leh	Roebuck
Argall	Fairchild	Lescovitz	Rudy
Barley	Fargo	Levdansky	Ryan
Battisto	Farmer	Linton	Rybak
Belardi	Fee	Lloyd	Saloom
Belfanti	Fleagle	Lucyk	Saurman
Billow	Flick	McCall	Scheetz
Birmelin	Foster	McHale	Schuler
Bishop	Fox	McNally	Scrimenti
Black	Freeman	McVerry	Semmel
Blaum	Freind	Maiale	Serafini

Bortner	Gallen	Maine	Smith, B.
Bowley	Gamble	Markosek	Smith, S. H.
Boyes	Gannon	Marsico	Snyder, D. W.
Brandt	Geist	Mayernik	Snyder, G.
Broujos	George	Melio	Staback
Bunt	Gigliotti	Merry	Stairs
Burd	Gladeck	Michlovic	Steighner
Burns	Godshall	Micozzie	Stish
Bush	Gruitza	Mihalich	Strittmatter
Caltagirone	Gruppo	Miller	Stuban
Cappabianca	Hagarty	Moehlmann	Tangretti
Carlson	Haluska	Morris	Taylor, E. Z.
Carn	Harper	Mowery	Taylor, F.
Cawley	Hasay	Mrkonic	Taylor, J.
Cessar	Hayden	Murphy	Telek
Chadwick	Hayes	Nahill	Thomas
Civera	Heckler	Nailor	Tigue
Clark, B. D.	Herman	Noye	Trello
Clark, D. F.	Hershey	O'Brien	Trich
Clark, J. H.	Hess	Olasz	Van Horne
Clymer	Howlett	Oliver	Veon
Cohen	Hughes	Perzel	Vroon
Colaifella	Itkin	Pesci	Wambach
Colaizzo	Jackson	Petrarca	Wass
Cole	Jadlowiec	Petrone	Weston
Cornell	James	Phillips	Williams
Corrigan	Jarolin	Piccola	Wilson
Cowell	Johnson	Pistella	Wogan
Coy	Josephs	Pitts	Wozniak
DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Wright, R. C.
Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	
Dietterick	Kukovich	Richardson	O'Donnell,
Distler	LaGrotta	Rieger	Speaker
Dombrowski	Langtry		

NAYS—0

NOT VOTING—0

EXCUSED—2

Dininni      Pievsky

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

Ordered, That the clerk inform the Senate accordingly.

\* \* \*

The clerk of the Senate, being introduced, returned the following **HB 2534, PN 3930**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act making an appropriation to the Fox Chase Institute for Cancer Research, Philadelphia, for the operation and maintenance of the cancer research program.

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

The SPEAKER. It is moved by the majority leader that the House do concur.

The question recurs, will the House concur in the amendments? Those voting to concur will vote "aye"; those voting to nonconcur will vote "no."

On the question recurring,

Will the House concur in Senate amendments?

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

(A roll-call vote was taken, but due to a malfunction the vote was not recorded. See later roll call.)

SENATE MESSAGE

SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE

The clerk of the Senate, being introduced, informed that the Senate has adopted the Report of the Committee of Conference on the subject of the differences existing between the two Houses on HB 1083, PN 3839.

SENATE MESSAGE

HOUSE AMENDMENTS CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to SB 539, PN 1913; and SB 1547, PN 2331.

SUPPLEMENTAL CALENDAR E CONTINUED VOTE RETAKEN ON HB 2534

The SPEAKER. Because of a malfunction in the machine, the Chair returns to HB 2534, page 3, supplemental calendar E.

The question recurs, will the House concur in the amendments? Those voting to concur will vote "aye"; those voting to nonconcur will vote "no."

On the question recurring,

Will the House concur in Senate amendments?

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

YEAS—200

Table listing names of members who voted 'yea' for Senate amendments, including Acosta, Adolph, Allen, Angstadt, Argall, Barley, Battisto, Belardi, Belfanti, Billow, Birmelin, Bishop, Black, Blaum, Bortner, Bowley, Boyes, Brandt, Broujos, Bunt, Burd, Burns, Bush, Donatucci, Dorrr, Durham, Evans, Fairchild, Fargo, Farmer, Fee, Fleagle, Flick, Foster, Fox, Freeman, Freind, Gallen, Gamble, Gannon, Geist, George, Gigliotti, Gladeck, Godshall, Gruitza, Lashingner, Laughlin, Lee, Leh, Lescovitz, Levdansky, Linton, Lloyd, Lucyk, McCall, McHale, McNally, McVerry, Maiale, Maine, Markosek, Marsico, Mayernik, Melio, Merry, Michlovic, Micozzie, Mihalich, Ritter, Robbins, Robinson, Roebuck, Rudy, Ryan, Rybak, Saloom, Saurman, Scheetz, Schuler, Scrimenti, Semmel, Serafini, Smith, B., Smith, S. H., Snyder, D. W., Snyder, G., Staback, Stairs, Steighner, Stish, Strittmatter.

Table listing names of members who voted 'nay' for Senate amendments, including Caltagirone, Cappabianca, Carlson, Carn, Cawley, Cessar, Chadwick, Civera, Clark, B. D., Clark, D. F., Clark, J. H., Clymer, Cohen, Colafella, Colaizzo, Cole, Cornell, Corrigan, Cowell, Coy, DeLuca, DeWeese, Daley, Davies, Dempsey, Dieterick, Distler, Dombrowski, Gruppo, Hagarty, Haluska, Harper, Hasay, Hayden, Hayes, Heckler, Herman, Hershey, Hess, Howlett, Hughes, Itkin, Jackson, Jadlowiec, James, Jarolin, Johnson, Josephs, Kaiser, Kasunic, Kenney, Kondrich, Kosinski, Kukovich, LaGrotta, Langtry, Miller, Moehlmann, Morris, Mowery, Mrkonic, Murphy, Nahill, Nailor, Noye, O'Brien, Olasz, Oliver, Perzel, Pesci, Petrarca, Petrone, Phillips, Piccola, Pistella, Pitts, Pressmann, Preston, Raymond, Reber, Reinard, Richardson, Rieger, Stuban, Tangretti, Taylor, E. Z., Taylor, F., Taylor, J., Telek, Thomas, Tigue, Trello, Trich, Van Horne, Veon, Vroon, Wambach, Wass, Weston, Williams, Wilson, Wogan, Wozniak, Wright, D. R., Wright, J. L., Wright, R. C., Yandrisevits, O'Donnell, Speaker.

NAYS—0

NOT VOTING—0

EXCUSED—2

Dininni Pievsky

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

Ordered, That the clerk inform the Senate accordingly.

\* \* \*

The clerk of the Senate, being introduced, returned the following HB 2553, PN 3931, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act making an appropriation to the Afro-American Historical and Cultural Museum for operating expenses.

On the question,

Will the House concur in Senate amendments?

The SPEAKER. It is moved by the majority leader that the House do concur.

The question recurs, will the House concur in the amendments? Those voting to concur will vote "aye"; those voting to nonconcur will vote "no."

On the question recurring,

Will the House concur in Senate amendments?

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

YEAS—199

Table listing names of members who voted 'yea' for House amendments, including Acosta, Adolph, Allen, Angstadt, Argall, Barley, Donatucci, Dorrr, Durham, Evans, Fairchild, Fargo, Langtry, Lashingner, Laughlin, Lee, Leh, Lescovitz, Ritter, Robbins, Robinson, Roebuck, Rudy, Ryan.

Battisto	Farmer	Levdansky	Rybak
Belardi	Fee	Linton	Saloom
Belfanti	Fleagle	Lloyd	Saurman
Billow	Flick	Lucyk	Scheetz
Birmelin	Foster	McCall	Schuler
Bishop	Fox	McHale	Scrimenti
Black	Freeman	McNally	Semmel
Blaum	Freind	McVerry	Serafini
Bortner	Gallen	Maiale	Smith, B.
Bowley	Gamble	Maine	Smith, S. H.
Boyes	Gannon	Markosek	Snyder, D. W.
Brandt	Geist	Marsico	Snyder, G.
Broujos	George	Mayermik	Staback
Bunt	Gigliotti	Melio	Stairs
Burd	Gladeck	Merry	Steighner
Burns	Godshall	Michlovic	Stish
Bush	Gruitza	Micozzie	Strittmatter
Caltagirone	Gruppo	Mihalich	Stuban
Cappabianca	Hagarty	Miller	Tangretti
Carlson	Haluska	Mochlmann	Taylor, E. Z.
Carn	Harper	Morris	Taylor, F.
Cawley	Hasay	Mowery	Taylor, J.
Cessar	Hayden	Mrkonic	Telek
Chadwick	Hayes	Murphy	Thomas
Civera	Heckler	Nahill	Tigue
Clark, B. D.	Herman	Nailor	Trelo
Clark, D. F.	Hershey	O'Brien	Trich
Clark, J. H.	Hess	Olasz	Van Horne
Clymer	Howlett	Oliver	Veon
Cohen	Hughes	Perzel	Vroon
Colafella	Itkin	Pesci	Wambach
Colaizzo	Jackson	Petrarca	Wass
Cole	Jadlowiec	Petrone	Weston
Cornell	James	Phillips	Williams
Corrigan	Jarolin	Piccola	Wilson
Cowell	Johnson	Pistella	Wogan
Coy	Josephs	Pitts	Wozniak
DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Wright, R. C.
Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	
Dietterick	Kukovich	Richardson	O'Donnell,
Distler	LaGrotta	Rieger	Speaker
Dombrowski			

bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1990; to provide appropriations from the State Lottery Fund, the Pennsylvania Economic Revitalization Fund, the Energy Conservation and Assistance Fund, The State Stores Fund and the Emergency Medical Services Operating Fund to the Executive Department; to provide appropriations from the Judicial Computer System Augmentation Account to the Judicial Department; to provide appropriations from the Motor License Fund for the fiscal year July 1, 1990, to June 30, 1991, for the proper operation of the several departments of the Commonwealth and the Pennsylvania State Police authorized to spend Motor License Fund moneys; and to provide for the appropriation of Federal funds to the Executive and Judicial Departments of the Commonwealth and for the establishment of restricted receipts accounts for the fiscal year July 1, 1990, to June 30, 1991, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1990.

On the question,

Will the House adopt the report of the committee of conference?

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

Mr. FREIND. To debate the bill, Mr. Speaker.

The SPEAKER. The gentleman is recognized and may proceed.

Mr. FREIND. Thank you, Mr. Speaker.

I think we all agree this is a tight budget year, and this budget reflects that. Revenues are not there, and that is nobody's fault. There has been a national economic downturn, and this budget reflects that. Because of those circumstances, it is necessary to do a lot of belt tightening, which this budget does, and I think in many respects this budget does a good job of that. I think the biggest problem, however, with HB 623 is its impact on education in general and, in particular, special education and, most importantly, our local taxpayers.

As we all know, State and Federal law requires our local school districts to provide special education. They do not have a choice. State law, our law, mandates that we pay the full excess cost to our school districts for special education. That is our law. Our law also says that we pay that money up front for the current school year.

Now, before we begin to beat our breast about the money that is in this budget for special education, I think we ought to talk about the facts. Yes, there is \$84 million in this special education for our local school districts, but it is money we owed them from last year. It is money that should have been paid off in January. Because we violated the law and because we have not kept our word, we have seen the results in the local school districts with skyrocketing increases in local real estate tax - the unfair tax of all and the tax that hits most hardest those on fixed incomes, particularly our senior citizens. So we have the \$84 million in there for the school districts for last year.

Now, the Department of Education has indicated that for the new school year, which we are obligated by law to fund in this budget, the cost to our local school districts for special education will be \$162 million. How much money do we have

NAYS—0

NOT VOTING—1

Noye

EXCUSED—2

Dininni

Pievsky

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

Ordered, That the clerk inform the Senate accordingly.

**SUPPLEMENTAL CALENDAR F  
REPORT OF COMMITTEE  
OF CONFERENCE CONSIDERED**

Mr. DeWEESE called up for consideration the following Report of the Committee of Conference on **HB 623, PN 3943**, entitled:

An Act to provide from the General Fund for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and for the public schools for the fiscal year July 1, 1990, to June 30, 1991, and for the payment of

in this budget toward that \$162 million? Do we have \$100 million? No. Do we have \$50 million? No. We do not have a penny. We are, by this budget, asking our local school districts and therefore our local taxpayers to take a hit in this year of \$162 million. Another way to phrase that is approximately one-sixth of a billion dollars, and you know, it is kind of phony to say that we held the line on State taxes when the end result is that we are forcing, with no alternative whatsoever, a continual huge increase in real estate taxes.

Each one of you was provided a number of weeks ago and again tonight on your desk a printout of all the school districts. That printout is what the \$84 million we owed cost each of our school districts. Now, because \$84 million that we are paying off is just about half of what we owe for the next year, if you go into that printout and look at your school district and look at the number, double it, and that is the hit your school district is going to take this year because of this budget, and you have it, so I am not going to belabor the issue. I just want to help out some of my friends just to point out, for example, some of these school districts.

I mean, we look at a school district like Gettysburg, where if you double \$371,000, we are talking about \$742,000. We are looking at a school district, for example, of my good friend, Sam Morris, from Coatesville. Double \$309,000, and we have got \$618,000. We are looking at Chambersburg Area School District; my good buddy, Jeff Coy. We are talking about \$750,000. This one cannot be right; this one cannot be right. My good friend, Karen Ritter, and John Pressmann, they are looking at a hit in the Allentown City School District of \$2.4 million. That is just unbelievable. Looking at my good friend, Frank Yandrisevits, \$748,000. This one is unbelievable. My buddy, the chairman of the Insurance Committee, Bill Rybak; Bethlehem Area School District is taking a hit of \$3.2 million. Now, I know Bill is going to want to do something about that. It goes on and on, Mr. Speaker. Curt Bowley is taking a hit of \$660,000 and on and on and on. Now, we can posture and say we are doing something, but this is one of the greatest rapes of local taxpayers that I have ever seen in my life.

Now, there is a way we can avoid this debacle, Mr. Speaker. In addition to voting "yes" or "no," we can look for alternatives, and I think the appropriate thing to do for this budget, since it is deficient and we cannot afford the full \$162 million, I think it would be appropriate to at least go halfway, a little more than half, and put half of the money we owe, \$84 million, for this school year into this budget. I think we owe that to our school districts, to our taxpayers, and most importantly, to our senior citizens.

#### MOTION TO SUSPEND RULES

Mr. FREIND. So because I think we all agree that is the right thing to do, Mr. Speaker, I move to suspend the rules so that HB 623 can be amended to accomplish that.

The SPEAKER. The gentleman is out of order.

#### RULING OF CHAIR APPEALED

Mr. FREIND. I knew you were going to say that, Mr. Speaker, and I reluctantly and respectfully appeal the ruling of the Chair.

The SPEAKER. For the information of the members, Mason's Manual, section 770, indicates that "Under no condition, including suspension of the rules, may the house alter or amend the report of the committee, but must adopt or refuse to adopt the report in the form submitted." Mason's Manual was relied upon by Speaker Manderino on June 30, 1989, on an identical motion from the gentleman; Mr. Gallen, and Speaker Manderino so ruled.

The gentleman is in order to challenge the ruling of the Chair.

On the question,

Will the House sustain the ruling of the Chair?

The SPEAKER. The Chair recognizes Mr. Freind.

Mr. FREIND. Thank you, Mr. Speaker.

I would like to make a number of points.

Number one, we have a precedent in this House to suspend the rules on a conference report.

The SPEAKER. Will the gentleman suspend.

The gentleman is recognized and may proceed.

Mr. FREIND. Thank you, Mr. Speaker.

The first point is, we have a precedent in this House to suspend the rules on a conference report, and believe it or not, it occurred exactly 4 years ago. On July 1, 1986, when I moved to suspend the rules on a conference report, the Speaker, Speaker Irvis, permitted that, and in fact, there was a vote on suspension of the rules.

Now, since the gentleman, Mr. O'Donnell, has been Speaker, he has previously ruled several months ago on an auto insurance issue that that was out of order, and what he did was refer to Mason's Manual. My distinguished colleague from Montgomery County, Representative Reber, made a number of excellent points during that debate, which are a matter of record now, and what he pointed out was that our rules, rule 78, "Parliamentary Authority," indicates that "Jefferson's Manual supplemented by Mason's Manual...shall be the parliamentary authority of the House...." He then went on to reference section 550 of Jefferson's Manual where it states that "...amendment is sometimes made by concurrent action of the two Houses,..." which permits it. Concurrent action would be if we did it and then the Senate did it. So in fact, if we go by our rules and Jefferson's Manual, in fact, it does permit amendments to a conference report. That is the first point.

The second point is, if we cannot amend the budget, a conference report, we have no recourse. I understand the need for the average member who is not a leader during budget times to be given the mushroom treatment. It cannot work any other way, but there has got to be at least some recourse besides a "yes" or a "no" vote. At some point in this process, all of Pennsylvania, represented by the full membership of the House, have to have input in extraordinary circumstances,

and this is an extraordinary circumstance - the special education issue.

The last point I would like to make is, this is not a procedural vote. This is a vote to determine whether or not we are going to obey the law and whether or not we are going to assist the local taxpayers of Pennsylvania through all of our school districts throughout the State or whether or not we are going to stick it to them worse than we have ever stuck it to them before.

I sincerely hope that we overrule the ruling of the Chair so that we can get on with suspending the rules and putting in the \$84 million to our school districts and our local taxpayers. Thank you, Mr. Speaker.

The SPEAKER. For the information of the members, Jefferson's Manual, referred to by the gentleman, indicates that "The report must be acted on as a whole, being agreed to or disagreed to as an entirety...."

Is there anyone else seeking recognition on the subject at hand?

### PARLIAMENTARY INQUIRY

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

Mr. COWELL. Thank you, Mr. Speaker.

A point of parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state his point of parliamentary inquiry.

Mr. COWELL. Mr. Speaker, if we would overrule the ruling of the Chair and we ultimately would choose to suspend the rules for the purpose of offering amendments to the Conference Committee Report on HB 623, would it then be in order for any member of this legislature to offer any amendment to that conference committee report?

