

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, JUNE 18, 1986

SESSION OF 1986

170TH OF THE GENERAL ASSEMBLY

No. 47

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (K. LEROY IRVIS) IN THE CHAIR

PRAYER

REV. DR. DAVID R. HOOVER, chaplain of the House of Representatives, from McConnellsburg, Pennsylvania, offered the following prayer:

Most Holy Lord, the God and Father of all mankind, it is with heartfelt thanks that we approach Thee in the splendor of this glorious day. We are appreciative of Thy watchful care and beseech Thee to ever grant to each of us Thy exemplary conduct in all the affairs of life.

We ask that Thou wilt challenge us with the unfinished tasks which await us and guide us in the discharge of the duties and responsibilities which face us. We pray that Thy countless blessings may be ours to share throughout life and fill us with the confidence and assurance of Thy eternal peace. Amen.

PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was enunciated by members.)

JOURNAL APPROVAL

The SPEAKER. The Chair is informed that the Journal for Monday, April 7, 1986, is in print. Unless the Chair hears an objection, that Journal will be accepted as printed. The Chair hears no such objection.

JOURNAL APPROVAL POSTPONED

The SPEAKER. The Journal for Tuesday, June 17, 1986, is not yet in print, and until it is in print, without objection, the approval will be withheld. The Chair hears no such objection.

BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I move that SB 1124 and SB 1397 be lifted from the tabled calendar and placed on the active calendar.

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

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 2551, PN 3558**; and **HB 2552, PN 3559**, with information that the Senate has passed the same without amendment.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate, being introduced, returned **HB 2079, PN 3710**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

BILLS SIGNED BY SPEAKER

The Chair gave notice that he was about to sign the following bills, which were then signed:

HB 2551, PN 3558

An Act making an appropriation from the State Employees' Retirement Fund to provide for expenses of the State Employees' Retirement Board for the fiscal year July 1, 1986, to June 30, 1987, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1986.

HB 2552, PN 3559

An Act making an appropriation from the Public School Employees' Retirement Fund to provide for expenses of the Public School Employees' Retirement Board for the fiscal year July 1, 1986, to June 30, 1987, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1986.

SB 655, PN 1850

An Act to provide a convention center facility in cities of the first class; creating the Pennsylvania Convention Center Authority; defining its powers and duties; and authorizing a hotel room rental tax.

LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes the gentleman from Lawrence, Mr. Fee. Are there any requests for leaves of absence?

Mr. FEE. No leaves at this time, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the minority whip.

Mr. HAYES. Thank you, Mr. Speaker.

I request a leave for the lady from Susquehanna County, Miss SIRIANNI, for the day; the gentleman from Philadelphia County, Mr. KENNEY, for the day; and the gentleman from Lancaster, Mr. MILLER, for the day.

The SPEAKER. The Chair hears no objection. Therefore, the leaves are granted.

MASTER ROLL CALL

The SPEAKER. The Chair is about to take the master roll call for the day. The members will proceed to vote on the master roll.

The following roll call was recorded:

PRESENT—197

Acosta	Deal	Langtry	Robbins
Afflerbach	Dietz	Lashinger	Roebuck
Angstadt	Dininni	Lescovitz	Rudy
Argall	Distler	Letterman	Ryan
Arty	Dombrowski	Levdansky	Rybak
Baldwin	Donatucci	Linton	Saloom
Barber	Dorr	Livengood	Saurman
Barley	Duffy	Lloyd	Scheetz
Battisto	Durham	Lucyk	Schuler
Belardi	Evans	McCall	Semmel
Belfanti	Fargo	McClatchy	Serafini
Birmelin	Fattah	McHale	Seventy
Black	Fee	McVerry	Showers
Blaum	Fischer	Mackowski	Smith, B.
Book	Flick	Maiale	Smith, L. E.
Bortner	Foster	Manderino	Snyder, D. W.
Bowley	Fox	Manmiller	Snyder, G.
Bowser	Freeman	Markosek	Staback
Boyes	Freind	Mayernik	Stairs
Brandt	Fryer	Merry	Steighner
Broujos	Gallagher	Michlovic	Stevens
Bunt	Gallen	Micozzie	Stewart
Burd	Gamble	Moehlmann	Stuban
Burns	Gannon	Morris	Sweet
Bush	Geist	Mowery	Swift
Caltagirone	George	Mrkonc	Taylor, E. Z.
Cappabianca	Gladeck	Murphy	Taylor, F.
Carlson	Godshall	Nahill	Taylor, J.
Carn	Greenwood	Noye	Telek
Cawley	Gruitza	O'Brien	Tigue
Cessar	Gruppo	O'Donnell	Trello
Chadwick	Hagarty	Olasz	Truman
Cimini	Haluska	Oliver	Van Horne
Civera	Harper	Perzel	Veon
Clark	Hasay	Petrarca	Vroon
Clymer	Hayes	Petrone	Wambach
Cohen	Herman	Phillips	Wass
Colafella	Hershey	Piccola	Weston
Cole	Honaman	Pievsky	Wiggins
Cordisco	Howlett	Pistella	Wilson
Cornell	Hutchinson	Pitts	Wogan
Coslett	Itkin	Pott	Wozniak
Cowell	Jackson	Pressmann	Wright, D. R.
Coy	Jarolin	Preston	Wright, J. L.
Deluca	Johnson	Punt	Wright, R. C.

DeVerter	Josephs	Raymond	Yandrisevits
DeWeese	Kasunic	Reber	
Daley	Kennedy	Reinard	Irvis,
Davies	Kosinski	Richardson	Speaker
Dawida	Kukovich	Rieger	

ADDITIONS—0**NOT VOTING—1**

Laughlin

EXCUSED—3

Kenney

Miller

Sirianni

LEAVES ADDED—1

Laughlin

LEAVES CANCELED—1

Laughlin

WELCOMES

The SPEAKER. The Chair welcomes to the hall of the House, as guest pages of Curt Bowley, Joe Chiaravalloti and Larry Kopko, Jr. Larry Kopko, Sr., and family are in the gallery. Welcome to the hall of the House. We are delighted to have you here.

Rob Dugan of Lansdale is here as the guest of Representative Bob Godshall. Welcome to the hall of the House. We are delighted to have you here.

Representative Barley introduced the Speaker to his daughter, Susan, who is here as a guest page. Her friend, Jennifer Frey, is here also, and Lorri Rutt, who is a senior in high school. They are to the left of the Speaker. Welcome to the hall of the House, children. We are delighted to have you here.

LEAVE OF ABSENCE

The SPEAKER. The gentleman from Beaver, Mr. LAUGHLIN, is placed on the leave of absence, without objection. We will place him on the leave of absence. He may or may not be able to return to the floor. If he does not, then the leave will remain. If he does, then the leave can be lifted.

WELCOME

The SPEAKER. The Chair welcomes to the hall of the House Jim Sloat. Jim is a summer intern. He is from Reading, Pennsylvania. He is working for Paul Angstadt and Jim Gallen. Welcome to the hall of the House. We are glad to have you here, Jim.

STATEMENT BY MR. MARKOSEK

The SPEAKER. Under unanimous consent, the Chair recognizes the gentleman from Allegheny, Mr. Markosek.

Mr. Markosek wants to make an oral report on a very important committee which he chaired.

Mr. MARKOSEK. Thank you, Mr. Speaker.

Mr. Speaker, the special committee to investigate automobile theft and chop shops released its report this morning. We had a press conference upstairs, and we had a number of recommendations that have been introduced as legislation. Among these is a recommendation to allow police officers to inspect chop shops without a warrant, recommendations to have the State Police identify and check on reconstructed vehicles, and also, stiffer penalties for the crime of auto theft fraud. We are seeing in Pennsylvania that many of the automobiles stolen have in fact been reported as fraud and not necessarily as stolen.

So, Mr. Speaker, the members will shortly be receiving a report on our committee, and hopefully this will in turn be translated into meaningful legislation which will make Pennsylvania the number one State in solving the problem of auto theft and chop shops.

At this time, Mr. Speaker, I would like to introduce the members of the special committee besides myself who served. Representative Truman, Representative Book, Representative Blaum, Representative Bowley, Representative Joe Gladeck, and Representative John Taylor all served on the committee, Mr. Speaker. So with that, I would like to say that the legislation will soon be given to committee and hopefully will be on the floor for House consideration. Thank you, Mr. Speaker.

CALENDAR

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2518, PN 3525**, entitled:

An Act making an appropriation to the Trustees of Drexel University, Philadelphia, Pennsylvania.

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—192

Acosta	Dietz	Langtry	Rieger
Afflerbach	Dininni	Lashinger	Robbins
Angstadt	Distler	Lescovitz	Roebuck
Argall	Dombrowski	Letterman	Rudy
Arty	Donatucci	Levdansky	Rybak
Baldwin	Dorr	Saloom	Sauroman
Barley	Duffy	Livengood	Scheetz
Battisto	Durham	Lloyd	Schuler
Belardi	Evans	Lucyk	Semmel
Belfanti	Fargo	McCall	Serafini
Birmelin	Fattah	McClatchy	Seventy
Black	Fee	McHale	Showers
Blaum	Fischer	McVerry	Smith, B.
Book	Flick	Mackowski	Smith, L. E.
Bortner	Foster	Maiale	Snyder, D. W.
Bowley	Fox	Manderino	Snyder, G.
Bowser	Freeman	Manmiller	Staback
Boyes	Freind	Markosek	

Brandt	Fryer	Mayernik	Stairs
Broujos	Gallagher	Merry	Steighner
Bunt	Gallen	Michlovic	Stevens
Burd	Gamble	Micozzie	Stewart
Burns	Gannon	Moehlmann	Suban
Bush	Geist	Morris	Sweet
Caltagirone	George	Mowery	Swift
Cappabianca	Gladeck	Mrkoncic	Taylor, E. Z.
Carlson	Godshall	Murphy	Taylor, F.
Carn	Greenwood	Nahill	Taylor, J.
Cawley	Gruitza	Noye	Telek
Cessar	Gruppo	O'Brien	Tigue
Chadwick	Hagarty	O'Donnell	Trello
Cimini	Haluska	Olasz	Truman
Civera	Harper	Oliver	Van Horne
Clark	Hasay	Perzel	Veon
Clymer	Hayes	Petrarca	Vroon
Cohen	Herman	Petrone	Wambach
Colafella	Hershey	Phillips	Wass
Cole	Honaman	Piccola	Weston
Cornell	Howlett	Pievsky	Wilson
Coslett	Hutchinson	Pistella	Wogan
Cowell	Itkin	Pitts	Wozniak
Coy	Jackson	Pott	Wright, D. R.
Deluca	Jarolin	Pressmann	Wright, J. L.
DeVerter	Johnson	Preston	Wright, R. C.
DeWeese	Josephs	Punt	Yandrisevits
Daley	Kasunic	Raymond	
Davies	Kennedy	Reber	Irviss,
Dawida	Kosinski	Reinard	Speaker
Deal	Kukovich		

NAYS—0

NOT VOTING—5

Barber	Richardson	Ryan	Wiggins
Cordisco			

EXCUSED—4

Kenney	Laughlin	Miller	Sirianni
--------	----------	--------	----------

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

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

* * *

The House proceeded to third consideration of **HB 2385, PN 3316**, entitled:

An Act requiring State heating systems to be fueled by coal.

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—193

Acosta	Deal	Lashinger	Robbins
Afflerbach	Dietz	Lescovitz	Roebuck
Angstadt	Dininni	Letterman	Rudy
Argall	Distler	Levdansky	Ryan
Arty	Dombrowski	Linton	Rybak
Baldwin	Donatucci	Livengood	Saloom
Barley	Dorr	Lloyd	Sauroman
Battisto	Duffy	Lucyk	Scheetz

Belardi	Durham	McCall	Schuler
Belfanti	Fargo	McClatchy	Semmel
Birmelin	Fattah	McHale	Serafini
Black	Fee	McVerry	Seventy
Blaum	Fischer	Mackowski	Showers
Book	Flick	Maiale	Smith, B.
Bortner	Foster	Manderino	Smith, L. E.
Bowley	Fox	Manmiller	Snyder, D. W.
Bowser	Freeman	Markosek	Snyder, G.
Boyes	Fryer	Mayernik	Staback
Brandt	Gallagher	Merry	Stairs
Broujos	Gallen	Michlovic	Steighner
Bunt	Gamble	Micozzie	Stevens
Burd	Gannon	Moehlmann	Stewart
Burns	Geist	Morris	Stuban
Bush	George	Mowery	Sweet
Caltagirone	Gladeck	Mrkonic	Swift
Cappabianca	Godshall	Murphy	Taylor, E. Z.
Carlson	Greenwood	Nahill	Taylor, F.
Carn	Gruitza	Noye	Taylor, J.
Cawley	Gruppo	O'Brien	Telek
Cessar	Hagarty	O'Donnell	Tigue
Chadwick	Haluska	Olasz	Trello
Cimini	Harper	Oliver	Truman
Civera	Hasay	Perzel	Van Horne
Clark	Hayes	Petrarca	Veon
Clymer	Herman	Petrone	Vroon
Cohen	Hershey	Phillips	Wambach
Colafella	Honaman	Piccola	Wass
Cole	Howlett	Pievsky	Weston
Cordisco	Hutchinson	Pistella	Wilson
Cornell	Itkin	Pitts	Wogan
Coslett	Jackson	Pott	Wozniak
Cowell	Jarolin	Pressmann	Wright, D. R.
Coy	Johnson	Preston	Wright, J. L.
Deluca	Josephs	Punt	Wright, R. C.
DeVerter	Kasunic	Raymond	Yandrisevits
DeWeese	Kennedy	Reber	
Daley	Kosinski	Reinard	Irvis,
Davies	Kukovich	Richardson	Speaker
Dawida	Langtry	Rieger	

NAYS—0

NOT VOTING—4

Barber	Evans	Freind	Wiggins
--------	-------	--------	---------

EXCUSED—4

Kenney	Laughlin	Miller	Sirianni
--------	----------	--------	----------

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

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

* * *

The House proceeded to third consideration of **HB 1115, PN 1287**, entitled:

An Act amending the act of June 3, 1937 (P. L. 1333, No. 320), known as the "Pennsylvania Election Code," providing for certain changes in the nomination process relating to the offices of Governor and Lieutenant Governor.

On the question,

Will the House agree to the bill on third consideration?

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

Mr. PRESTON. Thank you.

Will the gentleman, Mr. Gallen, answer a few questions for me concerning the bill?

The SPEAKER. The gentleman indicates he will stand for interrogation. You may proceed, Mr. Preston.

Mr. PRESTON. Mr. Speaker, I have not really had time to look into this bill concerning what you are doing with the Lieutenant Governor candidates with the gubernatorial candidates. Can you explain just briefly to me the overall of the bill itself?

Mr. GALLEN. Mr. Speaker, I think that recent elections have indicated a need for this legislation. Prior to I think it was 1966, it was possible for us to have elected a Governor of one party and a Lieutenant Governor of another party. We changed that at that time to say that in a general election the two candidates would be bracketed and one vote would be a vote for both.

Mr. Speaker, I think in view, especially—and I am not trying to make any insinuation here—but in view of what has happened, especially in the nomination for Governor and Lieutenant Governor 8 years ago, the Democrats really had a problem. They nominated someone who would not have been the party's choice. I think it was a mistake, and I think the electorate made a mistake. I think this would preclude that from happening again. I think that just as the Presidential nominee is really able to select his running mate, I feel that the gubernatorial candidate should be allowed to select his running mate.

Mr. PRESTON. Am I correct in saying though that within your bill the gubernatorial candidate would select his running mate in the primary?

Mr. GALLEN. I think that it would be tantamount to that. I do not think that he actually selects him. I think if someone is running for Governor, he would then seek out who he felt would be his best running mate, who would be the best candidate, who would be the best qualified person to be Lieutenant Governor, and he would select him. I think that he would then not be saddled with someone as a running mate whom he does not want.

Mr. PRESTON. Well, let me ask you this then: In other words, what you are saying is that if one candidate who was running for Governor, whether it was Democrat or Republican or any other party, won the primary and there was another gentleman or lady who was running for Governor, gubernatorial candidate, who was on a different ballot and was not on the gubernatorial candidate's who won the primary, they would be ineligible to be selected for Lieutenant Governor. Am I correct?

