COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, NOVEMBER 13, 1990

SESSION OF 1990 174TH OF THE GENERAL ASSEMBLY No. 57

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (ROBERT W. O'DONNELL) PRESIDING

PRAYER

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

Let us pray:

Almighty God, You were with us recently as we contended for seats in this cherished House of Representatives. We thank You for giving us the victory. Now we are here again engaged in the business of this Commonwealth in hopes that we will always be faithful in our efforts to advance the cause of our constituents.

Be Thou near us as we confront the many problems that beset us. Make them stepping-stones in our guest to establish an even greater Commonwealth.

Today we remember the life and labors of Your servant and our former colleague, Jim Wright. Grant that his accomplishments will be indelibly inscribed on our hearts and minds. Sanctify our memories of him, and ever bless and keep his family.

In Your dear name we pray. Amen.

PLEDGE OF ALLEGIANCE

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

LEAVES OF ABSENCE

The SPEAKER. Are there any leaves of absence?

The Chair recognizes Mr. Hayes.

Mr. HAYES. I request a leave for the gentleman from Venango County, Mr. BLACK, for the day, and the gentleman from Dauphin County, Mr. DININNI, for the day.

The SPEAKER. Without objection, leaves are granted.

The Chair recognizes Mr. Dombrowski.

Mr. DOMBROWSKI. Mr. Speaker, I request a leave of absence for the following people: the gentleman from Armstrong, Mr. PESCI, for the day; the gentleman from Monroe, Mr. BATTISTO, for the day; and the gentleman from Philadelphia, Mr. KOSINSKI, for the day. Thank you, Mr. Speaker.

The SPEAKER. Without objection, leaves are granted.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—194

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

ADDITIONS—1

Williams

NOT VOTING—0

EXCUSED—6

Battisto Dininni Mowery Pesci
Black Kosinski

LEAVES CANCELED—1

Kosinski

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Monday, November 12, 1990, will be postponed until printed. The Chair hears no objection.

MEMORIAL SERVICE FOR THE HONORABLE JAMES L. WRIGHT, JR. CONDOLENCE RESOLUTION ADOPTED

The SPEAKER. The Chair is about to take up a condolence resolution.

We were all saddened by the death of Jim Wright. It is entirely fitting that we take a few minutes today to reflect on his life and his accomplishments.

The Chair would now offer that condolence resolution. The Sergeant at Arms will close the doors of the House.

The clerk will read the resolution.

The following resolution was read:

COMMONWEALTH OF PENNSYLVANIA
THE HOUSE OF REPRESENTATIVES

RESOLUTION

WHEREAS, The Honorable James L. Wright, Jr., well-respected legislator who served the 142nd District since 1965, passed away October 16, 1990 at the age of sixty-five; and

WHEREAS, Representative Wright earned recognition for the outstanding devotion and quiet courtesy he displayed in the performance of his legislative duties. He chaired committees on consumer affairs, mines and energy, and veterans affairs. In 1979 he headed the House Select Committee investigating the Three Mile Island nuclear accident; and

WHEREAS, Representative Wright began his political career as a Middletown Township supervisor from 1962 to 1965. A former Republican committeeman and assistant Bucks County Republican chairman, he also cofounded the Bucks County Department of Mental Health/Mental Retardation. He served with the United States Army Air Force in Europe during World War II. He received a bachelor's degree in industrial engineering from the University of Michigan and was a senior engineer with U.S. Steel Corporation, now USX Corporation, for eighteen years; now therefore be it

RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania note with sadness the passing of the Honorable James L. Wright, Jr., distinguished legislator and responsible citizen of this Commonwealth; extend heartfelt condolences to his family; and be it further

RESOLVED, That a copy of this resolution be transmitted to the Family of Representative James L. Wright, Jr.

We hereby certify that the foregoing is an exact copy of a resolution introduced in the House of Representatives by the Honorable Robert W. O'Donnell and unanimously adopted by the House of Representatives on the 13th day of November 1990.

Robert W. O'Donnell
Speaker of the
House of Representatives
ATTEST:
John J. Zubeck
Chief Clerk of the
House of Representatives

On the question,

Will the House adopt the resolution?

The SPEAKER. Those in favor of the resolution will rise and remain standing as a mark of respect for Jim.

(Whereupon, the members of the House and all visitors stood in a moment of silence in solemn respect to the memory of the Honorable James L. Wright, Jr.)

The SPEAKER. The resolution has been unanimously adopted.

Members and guests may be seated.

The Sergeant at Arms will open the doors of the House.

REMARKS BY MAJORITY LEADER

The SPEAKER. The Chair recognizes the majority leader, Mr. DeWeese, to make remarks at this time.

Mr. DeWEESE. Mr. Speaker, Mrs. Wright, the Wright family, our colleague-to-be Matt, ladies and gentlemen of the House, and friends:

I have two thoughts in my mind right now about Jim, and one of them emanates from a Hollywood production that I saw just a few nights ago, "Memphis Belle."

Jim was one of the first people I knew when I came to Harrisburg because he was so actively involved as the Mines and Energy chairman, both in the majority and the minority. As a Greene County Representative, that was my initial focus when I first walked into this chamber. And I knew that Jim had served in the armed forces, but it was not until his untimely passing that I was aware of the fact that he had served in the Army Air Corps in Europe during the Second World War, and when I watched that movie just the other night and saw the terror and heroics and sacrifice that was involved in that conflict and in that aspect of that conflict with those big Air Force planes based in southern England, hammering away against the Third Reich by day, I, for just one short moment, realized another dimension to Jim that I had heretofore not been aware of, and that made him even more special in my recollection.

The other facet, the second facet, of my memory that is evoked currently is the one that surrounds the Mines and Energy experience. It was a convivial cohort with Bernie O'Brien and Jim Wright at the helm, and we did move across the State and we visited a variety of anthracite and bituminous areas as well as electric generation facilities, and it was my baptism to this process and to especially the committee process, and when I was privileged to move on to be a committee chairman, I wanted to keep the same kind of activity level that Jim Wright and Bernie O'Brien had engendered.

So I remember him as a person who obviously made a significant sacrifice during the calamitous years between 1941 and 1945, and I remember him as being a solid and substantive committee chairman, a congenial and convivial friend, and our fraternity is bereft by his loss.

REMARKS BY MINORITY LEADER

The SPEAKER. The Chair now recognizes the minority leader, Mr. Ryan, for remarks.

Mr. RYAN. Thank you, Mr. Speaker.

Mr. Speaker, a month or so ago we were in Bucks County one bright morning and we find ourselves here again this November remembering Jim Wright, noting his death, celebrating, if you will, his life, and in the time since his death and funeral, a lot of words have been used to describe Jim - words like dedicated family man; wise and generous friend; hard-working, knowledgeable legislator; involved civic leader; devoted to his constituents. And all these things, all these expressions, are true, for he was all these things, and he really was more.

I was privileged to serve with him for the past quarter of a century here in the House of Representatives, and he exemplified devotion to duty. He was a hard-working member of the General Assembly, as the majority leader just said. He was available to assist whenever he could and whenever he was called upon. He knew the process and he respected it. He was a staunch ally, and he was a loyal party member. He worked hard for his constituents. He responded to their needs and shared their concerns for the quarter of a century or better that he served here in this House.

He was knowledgeable—and I think this is what I will remember most about Jim Wright—he was so very knowledgeable about Pennsylvania's history and heritage. He worked diligently to preserve them through his longtime involvement with the State Historical and Museum Commission, both here in Harrisburg and in his beloved Bucks County.

He had a tremendous regard for this magnificent Capitol Building, in which he carried out his duties as a lawmaker for the people of Pennsylvania. We worked together on the Capitol Preservation Committee, and during that time I came to realize firsthand just how much he cherished this Commonwealth and our heritage. The commission was fortunate to have Jim Wright as one of its members.

The architecture here in this magnificent building that we marvel at - the corridors, the chambers, the paintings, the sculpture - these were all things that impressed Jim Wright, and because of that impression and due to his hard work, really, he was instrumental in having all of this art and the artifacts chronicled for posterity. This is something that is little known, that he did all this, and I can remember—I am deviating a little bit from my script—but I can remember, when I came here a long time ago, looking at this painting behind the Speaker, and I looked at all these faces, and I thought, I wonder who they are, and I went out and I dug around, and believe it or not, there was no map of faces. There was no identification available to see just who these people were until I got together with Jim Wright and I got together with several other people and we started digging, and indeed we found a diagram of just who these different people were, and for many years I would pass that out at the beginning of each session with a short, curt note, and if somebody from my office is listening, with a laugh from Jim, I will ask them to do this again for you. I used to send out this diagram and say, tape this on the inside of your desk, and just before you fall asleep and your head hits the desk, lift the top of it up and study the people of Pennsylvania that you are looking at each day.

It is things like this that Jim Wright got involved in. It is things like looking at this painting here to my right, as I look, and being able to identify it as an announcement being made by a man from Chester County and identifying who that person is, or off to the left with William Penn meeting with the Indians and the only treaty that was never broken with the Indians and yet was never in writing. That is the kind of thing that Jim Wright and I would discuss, and these are the things that really turned him on and why he was such a valuable member of the Historical and Museum Commission. He appreciated this. He appreciated this great Capitol.

So I say most sincerely today that Jim will be missed by many. He will be missed by me, of course. He was a many-faceted man; he lived a multi-faceted life: beloved husband, father, grandfather, patriot, World War II veteran and the like, identified, unfortunately not listed in yesterday's program because he was not here with us. I mentioned yesterday as I made my remarks that he, too, fell in the service of his country, and the black-draped desk here is a reminder that for 25 years he served this country as he had served it prior to that in the Air Force.

We come together today and we recall this life of Jim's, and we renew the memory of the impact he had on our lives and on our times, and in doing so, we are reminded of what he has left behind.

We each are a storehouse of memories. As the majority leader said, his memory of a Jim Wright is as a young legislator coming here and being guided by Jim Wright, the chairman of the committee—the majority or minority at that time, I do not know—that housed the wealth of information, hopefully dealing with mines, that interested this young legislator from Greene County at that time, and that some impact was made by Jim Wright and Bernie O'Brien because thereafter Bill DeWeese, now our majority leader, wanted to fashion his own conduct in holding meetings after these two people. So we look to that part of Jim's life and say, he did well and we will remember him.

We hope in some way by showing our own sense of loss and fond remembrance that we can help further the sense of a life well lived, a time on earth well spent, a heritage of lasting meaning.

We are bound together today by our grief. Many of us find ourselves, in the words of one Psalmist, "facing too many

doors I cannot bear to open...rooms I cannot enter for tears." But our memories also recall Jim's strength, and we know he would want us to swing wide those doors as we celebrate his life.

So in our imagination, let us step forward together into a circle of peace, no longer facing closed doors but walking boldly through them into rooms full of memories of Jim Wright in our tribute to a life well lived.

Fare thee well. Safely rest, good friend. Thank you, Mr. Speaker.

REMARKS BY MAJORITY WHIP

The SPEAKER. The Chair recognizes Mr. Itkin.

Mr. ITKIN. When I think of Jim Wright, I think of a legislator who cared about people, and not just superficially or when it was politically expedient. Jim Wright sincerely hoped that his talents could be used in a positive way for the people of Pennsylvania.

I got to know Jim in the early seventies, when this country first began to question its excessive energy-use habits. As two of the only engineers in the legislature at that time, Jim and I took responsibility for handling the technical aspects of energy-related issues. In this role, which he took very seriously, Jim Wright was never less than the consummate professional. His decisions were reasonable and sound, not necessarily the most popular but ultimately the most beneficial for his constituents and all the people of the Commonwealth.

It was Jim's hope that the legislature could handle technical issues without partisanship. During his investigation into the Three Mile Island incident, he could be counted on to make reasoned conclusions while minimizing the one-upmanship game played too often in this political arena.

When something needed to be done, Jim was there to do it. He did not melt under political heat. To Jim Wright, issues had to be addressed forthrightly, without politicizing. He never tried to grab the limelight but instead would encourage clarity and expediency when legislative discussion threatened to get off track.

When Jim Wright came to me with a task to be accomplished, his message was clear: "It's the right thing to do," he seemed to say. "Let's both do it. You take your side, and I'll take mine, and we'll get this done together."

Jim's dual roles of public servant and legislative leader were inextricably intertwined. He knew that the State and its people needed a balanced and forward-looking energy policy. Toward that end, he would educate fellow members about their energy-related issues and innovative concepts. Often he would send us copies of newspaper and magazine articles which clarified the complicated issues we were grappling with. Simple but meaningful gestures like that were Jim Wright's trademark. He was always a gentleman, always a caring person.

In addition to guarding Pennsylvania's future by seeking a comprehensive energy policy, Jim also guarded the past by preserving our history. On committee trips, he would sometimes spend his dinner breaks touring historic buildings or museums, choosing to discover local cultural sites instead of local restaurants.

As was characteristic of him, he put that interest to work. He served on the Capitol Preservation Committee and for 20 years on the Historical and Museum Commission. I was not at all surprised to read, on Jim's retirement, that the commission's executive director, Brent Glass, held Jim in the same high regard for the same reasons. Dr. Glass gratefully acknowledged Jim's friendship and his contributions, saying—and I would like to quote at this time—"While he always paid special attention to the interests of his constituents, he was never provincial in his advocacy. While he could be partisan, he always recognized that Pennsylvania's heritage needed bipartisanship, and he charted the political waters for us on many occasions." That is the end of Dr. Glass' quotation.

Clearly, Jim Wright did not reserve his vision, his enthusiasm, and his graciousness for the House. His strength of character guided everything he did, and this State is a better place for it.

We can all be proud to have known Jim Wright. He was a fine man, a man who was dedicated to his family, to the legislature, and to the people of this Commonwealth. He will be missed, to be sure, but he will also be remembered with admiration, with fondness, and with gratitude. Thank you.

REMARKS BY MR. BURNS

The SPEAKER. The Chair now recognizes the gentleman from Bucks County, Mr. Burns.

Mr. BURNS. Thank you, Mr. Speaker.

I have been asked today, on behalf of the Bucks County delegation, to say a few words about my friend, Jim Wright.

Many people, unfortunately, often have a perception of legislators as people who are different from themselves because of their position. They often fail to realize that legislators are just ordinary people who suffer the pains of disappointment as well as the joys of success. Today I want you to remember with me one such legislator, my friend, Jim Wright.