The SPEAKER. The effect of overruling the Chair would be to render the conference committee report a nullity. It would be of no force and effect. It would arguably no longer be before the House. In the event that the House decided that the matter was properly before the House, then presumably, any member could offer another amendment and each time suspending the rules as the Chair would continue to rule in the same way.

Mr. COWELL. Mr. Speaker, if it would be in order, I would simply like to comment my intention that if we would choose to overrule the ruling of the Chair and ultimately to suspend the rules and therefore put ourselves in a position where any amendments would be offered, it would be my intention to offer an amendment to correct another problem that I see with our basic education funding mechanisms, which are perpetuated in this year's budget, and that is a problem with respect to certain 2-percent school districts, some of which are in Delaware and Montgomery Counties, which receive far in excess of what they are entitled to, even if we added \$126 million to the ESBE (equalized subsidy for basic education) line item and in fact, in some cases, even if we added three-quarters of a billion dollars to the ESBE line

item. I think it would be very difficult to defend additional increases for those districts that are already receiving far in excess of what they are entitled to and far in excess of what they would be entitled to even if we added, as I suggested, three-quarters of a billion dollars to the ESBE formula so that we would have 50-50 funding on a statewide basis.

So if we choose to overrule the Chair and suspend the rules, I would ask for the opportunity to have such an amendment prepared and circulated among the members of the House for our consideration later this evening.

Mr. Speaker, I have one other point of inquiry, which I would direct to the majority leader, if I may.

The SPEAKER. The majority leader agrees to be interrogated. The gentleman may proceed.

Mr. COWELL. Mr. Speaker, there has been a lot of rhetoric during the last several weeks with respect to the dollars which are owed to school districts for the current year.

Mr. RYAN. Mr. Speaker?

The SPEAKER. Will the gentleman suspend.

For what purpose does the gentleman, Mr. Ryan, rise?

Mr. RYAN. I am curious as to what is being debated right now.

The SPEAKER. The matter before the House is an appeal from the ruling of the Chair.

Mr. RYAN. It sounds to me, Mr. Speaker, like the gentleman, Mr. Cowell, wants to debate everything in the field of education. Mr. Freind was wise enough to get that part of his debate in prior to making his motion to suspend. I believe that what is before the House now is the suspension and the subsequent ruling of the Chair.

The SPEAKER. The Chair appreciates the gentleman's characterization of Mr. Freind's technique as wisdom. The gentleman, Mr. Cowell, has not yet finished his first sentence, so it is difficult for the Chair to ascertain whether he is on point or not.

The majority leader has consented to interrogation. The gentleman may proceed.

Mr. COWELL. Thank you, Mr. Speaker.

I am simply seeking guidance from the majority leader on the issue before us.

Mr. Speaker, there has been a good deal of rhetoric during the past several weeks about \$84 million which is owed or has been owed to school districts, which is part—

The SPEAKER. Will the gentleman, Mr. Cowell, suspend.

### POINT OF ORDER

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

Mr. GALLEN. Point of order, Mr. Speaker.

The SPEAKER. The gentleman will state his point of order.

Mr. GALLEN. It is my idea that what we are debating is the ruling of the Chair, and I think that is the issue before the House, and I think that is what we should decide and not some outside rhetoric here, Mr. Speaker.



The SPEAKER. Presumably, the Chair is trying to listen closely to Mr. Cowell to ascertain on what basis he is interrogating the majority leader. If the subject matter is sustaining the ruling of the Chair and the development of reasons for or against, then the gentleman is in order. If it is not, then he is not. The Chair would like to pay close attention to the gentleman, Mr. Cowell, for that purpose.

The gentleman may proceed.

Mr. COWELL. Thank you, Mr. Speaker.

Mr. Speaker, I was inquiring about some of the rhetoric that we have heard during the past several weeks about \$84 million owed to the school districts for special education costs incurred during the current year, and it is my understanding that that \$84 million is provided for in the budget bill which is now before us. However, I want to ask a question of the majority leader in terms of the generation of that \$84-million figure. Am I correct—

The SPEAKER. Will the gentleman, Mr. Cowell, suspend.

### PARLIAMENTARY INQUIRY

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

Mr. GANNON. Parliamentary inquiry.

The SPEAKER. The gentleman will state his inquiry.

Mr. GANNON. Mr. Speaker, the House has adopted rules that say that we will use Mason's Manual as our guide in our parliamentary debate. Now, the motion before us is to suspend those rules. Now, in Mason's Manual, it says on the lines which—

The SPEAKER. If the gentleman will suspend. The matter before the House is an appeal from the ruling of the Chair and not a motion to suspend the rules.

Mr. GANNON. Well, this has to do with the appeal, the basis for the Chair's decision which is being appealed from. I am getting to that point.

The SPEAKER. The gentleman is stating a point of parliamentary inquiry?

Mr. GANNON. Yes.

The SPEAKER. Will the gentleman frame his inquiry.

Mr. GANNON. The inquiry is this: I am arguing in favor of the appeal to the Chair's decision. My basis is that—

The SPEAKER. If the gentleman will suspend.

The gentleman will have the opportunity to argue the merits of the issue. If there is no inquiry that the gentleman wishes to address to the Chair, the Chair would urge the gentleman to wait until we deal with Mr. Cowell's remarks and then we will recognize the gentleman to make his remarks.

Mr. GANNON. Okay, Mr. Speaker. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Cowell, may proceed.

Mr. COWELL. Thank you, Mr. Speaker.

Once again I will try to direct my questions to the majority leader, and I have only two questions.

First question, Mr. Speaker: With respect to the sum of money which is owed to school districts at the end of the 1989-

90 fiscal year—and that is estimated to be \$84 million, and it is a sum which is provided for in the bill before us and a sum which was predicted to be a deficit, if you will, even when the 1989-90 budget was signed and approved by this legislature with members of both caucuses on this floor voting in overwhelming numbers in favor of that bill—when that conference committee report which led to the 1989-90 budget was signed, Mr. Speaker, did Representative Pitts, on behalf of the Republican leadership in the House, sign that conference committee report for 1989-90?

Mr. DeWEESE. I believe that he did.

Mr. RYAN. Mr. Speaker?

The SPEAKER. The Chair would ask the gentleman, Mr. Cowell, by way of almost an offer of proof, to establish the connection between that question, since this is obviously a subject of some attention here, the connection between that question and the matter before the House, which is an appeal from the ruling of the Chair.

Mr. COWELL. Mr. Speaker, we have been asked to appeal the ruling of the Chair because it has been suggested that it is necessary for this legislature to give additional consideration to a conference committee report, additional consideration which would require us to suspend the rules which have been approved by this Assembly to provide for the orderly consideration of bills such as the budget. So we are being asked to do something extraordinary to allow additional amendments or at least consideration of additional amendments to this HB 623, and I have an interest in knowing whether the conference committee report that is before us represents the views of only a limited number of members of this General Assembly or the members of only one caucus or whether in fact it is a report—

Mr. RYAN. Mr. Speaker?

Mr. COWELL. —that has been approved by and with the consent of representatives of both parties—

Mr. RYAN. Mr. Speaker?

Mr. COWELL. —represented in this House.

The SPEAKER. The Chair thanks the gentleman.

The Chair was reluctant to interrupt the gentleman since he was responding to the Chair's inquiry. If the gentleman will suspend for one minute.

The Chair would caution the gentleman, Mr. Cowell, to constrain his remarks within a narrower description of the matter before the House, which is an appeal from the ruling of the Chair.

Is the gentleman, Mr. Ryan, seeking recognition?

Mr. RYAN. Yes.

The SPEAKER. For what purpose does the gentleman rise?

Mr. RYAN. I am curious as to why the Chair's ruling is being appealed. It is being appealed, as I understand it, because the Chair has said that a conference committee report cannot be amended. If that is the case, that should be the limit of the debate, not whether Joe Pitts signed a conference committee report or did not sign a conference committee report. It is quarter after 2. I have a bet as to what time we are going to get out of here, and if you continue this, I will lose.

The SPEAKER. The Chair advises the gentleman that it is quarter after 1.

Mr. RYAN. I use Greenwich time.

The SPEAKER. The Chair appreciates the gentleman's advice.

The gentleman, Mr. Cowell, may continue within the confines of the Chair's advice.

Mr. COWELL. Thank you, Mr. Speaker.

I have only one additional question, and that is for the majority leader.

Mr. Speaker, is it correct that the conference committee report that is currently before us, HB 623, which is the subject of this lengthy discussion, was in fact signed earlier this evening by Representative Joseph Pitts on behalf of the, at least the Republican leadership—

The SPEAKER. With great reluctance, the Chair interrupts the gentleman.

It appears to be a repetition of the gentleman's earlier question. If the gentleman would please move to the closer connection to this issue.

Mr. COWELL. Mr. Speaker, it is similar to the earlier question, but the earlier question pertained to Representative Pitts signing last year's conference report, and this question pertains to Representative Pitts signing this year's conference report, which apparently is not approved by Representative Freind.

Mr. RYAN. Mr. Speaker, I move the previous question.

The SPEAKER. Will the gentleman, Mr. Cowell, suspend, please.

Mr. COWELL. Certainly.

The SPEAKER. The Chair understands the gentleman, Mr. Cowell, to have completed his interrogation. The matter before the House, which the clerk should record on the board, is an appeal—

For the information of the members, the gentleman, Mr. Cowell, had the floor. The Chair is within the reach of the voice of the gentleman, Mr. Ryan. However, the gentleman, Mr. Cowell, had the floor. The motion before the House at that time and now is the challenge to the ruling of the Chair. That is the matter before this House.

For what purpose does the gentleman, Mr. Ryan, rise? Is the gentleman still seeking recognition?

Mr. RYAN. No. I conveyed my message.

The SPEAKER. The Chair thanks the gentleman.

Is there anyone else seeking recognition on the matter before the House?

The Chair recognizes the majority leader.

Mr. DeWEESE. I would only ask my colleagues, including the gentleman who signed the conference report and all men and women of honor, to support the Chair and to support it with gusto. It seems to me unequivocal as to what we should do in this case.

The SPEAKER. The Chair recognizes Mr. Trello.

Mr. TRELLO. Mr. Speaker, I do not think my remarks are appropriate to the subject matter before us, but I would like to be recognized before the final vote. But I was very happy to

hear that the minority leader is truly in fact for small games of chance, because he does have a bet going for him.

### PARLIAMENTARY INQUIRY

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

Mr. GANNON. Thank you, Mr. Speaker.

Mr. Speaker, your decision in connection with Mr. Freind's motion was based on Mason's Manual, which this House adopted as its guide for its procedure by rule, and Mr. Freind's motion was to suspend those rules. What I would like from the Speaker is a parliamentary opinion as to the effect of that provision that says a conference report cannot be amended even with the suspension of the rules when Mr. Freind's motion was for a suspension of the very rules that said the House would follow Mason's Manual. Yes; that was directed to the Speaker, Mr. Speaker.

The SPEAKER. The Chair apologizes. Will the gentleman frame the question again? It is a parliamentary inquiry?

Mr. GANNON. Mr. Speaker, as I understand it, the House adopted its rules and, within those rules, adopted Mason's Manual as its guide for its parliamentary procedure. Mr. Freind's motion is a motion to suspend those rules, and I wanted to know the effect of that provision within Mason's Manual that the Speaker cited which said that a conference report could not be amended even under a suspension of the rules when Mr. Freind's motion was to suspend the very rules that adopted Mason's Manual as our guide for parliamentary procedure.

The SPEAKER. The gentleman's question is, what would be the effect of the adoption of suspending the very rules that the Speaker relied upon?

Let the record reflect the spontaneous ruling from the floor.

Mr. GANNON. So the effect of a vote supporting the appeal—

The SPEAKER. Would be to render the bill a nullity.

Mr. GANNON. —to the suspension would permit the House to offer its amendments, as requested by Mr. Freind.

The SPEAKER. I am sorry. Will the gentleman reframe the question?

Mr. GANNON. Yes.

My point of argument was that a successful appeal to the ruling of the Chair would have the effect that the conference report would be subject to amendment by the House.

The SPEAKER. The effect would be to render the bill a nullity. The ruling of Speaker Irvis that the gentleman, Mr. Freind, cited included a reference by Speaker Irvis to that effect, in which he said the net result of the adoption of that motion would be to render the bill a nullity.

Mr. GANNON. Well, Mr. Speaker, what would be the basis for determining that the bill would be a nullity?

Mr. Speaker, I withdraw the question.

The SPEAKER. The Chair thanks the gentleman.

Shall the decision of the Chair stand as the judgment of the House? Those in favor of sustaining the Chair's decision will vote "aye"; those opposed, "no."

On the question recurring,  
Will the House sustain the ruling of the Chair?

The following roll call was recorded:

**YEAS—106**

Acosta	Dombrowski	Lloyd	Ritter
Battisto	Donatucci	Lucyk	Robinson
Belardi	Evans	McCall	Roebuck
Belfanti	Fee	McHale	Rudy
Billow	Freeman	McNally	Rybak
Bishop	Gamble	Maiale	Saloom
Blaum	George	Maine	Scrimenti
Bortner	Gigliotti	Markosek	Staback
Bowley	Gruitza	Mayernik	Steighner
Boyes	Haluska	Melio	Stish
Broujos	Harper	Michlovic	Stuban
Burd	Hayden	Mihalich	Tangretti
Caltagirone	Howlett	Miller	Taylor, F.
Cappabianca	Hughes	Morris	Thomas
Carn	Itkin	Mrkonic	Tigue
Cawley	James	Murphy	Trello
Clark, B. D.	Jarolin	Olasz	Trich
Cohen	Josephs	Oliver	Van Horne
Colafiglia	Kaiser	Pesci	Veon
Colaizzo	Kasunic	Petrarca	Wambach
Cole	Kosinski	Petrone	Williams
Corrigan	Kukovich	Piccola	Wozniak
Cowell	LaGrotta	Pistella	Wright, D. R.
Coy	Laughlin	Pressmann	Yandrisevits
DeLuca	Lescovitz	Preston	
DeWeese	Levdansk	Richardson	O'Donnell,
Daley	Linton	Rieger	Speaker

**NAYS—90**

Adolph	Dorr	Jadlowiec	Ryan
Allen	Durham	Johnson	Saurman
Angstadt	Fairchild	Kenney	Scheetz
Argall	Fargo	Kondrich	Schuler
Barley	Farmer	Lashinger	Semmel
Birmelin	Fleagle	Leh	Serafini
Black	Flick	McVerry	Smith, B.
Brandt	Foster	Marsico	Smith, S. H.
Bunt	Fox	Merry	Snyder, D. W.
Burns	Freind	Micozzie	Snyder, G.
Bush	Gallen	Mowery	Stairs
Carlson	Gannon	Nahill	Strittmatter
Cessar	Geist	Nailor	Taylor, E. Z.
Chadwick	Gladeck	Noye	Taylor, J.
Civera	Godshall	O'Brien	Telek
Clark, D. F.	Gruppo	Perzel	Vroon
Clark, J. H.	Hagarty	Phillips	Wass
Clymer	Hasay	Pitts	Weston
Cornell	Hayes	Raymond	Wilson
Davies	Heckler	Reber	Wogan
Dempsey	Herman	Reinard	Wright, J. L.
Dietrick	Hershey	Robbins	Wright, R. C.
Distler	Hess		

**NOT VOTING—4**

Jackson	Langtry	Lee	Moehlmann
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**EXCUSED—2**

Dininni	Pievsky
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The majority having voted in the affirmative, the question was determined in the affirmative and the ruling of the Chair was sustained.

**FILMING PERMISSION**

The SPEAKER. The Chair grants permission to WPVI for 10 minutes of live coverage.

**CONSIDERATION OF HB 623 CONTINUED**

On the question recurring,  
Will the House adopt the report of the committee of conference?

The SPEAKER. The Chair recognizes Mr. Merry.  
Mr. MERRY. Mr. Speaker, may I speak on final passage of this conference committee report?

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

Mr. MERRY. I would like to interrogate the chairman of the Appropriations Committee or the majority leader.

The SPEAKER. The majority leader?

Mr. MERRY. Mr. Speaker, may I begin my interrogation?

The SPEAKER. Will the gentleman suspend.

Mr. DeWEESE. The gentleman, Mr. Merry, will not be able to interrogate the majority chairman. The majority chairman is not present in the hall of the House. However, the minority chairman, who signed the conference report, is available, and I would suggest you direct your question to the minority chairman of the Appropriations Committee.

Mr. MERRY. I understand there is an acting or a vice chairman of the majority Appropriations Committee. It really makes no difference, but I just thought the answers would be more appropriate if it came from the majority party in the House.

The SPEAKER. The Chair construes the majority leader's remarks to be respectfully declining the gentleman's request to be interrogated, and the majority leader has suggested to the gentleman that he direct his interrogation to the minority chairman of the Appropriations Committee.

Mr. MERRY. That would be very satisfactory. May I interrogate the minority chairman of the Appropriations Committee, Representative Pitts?

Mr. Speaker, am I given the go-ahead?

The SPEAKER. The gentleman, Mr. Pitts, is indicating that he is willing to be interrogated. The gentleman may proceed.

Mr. MERRY. Mr. Speaker, it is my understanding that the General Assembly is mandated by our Constitution to pass a balanced budget. My question is this: Is this budget before us in HB 623 a balanced budget, in your opinion?

Mr. PITTS. Mr. Speaker, the Governor is the one who certifies the revenue estimates, and based on the Governor's estimates, the budget is balanced.

Mr. MERRY. A further question. My understanding is that there are provisions in the budget that provide for a bond issue, a borrowing of money to fund certain lines in the bill, HB 623. Amongst those is a line that would provide for the Department of General Services a \$6,700,000 loan, additional loans for the Pennsylvania Economic Revitalization Fund of

\$120,000,000, making a total bond program of Pennsylvania for \$126,815,000.

My question is this: As I understand that bonding is normally limited to hard lines of capital expenses, how did your committee of conference justify a balanced proposal here when obviously you are borrowing funds to balance this budget?

Mr. PITTS. The budget that we have before us was based on Governor Casey's recommendation as to how to balance this budget, including bond financing, which it contains.