Mr. GALLEN. That is correct.

Mr. PRESTON. So in other words, what you would possibly be doing would be limiting the choice of gubernatorial candidate because he would be obligated to pick the person whom he ran with in the primary.

Mr. GALLEN. That is correct.

Mr. PRESTON. Can you explain to me then what would be the process then in November, what would happen?

Mr. GALLEN. Well, it would not change. In the general election there would not be any change.

Mr. PRESTON. So in other words, we would be picking the Lieutenant Governor's candidate who would have to run with the Governor's candidate versus the way we do it now. Correct?

Mr. GALLEN. That is right. Whoever would be nominated would be the nominees in the general election.

Mr. PRESTON. Okay. Thank you, Mr. Speaker.

May I address the bill, please?

The SPEAKER. The gentleman may proceed.

Mr. PRESTON. Mr. Speaker, what we are witnessing here is a bill in very archaic politics. It goes back almost to the Greek times of limiting a choice, and I wish the members will be very careful to what we are in the process of doing here.

What we would be sincerely doing is saying that whoever is running with the Lieutenant Governor in the primary, which is contradictory to what we even do in the Presidential candidacy—and it was very unfair for the previous speaker to even mention the Presidential candidacy—what we are saying is whoever is the candidate for the gubernatorial race in the primary would have no other choice. He would be forced to take his choice in the primary race versus after a primary, which in the Presidential election the President himself has a choice and has a chance to interview.

I would sincerely look and ask the candidates and the Representatives here to reject this bill. I think it is very old-fashioned politics. I think it really leads to servitism and is just a very bad bill, and it is very poorly thought. I would ask for a negative vote.

The SPEAKER. The Chair recognizes the gentleman from Luzerne, Mr. Blaum.

Mr. BLAUM. Thank you, Mr. Speaker.

Will the gentleman, Mr. Gallen, please stand for a question?

The SPEAKER. Mr. Gallen indicates he will stand for further interrogation. You may proceed, sir.

Mr. BLAUM. Mr. Speaker, I think that the process definitely has to be changed, and I think that this bill may be a step in the right direction. However, my question is, did you consider the possibility of the gubernatorial nominee not picking his Lieutenant Governor running mate until after the primary? What I would like to see happen is similar to what we have in Presidential elections, and that is that both parties in Pennsylvania nominate a candidate for Governor and then they would submit their choice to the respective State committee for ratification of their Lieutenant Governor candidate. Did you consider that? And if so, why did you reject it?

Mr. GALLEN. No; I would not say that I considered it. I felt that this was the cleanest way to clean this thing up. I think all of us know—and Mr. Kukovich has pointed it out on a number of occasions—the difficulty in running in a statewide election, whether it be the primary or general election, and raising sufficient money to become identified.

I think that I can honestly say that I did not take the option of having no one nominated in a primary election for Lieuten-

ant Governor. I felt this was the cleanest way. I felt that a person running for Governor should have the opportunity to select whom he considers to be the best person to become Lieutenant Governor and the best candidate that he can select geographically and so on, and I felt this would be a step in the right direction. I am not quarreling with the idea Mr. Blaum puts forth that there could be another alternative.

Mr. BLAUM. Mr. Speaker, like the previous interrogator, I, too, missed this bill coming to the floor of the House, and I am very happy to see something like this get out of committee and come before us. I would appreciate the opportunity to offer an amendment though along the lines of what I described, and that is that we would nominate a candidate for Governor and then after that primary he would submit his choice for a candidate for Lieutenant Governor to the State committees, similar to what we do on the Presidential level.

I think the problem with this bill is that we all know that Lieutenant Governor candidates are selected for geographical and ideological balance. A gubernatorial candidate would have to select before the primary that Lieutenant Governor for those reasons, for reasons of balance and ideological differences for one reason in the primary, and then he gets nominated and finds out that he has the wrong kind of Lieutenant Governor to win a general.

So at this time I do not know what the motion I would like to make, Mr. Speaker, is, but to go over the bill or to move to table until—and it is my fault—until possibly next week so we can have a chance to amend I think this very important bill.

The SPEAKER. The Chair recognizes the gentleman from Berks, Mr. Gallen.

Mr. GALLEN. I was going to suggest, Mr. Speaker, that I have no objection to the bill being laid on the table, but my problem may be a constitutional problem with Mr. Blaum's suggestion. But I have no objection to laying the bill on the table and taking a look at the options.

BILL PASSED OVER

The SPEAKER. What we will do is simply pass it over, without objection. The Chair hears no objection. It will remain as it is.

Mr. BLAUM. Thank you, Mr. Speaker.

Thank you, Mr. Gallen.

WELCOME

The SPEAKER. The Chair welcomes to the hall of the House a former member, Jay Wells. Welcome back on the floor of the House, Jay.

LEAVE OF ABSENCE CANCELED

The SPEAKER. The gentleman, Mr. Laughlin's name will be removed from the leave calendar, and he will be placed on the master roll.

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 2001**, **PN 2717**, entitled:

An Act amending the act of April 9, 1929 (P. L. 343, No. 176), known as "The Fiscal Code," further providing for the payment of interest on overpaid 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—192

Acosta	Dietz	Lescovitz	Robbins
Afflerbach	Dininni	Letterman	Roebuck
Angstadt	Distler	Levdansky	Rudy
Argall	Dombrowski	Linton	Ryan
Arty	Donatucci	Livengood	Rybak
Baldwin	Dorr	Lloyd	Saloom
Barley	Duffy	Lucyk	Saurman
Battisto	Durham	McCall	Scheetz
Belardi	Evans	McClatchy	Schuler
Belfanti	Fargo	McHale	Semmel
Birmelin	Fee	McVerry	Serafini
Black	Fischer	Mackowski	Seventy
Blaum	Flick	Maiale	Showers
Book	Foster	Manderino	Smith, B.
Bortner	Fox	Manmiller	Smith, L. E.
Bowley	Freeman	Markosek	Snyder, D. W.
Bowser	Freind	Mayernik	Snyder, G.
Boyes	Fryer	Merry	Staback
Brandt	Gallagher	Michlovic	Stairs
Broujos	Gallen	Micozzie	Steighner
Bunt	Gamble	Moehlmann	Stevens
Burd	Gannon	Morris	Stewart
Burns	Geist	Mowery	Stuban
Bush	George	Mrkonic	Sweet
Caltagirone	Gladeck	Murphy	Swift
Cappabianca	Godshall	Nahill	Taylor, E. Z.
Carlson	Greenwood	Noye	Taylor, F.
Carn	Gruitza	O'Brien	Taylor, J.
Cawley	Gruppo	O'Donnell	Telek
Cessar	Hagarty	Olasz	Tigue
Chadwick	Haluska	Oliver	Trello
Cimini	Harper	Perzel	Truman
Civera	Hasay	Petrarca	Van Horne
Clark	Hayes	Petrone	Veon
Clymer	Herman	Phillips	Vroon
Colafella	Hershey	Piccola	Wambach
Cole	Honaman	Pievsky	Wass
Cordisco	Howlett	Pistella	Weston
Cornell	Hutchinson	Pitts	Wilson
Coslett	Itkin	Pott	Wogan
Cowell	Jackson	Pressmann	Wozniak
Coy	Jarolin	Preston	Wright, D. R.
Deluca	Johnson	Punt	Wright, J. L.
DeVerter	Josephs	Raymond	Wright, R. C.
DeWeese	Kasunic	Reber	Yandrisevits
Daley	Kosinski	Reinard	
Davies	Kukovich	Richardson	Irvis,
Dawida	Lashinger	Rieger	Speaker
Deal	Laughlin		

NAYS—0

NOT VOTING—6

Barber	Fattah	Langtry	Wiggins
Cohen	Kennedy		

EXCUSED—3

Kenney	Miller	Sirianni
--------	--------	----------

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

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

* * *

The House proceeded to third consideration of **HB 2325**, **PN 3206**, entitled:

An Act amending the act of May 23, 1945 (P. L. 903, No. 362), entitled "An act authorizing cities of the third class to establish an optional retirement system for officers and employees independently of any pension system or systems existing in such cities," further providing for membership on certain retirement boards.

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—193

Afflerbach	Dininni	Laughlin	Roebuck
Angstadt	Distler	Lescovitz	Rudy
Argall	Dombrowski	Letterman	Ryan
Arty	Donatucci	Levdansky	Rybak
Baldwin	Dorr	Linton	Saloom
Barley	Duffy	Livengood	Saurman
Battisto	Durham	Lloyd	Scheetz
Belardi	Evans	Lucyk	Schuler
Belfanti	Fargo	McClatchy	Semmel
Birmelin	Fattah	McHale	Serafini
Black	Fee	McVerry	Seventy
Blaum	Fischer	Mackowski	Showers
Book	Flick	Maiale	Smith, B.
Bortner	Foster	Manderino	Smith, L. E.
Bowley	Fox	Manmiller	Snyder, D. W.
Bowser	Freeman	Markosek	Snyder, G.
Boyes	Freind	Mayernik	Staback
Brandt	Fryer	Merry	Stairs
Broujos	Gallagher	Michlovic	Steighner
Bunt	Gallen	Micozzie	Stevens
Burd	Gamble	Moehlmann	Stewart
Burns	Gannon	Morris	Stuban
Bush	Geist	Mowery	Sweet
Caltagirone	George	Mrkonic	Swift
Cappabianca	Gladeck	Murphy	Taylor, E. Z.
Carlson	Godshall	Nahill	Taylor, F.
Carn	Greenwood	Noye	Taylor, J.
Cawley	Gruitza	O'Brien	Telek
Cessar	Gruppo	O'Donnell	Tigue
Chadwick	Hagarty	Olasz	Trello
Cimini	Haluska	Oliver	Truman
Civera	Harper	Perzel	Van Horne
Clark	Hasay	Petrarca	Veon
Clymer	Hayes	Petrone	Vroon
Colafella	Herman	Phillips	Wambach

Cole	Hershey	Piccola	Wass
Cordisco	Honaman	Pievsky	Weston
Cornell	Howlett	Pistella	Wiggins
Coslett	Hutchinson	Pitts	Wilson
Cowell	Itkin	Pott	Wogan
Coy	Jackson	Pressmann	Wozniak
Deluca	Jarolin	Preston	Wright, D. R.
DeVerter	Johnson	Punt	Wright, J. L.
DeWeese	Josephs	Raymond	Wright, R. C.
Daley	Kasunic	Reber	Yandrisevits
Davies	Kosinski	Reinard	
Dawida	Kukovich	Richardson	Irvis,
Deal	Langtry	Rieger	Speaker
Dietz	Lashinger	Robbins	

NAYS—0

NOT VOTING—5

Acosta	Cohen	Kennedy	McCall
Barber			

EXCUSED—3

Kenney	Miller	Sirianni
--------	--------	----------

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

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

BILLS ON FINAL PASSAGE

Agreeable to order,

The House proceeded to the consideration on final passage of **HB 2242, PN 3082**, entitled:

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), known as "The Administrative Code of 1929," further providing for general health administration in cities of the third class.

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—197

Acosta	Deal	Lashinger	Robbins
Afflerbach	Dietz	Laughlin	Roebuck
Angstadt	Dininni	Lescovitz	Rudy
Argall	Distler	Letterman	Ryan
Arty	Dombrowski	Levdansky	Rybak
Baldwin	Donatucci	Linton	Saloom
Barber	Dorr	Livengood	Saurman
Barley	Duffy	Lloyd	Scheetz
Battisto	Durham	Lucyk	Schuler
Belardi	Evans	McCall	Semmel
Belfanti	Fargo	McClatchy	Serafini
Birmelin	Fattah	McHale	Seventy
Black	Fee	McVerry	Showers
Blaum	Fischer	Mackowski	Smith, B.
Book	Flick	Maiale	Smith, L. E.
Bortner	Foster	Manderino	Snyder, D. W.
Bowley	Fox	Manmiller	Snyder, G.
Bowser	Freeman	Markosek	Staback
Boyes	Freind	Mayernik	Stairs
Brandt	Fryer	Merry	Steighner
Broujos	Gallagher	Michlovic	Stevens
Bunt	Gallen	Micozzie	Stewart
Burd	Gamble	Moehlmann	Suban
Burns	Gannon	Morris	Sweet
Bush	Geist	Mowery	Swift
Caltagirone	George	Mrkonic	Taylor, E. Z.

Cappabianca	Gladeck	Murphy	Taylor, F.
Carlson	Godshall	Nahill	Taylor, J.
Carn	Greenwood	Noye	Telek
Cawley	Gruitza	O'Brien	Tigue
Cessar	Gruppo	O'Donnell	Trello
Chadwick	Hagarty	Olasz	Truman
Cimini	Haluska	Oliver	Van Horne
Civera	Harper	Perzel	Veon
Clark	Hasay	Petrarca	Vroon
Clymer	Hayes	Petrone	Wambach
Cohen	Herman	Phillips	Wass
Colafella	Hershey	Piccola	Weston
Cole	Honaman	Pievsky	Wiggins
Cordisco	Howlett	Pistella	Wilson
Cornell	Hutchinson	Pitts	Wogan
Coslett	Itkin	Pott	Wozniak
Cowell	Jackson	Pressmann	Wright, D. R.
Coy	Jarolin	Preston	Wright, J. L.
Deluca	Johnson	Punt	Wright, R. C.
DeVerter	Josephs	Raymond	Yandrisevits
DeWeese	Kasunic	Reber	
Daley	Kosinski	Reinard	Irvis,
Davies	Kukovich	Richardson	Speaker
Dawida	Langtry	Rieger	

NAYS—0

NOT VOTING—1

Kennedy

EXCUSED—3

Kenney	Miller	Sirianni
--------	--------	----------

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.

* * *

Agreeable to order,

The House proceeded to the consideration on final passage of **HB 2243, PN 3083**, entitled:

An Act amending the act of June 23, 1931 (P. L. 932, No. 317), known as "The Third Class City Code," further providing for the administration of public health.

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—194

Afflerbach	Deal	Langtry	Rieger
Angstadt	Dietz	Lashinger	Robbins
Argall	Dininni	Lescovitz	Roebuck
Arty	Distler	Letterman	Rudy
Baldwin	Dombrowski	Levdansky	Ryan
Barber	Donatucci	Linton	Saloom
Barley	Dorr	Livengood	Saurman
Battisto	Duffy	Lloyd	Scheetz
Belardi	Durham	Lucyk	Schuler
Belfanti	Evans	McCall	Semmel
Birmelin	Fargo	McClatchy	Serafini
Black	Fattah	McHale	Seventy
Blaum	Fee	McVerry	Showers
Book	Fischer	Mackowski	Smith, B.
Bortner	Flick	Maiale	Smith, L. E.
Bowley	Foster	Manderino	Snyder, D. W.
Bowser	Fox	Manmiller	Snyder, G.
Boyes	Freeman	Markosek	Staback

Brandt	Freind	Mayernik	Stairs
Broujos	Fryer	Merry	Steighner
Bunt	Gallagher	Michlovic	Stevens
Burd	Gallen	Micozzie	Stewart
Burns	Gamble	Moehlmann	Stuban
Bush	Gannon	Morris	Sweet
Caltagirone	Geist	Mowery	Swift
Cappabianca	George	Mrkonic	Taylor, E. Z.
Carlson	Gladeck	Murphy	Taylor, F.
Carn	Godshall	Nahill	Taylor, J.
Cawley	Greenwood	Noye	Telek
Cessar	Gruitza	O'Brien	Tigue
Chadwick	Gruppo	O'Donnell	Trello
Cimini	Hagarty	Olasz	Truman
Civera	Haluska	Oliver	Van Horne
Clark	Harper	Perzel	Veon
Clymer	Hasay	Petrarca	Vroon
Cohen	Hayes	Petrone	Wambach
Colafella	Herman	Phillips	Wass
Cole	Hershey	Piccola	Weston
Cordisco	Honaman	Pievsky	Wiggins
Cornell	Howlett	Pistella	Wilson
Coslett	Hutchinson	Pitts	Wogan
Cowell	Itkin	Pott	Wozniak
Coy	Jackson	Pressmann	Wright, D. R.
Deluca	Jarolin	Preston	Wright, J. L.
DeVerter	Johnson	Punt	Wright, R. C.
DeWeese	Josephs	Raymond	Yandrisevits
Daley	Kasunic	Reber	
Davies	Kosinski	Reinard	Irvis,
Dawida	Kukovich	Richardson	Speaker

NAYS—1

Rybak

NOT VOTING—3

Acosta Kennedy Laughlin
EXCUSED—3

Kenney Miller Sirianni

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

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

BILLS ON CONCURRENCE IN SENATE AMENDMENTS

The clerk of the Senate, being introduced, returned the following **HB 976, PN 3244**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act providing for the provisions of poultry and egg contracts; and imposing civil penalties.