Jim was a man who was always in control; never loud, overbearing, but very considerate. We in Bucks County looked at him as our shepherd, sharing with us his years of experience here in the legislature. He was dependable. Whatever assignment the legislature gave to Jim, Jim got it done. He was our historian, a member of the Pennsylvania Historical and Museum Commission for over 20 years.

Just as an aside, Ivan had spoken about him spending time, lunch time or some other time after committee meetings, to go visit places throughout the State. Many times I would be driving with him to a committee meeting out in the Pittsburgh area or up in the Erie area, and after a long drive, 3 or 4 hours in the car, and I could not wait to get to where we were going, Jim would say, "Wait a minute. Let's drive down here another 20 miles. I want to see this place that the Historical

and Museum Commission just restored." I would have liked to strangle him some of those times because I could not wait to get to where we were going, but that was Jim.

Most of all, I guess, Jim was a good legislator who devoted a lifetime of service to the people of his district and to the people of Pennsylvania, and he did all this while raising a family, who are here with us today. He was never too busy to help a fellow legislator or a constituent.

Just again, as a personal reflection, I remember Jim 18 years ago, when he called me to run for this job, and I remember him again on a snowy night, the first night I had ever seen the Capitol, when I came up here to vote in the caucus elections—of course, he told me who to vote for—but I did not know anyone in town, and Jim grabbed me, and we had been friends ever since. I remember, as Bill DeWeese pointed out, walking in every soft coal mine, I think, in this Commonwealth and even the one remaining hard coal mine when Jim felt it a duty at the time of the cave-in there to go down and be on the scene. I remember TMI and the turmoil that created here in Harrisburg when people found out about it, and Jim was here on the scene because he was at that time the majority chairman of the Mines and Energy Committee.

I remember a lot of things about Jim. I remember a lot of good meals at night with Jim. He and I had a lot of fun here, a lot of good fun. I am going to miss Jim, and I know the people of Pennsylvania will miss him, too. Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

FAMILY INTRODUCED

The SPEAKER. At this time I would like to introduce the family members of Representative Wright who are here with us today and are seated to the left of the podium. They are Elaine Wright, Duanne Parker, Ann Wright Logan, Jim Wright III, and Matt and Donna Wright.

The Chair thanks the family for their attendance.

BENEDICTION

The SPEAKER. The benediction will be offered by the House Chaplain, Rev. Clyde Roach.

The Sergeant at Arms will close the doors of the House.

REVEREND ROACH. The Lord bless you and keep you; the Lord cause His face to shine upon you and be gracious unto you; the Lord lift His countenance upon you and give you peace, both now and forevermore. Amen.

The SPEAKER. Members and guests may be seated.

The Sergeant at Arms will open the doors of the House.

WELCOMES

The SPEAKER. The Chair welcomes Brian Shuey, a guest page and student at Central Dauphin High School, who is the guest of Representative Ron Marsico. Brian is down front here somewhere. Brian, would you stand.

The Chair is pleased to welcome Peter Hess, Kirstin Lees, and Glenn Smith of Lafayette College, who are student interns. They are the guests of Representative Robert Freeman of Northampton County and are located in the gallery. Will the guests please rise?

BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.

Mr. DeWEESE. Mr. Speaker, I move that SB 1581 and HB 2106 be taken from the table.

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

BILLS RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.

Mr. DeWEESE. Mr. Speaker, I move that SB 1581 and HB 2106 be recommitted to the Appropriations Committee.

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

BUSINESS AND COMMERCE COMMITTEE MEETING

The SPEAKER. The Chair recognizes Representative Taylor.

Mr. F. TAYLOR. Thank you, Mr. Speaker.

I would like to bring to the attention of the members of the Business and Commerce Committee that I would like to hold a brief meeting in the back of the House so that we can consider a bill. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

RULES COMMITTEE MEETING

The SPEAKER. The Chair announces a Rules Committee meeting immediately at the majority leader's desk.

DEMOCRATIC CAUCUS

The SPEAKER. The Chair now recognizes Representative Cohen for an announcement.

Mr. COHEN. Mr. Speaker, I would like to announce a meeting of the House Democratic Caucus at 1 o'clock. We are going to be discussing video poker. The Speaker will be addressing the caucus, and there are going to be reports on a lot of appropriation bills. I urge the attendance of each member at the caucus at 1 o'clock. Thank you.

The SPEAKER. The Chair thanks the gentleman.

REPUBLICAN CAUCUS

The SPEAKER. The Chair recognizes Representative Noye.

Mr. NOYE. Thank you, Mr. Speaker.

Republican members, we are going to caucus at 1 o'clock. Republican members, caucus at 1 o'clock in the Republican caucus room. Thank you.

The SPEAKER. The Chair thanks the gentleman.

WELCOME

The SPEAKER. The Chair welcomes Don Colosomo, Joseph Signore, and William Weir of Ambler Borough. They are the guests of Representative George Saurman. Will the guests please rise.

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 1964, PN 4283 (Amended)

By Rep. OLIVER

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), known as "The Administrative Code of 1929," further providing for the allocation of proceeds of sale of certain surplus properties.

STATE GOVERNMENT.

HB 2868, PN 4027 By Rep. OLIVER

An Act amending Title 45 (Legal Notices) of the Pennsylvania Consolidated Statutes, further defining "circulation," "newspaper" and "newspaper of general circulation."

STATE GOVERNMENT.

SB 709, PN 2588 (Amended)

By Rep. LLOYD

An Act amending the act of May 23, 1945 (P. L. 913, No. 367), entitled, as amended, "Professional Engineers Registration Law," further providing for the regulation of the professions of engineering and land surveying.

PROFESSIONAL LICENSURE.

SB 1113, PN 2589 (Amended)

By Rep. PETRARCA

An Act designating the Birmingham Bridge in Pittsburgh, Allegheny County, as the James A. Romanelli Bridge; designating a portion of Interstate Highway 279 in the City of Pittsburgh as the Eugene F. Scanlon Expressway; designating a bridge in Ambridge Borough, Beaver County, as the Charles P. Laughlin Memorial Bridge; and making a repeal.

TRANSPORTATION.

SB 1373, PN 2590 (Amended)

By Rep. PETRARCA

An Act amending Title 75 of the Pennsylvania Consolidated Statutes, further providing for definitions; providing for confidential registration for Federal judges; further providing for registration plates for manufacturers and dealers and for use of dealer registration plates; providing for transitional provisions for dealer registration plates, for farm equipment dealer plates, and for mobile home dealer plates; further providing for handicapped and veterans' plates and placards, for use of farm truck plates; providing for use of certain plates; further providing for classes of licenses, for issuance and content of drivers' licenses, for commercial motor vehicle disqualification, for retaliatory actions involving commercial motor vehicle safety, for financial responsibility, for fee exemptions and for limousines; providing for farm equipment vehicle dealers, mobile home dealers, and modular housing manufacturers; further providing for licenses and permits, for bad checks, for identification markers, for exemptions from the Motor Vehicle Transaction Recovery Fund, and for pedestrian control signals; providing for pedalcycle helmets; further providing for motorcycle protective equipment; providing for leaving children unattended in vehicles; further providing for accident notification, for regulatory authority, for lighting requirements, for inspection certificates, for vehicle widths and weights, for operation of chemical and fertilizer vehicles, for traffic on the Pennsylvania Turnpike, and for interference with traffic control devices or signals; providing for the motorbus road tax; and making repeals.

TRANSPORTATION.

BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.

Mr. DeWEESE. Mr. Speaker, I move that SB 1113 and SB 1373 be taken from the table.

On the question,

Will the House agree to the motion?

Motion was agreed to.

RESOLUTION REPORTED FROM COMMITTEE

HR 387, PN 4263 By Rep. DeWEESE

Declaring November 11 through 17, 1990, as "Geography Awareness Week" in Pennsylvania.

RULES.

BILLS SIGNED BY SPEAKER

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

HB 727, PN 3823

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, authorizing prosecuting attorneys to seal affidavits setting forth probable cause for the issuance of a search warrant.

HB 1186, PN 2985

An Act providing for the recognition and enforcement of money judgments obtained in another country.

SB 1324, PN 2552

An Act amending the act of April 9, 1929 (P. L. 343, No. 176), entitled, as amended, "The Fiscal Code," authorizing the State Treasurer and the Secretary of Revenue to promulgate regulations concerning the method of payment of obligations due the Commonwealth; and further providing for payments.

SB 1570, PN 2511

An Act amending the act of December 22, 1988 (P. L. 1915, No. 193), entitled "An act authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Agriculture, to convey and confirm two tracts of land located in Penn Township, Snyder County, Pennsylvania, to Randall W. Bailey and Ellen S. Baily, his wife, and Rick L. Bailey and Kathy A. Bailey, his wife;...," further providing for the conveyance of real estate to the Greater Wilkes-Barre Industrial Fund; and authorizing and directing the Department of General Services, with the approval of the Governor and the Secretary of Public Welfare, to convey to Nevillewood Associates, L.P., 75.346 acres of land, more or less, situate in Collier Township, Allegheny County, Pennsylvania.

BILL ON CONCURRENCE REPORTED FROM RULES COMMITTEE

HB 240, PN 3202 By Rep. DeWEESE

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for windshield obstruction.

RULES.

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
November 12, 1990

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Monday, November 19, 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, November 19, 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.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. For all the Democrats within the sound of the Speaker's voice, the Allegheny County caucus is meeting at 1 o'clock and the Democratic caucus will be postponed until 1:30.

RECESS

The SPEAKER. The House will now be in recess until 2:30 p.m.

RECESS EXTENDED

The time of recess was extended until 2:45 p.m.; further extended until 3 p.m.; further extended until 3:15 p.m.

AFTER RECESS

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

SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 1023, PN 4215**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

WELCOME

The SPEAKER. The Chair is pleased to welcome Mary Fifer, Bernadette Haertsch, and Alice Kirsch, who are the guests of Representative Jon Fox. They are located to the left of the Speaker. Will the guests please rise.

MEMBER'S PRESENCE RECORDED

The SPEAKER. The Chair would like to add Representative Williams to the master roll.

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

SB 516, PN 540 By Rep. F. TAYLOR

An Act appropriating money from the Sunny Day Fund to the Department of Commerce for various projects throughout this Commonwealth for fiscal year 1990-1991.

BUSINESS AND COMMERCE.

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.

Mr. DeWEESE. Mr. Speaker, I move that SB 516 be taken from the table.

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. DeWEESE. Mr. Speaker, I move that SB 516 be recommitted to the Committee on Appropriations.

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

VOTE CORRECTION

The SPEAKER. The Chair recognizes Representative Tangretti.

Mr. TANGRETTI. Thank you, Mr. Speaker.

I would like to correct the record. On October 2 we had final passage on SB 693, and apparently my switch malfunctioned. I would like to be recorded in the affirmative. Thank you.

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.

Mr. DeWEESE. Mr. Speaker, I move that HB 2948 be taken from the table.

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

BILL ON SECOND CONSIDERATION

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

HB 2948, PN 4184.

WELCOME

The SPEAKER. The Chair is pleased to welcome the family of Representative Jim Clark - his wife, Liz; and daughters, Elizabeth, Carolyn, Sarah; and son, Jim. They are located to the left of the Speaker. Will the Clark family please rise.

CALENDAR

BILL ON SECOND CONSIDERATION

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

HB 2932, PN 4157.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2603, PN 3777**, entitled:

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), known as "The Administrative Code of 1929," further providing for the disclosure of the cost of pharmaceutical products sold in this Commonwealth and the establishment of a pharmaceutical manufacturers' discount program.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader.

Mr. DeWEESE. Mr. Speaker, I move that HB 2603 be placed upon the table.

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. DeWEESE. Mr. Speaker, I move that HB 2603 be taken from the table.

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

* * *

The House proceeded to third consideration of **HB 2725, PN 3813**, entitled:

An Act providing for the adoption of capital projects to be financed from current revenues of the Fish Fund.

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—190

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

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

NAYS—0

NOT VOTING—5

Acosta	Oliver	Preston	Taylor, J.
Howlett			

EXCUSED—6

Battisto	Dininni	Mowery	Pesci
Black	Kosinski		

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

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

* * *

The House proceeded to third consideration of **HB 2339, PN 3167**, entitled:

An Act amending the act of October 28, 1966 (1st Sp. Sess., P. L. 55, No. 7), known as the "Goods and Services Installment Sales Act," further providing for the minimum service charge.

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—188

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

NAYS—0

NOT VOTING—7

Acosta	Maiale	Preston	Wright, R. C.
Howlett	Pistella	Trich	

EXCUSED—6

Battisto	Dininni	Mowery	Pesci
Black	Kosinski		

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

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

* * *

The House proceeded to third consideration of **HB 2641, PN 3705**, entitled:

An Act amending the act of July 7, 1980 (P. L. 380, No. 97), known as the "Solid Waste Management Act," further declaring legislative policy; adding definitions; further providing for the powers and duties of the Environmental Hearing Board and for requirements for and actions on permits and licenses; providing for investigations by the Pennsylvania State Police and the department and for application fees; further providing for forfeiture of contraband and for the Solid Waste Abatement Fund; and making repeals.

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—187

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

NAYS—0

NOT VOTING—8

Acosta	Caltagirone	Cole	Langtry
Blaum	Clark, B. D.	Howlett	Maiale

EXCUSED—6

Battisto	Dininni	Mowery	Pesci
Black	Kosinski		

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

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

* * *

The House proceeded to third consideration of **HB 2642, PN 3658**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for motor carrier vehicles and for removal of vehicle by or at direction of police; providing for forfeiture of certain motor carrier vehicles; further providing for unlawful activities, for operation of vehicles without certificate of inspection, for inspection by police or Commonwealth personnel, for weighing and measurement of vehicles, for impoundment of vehicles for nonpayment of fines and disposition of impounded vehicles and loads, for removal of vehicles, for removal of vehicles and spilled cargo from roadway; and providing for penalties.

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.

(Members proceeded to vote.)

VOTE STRICKEN

Mr. RYAN. Mr. Speaker?

The SPEAKER. For what purpose does the gentleman rise?

