

Legislative Journal

WEDNESDAY, OCTOBER 12, 1983

SESSION OF 1983

167TH OF THE GENERAL ASSEMBLY

No. 82

HOUSE OF REPRESENTATIVES

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

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

PRAYER

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

To Thee, O God, belongs the honor and praise for this day and all the benefits of mankind. We know that Thou art the God over all, and from Thee cometh every good and perfect gift. We humbly pray that we may show our gratitude in the lives we live so that all may redound to Thy name's honor and glory.

Heavenly Father, fill these workmen of Thine with the completion of plans, dreams, and ideals; direct their actions that they may be in accord with Thy will and Thy way; and counsel them in the assurance of Thy gracious love and peace always. Amen.

PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was enunciated by members.)

COMMUNICATION FROM SPEAKER

SPEAKER PRO TEMPORE APPOINTED

The SPEAKER pro tempore. The Chair acknowledges receipt of the following communication, which the clerk will read.

The following communication was read:

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

Pursuant to House Rule 1, this is to advise that I have appointed the Honorable Lester K. Fryer to preside temporarily as Speaker pro tempore during any time I am not present on October 12, 1983.

K. Leroy Irvis
Speaker

JOURNAL APPROVAL POSTPONED

The SPEAKER pro tempore. Without objection, approval of the Journal of Tuesday, October 11, 1983, will be postponed until printed. The Chair hears no objection.

HOUSE BILLS INTRODUCED AND REFERRED

No. 1567 By Representatives CLARK, OLASZ, COLAFELLA, PETRARCA, GRUPPO, TELEK, KOSINSKI, LIVENGOOD, MORRIS, DUFFY and VAN HORNE

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), further providing for an exclusion from taxation on certain retail sales.

Referred to Committee on FINANCE, October 12, 1983.

No. 1568 By Representatives O'DONNELL, KOSINSKI, EVANS, PIEVSKY, BARBER, COHEN, HARPER, OLIVER and WIGGINS

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the erection of stop signs in cities of the first class.

Referred to Committee on TRANSPORTATION, October 12, 1983.

No. 1569 By Representatives MARKOSEK, POTT, CESSAR, GAMBLE, BOOK, DeLUCA, ITKIN, MARMION, DAWIDA, COWELL, PRESTON, DUFFY, VAN HORNE, OLASZ, MICHLOVIC, PETRONE, MRKONIC, TRELLO, PISTELLA and MAYERNIK

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, authorizing a tax exemption to surviving spouses of certain veterans.

Referred to Committee on MILITARY AND VETERANS AFFAIRS, October 12, 1983.

No. 1570 By Representative FREIND

An Act amending the "Highway Capital Budget Act for Fiscal Year 1981-1982, approved November 20, 1981 (P. L. 352, No. 128), further providing for the Mid-county expressway, Delaware County.

Referred to Committee on TRANSPORTATION, October 12, 1983.

No. 1571 By Representative FREIND

An Act removing a highway project in Delaware County from the capital budget.

Referred to Committee on TRANSPORTATION, October 12, 1983.

No. 1572 By Representatives SAURMAN, ITKIN, E. Z. TAYLOR, HALUSKA, HAGARTY, MORRIS, J. L. WRIGHT, CIMINI, WOZNIAK, BOWSER, PETRONE, HERMAN, OLASZ, WOGAN, JOHNSON, FISCHER, SEMMEL, BUNT, SIRIANNI and REBER

An Act amending the "State Lottery Law," approved August 26, 1971 (P. L. 351, No. 91), further providing a loan program for certain persons.

Referred to Committee on HEALTH AND WELFARE, October 12, 1983.

No. 1573 By Representatives SAURMAN, ITKIN, E. Z. TAYLOR, HALUSKA, HAGARTY, MORRIS, J. L. WRIGHT, CIMINI, WOZNIAK, BOWSER, PETRONE, HERMAN, OLASZ, WOGAN, JOHNSON, FISCHER, SEMMEL, BUNT, SIRIANNI and REBER

An Act providing for a loan program for senior citizens; establishing the Senior Citizens Revolving Relief Fund; providing further duties of the Department of Aging; and making an appropriation from the Lottery Fund.