On the question,

Will the House concur in Senate amendments?

The SPEAKER. On the question, the Chair recognizes the gentleman from Cumberland, Mr. Broujos.

Mr. BROUJOS. Mr. Speaker, I urge concurrence in the amendments and an affirmative vote.

The SPEAKER. The Chair recognizes the gentleman from Chester, Mr. Vroon.

Mr. VROON. I would appreciate knowing what the changes were.

The SPEAKER. Mr. Broujos, outline the changes for Mr. Vroon, please.

Mr. BROUJOS. The changes provide for prompt payment within a period of 21 days and sanctions thereafter. It eliminates the lien provision that we had in. Essentially, it requires that there be prompt payment, but it does not permit the farmer, grower, to place a lien on the eggs that are within his control.

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	Deal	Langtry	Rieger
Afflerbach	Dietz	Lashinger	Robbins
Angstadt	Dininni	Laughlin	Roebuck
Argall	Distler	Lescovitz	Rudy
Arty	Dombrowski	Levdansky	Ryan
Baldwin	Donatucci	Linton	Rybak
Barber	Dorr	Livengood	Saloom
Barley	Duffy	Lloyd	Saurman
Battisto	Durham	Lucyk	Scheetz
Belardi	Fargo	McCall	Schuler
Belfanti	Fattah	McClatchy	Sammel
Birmelin	Fee	McHale	Serafini
Black	Fischer	McVerry	Seventy
Blaum	Flick	Mackowski	Showers
Book	Foster	Maiale	Smith, B.
Bortner	Fox	Manderino	Smith, L. E.
Bowley	Freeman	Manmiller	Snyder, D. W.
Bowser	Freind	Markosek	Snyder, G.
Boyes	Fryer	Mayernik	Staback
Brandt	Gallagher	Merry	Stairs
Broujos	Gallen	Michlovic	Steighner
Bunt	Gamble	Micozzie	Stevens
Burd	Gannon	Moehlmann	Stewart
Burns	Geist	Morris	Stuban
Bush	George	Mowery	Sweet
Caltagirone	Gladeck	Mrkonic	Swift
Cappabianca	Godshall	Murphy	Taylor, E. Z.
Carlson	Greenwood	Nahill	Taylor, F.
Carn	Gruitza	Noye	Taylor, J.
Cawley	Gruppo	O'Brien	Telek
Cessar	Hagarty	O'Donnell	Tigue
Chadwick	Haluska	Olasz	Trello
Cimini	Harper	Oliver	Van Horne
Civera	Hasay	Perzel	Veon
Clark	Hayes	Petrarca	Vroon
Clymer	Herman	Petrone	Wambach
Cohen	Hershey	Phillips	Wass
Colafella	Honaman	Piccola	Weston
Cole	Howlett	Pievsky	Wiggins
Cordisco	Hutchinson	Pistella	Wilson
Cornell	Itkin	Pitts	Wogan
Coslett	Jackson	Pott	Wozniak
Cowell	Jarolin	Pressmann	Wright, D. R.
Coy	Johnson	Preston	Wright, J. L.
Deluca	Josephs	Punt	Wright, R. C.
DeVerter	Kasunic	Raymond	Yandrisevits
DeWeese	Kennedy	Reber	
Daley	Kosinski	Reinard	Irvis,
Davies	Kukovich	Richardson	Speaker
Dawida			

NAYS—0

NOT VOTING—3

Evans Letterman Truman

EXCUSED—3

Kenney Miller Sirianni

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 1321, PN 3573**, 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 "Charitable Organization Reform Act," approved April 30, 1986 (P. L. 107, No. 36), further defining "charitable organization."

On the question,

Will the House concur in Senate amendments?

The SPEAKER. On that question, the Chair recognizes the gentleman from Washington, Mr. Daley.

The question, Mr. Daley, is whether or not the House should concur in amendments inserted by the Senate to HB 1321. Would you explain what the Senate did?

Mr. DALEY. What they have done, basically, Mr. Speaker, is they have redrafted some language back into HB 1321 that will provide that religious organizations will not come under the purview of the original legislation.

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—190

Acosta	Dawida	Langtry	Richardson
Afflerbach	Deal	Lashinger	Rieger
Angstadt	Dietz	Laughlin	Robbins
Argall	Dininni	Lescovitz	Rudy
Arty	Distler	Levdansky	Ryan
Baldwin	Dombrowski	Linton	Rybak
Barley	Donatucci	Livengood	Saloom
Battisto	Dorr	Lloyd	Saurman
Belardi	Duffy	Lucyk	Scheetz
Belfanti	Durham	McCall	Schuler
Birmelin	Evans	McClatchy	Semmel
Black	Fargo	McHale	Serafini
Blaum	Fee	McVerry	Seventy
Book	Fischer	Mackowski	Showers
Bortner	Flick	Maiale	Smith, B.
Bowley	Foster	Manderino	Smith, L. E.
Bowser	Fox	Manmiller	Snyder, D. W.
Boyes	Freeman	Markosek	Snyder, G.
Brandt	Freind	Mayernik	Staback
Broujos	Fryer	Merry	Stairs
Bunt	Gallagher	Michlovic	Steighner
Burd	Gamble	Micozzie	Stevens
Burns	Gannon	Moehlmann	Stewart
Bush	Geist	Morris	Stuban
Caltagirone	George	Mowery	Sweet
Cappabianca	Gladeck	Mrkoncic	Swift
Carlson	Godshall	Murphy	Taylor, E. Z.

Carn	Greenwood	Nahill	Taylor, F.
Cawley	Gruitza	Noye	Taylor, J.
Cessar	Gruppo	O'Brien	Telek
Chadwick	Hagarty	O'Donnell	Tigue
Cimini	Haluska	Olasz	Trello
Civera	Harper	Oliver	Truman
Clark	Hasay	Perzel	Van Horne
Clymer	Hayes	Petrarca	Veon
Cohen	Herman	Petrone	Vroon
Colafella	Hershey	Phillips	Wambach
Cole	Honaman	Piccola	Wass
Cordisco	Howlett	Pievsky	Weston
Cornell	Hutchinson	Pistella	Wogan
Coslett	Itkin	Pitts	Wozniak
Cowell	Jackson	Pott	Wright, D. R.
Coy	Johnson	Pressmann	Wright, J. L.
Deluca	Josephs	Preston	Wright, R. C.
DeVerter	Kasunic	Punt	Yandrisevits
DeWeese	Kennedy	Raymond	
Daley	Kosinski	Reber	Irvis,
Davies	Kukovich	Reinard	Speaker

NAYS—1

Wilson

NOT VOTING—7

Barber	Gallen	Letterman	Wiggins
Fattah	Jarolin	Roebuck	

EXCUSED—3

Kenney Miller Sirianni

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.

RESOLUTIONS

Mrs. LANGTRY called up **HR 308, PN 3624**, entitled:

Congratulating the Municipality of Bethel Park, Pennsylvania, on its 100th Anniversary.

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—187

Afflerbach	Deal	Kennedy	Rieger
Angstadt	Dietz	Kosinski	Robbins
Argall	Dininni	Kukovich	Roebuck
Arty	Distler	Langtry	Rudy
Baldwin	Dombrowski	Lescovitz	Ryan
Barber	Donatucci	Letterman	Rybak
Barley	Dorr	Levdansky	Saloom
Battisto	Duffy	Livengood	Saurman
Belardi	Durham	Lloyd	Scheetz
Belfanti	Evans	Lucyk	Schuler
Birmelin	Fargo	McClatchy	Semmel
Black	Fattah	McHale	Serafini
Blaum	Fee	McVerry	Seventy
Book	Fischer	Mackowski	Showers
Bortner	Flick	Maiale	Smith, B.
Bowley	Foster	Manderino	Smith, L. E.
Bowser	Fox	Manmiller	Snyder, D. W.
Boyes	Freeman	Markosek	Snyder, G.
Brandt	Freind	Mayernik	Stairs
Broujos	Fryer	Merry	Steighner
Bunt	Gallagher	Michlovic	Stevens
Burns	Gallen	Micozzie	Stewart
Bush	Gamble	Moehlmann	Stuban

Caltagirone	Gannon	Morris	Sweet
Cappabianca	Geist	Mowery	Swift
Carlson	George	Murphy	Taylor, E. Z.
Carn	Gladeck	Nahill	Taylor, F.
Cawley	Godshall	Noye	Taylor, J.
Cessar	Greenwood	O'Brien	Telek
Chadwick	Gruitza	O'Donnell	Tigue
Cimini	Gruppo	Olasz	Trello
Civera	Hagarty	Oliver	Truman
Clark	Haluska	Perzel	Van Horne
Clymer	Harper	Petrarca	Veon
Cohen	Hasay	Petrone	Wambach
Colafella	Hayes	Phillips	Wass
Cole	Herman	Piccola	Weston
Cordisco	Hershey	Pievsky	Wilson
Cornell	Honaman	Pistella	Wogan
Coslett	Howlett	Pitts	Wozniak
Cowell	Hutchinson	Pott	Wright, D. R.
Coy	Itkin	Pressmann	Wright, J. L.
Deluca	Jackson	Preston	Wright, R. C.
DeVerter	Jarolin	Punt	Yandrisevits
DeWeese	Johnson	Raymond	
Daley	Josephs	Reinard	Irvis,
Davies	Kasunic	Richardson	Speaker
Dawida			

NAYS—0

NOT VOTING—11

Acosta	Laughlin	Mrkonc	Vroon
Burd	Linton	Reber	Wiggins
Lashinger	McCall	Staback	

EXCUSED—3

Kenney	Miller	Sirianni
--------	--------	----------

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

* * *

Mr. SAURMAN called up **HR 310, PN 3646**, entitled:

Proclaiming July as "Pennsylvania Ice Cream Month."

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—190

Acosta	Dawida	Kukovich	Richardson
Afflerbach	Deal	Langtry	Rieger
Angstadt	Dietz	Lashinger	Robbins
Argall	Dininni	Laughlin	Roebuck
Arty	Distler	Lescovitz	Rudy
Baldwin	Dombrowski	Letterman	Ryan
Barber	Donatucci	Levdansky	Rybak
Barley	Dorr	Linton	Saloom
Battisto	Duffy	Livengood	Saurman
Belardi	Durham	Lloyd	Scheetz
Belfanti	Evans	Lucyk	Schuler
Birmelin	Fargo	McCall	Semmel
Black	Pattah	McClatchy	Serafini
Blaum	Fee	McHale	Seventy
Book	Fischer	McVerry	Showers
Bortner	Flick	Mackowski	Smith, B.
Bowley	Foster	Maiale	Smith, L. E.
Bowser	Fox	Manderino	Snyder, D. W.
Boyes	Freeman	Manmiller	Snyder, G.
Brandt	Freind	Markosek	Staback
Broujos	Fryer	Mayernik	Stairs
Bunt	Gallagher	Merry	Steighner
Burns	Gallen	Michlovic	Stevens
Bush	Gannon	Micozzie	Stewart
Caltagirone	Geist	Moehlmann	Stuban

Cappabianca	George	Morris	Swift
Carlson	Gladeck	Mowery	Taylor, E. Z.
Carn	Godshall	Mrkonc	Taylor, F.
Cawley	Greenwood	Nahill	Taylor, J.
Cessar	Gruitza	Noye	Telek
Chadwick	Gruppo	O'Brien	Tigue
Cimini	Hagarty	Olasz	Trello
Civera	Harper	Oliver	Van Horne
Clark	Hasay	Perzel	Veon
Clymer	Hayes	Petrarca	Vroon
Cohen	Herman	Petrone	Wambach
Colafella	Hershey	Phillips	Wass
Cole	Honaman	Piccola	Weston
Cordisco	Howlett	Pievsky	Wilson
Cornell	Hutchinson	Pistella	Wogan
Coslett	Itkin	Pitts	Wozniak
Cowell	Jackson	Pott	Wright, D. R.
Coy	Jarolin	Pressmann	Wright, J. L.
Deluca	Johnson	Preston	Wright, R. C.
DeVerter	Josephs	Punt	Yandrisevits
DeWeese	Kasunic	Raymond	
Daley	Kennedy	Reber	Irvis,
Davies	Kosinski	Reinard	Speaker

NAYS—0

NOT VOTING—8

Burd	Haluska	O'Donnell	Truman
Gamble	Murphy	Sweet	Wiggins

EXCUSED—3

Kenney	Miller	Sirianni
--------	--------	----------

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

* * *

Mr. COHEN called up **HR 313, PN 3647**, entitled:

Creating a select committee to study the feasibility of the establishment of a new law school in the Harrisburg area.

On the question,

Will the House adopt the resolution?

The SPEAKER. On the question, the Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, would the gentleman, Mr. Cohen, stand for a brief period of interrogation?

The SPEAKER. The gentleman, Mr. Cohen, indicates he will stand for interrogation. You may now proceed, Mr. Ryan.

Mr. RYAN. Thank you, Mr. Speaker.

Mr. Speaker, HR 313 in brief has a provision that there is no law school within 75 miles of Harrisburg that offers part-time law courses in the evening and requests that the House appoint a special committee of nine members to look into the feasibility of establishing a new law school.

My question is this: Is it the intention of the prime sponsor that if such a need exists, that this need be met by the Commonwealth of Pennsylvania funding a new law school?

Mr. COHEN. Mr. Speaker, there are numerous options that the State of Pennsylvania would have. There are law schools that may be encouraged to set up a branch here. It may be that Temple University or Delaware, which are existing law schools, might be interested in setting up a branch. It may be that Penn State would be interested in setting up a

branch. It may be that the State of Pennsylvania would set up a law school independently.

The resolution specifically does not deal with any of those alternatives because the purpose is to look into that. And, Mr. Speaker, the Republican leader on past occasions objected to resolutions which state their conclusions before the committee investigates, and I believe that is a generally meritorious point. I honestly do not know the answer to what the final committee recommendation would be. That is something that has to be looked into.

Mr. RYAN. Mr. Speaker, there are probably many on the floor of the House who think there are too many lawyers in Pennsylvania now. Myself, being a lawyer, I am reluctant to make such comment.

However, I really question— And I recognize that this is a widely supported resolution sponsored by members of both sides of the aisle, many of whom are lawyers, I note. I just wonder whether it is our job to do marketing research studies for various law schools who may or may not be interested in setting up a branch here in the Harrisburg area. It seems to me that—and again, this is just my personal opinion and certainly not a caucus opinion—it seems to me that if Dickinson Law School thinks there is a need, they should do a research study, and they are close to Harrisburg. If Temple thinks there is a need, they should do marketing research on it. The gentleman stated that he did not know whether his suggestion or the committee's suggestion, assuming there was a need, would be for the State to fund a new law school restricting itself to night courses. I think that would be a terrible mistake, for us to get into that, but that is neither here nor there.

I for one am voting against the resolution. I do not think it is the type thing that we should be involved in, and I am not encouraging anyone to follow me. I am simply saying that it is something you should give some thought to. Thank you, Mr. Speaker.

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

Mr. COHEN. Mr. Speaker, Mr. Ryan says that this is not a subject that the State of Pennsylvania should be interested in. However, members of both caucuses and committees of both caucuses have lost legislative staff because the legislative staff members wished to attend law school at night and there was no place in Harrisburg where they could do that. Members of both caucuses have tried to recruit competent people to staff committees in Harrisburg, and members of both caucuses have been turned down by competent individuals throughout the State because there was no way that these people could attend law school and serve in the House of Representatives. This is a fundamental issue dealing with the quality and professionalization of our staff in Harrisburg.

