

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

TUESDAY, FEBRUARY 13, 1996

SESSION OF 1996

180TH OF THE GENERAL ASSEMBLY

No. 11

### HOUSE OF REPRESENTATIVES

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

#### THE SPEAKER (MATTHEW J. RYAN) PRESIDING

The SPEAKER. Members will report to the hall of the House; members will please report immediately to the hall of the House.

To the members in their offices, a reminder that this morning we are officiating at the swearing-in ceremony of a new member. I would appreciate it if you would immediately come to the floor so that these ceremonies may begin.

#### PRAYER

REV. DONALD KNAPP, Chaplain of the House of Representatives and Chaplain at Brittany Pointe Estates, Lansdale, Pennsylvania, offered the following prayer:

Let us take a moment to pay homage to the form of government that we enjoy and its antiquity.

When the Speaker of the House speaks to the Sergeant at Arms to "Close the doors of the House," he initiates a ritual that is characteristic of our type of government and freedom.

In a day when only the wealthy and influential and privileged could gain an audience with the monarch or those in authority, Benjamin Franklin said, "The doors of the House...shall be and remain open for the admission of all persons..." Until the Speaker directs otherwise, the main doors remain open to symbolize that all Pennsylvanians are welcome here to present their concerns before you legislators and before His Excellency, the Governor.

As Speaker Matthew Ryan has written, "The Members of the Pennsylvania House are the legal successors and preservers of the government of William Penn. We are the guardians of his legacy of the freedoms of speech, religion and assembly..." The views of every Pennsylvanian may be heard in this room, and "...new laws are passed only after the voices of all Pennsylvanians are heard." What a statement that is for our government, that "...new laws are passed only after the voices of all Pennsylvanians are heard."

Before the United States existed, a bell was formed for the State House in Pennsylvania in Philadelphia with the inscription, "Proclaim liberty throughout all the land unto all the inhabitants thereof." You good people who gather in this chamber are the successors to such forward-looking leadership as those of 1752 and thereafter, and this morning one of your number is being inducted for the first time, inducted into service, Jeffrey Haste, and who of you has served the longest, and all 203 Representatives have given their time for this purpose.

Let us lift up then a prayer of thanksgiving:

We thank You, O Father, that our constituents have seen in us the spirit of our forefathers in government – the spirit of a Penn and Franklin, a Dickinson and Paine, and Anthony Wayne and Thaddeus Stevens and a vast host of others who bore the noble name "Representative." To this we add the name of Jeffrey Haste and all of the other 203 who are here and all Senators and His Excellency, our Governor. May we always be worthy of the honor bestowed upon us, and may we work unflinchingly for the good of every citizen of our great State.

May we perpetuate, improve, and preserve this "holy experiment," so unique in government at its beginning.

May these legislators of today know the satisfaction of having their names added to that worthy gathering which preceded them. Help us to address our problems with the fortitude and energy exhibited by those before us. Bless this session as another page in the history of Pennsylvania liberty.

Strengthen us again, we ask, each one, to carry the good news back to our districts that the floor of this House and the door of this House is always open and that every citizen has the opportunity to be heard.

This we present as our day's request. Amen.

#### PLEDGE OF ALLEGIANCE

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

#### JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Monday, February 12, 1996, will be postponed until printed. The Chair hears no objection.

#### FILMING PERMISSION

The SPEAKER. The Chair advises the members that permission has been given to the distinguished television personality, Michael Ross, of WHTM to videotape with audio during the swearing-in proceedings of Jeff Haste; to his associate, Joe Camut; to Frank Krepps of WHP-TV – all in connection with the swearing-in ceremony.

#### HOUSE SCHEDULE

The SPEAKER. For the information of the members, at the conclusion of the swearing-in ceremony of Jeffrey Haste, there is a brief recognition of the 100th birthday of a gentleman who is a World War I veteran, planned by Representative Paul Clymer, and

we intend to move immediately into that at the conclusion of the Haste matter, and then after that, we will take one vote, a resolution pursuant to rule 35, which is the congratulatory resolution on the 100th anniversary of the birth of this gentleman, so that you understand the schedule before we break.

**SPECIAL ORDER OF BUSINESS**

**SWEARING IN OF NEW MEMBER**

The SPEAKER. Without objection, the House will now take up, as a special order of business, the swearing in of Representative-elect Jeffrey T. Haste. The Chair hears no objection.

**ELECTION RETURNS PRESENTED**

The SPEAKER. The Chair recognizes the Sergeant at Arms of the House.

The SERGEANT AT ARMS. Mr. Speaker, the Commissioner of Elections, Dick Filling.

The SPEAKER. The gentleman, Mr. Filling.

Mr. FILLING. Mr. Speaker, on behalf of the Secretary of the Commonwealth, I have the honor of presenting the returns and the certification of campaign expense reporting compliance for the special election held January 30, 1996, for the office of Representative in the General Assembly in the 104th Legislative District.

The SPEAKER. The Chair thanks the gentleman, Mr. Filling. The clerk will read the returns.

The following election returns were read:

COMMONWEALTH OF PENNSYLVANIA

TO THE HONORABLE SPEAKER AND MEMBERS OF THE HOUSE OF REPRESENTATIVES OF THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA, GREETINGS:

I have the honor to present the returns of the Special Election for Representative in the General Assembly of the Commonwealth of Pennsylvania held in the One Hundred and Fourth Legislative District, as the same has been certified to and filed with my office by the Dauphin County Board of Elections. Jeff Haste, having received the highest number of votes in the Special Election, and having complied with the provisions of Article XVI of the Pennsylvania Election Code pertaining to Primary and Election Expenses, was duly elected a Representative in the General Assembly.

(SEAL)

IN TESTIMONY WHEREOF, I have hereunto set my hand and the seal of my office at the city of Harrisburg, this thirteenth day of February in the year of our Lord one thousandnine hundred and ninety-six and of the Commonwealth the two hundred and twentieth.

Yvette Kane  
Secretary of the Commonwealth

SPECIAL ELECTION  
REPRESENTATIVE IN THE GENERAL ASSEMBLY  
104TH LEGISLATIVE DISTRICT  
COUNTY OF DAUPHIN  
JANUARY 30, 1996

	TOTAL VOTES
Republican - Jeff Haste	4,683
Democratic - Diane A. Bowman	2,937
No Pay Increase - Eugene P. Stilp	493
Commonwealth of Pennsylvania Department of State Bureau of Commissions, Elections and Legislation February 5, 1996	

**CERTIFICATE ON ELECTION EXPENSES**

COMMONWEALTH OF PENNSYLVANIA

TO THE HONORABLE SPEAKER AND MEMBERS OF THE HOUSE OF REPRESENTATIVES OF THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA, GREETINGS:

In accordance with the provisions of Section 1632(b) of the Pennsylvania Election Code [25 P.S. §3252(b)], I do hereby certify that the candidate who was elected to the State House of Representatives from the 104th District in the Special Election held January 30, 1996, Jeff Haste, has filed all of the reports and statements of contributions and expenditures required by the provisions of Article XVI of the Pennsylvania Election Code entitled "Primary and Election Expenses."

(SEAL)

Witness my hand and the seal of my office this thirteenth day of February, 1996.

Yvette Kane  
Secretary of the Commonwealth

**COMMITTEE TO ESCORT  
MEMBER-ELECT**

The SPEAKER. The Chair appoints the majority leader, the gentleman from Philadelphia County, the Honorable John M. Perzel, and the Democratic floor leader, the gentleman from Greene County, the Honorable H. William DeWeese, to escort the member-elect to the well of the House for the purpose of taking the oath.

The committee will proceed with the performance of its duties.

**REMARKS BY JUDGE HOOVER**

The SPEAKER. The oath of office required by Article VI, section 3, of the Constitution of Pennsylvania to be taken by members of the General Assembly will be administered by the Honorable Todd A. Hoover, judge of the court of common pleas of Dauphin County.  
Judge Hoover.

JUDGE HOOVER. Thank you, Mr. Speaker.

Ladies and gentlemen, if you would just indulge me for some brief comments.

It is a special day and a very proud day in Dauphin County, especially in the 104th District. We have been ably served there for the past 18 years by now Senator Jeffrey Piccola, and if you would please join me in an applause for the 18 years of wonderful representation we have had from you. So thank you, Jeffrey.

And it is a proud day in Dauphin County for Jeff, for his family, for his wife and his children, and all his friends and supporters who have watched Jeff toil and labor for good government in Dauphin County, and now he will have the opportunity and the privilege in a much larger arena, smaller district but a much larger arena, to continue that good work for good government in Pennsylvania. So, Jeffrey, your family and your friends, we are all very proud of you.

I count it a wonderful privilege and an honor to be here not only as a constituent of yours but as a friend and a brother in many ways, so I thank you for this opportunity and the privilege it is to be here. I also want to thank your Cub Scouts and your soccer team for being here as well, so we want to acknowledge them in the back.

### OATH OF OFFICE ADMINISTERED

JUDGE HOOVER. Representative-elect Haste, are you prepared to take the oath of office?

Mr. HASTE. I am, Your Honor.

JUDGE HOOVER. Would you place your left hand on the Bible and raise your right hand and repeat after me.

I, Jeffrey T. Haste, do solemnly swear that I will support, obey, and defend the Constitution of the United States and the Constitution of this great Commonwealth, and that I will discharge the duties of my office with fidelity. So help me, God, and keep me steadfast in this my oath and obligation.

(Member asserted oath.)

JUDGE HOOVER. Congratulations.

Mr. HASTE. Thank you.

The SPEAKER. I think Judge Hoover has his eye on the appellate courts. That was as good a nonpolitical speech as I have heard in quite a while. He upstaged me in the introduction of Jeff Piccola, but he missed Congressman Gekas, who also served with distinction in this great House.

### REMARKS BY SPEAKER

The SPEAKER. On behalf of the members of the Pennsylvania House of Representatives, I, of course, am pleased to welcome our newest colleague, the 102d Republican member, Jeff Haste, to the hall of the House.

Today is a special day for you, Jeff, as you join your colleagues in this chamber to work for the good of the people. It is special because it is the day you have taken your oath to preserve, protect, and serve with fidelity. It is special because you did this and you are joined here by your wife, Diane, and children, John, Jeremy, and Gena, and your other family members and friends.

As a lifetime Republican who is well known in the halls of the Dauphin County Courthouse and here in the Capitol as well, you have earned a reputation for honesty, independence, and toughness, as well as the ability to compromise.

You have shown yourself to be hardworking. You have shown yourself to be dedicated — dedicated to those you serve as a government official and dedicated to those you love as a husband and father.

As you now embark on your journey as a legislator and lawmaker, I am sure you realize that your success will depend on knowing when to fight and when to negotiate, when to hold your ground and when to give in order to gain.

Very few legislators are known for big victories. Most are known for their day-in, day-out performances in meeting the needs of their constituents and for the careful and thoughtful consideration they give to the thousands of votes cast in this great chamber, this hall, this workplace that we have. Attention to these matters are, in my judgment, the true measure of being a worthy member of this great institution.

Your strengths are your working knowledge of county and State government and your reputation as a unifier, a feisty debater, administration expert, and Dauphin County advocate. We all look forward to working with you, Jeff. Your energy, compassion, openness, intelligence, and friendly advice are all welcome.

You follow in the footsteps of a gentleman and friend who will be greatly missed in this chamber, Jeff Piccola, Senator Jeff Piccola, who was just introduced moments ago. While difficult shoes to fill, I join the electorate of the 104th District in having no doubt that you are up to the task and will represent them to the utmost of your ability.

Congratulations. Welcome to the Pennsylvania House of Representatives.

Now I would like to introduce, once again, Judge Todd Hoover and thank him and wish him well on his quest for higher office.

### REMARKS BY MR. HASTE

The SPEAKER. Simultaneously, the Chair recognizes the new Representative for appropriate remarks, Representative Haste.

Mr. HASTE. Thank you, Mr. Speaker.

Thanks to everybody who is here today, and especially, I want to thank my family and the supporters that I have had through this quite difficult couple months. I have been involved in a lot of campaigns before, but I have never been in one against Mother Nature, like I seemed like I was this past couple months. We were able to overcome that, and I will tell you, it is a great delight for me to be here, to be a servant for those of the 104th District in the House. I have made a career of being a public servant. I am a proud public servant, and I continue to want to be a proud public servant, and I want to do that in conjunction with you. I appreciate all your support so far, your guidance, your leadership, and thank you very much.

### REMARKS BY MR. PICCOLA

The SPEAKER. This is not on my script. It is somewhat out of order. Would the gentleman from the Senate, Mr. Piccola, care to make remarks? This, to my knowledge, in 34 years, has never been done, but I would recognize the gentleman if he would care to take the microphone.

Mr. PICCOLA. Thank you, Mr. Speaker.

This was totally unexpected.

The SPEAKER. I know that.

Mr. PICCOLA. But I would like to also move for the elevation of Judge Hoover to the appellate courts of the Commonwealth, but I believe we would rather go through a merit selection process rather than an election, and I think that bill is in the Judiciary Committee, Mr. Speaker.

It is a great pleasure to be back to visit with my many friends. I made some parting remarks here back in November, and I did not realize then how much I would miss this place, but coming back today made me realize that this is really the House of the people, and as long as you keep that in mind, you will always be on solid ground. Thank you very much.

### REMARKS BY MAJORITY LEADER

The SPEAKER. The Chair recognizes the majority leader, Mr. Perzel.

Mr. PERZEL. Just two brief comments, Mr. Speaker.

First off, I think it was you that brought up the fact that over in the other body everybody has the same first name, and it is "Senator."

I was hoping that the minority leader did pick up on the fact that you introduced Jeff Haste as our 102d member on this side of the aisle, and it is no longer Tom; it is Jeff. I was in Hazleton on Saturday, also, Mr. Speaker.

Mr. Speaker, I want to welcome the gentleman, Mr. Haste, to the hall of the House here today, and on behalf of my colleagues, offer him and his family the warmest congratulations.

Of course, Mr. Speaker, Mr. Haste's election was a very important one, at least for my colleagues on this side of the aisle. Mr. Haste was elected to fill the unexpired term of the gentleman, Senator Piccola, in the 104th District in Dauphin County. Mr. Piccola, as we know, is now representing Dauphin County again in the State Senate.

For the benefit of the members who may not have met Mr. Haste yet, let me tell you that he will fit in very, very well with the members of this House of Representatives. Prior to his election, he served as chief clerk in Dauphin County in the courthouse for the past 8 years, and before that, Mr. Speaker, he worked as a staff member for our body, where his predecessor, Mr. Piccola, now sits.

Mr. Haste graduated from Lewistown High School and Shippensburg University. Despite his youthful appearance, he has been active in the community and his church for many years. He and his wife, Diane, and their three children, John, Jeremy, and Gena, live in Susquehanna Township.

Mr. Haste, let me again welcome you to the hall of the House of Representatives, and thank you for allowing us to put the metroliner back on track.

### REMARKS BY DEMOCRATIC LEADER

The SPEAKER. The Chair recognizes the Democratic floor leader, Mr. DeWeese.

Mr. DeWEESE. Speaker Ryan, my new colleague Jeff, my old colleague Jeff, family of Jeff Haste and friends of Jeff Haste — most important of all, family and friends — and colleagues: In 1768, at the age of 25, Thomas Jefferson was sworn in to the

Virginia State legislature. Forty years later, in 1808, Thomas Jefferson concluded his career as President of the United States; 40 years of uninterrupted public service. Pundits today would call him a career politician. Hopefully people with more sensitivity and insight and intellectuality would call him other things, obviously replete with more approbation.

Now, I am not here to commence Jeff Haste's political career, wishing him 40 years in the Grand Old Party and luminous success, but I am happy and proud of the fact that he has worked his way up, that political primogeniture was not his launching pad. He is not the son of a king, he is not a prince or an earl or a baron; he is a young man who made it on his own. He had a lot of help; he had a lot of help from my worthy suburban adversaries right here in front of me, and I congratulate you. You did a good job.

When I went back to shake his hand before the highly stylized, almost liturgical format that we go through on this very special day, I smiled and said, "Welcome," and young Perzel, always the inimitable wit, said, "Well, you didn't make him feel welcome several weeks ago. You spent a lot of money trying to stymie his advance." Well, notwithstanding that perdurable yet unsuccessful effort, the best thing about today, Jeff Haste and all of you folks here, is that there is a peaceful and amicable and enduring process at work.

As we are in this chamber right now, Chinese gunboats are in the Formosa straits, Tamil tigers are in the mountains outside of Ceylon, and the world is aflame. The Iraqi-Kuwaiti border is still tense, and hundreds and hundreds of Russians and Chechens died over Christmas. Rwandans were butchering Burundians in Central Africa. And Jeff Haste was knocking on doors and getting elected to a process, Mr. Speaker, that is resilient because, in many ways, of people like Thomas Jefferson and Jeff Haste. Now, I do not mean to make the metaphor too extravagant, but that might be occasionally my inclination.

I want to conclude my remarks by observing to Jeff specifically and Mr. Strittmatter and my worthy colleague Mr. Leh, and so forth, that I, believe it or not, Jeff, am the product of a special election. I think Matthew Ryan — although many people characterize the commencement of his career as antediluvian, it was not before the flood — he had been here many years, he had been here many years when I was sworn in on this floor in the well of the House in a special election, after a hardscrabble fight in the coalfields of southwestern Pennsylvania. Special election — oh. Even my own side sometimes wearies of my dramaturgical art, but, Jeff, Jeff, you asked for it. You came to an assembly where we debate with dialogue and not with bullets, and a special election gives you a great advantage, because your chairmanship someday, if you endure that long — hopefully we will intercede successfully, but who knows — will come sooner because of that special election, and there are many, many advantages, as Frank Oliver and people on my side of the aisle can aver.

