

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

MONDAY, JUNE 23, 1986

SESSION OF 1986

170TH OF THE GENERAL ASSEMBLY

No. 48

HOUSE OF REPRESENTATIVES

The House convened at 1 p.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:

Eternal Father, Thou whose mighty hand stills the turbulence we face in life, it is with confidence and trust that we reach out to Thee in this hour.

We humbly pray that as we confront those difficulties and trials in all of life, we may move with the confidence and trust of a noble steward of Thine. We beseech Thee to motivate and inspire us as true workmen of Thine, so that the deeds we bring to maturity may reflect Thy guiding spirit in all of life. May the bright confidence and trust we have in Thee and Thy way never grow dim or fail; through whom and for whom we dedicate our talents forever and ever. Amen.

PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was enunciated by members.)

JOURNAL APPROVAL POSTPONED

The SPEAKER. The Chair will withhold the approval of the Journal for Wednesday, June 18, 1986, without objection, until that Journal is in print. The Chair hears no such objection.

COMMITTEE APPOINTMENTS

The SPEAKER. The clerk will read these two letters from the Speaker: One to the Honorable Frank Pistella and the other to the Honorable Nick Colafella.

The following communications were read:

House of Representatives
Commonwealth of Pennsylvania
Harrisburg

June 16, 1986

Honorable Frank Pistella
212 South Office Building
Harrisburg, Pennsylvania 17120

Dear Frank:

This is to advise that I am hereby appointing Representative Elinor Taylor to serve on the HR 237 Select Committee to Study Long-Term Nursing Care.

This appointment will replace that of Representative Robert J. Flick, who has resigned from the committee.

Sincerely,
K. Leroy Irvis
The Speaker

KLI:amm
The Speaker

cc: Honorable James J. Manderino
Honorable Matthew J. Ryan
Honorable John Zubeck
Honorable Clancy Myer

House of Representatives
Commonwealth of Pennsylvania
Harrisburg

June 16, 1986

Honorable Nick Colafella
123 South Office Building
Harrisburg, Pennsylvania 17120

Dear Nick:

This is to advise that I am hereby appointing Representative Jeffrey E. Piccola to serve on the HR 17-1985 Select Committee to Investigate Compliance with the Steel Products Procurement Act, to replace Representative James L. Wright, who has resigned therefrom.

Sincerely,
K. Leroy Irvis
The Speaker

KLI:amm

cc: Honorable James J. Manderino
Honorable Matthew J. Ryan
Honorable John Zubeck
Honorable Clancy Myer

WELCOMES

The SPEAKER. Representative Honaman has as her guests here certain youths from "Youth for Understanding." They are to the left of the Speaker: Onno Duyvene de Wit from the Netherlands; Jon Thorlacius Krug from Denmark; Jan Hammer from West Germany; and Cliff Heim, who is the host father from Lancaster. Welcome to the hall of the House. We are delighted to have you here.

Curt Bowley has the family of Marcus Bleech in the gallery, and Marcus Bleech is a guest page on the floor of the House. Welcome to the hall of the House, Marcus, and to his family in the gallery.

Mr. and Mrs. Gene Jones from Indiana, Pennsylvania, are here. They are the guests of Paul Wass. Kelly Jones is a daughter and Heather Peel is a friend, and they are serving as guest pages. Welcome to the floor of the House.

LEAVES OF ABSENCE

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

Mr. FEE. Yes, Mr. Speaker. The gentleman from Allegheny, Mr. ITKIN, for today.

The SPEAKER. The Chair hears no objection to the granting of the leave. Therefore, the leave is granted.

The Chair recognizes the minority whip.

Mr. HAYES. Thank you, Mr. Speaker.

I request a leave for the gentleman from Montgomery, Mr. GLADECK, for the day, and the gentleman from Delaware, Mr. WRIGHT, for the day.

The SPEAKER. The Chair hears no objection to the granting of the leaves. The leaves are therefore granted.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—198

Acosta	Deal	Lashingier	Rieger
Afflerbach	Dietz	Laughlin	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	Sirianni
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	Miller	Stevens
Burns	Gannon	Moehlmann	Stewart
Bush	Geist	Morris	Stuban
Caltagirone	George	Mowery	Sweet
Cappabianca	Godshall	Mrkonic	Swift
Carlson	Greenwood	Murphy	Taylor, E. Z.
Carn	Gruitza	Nahill	Taylor, F.
Cawley	Gruppo	Noye	Taylor, J.
Cessar	Hagarty	O'Brien	Telek
Chadwick	Haluska	O'Donnell	Tigue
Cimini	Harper	Olasz	Trello
Civera	Hasay	Oliver	Truman
Clark	Hayes	Perzel	Van Horne
Clymer	Herman	Petrarca	Veon
Cohen	Hershey	Petrone	Vroon

Colafella	Honaman	Phillips	Wambach
Cole	Howlett	Piccola	Wass
Cordisco	Hutchinson	Pievsky	Weston
Cornell	Jackson	Pistella	Wiggins
Coslett	Jarolin	Pitts	Wilson
Cowell	Johnson	Pott	Wogan
Coy	Josephs	Pressmann	Wozniak
Deluca	Kasunic	Preston	Wright, D. R.
DeVerter	Kennedy	Punt	Wright, J. L.
DeWeese	Kenney	Raymond	Yandrisevits
Daley	Kosinski	Reber	
Davies	Kukovich	Reinard	Irvis,
Dawida	Langtry	Richardson	Speaker

ADDITIONS—0

NOT VOTING—0

EXCUSED—3

Gladeck Itkin Wright, R. C.

BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I move that the following bills be lifted from the tabled calendar and placed on the active calendar:

- SB 598;
- SB 1389;
- SB 1390; and
- SB 1412.

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

**HOUSE BILLS
INTRODUCED AND REFERRED**

No. 2646 By Representatives COLAFELLA, MAYERNIK, TRELLO, LESCOVITZ, JOHNSON, HALUSKA, KUKOVICH, BALDWIN, DISTLER, CIVERA and PRESTON

An Act providing dental care plan participants the right to select the dentist of their choice; granting any licensed dentist the right to participate as a contracting dentist in any dental care plan; providing for methods of payment for dental services; prohibiting discrimination in payment to noncontracting dentists; and providing for dissemination of freedom of choice information.

Referred to Committee on CONSUMER AFFAIRS, June 23, 1986.

No. 2647 By Representatives ITKIN, RYBAK, NAHILL, KUKOVICH, CARLSON, VAN HORNE, JOHNSON, PRESSMANN, BELARDI, MICHLOVIC, STABACK, HALUSKA, PETRONE, VEON, TIGUE, PISTELLA, LUCYK, TRELLO, MERRY, PETRARCA and PRESTON

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," authorizing the licensing of lending institutions, public utilities, bank holding companies and savings and loan holding companies to sell credit unemployment insurance.

Referred to Committee on INSURANCE, June 23, 1986.

No. 2648 By Representatives FREEMAN, IRVIS, BRANDT, MORRIS, J. L. WRIGHT, ACOSTA, RYBAK, YANDRISEVITS, DAWIDA, PRESSMANN, KOSINSKI, FISCHER, KUKOVICH, GRUPPO, McHALE, JOHNSON, COY, TRELLO, NAHILL, WAMBACH, COHEN, BELARDI and COWELL

An Act establishing the Pennsylvania Heritage Affairs Commission and prescribing its powers and duties; establishing the Cultural Heritage Board and prescribing its powers and duties; imposing duties on local political subdivisions of this Commonwealth; authorizing the creation of local cultural heritage authorities; providing for cultural heritage project areas; and making an appropriation.

Referred to Committee on STATE GOVERNMENT, June 23, 1986.

No. 2649 By Representatives BELFANTI, TRELLO, ITKIN, E. Z. TAYLOR, J. L. WRIGHT, CALTAGIRONE, JOHNSON, STABACK, AFFLERBACH, MICHLOVIC, SEMMEL, WILSON, TRUMAN, NAHILL, HALUSKA, COY, WOGAN, TIGUE, PRESSMANN, GRUPPO, KUKOVICH, FOX, PETRARCA, MAIALE, J. TAYLOR, VAN HORNE, DeLUCA, MAYERNIK, PETRONE and BOWLEY

An Act amending the act of June 13, 1967 (P. L. 31, No. 21), known as the "Public Welfare Code," providing for services of a hospital-based lifeline program to persons eligible for medical assistance.

Referred to Committee on FINANCE, June 23, 1986.

No. 2650 By Representatives BELFANTI, TRELLO, JOHNSON, SHOWERS, D. W. SNYDER, TRUMAN, HALUSKA, VAN HORNE, F. TAYLOR, SWEET, STABACK, PRESTON, DISTLER, TIGUE, LASHINGER, VEON, MORRIS and FATTAH

An Act amending the act of August 9, 1955 (P. L. 323, No. 130), known as "The County Code," further providing for county commissioners to make contracts.

Referred to Committee on FINANCE, June 23, 1986.

No. 2651 By Representatives LIVENGOOD, FRYER, FOSTER, BROUJOS, BORTNER, RUDY, RAYMOND, VEON, TELEK, DUFFY, BALDWIN, BARLEY, DeLUCA, DISTLER, KENNEDY, MACKOWSKI, GAMBLE and NAHILL

An Act amending the act of May 22, 1933 (P. L. 853, No. 155), known as "The General County Assessment Law," providing for an adjustment in the rate of a dedicated tax for particular purposes in certain cases.

Referred to Committee on LOCAL GOVERNMENT, June 23, 1986.

No. 2652 By Representatives MAYERNIK, MARKOSEK, McCALL, TRELLO and SEVENTY

An Act amending the act of August 21, 1953 (P. L. 1273, No. 361), known as "The Private Detective Act of 1953," exempting certain telephone, telegraph or other telecommunications companies and their employees.

Referred to Committee on JUDICIARY, June 23, 1986.

No. 2653 By Representative MAYERNIK

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the inspection of new vehicles.

Referred to Committee on TRANSPORTATION, June 23, 1986.

No. 2654 By Representative MAYERNIK

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, requiring red and amber visual signals on the sides of school buses.

Referred to Committee on TRANSPORTATION, June 23, 1986.

No. 2656 By Representatives BELFANTI, VEON, PHILLIPS, AFFLERBACH, STEVENS, KUKOVICH, BLAUM, RICHARDSON, PUNT, COY, LAUGHLIN, RUDY, COLAFELLA, GRUITZA, COLE, SHOWERS, D. R. WRIGHT, TIGUE, CAWLEY, STEIGHNER, STUBAN and DORR

An Act amending the act of May 22, 1951 (P. L. 317, No. 69), known as "The Professional Nursing Law," prohibiting the Board from making changes in entry-level nursing education or licensure requirements.

Referred to Committee on PROFESSIONAL LICENSURE, June 23, 1986.

SENATE BILLS FOR CONCURRENCE

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

SB 1163, PN 1467

Referred to Committee on MILITARY AND VETERANS AFFAIRS, June 23, 1986.

SB 1447, PN 2245

Referred to Committee on APPROPRIATIONS, June 23, 1986.

SB 1465, PN 2235

Referred to Committee on APPROPRIATIONS, June 23, 1986.

SB 1466, PN 2236

Referred to Committee on APPROPRIATIONS, June 23, 1986.

SB 1470, PN 2209

Referred to Committee on CONSUMER AFFAIRS, June 23, 1986.

SB 1556, PN 2211

Referred to Committee on APPROPRIATIONS, June 23, 1986.

WELCOMES

The SPEAKER. Joe Markosek has in the gallery the Siriani family from Monroeville, Pennsylvania. Welcome to the hall of the House. We are delighted to have you.

Mike Veon has to the left of the Speaker George and Julia Wiltrout of Beaver Falls. Welcome to the hall of the House. We are delighted to have you.

CALENDAR**BILLS ON SECOND CONSIDERATION**

The House proceeded to second consideration of **SB 1397, PN 2192**, entitled:

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), entitled "Tax Reform Code of 1971," providing for the exclusion of construction of hydroelectric generating facilities from the tax on utilities.

On the question,

Will the House agree to the bill on second consideration?

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I move that SB 1397 be recommended for a fiscal note to the Committee on Appropriations.

On the question,

Will the House agree to the motion?

Motion was agreed to.

* * *

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

SB 1124, PN 2240.**BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **SB 936, PN 1889**, entitled:

An Act amending the act of May 17, 1921 (P. L. 682, No. 284), entitled "The Insurance Company Law of 1921," authorizing stock insurers to establish more than one class or series of shares and to permit different voting rights according to the class of shares; and requiring alcohol abuse and dependency coverage.

On the question,

Will the House agree to the bill on third consideration?

The SPEAKER. For those of you who are interested in amending SB 936, we are going to take the amendments that we have listed, and when we finish with those amendments, we will pass the bill over and the bill will be available for further amendments tomorrow. So do not fret about it if your amendments have not yet come down.

On the question recurring,

Will the House agree to the bill on third consideration?

Mr. MICHLOVIC offered the following amendments No. A3316:

Amend Title, page 1, line 14, by inserting after "shares;" requiring coverage benefits for the treatment of mental disorders;

Amend Bill, page 8, by inserting between lines 20 and 21 Section 4. The act is amended by adding an article to read:

ARTICLE VI-B.**BENEFITS FOR THE TREATMENT OF MENTAL DISORDERS**

Section 601-B. Definitions.—As used in this article the following words and phrases shall have the meanings given to them in this section:

"Inpatient services." The provision of medically or psychologically necessary therapeutic services twenty-four hours a day in a treatment facility according to individualized treatment plans by or under the direct supervision of a licensed physician or licensed psychologist.

"Mental disorder." A syndrome of clinically significant behavioral, biological or psychological abnormalities that result in painful symptoms (distress) or impairment, or both, in one or more areas of functioning (disability). In the resulting disability, there is a clinically significant behavioral, biological or psychological dysfunction which is not primarily in the relationship between the individual and society. Mental disorders included under this definition are:

(1) Acute, chronic or recurrent disorders. Those disorders exclusively identified as organic mental disorders, schizophrenic disorders, paranoid disorders, other psychotic disorders, affective disorders (bipolar disorders and recurrent major depression), as described in the current edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association.

(2) Other mental, emotional and behavioral disorders. Those disorders described in the current edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association, which are not included within the definitions of acute, chronic or recurrent mental disorders or conditions not attributed to mental, emotional or behavioral disorders. Current and long-term dysfunction that causes either significant impairment in social or occupational function or significant emotional distress.

(3) Conditions not attributable to mental, emotional or behavioral disorders. Those conditions described in the V codes

of the current edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association.

"Outpatient services." A nonresidential treatment modality which is provided on an ambulatory basis to patients with mental disorders and includes psychiatric, psychological or social services carried out by or under the direct supervision of a licensed physician or licensed psychologist, according to an individualized treatment plan.

"Partial hospitalization services." The provision of medically or psychologically necessary therapeutic services to patients according to an individualized treatment plan performed by or under the direct supervision of a licensed physician or licensed psychologist. It is designed for patients with moderate to severe mental disorders. Partial hospitalization patients require less than twenty-four hours care, but more intensive and comprehensive services than are offered in outpatient care. Partial hospitalization is provided on a planned and regularly scheduled basis for a minimum of three hours but less than twenty-four hours in any one day.

"Treatment facility." A facility licensed by the Department of Health or the Department of Public Welfare.

Section 602-B. Policy Coverages and Options.—(a) All group health or sickness or accident insurance policies providing hospital or medical or surgical coverage and all group subscriber contracts or certificates issued by any entity subject to this act, to 40 Pa.C.S. Ch. 61 (relating to hospital plan corporations) or Ch. 63 (relating to professional health services plan corporations), the act of December 29, 1972 (P.L.1701, No.364), known as the "Health Maintenance Organization Act," or the act of July 29, 1977 (P.L.105, No.38), known as the "Fraternal Benefit Society Code," providing hospital or medical/surgical coverage, shall in addition to other provisions required by this act include within the coverage those benefits for the treatment of mental, emotional and behavioral disorders provided in sections 603-B, 604-B and 605-B.

(b) The benefits specified in subsection (a) may be provided through a combination of such policies, contracts or certificates.

(c) The benefits specified in subsection (a) may be provided through prospective payment plans.

(d) The provisions of subsection (a) shall not apply to Medicare or Medicaid supplemental contracts or limited coverage accident and sickness policies, such as, but not limited to, cancer insurance, polio insurance, dental care and similar policies as may be identified as exempt from this section by the Insurance Commissioner.

Section 603-B. Benefits for Acute, Chronic or Recurrent Mental Disorders.—Inpatient, partial hospitalization and outpatient treatment of acute, chronic or recurrent mental disorders shall be covered by benefits no less favorable than those provided for physical illness until twenty per centum (20%) of the major medical benefit provided by the insurer or health plan carrier or one hundred thousand dollars (\$100,000) has been utilized, whichever is lower.

