

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

TUESDAY, JANUARY 2, 1990

SESSION OF 1990

174TH OF THE GENERAL ASSEMBLY

No. 1

### HOUSE OF REPRESENTATIVES

The House convened at 12 m., e.s.t.

#### THE ACTING SPEAKER (ROBERT W. O'DONNELL) IN THE CHAIR

##### CALL TO ORDER

The ACTING SPEAKER. This being the day and hour fixed by Article II, section 4, of the Constitution of this Commonwealth for the meeting of the General Assembly, the House will now come to order.

##### PRAYER

The ACTING SPEAKER. Prayer will be offered by the Reverend Paul Gehris, director of the Office for Social Ministry, Pennsylvania Council of Churches.

REV. PAUL D. GEHRIS offered the following prayer:

Let us pray:

Almighty and Everlasting God, creator of the worlds and author of our lives, we give thanks to You for this day and hour in the unfolding life of our Commonwealth. We thank You for the many decades of service of this venerable House of Representatives, for the lives of those who served and serve as members today. We especially honor the memory of the Speaker, James J. Manderino, now called to rest from this labor and responsibility, and the many others who shared this chamber and now have their full reward.

We look to the coming year and this final decade of the millennium filled with opportunity to help our Commonwealth become an even better place to live and learn and work and enjoy. May the call to statesmanship drown the temptation to partisanship. May quick easy answers to issues not crowd out thoughtful long-term solutions.

Bless the lives and work of these honorable members, the staff who serve them, and all their families who care so much about them.

By Your Spirit, encourage and empower the members of this House to well serve our whole Commonwealth in this year and, by Your grace, beyond. Amen.

##### PLEDGE OF ALLEGIANCE

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

### JOURNAL APPROVAL POSTPONED

The ACTING SPEAKER. Without objection, the approval of the Journal of Wednesday, December 13, 1989, will be postponed until printed. The Chair hears no objection.

### COMMUNICATION FROM PARLIAMENTARIAN

The ACTING SPEAKER. The Chair is in receipt of a communication from the Parliamentarian, which the clerk will read.

The following communication was read:

House of Representatives  
Commonwealth of Pennsylvania  
Harrisburg

January 2, 1990

To the Honorable, the House of Representatives  
Commonwealth of Pennsylvania

Pursuant to Act 104 of 1979, when any vacancy shall occur during the recess of the Legislature in the office of the Speaker of the House of Representatives, the duties of said office shall be performed by the Majority Leader of the House of Representatives.

Accordingly, due to the untimely death of Speaker Manderino on December 26, 1989, the Majority Leader, Robert W. O'Donnell will perform the duties of the Speaker during the recess of the Legislature.

Clancy Myer  
Parliamentarian

### COMMUNICATIONS FROM GOVERNOR

#### BILLS SIGNED BY GOVERNOR

The Secretary to the Governor presented the following communications from His Excellency, the Governor:

APPROVAL OF HB's 53, 125, 268, 540, 650, 689, 810, 837, 838, 839, 855, 964, 1104, 1275, 1277, 1280, 1435, 1615, 1633, 1774, 1890, 1895, 2009, and 2125.

Commonwealth of Pennsylvania  
Governor's Office  
Harrisburg

December 14, 1989

To the Honorable, the House of Representatives  
of the Commonwealth of Pennsylvania

I have the honor to inform you that I have this day approved and signed House Bill 837, Printer's No. 955, entitled "AN ACT amending the act of June 24, 1931 (P.L. 1206, No. 331), entitled

'An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto,' further providing for the sale of township real property."

Robert P. Casey  
Governor

Commonwealth of Pennsylvania  
Governor's Office  
Harrisburg

December 14, 1989

To the Honorable, the House of Representatives  
of the Commonwealth of Pennsylvania

I have the honor to inform you that I have this day approved and signed House Bill 838, Printer's No. 956, entitled "AN ACT amending the act of February 1, 1966 (1965 P.L. 1656, No. 581), entitled 'An act concerning boroughs, and revising, amending and consolidating the law relating to boroughs,' further providing for the sale of borough real property."

Robert P. Casey  
Governor

Commonwealth of Pennsylvania  
Governor's Office  
Harrisburg

December 14, 1989

To the Honorable, the House of Representatives  
of the Commonwealth of Pennsylvania

I have the honor to inform you that I have this day approved and signed House Bill 839, Printer's No. 957, entitled "AN ACT amending the act of May 1, 1933 (P.L. 103, No. 69), entitled 'An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto,' further providing for the sale of township real property."

Robert P. Casey  
Governor

Commonwealth of Pennsylvania  
Governor's Office  
Harrisburg

December 20, 1989

To the Honorable, the House of Representatives  
of the Commonwealth of Pennsylvania

I have the honor to inform you that I have this day approved and signed House Bill 53, Printer's No. 2790, entitled "AN ACT authorizing and directing the Department of General Services, with the approval of the Governor and the Chancellor of the State System of Higher Education, to convey to Pocono Medical Center a certain tract of land situate in the Borough of East Stroudsburg, Monroe County, in exchange for a certain monetary consideration and a certain tract of land; and authorizing the Department of General Services, with the approval of the Department of Environmental Resources, to supplement and amend a lease between the Commonwealth and the City of Philadelphia, authorized pursuant to the act of December 9, 1980 (P.L. 1133, No. 201), subject to certain conditions, in the fifth ward of the City of Philadelphia."

Robert P. Casey  
Governor

Commonwealth of Pennsylvania  
Governor's Office  
Harrisburg

December 20, 1989

To the Honorable, the House of Representatives  
of the Commonwealth of Pennsylvania

I have the honor to inform you that I have this day approved and signed House Bill 125, Printer's No. 136, entitled "AN ACT amending the act of June 11, 1879 (P.L. 147, No. 153), entitled 'An act fixing the compensation of persons called to serve as coroner's jurors in this commonwealth,' increasing the compensation to be paid to jurors; and providing for mileage payments."