But most importantly, to the men and women who are here in the well, your family and your friends as well as your colleagues, you are walking, marching, living, breathing in a proud tradition. As Mr. Bunt — Where is Mr. Bunt? I can descry him on the back bench. Mr. Bunt yesterday introduced a celebratory citation asking that two men named Muhlenberg would be honored by a United States postal stamp, and that probably escaped most of us, and many of you might be wondering how I am going to bring this around to closure by bringing Jeff Haste's name into the mix. So am I. Peter Muhlenberg, as I told the Speaker, served with

Washington at Yorktown and went on to become a very prominent Lutheran clergyman as well as a U.S. Congressperson, as Mr. Gekas probably can recall, I believe, not from personal experience but due to the fact that I believe Muhlenberg now, at least his statuary, rests in the Main Capitol in Washington, D.C., and Frederick Muhlenberg went on to become Speaker of the House, just like Matthew Ryan serves us today.

So there is no limit. It is illimitable how far your advance will go. If we can help it, we will try to stymie it, but notwithstanding, notwithstanding the levity and warmth of the day, this is a special moment, and I am glad that we can in a highly civilized way, because it will not be so civilized after a while, say welcome, welcome to the fray, welcome to the fracas. It is a constant imbroglio, but it is eminently worthwhile. Good luck.

The SPEAKER. It should be noted for the record that the campaign was shorter than the speech, and just as successful, I might add. That was well done.

### FAMILY INTRODUCED

The SPEAKER. Now, at this time I would like the wife of Jeff Haste to stand, Diane, to be introduced. I see children; I know there are three — John, Jeremy, and Gena. Are all three with you? There we go. The boys are in the back row. I would expect we will see more of them in the near future. Thank you.

That concludes at this stage of today's proceedings the swearing-in ceremony of the gentleman, Mr. Haste.

### W. GORDON LUNDIE PRESENTED

The SPEAKER. If everyone wants to stay in place for a couple of moments and meet a man who is celebrating his 100th birthday, we would be pleased to have you stay with us.

Will the gentleman, Mr. Clymer, come to the lower rostrum.

The Chair recognizes the gentleman from Bucks County, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, I respectfully request the indulgence of guests and members over the next few minutes for this special occasion.

To those members who were here 3 years ago, W. Gordon Lundie had the distinction of addressing the House members on the occasion of the 75th anniversary of the World War I armistice. He is back with us today, today, February 13, on his 100th birthday.

In 1917, at age 21, he enlisted in the U.S. Army and served in the rank of sergeant with the American Expeditionary Force in Europe. Under the command of Gen. John "Black Jack" Pershing, Mr. Lundie was a convoy leader in the Motor Transport Corps. He was mentioned to receive the Distinguished Service Cross in the Argonne Woods. He was discharged in 1919.

He is the proud father of three children and has been blessed with five grandchildren and five great-grandchildren.

Mr. Lundie is one of a dwindling remnant of doughboys who crossed the seas to win the war that would supposedly end all wars.

Mr. Speaker, the sun is setting on the ranks of these brave and gallant men and women who, during World War I, heeded President Wilson's call to arms. So it is fitting that we take a few minutes today to honor one who fought to liberate Europe from tyranny.

Guests and members of the House of Representatives, please extend a warm and hearty welcome to Army Sergeant W. Gordon Lundie.

The SPEAKER. The Chair recognizes the gentleman, Sgt. W. Gordon Lundie.

Mr. LUNDIE. Mr. Speaker, Mr. Paul Clymer, ladies and gentlemen of the House of Representatives of Pennsylvania, I wish to thank you for inviting me to share my 100th birthday with you today. It is an honor, a very special, friendly honor, that I do really and sincerely thank you for.

You know, friendship is a great thing, but a greater commandment was given us — to honor and love our neighbors as well — by the Great Emancipator, who left us that commandment, and you are not only favoring me as a neighbor but our great government by taking in immigrants from all over the world and calling them neighbors, taking their brains and their brawn and mingling with our own, together — together, I said.

We have made a great national government of great banks, great institutions, but above all, a great nation of caring and loving thy neighbor — people. And so we say to those nations still under Communist control, look to us, follow us. We will help you where we can, as we have done in Haiti, as we are now doing in Bosnia, where we have sent a body of dedicated men and women with that same commandment of loving thy God and loving thy neighbor, to a people who since the 11th century have been killing and murdering one another, that if you follow these commandments and interchange love instead of hate in your councils, you, too, will have a nation of great banks, great institutions, and above all, of great people of caring and loving thy neighbor as themselves.

And so I am proud to say that I am proud to be a citizen of the greatest caring and loving-thy-neighbor country the world has ever seen, the great United States of America.

The SPEAKER. If someone out there can start "Happy Birthday," I can sing in the background.

("Happy Birthday" was sung by members and visitors.)

Mr. CLYMER. Guests and staff and House members, there will be a reception in the majority caucus room at the call of recess, but right now we are going to do a few pictures.

Mr. LUNDIE. I thank you, and I salute you all.

### LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes the gentleman, Mr. Barley, who asks that the gentleman, Mr. TULLI, be placed on leave of absence. Without objection, leave is granted.

The gentleman, Mr. Itkin, requests that the gentleman, Mr. PISTELLA, be granted leave of absence. Without objection, leave is granted.

### MASTER ROLL CALL

The SPEAKER. The Chair is about to take today's master roll call. The members will proceed to vote.

The following roll call was recorded:

PRESENT-201

Adolph	Egolf	Lloyd	Sather
Allen	Evans	Lucyk	Saylor
Argall	Fairchild	Lynch	Schroder
Armstrong	Fajt	Maitland	Schuler
Baker	Fargo	Major	Scrimenti
Bard	Farmer	Manderino	Semmel
Barley	Feese	Markosek	Serafini
Battisto	Fichter	Marsico	Shaner
Bebko-Jones	Fleagle	Masland	Sheehan
Belardi	Flick	Mayernik	Smith, B.
Belfanti	Gamble	McCall	Smith, S. H.
Birmelin	Gannon	McGeehan	Snyder, D. W.
Bishop	Geist	McGill	Staback
Blaum	George	Melio	Stairs
Boscola	Gigliotti	Merry	Steelman
Boyes	Gladeck	Michlovic	Steil
Brown	Godshall	Micozzie	Stern
Browne	Gordner	Mihalich	Stetler
Bunt	Gruitza	Miller	Stish
Butkovitz	Gruppo	Mundy	Strittmatter
Buxton	Habay	Myers	Sturla
Caltagirone	Haluska	Nailor	Surra
Cappabianca	Hanna	Nickol	Tangretti
Carn	Harhart	Nyce	Taylor, E. Z.
Carone	Hasay	O'Brien	Taylor, J.
Cawley	Haste	Olasz	Thomas
Chadwick	Hennessey	Oliver	Tigue
Civera	Herman	Perzel	Travaglio
Clark	Hershey	Pesci	Trello
Clymer	Hess	Petrarca	Trich
Cohen, L. I.	Horsey	Petrone	True
Cohen, M.	Hutchinson	Pettit	Vance
Colafella	Itkin	Phillips	Van Horne
Colaizzo	Jadlowiec	Pitts	Veon
Conti	James	Platts	Vitali
Cornell	Jarolin	Preston	Walko
Corpora	Josephs	Ramos	Washington
Corrigan	Kaiser	Raymond	Waugh
Cowell	Keller	Readshaw	Williams
Coy	Kenney	Reber	Wogan
Curry	King	Reinard	Wozniak
Daley	Kirkland	Rieger	Wright, D. R.
DeLuca	Krebs	Roberts	Wright, M. N.
Dempsey	Kukovich	Robinson	Yewcic
Dent	LaGrotta	Roebuck	Youngblood
Dermody	Laughlin	Rohrer	Zimmerman
DeWeese	Lawless	Rooney	Zug
DiGirolamo	Lederer	Rublely	
Donatucci	Leh	Rudy	Ryan,
Druce	Lescovitz	Sainato	Speaker
Durham	Levdansky	Santoni	

ADDITIONS-0

NOT VOTING-0

EXCUSED-2

Pistella Tulli

LEAVES ADDED-2

LaGrotta Washington

The SPEAKER. While the gentleman, Mr. Lundie, is still present with us, I thought I would run this resolution pursuant to rule 35, HR 285, which is the congratulatory resolution on the 100th anniversary of his birth.

CALENDAR

RESOLUTION PURSUANT TO RULE 35

Mr. CLYMER called up HR 285, PN 3118, entitled:

A Resolution congratulating William G. Lundie on the 100th Anniversary of his birth.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-201

Adolph	Egolf	Lloyd	Sather
Allen	Evans	Lucyk	Saylor
Argall	Fairchild	Lynch	Schroder
Armstrong	Fajt	Maitland	Schuler
Baker	Fargo	Major	Scrimenti
Bard	Farmer	Manderino	Semmel
Barley	Feese	Markosek	Serafini
Battisto	Fichter	Marsico	Shaner
Bebko-Jones	Fleagle	Masland	Sheehan
Belardi	Flick	Mayernik	Smith, B.
Belfanti	Gamble	McCall	Smith, S. H.
Birmelin	Gannon	McGeehan	Snyder, D. W.
Bishop	Geist	McGill	Staback
Blaum	George	Melio	Stairs
Boscola	Gigliotti	Merry	Steelman
Boyes	Gladeck	Michlovic	Steil
Brown	Godshall	Micozzie	Stern
Browne	Gordner	Mihalich	Stetler
Bunt	Gruitza	Miller	Stish
Butkovitz	Gruppo	Mundy	Strittmatter
Buxton	Habay	Myers	Sturla
Caltagirone	Haluska	Nailor	Surra
Cappabianca	Hanna	Nickol	Tangretti
Carn	Harhart	Nyce	Taylor, E. Z.
Carone	Hasay	O'Brien	Taylor, J.
Cawley	Haste	Olasz	Thomas
Chadwick	Hennessey	Oliver	Tigue
Civera	Herman	Perzel	Travaglio
Clark	Hershey	Pesci	Trello
Clymer	Hess	Petrarca	Trich
Cohen, L. I.	Horsey	Petrone	True
Cohen, M.	Hutchinson	Pettit	Vance
Colafella	Itkin	Phillips	Van Horne
Colaizzo	Jadlowiec	Pitts	Veon
Conti	James	Platts	Vitali
Cornell	Jarolin	Preston	Walko
Corpora	Josephs	Ramos	Washington
Corrigan	Kaiser	Raymond	Waugh
Cowell	Keller	Readshaw	Williams
Coy	Kenney	Reber	Wogan
Curry	King	Reinard	Wozniak
Daley	Kirkland	Rieger	Wright, D. R.
DeLuca	Krebs	Roberts	Wright, M. N.
Dempsey	Kukovich	Robinson	Yewcic
Dent	LaGrotta	Roebuck	Youngblood
Dermody	Laughlin	Rohrer	Zimmerman
DeWeese	Lawless	Rooney	Zug
DiGirolamo	Lederer	Rublely	
Donatucci	Leh	Rudy	Ryan,
Druce	Lescovitz	Sainato	Speaker
Durham	Levdansky	Santoni	

NAYS-0

NOT VOTING—0

EXCUSED—2

Pistella

Tulli

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

### COMMERCE AND ECONOMIC DEVELOPMENT COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman, Mr. Hasay, for the purpose of making an announcement.

Mr. HASAY. Thank you, Mr. Speaker.

Mr. Speaker, there will be an immediate meeting of the House Commerce and Economic Development Committee following the break at the rear of the House chamber. I would appreciate the members to be there for a brief meeting. Thank you, Mr. Speaker.

### JUDICIARY COMMITTEE MEETING

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

Mr. GANNON. Thank you, Mr. Speaker.

There is an immediate meeting of the Judiciary Committee at the back of the House. Thank you, Mr. Speaker.

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

SB 291, PN 806

By Rep. GLADECK

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled "The Administrative Code of 1929," eliminating authority for the fair share fee for employees of school entities; and relieving certain employee organizations of certain duties and obligations.

LABOR RELATIONS.

### DEMOCRATIC CAUCUS

The SPEAKER. The Chair recognizes the gentleman, Mr. Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, there will be a short Democratic caucus immediately upon recess. That meeting will be followed immediately by a meeting of the Democratic Policy Committee.

### GUESTS INTRODUCED

The SPEAKER. The Chair welcomes to the hall of the House, in conjunction with the birthday celebration, Ken Lundie, who is the son of the gentleman who is celebrating his birthday; together with Pat Wolf and her daughter, Kristen. Pat Wolf happens to be Representative Clymer's administrative assistant in the district office. Will those guests please make their presence known.

The members of the House and invited guests are invited to a reception for the gentleman, Mr. Haste, in room 60 in the East Wing.

At such time as we go into recess, we will return from recess at 2 p.m.

### GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today, as the guest of the Democratic whip, Ivan Itkin, Ms. Tameka Hatcher, a graduate of Lincoln University, who is here today with Mr. Itkin. Will that guest please rise. Over here to the left of the Speaker.

Representative Bebko-Jones has as her special guest today Mr. Charles Scalise from Erie County. Will the gentleman, Mr. Scalise, please rise.

### RECESS

The SPEAKER. Does the Republican floor leader have any further announcements? Are there any reports of committee, any corrections to the record?

Does the Democratic floor leader have any further announcements? Any announcements, corrections to the record?

Hearing none, the Chair declares this House to be in recess until 2 p.m., unless sooner recalled by the Chair.

### AFTER RECESS

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

### GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today, as the guest of Representative Leroy Zimmerman, Mr. Barry Weaver. The gentleman, Mr. Weaver, is sitting to the left of the Speaker. Would he please rise.

The Chair is pleased to welcome to the hall of the House today, as guests of Representative Todd Platts, Brian Laughman, a junior at Delone Catholic High School in McSherrystown, and Toscha Stoner of Susquehanna High School, both representing the Future Leaders of York program. They are the guests of Representative Platts.

Also, as guests of the York delegation are Mr. John Gay and Mr. Jeff Gay, residents of Representative Saylor's legislative district. Would all of these guests please rise.

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

HB 2165, PN 2717

By Rep. B. SMITH

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for protection of property.

GAME AND FISHERIES.

**HB 2186, PN 2760**

By Rep. B. SMITH

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, relating to Class A regulated fishing lakes.

GAME AND FISHERIES.

**HB 2382, PN 3131 (Amended)**

By Rep. B. SMITH

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, further providing for disabled veterans.

GAME AND FISHERIES.

**HB 2386, PN 3102**

By Rep. O'BRIEN

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, providing for a veterans' ombudsman.

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS.

**HB 2393, PN 3113**

By Rep. GANNON

An Act amending Title 54 (Names) of the Pennsylvania Consolidated Statutes, regulating change of name after conviction of a felony.

JUDICIARY.

**SB 315, PN 325**

By Rep. O'BRIEN

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for pay for State service.

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS.

### HOUSE BILLS INTRODUCED AND REFERRED

**No. 2396** By Representatives LLOYD, GORDNER, TRAVAGLIO, BOSCOLA, SCRIMENTI, GIGLIOTTI, WAUGH, SEMMEL, CAPPABIANCA, SHANER, SCHULER, BELARDI, COY, NICKOL, HALUSKA, HERMAN, MICOZZIE, MERRY, HERSHEY, MANDERINO, BAKER, CORRIGAN, STERN, TRELLO, YOUNGBLOOD, RUDY, JOSEPHS, ROBERTS, STEELMAN, RAMOS, DERMODY and L. I. COHEN

An Act establishing an agriculture awareness grant program, imposing duties on the Department of Agriculture and providing for funding.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, February 13, 1996.

**No. 2397** By Representatives STISH, FARGO, LYNCH, MICOZZIE, GODSHALL, RUBLEY, SCHRODER, SERAFINI, LAUGHLIN, KAISER, TIGUE and GIGLIOTTI

An Act amending the act of March 28, 1984 (P.L.150, No.28), known as the Automobile Lemon Law, establishing an alternate informal dispute settlement procedure; and imposing duties on the Office of Attorney General and the Bureau of Consumer Protection.

Referred to Committee on CONSUMER AFFAIRS, February 13, 1996.

**No. 2398** By Representatives STISH, LYNCH, MICOZZIE, GODSHALL, RUBLEY, STERN and TIGUE

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the selection of prospective jurors.

Referred to Committee on JUDICIARY, February 13, 1996.

**No. 2399** By Representative NICKOL

An Act amending the act of December 6, 1972 (P.L.1383, No.293), entitled "An act requiring municipal pension systems to have an actuarial investigation of the fund made by an actuary who shall report his findings to the Department of Community Affairs," further providing for actuarial investigation; and providing for the filing of reports with the Public Employee Retirement Commission.

Referred to Committee on LOCAL GOVERNMENT, February 13, 1996.

**No. 2400** By Representatives PESCI, TIGUE, TRELLO, GANNON, STEELMAN, DeLUCA, WALKO, M. COHEN, VAN HORNE, E. Z. TAYLOR and SERAFINI

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for security to cover costs of repairs and restoration necessitated by permitted movement of vehicles.

Referred to Committee on TRANSPORTATION, February 13, 1996.

**No. 2401** By Representatives DEMPSEY, D. W. SNYDER, HARHART, COLAIZZO, FLEAGLE, MAITLAND, JAROLIN, BAKER, FAIRCHILD, LYNCH, MERRY, MARSICO, STISH, L. I. COHEN, BATTISTO, PETTIT, WAUGH, EGOLF, E. Z. TAYLOR, STERN, ALLEN, RAYMOND, SAYLOR and MELIO

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for bad checks.

Referred to Committee on JUDICIARY, February 13, 1996.



**No. 2402** By Representatives HENNESSEY, GANNON, LYNCH, FICHTER, RUBLEY, WOGAN, CALTAGIRONE, FAJT, MERRY, PETTIT, SAYLOR, STERN and E. Z. TAYLOR

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for scope of chapter relating to limitation of time.

Referred to Committee on JUDICIARY, February 13, 1996.