Mr. RYAN. Somewhere along the line, Mr. Speaker, I was advised that the gentleman, Mr. Michlovic, was going to debate this package and also move to recommit it, and I am wondering if in fact that is so. If it is not so, I think some of our members may be wanting to do the same thing.

The SPEAKER. The clerk will strike the vote.

The Speaker's calendar is not marked in that fashion.

On the question recurring,

Shall the bill pass finally?

BILL RECOMMITTED

The SPEAKER. The Chair recognizes Mr. Michlovic.

Mr. MICHLOVIC. Thank you, Mr. Speaker.

The gentleman is correct. I wish to debate these bills. Actually, I wish to have them recommitted to the Conservation Committee, and I would so move that we recommit HB 2642 to the Conservation Committee.

On the question,

Will the House agree to the motion?

The SPEAKER. In the interest of not revisiting this issue, perhaps the gentleman would state his reasons for recommittal. Other members who are interested in these bills and in the subject of recommittal one way or another, be advised to listen to the gentleman.

Mr. MICHLOVIC. Thank you, Mr. Speaker.

Mr. Speaker, I am asking the House to recommit this legislation because the provisions in the legislation are too broad

at this time and they impact negatively on the solid waste industry. Although we have a serious problem with organized crime, I think the bills go too far in some of the definitions. They are too broad, and frankly, I think that we need a little more time to discuss and hear testimony on the issues. I am told that similar legislation for the State of New Jersey is very expensive and very ineffective.

For those reasons, I am urging that we recommit the bill and we deal with it next session.

The SPEAKER. The Chair recognizes Mr. Hasay.

Mr. HASAY. Thank you, Mr. Speaker.

Mr. Speaker, I join with the gentleman, Mr. Michlovic, in asking that these bills be recommitted back to committee on the basis that we have had a number of members of the House Conservation Committee from our side who are interested in the major impact on these bills as well as public hearings to be held on this three-bill package.

Therefore, I join with Mr. Michlovic and ask that this bill and the others be recommitted. Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. George, is recognized and may proceed.

Mr. GEORGE. Mr. Speaker, is a motion to recommit debatable?

The SPEAKER. Yes.

Mr. GEORGE. Then I may then have the privilege of debating or inquiring on the matter?

The SPEAKER. The gentleman is in order and is recognized on the subject of the reasons for recommittal or committal.

Mr. GEORGE. It would appear, Mr. Speaker, that all who are standing feel that they are the ones that I intend to interrogate, but rather than all those who are standing, I would like to interrogate the gentleman, Mr. Hasay.

The SPEAKER. The gentleman agrees to be interrogated. The gentleman may proceed.

Mr. GEORGE. Mr. Speaker, did this bill not come out of our committee with nearly if not a unanimous consent that it be placed before this body for their edification?

Mr. HASAY. Yes. Mr. Speaker, the bill was released from committee without any discussion and without any opportunity to look at the bill thoroughly, as what some of my members have indicated.

Mr. GEORGE. Mr. Speaker, I did not hear the gentleman.

Mr. HASAY. Mr. Speaker, the bills that were released from committee, there was not an opportunity at that time for members on my side to be able to fully discuss the merits of the bill as long as the other questions that have arisen through our caucus just recently.

Mr. GEORGE. Well, Mr. Speaker, do you feel that your opportunity to debate would be nil here before the entire body? In that I see no purpose for it to go back into the committee to debate, we could debate the merits here on the floor, unless you feel that it would be embarrassing to some of the members to debate it. In that it is such an important issue, I would believe that you would be the first to agree that it should go before the complete body, and then we stand tall or we sit quickly on the matter of whether we are right or wrong in trying to put legislation in that will deal with a matter that our entire committee was in favor of, and that is protecting the masses against illegal hauling. Is that not true, Mr. Speaker?

Mr. HASAY. Well, Mr. Speaker, on both sides of the aisle, the question arises as to the facts of the bill, and of course, the motion to recommit was from your side of the aisle, Mr. Speaker, and I am just trying to—

Mr. GEORGE. Mr. Speaker, I am aware of where the motion came. I am also aware, Mr. Speaker, if you will, that I cannot for the world of me find what you could debate in the committee that would help you to make such an important decision of whether or not we want to back the big business entities or whether we want to back the little people that we all said we had a concern for. That is what is so confusing to me, Mr. Speaker.

The SPEAKER. Will the gentleman, Mr. Hasay, suspend?

The purpose of interrogation is not debate. If the gentleman, Mr. George, is finished with Mr. Hasay?

Mr. GEORGE. I believe I was finished before I stood up, Mr. Speaker. Thank you.

The SPEAKER. The Chair thanks the gentleman.

Mr. HASAY. Thank you, Mr. Speaker.

Mr. GEORGE. Mr. Speaker?

The SPEAKER. The gentleman is recognized.

Mr. GEORGE. I would like to say this to the membership and I will not be very long in saying this: that it is the trucks that go up and down the highways in front of your home. It is the men and women who live in your district who ask for this type of bill to be presented for the edification of the membership.

I cannot believe that in such a short time all the concern about backhauling and all the concern about illegal waste dumping would have subsided so quickly. For those of you who have no further concern, I dare not doubt your veracity, but I believe in my heart that where our committee had been north and south and east and west—we had been down to Rohm And Haas; we had been out to Sharon—we have witnessed the need for this legislation.

I simply ask that those of you who legitimately feel that there should not be such a thing as people doing business in Pennsylvania who cannot live up to the laws, then I would ask you to vote "no" on this recommittal. That is the extent of my argument.

The SPEAKER. The Chair recognizes Mr. Corrigan.

Mr. CORRIGAN. Thank you, Mr. Speaker.

I also rise to support the motion to recommit.

I respect Representative George a great deal. I do not feel that everybody in the trash business in Pennsylvania is a criminal, and I do not think that this bill in its present form will accomplish what Representative George wants it to accomplish.

I think that there is enough time over the next couple of months that we should consider this legislation - have those public hearings, get input from a variety of sources - and talk about this in February. Thank you, Mr. Speaker.

The SPEAKER. A "yes" vote is for recommittal; a "no" vote is against recommittal.

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

(Members proceeded to vote.)

Mr. MELIO. Mr. Speaker?

The SPEAKER. For what purpose does the gentleman, Mr. Melio, rise?

Mr. MELIO. Mr. Speaker, I would just like a point of clarification, if I may.

Are we talking about just— HB 2641 we just passed.

The SPEAKER. The only matter before the House is the recommittal of HB 2642. The debate has suggested that this is a three-bill package - HB's 2641, 2642, and 2643 - and the Chair is in possession of a reconsideration motion on HB 2641.

Mr. MELIO. All right. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—147

Acosta	Distler	Kenney	Reber
Adolph	Donatucci	Kondrich	Reinard
Allen	Dorr	LaGrotta	Richardson
Angstadt	Durham	Langtry	Rieger
Argall	Evans	Lashinger	Robbins
Barley	Fairchild	Lee	Robinson
Belfanti	Fargo	Leh	Roebuck
Birmelin	Farmer	Lescovitz	Ryan
Bishop	Flick	Levdansky	Saurman
Bortner	Foster	Linton	Scheetz
Bowley	Fox	McNally	Schuler
Boyes	Freind	McVerry	Scrimenti
Brandt	Gallen	Maine	Semmel
Broujos	Gamble	Markosek	Serafini
Bunt	Gannon	Marsico	Smith, B.
Burd	Geist	Mayernik	Snyder, D. W.
Burns	Gigliotti	Melio	Stairs
Bush	Gladeck	Merry	Steighner
Caltagirone	Godshall	Michlovic	Strittmatter
Carlson	Gruppo	Micozzie	Tangretti
Carn	Hagarty	Miller	Taylor, E. Z.
Cessar	Hasay	Moehlmann	Taylor, F.
Chadwick	Hayden	Nahill	Taylor, J.
Civera	Hayes	Nailor	Telek
Clark, B. D.	Herman	Noye	Thomas
Clark, D. F.	Hershey	O'Brien	Trello
Clark, J. H.	Hess	Olasz	Van Horne
Clymer	Hughes	Oliver	Vroon
Cole	Itkin	Perzel	Wambach
Cornell	Jackson	Petrone	Wass
Corrigan	Jadlowiec	Phillips	Weston
Cowell	James	Piccola	Williams
Coy	Jarolin	Pievsky	Wilson
DeWeese	Johnson	Pistella	Wogan
Davies	Josephs	Pitts	Wozniak
Dempsey	Kaiser	Pressmann	Wright, R. C.
Dietterick	Kasunic	Preston	

NAYS—45

Belardi	Fleagle	McHale	Staback
Billow	Freeman	Mihalich	Stish
Blaum	George	Morris	Stuban
Cappabianca	Gruitza	Mrkonic	Tigue
Cawley	Haluska	Murphy	Trich
Cohen	Harper	Petrarca	Veon
Colafella	Heckler	Ritter	Wright, D. R.
Colaizzo	Kukovich	Rudy	Yandrisevits
DeLuca	Laughlin	Rybak	
Daley	Lloyd	Saloom	
Dombrowski	Lucyk	Smith, S. H.	O'Donnell, Speaker
Fee	McCall	Snyder, G.	

NOT VOTING—3

Howlett	Maiale	Raymond

EXCUSED—6

Battisto	Dininni	Mowery	Pesci
Black	Kosinski		

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

HB 2641 RECONSIDERED

The SPEAKER. The Chair is in possession of a reconsideration motion. Representative Michlovic moves that the vote by which HB 2641, PN 3705, was passed on the 13th day of November be reconsidered.

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

The following roll call was recorded:

YEAS—190

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

Daley	Kaiser	Pressmann	Wright, R. C.
Davies	Kasunic	Preston	Yandrisevits
Dempsey	Kenney	Raymond	
Dietterick	Kondrich	Reber	O'Donnell,
Distler	Kukovich	Reinard	Speaker

NAYS—2

Stish	Stuban

NOT VOTING—3

Howlett	Maiale	Veon

EXCUSED—6

Battisto	Dininni	Mowery	Pesci
Black	Kosinski		

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

On the question recurring,

Shall the bill pass finally?

BILL RECOMMITTED

The SPEAKER. The Chair recognizes Mr. Michlovic.

Mr. MICHLOVIC. Mr. Speaker, I would move that we recommit HB 2641 to the Conservation Committee for the same reasons we discussed on HB 2642.

On the question,

Will the House agree to the motion?

The SPEAKER. Is there anyone else seeking recognition on the motion?

The Chair recognizes Mr. George.

Mr. GEORGE. Mr. Speaker, I would like to remind the membership that HB 2641 is the answer that the House of Representatives provided on the matter of illegal hauling and dumping. It is a bad-actor provision. This is what we put into law when companies were kicked out of Ohio and Illinois and were able to come into Pennsylvania and get permits. This is simply a piece of legislation that we thought you wanted to stop this action of illegal dumping and bad actors.

Again I ask you to turn down this recommittal, because I believe we need this bill sent to the Senate.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—135

Acosta	Donatucci	Kenney	Raymond
Adolph	Dorr	Kondrich	Reber
Allen	Durham	Langtry	Reinard
Angstadt	Evans	Lashinger	Richardson
Argall	Fairchild	Lee	Rieger
Barley	Fargo	Lescovitz	Robbins
Birmelin	Farmer	Levdansky	Roebuck
Bishop	Flick	Linton	Ryan
Bortner	Foster	McNally	Saurman
Bowley	Fox	McVerry	Scheetz
Boyes	Freind	Maine	Schuler
Brandt	Gallen	Markosek	Scrimenti
Broujos	Gamble	Marsico	Semmel
Bunt	Gannon	Mayernik	Serafini
Burd	Geist	Merry	Smith, B.
Burns	Gigliotti	Michlovic	Snyder, D. W.
Bush	Gladeck	Micozzie	Stairs
Caltagirone	Godshall	Miller	Steighner
Carlson	Gruppo	Moehlmann	Strittmatter
Carn	Hagarty	Nahill	Tangretti
Cessar	Hasay	Nailor	Taylor, E. Z.
Chadwick	Hayden	Noye	Taylor, J.
Civera	Hayes	O'Brien	Telek
Clark, B. D.	Herman	Olasz	Trello
Clark, D. F.	Hershey	Oliver	Van Horne
Clark, J. H.	Hess	Perzel	Vroon
Clymer	Hughes	Petrone	Wambach
Colafella	Itkin	Phillips	Weston
Cornell	Jackson	Piccola	Williams
Corrigan	Jadlowiec	Pievsky	Wilson
Cowell	James	Pistella	Wogan
Coy	Johnson	Pitts	Wozniak
Dempsey	Josephs	Pressmann	Wright, R. C.
Dietterick	Kaiser	Preston	

NAYS—57

Belardi	Fleagle	McCall	Snyder, G.
Belfanti	Freeman	McHale	Staback
Billow	George	Maiale	Stish
Blaum	Gruitza	Melio	Stuban
Cappabianca	Haluska	Mihalich	Taylor, F.
Cawley	Harper	Morris	Tigue
Cohen	Heckler	Mrkonic	Trich
Colaizzo	Jarolin	Murphy	Veon
Cole	Kasunic	Petrarca	Wass
DeLuca	Kukovich	Ritter	Wright, D. R.
DeWeese	LaGrotta	Robinson	Yandrisevits
Daley	Laughlin	Rudy	
Distler	Leh	Rybak	O'Donnell,
Dombrowski	Lloyd	Saloom	Speaker
Fee	Lucyk	Smith, S. H.	

NOT VOTING—3

Davies	Howlett	Thomas

EXCUSED—6

Battisto	Dininni	Mowery	Pesci
Black	Kosinski		

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

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 2643, PN 3659**, entitled:

An Act authorizing investigations into fitness to transport municipal waste; authorizing the Department of Environmental Resources and the Department of Transportation to issue orders, including orders restricting or prohibiting the transportation of municipal waste; providing remedies; establishing certain fees; prescribing penalties; and making a repeal.

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?

BILL RECOMMITTED

The SPEAKER. The Chair recognizes Mr. Michlovic.