Section 604-B. Benefits for Other Mental, Emotional and Behavioral Disorders.—Inpatient, partial hospitalization and outpatient treatment of other mental, emotional and behavioral disorders shall be covered by benefits no less favorable than those provided for physical illness until ten per centum (10%) of the major medical benefit provided by the insurer or health plan carrier or fifty thousand dollars (\$50,000) has been utilized, whichever is lower.

Section 605-B. Benefits for Conditions not Attributable to a Mental, Emotional or Behavioral Disorder.—Inpatient, partial hospitalization and outpatient treatment for conditions not attributable to a mental, emotional or behavioral disorder may be subject to reasonable deductible or copayment plans, or both, after approved by the Insurance Commissioner.

Section 606-B. Limitation of Benefits.—(a) Covered benefits for the treatment of mental disorders in insurance policies subject to this act shall be limited to those services certified as medically or psychologically necessary by a licensed physician or licensed psychologist.

(b) Covered benefits, as set forth in this act, shall be subject to professional utilization and peer review procedures.

(c) All treatment occurring after the first five days on which such services are delivered in any calendar year shall be covered by an individualized treatment plan which is subject to perspective and concurrent utilization and peer review. A treatment plan shall contain an organized set of services to be provided to an individual patient based on that patient's needs and selected as appropriate for that patient. The treatment plan shall be designed to provide a balanced set of services which emphasize, as appropriate, progressively less intensive or restrictive treatment.

(d) In no instance shall the covered benefits cumulatively exceed the maximum established in section 603-B.

(e) The criteria for renewability of lifetime maximum benefits shall be the same as those for benefits for physical illness.

Section 607-B. Eligibility to Receive Reimbursement.— Those eligible to receive reimbursement for services provided during the treatment of the conditions defined above include:

(a) Treatment facilities licensed by the Department of Health or the Department of Public Welfare.

(b) Individuals who are:

(1) Licensed physicians or licensed psychologists.

(2) Other currently licensed health care professionals with training and experience in the provision of treatment of mental disorders.

Section 608-B. Rules and Regulations.—The Insurance Commissioner, in consultation with the Secretary of Health and the Commissioner of Professional and Occupational Affairs shall jointly promulgate those rules and regulations as are deemed necessary for the effective implementation and operation of this article.

Section 609-B. Preservation of Certain Benefits.—(a) No policy, contract or benefit plan of health insurance shall reduce or eliminate the amount, duration or level of health care insurance issued or in effect on January 1, 1986, unless any such reduction or other change is equally applicable to all conditions covered under the policy.

(b) Nothing in this act shall prevent the offering or acceptance of benefits which exceed the minimum benefits required in this act.

Amend Sec. 4, page 8, line 21, by striking out "4" and inserting

5

Amend Sec. 5, page 8, line 24, by striking out "5." and inserting

6. (a)

Amend Sec. 5, page 8, by inserting between lines 26 and 27

(b) The requirements imposed by Article VI-B of the act shall not be applicable to coverage provided by any plan or insurer for employees, pursuant to a policy or contract or under a collective bargaining agreement entered into prior to January 1, 1987, but shall apply only to plans or insurance policies entered into, amended or renewed on or after that date or after the expiration of any applicable collective bargaining agreement entered into prior to that date, whichever occurs later.

Amend Sec. 6, page 8, line 27, by striking out "6" and inserting

7

Amend Bill, page 8, by inserting between lines 27 and 28

Section 8. If any provision of this act or the application thereof to any person or circumstances is held invalid, that invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end, the provisions of this act are severable.

Amend Sec. 7, page 8, line 28, by striking out "7" and inserting

9

On the question,

Will the House agree to the amendments?

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Allegheny, Mr. Michlovic.

Mr. MICHLOVIC. Thank you, Mr. Speaker.

Mr. Speaker, amendment A3316 would add mental health benefits as a mandate in Pennsylvania for all health insurance policies. According to the National Institute for Mental Health, mental illness now costs this country about \$40.3 billion each year. Mental illness costs American industry over \$10 billion annually due to reduced productivity, higher on-the-job accident rates, and increased absenteeism. Mental illness accounts for more absenteeism from work than any other illness except the common cold. Hospitalization for mental disorders takes up 25 percent of all hospital days, 40 percent of them in general hospitals without a psychiatric unit, and it costs \$6 billion. In 1986, 15 to 20 percent of all Pennsylvanians will need mental health services in that year. Eighty to ninety percent of all industrial accidents are related to personal problems. Mr. Speaker, it is obvious that this amendment is badly needed, from those kinds of statistics.

There are those who will contend that mental illness coverage would be too costly, but that cost is just one element of the equation. We also have to consider here the issue of discrimination.

I have talked to people who have suffered from mental illness when the malady was a chemical disorder in their brain. A woman whom I had the pleasure of meeting with spent 4 years of her life going from one doctor to another doctor, from one institution to another institution. Several times she contemplated committing suicide. In the end she found and was diagnosed to have a chemical disorder in her brain. If that chemical disorder in her brain happened to cause the loss of the use of her arm or caused her to go blind in one eye, she would have been completely covered in her hospitalization coverage. As it was, she not only had to suffer from the disorder and the terrible emotional strain that that brought on; she also had to pay the costs and worry about the financial coverages of that disorder.

There are those who will argue that mandating mental illness into insurance coverages will bring on excessive utilization. Out of 10 million persons using outpatient services, over one-third use only a single visit; one-half use only two visits. Yet these small number of visits have extraordinary benefits.

A Rand Corporation study indicated that mental health coinsurance levels were roughly the same as that for other insurance levels. It was not excessive.

This, in reality, is a cost-containment measure. Blue Cross of Western Pennsylvania assessed the impact of mental health outpatient treatment on medical-surgical costs. These are the costs related to surgery - minor or major. The monthly cost per patient for medical services declined by 57 percent, from \$16.47 to \$7.06. The overall cost of the insurance with the

mental health treatment and coverage factored in was reduced by 31 percent.

A 1983 Blue Cross/Blue Shield study of those covered by Federal Employees Health Benefit Plan followed a group of patients who began outpatient psychotherapy following a diagnosis of chronic medical disease. This is medical disease. This group, which had psychotherapy, had 56 percent fewer medical services during the third year after the diagnosis than the group with the same disease who received no psychotherapy. This is cost containment. This means less inpatient medical services, and those inpatient services are very expensive.

Blue Cross of Western Pennsylvania reported that when psychotherapy benefits were added, savings from reduced medical-surgical care amounted to 130 percent of the cost of the psychiatric care provided.

According to data supplied by Blue Cross of Ohio, inpatient utilization decreased—and this was a reduction in the cost for both mental health coverage and alcoholism coverage—inpatient utilization decreased by an average of 25 percent. The avoidance of one claim is sufficient to pay for 49 outpatient claims. The average payment for outpatient services was \$67 in the Ohio experience; the average inpatient episode was \$3,295 for the inpatient experience.

This is health care cost containment, and it is also something that is long past our doing. We have been discriminating against patients with mental illness problems ever since we put our first health care mandates into existence. I ask you, why should we cover someone with a malady for a physical ailment - a loss of one eye, as an example - when we have no coverage if that person absolutely loses their ability to function, and that is what this kind of coverage does. We are asking that they get early treatment; they get treatment in an outpatient setting, in a setting where they can be with their families and remain in a stable environment. It is extremely important that we pass this legislation.

Let me for a minute digress from that and go into basically what the bill does. Essentially, it sets up three different categories of mental disorders, and these categories are determined by the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association. This is basically the same set of standards that is used by the Department of Health and the Department of Welfare in the regulation of the mental institutions in the Commonwealth. The acute and chronic and recurrent mental disorders would be the same as those for physical disorders until a cap of \$100,000 is reached or 20 percent of the major medical benefit is reached. This applies to the number of inpatient days, utilization of alternative levels of care, coinsurance, deductibles, limitations on visits, and limitations on charges.

The second category in section 4 is benefits for other mental and emotional and behavioral disorders. Those disorders are oftentimes what we commonly know as schizophrenia and other kinds of debilitating types of mental illnesses, where a person can function but cannot entirely function to the satisfaction of everyday life.

The third category is a "may" provision, and it provides the same benefits to those with physical illnesses until 10 percent or \$50,000 of the major medical benefit has been reached, and it permits the Insurance Commissioner to establish and/or prove reasonable limitations on services. All of these services provided in the amendment would be covered by the Department of Health or the current standards under the Department of Welfare.

Mr. Speaker, I believe the House voted on legislation very similar to this last year and it approved it, and I believe today that it is imperative that we stick by our guns on that effort and reaffirm our belief that mental illness should be covered the same as physical illness is covered.

Two or three weeks ago in SB 935 we passed mandatory treatment of alcoholism. I think that was definitely a step in the right direction. That, too, was an attempt to really get into the diagnosis and the treatment of people's illnesses as they are and not hide them under some guise or some name like cirrhosis of the liver. I believe that this is much needed legislation, and I ask support of the amendment to SB 936. Thank you, Mr. Speaker.

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

Mr. VROON. Mr. Speaker, I am not going to speak on the amendment. I was just asking for a copy of the amendment, and since then, I got it.

The SPEAKER. The Chair thanks the gentleman.

On the amendment, the Chair recognizes the gentleman from Mifflin, Mr. DeVerter.

Mr. DeVERTER. Thank you, Mr. Speaker.

Mr. Speaker, short of probably most of us here in the House needing this kind of coverage, I have serious reservations as to whether or not we ought to be pursuing this.

As Mr. Michlovic has pointed out, we just recently passed SB 935, which included the mandating of alcohol coverage in all group policies in the Commonwealth, and none of us are quite sure to what extent or what the costs will be relative to this kind of coverage. You know, we have spent a great deal of time, both sides of the aisle in recent months, trying to set a tone, an environment, if you will, for economic development in this State. It is not that I am so much opposed to this type of legislation as I am concerned about what is going to occur when employers find out the costs that probably will be entailed. I do not have recent figures, but I recall when this legislation was initially being considered as a bill that the approximate cost for just State employees was somewhere in the \$4-million range. Now, if that be the case and we begin to place that coverage on all group contracts across the Commonwealth, I can just see what employers are going to be saying to us. You know, why did you do this?

Now, the gentleman uses the reasoning that we will save many, many dollars by providing this service as opposed to lost time or other types of hospitalization. The problem that I have with that is, although there may be many of us in this Commonwealth who need some form of health care in the way of whatever mental illness we may be unfortunate enough

to be afflicted with, I think those are in the minority, and granted that coverages in areas like this are intended to be pooled so that no one handles an inordinate amount of the premium, we are in effect forcing people to buy a coverage that they may not want or do not need.

I just think it is the wrong approach, and I would ask the members to vote in the negative on this amendment. Thank you, Mr. Speaker.

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

Mr. RYAN. Mr. Speaker, would the gentleman consent to a brief period of interrogation?

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

Mr. RYAN. Mr. Speaker, I am disturbed by the same things, apparently, that disturb Mr. DeVerter, and I wonder if you could answer a few questions for me.

A small business that has a group policy, would they be affected by this?

Mr. MICHLOVIC. Yes; they would.

Mr. RYAN. A union providing medical benefits to their members, would they be affected by this?

Mr. MICHLOVIC. Yes; they would.

Mr. RYAN. A State such as our State, a governmental agency? A governmental agency, be it the State, county, or local government that provides medical coverage for their employees, would they be affected by this?

Mr. MICHLOVIC. Yes; they would, with the condition— This legislation would go into effect January 1 of 1987. If there is a collective-bargaining agreement that would be current on January 1, 1987, it would go to the end of that collective-bargaining agreement and then it would come into effect at the end of that agreement. But it would affect municipalities the same way.

Mr. RYAN. An individual subscriber to Blue Cross or Blue Shield, when the Blue Cross and Blue Shield organizations open up for applications, individuals can buy a policy. Would that policy necessarily cover this?

Mr. MICHLOVIC. Not necessarily. This generally applies to group policies. It does not mandate that all individual policies have these provisions in them.

Mr. RYAN. So an individual constituent of ours who is insured by Blue Cross and Blue Shield or one of the other carriers, could they get this if they were willing to pay for it?

Mr. MICHLOVIC. Yes; they could. It is my belief that not too long after it is placed into all group policies they would get it automatically, because I believe that the insurance companies would find that it is cheaper to provide this insurance coverage.

Mr. RYAN. Now, I think what you have said is you believe the insurance companies would find it cheaper to make it available, but my question was, could a carrier— Mr. Speaker, may I have some order?

The SPEAKER. Try it now, Mr. Ryan.

Mr. RYAN. My question is, some companies today are offering this type coverage; I realize that. There are other companies who do not offer this. Do you agree?

Mr. MICHLOVIC. Yes; I do.

Mr. RYAN. Now, as a result of this legislation, assuming it becomes law, would those companies who are presently not offering this coverage, would they be required to offer it to constituent A, an individual purchaser of insurance coverage?

Mr. MICHLOVIC. No; they would not be required to provide it for individual policies but for all group policies.

Mr. RYAN. All right. But if my small organization presently buys their insurance coverage from a company who now does not offer this type coverage, they would be required to offer it to me as a result of this legislation?

Mr. MICHLOVIC. Yes; they would.

Mr. RYAN. All right. Now, do you have any figures at all as to the cost of this coverage if mandated?

Mr. MICHLOVIC. There are a variety of figures floating around the country. A 1973 study by Blue Cross of Western Pennsylvania showed that the cost for alcoholism, drug abuse, and mental illness would cost about a total of \$24 per year. But that did not factor in the reduction in inpatient utilization, and it could be that that reduction would be more than \$24 so that this coverage would pay for itself.

Mr. RYAN. Mr. Speaker, if the figures you cite are 1973 figures, would you agree that since 1973 there has been a tremendous increase in the cost of hospital care? I mean, the 1973 figures would not be good figures today, would they?

Mr. MICHLOVIC. I think that, you know, you can make that point, but I believe the overall response to that is if there was an overall savings because of a reduction in the inpatient treatment, there would be even a broader savings. Statistics show that the inpatient treatment costs 49 to 50 times that of 1 outpatient treatment. And in a lot of these cases the patient could be treated two or three visits initially. The problem with our system as it is now is that we wait until that person is dysfunctional and we then put them into an inpatient setting, and it is a very costly way to go.

There are more current statistics from a variety of sources throughout the country. The National Mental Health Institute has volumes of studies that were done and currently done, but the insurance companies never really wanted to take notice of that.

Mr. RYAN. Mr. Speaker, the gentleman seems to be suggesting that by forcing this into the contracts we are going to force the carriers to make money, because it is far cheaper to provide this service than the service that is presently being offered. I am wondering if there is any way you can substantiate a statement that these carriers are missing a golden opportunity to make money, because if they do what you want to do, they are going to save money.

Mr. MICHLOVIC. I am glad you asked that.

Mr. RYAN. Well, I am too.

Mr. MICHLOVIC. Okay.

Equitable Life Assurance Society found that for every \$1 of treatment cost incurred by their emotional health program, there was a \$3 return in increased productivity. The Kennecott Copper Corporation of Utah estimated a 6-to-1 benefit-to-cost ratio per year for its insight psychotherapy program. The

program produced a 52-percent attendance improvement, a 74-percent decrease in weekly indemnity costs, a 55.4-percent decrease in med/surg costs. The Kelsey-Hayes Center for Counseling and Guidance recovered an average of 316 work hours per employee after instituting its program. Kimberly-Clark's employee assistance program showed a 70-percent reduction in on-the-job accidents.

According to the Washington Business Group on Health, a volunteer association of 200 national businesses representing 55 million workers, quote, "Insured mental health benefits prove a very effective cost-containment tool since they seem to cause reduced utilization of hospital and medical utilization which are more expensive."

Mr. RYAN. The gentleman is citing these examples, and my question to you now is, if this is the case, why are people not doing this on their own? Why do we have to mandate it?

Mr. MICHLOVIC. I believe that there is just a philosophical barrier there. The people who are in the chambers of commerce and, many times, heading up our businesses have been told so many times that this is very costly, that the providers of these kinds of benefits are not professionals, and there is no peer review; there is no control over the system. I think it is a philosophical problem. They just do not want to accept the volumes and volumes of data that is coming in, Mr. Speaker.

Mr. RYAN. Might I ask you one other question?

Mr. MICHLOVIC. Yes, sir.

Mr. RYAN. The argument you make that, like it or not, by making this a law these companies are going to make money, would that not be true only as to those policies that have coverage for inpatient psychiatric care, if in fact it is true at all? Not all policies cover inpatient psychiatric care. Is that not so?

Mr. MICHLOVIC. That is true. You are right.