Robert P. Casey  
Governor

Commonwealth of Pennsylvania  
Governor's Office  
Harrisburg

December 20, 1989

To the Honorable, the House of Representatives  
of the Commonwealth of Pennsylvania

I have the honor to inform you that I have this day approved and signed House Bill 268, Printer's No. 2659, entitled "AN ACT amending the act of November 30, 1967 (P.L. 658, No. 305), entitled, as amended, 'An act authorizing municipal corporations to designate business improvement districts, create bonded or other evidences of indebtedness to acquire and finance improvements in such districts, and assess and collect special assessments from benefited properties in such districts,' authorizing ~~municipal corporations~~ **CITIES OF THE SECOND CLASS** to finance services within business improvement districts."

Robert P. Casey  
Governor

Commonwealth of Pennsylvania  
Governor's Office  
Harrisburg

December 20, 1989

To the Honorable, the House of Representatives  
of the Commonwealth of Pennsylvania

I have the honor to inform you that I have this day approved and signed House Bill 540, Printer's No. 771, entitled "AN ACT amending the act of December 3, 1959 (P.L. 1688, No. 621), entitled, as amended, 'An act to promote the health, safety and welfare of the people of the Commonwealth by broadening the market for housing for persons and families of low and moderate income and alleviating shortages thereof, and by assisting in the provision of housing for elderly persons through the creation of the Pennsylvania Housing Finance Agency as a public corporation and government instrumentality; providing for the organization, membership and administration of the agency, prescribing its general powers and duties and the manner in which its funds are kept and audited, empowering the agency to make housing loans to qualified mortgagors upon the security of insured and uninsured mortgages, defining qualified mortgagors and providing for priorities among tenants in certain instances, prescribing interest rates and other terms of housing loans, permitting the agency to acquire real or personal property, permitting the agency to make agreements with financial institutions and Federal agencies, providing for the purchase by persons of low and moderate income of housing units, and approving the sale of housing units, permitting the agency to sell housing loans, providing for the promulgation of regulations and forms by the agency, prescribing penalties for furnishing false information, empowering the agency to borrow money upon its own credit by the issuance and sale of bonds and notes and by giving security therefor, permitting the refunding, redemption and purchase of such obligations by the agency, prescribing remedies of holders of such bonds and notes, exempting bonds and notes of the agency,

the income therefrom, and the income and revenues of the agency from taxation, except transfer, death and gift taxes; making such bonds and notes legal investments for certain purposes; and indicating how the act shall become effective,' ~~reestablishing and~~ continuing THE HOMEOWNER'S EMERGENCY ASSISTANCE PROGRAM OF the Pennsylvania Housing Finance Agency."

Robert P. Casey  
Governor

Commonwealth of Pennsylvania  
Governor's Office  
Harrisburg

December 20, 1989

To the Honorable, the House of Representatives  
of the Commonwealth of Pennsylvania

I have the honor to inform you that I have this day approved and signed House Bill 689, Printer's No. 2885, entitled "AN ACT amending the act of January 25, 1966 (1965 P.L. 1546, No. 541), entitled 'An act providing scholarships and providing funds to secure Federal funds for qualified students of the Commonwealth of Pennsylvania who need financial assistance to attend postsecondary institutions of higher learning, making an appropriation, and providing for the administration of this act,' further providing for fiscal administration and for an increase in the maximum grant."

Robert P. Casey  
Governor

Commonwealth of Pennsylvania  
Governor's Office  
Harrisburg

December 20, 1989

To the Honorable, the House of Representatives  
of the Commonwealth of Pennsylvania

I have the honor to inform you that I have this day approved and signed House Bill 1633, Printer's No. 2714, entitled "AN ACT amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for periodic review of support guidelines; providing for genetic tests in relation to paternity disputes; providing for mandatory attachment of income in orders of support; and providing for a periodic review of support orders."

Robert P. Casey  
Governor

Commonwealth of Pennsylvania  
Governor's Office  
Harrisburg

December 20, 1989

To the Honorable, the House of Representatives  
of the Commonwealth of Pennsylvania

I have the honor to inform you that I have this day approved and signed House Bill 1774, Printer's No. 2792, entitled "AN ACT amending the act of May 21, 1943 (P.L. 571, No. 254), entitled, as amended, 'An act relating to assessment for taxation in counties of the fourth, fifth, sixth, seventh and eighth classes; designating the subjects, property and persons subject to and exempt from taxation for county, borough, town, township, school, except in cities and county institution district purposes; and providing for and regulating the assessment and valuation thereof for such purposes; creating in each such county a board for the assessment and revision of taxes; defining the powers and duties of such boards; providing for the acceptance of this act by cities; regulating the office of ward, borough, town and township

assessors; abolishing the office of assistant triennial assessor in townships of the first class; providing for the appointment of a chief assessor, assistant assessors and other employes; providing for their compensation payable by such counties; prescribing certain duties of and certain fees to be collected by the recorder of deeds and municipal officers who issue building permits; imposing duties on taxables making improvements on land and grantees of land; prescribing penalties; and eliminating the triennial assessment,' ~~PROHIBITING THE USE OF A COMMON LEVEL RATIO MULTIPLIER IN DETERMINING PROPERTY VALUE; AND~~ further providing for appeals from assessments when there has been a countywide revision of assessments."

Robert P. Casey  
Governor

Commonwealth of Pennsylvania  
Governor's Office  
Harrisburg

December 20, 1989

To the Honorable, the House of Representatives  
of the Commonwealth of Pennsylvania

I have the honor to inform you that I have this day approved and signed House Bill 1890, Printer's No. 2423, entitled "AN ACT authorizing and directing the Department of General Services, with the approval of the Governor and the Secretary of Environmental Resources, to convey to Morris Township a road situate in Morris Township, Tioga County, Pennsylvania."