Penn State University is in the process of setting up a Ph.D. (doctor of philosophy) program. That is a step in the right direction towards the professionalization of staff members who are interested in higher education. This also, if it got off the ground, could be a step towards the professionalization of staff in Harrisburg. It could also be a step towards the profes-

sionalization of governmental agencies in the area of worker's compensation, for instance. I am shocked and horrified at the outrageous administrative decisions that are made every day by people who have no knowledge whatsoever of what the worker's compensation law is, and they have gotten their jobs through some arbitrary procedures. They might have been well qualified for many elements of the job, but they are not well qualified to make law, as they effectively do every day.

I believe this resolution can lead to great improvement in the quality of State Government. It is our job to be interested in the quality of the people in State Government. It is not the job of any existing law school to be interested in that. That is why this resolution has been introduced. That is why I urge everyone to support this resolution.

The SPEAKER. The Chair recognizes the gentleman from Centre, Mr. Letterman.

Mr. LETTERMAN. Mr. Speaker, I really rise and question why we need this. You know, back in my area we would say that we already have too many lawyers. We have more lawyers than we do coal miners, and we think that is reversing the trend in which we should be going. So I would object to this and ask for a "no" vote.

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

The following roll call was recorded:

YEAS—98

Acosta	Evans	Linton	Richardson
Afflerbach	Fattah	Lucy	Rieger
Angstadt	Fee	McCall	Roebuck
Barber	Fischer	McHale	Saloom
Battisto	Flick	Mackowski	Serafini
Belardi	Foster	Manderino	Seventy
Blaum	Fox	Markosek	Smith, B.
Bortner	Freeman	Mayernik	Staback
Caltagirone	Freind	Mrkonic	Steighner
Cappabianca	Gallagher	Nahill	Stevens
Carn	George	Noye	Sweet
Cawley	Gladeck	O'Brien	Taylor, F.
Cimini	Gruitza	O'Donnell	Tigue
Clark	Harper	Olasz	Trello
Clymer	Hershey	Oliver	Truman
Cohen	Itkin	Perzel	Van Horne
Colafella	Jarolin	Petrarca	Veon
Cole	Josephs	Petrone	Wambach
Cowell	Kasunic	Pievsky	Wiggins
Coy	Kosinski	Pistella	Wilson
DeWeese	Kukovich	Pitts	Wogan
Daley	Lashinger	Pressmann	Wright, D. R.
Deal	Laughlin	Preston	
Dombrowski	Lescovitz	Reber	Irvis,
Donatucci	Levdansky	Reinard	Speaker

NAYS—97

Argall	Davies	Jackson	Ryan
Arty	Dawida	Johnson	Rybak
Baldwin	Dietz	Kennedy	Saurman
Barley	Dininni	Langtry	Scheetz
Belfanti	Distler	Letterman	Schuler
Birmelin	Dorr	Livengood	Semmel
Black	Duffy	Lloyd	Showers
Book	Durham	McClatchy	Smith, L. E.
Bowley	Fargo	McVerry	Snyder, D. W.
Bowser	Fryer	Maiale	Snyder, G.
Boyes	Gallen	Manmiller	Stairs
Brandt	Gamble	Merry	Stewart
Broujos	Gannon	Michlovic	Stuban

Bunt	Geist	Micozzie	Swift
Burd	Godshall	Moehlmann	Taylor, E. Z.
Burns	Greenwood	Morris	Taylor, J.
Bush	Gruppo	Mowery	Telek
Carlson	Hagarty	Murphy	Vroon
Cessar	Haluska	Phillips	Wass
Chadwick	Hasay	Pott	Weston
Civera	Hayes	Punt	Wozniak
Cornell	Herman	Raymond	Wright, J. L.
Coslett	Honaman	Robbins	Wright, R. C.
Deluca	Howlett	Rudy	Yandrisevits
DeVerter			

NOT VOTING—3

Cordisco	Hutchinson	Piccola
----------	------------	---------

EXCUSED—3

Kenney	Miller	Sirianni
--------	--------	----------

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

ANNOUNCEMENT BY SPEAKER

The SPEAKER. The Chair wants to remind the members who are running for reelection that the 30-day postprimary reports are to be filed with the Secretary of the Commonwealth and the county boards by no later than Thursday, June 19. No later than June 19, this Thursday, you must file those reports.

BILLS SIGNED BY SPEAKER

The Chair gave notice that he was about to sign the following bills, which were then signed:

HB 976, PN 3244

An Act providing for the provisions of poultry and egg contracts; and imposing civil penalties.

HB 1321, PN 3573

An Act amending the "Charitable Organization Reform Act," approved April 30, 1986 (P. L. 107, No. 36), further defining "charitable organization."

MR. FRYER REQUESTED TO PRESIDE

The SPEAKER. The Chair requests that his friend, the gentleman from Berks, preside temporarily over the floor of the House.

**HOUSE BILLS
INTRODUCED AND REFERRED****No. 2632 By Representative HUTCHINSON**

An Act amending the act of August 9, 1955 (P. L. 323, No. 130), known as "The County Code," granting civil service status to all deputy sheriffs in counties of the third class.

Referred to Committee on LOCAL GOVERNMENT, June 18, 1986.

**No. 2633 By Representatives COLAFELLA,
GALLAGHER, LESCOVITZ, VEON,**

LAUGHLIN, JOHNSON, VROON,
STEVENS, COLE, GEIST, TRUMAN,
F. TAYLOR, BELFANTI, LEVDANSKY,
TRELLO, RAYMOND, KENNEY,
SAURMAN, DISTLER, CIVERA, TIGUE,
PRESTON, CLYMER, MRKONIC,
BLAUM, FISCHER, FOX and DAWIDA

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), known as the "Public School Code of 1949," providing that the rules and regulations of school districts shall include a prohibition against smoking and the use of smokeless tobacco by pupils in school buildings and on school grounds.

Referred to Committee on EDUCATION, June 18, 1986.

**No. 2634 By Representatives WOGAN, KOSINSKI,
AFFLERBACH, PERZEL, O'BRIEN,
J. TAYLOR, KENNEY, JOHNSON,
GEIST, MORRIS, MERRY, RAYMOND,
HERMAN, FOX, MRKONIC, TIGUE,
DISTLER, CHADWICK, NOYE,
SIRIANNI, ROBBINS, BURD,
E. Z. TAYLOR and TRELLO**

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the transfer of certain children to criminal proceedings.

Referred to Committee on JUDICIARY, June 18, 1986.

**No. 2635 By Representatives MARKOSEK,
GLADECK, TRUMAN, J. TAYLOR,
BLAUM, BOOK, BOWLEY and BLACK**

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for vehicle identification numbers.

Referred to Committee on TRANSPORTATION, June 18, 1986.

**No. 2636 By Representatives MARKOSEK, BOOK,
TRUMAN, J. TAYLOR, BOWLEY,
GLADECK, BLAUM and BLACK**

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for application for certificate of title affecting out-of-State vehicles.

Referred to Committee on TRANSPORTATION, June 18, 1986.

**No. 2637 By Representatives MARKOSEK,
J. TAYLOR, BOWLEY, GLADECK,
TRUMAN, BLAUM, BOOK and BLACK**

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for inspection of garages and dealer premises by police.

Referred to Committee on TRANSPORTATION, June 18, 1986.

**No. 2638 By Representatives MARKOSEK,
BOWLEY, J. TAYLOR, GLADECK,
BLAUM, TRUMAN, BOOK and BLACK**

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, increasing the penalties for false reports to law enforcement authorities.

Referred to Committee on JUDICIARY, June 18, 1986.

No. 2639 By Representative J. L. WRIGHT

An Act providing for the establishment of solar rights.

Referred to Committee on MINES AND ENERGY MANAGEMENT, June 18, 1986.

No. 2640 By Representatives HAGARTY, ITKIN, BUNT, SAURMAN, McVERRY, KUKOVICH, BURD, WILSON, PHILLIPS and E. Z. TAYLOR

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the burden of proof in certain defamation actions.

Referred to Committee on JUDICIARY, June 18, 1986.

No. 2641 By Representatives LESCOVITZ, DeVERTER, O'BRIEN, WAMBACH, REINARD, TRUMAN, GODSHALL and JOSEPHS

An Act amending the act of May 17, 1921 (P. L. 789, No. 285), known as "The Insurance Department Act of one thousand nine hundred and twenty-one, further providing for transactions in this Commonwealth involving group or blanket insurance or group annuities; prohibiting certain advertisements; and providing penalties.

Referred to Committee on INSURANCE, June 18, 1986.

No. 2642 By Representatives LESCOVITZ, DeVERTER, O'BRIEN, WAMBACH, REINARD, TRUMAN, GODSHALL and JOSEPHS

An Act relating to group insurance; describing permitted policies and restrictions thereon; and prescribing standard policy provisions.

Referred to Committee on INSURANCE, June 18, 1986.

No. 2643 By Representatives LESCOVITZ, RAYMOND, FATTAH, FOX, FISCHER, WOGAN, TRELLO, LINTON and VEON

An Act authorizing the Governor to appoint commissioners to negotiate an interstate compact with states adjoining the Commonwealth concerning maintenance and repair of public highways, transportation facilities and rights-of-way on or along state lines.

Referred to Committee on TRANSPORTATION, June 18, 1986.

No. 2644 By Representatives REINARD, KUKOVICH, ITKIN, McVERRY, HALUSKA, BELARDI, MORRIS, R. C. WRIGHT, E. Z. TAYLOR, WOGAN and GANNON

An Act amending the act of November 26, 1978 (P. L. 1212, No. 286), referred to as the "Inspection of Employment Records Law," changing the definition of "employee."

Referred to Committee on LABOR RELATIONS, June 18, 1986.

No. 2645 By Representatives PERZEL, J. TAYLOR, KENNEY, JOHNSON, J. L. WRIGHT, NOYE, VROON, GODSHALL, MILLER, NAHILL, GLADECK, RAYMOND, BURD, CLYMER, SAURMAN, JACKSON, LASHINGER, ARTY, BOOK, MRKONIC, FISCHER, GANNON, FOX, BOWSER, WESTON, E. Z. TAYLOR and CIVERA

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, defining the offenses of graffiti mischief and the unlawful sale of spray paint or indelible marker; and providing penalties.

Referred to Committee on JUDICIARY, June 18, 1986.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 316 By Representatives CIMINI, TIGUE, MERRY, NOYE, ARTY, KASUNIC, HALUSKA, VROON, SAURMAN, E. Z. TAYLOR, J. TAYLOR, BURD, LASHINGER, BUNT, MICOZZIE, COY, FLICK, B. SMITH, GLADECK, PETRARCA, STABACK, KENNEY, GEIST, JACKSON, J. L. WRIGHT, JOHNSON, ITKIN, BELARDI, DORR, BOWSER, TRELLO, DeLUCA, GRUPPO, CESSAR, BIRMELIN, BUSH, STEIGHNER, SCHULER, DISTLER, CARLSON, FARGO, RAYMOND, STEVENS, LANGTRY, KOSINSKI, SEMMEL, ROBBINS, CIVERA, OLASZ, NAHILL, LETTERMAN, PETRONE, McVERRY, FOX, SHOWERS and HAYES

Declaring the month of August 1986 as "Little League Month."

Referred to Committee on RULES, June 18, 1986.

No. 317 By Representatives DOMBROWSKI, FEE, BOWSER, MRKONIC, STEWART, SALOOM, D. R. WRIGHT, GALLAGHER, COY, PIEVSKY, YANDRISEVITS, BORTNER, MERRY, FARGO, BELARDI, GEORGE, VAN HORNE, MICHLOVIC, LESCOVITZ, VEON, CAPPABIANCA, BLAUM, CAWLEY, ROBBINS, BLACK, TELEK, SEMMEL, BOYES, DUFFY, DAWIDA, PRESTON and BROUJOS

Congratulating the Statute of Liberty/Ellis Island Foundation on the restoration of the Statute of Liberty; and creating a special committee.

Referred to Committee on RULES, June 18, 1986.

No. 318 By Representatives NOYE, COLE and BOOK

Directing the Legislative Budget and Finance Committee to undertake a study of the feasibility of State funding of the use of cyclosporine for resident transplant patients.

Referred to Committee on RULES, June 18, 1986.

SENATE BILLS FOR CONCURRENCE

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

SB 1298, PN 2174

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, June 18, 1986.

SB 1460, PN 2222

Referred to Committee on APPROPRIATIONS, June 18, 1986.

SB 1461, PN 2223

Referred to Committee on APPROPRIATIONS, June 18, 1986.

SB 1462, PN 2224

Referred to Committee on APPROPRIATIONS, June 18, 1986.

SB 1463, PN 2225

Referred to Committee on APPROPRIATIONS, June 18, 1986.

SB 1467, PN 2226

Referred to Committee on APPROPRIATIONS, June 18, 1986.

SB 1468, PN 2227

Referred to Committee on APPROPRIATIONS, June 18, 1986.

SB 1485, PN 2046

Referred to Committee on JUDICIARY, June 18, 1986.

THE SPEAKER PRO TEMPORE (LESTER K. FRYER) IN THE CHAIR

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

Mr. RICHARDSON. I would like to be recognized at the proper time for reports of committee.

The SPEAKER pro tempore. The Chair will return to reports of committees.

HB 2242 RECONSIDERED

The SPEAKER pro tempore. We now have a reconsideration of a vote.

Moved by the gentleman from Lehigh, Mr. McHale, that the vote by which HB 2242, PN 3082, was passed on the 18th day of June be reconsidered.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—192

Acosta	Davies	Kukovich	Reinard
Afflerbach	Dawida	Langtry	Richardson
Angstadt	Deal	Lashinger	Rieger
Argall	Dietz	Lescovitz	Robbins
Arty	Dininni	Letterman	Roebuck
Baldwin	Distler	Levdansky	Rudy
Barber	Dombrowski	Linton	Ryan
Barley	Donatucci	Livengood	Rybak
Battisto	Dorr	Lloyd	Saloom
Belardi	Duffy	Lucyk	Saurman
Belfanti	Durham	McCall	Schuler
Birmelin	Evans	McClatchy	Semmel
Black	Fargo	McHale	Serafini
Blaum	Fee	McVerry	Seventy
Book	Fischer	Mackowski	Showers
Bortner	Flick	Maiale	Smith, B.
Bowley	Foster	Manderino	Smith, L. E.
Bowser	Fox	Manmiller	Snyder, D. W.
Boyes	Freeman	Markosek	Snyder, G.
Brandt	Freind	Mayernik	Staback
Broujos	Fryer	Merry	Stairs
Bunt	Gallagher	Michlovic	Steighner
Burd	Gallen	Micozzie	Stevens
Burns	Gamble	Moehlmann	Stewart
Bush	Gannon	Morris	Stuban
Caltagirone	Geist	Mowery	Sweet
Cappabianca	George	Mrkonic	Swift
Carlson	Godshall	Murphy	Taylor, E. Z.
Carn	Greenwood	Nahill	Taylor, F.
Cawley	Gruitza	Noye	Taylor, J.
Cessar	Gruppo	O'Brien	Telek
Chadwick	Hagarty	O'Donnell	Tigue
Cimini	Haluska	Olasz	Trello
Civera	Harper	Oliver	Truman
Clark	Hasay	Perzel	Van Horne
Clymer	Hayes	Petrarca	Veon
Cohen	Herman	Petrone	Vroon
Colafella	Hershey	Phillips	Wambach
Cole	Honaman	Piccola	Wass
Cordisco	Howlett	Pievsky	Weston
Cornell	Itkin	Pistella	Wiggins
Coslett	Jackson	Pitts	Wilson
Cowell	Jarolin	Pott	Wogan
Coy	Johnson	Pressmann	Wozniak
Deluca	Josephs	Preston	Wright, D. R.
DeVerter	Kasunic	Punt	Wright, J. L.
DeWeese	Kennedy	Raymond	Wright, R. C.
Daley	Kosinski	Reber	Yandrisevits

NAYS—0

NOT VOTING—6

Fattah	Hutchinson	Scheetz
Gladeck	Laughlin	
		Irvis,
		Speaker

EXCUSED—3

Kenney	Miller	Sirianni
--------	--------	----------

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

On the question recurring,
Shall the bill pass finally?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Northampton, Mr. Rybak.

Mr. RYBAK. Mr. Speaker, I rise to strenuously oppose this House bill for the following reasons.