**No. 2403** By Representatives PHILLIPS, STABACK, ALLEN, FAIRCHILD, DEMPSEY, B. SMITH, READSHAW, SATHER, GIGLIOTTI, MARKOSEK, COLAIZZO, GEIST, NAILOR, COY, MERRY, TRELLO, DeLUCA, SAYLOR, BAKER, McGEEHAN, RUBLEY, WALKO, LYNCH, STISH, BROWN, ADOLPH, HERSHEY, MICOZZIE, PETTIT, TRUE, YOUNGBLOOD, J. TAYLOR, HENNESSEY, EGOLF, E. Z. TAYLOR, STERN, LUCYK and HESS

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for police animals; providing penalties; and making a repeal.

Referred to Committee on JUDICIARY, February 13, 1996.

**No. 2404** By Representatives MICOZZIE, COLAFELLA, RAYMOND, TRELLO, GIGLIOTTI, OLASZ, COLAIZZO and LESCOVITZ

An Act amending the act of July 23, 1970 (P.L.563, No.195), known as the Public Employe Relations Act, providing coverage for campus police and security officers, for officers or investigators within the Bureau of Liquor Control Enforcement, for transit police officers and for other police officers employed by municipal authorities.

Referred to Committee on LABOR RELATIONS, February 13, 1996.

**No. 2405** By Representatives ROEBUCK, LEDERER, CORRIGAN, TRELLO, THOMAS, MERRY, YOUNGBLOOD, McGEEHAN, STABACK, WASHINGTON, RAMOS, OLASZ, BATTISTO and CIVERA

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

Referred to Committee on TRANSPORTATION, February 13, 1996.

### HOUSE RESOLUTION INTRODUCED AND REFERRED

**No. 284** By Representatives O'BRIEN, LAUGHLIN, FICHTER, DEMPSEY, SANTONI, BAKER, STERN, SAYLOR, COY, PHILLIPS, READSHAW, HERMAN, KENNEY, SATHER, BOSCOLA, WALKO, HERSHEY, STABACK, PESCI, GEIST, LEH, BEBKO-JONES, SCHRODER, BARD, LUCYK, OLASZ, BELARDI, HESS, E. Z. TAYLOR, BROWN, JAROLIN, DIGIROLAMO, YOUNGBLOOD, FARGO, ROONEY, WOGAN, ROHRER, CAPPABIANCA, THOMAS, SERAFINI, J. TAYLOR, LEDERER, McGEEHAN, L. I. COHEN and RUDY

A Resolution recognizing and commending the Veterans of Underage Military Service.

Referred to Committee on RULES, February 13, 1996.

### SENATE MESSAGE

#### AMENDED SENATE BILL RETURNED FOR CONCURRENCE AND REFERRED TO COMMITTEE ON RULES

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives by amending said amendments to **SB 712, PN 1747**.

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

### REPORT OF COMMITTEE ON COMMITTEES

The SPEAKER. The clerk will read the following supplemental report from the Committee on Committees.

The following report was read:

#### Report of the Committee on Committees

Jeff Haste is appointed to:

Health and Human Services -  
replacing Tom Gannon who is resigning from the Committee.

Labor Relations -  
filling the vacancy created by the resignation of Jeff Piccola.

Local Government -  
replacing Sam Smith who is resigning from the Committee.

Sam Smith is appointed to Finance Committee replacing Tom Gannon who is resigning from the Committee.

Ron Raymond is appointed to the Judiciary Committee filling the vacancy created by the resignation of Jeff Piccola.

Ron Raymond resigns from the Finance Committee.

George Hasay, Chairman  
Committee on Committees

On the question,  
Will the House adopt the resolution?  
Resolution was adopted.

### TOURISM AND RECREATIONAL DEVELOPMENT COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman, Mr. Godshall, who asks for an immediate meeting of the Committee on Tourism at the rear of the House; an immediate meeting of the Committee on Tourism in the rear of the House.

**GUEST INTRODUCED**

The SPEAKER. The Chair is pleased to welcome to the hall of the House today, as the guest of Representative Jim Merry, Gwen Post from Edinboro in Erie County. Would Ms. Post kindly rise. She is here in front of the Speaker.

**COMMITTEE APPOINTMENTS**

The SPEAKER. The clerk will read the following appointments made by the Speaker.

The following appointments were read by the clerk:

George C. Hasay appointed chairman of the Committee on Committees replacing Lynn Herman, who remains a member of the committee.

Jeffrey Earl Habay appointed subcommittee chairman on Economic Development of the Commerce and Economic Development Committee replacing Roy Reinard, who remains a member of the committee.

Roy Reinard appointed vice chairman of the Insurance Committee replacing Tom Gannon, who remains a member of the committee.

**GUEST INTRODUCED**

The SPEAKER. The Chair is pleased to welcome to the hall of the House, as the guest of the Representative from Northampton County, Ms. Boscola, the gentleman, Mr. Wayne Grube, who is a member of council in Northampton County. Would the gentleman please rise.

**LEAVE OF ABSENCE**

The SPEAKER. The Chair recognizes the gentleman, Mr. Itkin, who requests that the gentleman from Lawrence, Mr. LaGROTTA, be granted leave of absence for the balance of today's session. Without objection, leave will be granted. The Chair hears none.

**BILL REPORTED FROM COMMITTEE,  
CONSIDERED FIRST TIME, AND TABLED****SB 1047, PN 1418**

By Rep. HASAY

An Act amending the act of December 5, 1972 (P. L. 1280, No. 284), entitled "Pennsylvania Securities Act of 1972," providing for prohibited transactions involving nonprofit organizations; and further providing for criminal penalties.

COMMERCE AND ECONOMIC DEVELOPMENT.

**CALENDAR CONTINUED****BILLS ON THIRD CONSIDERATION****BILLS PASSED OVER**

The SPEAKER. Page 1. HB 1601 and SB 654 are over for today.

\* \* \*

**BILLS PASSED OVER TEMPORARILY**

The SPEAKER. HB 2038 is over temporarily.  
Page 2. HB 1823, SB 399, SB 944 are over temporarily.

\* \* \*

**BILL PASSED OVER**

The SPEAKER. HB 1415 is over. The Chair hears no objection.

\* \* \*

**BILLS PASSED OVER TEMPORARILY**

The SPEAKER. Page 3 of today's calendar. HB 2210, HB 1338 are over temporarily.

\* \* \*

**BILL PASSED OVER**

The SPEAKER. HB 1845, without objection, is over. The Chair hears no objection.

\* \* \*

**BILL PASSED OVER TEMPORARILY**

The SPEAKER. Page 4 of today's calendar. SB 238 is over temporarily.

\* \* \*

**BILL PASSED OVER**

The SPEAKER. HB 2013 is over.

\* \* \*

The House proceeded to third consideration of **SB 684, PN 1728**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the use of school bus or school vehicle plates and for the use of farm vehicle plates; providing for the Pennsylvania agriculture plate; further providing for maximum speed limits; and providing for utility trailers, for liability insurance and for the authority to erect traffic-control devices.

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

**BILL RECOMMITTED**

The SPEAKER. The Chair recognizes the majority leader.  
Mr. PERZEL. Mr. Speaker, I move that SB 684 be recommitted to the Committee on Appropriations.

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

\* \* \*

**BILL PASSED OVER**

The SPEAKER. HB 2205, without objection, is over.

**RESOLUTIONS****RESOLUTIONS PASSED OVER**

The SPEAKER. The balance of the resolutions on page 5 are over.

**BILLS REMOVED FROM TABLE**

The SPEAKER. The Chair recognizes the majority leader.  
Mr. PERZEL. Mr. Speaker, I move that HB 58 and HB 2212 be removed 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. PERZEL. Mr. Speaker, I move that HB 58 and HB 2212 be recommitted to the Committee on Appropriations.

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

**ANNOUNCEMENT BY MR. DENT**

The SPEAKER. Last week, immediately before adjournment, the gentleman, Mr. Dent, had an announcement to make, and at the time, the House was breaking up and I suggested that the gentleman, Mr. Dent, make the announcement today.

The Chair at this time recognizes the gentleman, Mr. Dent.  
Mr. DENT. Thank you, Mr. Speaker.

Last week I was very honored and proud that my wife delivered an 8-pound-1-ounce baby boy, William Reed Dent, named for his grandfathers, Walter Reed Dent and Bill Serfass, born in Sacred Heart Hospital.

I no longer have cigars available at my desk; I ran out, although the birth is on video – not for your viewing pleasure, I might add.

And I do want to thank all the members for their many cards and expressions of good health. My wife and I are very appreciative. Thank you.

**ANNOUNCEMENT BY MR. COLAFELLA**

The SPEAKER. Do we have any other such announcements today?

The gentleman, Mr. Colafella. Do you have such an announcement?

Mr. COLAFELLA. Yes, I do, Mr. Speaker.

This past Saturday I was a grandfather for the first time – a 9-pound-1-ounce baby boy.

The SPEAKER. Is that not wonderful.

The gentleman, Mr. Colafella, remarked to the Speaker as he was pulling on the lapels of his jacket that this baby could wear his suit.

Now, future generations of Pennsylvanians reading today's Journal will try and figure out the significance of such a remark, and they will have to look to a scorecard somewhere giving the vital statistics of the members, and such a scorecard does not exist, so that mystery will remain over the coming centuries – unless you clear it up, Nick.

The Chair thanks the gentleman.

**BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 2038, PN 3104**, entitled:

An Act regulating telemarketing practices; providing for violations of the Unfair Trade Practices and Consumer Protection Law and for private causes of action; and providing penalties.

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

Mr. **MARKOSEK** offered the following amendment No. **A0517**:

Amend Preamble, page 1, line 9, by inserting after "consumers" and businesses

Amend Bill, page 2, by inserting between lines 2 and 3 Section 3. Deceptive or abusive telemarketing acts or practices.

It is a violation of this act for any seller or telemarketer to engage in any deceptive or abusive telemarketing act or practice prescribed in 16 CFR Pt. 310 (relating to telemarketing sales) with any individual, group, unincorporated association, limited or general partnership, corporation or other business entity.

Amend Sec. 3, page 2, line 3, by striking out "3" and inserting 4

Amend Sec. 4, page 2, line 10, by striking out "4" and inserting 5

Amend Sec. 5, page 2, line 14, by striking out "5" and inserting 6

Amend Sec. 5, page 2, lines 15 and 16, by striking out "on December 31, 1995, or" in line 15 and all of line 16 and inserting immediately.

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

The SPEAKER. On that question, the Chair recognizes the gentleman, Mr. Markosek.

Mr. MARKOSEK. Thank you, Mr. Speaker.

Mr. Speaker, this amendment expands the bill slightly to include businesses. The original language of the bill only dealt with residential customers for telemarketing regulations.

I had a small businessman that called me a few months ago about the problems he was having with telemarketers, and in his particular case, since he is pretty much a one-man show, for him to answer the phone continuously like he was forced to do on many, many occasions became a burden, and in fact, as the way he put it, it actually cost him money, because when he is on the phone talking to an unwanted telemarketer, he is not doing his job and making his living.

So he asked me to look into it. I have worked with Representative Readshaw and his telemarketing bill to add this language, which will include businesses, and I think particularly small businesses are mostly affected here, where the effect would be the greatest, and I would ask the members to support this amendment. Thank you.

The SPEAKER. The question before the House is, will the House agree to the amendment offered by the gentleman, Mr. Markosek, being amendment 0517 to HB 2038?

On the question, the gentleman, Mr. Readshaw.

Mr. READSHAW. Mr. Speaker, Representative Markosek and I have talked his amendment over, and I rise in support of it.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

#### YEAS—198

Adolph	Egolf	Lloyd	Santoni
Allen	Evans	Lucy	Sather
Argall	Fairchild	Lynch	Saylor
Baker	Fajt	Maitland	Schroder
Bard	Fargo	Major	Schuler
Barley	Farmer	Manderino	Scrimenti
Battisto	Feese	Markosek	Semmel
Bebko-Jones	Fichter	Marsico	Serafini
Belardi	Fleagle	Masland	Shaner
Belfanti	Flick	Mayernik	Sheehan
Birmelin	Gamble	McCall	Smith, B.
Bishop	Gannon	McGeehan	Smith, S. H.
Blaum	Geist	McGill	Snyder, D. W.
Boscola	George	Melio	Staback
Boyes	Gigliotti	Merry	Stairs
Brown	Gladeck	Michlovic	Steelman
Browne	Godshall	Micozzie	Steil
Bunt	Gordner	Mihalich	Stern
Butkovitz	Gruitza	Miller	Stetler
Buxton	Gruppo	Mundy	Stish
Caltagirone	Habay	Myers	Sturla
Cappabianca	Haluska	Nailor	Surra
Carn	Hanna	Nickol	Tangretti
Carone	Harhart	Nyce	Taylor, E. Z.
Cawley	Hasay	O'Brien	Taylor, J.
Chadwick	Haste	Olasz	Thomas
Civera	Hennessey	Oliver	Tigue
Clark	Herman	Perzel	Travaglio
Clymer	Hershey	Pesci	Trello
Cohen, L. I.	Hess	Petrarca	Trich
Cohen, M.	Horsey	Petrone	True
Colafiglia	Hutchinson	Pettit	Vance
Colaizzo	Itkin	Phillips	Van Horne
Conti	Jadlowiec	Pitts	Veon
Cornell	James	Platts	Vitali

Corpora	Jarolin	Preston	Walko
Corrigan	Josephs	Ramos	Washington
Cowell	Kaiser	Raymond	Waugh
Coy	Keller	Readshaw	Williams
Curry	Kenney	Reber	Wogan
Daley	King	Reinard	Wozniak
DeLuca	Kirkland	Rieger	Wright, D. R.
Dempsey	Krebs	Roberts	Wright, M. N.
Dent	Kukovich	Robinson	Yewcic
Dermody	Laughlin	Roebuck	Youngblood
DeWeese	Lawless	Rohrer	Zimmerman
DiGirolamo	Lederer	Rooney	Zug
Donatucci	Leh	Rubley	
Druce	Lescovitz	Rudy	Ryan,
Durham	Levdansky	Sainato	Speaker

#### NAYS—2

Armstrong Strittmatter

#### NOT VOTING—0

#### EXCUSED—3

LaGrotta Pistella Tulli

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

On the question,

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

The SPEAKER. The Chair recognizes the gentleman, Mr. Armstrong. The gentleman, Mr. Armstrong, filed amendments late. Did the gentleman hear me?

Mr. ARMSTRONG. Yes.

The SPEAKER. The amendments you filed were late under our rules. Accordingly, they cannot be accepted at this time without the rules being waived, so you will have to ask for that permission.

#### RULES SUSPENDED

Mr. ARMSTRONG. Yes. Mr. Speaker, I would like for a vote to suspend the rules to offer amendment No. 547.

The SPEAKER. The question before the House is one of suspension of the rules to permit the gentleman, Mr. Armstrong, to offer amendment A0547 to HB 2038.

On the question,

Will the House agree to the motion?

The SPEAKER. On that question, the Chair recognizes the gentleman, Mr. Armstrong, to briefly describe his position.

Mr. ARMSTRONG. I would like the opportunity to be able to offer this amendment. I was not aware of the fast track that this bill had until just yesterday. Since then, I have discussed with the party, several parties, and I believe we have agreement on the amendments.

So I am asking for support to suspend right now.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS-189

Adolph	Druce	Levdansky	Sather
Allen	Durham	Lloyd	Saylor
Argall	Egolf	Lucyk	Schroder
Armstrong	Evans	Major	Schuler
Baker	Fairchild	Manderino	Scrimenti
Bard	Fajt	Markosek	Semmel
Barley	Fargo	Marsico	Serafini
Battisto	Farmer	Masland	Shaner
Bebko-Jones	Feese	Mayernik	Sheehan
Belardi	Fichter	McCall	Smith, B.
Belfanti	Fleagle	McGeehan	Smith, S. H.
Birmelin	Flick	McGill	Snyder, D. W.
Bishop	Gamble	Melio	Staback
Blaum	Gannon	Merry	Stairs
Boscola	Geist	Michlovic	Stern
Boyes	George	Micozzie	Stetler
Brown	Gigliotti	Mihalich	Stish
Browne	Godshall	Miller	Strittmatter
Bunt	Gordner	Mundy	Sturla
Butkovitz	Gruitza	Myers	Surra
Buxton	Gruppo	Nickol	Tangretti
Caltagirone	Habay	Nyce	Taylor, E. Z.
Cappabianca	Haluska	O'Brien	Taylor, J.
Carn	Harhart	Olasz	Thomas
Cawley	Hasay	Oliver	Travaglio
Chadwick	Haste	Perzel	Trello
Civera	Hennessey	Pesci	Trich
Clark	Herman	Petrarca	True
Clymer	Hershey	Petrone	Vance
Cohen, L. I.	Hess	Pettit	Van Horne
Cohen, M.	Horsey	Phillips	Veon
Colafella	Hutchinson	Pitts	Vitali
Colaizzo	Itkin	Preston	Walko
Conti	Jadlowiec	Ramos	Washington
Cornell	James	Raymond	Waugh
Corpora	Jarolin	Readshaw	Williams
Corrigan	Josephs	Reber	Wogan
Cowell	Kaiser	Reinard	Wozniak
Coy	Keller	Rieger	Wright, D. R.
Curry	Kenney	Roberts	Wright, M. N.
Daley	King	Robinson	Yewcic
DeLuca	Kirkland	Roebuck	Youngblood
Dempsey	Kukovich	Rohrer	Zimmerman
Dent	Laughlin	Rooney	Zug
Dermody	Lawless	Rubley	
DeWeese	Lederer	Rudy	Ryan,
DiGirolamo	Leh	Sainato	Speaker
Donatucci	Lescovitz	Santoni	

NAYS-10

Carone	Lynch	Platts	Steil
Hanna	Maitland	Steelman	Tigue
Krebs	Nailor		

NOT VOTING-1

Gladeck

EXCUSED-3

LaGrotta                      Pistella                      Tulli

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.