Robert P. Casey  
Governor

Commonwealth of Pennsylvania  
Governor's Office  
Harrisburg

December 20, 1989

To the Honorable, the House of Representatives  
of the Commonwealth of Pennsylvania

I have the honor to inform you that I have this day approved and signed House Bill 1895, Printer's No. 2910, entitled "AN ACT amending the act of April 9, 1929 (P.L. 177, No. 175), entitled 'An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined,' reestablishing the Office of Consumer Advocate; and making a repeal."

Robert P. Casey  
Governor

Commonwealth of Pennsylvania  
Governor's Office  
Harrisburg

December 20, 1989

To the Honorable, the House of Representatives  
of the Commonwealth of Pennsylvania

I have the honor to inform you that I have this day approved and signed House Bill 2125, Printer's No. 2897, entitled "AN ACT appropriating money from the Sunny Day Fund to the Department of Commerce for an economic development project in Clinton County."

Robert P. Casey  
Governor

Commonwealth of Pennsylvania  
Governor's Office  
Harrisburg

December 22, 1989

To the Honorable, the House of Representatives  
of the Commonwealth of Pennsylvania

I have the honor to inform you that I have this day approved and signed House Bill 650, Printer's No. 2686, entitled "AN ACT amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, further providing for the powers and duties of the commission; changing the penalties for certain violations; ~~further providing for the designation of Class B lakes;~~ FURTHER PROVIDING FOR THE POWERS AND DUTIES OF WATERWAY PATROLMEN AND DEPUTIES; providing for additional violations; providing new fees for lakes; PROVIDING FOR REPORTS BY EMERGENCY ROOM PERSONNEL; PROVIDING FOR TAGGED FISH CONTESTS ON STATE BOUNDARY LAKES; FURTHER PROVIDING FOR CLASS A LAKES; and further providing penalties for the registration of powered watercraft."

Robert P. Casey  
Governor

Commonwealth of Pennsylvania  
Governor's Office  
Harrisburg

December 22, 1989

To the Honorable, the House of Representatives  
of the Commonwealth of Pennsylvania

I have the honor to inform you that I have this day approved and signed House Bill 810, Printer's No. 2581, entitled "AN ACT amending the act of March 10, 1949 (P.L. 30, No. 14), entitled 'An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto,' prohibiting the possession by students of telephone paging devices."

Robert P. Casey  
Governor

Commonwealth of Pennsylvania  
Governor's Office  
Harrisburg

December 22, 1989

To the Honorable, the House of Representatives  
of the Commonwealth of Pennsylvania

I have the honor to inform you that I have this day approved and signed House Bill 855, Printer's No. 2934, entitled "AN ACT amending the act of April 14, 1972 (P.L. 233, No. 64), entitled 'An act relating to the manufacture, sale and possession of

controlled substances, other drugs, devices and cosmetics; conferring powers on the courts and the secretary and Department of Health, and a newly created Pennsylvania Drug, Device and Cosmetic Board; establishing schedules of controlled substances; providing penalties; requiring registration of persons engaged in the drug trade and for the revocation or suspension of certain licenses and registrations; and repealing an act,' classifying anabolic steroids as a Schedule H III controlled substance."

Robert P. Casey  
Governor

Commonwealth of Pennsylvania  
Governor's Office  
Harrisburg

December 22, 1989

To the Honorable, the House of Representatives  
of the Commonwealth of Pennsylvania

I have the honor to inform you that I have this day approved and signed House Bill 964, Printer's No. 2845, entitled "AN ACT amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for contraband."

Robert P. Casey  
Governor

Commonwealth of Pennsylvania  
Governor's Office  
Harrisburg

December 22, 1989

To the Honorable, the House of Representatives  
of the Commonwealth of Pennsylvania

I have the honor to inform you that I have this day approved and signed House Bill 1104, Printer's No. 2899, entitled "AN ACT amending the act of May 17, 1921 (P.L. 682, No. 284), entitled 'An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws,' FURTHER PROVIDING FOR INVESTMENTS; AND providing for benefits for drug abuse and dependency."

Robert P. Casey  
Governor

Commonwealth of Pennsylvania  
Governor's Office  
Harrisburg

December 22, 1989

To the Honorable, the House of Representatives  
of the Commonwealth of Pennsylvania

I have the honor to inform you that I have this day approved and signed House Bill 1275, Printer's No. 2846, entitled "AN ACT amending the act of April 14, 1972 (P.L. 233, No. 64), entitled 'An act relating to the manufacture, sale and possession of controlled substances, other drugs, devices and cosmetics; conferring powers on the courts and the secretary and Department of Health, and a newly created Pennsylvania Drug, Device and Cosmetic Board; establishing schedules of controlled substances; providing penalties; requiring registration of persons engaged in the drug trade and for the revocation or suspension of certain licenses and registrations; and repealing an act,' providing for designer drugs, ~~and further providing for prohibited acts.~~"

Robert P. Casey  
Governor

Commonwealth of Pennsylvania  
Governor's Office  
Harrisburg

December 22, 1989

To the Honorable, the House of Representatives  
of the Commonwealth of Pennsylvania

I have the honor to inform you that I have this day approved and signed House Bill 1277, Printer's No. 2935, entitled "AN ACT amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for dealing in proceeds of unlawful activities."

Robert P. Casey  
Governor

Commonwealth of Pennsylvania  
Governor's Office  
Harrisburg

December 22, 1989

To the Honorable, the House of Representatives  
of the Commonwealth of Pennsylvania

I have the honor to inform you that I have this day approved and signed House Bill 1280, Printer's No. 2936, entitled "AN ACT amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, defining the offense of drug delivery resulting in death; and providing penalties."