Mr. MERRY. I understand there has been a concerted effort to provide a budget here, but I needed information as to how anyone could suggest—and I know this is largely put into place by the majority party here and the Governor—as to how the Governor can present a budget that is obviously not balanced when it provides for a bond issue. That was my only question, and that ends my interrogation.

The SPEAKER. The Chair thanks the gentleman.

Mr. MERRY. Mr. Speaker, now may I make a statement after the interrogation?

The SPEAKER. The gentleman may proceed.

Mr. MERRY. Mr. Speaker, my only purpose in asking the questions was to determine why the Governor, in his infinite wisdom, presents a budget that provides for a bond issue, which is nothing more than a form of borrowing to balance the budget. I suggest that this budget is just another example of smoke and mirrors on the part of the administration, and I certainly would be one who would indicate that it should not be passed in its present form.

The SPEAKER. The Chair recognizes the majority leader.

Mr. DeWEESE. The gentleman, Mr. Merry, should realize that over and over and over again when Richard Thornburgh borrowed from the Lottery Fund, Mr. Merry voted for those budgets, and Democrats occasionally put up votes to help pass those budgets. It is not unusual to do what he did; it is not unusual to do what we did; and, Mr. Merry, you ought to realize that. You have been here long enough to know that.

The SPEAKER. The Chair recognizes Mr. Wass.

Mr. WASS. Thank you, Mr. Speaker.

Mr. Speaker, may I interrogate the minority chairman of the Appropriations Committee, Mr. Pitts?

The SPEAKER. The gentleman indicates he is willing to be interrogated. The gentleman may proceed.

Mr. WASS. Mr. Speaker, I have been in the House of Representatives for 14 years, and my record will prove that I am proeducation.

Mr. Speaker, my best understanding of the legislation before us, the budget, tells us that there is \$84 million due our school districts at this time and they will not get that money until August, 30 percent in August. Can you explain that to me? How are we going to pay for these moneys due our school districts, which is estimated at \$84 million, that is due them now?

Mr. PITTS. Mr. Speaker, the obvious answer is that our local school districts are going to have to raise taxes because the Governor has refused to put in the budget the \$84-million prospective payments required.

Mr. WASS. Mr. Speaker, if I may continue, is it true that the estimated cost of special education next year to our school districts is \$162 million?

Mr. PITTS. Yes, Mr. Speaker, that is approximately correct.

Mr. WASS. Mr. Speaker, I ask you, is there any money in this budget to pay for that expense of \$162 million?

Mr. PITTS. Mr. Speaker, again, the Governor has proposed no money toward that purpose, and it is not in the budget for prospective payments.

Mr. WASS. One more question, Mr. Speaker.

Mr. Speaker, is it true that there is \$126 million in the Rainy Day Fund that is not being used?

Mr. PITTS. That is correct.

Mr. WASS. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes Mr. Fargo.

Mr. FARGO. Thank you, Mr. Speaker.

I just would like to make the statement that it is patently unfair and incorrect and unwise to compare a transfer of funds from the Lottery Fund that is going to be used for senior citizens to what is being done in borrowing money and going out and actually borrowing money for operations and current operations of the State of Pennsylvania. There is no comparison, and to try to make that comparison is unfair to Mr. Merry, and I just feel that it is wrong. Thank you.

On the question recurring,

Will the House adopt the report of the committee of conference?

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

YEAS—132

Acosta	Donatucci	Lescovitz	Rudy
Angstadt	Durham	Levdansky	Ryan
Battisto	Evans	Linton	Rybak
Belardi	Fee	Lloyd	Saloom
Belfanti	Foster	Lucyk	Scrimenti
Billow	Freeman	McCall	Serafini
Bishop	Gamble	McHale	Snyder, D. W.
Blaum	George	McNally	Snyder, G.
Bortner	Gigliotti	Maiale	Staback
Bowley	Gruitza	Maine	Stairs
Boyes	Gruppo	Markosek	Steighner
Brandt	Haluska	Mayermik	Stish
Broujos	Harper	Melio	Stuban
Bush	Hasay	Michlovic	Tangretti
Caltagirone	Hayden	Mihalich	Taylor, F.
Cappabianca	Hayes	Miller	Taylor, J.
Carlson	Herman	Moehlmann	Telek
Carn	Hess	Morris	Thomas
Cawley	Howlett	Mrkonic	Tigue
Cessar	Hughes	Murphy	Trello
Clark, B. D.	Itkin	Olasz	Trich
Cohen	Jackson	Oliver	Van Horne
Colafella	James	Pesci	Veon
Colaizzo	Jarolin	Petrarca	Wambach
Cole	Johnson	Petrone	Williams
Corrigan	Josephs	Pistella	Wogan
Cowell	Kaiser	Pitts	Wozniak
Coy	Kasunic	Pressmann	Wright, D. R.
DeLuca	Kenney	Preston	Wright, R. C.
DeWeese	Kondrich	Rieger	Yandrisevits
Daley	Kosinski	Ritter	
Dieterick	Kukovich	Robinson	O'Donnell,
Distler	LaGrotta	Roebuck	Speaker
Dombrowski	Laughlin		

**NAYS—68**

Adolph	Dorr	Langtry	Reber
Allen	Fairchild	Lashingner	Reinard
Argall	Fargo	Lee	Richardson
Barley	Farmer	Leh	Robbins
Birmelin	Fleagle	McVerry	Saurman
Black	Flick	Marsico	Scheetz
Bunt	Fox	Merry	Schuler
Burd	Freind	Micozzie	Semmel
Burns	Gallen	Mowery	Smith, B.
Chadwick	Gannon	Nahill	Smith, S. H.
Civera	Geist	Nailor	Strittmatter
Clark, D. F.	Gladeck	Noye	Taylor, E. Z.
Clark, J. H.	Godshall	O'Brien	Vroon
Clymer	Hagarty	Perzel	Wass
Cornell	Heckler	Phillips	Weston
Davies	Hershey	Piccola	Wright, J. L.
Dempsey	Jadlowiec	Raymond	

**NOT VOTING—0**

**EXCUSED—2**

Dininni	Pievsky
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the committee of conference was adopted.

Ordered, That the clerk inform the Senate accordingly.

**RULES SUSPENDED**

The SPEAKER. The Chair recognizes the majority leader.

Mr. DeWEESE. Mr. Speaker, I move that House rule 30 be suspended to permit HB 1665, HB 200, and HB 1911 to go immediately on the calendar without going to the Rules Committee.

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

The following roll call was recorded:

**YEAS—183**

Acosta	Dietterick	LaGrotta	Rieger
Adolph	Distler	Langtry	Ritter
Allen	Dombrowski	Lashingner	Robbins
Angstadt	Donatucci	Laughlin	Robinson
Argall	Durham	Lee	Roebuck
Barley	Evans	Leh	Rudy
Battisto	Fargo	Levdansky	Ryan
Belardi	Farmer	Linton	Rybak
Belfanti	Fee	Lloyd	Saloom
Billow	Fleagle	Lucyk	Saurman
Birmelin	Flick	McCall	Scheetz
Bishop	Foster	McHale	Schuler
Black	Freeman	McNally	Scrimenti
Blaum	Freind	McVerry	Semmel
Bortner	Gamble	Maiale	Serafini
Bowley	Gannon	Maine	Smith, B.
Boyes	Geist	Markosek	Smith, S. H.
Brandt	Gigliotti	Marsico	Snyder, D. W.
Broujos	Gladeck	Mayernik	Staback
Bunt	Godshall	Melio	Stairs
Burd	Gruitza	Merry	Steighner
Burns	Gruppo	Michlovic	Stish
Bush	Hagarty	Micozzie	Strittmatter
Caltagirone	Haluska	Miller	Stuban
Cappabianca	Harper	Moehlmann	Tangretti
Carlson	Hasay	Morris	Taylor, F.
Carn	Hayden	Mrkonic	Taylor, J.

Cawley	Hayes	Murphy	Telek
Cessar	Herman	Nahill	Thomas
Chadwick	Hershey	Nailor	Tigue
Civera	Hess	Noye	Trello
Clark, D. F.	Howlett	O'Brien	Trich
Clark, J. H.	Hughes	Olasz	Van Horne
Clymer	Itkin	Oliver	Veon
Cohen	Jackson	Perzel	Wambach
Colafella	Jadlowiec	Pesci	Wass
Colaizzo	James	Petrarca	Weston
Cole	Jarolin	Petrone	Williams
Cornell	Johnson	Piccola	Wogan
Corrigan	Josephs	Pistella	Wozniak
Cowell	Kaiser	Pitts	Wright, D. R.
Coy	Kasunic	Pressmann	Wright, R. C.
DeLuca	Kenney	Preston	Yandrisevits
DeWeese	Kondrich	Raymond	
Daley	Kosinski	Reinard	O'Donnell,
Davies	Kukovich	Richardson	Speaker
Dempsey			

**NAYS—8**

Dorr	Fox	Mowery	Snyder, G.
Fairchild	Heckler	Reber	Vroon

**NOT VOTING—9**

Clark, B. D.	Lescovitz	Phillips	Wilson
Gallen	Mihalich	Taylor, E. Z.	Wright, J. L.
George			

**EXCUSED—2**

Dininni	Pievsky
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A majority of the members elected to the House having voted in the affirmative, the question was determined in the affirmative and the motion was agreed to.

**SENATE MESSAGE**

**AMENDED HOUSE BILLS  
RETURNED FOR CONCURRENCE**

The clerk of the Senate, being introduced, returned **HB 200, PN 3890; HB 1665, PN 3945; and HB 1911, PN 3911**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

**VOTE CORRECTIONS**

The SPEAKER. For what purpose does the lady, Mrs. Langtry, rise?

Mrs. LANGTRY. To correct a vote.

The SPEAKER. The lady may proceed.

Mrs. LANGTRY. On the motion to appeal the ruling of the Chair, I was recorded as not voting when in fact I was sitting there pressing the button vigorously in the negative. Thank you.

The SPEAKER. The remarks of the lady will be spread upon the record.

The Chair recognizes Mr. Stuban.

Mr. STUBAN. Thank you, Mr. Speaker.

Mr. Speaker, I was not recorded on concurrence in HB 2515. I would like to be recorded in the affirmative.

The SPEAKER. The remarks of the gentleman will be spread upon the record.

### SUPPLEMENTAL CALENDAR G

#### BILL ON CONCURRENCE IN SENATE AMENDMENTS

The clerk of the Senate, being introduced, returned the following **HB 1665, PN 3945**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act amending the act of June 29, 1953 (P. L. 304, No. 66), known as the "Vital Statistics Law of 1953," requiring parents to furnish Social Security numbers; and providing for missing children registration.

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

The SPEAKER. It is moved by the majority leader that the House do concur in the amendments inserted by the Senate.

The question recurs, will the House concur in the amendments inserted by the Senate? Those voting to concur will vote "aye"; those voting to nonconcur will vote "no."

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

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

#### YEAS—200

Acosta	Donatucci	Lashinger	Ritter
Adolph	Dorr	Laughlin	Robbins
Allen	Durham	Lee	Robinson
Angstadt	Evans	Leh	Roebuck
Argall	Fairchild	Lescovitz	Rudy
Barley	Fargo	Levdansky	Ryan
Battisto	Farmer	Linton	Rybak
Belardi	Fee	Lloyd	Saloom
Belfanti	Fleagle	Lucyk	Saurman
Billow	Flick	McCall	Scheetz
Birmelin	Foster	McHale	Schuler
Bishop	Fox	McNally	Scrimenti
Black	Freeman	McVerry	Semmel
Blaum	Freind	Maiale	Serafini
Bortner	Gallen	Maine	Smith, B.
Bowley	Gamble	Markosek	Smith, S. H.
Boyes	Gannon	Marsico	Snyder, D. W.
Brandt	Geist	Mayernik	Snyder, G.
Broujos	George	Melio	Staback
Bunt	Gigliotti	Merry	Stairs
Burd	Gladeck	Michlovic	Steighner
Burns	Godshall	Micozzie	Stish
Bush	Gruitza	Mihalich	Strittmatter
Caltagirone	Gruppo	Miller	Stuban
Cappabianca	Hagarty	Moehlmann	Tangretti
Carlson	Haluska	Morris	Taylor, E. Z.
Carn	Harper	Mowery	Taylor, F.
Cawley	Hasay	Mrkonic	Taylor, J.
Cessar	Hayden	Murphy	Telek
Chadwick	Hayes	Nahill	Thomas
Civera	Heckler	Nailor	Tigue
Clark, B. D.	Herman	Noye	Trello
Clark, D. F.	Hershey	O'Brien	Trich
Clark, J. H.	Hess	Olasz	Van Horne
Clymer	Howlett	Oliver	Veon
Cohen	Hughes	Perzel	Vroon
Colafella	Itkin	Pesci	Wambach
Colaizzo	Jackson	Petrarca	Wass

Cole	Jadlowiec	Petrone	Weston
Cornell	James	Phillips	Williams
Corrigan	Jarolin	Piccola	Wilson
Cowell	Johnson	Pistella	Wogan
Coy	Josephs	Pitts	Wozniak
DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Wright, R. C.
Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	
Dietterick	Kukovich	Richardson	O'Donnell,
Distler	LaGrotta	Rieger	Speaker
Dombrowski	Langtry		

NAYS—0

NOT VOTING—0

EXCUSED—2

Dininni      Pievsky

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

Ordered, That the clerk inform the Senate accordingly.

### SUPPLEMENTAL CALENDAR H

#### BILLS ON CONCURRENCE IN SENATE AMENDMENTS

The clerk of the Senate, being introduced, returned the following **HB 200, PN 3890**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act declaring and adopting the song "Pennsylvania," lyrics and music by Eddie Khoury and Ronnie Bonner, as the State song of the Commonwealth of Pennsylvania.

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

The SPEAKER. Moved by the gentleman, Mr. DeWeese, that the House concur in the amendments inserted by the Senate.

The question recurs, will the House concur in the amendments inserted by the Senate? The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, I am wondering if you or the majority leader would sing those amendments?

The SPEAKER. The Chair recognizes the gentleman—

Mr. RYAN. Or, in lieu of that, get someone to tell us what they are. It is the State song.

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

Mr. GRUITZA. Thank you, Mr. Speaker.

Mr. Speaker, I know that the hour is late and we have run a lot of bills, and now before us may be something that many of us may consider in the wee hours of the morning as a sort of insignificant State song resolution— Well, it is a bill, and we would be making this our official State song.

Now, I am not a great literature critic or a great song critic. I have read the lyrics of this song, and I have tried to go through in my mind, reading the notes, what this song is. And

I think that Pennsylvania is a great State. It is a beautiful State. I guess all I am saying to the members is, I do not think this song is worthy of being our State song.

So, Mr. Speaker, with all due respect to the authors of this song, I am voting "no" and I hope that my colleagues will vote "no," because this is just not Pennsylvanian.

The SPEAKER. The Chair recognizes Mr. Oliver.

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

Unfortunately, Mr. Speaker, I am in the same position as the gentleman who just spoke: He cannot sing, and neither can I. We did have a chorus here, and I think most of you heard it. They sang the song, and it was sung beautifully.

As you know—or maybe you do not know—there are only two States that do not have an official State song, and that is Pennsylvania and New Jersey. At last we here in Pennsylvania have an opportunity to get an official State song, and I would ask all of my colleagues to vote for this HB 200. Thank you very much.

The SPEAKER. The Chair recognizes Mr. Gallen.

Mr. GALLEN. Mr. Speaker, in debate some time ago I wrote my own song to debate this song, and it went something like this. You will not appreciate this artistry unless you be quiet:

Without a song, no way to celebrate;  
Without a song, Pa. is out of date;  
Without a song, we're the off-keystone state;  
Without a song, without a song.

We've got an official state dog,  
And flower and fish and even state bug.  
But what good's our bug,  
If we are unable in song it to plug?  
Without a song.

You know, I have to agree, I have not written the official State song yet, and I think we ought to vote "no" on this bill.

The SPEAKER. The Chair recognizes Mr. Wozniak.

Mr. WOZNIAK. Mr. Speaker, I cannot believe the Senate passed this and gave this back to us. I am not a real student of all the State songs of the other States, but I would suspect that Kentucky would be "My Old Kentucky Home," Texas would be "The Yellow Rose of Texas," and I would suspect that most people in the other 50 States and probably the other nations in this world would know Pennsylvania for the "Pennsylvania Polka." And here we are, I know we are trying to attempt a bit of levity into the issue that we are going to spend some 12-odd billion dollars of Pennsylvania taxpayer dollars tonight and another augmentation of \$3 billion plus of Federal money. So we are talking \$15 billion this evening you are discussing about, and we are talking about the Pennsylvania State song.

It would just be my opinion that if we are going to pass a State song, let it be a song that everybody recognizes Pennsylvania for: That would be, dun-dun-dun-dun, the "Pennsylvania Polka." I would ask and hope that everybody would vote "no" for this Pennsylvania State song that I have never heard and I think 99.99 percent of the rest of the United States has not heard before. Thank you very much, Mr. Speaker.

The SPEAKER. The Chair recognizes Mr. Gamble.

Mr. GAMBLE. Mr. Speaker, I rise to support HB 200. That was a terribly vicious attack on this song a few moments ago, and I think that Representative Oliver should hum at least a few chords to get people back on his side. I would not have Jimmy Gallen sing it, but I think maybe you could hum it.

The SPEAKER. The gentleman, Mr. Oliver, has consented to be interrogated.

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

As much as I would like to accommodate you, Mr. Speaker, I have a very sore throat. So unfortunately, I cannot help you.

The SPEAKER. The Chair recognizes Mr. Jarolin.

Mr. JAROLIN. Thank you, Mr. Speaker.

You know, I am not prejudiced, but anyhow, going all the way back out into Tulsa, Oklahoma, they put on a little show for us. The description of Pennsylvania was well put out there. It was all about the "Pennsylvania Polka," and that is how they described Pennsylvania.

I vote to nonconcur in this piece of legislation.

The SPEAKER. The Chair recognizes Mr. Wambach.

Mr. WAMBACH. Thank you, Mr. Speaker.

Mr. Speaker, I rise against HB 200, joining some of my colleagues. One of my colleagues mentioned "My Old Kentucky Home," and I think historically we should all remember that Stephen Foster was a Pennsylvanian who wrote "My Old Kentucky Home."