Referred to Committee on HEALTH AND WELFARE, October 12, 1983.

No. 1574 By Representatives PISTELLA, PETRONE, CESSAR, OLASZ, DUFFY, PRESTON, ITKIN, MARMION, COWELL, McVERRY, MARKOSEK, MAYERNIK, DeLUCA, TRELLO, CLARK, DAWIDA, BOOK and POTT

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723, No. 230), further providing for the jurisdiction of the coroner.

Referred to Committee on LOCAL GOVERNMENT, October 12, 1983.

No. 1575 By Representatives SWEET, FRYER, STUBAN, A. C. FOSTER, JR. and LEVI

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), requiring school districts to provide copies of certain tax lists to certain municipalities.

Referred to Committee on EDUCATION, October 12, 1983.

No. 1576 By Representatives FRYER, STUBAN, SWEET, A. C. FOSTER, JR. and LEVI

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103, No. 69), further providing for advertisement notices for competitive bid contracts.

Referred to Committee on LOCAL GOVERNMENT, October 12, 1983.

No. 1577 By Representative W. W. FOSTER

An Act authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Environmental Resources, to convey to the Promised Land Volunteer Fire Company 0.23 acres of land, more or less, situate in Greene Township, Pike County, Pennsylvania.

Referred to Committee on STATE GOVERNMENT, October 12, 1983.

No. 1578 By Representatives PITTS, RAPPAPORT, CLYMER, COHEN, PHILLIPS and JOHNSON

An Act requiring a day of rest and for absences on religious holidays.

Referred to Committee on LABOR RELATIONS, October 12, 1983.

HOUSE RESOLUTION INTRODUCED AND REFERRED

No. 140

(Concurrent) By Representatives SEVENTY, COWELL, SALOOM, DAWIDA, MISCEVICH, HUTCHINSON, DUFFY, OLASZ, KUKOVICH, PETRONE, CLARK, PISTELLA, LUCYK, TRELLO, McMONAGLE, MURPHY, VAN HORNE, POTT, BURD, BOOK, CESSAR, PRATT, SWEET, PETRARCA and DOMBROWSKI

Urging the Department of Revenue officials to cooperate with the Turnpike Commission in the furnishing of lottery machines to all restaurant facilities on the Pennsylvania Turnpike.

Referred to Committee on RULES, October 12, 1983.

SENATE MESSAGE

HOUSE BILL CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 177, PN 200**, with information that the Senate has passed the same without amendment.

LEAVES OF ABSENCE GRANTED

The **SPEAKER** pro tempore. Are there any requests for leaves of absence?

The Chair recognizes the majority whip.

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

HB 542, PN 609 By Rep. LETTERMAN

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225, No. 316), further providing for the operation of vehicles with flashing or rotating red lights and audible warning devices, and for unlawful acts; and making a repeal.

GAME AND FISHERIES.

SB 942, PN 1294 By Rep. KOWALYSHYN

An Act repealing the act of July 19, 1974 (P. L. 489, No. 176), entitled "Pennsylvania No-fault Motor Vehicle Insurance Act."

INSURANCE.

BILL REREPORTED FROM COMMITTEE

SB 279, PN 1350 (Amended)

By Rep. LETTERMAN

An Act amending the act of June 3, 1937 (P. L. 1225, No. 316), entitled "The Game Law," further providing for applications and permits for menageries; further providing for permits to deal in and possess wildlife; providing for refunds of certain fees; and further providing for penalties.

GAME AND FISHERIES.

LABOR RELATIONS COMMITTEE MEETING

The SPEAKER pro tempore. For what purpose does the gentleman from Philadelphia, Mr. Cohen, rise?

Mr. COHEN. Mr. Speaker, I would like to announce a meeting of the Labor Relations Committee at the break in the members' lounge in the rear of the hall of the House.

The SPEAKER pro tempore. Mr. Cohen has announced a meeting of his committee at the rear of the House at the break. The Chair thanks the gentleman.