Robert P. Casey  
Governor

Commonwealth of Pennsylvania  
Governor's Office  
Harrisburg

December 22, 1989

To the Honorable, the House of Representatives  
of the Commonwealth of Pennsylvania

I have the honor to inform you that I have this day approved and signed House Bill 1435, Printer's No. 2855, entitled "~~AN ACT amending the act of May 5, 1933 (P.L. 284, No. 104), entitled, as reenacted and amended, 'An act imposing a State tax, payable by those herein defined as manufacturers and by others, on malt or brewed beverages used, sold, transported, or delivered within the Commonwealth; prescribing the method and manner of evidencing the payment and collection of such tax; conferring powers and imposing duties on the Department of Revenue, and those using or engaged in the sale, at retail or wholesale, or in the transportation of malt or brewed beverages taxable hereunder; and providing penalties; extending the emergency malt or brewed beverage tax credits; and increasing the maximum credit.~~

AMENDING THE ACT OF MARCH 4, 1971 (P.L. 6, NO. 2), ENTITLED 'AN ACT RELATING TO TAX REFORM AND STATE TAXATION BY CODIFYING AND ENUMERATING CERTAIN SUBJECTS OF TAXATION AND IMPOSING TAXES THEREON; PROVIDING PROCEDURES FOR THE PAYMENT, COLLECTION, ADMINISTRATION AND ENFORCEMENT THEREOF; PROVIDING FOR TAX CREDITS IN CERTAIN CASES; CONFERRING POWERS AND IMPOSING DUTIES UPON THE DEPARTMENT OF REVENUE, CERTAIN EMPLOYERS, FIDUCIARIES, INDIVIDUALS, PERSONS, CORPORATIONS AND OTHER ENTITIES; PRESCRIBING CRIMES, OFFENSES AND PENALTIES,' FURTHER DEFINING THE TERMS 'EMPLOYEE' AND 'EMPLOYER' FOR PERSONAL INCOME TAX PURPOSES; FURTHER PROVIDING FOR ESTIMATED TAX;

CODIFYING PROVISIONS IMPOSING A STATE TAX, PAYABLE BY MANUFACTURERS AND BY OTHERS, ON MALT OR BREWED BEVERAGES USED, SOLD, TRANSPORTED, OR DELIVERED WITHIN THE COMMONWEALTH; PRESCRIBING THE METHOD AND MANNER OF EVIDENCING THE PAYMENT AND COLLECTION OF SUCH TAX; CONFERRING ADDITIONAL POWERS AND IMPOSING ADDITIONAL DUTIES ON THE DEPARTMENT OF REVENUE, AND THOSE USING OR ENGAGED IN THE SALE, AT RETAIL OR WHOLESALE, OR IN THE TRANSPORTATION OF MALT OR BREWED BEVERAGES; PROVIDING PENALTIES; AND MAKING A REPEAL."

Robert P. Casey  
Governor

Commonwealth of Pennsylvania  
Governor's Office  
Harrisburg

December 22, 1989

To the Honorable, the House of Representatives  
of the Commonwealth of Pennsylvania

I have the honor to inform you that I have this day approved and signed House Bill 1615, Printer's No. 2716, entitled "AN ACT amending the act of May 23, 1945 (P.L. 926, No. 369), entitled 'An act for the protection of the public health by regulating the conduct and operation of public eating and drinking places within this Commonwealth; requiring their licensing; imposing certain duties on the Department of Health of this Commonwealth and on the local health authorities; and providing penalties,' authorizing second class townships and certain home rule municipalities to license public eating and drinking places; and making editorial changes."

Robert P. Casey  
Governor

Commonwealth of Pennsylvania  
Governor's Office  
Harrisburg

December 22, 1989

To the Honorable, the House of Representatives  
of the Commonwealth of Pennsylvania

I have the honor to inform you that I have this day approved and signed House Bill 2009, Printer's No. 2911, entitled "AN ACT amending the act of November 18, 1968 (P.L. 1052, No. 322), entitled 'An act providing for the certification of sewage treatment plant and waterworks operators; creating the State Board for Certification of Sewage Treatment Plant and Waterworks Operators and prescribing its powers and duties; conferring powers and duties upon the Department of Health; and providing penalties,' reestablishing the State Board for Certification of Sewage Treatment Plant and Waterworks Operators; and making editorial changes."

Robert P. Casey  
Governor

### FILMING PERMISSION

The ACTING SPEAKER. For the information of the members, permission has been given to the press to photograph today's proceedings.

### ACTUARIAL NOTES

The ACTING SPEAKER. The Chair acknowledges receipt of actuarial notes from the Public Employee Retirement Study Commission on SB 266, HB 895, and HB 854.

(Copies of actuarial notes are on file with the Journal clerk.)

### HOUSE BILLS INTRODUCED AND REFERRED

**No. 2201** By Representatives RYBAK, LESCOVITZ, FREIND, DeWEESE, FREEMAN, PRESSMANN, RITTER, GRUPPO, STUBAN, F. TAYLOR, KASUNIC, DALEY, SEMMEL, PERZEL, O'BRIEN, GANNON, JAMES, LINTON, HUGHES, THOMAS, MAYERNIK, BISHOP, COLAIZZO, CARN, WOZNIAK, ACOSTA, CAWLEY, SAURMAN, JAROLIN, BILLOW, COHEN, TRICH, KOSINSKI, GRUITZA, WOGAN, NOYE, GODSHALL, HERMAN, WAMBACH, D. R. WRIGHT, MARSICO, MOWERY, PESCI, ROBBINS, D. F. CLARK, COY, BELFANTI, BATTISTO, BURNS, J. H. CLARK, COLAFELLA, DIETTERICK, FOSTER, PICCOLA, REINARD, J. L. WRIGHT, G. SNYDER, MELIO, JOSEPHS, B. SMITH, TRELLO, NAHILL, PISTELLA, MAIALE, E. Z. TAYLOR, MERRY and FLICK

An Act amending the act of May 17, 1921 (P. L. 789, No. 285), known as "The Insurance Department Act of one thousand nine hundred and twenty-one," further providing for the licensing of agents and brokers; and imposing penalties.