Mr. RYAN. So the statistics and the articles that you are reading from, they apply only to people or organizations with coverage for inpatient psychiatric care. Would that not be true?

Mr. MICHLOVIC. Not entirely, Mr. Speaker. There is also a benefit to those companies from a reduction in absenteeism whether or not they have inpatient care. There is also a benefit to those companies from a reduction in vandalism within the corporation. Those kinds of things are estimated anywhere between \$10 billion and \$40 billion in this country.

Mr. RYAN. Now, finally, I think we have agreed that there will be an additional cost to the organization that provides coverage. Is that not so?

Mr. MICHLOVIC. Initially there will be, Mr. Speaker, but the experience in other States shows that it is far less than even the regulators were predisposed to believe. In Wisconsin, for example, the insurance commissioner allowed an \$8-million rate increase for insurance policies when this kind of insurance was mandated. As it turned out, a couple of years later he had to rebate \$7 million of that \$8 million because the policy was much less costly than they had originally expected.

Mr. RYAN. My question: Is there a fiscal note available indicating what it will cost the Commonwealth of Pennsylvania and its various municipal governments if this bill is enacted?

Mr. MICHLOVIC. We do not have a fiscal note on that, because it also affects the inpatient coverage, too. I think there will be a reduction there, and it is my contention that there will actually be a reduction in costs to the State.

Mr. RYAN. All right. So we have no fiscal note, despite the fact that our rules provide for one.

Secondly, what happens to self-insurers?

Mr. MICHLOVIC. They are excluded from the legislation.

Mr. RYAN. Despite the fact that they are self-insurers of large groups, perhaps an employees union?

Mr. MICHLOVIC. Despite that fact, they are excluded.

Mr. RYAN. So we are not going to force them to save money.

Mr. MICHLOVIC. That is correct.

Mr. RYAN. I have no further questions of the gentleman, Mr. Speaker.

The SPEAKER. Does the gentleman wish to make a statement on the amendment?

Mr. RYAN. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. RYAN. Mr. Speaker, I do not know what is right or wrong here. I know we are violating the rules of our own House by going ahead with this amendment, and I am not raising that as an issue. There is no fiscal note.

I call to the attention of the members that this is a worthwhile goal, I suppose—not I suppose; I am sure it is a worthwhile goal—however, the unanticipated costs of the business community in assuming this burden, the unanticipated costs to the labor unions and the labor organizations that insure their members is something that you best take into consideration. That is true also of all of your local governments that provide insurance coverage to their members, that this is a cost that probably has not been budgeted. And, of course, your small business people, your small organizations that provide Blue Cross/Blue Shield coverage or third-party coverage, this, too, is an unanticipated cost.

I do not question the sincerity of the gentleman for a minute. I question, however, the logic of the argument that this is going to save people money. If in fact it was going to save people money, I daresay that Blue Cross and Blue Shield, by way of example, would be considered negligent if they had not put it in on their own. I have to believe that this is very costly, the cost I do not know, but it is a cost that is going to be imposed on our labor unions, our small businesses, our local governments, and in fact, our State Government, and I think each of us should keep this in mind as we vote on this particular amendment.

The SPEAKER. On the amendment, the Chair recognizes the gentleman from York, Mr. Dorr.

Mr. DORR. Mr. Speaker, would the gentleman answer one question for me, please?

The SPEAKER. Mr. Michlovic indicates he will stand for further interrogation. You may proceed, Mr. Dorr.

Mr. DORR. Mr. Speaker, can you tell us whether the plans covered by ERISA (Employee Retirement Income Security Act) would be mandated by this bill to contain mental health coverage?

Mr. MICHLOVIC. No. They are the same as the self-insured companies. They are not covered under this.

Mr. DORR. Thank you.

Mr. Speaker, that is all my questions. I would like to make a comment.

The SPEAKER. The gentleman may comment on the amendment.

Mr. DORR. Mr. Speaker, because of the gentleman's comments concerning the cost savings of this type of coverage, I would just like to quote a couple of statements made by some people who have studied the matter in depth.

The first is a gentleman who did a study for the Virginia Bureau of Insurance, Dr. John Larson, in "Mandated Health Insurance Coverage — A Study of Review Mechanisms," done for, as I indicated, the Virginia Bureau of Insurance. He said, and I quote:

A frequent argument for modifying coverage is to pay more out-of-hospital care, e.g., outpatient surgery and home health services, thus reducing costs. Regrettably, experience has shown the latter not to be true. Expanded coverage has resulted in much greater consumption of the newly covered service and rapid expansion in capacity of these services without corresponding reduction in hospital usage. Total costs go up!

Furthermore, Mr. Speaker, the National Association of Insurance Commissioners has observed as follows, quote:

Mandated health benefit plan legislation may add to the cost of insurance coverage, thereby adding to affordability problems for many. Such legislation often frustrates health care cost containment and deprives consumers of deciding which coverages are most appropriate and affordable to them. Too, the added costs of administration resulting from the need to prepare and file multiple policy forms conforming to diverse requirements of the various states add to the economic arguments for applying careful analyses before proposing and enacting mandated health benefit plan legislation.

Mr. Speaker, the main comment I wish to make in regard to the legislation has to do with its discrimination against small business. As the gentleman indicated in answer to my inquiry, the ERISA-covered plans will not be mandated to carry mental health coverage under this legislation. Those are plans which are self-insured. Self-insured plans, generally speaking, are carried by big business. Mr. Speaker, the businesses in your community and mine which have fewer than, say, 200 employees find it very difficult to enter into self-insured plans. They simply do not have the capital behind them in order to do that.

Therefore, Mr. Speaker, if we pass this legislation, we are in effect discriminating against small business in Pennsylvania by mandating that those small businesses which do carry health insurance coverage for their employees must carry this kind of coverage. The decision for the small businessman, therefore, sometimes will become, am I going to carry health coverage at all? And there will be many small business employers, Mr. Speaker, who must, as an economic matter,

divest themselves from covering their employees for the much more general types of health insurance that they all require because of the mandated coverages that we continually place upon those policies.

Mr. Speaker, I urge my colleagues to consider these points when voting on this legislation.

The SPEAKER. The Chair recognizes the gentleman from Cumberland, Mr. Mowery.

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

I think the former speakers - Representatives Ryan, DeVerter, and most recently here, Don Dorr - have really said it all as far as the concerns regarding the cost of this particular type of program. I think everybody has very strong feelings about the need for mental health care and coverage; however, the cost is a cost that in the Insurance Committee, when this was brought up some time ago on a couple of different occasions, AFSCME (American Federation of State, County, and Municipal Employees), for one, was very strongly against it because of the additional cost it would be to their members - not so much where you would have a negotiated plan, as far as cost is concerned, but the fact that if this goes in and the cost goes up, other benefits may have to be taken away.

I feel that one of the areas that we should take into consideration at this point is that we did put in, most recently, the alcoholic treatment. I think that is a step in the right direction, and I would strongly suggest that we vote against this amendment.

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Allegheny, Mr. Cowell.

Mr. COWELL. Mr. Speaker, I rise to speak in favor of the amendment.

The previous speaker noted correctly that very recently we passed legislation and the Governor signed into law legislation which extends treatment to problems of alcoholism. He labeled that a step in the right direction, and he is correct. We took an important step in the right direction. The Michlovic amendment represents another step in that same direction, the right direction. It would be a further enhancement of the benefits that ought to be available to all Pennsylvanians.

There has been a good deal of discussion about discrimination. The real issue is that under current law we allow discrimination against those who have mental health problems. I think that the Michlovic amendment ultimately will prove to be cost effective for employees as well as employers of all sizes. There is not clear data from around the country because this is a relatively new concept in some quarters, but it seems clear among those who have examined the issue carefully that ultimately it can be a money saver. It can help people stay on the job or get back on the job quickly. It can, in fact, help the employer ultimately reduce costs because of lost employment and because of lost time among its employees.

I would urge that we take another step in this series of steps in the right direction. We took one important one with the extension of benefits to problems of alcoholism. We can take an equally important and equally fair step in that same right direction by passing the Michlovic amendment and guaran-

teeing that those with mental disorders will be covered by health benefits in the Commonwealth of Pennsylvania.

The SPEAKER. On the amendment, for the second time, the Chair recognizes the gentleman from Allegheny, Mr. Michlovic.

Mr. MICHLOVIC. Thank you, Mr. Speaker.

Mr. Speaker, there have been a lot of statistics and numbers floating around here, and I have been the purveyor of many of them, but I think perhaps the most important bit of information is that in 1986, 15 to 20 percent of all Pennsylvanians will need mental health services this year. This amendment will determine whether those services are covered for those people, just as they are for physical kinds of ailments. Without it, we are definitely discriminating against those people who have those kinds of mental disorders, those kinds of disorders, and I ask your support of the amendment. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—114

Acosta	Dombrowski	Levdansky	Saurman
Afflerbach	Donatucci	Livengood	Serafini
Arty	Duffy	Lloyd	Seventy
Barber	Durham	McClatchy	Showers
Battisto	Evans	McHale	Staback
Belardi	Fattah	McVerry	Stairs
Belfanti	Fee	Manderino	Steighner
Blaum	Fischer	Markosek	Stevens
Book	Fox	Mayernik	Stewart
Bortner	Freeman	Michlovic	Stuban
Broujos	Gamble	Miller	Sweet
Bunt	Gannon	Morris	Taylor, F.
Burns	George	Mrkonjic	Taylor, J.
Caltagirone	Greenwood	Murphy	Telek
Cappabianca	Gruitza	Nahill	Tigue
Carn	Hagarty	O'Donnell	Trello
Cawley	Haluska	Olasz	Truman
Clark	Harper	Oliver	Van Horne
Cohen	Hutchinson	Perzel	Veon
Colafella	Jarolin	Petrarca	Wambach
Cole	Johnson	Petrone	Wass
Cordisco	Josephs	Pievsky	Weston
Cornell	Kasunic	Pistella	Wiggins
Cowell	Kenney	Pott	Wilson
Deluca	Kosinski	Pressmann	Wogan
DeWeese	Kukovich	Preston	Wright, J. L.
Daley	Lashinger	Rieger	
Dawida	Laughlin	Roebuck	Irvis,
Deal	Lescovitz	Saloom	Speaker

NAYS—78

Angstadt	DeVerter	Jackson	Reinard
Argall	Davies	Kennedy	Robbins
Baldwin	Dietz	Langtry	Rudy
Barley	Dininni	Letterman	Ryan
Birmelin	Distler	Linton	Rybak
Black	Dorr	McCall	Scheetz
Bowley	Fargo	Mackowski	Schuler
Bowser	Flick	Manmiller	Semmel
Boyes	Foster	Merry	Sirianni
Brandt	Freind	Micozzie	Smith, B.
Burd	Fryer	Moehlmann	Smith, L. E.
Bush	Gallen	Mowery	Snyder, D. W.
Carlson	Geist	Noye	Snyder, G.
Cessar	Godshall	Phillips	Swift
Chadwick	Gruppo	Piccola	Taylor, E. Z.

Cimini	Hasay	Pitts	Vroon
Civera	Hayes	Punt	Wozniak
Clymer	Herman	Raymond	Wright, D. R.
Coslett	Hershey	Reber	Yandrisevits
Coy	Honaman		

NOT VOTING—6

Gallagher	Lucyk	O'Brien	Richardson
Howlett	Maiale		

EXCUSED—3

Gladeck	Itkin	Wright, R. C.
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The question was determined in the affirmative, and the amendments were agreed to.

On the question,

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

Mr. LLOYD offered the following amendments No. A1801:

Amend Title, page 1, line 14, by striking out "AND" where it appears the first time

Amend Title, page 1, line 14, by removing the period after "COVERAGE" and inserting

; and adding a sunset provision.

Amend Bill, page 8, by inserting between lines 27 and 28

Section 7. The Insurance Department shall be subject to the act of December 22, 1981 (P.L.508, No.142), known as the Sunset Act, on the same basis as agencies specified in that act for reestablishment or termination by December 31, 1987.

Amend Sec. 7, page 8, line 28, by striking out "7" and inserting

8

On the question,

Will the House agree to the amendments?

The SPEAKER. On the question, the Chair recognizes the gentleman from Somerset, Mr. Lloyd.

Mr. LLOYD. Thank you, Mr. Speaker.

Mr. Speaker, this amendment would put the State Insurance Department under the Sunset Law. At the present time it is not under that law. We voted, shortly before Christmas, to subject the department to what for all intents and purposes amounted to the same kind of review as the sunset process. That amendment was subsequently withdrawn in order to not undo a possible compromise on the unisex issue. At this point, Mr. Speaker, I would urge that we put this amendment into the bill.

It seems to me that when we analyze the kinds of things that our constituents are complaining about, one of the things at least in my area that I hear about most is insurance. Unfortunately, most of us do not know a whole lot about the insurance regulatory and ratemaking process. In some States there have been all kinds of proposals made, some of which have led to threats by the insurance industry to leave the State. It seems to me what we ought to do is to proceed in an orderly and responsible fashion and to review the ratemaking process as well as review the other functions which the Insurance Department performs to determine if there are changes necessary and exactly what those changes ought to be. But also, we ought to look in a very careful way whether maybe the models

that some other States use as far as structuring their insurance regulatory agency ought to be brought over to Pennsylvania.

Mr. Speaker, I think that this approach would give us an opportunity to review all of the possibilities. It would assure that the legislature must address this issue, and I would urge that we put the Insurance Department under the sunset process by adopting this amendment.

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Mifflin, Mr. DeVerter.

Mr. DeVERTER. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose the amendment. The gentleman is asking the members to sunset a Cabinet-level department that we do not do with any other Cabinet-level department. I think with the Federal McCarron-Ferguson Act, which lets unto the States their ability to regulate the insurance industry, we ought not to have hanging out there the prospect that the Insurance Commission could in fact sunset. If that happens, the Federal statutes and regulations come into play. I do not think that we, as a Commonwealth, want to pursue that avenue, and I just ask the members for a negative vote. Thank you.

The SPEAKER. The Chair recognizes the minority leader.

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

The SPEAKER. Mr. Lloyd indicates he will so stand. You may proceed, Mr. Ryan.

Mr. RYAN. Thank you, Mr. Speaker.

Mr. Speaker, do you have a fiscal note for this and your next amendment?

Mr. LLOYD. Yes, Mr. Speaker. I do not— I requested a specific fiscal note on this amendment from the Appropriations Committee back on April 28, but what they have done is to suggest that I rely on the one which was prepared in December. The fiscal note at that time indicated that the cost of subjecting the Insurance Department to a legislative performance audit would be \$175,000.

Mr. RYAN. Thank you, Mr. Speaker.

Mr. Speaker, I oppose this and the next amendment.

The SPEAKER. For the second time on the amendment, the Chair recognizes the gentleman from Somerset, Mr. Lloyd.

Mr. LLOYD. Mr. Speaker, I think that the members need to be aware of a couple things that have been said which are not correct.

First, Mr. DeVerter said that there is no other State Cabinet agency which is subject to sunset. That is not correct. The Department of Aging is subject to sunset, and we all know what programs they administer, and if we can project that agency out into the future and look at sunset, I think we know that there is going to be some kind of an agency there, whether it is that one or this one.

Secondly, the Public Utility Commission is subject to sunset. They set rates, and that is really what this department does. It sets insurance rates.

In addition to that, we have a whole host of other agencies which are virtually Cabinet level in their importance, with

regard to the LCB (Liquor Control Board), with regard to the Turnpike Commission, and we have all of those under sunset review. So the argument that somehow this is totally different I think just simply does not hold water.

I think members have to ask themselves, are we going to do something about insurance rates or are we going to continue to allow things to go as they are? I do not think most of us have the simple answers as to what ought to be done. I do not think most of us understand the process very well. I think we ought to proceed in an orderly manner.

There are alternatives. The alternatives are to do what they have done in Florida, to do what they have done in West Virginia, and simply to mandate rate reductions. And then we get into a confrontation with the insurance industry as to whether or not we want to continue to have them do business in this State. I am not proposing we do that at all. I do not think anybody can seriously suggest that the possibility exists that there will not be some regulatory agency to set insurance rates. If anything, what we are going to see is a regulatory agency which has more teeth and which is going to be better able to protect the consumer.

It seems to me, Mr. Speaker, that all of the arguments made are simply an effort to continue the status quo, to continue to have slap-on-the-wrist kind of regulation, and I do not think that is proper. I do not think that is what our constituents want. If that is what your constituents want, then you vote "no." But if you believe as I do, that people want something to be done in the area of insurance premiums, then I would urge a "yes" vote.

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Franklin, Mr. Coy.

Mr. COY. Thank you, Mr. Speaker.