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

Mr. **ARMSTRONG** offered the following amendment No. **A0547**:

Amend Sec. 3, page 2, lines 5 and 6, by striking out "at least seven" and inserting  

three

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

The **SPEAKER**. The Chair recognizes the gentleman, Mr. Armstrong.

Mr. **ARMSTRONG**. Thank you.

Mr. Speaker, according to the bill, in section 3 it talks about that there shall be at least 7 days for a consumer to be able to return a product and/or service agreement to receive either a refund or a credit. This, needless to say, far exceeds, in my opinion, what the Federal guidelines are.

And although I am not touching other parts of the bill that also exceed what the Federal regulations are, I would at least like to be able to take the language "at least seven" out and put in "three days." Three days is pretty much consistent with any other door-to-door campaigns for selling products, so I am asking that we adopt the language of "three days" as it is realized within day-to-day sales. Thank you.

The **SPEAKER**. On the question of the adoption of the amendment, the Chair recognizes the gentleman, Mr. Readshaw.

Mr. **READSHAW**. Thank you, Mr. Speaker.

I rise in agreement with this. The Representative and I have spoken about this, and I would ask that everyone would vote in favor of the amendment. Thank you.

The **SPEAKER**. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS-164

Adolph	Fairchild	Lescovitz	Rudy
Allen	Fajt	Levdansky	Sainato
Armstrong	Fargo	Lucyk	Santoni
Baker	Farmer	Lynch	Sather
Bard	Feese	Maitland	Saylor
Barley	Fichter	Major	Schroder
Battisto	Fleagle	Markosek	Schuler
Bebko-Jones	Flick	Marsico	Semmel
Belardi	Gamble	Masland	Serafini
Belfanti	Gannon	Mayernik	Shaner

Birmelin	Geist	McCall	Sheehan
Boyes	George	McGeehan	Smith, B.
Brown	Gigliotti	McGill	Smith, S. H.
Browne	Gladeck	Michlovic	Snyder, D. W.
Bunt	Godshall	Micozzie	Staback
Butkowitz	Gruppo	Miller	Stairs
Caltagirone	Habay	Myers	Steil
Cappabianca	Haluska	Nailor	Stern
Carone	Hanna	Nickol	Stish
Chadwick	Harhart	Nyce	Strittmatter
Civera	Hasay	O'Brien	Taylor, E. Z.
Clark	Haste	Olasz	Taylor, J.
Clymer	Hennessey	Oliver	Travaglio
Cohen, L. I.	Herman	Perzel	Trello
Colaifella	Hershey	Petrone	Trich
Colaizzo	Hess	Pettit	True
Conti	Horsey	Phillips	Vance
Cornell	Hutchinson	Pitts	Van Horne
Cowell	Itkin	Platts	Walko
Curry	Jadlowiec	Preston	Washington
Daley	James	Ramsey	Waugh
DeLuca	Jarolin	Raymond	Williams
Dempsey	Kaiser	Readshaw	Wogan
Dent	Keller	Reber	Wright, D. R.
Dermody	Kenney	Reinard	Wright, M. N.
DeWeese	King	Rieger	Youngblood
DiGirolamo	Kirkland	Roberts	Zimmerman
Donatucci	Krebs	Robinson	Zug
Druce	Laughlin	Roebuck	
Durham	Lawless	Rohrer	Ryan,
Egolf	Lederer	Rubley	Speaker
Evans	Leh		

## NAYS—34

Bishop	Gordner	Mundy	Surra
Blaum	Gruitza	Pesci	Tangretti
Boscola	Josephs	Petrarca	Thomas
Buxton	Kukovich	Rooney	Tigue
Cawley	Lloyd	Scrimenti	Veon
Cohen, M.	Manderino	Steelman	Vitali
Corpora	Melio	Stetler	Wozniak
Corrigan	Merry	Sturla	Yewcic
Coy	Mihalich		

## NOT VOTING—2

Argall                      Cam

## EXCUSED—3

LaGrotta                      Pistella                      Tulli

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

On the question recurring,

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

Bill 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—200

Adolph	Egolf	Lucyk	Sather
Allen	Evans	Lynch	Saylor
Argall	Fairchild	Maitland	Schroder
Armstrong	Fajt	Major	Schuler
Baker	Fargo	Manderino	Scrimenti
Bard	Farmer	Markosek	Semmel
Barley	Feese	Marsico	Serafini
Battisto	Fichter	Masland	Shaner
Bebko-Jones	Fleagle	Mayernik	Sheehan
Belardi	Flick	McCall	Smith, B.
Belfanti	Gamble	McGeehan	Smith, S. H.
Birmelin	Gannon	McGill	Snyder, D. W.
Bishop	Geist	Melio	Staback
Blaum	George	Merry	Stairs
Boscola	Gigliotti	Michlovic	Steelman
Boyes	Gladeck	Micozzie	Steil
Brown	Godshall	Mihalich	Stern
Browne	Gordner	Miller	Stetler
Bunt	Gruitza	Mundy	Stish
Butkowitz	Gruppo	Myers	Strittmatter
Buxton	Habay	Nailor	Sturla
Caltagirone	Haluska	Nickol	Surra
Cappabianca	Hanna	Nyce	Tangretti
Carn	Harhart	O'Brien	Taylor, E. Z.
Carone	Hasay	Olasz	Taylor, J.
Cawley	Haste	Oliver	Thomas
Chadwick	Hennessey	Perzel	Tigue
Civera	Herman	Pesci	Travaglio
Clark	Hershey	Petrarca	Trello
Clymer	Hess	Petrone	Trich
Cohen, L. I.	Horsey	Pettit	True
Cohen, M.	Hutchinson	Phillips	Vance
Colaifella	Itkin	Pitts	Van Horne
Colaizzo	Jadlowiec	Platts	Veon
Conti	James	Preston	Vitali
Cornell	Jarolin	Ramos	Walko
Corpora	Josephs	Raymond	Washington
Corrigan	Kaiser	Readshaw	Waugh
Cowell	Keller	Reber	Williams
Coy	Kenney	Reinard	Wogan
Curry	King	Rieger	Wozniak
Daley	Kirkland	Roberts	Wright, D. R.
DeLuca	Krebs	Robinson	Wright, M. N.
Dempsey	Kukovich	Roebuck	Yewcic
Dent	Laughlin	Rohrer	Youngblood
Dermody	Lawless	Rooney	Zimmerman
DeWeese	Lederer	Rubley	Zug
DiGirolamo	Leh	Rudy	
Donatucci	Lescovitz	Sainato	Ryan,
Druce	Levdansky	Santoni	Speaker
Durham	Lloyd		

## NAYS—0

## NOT VOTING—0

## EXCUSED—3

LaGrotta                      Pistella                      Tulli

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 1823, PN 2211**, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for the powers and duties of the Pennsylvania Game Commission.

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?

Does the gentleman from Clinton, Mr. Hanna, desire recognition?

Mr. HANNA. Thank you, Mr. Speaker.

I will defer to Chairman Smith at this time.

The **SPEAKER**. The gentleman, Mr. Smith, desires recognition.

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

This bill relates to the powers and duties of the Game Commission, and I would like to establish legislative intent, so I would like to interrogate the prime sponsor.

The **SPEAKER**. The gentleman, Mr. Hanna, indicates he will stand for interrogation. You may begin.

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

Mr. Speaker, various publications and various statements have been made relating to what this bill would possibly require the Pennsylvania Game Commission to accomplish, and I would like to establish your legislative intent with this particular bill.

Mr. HANNA. Thank you, Mr. Speaker.

Let me start by saying what it was not my intent to do. Primarily, there is no intention in this legislation to affect the constitutional right to bear arms. In addition, there is no intention to remove the commission's discretion in regulating hunting.

It was our intent and simply our intent to create a recognizable obligation to the resource and to the sportsmen on behalf of the Game Commission.

Mr. B. SMITH. Continuing along those lines, Mr. Speaker, and I would like to cite an example: As most hunters know, the pheasant population in Pennsylvania has greatly declined, and the Pennsylvania Game Commission has a pheasant-stocking program that costs approximately \$12 per pheasant to raise and stock throughout the State. Is it your intent that the Game Commission would be required to continue programs even if they became too expensive and were proving unsuccessful and not supported by sportsmen?

Mr. HANNA. Mr. Speaker, in your specific example, no, it would not be my intent to remove the commission's discretion to make a decision, and I assume based on your example, based on financial concerns, to eliminate that program. This bill does not remove the commission's discretion in regulating hunting.

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

That concludes my interrogation. I would like to make some remarks.

The **SPEAKER**. The gentleman is in order and may proceed.

Mr. B. SMITH. Having established the legislative intent and looking at the specifics of the bill, I think one of the strongest points of the bill is the fact that the Pennsylvania Game Commission is serving the interests of sportsmen. I think it is important that the Game Commission in this day and age realize that it has an obligation to serve the interests of sportsmen, and I urge an affirmative vote for this bill. Thank you, Mr. Speaker.

On the question recurring,  
Shall the bill pass finally?

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

YEAS—200

Adolph	Egolf	Lucyk	Sather
Allen	Evans	Lynch	Saylor
Argall	Fairchild	Maitland	Schroder
Armstrong	Fajt	Major	Schuler
Baker	Fargo	Manderino	Scrimenti
Bard	Farmer	Markosek	Semmel
Barley	Feese	Marsico	Serafini
Battisto	Fichter	Masland	Shaner
Bebko-Jones	Fleagle	Mayernik	Sheehan
Belardi	Flick	McCall	Smith, B.
Belfanti	Gamble	McGeehan	Smith, S. H.
Birmelin	Gannon	McGill	Snyder, D. W.
Bishop	Geist	Melio	Staback
Blaum	George	Merry	Stairs
Boscola	Gigliotti	Michlovic	Steelman
Boyes	Gladeck	Micozzie	Steil
Brown	Godshall	Mihalich	Stern
Browne	Gordner	Miller	Stetler
Bunt	Gruitza	Mundy	Stish
Butkovitz	Gruppo	Myers	Strittmatter
Buxton	Habay	Nailor	Sturla
Caltagirone	Haluska	Nickol	Surra
Cappabianca	Hanna	Nyce	Tangretti
Carn	Harhart	O'Brien	Taylor, E. Z.
Carone	Hasay	Olasz	Taylor, J.
Cawley	Haste	Oliver	Thomas
Chadwick	Hennessey	Perzel	Tigue
Civera	Herman	Pesci	Travaglio
Clark	Hershey	Petrarca	Trello
Clymer	Hess	Petrone	Trich
Cohen, L. I.	Horsey	Pettit	True
Cohen, M.	Hutchinson	Phillips	Vance
Colafella	Itkin	Pitts	Van Horne
Colaizzo	Jadlowiec	Platts	Veon
Conti	James	Preston	Vitali
Cornell	Jarolin	Ramos	Walko
Corpora	Josephs	Ramond	Washington
Corrigan	Kaiser	Readshaw	Waugh
Cowell	Keller	Reber	Williams
Coy	Kenney	Reinard	Wogan
Curry	King	Rieger	Wozniak
Daley	Kirkland	Roberts	Wright, D. R.
DeLuca	Krebs	Robinson	Wright, M. N.
Dempsey	Kukovich	Roebuck	Yewcic
Dent	Laughlin	Rohrer	Youngblood
Dermody	Lawless	Rooney	Zimmerman
DeWeese	Lederer	Rublely	Zug
DiGirolamo	Leh	Rudy	
Donatucci	Lescovitz	Sainato	Ryan,
Druce	Levdansky	Santoni	Speaker
Durham	Lloyd		

NAYS—0

NOT VOTING—0

EXCUSED-3

LaGrotta Pistella Tulli

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.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. Incidentally, the Chair has just been advised that the switches on the members' desks that are used to summon the pages are apparently not operating or not operating properly -- not operating at all. So you are in trouble; I do not know what you are going to do, but the switches are not working. We will hurry through the calendar.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of SB 399, PN 1698, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for exceptions for the prohibition on hunting on Sunday, for the use of unlawful devices and methods of hunting, for the use of lights while hunting, for carrying loaded firearms in certain vehicles and for safety zones.

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

Mr. GODSHALL offered the following amendment No. A0290:

Amend Title, page 1, line 5, by striking out "AND" and inserting a comma

Amend Title, page 1, line 6, by removing the period after "zones" and inserting

and for game or wildlife found on areas subject to propagating permits.

Amend Bill, page 5, by inserting between lines 8 and 9

Section 2. Section 2930(e) of Title 34 is amended and the section is amended by adding a subsection to read:

§ 2930. Propagating permits.

\*\*\*

(e) Disposition of game or wildlife.--Where game or wildlife of any kind is raised or eggs of game or wild birds are produced on premises under authority of a propagating permit, game or eggs and the plumage or pelts or hides of birds or animals may be sold or given away, and birds or animals may be shipped alive or may be killed within the enclosure, for sale or gift, without regard to sex or numbers, at any time of the year. [No small game or turkeys may be killed by shooting within the enclosure.] A dealer or third person who arranges any trades, sales or purchases set forth in this subsection for any type of fee, reimbursement or commission shall be required to have and produce, on demand, the receipt, invoice or consignment document required under subsections (d) and (f).

\*\*\*

(f.1) Seasons and bag limits.--All species of game, other than those specified on the permit, found within the licensed enclosure covered by the propagating permit may be taken within the licensed enclosure only under the general provisions of this title governing seasons and bag limits.

\*\*\*

Amend Sec. 2, page 5, line 9, by striking out "2" and inserting 3

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

The SPEAKER. The Chair recognizes the gentleman. Mr. GODSHALL. Thank you, Mr. Speaker.

This is, I believe, pretty well an agreed-to amendment. Really what it does is corrects some language that deals with regulated shooting grounds.

The language in Title 34 is vague, and what we are saying here is that all species of game other than specified on the shooting-ground permit, the license permit, found within the enclosure are covered by season and bag limits. So if you have a regulated shooting ground that is dealing with chukars, dealing with pheasants, any turkeys can be taken on that ground and/or rabbits, only in the seasons as established by the Game Commission, and I ask for an affirmative vote. I do not know of any opposition.

The SPEAKER. The gentleman from York, Mr. Smith. Mr. B. SMITH. Thank you, Mr. Speaker. This is an agreed-to amendment. I urge its support.

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

The following roll call was recorded:

YEAS-200

Table with 4 columns of names: Adolph, Allen, Argall, Armstrong, Baker, Bard, Barley, Battisto, Bebko-Jones, Belardi, Belfanti, Birmelin, Bishop, Blaum, Boscola, Boyes, Brown, Browne, Bunt, Butkovitz, Buxton, Caltagirone, Cappabianca, Carn, Carone, Cawley, Chadwick, Civera, Egolf, Evans, Fairchild, Fajt, Fargo, Farmer, Feese, Fichter, Fleagle, Flick, Gamble, Gannon, Geist, George, Gigliotti, Gladeck, Godshall, Gordner, Gruitza, Gruppo, Habay, Haluska, Hanna, Harhart, Hasay, Haste, Hennessey, Herman, Lucyk, Lynch, Mairland, Major, Manderino, Markosek, Marsico, Masland, Mayernik, McCall, McGeehan, McGill, Melio, Merry, Michlovic, Micozzie, Mihalich, Miller, Mundy, Myers, Nailor, Nickol, Nyce, O'Brien, Olasz, Oliver, Perzel, Pesci, Sather, Saylor, Schroder, Schuler, Scrimenti, Semmel, Serafini, Shaner, Shechan, Smith, B., Smith, S. H., Snyder, D. W., Staback, Stairs, Steelman, Steil, Stern, Stetler, Stish, Strittmatter, Sturla, Surra, Tangretti, Taylor, E. Z., Taylor, J., Thomas, Tigue, Travaglio



Clark	Hershey	Petrarca	Trello
Clymer	Hess	Petrone	Trich
Cohen, L. I.	Horsey	Pettit	True
Cohen, M.	Hutchinson	Phillips	Vance
Colaizza	Itkin	Pitts	Van Horne
	Jadlowiec	Platts	Veon
Conti	James	Preston	Vitali
Cornell	Jarolin	Ramos	Walko
Corpora	Josephs	Raymond	Washington
Corrigan	Kaiser	Readshaw	Waugh
Cowell	Keller	Reber	Williams
Coy	Kenney	Reinard	Wogan
Curry	King	Rieger	Wozniak
Daley	Kirkland	Roberts	Wright, D. R.
DeLuca	Krebs	Robinson	Wright, M. N.
Dempsey	Kukovich	Roebuck	Yewcic
Dent	Laughlin	Rohrer	Youngblood
Dermody	Lawless	Rooney	Zimmerman
DeWeese	Lederer	Rubley	Zug
DiGirolamo	Leh	Rudy	
Donatucci	Lescovitz	Sainato	Ryan,
Druce	Levdansky	Santoni	Speaker
Durham	Lloyd		

NAYS-0

NOT VOTING-0

EXCUSED-3

LaGrotta	Pistella	Tulli
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The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

On the question,

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

The SPEAKER. The Chair recognizes the gentleman, Mr. Bruce Smith.

This amendment, Mr. Smith, was filed late. A suspension of the rules for both this amendment and the Hess amendment which I have listed, both amendments were late and require a suspension of the rules in order for this House to consider them.

Mr. B. SMITH. Mr. Speaker, are you saying the Godshall amendment was filed late?

The SPEAKER. No; I am saying your amendment was filed late.

Mr. B. SMITH. I am not offering an amendment, Mr. Speaker. I asked for a suspension of the rules for Representative Hess to offer an amendment.

The SPEAKER. The Chair thanks the gentleman. My information was you had an amendment.

**RULES SUSPENDED**

The SPEAKER. The gentleman, Mr. Hess. For your amendment to be considered, it will be necessary for the rules to be suspended.