Referred to Committee on INSURANCE, January 2, 1990.

**No. 2202** By Representatives DISTLER, CALTAGIRONE, JADLOWIEC, CARLSON, VROON, ITKIN, FAIRCHILD, SCHULER, ALLEN, WOZNIAK, DEMPSEY, MELIO, TRELLO, BOWLEY, FARGO, GEIST, VAN HORNE and MERRY

An Act amending the act of June 23, 1931 (P. L. 932, No. 317), known as "The Third Class City Code," further providing for regulations concerning contracts and for bonds for protection of labor and materialmen.

Referred to Committee on URBAN AFFAIRS, January 2, 1990.

**No. 2203** By Representatives LUCYK, GEORGE, ALLEN and ARGALL

An Act amending the act of July 7, 1980 (P. L. 380, No. 97), known as the "Solid Waste Management Act," further providing for the powers and duties of the Environmental Quality Board.

Referred to Committee on CONSERVATION, January 2, 1990.

**No. 2204** By Representatives LUCYK, GEORGE, ALLEN and ARGALL

An Act amending the act of June 22, 1937 (P. L. 1987, No. 394), known as "The Clean Streams Law," further providing for the department's powers and duties.

Referred to Committee on CONSERVATION, January 2, 1990.

**No. 2205** By Representatives VAN HORNE, SALOOM, KUKOVICH, KAISER and PRESTON

An Act amending the act of April 12, 1951 (P. L. 90, No. 21), known as the "Liquor Code," further providing for bonded warehouse licenses and limited winery licenses; and providing for winery licenses.

Referred to Committee on LIQUOR CONTROL, January 2, 1990.

**No. 2206** By Representatives KAISER, DeWEESE, LANGTRY, STABACK, MORRIS, MARKOSEK, WAMBACH, GIGLIOTTI, ITKIN, BARLEY, FAIRCHILD, MELIO, NAHILL, G. SNYDER, HERMAN, KOSINSKI, TIGUE, MERRY, PHILLIPS, PESCI, DALEY, BILLOW, JOHNSON, GANNON, BATTISTO, FARGO, STISH, WOGAN, LEVDANSKY, PISTELLA and TANGRETTI

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, defining the offense of falsifying identification to law enforcement officers; and providing penalties.

Referred to Committee on JUDICIARY, January 2, 1990.

**No. 2207** By Representatives KAISER, LEVDANSKY, McVERRY, LANGTRY, DeWEESE, NAILOR, COHEN, COWELL, MELIO, VROON, PRESSMANN, FARGO, PESCI, GIGLIOTTI, CAPPABIANCA, HALUSKA, STABACK, VEON, BIRMEIN, MAYERNIK, TRELLO, MORRIS, RYBAK, RUDY, VAN HORNE, JOHNSON, STEIGHNER, McHALE, TIGUE, LAUGHLIN, PRESTON, OLASZ, TANGRETTI, PISTELLA, ITKIN, KONDRICH, R. C. WRIGHT and SERAFINI

An Act amending the act of June 3, 1937 (P. L. 1333, No. 320), known as the "Pennsylvania Election Code," providing for written notice to all candidates of the results of elections.

Referred to Committee on STATE GOVERNMENT, January 2, 1990.

**No. 2208** By Representatives BOYES, PESCI, GEIST, PERZEL, SCRIMENTI, GANNON and TELEK

An Act amending the act of April 6, 1951 (P. L. 69, No. 20), known as "The Landlord and Tenant Act of 1951," providing for waterbeds.

Referred to Committee on BUSINESS AND COMMERCE, January 2, 1990.

**No. 2209** By Representatives SERAFINI, DOMBROWSKI, TIGUE, JOHNSON, SCHULER, TRELLO, PESCI, HERMAN, DeLUCA, SAURMAN, D. W. SNYDER, HAYES, McHALE, BATTISTO, KASUNIC, CAPPABIANCA, PRESTON and OLASZ

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, prohibiting the storage of garbage in railroad yards.

Referred to Committee on JUDICIARY, January 2, 1990.

**No. 2210** By Representatives SERAFINI, DOMBROWSKI, TIGUE, SCHULER, TRELLO, PESCI, HERMAN, DeLUCA, SAURMAN, D. W. SNYDER, HAYES, McHALE, BATTISTO, KASUNIC, CAPPABIANCA, PRESTON and OLASZ

An Act amending the act of July 7, 1980 (P. L. 380, No. 97), known as the "Solid Waste Management Act," providing that railroad yards where solid waste is unloaded for distribution to landfills or other disposal areas are transfer facilities which require permits.

Referred to Committee on CONSERVATION, January 2, 1990.

**No. 2211** By Representatives SERAFINI, BELARDI, HALUSKA, FARGO, FOX, PESCI, TRELLO, DIETTERICK, TIGUE and BUNT

An Act amending the act of January 24, 1966 (1965 P. L. 1535, No. 537), known as the "Pennsylvania Sewage Facilities Act," further providing for the acceptance of leachate.

Referred to Committee on CONSERVATION, January 2, 1990.

**No. 2212** By Representatives SERAFINI, BELARDI, SEMMEL, HALUSKA, BUNT, FOX, CAPPABIANCA, COHEN, NOYE, JOHNSON, HERMAN, PESCI, FARMER, TRELLO, McHALE and DIETTERICK

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), known as the "Tax Reform Code of 1971," providing for a corporate net income tax credit for the use of recycled paper.

Referred to Committee on FINANCE, January 2, 1990.