CALENDAR

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1177, PN 1365**, entitled:

An Act amending the "Race Horse Industry Reform Act," approved December 17, 1981 (P. L. 435, No. 135), providing for monitoring of wagering on video screens.

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

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

The question is, shall the bill pass finally?

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

Mr. SEVENTY. Mr. Speaker, all I would like to do is ask the membership to vote "yes" on HB 1177. It is a proconsumer bill. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,
Shall the bill pass finally?

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

YEAS—190

Afflerbach	Fargo	Lucyk	Rieger
Alderette	Fattah	McCall	Robbins
Armstrong	Fee	McClatchy	Rudy
Arty	Flick	McHale	Ryan
Baldwin	Foster, W. W.	McIntyre	Rybak
Barber	Foster, Jr., A.	McMonagle	Saloom
Battisto	Freeman	McVerry	Salvatore
Belardi	Freind	Mackowski	Scheetz
Beloff	Fryer	Madigan	Schuler
Blaum	Gallagher	Manderino	Semmel
Book	Gallen	Manmiller	Serafini
Bowser	Gamble	Markosek	Seventy
Boyes	Gannon	Marmion	Showers
Brandt	Geist	Mayermik	Sirianni
Broujos	George	Merry	Smith, B.
Bunt	Gladeck	Michlovic	Smith, L. E.
Burd	Godshall	Micozzie	Snyder, D. W.
Burns	Greenwood	Miller	Snyder, G. M.
Caltagirone	Grieco	Miscevich	Spencer
Cappabianca	Gruppo	Moehlmann	Spitz
Carn	Hagarty	Morris	Stairs
Cawley	Haluska	Mowery	Steighner
Cessar	Harper	Mrkonic	Stevens
Cimini	Hasay	Murphy	Stewart
Civera	Hayes	Nahill	Sweet
Clark	Herman	Noye	Swift
Clymer	Hershey	O'Brien	Taylor, E. Z.
Cohen	Hoeffel	O'Donnell	Taylor, F. E.
Colafella	Honaman	Olasz	Telek
Cornell	Itkin	Oliver	Tigue
Coslett	Jackson	Perzel	Trello
Cowell	Jarolin	Peterson	Truman
Coy	Johnson	Petrarca	Van Horne
Deluca	Kasunic	Petrone	Wachob
DeVerter	Kennedy	Phillips	Wambach
DeWeese	Kosinski	Piccola	Wargo
Daley	Kowalyszyn	Pievsky	Wass
Davies	Kukovich	Pistella	Weston
Dawida	Lashingier	Pitts	Wiggins
Deal	Laughlin	Pott	Williams
Dietz	Lehr	Pratt	Wilson
Dininni	Lescovitz	Preston	Wogan
Dombrowski	Letterman	Punt	Wozniak
Donatucci	Levi	Rappaport	Wright, D. R.
Dorr	Levin	Reber	Wright, J. L.
Duffy	Linton	Reinard	Wright, R. C.
Durham	Livengood	Richardson	Zwinkl
Evans	Lloyd		

NAYS—5

Angstadt	Klingaman	Saurman	Vroon
Fischer			

NOT VOTING—5

Belfanti	Gruitza	Hutchinson	Maiale
Cordisco			

EXCUSED—3

Cole	Irvis,
Stuban	Speaker

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

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

* * *

The House proceeded to third consideration of **HB 707, PN 789**, entitled:

An Act amending "The Fiscal Code," approved April 9, 1929 (P. L. 343, No. 176), further providing for the deposit and disbursement of certain funds.

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

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

The question is, shall the bill pass finally?