I rise to support the amendment by Mr. Lloyd, and I think before any member of the General Assembly votes on this matter, he or she ought to think about the calls about the sterling performance of the Insurance Department, especially during the Catastrophic Loss boondoggle that we experienced over the last 2 years - how you could not get calls answered by that department; how you could not get a genuine response in a timely manner to constituents; and how time after time, Mr. Speaker, we see the results of what Mr. Lloyd has so adequately described as ineffective representation with regard to the laws of the Commonwealth with regard to insurance. This department, which is supposed to be the watchdog of the public and of our constituents in this regard, has failed and failed miserably. And if there is any department that truly and truly needs to have another look taken at it in terms of a sunset process, it is the Insurance Department.

I think that the amendment sponsored by the gentleman, Mr. Lloyd, in this regard is totally adequate and is very necessary. I know there will be those who will say that this is another vote against small business; this is another vote against people in our State. Well, you talk to some small businessmen in your district about the rates they have had to pay for insurance and about the lack of help they have been able to get from the State Insurance Department and then you vote "no." But I will not. I urge an affirmative vote, Mr. Speaker.

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Cumberland, Mr. Mowery.

Mr. MOWERY. Thank you, Mr. Speaker.

I do not want to belabor the point, but the former speaker mentioned that the Insurance Department did a bad job on the Catastrophic Fund. I would like to remind the former speaker that the majority in this House obviously voted for the Catastrophic Fund. It was not something that was created by the Insurance Department.

I think before we get carried away with the electioneering on how bad the Insurance Department is in Pennsylvania and how much more regulation and setting of rates are needed, I would like to remind everyone that there is a fine balance between having companies willing to provide insurance coverage to your constituents and the fact that we overregulate them to the point that they withdraw from the State of Pennsylvania.

So I would hope that we take another look at what sounds like a very sexy thing to do - sunset the Insurance Department. I would suggest that we get on with some of the hearings that the Insurance Committee has had over the past 6 months and correct the real problems, and believe me, it is not the Insurance Department.

The SPEAKER. For the second time on the amendment, the Chair recognizes the gentleman from Franklin, Mr. Coy.

Mr. COY. Thank you, Mr. Speaker.

I wish to remind the members of the House, including the previous speaker, that it was not this General Assembly that entered into a consent agreement for the administration of the Catastrophic Loss Trust Fund. This General Assembly voted to establish the fund but did not vote and mandate the poor performance that the fund has been administered through. The fact is that no one, even those who will vote for this amendment, ever will dream of the day that there will not be any State Government agency that will look out for the needs of insurance, and there will always be an Insurance Department. Our concern is that this department will, like many other State agencies, have to face the members of the General Assembly as the representatives of the electors of the Commonwealth to answer for what it has or has not done. And that is the purpose of this amendment. I again urge an affirmative vote.

The SPEAKER. The Chair recognizes the gentleman from Dauphin, Mr. Piccola.

Mr. PICCOLA. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose this amendment. I would characterize this amendment, if we would adopt it, as buying a pig in a poke. We do not know what we are doing here. The proponents of this amendment have suggested that this is going to be the panacea that is going to solve the insurance woes of this Commonwealth. Well, first of all, a lot of the woes of the insurance industry and of the insurance business in this Commonwealth have nothing to do with Pennsylvania. They are nationwide and international types of problems.

Secondly, they are suggesting that the solving of this problem is by dumping the Insurance Department into the

sunset process, and we are somehow going to magically find the answer to all of our problems. Well, you are just not going to do that. Look at the history of the sunset process here in the General Assembly. We have made minor adjustments to various agencies, but nowhere have we come to any consensus for dramatic change that solves some of the problems facing the Commonwealth. The process does not operate that way.

Secondly, assuming that the process does operate that way, we do not know what type of consensus the next General Assembly is going to arrive at. Perhaps that General Assembly will say we will have less regulation of the insurance industry, or perhaps they will say more. More than likely they will say, we do not know what we want to do, let us put it off for another year, and we are back into 1988 again.

I suggest, Mr. Speaker, that this is a pig-in-a-poke amendment. I suggest it is not worth the paper it is printed on, and I suggest to those who have all the answers to the insurance woes in this State that they introduce those bills and report them out of committee, because that is the responsible way to address those problems, not with this kind of a process. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Northampton, Mr. Freeman, on the amendment.

Mr. FREEMAN. Thank you, Mr. Speaker.

Mr. Speaker, I rise to support the Lloyd amendment. This amendment is long overdue. The gentleman, Mr. Piccola, said that we did not know what we were doing and hoped that those who had all the answers would go ahead and formulate that in legislation. That is exactly the problem we face. We do not have the information we need. We do not have the statistics, the facts.

We have nothing to fear from the sunset process. The sunset process is an essential process with which to inform the legislature, with which to inform our constituents. Insurance is a major feature of this government. Insurance is a major cost to most consumers. I do not think we are asking too much to ask the commission to explain itself and to come under legislative review periodically.

I would urge the members to vote for open government. I would urge the members to vote for something which will help to protect their constituents in terms of insurance issues. I urge a "yes" vote.

The SPEAKER. For the second time on the amendment, the Chair recognizes the gentleman from Mifflin, Mr. DeVerter.

Mr. DeVERTER. Thank you, Mr. Speaker.

Mr. Speaker, I do not wish to belabor, but as we all say that, we all do it. However, I would like to respond in particular to Representative Coy's remarks with regard to the Cat Fund.

Now, if the gentleman had been paying attention to what transpired and recalls what the General Assembly did, we in fact said that the Insurance Department or their designee would be the collectors of the Cat Fund. And if you recall the first regulations that came out, the Insurance Department, in effect, said that the insurance industry ought to collect it

along with the other premium they collect from us. But no, we got the Insurance Federation and the Trial Lawyers Association of this State involved, and what ends up a mess was the creation of those groups sticking their fingers in, quite frankly, where they ought not to have been stuck.

With respect to the suggestion by Mr. Freeman that the department is not doing its job, it is this General Assembly that has not provided the proper funding, the adequate funding. With respect to information, there is just tons of information available, Mr. Speaker, if you go to the department and request it. I am not sure that you perhaps would understand it any more than I do as minority chairman and am required to look at these things from time to time, but the information is there.

What more we will do with how much more information, I have no idea. But I, like Representative Piccola, think this is pie in the sky. It sure looks good in this, a good election year, and you are saying to yourselves or kidding yourselves that we are going to somehow resolve this issue about availability and affordability. And I would say to you, we do another number like this and we might as well forget even the availability, period.

I would ask for a negative vote. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Linton, on the amendment.

Mr. LINTON. Thank you, Mr. Speaker.

Mr. Speaker, it is beyond my comprehension why Mr. DeVerter and Mr. Piccola want to shield the Insurance Commission from review by this body. In all due respect to Mr. DeVerter, it is clear to me from the sunset review that we have taken a very clear and adequate look at various State agencies and commissions. I cannot understand why we want to shield the Insurance Commission from review by this legislative body.

We all recognize the problems that we have had with the insurance industry in this Commonwealth, and I have heard some discussion about the various bills that have been drafted to address that issue. But time and time again, we have not come up with any measures that have satisfied the concerns of not only the consumers but also small business. I think it is extremely important that we bring the Insurance Commission under sunset review so that this legislative body will have an opportunity to review the facts, look at the information, and come up with some consistent views of legislation to deal with the problem that confronts all of us in this Commonwealth.

Therefore, Mr. Speaker, I rise in support of the Lloyd amendment and would ask my colleagues to vote in the affirmative. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—121

Acosta	Donatucci	Lucyk	Rybak
Afflerbach	Dorr	McCall	Saloom
Angstadt	Duffy	McClatchy	Serafini
Baldwin	Evans	McHale	Seventy
Barber	Fee	McVerry	Showers

Battisto	Fischer	Manderino	Smith, B.
Belardi	Fox	Markosek	Snyder, G.
Belfanti	Freeman	Mayernik	Staback
Blaum	Fryer	Michlovic	Steighner
Book	Gallagher	Micozzie	Stevens
Bortner	Gamble	Miller	Stewart
Bowley	George	Moehlmann	Stuban
Caltagirone	Gruitza	Morris	Sweet
Cappabianca	Haluska	Mrkonic	Taylor, F.
Carn	Harper	Murphy	Taylor, J.
Cawley	Hasay	Noye	Telek
Civera	Herman	O'Donnell	Tigue
Clark	Hutchinson	Oliver	Trello
Cohen	Jarolin	Petrarca	Truman
Colafella	Josephs	Petrone	Van Horne
Cole	Kasunic	Pievsy	Veon
Cordisco	Kosinski	Pistella	Wambach
Coslett	Kukovich	Pott	Wass
Cowell	Lashingier	Pressmann	Wiggins
Coy	Laughlin	Preston	Wozniak
Deluca	Lescovitz	Punt	Wright, D. R.
DeWeese	Letterman	Reber	Yandrisevits
Daley	Levdansky	Richardson	
Dawida	Linton	Rieger	Irvis,
Deal	Livengood	Roebuck	Speaker
Dombrowski	Lloyd	Rudy	

NAYS—72

Argall	Cornell	Hershey	Reinard
Arty	DeVerter	Honaman	Robbins
Barley	Davies	Jackson	Ryan
Birmelin	Dietz	Johnson	Saurman
Black	Dininni	Kennedy	Scheetz
Bowser	Distler	Kenney	Schuler
Boyes	Durham	Langtry	Semmel
Brandt	Fargo	Mackowski	Sirianni
Broujos	Flick	Manmiller	Smith, L. E.
Bunt	Foster	Merry	Snyder, D. W.
Burd	Gallen	Mowery	Stairs
Burns	Gannon	Nahill	Swift
Bush	Geist	O'Brien	Taylor, E. Z.
Carlson	Godshall	Perzel	Vroon
Cessar	Greenwood	Phillips	Weston
Chadwick	Gruppo	Piccola	Wilson
Cimini	Hagarty	Pitts	Wogan
Clymer	Hayes	Raymond	Wright, J. L.

NOT VOTING—5

Fattah	Howlett	Maiale	Olasz
Freind			

EXCUSED—3

Gladeck	Itkin	Wright, R. C.	
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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. SAURMAN offered the following amendments No. A1814:

Amend Title, page 1, line 14, by inserting after "shares;" providing for coverage of cancer treatment;

Amend Bill, page 3, by inserting between lines 6 and 7

Section 3. The act is amended by adding a section to read:

Section 630. Cancer Treatment.—(a) All group policies covered by subdivision (b) of this article providing hospital or medical-surgical coverage and all group subscriber contracts or certificates issued by any entity subject to 40 Pa.C.S. Ch. 61 (relating to hospital plan corporations) or 63 (relating to professional health services plan corporations), the act of December 29,

1972 (P.L.1701, No.364), known as the "Health Maintenance Organization Act," or the act of July 29, 1977 (P.L.105, No.38), known as the "Fraternal Benefit Society Code," providing hospital or medical-surgical coverage, shall include within the coverage, reimbursement for cancer chemotherapy and cancer hormone treatments and services. The coverage shall specifically provide for reimbursement for cancer chemotherapy and cancer hormone therapy approved by the United States Food and Drug Administration for general use in the treatment of cancer and for the insured or any other person covered by the policy, contract or certificate, or health services reimbursement program to be entitled to reimbursement for cancer chemotherapy and cancer hormone treatments, whether performed in a physician's office, in an outpatient department of a hospital, as a hospital inpatient or in any other medically appropriate treatment setting. This subsection shall not apply to policies, contracts or certificates of group or individual health or sickness insurance which provide coverage or reimbursement only for accidents, coverage or reimbursement based solely on the number of days an insured is hospitalized or coverage or reimbursement only when the insured is hospitalized as an inpatient in a hospital.

(b) The benefits specified in subsection (a) may be provided through a combination of such policies, contracts or certificates. The benefits specified in subsection (a) may be provided through prospective payment plans.

(c) Reasonable deductible or copayment plans, or both, after approval by the Insurance Commissioner, may be applied to benefits paid to or on behalf of patients during the course of cancer chemotherapy and cancer hormone treatments but in no case shall be less favorable than those applied to similar classes or categories of treatment for physical illness generally in each policy.

Amend Sec. 3, page 3, line 7, by striking out "3" and inserting

4

Amend Bill, page 8, by inserting between lines 20 and 21

Section 5. The Insurance Commissioner and the Secretary of Health shall jointly promulgate the rules and regulations as are deemed necessary for the effective implementation and operation of section 3 (section 630) of this act.

Amend Sec. 4, page 8, line 21, by striking out "4" and inserting

6

Amend Sec. 5, page 8, line 24, by striking out "5" and inserting

7

Amend Sec. 6, page 8, line 27, by striking out "6" and inserting

8

Amend Sec. 7, page 8, line 28, by striking out "7" and inserting

9

On the question,

Will the House agree to the amendments?

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Montgomery, Mr. Saurman.

Mr. SAURMAN. Thank you, Mr. Speaker.

Mr. Speaker, this amendment does not cost anything. In fact, it does save money. But apart from saving money, it is a humane amendment.

I serve on the board of directors of the Philadelphia Cancer Division, and the oncologists there simply cannot understand why it is that coverage is not granted for chemotherapy performed in their offices.

This amendment does not add anything to insurance coverage. It only says where a policy already covers chemotherapy in an inhospital situation, that it would also then cover that same treatment in the doctor's office - less expensively, more humanely, without the trauma that is connected with the trip to the hospital.

Mr. Speaker, I urge the passage of this amendment for all of those persons who have to undergo chemotherapy.

Let me just add one side remark, lest anyone might think that there is an abuse connected with this. No one, no one is going to go to the doctor's office for chemotherapy unless it is necessary. Thank you, Mr. Speaker.

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Adams, Mr. Cole.

Mr. COLE. Thank you, Mr. Speaker.

I would urge everyone to vote for this amendment. Research has shown that it is less costly to administer chemotherapy treatments in the privacy of a doctor's office than in the hospital itself. And also with the emotion involved in regard to the treatment and so forth in a public hospital, many people prefer the privacy of their own doctor or that physician who is treating the cancer patient.

So I would urge a "yes" vote on this amendment.

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

The following roll call was recorded:

YEAS—184

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

Cornell	Johnson	Preston	Wozniak
Coslett	Josephs	Punt	Wright, D. R.
Cowell	Kasunic	Raymond	Wright, J. L.
Coy	Kennedy	Reber	Yandrisevits
Deluca	Kenney	Reinard	
DeWeese	Kosinski	Richardson	Irvis,
Daley	Kukovich	Rieger	Speaker
Davies	Langtry		

NAYS—6

DeVerter	Gallen	Smith, B.	Smith, L. E.
Dorr	Noye		

NOT VOTING—8

Civera	Howlett	Maiale	Pistella
Freind	Laughlin	Micozzie	Sirianni

EXCUSED—3

Gladeck	Itkin	Wright, R. C.	
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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. PETRARCA offered the following amendments No. A3397:

Amend Title, page 1, line 14, by inserting after "shares;" requiring specific patient authorization of medical care in order for medical insurance to reimburse for medical care provided;

Amend Bill, page 8, by inserting between lines 23 and 24 Section 5. The act is amended by adding sections to read:

Section 682.1. Limitation on Reimbursements for Medical Care.—(a) In order for a medical care provider to be reimbursed by medical insurance, Medicare or Medicaid for medical care provided to a patient, the patient or a person legally competent to act on behalf of a patient shall authorize the treatment before it is provided.

(b) The general rule set forth in subsection (a) shall not apply to medical care provided in an emergency situation.

Section 682.2. Nature of Authorization.—General authorization provided, either by the patient or by a person legally competent to act on behalf of a patient, upon the patient's admission to a hospital for medical treatment shall be insufficient to meet the requirements of section 682.1. Authorization shall be specific, in writing and separate for each medical provider who renders medical services to the patient and who seeks separate reimbursement for those services provided.

Amend Sec. 5, page 8, line 24, by striking out "5" and inserting

6

Amend Sec. 6, page 8, line 27, by striking out "6" and inserting

7

Amend Sec. 7, page 8, line 28, by striking out "7" and inserting

8

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

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Westmoreland, Mr. Petrarca.

Mr. PETRARCA. Thank you, Mr. Speaker.

Mr. Speaker, this amendment will require specific patient authorization for medical care providers who treat a patient

before requesting patient payment from medicare, medicaid, or other medical insurance. The reason for this is that under the current system a patient, upon admission to a hospital, signs a general authorization form. Using that general authorization it seems that certain health care providers have been abusing the authorization by submitting bills to medicare for services they have not rendered. The classic example of this abuse is the consultant's charge. Mr. Speaker, what happens is the doctor sticks his head in the patient's door and maybe looks at the patient's chart and leaves. Under the general hospital authorization, the doctor files a claim with medicare for consulting and is reimbursed. No legitimate consulting has been performed. The doctor has been paid, and the senior citizen gets home and finds a bill or explanation for medicare payments to health care providers whom they never saw.