**No. 2213** By Representatives TANGRETTI, COLAIZZO, HERMAN, DIETTERICK, MELIO, VEON, KUKOVICH, PESCI, G. SNYDER, TRELLO, TIGUE, PETRARCA, DOMBROWSKI, PISTELLA, STISH, GEIST, LAUGHLIN, MORRIS, JOSEPHS, PERZEL, SALOOM, GIGLIOTTI, McNALLY and LEH

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), known as the "Public School Code of 1949," providing for instruction relating to adoption of children.

Referred to Committee on EDUCATION, January 2, 1990.

**No. 2214** By Representatives TIGUE, CAWLEY, GEORGE, HASAY, BLAUM, STISH, STABACK, SERAFINI, BELARDI, CAPPABIANCA and JAROLIN

An Act amending the act of May 31, 1945 (P. L. 1198, No. 418), known as the "Surface Mining Conservation and Reclamation Act," empowering certain municipalities to enact restrictions on the use of explosives in certain operations.

Referred to Committee on CONSERVATION, January 2, 1990.

**No. 2215** By Representatives F. TAYLOR, GALLEN, GEIST, GODSHALL, HALUSKA, J. L. WRIGHT, LESCOVITZ, VAN HORNE, SERAFINI, G. SNYDER, ALLEN, CHADWICK, OLASZ, BURD, DORR, MAIALE, LUCYK, DONATUCCI and LINTON

An Act amending the act of December 14, 1967 (P. L. 746, No. 345), known as the "Savings Association Code of 1967," providing for reciprocal interstate operations; permitting the formation of mutual holding companies; further providing for acquisitions of the stock of a savings association; revising proxy rules; and making repeals.

Referred to Committee on BUSINESS AND COMMERCE, January 2, 1990.

**No. 2216** By Representatives F. TAYLOR, GALLEN, GEIST, GODSHALL, HALUSKA, J. L. WRIGHT, LESCOVITZ, VAN HORNE, SERAFINI, G. SNYDER, ALLEN, CHADWICK, OLASZ, BURD, DORR, MAIALE, LUCYK, DONATUCCI and LINTON

An Act amending the act of November 30, 1965 (P. L. 847, No. 356), known as the "Banking Code of 1965," permitting the formation of mutual holding companies; and providing for reciprocal interstate operations for savings banks.

Referred to Committee on BUSINESS AND COMMERCE, January 2, 1990.

**No. 2217** By Representatives SAURMAN, J. H. CLARK, ARGALL, FOX, FAIRCHILD, JOSEPHS, TIGUE, STISH, E. Z. TAYLOR, CIVERA, NOYE and McHALE

An Act providing authority for pronouncement of death by registered professional nurses when an anticipated death occurs from natural causes in the home or place of residence of the deceased, in hospice care, or in a long-term care facility.

Referred to Committee on HEALTH AND WELFARE, January 2, 1990.

**No. 2218** By Representatives JAMES, KOSINSKI, FARGO, FOX, COHEN, TANGRETTI, DALEY, NAILOR, MELIO, JOHNSON, THOMAS, HERMAN, STISH, TRELLO, CARN, CORRIGAN, LAUGHLIN, PISTELLA, PRESTON, BILLOW, SERAFINI, HARPER, WILLIAMS and BISHOP

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for simple assault, aggravated assault and threats upon public officials.

Referred to Committee on JUDICIARY, January 2, 1990.

**No. 2219** By Representatives PETRARCA, GEIST, B. D. CLARK, RICHARDSON, OLASZ, KOSINSKI, SALOOM, BATTISTO, DONATUCCI, STAIRS, GRUPPO, MRKONIC, MARKOSEK, VAN HORNE, JACKSON, CESSAR and BURNS

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for the offenses of assault or aggravated assault of persons desecrating the flag of the United States of America or the flag of Pennsylvania.

Referred to Committee on JUDICIARY, January 2, 1990.

**No. 2220** By Representatives B. D. CLARK, PETRARCA, GEIST, OLASZ, LaGROTTA, MELIO, FEE, VAN HORNE, ITKIN, DeLUCA, RAYMOND, HECKLER, PESCI, FLEAGLE and KASUNIC

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for tire equipment, for bumpers and for promulgation of vehicle equipment standards.

Referred to Committee on TRANSPORTATION, January 2, 1990.

**No. 2221** By Representatives BLAUM, ITKIN, FREEMAN, HAYES, PISTELLA, TIGUE, BELARDI, JOHNSON, FAIRCHILD, GIGLIOTTI, CHADWICK, ARGALL, KOSINSKI, LANGTRY, TANGRETTI, HERMAN, BELFANTI, G. SNYDER, DIETTERICK, S. H. SMITH, MELIO, McVERRY, TRELLO, PESCI, NAHILL, BROUJOS, COY, FOX, WILLIAMS, MORRIS, LEVDANSKY, GEIST, BATTISTO, LAUGHLIN, WOGAN, MERRY, SAURMAN, NOYE, STABACK, DeLUCA, SCRIMENTI, RYBAK, VEON, McHALE, GODSHALL, KASUNIC, LEH and CAPPABIANCA

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

Referred to Committee on JUDICIARY, January 2, 1990.

## HOUSE RESOLUTIONS INTRODUCED AND REFERRED

**No. 241** By Representatives LEVDANSKY, BROUJOS, KOSINSKI, JADLOWIEC, DOMBROWSKI, MRKONIC, TELEK, JAROLIN, HALUSKA, STISH, McNALLY, CAPPABIANCA, LUCYK, BUNT, COLAIZZO, ARGALL, SALOOM, ALLEN, HERSHEY, KAISER, BATTISTO, ITKIN, MORRIS and MICHLOVIC

Urging the Governor to establish an economic partnership and a trade mission with Poland, in particular, and Eastern Europe, in general, in light of the changing political and economic conditions in the Soviet bloc.

Referred to Committee on RULES, January 2, 1990.