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

YEAS—192

Afflerbach	Fargo	Linton	Richardson
Alderette	Fattah	Livengood	Rieger
Angstadt	Fee	Lloyd	Robbins
Armstrong	Fischer	Lucyk	Rudy
Arty	Flick	McCall	Ryan
Baldwin	Foster, W. W.	McClatchy	Rybak
Barber	Foster, Jr., A.	McHale	Saloom
Battisto	Freeman	McIntyre	Salvatore
Belardi	Freind	McMonagle	Saurman
Belfanti	Fryer	McVerry	Scheetz
Beloff	Gallagher	Mackowski	Schuler
Blaum	Gallen	Madigan	Semmel
Book	Gamble	Maiale	Serafini
Bowser	Gannon	Manderino	Seventy
Boyes	Geist	Manmiller	Sirianni
Brandt	George	Markosek	Smith, B.
Broujos	Gladeck	Marmion	Smith, L. E.
Bunt	Godshall	Mayernik	Snyder, D. W.
Burd	Greenwood	Merry	Snyder, G. M.
Burns	Grieco	Michlovic	Spencer
Caltagirone	Gruppo	Micozzie	Spitz
Cappabianca	Hagarty	Miller	Stairs
Carn	Haluska	Miscevich	Steighner
Cawley	Harper	Moehlmann	Stevens
Cessar	Hasay	Morris	Stewart
Cimini	Hayes	Mowery	Swift
Civera	Herman	Mrkonic	Taylor, E. Z.
Clark	Hershey	Murphy	Taylor, F. E.
Clymer	Hoeffel	Nahill	Telek
Cohen	Honaman	Noye	Tigue
Colafella	Hutchinson	O'Brien	Trello
Cornell	Itkin	O'Donnell	Truman
Coslett	Jackson	Olasz	Van Horne
Cowell	Jarolin	Oliver	Vroon
Coy	Johnson	Perzel	Wachob
Deluca	Kasunic	Peterson	Wambach
DeVerter	Kennedy	Petrarca	Wargo
DeWeese	Klingaman	Petrone	Wass
Daley	Kosinski	Phillips	Weston
Davies	Kowalyszyn	Piccola	Wiggins
Dawida	Kukovich	Pistella	Williams
Deal	Lashinger	Pitts	Wilson
Dietz	Laughlin	Pott	Wogan
Donatucci	Lehr	Preston	Wozniak
Dorr	Lescovitz	Punt	Wright, D. R.
Duffy	Letterman	Rappaport	Wright, J. L.
Durham	Levi	Reber	Wright, R. C.
Evans	Levin	Reinard	Zwilk

NAYS—0

NOT VOTING—8

Cordisco	Dombrowski	Pievsky	Showers
Dininni	Gruitza	Pratt	Sweet

EXCUSED—3

Cole	Irvis,
Stuban	Speaker

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

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

REMARKS ON VOTE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Lawrence, Mr. Pratt.

Mr. PRATT. Mr. Speaker, may I be recorded in the affirmative on HB 707?

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

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 160, PN 414**, entitled:

An Act amending the "Senior Citizens Rebate and Assistance Act," approved March 11, 1971 (P. L. 104, No. 3), further providing for the allowable percentage of real property tax rebate or rent rebate.

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

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

The question is, shall the bill pass finally?

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

YEAS—198

Afflerbach	Fargo	Lloyd	Rieger
Alderette	Fattah	Lucyk	Robbins
Angstadt	Fee	McCall	Rudy
Armstrong	Fischer	McClatchy	Ryan
Arty	Flick	McHale	Rybak
Baldwin	Foster, W. W.	McIntyre	Saloom
Barber	Foster, Jr., A.	McMonagle	Salvatore
Battisto	Freeman	McVerry	Saurman
Belardi	Freind	Mackowski	Scheetz
Belfanti	Fryer	Madigan	Schuler
Beloff	Gallagher	Maiale	Semmel
Blaum	Gallen	Manderino	Serafini
Book	Gamble	Manmiller	Seventy
Bowser	Geist	Markosek	Showers
Boyes	George	Marmion	Sirianni
Brandt	Gladeck	Mayernik	Smith, B.
Broujos	Godshall	Merry	Smith, L. E.
Bunt	Greenwood	Michlovic	Snyder, D. W.
Burd	Grieco	Micozzie	Snyder, G. M.