Mr. MICHLOVIC. Mr. Speaker, I would move that HB 2643 also be recommitted to the House Conservation Committee.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—143

Acosta	Distler	Kenney	Raymond
Adolph	Donatucci	Kondrich	Reber
Allen	Dorr	LaGrotta	Reinard
Angstadt	Durham	Langtry	Richardson
Argall	Evans	Lashinger	Rieger
Barley	Fairchild	Lee	Robbins
Belfanti	Fargo	Leh	Robinson
Birmelin	Farmer	Lescovitz	Roebuck
Bishop	Flick	Levdansky	Ryan
Bortner	Foster	Linton	Saurman
Bowley	Fox	McNally	Scheetz
Boyes	Freind	McVerry	Schuler
Brandt	Gallen	Maine	Scrimenti
Bunt	Gamble	Markosek	Semmel
Burd	Gannon	Marsico	Serafini
Burns	Geist	Mayernik	Smith, B.
Bush	Gigliotti	Merry	Snyder, D. W.
Caltagirone	Gladeck	Michlovic	Stairs
Carlson	Godshall	Micozzie	Steighner
Carn	Gruppo	Miller	Strittmatter
Cessar	Hagarty	Moehlmann	Tangretti
Chadwick	Hasay	Nahill	Taylor, E. Z.
Civera	Hayden	Nailor	Taylor, J.
Clark, B. D.	Hayes	Noye	Telek
Clark, D. F.	Heckler	O'Brien	Thomas
Clark, J. H.	Herman	Olasz	Trello
Clymer	Hershey	Oliver	Van Horne
Colafella	Hess	Perzel	Vroon
Cole	Hughes	Petrone	Wambach
Cornell	Itkin	Phillips	Wass
Corrigan	Jackson	Piccola	Weston
Cowell	Jadlowiec	Pievsky	Williams
Coy	James	Pistella	Wogan
Davies	Johnson	Pitts	Wozniak
Dempsey	Josephs	Pressmann	Wright, R. C.
Dietterick	Kaiser	Preston	

NAYS—48

Belardi	Freeman	Melio	Staback
Billow	George	Mihalich	Stish
Blaum	Gruitza	Morris	Stuban
Cappabianca	Haluska	Mrkonic	Taylor, F.
Cawley	Harper	Murphy	Tigue
Cohen	Jarolin	Petrarca	Trich
Colaizzo	Kasunic	Ritter	Veon
DeLuca	Kukovich	Rudy	Wright, D. R.
DeWeese	Laughlin	Rybak	Yandrisevits
Daley	Lloyd	Saloom	
Dombrowski	Lucyk	Smith, S. H.	O'Donnell,
Fee	McCall	Snyder, G.	Speaker
Fleagle	McHale		

NOT VOTING—4

Broujos	Howlett	Maiale	Wilson

EXCUSED—6

Battisto	Dininni	Mowery	Pesci
Black	Kosinski		

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

* * *

The House proceeded to third consideration of **SB 649, PN 2537**, entitled:

An Act establishing a Statewide hazardous material safety program; creating the Hazardous Material Response Fund; providing for the creation of Hazardous Material Emergency Response Account in each county; further providing for the powers and duties of the Pennsylvania Emergency Management Agency, of the Pennsylvania Emergency Management Council, and of the counties and local governments; imposing obligations on certain handlers of hazardous materials; and imposing penalties.

On the question,

Will the House agree to the bill on third consideration?

Mr. STEIGHNER offered the following amendments No. A4198:

Amend Table of Contents, page 2, line 12, by striking out all of said line and inserting

Section 213. Changes in fees.

Amend Sec. 103, page 10, line 4, by removing the period after "Act" and inserting

, or a facility whose primary function is auto body repair.

Amend Sec. 201, page 15, by inserting between lines 24 and 25

(i) Advisory committee.—The council shall appoint a Hazardous Material Emergency Planning and Response Advisory Committee from the members of the council and other persons representative of those groups affected by this act as the council chairman may determine. Meetings of the committee shall be convened by PEMA for the purpose of reviewing guidelines, standards or regulations developed to implement this act. PEMA shall participate in all meetings of the advisory committee and provide administrative support. For the purpose of convening meetings, a majority of the advisory committee members shall constitute a quorum.

Amend Sec. 203, page 18, lines 28 through 30, page 19, lines 1 through 6, by striking out all of said lines on said pages

Amend Sec. 203, page 19, line 23, by striking out "facilities" and inserting

the facility

Amend Sec. 203, page 19, line 29, by striking out "facilities" and inserting

the facility

Amend Sec. 206, page 30, lines 9 through 19, by striking out all of said lines and inserting

(f) Coordinated notification system.—

(1) The council shall within one year of the effective date of this act complete a study of current notification procedures to determine the feasibility of establishing a single notification center and simplified alternative notification processes for State agencies to receive notification of all emergencies involving hazardous or potentially hazardous substances or releases into the air, water or on the land. The council shall study the feasibility of replacing notification of individual State agencies with a single point of contact and simplified alternative notification procedures covering substances regulated by this act, by the act of June 22, 1937 (P.L.1987, No.394), known as The Clean Streams Law, the act of January 8, 1960 (1959 P.L.2119, No.787), known as the Air Pollution Control Act, the act of July 7, 1980 (P.L.380, No.97), known as the Solid Waste Management Act, the act of October 18, 1988 (P.L.756, No.108), known as the Hazard-

ous Sites Cleanup Act, the act of July 6, 1989 (P.L.169, No.32), known as the Storage Tank and Spill Prevention Act or by any other State statute requiring notification of any State agency of spills and releases into the environment. The study shall consider any impact a single point of contact and alternative notification procedures may have on the regulated community, any enforcement programs within the Department of Environmental Resources or other agencies and on notification requirements established in Federal law and make specific recommendations for implementing its findings, including recommended changes to State law. The Hazardous Material Emergency Planning and Response Advisory Committee shall be involved in the development of the study.

(2) The council shall forward a copy of the final study, including a recommended timetable for implementing any recommendations to the House Conservation Committee and the Senate Environmental Resources and Energy Committee.

Amend Sec. 207, page 30, line 25, by striking out "subsection (c)" and inserting

subsections (c), (d) and (e)

Amend Sec. 207, page 32, line 5, by striking out "$250" and inserting

$300

Amend Sec. 207, page 32, lines 18 through 22, by striking out "Counties may grant" in line 18 and all of lines 19 through 22 and inserting

Counties shall grant facility owners up to 100% credit toward their chemical fee obligation under this section for training, equipment or other in-kind services donated to the county to support the hazardous materials safety program if such training, equipment or in-kind services are accepted by the county. The credit shall be based on the fair market value of equipment donated and the agreed-upon value of training or in-kind services donated.

Amend Sec. 207, page 33, lines 11 through 13, by striking out "IN A COUNTY WHOSE HAZARDOUS MATERIAL EMERGENCY" in line 11, all of line 12 and "UNDER SUBSECTION (B)(2)" in line 13

Amend Sec. 207, page 33, lines 24 through 26, by striking out "IN A COUNTY WHOSE HAZARDOUS MATERIAL EMERGENCY" in line 24, all of line 25 and "UNDER SUBSECTION (B)(2)" in line 26

Amend Sec. 207, page 34, lines 9 through 19, by striking out all of said lines and inserting

(f) Emergency planning fee.—By March 1 of each year, each owner or operator of a facility that manufactures, produces, uses, stores, supplies or distributes any extremely hazardous substance in quantities larger than the threshold planning quantities shall be required to pay to the county treasurer where the facility is located an emergency planning fee of up to $100 as established by the county by ordinance. Counties shall grant facility owners up to 100% credit toward any emergency planning fee obligation under this section for training, equipment or other in-kind services donated to the county to support the hazardous materials safety program if such training, equipment or in-kind services are accepted by the county, in addition to those for which a credit is claimed under subsection (b)(2). The credit shall be based on the fair market value of equipment donated and the agree-upon value of training or in-kind services donated.

Amend Sec. 207, page 34, line 23, by striking out "and (c)" and inserting

, (c), (d), (e) and (f)

Amend Sec. 207, page 35, line 6, by inserting after "~~213.~~"

No fee may be applied to additional facilities or hazardous materials because of changes made by the United States Environmental Protection Agency in lists of hazardous materials, threshold planning quantities or other requirements under SARA Title III, without complying with the provisions of section 213.

Amend Sec. 207, page 35, line 8, by striking out "in" and inserting

pursuant to

Amend Sec. 208, page 36, by inserting between lines 19 and 20

(7) Reimbursing certain response costs of supporting volunteer emergency service organizations in accordance with section 207(b)(1).

Amend Sec. 208, page 37, lines 19 through 23, by striking out "A COUNTY WITH LESS THAN 30" in line 19 and all of lines 20 through 23 and inserting

The existence of unique or special circumstances under this section as determined by PEMA shall include an interstate highway, the Pennsylvania Turnpike or any secondary route used by a transporter because of load restrictions on primary routes.

Amend Sec. 209, page 40, line 14, by inserting after "providing"

directly or by agreement with a third party

Amend Sec. 210, page 41, line 30, by inserting after "in"

law or

Amend Sec. 210, page 42, line 1, by inserting after "jurisdiction"

or may proceed under the provisions of subsection (d)

Amend Sec. 210, page 42, line 5, by inserting after "in"

law or

Amend Sec. 210, page 42, lines 7 through 22, by striking out "IN LIEU OF FILING A LAW SUIT IN COURT, THE PERSON WHO" in line 7, all of lines 8 through 22

Amend Sec. 210, page 42, line 25, by inserting after "organization,"

supporting paid or volunteer emergency service organization,

Amend Sec. 210, page 42, lines 28 through 30; page 43, lines 1 through 4, by striking out "The amount" in line 28, and all of lines 29 and 30, page 42 and all of lines 1 through 3 and "recovers its costs." in line 4, page 43

Amend Sec. 210, page 44, by inserting between lines 9 and 10

(d) Arbitration.—

(1) In lieu of bringing an action at law or in equity in a court of competent jurisdiction in the matter of a response cost dispute under subsection (a), the party who is the person who caused a release of a hazardous material and the party who is the certified hazardous materials response team, including any volunteer emergency service organizations requested and dispatched by a legally constituted authority, may agree to submit the response cost dispute to binding arbitration as provided in this subparagraph. By submitting the response cost dispute to arbitration, the parties shall have waived all rights to remedies available under subsection (a) or to any other remedies available at law.

(2) Once the parties agree to submit the response cost dispute to binding arbitration, the local committee shall notify the council and the parties of the request for a board of arbitration and shall request the recommendation of the parties for persons to be appointed to the board. The board of arbitration shall consist of three persons, one to be selected by each of the parties and a third person to be agreed upon by the arbitrators as specified in subsection (d)(4). Within five days of the request for arbitration, the parties shall submit the names of the arbitrators that they have chosen and the local committee shall appoint those persons to the board of arbitration.

(3) Within five days after their appointment, the two arbitrators shall meet and select a third arbitrator who shall be appointed to the board by the local committee, and who will be chairman of the board of arbitration.

(4) If the two arbitrators fail to select a third arbitrator as provided in subsection (d)(3), the council shall, within five

days, select a third arbitrator who shall be appointed to the board. The person so selected shall not be a member of the council, a member of any local committee or a person or a relative of a person employed by the party or a subsidiary of the party who caused the hazardous material release or who has an ownership or equity interest in the party or subsidiary of the party who caused the hazardous material release.

(5) Upon appointment of the third member, the board shall commence its proceedings and within 30 days shall make its determination, which shall be binding on all parties.

(6) Unless otherwise prescribed in the agreement to arbitrate, the expenses and fees of the arbitrators and other expenses, but not including counsel fees, incurred in the conduct of the arbitration shall be paid as prescribed in the award.

Amend Sec. 212, page 47, line 5, by striking out "(a) General rule.—"

Amend Sec. 213, page 47, lines 21 through 30; page 48, lines 1 and 2, by striking out all of said lines on said pages and inserting

Section 213. Changes in fees.

(a) Additional facilities.—If changes made by the United States Environmental Protection Agency under SARA, Title III, result in the fees established in section 207 being applied to additional facilities, no fees may be collected from the owners or operators of these facilities until the council subjects these facilities to the fees by regulation.

(b) Change in requirements.—The council, by regulation, may also revise the fees established in section 207, as they apply to all facilities when the Environmental Protection Agency, under SARA, Title III changes the threshold planning quantities, the hazardous material lists or other requirements.

Amend Sec. 301, page 48, line 21, by inserting after "constitute"

gross negligence or

Amend Sec. 301, page 48, line 23, by striking out "SUPPLIES" and inserting

supplier

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes Mr. Steighner.

Mr. STEIGHNER. Thank you, Mr. Speaker.

Mr. Speaker, this amendment A4198, cosponsored by myself, Mr. Hayden, Mr. Reber, and Mr. Hasay, is the result of a lot of work for the last 3 years, almost, from staff, from members of the Conservation Committee, its chairman, and a host of other people and organizations.

This legislation, along with this amendment, has the support, or at the very least, the nonopposition, from a myriad of organizations associated with this work product. Those organizations include but are not limited to the Pennsylvania Chamber of Business and Industry, the Pennsylvania Emergency Management Agency, the NFIB (National Federation of Independent Business), the Pennsylvania County Commissioners Association, and, Mr. Speaker, most importantly, the two statewide organizations that represent volunteer and paid firemen in Pennsylvania - the Firemen's Legislative Federation and the International Association of Firefighters.

Mr. Speaker, I understand the long schedule that is ahead of us yet this afternoon, so I will attempt to be as precise and concise as I can in explaining this amendment before you now.

This amendment, among other things, makes the advisory committee more manageable. It offers an easy access for arbitration. The two parties involved in arbitration, normally the responder and the spiller, each will have the opportunity to appoint their own arbitrator. Those two arbitrators will appoint a third.

Language in this amendment also mandates that PEMA, within 1 year, report back to this body as well as the Senate as to the feasibility and the possibility of a one-call system in Pennsylvania, so when there is an incident, the spiller or the person responsible for that incident can make one call so that all those emergency management units can respond immediately.

There is language in this amendment that allows financial credits for businesses who provide in-kind services to your local hazmat (hazardous material) teams, who provide equipment to your local hazmat teams, or who pay for training for your own people in your own counties.

There is language in the amendment that allows that all counties are able to participate in the grant program, regardless of the size, regardless of the population. Any hazardous material incident can happen anywhere in Pennsylvania. This amendment includes language that all counties are now included in the grant program.