Mr. HESS. Thank you, Mr. Speaker.

I am asking for a suspension of the rules so I may offer my amendment.

I offer an apology to the Speaker and the membership for not being diligent in picking this up as it came through my committee. I tried to be very diligent in things that have come through the Fish and Game Committee, but somehow this eluded me, and I would ask for an affirmative vote on suspension of the rules so I may offer this amendment. Thank you.

The SPEAKER. The question before the House is the question of suspension of the rules to permit the offering of amendment 526 to SB 399 by the gentleman, Mr. Hess.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS-187

Allen	Egolf	Lloyd	Sather
Argall	Evans	Lucyk	Saylor
Armstrong	Fairchild	Major	Schroder
Baker	Fajt	Manderino	Schuler
Bard	Fargo	Markosek	Scrimenti
Barley	Farmer	Marsico	Semmel
Battisto	Feese	Masland	Serafini
Bebko-Jones	Fichter	Mayernik	Shaner
Belardi	Fleagle	McCall	Sheehan
Belfanti	Flick	McGeehan	Smith, B.
Birmelin	Gamble	McGill	Smith, S. H.
Bishop	Gannon	Melio	Snyder, D. W.
Blaum	Geist	Merry	Staback
Boscola	George	Michlovic	Stairs
Boyes	Gigliotti	Micozzie	Stern
Brown	Gladeck	Mihalich	Stetler
Browne	Godshall	Miller	Stish
Bunt	Gordner	Mundy	Strittmatter
Butkovitz	Gruitza	Myers	Sturla
Buxton	Gruppo	Nickol	Surra
Caltagirone	Habay	Nyce	Tangretti
Cappabianca	Haluska	O'Brien	Taylor, E. Z.
Carn	Harhart	Olasz	Taylor, J.
Cawley	Hasay	Oliver	Thomas
Chadwick	Haste	Perzel	Travaglio
Civera	Hennessey	Pesci	Trello
Clymer	Herman	Petrarca	Trich
Cohen, L. I.	Hershey	Petrone	True
Cohen, M.	Hess	Pettit	Vance
Colaizza	Horsey	Phillips	Van Horne
	Hutchinson	Pitts	Veon
Conti	Itkin	Preston	Vitali
Cornell	Jadlowiec	Ramos	Walko
Corpora	James	Raymond	Washington
Corrigan	Jarolin	Readshaw	Waugh
Cowell	Josephs	Reber	Williams
Coy	Kaiser	Reinard	Wogan
Curry	Keller	Rieger	Wozniak
Daley	Kenney	Roberts	Wright, D. R.
DeLuca	King	Robinson	Wright, M. N.
Dempsey	Kirkland	Roebuck	Yewcic
Dent	Kukovich	Rohrer	Youngblood
Dermody	Laughlin	Rooney	Zimmerman
DeWeese	Lederer	Rubley	Zug
DiGirolamo	Leh	Rudy	
Donatucci	Lescovitz	Sainato	Ryan,
Druce	Levdansky	Santoni	Speaker
Durham			

NAYS-13

Adolph	Krebs	Maitland	Steelman
Carone	Lawless	Nailor	Steil
Clark	Lynch	Platts	Tigue
Hanna			

NOT VOTING-0

EXCUSED-3

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

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

Mr. HESS offered the following amendment No. A0526:

Amend Title, page 1, lines 2 and 3, by striking out "for EXCEPTIONS FOR THE PROHIBITION ON HUNTING ON SUNDAY,"

Amend Sec. 1, page 1, line 9, by striking out "2303(B.1),"

Amend Sec. 1 (Sec. 2303), page 1, lines 12 through 19; page 2, lines 1 through 4, by striking out all of said lines on said pages

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

The SPEAKER. The Chair recognizes the gentleman.

Mr. HESS. Thank you, Mr. Speaker.

My amendment is very brief. It only strikes out the words "Sunday hunting." The words "Sunday hunting" only pertain to any political subdivision that has a valid deer-control permit, such as in the western part of the State. It would not affect any shooting area, private preserve, or anything like that. It is just for this one particular bill that is specified in SB 399.

I would ask the membership for an affirmative vote.  
Thank you.

The SPEAKER. Mr. Smith.

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

The amendment is currently being distributed. I want to call the attention of the members to the fact that this amendment and this bill relate only to the metro-urban deer permits. In other words, it is only applicable in those areas, those urban areas, that are experiencing problems with an overpopulation of deer.

The Pennsylvania Game Commission in working with the Game and Fisheries Committee came up with a number of different approaches, including Sunday hunting, to help communities deal with the overpopulation of deer. Representative Hess' amendment eliminates the opportunity for Sunday hunting, and I support the amendment and urge that you vote in favor of the amendment.

The SPEAKER. The gentleman, Mr. Hess.

Mr. HESS. Mr. Speaker, I neglected to say also that in speaking with Senator Kasunic on this bill, this is an agreed-to amendment.

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

(Members proceeded to vote.)

LEAVE OF ABSENCE

The SPEAKER. While the roll call is open, the Chair recognizes the gentleman, Mr. Itkin, who requests that the lady, Ms. WASHINGTON, be granted leave for the balance of today's session.

Without objection, leave is granted. The Chair hears none.

CONSIDERATION OF SB 399 CONTINUED

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

The following roll call was recorded:

YEAS-199

Adolph	Egolf	Lloyd	Santoni
Allen	Evans	Lucyk	Sather
Argall	Fairchild	Lynch	Saylor
Armstrong	Fajt	Maitland	Schroder
Baker	Fargo	Major	Schuler
Bard	Farmer	Manderino	Scrimenti
Barley	Feese	Markosek	Semmel
Battisto	Fichter	Marsico	Serafini
Bebko-Jones	Fleagle	Masland	Shaner
Belardi	Flick	Mayernik	Sheehan
Belfanti	Gamble	McCall	Smith, B.
Birmelin	Gannon	McGeehan	Smith, S. H.
Bishop	Geist	McGill	Snyder, D. W.
Blaum	George	Melio	Staback
Boscola	Gigliotti	Mery	Stairs
Boyes	Gladeck	Michlovic	Steelman
Brown	Godshall	Micozzie	Steil
Browne	Gordner	Mihalich	Stern
Bunt	Gruitza	Miller	Stetler
Butkovitz	Gruppo	Mundy	Stish
Buxton	Habay	Myers	Strittmatter
Caltagirone	Haluska	Nailor	Sturla
Cappabianca	Hanna	Nickol	Surra
Carn	Harhart	Nyce	Tangretti
Carone	Hasay	O'Brien	Taylor, E. Z.
Cawley	Haste	Olasz	Taylor, J.
Chadwick	Hennessey	Oliver	Thomas
Civera	Herman	Perzel	Tigue
Clark	Hershey	Pesci	Travaglio
Clymer	Hess	Petrarca	Trello
Cohen, L. I.	Horsey	Petrone	Trich
Cohen, M.	Hutchinson	Pettit	True
Colafella	Itkin	Phillips	Vance
Colaizzo	Jadlowiec	Pitts	Van Horne
Conti	James	Platts	Veon
Cornell	Jarolin	Preston	Vitali
Corpora	Josephs	Ramos	Walko
Corrigan	Kaiser	Raymond	Waugh
Cowell	Keller	Readshaw	Williams
Coy	Kenney	Reber	Wogan
Curry	King	Reinard	Wozniak
Daley	Kirkland	Rieger	Wright, D. R.
DeLuca	Krebs	Roberts	Wright, M. N.
Dempsey	Kukovich	Robinson	Yewcic
Dent	Laughlin	Roebuck	Youngblood
Dermody	Lawless	Rohrer	Zimmerman
DeWeese	Lederer	Rooney	Zug

DiGirolamo	Leh	Rubley	
Donatucci	Lescovitz	Rudy	Ryan,
Druce	Levdansky	Sainato	Speaker
Durham			

NAYS-0

NOT VOTING-0

EXCUSED-4

LaGrotta	Pistella	Tulli	Washington
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The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

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

Mr. HASAY. Mr. Speaker? Mr. Speaker, on the bill.  
The SPEAKER. The gentleman, Mr. Hasay. For what purpose does the gentleman rise?

Mr. HASAY. I would like to interrogate the gentleman, Mr. Smith, chairman of the House Game and Fisheries Committee, if I may, on the bill.

The SPEAKER. The gentleman, Mr. Smith, indicates he will stand for interrogation. You may begin.

Mr. HASAY. Thank you, Mr. Speaker.  
Mr. Speaker, I am concerned about these designated areas and the baiting of deer and the spotlighting of deer. Who is allowed to bait and who is allowed to spotlight?

The SPEAKER. The gentleman, Mr. Smith, is under interrogation. You may answer that at your leisure.

Mr. B. SMITH. Thank you, Mr. Speaker.  
As I stated previously, this bill only applies with metro-urban deer permits. One of the reasons that the bill is proposed is that several members were experiencing problems in cooperation between municipalities in getting a permit from the Pennsylvania Game Commission.

So to answer your question, the only way a municipality can qualify for this is by applying through the Pennsylvania Game Commission, and if the overpopulation of deer warrants things like spotlighting and things like baiting, then they can be utilized but only in those metro-urban deer problem areas.

Mr. HASAY. Mr. Speaker, if I may continue.  
Mr. Speaker, what justifies a designated area? What are the circumstances that spotlighting and baiting would be allowed?

Mr. B. SMITH. Thank you, Mr. Speaker.  
The first requirement is that it be open for public hunting. If because of the locale, the neighborhood, that endangers citizens or their homes, then the municipality can request of the Pennsylvania Game Commission a metro-urban deer permit. At that time there would be public hearings, sportsmen's groups can testify, and the public can become involved in the process. The steps that we are authorizing directly result from problems that a House member

experienced this year. The Pennsylvania Game Commission, by regulation at its last meeting, authorized some other steps. With this bill, we are going to allow urban areas that are experiencing deer problems to deal with them adequately so that motorists running into deer is not the way they solve their deer overpopulation problem.

Mr. HASAY. Mr. Speaker, is it then the hunter that is the one that is allowed to bait, once it is designated, and spotlight, Mr. Speaker, or is it the police or the Game Commission that takes that responsibility?

Mr. B. SMITH. Thank you, Mr. Speaker.  
The Pennsylvania Game Commission and the local government set the parameters for this program, and there will be and must be public disclosure as to how it is accomplished. All we are doing is authorizing in severe circumstances the use of these procedures.

Mr. HASAY. So, Mr. Speaker, the licensed hunter then is allowed to go into designated areas and hunt, under these conditions and provisions of the bill?

Mr. B. SMITH. Thank you, Mr. Speaker.  
So far in Pennsylvania, there are only two authorized metro-urban deer areas. The hunter would have to work with the Game Commission and the local government and meet their requirements. If your question is if a hunter can go into that area and bait by himself, he cannot. He must work with the local government along the requirements of the Game Commission.

Mr. HASAY. I thank the gentleman and thank the Speaker.  
The SPEAKER. The Chair thanks the gentleman.

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-189

Adolph	Durham	Lloyd	Santoni
Allen	Egolf	Lucy	Sather
Argall	Evans	Lynch	Saylor
Armstrong	Fairchild	Maitland	Schroder
Baker	Fajt	Major	Schuler
Bard	Fargo	Manderino	Scrimenti
Barley	Farmer	Markosek	Semmel
Battisto	Feese	Marsico	Shaner
Bebko-Jones	Fichter	Masland	Sheehan
Belfanti	Fleagle	Mayernik	Smith, B.
Birmelin	Flick	McCall	Smith, S. H.
Bishop	Gamble	McGeehan	Snyder, D. W.
Blaum	Gannon	McGill	Staback
Boscola	Geist	Melio	Stairs
Boyes	Gigliotti	Merry	Steelman
Brown	Gladeck	Micozzie	Stern
Browne	Godshall	Mihalich	Stetler
Bunt	Gordner	Miller	Stish
Butkovitz	Gruitza	Mundy	Strittmatter
Buxton	Gruppo	Myers	Sturla
Caltagirone	Habay	Nailor	Surra
Cappabianca	Haluska	Nickol	Tangretti
Carn	Hanna	Nyce	Taylor, E. Z.
Carone	Harhart	O'Brien	Taylor, J.
Cawley	Haste	Olasz	Thomas
Chadwick	Hennessey	Oliver	Tigue
Civera	Herman	Perzel	Travaglio
Clark	Hershey	Pesci	Trello
Clymer	Hess	Petrarca	Trich
Cohen, L. I.	Horsey	Petrone	True
Cohen, M.	Hutchinson	Pettit	Vance
	Itkin	Phillips	Van Horne

Colaizzo	Jadlowiec	Pitts	Veon
Cornell	James	Platts	Walko
Corpora	Jarolin	Preston	Waugh
Corrigan	Josephs	Ramos	Williams
Cowell	Kaiser	Raymond	Wogan
Coy	Keller	Readshaw	Wozniak
Curry	Kenney	Reber	Wright, D. R.
Daley	King	Rieger	Wright, M. N.
DeLuca	Kirkland	Roberts	Yewcic
Dempsey	Krebs	Robinson	Youngblood
Dent	Kukovich	Roebuck	Zimmerman
Dermody	Laughlin	Rohrer	Zug
DeWeese	Lawless	Roney	
DiGirolamo	Lederer	Rubley	Ryan,
Donatucci	Leh	Rudy	Speaker
Druce	Lescovitz	Sainato	

NAYS-9

Conti	Levdansky	Reinard	Steil
George	Michlovic	Serafini	Vitali
Hasay			

NOT VOTING-1

Colafella

EXCUSED-4

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

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

REMARKS SUBMITTED FOR THE RECORD

Mr. GODSHALL. Mr. Speaker?

The SPEAKER. The gentleman, Mr. Godshall.

Mr. GODSHALL. Mr. Speaker, on HB 1823 I have some comments I would like to submit for the record, and I would appreciate if I could do that.

The SPEAKER. Will the gentleman send his comments to the desk.

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

When a bill passes out of committee unanimously and is expected to pass easily on the floor, it should not be necessary to speak on the issue, but on this particular bill I feel I have an obligation to put some comments on the record.

In 1995, at a Game Commission public meeting during discussions of seasons and bag limits, a former director of the organization gave a very strong and clear opinion of how he viewed sportsmen and sportsmen groups and their leaders who dared to express a view - counter to policy of the PA Game Commission. He sternly admonished the present commission to stand firm and rubber-stamp the recommendations of the Game Commission staff as was always done in the old days. Rebel rousers, misfits, and malcontents was his representation of those who spoke out in opposition to the continued increase of antlerless licenses.

When we have a former director viewing the license buyers and stakeholders, which by the way are your and my constituents, as rebel rousers, misfits, and malcontents, then it is entirely fitting that we pass this bill, which says the PA Game Commission, even though an independent agency, must recognize a responsibility to the sportsmen of Pennsylvania.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of SB 944, PN 1699, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, defining "migratory game bird"; establishing a migratory game bird hunting license; providing for use of proceeds from the migratory game bird hunting license; further providing for the date of the annual audit and report to be submitted by the Pennsylvania Game Commission and the Legislative Budget and Finance Committee; adding provisions relating to goose hunting areas; and further providing for permits.

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

Mr. GODSHALL offered the following amendment No. A0289:

Amend Sec. 2 (Sec. 521), page 3, line 16, by inserting after "PURCHASES"

under this subparagraph

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

The SPEAKER. On the question of the adoption of the amendment, the Chair recognizes the gentleman, Mr. Godshall.

Mr. GODSHALL. Thank you, Mr. Speaker.

This, again, is an agreed-to amendment. All this does is specify, in an amendment I put in in committee, that any kind of capital equipment purchase and so forth should be prorated, and that in dealing with this proration of the cost of equipment, we are dealing in this subparagraph only rather than the entirety of Title 34.

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

The following roll call was recorded:

YEAS-199

Adolph	Egolf	Lloyd	Santoni
Allen	Evans	Lucyk	Sather
Argall	Fairchild	Lynch	Saylor
Armstrong	Fajt	Maitland	Schroder
Baker	Fargo	Major	Schuler
Bard	Farmer	Manderino	Scrimenti
Barley	Feese	Markosek	Semmel
Battisto	Fichter	Marsico	Serafini
Bebko-Jones	Fleagle	Masland	Shaner
Belardi	Flick	Mayernik	Sheehan
Belfanti	Gamble	McCall	Smith, B.
Birmelin	Gannon	McGeehan	Smith, S. H.
Bishop	Geist	McGill	Snyder, D. W.
Blaum	George	Melio	Staback
Boscola	Gigliotti	Merry	Stairs

Boyes	Gladeck	Michlovic	Steelman
Brown	Godshall	Micozzie	Steil
Browne	Gordner	Mihalich	Stern
Bunt	Gruitza	Miller	Stetler
Butkovitz	Gruppo	Mundy	Stish
Buxton	Habay	Myers	Strittmatter
Caltagirone	Haluska	Nailor	Sturla
Cappabianca	Hanna	Nickol	Surra
Carn	Harhart	Nyce	Tangretti
Carone	Hasay	O'Brien	Taylor, E. Z.
Cawley	Haste	Olasz	Taylor, J.
Chadwick	Hennessey	Oliver	Thomas
Civera	Herman	Perzel	Tigue
Clark	Hershey	Pesci	Travaglio
Clymer	Hess	Petrarca	Trello
Cohen, L. I.	Horsey	Petrone	Trich
Cohen, M.	Hutchinson	Pettit	True
Colaella	Itkin	Phillips	Vance
Colaizzo	Jadlowiec	Pitts	Van Horne
Conti	James	Platts	Veon
Cornell	Jarolin	Preston	Vitali
Corpora	Josephs	Ramos	Walko
Corrigan	Kaiser	Raymond	Waugh
Cowell	Keller	Readshaw	Williams
Coy	Kenny	Reber	Wogan
Curry	King	Reinard	Wozniak
Daley	Kirkland	Rieger	Wright, D. R.
DeLuca	Krebs	Roberts	Wright, M. N.
Dempsey	Kukovich	Robinson	Yewcic
Dent	Laughlin	Roebuck	Youngblood
Dermody	Lawless	Rohrer	Zimmerman
DeWeese	Lederer	Rooney	Zug
DiGirolamo	Leh	Rubleby	
Donatucci	Lescovitz	Rudy	Ryan,
Druce	Levdansky	Sainato	Speaker
Durham			

NAYS-0

NOT VOTING-0

EXCUSED-4

LaGrotta	Pistella	Tulli	Washington
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The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

On the question,

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

Bill as amended was agreed to.