Across this Commonwealth the third-class cities have set up health departments and appointed boards of health whose responsibility has been—and they have been doing it right along—to provide medical clinics for children, immunization clinics, venereal disease clinics, tuberculosis clinics, safety belt clinics, inspections of restaurants, communicable disease investigations, housing inspections, food protections and institutional inspections, and animal control. It is a going thing. I would submit the question, what happens if the State takes over in many of these situations and there is a cutback? The service would be poor in these areas.

In the city of Bethlehem, we have a very active health department and board of health, and I want to say that the concern is that neither the State DER (Department of Environmental Resources) nor the Health Department would do the kind of job needed to protect the public's health. Using restaurant inspections as an example, consider that the national model food code developed by the FDA (Food and Drug Administration) specifies a minimum of twice-yearly routine inspections. This has been adopted and adhered to by the city of Bethlehem and many third-class cities across the State.

In contrast, those restaurants outside local health jurisdictions, and therefore inspected by the State DER, get perhaps one inspection every 3 or 4 years. This is a shocking but typical example of the deterioration and politization of such regulatory services under the present administration. It would be a particularly tragic mistake to permit the demise of the local health network in Pennsylvania now when the need for such services is greater than ever.

I therefore strenuously object to the passage of this legislation. I think the people would be the losers if this is passed. I ask for a negative vote. Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Westmoreland, Mr. Van Horne.

Mr. VAN HORNE. Mr. Speaker, the previous speaker made reference to housing inspections and other similar types of inspections. HB 2242 deals only with the inspection of public eating and drinking places, and basically what it does is change the provision in the Third Class City Code from "shall" to "may," which then puts it in conformity with both the Borough and Township Codes, plus the fact that Attorney General Opinion No. 78-12 makes a ruling on this.

Basically what we are trying to do is give statutory authority so that DER and Health can provide these services. As it now stands, there are about 17 third-class cities—not all of them in the Commonwealth—that are funding their own health officers. The three cities I represent are funding them totally on their own. No other subdivision has to do this. This is just transferring that authority, and I must urge you, again, it is a

"may" provision. We are not out to wreck or eliminate anybody's job or any health department in any city in this Commonwealth.

I urge passage of HB 2242.

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

Mr. AFFLERBACH. Thank you, Mr. Speaker.

I join with my colleague, Mr. Van Horne, and urge support of these bills. As a Lehigh Valley legislator, I am aware of the particular concern that exists in the city of Bethlehem that Mr. Rybak addressed. I would only point out that the bills themselves do not—I repeat, do not—repeal any existing boards of health. They merely place authority in the hands of city council to determine if a board of health should exist in that city. The authority is placed where I think it belongs, with the elected officials, and if in fact the existing boards of health have been doing the kind of job that they have been doing in Bethlehem and Allentown, I see no reason that those city councils would not retain them.

Again, I urge passage of the bills.

The SPEAKER pro tempore. The Chair thanks the gentleman.

For the second time on the issue, the Chair recognizes the gentleman from Northampton, Mr. Rybak.

Mr. RYBAK. Would the maker of the bill submit to inquiry?

The SPEAKER pro tempore. The gentleman indicates he will stand for a period of interrogation. The gentleman, Mr. Rybak, is in order and may proceed.

Mr. RYBAK. Thank you, Mr. Speaker.

Mr. Speaker, is it not a fact that there are many, many third-class cities across this Commonwealth that have a health department, provide for a health board, and perform all these services that I alluded to heretofore, and that they are required to do it under the law as it is now? Is that not a fact?

Mr. VAN HORNE. Repeat your question, Mr. Speaker.

Mr. RYBAK. Is it not a fact that, like the city of Bethlehem, many of the third-class cities across the State are required to and do provide all these services that I alluded to, including inspections of restaurants two or three times a year, providing the clinics for the health of the people in the district, and that they are required to do it and they are doing it? Is that not a fact?

Mr. VAN HORNE. Yes.

Mr. RYBAK. All right. And is it not a fact that if your bill is adopted, this would be a "may" situation? It would not be a requirement.

Mr. VAN HORNE. It would be a "may," yes; they may enact another situation.

Mr. RYBAK. So that it provides a loophole for politics to enter into, that if a council is elected and sees fit, they can abolish the health board, which then would place the responsibility on DER and the Health Department here at the State level. Is that not right?

Mr. VAN HORNE. I am not sure that that would be correct.

Mr. RYBAK. Well, if council had a mind to, under the "may" version under this bill, would they not have a right to do away with the health department and then that responsibility would be placed on DER and the State? Is that not right?

Mr. VAN HORNE. It is possible, probably not probable.

Mr. RYBAK. All right. Mr. Speaker, is it not a fact that in many situations under this legislation, DER and the State could never do the job that health boards today are doing on a local level?

Mr. VAN HORNE. I do not necessarily agree with that. I think one thing you have to realize, Mr. Speaker, we are talking about a broad range of third-class cities in this Commonwealth, ranging from cities like Arnold and Bradford of around 6,000 with not very many sophisticated services to cities like Bethlehem, Easton, Erie, Scranton, and Allentown with much more sophisticated types of services. We are limiting this to the typical health officer who inspects taverns and restaurants on more than a yearly or once-every-3-years basis, and we are talking about cities that have to fund this program, not any State funding for this program. In essence, we are really trying to save these cities a few dollars and put them on a parity basis with both boroughs and townships. As I said, if you would ever want to refer to the Attorney General's opinion 78-12, it would clarify this.

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

Mr. Speaker, I would like to make a brief statement on the bill.

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

Mr. RYBAK. Mr. Speaker, I am concerned that if this legislation passes, in my view, based on my experience and judgment, the State is in no position to do the type of job and investigation that is being done by third-class cities across the Commonwealth that have their departments set up and their boards appointed in the way of protecting the consumer. If that is the case, the consumer will be the loser, and I say this is bad legislation and I ask for a negative vote. Thank you.

On the question recurring,

Shall the bill pass finally?

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

YEAS—191

Acosta	Dawida	Kukovich	Richardson
Afflerbach	Deal	Langtry	Rieger
Angstadt	Dietz	Lashinger	Robbins
Argall	Dininni	Lescovitz	Roebuck
Arty	Distler	Letterman	Rudy
Baldwin	Dombrowski	Levdansky	Ryan
Barber	Donatucci	Linton	Saloom
Barley	Dorr	Livengood	Saurman
Battisto	Duffy	Lloyd	Scheetz
Belardi	Durham	Lucyk	Schuler
Belfanti	Evans	McCall	Semmel
Birmelin	Fargo	McClatchy	Serafini
Black	Fattah	McVerry	Seventy
Blaum	Fee	Mackowski	Showers
Book	Fischer	Maiale	Smith, B.
Bortner	Flick	Manderino	Smith, L. E.
Bowley	Foster	Manmiller	Snyder, D. W.
Bowser	Fox	Markosek	Snyder, G.
Boyes	Freind	Mayernik	Staback

Brandt	Fryer	Merry	Stairs
Broujos	Gallagher	Michlovic	Steighner
Bunt	Gallen	Micozzie	Stevens
Burd	Gamble	Moehlmann	Stewart
Burns	Gannon	Morris	Stuban
Bush	Geist	Mowery	Sweet
Caltagirone	George	Mrkonc	Swift
Cappabianca	Godshall	Murphy	Taylor, E. Z.
Carlson	Greenwood	Nahill	Taylor, F.
Carn	Gruitza	Noye	Taylor, J.
Cawley	Gruppo	O'Brien	Telek
Cessar	Hagarty	O'Donnell	Tigue
Chadwick	Haluska	Olasz	Trello
Cimini	Harper	Oliver	Van Horne
Civera	Hasay	Perzel	Veon
Clark	Hayes	Petrarca	Vroon
Clymer	Herman	Petrone	Wambach
Cohen	Hershey	Phillips	Wass
Colafella	Honaman	Piccola	Weston
Cole	Howlett	Pievsky	Wiggins
Cordisco	Hutchinson	Pistella	Wilson
Cornell	Itkin	Pitts	Wogan
Coslett	Jackson	Pott	Wozniak
Cowell	Jarolin	Pressmann	Wright, D. R.
Coy	Johnson	Preston	Wright, J. L.
Deluca	Josephs	Punt	Wright, R. C.
DeVerter	Kasunic	Raymond	
DeWeese	Kennedy	Reber	Irvis,
Daley	Kosinski	Reinard	Speaker
Davies			

NAYS—5

Freeman	Rybak	Truman	Yandrisevits
McHale			

NOT VOTING—2

Gladeck	Laughlin
---------	----------

EXCUSED—3

Kenney	Miller	Sirianni
--------	--------	----------

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.

WELCOMES

The SPEAKER pro tempore. The Chair is most pleased to welcome Commissioner Lucille Whitmire and Commissioner George Gensemer of Columbia County; and Paul Grimes, Nick Roll, Carl Sevison, Bob Sweppenheiser, and Florence Thompson, who are the guests of the chairman of the Northeast Caucus, Representative Fred Belardi. Will we accord them a welcome.

The Chair is also pleased to welcome Sue and Art Friedman of Northampton Township and their daughter, Dara, who is a guest page today. They are the guests of Representative Roy Reinard. Will the House please welcome our guests.

HB 2243 RECONSIDERED

The SPEAKER pro tempore. The Chair has before it another reconsideration of a vote.

It is moved by the gentleman from Lehigh, Representative McHale, that the vote by which HB 2243, PN 3083, was passed on the 18th day of June be reconsidered.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—192

Acosta	Dawida	Kukovich	Richardson
Afflerbach	Deal	Langtry	Rieger
Angstadt	Dininni	Lashingier	Robbins
Argall	Distler	Lescovitz	Roebuck
Arty	Dombrowski	Letterman	Rudy
Baldwin	Donatucci	Levdansky	Ryan
Barber	Dorr	Linton	Rybak
Barley	Duffy	Saloom	Saloom
Battisto	Durham	Lloyd	Saurman
Belardi	Evans	Lucyk	Scheetz
Belfanti	Fargo	McCall	Schuler
Birmelin	Fattah	McClatchy	Semmel
Black	Fee	McHale	Serafini
Blaum	Fischer	McVerry	Seventy
Book	Flick	Maiale	Showers
Bortner	Foster	Manderino	Smith, B.
Bowley	Fox	Manmiller	Smith, L. E.
Bowser	Freeman	Markosek	Snyder, D. W.
Boyes	Freind	Mayernik	Snyder, G.
Brandt	Fryer	Merry	Staback
Broujos	Gallagher	Michlovic	Stairs
Bunt	Gallen	Micozzie	Steighner
Burd	Gamble	Moehlmann	Stevens
Burns	Gannon	Morris	Stewart
Bush	Geist	Mowery	Stuban
Caltagirone	George	Mrkonic	Sweet
Cappabianca	Godshall	Murphy	Swift
Carlson	Greenwood	Nahill	Taylor, E. Z.
Carn	Gruitza	Noye	Taylor, F.
Cawley	Gruppo	O'Brien	Taylor, J.
Cessar	Hagarty	O'Donnell	Telek
Chadwick	Haluska	Olasz	Tigue
Cimini	Harper	Oliver	Trello
Civera	Hasay	Perzel	Truman
Clark	Hayes	Petrarca	Van Horne
Clymer	Herman	Petrone	Veon
Cohen	Hershey	Phillips	Vroon
Colafella	Honaman	Piccola	Wambach
Cole	Howlett	Pievsky	Wass
Cordisco	Hutchinson	Pistella	Weston
Cornell	Itkin	Pitts	Wiggins
Cowell	Jackson	Pott	Wilson
Coy	Jarolin	Pressmann	Wogan
Deluca	Johnson	Preston	Wozniak
DeVerter	Josephs	Punt	Wright, D. R.
DeWeese	Kasunic	Raymond	Wright, J. L.
Daley	Kennedy	Reber	Wright, R. C.
Davies	Kosinski	Reinard	

NAYS—3

Coslett Dietz Mackowski
NOT VOTING—3

Gladeck Irvis,
Laughlin Speaker

EXCUSED—3

Kenney Miller Sirianni

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

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—191

Acosta	Dawida	Kukovich	Richardson
Afflerbach	Deal	Langtry	Rieger
Angstadt	Dietz	Lashingier	Robbins
Argall	Dininni	Lescovitz	Roebuck
Arty	Distler	Letterman	Rudy
Baldwin	Dombrowski	Levdansky	Ryan
Barber	Donatucci	Linton	Saloom
Barley	Dorr	Livengood	Saurman
Battisto	Duffy	Lloyd	Scheetz
Belardi	Durham	Lucyk	Schuler
Belfanti	Evans	McCall	Semmel
Birmelin	Fargo	McClatchy	Serafini
Black	Fattah	McVerry	Seventy
Blaum	Fee	Mackowski	Showers
Book	Fischer	Maiale	Smith, B.
Bortner	Flick	Manderino	Smith, L. E.
Bowley	Foster	Manmiller	Snyder, D. W.
Bowser	Fox	Markosek	Snyder, G.
Boyes	Freind	Mayernik	Staback
Brandt	Fryer	Merry	Stairs
Broujos	Gallagher	Michlovic	Steighner
Bunt	Gallen	Micozzie	Stevens
Burd	Gamble	Moehlmann	Stewart
Burns	Gannon	Morris	Stuban
Bush	Geist	Mowery	Sweet
Caltagirone	George	Mrkonic	Swift
Cappabianca	Godshall	Murphy	Taylor, E. Z.
Carlson	Greenwood	Nahill	Taylor, F.
Carn	Gruitza	Noye	Taylor, J.
Cawley	Gruppo	O'Brien	Telek
Cessar	Hagarty	O'Donnell	Tigue
Chadwick	Haluska	Olasz	Trello
Cimini	Harper	Oliver	Van Horne
Civera	Hasay	Perzel	Veon
Clark	Hayes	Petrarca	Vroon
Clymer	Herman	Petrone	Wambach
Cohen	Hershey	Phillips	Wass
Colafella	Honaman	Piccola	Weston
Cole	Howlett	Pievsky	Wiggins
Cordisco	Hutchinson	Pistella	Wilson
Cornell	Itkin	Pitts	Wogan
Coslett	Jackson	Pott	Wozniak
Cowell	Jarolin	Pressmann	Wright, D. R.
Coy	Johnson	Preston	Wright, J. L.
Deluca	Josephs	Punt	Wright, R. C.
DeVerter	Kasunic	Raymond	
DeWeese	Kennedy	Reber	Irvis,
Daley	Kosinski	Reinard	Speaker
Davies			

NAYS—5

Freeman Rybak Truman Yandrisevits
McHale

NOT VOTING—2

Gladeck Laughlin

EXCUSED—3

Kenney Miller Sirianni

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.

REMARKS ON VOTE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Cambria, Mr. Haluska.

Mr. HALUSKA. Mr. Speaker, on HR 310 my switch failed to work. I would like to be voted in the affirmative.

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 1488, PN 3716 (Amended)

By Rep. DeWEESE

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, adding judges in Northampton, Columbia, Montour, Delaware, Armstrong, Franklin, Fulton and Bradford Counties.

JUDICIARY.

HB 1544, PN 3717 (Amended)

By Rep. DeWEESE

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), known as "The Administrative Code of 1929," further providing for the rights of victims of crime; requiring counties to provide certain services for victims of crime; prohibiting the use of certain buildings for political fundraising events; and providing a penalty.

JUDICIARY.

HB 1716, PN 3718 (Amended)

By Rep. KUKOVICH

An Act regulating credit services; prohibiting certain activities; and providing for certain information to be given to buyers, for the contents of contracts and for enforcement.

CONSUMER AFFAIRS.

HB 2333, PN 3719 (Amended)

By Rep. F. TAYLOR

An Act amending the act of November 30, 1965 (P. L. 847, No. 356), known as the "Banking Code of 1965," granting additional powers to savings banks; permitting savings banks to take demand deposits; revising lending and investment authorities for savings banks; permitting savings banks to charge interest at rates permitted competing lenders; allowing savings banks to branch Statewide; revising provisions for savings banks' conversion to stock form; further providing for the issuance of classes or series of stock by banking institutions and for cumulative voting in banking institutions; revising definitions; and permitting an institution's board to fix directors' qualifications.