I think what we should do is possibly do a study on adapting a piece of his music for the Pennsylvania State song or a combination of going back to our—I have in my office a public school songbook that talks about:

Pennsylvania forever,  
Wonderful Keystone State;  
Beautiful, rugged glorious,  
Fashioned sublime and great.  
Verdure-clad hills and mountains,  
Rich with abundant store;

Do you know the song?

Tower in grandeur silent,  
Battlements evermore.  
Pennsylvania, native land,  
Pennsylvania dear and grand;  
Endless praise we give to thee,  
Service, valor and loyalty;  
Hail all hail to the flag and Pennsylvania.

I think when in fact we look at HB 200, after we adopted a budget bill this evening and other supplemental bills to the budget, I think it would be a disservice for this House to vote on a Pennsylvania song at this time.

I would move— Maybe I should not do that; I will not do that. I would just ask for a "no" vote on HB 200, and we can take a serious and hard look upon incorporating history with the possibility of incorporating a Stephen Foster song, et cetera, with Pennsylvania so we can go on with tourism in Pennsylvania with a song with real meaning for the State. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes Mr. Oliver.  
Mr. OLIVER. Mr. Speaker, briefly.

In all sincerity, ever since I have been here, we have not been able to get a State song out of committee. And one other thing I would like to point out to the members of the House, especially the members on this side, one of the writers of this song came from Chris Wogan's district, and I think Chris Wogan certainly supports that and I hope the rest of you on this side would do likewise. Thank you, Mr. Speaker.

The SPEAKER. Those voting to concur will vote "aye"; those voting to nonconcur will vote "no."

On the question recurring,

Will the House concur in Senate amendments?

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

YEAS—71

Acosta	Fox	Maiale	Rudy
Argall	Gamble	Maine	Saloom
Battisto	Gigliotti	Melio	Scheetz
Birmelin	Godshall	Michlovic	Schuler
Bishop	Harper	Morris	Semmel
Blaum	Hayden	Mrkonic	Strittmatter
Bowley	Hershey	Murphy	Taylor, J.
Broujos	Howlett	Nailor	Thomas
Bunt	Hughes	O'Brien	Trich
Caltagirone	James	Oliver	Van Horne
Carn	Josephs	Perzel	Veon
Cawley	Kenney	Pressmann	Weston
Clark, B. D.	LaGrotta	Preston	Williams
Cohen	Lee	Raymond	Wogan
Colaizzo	Linton	Richardson	Wright, R. C.
Cole	Lucyk	Rieger	
DeWeese	McHale	Ritter	O'Donnell,
Donatucci	McNally	Robinson	Speaker
Evans			

NAYS—127

Adolph	Distler	Kasunic	Reber
Allen	Dombrowski	Kondrich	Reinard
Angstadt	Dorr	Kosinski	Robbins
Barley	Durham	Kukovich	Ryan
Belardi	Fairchild	Langtry	Rybak
Belfanti	Fargo	Lashinger	Saurman
Billow	Farmer	Laughlin	Scrimenti
Black	Fee	Leh	Serafini
Bortner	Fleagle	Lescovitz	Smith, B.
Boyes	Flick	Levdansky	Smith, S. H.
Brandt	Foster	Lloyd	Snyder, D. W.
Burd	Freeman	McCall	Snyder, G.
Burns	Freind	McVerry	Staback
Bush	Gallen	Markosek	Stairs
Cappabianca	Gannon	Marsico	Steighner
Carlson	Geist	Mayernik	Stish
Cessar	George	Merry	Stuban
Chadwick	Gladeck	Micozzie	Tangretti
Civera	Gruitza	Mihalich	Taylor, E. Z.
Clark, D. F.	Gruppo	Miller	Taylor, F.
Clark, J. H.	Hagarty	Moehlmann	Telek
Clymer	Haluska	Mowery	Tigue
Colafiglia	Hasay	Nahill	Trello
Cornell	Hayes	Noye	Vroon
Corrigan	Heckler	Olasz	Wambach
Cowell	Herman	Pesci	Wass
Coy	Hess	Petrarca	Wilson
DeLuca	Jackson	Petrone	Wozniak
Daley	Jadlowiec	Phillips	Wright, D. R.
Davies	Jarolin	Piccola	Wright, J. L.
Dempsey	Johnson	Pistella	Yandrisevits
Dietterick	Kaiser	Pitts	

NOT VOTING—2

Itkin Roebuck

EXCUSED—2

Dininni Pievsky

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the amendments were not concurred in.

Ordered, That the clerk inform the Senate accordingly.

\* \* \*

The clerk of the Senate, being introduced, returned the following **HB 1911, PN 3911**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act amending the act of July 7, 1980 (P. L. 380, No. 97), known as the "Solid Waste Management Act," further providing for certain permits; providing that no bond shall be required as a condition for issuance of a permit or license to a municipality or a municipal authority; and extending the deadline for filing for a permit for disposal of municipal wastes.

On the question,

Will the House concur in Senate amendments?

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

The question recurs, will the House concur in the amendments inserted by the Senate? The Chair recognizes Mr. Broujos.

Mr. BROUJOS. Mr. Speaker, on the Senate amendments, in the words of the great sewage sanitary landfill operator, Harry Spigonzi, "We can live with this garbage."

I move for concurrence.

The SPEAKER. The Chair recognizes Mr. Murphy.

Mr. MURPHY. Mr. Speaker, I hate to do this at this late hour, but I would ask my colleagues to listen for a moment.

I rise to oppose concurrence. When we voted on this bill before, this language was in there. My concern is that the language permits municipal authorities not to file bonds, and in doing so I think we— The Conservation Committee certainly listened to a lot of testimony over the years about some of the potential health hazards of sewage sludge being dumped on property with particularly heavy metals being carried into the food chain. I think the potential there is for environmental problems in the future. And the fact that we are now permitting municipal authorities not to have bonds would mean that those municipal authorities conceivably would not have the financial wherewithal to absorb some of the lawsuits or actual losses that might be caused by environmental problems.

While there have not been any to date, there has certainly been ambivalent scientific evidence as to whether there will be in the future or not, and for that reason I would ask for non-concurrence on this bill.

The SPEAKER. The Chair recognizes Mr. Snyder.

Mr. G. M. SNYDER. Thank you, Mr. Speaker. I will be brief.



When HB 1911 was considered by the full House a week or so ago, the House unanimously adopted an amendment that would have restricted and in fact not permitted the expansion of waste disposal facilities on current Superfund sites. I think the House should know that this bill does not now contain that amendment. The amendment has been removed. It is not contained in this version of HB 1911. Therefore, Mr. Speaker, I intend to vote to not concur more for what has been taken out of HB 1911 rather than for what remains. Thank you very much.

The SPEAKER. The Chair recognizes Mr. Hasay.

Mr. HASAY. Mr. Speaker, I am asking this side if they would concur in Senate amendments attached to HB 1911 in the urging of expediency for what has already been in this legislation so it can be sent swiftly to the Governor's desk for his signature. Thank you.

The SPEAKER. The Chair recognizes Mr. Cawley.

Mr. CAWLEY. Thank you, Mr. Speaker.

I am asking for concurrence in HB 1911. This bill is very, very important regarding transfer facilities in Pennsylvania.

Presently, every municipality in this Commonwealth is at risk of someone, for any amount of money, parking municipal waste near any home, near any school, near any municipality and not being required to have a DER (Department of Environmental Resources) permit. With the language in this bill, they will be required to have a DER permit.

This we have been working on. This is favored. This language regarding transfer facilities is favored by the administration, favored by DER, and it passed this House 187 to nothing. I am asking for a favorable vote and concurrence in HB 1911. Thank you.

The SPEAKER. The Chair recognizes Mr. Stuban.

Mr. STUBAN. Thank you, Mr. Speaker.

Mr. Speaker, I also rise to ask for concurrence in the bill, and the reason I do that is because of an amendment that was placed in in the House and improved over in the Senate which addresses aquaculture, which is the raising of fish, which not only is causing a lot of problems for private hatcheries but also is causing problems for the Fish Commission. If we do not solve this problem, I think the sportsmen who fish across the State and who are trout fishermen will find out that the cost of raising trout will be exorbitant and fees for licenses will increase.

So I ask for concurrence in this bill.

The SPEAKER. The Chair recognizes Mr. Broujos.

Mr. BROUJOS. Mr. Speaker, I must address the objections made by Representative Murphy, and that is that the costs may be so great in the event that there is some violation that the municipality, or the authority particularly, could not meet the costs. This is based on a misconception commonly held by legislators concerning bonding, and that is this: If there is a claim by persons or the Commonwealth that a municipal authority has not properly met its duties and there are damages, then a suit can be brought against the municipality. If it is brought, the bond company is asked, would you be so kind as to pay? And they will say, no; we are going along with

the municipal authority; we think they are right and you are wrong. They force the municipal authority to suit and the bonding company to suit, and after it is all over, the bonding company gives the \$100,000 award and then it turns around to the municipal authority and says, please pay us. Consequently, the authority has to pay in the end anyway. So the bond does not do a single thing except maybe pay the defense costs. Consequently, the municipality pays it in the end, no matter whether there is a bond or not.

Finally, we are making municipalities and authorities all over Pennsylvania pay for this cost an exorbitant amount of money for cases that have not even arisen, and the couple that had been filed have been settled. So it is a tremendous loss to us, and I would ask for concurrence.

The SPEAKER. Those voting to concur will vote "aye"; those voting to nonconcur will vote "no."

On the question recurring,

Will the House concur in Senate amendments?

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

#### YEAS—188

Acosta	Dietterick	Kukovich	Robbins
Adolph	Distler	LaGrotta	Roebuck
Allen	Dombrowski	Langtry	Rudy
Angstadt	Donatucci	Lashingier	Ryan
Argall	Durham	Leh	Rybak
Barley	Evans	Lescovitz	Saloom
Battisto	Fairchild	Linton	Saurman
Belardi	Fargo	Lloyd	Scheetz
Belfanti	Farmer	Lucyk	Schuler
Billow	Fee	McCall	Scrimenti
Birmelin	Fleagle	McHale	Semmel
Bishop	Flick	McNally	Serafini
Black	Foster	McVerry	Smith, B.
Blaum	Fox	Maiale	Smith, S. H.
Bortner	Freeman	Maine	Snyder, D. W.
Bowley	Freind	Markosek	Staback
Boyes	Gallen	Marsico	Stairs
Brandt	Gamble	Mayernik	Steighner
Broujos	Gannon	Melio	Stish
Bunt	Geist	Merry	Strittmatter
Burd	George	Micozzie	Stuban
Burns	Gigliotti	Miller	Tangretti
Bush	Gladeck	Moehlmann	Taylor, E. Z.
Caltagirone	Godshall	Morris	Taylor, F.
Cappabianca	Gruitza	Mowery	Taylor, J.
Carlson	Gruppo	Mrkonic	Telek
Carn	Hagarty	Nahill	Thomas
Cawley	Haluska	Nailor	Tigue
Cessar	Harper	Noye	Trello
Chadwick	Hasay	O'Brien	Trich
Civera	Hayes	Olasz	Van Horne
Clark, B. D.	Heckler	Perzel	Veon
Clark, D. F.	Herman	Pesci	Vroon
Clark, J. H.	Hershey	Petrarca	Wambach
Clymer	Hess	Petrone	Wass
Cohen	Howlett	Phillips	Weston
Colafrilla	Hughes	Piccola	Williams
Colaizzo	Jackson	Pistella	Wilson
Cole	Jadlowiec	Pitts	Wogan
Cornell	James	Pressmann	Wozniak
Corrigan	Jarolin	Preston	Wright, D. R.
Cowell	Johnson	Raymond	Wright, J. L.
Coy	Josephs	Reber	Wright, R. C.
DeLuca	Kaiser	Reinard	Yandrisevits
DeWeese	Kasunic	Richardson	
Daley	Kenney	Rieger	O'Donnell,
Davies	Kondrich	Ritter	Speaker

Dempsey Kosinski  
**NAYS—10**  
 Dorr Lee Mihalich Robinson  
 Hayden Levdansky Murphy Snyder, G.  
 Itkin Michlovic

**NOT VOTING—2**

Laughlin Oliver

**EXCUSED—2**

Dininni Pievsky

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

Ordered, That the clerk inform the Senate accordingly.

**RULES SUSPENDED**

The SPEAKER. The Chair recognizes the majority leader.

Mr. DeWEESE. Mr. Speaker, I move that House rule 30 be suspended to permit HB 1831 and HB 1743 to come immediately on the calendar without going to the Rules Committee.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

**YEAS—199**

Acosta	Donatucci	Langtry	Ritter
Adolph	Dorr	Lashingier	Robbins
Allen	Durham	Laughlin	Robinson
Angstadt	Evans	Lee	Roebuck
Argall	Fairchild	Leh	Rudy
Barley	Fargo	Lescovitz	Ryan
Battisto	Farmer	Levdansky	Rybak
Belardi	Fee	Linton	Saloom
Belfanti	Fleagle	Lloyd	Saurman
Billow	Flick	Lucyk	Scheetz
Birmelin	Poster	McCall	Schuler
Bishop	Fox	McHale	Scrimenti
Black	Freeman	McNally	Semmel
Blaum	Freind	McVerry	Serafini
Bortner	Gallen	Maiale	Smith, B.
Bowley	Gamble	Maine	Smith, S. H.
Boyes	Gannon	Markosek	Snyder, D. W.
Brandt	Geist	Marsico	Snyder, G.
Broujos	George	Mayernik	Staback
Bunt	Gigliotti	Melio	Stairs
Burd	Gladeck	Merry	Steighner
Burns	Godshall	Michlovic	Stish
Bush	Gruitza	Micozzie	Strittmatter
Caltagirone	Gruppo	Mihalich	Stuban
Cappabianca	Hagarty	Miller	Tangretti
Carlson	Haluska	Moehlmann	Taylor, E. Z.
Carr	Harper	Morris	Taylor, F.
Cawley	Hasay	Mowery	Taylor, J.
Cessar	Hayden	Mrkoncic	Telek
Chadwick	Hayes	Murphy	Thomas
Civera	Heckler	Nahill	Tigue
Clark, B. D.	Herman	Nailor	Trello
Clark, D. F.	Hershey	Noye	Trich
Clark, J. H.	Hess	O'Brien	Van Horne
Clymer	Howlett	Olasz	Veon
Cohen	Hughes	Perzel	Vroon
Colafrella	Itkin	Pesci	Wambach
Colaizzo	Jackson	Petrarca	Wass
Cole	Jadlowiec	Petrone	Weston
Cornell	James	Phillips	Williams
Corrigan	Jarolin	Piccola	Wilson

Cowell	Johnson	Pistella	Wogan
Coy	Josephs	Pitts	Wozniak
DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Wright, R. C.
Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	
Dietterick	Kukovich	Richardson	O'Donnell,
Distler	LaGrotta	Rieger	Speaker
Dombrowski			

**NAYS—0**

**NOT VOTING—1**

Oliver

**EXCUSED—2**

Dininni Pievsky

A majority of the members elected to the House having voted in the affirmative, the question was determined in the affirmative and the motion was agreed to.

**SENATE MESSAGE**

**AMENDED HOUSE BILLS  
 RETURNED FOR CONCURRENCE**

The clerk of the Senate, being introduced, returned **HB 1743, PN 3792; and HB 1831, PN 3933**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

**SENATE MESSAGE**

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

The clerk of the Senate, being introduced, returned **HB 1810, PN 3947**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

**SENATE MESSAGE**

**HOUSE BILLS  
 CONCURRED IN BY SENATE**

The clerk of the Senate, being introduced, returned **HB 59, PN 61; HB 317, PN 2106; HB 1658, PN 1986; HB 2178, PN 2890; HB 2179, PN 3088; HB 2350, PN 3162; HB 2362, PN 3199; HB 2480, PN 3771; and HB 2571, PN 3520**, with information that the Senate has passed the same without amendment.

**BILLS SIGNED BY SPEAKER**

The Chair gave notice that he was about to sign the following bills, which were then signed:

**HB 59, PN 61**

An Act designating a highway bridge on Route 93 in Columbia and Luzerne Counties as the Berwick-Nescopeck Veterans Memorial Bridge.

**HB 317, PN 2106**

An Act to promote the health, safety and welfare of the people of this Commonwealth by supporting and expanding the network of Neighborhood Housing Services Programs which work to halt the deterioration of homes and the decline of neighborhoods, and to broaden the availability of the programs and services offered by Neighborhood Housing Services Programs, especially to persons of low and moderate income, by establishing within the Department of Community Affairs a State Neighborhood Housing Services Program.

**HB 1083, PN 3839**

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), known as the "Public School Code of 1949," further providing for the purposes and powers of the State System of Higher Education, for maintenance projects and project contracts; providing for disposition of property; further providing for nondiscrimination; and making editorial changes.

**HB 1658, PN 1986**

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for handicapped plates and placards.

**HB 2178, PN 2890**

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, granting immunity to the owners, tenants or lessees of agricultural property from certain claims involving individuals picking their own agricultural products.

**HB 2179, PN 3088**

An Act providing for the creation of tax increment districts; providing for additional powers and duties to be exercised by redevelopment authorities and by industrial and commercial development authorities; authorizing the creation and approval of project plans for tax increment financing; providing for the establishment of a tax increment base; allocating the payment of positive tax increments; providing for the financing of project costs; and providing for the issuance of tax increment bonds and notes.

**HB 2350, PN 3162**

A Supplement to the act of June 12, 1931 (P. L. 575, No. 200), entitled, "An act providing for joint action by Pennsylvania and New Jersey in the development of the ports on the lower Delaware River, and the improvement of the facilities for transportation across the river; authorizing the Governor, for these purposes, to enter into an agreement with New Jersey; creating The Delaware River Joint Commission and specifying the powers and duties thereof, including the power to finance projects by the issuance of revenue bonds; transferring to the new commission all the powers of the Delaware River Bridge Joint Commission; and making an appropriation," authorizing certain projects of the Delaware River Port Authority pursuant to Article XII of the Compact or agreement between the Commonwealth of Pennsylvania and the State of New Jersey creating the Delaware River Port Authority.