**No. 243** By Representatives SAURMAN, J. H. CLARK, FOX, BUNT, STAIRS, GRUPPO, SEMMEL, FARMER, LANGTRY, VAN HORNE, COLE, MARKOSEK, MORRIS, McHALE, HERSHEY, JACKSON, CORNELL, TELEK, BLACK, JADLOWIEC, ROBBINS, FARGO, WILSON, HECKLER, FLEAGLE, DIETTERICK, NOYE, MOWERY, GEIST, PHILLIPS, WASS, E. Z. TAYLOR, CHADWICK, REBER and LASHINGER

Memorializing the Governor to implement an "Adopt-a-Highway" program for Pennsylvania.

Referred to Committee on RULES, January 2, 1990.

## SENATE BILLS FOR CONCURRENCE

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

**SB 709, PN 1826**

Referred to Committee on PROFESSIONAL LICENSURE, January 2, 1990.

**SB 983, PN 1825**

Referred to Committee on JUDICIARY, January 2, 1990.

**SB 1310, PN 1824**

Referred to Committee on BUSINESS AND COMMERCE, January 2, 1990.

**SB 1324, PN 1672**

Referred to Committee on FINANCE, January 2, 1990.

**SB 1333, PN 1768**

Referred to Committee on JUDICIARY, January 2, 1990.

**SB 1341, PN 1694**

Referred to Committee on TRANSPORTATION, January 2, 1990.



**SB 1351, PN 1827**

Referred to Committee on JUDICIARY, January 2, 1990.

**SB 1368, PN 1735**

Referred to Committee on TRANSPORTATION, January 2, 1990.

**SENATE MESSAGE****ADJOURNMENT RESOLUTION  
FOR CONCURRENCE**

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

In the Senate  
January 2, 1990

**RESOLVED**, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Monday, January 22, 1990, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

**RESOLVED**, That when the House of Representatives adjourns this week it reconvene on Monday, January 22, 1990, unless sooner recalled by the Speaker of the House of Representatives.

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

On the question,

Will the House concur in the resolution of the Senate?

Resolution was concurred in.

Ordered, That the clerk inform the Senate accordingly.

**SENATE MESSAGE****AMENDED HOUSE BILL RETURNED  
FOR CONCURRENCE AND  
REFERRED TO COMMITTEE ON RULES**

The clerk of the Senate, being introduced, returned **HB 376, PN 2938**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

**COMMUNICATION FROM  
SECRETARY OF REVENUE**

The **ACTING SPEAKER**. The Chair acknowledges receipt of a communication from the Secretary of Revenue on the subject of the New Bank Tax Credit program, which the clerk will read.

The following communication was read:

Commonwealth of Pennsylvania  
Department of Revenue  
Harrisburg, Pennsylvania  
17127

December 21, 1989

Honorable Robert C. Jubelirer  
President Pro Tempore  
Senate of Pennsylvania

Room 292, Main Capitol Building  
Harrisburg, PA 17120

Honorable James J. Manderino  
Speaker  
House of Representatives  
Room 139 Main Capitol Building  
Harrisburg, PA 17120

Gentlemen:

In accordance with Act 23 of 1989, I am providing information regarding the New Bank Tax Credit program for the 1989 calendar year. The attached schedule reports the names of the qualifying new banks, the value of Pennsylvania loans and the value of Pennsylvania deposits of each new bank. These values were used in the formula to compute the credit awarded for the 1989 tax year. Also shown are the amount of 1989 tax credits approved by the Department of Revenue for each new bank and the amount of tax credits actually utilized by each new bank during the 1989 calendar year.

Thirty banks and trust companies qualified as new banks under the provisions of Act 23 and were awarded in total the full \$12 million in authorized credits for 1989. Approximately \$7 million in credits were exclusively utilized against the amended January 1, 1989 Shares Tax for which a tentative payment of 80 percent was due in October. As of December 20, 1989, there was no reported usage of the tax credit against the Sales and Use Tax.

Attachment

Sincerely,  
David L. Donahoe  
Secretary of Revenue

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

**COMMUNICATION  
LOBBYIST LIST PRESENTED**

The **ACTING SPEAKER**. The Chair acknowledges receipt of a list from the Chief Clerk, as required by the Lobbying Registration and Regulation Act.

The following communication was submitted:

Senate of Pennsylvania  
January 2, 1990

To the Honorable, the Senate of the  
Commonwealth of Pennsylvania  
To the Honorable, the House of Representatives  
of the Commonwealth of Pennsylvania

In compliance with Act No. 712 of the 1961 Session and Act No. 212 of the 1976 Session of the General Assembly titled the "Lobbying Registration and Regulation Act," we herewith jointly present a list containing the names and addresses of the persons who have registered from December 1, 1989 through December 31, 1989 inclusive, for the 173rd Session of the General Assembly. This list also contains the names and addresses of the organizations represented by these registrants.

Respectfully submitted:  
Mark R. Corrigan, Secretary  
Senate of Pennsylvania  
John J. Zubeck, Chief Clerk  
House of Representatives

(For list, see Appendix.)

**ADDITIONS AND DELETIONS OF SPONSORS**

The ACTING SPEAKER. The Chair acknowledges receipt of deletions and additions of sponsorships of bills.

The following list was submitted:

**ADDITIONS:**

HB 539, Broujos; HB 1216, Roebuck; HB 1845, D. W. Snyder; HB 1932, Preston; HB 2081, Belardi; HB 2094, Petrarca; HB 2150, Leh; HB 2179, Linton, Cappabianca; HB 2180, Civera; HB 2184, Civera; HB 2187, Cappabianca, E. Z. Taylor; HB 2188, James; HB 2189, James; HB 2190, Linton, Flick, D. F. Clark, Barley, Tangretti, Herman, Jadlowiec, Allen, Bush; HB 2191, Serafini, Kasunic, Lucyk, Phillips, Vroon, Preston, Civera, Hasay, Leh; HB 2193, Flick; HB 2198, Farmer, DeLuca, Cappabianca, Laughlin; HB 2199, Laughlin, Farmer, Cappabianca, DeLuca; HB 2201, Flick; HB 2213, McNally, Leh; HB 2215, Donatucci, Linton; HB 2216, Linton, Donatucci; HB 2217, McHale; HB 2220, Kasunic; HB 2221, Veon, McHale, Godshall, Kasunic, Leh, Cappabianca; Discharge Resolution No. 2, Civera, Stairs, Wogan, Petrarca, Staback, Flick, McHale; HR 240, DeLuca.