The SPEAKER. 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

The SPEAKER. Is the gentleman, Mr. Levdansky, indicating that he wants a "yes" vote?

Mr. LEVDANSKY. Mr. Speaker, I would like to interrogate the chairman of the committee, please.

The SPEAKER. Strike the vote. Mr. Thompson, strike the vote.

The gentleman, Mr. Smith, indicates he will stand for interrogation. You may begin.

Mr. LEVDANSKY. Thank you, Mr. Speaker.

Mr. Speaker, this legislation creates a migratory hunting permit. By "migratory," what species that are hunted in Pennsylvania are covered by the legislation?

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

This bill is a migratory bird license. Any migratory bird therefore would be qualified to be hunted under this, and that would include doves, geese, and ducks.

Mr. LEVDANSKY. Mr. Speaker, for those of us not that well versed on a lot of these species, why is it that doves, which seemingly are a local population of birds, why are they included in this legislation?

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

This migratory bird license is in compliance with Federal law. The Federal Government basically wants to get a handle on and gain knowledge of the number of migratory birds that are being harvested by hunters in Pennsylvania.

A number of our surrounding States have already complied and passed a migratory bird license. Some of those States have fees. You will notice on page 5 of the bill, when this bill passed the Senate, there was a \$2 fee. The Game and Fisheries Committee of the House eliminated the \$2 fee, so the migratory bird hunter will have to pay an agent's fee only of 75 cents.

As a result of complying with this Federal law, the Pennsylvania Game Commission will receive \$125,000 in its first year, then 30 cents per name for the first 2 years and then 10 cents per name for every year after.

So basically, we are complying with Federal law, but we are eliminating the \$2 fee that the Senate had tried to impose.

Mr. LEVDANSKY. Mr. Speaker, if I may be recognized to speak on the bill, please.

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

Mr. LEVDANSKY. Mr. Speaker, I know there are probably enough votes here to pass this legislation, but there are a couple real concerns I want to bring to people's attention.

Number one, I am all for complying with whatever the Federal Fish and Wildlife Service is requiring, but I think there is a way to do better surveys on our migratory species in Pennsylvania than by simply requiring hunters to purchase a license, and even if it is only for a 75-cent issuing fee, I happen to think that that is probably only going to serve to be a foot in the door to later on establishing a higher fee to hunt migratory birds in Pennsylvania, and if that is an issue that we want to deal with, I think we ought to be up-front and open in dealing with that, but my fear is that that is essentially what this legislation is going to fast-track us to do one day.

I also just want to point out to a lot of people, you know, if you are a hunter, you recognize in Pennsylvania that dove season comes in in September. It is the first species hunted in Pennsylvania. Whenever your constituents who are sportsmen find out that they have got to go buy a special stamp to simply hunt doves, which most people consider to be an indigenous population here to Pennsylvania rather than a migratory species, they are going to be a little bit upset about that, and I think rightfully so.

As I said, I am all for complying with whatever we have to do to follow the wishes of the Fish and Wildlife Service. I happen to think we do a better job of evaluating the number of waterfowl in

Pennsylvania and what hunters kill by more thorough and effective methods of surveying migratory waterfowl hunters in Pennsylvania. You know, my fear is that this is just going to be a backdoor attempt to more fee license increases in the future, and I would just rather be straight-up and honest about that.

Those are a couple concerns that I have, and I am going to vote against the bill. Thank you.

The SPEAKER. The gentleman from Allegheny, Mr. Trello, is recognized on the question of final passage.

Mr. TRELLO. Thank you, Mr. Speaker.

Mr. Speaker, this is a bill that I introduced two sessions ago. It has the support of every sportsmen's organization in the State. We have had hearings on this bill all over the State, and Chairman Merry, at the time, chaired those meetings.

So since this is supported by all the sportsmen, I urge a positive vote on the bill. Thank you.

The SPEAKER. On the question of final passage, the gentleman, Mr. Smith.

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

For the information of the members, the Senate inserted two bills that already passed the House unanimously, one of which was Representative Brown's bill relating to wildlife menagerie permits. The second was Representative Godshall's bill changing the date of the Budget and Finance deadline.

I think it is important that we comply with Federal law. I think it is important that we comply with Federal law without exacting a price on our sportsmen, and I urge an affirmative vote.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,  
Shall the bill pass finally?

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

YEAS-197

Adolph	Egolf	Lucyk	Sather
Allen	Evans	Lynch	Saylor
Argall	Fairchild	Maitland	Schroder
Armstrong	Fajt	Major	Schuler
Baker	Fargo	Manderino	Scriminti
Bard	Farmer	Markosek	Semmel
Barley	Feese	Marsico	Serafini
Battisto	Fichter	Masland	Shaner
Bebko-Jones	Fleagle	Mayernik	Sheehan
Belardi	Flick	McCall	Smith, B.
Belfanti	Gamble	McGeehan	Smith, S. H.
Birmelin	Gannon	McGill	Snyder, D. W.
Bishop	Geist	Melio	Staback
Blaum	George	Merry	Stairs
Boscola	Gigliotti	Michlovic	Steelman
Boyes	Gladeck	Micozzie	Steil
Brown	Godshall	Mihalich	Stern
Browne	Gordner	Miller	Stetler
Bunt	Gruitza	Mundy	Stish
Butkovitz	Gruppo	Myers	Strittmatter
Buxton	Habay	Nailor	Sturla
Caltagirone	Haluska	Nickol	Surra
Cappabianca	Hanna	Nyce	Tangretti
Carn	Harhart	O'Brien	Taylor, E. Z.
Carone	Hasay	Olasz	Taylor, J.
Cawley	Haste	Oliver	Thomas
Chadwick	Hennessey	Perzel	Tigue
Civera	Herman	Pesci	Travaglio
Clark	Hershey	Petrarca	Trello
Clymer	Hess	Petrone	Trich

Cohen, L. I.	Horsey	Pettit	True
Colaella	Hutchinson	Phillips	Vance
Colaizzo	Itkin	Pitts	Van Horne
Conti	Jadlowiec	Platts	Veon
Cornell	James	Preston	Vitali
Corpora	Jarolin	Ramos	Walko
Corrigan	Josephs	Raymond	Waugh
Cowell	Kaiser	Reber	Williams
Coy	Keller	Reinard	Wogan
Curry	Kenney	Rieger	Wozniak
Daley	King	Roberts	Wright, D. R.
DeLuca	Kirkland	Robinson	Wright, M. N.
Dempsey	Krebs	Roebuck	Yewcic
Dent	Kukovich	Rohrer	Youngblood
Dermody	Laughlin	Rooney	Zimmerman
DeWeese	Lawless	Rubley	Zug
DiGirolamo	Lederer	Rudy	
Donatucci	Leh	Sainato	Ryan, Speaker
Druce	Lescovitz	Santoni	
Durham	Lloyd		

NAYS-2

Cohen, M. Levdansky

NOT VOTING-0

EXCUSED-4

LaGrotta Pistella Tulli Washington

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

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

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The House proceeded to third consideration of **HB 2210, PN 2794**, entitled:

An Act amending the act of October 15, 1975 (P.L.390, No.111), known as the Health Care Services Malpractice Act, further providing for liability insurance and the Medical Professional Liability Catastrophe Loss Fund.

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

Mr. **ADOLPH** offered the following amendment No. **A6344**:

Amend Sec. 1 (Sec. 701), page 4, line 2, by striking out "31" and inserting  
10, with four equal installments commencing 60 days from the date of policy inception or renewal with payment due each 60 days thereafter until the full remittance is paid

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

The SPEAKER. On the question of the adoption of the Adolph amendment, the Chair recognizes the gentleman.

Mr. ADOLPH. Thank you, Mr. Speaker.

The amendment is a technical amendment, changing the date from December 31 to December 10 and making the installment payments four equal installments.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—198

Adolph	Durham	Lloyd	Santoni
Allen	Egolf	Lucyk	Sather
Argall	Evans	Lynch	Saylor
Armstrong	Fairchild	Maitland	Schroder
Baker	Fajt	Major	Schuler
Bard	Fargo	Manderino	Scrimenti
Barley	Farmer	Markosek	Semmel
Battisto	Feese	Marsico	Serafini
Bebko-Jones	Fichter	Masland	Shaner
Belardi	Fleagle	Mayernik	Sheehan
Belfanti	Flick	McCall	Smith, B.
Birmelin	Gamble	McGeehan	Smith, S. H.
Bishop	Gannon	McGill	Snyder, D. W.
Blaum	Geist	Melio	Staback
Boscola	George	Merry	Stairs
Boyes	Gigliotti	Michlovic	Steelman
Brown	Gladeck	Micozzie	Steil
Browne	Godshall	Mihalich	Stern
Bunt	Gordner	Miller	Stetler
Butkovitz	Gruitza	Mundy	Stish
Buxton	Gruppo	Myers	Strittmatter
Caltagirone	Habay	Nailor	Sturla
Cappabianca	Haluska	Nickol	Surra
Carn	Hanna	Nyce	Tangretti
Carone	Harhart	O'Brien	Taylor, E. Z.
Cawley	Hasay	Olasz	Taylor, J.
Chadwick	Haste	Oliver	Thomas
Civera	Hennessey	Perzel	Tigue
Clark	Herman	Pesci	Travaglio
Clymer	Hershey	Petrarca	Trello
Cohen, L. I.	Hess	Petrone	Trich
Cohen, M.	Horsely	Pettit	True
Colafiglia	Hutchinson	Phillips	Vance
Colaizzo	Itkin	Pitts	Van Horne
Conti	Jadlowiec	Platts	Veon
Cornell	James	Preston	Vitali
Corpora	Jarolin	Ramos	Walko
Corrigan	Josephs	Raymond	Waugh
Cowell	Kaiser	Readshaw	Williams
Coy	Keller	Reber	Wogan
Curry	Kenney	Reinard	Wozniak
Daley	King	Rieger	Wright, D. R.
DeLuca	Krebs	Roberts	Wright, M. N.
Dempsey	Kukovich	Robinson	Yewcic
Dent	Laughlin	Roebuck	Youngblood
Dermody	Lawless	Rohrer	Zimmerman
DeWeese	Lederer	Rooney	Zug
DiGirolamo	Leh	Rubley	
Donatucci	Lescovitz	Rudy	Ryan,
Druce	Levdansky	Sainato	Speaker

NAYS—0

NOT VOTING—1

Kirkland

EXCUSED—4

LaGrotta

Pistella

Tulli

Washington

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

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

The Chair recognizes the gentleman from Delaware, Mr. Adolph.

Mr. ADOLPH. Thank you, Mr. Speaker.

I would like to have the attention of my colleagues regarding this piece of legislation.

Late in 1995, Mr. Speaker, physicians and hospitals were informed by the State Insurance Department that they had to pay a huge emergency surcharge as a result of the extraordinary amount of claims that were settled in Philadelphia regarding the medical malpractice catastrophic claims.

For example, malpractice premiums in this State range from \$1,000 to \$50,000 a year. It was not uncommon for a physician to pay \$20,000 last year for primary insurance and then also have to pay another \$20,400 in a surcharge. In addition to that, they had to pay an emergency surcharge of another \$14,000. So this family physician, Mr. Speaker, in 1995 had to pay medical malpractice insurance totaling \$74,000. To make matters worse, 3 months later their entire 1996 surcharge was due.

What this legislation does is it allows the medical providers, the hospitals and the physicians, the ability to pay their 1996 surcharges in four equal installments. This is a relief for our physicians. It does not solve the problems, but it certainly will help this financial crisis that they are experiencing right now.

The bill is being supported by the Pennsylvania Medical Society along with the Hospital Association of Pennsylvania. I urge my colleagues to vote "yes" on HB 2210. Thank you, Mr. Speaker.

On the question recurring,  
Shall the bill pass finally?

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

YEAS—199

Adolph	Egolf	Lloyd	Santoni
Allen	Evans	Lucyk	Sather
Argall	Fairchild	Lynch	Saylor
Armstrong	Fajt	Maitland	Schroder
Baker	Fargo	Major	Schuler
Bard	Farmer	Manderino	Scrimenti

Barley	Feese	Markosek	Semmel
Battisto	Fichter	Marsico	Serafini
Bebko-Jones	Fleagle	Masland	Shaner
Belardi	Flick	Mayernik	Sheehan
Belfanti	Gamble	McCall	Smith, B.
Birmelin	Gannon	McGeehan	Smith, S. H.
Bishop	Geist	McGill	Snyder, D. W.
Blaum	George	Melio	Staback
Boscola	Gigliotti	Merry	Stairs
Boyes	Gladeck	Michlovic	Steelman
Brown	Godshall	Micozzie	Steil
Browne	Gordner	Mihalich	Stern
Bunt	Gruitza	Miller	Stetler
Butkovitz	Gruppo	Mundy	Stish
Buxton	Habay	Myers	Strittmatter
Caltagirone	Haluska	Nailor	Sturla
Cappabianca	Hanna	Nickol	Surra
Carn	Harhart	Nyce	Tangretti
Carone	Hasay	O'Brien	Taylor, E. Z.
Cawley	Haste	Olasz	Taylor, J.
Chadwick	Hennessey	Oliver	Thomas
Civera	Herman	Perzel	Tigue
Clark	Hershey	Pesci	Travaglio
Clymer	Hess	Petrarca	Trello
Cohen, L. I.	Horsey	Petrone	Trich
Cohen, M.	Hutchinson	Pettit	True
Colafrilla	Itkin	Phillips	Vance
Colaizzo	Jadlowiec	Pitts	Van Horne
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Cornell	Jarolin	Preston	Vitali
Corpora	Josephs	Ramos	Walko
Corrigan	Kaiser	Raymond	Waugh
Cowell	Keller	Readshaw	Williams
Coy	Kenney	Reber	Wogan
Curry	King	Reinard	Wozniak
Daley	Kirkland	Rieger	Wright, D. R.
DeLuca	Krebs	Roberts	Wright, M. N.
Dempsey	Kukovich	Robinson	Yewcic
Dent	Laughlin	Roebuck	Youngblood
Dermody	Lawless	Rohrer	Zimmerman
DeWeese	Lederer	Rooney	Zug
DiGirolamo	Leh	Rubley	
Donatucci	Lescovitz	Rudy	Ryan,
Druce	Levdansky	Sainato	Speaker
Durham			

NAYS-0

NOT VOTING-0

EXCUSED-4

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

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

\* \* \*

The House proceeded to third consideration of **HB 1338, PN 1526**, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for performing arts facilities.

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

Mr. LUCYK offered the following amendment No. **A0400**:

Amend Title, page 1, line 17, by inserting after "for"  
special occasion permits and for

Amend Bill, page 3, by inserting between lines 23 and 24

Section 2. Section 408.4 of the act, amended April 29, 1994 (P.L.212, No.30) and October 5, 1994 (P.L.522, No.77), is amended to read:

Section 408.4. Special Occasion Permits.—(a) Upon application of any hospital, church, synagogue, volunteer fire company, volunteer ambulance company, volunteer rescue squad, nonprofit agricultural association in existence for at least ten years, bona fide sportsmen's club in existence for at least ten years, nationally chartered veterans' organization and any affiliated lodge or subdivision of such organization, fraternal benefit society that is licensed to do business in this Commonwealth and any affiliated lodge or subdivision of such fraternal benefit society, or the auxiliary of any of the foregoing, and upon payment of the prescribed fee for special occasion permits under section 614-A of the act of April 9, 1929 (P.L.177, No.175), known as "The Administrative Code of 1929," the board shall issue a special occasion permit good for a period of not more than five consecutive or nonconsecutive days: Provided, however, That the five nonconsecutive days shall be used in a [three-month] twelve-month period measured from the date of the first day. Special occasion permits may also be issued to a museum operated by a nonprofit corporation in a city of the third class or township of the first class or a nonprofit corporation engaged in the performing arts in a city of the third class for a period of not more than six nonconsecutive or ten consecutive days at the prescribed fee for special occasion permits under section 614-A of "The Administrative Code of 1929."

(b) In any city, borough, incorporated town or township in which the sale of liquor and/or malt or brewed beverages has been approved by the electorate, such special occasion permit shall authorize the permittee to sell liquor and/or malt or brewed beverages as the case may be to any adult person on any day for which the permit is issued.

(c) Such special occasion permit shall only be valid for the number of days stated in the permit. Only one permit may be issued to any permittee during the [year] twelve-month period. Provided, that a museum operated by a nonprofit corporation in a city of the third class or township of the first class and a nonprofit corporation engaged in the performing arts in a city of the third class may be issued no more than six permits during the year, each permit being valid for only one day, or in the alternative, one permit valid for no more than a total of ten consecutive days per year, which may be issued only during the month of August.

(d) Such permits shall only be issued for use at a special event including, but not limited to bazaars, picnics and clambakes. The special event must be one which is used by the permittee as a means of raising funds for itself.

(d.1) The hours during which the holder of a special occasion permit may sell liquor or malt or brewed beverages shall be limited to the hours set forth in section 406 which are applicable to hotel and restaurant licensees. The hours during which a nonprofit corporation engaged in the performing arts in a city of the third class may sell liquor or malt or brewed beverages pursuant to a special occasion permit shall be limited to those hours set forth in section 408.3(g.1).