**HB 2362, PN 3199**

An Act amending the act of July 13, 1987 (P. L. 348, No. 67), known as the "Vietnam Veterans Health Initiative Act," extending the expiration date.

**HB 2480, PN 3771**

An Act authorizing the Department of Aging to license and inspect older adult daily living centers; imposing additional powers and duties on the Department of Aging; and making repeals.

**HB 2515, PN 3913**

A Supplement to the act of April 1, 1863 (P. L. 213, No. 227), entitled "An act to accept the grant of Public Lands, by the United States, to the several states, for the endowment of Agricultural Colleges," making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated.

**HB 2516, PN 3914**

A Supplement to the act of July 28, 1966 (3rd Sp. Sess., P. L. 87, No. 3), entitled "University of Pittsburgh—Commonwealth Act," making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated.

**HB 2517, PN 3915**

A Supplement to the act of November 30, 1965 (P. L. 843, No. 355), entitled "Temple University—Commonwealth Act," making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated.

**HB 2519, PN 3916**

An Act making appropriations to the Trustees of the University of Pennsylvania.

**HB 2520, PN 3917**

An Act making appropriations to the Hahnemann University, Philadelphia.

**HB 2521, PN 3918**

An Act making appropriations to the Thomas Jefferson University, Philadelphia.

**HB 2522, PN 3919**

An Act making appropriations to The Medical College of Pennsylvania, East Falls, Philadelphia.

**HB 2523, PN 3920**

An Act making an appropriation to the Philadelphia College of Osteopathic Medicine, Philadelphia.

**HB 2524, PN 3921**

An Act making an appropriation to the Trustees of Drexel University, Philadelphia.

**HB 2525, PN 3922**

An Act making appropriations to the Delaware Valley College of Science and Agriculture at Doylestown.

**HB 2526, PN 3923**

An Act making an appropriation to the Philadelphia University of the Arts, Philadelphia.

**HB 2527, PN 3924**

An Act making an appropriation to the Philadelphia College of Textiles and Science.

**HB 2528, PN 3925**

An Act making appropriations to the Trustees of the Berean Training and Industrial School at Philadelphia.

**HB 2529, PN 3926**

An Act making appropriations to the Downingtown Industrial and Agricultural School, Downingtown.

**HB 2530, PN 3927**

An Act making an appropriation to the Johnson Technical Institute of Scranton.

**HB 2532, PN 3928**

An Act making an appropriation to the Pennsylvania College of Optometry, Philadelphia.

**HB 2533, PN 3929**

An Act making an appropriation to the Pennsylvania College of Podiatric Medicine, Philadelphia.

**HB 2534, PN 3930**

An Act making an appropriation to the Fox Chase Institute for Cancer Research, Philadelphia, for the operation and maintenance of the cancer research program.

**HB 2553, PN 3931**

An Act making an appropriation to the Afro-American Historical and Cultural Museum for operating expenses.

**HB 2571, PN 3520**

An Act appropriating money from the Sunny Day Fund to the Department of Commerce for various projects throughout this Commonwealth for fiscal year 1990-1991.

**SB 29, PN 29**

An Act designating Interstate 476 as Veterans Memorial Highway.

**SB 539, PN 1913**

An Act requiring institutions of higher education to evaluate their faculties for fluency in the English language; providing for certifications as to that fluency; imposing penalties; and conferring powers and duties upon the State Board of Education.

**SB 1268, PN 1580**

An Act designating a certain bridge over the West Branch of the Susquehanna River as the Carmen R. Rosamilia Bridge.

**SB 1547, PN 2331**

An Act making appropriations from the Professional Licensure Augmentation Account and from restricted revenue accounts within the General Fund to the Department of State for use by the Bureau of Professional and Occupational Affairs in support of the professional licensure boards assigned thereto.

## SUPPLEMENTAL CALENDAR I

### BILL ON CONCURRENCE IN SENATE AMENDMENTS

The clerk of the Senate, being introduced, returned the following **HB 1743, PN 3792**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act creating a fee system to cover the costs related to the establishment of a low-level radioactive waste disposal regional facility in Pennsylvania; and regulating certain low-level waste.

On the question,

Will the House concur in Senate amendments?

The SPEAKER. Moved by the gentleman, Mr. Itkin, that the House concur in amendments inserted by the Senate.

The question recurs, will the House concur in the amendments inserted by the Senate? The Chair recognizes Mr. Bowley.

Mr. BOWLEY. Mr. Speaker, I wonder if I could interrogate Representative Itkin very briefly.

The SPEAKER. The gentleman indicates he is willing to be interrogated. The gentleman may proceed.

Mr. BOWLEY. Mr. Speaker, on page 11 of the bill, "Host Municipality Low-Level Radioactive Waste Fund," does the language inserted by the Senate there in any way affect the amount of money that may be returned to any host municipalities that in the future will have a low-level radioactive waste disposal site in their area?

Mr. ITKIN. What that particular section does is it changes the host municipality payment to start on the opening of the low-level waste disposal facility rather than on decommissioning a nuclear power plant and increases the payment. So it is a benefit to the municipality, one, in that the payments are higher; and they are received much earlier than they would be under the original bill.

Mr. BOWLEY. Thank you. But to follow up on my question, Mr. Speaker. Is the term "host municipality" changed in any way that would exclude a host municipality that is the host of a low-level radioactive waste disposal site in the future?

I ask that question, Mr. Speaker, due to the definition of "host municipality" on line 28.

Mr. ITKIN. This is the host municipality where the nuclear power plant is located. This is not the host municipality where the waste dump would be located.

Mr. BOWLEY. Thank you, Mr. Speaker.

The SPEAKER. Those voting to concur will vote "aye"; those voting to nonconcur will vote "no."

On the question recurring,

Will the House concur in Senate amendments?

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

YEAS—195

Acosta	Donatucci	LaGrotta	Rieger
Adolph	Dorr	Langtry	Ritter
Allen	Durham	Lashinger	Robbins
Angstadt	Evans	Laughlin	Robinson
Argall	Fairchild	Lee	Roebuck
Barley	Fargo	Leh	Rudy
Battisto	Farmer	Lescovitz	Ryan
Belardi	Fee	Levdansky	Rybak
Belfanti	Fleagle	Linton	Saurman
Birmelin	Flick	Lloyd	Scheetz
Bishop	Foster	Lucyk	Schuler
Black	Fox	McCall	Scrimenti
Blaum	Freeman	McHale	Semmel
Bortner	Freind	McNally	Serafini
Bowley	Gallen	McVerry	Smith, B.
Boyes	Gamble	Maiale	Smith, S. H.
Brandt	Gannon	Maine	Snyder, G.
Broujos	Geist	Markosek	Staback
Bunt	George	Marsico	Stairs
Burd	Gigliotti	Mayernik	Steighner
Burns	Gladeck	Melio	Stish
Bush	Godshall	Merry	Strittmatter
Caltagirone	Gruitza	Michlovic	Stuban
Cappabianca	Gruppo	Micozzie	Tangretti
Carlson	Hagarty	Miller	Taylor, E. Z.
Carn	Haluska	Moehlmann	Taylor, F.
Cawley	Harper	Morris	Taylor, J.
Cessar	Hasay	Mowery	Telek
Chadwick	Hayden	Mrkonic	Thomas
Civera	Hayes	Murphy	Tigue
Clark, B. D.	Heckler	Nahill	Trello
Clark, D. F.	Herman	Nailor	Trich
Clark, J. H.	Hershey	Noye	Van Horne
Clymer	Hess	O'Brien	Veon
Cohen	Howlett	Olasz	Vroon
Colafella	Hughes	Oliver	Wambach
Colaizzo	Itkin	Perzel	Wass
Cole	Jackson	Pesci	Weston
Cornell	Jadlowiec	Petrarca	Williams
Corrigan	James	Petrone	Wilson
Cowell	Jarolin	Phillips	Wogan
Coy	Johnson	Piccola	Wozniak
DeLuca	Josephs	Pistella	Wright, D. R.
DeWeese	Kaiser	Pitts	Wright, J. L.
Daley	Kasunic	Pressmann	Wright, R. C.
Davies	Kenney	Preston	Yandrisevits
Dempsey	Kondrich	Raymond	
Dietterick	Kosinski	Reber	O'Donnell,
Distler	Kukovich	Reinard	Speaker
Dombrowski			

NAYS—1

Saloom

NOT VOTING—4

Billow Mihalich Richardson Snyder, D. W.

EXCUSED—2

Dininni Pievsky

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

Ordered, That the clerk inform the Senate accordingly.

**SUPPLEMENTAL CALENDAR J**

**BILL ON CONCURRENCE  
IN SENATE AMENDMENTS**

The clerk of the Senate, being introduced, returned the following **HB 1831, PN 3933**, with information that the Senate

has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act amending the act of December 19, 1988 (P. L. 1262, No. 156), known as the "Local Option Small Games of Chance Act," defining the term "municipality"; and further providing for local option referenda.

On the question,

Will the House concur in Senate amendments?

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

The question recurs, will the House concur in the amendments inserted by the Senate?

The Chair recognizes the gentleman, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to HB 1831 on Senate concurrence.

It seems to me that when this bill first came up, small games of chance, local option was one of the heralded parts of the bill whereby the people said we should have local option, and in that bill it specifically stated that once every 4 years, local municipalities would have the opportunity to determine whether or not they wanted to opt for local games of chance. That is what the people voted on, and I feel at this point that is what they should hold to.

So, Mr. Speaker, I ask the members of this General Assembly to vote in the negative on this particular legislation. Thank you.

The SPEAKER. The Chair recognizes Mr. Markosek.

Mr. MARKOSEK. Thank you, Mr. Speaker.

Mr. Speaker, first of all, to correct the Chair, I am the prime sponsor of this particular bill.

The gentleman, Mr. Clymer, had opposed it when it was originally in the House. The bill essentially sets out to allow another referendum vote on the small-games-of-chance issue.

You may recall the last time that I spoke on this bill when it was in the House that two communities in my district voted it down. Since that time, many of our nonprofit organizations have been hurt very severely. In fact, a great number of people in my district have asked me to put this in so that they can have another shot at voting small games of chance. Many of them misunderstood the issue. It was a very close vote, and we feel that if we have another vote, we can get small games of chance passed in those two communities in my district.

What the Senate did, they did amend the bill, and those changes include narrowing down the number of elections that you can have. My original bill said any election. The Senate amended the bill to read just this fall's election. So we have narrowed it down that way. We have also said that only the communities that have turned it down can have another vote. Those communities that approved it would not be granted another vote.

Those are the Senate amendments. I agree with those. They certainly do not hurt the situation in my district for which this bill was introduced in the first place. I would certainly ask all the members of the House to support this to help me out in

my district with the problem that we have. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes Mr. Vroon.

Mr. VROON. Mr. Speaker, I do not think this is necessary at all, and I will tell you why.

In the first place, these people who got caught short and did not realize what was going to happen to them could have done something about it to bring about the approval of that in their districts, but they were napping.

Secondly, we have a small-games-of-chance bill, SB 1140, which is probably going to come up for consideration shortly, which will change the whole idea to once every primary. Now, I think that by the time we get to that bill—and I have no doubt but that it will pass; I hope it does not, but it will—then you will have adequate means to give these people all the opportunity they want. What more do you want than to have an opportunity once every primary to do the law all over again, to take the referendum all over again?

I do not see any sense in this at all. I think we ought to defeat this as being totally unnecessary and let SB 1140 take care of it all.

The SPEAKER. Is the gentleman, Mr. Markosek, seeking recognition?

Mr. MARKOSEK. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. MARKOSEK. Just in response to the gentleman, Mr. Vroon.

He is right when he says that, yes, we did have a chance and the folks in my district did have a chance to go out and campaign for this the first time it came around. Those same people admit that and have admitted their mistake and did not do their homework, and they understand that. However, the only way we can remedy the problem at this time is through this piece of legislation.

As for SB 1140, he is also right there, that this language is included there also. It is a little different. It does say that it would be any primary, and this particular bill points out that it would be just this next election.

I really think that even though the gentleman, Mr. Vroon, did make some valid points, I cannot say I disagree with him. I am still asking for a concurrence vote to help me out in my district with the problem that we have, and the folks in my district have come to me with this problem, and I am essentially asking my colleagues in the House to help us out and give us a "yes" vote on concurrence. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes Mr. Vroon.

Mr. VROON. I just want to tell you a very amusing little incident. We have a very popular institution out our way which has been conducting a raffle every year for the benefit of a hospital, and they all of a sudden woke up to the fact that two townships in which they are located failed to approve the small games of chance, and they immediately started writing to me and said, you have got to do something about this. The amusing part of it is that these people did not even know that they were operating illegally all through the years, and all of a

sudden, because this thing happened to them, they say, you took away our privilege of conducting a raffle every summer for the benefit of the hospital. Now, the amusing thing is, they want us to change the law, and the only way they can get us to change the law is to quickly pass another referendum in order to reverse what they did before.

Now, the other amusing part of this is, as I mentioned before, you are going to have an opportunity in every other succeeding primary if SB 1140 is passed, and these people do not run their show and their benefit until after the next primary.

So I have no reason to do it for them, and I do not see any reason why anybody else has to be served either. So do what you want.

The SPEAKER. The Chair recognizes Mr. Belfanti.

Mr. BELFANTI. Thank you, Mr. Speaker. I will be very brief.

The arguments Mr. Vroon is using are really innocuous to the matter at hand. What we are talking about here is allowing a referendum for a very small number of communities in this State. The Senate bill that the gentleman, Mr. Vroon, is referring to does something completely different. Hospital auxiliaries are not included in this legislation. Hospital auxiliaries would have been included in the legislation that was being proposed earlier today by Representative Trello. What we are talking about here is giving a few municipalities an opportunity to revote the issue that went over their heads last year.

I do not think that it is that big of a deal. I think we ought to honor Representative Markosek's request and not make a big deal out of something that is a small deal. We will have another day to debate expanding small games of chance or permitting organizations that do not have liquor licenses or own buildings or have hospital auxiliaries to operate small games of chance. This bill before us does none of that. It simply offers a referendum for a small number of communities, and I support HB 1831.

The SPEAKER. Those voting to concur will vote "aye"; those voting to nonconcur will vote "no."

On the question recurring,

Will the House concur in Senate amendments?

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

#### YEAS—176

Acosta	Dietterick	Kosinski	Reinard
Adolph	Distler	Kukovich	Richardson
Allen	Dombrowski	LaGrotta	Rieger
Angstadt	Donatucci	Langtry	Ritter
Argall	Dorr	Lashingier	Robbins
Belardi	Durham	Laughlin	Robinson
Belfanti	Evans	Lee	Roebuck
Billow	Farmer	Lescovitz	Rudy
Bishop	Fee	Levdansky	Ryan
Black	Flick	Linton	Rybak
Blaum	Foster	Lloyd	Saloom
Bortner	Fox	Lucy	Saurman
Bowley	Freeman	McCall	Scrimenti
Boyes	Freind	McHale	Semmel
Brandt	Gallen	McNally	Seraffini
Broujos	Gamble	Maiale	Smith, B.
Bunt	Gannon	Maine	Smith, S. H.
Burd	Geist	Markosek	Snyder, D. W.

Burns	George	Marsico	Snyder, G.
Bush	Gigliotti	Mayernik	Staback
Caltagirone	Gladeck	Melio	Stairs
Cappabianca	Gruitza	Merry	Steighner
Carlson	Gruppo	Michlovic	Stish
Carn	Hagarty	Micozzie	Stuban
Cawley	Haluska	Mihalich	Tangretti
Cessar	Harper	Morris	Taylor, E. Z.
Chadwick	Hasay	Mrkonic	Taylor, F.
Civera	Hayden	Murphy	Taylor, J.
Clark, B. D.	Hayes	Nahill	Telek
Clark, D. F.	Heckler	Nailor	Thomas
Clark, J. H.	Herman	O'Brien	Tigue
Cohen	Hershey	Olasz	Trello
Colafiglia	Hess	Oliver	Trich
Colaizzo	Howlett	Perzel	Van Horne
Cole	Hughes	Pesci	Veon
Cornell	Itkin	Petrarca	Wambach
Corrigan	Jadlowiec	Petrone	Wass
Cowell	James	Piccola	Weston
Coy	Jarolin	Pistella	Williams
DeLuca	Josephs	Pitts	Wogan
DeWeese	Kaiser	Pressmann	Wozniak
Daley	Kasunic	Preston	Wright, D. R.
Davies	Kenney	Raymond	Wright, R. C.
Dempsey	Kondrich	Reber	Yandrisevits

## NAYS—22

Barley	Fleagle	Moehlmann	Schuler
Battisto	Godshall	Mowery	Strittmatter
Birmelin	Jackson	Noye	Vroon
Clymer	Johnson	Phillips	Wilson
Fairchild	Leh	Scheetz	Wright, J. L.
Fargo	Miller		

## NOT VOTING—2

McVerry	O'Donnell, Speaker
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## EXCUSED—2

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

Ordered, That the clerk inform the Senate accordingly.

## VOTE CORRECTION

The SPEAKER. The Chair recognizes Mr. Smith.

Mr. S. H. SMITH. I would like to correct the record, Mr. Speaker.

On HB 2515, PN 3913, I would like to be recorded in the affirmative. Thank you, Mr. Speaker.

The SPEAKER. The remarks of the gentleman will be spread upon the record.

## STATEMENT BY MR. ROBBINS

The SPEAKER. The Chair recognizes Mr. Robbins.

Mr. ROBBINS. Mr. Speaker, unanimous consent to make a statement.

The SPEAKER. The gentleman may proceed.

Mr. ROBBINS. Mr. Speaker, I think it is appropriate at this time and I certainly waited until this hour to remind our colleagues of an anniversary that is occurring next week and being celebrated in Washington, DC, and it is the 50th anni-

versary of the airborne forces of the United States Army. As the first test parachute platoon was formed and trained in 1940, we are now in the process of celebrating the 50 years that these elite forces have served our country through the Second World War, Korea, Vietnam, and of course, all the other little wars that we have had.

I thought it was appropriate to wait until this hour. Any of those who have shared the experiences of making a night jump with any of the airborne troops, doing a 50-mile forced march at the end of it, will certainly appreciate how we feel when we get to the end of this budget process. So I thought at the same time of reminding us of the service that these men have done to our country, we could also appreciate the pain and suffering that they have felt when they went through their training as we do here every year.