Burns	Gruitza	Miller	Spencer
Caltagirone	Gruppo	Miscevich	Spitz
Cappabianca	Hagarty	Moehlmann	Stairs
Carn	Haluska	Morris	Steighner
Cawley	Harper	Mowery	Stevens
Cessar	Hasay	Mrkonic	Stewart
Cimini	Hayes	Murphy	Sweet
Civera	Herman	Nahill	Swift
Clark	Hershey	Noye	Taylor, E. Z.
Clymer	Hoeffel	O'Brien	Taylor, F. E.
Cohen	Honaman	O'Donnell	Telek
Colafella	Hutchinson	Olasz	Tigue
Cornell	Itkin	Oliver	Trello
Coslett	Jackson	Perzel	Truman
Cowell	Jarolin	Peterson	Van Horne
Coy	Johnson	Petrarca	Vroon
Deluca	Kasunic	Petrone	Wachob
DeVerter	Kennedy	Phillips	Wambach
DeWeese	Klingaman	Piccola	Wargo
Daley	Kosinski	Pievsky	Wass
Davies	Kowalshyn	Pistella	Weston
Dawida	Kukovich	Pitts	Wiggins
Deal	Lashingner	Pott	Williams
Dietz	Laughlin	Pratt	Wilson
Dininni	Lehr	Preston	Wogan
Dombrowski	Lescovitz	Punt	Wozniak
Donatucci	Letterman	Rappaport	Wright, D. R.
Dorr	Levi	Reber	Wright, J. L.
Duffy	Levin	Reinard	Wright, R. C.
Durham	Linton	Richardson	Zwikl
Evans	Livengood		

NAYS—0

NOT VOTING—2

Cordisco Gannon

EXCUSED—3

Cole Irvis,
Stuban Speaker

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

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

LEAVE OF ABSENCE GRANTED

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

Mr. PIEVSKY. Mr. Speaker, can you return to leaves of absence?

The SPEAKER pro tempore. The Chair returns to leaves of absence and recognizes the gentleman from Philadelphia, Mr. Pievsky.

Mr. PIEVSKY. Thank you, Mr. Speaker.

Mr. Speaker, I ask leave of absence for the gentleman from Bucks County, Mr. CORDISCO, for today's session.

The SPEAKER pro tempore. Without objection, the leave of absence is granted. The Chair hears none.

WELCOMES

The SPEAKER pro tempore. The Chair is pleased to welcome 50 guests from the Eastern Orthodox Foundation. They are the guests of Representative Paul Wass.

There is also a group of senior citizens from the Greenville Senior Service Center along with the director of the center, Miss Carmella Bush, also Mr. Michael Duell. They are the guests of Representative Robert D. Robbins.

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 452, PN 513**, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), increasing certain penalties.

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

BILL RECOMMITTED

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

Mr. O'DONNELL. Mr. Speaker, I move that **HB 452, PN 513**, be recommitted to the Committee on Liquor Control.

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

* * *

The House proceeded to third consideration of **HB 355, PN 399**, entitled:

An Act providing authority for urban homesteading and the procedure for establishing homesteading districts; expanding local government's authority in dealing with urban blight and decay; and providing exclusions from present statutory laws.

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

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

The question is, shall the bill pass finally?
Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

YEAS—199

Afflerbach	Fargo	Livengood	Rieger
Alderette	Fattah	Lloyd	Robbins
Angstadt	Fee	Lucyk	Rudy
Armstrong	Fischer	McCall	Ryan
Arty	Flick	McClatchy	Rybak
Baldwin	Foster, W. W.	McHale	Saloom
Barber	Foster, Jr., A.	McIntyre	Salvatore
Battisto	Freeman	McMonagle	Saurman
Belardi	Freind	McVerry	Scheetz
Belfanti	Fryer	Mackowski	Schuler
Beloff	Gallagher	Madigan	Semmel
Blaum	Gallen	Maiale	Serafini
Book	Gamble	Manderino	Seventy
Bowser	Gannon	Manmiller	Showers
Boyes	Geist	Markosek	Sirianni
Brandt	George	Marmion	Smith, B.
Broujos	Gladeck	Mayernik	Smith, L. E.