**DELETIONS:**

HB 376, Mowery; HB 879, Robbins.

**CALENDAR****BILL ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 1110, PN 1270**, entitled:

An Act amending Title 40 (Insurance) of the Pennsylvania Consolidated Statutes, adding provisions relating to insurance; making conforming changes to the Pennsylvania Consolidated Statutes; and making repeals.

On the question,

Will the House agree to the bill on third consideration?

**BILL TABLED**

The ACTING SPEAKER. The Chair recognizes the gentleman, Mr. DeWeese, the majority whip.

Mr. DeWEESE. Mr. Speaker, I move that HB 1110 be placed upon the table.

On the question,

Will the House agree to the motion?

Motion was agreed to.

**BILL REMOVED FROM TABLE**

The ACTING SPEAKER. The Chair recognizes the gentleman, Mr. DeWeese.

Mr. DeWEESE. Mr. Speaker, I move that HB 1110 be taken from the table.

On the question,

Will the House agree to the motion?

Motion was agreed to.

**BILLS AND RESOLUTIONS PASSED OVER**

The ACTING SPEAKER. All other bills on the calendar will go over for today.

**HB 539 RECONSIDERED**

The ACTING SPEAKER. The Chair is in possession of a reconsideration motion. The Chair recognizes the gentleman, Mr. DeWeese, who moves that the vote by which HB 539, PN 931, was passed on the 5th day of December be reconsidered.

On the question,

Will the House agree to the motion?

Motion was agreed to.

On the question recurring,

Shall the bill pass finally?

**DECISION OF CHAIR RESCINDED**

The ACTING SPEAKER. Without objection, the Chair rescinds its decision that this bill has been agreed to on third consideration as amended.

On the question recurring,

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

**AMENDMENT A3926 RECONSIDERED**

The ACTING SPEAKER. The Chair is in possession of a motion of reconsideration of an amendment sponsored by Representative Freeman. The motion is that amendment A3926 to HB 539, PN 931, be reconsidered. That amendment was passed on the 5th day of December. The motion is that that vote be reconsidered.

On the question,

Will the House agree to the motion?

Motion was agreed to.

On the question recurring,

Will the House agree to the amendments?

**BILL TABLED**

The ACTING SPEAKER. The Chair recognizes the gentleman, Mr. DeWeese.

Mr. DeWEESE. Mr. Speaker, I move that the bill and the amendment be placed upon the table.

On the question,

Will the House agree to the motion?

Motion was agreed to.

**REMARKS SUBMITTED FOR THE RECORD**

The ACTING SPEAKER. The Chair recognizes the majority whip.

Mr. DeWEESE. Mr. Speaker, I have remarks to be submitted for the Journal.

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

SIR MICHAEL TIPPETT 85TH BIRTHDAY CITATION

WHEREAS One of the principal composers of the twentieth century, Sir Michael Tippett, O. M., has attained the lofty summit of his eighty-fifth birthday on January 2, 1990; and

WHEREAS Many of Sir Michael's compositions have found a safe harbor amidst our era's tempests in the repertoires of such distinguished ensembles as the BBC and London Symphony Orchestras and our own Chicago Symphony Orchestra; and

WHEREAS Such key works—the four Piano Sonatas (1938, 1962, 1973, and 1987); the four String Quartets (1935, 1943, 1946, and 1978); the five operas (The Midsummer Marriage, 1955, King Priam, 1962, The Knot Garden, 1969, The Ice Break, 1976, and New Year, 1988), and the four Symphonies (1945, 1958, 1972, and 1977)—form a most substantial body of music which has further enriched the civilized world's cultural heritage; and

WHEREAS Such masterpieces as the oratorio, A Child of Our Time (1944) and The Mask of Time (1984), demonstrate so profound a mastery of the arcana of musical composition and form—the ability to marshal soloists, choruses, and the resources of the full symphony orchestra—and as they further demonstrate the most passionate commitment to human rights and freedom, together with a concomitant condemnation of Nazism and of all other political philosophies which seek to simultaneously corrupt and enslave the human spirit; and

WHEREAS This most creative artist has pursued his glorious vocation amidst the many pernicious wars and sanguinary conflicts which have so savagely stained our century; BE IT THEREFORE RESOLVED, that this HOUSE OF REPRESENTATIVES, of the Commonwealth of Pennsylvania, extends its felicitations and conveys a renewed American recognition of and appreciation for the consummate tonal craftsmanship of this true son of the Muses, wishing him not only continued health and long life but also the hope that he will further favor all the citizenry of our global village with additional works and with new recordings of his earlier works, and that he will long live to provide a selfless and inextinguishable example of total dedication to the twin causes of Humanity and Music.

H. William DeWeese  
Sponsor  
The Majority Whip

Given at Harrisburg,  
January 2, 1990.

**ANNOUNCEMENT BY ACTING SPEAKER**

The ACTING SPEAKER. For the information of the members, a memorial service will be held for Jim Manderino when we return to session on January 22.

Is there any further business from the majority whip? From the minority leader?

**ADJOURNMENT**

The ACTING SPEAKER. The Chair recognizes the gentleman, Mr. DeWeese, from Greene County.

Mr. DeWEESE. Mr. Speaker, I move that this House do now adjourn until Monday, January 22, 1990, at 1 p.m., e.s.t., unless sooner recalled by the Acting Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 12:14 p.m., e.s.t., the House adjourned.