Mr. Speaker, I have spoken to many doctors who agree and, in fact, encourage me to pass this bill. The majority of legitimate, hard-working doctors are appalled by such abuses and welcome prior authorization to be rendered. I have a brother who is a doctor. I discussed this with him. Seven States now require prior authorization, and eight other States now have pilot programs.

Mr. Speaker, in conclusion, this bill simply requires that a patient authorize a health care provider to treat him. Emergency situations are, of course, excluded, and if we want to stop medicare fraud, this is a simple amendment.

In the amendment it says that this shall not apply to medical care provided in an emergency situation, and the doctors I have talked to say almost every situation is an emergency situation.

It is a simple bill. I think we need it. Other States have it. I want an affirmative vote on my amendment. Thank you.

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Philadelphia, Mr. Kosinski.

Mr. KOSINSKI. Thank you, Mr. Speaker.

I rise in favor of the Petrarca amendment. To be brief on this, I would like to say that it will cut medical costs. It is a reasonable solution to a very major problem. If you would check with your constituents, specifically many elderly constituents, they find that if they ever ask for the bills from the doctors from their hospital stay, that there is a major problem with a lot of services being provided to them that the patient does not actually remember receiving.

This would be a cost-saving measure not only for government and our own medical plans but with the private medical insurers. This was brought to my attention by a gentleman who lives in northeast Philadelphia, Joe Dragonetti. You may have seen his article circulated in your packets and in other publications that he has mailed up here. There is a major drive on in the Philadelphia area among senior citizens to get legislation like this passed.

Again, it is a reasonable solution to a major problem, and I ask for your support.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—179

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

NAYS—7

Blaum	DeVerter	O'Donnell	Smith, L. E.
Colafella	Gallen	Pistella	

NOT VOTING—12

Arty	Evans	Howlett	Irvis,
Barber	Fattah	Maiale	Speaker
Cole	Foster	Markosek	
DeWeese	Gannon		

EXCUSED—3

Gladeck	Itkin	Wright, R. C.	
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The question was determined in the affirmative, and the amendments were agreed to.

WELCOMES

The SPEAKER. The Chair welcomes to the hall of the House, as the guest of Representative Ruth Harper, the gentleman, Mr. Ronald Johnson. Welcome to the hall of the House.

The daughter of Mr. and Mrs. August Pfeifer, Miss Kathleen Pfeifer, is a guest page on the floor of the House. Kathleen is going to be a senior at Trinity High School next year. Welcome to the hall of the House, Kathleen.

CONSIDERATION OF SB 936 CONTINUED

BILL PASSED OVER

The SPEAKER. SB 936 will go over. The reason for that is to allow the bill to be amended further if there be further amendments tomorrow, but the bill will now be passed over.

WELCOME

The SPEAKER. Representative Clark has a guest page, Nicole Schaffer. Welcome to the hall of the House, Nicole.

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **SB 1391, PN 2058**, entitled:

An Act requiring notice of rate increases, policy cancellations and nonrenewals by property and casualty insurers.

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—196

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

Cessar	Haluska	Olasz	Tigue
Chadwick	Harper	Oliver	Trello
Cimini	Hasay	Perzel	Truman
Civera	Hayes	Petrarca	Van Horne
Clark	Herman	Petrone	Veon
Clymer	Hershey	Phillips	Vroon
Cohen	Honaman	Piccola	Wambach
Colafella	Howlett	Pievsky	Wass
Cole	Hutchinson	Pistella	Weston
Cordisco	Jackson	Pitts	Wiggins
Cornell	Jarolin	Pott	Wilson
Coslett	Johnson	Pressmann	Wogan
Cowell	Josephs	Preston	Wozniak
Coy	Kasunic	Punt	Wright, D. R.
Deluca	Kennedy	Raymond	Wright, J. L.
DeVerter	Kenney	Reber	Yandrisevits
DeWeese	Kosinski	Reinard	
Daley	Kukovich	Richardson	Irvis,
Davies	Langtry	Rieger	Speaker
Dawida	Lashinger		

NAYS—0

NOT VOTING—2

Gallagher Maiale

EXCUSED—3

Gladeck Itkin Wright, R. C.

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

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

* * *

The House proceeded to third consideration of **SB 303, PN 1910**, entitled:

An Act requiring public agencies to hold certain meetings and hearings open to the public; and providing penalties.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader. Mr. MANDERINO. Mr. Speaker, I move that SB 303 be placed upon the tabled calendar.

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

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader. Mr. MANDERINO. Mr. Speaker, I move that SB 303 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.

* * *

The House proceeded to third consideration of **SB 1138, PN 1951**, entitled:

An Act authorizing and directing the Department of General Services, with the approval of West Chester University of Pennsylvania of the State System of Higher Education, to convey a tract of land situate in East Nantmeal Township, Chester County, 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—193

Acosta	Deal	Laughlin	Robbins
Afflerbach	Dietz	Lescovitz	Roebuck
Angstadt	Dininni	Letterman	Rudy
Argall	Distler	Levdansky	Ryan
Arty	Dombrowski	Linton	Rybak
Baldwin	Donatucci	Livengood	Saloom
Barber	Dorr	Lloyd	Saurman
Barley	Duffy	Lucy	Scheetz
Battisto	Durham	McCall	Schuler
Belardi	Evans	McClatchy	Semmel
Belfanti	Fargo	McHale	Serafini
Birmelin	Fattah	McVerry	Seventy
Black	Fee	Mackowski	Showers
Blaum	Fischer	Manderino	Sirianni
Book	Flick	Manmiller	Smith, B.
Bortner	Foster	Markosek	Smith, L. E.
Bowley	Fox	Mayernik	Snyder, D. W.
Bowser	Freeman	Merry	Snyder, G.
Boyes	Freind	Michlovic	Staback
Brandt	Fryer	Micozzie	Stairs
Broujos	Gallagher	Miller	Steighner
Bunt	Gallen	Moehlmann	Stevens
Burd	Gamble	Morris	Stewart
Burns	Gannon	Mowery	Suban
Bush	Geist	Mrkonic	Sweet
Caltagirone	George	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	Hasay	Perzel	Truman
Civera	Hayes	Petrarca	Van Horne
Clark	Herman	Petrone	Veon
Clymer	Hershey	Phillips	Vroon
Colafella	Honaman	Piccola	Wambach
Cole	Hutchinson	Pievsky	Wass
Cordisco	Jackson	Pistella	Weston
Cornell	Jarolin	Pitts	Wiggins
Coslett	Johnson	Pott	Wogan
Cowell	Josephs	Pressmann	Wozniak
Coy	Kasunic	Preston	Wright, D. R.
DeLuca	Kennedy	Punt	Wright, J. L.
DeVerter	Kenney	Raymond	Yandrisevits
DeWeese	Kosinski	Reber	
Daley	Kukovich	Reinard	Irvis,
Davies	Langtry	Richardson	Speaker
Dawida	Lashingier	Rieger	

NAYS—1

Wilson

NOT VOTING—4

Cohen Harper Howlett Maiale

EXCUSED—3

Gladeck Itkin Wright, R. C.

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

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

REMARKS ON VOTE

The **SPEAKER**. The Chair recognizes the gentleman from Bucks, Mr. Wilson. Why do you rise, sir?

Mr. WILSON. I saw it happen this time. On SB 1138 I was up there on the green, and just as you called to close the roll, it switched to red, and I did not touch it and nobody else did. It should have been in the green as it was originally.

The **SPEAKER**. You should have been voted in the affirmative. Is that correct?

Mr. WILSON. Yes. And as it was sitting up there, it rolled into the red. There are spooks around here.

The **SPEAKER**. Well, it has happened. The Chair remembers announcing it some weeks earlier to the delight of the members on the floor when they thought the Chair was joking, but the machine has on occasion voted both red and green simultaneously, which is quite an accomplishment.

The gentleman wishes his remarks to be indicated that had he been voted correctly by the machine, he would have voted in the affirmative on SB 1138. Is that correct?

Mr. WILSON. Yes, Mr. Speaker. I have been saying this for about a year, and I thought there was something, you know, a little bit wrong with me, and I know some of the members would agree with that.

**BILL ON CONCURRENCE
IN SENATE AMENDMENTS**

The clerk of the Senate, being introduced, returned the following **HB 943, PN 3496**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act amending the act of July 7, 1947 (P. L. 1368, No. 542), known as the "Real Estate Tax Sale Law," adding and amending definitions; further providing for the creation of bureaus in counties, for appointment and compensation of personnel, for the bonding of certain personnel and for accounting and distribution; increasing certain costs and fees; further providing for tax liens, filings, adjudications and collection; providing for discharge of tax claims; imposing additional notification requirements; further providing for sale and purchase of property; and making editorial changes.

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

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

Mr. FRYER. Mr. Speaker, the Senate amended HB 943 by removing section 705 of the bill. This section provided exoneration from damages to taxing districts, officers, employees, and so forth. The Senate felt that it was a poor policy to release municipal officials from any liability. They felt this was too broad of an exemption to grant and once you provide immunity for one group, more will follow.

The Senate also amended the effective date from effective in 60 days to effective in 30 days.

Mr. Speaker, I would urge concurrence in the Senate amendments.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Schuylkill, Mr. Baldwin.

Mr. BALDWIN. Thank you, Mr. Speaker.

I, too, urge concurrence in the Senate amendments, particularly with respect to section 705, the exoneration from liability. While most public servants who are involved in tax sales, if they made a mistake it would probably be an unintentional mistake, there are investigations going on in certain counties - Schuylkill County, being one - of past tax sales involving coal lands, and this section would in effect exonerate any wrongdoings in the past and take away the effect of those investigations. So I urge concurrence.

The SPEAKER. The Chair recognizes the gentleman from Schuylkill, Mr. Lucyk.

Mr. LUCYK. Thank you, Mr. Speaker.

I would just like to echo the words of my colleague, Mr. Baldwin, that in some of our counties, in particular Schuylkill County, we have had some problems with tax sales with coal lands. There are investigations currently going on, and I think the removal of section 705 is an important part of this legislation in that it would be wrong to exonerate individuals for past wrongs while these investigations continue.

I ask my colleagues for concurrence.

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—193

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

Bowley	Freeman	Mayernik	Snyder, G.
Bowser	Freind	Merry	Staback
Boyes	Fryer	Michlovic	Stairs
Brandt	Gallagher	Micozzie	Steighner
Broujos	Gallen	Miller	Stevens
Bunt	Gamble	Moehlmann	Stewart
Burd	Gannon	Morris	Suban
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	Truman
Civera	Hasay	Perzel	Van Horne
Clark	Hayes	Petrarca	Veon
Clymer	Herman	Petrone	Vroon
Cohen	Hershey	Phillips	Wambach
Colafella	Honaman	Piccola	Wass
Cole	Hutchinson	Pievsky	Weston
Cordisco	Jackson	Pistella	Wiggins
Cornell	Jarolin	Pitts	Wilson
Coslett	Johnson	Pott	Wogan
Cowell	Josephs	Pressmann	Wozniak
Coy	Kasunic	Preston	Wright, D. R.
Deluca	Kennedy	Punt	Wright, J. L.
DeVerter	Kenney	Raymond	Yandrisevits
DeWeese	Kosinski	Reber	
Daley	Kukovich	Reinard	Irvis,
Davies	Langtry	Rieger	Speaker
Dawida	Lashingier	Robbins	

NAYS—0

NOT VOTING—5

Burns	Howlett	Maiale	Richardson
Evans			

EXCUSED—3

Gladeck	Itkin	Wright, R. C.
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

REMARKS ON VOTES

The SPEAKER. Does the gentleman from Bucks, Mr. Burns, wish to correct the record?

Mr. BURNS. Yes, Mr. Speaker.

My switch did not register on HB 943, I believe it was, in concurrence in Senate amendments. I would have voted in the affirmative.

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

The Chair recognizes the gentleman from Schuylkill, Mr. Lucyk.

Mr. LUCYK. Mr. Speaker, I was not recorded on SB 936, amendment 3316. I would like to be recorded in the negative.

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

The Chair recognizes the gentleman from Perry, Mr. Noye. Mr. NOYE. Thank you, Mr. Speaker.

On the Saurman amendment 1814 to SB 936, I incorrectly voted in the negative. I would like the record to reflect that I would have preferred to have voted in the affirmative.

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

The Chair recognizes the lady from Delaware, Mrs. Arty.

Mrs. ARTY. Mr. Speaker, it has been brought to my attention that my vote is not recorded on amendment 3397 to SB 936. I would like to be recorded as being in the affirmative.

The SPEAKER. The lady's remarks will be spread upon the record.

LOCAL GOVERNMENT COMMITTEE MEETING

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

Mr. FRYER. Mr. Speaker, the Local Government Committee will meet immediately at the close of this session in the rear of the House.

CONSUMER AFFAIRS COMMITTEE MEETING

The SPEAKER. To announce a committee meeting, the Chair recognizes the gentleman from Beaver, Mr. Laughlin.

Mr. LAUGHLIN. Mr. Speaker, there will be a meeting of the Consumer Affairs Committee in room 401 upon the recess.

GAME AND FISHERIES COMMITTEE MEETING

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

Mr. LETTERMAN. Thank you, Mr. Speaker.

There will be a meeting of the Game and Fisheries Committee Tuesday, June 24, at 9 a.m. in room 302 of the South Office Building. I would appreciate everybody being there.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Pievsky.

Mr. PIEVSKY. Thank you, Mr. Speaker.

Mr. Speaker, there will be a meeting of the House Appropriations Committee immediately upon the call of the recess in the majority caucus room.

RULES COMMITTEE MEETING

The SPEAKER. There will be a meeting of the Committee on Rules immediately upon the declaration of the recess in the majority leader's office.

DEMOCRATIC CAUCUS

The SPEAKER. The Chair recognizes the gentleman from Lawrence, Mr. Fee. Is there to be an announcement, Mr. Fee, for a Democratic caucus today?

Mr. FEE. Yes, Mr. Speaker.

Immediately upon the recess, there will be a Democratic caucus in the majority caucus room. Thank you.

The SPEAKER. You are going to be in conflict with Mr. Pievsky's Appropriations meeting.

Mr. FEE. Mr. Speaker, the members will have a meeting 15 minutes after the recess.

The SPEAKER. After the Appropriations meeting, right.

Mr. FEE. Yes, Mr. Speaker.

REPUBLICAN CAUCUS

The SPEAKER. The Chair recognizes the gentleman from Perry, Mr. Noye, to announce a Republican caucus.

Mr. NOYE. Thank you, Mr. Speaker.

Republicans will caucus at 3 p.m. It will be brief, so please be prompt.

The SPEAKER. The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, the Republicans should positively be in the caucus room at 3 o'clock. It will be a brief caucus, but it will be a relatively important one.

The SPEAKER. Why does the lady from Philadelphia, Mrs. Harper, rise?

Mrs. HARPER. Thank you, Mr. Speaker.

Mr. Speaker, I have an amendment being prepared to SB 642, and I would like to ask for that bill to be held over.

The SPEAKER. The House will stand at ease.

The Chair recognizes the lady, Mrs. Harper.

Mrs. HARPER. Thank you, Mr. Speaker.

I would like to withdraw that request.

CONSUMER AFFAIRS COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Beaver, Mr. Laughlin. What is your request?

Mr. LAUGHLIN. Mr. Speaker, because of the Republican caucus we are going to have to call the meeting for Consumer Affairs in room 401 at 3:45 instead of immediately upon the recess. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **SB 642, PN 1990**, entitled:

An Act amending the act of March 28, 1986 (P. L. , No. 25), entitled "An act providing for grants to persons for property damaged or destroyed by tornado or flood; establishing the basis for the grants; and making an appropriation," extending the provisions of this act to certain disasters occurring in calendar years 1984 and 1986; providing a moratorium on certain assessments; and making an appropriation.

On the question,

Will the House agree to the bill on third consideration?

Mr. DUFFY offered the following amendments No. A2618:

Amend Sec. 1 (Sec. 3), page 17, line 7, by striking out "AND" where it appears the first time and inserting a comma

Amend Sec. 1 (Sec. 3), page 17, line 7, by inserting after "1985"

and during 1986

Amend Sec. 1 (Sec. 3), page 18, line 9, by striking out "OR 1985" and inserting

, 1985 or 1986

Amend Sec. 1 (Sec. 3), page 18, line 26, by striking out "OR 1985" and inserting

, 1985 or 1986

Amend Sec. 2 (Sec. 4), page 21, lines 15 and 16, by striking out "OR 1985" and inserting

, 1985 or 1986

On the question,

Will the House agree to the amendments?

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Allegheny, Mr. Duffy.

Mr. DUFFY. Thank you, Mr. Speaker.