There is language in the amendment that allows for any changes dictated by the EPA (Environmental Protection Agency) at the Federal level. Those changes have to be reviewed, regulated, and approved by PEMA before they take place in Pennsylvania.

Language in the amendment allows for local responders to recover their administrative costs in this program. Language also directs liability costs to where they belong, to the spillers.

Mr. Speaker, again, this legislation, along with this amendment, has the bipartisan support of the people that I mentioned. Cosponsors of the amendment are myself, Mr. Hayden, again, Mr. Reber, Mr. Hasay.

Mr. Speaker, I would ask for the support of the House.

The SPEAKER. The Chair recognizes Mr. Hasay.

Mr. HASAY. Thank you, Mr. Speaker.

Mr. Speaker, I concur with the gentleman from Butler, Mr. Steighner, that there has been a bipartisan effort on this amendment. This amendment was considered thoroughly, worked on thoroughly, and the concerns from the small business sector as well as the large have been considered.

I therefore ask for immediate adoption of this amendment to this bill. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—191

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

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

NAYS—0

NOT VOTING—4

Cole	Howlett	Laughlin	Wilson

EXCUSED—6

Battisto	Dininni	Mowery	Pesci
Black	Kosinski		

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

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

The Chair recognizes Mr. Steighner.

Mr. STEIGHNER. Mr. Speaker, on the bill, very briefly.

This bill is known as the hazardous materials protection act. It could also be known as the Pennsylvania firemen and emergency responders protection act.

This legislation sets in place a uniform program that can be adopted for the entire Commonwealth so that our citizens can be assured of the best protection possible from hazardous material incidents.

Mr. Speaker, for too long we in Pennsylvania have depended on the generosity and the volunteer spirit of thousands of Pennsylvanians in responding to these incidents. It is time that we, as well as the 26 other States across the country that have adopted such a program, offer our assistance as well.

Mr. Speaker, I would ask for an affirmative vote on this bill.

The SPEAKER. The Chair recognizes Representative David Wright.

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

I rise in support of SB 649 and the package of amendments that has been offered by Representative Joe Steighner. This measure before us is particularly important to counties such as mine that may be targeted for hazardous waste facilities. With the increased attention that the Commonwealth is giving to the siting of hazardous waste facilities, there is a corresponding importance to protect our citizens from the dangers associated with these materials.

This bill provides the Commonwealth the resources that are needed to comply with the 1986 amendments to the Federal Superfund, known as the Emergency Planning and Community Right-To-Know Act. This law was unfunded. It was a mandate given to us without funds. It placed a whole set of requirements on the States to protect the citizens from releases of hazardous materials without providing for any Federal money to carry out these new requirements.

This bill is important to counties such as mine, first of all because the bill gives the local emergency planning committees the authority to go to any Commonwealth agency to discuss and review any factors that may be necessary to protect the health and safety of the counties' residents from a potential release of hazardous materials.

What this means for us in Clarion County is that the emergency planning committee would have the authority to go to DER (Department of Environmental Resources) to insure that the hazardous waste processing facility is sited properly. My constituents deserve this assurance.

Secondly, the bill will provide the resources that are needed to train and equip hazardous material response teams that will protect the public's health and safety from any release of spills. The funding will come from the fees that will be assessed on each owner or operator of a facility. This, Mr. Speaker, is an important piece of legislation for those of us who are concerned about the health and safety and environment, particularly in those areas where there are possible sitings of hazardous waste facilities.

For those reasons I urge the adoption of SB 649 as amended by Representative Steighner.

The SPEAKER. The Chair recognizes Mr. Fairchild.

Mr. FAIRCHILD. Mr. Speaker, would Representative Steighner stand for brief interrogation, please?

The SPEAKER. The gentleman indicates that he will. The gentleman may proceed.

Mr. FAIRCHILD. Mr. Speaker, for legislative intent, under section 103, "Definitions," page 6, line 23, "Facility,"

does the term "facility" as defined include hazardous waste facilities that recycle, reuse, or incinerate hazardous waste?

Mr. STEIGHNER. Mr. Speaker, in response to the gentleman's question, yes, it would. If they have hazardous chemicals onsite, they are covered under the emergency response plans.

Mr. FAIRCHILD. Mr. Speaker, I could not quite get that. I understood "yes" but— Mr. Speaker, I could not hear the end of his answer.

The SPEAKER. Will the gentleman repeat his answer.

Mr. STEIGHNER. Mr. Speaker, in response to the gentleman's question—

The SPEAKER. Will the gentleman, Mr. Steighner, suspend and take a different microphone.

Mr. STEIGHNER. Mr. Speaker, in response to the gentleman's question, yes, if they have hazardous chemicals onsite, they are covered under the emergency response plans.

Mr. FAIRCHILD. Thank you. I have one more question.

In section 203, "Establishment and functions of local emergency planning committees," paragraph (k), item (1), line 23, for legislative intent, does "...additional facilities contributing or subjected to additional risk due to their proximity to facilities..." include prisons? That is on page 19, the last line - referring to the last line.

Mr. STEIGHNER. Mr. Speaker, prisons are already given special consideration under existing plans. Under this legislation with the amendment, those plans, one would continue and be expanded upon as well and improved under this bill.

Mr. FAIRCHILD. Thank you, Mr. Speaker.

On the question recurring,

Shall the bill pass finally?

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

YEAS—192

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

NAYS—0

NOT VOTING—3

DeLuca	Howlett	Olasz

EXCUSED—6

Battisto	Dininni	Mowery	Pesci
Black	Kosinski		

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

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

VOTE CORRECTIONS

The SPEAKER. For what purpose does the gentleman, Mr. Davies, rise?

Mr. DAVIES. On the recommittal vote on HB 2641, PN 3705, my switch failed to function. I would like to be recorded in the affirmative.

The SPEAKER. The remarks of the gentleman will be spread upon the record.

The Chair recognizes Mr. Melio.

Mr. MELIO. Mr. Speaker, on HB 2642 for recommittal, I want to be recorded in the negative, please.

The SPEAKER. The remarks of the gentleman will be spread upon the record.

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 2645, PN 3661**, entitled:

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 providing for winery licenses.

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—187

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

NAYS—0

NOT VOTING—8

Cole	McVerry	Mrkonic	Taylor, J.
Howlett	Michlovic	Petrone	Trello

EXCUSED—6

Battisto	Dininni	Mowery	Pesci
Black	Kosinski		

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

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

* * *

The House proceeded to third consideration of **SB 1366, PN 2534**, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, extending the period of existence of the Pennsylvania Veterans' Memorial Commission.

On the question,

Will the House agree to the bill on third consideration?

Mr. COHEN offered the following amendments No. A3959:

Amend Title, page 1, line 3, by removing the period after "Commission" and inserting a semicolon

Amend Bill, page 1, line 4, by inserting after "~~appropriation.~~"

further providing for leaves of absence and for employment discrimination involving military status of members of the Pennsylvania National Guard and other reserve components of the armed forces of the United States; and further providing for powers and duties of the Department of Military Affairs relating to employment discrimination.

The General Assembly finds and declares as follows:

(1) It is the intention of the General Assembly as a matter of public policy to reaffirm the support of this Commonwealth for members of the National Guard and other reserve components of the armed forces of the United States.

(2) The General Assembly recognizes that today's National Guard and reserve component forces are essential elements of our nation's total force for national defense and that members of the National Guard and other reserve components of the armed forces of the United States may be called or ordered to active duties in support of a wide variety of military contingencies and operations throughout the world.

(3) The General Assembly recognizes that the Pennsylvania National Guard provides vital support for this Commonwealth by constituting a well-trained, equipped and disciplined military force to respond to emergencies and other contingencies within this Commonwealth.

(4) The General Assembly finds and declares that the laws of this Commonwealth, providing support for the National Guard and other reserve components of the armed forces of the United States, should be updated in light of the current duties and responsibilities of the National Guard and reserve component forces as part of the total force.

Amend Bill, page 1, lines 7 and 8, by striking out all of said lines and inserting

Section 1. Sections 702 and 902 of Title 51 of the Pennsylvania Consolidated Statutes are amended by adding paragraphs to read:

§ 702. Duties of department.

The department shall have the power and its duty shall be:

* * *

(12) To investigate the circumstances and adjudicate in accordance with Title 2 (relating to administrative law and procedure) complaints of violations of Chapters 41 (relating to rights and immunities) and 73 (relating to military leave of absence), including complaints of employment discrimination against and violation of reemployment rights of members of the National Guard and other reserve components of the armed forces of the United States. The authority granted in this paragraph shall not extend to those circumstances that the Federal Government has jurisdiction to investigate.

§ 902. General powers and duties of Adjutant General.

The Adjutant General as head of the department is responsible to the Commonwealth and to the Governor for the organization and functioning of said department, and the performance and carrying out of all the duties, powers and responsibilities given or delegated. In addition he is hereby authorized and directed to:

* * *

(13) Approve issuance of a policy or policies of group life insurance to an association or associations to cover members of the Pennsylvania National Guard.

Section 2. Section 1906 of Title 51 is amended to read:

Amend Bill, page 2, by inserting between lines 2 and 3

Section 3. Title 51 is amended by adding a section to read:

§ 3105. Association group life insurance for Pennsylvania National Guard.

The Adjutant General may approve issuance of group life insurance to nonprofit membership associations for members of the Pennsylvania National Guard, subject to the following requirements:

(1) The members eligible for insurance under the policy shall all be members of the Pennsylvania National Guard or their spouses or dependents. A member of the Pennsylvania National Guard who becomes insured under this program while a member may continue the insurance, including group term life insurance, after discharge or retirement from the Pennsylvania National Guard.

(2) The premium for the policy shall be paid by the individual members of the Pennsylvania National Guard or their spouses or dependents who elect to participate in the insurance plan either by direct payment or by allotment from military pay. An individual family member may insure his spouse or dependent without their signature or approval.

(3) The policy must cover at least 25 members of the Pennsylvania National Guard at the time of issue.

(4) The amounts of insurance under the policy must not exceed $100,000 per individual insured member and $25,000 per insured spouse or dependent.

(5) Participation in the insurance plan must be voluntary.

(6) Except as otherwise provided by this section, the policy or policies must comply with the provisions of the act of May 11, 1949 (P.L.1210, No.367), referred to as the Group Life Insurance Policy Law, and be approved by the Insurance Commissioner and the Adjutant General.

(7) The same policy can be made available to any Pennsylvania resident who is a member of a reserve component of the armed forces.

Section 4. Sections 4102 and 7302 of Title 51 are amended to read:

§ 4102. Leaves of absence for certain government employees.

(a) Mandatory.—All officers and employees of the Commonwealth, or its instrumentalities, or any political subdivision thereof, or its instrumentalities, who are [commissioned or enlisted] members of the Pennsylvania National Guard, shall be entitled to leave of absence from their respective duties without loss of pay, time or efficiency rating on all days during which they shall, as members of the Pennsylvania National Guard, be engaged in active State duty. All such officers and employees shall, in addition, be entitled to leave of absence from their respective duties without loss of pay, time or efficiency rating on all days not exceeding 15 days in any one year during which they shall, as members of the Pennsylvania National Guard, be engaged in training or other military duty under orders authorized by law. All such officers and employees shall, in addition, be entitled to unpaid leave of absence from their respective duties without loss of seniority or efficiency rating on all days in excess of 15 days per year during which they shall be engaged in training or other military duty under orders authorized by law.

(b) Discretionary.—The Commonwealth, its instrumentalities and political subdivisions thereof and their instrumentalities shall be authorized and permitted to provide paid military leave or other compensation and/or continue medical and other benefits to members of the Pennsylvania National Guard and other reserve components of the United States Armed Forces for days in excess of 15 per year when the member shall be engaged in training or other military duty under orders authorized by law.

§ 7302. Granting military leaves of absence.

(a) Enlistment or draft.—Whenever any employee shall, in time of war or armed conflict, or emergency proclaimed by the Governor or by the President of the United States, enlist or shall, at any time, be drafted into the active military service of the United States, he shall be automatically granted a military leave of absence. So long as an employee is on military leave of absence, he shall not be removed from his employment and his duties shall either be performed by other employees or by a temporary substitute. During such time he shall not receive any remuneration from his civilian employer.

(b) Reserve components.—Whenever any employee who is a member of a reserve component of the armed forces shall be called or ordered to active duty by the United States and whenever any employee who is a member of the Pennsylvania National Guard shall be ordered to active State duty or special State duty by the Governor or his designee, he shall automatically be granted a military leave of absence.

Section 5. Section 7303 of Title 51 is amended by adding a subsection to read:

§ 7303. Expiration of military leaves of absence.

* * *

(c) Employees who were members of reserve components.—Every military leave of absence granted to an employee by reason of his having been called or ordered to military duty as a member of a reserve component of the armed forces of the United States shall expire 90 days after the expiration of the period of the military duty. Every military leave of absence granted to an employee by reason of his having been ordered to active State duty or special State duty as a member of the Pennsylvania National Guard shall expire 30 days after the expiration of the period of the State duty.

Section 6. Section 7309 of Title 51 is amended to read:

§ 7309. Employment discrimination for military membership or duty.

(a) General rule.—It is unlawful for the Commonwealth or any of its departments, boards, commissions, agencies or any political subdivision, or for any private employer, to refuse to hire or employ any individual not on extended active duty because of his membership in the National Guard or any one of the other reserve components of the armed forces of the United States, or because he is called or ordered to active State duty or special State duty by the Governor during an emergency or as otherwise authorized by law, or because he is called or ordered to active duty by the Federal Government under provisions of 10 U.S.C. (relating to armed forces) or 32 U.S.C. (relating to National Guard), or to discharge from employment such individual, or to otherwise discriminate against such individual with respect to compensation, hire, tenure, terms, conditions or privileges of employment because of such membership, or because he is called or ordered to active State duty by the Governor during an emergency or because he is called or ordered to other military duty authorized by law.

(b) Reemployment following emergency or other military duty.—Upon the completion of such emergency or other military duty any such member of the Pennsylvania National Guard or any other reserve component of the armed forces of the United States shall be restored by such public or private employer or his successor in interest to such position or to a position of like seniority, status and pay which such member held prior to such

emergency or other military duty, but if any such member is not qualified to perform the duties of such position by reason of disability sustained during such emergency or other military duty but qualified to perform the duties of any other position in the employ of such private employer or his successor in interest, such member shall be restored to such other position, the duties of which he is qualified to perform, as will provide him like seniority, status and pay, or the nearest approximation thereof consistent with the circumstances of the case, unless such public or private employer's or his successor in [interest] interests, circumstances have so changed as to make it impossible or unreasonable to do so.