Bunt	Godshall	Merry	Snyder, D. W.
Burd	Greenwood	Michlovic	Snyder, G. M.
Burns	Greene	Micozzie	Spencer
Caltagirone	Gruitza	Miller	Spitz
Cappabianca	Gruppo	Miscevich	Stairs
Carn	Hagarty	Moehlmann	Steighner
Cawley	Haluska	Morris	Stevens
Cessar	Harper	Mowery	Stewart
Cimini	Hasay	Mrkonic	Sweet
Civera	Hayes	Murphy	Sweet
Clark	Herman	Nahill	Swift
Clymer	Hershey	Noye	Taylor, E. Z.
Cohen	Hoefel	O'Brien	Taylor, F. E.
Colafella	Honaman	O'Donnell	Telek
Cornell	Hutchinson	Olasz	Tigue
Coslett	Itkin	Oliver	Trello
Cowell	Jackson	Perzel	Truman
Coy	Jarolin	Peterson	Van Horne
Deluca	Johnson	Petrarca	Vroon
DeVerter	Kasunic	Petrone	Wachob
DeWeese	Kennedy	Phillips	Wambach
Daley	Klingaman	Piccola	Wargo
Davies	Kosinski	Pievsky	Wass
Dawida	Kowalyshyn	Pistelia	Weston
Deal	Kukovich	Pitts	Wiggins
Dietz	Lashingner	Pott	Williams
Dininni	Laughlin	Pratt	Wilson
Dombrowski	Lehr	Preston	Wogan
Donatucci	Lescovitz	Punt	Wozniak
Dorr	Letterman	Rappaport	Wright, D. R.
Duffy	Levi	Reber	Wright, J. L.
Durham	Levin	Reinard	Wright, R. C.
Evans	Linton	Richardson	Zwikl

NAYS—0

NOT VOTING—0

EXCUSED—4

Cole
Cordisco
Stuban
Irvis,
Speaker

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

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

REMARKS SUBMITTED FOR THE RECORD

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

Mr. RICHARDSON. Mr. Speaker, I would like to submit these remarks for the record on HB 355, please.

The SPEAKER pro tempore. The remarks of the gentleman will be spread upon the record. The Chair thanks the gentleman.

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

The purpose of this legislation is to begin to address the very serious housing problems that exist in the Commonwealth of Pennsylvania. This bill should not be perceived by anyone as an answer to all the various problems but an approach that has been bantered about and experimented with in various municipalities and other States. This is in fact a homesteading and rehabilitation program which would provide incentives for homeownership.

Urban homesteading was created in Philadelphia and Wilmington, Delaware, in 1969. It is the intent of this legislation to help municipalities deal specifically with the deteriorated and vacant homes. The premise for this approach is that if a family or families purchase such a property that would be restored to the standards of public safety and code enforcement set by the municipalities, it will enhance the entire communities.

In the past this program was a national demonstration program transferring Housing and Urban Development properties to local governments to revitalize declining neighborhoods and reduce the Federal inventory of defaulted mortgages. Essentially, the program is designed to have each city follow a plan to ensure the availability of rehabilitation financing, technical assistance to homesteaders, and to provide all essential municipal services to the target neighborhoods. These properties are sold at a token sum, which is to be set by the local municipality, and the purchaser must make repairs to meet minimum health and safety standards.

One of the changes we have instituted is that while the Federal regulations required a 3-year live-in period, our live-in period would be 5 years. When all these requirements have been met, the purchaser will receive full title to the property.

In 1976 \$5 million was appropriated; there was also allocated \$5 million in rehabilitation loan funds to support the program for the fiscal year 1976; also in 1976 the Housing Authorization Act authorized an additional \$6.25 million for the transition quarter and fiscal year 1977 to support the transfer of HUD-acquired properties to communities participating in the urban homesteading demonstration program. In fiscal 1978, \$15 million was appropriated.

As of May 1983, there was a measure to amend the existing Federal urban homesteading provisions. HB 2150, which passed by the Housing Subcommittee of the Banking, Finance and Urban Affairs Committee, would increase funding and expand eligibility for urban homesteading programs as follows:

1. Increase block grant appropriations for homesteading from the current level of \$12 million to \$50 million annually.
2. Reserve one-half of each year's available funding which would be for rehabilitation. This would also allow municipalities greater freedom in developing rehabilitation financing mechanisms.
3. The remaining \$25 million would be used for acquisition of vacant property and for the first time allow acquisition of homes which are not HUD owned - i.e. acquire through tax foreclosures.
4. The amendment included multifamily dwellings.
5. The participants were targeted to include those whose income falls below 80 percent of the median for the SMSA (Standard Metropolitan Statistical Area) in which they live.