Mr. Speaker, this amendment will extend to our constituents in nine communities of the North Hills and the suburb of Pleasant Hills the same economic protection as victims of previous floods and tornado catastrophes covered by SB 642. The problems in these areas were created by a tremendous flash flood on May 30, 1986, which caused millions of dollars in damages for our constituents. Areas that had the most damages were in areas represented by myself, Representative Cessar, Representative Clark, and Representative Book. The areas damaged were in Shaler, Etna, O'Hara Township, Indiana, Harmar Township, Fox Chapel, Millvale, Pine, Hampton, and Pleasant Hills.

I would appreciate a "yes" vote on this amendment.

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

Mr. CESSAR. Thank you, Mr. Speaker.

I rise to support the amendment, and as Mr. Duffy has said, we did have extensive damage, and we had a loss of life.

I would certainly urge each and every member on this side of the aisle to vote for this amendment in the affirmative.

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Greene, Mr. DeWeese.

Mr. DeWEESE. I would like to interrogate Mr. Cessar, please.

The SPEAKER. Mr. Cessar indicates he will stand for interrogation. You may proceed, Mr. DeWeese.

Mr. DeWEESE. Mr. Speaker, in quiet and sensible terms would you please tell me what the difference is between your feeling on this particular issue—

Mr. CESSAR. I cannot understand you. Will you please repeat that, Mr. Speaker?

The SPEAKER. It was not very clear, and it is not the fault of the gentleman, Mr. DeWeese. We have a lot of background noise. Let us hold it down; let us get out of here.

Mr. DeWEESE. With all due respect, sir, my curiosity is intense. What is the difference between this kind of measure that we are considering now and the measure that was considered several months ago when the northeastern part of the State and several of our southwestern counties were inundated

by severe flooding? What is the difference between Mr. Cessar's point of view today and what it was heretofore?

POINT OF ORDER

Mr. GALLEN. Mr. Speaker, point of order.

The SPEAKER. The Chair recognizes the gentleman from Berks, Mr. Gallen. Why do you rise?

Mr. GALLEN. Mr. Speaker, the question is obviously out of order. He is asking for the gentleman, Mr. Cessar, to tell about his motivation.

Mr. CESSAR. Mr. Speaker, I would like to respond to that.

The SPEAKER. The Chair assumed, having known the gentleman, Mr. Cessar, for many years, that he would.

You may proceed, Mr. Cessar.

Mr. CESSAR. Mr. Speaker, the gentleman, Mr. DeWeese, is referring to the veto of the Governor of the \$15-million appropriation, making the recommendation that we only appropriate \$7 million. I would just like to read or submit for the record, but I would rather read it, what the Governor had said in his message to the General Assembly relating to that veto.

The sum of \$15,000,000 or as much thereof as may be necessary, is hereby appropriated to the Department of Public Welfare for the purposes of this act. Notwithstanding the provisions of any other act to the contrary, the funds hereby appropriated shall not lapse until June 30, 1987.

This item is approved in the amount of \$7.1 million, the amount which my budget office has determined is needed to carry out the mandate of this legislation in providing additional needed assistance to victims of three natural disasters last year. The budget office undertook an independent and comprehensive review of these needs since data on the number of people needing additional aid, as well as the total amount of additional funds required, was not, as best as can be determined, available to members of the General Assembly when they considered this legislation.

Now, Mr. Speaker, I know that the gentleman, who is very distinguished in his community, is trying to offer this questioning of me as an embarrassment to me for my sustaining the Governor's veto. I really do not object to it because I understand where the gentleman is coming from, and if he feels like he is making points with his caucus, if he feels like he is making points with anybody else to make me look like I am not voting correctly, then so be it, Mr. Speaker.

But I would just say to the gentleman that there are times that there are figures that are presented to us that we must believe. It is my Governor. The Governor made a decision, and I have not and I did not at that particular time think it was my duty to override the Governor's veto, and naturally my vote was cast in that light.

Mr. DeWEESE. I would like to ask the Republican leader, Mr. Cessar, if the Governor's Office were now giving you figures in the same way that they gave us figures before that said you do not really need all that much money, would you still feel the same way?

The SPEAKER. Will the gentleman yield. That is a speculative question. The gentleman, Mr. Cessar, is not required to answer such.

Mr. DeWEESE. Then I have no further questions. I do have a statement.

The SPEAKER. The gentleman is recognized to make the statement.

Mr. DeWEESE. My statement to the gentleman is, I am not trying to embarrass anyone. I am trying to show what I consider to be a variation in one's voting record. I think it is significant; I think it should be brought out. Many of us needed help and needed additional funds several weeks ago, and we were not the beneficiary of his support. We are going to support Mr. Cessar today, and we would hope that he would take a more egalitarian perspective in the future. Thank you.

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Allegheny, Mr. Book.

Mr. BOOK. Mr. Speaker, I rise to support the Duffy amendment. Part of the area that was hit in Pittsburgh, the Pleasant Hills Borough, is part of my borough, and we would certainly appreciate an affirmative vote for this. Thank you.

The SPEAKER. The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, in response to the remarks of the gentleman, Mr. DeWeese, it has been determined that the \$7.1 million is adequate to cover the needs of the southwestern communities that were involved, so that the line veto cutting that from \$15 million to \$7.1 was in order. It is our information, as recently as the past couple of days—the end of last week and last night—that the \$7.1 million was adequate, so there is nothing wrong with sustaining a veto that was perfectly proper, as that one was. And if this particular bill comes through and it is determined that less is needed by the experts, then those of us who are here speculating in a sense as to the amount—in good faith—speculating as to the amount that might be needed, then there is nothing wrong with going along with that particular veto. So I see nothing inconsistent with it, and I think the record should reflect that.

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Allegheny, Mr. Clark.

Mr. CLARK. Thank you, Mr. Speaker.

I would urge the adoption of the Duffy amendment. We all make mistakes when we put numbers together and sometimes we make mistakes otherwise. Presently, with the situation in the North Hills and South Hills of Pittsburgh, we are debating with the Federal Government how much money is needed. We in State Government have one position and the Federal Government has another.

I voted to provide the funding and override the Governor's veto previously on other areas because I think the tool should be there to provide assistance to people in natural disasters.

I would urge my colleagues to support this amendment. Support Mr. Cessar and Mr. Duffy and adopt this amendment the way it is. Thank you.

The SPEAKER. For the second time on the amendment, the Chair recognizes the gentleman from Allegheny, Mr. Duffy.

Mr. DUFFY. I would just like to make a statement, Mr. Speaker.

The SPEAKER. On the amendment?

Mr. DUFFY. No. It has to do with the situation there, and I would just like to—

The SPEAKER. No; there is no statement needed on that.

The Chair recognizes the gentleman from Washington, Mr. Daley, on the amendment.

Mr. DALEY. Mr. Speaker, real quickly.

I think the enthusiasm with which Mr. DeWeese has approached the issue is just saying one thing, Mr. Speaker—and I also rise to support the amendment—that human need and human suffering transcends political boundaries, geographic boundaries, and sometimes we have to withdraw from that political positioning and take into consideration human need, and I think that is what we were trying to say 2 months ago when the northeast and the southwest and all of us tried to get the override of the Governor's veto. We know that the Governor has provided some substantiation to his figures. But he said that was independent in that review, independent—

The SPEAKER. Mr. Daley, the Chair has heard enough. Now, let us get on with the amendment. Speak to the amendment and nothing else.

Mr. DALEY. Thank you, Mr. Speaker.

All I am saying is that I, too, rise in support of this amendment, and it is time that this General Assembly take into consideration human need, human suffering, and place aside political posturing. Thank you, Mr. Speaker.

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

Mr. GALLEN. Mr. Speaker, I intend to support this amendment, but I am a little bit sick that the Chair allowed two separate speakers—

The SPEAKER. You are out of order. Sit down. You are out of order. Sit down. Do not dare do that again. You will be declared out of order again and I will ask you to remove yourself if you challenge the Chair on that.

Mr. GALLEN. Mr. Speaker, I raised the point of order previously and the Chair did not rule on it.

The SPEAKER. The Chair agreed with you on that point of order and so ruled the second time the question was asked. It was not necessary for the Chair to say to you that the Chair had agreed with you. If you would have listened, you would have known it.

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

The following roll call was recorded:

YEAS—192

Acosta	Deal	Langtry	Rieger
Afflerbach	Dietz	Lashinger	Robbins
Angstadt	Dininni	Laughlin	Roebuck
Argall	Distler	Lescovitz	Rudy
Arty	Dombrowski	Letterman	Ryan
Baldwin	Donatucci	Levdansky	Rybak
Barley	Dorr	Linton	Saloom
Battisto	Duffy	Livengood	Saurman
Belardi	Durham	Lloyd	Scheetz
Belfanti	Evans	Lucyk	Schuler
Birmelin	Fargo	McCall	Semmel

Black	Fattah	McClatchy	Serafini
Blaum	Fee	McHale	Seventy
Book	Fischer	McVerry	Showers
Bortner	Flick	Mackowski	Sirianni
Bowley	Foster	Manderino	Smith, B.
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	Miller	Stewart
Bush	Gannon	Moehlmann	Stuban
Caltagirone	Geist	Morris	Sweet
Cappabianca	George	Mowery	Swift
Carlson	Godshall	Mrkonic	Taylor, E. Z.
Carn	Greenwood	Murphy	Taylor, F.
Cawley	Gruitza	Nahill	Taylor, J.
Cessar	Gruppo	Noye	Telek
Chadwick	Hagarty	O'Brien	Tigue
Cimini	Haluska	O'Donnell	Trello
Civera	Harper	Olasz	Truman
Clark	Hasay	Oliver	Van Horne
Clymer	Hayes	Perzel	Veon
Cohen	Herman	Petrarca	Vroon
Colafella	Hershey	Petrone	Wambach
Cole	Honaman	Phillips	Wass
Cordisco	Howlett	Piccola	Weston
Cornell	Hutchinson	Pievsky	Wilson
Coslett	Jackson	Pistella	Wogan
Cowell	Jarolin	Pott	Wozniak
Coy	Johnson	Pressmann	Wright, D. R.
Deluca	Josephs	Preston	Wright, J. L.
DeVerter	Kasunic	Punt	Yandrisevits
DeWeese	Kennedy	Reber	
Daley	Kenney	Reinard	Irvis,
Davies	Kosinski	Richardson	Speaker
Dawida	Kukovich		

NAYS—0

NOT VOTING—6

Barber	Pitts	Smith, L. E.	Wiggins
Maiale	Raymond		

EXCUSED—3

Gladeck	Itkin	Wright, R. C.
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The question was determined in the affirmative, and the amendments were agreed to.

On the question,

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

Mr. KASUNIC offered the following amendment No. A1821:

Amend Sec. 1 (Sec. 2), page 18, lines 22 through 24, by striking out "HOMEOWNERS WHOSE HOUSEHOLD 1985 INCOME DOES NOT" in line 22, all of line 23 and "ELIGIBLE TO PARTICIPATE IN THIS GRANT PROGRAM." in line 24

On the question,

Will the House agree to the amendment?

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Fayette, Mr. Kasunic.

Mr. KASUNIC. Mr. Speaker, this amendment is to clear up some language. What we want to do here is catch some of the families and the people who fell through the cracks and the loopholes here, and I am asking for an affirmative vote on this amendment. Thank you.

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

The following roll call was recorded:

YEAS—192

Acosta	Deal	Lashingner	Robbins
Afflerbach	Dietz	Laughlin	Roebuck
Angstadt	Dininni	Lescovitz	Rudy
Argall	Distler	Letterman	Ryan
Arty	Dombrowski	Levdansky	Rybak
Baldwin	Donatucci	Linton	Saloom
Barley	Dorr	Livengood	Saurman
Battisto	Duffy	Lloyd	Scheetz
Belardi	Durham	Lucyk	Schuler
Belfanti	Fargo	McCall	Semmel
Birmelin	Fattah	McClatchy	Serafini
Black	Fee	McHale	Seventy
Blaum	Fischer	McVerry	Showers
Book	Flick	Mackowski	Sirianni
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	Miller	Stevens
Burns	Gannon	Moehlmann	Stewart
Bush	Geist	Morris	Stuban
Caltagirone	George	Mowery	Sweet
Cappabianca	Godshall	Mrkonic	Swift
Carlson	Greenwood	Murphy	Taylor, E. Z.
Carn	Gruitza	Nahill	Taylor, F.
Cawley	Gruppo	Noye	Taylor, J.
Cessar	Hagarty	O'Brien	Telek
Chadwick	Haluska	O'Donnell	Tigue
Cimini	Harper	Olasz	Trello
Civera	Hasay	Oliver	Truman
Clark	Hayes	Perzel	Van Horne
Clymer	Herman	Petrarca	Veon
Cohen	Hershey	Petrone	Vroon
Colafella	Honaman	Phillips	Wambach
Cole	Howlett	Piccola	Wass
Cordisco	Hutchinson	Pievsky	Weston
Cornell	Jackson	Pistella	Wilson
Coslett	Jarolin	Pott	Wogan
Cowell	Johnson	Pressmann	Wozniak
Coy	Josephs	Preston	Wright, D. R.
Deluca	Kasunic	Punt	Wright, J. L.
DeVerter	Kennedy	Raymond	Yandrisevits
DeWeese	Kenney	Reber	
Daley	Kosinski	Reinard	Irvis,
Davies	Kukovich	Rieger	Speaker
Dawida	Langtry		

NAYS—0

NOT VOTING—6

Barber	Maiale	Richardson	Wiggins
Evans	Pitts		

EXCUSED—3

Gladeck	Itkin	Wright, R. C.
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The question was determined in the affirmative, and the amendment was agreed to.

On the question recurring,

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

Mr. CAWLEY offered the following amendment No. A1637:

Amend Sec. 1 (Sec. 2), page 18, line 11, by striking out "MAY" and inserting shall

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

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Lackawanna, Mr. Cawley.

Mr. CAWLEY. Thank you, Mr. Speaker.

This changes the word "may" to "shall." Once a person receives approval from the Department of Welfare on its application, the department "shall" make an individual grant to cover the damages instead of "may."

The SPEAKER. Do you wish to speak on the amendment, Mr. Bowley?

Mr. BOWLEY. Mr. Speaker, I would like to see the amendment first; we do not have those.

The SPEAKER. The Chair apologizes. The Chair was told they had all been circulated. They have been?

That is all right; you have a right to the amendment, Mr. Bowley. Show him the amendment, please.

Does someone have the amendment to give to Mr. Bowley? One of the pages?

Any questions, Mr. Bowley?

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

The following roll call was recorded:

YEAS—193

Table with 4 columns of names: Acosta, Afflerbach, Angstadt, Argall, Arty, Baldwin, Barley, Battisto, Belardi, Belfanti, Birmelin, Black, Blaum, Book, Bortner, Bowley, Bowser, Boyes, Brandt, Broujos, Bunt, Burd, Burns, Bush, Caltagirone, Cappabianca, Carlson, Carn, Cawley, Cessar, Chadwick, Cimini, Civera, Clark, Clymer, Cohen, Colafella, Cole, Deal, Dietz, Dininni, Distler, Dombrowski, Donatucci, Dorr, Duffy, Durham, Fargo, Fattah, Fee, Fischer, Flick, Foster, Fox, Freeman, Freind, Fryer, Gallagher, Gallen, Gamble, Gannon, Geist, George, Godshall, Greenwood, Gruitza, Gruppo, Hagarty, Haluska, Harper, Hasay, Hayes, Herman, Hershey, Howlett, Hutchinson, Laughlin, Lescovitz, Letterman, Levdansky, Linton, Livengood, Lloyd, Lucyk, McCall, McClatchy, McHale, McVerry, Mackowski, Maiale, Manderino, Manmiller, Markosek, Mayernik, Merry, Michlovic, Micozzie, Miller, Morris, Mowery, Mrkonic, Murphy, Nahill, Noye, O'Brien, O'Donnell, Olasz, Oliver, Perzel, Petrarca, Petrone, Phillips, Piccola, Pievsky, Robbins, Roebuck, Rudy, Ryan, Rybak, Saloom, Saurman, Scheetz, Schuler, Semmel, Serafini, Seventy, Showers, Sirianni, Smith, B., Smith, L. E., Snyder, D. W., Snyder, G., Staback, Stairs, Steighner, Stevens, Stewart, Stuban, Sweet, Swift, Taylor, E. Z., Taylor, F., Taylor, J., Telek, Tigue, Trello, Truman, Van Horne, Veon, Vroom, Wambach, Wass

Table with 4 columns of names: Cordisco, Cornell, Coslett, Cowell, Coy, Deluca, DeVerter, DeWeese, Daley, Davies, Dawida, Jackson, Jarolin, Johnson, Josephs, Kasunic, Kennedy, Kenney, Kosinski, Kukovich, Langtry, Lashingier, Pistella, Pitts, Pott, Pressmann, Preston, Punt, Raymond, Reber, Reinard, Richardson, Rieger, Weston, Wilson, Wogan, Wozniak, Wright, D. R., Wright, J. L., Yandrisevits, Irvis, Speaker

NAYS—0

NOT VOTING—5

Table with 4 columns of names: Barber, Evans, Honaman, Moehlmann, Wiggins

EXCUSED—3

Table with 3 columns of names: Gladeck, Itkin, Wright, R. C.