Also, I would like to let you know that when we come back in the fall, I will submit a resolution, and anyone wanting to join with me in honoring the 50th anniversary, I certainly would appreciate.

Also, Representative Broujos would also like to make a statement.

The SPEAKER. The remarks of the gentleman will be spread upon the record.

## STATEMENT BY MR. BROUJOS

The SPEAKER. The Chair recognizes Mr. Broujos.

Mr. BROUJOS. If it please the Speaker, the House has not formally recognized the 40th anniversary of the Korean war, and I think that it would be appropriate that we observe the war in terms of the sacrifice that was made; the men that served there; the 8,000 MIA's/POW's that we experienced through the Korean war.

The Korean war was unique in that it was a police action, but it was under United Nations auspices. We were able to achieve that in a very unique manner because the Russians failed to attend the Security Council meeting. However, after we moved in with forces, both Army and Marine Corps and Navy and Air Force, we were able to stem the tide at the Pusan perimeter and move forward north and eventually have a truce at about the 38th parallel.

The important thing about the Korean war is not only that it was a United Nations action but that it enabled a free Korea to emerge as an economic entity. Within 30 years they had built themselves into a major economic power, and in addition, they have evidenced a gratitude for the sacrifice that Americans made.

I would like the record to show that the House has recognized and appreciated the contribution of the men and women who served during the Korean war.

The SPEAKER. The remarks of the gentleman will be spread upon the record.

## VOTE CORRECTION

The SPEAKER. The Chair recognizes Mr. Roebuck.

Mr. ROEBUCK. Thank you, Mr. Speaker.  
 On concurrence in HB 200 I was not recorded as voting, and I wish to be recorded in the positive. Thank you.  
 The SPEAKER. The remarks of the gentleman will be spread upon the record.

**STATEMENT BY MR. ROBBINS**

The SPEAKER. The Chair recognizes Mr. Robbins.  
 Mr. ROBBINS. Mr. Speaker, I just wanted to follow up on Mr. Broujos, as I also would like to mention Gen. Matthew Ridgeway, who is a Pennsylvanian and is the oldest surviving airborne general, who commanded the 82d Airborne Division and the Allied airborne forces in the Second World War and also then was the commander of the United Nations forces in Korea and presently is a resident of Fox Chapel, Pennsylvania. Thank you, Mr. Speaker.

**VOTE CORRECTIONS**

The SPEAKER. The Chair recognizes Mr. Snyder.  
 Mr. D. W. SNYDER. Thank you, Mr. Speaker.  
 On the roll-call vote on concurrence in HB 1743, PN 3792, my vote was not recorded, and it should be in the affirmative.  
 The SPEAKER. The remarks of the gentleman will be spread upon the record.  
 The Chair recognizes Mr. Michlovic.  
 Mr. MICHLOVIC. Thank you, Mr. Speaker.  
 Earlier in the evening on the vote on concurrence in HB 2515, I was not recorded. I would like to be recorded in the affirmative. Thank you.  
 The SPEAKER. The remarks of the gentleman will be spread upon the record.

**HB 1831 RECONSIDERED**

The SPEAKER. The Chair is in possession of a reconsideration motion. The gentleman, Mr. George, moves that the vote by which HB 1831, PN 3933, was passed on the 30th day of June be reconsidered.

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

The following roll call was recorded:

**YEAS—196**

Acosta	Dombrowski	Lashing	Ritter
Adolph	Donatucci	Laughlin	Robbins
Allen	Dorr	Lee	Robinson
Angstadt	Durham	Leh	Roebuck
Argall	Evans	Lescovitz	Rudy
Barley	Fairchild	Levdansky	Ryan
Battisto	Fargo	Linton	Rybak
Belardi	Farmer	Lloyd	Saloom
Belfanti	Fee	Lucyk	Saurman
Billow	Fleagle	McCall	Scheetz
Birmelin	Flick	McHale	Schuler
Bishop	Foster	McNally	Scrimenti
Black	Fox	Maiale	Semmel
Blaum	Freeman	Maine	Serafini
Bortner	Gallen	Markosek	Smith, B.
Bowley	Gamble	Marsico	Smith, S. H.

Boyes	Gannon	Mayernik	Snyder, D. W.
Brandt	Geist	Melio	Snyder, G.
Broujos	George	Merry	Staback
Bunt	Gigliotti	Michlovic	Stairs
Burd	Gladeck	Micozzie	Stish
Burns	Godshall	Mihalich	Strittmatter
Bush	Gruitza	Miller	Stuban
Caltagirone	Gruppo	Moehlmann	Tangretti
Cappabianca	Hagarty	Morris	Taylor, E. Z.
Carlson	Haluska	Mowery	Taylor, F.
Carn	Harper	Mrkonic	Taylor, J.
Cawley	Hasay	Murphy	Telek
Cessar	Hayden	Nahill	Thomas
Chadwick	Hayes	Nailor	Tigue
Civera	Heckler	Noye	Trello
Clark, B. D.	Herman	O'Brien	Trich
Clark, D. F.	Hershey	Olasz	Van Horne
Clark, J. H.	Hess	Oliver	Veon
Clymer	Howlett	Perzel	Vroon
Cohen	Hughes	Pesci	Wambach
Colafrilla	Itkin	Petrarca	Wass
Colaizzo	Jackson	Petrone	Weston
Cole	Jadlowiec	Phillips	Williams
Cornell	James	Piccola	Wilson
Corrigan	Johnson	Pistella	Wogan
Cowell	Josephs	Pitts	Wozniak
Coy	Kaiser	Pressmann	Wright, D. R.
DeLuca	Kasunic	Preston	Wright, J. L.
DeWeese	Kenney	Raymond	Wright, R. C.
Daley	Kondrich	Reber	Yandrisevits
Davies	Kosinski	Reinard	
Dempsey	Kukovich	Richardson	O'Donnell,
Dietterick	LaGrotta	Rieger	Speaker
Distler	Langtry		

**NAYS—0**

**NOT VOTING—4**

Freind	Jarolin	McVerry	Steighner
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**EXCUSED—2**

Dininni	Pievsky
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The question was determined in the affirmative, and the motion was agreed to.

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

The SPEAKER. The gentleman, Mr. Markosek, moves that the House do concur in the amendments inserted by the Senate.

The question recurs, will the House concur in amendments inserted by the Senate? Those voting to concur will vote "aye"; those voting to nonconcur will vote "no."

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

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

**YEAS—179**

Acosta	Dietterick	LaGrotta	Rieger
Adolph	Distler	Langtry	Ritter
Allen	Dombrowski	Lashing	Robbins
Angstadt	Donatucci	Laughlin	Robinson
Argall	Dorr	Lee	Roebuck
Belardi	Durham	Lescovitz	Rudy
Belfanti	Evans	Levdansky	Ryan
Billow	Farmer	Linton	Rybak
Bishop	Fee	Lloyd	Saloom
Black	Fleagle	Lucyk	Saurman
Blaum	Flick	McCall	Scrimenti



Bortner	Foster	McHale	Semmel
Bowley	Fox	McNally	Serafini
Boyes	Freeman	McVerry	Smith, B.
Brandt	Freind	Maiale	Smith, S. H.
Broujos	Gallen	Maine	Snyder, D. W.
Bunt	Gamble	Markosek	Snyder, G.
Burd	Gannon	Marsico	Staback
Burns	Geist	Mayernik	Stairs
Bush	Gigliotti	Melio	Steighner
Caltagirone	Gladeck	Merry	Stish
Cappabianca	Gruitza	Michlovic	Stuban
Carlson	Gruppo	Micozzie	Tangretti
Carn	Hagarty	Mihalich	Taylor, E. Z.
Cawley	Haluska	Morris	Taylor, F.
Cessar	Harper	Mowery	Taylor, J.
Chadwick	Hasay	Mrkonic	Telek
Civera	Hayden	Murphy	Thomas
Clark, B. D.	Hayes	Nahill	Tigue
Clark, D. F.	Heckler	Nailor	Trello
Clark, J. H.	Herman	O'Brien	Trich
Clymer	Hess	Olasz	Van Horne
Cohen	Howlett	Oliver	Veon
Colafiglia	Hughes	Perzel	Wambach
Colaizzo	Itkin	Pesci	Wass
Cole	Jadlowiec	Petrarca	Weston
Cornell	James	Petrone	Williams
Corrigan	Jarolin	Piccola	Wilson
Cowell	Josephs	Pistella	Wogan
Coy	Kaiser	Pressmann	Wozniak
DeLuca	Kasunic	Preston	Wright, D. R.
DeWeese	Kenney	Raymond	Wright, J. L.
Daley	Kondrich	Reber	Wright, R. C.
Davies	Kosinski	Reinard	Yandrisevits
Dempsey	Kukovich	Richardson	

**NAYS—20**

Barley	George	Leh	Pitts
Battisto	Godshall	Miller	Scheetz
Birmelin	Hershey	Moehlmann	Schuler
Fairchild	Jackson	Noye	Strittmatter
Fargo	Johnson	Phillips	Vroon

**NOT VOTING—1**

O'Donnell,  
Speaker

**EXCUSED—2**

Dininni      Pievsky

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

Ordered, That the clerk inform the Senate accordingly.

**MILITARY AND VETERANS AFFAIRS  
COMMITTEE MEETING**

The SPEAKER. The Military and Veterans Affairs Committee will hold a brief meeting off the floor at the rear of the House at this time.

**VOTE CORRECTION**

The SPEAKER. The Chair recognizes the lady, Mrs. Laughlin.

Mrs. LAUGHLIN. Thank you, Mr. Speaker.

I was out of my seat for the vote on concurrence in HB 1911. I would like to be voted in the affirmative. Thank you.

The SPEAKER. The remarks of the lady will be spread upon the record.

**SENATE MESSAGE**

**HOUSE AMENDMENTS  
NONCONCURRED IN BY SENATE**

The clerk of the Senate, being introduced, informed that the Senate has nonconcurred in the amendments made by the House of Representatives to **SB 1163, PN 2061**.

**MOTION INSISTING UPON AMENDMENTS**

Mr. DeWEESE moved that the House insist upon its amendments nonconcurred in by the Senate to **SB 1163, PN 2061**, and that a committee of conference on the part of the House be appointed.

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

**APPOINTMENT OF  
COMMITTEE OF CONFERENCE**

The SPEAKER. The Chair appoints as a committee of conference on the part of the House on **SB 1163, PN 2061**:

Mr. RICHARDSON, Ms. JOSEPHS, and Mr. D. W. SNYDER.

Ordered, That the clerk inform the Senate accordingly.

**SENATE MESSAGE**

**HOUSE AMENDMENTS  
CONCURRED IN BY SENATE**

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to the Senate amendments to **HB 2221, PN 3885**.

**BILLS SIGNED BY SPEAKER**

The Chair gave notice that he was about to sign the following bills, which were then signed:

**HB 1665, PN 3945**

An Act amending the act of June 29, 1953 (P. L. 304, No. 66), known as the "Vital Statistics Law of 1953," requiring parents to furnish Social Security numbers; and providing for missing children registration.

**HB 1743, PN 3792**

An Act creating a fee system to cover the costs related to the establishment of a low-level radioactive waste disposal regional facility in Pennsylvania; and regulating certain low-level waste.

**HB 1831, PN 3933**

An Act amending the act of December 19, 1988 (P. L. 1262, No. 156), known as the "Local Option Small Games of Chance Act," defining the term "municipality"; and further providing for local option referenda.

**HB 1911, PN 3911**

An Act amending the act of July 7, 1980 (P. L. 380, No. 97), known as the "Solid Waste Management Act," further providing for certain permits; providing that no bond shall be required as a condition for issuance of a permit or license to a municipality or a municipal authority; and extending the deadline for filing for a permit for disposal of municipal wastes.

**HB 2221, PN 3885**

An Act amending the act of August 6, 1941 (P. L. 861, No. 323), referred to as the "Pennsylvania Board of Probation and Parole Law," providing for the cost of pre-parole drug screening tests; and further providing for notice of parole hearings.

**VOTE CORRECTIONS**

The SPEAKER. The Chair recognizes Mr. Clymer.

Mr. CLYMER. Mr. Speaker, let the record show that on HB 1831, PN 3933, on reconsideration, my vote should have been in the negative. Thank you.

The SPEAKER. The remarks of the gentleman will be spread upon the record.

The Chair recognizes the gentleman, Mr. Phillips.

Mr. PHILLIPS. Mr. Speaker, on the motion to suspend rule 30, I was not recorded. I would like to be recorded in the affirmative.

The SPEAKER. The remarks of the gentleman will be spread upon the record.

The Chair recognizes Mr. Jarolin.

Mr. JAROLIN. I would like to make a correction to the record, if possible, now.

On HB 1831, the motion for reconsideration, I was not in my seat at the time and I missed the vote. I would like to add my vote to the "yes," in the positive.

The SPEAKER. The remarks of the gentleman will be spread upon the record.

For the information of the members and to no one's surprise, we are waiting for bills from the Senate.

**SENATE MESSAGE**

**HOUSE BILL**

**CONCURRED IN BY SENATE**

The clerk of the Senate, being introduced, returned **HB 2618, PN 3826**, with information that the Senate has passed the same without amendment.

**SENATE MESSAGE**

**HOUSE AMENDMENTS**

**CONCURRED IN BY SENATE**

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to **SB 756, PN 2420; SB 967, PN 2418; SB 1111, PN 2416; SB 1193, PN 2419; SB 1368, PN 2421; and SB 1550, PN 2417.**

**RECESS**

The SPEAKER. The House will be in recess until 6 a.m.

**RECESS EXTENDED**

The time of recess was extended until 6:15 a.m.; further extended until 6:30 a.m.; further extended until 6:45 a.m.; further extended until 7 a.m.

**AFTER RECESS**

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

**RULES SUSPENDED**

The SPEAKER. The Chair recognizes the majority leader.

Mr. DeWEESE. Mr. Speaker, I move that House rule 30 be suspended to permit HB 2116, HB 2470, HB 2004, and HB 406 to go immediately to the calendar without going to the Rules Committee.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

**YEAS—199**

Acosta	Donatucci	Lashingier	Ritter
Adolph	Dorr	Laughlin	Robbins
Allen	Durham	Lee	Robinson
Angstadt	Fairchild	Leh	Roebuck
Argall	Fargo	Lescovitz	Rudy
Barley	Farmer	Levdansky	Ryan
Battisto	Fee	Linton	Rybak
Belardi	Fleagle	Lloyd	Saloom
Belfanti	Flick	Lucyk	Saurman
Billow	Foster	McCall	Scheetz
Birmelin	Fox	McHale	Schuler
Bishop	Freeman	McNally	Scrimenti
Black	Freind	McVerry	Semmel
Blaum	Gallen	Maiale	Serafini
Bortner	Gamble	Maine	Smith, B.
Bowley	Gannon	Markosek	Smith, S. H.
Boyes	Geist	Marsico	Snyder, D. W.
Brandt	George	Mayernik	Snyder, G.
Broujos	Gigliotti	Melio	Staback
Bunt	Gladeck	Merry	Stairs
Burd	Godshall	Michlovic	Steighner
Burns	Gruitza	Micozzie	Stish
Bush	Gruppo	Mihalich	Strittmatter
Caltagirone	Hagarty	Miller	Stuban
Cappabianca	Haluska	Moehlmann	Tangretti
Carlson	Harper	Morris	Taylor, E. Z.
Carn	Hasay	Mowery	Taylor, F.
Cawley	Hayden	Mrkonjic	Taylor, J.
Cessar	Hayes	Murphy	Telek
Chadwick	Heckler	Nahill	Thomas
Civera	Herman	Nailor	Tigue
Clark, B. D.	Hershey	Noye	Trello
Clark, D. F.	Hess	O'Brien	Trich
Clark, J. H.	Howlett	Olasz	Van Horne
Clymer	Hughes	Oliver	Veon
Cohen	Irkin	Perzel	Vroon
Colafrilla	Jackson	Pesci	Wambach
Colaizzo	Jadlowiec	Petrarca	Wass
Cole	James	Petrone	Weston
Cornell	Jarolin	Phillips	Williams
Corrigan	Johnson	Piccola	Wilson

Cowell	Josephs	Pistella	Wogan
Coy	Kaiser	Pitts	Wozniak
DeLuca	Kasunic	Pressmann	Wright, D. R.
DeWeese	Kenney	Preston	Wright, J. L.
Daley	Kondrich	Raymond	Wright, R. C.
Davies	Kosinski	Reber	Yandrisevits
Dempsey	Kukovich	Reinard	
Dietterick	LaGrotta	Richardson	O'Donnell,
Distler	Langtry	Rieger	Speaker
Dombrowski			

NAYS—0

NOT VOTING—1

Evans

EXCUSED—2

Dininni      Pievsky

A majority of the members elected to the House having voted in the affirmative, the question was determined in the affirmative and the motion was agreed to.

**RULES SUSPENDED**

The SPEAKER. The Chair recognizes the majority leader.

Mr. DeWEESE. Mr. Speaker, I move that rule 30 be suspended to permit HB 2029 to go immediately on the calendar without going to the Rules Committee.