(c) Extension of benefits during military duty.—Whenever a member of the Pennsylvania National Guard is called or ordered into active Federal service or active State duty under orders authorized by law or a member of any reserve component is called or ordered onto active duty, other than active duty for training, the public or private employer of the member shall, at no cost to the member, continue health insurance and other benefits in effect for at least the first 30 days of the military duty. After the expiration of the first 30 days, the public or private employer shall give the member of the National Guard or other reserve component the voluntary option of continuing such health insurance and other benefits in effect at his own expense by paying for the insurance or benefits at the same rates paid by the employer and the insurance coverage shall continue, except for injuries incurred in the line of military duty.

Section 7. Title 51 is amended by adding sections to read:

§ 7312. Stay of eviction or distress during military service.

(a) General rule.—Whenever any member of the Pennsylvania National Guard or other reserve component of the armed forces of the United States shall be called or ordered to active duty, other than active duty for training, or, in the case of members of the Pennsylvania National Guard, shall be called or ordered to active State duty, no eviction or distress shall be made of premises occupied chiefly for dwelling purposes by the member or any member of his family or other dependents, except upon leave of court granted upon application therefor or granted in an action or proceeding affecting the right of possession.

(b) Stay of proceedings.—On any such application or in any action brought pursuant to subsection (a), the court may, in its own discretion, on its own motion, and shall, on application of the member of the Pennsylvania National Guard or other reserve component of the armed forces of the United States, any member of his family or dependent, stay the proceedings for six months unless, in the opinion of the court, the ability of the tenant to pay the agreed rent is not materially affected by reason of the military service. The court may make such other order as may be just under the circumstances, including an order temporarily adjusting the rental payments.

(c) Impacts on landlords.—When a stay of eviction is granted or other order is made by the court, the owner of the premises shall be entitled, upon application therefor, to such relief as the court may determine just and equitable under the circumstances, including an order for the member to pay the arrearage in rent upon release from military duty to the extent and for such period as may appear to the court to be just.

§ 7313. Educational leave of absence.

Whenever any member of the Pennsylvania National Guard or other reserve component of the armed forces of the United States shall be called or ordered to active duty, other than active duty for training, including, in the case of members of the Pennsylvania National Guard, active State duty, the educational institution in which the member is enrolled shall grant the member a military leave of absence from their education. Persons on military leave of absence from their educational institution shall be entitled, upon release from military duty, to be restored to the educational status they had attained prior to their being ordered to military duty without loss of academic credits earned, scholarships or grants awarded or tuition and other fees paid prior to the commencement of the military duty. It shall be the duty of the educational institution to refund tuition or fees paid or to credit the tuition and fees to the next semester or term after the termination of the educational military leave of absence at the option of the student.

§ 7314. Stay of proceedings when military service affects conduct thereof.

At any stage thereof any action or proceeding in any court in which a person in military service is involved, either as plaintiff or defendant, during the period of such service or within 60 days thereafter may, in the discretion of the court in which it is pending, on its own motion, and shall, on application to it by such person or some person on his behalf, be stayed as provided in the act of October 17, 1940 known as the Soldiers' and Sailors' Civil Relief Act of 1940 (54 Stat. 1178, 50 U.S.C. app. § 501 et seq.), unless, in the opinion of the court, the ability of plaintiff to prosecute the action or the defendant to conduct his defense is not materially affected by reason of his military service.

Section 8. This act shall be retroactive to August 1, 1990.

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

9

On the question,

Will the House agree to the amendments?

The SPEAKER. On that question, the Chair recognizes Mr. Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, I am introducing A3959 on behalf of myself, Representative Mrkonic, and the cosponsors of HB 2949.

This amendment contains provisions which provide for job protection and other benefits for members of the National Guard and Reserves who are called to active duty. This amendment was introduced after I, like many others, was forced to confront, by Representative McHale's decision to join the effort in Saudi Arabia, what the rights of the guards and reservists were.

In general, this amendment updates provisions of Title 51, which have not been amended since the Korean war. For example, many of the protections for guards and reservists do not apply to the current situation in the Persian Gulf because the President has not yet declared a national emergency.

This amendment further clarifies the provisions for mandatory military leave of absence from government employers. This amendment clarifies provisions of State law which mandate job return rights without loss of seniority or benefits. It further forbids discrimination against guards and reservists in hiring promotions.

While the Federal Government by way of the Soldiers' and Sailors' Relief Act adequately protects active-duty personnel from mortgage foreclosure, its provisions which protect renters are out of date and have no current value. This amendment covers this oversight by providing for protections against eviction from a rented residence while the guard member or reservist is on duty. It allows the court to adjust rental payments and to set a reasonable schedule for payment of arrearages once the guard or reservist has returned from active duty.

This amendment also assures guards and reservists who are called to active duty while in school that the institution of higher learning will reinstate the student upon his or her return with the same educational standing, scholarships, and grants. The school would also be required to refund tuition and other fees paid for the term the student was unable to complete because he or she was called to active duty.

This amendment also provides for the continuation of employer-provided health benefits for 30 days at no cost to the employee and the option of continuing health insurance for the duration of the military leave at the employer's group rate. The premium will be paid by the employee. The amendment authorizes State and local governments to be more generous, at their option.

Finally, this amendment authorizes the Adjutant General to negotiate a group life insurance plan for members of the National Guard and Reserves. Such a plan will be paid for by the guard or reservist, and participation would be optional.

I would like to thank Emil Mrkonic and his staff, the Department of Military and Veterans Affairs, and others who worked to support this amendment. This amendment is supported by the National Guard Association and the Employers Support to the National Guard and Reserve, an organization of employers who work to improve relationships between members of the Guard and Reserves and their employees.

I ask for your support of this amendment.

The SPEAKER. The Chair recognizes Mr. Hayes.

Mr. HAYES. Thank you, Mr. Speaker.

The gentleman from Philadelphia, Mr. Cohen, did a very fine job at outlining the provisions of his amendment which are in concert with a bill he earlier introduced, HB 2949.

This particular amendment has to do with the National Guard of Pennsylvania and, of course, reflects very well the current situation which all members of the National Guard and Reserve components face given circumstances in the Middle East known as Operation Desert Shield.

What I would like to emphasize is this, Mr. Speaker: Title 51, which embodies the laws of the Commonwealth dealing with our National Guard, reflects a bygone era in terms of matters which are embodied in this particular amendment with regard to rights, duties, obligations of the Commonwealth with regard to our National Guardsmen and benefits which are due those men and women in uniform during time of emergency and crisis.

I join wholeheartedly with the gentleman in bringing Title 51 through this amendment into the 20th century, certainly into this last decade of this century, in providing the types of benefits and protections which our National Guardsmen and Reserve components deserve in this particular era of service in uniform.

I do not think there is any doubt that as we reflect back, we can recall the days when it was possible for a National Guardsman and his or her unit to be mobilized and not see frontline duty for weeks and, yes, months. But that no longer, Mr. Speaker, is the way we defend this great country of ours. The deployment responsibilities which are placed upon the National Guard and Reserve components are much different today. They are participating in activities known as rapid deployment. They could be in their homeland this evening and rapidly deployed to a hostile environment within a matter of hours and days.

These men and women put a great deal on the line, and I believe that we ought to update our Title 51 through the amendment offered today by the gentleman from Philadelphia, Mr. Cohen.

I urge its adoption. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes Mr. Davies.

Mr. DAVIES. Thank you, Mr. Speaker.

I, too, would join the gentleman in supporting the changes to Title 51. It was only yesterday that the general said that we should send a message to those forces that are already committed there and now the recent ones that have just been committed there again from Pennsylvania. I think it is fitting that we take this action now so that some of their concerns will be addressed immediately. Thank you.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—194

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

Davies	Kenney	Raymond	Wright, R. C.
Dempsey	Kondrich	Reber	Yandrisevits
Dietterick	Kukovich	Reinard	
Distler	LaGrotta	Richardson	O'Donnell,
Dombrowski	Langtry	Rieger	Speaker

NAYS—0

NOT VOTING—1

Howlett

EXCUSED—6

Battisto	Dininni	Mowery	Pesci
Black	Kosinski		

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

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—194

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

Davies	Kenney	Raymond	Wright, R. C.
Dempsey	Kondrich	Reber	Yandrisevits
Dietterick	Kukovich	Reinard	
Distler	LaGrotta	Richardson	O'Donnell,
Dombrowski	Langtry	Rieger	Speaker

NAYS—0

NOT VOTING—1

Howlett

EXCUSED—6

Battisto	Dininni	Mowery	Pesci
Black	Kosinski		

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

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

The SPEAKER. The Chair requests the gentleman, Mr. Itkin, to preside.

THE SPEAKER PRO TEMPORE (IVAN ITKIN) PRESIDING

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 2687, PN 3728**, entitled:

An Act authorizing the State Armory Board of the Department of Military Affairs and the Department of General Services with the approval of the Governor, to sell and convey a tract of land, together with the building and structures thereto, in the City of Chester, Delaware County, Pennsylvania.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—194

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

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

NAYS—0

NOT VOTING—1

Howlett

EXCUSED—6

Battisto	Dininni	Mowery	Pesci
Black	Kosinski		

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

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

VOTE CORRECTION

The SPEAKER pro tempore. The Chair recognizes the lady from Beaver, Mrs. Laughlin.

Mrs. LAUGHLIN. Mr. Speaker, thank you.

I want to be recorded in the affirmative on amendment 4198 to SB 649. Thank you.

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

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes the gentleman from Erie, Mr. Cappabianca, for the purpose of a meeting announcement.

Mr. CAPPABIANCA. Thank you, Mr. Speaker.

There will be an immediate meeting of the House Appropriations Committee at the rear of the House.

The SPEAKER pro tempore. The members of the Appropriations Committee are directed to the rear of the chamber for the Appropriations Committee meeting.

STATE GOVERNMENT COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Oliver, for the purpose of a meeting announcement.

Mr. OLIVER. Mr. Speaker, there will be a meeting of the State Government Committee in the rear of the House immediately.

The SPEAKER pro tempore. The Chair directs the members of the State Government Committee to the rear of the House for the purpose of a committee meeting.

VOTE CORRECTION

The SPEAKER pro tempore. The Chair recognizes the lady from Bucks, Mrs. Wilson.

Mrs. WILSON. Mr. Speaker, on SB 649, amendment 4198, I was not recorded voting. I would like to vote in the affirmative. Thank you very much.

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

CONSERVATION COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes the gentleman from Clearfield, Mr. George.

Mr. GEORGE. Mr. Speaker, I would like to announce a meeting of the Conservation Committee at 10 a.m. in room 40 on Wednesday morning.

The SPEAKER pro tempore. The Chair thanks the gentleman.

There will be a Conservation Committee meeting tomorrow morning at 10 a.m.

BILLS REREPORTED FROM COMMITTEE

SB 310, PN 2596 (Amended)

By Rep. CAPPABIANCA

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.

APPROPRIATIONS.

SB 516, PN 2597 (Amended)

By Rep. CAPPABIANCA

An Act appropriating money from the Sunny Day Fund to the Department of Commerce for various projects throughout this Commonwealth for fiscal year 1990-1991.

APPROPRIATIONS.

SB 637, PN 680 By Rep. CAPPABIANCA

An Act providing for execution by means of lethal injection; and making a repeal.

APPROPRIATIONS.

SB 933, PN 1062 By Rep. CAPPABIANCA

An Act amending the act of January 18, 1952 (1951 P. L. 2128, No. 605), entitled "Private Driver Education or Training School Act," further providing for the vehicles used in practical driver training.

APPROPRIATIONS.

SB 1136, PN 2598 (Amended)

By Rep. CAPPABIANCA

An Act providing for control and licensing of video poker machines in this Commonwealth; creating the Video Poker Machine Control Commission and providing for its powers and duties; and providing for local option and for distribution of revenue.

APPROPRIATIONS.

SB 1415, PN 2488 By Rep. CAPPABIANCA

An Act amending the act of December 5, 1972 (P. L. 1280, No. 284), entitled "Pennsylvania Securities Act of 1972," adding a definition of "associated person"; and further providing for registration requirements and procedure, for suspension and revocation of registration, for civil liability, for criminal penalties and for fees.

APPROPRIATIONS.

SB 1581, PN 2599 (Amended)

By Rep. CAPPABIANCA

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled "The Administrative Code," changing the name of the Department of Military Affairs to the Department of Military and Veterans' Affairs; changing the name of the Department of Public Welfare to the Department of Human Services and changing the name of the State Board of Public Welfare to the State Board of Human Services; providing for public wrestling and boxing matches in establishments with liquor licenses and for alternate security for performance of contracts; and further providing for crime victims' compensation and assistance.

APPROPRIATIONS.

BILLS ON SECOND CONSIDERATION

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

SB 637, PN 680; SB 933, PN 1062; SB 1136, PN 2598; SB 1415, PN 2488; and **SB 1581, PN 2599**.

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

SB 970, PN 2595 (Amended)

By Rep. OLIVER

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), known as "The Administrative Code of 1929," further providing for mental health or mental retardation facilities.

STATE GOVERNMENT.

THE SPEAKER (ROBERT W. O'DONNELL) PRESIDING

BILLS ON CONCURRENCE IN SENATE AMENDMENTS

The clerk of the Senate, being introduced, returned the following **HB 16, PN 4102**, 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 August 31, 1971 (P. L. 398, No. 96), known as the "County Pension Law," regulating administrative expenses; further providing for the definition of "county employe"; adding a definition; further providing for service allowance and simultaneous payments of salary and retirement allowance; authorizing members to reduce their contributions; further providing for credit for military service; and further providing for involuntary retirement allowance.

On the question,

Will the House concur in Senate amendments?

The SPEAKER. It is moved by the gentleman, Mr. Lloyd, that the House concur in the amendments inserted by the Senate.

The question recurs, will the House concur? Those voting to concur will vote "aye"; those voting to nonconcur will vote "no."

On the question recurring,

Will the House concur in Senate amendments?