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

On the question recurring,

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

Mr. CAWLEY offered the following amendment No. A1638:

Amend Sec. 1 (Sec. 2), page 20, lines 10 and 11, by striking out "UNTIL JUNE 30," in line 10 and all of line 11 and inserting: Provided, however, That any of the funds remaining unexpended or uncommitted after July 1, 1987, shall be used and are hereby appropriated for use by the Department of Public Welfare to reimburse municipalities for documented municipal expenditures incurred as a result of a declared disaster which were not reimbursed by the Federal or State government. If insufficient funds remain to reimburse such municipalities in full, reimbursement shall be made on a pro rata basis.

On the question,

Will the House agree to the amendment?

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Lackawanna, Mr. Cawley.

Mr. CAWLEY. Thank you, Mr. Speaker.

This amendment states that once all of the moneys have been used to reimburse homeowners, renters, and property owners, any moneys left over will be used to reimburse moneys expended during an emergency statewide by any municipalities to correct deficiencies.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—194

Table with 4 columns of names: Acosta, Afflerbach, Angstadt, Argall, Arty, Baldwin, Barber, Barley, Battisto, Belardi, Belfanti, Birmelin, Deal, Dietz, Dininni, Distler, Dombrowski, Donatucci, Dorr, Duffy, Durham, Evans, Fargo, Fattah, Lashingier, Laughlin, Lescovitz, Letterman, Levdansky, Linton, Livengood, Lloyd, Lucyk, McCall, McClatchy, McHale, Rieger, Robbins, Roebuck, Rudy, Ryan, Rybak, Saloom, Saurman, Scheetz, Schuler, Semmel, Serafini

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

NAYS—0

NOT VOTING—4

Brandt	Honaman	Pitts	Smith, L. E.
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EXCUSED—3

Gladeck	Itkin	Wright, R. C.
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The question was determined in the affirmative, and the amendment was agreed to.

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

Mr. CAWLEY offered the following amendments No. A1639:

Amend Sec. 1 (Sec. 1), page 17, line 15, by inserting after "HOMEOWNERS"

and persons renting the homes in which they reside

Amend Sec. 1 (Sec. 1), page 17, line 17, by inserting after "HOMEOWNERS"

and persons renting the homes in which they reside

Amend Sec. 1 (Sec. 1), page 17, line 25, by inserting after "HOMEOWNERS"

and persons renting the homes in which they reside

Amend Sec. 1 (Sec. 2), page 18, line 7, by striking out "OR" where it appears the second time and inserting

property damaged or destroyed, or any homeowner or tenant of premises he rents as his primary residence for

Amend Sec. 1 (Sec. 2), page 18, line 8, by inserting a comma after "DESTROYED"

Amend Sec. 1 (Sec. 2), page 18, line 11, by striking out "HOMEOWNER"

Amend Sec. 1 (Sec. 2), page 18, line 16, by striking out "HOMEOWNER" and inserting applicant

Amend Sec. 1 (Sec. 2), page 18, line 20, by inserting after "APPLIANCES"

incurred by a homeowner in his owner-occupied primary residence or incurred by a tenant in premises he rents as a primary residence

Amend Sec. 1 (Sec. 2), page 18, line 21, by inserting after "PURPOSES."

As used in this act, the term "owner-occupied primary residence" includes real property containing four or fewer residential units if the owner's primary residence is in one of the units.

Amend Sec. 1 (Sec. 2), page 18, line 22, by striking out "HOMEOWNERS" and inserting

Only applicants

Amend Sec. 1 (Sec. 2), page 18, line 24, by striking out "HOMEOWNER" and inserting

applicant

Amend Sec. 2 (Sec. 5), page 21, line 18, by inserting after "HOMEOWNERS"

and tenants of rented primary residences

On the question,

Will the House agree to the amendments?

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Lackawanna, Mr. Cawley.

Mr. CAWLEY. Thank you, Mr. Speaker.

This amendment would include renters, persons who rent, to be reimbursed for personal property damage. This amendment also defines "primary residence" where an owner of a residence lives in that particular residence and there are no more than three apartments—four apartments total—in that residence. Damage to that residence shall be covered by reimbursement from the State or Federal Government.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—195

Acosta	Dietz	Laughlin	Robbins
Afflerbach	Dininni	Lescovitz	Roebuck
Angstadt	Distler	Letterman	Rudy
Argall	Dombrowski	Levdansky	Ryan
Arty	Donatucci	Linton	Rybak
Baldwin	Dorr	Livengood	Saloom
Barber	Duffy	Lloyd	Saurman
Barley	Durham	Lucyk	Scheetz
Battisto	Evans	McCall	Schuler
Belardi	Fargo	McClatchy	Semmel
Belfanti	Fattah	McHale	Serafini
Birmelin	Fee	McVerry	Seventy
Black	Fischer	Mackowski	Showers
Blaum	Flick	Maiale	Sirianni
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
Broujos	Gallagher	Michlovic	Stairs
Bunt	Gallen	Miller	Steighner
Burd	Gamble	Moehlmann	Stevens
Burns	Gannon	Morris	Stewart
Bush	Geist	Mowery	Stuban
Caltagirone	George	Mrkonik	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	Howlett	Piccola	Wambach
Cole	Hutchinson	Pievsky	Wass
Cordisco	Jackson	Pistella	Weston
Cornell	Jarolin	Pitts	Wiggins
Coslett	Johnson	Pott	Wilson
Cowell	Josephs	Pressmann	Wogan
Coy	Kasunic	Preston	Wozniak
Deluca	Kennedy	Punt	Wright, D. R.
DeVerter	Kenney	Raymond	Wright, J. L.
DeWeese	Kosinski	Reber	Yandrisevits
Daley	Kukovich	Reinard	
Davies	Langtry	Richardson	Irvis,
Dawida	Lashingner	Rieger	Speaker
Deal			

NAYS—0

NOT VOTING—3

Brandt	Honaman	Micozzie
Gladeck	Itkin	Wright, R. C.

EXCUSED—3

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

CAPT. EDWARD DAVIS PRESENTED

The SPEAKER. The Chair is honored to interrupt the flow of business on the floor of this House, and the Chair would urge members to pay attention.

The Lancaster delegation has as its guest, and as the guest of all the members of this General Assembly, Capt. Edward Davis, who is now retiring from the U.S. Navy after 24 years of service. He was a POW (prisoner of war) in North Vietnam for 7 1/2 years and survived that. He has been awarded three Silver Stars and the Purple Heart. Ladies and gentlemen of the House of Representatives, I give you Capt. Edward Davis and ask that he step to the microphone to speak to us.

We have invited the family of Captain Davis to come and stand behind him. The family already knows about him, but we want the family to know what we think about him.

Captain, the microphone is yours.

Captain DAVIS. Mr. Speaker, Representative Schuler, ladies and gentlemen, this is a surprise and a very, very pleasant one. All my life I have been very proud to be a Pennsylvanian, but it is especially nice to be welcomed by people from home. It has been an exciting week for me. I am wrapping up one career and looking forward to starting another.

I said on the other side today, I hope you understand the beauty of what you have here and also the beauty and grace of what you do here. I am proud to tell you I had, I think, something to do with the freedom to be able to come and go right in the seat of government like this, as everybody from Pennsylvania can do anytime that they want.

I thank you for a very gracious and warm welcome, and I am proud to be among you.

The SPEAKER. Let the record show that every single human being in this great chamber - Representatives, guests, staff, visitors - stood up as Americans to honor a man who distinguished himself under trying circumstances as a defender of the freedoms of this land. The Chair congratulates all of you.

We argue about political differences. Sometimes we forget those things which unite us in our arguments over those things which divide. This afternoon we recognized those things which unite all of us as Americans, and the Chair is very proud of you.

CONSIDERATION OF SB 642 CONTINUED

On the question recurring,

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

Mr. BOWSER offered the following amendment No. A1596:

Amend Sec. 1 (Sec. 3), page 20, lines 12 through 30; page 21, lines 1 through 11, by striking out all of said lines on said pages and inserting

Section 3. Tax moratorium.

(a) Exemption for reconstruction and repairs.—Local taxing authorities shall, by ordinance or resolution, exempt from real property taxation the assessed valuation of reconstruction or repairs made to properties damaged or destroyed as the result of a natural disaster which was within any geographic area subject to a Federal emergency declaration as provided herein. The exemption shall be limited to the additional assessment valuation attributable to the actual costs of reconstruction or repairs on the damaged or destroyed property.

(b) Exemption schedule.—For the first year for which such reconstruction or repairs would otherwise be taxable, 100% of the eligible assessment shall be exempted; for the second year, 80% of the eligible assessment shall be exempted; for the third year, 60% of the eligible assessment shall be exempted; for the fourth year, 40% of the eligible assessment shall be exempted; and for the fifth year, 20% of the eligible assessment shall be exempted. After the fifth year, the exemption shall terminate. No property shall be eligible for tax exemption under this section unless reconstruction or repairs are begun within five years of the date of the applicable Federal emergency declaration.

(c) Right to appeal.—Notwithstanding any other law to the contrary, persons who have suffered catastrophic losses to their property due to the disaster emergencies covered by this act shall have the right to appeal before the county commissioners, acting as a board of revision of taxes, or the board for the assessment and revision of taxes within the remainder of the county fiscal year in which the catastrophic loss occurred, or within three months of the effective date of this act, whichever time period is longer. The duty of the county commissioners, acting as a board of revision of taxes, or the board for the assessment and revision of taxes shall be to reassess the value of the property in the following manner: the value of the property before the catastrophic loss, based on the percentage of the taxable year for which the property stood at its former value, shall be added to the value of the property after the catastrophic loss, based on the percentage of the remainder of the taxable year. Any property improvements made subsequent to the catastrophic loss in the same tax year shall not be included in the reassessment described in this subsec-

tion for that tax year. Any adjustments in the tax required pursuant to this subsection which cannot take effect for the tax year in which the loss occurs shall be reflected by the appropriate taxing authorities in the form of a credit for the first succeeding tax year in which such credit can be effectuated. As used in this section, "catastrophic loss" means any loss due to natural disaster covered by this act which affects the physical state of the real property and which exceeds 40% of the market value of the real property prior to the loss.

(d) Termination upon transfer.—The exemption from taxation authorized by this section shall terminate upon the sale or exchange of the property.

(e) Notice.—Local taxing authorities shall publish notice of property owners' rights to appeal their assessed valuations, pursuant to the assessment laws of this Commonwealth, due to the occurrence of a "catastrophic loss" and of the moratorium on taxation attributable to increases in assessed valuations due to reconstruction or repairs as required herein. The notice shall appear on at least two occasions in newspapers of general circulation within the affected areas within 60 days of the effective date of this act.

(f) Appropriation.—The sum of \$1,000,000, or as much thereof as may be necessary, is hereby appropriated to the Department of Community Affairs for payment to any local taxing authority as reimbursement for any losses suffered pursuant to this act. This shall be a continuing appropriation and shall not lapse until the end of the sixth fiscal year commencing subsequent to the effective date of this act.

(g) Application.—This section shall apply only to property damaged or destroyed on or after January 1, 1984.

(h) Definition.—As used in this section the term "local taxing authority" means any political subdivision authorized to impose real property taxes.

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

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Erie, Mr. Bowser.

Mr. BOWSER. Mr. Speaker, this language is basically in the bill presently. Our legal staff wanted to rearrange some of the wording, and this basically is a technical change. What this would do as part of the bill is give people a break on the reassessment of their properties after a storm. If they had to totally rebuild, what we found in our area from the tornado victims is that the new home had a much higher value and the taxes were higher. What we are doing is taking the difference between what they had been paying before the storms and what the new assessment is, giving them a break for 5 years. They would pay 20 percent of that additional amount the first year; 40, 60, 80, until they have paid the 100 the last year.

I would ask for your support on this amendment.

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

The following roll call was recorded:

YEAS—194

Acosta	Dawida	Kukovich	Robbins
Afflerbach	Deal	Langtry	Roebuck
Angstadt	Dietz	Lashinger	Rudy
Argall	Dininni	Laughlin	Ryan
Arty	Distler	Lescovitz	Rybak
Baldwin	Dombrowski	Letterman	Saloom
Barber	Donatucci	Levdansky	Saurman
Barley	Dorr	Linton	Scheetz
Battisto	Duffy	Livengood	Schuler

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

NAYS—1

Preston

NOT VOTING—3

Micozzie

Pitts Richardson
EXCUSED—3

Gladeck

Itkin Wright, R. C.

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

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

Mr. BOWSER offered the following amendments No. A1537:

Amend Sec. 1 (Sec. 2), page 19, by inserting between lines 13 and 14

(d) Supplemental grants for household refurbishing and reconstruction.—

(1) Subject to the eligibility requirements of subsection (b), except for the household income limitation of subsection (b)(4), eligible persons may apply to the Department of Public Welfare for supplemental grants to reimburse them for sales and use taxes paid pursuant to Article II of the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, on purchases of certain household furnishings and appliances and of building materials used in reconstruction and repair of damaged or destroyed property. The Depart-

ment of Public Welfare shall promulgate regulations which shall require not only proof of sales and use taxes paid, but also proof that any item purchased for which reimbursement is claimed was actually a replacement for an item of personal property damaged or destroyed pursuant to the disaster, or was actually used in the reconstruction or repair of the real property.

(2) Eligibility for supplemental grants under this subsection shall expire three years after the date of the proclamation of the Federal emergency declaration.

Amend Sec. 1 (Sec. 2), page 19, line 14, by striking out “(D)” and inserting

(e)

Amend Sec. 1 (Sec. 2), page 19, line 22, by striking out “(E)” and inserting

(f)

Amend Sec. 1 (Sec. 2), page 19, line 29, by striking out “(F)” and inserting

(g)

Amend Sec. 1 (Sec. 2), page 20, line 6, by striking out “(G)” and inserting

(h)

On the question,

Will the House agree to the amendments?

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Erie, Mr. Bowser.

Mr. BOWSER. Thank you, Mr. Speaker.

What this amendment would do is give the people sales tax relief for either refurbishing or rebuilding due to a storm. Now, here again, this is money the State would not receive had it not been for the disaster, so we do not feel that we are taking any money out of the State coffers. We are just returning that money to those who have paid the sales tax in rebuilding and refurbishing their properties.

I ask for your support.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—195

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	Sirianni
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	Miller	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	Harper	Olasz	Trello
Cimini	Hasay	Oliver	Truman
Civera	Hayes	Perzel	Van Horne
Clark	Herman	Petrarca	Veon
Clymer	Hershey	Petrone	Vroon
Cohen	Honaman	Phillips	Wambach
Colafella	Howlett	Piccola	Wass
Cole	Hutchinson	Pievsky	Weston
Cordisco	Jackson	Pistella	Wiggins
Cornell	Jarolin	Pitts	Wilson
Coslett	Johnson	Pott	Wogan
Cowell	Josephs	Pressmann	Wozniak
Coy	Kasunic	Preston	Wright, D. R.
DeLuca	Kennedy	Punt	Wright, J. L.
DeVerter	Kenney	Raymond	Yandrisevits
DeWeese	Kosinski	Reber	
Daley	Kukovich	Reinard	Irvis,
Davies	Langtry	Rieger	Speaker
Dawida			

NAYS—0

NOT VOTING—3

Haluska	Micozzie	Richardson
		EXCUSED—3

Gladeck	Itkin	Wright, R. C.
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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. KUKOVICH, for Mr. HUTCHINSON, offered the following amendments No. A3318:

Amend Title, page 2, line 8, by striking out “AN APPROPRIATION.” and inserting appropriations to the Governor and the Pennsylvania Emergency Management Agency for disaster relief and for allocations to various municipalities in Westmoreland, Somerset and Fayette Counties for reimbursement for flood damages.

Amend Bill, page 21, line 22, by striking out all of said line and inserting

Section 3. (a) Pursuant to section 17(b) of Article VIII of the Constitution of Pennsylvania, the sum of \$11,000,000, or as much thereof as may be necessary, is hereby appropriated to the Governor in accordance with 35 Pa.C.S. Ch. 73 Subch. A (relating to the Governor and disaster emergencies) to alleviate the hardships and repair the damage caused by the storm of September 27, 1985, in Pennsylvania. This appropriation shall also be used to reimburse municipalities for extraordinary emergency actions undertaken during the storm of September 27, 1985.