BUSINESS AND COMMERCE.

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

SB 598, PN 2108

By Rep. RYBAK

An Act amending Title 40 (Insurance) of the Pennsylvania Consolidated Statutes, adding provisions relating to psychologists.

INSURANCE.

SB 1389, PN 2249 (Amended)

By Rep. F. TAYLOR

An Act amending the act of November 30, 1965 (P. L. 847, No. 356), entitled "Banking Code of 1965," providing for Statewide and nationwide branching by savings banks and for regional, reciprocal interstate banking for savings banks; permitting savings banks to take demand deposits; further providing for the articles of incorporation and classes of stock of banking institutions; and making repeals.

BUSINESS AND COMMERCE.

SB 1390, PN 2250 (Amended)

By Rep. F. TAYLOR

An Act amending the act of December 14, 1967 (P. L. 746, No. 345), entitled "Savings Association Code of 1967," providing for nationwide branching by savings associations, regional, reciprocal interstate banking for savings associations and expanding investment powers; and making repeals.

BUSINESS AND COMMERCE.

SB 1412, PN 2129

By Rep. RICHARDSON

An Act amending the act of December 20, 1985 (P. L. 483, No. 113), entitled "Tax-Exempt Bond Allocation Act," further providing for selection of projects using county allocations.

URBAN AFFAIRS.

WELCOME

The SPEAKER pro tempore. The Chair is pleased to welcome Ray and Virsel McKinney and Ed and Dolores Fisher. They are from Wexford, Pennsylvania, and they are the guests of Representative George Pott. Will the members of the House please greet our guests.

For what purpose does the gentleman from Allegheny, Mr. Trello, rise?

Mr. TRELLO. Mr. Speaker, there will be a meeting of the House Finance Committee immediately in the back of the House. Thank you.

The SPEAKER pro tempore. The Chair wishes to point out to the gentleman to hold off on his meeting for a few moments. We have a few votes yet to be taken, and then the Chair will recognize the gentleman at that time, if it is agreeable to the gentleman. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Northumberland, Mr. Belfanti.

Mr. BELFANTI. Thank you, Mr. Speaker.

At the appropriate time I would like to be recognized under unanimous consent so that I can make a very few brief remarks about a bill I plan on introducing today.

The SPEAKER pro tempore. The Chair will recognize the gentleman at the proper time. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Bucks, Mr. Wright.

Mr. J. L. WRIGHT. Mr. Speaker, are we going to take up SB 155 on page 5?

The SPEAKER pro tempore. That is the next bill on the schedule, with the gentleman's permission.

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **SB 155, PN 2228**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, requiring school buses to use flashing lights when carrying children to summer camps or vacation bible schools; changing the methods of determining noise violations; further providing for the definitions of "consideration" and "petroleum revenue" relating to taxes for highway maintenance and construction; and adding a definition of "average wholesale price."

On the question,

Will the House agree to the bill on third consideration?

Mr. J. L. WRIGHT offered the following amendments No. A3204:

Amend Title, page 1, line 2, by inserting after "to"
stop at all railroad crossings and to

Amend Sec. 1, page 1, line 11, by inserting after "SECTIONS"

3342,

Amend Sec. 1, page 1, by inserting between lines 13 and 14
§ 3342. Vehicles required to stop at railroad crossings.

(a) General rule.—Except as provided in subsection [(b)] (c), the driver of any vehicle described in regulations issued pursuant to subsection [(c)] (d), before crossing at grade any track or tracks of a railroad, shall stop the vehicle within 50 feet but not less than 15 feet from the nearest rail of the railroad and while so stopped shall listen and look in both directions along the track for any approaching train, and for signals indicating the approach of a train, and shall not proceed until it can be done safely. After stopping and upon proceeding when it is safe to do so the driver of the vehicle shall cross only in such gear of the vehicle that there will be no necessity for manually changing gears while traversing the crossing and the driver shall not manually shift gears while crossing the track or tracks.

(b) School buses.—Notwithstanding subsection (c), the drivers of school buses shall stop before crossing any railroad grade crossing or track or tracks of a railroad.

[(b)] (c) Exceptions.—[This section] Subsection (a) does not apply at any of the following:

(1) Any railroad grade crossing at which traffic is controlled by a police officer or flagman.

(2) Any railroad grade crossing at which traffic is regulated by a traffic-control signal.

(3) Any railroad grade crossing protected by crossing gates or an alternately flashing light signal intended to give warning of the approach of a railroad train.

(4) Any railroad grade crossing at which an official traffic-control device gives notice that the stopping requirement imposed by this section does not apply.

[(c)] (d) Regulations defining vehicles subject to section.—The department shall adopt such regulations as may be necessary describing the vehicles which must comply with the stopping requirements of this section. In formulating the regulations, the department shall give consideration to the hazardous nature of any substance carried by the vehicle as determined by the Hazardous Substances Transportation Board and to the number of passengers carried by the vehicle in determining whether the vehicle shall be required to stop. These regulations shall be developed in

conjunction with the Pennsylvania Public Utility Commission and the Urban Mass Transportation Authority and shall correlate with and so far as possible conform to the current regulations of the United States Department of Transportation.

On the question,

Will the House agree to the amendments?

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

Mr. J. L. WRIGHT. Thank you, Mr. Speaker.

Some years ago when the Motor Vehicle Code was recodified, we inadvertently left out of the code the language that required school buses to stop at railroad crossings. A number of police departments and school districts have asked that the language that was originally in the law be reinstated, and that is what the amendment proposes. I would ask for its adoption.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—194

Acosta	Deal	Langtry	Robbins
Afflerbach	Dietz	Lashinger	Roebuck
Angstadt	Dininni	Lescovitz	Rudy
Argall	Distler	Letterman	Ryan
Arty	Dombrowski	Levdansky	Rybak
Baldwin	Donatucci	Linton	Saloom
Barber	Dorr	Livengood	Saurman
Battisto	Duffy	Lloyd	Scheetz
Belardi	Durham	Lucyk	Schuler
Belfanti	Evans	McCall	Semmel
Birmelin	Fargo	McClatchy	Serafini
Black	Fattah	McHale	Seventy
Blaum	Fee	McVerry	Showers
Book	Fischer	Mackowski	Smith, B.
Bortner	Flick	Maiale	Smith, L. E.
Bowley	Foster	Manderino	Snyder, D. W.
Bowser	Fox	Manmiller	Snyder, G.
Boyes	Freeman	Markosek	Staback
Brandt	Freind	Mayernik	Stairs
Broujos	Fryer	Merry	Steighner
Bunt	Gallagher	Michlovic	Stevens
Burd	Gallen	Micozzie	Stewart
Burns	Gamble	Morris	Stuban
Bush	Gannon	Mowery	Sweet
Caltagirone	Geist	Mrkonc	Swift
Cappabianca	George	Murphy	Taylor, E. Z.
Carlson	Godshall	Nahill	Taylor, F.
Carn	Greenwood	Noye	Taylor, J.
Cawley	Gruitza	O'Brien	Telek
Cessar	Gruppo	O'Donnell	Tigue
Chadwick	Hagarty	Olasz	Trello
Cimini	Haluska	Oliver	Truman
Civera	Harper	Perzel	Van Horne
Clark	Hasay	Petrarca	Veon
Clymer	Hayes	Petrone	Vroon
Cohen	Herman	Phillips	Wambach
Colafella	Hershey	Piccola	Wass
Cole	Honaman	Pievsky	Weston
Cordisco	Howlett	Pistella	Wiggins
Cornell	Hutchinson	Pitts	Wilson
Coslett	Itkin	Pott	Wogan
Cowell	Jackson	Prestrmann	Wozniak
Coy	Jarolin	Preston	Wright, D. R.
Deluca	Johnson	Punt	Wright, J. L.
DeVerter	Josephs	Raymond	Wright, R. C.
DeWeese	Kasunic	Reber	Yandrisevits
Daley	Kennedy	Reinard	
Davies	Kosinski	Richardson	Irvis,

Dawida Kukovich Rieger Speaker

NAYS—1

Moehlmann

NOT VOTING—3

Barley Gladeck Laughlin

EXCUSED—3

Kenney Miller Sirianni

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. REINARD offered the following amendments No. A3268:

Amend Title, page 1, line 2, by inserting after "Statutes," providing for preparation and examination of applicants for drivers' licenses regarding the effects of alcohol and drug use on highway safety;

Amend Bill, page 1, by inserting between lines 10 and 11

Section 1. Section 1508 of Title 75 of the Pennsylvania Consolidated Statutes is amended by adding a subsection to read: § 1508. Examination of applicant for driver's license.

(c) Alcohol and drug use information.—The traffic laws examination shall contain at least one question relating to the driver's ability to understand the effects of alcohol and drug use on highway safety. The driver's manual shall include a section relating to the effects of alcohol and drug use on highway safety, along with the related penalties. A chart which demonstrates the levels of alcohol in a person's bloodstream legally sufficient to constitute intoxication shall be included in this section of the driver's manual.

Amend Sec. 1, page 1, line 11, by striking out "1" and inserting

2

Amend Sec. 1, page 1, lines 12 and 13, by striking out "of the Pennsylvania Consolidated Statutes"

Amend Sec. 2, page 3, line 8, by striking out "2" and inserting

3

Amend Sec. 3, page 5, line 3, by striking out "3" and inserting

4

Amend Sec. 3, page 5, line 3, by striking out "2" and inserting

3

Amend Sec. 3, page 5, line 3, by inserting after "ACT" amending section 9501 of Title 75

On the question,

Will the House agree to the amendments?

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman from Bucks, Mr. Reinard.

Mr. REINARD. Thank you, Mr. Speaker.

Mr. Speaker, this amendment has passed the House on a previous occasion. Very simply, the amendment will say that any new driver in Pennsylvania has to be asked at least one question regarding the effects of drinking and driving and drugs on highway safety. It also has to have in the driver's manual one body blood-alcohol chart showing the effects of

alcohol and also the tough penalties for drunk driving in Pennsylvania.

I ask your support.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—196

Acosta	Deal	Langtry	Rieger
Afflerbach	Dietz	Lashinger	Robbins
Angstadt	Dininni	Lescovitz	Roebuck
Argall	Distler	Letterman	Rudy
Arty	Dombrowski	Levdansky	Ryan
Baldwin	Donatucci	Linton	Rybak
Barber	Dorr	Livengood	Saloom
Barley	Duffy	Lloyd	Saurman
Battisto	Durham	Lucyk	Scheetz
Belardi	Evans	McCall	Schuler
Belfanti	Fargo	McClatchy	Semmel
Birmelin	Fattah	McHale	Serafini
Black	Fee	McVerry	Seventy
Blaum	Fischer	Mackowski	Showers
Book	Flick	Maiale	Smith, B.
Bortner	Foster	Manderino	Smith, L. E.
Bowley	Fox	Manmiller	Snyder, D. W.
Bowser	Freeman	Markosek	Snyder, G.
Boyes	Freind	Mayernik	Staback
Brandt	Fryer	Merry	Stairs
Broujos	Gallagher	Michlovic	Steighner
Bunt	Gallen	Micozzie	Stevens
Burd	Gamble	Moehlmann	Stewart
Burns	Gannon	Morris	Stuban
Bush	Geist	Mowery	Sweet
Caltagirone	George	Mrkoncic	Swift
Cappabianca	Gladeck	Murphy	Taylor, E. Z.
Carlson	Godshall	Nahill	Taylor, F.
Carn	Greenwood	Noye	Taylor, J.
Cawley	Gruitza	O'Brien	Telek
Cessar	Gruppo	O'Donnell	Tigue
Chadwick	Hagarty	Olasz	Trello
Cimini	Haluska	Oliver	Truman
Civera	Harper	Perzel	Van Horne
Clark	Hasay	Petrarca	Veon
Clymer	Hayes	Petrone	Vroon
Cohen	Herman	Phillips	Wambach
Colafella	Hershey	Piccola	Wass
Cole	Honaman	Pievsky	Weston
Cordisco	Howlett	Pistella	Wiggins
Cornell	Hutchinson	Pitts	Wilson
Coslett	Itkin	Pott	Wogan
Cowell	Jackson	Pressmann	Wozniak
Coy	Jarolin	Preston	Wright, D. R.
Deluca	Johnson	Punt	Wright, R. C.
DeVerter	Josephs	Raymond	Yandrisevits
DeWeese	Kasunic	Reber	
Daley	Kennedy	Reinard	Irvis,
Davies	Kosinski	Richardson	Speaker
Dawida	Kukovich		

NAYS—0

NOT VOTING—2

Laughlin Wright, J. L.

EXCUSED—3

Kenney Miller Sirianni

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. BURD offered the following amendments No. A3228:

Amend Title, page 1, line 2, by inserting after "Statutes,"
providing for limited drivers' licenses;

Amend Bill, page 1, by inserting between lines 10 and 11

Section 1. Title 75 of the Pennsylvania Consolidated Statutes is amended by adding a section to read:
§ 1553. Limited driver's license.

(a) Application.—Any person who receives notice from the department that his driver's license is suspended may make an application to the department for a limited driver's license. The application shall be accompanied by the fee of \$50 for a suspension of 30 days or less or \$100 for a suspension of more than 30 days.

(b) Issuance.—No limited driver's license shall be granted unless it is shown that a driver's license is needed for the purpose of carrying on an occupation, trade or profession which makes it essential that the applicant drives a motor vehicle while carrying on the occupation or going to or from work.

(c) Burden of proof.—The applicant for a limited driver's license shall have the burden of proving that his license is essential to his occupation, trade or profession.

(d) Ineligibility.—No person shall be eligible for a limited driver's license if:

(1) his driver's license had been revoked before;

(2) his driver's license had been suspended within the previous five years;

(3) his driver's license was suspended pursuant to section 3731 (relating to driving under influence of alcohol or controlled substance);

(4) the holder of the driver's license has been convicted within the preceding five years of a violation of section 3345(a) (relating to meeting of or overtaking school bus);

(5) his driver's license has been suspended pursuant to section 1547 (relating to chemical testing to determine amount of alcohol or controlled substance); or

(6) his driver's license was suspended pursuant to section 1532(b) or (c) (relating to revocation or suspension of operating privilege).

(e) Distinct color of limited driver's license.—The department shall provide a distinct color for all limited drivers' licenses and shall indicate conditions under which a vehicle may be operated. The license shall also indicate in prominent letters a warning that violation of the license restrictions will result in the penalties described in subsection (g).

(f) Notice of availability.—The department shall notify all persons who are eligible to apply for a limited driver's license of its availability and the restrictions imposed by subsection (b).

(g) Violations of restrictions.—If any person drives a motor vehicle or tractor in violation of the restrictions of subsection (b) or any other departmental restrictions of a limited license as provided by this section, the department shall suspend the operating privileges of that person for a period of one year during which period the person shall not be eligible to apply for a limited driver's license. In addition to the new suspension he shall be fined \$100 and imprisonment for a period of not less than two nor more than 30 days. If any person is convicted of any violation to which the point system of section 1535 (relating to schedule of convictions and points) applies, while operating a motor vehicle or tractor under the provisions of this section, the department shall immediately revoke the driver's limited license.

Amend Sec. 1, page 1, line 11, by striking out "1" and inserting

Amend Sec. 1, page 1, lines 12 and 13, by striking out "of the Pennsylvania Consolidated Statutes"

Amend Sec. 2, page 3, line 8, by striking out "2" and inserting

3

Amend Sec. 3, page 5, line 3, by striking out "3" and inserting

4

Amend Sec. 3, page 5, line 3, 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 the gentleman from Butler, Mr. Burd.

Mr. BURD. Thank you, Mr. Speaker.

Mr. Speaker, this amendment is actually language that was introduced earlier in this session dealing with HB 646. There were questions on the floor at the time and the committee attempted to make some amendments. It contains the so-called Ryan amendment and also answers some of the questions that Mr. Laughlin had at the time.

We are seeking to amend this into SB 155 in an attempt to help some of the people who have lost their licenses due to moving violations by allowing them a buy-back feature. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Indiana, Mr. Wass.

Mr. WASS. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose the amendment. Mr. Speaker, the gentleman offered this amendment—I do not remember; it could have been in bill form—sometime earlier in this session and we defeated it.