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

The following roll call was recorded:

YEAS—200

Acosta	Donatucci	Lashing	Ritter
Adolph	Dorr	Laughlin	Robbins
Allen	Durham	Lee	Robinson
Angstadt	Evans	Leh	Roebuck
Argall	Fairchild	Lescovitz	Rudy
Barley	Fargo	Levdansky	Ryan
Battisto	Farmer	Linton	Rybak
Belardi	Fee	Lloyd	Saloom
Belfanti	Fleagle	Lucyk	Saurman
Billow	Flick	McCall	Scheetz
Birmelin	Foster	McHale	Schuler
Bishop	Fox	McNally	Scrimenti
Black	Freeman	McVerry	Semmel
Blaum	Freind	Maiiale	Serafini
Bortner	Gallen	Maine	Smith, B.
Bowley	Gamble	Markosek	Smith, S. H.
Boyes	Gannon	Marsico	Snyder, D. W.
Brandt	Geist	Mayernik	Snyder, G.
Broujos	George	Melio	Staback
Bunt	Gigliotti	Merry	Stairs
Burd	Gladeck	Michlovic	Steighner
Burns	Godshall	Micozzie	Stish
Bush	Gruiza	Mihalich	Strittmatter
Caltagirone	Gruppo	Miller	Stuban
Cappabianca	Hagarty	Moehlmann	Tangretti
Carlson	Haluska	Morris	Taylor, E. Z.
Carn	Harper	Mowery	Taylor, F.
Cawley	Hasay	Mrkonic	Taylor, J.
Cessar	Hayden	Murphy	Telek
Chadwick	Hayes	Nahill	Thomas
Civera	Heckler	Nailor	Tigue
Clark, B. D.	Herman	Noye	Trello
Clark, D. F.	Hershey	O'Brien	Trich
Clark, J. H.	Hess	Olasz	Van Horne
Clymer	Howlett	Oliver	Veon
Cohen	Hughes	Perzel	Vroon
Colafella	Itkin	Pesci	Wambach

Colaizzo	Jackson	Petrarca	Wass
Cole	Jadlowiec	Petrone	Weston
Cornell	James	Phillips	Williams
Corrigan	Jarolin	Piccola	Wilson
Cowell	Johnson	Pistella	Wogan
Coy	Josephs	Pitts	Wozniak
DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Wright, R. C.
Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	
Dietterick	Kukovich	Richardson	O'Donnell,
Distler	LaGrotta	Rieger	Speaker
Dombrowski	Langtry		

NAYS—0

NOT VOTING—0

EXCUSED—2

Dininni      Pievsky

A majority of the members elected to the House having voted in the affirmative, the question was determined in the affirmative and the motion was agreed to.

**SENATE MESSAGE**

**AMENDED HOUSE BILLS  
RETURNED FOR CONCURRENCE**

The clerk of the Senate, being introduced, returned **HB 406, PN 3954; HB 2004, PN 3950; HB 2029, PN 3951; HB 2116, PN 3953; and HB 2470, PN 3949**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

**SENATE MESSAGE**

**HOUSE AMENDMENTS  
CONCURRED IN BY SENATE**

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to the Senate amendments to **HB 1374, PN 3737**.

**SENATE MESSAGE**

**SENATE ADOPTS REPORT OF  
COMMITTEE OF CONFERENCE**

The clerk of the Senate, being introduced, informed that the Senate has adopted the Report of the Committee of Conference on the subject of the differences existing between the two Houses on **HB 623, PN 3943**.

**SENATE MESSAGE**

**HOUSE AMENDMENTS  
CONCURRED IN BY SENATE**

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to **SB 1, PN 2414; SB 627, PN 2415;**

**SB 741, PN 2369; SB 742, PN 2370; SB 743, PN 2371; SB 744, PN 2372; SB 745, PN 2373; SB 746, PN 2374; SB 749, PN 2375; SB 751, PN 2377; SB 752, PN 2378; SB 753, PN 2379; SB 845, PN 2424; and SB 929, PN 1984.**

### BILLS SIGNED BY SPEAKER

The Chair gave notice that he was about to sign the following bills, which were then signed:

#### **HB 623, PN 3943**

An Act to provide from the General Fund for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and for the public schools for the fiscal year July 1, 1990, to June 30, 1991, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1990; to provide appropriations from the State Lottery Fund, the Pennsylvania Economic Revitalization Fund, the Energy Conservation and Assistance Fund, The State Stores Fund and the Emergency Medical Services Operating Fund to the Executive Department; to provide appropriations from the Judicial Computer System Augmentation Account to the Judicial Department; to provide appropriations from the Motor License Fund for the fiscal year July 1, 1990, to June 30, 1991, for the proper operation of the several departments of the Commonwealth and the Pennsylvania State Police authorized to spend Motor License Fund moneys; and to provide for the appropriation of Federal funds to the Executive and Judicial Departments of the Commonwealth and for the establishment of restricted receipts accounts for the fiscal year July 1, 1990, to June 30, 1991, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1990.

#### **HB 1374, PN 3737**

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, providing for the disposition of the proceeds of rentals and sales of State armories; and further providing for expenditures from the State Treasury Armory Fund.

#### **HB 2618, PN 3826**

An Act amending the act of June 2, 1915 (P. L. 762, No. 340), referred to as the "State Workmen's Insurance Fund Law," providing for the transfer of money from the State Workmen's Insurance Fund to the General Fund, the Sunny Day Fund and the Tax Stabilization Reserve Fund; establishing an Advisory Council to the State Workmen's Insurance Board; requiring the State Workmen's Insurance Fund to undergo an independent actuarial study annually; and making repeals.

#### **SB 1, PN 2414**

A Joint Resolution proposing amendments to the Constitution of the Commonwealth of Pennsylvania, changing provisions relating to judicial discipline; and providing for financial disclosure, for budgeting and for the financial affairs of the judiciary.

#### **SB 627, PN 2415**

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, providing for veterans' litigation awards.

#### **SB 741, PN 2369**

An Act amending the act of July 29, 1953 (P. L. 1034, No. 270), entitled, as amended, "Public Auditorium Authorities Law," increasing the amount of contracts that may be awarded without competitive bids; further providing for the purchase of supplies and materials; and providing penalties.

#### **SB 742, PN 2370**

An Act amending the act of August 9, 1955 (P. L. 323, No. 130), entitled, "The County Code," further regulating contracts and purchases as to bids and advertising; further providing for the display of flags; and providing a penalty.

#### **SB 743, PN 2371**

An Act amending the act of February 1, 1966 (1965 P. L. 1656, No. 581), entitled "The Borough Code," further providing for the display of flags; further providing for the awarding of contracts; and providing a penalty.

#### **SB 744, PN 2372**

An Act amending the act of May 1, 1933 (P. L. 103, No. 69), entitled "The Second Class Township Code," further providing for the display of flags; further regulating contracts, advertisements, specifications and bids for certain contracts; and providing a penalty.

#### **SB 745, PN 2373**

An Act amending the act of June 24, 1931 (P. L. 1206, No. 331), entitled "The First Class Township Code," further providing for the display of flags; further regulating contracts, advertisements, specifications and bids for certain contracts; and providing a penalty.

#### **SB 746, PN 2374**

An Act amending the act of May 27, 1953 (P. L. 244, No. 34), entitled "An act relating to and regulating the contracts of incorporated towns and providing penalties," further regulating contracts; further providing for advertising requirements; and providing a penalty.

#### **SB 749, PN 2375**

An Act amending the act of June 5, 1947 (P. L. 458, No. 208), entitled, as amended, "Parking Authority Law," further providing for the maximum amount for which an authority may contract or purchase without bids; and providing a penalty.

#### **SB 751, PN 2377**

An Act amending the act of April 29, 1937 (P. L. 526, No. 118), entitled, as reenacted and amended, "An act providing for and regulating joint purchases by counties (other than counties of the first class), cities of the second and third class, boroughs, towns, townships, school districts, institution districts, and poor districts," increasing the amount of purchases that may be made without advertisement; and providing a penalty.

#### **SB 752, PN 2378**

An Act amending the act of July 12, 1972 (P. L. 762, No. 180), entitled "Intergovernmental Cooperation Law," further providing for joint purchases and competitive bidding; and providing a penalty.

#### **SB 753, PN 2379**

An Act amending the act of August 6, 1936 (Sp. Sess., P. L. 95, No. 38 1/2), entitled "An act to authorize and empower cities, boroughs, towns, and townships, separately or jointly, to provide for protection against floods by erecting and constructing certain works and improvements, located within or without their territorial limits, and within or without the county in which situate;....," further regulating purchases and bidding on such purchases; and providing a penalty.

**SB 756, PN 2420**

An Act providing for the certification of real estate appraisers; specifying requirements for certification; providing for sanctions and penalties; and making an appropriation.

**SB 845, PN 2424**

An Act authorizing the Pennsylvania Historical and Museum Commission to acquire, for a nominal sum or gift, on behalf of the Commonwealth, the New Freedom Theatre in the City of Philadelphia; providing for its renovation and authorizing an agreement for the administration thereof by the New Freedom Theatre Group.

**SB 929, PN 1984**

An Act amending the act of December 18, 1984 (P. L. 1005, No. 205), entitled "Municipal Pension Plan Funding Standard and Recovery Act," further providing for the allocation of general municipal pension system State aid and for the distribution of the foreign fire insurance premium tax.

**SB 967, PN 2418**

An Act authorizing the Department of Environmental Resources to defend, indemnify and hold harmless the Consolidated Rail Corporation in actions arising under the acceptance of a certain railroad line; and providing for an advisory committee.

**SB 1111, PN 2416**

An Act amending the act of November 24, 1976 (P. L. 1163, No. 259), entitled "Generic Equivalent Drug Law," further providing for the addition and deletion of generic drugs.

**SB 1193, PN 2419**

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for period of revocation or suspension of operating privilege and for requirements for driving under influence offenders.

**SB 1368, PN 2421**

An Act amending the act of September 30, 1985 (P. L. 240, No. 61), entitled "Turnpike Organization, Extension and Toll Road Conversion Act," further providing for a turnpike interchange at New Cumberland Army Depot and for an interchange on the Northeast Extension.

**SB 1550, PN 2417**

An Act providing for the capital budget for the fiscal year 1990-1991.

**SUPPLEMENTAL CALENDAR K**

**BILLS ON CONCURRENCE  
IN SENATE AMENDMENTS**

The clerk of the Senate, being introduced, returned the following **HB 2004, PN 3950**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act designating Interstate Route 90 as the AMVETS Memorial Highway; and designating various portions of U.S. Route 15.

On the question,

Will the House concur in Senate amendments?

The **SPEAKER**. Moved by the majority leader that the House do concur.

The question recurs, will the House concur in the amendments inserted by the Senate? Those voting to concur will vote "aye"; those voting to nonconcur will vote "no."

On the question recurring,

Will the House concur in Senate amendments?

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

**YEAS—200**

Acosta	Donatucci	Lashinger	Ritter
Adolph	Dorr	Laughlin	Robbins
Allen	Durham	Lee	Robinson
Angstadt	Evans	Leh	Roebuck
Argall	Fairchild	Lescovitz	Rudy
Barley	Fargo	Levdansky	Ryan
Battisto	Farmer	Linton	Rybak
Belardi	Fee	Lloyd	Saloom
Belfanti	Fleagle	Lucyk	Saurman
Billow	Flick	McCall	Scheetz
Birmelin	Foster	McHale	Schuler
Bishop	Fox	McNally	Scrimenti
Black	Freeman	McVerry	Semmel
Blaum	Freind	Maiale	Serafini
Bortner	Gallen	Maine	Smith, B.
Bowley	Gamble	Markosek	Smith, S. H.
Boyes	Gannon	Marsico	Snyder, D. W.
Brandt	Geist	Mayernik	Snyder, G.
Broujos	George	Melio	Staback
Bunt	Gigliotti	Merry	Stairs
Burd	Gladeck	Michlovic	Steighner
Burns	Godshall	Micozzie	Stish
Bush	Gruitza	Mihalich	Strittmatter
Caltagirone	Gruppo	Miller	Stuban
Cappabianca	Hagarty	Moehlmann	Tangretti
Carlson	Haluska	Morris	Taylor, E. Z.
Carn	Harper	Mowery	Taylor, F.
Cawley	Hasay	Mrkonic	Taylor, J.
Cessar	Hayden	Murphy	Telek
Chadwick	Hayes	Nahill	Thomas
Civera	Heckler	Nailor	Tigue
Clark, B. D.	Herman	Noye	Trello
Clark, D. F.	Hershey	O'Brien	Trich
Clark, J. H.	Hess	Olasz	Van Home
Clymer	Howlett	Oliver	Veon
Cohen	Hughes	Perzel	Vroon
Colafella	Itkin	Pesci	Wambach
Colaizzo	Jackson	Petrarca	Wass
Cole	Jadlowiec	Petrone	Weston
Cornell	James	Phillips	Williams
Corrigan	Jarolin	Piccola	Wilson
Cowell	Johnson	Pistella	Wogan
Coy	Josephs	Pitts	Wozniak
DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Wright, R. C.
Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	
Dietterick	Kukovich	Richardson	O'Donnell,
Distler	LaGrotta	Rieger	Speaker
Dombrowski	Langtry		

**NAYS—0**

**NOT VOTING—0**

EXCUSED—2

Dininni Pievsky

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

Ordered, That the clerk inform the Senate accordingly.

\* \* \*

The clerk of the Senate, being introduced, returned the following HB 2470, PN 3949, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

A Supplement to the act of (P. L. , No. ) entitled "An act providing for the capital budget for the fiscal year 1990-1991," itemizing transportation assistance projects and public improvement projects to be constructed or acquired or assisted by the Department of General Services and Department of Transportation, together with their estimated financial costs; authorizing the incurring of debt without the approval of the electors for the purpose of financing the projects to be constructed or acquired or assisted by the Department of General Services and Department of Transportation, stating the estimated useful life of the projects; and making appropriations.

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

The SPEAKER. Moved by the majority leader that the House do concur.

The question recurs, will the House concur in the amendments inserted by the Senate? Those voting to concur will vote "aye"; those voting to nonconcur will vote "no."

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

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

YEAS—198

- Acosta Donatucci Langtry Rieger
Adolph Dorr Lashinger Ritter
Allen Durham Laughlin Robbins
Angstadt Evans Lee Robinson
Argall Fairchild Leh Roebuck
Barley Fargo Lescovitz Rudy
Battisto Farmer Levdansky Ryan
Belardi Fee Linton Rybak
Belfanti Fleagle Lloyd Saurman
Billow Flick Lucyk Scheetz
Birmelin Foster McCall Schuler
Bishop Fox McHale Scrimenti
Black Freeman McNally Semmel
Elaum Freind McVerry Serafini
Bortner Gallen Maiale Smith, B.
Bowley Gamble Maine Smith, S. H.
Boyes Gannon Markosek Snyder, D. W.
Brandt Geist Marsico Snyder, G.
Broujos George Mayernik Staback
Bunt Gigliotti Meilo Stairs
Burd Gladeck Merry Steighner
Burns Godshall Michlovic Stish
Bush Gruitza Micozzie Strittmatter
Caltagirone Gruppo Mihalich Stuban
Cappabianca Hagarty Miller Tangretti
Carlson Haluska Moehlmann Taylor, E. Z.
Carn Harper Morris Taylor, F.
Cawley Hasay Mowery Taylor, J.
Cessar Hayden Mrkonic Telek

- Chadwick Hayes Murphy Thomas
Civera Heckler Nahill Tigue
Clark, B. D. Herman Nailor Trello
Clark, D. F. Hershey Noye Trich
Clark, J. H. Hess O'Brien Van Horne
Clymer Howlett Olasz Veon
Cohen Hughes Oliver Vroon
Colafella Itkin Perzel Wambach
Colaizzo Jackson Pesci Wass
Cole Jadlowiec Petrarca Weston
Cornell James Petrone Williams
Corrigan Jarolin Phillips Wilson
Cowell Johnson Piccola Wogan
Coy Josephs Pistella Wozniak
DeLuca Kaiser Pitts Wright, D. R.
DeWeese Kasunic Pressmann Wright, J. L.
Daley Kenney Preston Wright, R. C.
Davies Kondrich Raymond Yandrisevits
Dempsey Kosinski Reber
Dietterick Kukovich Reinard O'Donnell,
Distler LaGrotta Richardson Speaker

NAYS—2

Dombrowski Saloom

NOT VOTING—0

EXCUSED—2

Dininni Pievsky

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

Ordered, That the clerk inform the Senate accordingly.

SUPPLEMENTAL CALENDAR I
BILL ON CONCURRENCE
IN SENATE AMENDMENTS

The clerk of the Senate, being introduced, returned the following HB 2029, PN 3951, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for protection from abuse; and providing for jurisdiction to enjoin certain nuisances in the City of Philadelphia.

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

The SPEAKER. Moved by the majority leader that the House do concur.

The question recurs, will the House concur in the amendments inserted by the Senate? The Chair recognizes Mr. Lashinger.

Mr. LASHINGER. Thank you.

Mr. Speaker, I hate at this hour of the morning to go into this. Is there someone that we can interrogate on this bill? Is there someone that would stand for interrogation concerning the concurrence in Senate amendments?

The SPEAKER. There does not appear to be a volunteer.

Mr. LASHINGER. Mr. Speaker, permission to make a few brief statements.

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

Mr. LASHINGER. Thank you, Mr. Speaker.

Mr. Speaker, I heard someone say earlier that this is government by exhaustion, and I tend to agree with the person that made that comment.

I am just not sure why we need to run this bill at this hour. There are amendments in here placed by the Senate that move the entire protection-from-abuse statute into Title 42. I just want to warn the members that aside from a substantive change in the Protection From Abuse Act, which is being done without any debate, any deliberation by any standing committee in the House, that we are also taking one of the major statutes—maybe one of the statutes that is employed the most on a daily basis today by petitioners in the Commonwealth; just talk to your court administrators and they will tell you that—we are now moving it into Title 42 a year after all of our court administrators, our prothonotaries, our attorneys, our advocacy groups for domestic violence prepared new petitions under the new act in Title 35. It will be an incredible burden for all of those people to go back and to re-create the wheel in terms of the forms that they use for petitions in this area.

Furthermore, if you will look at the drafting of the bill—and again I apologize to the membership, and I just do not think this is any way to run a ship as regards this specific issue—there is no repealer in here, so I am not sure what happens in Title 35. So we now have two Protection From Abuse Acts on the books, and this one varies somewhat from the existing Protection From Abuse Act.

For example, we create in this new act, which I know some in Lancaster County have been calling for for some time although a lot have been opposed to, the use of masters to hear protection-from-abuse petitions in Philadelphia County only. Now, I do not have a major problem with that because it is limited to just Philadelphia County, but I have a problem with the concept, and there are others who have a problem with it even as it regards Philadelphia.