(b) The sum of \$1,600,000, or as much thereof as may be necessary, is hereby appropriated to the Pennsylvania Emergency Management Agency for the fiscal year July 1, 1985, to June 30, 1986, to reimburse certain municipalities for flood damages incurred in the storm of July 8 and 9 of 1985.

Section 4. The appropriation in section 3(b) shall be allocated as follows:

(1) City of Jeannette, Westmoreland County	\$1,026,000
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(2) City of New Kensington, Westmoreland County	125,000
(3) City of Lower Burrell, Westmoreland County	50,000
(4) Scottdale Borough, Westmoreland County	3,000
(5) Mount Pleasant Township, Westmoreland County	98,000
(6) Unity Township, Westmoreland County	96,000
(7) City of Greensburg, Westmoreland County	90,000
(8) Hempfield Township, Westmoreland County	70,000
(9) South Greensburg, Westmoreland County	5,000
(10) Southwest Greensburg, Westmoreland County	5,000
(11) Youngwood Borough, Westmoreland County	1,000
(12) Penn Borough, Westmoreland County	1,000
(13) Greensburg Recreation Board, Westmoreland County	80,000
(14) Henry Clay Township, Fayette County	6,000
(15) Springfield Township, Fayette County	19,000
(16) Lower Turkeyfoot Township, Somerset County	5,000

Section 5. (a) All moneys received from the Federal Government for the purpose of disaster relief assistance or for damage caused by the storm of September 27, 1985, are hereby appropriated to the departments, boards, commissions or agencies designated by the Governor.

(b) The appropriation in section 3(a) shall be used to pay eligible State and Federal expenditures until Federal moneys are available. When the Federal moneys are made available, the amount of State funds expended for Federal purposes shall be reimbursed and shall lapse.

Section 6. The sum appropriated in section 3(b) shall be in addition to any sums received under section 224 of the act of June 30, 1985 (P.L.592, No.5A), known as the General Appropriation Act of 1985.

Section 7. The sum of \$46,400, or as much thereof as may be necessary, is hereby appropriated to the Pennsylvania Emergency Management Agency to reimburse the following municipalities for flood damages incurred as a result of the storm of August 13, 1984:

(1) Summit Township, Somerset County	\$5,000
(2) Northampton Township, Somerset County	23,500
(3) Meyersdale Borough, Somerset County	15,500

(4) Fairhope Township, Somerset County 2,400
 Section 8. This act shall take effect immediately.

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

The SPEAKER. On the Hutchinson amendment, the Chair recognizes the gentleman from Westmoreland, Mr. Kukovich.
 Mr. KUKOVICH. Thank you, Mr. Speaker.

This amendment is an identical version of HB 1639 that was primarily sponsored by Representative Staback. It deals with funding to reimburse municipalities for damages that came about as a result of storms back in 1985. It affects the Scranton area, the Westmoreland-Fayette area, and also Somerset County. Back in October it passed this House by a vote of 202 to nothing, and I would ask for an affirmative vote again.

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

The following roll call was recorded:

YEAS—196

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

Daley	Langtry	Richardson	Irvis,
Davies	Lashinger	Rieger	Speaker
Dawida	Laughlin		

NAYS—0

NOT VOTING—2

Gallagher	Gannon
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EXCUSED—3

Gladeck	Itkin	Wright, R. C.
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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. TIGUE offered the following amendment No. A1636:

Amend Sec. 1 (Sec. 2), page 19, lines 20 and 21, by striking out all of said lines

On the question,

Will the House agree to the amendment?

The SPEAKER. On the Tigue amendment, the Chair recognizes the gentleman from Luzerne, Mr. Tigue.

Mr. TIGUE. Thank you, Mr. Speaker.

Mr. Speaker, this amendment deletes a section which says that if there are not enough funds available, the grants given to homeowners would be prorated. In other words, we would not have to come back for extra money. My amendment would delete this language so that if we ran out of funds, we would have to come back to the General Assembly and appropriate new moneys.

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

Mr. RYAN. Mr. Speaker, I understand what the gentleman is trying to accomplish. I seriously doubt that it would work that way. If there were insufficient funds and if, God forbid, this General Assembly would not provide additional funds, then I suppose it would be on a first-come-first-served basis until the funds were expended, as opposed to the way it is proposed where everybody would get a proportionate share of the action?

Mr. TIGUE. That is correct, Mr. Speaker.

My intent is to force us to come back. Why should someone receive half a grant if they are entitled to a full grant? I think we have enough people in this General Assembly to come back in session and give them their full right.

Mr. RYAN. Mr. Speaker, I am going to vote for the amendment. I suspect that all of this will be doctored up again in the Senate or in conference.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—195

Acosta	Deal	Laughlin	Robbins
Afflerbach	Dietz	Lescovitz	Roebuck
Angstadt	Dininni	Letterman	Rudy
Argall	Distler	Levdansky	Ryan
Arty	Dombrowski	Linton	Rybak

Baldwin	Donatucci	Livengood	Saloom
Barber	Dorr	Lloyd	Saurman
Barley	Duffy	Lucyk	Scheetz
Battisto	Durham	McCall	Schuler
Belardi	Evans	McClatchy	Semmel
Belfanti	Fargo	McHale	Serafini
Birmelin	Fattah	McVerry	Seventy
Black	Fee	Mackowski	Showers
Blaum	Fischer	Manderino	Sirianni
Book	Flick	Manmiller	Smith, B.
Bortner	Foster	Markosek	Smith, L. E.
Bowley	Fox	Mayernik	Snyder, D. W.
Bowser	Freeman	Merry	Snyder, G.
Boyes	Freind	Michlovic	Staback
Brandt	Fryer	Micozzie	Stairs
Broujos	Gallagher	Miller	Steighner
Bunt	Gallen	Moehlmann	Stevens
Burd	Gamble	Morris	Stewart
Burns	Gannon	Mowery	Stuban
Bush	Geist	Mrkonic	Sweet
Caltagirone	George	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	Harper	Oliver	Trello
Cimini	Hasay	Perzel	Truman
Civera	Hayes	Petrarca	Van Horne
Clark	Herman	Petrone	Veon
Clymer	Hershey	Phillips	Vroon
Cohen	Honaman	Piccola	Wambach
Colafella	Hutchinson	Pievsky	Wass
Cole	Jackson	Pistella	Weston
Cordisco	Jarolin	Pitts	Wiggins
Cornell	Johnson	Pott	Wilson
Coslett	Josephs	Pressmann	Wogan
Cowell	Kasunic	Preston	Wozniak
Coy	Kennedy	Punt	Wright, D. R.
Deluca	Kenney	Raymond	Wright, J. L.
DeVerter	Kosinski	Reber	Yandrisevits
DeWeese	Kukovich	Reinard	
Daley	Langtry	Richardson	Irvis,
Davies	Lashinger	Rieger	Speaker
Dawida			

NAYS—0

NOT VOTING—3

Haluska	Howlett	Maiale
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EXCUSED—3

Gladeck	Itkin	Wright, R. C.
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The question was determined in the affirmative, and the amendment was agreed to.

On the question recurring,

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

Mr. TIGUE offered the following amendments No. A1635:

Amend Sec. 1 (Sec. 2), page 19, line 3, by striking out "\$5,000" and inserting

\$10,000

Amend Sec. 1 (Sec. 2), page 19, lines 4 and 5, by striking out all of line 4 and "(III)" in line 5 and inserting

(ii)

Amend Sec. 1 (Sec. 2), page 19, line 6, by striking out "(IV)" and inserting

(iii)

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

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Luzerne, Mr. Tigue.

Mr. TIGUE. Thank you, Mr. Speaker.

Mr. Speaker, this changes the amount of the grants which would be given to eligible recipients. This would change the language so that they would receive 75 percent of the first \$10,000 for reimbursable, and it would retain the cap that is currently in the bill at \$12,500.

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

The following roll call was recorded:

YEAS—196

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

NAYS—0

NOT VOTING—2

Greenwood Smith, L. E.

EXCUSED—3

Gladeck Itkin Wright, R. C.

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

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—198

Acosta	Deal	Lashingier	Rieger
Afflerbach	Dietz	Laughlin	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	Sirianni
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	Miller	Stevens
Burns	Gannon	Moehlmann	Stewart
Bush	Geist	Morris	Stuban
Caltagirone	George	Mowery	Sweet
Cappabianca	Godshall	Mrkonic	Swift
Carlson	Greenwood	Murphy	Taylor, E. Z.
Carn	Gruitza	Nahill	Taylor, F.
Cawley	Gruppo	Noye	Taylor, J.
Cessar	Hagarty	O'Brien	Telek
Chadwick	Haluska	O'Donnell	Tigue
Cimini	Harper	Olasz	Trello
Civera	Hasay	Oliver	Truman
Clark	Hayes	Perzel	Van Horne
Clymer	Herman	Petrarca	Veon
Cohen	Hershey	Petrone	Vroon
Colafella	Honaman	Phillips	Wambach
Cole	Howlett	Piccola	Wass
Cordisco	Hutchinson	Pievsky	Weston
Cornell	Jackson	Pistella	Wiggins
Coslett	Jarolin	Pitts	Wilson
Cowell	Johnson	Pott	Wogan
Coy	Josephs	Pressmann	Wozniak
Deluca	Kasunic	Preston	Wright, D. R.
DeVerter	Kennedy	Punt	Wright, J. L.
DeWeese	Kenney	Raymond	Yandrisevits
Daley	Kosinski	Reber	
Davies	Kukovich	Reinard	Irvis,
Dawida	Langtry	Richardson	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—3

Gladeck Itkin Wright, R. C.

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

ANNOUNCEMENT BY SPEAKER

The SPEAKER. Do the caucus chairs wish to change the time of their meetings?

Immediately for the Republican caucus, is that correct? Three-thirty? Three-thirty for the Republican caucus.

For the Democratic caucus, Mr. Fee?

Mr. FEE. Three-thirty, Mr. Speaker.

The SPEAKER. Three-thirty.

The Appropriations meeting is immediately now in the majority caucus room. There will be a Rules meeting immediately in the majority leader's office.

REMARKS ON VOTE

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

Mr. HALUSKA. Mr. Speaker, on SB 642, amendment A1636, I failed to vote. Please record me in the affirmative.

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

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

SB 1422, PN 2266 (Amended)

By Rep. TRELLO

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), entitled "Tax Reform Code of 1971," further providing for estimated tax; and reenacting provisions relating to a credit against gross receipts tax for railroad expenditures on maintenance or right-of-way improvements.

FINANCE.

RECESS

The SPEAKER. The House will stand in recess until 3:30; then the Chair will be back to receive reports of committees at that time. The House stands in recess until 3:30.

AFTER RECESS

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

BILLS REREPORTED FROM COMMITTEE

HB 1488, PN 3716 By Rep. O'DONNELL

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

RULES.

HB 2072, PN 3668 By Rep. O'DONNELL

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for rules of evidence in relation to medical records; and providing for the use of certified copies and procedures relating thereto.

RULES.

HB 2120, PN 3630 By Rep. O'DONNELL

An Act authorizing the release of Project 70 restrictions imposed on certain lands owned by the County of Delaware, in return for the imposition of Project 70 restrictions on certain lands owned by the County of Delaware.

RULES.

HB 2308, PN 3688 By Rep. O'DONNELL

An Act amending the act of December 12, 1980 (P. L. 1179, No. 219), entitled, "An act to define and regulate secondary mortgage loans and providing penalties," further limiting unlicensed loans, providing for an application and dishonored check fee and setting the frequency of examinations; prohibiting loan-finders's fees; and further providing for exemptions.

RULES.

HB 2330, PN 3569 By Rep. O'DONNELL

An Act amending the act of April 28, 1961 (P. L. 111, No. 50), known as the "Tourist Promotion Law," adding definitions; and further providing for grants to tourist promotion agencies.

RULES.

HB 2341, PN 3570 By Rep. O'DONNELL

An Act amending the act of April 13, 1972 (P. L. 184, No. 62), known as the "Home Rule Charter and Optional Plans Law," prohibiting municipalities from retroactively increasing fees for municipal services.

RULES.

HB 2429, PN 3632 By Rep. O'DONNELL

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, including enforcement officers and investigators in the Office of Attorney General within the definition of "enforcement officer" for retirement purposes.

RULES.

HB 2469, PN 3463 By Rep. O'DONNELL

An Act amending the act of July 10, 1981 (P. L. 214, No. 67), known as the "Bingo Law," further providing for the operation and conducting of bingo.

RULES.

RESOLUTIONS REPORTED FROM COMMITTEE

HR 314, PN 3673 By Rep. O'DONNELL

Memorializing the Governor to designate August 1, 1986, as "Smoke Detector Awareness Day."

RULES.

HR 316, PN 3720

By Rep. O'DONNELL

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

RULES.

HR 317, PN 3721

By Rep. O'DONNELL

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

RULES.

**BILL REPORTED FROM COMMITTEE,
CONSIDERED FIRST TIME, AND TABLED**

SB 1145, PN 2268 (Amended)

By Rep. FRYER

An Act amending the act of April 13, 1972 (P. L. 184, No. 62), entitled "Home Rule Charter and Optional Plans Law," providing for election district amendments and for questions on the ballot.

LOCAL GOVERNMENT.

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader. Mr. MANDERINO. Mr. Speaker, I move that SB 1145 be lifted from the table and placed on the active calendar.

On the question,

Will the House agree to the motion?

Motion was agreed to.

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader. Mr. MANDERINO. Mr. Speaker, I move that SB 1145, together with the amendments, be referred to the Appropriations Committee.

On the question,

Will the House agree to the motion?

Motion was agreed to.

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

SB 1144, PN 2267 (Amended)

By Rep. FRYER

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

LOCAL GOVERNMENT.

SB 1277, PN 2269 (Amended)

By Rep. PIEVSKY

An Act establishing a special fund for moneys received by the Commonwealth from resolution of oil overcharge matters; designating certain low income energy conservation and assistance programs for funding from this special fund; and making appropriations.

APPROPRIATIONS.

SB 1451, PN 2270 (Amended)

By Rep. PIEVSKY

An Act making an appropriation from the Workmen's Compensation Administration Fund to the Department of Labor and Industry to provide for the expenses of administering The Pennsylvania Workmen's Compensation Act and The Pennsylvania Occupational Disease Act for the fiscal year July 1, 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.

APPROPRIATIONS.

BILLS REREPORTED FROM COMMITTEE

HB 459, PN 3751 (Amended)

By Rep. PIEVSKY

An Act to require the Department of Public Welfare to provide home-based care as an alternative to nursing home or other institutional care; and making an appropriation.

APPROPRIATIONS.

HB 823, PN 942

By Rep. PIEVSKY

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), known as the "Public School Code of 1949," increasing reimbursement for school building construction; and making editorial changes.

APPROPRIATIONS.

HB 1166, PN 3752 (Amended)

By Rep. PIEVSKY

An Act relating to the protection of the occupational health and safety of public employees; providing penalties; and making an appropriation.

APPROPRIATIONS.

HB 1698, PN 3753 (Amended)

By Rep. PIEVSKY

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), known as the "Public School Code of 1949," changing provisions relating to school terms and sessions.

APPROPRIATIONS.

HB 1776, PN 3310

By Rep. PIEVSKY

An Act amending the act of December 3, 1959 (P. L. 1688, No. 621), known as the "Housing Finance Agency Law," reestablishing and continuing the Pennsylvania Housing Finance Agency; further providing for agency membership and terms; providing for removal from the agency for nonattendance at meetings; further providing for mortgagors profits; continuing the Homeowner's Emergency Assistance program; and making a conforming amendment.

APPROPRIATIONS.

HB 2106, PN 3754 (Amended)

By Rep. PIEVSKY

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, further providing for special early retirement.

APPROPRIATIONS.

SB 1145, PN 2268

By Rep. PIEVSKY

An Act amending the act of April 13, 1972 (P. L. 184, No. 62), entitled "Home Rule Charter and Optional Plans Law," providing for election district amendments and for questions on the ballot.

APPROPRIATIONS.

BILL SIGNED BY SPEAKER

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

HB 943, PN 3496

An Act amending the act of July 7, 1947 (P. L. 1368, No. 542), known as the "Real Estate Tax Sale Law," adding and amending definitions; further providing for the creation of bureaus in counties, for appointment and compensation of personnel, for the bonding of certain personnel and for accounting and distribution; increasing certain costs and fees; further providing for tax liens, filings, adjudications and collection; providing for discharge of tax claims; imposing additional notification requirements; further providing for sale and purchase of property; and making editorial changes.

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER. There being no further business to be brought before this day's session, the Chair recognizes the gentleman from Warren, Mr. Bowley.

Mr. BOWLEY. Mr. Speaker, I move that this House do now adjourn until Tuesday, June 24, 1986, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 3:48 p.m., e.d.t., the House adjourned.