(d.2) At least forty-eight hours prior to the sale of any liquor or malt or brewed beverages, the holder of a special occasion permit shall notify the local police department, or in the absence of a local police department, the Pennsylvania State Police, of the times when and place where the sale of liquor or malt or brewed beverages shall occur.

(e) The provisions of this section shall not be applicable to any licensee now or hereafter possessing a caterer's license, nor to any professional fund raiser.



(f) Any person selling liquor or malt or brewed beverages in violation of this section shall, upon summary conviction, be sentenced to pay a fine of two hundred fifty dollars (\$250) for the first offense and a fine of five hundred dollars (\$500) for each subsequent offense. This fine shall be in addition to any other penalty imposed by law for the illegal sale of malt or brewed beverages.

Amend Sec. 2, page 3, line 24, by striking out "2" and inserting  
3

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

The SPEAKER. On the question of the adoption of the amendment, the Chair recognizes the gentleman, Mr. Lucyk.

Mr. LUCYK. What my amendment does is extend the time period which an organization has to use its 5 nonconsecutive days of special occasion permits. Under the present law, the organization has 3 months. This would extend that time period to 12 months.

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

The following roll call was recorded:

YEAS—182

Adolph	Durham	Lucyk	Sainato
Allen	Evans	Lynch	Santoni
Argall	Fairchild	Maitland	Sather
Bard	Fajt	Major	Saylor
Barley	Farmer	Manderino	Schroder
Battisto	Feese	Markosek	Schuler
Bebko-Jones	Fichter	Marsico	Scrimenti
Belardi	Flick	Mayernik	Semmel
Belfanti	Gamble	McCall	Serafini
Bishop	Gannon	McGeehan	Shaner
Blaum	Geist	McGill	Sheehan
Boscola	George	Melio	Smith, B.
Boyes	Gigliotti	Merry	Snyder, D. W.
Brown	Gladeck	Michlovic	Staback
Browne	Godshall	Micozzie	Stairs
Bunt	Gordner	Mihalich	Steelman
Butkovitz	Gruitza	Miller	Steil
Buxton	Gruppo	Mundy	Stetler
Caltagirone	Habay	Myers	Stish
Cappabianca	Haluska	Nailor	Sturla
Carn	Hanna	Nickol	Surra
Carone	Harhart	Nyce	Tangretti
Cawley	Hasay	O'Brien	Taylor, E. Z.
Chadwick	Haste	Olasz	Taylor, J.
Civera	Hennessey	Oliver	Thomas
Clark	Herman	Perzel	Tigue
Cohen, L. I.	Hershey	Pesci	Travaglio
Cohen, M.	Horsey	Petrarca	Trello
Colafrella	Itkin	Petrone	Trich
Colaizzo	Jadlowiec	Pettit	Vance
Conti	James	Phillips	Van Horne
Cornell	Jarolin	Platts	Veon
Corpora	Josephs	Preston	Vitali
Corrigan	Kaiser	Ramos	Walko
Cowell	Keller	Raymond	Waugh
Coy	Kenney	Readshaw	Williams
Curry	King	Reber	Wogan
Daley	Kirkland	Reinard	Wozniak
DeLuca	Kukovich	Rieger	Wright, D. R.
Dempsey	Laughlin	Roberts	Wright, M. N.
Dent	Lawless	Robinson	Yewcic
Dermody	Lederer	Roebuck	Youngblood

DeWeese	Leh	Rohrer	Zimmerman
DiGirolamo	Lescovitz	Rooney	
Donatucci	Levdansky	Rubley	Ryan, Speaker
Druce	Lloyd	Rudy	

NAYS—17

Armstrong	Fargo	Krebs	Stern
Baker	Fleagle	Masland	Strittmatter
Birmelin	Hess	Pitts	True
Clymer	Hutchinson	Smith, S. H.	Zug
Egolf			

NOT VOTING—0

EXCUSED—4

LaGrotta	Pistella	Tulli	Washington
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The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

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

The SPEAKER. The gentleman, Mr. Dent, has amendments, but they were filed late. The gentleman, if his amendments are to be considered, may only have them considered if the rules are suspended.

RULES SUSPENDED

Mr. DENT. Mr. Speaker, I would like to offer a motion to suspend the rules for the purpose of consideration of an amendment.

The SPEAKER. Is that amendment A0518 ?

Mr. DENT. That is correct, Mr. Speaker.

The SPEAKER. Thank you.

The gentleman, Mr. Dent, moves that the rules of the House be suspended to permit him to offer amendment A0518 to HB 1338.

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

The following roll call was recorded:

YEAS—189

Adolph	Druce	Lescovitz	Sainato
Allen	Durham	Levdansky	Santoni
Argall	Egolf	Lloyd	Sather
Armstrong	Evans	Lucyk	Saylor
Baker	Fairchild	Major	Schroder
Bard	Fajt	Manderino	Schuler
Barley	Fargo	Markosek	Scrimenti
Battisto	Farmer	Marsico	Semmel
Bebko-Jones	Feese	Masland	Serafini
Belardi	Fichter	Mayernik	Sheehan
Belfanti	Fleagle	McCall	Smith, B.
Birmelin	Flick	McGeehan	Smith, S. H.
Bishop	Gamble	McGill	Snyder, D. W.
Blaum	Gannon	Melio	Staback
Boscola	Geist	Merry	Stairs

Boyes	George	Michlovic	Stern
Brown	Gigliotti	Micozzie	Stetler
Browne	Gladeck	Mihalich	Stish
Bunt	Godshall	Miller	Strittmatter
Butkovitz	Gordner	Mundy	Sturla
Buxton	Gruitza	Myers	Surra
Caltagirone	Gruppo	Nailor	Tangretti
Cappabianca	Habay	Nickol	Taylor, E. Z.
Carn	Haluska	Nyce	Taylor, J.
Cawley	Harhart	O'Brien	Thomas
Chadwick	Hasay	Olasz	Travaglio
Civera	Haste	Oliver	Trello
Clark	Hennessey	Perzel	Trich
Clymer	Herman	Pesci	True
Cohen, L. I.	Hershey	Petrarca	Vance
Cohen, M.	Hess	Petrone	Van Horne
Colaella	Horsey	Pettit	Veon
Colaizzo	Hutchinson	Phillips	Vitali
Conti	Itkin	Pitts	Walko
Cornell	Jadlowiec	Preston	Waugh
Corpora	James	Ramos	Williams
Corrigan	Jarolin	Raymond	Wogan
Cowell	Josephs	Readshaw	Wozniak
Coy	Kaiser	Reber	Wright, D. R.
Curry	Keller	Reinard	Wright, M. N.
Daley	Kenney	Rieger	Yewcic
DeLuca	King	Roberts	Youngblood
Dempsey	Kirkland	Robinson	Zimmerman
Dent	Kukovich	Roebuck	Zug
Dermody	Laughlin	Rohrer	
DeWeese	Lawless	Rooney	Ryan, Speaker
DiGirolamo	Lederer	Rubley	
Donatucci	Leh	Rudy	

NAYS-10

Carone	Lynch	Shaner	Steil
Hanna	Maitland	Steelman	Tigue
Krebs	Platts		

NOT VOTING-0

EXCUSED-4

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

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

Mr. DENT offered the following amendment No. A0518:

Amend Bill, page 3, by inserting between lines 23 and 24  
Section 2. Section 408.6(a) of the act, amended May 31, 1990 (P.L.224, No.48), is amended to read:

Section 408.6. Performing Arts Facilities in Third Class Cities and Townships of the Second Class Located in Fourth Class Counties.—  
(a) The board is authorized to issue a restaurant liquor license to a nonprofit corporation or to a concessionaire selected by such nonprofit corporation in any city of the third class for the retail sale of liquor and malt or brewed beverages by the glass, open bottles or other container or in any mixture for consumption on any city-owned premises utilized as a nonprofit performing arts facility or any other premises utilized as a nonprofit performing arts facility where there is an available seating

capacity within the premises of [six hundred fifty] one hundred or more: Provided, however, That no sale or consumption of such beverages shall take place on any portions of such premises other than service areas approved by the board.

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Amend Sec. 2, page 3, line 24, by striking out "2" and inserting  
3

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

The SPEAKER. On the question, the Chair recognizes the gentleman, Mr. Dent.

Mr. DENT. Thank you, Mr. Speaker.

My amendment simply allows performing arts facilities in cities of the third class with seating capacities of over 100 seats to serve alcoholic beverages to their patrons.

I am offering this amendment because we have several theaters in my legislative district, a few that do have Broadway-style performances, and they would like to be able to serve wine at intermission to their patrons, but under current law, only theaters with over 650 seats in third-class cities may have this privilege. I am simply asking that theaters with 100 or more seats be given that same privilege. Thank you.

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

The following roll call was recorded:

YEAS-155

Adolph	Donatucci	Lawless	Robinson
Allen	Druce	Lederer	Roebuck
Argall	Durham	Lescovitz	Rooney
Bard	Evans	Levdanský	Rubley
Barley	Fairchild	Lloyd	Rudy
Battisto	Fajt	Lucyk	Sainato
Bebko-Jones	Farmer	Lynch	Santoni
Belardi	Fichter	Maitland	Scrimenti
Belfanti	Flick	Major	Semmel
Bishop	Gamble	Manderino	Serafini
Blaum	Gannon	Markosek	Shaner
Boscola	Geist	Marsico	Sheehan
Boyes	George	Mayernik	Snyder, D. W.
Brown	Gigliotti	McCall	Staback
Browne	Gladeck	McGeehan	Stairs
Bunt	Godshall	Melio	Steelman
Butkovitz	Gordner	Merry	Stetler
Buxton	Gruitza	Michlovic	Stish
Caltagirone	Gruppo	Micozzie	Sturla
Cappabianca	Habay	Mihalich	Surra
Carn	Haluska	Miller	Tangretti
Cawley	Hanna	Mundy	Taylor, E. Z.
Chadwick	Harhart	Myers	Taylor, J.
Civera	Hasay	Nyce	Thomas
Clark	Haste	O'Brien	Tigue
Cohen, L. I.	Hennessey	Olasz	Travaglio
Cohen, M.	Herman	Oliver	Trello
Colaella	Horsey	Perzel	Trich
Colaizzo	Itkin	Pesci	Van Horne
Cornell	Jadlowiec	Petrarca	Veon
Corpora	James	Petrone	Vitali
Corrigan	Jarolin	Pettit	Walko
Cowell	Josephs	Preston	Williams
Curry	Kaiser	Ramos	Wogan
Daley	Keller	Raymond	Wozniak
DeLuca	Kenney	Readshaw	Wright, D. R.

Dent	Kirkland	Reber	Wright, M. N.
Dermody	Kukovich	Rieger	Youngblood
DeWeese	Laughlin	Roberts	

NAYS-44

Armstrong	Fleagle	Pitts	Stern
Baker	Hershey	Platts	Strittmatter
Birmelin	Hess	Reinard	True
Carone	Hutchinson	Rohrer	Vance
Clymer	King	Sather	Waugh
Conti	Krebs	Saylor	Yewcic
Coy	Leh	Schroder	Zimmerman
Dempsey	Masland	Schuler	Zug
DiGirolamo	McGill	Smith, B.	
Egolf	Nailor	Smith, S. H.	Ryan,
Fargo	Nickol	Steil	Speaker
Feese	Phillips		

NOT VOTING-0

EXCUSED-4

LaGrotta	Pistella	Tulli	Washington
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The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

On the question recurring,

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

The SPEAKER. The Chair recognizes the gentleman from Philadelphia County, Mr. Williams, who offers the following amendment, which the clerk will read.

Will the clerk yield.

The gentleman, Mr. Williams, is required to obtain a suspension of the rules in order to offer this amendment. It was filed late.

**RULES SUSPENDED**

Mr. WILLIAMS. Mr. Speaker, I do not have the amendment number in front of me so I cannot tell you what the amendment number is, but it is there before you.

I am requesting the House suspend the rules so that I may be able to offer this amendment, and in the spirit that we suspended the rules prior on a similar issue, I would hope that we would all cast an affirmative vote.

The SPEAKER. The gentleman, Mr. Williams, moves that the rules of the House be suspended to permit him to offer amendment A0552 to HB 1338.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS-186

Adolph	Druce	Lescovitz	Sainato
Allen	Durham	Levdansky	Santoni
Argall	Egolf	Lloyd	Sather
Armstrong	Evans	Lucyk	Saylor
Baker	Fairchild	Major	Schroder
Bard	Fajt	Manderino	Schuler
Barley	Fargo	Markosek	Scrimenti
Battisto	Farmer	Marsico	Semmel
Bebko-Jones	Feese	Masland	Serafini
Belardi	Fichter	Mayernik	Shaner
Belfanti	Fleagle	McCall	Sheehan
Birmelin	Flick	McGeehan	Smith, B.
Bishop	Gamble	McGill	Smith, S. H.
Blaum	Gannon	Melio	Snyder, D. W.
Boscola	Geist	Mery	Staback
Boyes	George	Michlovic	Stairs
Brown	Gigliotti	Micozzie	Stern
Browne	Gladeck	Mihalich	Stetler
Bunt	Godshall	Miller	Stish
Butkovitz	Gordner	Mundy	Strittmatter
Buxton	Gruitza	Myers	Surla
Caltagirone	Gruppo	Nickol	Surra
Cappabianca	Habay	Nyce	Tangretti
Carn	Haluska	O'Brien	Taylor, E. Z.
Cawley	Harhart	Olasz	Taylor, J.
Chadwick	Hasay	Oliver	Thomas
Civera	Haste	Perzel	Travaglio
Clark	Hennessey	Pesci	Trello
Clymer	Herman	Petrarca	Trich
Cohen, L. I.	Hershey	Petrone	True
Cohen, M.	Hess	Pettit	Vance
Colafrilla	Horsey	Phillips	Van Horne
Colaizzo	Itkin	Pitts	Veon
Cornell	Jadlowiec	Preston	Vitali
Corpora	James	Ramos	Walko
Corrigan	Jarolin	Raymond	Waugh
Cowell	Josephs	Readshaw	Williams
Coy	Kaiser	Reber	Wogan
Curry	Keller	Reinard	Wozniak
Daley	Kenney	Rieger	Wright, M. N.
DeLuca	King	Roberts	Yewcic
Dempsey	Kirkland	Robinson	Youngblood
Dent	Kukovich	Roebuck	Zimmerman
Dermody	Laughlin	Rohrer	Zug
DeWeese	Lawless	Rooney	
DiGirolamo	Lederer	Rubley	Ryan,
Donatucci	Leh	Rudy	Speaker

NAYS-11

Carone	Krebs	Nailor	Steil
Hanna	Lynch	Platts	Tigue
Hutchinson	Maitland	Steelman	

NOT VOTING-2

Conti	Wright, D. R.
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EXCUSED-4

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

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

Mr. WILLIAMS offered the following amendment No. A0552:

Amend Title, page 1, line 17, by removing the period after "facilities" and inserting

and for retail licenses within cities of the first class.

Amend Bill, page 3, by inserting between lines 23 and 24

Section 2. Within 90 days of the effective date of this act, the Liquor Control Board shall develop a plan to adjust the number of retail licenses within cities of the first class to that allowable under section 461 of the act. This plan shall be published as a notice in the Pennsylvania Bulletin.

Amend Sec. 2, page 3, line 24, by striking out "2" and inserting  
3

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

The SPEAKER. On the question, the Chair recognizes the gentleman, Mr. Williams.

We are closing in on the end of the day. It will not be long.

Mr. WILLIAMS. Thank you, Mr. Speaker.

Mr. Speaker, my amendment is pretty basic.

It is a request of the LCB (Liquor Control Board) to come up with a plan within the next 60 to 90 days for Philadelphia County, and specifically, it is requesting of the LCB to come up with a plan that would cause the liquor license situation, which is over its cap, to come into compliance. So therefore, the LCB would have to provide a plan that they would implement that would cause Philadelphia County to come in compliance with its liquor license cap.

The SPEAKER. The Chair thanks the gentleman.

Does the gentleman, Mr. Civera, seek recognition? The gentleman is recognized.

Mr. CIVERA. Thank you, Mr. Speaker.

Mr. Speaker, would the speaker stand for a brief interrogation of this amendment?

The SPEAKER. The gentleman, Mr. Williams, indicates he will stand for interrogation. You may begin.

Mr. CIVERA. Mr. Speaker, if I read your amendment right, within 90 days of the effective date of this act, you are asking that a quota system be set up in the first-class city of Philadelphia for the number of liquor retail stores that are run by the Commonwealth of Pennsylvania?

Mr. WILLIAMS. I am sorry, Mr. Speaker; I did not hear the question.

Mr. CIVERA. Okay.

If I read your amendment right, you are asking that a quota system for the city of the first class, Philadelphia, would be set up, a quota system would be set up for the retail liquor stores that are presently in the city of Philadelphia.

Mr. WILLIAMS. No, that is not correct. We are not asking for any quota, and it is not just for the Commonwealth.

We are saying that there is a number of liquor licenses which are permitted in Philadelphia County. Right now we exceed that number by a vast margin. We are asking that the Liquor Control Board, which oversees that activity, provide a plan of how we are going to come into compliance with that cap number.

Mr. CIVERA. Well, what would happen if it is not an under-the-quota plan? I understand what you are saying. What would happen to those licensees that are already out there? What would take place with them? They would be called back?

Mr. WILLIAMS. You mean ones that are applying or ones that already exist?

Mr. CIVERA. The ones that are in existence now.

Mr. WILLIAMS. Nothing could happen until they provide a plan of how they decided— I mean, this does not say specifically X, Y, and Z is going to happen. It is saying the LCB shall come up with a plan of how they will reduce the number of licenses to come into compliance. So I cannot tell you what the LCB's plan will be.