Mr. Speaker, given the current status of the bill in Washington, I urge that we move on this legislation to have it in a position to receive the funds from Washington. I ask this House to vote "yes" on HB 355.

* * *

The House proceeded to third consideration of **HB 760, PN 1489**, entitled:

An Act amending "The Local Tax Enabling Act," approved December 31, 1965 (P. L. 1257, No. 511), eliminating certain per capita and occupation taxes; increasing the rate of the occupational privilege tax; and authorizing an occupational privilege tax for school districts.

On the question,

Will the House agree to the bill on third consideration?

BILL RECOMMENDED

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

Mr. RICHARDSON. I would like to make a motion, Mr. Speaker. I would like to know if I am in order.

The SPEAKER pro tempore. The gentleman is in order.

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

Mr. Speaker, HB 760 has been for a long time a very highly controversial bill, and many members of our Urban Affairs Committee at this time would like to ask that this bill be recommitted to the Urban Affairs Committee for further study, and then we will report the bill back out. I would like to make that motion at this time, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Philadelphia, Mr. Richardson, has moved that HB 760, PN 1489, be recommitted to the Urban Affairs Committee.

On the question,

Will the House agree to the motion?

Motion was agreed to.

BILL ON FINAL PASSAGE POSTPONED

The House proceeded to **HB 982, PN 1897**, on final passage postponed, entitled:

An Act amending the "Housing Finance Agency Law," approved December 3, 1959 (P. L. 1688, No. 621), providing for the issuance of qualified veterans' mortgage bonds.

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

The question is, shall the bill pass finally?

DECISION OF CHAIR REVERSED

The SPEAKER pro tempore. Without objection, the Chair reverses its decision as to the bill having been agreed to on third consideration as amended. The Chair hears no objection.

On the question recurring,

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

Mr. ITKIN offered the following amendment No. A3053:

Amend Sec. 1 (Sec. 403-B), page 3, by inserting between lines 6 and 7

(d) The income limit for eligible veterans to participate in the Veterans' Mortgage Program shall be the same as established by the agency pursuant to subsection (e) of section 402-B for eligible participants in the Owner Occupied Residential Mortgage Program.

On the question,

Will the House agree to the amendment?

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

Mr. ITKIN. Mr. Speaker, when HB 982 originally passed the House last week, it was my understanding that there would be contained in the bill some measure of an income-

limiting requirement that veterans would have to meet in order to qualify. This was done because of the relatively small number of loans that could be made available under the program. The program calls for \$100 million in bonds to be floated for these mortgages, which translates into approximately 2,800 mortgages to be available in the Commonwealth that veterans can qualify for.

The amendment that I am offering today sets an income limit for eligibility in this veterans' mortgage program. The income limit is the same limit that the PHFA (Pennsylvania Housing and Finance Agency) has adopted for the owner-occupied residential mortgage program which they currently administer.

The bill does contain some purchase price limits. However, with the income limits in this amendment, it would allow a larger number of lower and moderate income veterans to vie for this relatively small number of loans. We really are not talking about low income limits. We are talking about \$35,000 statewide; \$36,500 in Carbon, Lehigh, and Northampton Counties; and as high as \$37,500 in Allegheny, Beaver, Washington, and Westmoreland Counties.