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

YEAS—191

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

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

NAYS—0

NOT VOTING—4

Belfanti	Geist	Howlett	Lashinger

EXCUSED—6

Battisto	Dininni	Mowery	Pesci
Black	Kosinski		

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

Ordered, That the clerk inform the Senate accordingly.

* * *

The clerk of the Senate, being introduced, returned the following **HB 2066, PN 4182**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act authorizing the Department of General Services, with the approval of the Governor, to sell and convey a tract of land and a right-of-way situate in Canaan Township, Wayne County and to convey to the County of Warren a tract of land and the buildings erected thereon in Conewango Township, Warren County; authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Agriculture, to convey to Snyder County a tract of land and the buildings erected thereon in Penn Township, Snyder County, Pennsylvania; and making a repeal.

On the question,

Will the House concur in Senate amendments?

The SPEAKER. Moved by the gentleman, Mr. Staback, that the House do concur in the amendments.

The question recurs, will the House concur?

The Chair recognizes the gentleman, Mr. Bowley.

Mr. BOWLEY. Thank you, Mr. Speaker.

Mr. Speaker, I agree with the amendments added by the Senate regarding the parcel of property in Warren County. It will take care of a situation there, and I would appreciate the members' support. Thank you.

The SPEAKER. The Chair recognizes Mr. Wambach.

Mr. WAMBACH. Mr. Speaker, I would like to interrogate Mr. Staback.

The SPEAKER. The gentleman indicates he is willing to be interrogated. The gentleman may proceed.

Mr. WAMBACH. Mr. Speaker, it is my understanding that one of the transfers in the bill regards Warren County, which was transferred originally by the Act 66 of 1980. That act at the time had a reversionary clause in it, and I am just wondering, for legislative intent, do you see that the reversionary clause will remain in the act as far as Act 66 of 1980 plus the addition of the reversionary clause that is expressed in HB 2066 to be in effect?

Mr. STABACK. You are absolutely correct, Mr. Speaker. Act 66, which was enacted back in 1980, had never been repealed. Inasmuch as the language in HB 2066 is simply re-reverting a parcel of ground that was encompassed in that act back to Warren County and the act was never repealed, that reverter is still in effect.

Mr. WAMBACH. So in effect then, if in fact the current custodials of the land in Warren County—I understand it is the Little League Association or whatever—if in fact they would abandon that land and then the county would abandon the land, it would come back into the State inventory.

Mr. STABACK. That is so. It would revert back to the State. That is correct.

Mr. WAMBACH. All right. Thank you. Thank you, Mr. Speaker.

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

On the question recurring,

Will the House concur in Senate amendments?

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

YEAS—189

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

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

NAYS—0

NOT VOTING—6

Bishop	Hughes	Perzel	Weston
Howlett	Lashinger		

EXCUSED—6

Battisto	Dininni	Mowery	Pesci
Black	Kosinski		

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

Ordered, That the clerk inform the Senate accordingly.

* * *

The clerk of the Senate, being introduced, returned the following **HB 2432, PN 4100**, 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 May 28, 1937 (P. L. 955, No. 265), known as the "Housing Authorities Law," further providing for competitive bids and for purchases that are not subject to advertisement and bidding; and providing a penalty.

On the question,

Will the House concur in Senate amendments?

The SPEAKER. Moved by the gentleman, Mr. Staback, that the House do concur.

The question recurs, will the House concur in the amendments? Those voting to concur will vote "aye"; those voting to nonconcur will vote "no."

On the question recurring,

Will the House concur in Senate amendments?

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

YEAS—192

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

NAYS—0

NOT VOTING—3

DeWeese	Howlett	Itkin

EXCUSED—6

Battisto	Dininni	Mowery	Pesci
Black	Kosinski		

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

Ordered, That the clerk inform the Senate accordingly.

BILL ON CONCURRENCE IN SENATE AMENDMENTS TO HOUSE AMENDMENTS

The clerk of the Senate, being introduced, returned the following **SB 750, PN 2541**, with information that the Senate has concurred in the amendments made by the House by amending said amendments in which the concurrence of the House of Representatives is requested:

An Act amending the act of May 2, 1945 (P. L. 382, No. 164), entitled "Municipality Authorities Act of 1945," further defining "project"; adding a definition for "working capital"; further providing for the general powers and duties of an authority; further providing for contract procedures, purchases and advertising for bids; and providing a penalty.

On the question,

Will the House concur in Senate amendments to House amendments?

The SPEAKER. It is moved by the majority leader that the House do concur in the amendments inserted by the Senate.

The question is, will the House concur in the amendments inserted by the Senate?

The Chair recognizes Mr. Clark.

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

I would just ask that we oppose the concurrence in the Senate amendment. The only amendment the Senate made was to remove a House amendment that would have brought some accountability to municipal authorities across the State. With what has gone on at some of our authorities around the State, I believe the people who appointed people to these boards should have the right to remove them. The Senate took that language out and would permit authorities to operate as they have for the last 50 years, and I think that is something that this legislature should stop.

I would urge a negative vote.

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

On the question recurring,

Will the House concur in Senate amendments to House amendments?

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

YEAS—179

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

NAYS—14

Clark, B. D.	Freeman	Morris	Saloom
Cohen	Levdansky	Olasz	
Colaizzo	Lloyd	Petrarca	O'Donnell,
Daley	Melio	Robinson	Speaker

NOT VOTING—2

Howlett	Maiale

EXCUSED—6

Battisto	Dininni	Mowery	Pesci
Black	Kosinski		

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

Ordered, That the clerk inform the Senate accordingly.

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **SB 577, PN 2483**, entitled:

An Act amending the act of June 3, 1937 (P. L. 1333, No. 320), entitled "Pennsylvania Election Code," further providing for Commonwealth reimbursement for certain election expenses, for the form of absentee ballots for qualified electors, and for the mailing of absentee ballots.

On the question,

Will the House agree to the bill on third consideration?

Mr. LEVDANSKY offered the following amendments No. A3513:

Amend Title, page 1, line 12, by inserting after "expenses,"
for primary election notices in second class counties,

Amend Bill, page 5, by inserting between lines 4 and 5

Section 2. Section 1201.1 of the act is amended to read:

[Section 1201.1. Primary Election Notices in Second Class Counties.—The county board of elections in counties of the second class shall, not earlier than ten days nor later than three days before each primary election, give notice of the same by newspaper publication in the county in accordance with the provisions of section 106 of this act. Such primary election notice shall set forth—(1) the names of all public offices for which nominations are to be made; (2) the names of all party offices for which candidates are to be elected at the said primary; (3) the date of the primary and the hours during which the polls will be open; and (d) the places at which the primary will be conducted in the various election districts of the county. Such notice may include a portion of the form of the primary ballots in reduced size.]

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

3

Amend Sec. 3, page 6, line 21, by striking out "3" and inserting

4

Amend Sec. 4, page 7, line 11, by striking out "4" and inserting

5

Amend Sec. 5, page 8, line 14, by striking out "5" and inserting

6

Amend Sec. 6, page 9, line 1, by striking out "6" and inserting

7

On the question,

Will the House agree to the amendments?

The SPEAKER. On that question, the Chair recognizes Mr. Levdansky.

Mr. LEVDANSKY. Thank you, Mr. Speaker.

Mr. Speaker, this is a technical amendment that clarifies a section of the Election Code that had previously been overlooked when the Election Code was changed back in the midsixties. Under present law, only second-class counties are required to put a notice in newspapers of general circulation announcing that a primary election is going to be held. Only second-class counties are required to do that. No other county in the State must advertise the fact that a primary is going to be held. So by bringing the second-class counties into conformance with the election law that affects the other counties across the Commonwealth, we will effectively save Allegheny County about $10,000 a year in advertising costs.

So I would ask your support, since it is a technical amendment. We just want to be in compliance and conformance with other Election Codes in other counties. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—191

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

NAYS—0

NOT VOTING—4

Barley	Howlett	Maiale	Williams

EXCUSED—6

Battisto	Dininni	Mowery	Pesci
Black	Kosinski		

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. MAYERNIK offered the following amendments No. A3493:

Amend Title, page 1, line 15, by removing the period after "~~petitions~~" and inserting

; and authorizing children to accompany electors into polling places.

Amend Sec. 5, page 8, line 14, by striking out "a section" and inserting

sections

Amend Sec. 5, page 8, by inserting after line 30

Section 1831.1. Children in Polling Places and Voting Compartments or Voting Machine Booths.—Notwithstanding any other provision of this act, an elector may permit his or her minor child or children to accompany him or her into the polling place and may permit one such minor child to accompany him or her into the voting compartment or voting machine booth.

On the question,

Will the House agree to the amendments?

The SPEAKER. On that question, the Chair recognizes Mr. Mayernik.

Mr. MAYERNIK. Thank you, Mr. Speaker.

Recently, in the last election, we had a lot of voter apathy and we noticed a lot of people did not vote. This bill would permit the adult parent to take a minor child into the voting booth with him, in essence attempting to help the child learn how to vote or show him the procedure or show him it is a good thing to do.

I would ask for an affirmative vote on this amendment 3493. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the lady, Mrs. Langtry.

Mrs. LANGTRY. May I interrogate the maker of this amendment?

The SPEAKER. The gentleman agrees to interrogation. The lady may proceed.

Mrs. LANGTRY. I think I understand the intent, which is to encourage voting, but I have a question on the wording. The amendment says that "...an elector may permit his or her minor child...to accompany him or her into the polling place...." If an elector may permit his or her own minor child into the polling place, does that mean, for example, that an elector—say, for example, it is not his or her minor child but, say, a grandchild—or for example, a babysitter could not take that child or children into the polling place or into the voting compartment?

Mr. MAYERNIK. That is correct, Mr. Speaker.

You have to look at the plain meaning of the word and the plain language. If you would like to amend the bill, please feel free to expand it, but I would ask for an affirmative vote so we at least could move forward on this aspect of it.

Mrs. LANGTRY. Well, this is an amendment, and I just want to double-clarify then that under this amendment, a grandparent or a babysitter could not take a minor child into the polling place or into the voting compartment. Is that what is intended? That is my question.

Mr. MAYERNIK. That is not what is intended, but that is what the law is right now.

Mrs. LANGTRY. The law right now says that a parent may not take a minor child into the voting booth?

Mr. MAYERNIK. That is correct, Mr. Speaker. That is why this amendment is in, to change the law so that you can take a minor child into the voting booth.

Mrs. LANGTRY. That is what I was trying to clarify, what we are trying to do with this amendment. Okay. Well, thank you very much.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—185

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

NAYS—1

Richardson

NOT VOTING—9

Bishop	Howlett	James	Maiale
DeLuca	Hughes	Linton	Williams
Dombrowski			

EXCUSED—6

Battisto	Dininni	Mowery	Pesci
Black	Kosinski		

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. TANGRETTI offered the following amendments No. A4090:

Amend Title, page 1, line 13, by striking out "AND"

Amend Title, page 1, line 15, by removing the period after "~~petitions~~" and inserting

and for the form of ballot labels on voting machines.

Amend Bill, page 5, by inserting between lines 4 and 5

Section 2. Section 1110 of the act is amended by adding a subsection to read:

Section 1110. Form of Ballot Labels on Voting Machines.—

* * *

(m) Notwithstanding any other provision of this section, a county election board may, to avoid voter confusion, provide for the use of a color scheme to identify all the candidates for a specific office.

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

3

Amend Sec. 3, page 6, line 21, by striking out "3" and inserting

4

Amend Sec. 4, page 7, line 11, by striking out "4" and inserting

5

Amend Sec. 5, page 8, line 14, by striking out "5" and inserting

6

Amend Sec. 6, page 9, line 1, by striking out "6" and inserting

7

On the question,

Will the House agree to the amendments?

The SPEAKER. On that question, the Chair recognizes Mr. Tangretti.

Mr. TANGRETTI. Thank you, Mr. Speaker.

This is a self-explanatory amendment. I think it is fairly simple. We would just allow for color coding of complicated and confusing ballots. I think we have all suffered under those circumstances, and this would allow the board of elections, if they so chose—it is a "may" provision—to allow for color coding on the ballots.

I would ask for an affirmative vote. Thank you.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—191

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

NAYS—1

Tigue

NOT VOTING—3

Howlett Pistella Williams

EXCUSED—6

Battisto Dininni Mowery Pesci
Black Kosinski

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. SCRIMENTI offered the following amendments No. A4231:

Amend Title, page 1, line 13, by inserting after "electors,"
for filing fees for nomination petitions,

Amend Bill, page 5, by inserting between lines 4 and 5

Section 2. Section 913(b.1) of the act, amended February 13, 1989 (P.L.1, No.1), is amended to read:

Section 913. Place and Time of Filing Nomination Petitions; Filing Fees.—* * *

(b.1) Each person filing any nomination petition shall pay for each petition, at the time of filing, a filing fee to be determined as follows, and no nomination petition shall be accepted or filed, unless and until such filing fee is paid by a certified check or money order or also by cash when filed with the county board. All moneys paid on account of filing fees shall be transmitted by the county board to the county treasurer and shall become part of the General Fund. Certified checks or money orders in payment of filing fees shall be made payable to the Commonwealth of Pennsylvania or to the county, as the case may be, and shall be transmitted to the State Treasurer or to the county treasurer and shall become part of the General Fund.

1. If for the office of President of the United States, or for any public office to be filled by the electors of the State at large, the sum of two hundred dollars ($200.00).

2. If for the office of Representative in Congress, the sum of one hundred fifty dollars ($150.00).

3. If for the office of judge of a court of record, excepting judges to be voted for by the electors of the State at large, the sum of one hundred dollars ($100.00).

4. If for the offices of Senator or Representative in the General Assembly, for any office to be filled by the electors of an entire county, for the office of district councilman in a city of the first class and for any office other than school district office to be filled by the electors of an entire city [other than school district office], the sum of one hundred dollars ($100.00)[.], except as provided in paragraph 4.1.

4.1. If for nonschool board offices for any third class city official, the sum of twenty-five dollars ($25.00).

5. If for any borough, town, or township of the first class, not otherwise provided for, the sum of five dollars ($5.00).

6. If for the office of delegate or alternate delegate to National party convention, or member of National committee or member of State committee, the sum of twenty-five dollars ($25.00).

7. If for the office of constable, the sum of ten dollars ($10.00).

8. If for the office of district councilman in a city of the second class or the office of district justice, the sum of fifty dollars ($50.00).