Mr. CIVERA. I have no other further questions, Mr. Speaker. I just would like to make a statement.

The SPEAKER. The gentleman is in order.

Mr. CIVERA. I think Representative Williams' idea is well taken. However, I would have hoped that it would have been in a separate bill where the House Liquor Committee could look at it rather than being placed into HB 1338.

To be perfectly honest with the members, though it is being placed there, I have no objection to it. I think it would have been better off, though, in a separate bill. It is up to the individual members how they wish to vote on it. Thank you.

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

The following roll call was recorded:

YEAS—125

Adolph	Druce	Maitland	Sainato
Baker	Durham	Manderino	Santoni
Bard	Egolf	Markosek	Schroder
Battisto	Evans	Masland	Shaner
Bebko-Jones	Fajt	Mayernik	Snyder, D. W.
Belardi	Farmer	McCall	Staback
Belfanti	Fichter	McGeehan	Steelman
Birmelin	Gamble	Melio	Steil
Bishop	Gannon	Michlovic	Stetler
Blaum	George	Micozzie	Sturla
Boscola	Gigliotti	Mihalich	Surra
Buxton	Gordner	Mundy	Tangretti
Caltagirone	Gruitza	Myers	Thomas
Cappabianca	Haluska	O'Brien	Tigue
Carn	Hanna	Olasz	Travaglio
Carone	Hennessey	Oliver	Trello
Clymer	Itkin	Pesci	Trich
Cohen, L. I.	James	Petrarca	Vance
Cohen, M.	Jarolin	Petrone	Van Horne
Colafella	Josephs	Pettit	Veon
Conti	Kaiser	Phillips	Vitali
Corpora	Keller	Preston	Walko
Corrigan	Kirkland	Ramos	Williams
Cowell	Krebs	Readshaw	Wozniak
Coy	Kukovich	Reber	Wright, D. R.
Curry	Laughlin	Reinard	Wright, M. N.
Daley	Lawless	Rieger	Youngblood
DeLuca	Lederer	Roberts	Zug
Dermody	Lescovitz	Robinson	
DeWeese	Levdansky	Roebuck	Ryan,
DiGirolamo	Lloyd	Rooney	Speaker
Donatucci	Lucy	Rubley	

NAYS—73

Allen	Feese	Leh	Schuler
Argall	Fleagle	Lynch	Scrimenti
Armstrong	Flick	Major	Semmel
Barley	Geist	Marsico	Serafini
Boyes	Gladeck	McGill	Sheehan
Brown	Godshall	Merry	Smith, B.
Browne	Gruppo	Miller	Smith, S. H.
Bunt	Habay	Nailor	Stairs
Butkovitz	Harhart	Nickol	Stern
Cawley	Hasay	Nyce	Stish
Chadwick	Haste	Perzel	Strittmatter
Civera	Herman	Pitts	Taylor, E. Z.
Clark	Hershey	Platts	Taylor, J.
Colaizzo	Hess	Raymond	True
Cornell	Hutchinson	Rohrer	Waugh
Dempsey	Jadlowiec	Rudy	Wogan
Dent	Kenney	Sather	Yewcic
Fairchild	King	Saylor	Zimmerman
Fargo			

NOT VOTING—1

Horshey

EXCUSED—4

LaGrotta	Pistella	Tulli	Washington
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The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

On the question recurring,

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

Bill 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—195

Adolph	Durham	Lloyd	Sainato
Allen	Egolf	Lucy	Santoni
Argall	Evans	Lynch	Saylor
Armstrong	Fairchild	Maitland	Schroder
Baker	Fajt	Major	Schuler
Bard	Fargo	Manderino	Scrimenti
Barley	Farmer	Markosek	Semmel
Battisto	Feese	Marsico	Serafini
Bebko-Jones	Fichter	Masland	Shaner
Belardi	Fleagle	Mayernik	Sheehan
Belfanti	Flick	McCall	Smith, B.
Birmelin	Gamble	McGeehan	Smith, S. H.
Bishop	Gannon	McGill	Snyder, D. W.
Blaum	Geist	Melio	Staback
Boscola	George	Merry	Stairs
Boyes	Gigliotti	Michlovic	Steelman
Brown	Gladeck	Micozzie	Steil
Browne	Godshall	Mihalich	Stetler
Bunt	Gordner	Miller	Stish
Butkovitz	Gruitza	Mundy	Strittmatter
Buxton	Gruppo	Myers	Sturla
Caltagirone	Habay	Nailor	Surra

Cappabianca	Haluska	Nickol	Tangretti
Carn	Hanna	Nyce	Taylor, E. Z.
Carone	Harhart	O'Brien	Taylor, J.
Cawley	Hasay	Olasz	Thomas
Chadwick	Haste	Oliver	Tigue
Civera	Hennessey	Perzel	Travaglio
Clark	Herman	Pesci	Trello
Clymer	Horshey	Petrarca	Trich
Cohen, L. I.	Hutchinson	Petrone	True
Cohen, M.	Itkin	Pettit	Vance
Colaiffella	Jadlowiec	Phillips	Van Horne
Colaizzo	James	Pitts	Veon
Conti	Jarolin	Platts	Vitali
Cornell	Josephs	Preston	Walko
Corpora	Kaiser	Ramos	Waugh
Corrigan	Keller	Raymond	Williams
Cowell	Kenney	Readshaw	Wogan
Coy	King	Reber	Wozniak
Curry	Kirkland	Reinard	Wright, D. R.
Daley	Krebs	Rieger	Wright, M. N.
DeLuca	Kukovich	Roberts	Yewcic
Dempsey	Laughlin	Robinson	Youngblood
Dent	Lawless	Roebuck	Zimmerman
Dermody	Lederer	Rohrer	Zug
DeWeese	Leh	Rooney	
DiGirolamo	Lescovitz	Rublely	Ryan,
Donatucci	Levdansky	Rudy	Speaker
Druce			

NAYS—4

Hershey	Hess	Sather	Stern
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NOT VOTING—0

EXCUSED—4

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

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

**RULES COMMITTEE MEETING**

The SPEAKER. The Chair recognizes the majority leader, who asks for an immediate meeting of the Rules Committee at the majority leader's desk.

**BILL ON CONCURRENCE  
REPORTED FROM COMMITTEE**

**HB 406, PN 3162 (Amended)**

**By Rep. PERZEL**

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), known as The Administrative Code of 1929, providing for additional duties of the Department of Corrections in relation to prison inmate medical needs, for seasonal farm labor and for a study of pharmacy prices; further providing for the duties of the Department of General Services relating to certain contracts for modular facilities; and making repeals.

**RULES.**

**BILL ON THIRD CONSIDERATION**

The House proceeded to third consideration of **SB 238, PN 244**, entitled:

An Act amending the act of July 3, 1986 (P. L. 388, No. 84), entitled "Sunshine Act," further providing for executive sessions.

On the question,  
Will the House agree to the bill on third consideration?  
Bill was agreed to.

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

The question is, shall the bill pass finally?

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

**YEAS-199**

Adolph	Egolf	Lloyd	Santoni
Allen	Evans	Lucyk	Sather
Argall	Fairchild	Lynch	Saylor
Armstrong	Fajt	Maitland	Schroder
Baker	Fargo	Major	Schuler
Bard	Farmer	Manderino	Scriminti
Barley	Feese	Markosek	Semmel
Battisto	Fichter	Marsico	Serafini
Bebko-Jones	Fleagle	Masland	Shaner
Belardi	Flick	Mayernik	Sheehan
Belfanti	Gamble	McCall	Smith, B.
Birmelin	Gannon	McGeehan	Smith, S. H.
Bishop	Geist	McGill	Snyder, D. W.
Blaum	George	Melio	Staback
Boscola	Gigliotti	Merry	Stairs
Boyes	Gladeck	Michlovic	Steelman
Brown	Godshall	Micozzie	Steil
Browne	Gordner	Mihalich	Stern
Bunt	Gruitza	Miller	Stetler
Butkovitz	Gruppo	Mundy	Stish
Buxton	Habay	Myers	Strittmatter
Caltagirone	Haluska	Nailor	Sturla
Cappabianca	Hanna	Nickol	Surra
Carn	Harhart	Nyce	Tangretti
Carone	Hasay	O'Brien	Taylor, E. Z.
Cawley	Haste	Olasz	Taylor, J.
Chadwick	Hennessey	Oliver	Thomas
Civera	Herman	Perzel	Tigue
Clark	Hershey	Pesci	Travaglio
Clymer	Hess	Petrarca	Trello
Cohen, L. I.	Horsey	Petrone	Trich
Cohen, M.	Hutchinson	Pettit	True
Colafella	Itkin	Phillips	Vance
Colaizzo	Jadlowiec	Pitts	Van Horne
Conti	James	Platts	Veon
Cornell	Jarolin	Preston	Vitali
Corpora	Josephs	Ramos	Walko
Corrigan	Kaiser	Raymond	Waugh
Cowell	Keller	Readshaw	Williams
Coy	Kenney	Reber	Wogan
Curry	King	Reinard	Wozniak
Daley	Kirkland	Rieger	Wright, D. R.
DeLuca	Krebs	Roberts	Wright, M. N.
Dempsey	Kukovich	Robinson	Yewcic
Dent	Laughlin	Roebuck	Youngblood
Dermody	Lawless	Rohrer	Zimmerman
DeWeese	Lederer	Rooney	Zug
DiGirolamo	Leh	Ruble	

Donatucci	Lescovitz	Rudy	Ryan,
Druce	Levdansky	Sainato	Speaker
Durham			

NAYS-0

NOT VOTING-0

EXCUSED-4

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

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

**MOTION TO SUSPEND RULES**

The **SPEAKER**. The gentleman, Mr. Walko, desires recognition?

Mr. WALKO. Yes, I do, Mr. Speaker.

The **SPEAKER**. For what purpose does the gentleman rise?

Mr. WALKO. I would like to make a motion to suspend the rules to offer a resolution, HR 288, which deals with the Low-Income Home Energy Assistance Program which should be offered and acted upon with urgency before we return March 11.

There are hundreds of thousands of Pennsylvanians—

The **SPEAKER**. Will the gentleman yield.

The gentleman, Mr. Walko, moves that the rules of the House be suspended to permit him to offer a resolution for immediate consideration—

Mr. WALKO. Point of personal privilege, Mr. Speaker.

The **SPEAKER**. I am trying to put the motion first. Now, if I have done that improperly, I would appreciate it if you would correct me after I have made the improper statement.

My understanding of what you have done is you have moved to suspend our rules so that you might offer immediately a resolution, despite the fact that it has not been introduced and it presently is not in print and there is no supplemental calendar available for it, all of which are required under the rules of the House. Is that accurate?

Mr. WALKO. Not exactly, Mr. Speaker. It has actually been introduced; it simply has not been referred, and it is a matter of deep urgency for hundreds of thousands of Pennsylvanians.

The **SPEAKER**. Well, that is subject for debate. Right now that is not part of the actual motion that is before the House.

Mr. WALKO. Yes, Mr. Speaker.

The **SPEAKER**. All right.

The question is, shall the rules of the House be suspended to permit the gentleman to immediately consider a resolution, notwithstanding the fact that there is no supplemental calendar and the resolution is not in print and distributed.

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

The SPEAKER. On that question, which is not debatable except by floor leaders, the gentleman, Mr. Itkin, may, if he wishes, defer or yield to you his ability to debate this issue. Failing that, you are precluded from speaking on the issue.

Mr. Itkin.

Mr. WALKO. Thank you, Mr. Speaker.

The SPEAKER. Do I understand, Mr. Itkin, that you do not wish to speak on the subject?

Mr. ITKIN. I will speak.

The SPEAKER. You will speak on it.

The gentleman, Mr. Walko, Mr. Itkin, your floor leader, is debating the question on your behalf.

The gentleman, Mr. Itkin.

Mr. ITKIN. Mr. Speaker, everyone on the floor of the House is aware of the fact that we are now going to be in recess for many days. These are critical days for many of our people who are on low income, and therefore now, with the crisis going on in fuel, they will not have adequate ability to pay their fuel bills.

What Mr. Walko would like to do is to give the House an opportunity to debate this issue as to whether we should provide an increase in the amount of money that we provide these people because of a very cold winter and the costs that have been incurred.

It has been pointed out that there is money still remaining in the Federal LIHEAP Fund and that this money we do not really wish to see lapse and not go unspent in view of the fact that this is now a problem.

The gentleman from Allegheny would just like to have the opportunity to have the House support suspension of the rules so he can more clearly debate this issue and bring other factors to the floor and hopefully to get support for his resolution.

Therefore, Mr. Speaker, I move at this time for the suspension of the rules.

The SPEAKER. On the question, the gentleman, Mr. Perzel.

Mr. PERZEL. Thank you, Mr. Speaker.

Number one, this is a Federal issue, Mr. Speaker.

The resolution has not been distributed. I saw it roughly 15 minutes ago, so I would have to at this time oppose the motion to suspend the rules, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS-99

Battisto	Donatucci	Manderino	Sainato
Bebko-Jones	Evans	Markosek	Santoni
Belardi	Fajt	Mayernik	Scrimenti
Belfanti	Gamble	McCall	Shaner
Bishop	George	McGeehan	Staback
Blaum	Gigliotti	Melio	Steelman
Boscola	Gordner	Michlovic	Stetler
Butkovitz	Gruitza	Mihalich	Sturla
Buxton	Haluska	Mundy	Surra
Caltagirone	Hanna	Myers	Tangretti
Cappabianca	Horsey	O'Brien	Thomas
Carn	Itkin	Olasz	Tigue
Cawley	James	Oliver	Travaglio
Cohen, M.	Jarolin	Pesci	Trello
Colaella	Josephs	Petrarca	Trich
Colaizzo	Kaiser	Petrone	Van Horne
Corpora	Keller	Preston	Veon

Corrigan	Kirkland	Ramos	Vitali
Cowell	Kukovich	Readshaw	Walko
Coy	Laughlin	Rieger	Williams
Curry	Lederer	Roberts	Wozniak
Daley	Lescovitz	Robinson	Wright, D. R.
DeLuca	Levdansky	Roebuck	Yewcic
Dermody	Lloyd	Rooney	Youngblood
DeWeese	Lucyk	Rudy	

NAYS-100

Adolph	Fairchild	Leh	Schroder
Allen	Fargo	Lynch	Schuler
Argall	Farmer	Maitland	Semmel
Armstrong	Feese	Major	Serafini
Baker	Fichter	Marsico	Sheehan
Bard	Fleagle	Masland	Smith, B.
Barley	Flick	McGill	Smith, S. H.
Birmelin	Gannon	Merry	Snyder, D. W.
Boyes	Geist	Micozzie	Stairs
Brown	Gladeck	Miller	Steil
Browne	Godshall	Nailor	Stern
Bunt	Gruppo	Nickol	Stish
Carone	Habay	Nyce	Strittmatter
Chadwick	Harhart	Perzel	Taylor, E. Z.
Civera	Hasay	Pettit	Taylor, J.
Clark	Haste	Phillips	True
Clymer	Hennessey	Pitts	Vance
Cohen, L. I.	Herman	Platts	Waugh
Conti	Hershey	Raymond	Wogan
Cornell	Hess	Reber	Wright, M. N.
Dempsey	Hutchinson	Reinard	Zimmerman
Dent	Jadlowiec	Rohrer	Zug
DiGirolamo	Kenney	Rubley	
Druce	King	Sather	Ryan,
Durham	Krebs	Saylor	Speaker
Egolf	Lawless		

NOT VOTING-0

EXCUSED-4

LaGrotta	Pistella	Tulli	Washington
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Less than a majority of the members elected to the House having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

The SPEAKER. For the benefit of the members, there will be no further votes other than the usual votes that we run in advancing the calendar and the like today.

Tomorrow will be a token session. There is at least one bill that I am aware of, but the majority and the minority leaders have made one another aware of what is happening tomorrow. There are no surprises on the advancement of at least one bill. So we will be in token session tomorrow.

Other than that, the Appropriations Committee hearings will be taking place for the next several weeks, and I am sure most everyone in this chamber will be attending those hearings. So we will see all of you at the hearings.

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

**HB 2336, PN 3132 (Amended)** By Rep. GODSHALL

An Act amending Title 74 (Transportation) of the Pennsylvania Consolidated Statutes, providing for the designation of the Exton Bypass as a Scenic byway.

TOURISM AND RECREATIONAL DEVELOPMENT.

**DEMOCRATIC CAUCUS**

The SPEAKER. Does the gentleman, Mr. Cohen, seek recognition?

Mr. COHEN. Yes, Mr. Speaker.

Mr. Speaker, I would just remind the Democratic members that you received a letter from Pete Wambach dealing with various administrative changes that are going to be made, and we are going to have a caucus now for any member who is interested in discussing the administrative changes that Pete Wambach referred to in his letter. I would urge attendance of members who might be interested in them.

**SUNSHINE NOTICE**

The SPEAKER. The Chair has a notice of session time in compliance with the sunshine laws.

The following communication was read:

House of Representatives  
Commonwealth of Pennsylvania  
Harrisburg

NOTICE  
SESSION TIME  
HOUSE OF REPRESENTATIVES

Notice is hereby given, in accordance with the Act of July 3, 1986, P.L. 388, No. 84, that the House of Representatives will convene in open session in the Hall of the House on the following date and time:

Wednesday, FEBRUARY 14, 1996 at 11:00 A.M.

Ted Mazia  
Chief Clerk  
House of Representatives

February 13, 1996

**ADJOURNMENT**

The SPEAKER. Does the Republican floor leader or Democratic floor leaders have any further business?

Are there any corrections to the record or announcements or reports of committees?

Hearing none, the Chair recognizes the gentleman, Mr. Readshaw, from Allegheny County.

Mr. READSHAW. Mr. Speaker, I move that this House do now adjourn until Wednesday, February 14, 1996, 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 4:08 p.m., e.s.t., the House adjourned.