All I am going to say is that I warn the members that there will be people in the domestic violence community who are going to be concerned that we have now written a new Protection From Abuse Act at 7:10 on July 1 without ever having deliberated on this issue to cure a problem that is occurring in certain parts of the State. Well, I am suggesting that we can cure that problem come September and there is no need to cure it at this late hour at the risk of making changes that are going to be incredibly burdensome to so many in the Commonwealth, and the unfortunate part is that the burden will fall to those people, the pro se petitioners, the people who prepare their own petitions, or the court administrators who do the work for them. That is our tax dollars that are used to help with those petitions, those form petitions. They are all going to have to be changed, and they have all just been reprinted just within the last year as a result of a change in the act.

The rest of the bill I know the Speaker has a direct interest in regarding jurisdiction in Liquor Code violations. I have no problem with that, but I do have a problem with muscling the protection-from-abuse language into Title 42. It is not related. We took it out of Title 42, and we are attempting to move it into Title 23 in another bill we already sent to the Senate, and it comes back to us moving this chamber back 10 years in terms of consolidation or codification of statutes.

Mr. Speaker, I move that we put the bill over given those comments.

Mr. Speaker, I will withdraw that motion. I would just ask for a vote to nonconcur. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the majority leader.

Mr. DeWEESE. I would urge the members to concur.

The SPEAKER. Those voting to concur will vote “aye”; those voting to nonconcur will vote “no.”

On the question recurring,

Will the House concur in Senate amendments?

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

YEAS—103

Acosta	Evans	Lloyd	Robinson
Battisto	Fee	Lucyk	Roebuck
Belardi	Freeman	McCall	Rudy
Belfanti	Gamble	McHale	Rybak
Billow	George	McNally	Saloom
Bishop	Gigliotti	Maiale	Scrimenti
Blaum	Gruitza	Maine	Staback
Bortner	Haluska	Markosek	Steighner
Bowley	Harper	Mayernik	Stish
Broujos	Hayden	Melio	Stuban
Caltagirone	Hershey	Michlovic	Tangretti
Cappabianca	Howlett	Mihalich	Taylor, F.
Carn	Hughes	Morris	Thomas
Cawley	Itkin	Mrkonic	Tigue
Clark, B. D.	James	Murphy	Trello
Cohen	Jarolin	Olasz	Trich
Colafella	Josephs	Oliver	Van Horne
Colaizzo	Kaiser	Pesci	Veon
Cole	Kasunic	Petrarca	Wambach
Corrigan	Kosinski	Petrone	Williams
Cowell	Kukovich	Pistella	Wozniak
Coy	LaGrotta	Pressmann	Wright, D. R.
DeLuca	Laughlin	Preston	Yandrisevits
DeWeese	Lescovitz	Richardson	
Daley	Levdansky	Rieger	O'Donnell,
Dombrowski	Linton	Ritter	Speaker
Donatucci			

NAYS—94

Adolph	Distler	Jadlowiec	Reinard
Allen	Dorr	Johnson	Robbins
Angstadt	Durham	Kenney	Ryan
Argall	Fairchild	Kondrich	Saurman
Barley	Fargo	Langtry	Scheetz
Birmelin	Farmer	Lashinger	Schuler
Black	Fleagle	Lee	Semmel
Boyes	Flick	Leh	Serafini
Brandt	Foster	McVerry	Smith, B.
Bunt	Fox	Marsico	Smith, S. H.
Burd	Freind	Merry	Snyder, D. W.
Burns	Gallen	Miller	Snyder, G.
Bush	Gannon	Moehlmann	Stairs
Carlson	Geist	Mowery	Strittmatter
Cessar	Gladeck	Nahill	Taylor, E. Z.
Chadwick	Godshall	Nailor	Taylor, J.
Civera	Gruppo	Noye	Telek
Clark, D. F.	Hagarty	O'Brien	Vroon

Clark, J. H.	Hasay	Perzel	Wass
Clymer	Hayes	Piccola	Weston
Cornell	Heckler	Pitts	Wilson
Davies	Herman	Raymond	Wogan
Dempsey	Hess	Reber	Wright, R. C.
Dietterick	Jackson		

NOT VOTING—3

Micozzie	Phillips	Wright, J. L.
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EXCUSED—2

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

Ordered, That the clerk inform the Senate accordingly.

**SUPPLEMENTAL CALENDAR M**

**BILL ON CONCURRENCE  
IN SENATE AMENDMENTS**

The clerk of the Senate, being introduced, returned the following **HB 406, PN 3954**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), known as "The Administrative Code of 1929," authorizing the Comptroller of the House of Representatives to make certain lapses; further providing for fees collected by administrative agencies; prohibiting the incarceration of civilian prisoners at military installations; requiring the Department of Transportation to do certain work on manhole covers, drains and other devices at the time a road is repaired or resurfaced at the cost of the utility, municipality or authority owner; authorizing the waiver of the realty transfer tax in certain cases by the Department of Revenue; further providing for the powers of the Department of General Services and the Department of Revenue; transferring the Pennsylvania Conservation Corps from the Department of Environmental Resources to the Department of Labor and Industry and continuing its existence; and making repeals.

On the question,

Will the House concur in Senate amendments?

The SPEAKER. It is moved by the majority leader that the House concur in the amendments inserted by the Senate.

The question recurs, will the House concur in the amendments inserted by the Senate? Those voting to concur will vote "aye"; those voting to nonconcur will vote "no."

On the question recurring,

Will the House concur in Senate amendments?

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

YEAS—123

Acosta	Freeman	Lucyk	Robinson
Battisto	Gamble	McCall	Roebuck
Belardi	Geist	McHale	Rudy
Belfanti	George	McNally	Ryan
Billow	Gigliotti	Maiale	Rybak
Birmelin	Gruitza	Maine	Saloom
Bishop	Gruppo	Markosek	Scheetz
Blaum	Haluska	Mayernik	Scrimenti
Bortner	Harper	Melio	Staback
Broujos	Hayden	Michlovic	Steighner

Caltagirone	Hayes	Mihalich	Stish
Cappabianca	Herman	Miller	Stuban
Carn	Hess	Moehlmann	Tangretti
Cawley	Howlett	Morris	Taylor, E. Z.
Cessar	Hughes	Mrkonc	Taylor, F.
Civera	Itkin	Murphy	Thomas
Clark, B. D.	Jackson	Nahill	Tigue
Cohen	James	Olasz	Trello
Colafella	Jarolin	Oliver	Trich
Colaizzo	Johnson	Perzel	Van Horne
Cole	Josephs	Pesci	Veon
Cornell	Kaiser	Petrarca	Vroon
Corrigan	Kasunic	Petrone	Wambach
Cowell	Kosinski	Phillips	Weston
Coy	Kukovich	Pistella	Williams
DeLuca	LaGrotta	Pitts	Wozniak
DeWeese	Laughlin	Pressmann	Wright, D. R.
Daley	Lescovitz	Preston	Yandrisevits
Dombrowski	Levdansky	Richardson	
Donatucci	Linton	Rieger	O'Donnell, Speaker
Evans	Lloyd	Ritter	
Fee			

NAYS—77

Adolph	Dietterick	Hershey	Reinard
Allen	Distler	Jadlowiec	Robbins
Angstadt	Dorr	Kenney	Saurman
Argall	Durham	Kondrich	Schuler
Barley	Fairchild	Langtry	Semmel
Black	Fargo	Lashingier	Serafini
Bowley	Farmer	Lee	Smith, B.
Boyes	Fleagle	Leh	Smith, S. H.
Brandt	Flick	McVerry	Snyder, D. W.
Bunt	Foster	Marsico	Snyder, G.
Burd	Fox	Merry	Stairs
Burns	Freind	Micozzie	Strittmatter
Bush	Gallen	Mowery	Taylor, J.
Carlson	Gannon	Nailor	Telek
Chadwick	Gladeck	Noye	Wass
Clark, D. F.	Godshall	O'Brien	Wilson
Clark, J. H.	Hagarty	Piccola	Wogan
Clymer	Hasay	Raymond	Wright, J. L.
Davies	Heckler	Reber	Wright, R. C.
Dempsey			

NOT VOTING—0

EXCUSED—2

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

Ordered, That the clerk inform the Senate accordingly.

**SUPPLEMENTAL CALENDAR N**

**BILL ON CONCURRENCE  
IN SENATE AMENDMENTS**

The clerk of the Senate, being introduced, returned the following **HB 2116, PN 3953**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act authorizing the Department of General Services to enter into lease/purchase agreements for prison space; providing for the issuance of bonds; making appropriations; authorizing indebtedness, with the approval of the electors, to make grants to counties for county or multicounty regional prison facilities; and authorizing the Department of Corrections to contract with



county or regional prison facilities for the housing of State inmates.

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

The SPEAKER. Moved by the majority leader that the House do concur.

The question recurs, will the House concur in the amendments inserted by the Senate? The Chair recognizes Mr. Piccola.

Mr. PICCOLA. Thank you, Mr. Speaker.

Would the majority leader yield to interrogation, please?

The SPEAKER. The gentleman indicates that he will. The gentleman may proceed.

Mr. PICCOLA. Thank you, Mr. Speaker.

I am referring now to page 7 of the amendment which has not been, I believe, reprinted into HB 2116, so I do not have any other references. But section 702(a), "Referendum to authorize incurring indebtedness. Submission of question to electors," states that the question as to whether or not we shall incur indebtedness for repair, expansion, construction, reconstruction, or rehabilitation of county prisons or multi-county regional prison facilities or the purchase of electronic monitoring equipment for alternative sentencing programs shall be submitted to the voters. Down further in subsection (c), the question that will actually appear on the ballot as stated in this amendment refers to "...fund capital needs to create or expand county alternative sentencing or treatment programs?" The question is, in subsection (c), the language that I just referred to, is that language what is referenced in subsection (a)?

Mr. DeWEESE. I read the measure very carefully, and I would like to answer in the affirmative.

Mr. PICCOLA. Thank you, Mr. Speaker. That ends my interrogation.

I urge that the House concur in Senate amendments.

The SPEAKER. Those voting to concur will vote "aye"; those voting to nonconcur will vote "no."

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

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

YEAS—200

Acosta	Donatucci	Lashinger	Ritter
Adolph	Dorr	Laughlin	Robbins
Allen	Durham	Lee	Robinson
Angstadt	Evans	Leh	Roebuck
Argall	Fairchild	Lescovitz	Rudy
Barley	Fargo	Levdansky	Ryan
Battisto	Farmer	Linton	Rybak
Belardi	Fee	Lloyd	Saloom
Belfanti	Fleagle	Lucyk	Saurman
Billow	Flick	McCall	Scheetz
Birmelin	Foster	McHale	Schuler
Bishop	Fox	McNally	Scrimenti
Black	Freeman	McVerry	Semmel
Biaum	Freind	Maiale	Serafini
Bortner	Gallen	Maine	Smith, B.
Bowley	Gamble	Markosek	Smith, S. H.
Boyes	Gannon	Marsico	Snyder, D. W.
Brandt	Geist	Mayernik	Snyder, G.

Broujos	George	Melio	Staback
Bunt	Gigliotti	Merry	Stairs
Burd	Gladeck	Michlovic	Steighner
Burns	Godshall	Micozzie	Stish
Bush	Gruitza	Mihalich	Strittmatter
Caltagirone	Gruppo	Miller	Stuban
Cappabianca	Hagarty	Moehlmann	Tangretti
Carlson	Haluska	Morris	Taylor, E. Z.
Carn	Harper	Mowery	Taylor, F.
Cawley	Hasay	Mrkonic	Taylor, J.
Cessar	Hayden	Murphy	Telek
Chadwick	Hayes	Nahill	Thomas
Civera	Heckler	Nailor	Tigue
Clark, B. D.	Herman	Noye	Trello
Clark, D. F.	Hershey	O'Brien	Trich
Clark, J. H.	Hess	Olasz	Van Horne
Clymer	Howlett	Oliver	Veon
Cohen	Hughes	Perzel	Vroon
Colafella	Itkin	Pesci	Wambach
Colaizzo	Jackson	Petrarca	Wass
Cole	Jadlowiec	Petrone	Weston
Cornell	James	Phillips	Williams
Corrigan	Jarolin	Piccola	Wilson
Cowell	Johnson	Pistella	Wogan
Coy	Josephs	Pitts	Wozniak
DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Wright, R. C.
Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	
Dietterick	Kukovich	Richardson	O'Donnell,
Distler	LaGrotta	Rieger	Speaker
Dombrowski	Langtry		

NAYS—0

NOT VOTING—0

EXCUSED—2

Dininni      Pievsky

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

Ordered, That the clerk inform the Senate accordingly.

SENATE MESSAGE

ADJOURNMENT 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 30, 1990

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Monday, September 24, 1990, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, That when the House of Representatives adjourns this week it reconvene on Monday, September 24, 1990, 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?

The following roll call was recorded:

YEAS—200

Acosta	Donatucci	Lashingner	Ritter
Adolph	Dorr	Laughlin	Robbins
Allen	Durham	Lee	Robinson
Angstadt	Evans	Leh	Roebuck
Argall	Fairchild	Lescovitz	Rudy
Barley	Fargo	Levdansky	Ryan
Battisto	Farmer	Linton	Rybak
Belardi	Fee	Lloyd	Saloom
Belfanti	Fleagle	Lucyk	Saurman
Billow	Flick	McCall	Scheetz
Birmelin	Foster	McHale	Schuler
Bishop	Fox	McNally	Scrimenti
Black	Freeman	McVerry	Semmel
Blaum	Freind	Maiale	Serafini
Bortner	Gallen	Maine	Smith, B.
Bowley	Gamble	Markosek	Smith, S. H.
Boyes	Gannon	Marsico	Snyder, D. W.
Brandt	Geist	Mayernik	Snyder, G.
Broujos	George	Melio	Staback
Bunt	Gigliotti	Merry	Stairs
Burd	Gladeck	Michlovic	Steighner
Burns	Godshall	Micozzie	Stish
Bush	Gruitza	Mihalich	Strittmatter
Caltagirone	Gruppo	Miller	Stuban
Cappabianca	Hagarty	Moehlmann	Tangretti
Carlson	Haluska	Morris	Taylor, E. Z.
Carn	Harper	Mowery	Taylor, F.
Cawley	Hasay	Mrkonic	Taylor, J.
Cessar	Hayden	Murphy	Telek
Chadwick	Hayes	Nahill	Thomas
Civera	Heckler	Nailor	Tigue
Clark, B. D.	Herman	Noye	Trello
Clark, D. F.	Hershey	O'Brien	Trich
Clark, J. H.	Hess	Olasz	Van Horne
Clymer	Howlett	Oliver	Veon
Cohen	Hughes	Perzel	Vroon
Colaafella	Itkin	Pesci	Wambach
Colaizzo	Jackson	Petrarca	Wass
Cole	Jadlowiec	Petrone	Weston
Cornell	James	Phillips	Williams
Corrigan	Jarolin	Piccola	Wilson
Cowell	Johnson	Pistella	Wogan
Coy	Josephs	Pitts	Wozniak
DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Wright, R. C.
Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	
Dietterick	Kukovich	Richardson	O'Donnell,
Distler	LaGrotta	Rieger	Speaker
Dombrowski	Langtry		

NAYS—0

NOT VOTING—0

EXCUSED—2

Dininni      Pievsky

The question was determined in the affirmative, and the resolution was concurred in.

Ordered, That the clerk inform the Senate accordingly.

The SPEAKER. For the information of the members, no more votes will be held today.

**BILLS AND RESOLUTIONS PASSED OVER**

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

**REPORT SUBMITTED**

The SPEAKER. The Chair submits for the record a report of the Education Committee pursuant to HR 49.

(Copy of report is on file with the Chief Clerk.)

**BILLS SIGNED BY SPEAKER**

The Chair gave notice that he was about to sign the following bills, which were then signed:

**HB 406, PN 3954**

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), known as "The Administrative Code of 1929," authorizing the Comptroller of the House of Representatives to make certain lapses; further providing for fees collected by administrative agencies; prohibiting the incarceration of civilian prisoners at military installations; requiring the Department of Transportation to do certain work on manhole covers, drains and other devices at the time a road is repaired or resurfaced at the cost of the utility, municipality or authority owner; authorizing the waiver of the realty transfer tax in certain cases by the Department of Revenue; further providing for the powers of the Department of General Services and the Department of Revenue; transferring the Pennsylvania Conservation Corps from the Department of Environmental Resources to the Department of Labor and Industry and continuing its existence; and making repeals.

**HB 2004, PN 3950**

An Act designating Interstate Route 90 as the AMVETS Memorial Highway; and designating various portions of U.S. Route 15.

**HB 2029, PN 3951**

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for protection from abuse; and providing for jurisdiction to enjoin certain nuisances in the City of Philadelphia.

**HB 2116, PN 3953**

An Act authorizing the Department of General Services to enter into lease/purchase agreements for prison space; providing for the issuance of bonds; making appropriations; authorizing indebtedness, with the approval of the electors, to make grants to counties for county or multicounty regional prison facilities; and authorizing the Department of Corrections to contract with county or regional prison facilities for the housing of State inmates.

**HB 2470, PN 3949**

A Supplement to the act of (P. L. , No. ) entitled "An act providing for the capital budget for the fiscal year 1990-1991," itemizing transportation assistance projects and public improvement projects to be constructed or acquired or assisted by the Department of General Services and Department of Transportation, together with their estimated financial costs; authorizing the incurring of debt without the approval of the electors for the purpose of financing the projects

to be constructed or acquired or assisted by the Department of General Services and Department of Transportation, stating the estimated useful life of the projects; and making appropriations.

### SUNSHINE NOTICE

The SPEAKER. The Chair at this time inserts into the record the sunshine notice, which will be read by the clerk.

The following communication was read:

House of Representatives  
Commonwealth of Pennsylvania  
Harrisburg

NOTICE  
SESSION TIME  
HOUSE OF REPRESENTATIVES

Notice is hereby given, in accordance with the Act of July 3, 1986, P.L. 388, No. 84, that the House of Representatives will convene in open session in the Hall of the House on the following date and time:

July 1, 1990, at 7:21 a.m.

John J. Zubeck  
Chief Clerk  
House of Representatives

### ADJOURNMENT

The SPEAKER. The Chair recognizes the majority leader.

Mr. DeWEESE. Mr. Speaker, I move that this House do now adjourn until 7:21 a.m., e.d.t., Sunday, July 1, 1990.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 7:20 a.m., e.d.t., July 1, 1990, the House adjourned.