* * *

Amend Sec. 2, page 5, line 5, by striking out "2" and inserting
3
Amend Sec. 3, page 6, line 21, by striking out "3" and inserting
4
Amend Sec. 4, page 7, line 11, by striking out "4" and inserting
5
Amend Sec. 5, page 8, line 14, by striking out "5" and inserting
6
Amend Sec. 6, page 9, line 1, by striking out "6" and inserting
7

On the question,

Will the House agree to the amendments?

The SPEAKER. On that question, the Chair recognizes Mr. Scrimenti.

Mr. SCRIMENTI. Thank you, Mr. Speaker.

The amendment that I have just introduced is an identical amendment that Representative Bortner and I introduced and had passed on May 23, 1990. It was an amendment to HB 1604, and it passed by a margin of 193 to 2.

This amendment, quite simply, clarifies the filing fee disparity for third-class cities at different populations, anywhere from, for example, 7,000 or 8,000 to 130,000 people. With that population difference, those people who have a filing fee pay the same filing fee, and we are just trying to correct that disparity by this amendment. Thank you.

The SPEAKER. The Chair recognizes Mr. Bortner.

Mr. BORTNER. Thank you, Mr. Speaker.

Several years ago when we changed the Election Code, we, I believe inadvertently, raised the filing fees for third-class cities when we were doing that for the city of Philadelphia. At the present time, the fees for third-class cities are also $100, even though in many of the third-class cities the salaries for those positions are very, very low. I think it discourages people from running for those offices when the filing fees are so high.

Several years ago when we made the Election Code changes for the city of Pittsburgh, I think we set those filing fees at $50. It makes sense to reduce these fees to $25. We did this in a previous bill. We would like to make this change and hopefully get this enacted into law before the elections for the next cycle.

I would appreciate your support of the gentleman, Mr. Scrimenti's amendment. Thank you.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—191

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

NAYS—0

NOT VOTING—4

Howlett	O'Brien	Vroon	Williams

EXCUSED—6

Battisto	Dininni	Mowery	Pesci
Black	Kosinski		

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

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—192

Acosta	Donatucci	Lashinger	Rieger
Adolph	Dorr	Laughlin	Ritter
Allen	Durham	Lee	Robbins
Angstadt	Evans	Leh	Robinson
Argall	Fairchild	Lescovitz	Roebuck
Barley	Fargo	Levdansky	Rudy
Belardi	Farmer	Linton	Ryan
Belfanti	Fee	Lloyd	Rybak

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

NAYS—0

NOT VOTING—3

Howlett	Taylor, E. Z.	Williams

EXCUSED—6

Battisto	Dininni	Mowery	Pesci
Black	Kosinski		

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

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

SB 649 RECONSIDERED

The SPEAKER. The Chair is in possession of a reconsideration motion by the gentleman, Mr. DeLuca, in which he moves that the vote by which SB 649, PN 2537, was passed on the 13th day of November be reconsidered.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—191

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

NAYS—0

NOT VOTING—4

Bishop	Howlett	Jarolin	Williams

EXCUSED—6

Battisto	Dininni	Mowery	Pesci
Black	Kosinski		

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

On the question recurring,

Shall the bill pass finally?

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

YEAS—193

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

NAYS—0

NOT VOTING—2

Howlett	Williams

EXCUSED—6

Battisto	Dininni	Mowery	Pesci
Black	Kosinski		

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

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

DISCHARGE RESOLUTION PASSED OVER

The SPEAKER. Page 16 of the calendar.

The Chair recognizes the gentleman, Mr. Ryan.

Mr. RYAN. Mr. Speaker, I had earlier advised the Chair to recognize me when we reached this point in the calendar. However, since that time, I have been advised by the majority leader's office that this particular bill will be called up by the Rules Committee tomorrow and that certain amendments are being prepared for it and that it will come out onto the floor tomorrow. Under those circumstances, I am not going to call up the discharge resolution today. Thank you, Mr. Speaker.

The SPEAKER. Discharge resolution, over for today.

RULES SUSPENDED

The SPEAKER. The Chair recognizes the majority leader.

Mr. DeWEESE. Mr. Speaker, I move to suspend the rules to permit immediate consideration of HR 394.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—185

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

NAYS—0

NOT VOTING—10

Farmer	Howlett	Pitts	Smith, B.
Hayes	Lashinger	Ryan	Wogan
Hess	Nailor		

EXCUSED—6

Battisto	Dininni	Mowery	Pesci
Black	Kosinski		

A majority of the members elected to the House having voted in the affirmative, the question was determined in the affirmative and the motion was agreed to.

RESOLUTION ADOPTED

The SPEAKER. The gentleman, Mr. Herman, calls up HR 394, which will be read by the clerk.

The following resolution was read:

House Resolution No. 394

A RESOLUTION

Recognizing the week of November 11 through 17, 1990, as "American Education Week" in Pennsylvania.

WHEREAS, The week of November 11 through 17, 1990, marks the 69th observance of American Education Week, which was first celebrated through the efforts of the National Education Association and the American Legion during the week of December 4 through 10, 1921; and

WHEREAS, American Education Week has been celebrated every year since its inception; and

WHEREAS, The House of Representatives supports this national effort to raise public awareness of the importance of education in our society; and

WHEREAS, The theme of this year's American Education Week, "Educating Everyone Takes Everyone," is supported by the United States Department of Education and the following national organizations: the National Education Association, the National PTA, the American Legion, the American Association of School Administrators, the National School Boards Association, the American Federation of Teachers, the Council of Chief State School Officers, the National School Public Relations Association, the National Association of State Boards of Education, the National Association of Elementary School Principals and the National Association of Secondary School Principals; therefore be it

RESOLVED, That the House of Representatives pay tribute to the educational community and encourage the citizens of this Commonwealth to do the same and to become involved with our education system; and be it further

RESOLVED, That the House of Representatives designate the week of November 11 through 17, 1990, as "American Education Week" in Pennsylvania.

Lynn B. Herman
Ruth C. Rudy
Ronald R. Cowell
Nicholas A. Colafella
Jere W. Schuler
Edward F. Burns, Jr.
Elinor Z. Taylor

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—194

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

NAYS—0

NOT VOTING—1

Howlett

EXCUSED—6

Battisto	Dininni	Mowery	Pesci
Black	Kosinski		

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

The SPEAKER. For the information of the members, there will be no further votes cast today.

RULES COMMITTEE MEETING

The SPEAKER. The Chair would like to announce a Rules Committee meeting at the majority leader's desk immediately.

LABOR RELATIONS COMMITTEE MEETING

The SPEAKER. The Chair recognizes Mr. Belardi.

Mr. BELARDI. Mr. Speaker, there will be a meeting of the House Labor Relations Committee at the rear of the House floor for the consideration of several bills.

The SPEAKER. The Chair thanks the gentleman. The House Labor Relations Committee is meeting in the rear of the House immediately.

BILLS SIGNED BY SPEAKER

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

HB 16, PN 4102

An Act amending the act of August 31, 1971 (P. L. 398, No. 96), known as the "County Pension Law," regulating administrative expenses; further providing for the definition of "county employe"; adding a definition; further providing for service allowance and simultaneous payments of salary and retirement allowance; authorizing members to reduce their contributions; further providing for credit for military service; and further providing for involuntary retirement allowance.

HB 2066, PN 4182

An Act authorizing the Department of General Services, with the approval of the Governor, to sell and convey a tract of land and a right-of-way situate in Canaan Township, Wayne County and to convey to the County of Warren a tract of land and the buildings erected thereon in Conewango Township, Warren County; authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Agriculture, to convey to Snyder County a tract of land and the buildings erected thereon in Penn Township, Snyder County, Pennsylvania; and making a repeal.

HB 2432, PN 4100

An Act amending the act of May 28, 1937 (P. L. 955, No. 265), known as the "Housing Authorities Law," further providing for competitive bids and for purchases that are not subject to advertisement and bidding; and providing a penalty.

VOTE CORRECTIONS

The SPEAKER. The Chair recognizes Mr. Broujos.

Mr. BROUJOS. Mr. Speaker, I wish to be recorded in the affirmative on HB 2643, the motion to recommit.

The SPEAKER. The remarks of the gentleman will be spread upon the record.

The Chair recognizes Mr. Cole.

Mr. COLE. Mr. Speaker, I would like to be recorded in the affirmative on amendment A4198 to SB 649.

The SPEAKER. The remarks of the gentleman will be spread upon the record.

LEAVE OF ABSENCE CANCELED

The SPEAKER. The Chair recognizes Mr. Kosinski.

Mr. KOSINSKI. Mr. Speaker, I wish to be taken off leave for today.

The SPEAKER. The Chair thanks the gentleman, and the remarks will be spread upon the record. The gentleman will be taken off leave.

BILLS ON CONCURRENCE REPORTED FROM RULES COMMITTEE

HB 2130, PN 3690 By Rep. DeWEESE

An Act amending the act of June 24, 1931 (P. L. 1206, No. 331), known as "The First Class Township Code," further providing for the election of commissioners in townships that are not divided into wards; and further providing for the tax to support ambulance and rescue squads.

RULES.

HB 2353, PN 3691 By Rep. DeWEESE

An Act amending the act of May 1, 1933 (P. L. 103, No. 69), known as "The Second Class Township Code," providing for residence requirements for supervisors; further providing for the tax to support ambulance and rescue squads; authorizing the establishment of boards of health; providing for their powers and duties; and making repeals.

RULES.

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

SB 759, PN 2601 (Amended)

By Rep. BELARDI

An Act requiring the accreditation of persons engaged in occupations relating to asbestos; granting certain powers to the Department of Labor and Industry; and providing for criminal and civil penalties.

LABOR RELATIONS.

SB 1313, PN 2053 By Rep. BELARDI

An Act amending the act of November 26, 1978 (P. L. 1212, No. 286), entitled "Inspection of Employment Records Law," further defining "employee"; further providing for inspection of personnel files and for the number of inspections allowed annually; and making an editorial change.

LABOR RELATIONS.

SB 1395, PN 1794 By Rep. BELARDI

An Act amending the act of June 2, 1915 (P. L. 736, No. 338), entitled "The Pennsylvania Workmen's Compensation Act," providing that volunteer members of hazardous materials response teams be considered employees of the Commonwealth for compensation purposes.

LABOR RELATIONS.

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.

Mr. DeWEESE. Mr. Speaker, I move that SB 1313 be taken from the table.

On the question,

Will the House agree to the motion?

Motion was agreed to.

RECESS

The SPEAKER. The House will now be in recess until the call of the Chair.

AFTER RECESS

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

THE SPEAKER PRO TEMPORE (MICHAEL E. BORTNER) PRESIDING

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER pro tempore. There will be an immediate meeting of the House Appropriations Committee at the rear of the House. Would all members of the House Appropriations Committee please report to an immediate meeting at the rear of the House.

BILLS REREPORTED FROM COMMITTEE

HB 223, PN 4316 (Amended)

By Rep. CAPPABIANCA

An Act amending the act of June 24, 1937 (P. L. 2045, No. 397), known as "The Support Law," providing that no lien shall be imposed against the real property of persons receiving assistance.

APPROPRIATIONS.

HB 2708, PN 4038 By Rep. CAPPABIANCA

An Act amending the act of November 26, 1975 (P. L. 438, No. 124), known as the "Child Protective Services Law," providing for information relating to certain residents of child-care homes.

APPROPRIATIONS.

SB 313, PN 321 By Rep. CAPPABIANCA

An Act amending the act of May 1, 1933 (P. L. 103, No. 69), entitled "The Second Class Township Code," authorizing the establishment of boards of health; providing for their powers and duties; and making repeals.

APPROPRIATIONS.

SB 718, PN 2604 (Amended)

By Rep. CAPPABIANCA

An Act providing for county intermediate punishment programs; and conferring powers and duties on the Pennsylvania Commission on Crime and Delinquency and the Pennsylvania Commission on Sentencing.

APPROPRIATIONS.

BILLS ON SECOND CONSIDERATION

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

HB 223, PN 4316; HB 2708, PN 4038; SB 313, PN 321; and **SB 718, PN 2604.**

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

SB 1761, PN 2605 (Amended)

By Rep. CAPPABIANCA

An Act amending Titles 13 (Commercial Code), 15 (Corporations and Unincorporated Associations), 17 (Reserved), 20 (Decedents, Estates and Fiduciaries), 22 (Detectives and Private Police), 24 (Education), 42 (Judiciary and Judicial Procedure), 54 (Names) and 69 (Savings and Validating Provisions) of the Pennsylvania Consolidated Statutes, relating to associations; codifying and correcting the law relating to credit unions; providing for the incorporation and regulation of insurance companies; making revisions, corrections and additions relating to other associations; further providing for the fees of the Department of State and certain filing officers; and making repeals.

APPROPRIATIONS.

BILLS REMOVED FROM TABLE

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

Mr. DeWEESE. Mr. Speaker, I move that SB 2 and SB 1761 be removed from the tabled calendar and placed on the active calendar.

On the question,

Will the House agree to the motion?

Motion was agreed to.

BILL TABLED

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

Mr. DeWEESE. Mr. Speaker, I move that SB 2 be placed on the table.

On the question,

Will the House agree to the motion?

Motion was agreed to.

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

SB 1135, PN 1384 By Rep. CAPPABIANCA

An Act appropriating funds bequeathed to the Commonwealth by Benjamin Franklin and John Scott to the Franklin Institute of Philadelphia to support educational and employment training programs and to Commonwealth Community Foundations (PA) to finance recognized community foundations.

APPROPRIATIONS.

BILL REMOVED FROM TABLE

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

Mr. DeWEESE. Mr. Speaker, I move that SB 1135 be removed 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 pro tempore. The Chair recognizes the majority leader.

Mr. DeWEESE. Mr. Speaker, I move that SB 1135 be recommitted to the Committee on Appropriations.

On the question,

Will the House agree to the motion?

Motion was agreed to.

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER pro tempore. The Chair now recognizes the gentleman from Dauphin County, Mr. Marsico.

Mr. MARSICO. Mr. Speaker, I move that this House do now adjourn until Wednesday, November 14, 1990, at 11 a.m., e.s.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 10:59 p.m., e.s.t., the House adjourned.