Mr. Speaker, the gentleman is trying to protect those who lose their licenses through moving violations. Mr. Speaker, you must receive at least 11 points before you lose your driver's license in the State of Pennsylvania, and to get 11 points you have three opportunities. You must have three violations, Mr. Speaker.

I think we should not favor those who are habitual violators on the roads, and I ask for a "no" vote on this amendment.

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

Mr. SAURMAN. Thank you, Mr. Speaker.

Mr. Speaker, I have risen to speak before against this kind of amendment. I think, however, it is something that in the future we need to think about. I would suggest that we not pass it at this time but that we do in fact give some serious consideration to this problem, because what we have created with the long-term license suspension or revocation is a situation that becomes hopeless for the individual involved. Not even a Governor's pardon can return that individual's license. So what happens is that that individual continues to drive in spite of the suspension or in spite of the revocation and we do not accomplish what we really want to accomplish. The punishment does not exist, but we have created a persistent, continuing violator.

Mr. Speaker, I think that we need to find some way to impose a penalty other than a long-term license suspension and have been working in that direction hoping that there would be, for instance, the use of the electronic monitoring device that I asked to have an appropriation put into the budget bill for for the purpose of a pilot project. That needs some time to look at, but that is one kind of a solution.

I think that we need to have a penalty that would replace these long-term suspensions and in some way we need to have a bread-and-butter license so that the individual can continue to earn a livelihood, but there must be, in conjunction with that, an adequate punishment. Perhaps, for instance, the license plate on that car might indicate that this is driven by a bread-and-butter license violator so that the general public would know, and there would be additional penalties imposed.

But as this amendment currently stands, I am afraid that it just gives an out to people, as Representative Wass has indicated, who have indeed continued to violate. We need to look at the situation, but I think this is premature and would ask for a "no" vote at this time.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Northampton, Mr. Freeman.

Mr. FREEMAN. Thank you, Mr. Speaker.

Mr. Speaker, will the gentleman, Mr. Burd, stand for a brief period of interrogation?

The SPEAKER pro tempore. The gentleman indicates he will stand for a period of interrogation. The gentleman, Mr. Freeman, is in order and may proceed.

Mr. FREEMAN. Mr. Speaker, while I understand your intent behind the amendment, I have a few reservations and some questions.

Primarily, I understand the rationale behind the limited driver's license; however, I see nothing in your amendment which would provide any kind of guidelines as to when the license could be used or operated. Could you expand upon that?

Mr. BURD. Section (e), Mr. Speaker, of the amendment: "Distinct color of limited driver's license.—The department shall provide a distinct color for all limited drivers' licenses and shall indicate conditions under which a vehicle may be operated," et cetera, et cetera.

Mr. FREEMAN. Okay. I understand that that would give a distinctive labeling to the license, but as I read this language, there is nothing in it that would in any way restrict the operator's license.

Mr. BURD. Well, Mr. Speaker, what we are doing here is relying on the department to put those restrictions in, and also under "Violations of restrictions.—If any person drives a motor vehicle or tractor in violation of the restrictions of subsection (b) or any other departmental restrictions of a limited license as provided by this section, the department shall suspend,..." and so on and so on.

Mr. FREEMAN. Again, I think I understand your intent here. There may be some merit to it, but I have reservations as to whether the language you have provided in this amendment

will in fact provide the kind of guidelines necessary to restrict the license.

Mr. BURD. I wonder if the gentleman has looked at section (c), "Burden of proof.—The applicant for a limited driver's license shall have the burden of proving that his license is essential to his occupation, trade or profession."

Mr. FREEMAN. Again, I understand the intent there, but it really does not address the concern I have, which is that there are really no stiff guidelines as far as when the license can be utilized, what time restrictions might be on the license, or where and when the license can be operated, and I do not read anything in the amendment that would empower the department to make the kind of regulations that would be necessary.

I think with an issue like this, you have to have it very clearly spelled out if you are going to provide such a license.

Mr. BURD. Well, I have no comment. I thought I answered it about four times for you.

Mr. FREEMAN. I thank the gentleman for his comments.

No more questions, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Allegheny, Mr. Trello.

Mr. TRELLO. Mr. Speaker, this bill and amendment have been around for a while. I know the gentleman indicated that they have to have three violations before they can get 11 points, but what we are talking about is a bread-and-butter amendment. You know, sometimes without realizing a previous violation, they do get violations. We are not talking about hardened criminals. We are talking about men and women who lose their licenses, and all they want to do is go to and from work.

I know this amendment has been around a long time, and I urge an affirmative vote on the amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman from York, Mr. Bortner.

Mr. BORTNER. Thank you, Mr. Speaker.

Like most of the Representatives here, I get calls and letters from individuals who have had their drivers' licenses suspended and require them for their employment. For that reason, this becomes a very attractive amendment to support, but I would urge you not to support it and to resist the temptation to do that for a number of different reasons.

First of all, Mr. Wass is absolutely correct. You do not lose your driver's license because of one moving violation. You get three points for almost all moving violations. You can lose your license for some single violations, but they are all listed in this amendment as exemptions. So you are going to have to have committed approximately three violations and do it in a short period of time, because you lose two points every year that you do not have a violation. So you are talking about the person who has virtually become a habitual offender.

I would suggest to you that you oppose it secondly because it is unenforceable. I would like to ask you how you enforce this amendment for the person who is a salesman, the person who is a lawyer and has his briefcase in the back seat of his car. That person is always on business and will always be on business. If you talk to the police officers, they are unanimous in their opposition to this and they will tell you that if you pass this amendment and legislate this kind of exemption, you might as well forget about enforcing suspension of drivers' licenses.

And the third reason, and I think it is probably the most important, is that if you talk to the person who has been in an accident or whose child has been hit by somebody who was operating on a limited driver's license, it is not going to be very much consolation for them that that person's license was suspended and the only reason they are driving is because the General Assembly saw fit to give them a special privilege.

I would suggest that you vote down this amendment because it is unwise and unenforceable. Thank you.

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

Mr. GODSHALL. Thank you, Mr. Speaker.

I totally agree with Representative Trello, who spoke a few minutes earlier, that we are not talking about hardened criminals here. We are talking about establishing a bread-and-butter license, which means a license that can be used to keep their employment.

We have families that are involved in a lot of cases, and I want this General Assembly to realize that some of these violations that are on the books with PennDOT have resulted from VASCAR (visual average speed computer and recorder) and ESP (excessive speed preventer) violations, where before this body acted, in some cases it was 1 or 2 miles an hour over the speed limit. I think this body by law said you have to go at least 6 or 7 miles an hour over the speed limit.

We are looking at licenses that a man can go back and forth to work and feed his family, and that is all. We put restrictions in this amendment that if you break the trust that you are given with this license, you are going to pay dearly. I would urge this body to vote for this amendment. Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from York, Mr. Snyder.

Mr. G. M. SNYDER. Thank you, Mr. Speaker.

Would the maker of the amendment stand for brief interrogation?

The SPEAKER pro tempore. The gentleman indicates he will do so, and the gentleman, Mr. Snyder, is in order and may proceed.

Mr. G. M. SNYDER. Mr. Speaker, first I would like to apologize if I ask you any questions you have already been asked, but I have not been able to hear the debate very well so far this morning.

Is it your intent, under this amendment, that the limited driver's license would be used only for those driving items that were essential to the accomplishment of the individual's occupation or profession?

Mr. BURD. Oh, most certainly, Mr. Speaker. Yes.

Mr. G. M. SNYDER. Now, Mr. Speaker, if that is so, could you direct me to any part of your amendment where that limitation is stated?

Mr. BURD. Under section (c), "Burden of proof," we feel that that language is conclusive enough to answer that question. Also under section (e) of the same amendment.

Mr. G. M. SNYDER. Did you say sections (c) and (e)?

Mr. BURD. That is right, Mr. Speaker.

Mr. G. M. SNYDER. Thank you, Mr. Speaker.

My interrogation is concluded. May I make a few remarks?

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

Mr. G. M. SNYDER. There is no doubt in my mind that the maker of the amendment does intend that the limited driver's license would be usable by the person to whom it is issued only for work-related purposes. Unfortunately, I have read the amendment three times this morning and nowhere in that amendment can I find those words of limitation. I think what the amendment really does—and I think inadvertently so—is that it provides for the issuance of a limited driver's license but does not provide for any limitations on the use or validity of that license.

For those reasons, I cannot support the amendment, and I would ask each of you to vote against it. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Philadelphia, Mr. Richardson.

Mr. RICHARDSON. Mr. Speaker, I would like to interrogate the prime sponsor of the amendment.

The SPEAKER pro tempore. The gentleman indicates he will stand for a period of interrogation. The gentleman, Mr. Richardson, is in order and may proceed.

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

Mr. Speaker, like others, I am majorly concerned with this amendment that you have drawn, but there are several questions. One is, what period of time during the day or night would this person be able to utilize this license that is supposed to be a limited driver's license?

Mr. BURD. Well, the intent, Mr. Speaker, is, of course, during those times when he needs that license for his work.

Mr. RICHARDSON. I did not hear when, Mr. Speaker.

Mr. BURD. The intent, Mr. Speaker, is to allow that person limited privileges during that time when he needs his license for work.

Mr. RICHARDSON. But what I am asking specifically is, can we give a specific time? In other words, if a person works during the day, and you indicate that that person can use it to and from his work during the day, it should be somehow specified what those hours are that that person is working, therefore giving clarity to when that person could use his or her license. Without that clarity, I think that a number of members of this House are very confused about how we should proceed, because it looks like it is open ended. If they work in the evening, the same thing should prevail, that if a

person is going to in fact have a license to drive in the evening, that that person has the opportunity to get to and from work, but based on the fact that they are working in the evening.

My second question, Mr. Speaker, is, how much would it cost the Department of Transportation, under your amendment, to create this new limited driver's license with the coded color?

Mr. BURD. To answer your first question, Mr. Speaker, we realize that because of the various types of occupations, we are talking about the candlestick maker and so on, you know, who work different hours. I come from western Pennsylvania and we have people who work swing shifts, and that is wherein the difficulty comes in pinning this down to specific hours, and I hope that you would appreciate that, because there are people in different professions who actually work different hours and it makes it very hard for us to pin those hourly things down.

As far as the cost to the department is concerned, you will notice that there are fines and penalties and also that we require a \$50 fee for a 30-day suspension and a \$100 fee for a more-than-30-day suspension, and we are in the hopes that not only would it be a washout but that the department would actually make money under this program.

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

I am finished with my interrogation, and I would like the opportunity to speak on the bill.

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

Mr. RICHARDSON. Mr. Speaker, while I feel that the attempt and the concept for which we are trying to apply ourselves here this afternoon is commendable, I think there are several ambiguities that need to be corrected.

Number one, if the maker of this amendment would consent to at least trying to draw some very definitive time-frames and hours around what he feels may be a swing shift and also specific hours that normally people go to work, from 9 to 5, or if they are working on the graveyard shift, from 12 to 7 or 12 to 8, it would give some latitude to specifically identifying what hours we are talking about that a limited driver could use. If not, what you are saying is that those out there who may have been suspended for X number of reasons would then have an opportunity to drive unlimited at any time. They could get in his or her car, they could drive their car around, and all the times that they are stopped they could always say, I am coming from work, I am coming from my place of employment, and it does not mean that they have to be, but it does not mean that we are going directly after the bread-and-butter concept that we are after.

I think with that in mind, if the maker of this amendment would consent to trying to draw something around a more clear, definitive response to trying to help those drivers in the Commonwealth who in fact need them—I have several in my district who also fall into that category—but to give them this open-ended driver's license is almost like giving every member of this House a limited driver's license, because at no time would it make any difference when you are stopped because we are always coming to and from work.

With that, Mr. Speaker, I would ask for a negative vote in the hopes that we will be able to get a more positive amendment that could address those concerns.

The SPEAKER pro tempore. The Chair recognizes the lady from Delaware, Mrs. Durham.

Mrs. DURHAM. Thank you, Mr. Speaker.

Mr. Speaker, this is a jobs amendment; a jobs amendment. My constituents who have contacted me have said, my choice was: I did not go to work, I lost my job, I could not feed my family, I could not pay my mortgage; or I took that chance and a local police officer recognized me and I was stopped for driving without my license, and now my license is suspended an even longer time. Because of the great empathy I know everyone is feeling, you will vote for this amendment.

Even Mr. Saurman, who has been a strong opponent to this type of amendment, said today, we have to do something. Well, Mr. Speaker, let us do something today. Let us give middle America, the law-abiding citizen who has to drive to work, that opportunity to do that.

Mr. Bortner spoke about the salesman. We drive, each one of us in this room who are members, we drive many hours. I want each of you to stop and think and ask yourself this simple question: Was there ever a time that maybe you exceeded the speed limit? Well, our constituents are just like us. So I am asking you today to look over this amendment. It is very clear that when the person applies, PennDOT will give them a different colored license and it will state right on the license, as it is said in the amendment, what the restrictions are.

I urge support for the amendment.

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

Mr. ACOSTA. Thank you, Mr. Speaker.

I feel that PennDOT is in the business of making money. When they find no other ways to take more money from the people, they start thinking about new ways of doing so. I believe this amendment is to put their hands into our pockets one time again. I believe that the working man or woman who has a job, and for some reason the police officer at the corner has to give out a certain amount of tickets a day, she or he becomes a victim and they will no longer have a license to go to work.

I would say that PennDOT should be in the business of helping all Pennsylvanians, not to rob them blind like they have been doing. So I believe that we should go against this amendment.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—109

Argall	Distler	Lashingier	Rieger
Arty	Dombrowski	Lescovitz	Roebuck
Barber	Donatucci	Linton	Ryan
Barley	Durham	Lucyk	Saloom
Belardi	Fargo	McCall	Serafini
Blaum	Fattah	McVerry	Seventy
Bowser	Fee	Mackowski	Smith, B.
Bunt	Fischer	Maiale	Smith, L. E.

Burd	Fox	Mayernik	Snyder, D. W.
Burns	Gallen	Merry	Staback
Bush	Gannon	Moehlmann	Stairs
Caltagirone	Geist	Morris	Stevens
Carlson	George	Mowery	Swift
Cawley	Gladeck	Nahill	Taylor, E. Z.
Cessar	Godshall	Noye	Taylor, J.
Cimini	Gruitza	O'Brien	Telek
Civera	Hagarty	Olasz	Tigue
Clark	Haluska	Oliver	Trello
Clymer	Harper	Perzel	Truman
Cohen	Howlett	Petrarca	Veon
Colafella	Hutchinson	Petrone	Vroon
Cole	Jackson	Phillips	Weston
Cornell	Jarolin	Pistella	Wiggins
Coslett	Johnson	Punt	Wilson
DeWeese	Kennedy	Raymond	Wogan
Daley	Kosinski	Reber	Wright, J. L.
Deal	Kukovich	Reinard	Wright, R. C.
Dininni			

NAYS—87

Acosta	Dawida	Langtry	Rudy
Afflerbach	Dietz	Letterman	Rybak
Angstadt	Dorr	Levdansky	Saurman
Baldwin	Duffy	Livengood	Scheetz
Battisto	Evans	Lloyd	Schuler
Belfanti	Flick	McClatchy	Semmel
Birmelin	Foster	McHale	Showers
Black	Freeman	Manderino	Snyder, G.
Book	Freind	Manmiller	Steighner
Bortner	Fryer	Markosek	Stewart
Bowley	Gallagher	Michlovic	Stuban
Boyes	Gamble	Mrkonic	Sweet
Brandt	Greenwood	Murphy	Taylor, F.
Broujos	Gruppo	O'Donnell	Van Horne
Cappabianca	Hasay	Piccola	Wambach
Carn	Hayes	Pievsky	Wass
Chadwick	Herman	Pitts	Wozniak
Cordisco	Hershey	Pott	Wright, D. R.
Cowell	Honaman	Pressmann	Yandrisevits
Coy	Itkin	Preston	
Deluca	Josephs	Richardson	Irvis,
DeVerter	Kasunic	Robbins	Speaker
Davies			

NOT VOTING—2

Laughlin Micozzie

EXCUSED—3

Kenney Miller Sirianni

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?

Mrs. RUDY offered the following amendments No. A3330:

Amend Title, page 1, line 2, by inserting after "Statutes," authorizing school bus drivers to operate church buses;

Amend Sec. 1, page 1, line 11, by inserting after "SECTIONS"

1504(d)(4),

Amend Sec. 1, page 1, by inserting between lines 13 and 14 § 1504. Classes of licenses.

(d) Number and description of classes.—Licenses issued by the department shall be classified in the following manner:

(4) Class 4.—Persons who have qualified to operate school buses in accordance with this title and the rules and regulations promulgated and adopted by the department shall have the qualification endorsed on the license as provided in this section. Persons qualified to operate school buses shall be authorized to operate church buses.

On the question,

Will the House agree to the amendments?

The SPEAKER pro tempore. On the question, the Chair recognizes the lady from Centre, Mrs. Rudy.

Mrs. RUDY. Thank you, Mr. Speaker.

Basically, all amendment 3330 does is say that persons who are qualified to operate school buses shall also be authorized to operate church buses.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Berks, Mr. Gallen.

Mr. GALLEN. We do not have a copy of that amendment over here, Mr. Speaker.

The SPEAKER pro tempore. Has the amendment been distributed? The gentleman indicates he now has a copy of the amendment.

The Chair recognizes the gentleman from Chester, Mr. Vroon.

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

The SPEAKER pro tempore. The lady indicates she will stand for a period of interrogation. The gentleman, Mr. Vroon, is in order and may proceed.

Mr. VROON. Mr. Speaker, what does this amendment do that is not now authorized?

Mrs. RUDY. Basically, the law now states that the driver of a church bus must have a class 2 license, while the driver of a school bus must have a class 4 license and would not be eligible to drive a church bus.

Mr. VROON. A school bus driver, under existing circumstances, is not allowed to drive a church bus. Is that right?

Mrs. RUDY. That is the law as I understand it at the present time. Yes.

Mr. VROON. And what is the advantage of letting the school bus driver drive the church bus? Do we not have enough people available to drive the church bus?

Mrs. RUDY. Because we would have more people who have a school bus driver's license available to drive church buses than we would have people who would have a class 2 driver's license to drive church buses, which is a commercial bus driver's license.

Mr. VROON. Okay. Thank you very much.

I am finished with my interrogation. No further remarks.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Crawford, Mr. Merry.

Mr. MERRY. Mr. Speaker, my question is to the maker of the amendment. Would the Representative stand for interrogation?

The SPEAKER pro tempore. The lady indicates she will stand for a period of interrogation. The gentleman, Mr. Merry, is in order and may proceed.

Mr. MERRY. Mr. Speaker, I understand what you have said so far as to what you are attempting to accomplish here. What I am wondering is, is there a possibility, by suggesting that school bus drivers be authorized to operate church buses, that you might be getting to the point that at some place in future time all church bus drivers would have to be school bus drivers? I do not believe that is in the best interest of our constituency.

Mrs. RUDY. Can you hear me on this mike? If not, I will have to switch mikes.

Mr. MERRY. I can hear you very well, but I think there is some amplification being lost here.

Mrs. RUDY. I am sorry. I had to switch mikes.

Would you repeat your question, sir?

Mr. MERRY. My question to you, Mr. Speaker, is that the language of this bill might be interpreted at some future time as to make all church bus drivers be school bus drivers.

Mrs. RUDY. I do not think that would be what it is meant to be whatsoever. I think it is the opposite, really, that we would have school bus drivers who would be able to operate church buses, not church bus drivers who would be able to operate school buses. I think you have it backwards.

Mr. MERRY. I do not have it any way yet.

Mrs. RUDY. In other words, a class 4 license is easier to obtain than a class 2 license.

Mr. MERRY. Well, not in all cases.

What you are saying then is that all holders of class 4 licenses would automatically be able to do everything that a class 2 operator would do?

Mrs. RUDY. No. They would just be able to drive church buses. They would not be able to be commercial bus drivers.

Mr. MERRY. Okay. I just feel it is important to establish the intent of your amendment. Thank you, Mr. Speaker.

Mrs. RUDY. Thank you, Mr. Speaker.

The SPEAKER pro tempore. Does the lady care to speak on the subject?

Mrs. RUDY. No, but I believe there is someone else who wants to question me.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Blair, Mr. Johnson.

Mr. JOHNSON. Thank you, Mr. Speaker.

Anybody who is qualified to drive a school bus certainly is qualified to drive a church bus. These are volunteers. They serve without pay. Let us pass the amendment. Thank you, sir.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—193

Acosta	Deal	Kosinski	Reinard
Afflerbach	Dietz	Kukovich	Richardson
Angstadt	Dininni	Lashinger	Rieger
Argall	Distler	Lescovitz	Robbins
Arty	Dombrowski	Letterman	Roebuck

Baldwin	Donatucci	Levdansky	Rudy
Barley	Dorr	Linton	Ryan
Battisto	Duffy	Livengood	Rybak
Belardi	Durham	Lloyd	Saloom
Belfanti	Evans	Lucyk	Saurman
Birmelin	Fargo	McCall	Scheetz
Black	Fattah	McClatchy	Schuler
Blaum	Fee	McHale	Semmel
Book	Fischer	McVerry	Serafini
Bortner	Flick	Mackowski	Seventy
Bowley	Foster	Maiale	Showers
Bowser	Fox	Manderino	Smith, B.
Boyes	Freeman	Manmiller	Smith, L. E.
Brandt	Freind	Markosek	Snyder, G.
Broujos	Fryer	Mayernik	Staback
Bunt	Gallagher	Merry	Stairs
Burd	Gallen	Michlovic	Steighner
Burns	Gamble	Micozzie	Stevens
Bush	Gannon	Moehlmann	Stewart
Caftagirone	Geist	Morris	Stuban
Cappabianca	George	Mowery	Sweet
Carlson	Gladeck	Mrkoncic	Swift
Carn	Godshall	Murphy	Taylor, E. Z.
Cawley	Greenwood	Nahill	Taylor, F.
Cessar	Gruitza	Noye	Taylor, J.
Chadwick	Gruppo	O'Brien	Telek
Cimini	Hagarty	O'Donnell	Tigue
Civera	Haluska	Olasz	Trello
Clark	Harper	Oliver	Truman
Clymer	Hasay	Perzel	Van Horne
Cohen	Hayes	Petrarca	Veon
Colafella	Herman	Petrone	Vroon
Cole	Hershey	Phillips	Wambach
Cordisco	Honaman	Piccola	Wass
Cornell	Howlett	Pievsky	Weston
Coslett	Hutchinson	Pistella	Wiggins
Cowell	Itkin	Pitts	Wilson
Coy	Jackson	Pott	Wogan
Deluca	Jarolin	Pressmann	Wozniak
DeVerter	Johnson	Preston	Wright, D. R.
DeWeese	Josephs	Punt	Wright, J. L.
Daley	Kasunic	Raymond	Wright, R. C.
Davies	Kennedy	Reber	Yandrisevits
Dawida			

NAYS—2

Langtry Snyder, D. W.

NOT VOTING—3

Barber Irvis,
Laughlin Speaker

EXCUSED—3

Kenney Miller Sirianni

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?

The Chair recognizes the gentleman from Indiana, Mr. Wass.

Mr. WASS. Mr. Speaker, may I interrogate Representative Wright, who now has his amendment in the bill?

The SPEAKER pro tempore. Will the gentleman from Bucks, Mr. Wright, agree to a period of interrogation?

The gentleman indicates he will stand for a period of interrogation. The gentleman, Mr. Wass, is in order and may proceed.

Mr. WASS. Thank you, Mr. Speaker.

Mr. Speaker, in the 62d District we have many railroads that are abandoned. The tracks are there in the roads and we travel over them. There are no signs. But your amendment, Mr. Speaker—and I purposely want this to be in the record, your answer to this question—your amendment speaks to the fact that even though that is an inactive railroad and those tracks are there, that school bus must stop. Surely that is not your intent, and if you would agree with my observation, it would be in the record and we would have that understanding.

Mr. J. L. WRIGHT. I think I would have to agree with your interpretation. I would point out the language is exactly the same as what existed in previous law.

Mr. WASS. In your amendment, Mr. Speaker, you say, "School Buses.—Notwithstanding subsection (c), the drivers of school buses shall stop before crossing any railroad grade crossing or track or tracks of a railroad." That would mean that even at an abandoned railroad track in the roadway the bus would have to stop, and I do not think that is your intent. If you would just read it into the record, I would be appreciative.

Mr. J. L. WRIGHT. I am having a little trouble in agreeing with you, not knowing really what an abandoned track is. I can think of a track on a SEPTA (Southeastern Pennsylvania Transportation Authority) line, the Newtown line, which runs from Philadelphia to Newtown, which has not seen a railroad train on it in probably better than a year or almost 2 years, except that it is occasionally used by a maintenance train and it is occasionally used by test vehicles. And as a matter of fact, I myself have seen one of those proposed British railbuses traveling on the Newtown line.

If you really mean an abandoned track that has not been used in years and is not planned to be used, I will agree with your interpretation. But on a track which has not been, frankly, dismantled, I may have a little trouble agreeing with your interpretation.

Mr. WASS. Thank you very much, 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—177

Acosta	Dietz	Langtry	Rieger
Angstadt	Dininni	Lashingier	Robbins
Argall	Distler	Lescovitz	Rudy
Arty	Dombrowski	Letterman	Ryan
Baldwin	Donatucci	Linton	Rybak
Barley	Dorr	Livengood	Saloom
Battisto	Duffy	Lucyk	Saurman
Belardi	Durham	McCall	Scheetz
Belfanti	Evans	McClatchy	Schuler
Birmelin	Fargo	McHale	Semmel
Black	Fattah	McVerry	Serafini
Blaum	Fee	Mackowski	Seventy

Book	Fischer	Maiale	Smith, B.
Bowser	Flick	Manderino	Smith, L. E.
Boyes	Fox	Manmiller	Snyder, D. W.
Brandt	Freeman	Markosek	Snyder, G.
Broujos	Fryer	Mayernik	Staback
Bunt	Gallagher	Merry	Stairs
Burd	Gallen	Micozzie	Steighner
Burns	Gamble	Morris	Stevens
Bush	Gannon	Mowery	Stewart
Caltagirone	Geist	Mrkonic	Swift
Cappabianca	George	Murphy	Taylor, E. Z.
Carlson	Gladeck	Nahill	Taylor, F.
Carn	Godshall	Noye	Taylor, J.
Cawley	Greenwood	O'Brien	Telek
Cessar	Gruitza	O'Donnell	Tigue
Chadwick	Gruppo	Olasz	Trello
Cimini	Hagarty	Oliver	Truman
Civera	Haluska	Perzel	Van Horne
Clark	Harper	Petrarca	Veon
Clymer	Hayes	Petrone	Vroon
Cohen	Herman	Phillips	Wambach
Colafella	Hershey	Piccola	Wass
Cole	Honaman	Pievsky	Weston
Cordisco	Howlett	Pistella	Wilson
Cornell	Hutchinson	Pitts	Wogan
Coslett	Jackson	Pott	Wozniak
Coy	Jarolin	Pressmann	Wright, D. R.
DeLuca	Johnson	Preston	Wright, J. L.
DeWeese	Josephs	Punt	Wright, R. C.
Daley	Kasunic	Raymond	
Davies	Kennedy	Reber	Irvis,
Dawida	Kosinski	Reinard	Speaker
Deal	Kukovich	Richardson	

NAYS—17

Afflerbach	Foster	Levdansky	Showers
Bortner	Freind	Lloyd	Stuban
Bowley	Hasay	Michlovic	Sweet
Cowell	Itkin	Moehlmann	Yandrisevits
DeVerter			

NOT VOTING—4

Barber	Laughlin	Roebuck	Wiggins
--------	----------	---------	---------

EXCUSED—3

Kenney	Miller	Sirianni
--------	--------	----------

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.

FINANCE COMMITTEE MEETING

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

Mr. TRELLO. Mr. Speaker, I would like to call a meeting of the Finance Committee immediately in the back of the House.

I encourage all members, especially the Democratic members, to be present. Thank you.

The SPEAKER pro tempore. Thank you.

STATEMENT BY MR. BELFANTI

The SPEAKER pro tempore. The gentleman from Northumberland, Mr. Belfanti, seeks unanimous consent to make a brief statement. The Chair hears no objection. The gentleman will proceed.

Mr. BELFANTI. Thank you, Mr. Speaker.

Many members of the House may have been contacted recently by nurses in their districts who are concerned that there is a move to eliminate the professional title from R.N.'s (registered nurses) who either attended an associate degree or will attend an associate degree or diploma program. Legislation I plan to introduce would not disallow that from ever occurring; however, it would mandate that those changes be made by this General Assembly and not by the Pennsylvania Nursing Board.

Anyone who wishes to cosponsor the bill, I will have it up at the desk and I will be glad to add their names.

The SPEAKER pro tempore. The Chair thanks the gentleman.

COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes the gentleman from Washington, Mr. Daley.

Mr. DALEY. Mr. Speaker, I would like to make an announcement of a select committee meeting. Immediately in the rear of the House, the special committee to investigate the Monongahela River Basin flooding will meet; immediately in the rear of the House.

The SPEAKER pro tempore. A meeting immediately in the rear of the House.

Mr. DALEY. Yes, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

SENATE MESSAGE**AMENDED HOUSE BILL
RETURNED FOR CONCURRENCE**

The clerk of the Senate, being introduced, returned **HB 258, PN 3671**, 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
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 1416, PN 2189**.

MOTION INSISTING UPON AMENDMENTS

Mr. MANDERINO moved that the House insist upon its amendments nonconcurred in by the Senate to **SB 1416, PN**

2189, 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 pro tempore. The Chair appoints as a committee of conference on the part of the House on **SB 1416, PN 2189**:

Messrs. MANDERINO, PIEVSKY and McCLATCHY.

Ordered, That the clerk inform the Senate accordingly.

**HOUSE BILL
INTRODUCED AND REFERRED**

No. 2655 By Representatives BALDWIN, LUCYK, BELFANTI, PHILLIPS, STUBAN, BELARDI, McCALL, STABACK and BLAUM

An Act providing for the establishment of an Emergency Bond Fund for anthracite deep mine operators.

Referred to Committee on MINES AND ENERGY MANAGEMENT, June 18, 1986.

ADDITIONS AND DELETIONS OF SPONSORS

The SPEAKER pro tempore. The Chair acknowledges receipt of the following additions and deletions for sponsorship of bills, which the clerk will file.

The following list was submitted:

ADDITIONS:

HB 871, Fox; HB 1644, Fox; HB 1708, Seventy; HB 1709, Seventy; HB 1828, Bunt; HB 1829, Bunt; HB 2164, Fox; HB 2316, Hershey; HB 2363, Battisto; HB 2393, Petrone; HB 2564, Phillips; HB 2601, Afflerbach, E. Z. Taylor, Bowser, Fischer; HB 2605, Michlovic, Bowser, Mayernik, Kasunic, Fox, O'Brien, Lucyk; HB 2606, O'Brien, Itkin, Pievsky, DeLuca, Cornell, Fischer, F. Taylor, Michlovic, Mayernik, Lucyk, Hasay; HB 2609, Gannon, Fox; HB 2620, Punt, Gannon, Kasunic, Merry, J. J. Taylor, Fischer; HR 311, Bowser; HR 314, DeLuca, Bowser.

DELETIONS:

HB 361, Dawida; HB 2261, J. L. Wright.

WELCOME

The SPEAKER pro tempore. The Chair is pleased to announce, as guests in the House, Maryann Eisenhart, David O'Connell, and Julia Stubinski. They are the guests of Mary Ann Arty.

**HOUSE BILL
INTRODUCED AND REFERRED**

No. 2657 By Representatives BROUJOS, SAURMAN, BATTISTO, WASS, COLE, COY, SHOWERS, BALDWIN and STUBAN

An Act providing for the establishment, administration and distribution of the Human Services Development Fund; and imposing additional powers and duties on the Department of Public Welfare.

Referred to Committee on HEALTH AND WELFARE,
June 18, 1986.

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Wayne, Mr. Birmelin.

Mr. BIRMELIN. Mr. Speaker, I move that this House do now adjourn until Monday, June 23, 1986, at 1 p.m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 12:54 p.m., e.d.t., the House adjourned.