Mr. Speaker, in order to insure that veterans in need receive first consideration for these mortgages and to provide an element of fairness in the program, I would urge the House to accept this amendment. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—198

Afflerbach	Fargo	Livengood	Rieger
Alderette	Fattah	Lloyd	Robbins
Angstadt	Fee	Lucyk	Rudy
Armstrong	Fischer	McCall	Ryan
Arty	Flick	McClatchy	Rybak
Baldwin	Foster, W. W.	McHale	Saloom
Barber	Foster, Jr., A.	McIntyre	Salvatore
Battisto	Freeman	McMonagle	Saurman
Belardi	Freind	McVerry	Scheetz
Belfanti	Fryer	Mackowski	Schuler
Beloff	Gallagher	Madigan	Semmel
Blaum	Gallen	Manderino	Serafini
Book	Gamble	Manmiller	Seventy
Bowser	Gannon	Markosek	Showers
Boyes	Geist	Marmion	Sirianni
Brandt	George	Mayermik	Smith, B.
Broujos	Gladeck	Merry	Smith, L. E.
Bunt	Godshall	Michlovic	Snyder, D. W.
Burd	Greenwood	Micozzie	Snyder, G. M.
Burns	Grieco	Miller	Spencer
Caltagirone	Gruitza	Miscevich	Spitz
Cappabianca	Gruppo	Moehlmann	Stairs
Carn	Hagarty	Morris	Steighner
Cawley	Haluska	Mowery	Stevens
Cessar	Harper	Mrkonic	Stewart
Cimini	Hasay	Murphy	Sweet
Civera	Hayes	Nahill	Swift
Clark	Herman	Noye	Taylor, E. Z.
Clymer	Hershey	O'Brien	Taylor, F. E.
Cohen	Hoeffel	O'Donnell	Telek
Colafella	Honaman	Olasz	Tigue
Cornell	Hutchinson	Oliver	Trello
Coslett	Itkin	Perzel	Truman
Cowell	Jackson	Peterson	Van Horne
Coy	Jarolin	Petrarca	Vroon
Deluca	Johnson	Petrone	Wachob

DeVerter	Kasunic	Phillips	Wambach
DeWeese	Kennedy	Piccola	Wargo
Daley	Klingaman	Pievsky	Wass
Davies	Kosinski	Pistella	Weston
Dawida	Kowalyszyn	Pitts	Wiggins
Deal	Kukovich	Pott	Williams
Dietz	Lashinger	Pratt	Wilson
Dininni	Laughlin	Preston	Wogan
Dombrowski	Lehr	Punt	Wozniak
Donatucci	Lescovitz	Rappaport	Wright, D. R.
Dorr	Letterman	Reber	Wright, J. L.
Duffy	Levi	Reinard	Wright, R. C.
Durham	Levin	Richardson	Zwinkl
Evans	Linton		

NAYS—0

NOT VOTING—1

Maiale

EXCUSED—4

Cole	Stuban
Cordisco	Irvis, Speaker

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

The question is, shall the bill pass finally?

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

YEAS—197

Afflerbach	Fattah	Livengood	Rieger
Alderette	Fee	Lloyd	Robbins
Angstadt	Fischer	Lucyk	Rudy
Armstrong	Flick	McCall	Ryan
Arty	Foster, W. W.	McClatchy	Rybak
Baldwin	Foster, Jr., A.	McHale	Saloom
Barber	Freeman	McIntyre	Salvatore
Battisto	Freind	McMonagle	Saurman
Belardi	Fryer	McVerry	Scheetz
Belfanti	Gallagher	Mackowski	Schuler
Beloff	Gallen	Madigan	Semmel
Blaum	Gamble	Manderino	Serafini
Book	Gannon	Manmiller	Seventy
Bowser	Geist	Markosek	Showers
Boyes	George	Marmion	Sirianni
Brandt	Gladeck	Mayernik	Smith, B.
Broujos	Godshall	Merry	Smith, L. E.
Bunt	Greenwood	Michlovic	Snyder, D. W.
Burd	Grieco	Micozzie	Snyder, G. M.
Burns	Gruitza	Miller	Spencer
Caltagirone	Gruppo	Miscevich	Spitz
Cappabianca	Hagarty	Mochlmann	Stairs
Carn	Haluska	Morris	Steighner
Cawley	Harper	Mowery	Stevens
Cessar	Hasay	Mrkonic	Stewart
Cimini	Hayes	Murphy	Sweet
Civera	Herman	Nahill	Swift
Clark	Hershey	Noye	Taylor, E. Z.
Clymer	Hoeffel	O'Brien	Taylor, F. E.
Colafella	Honaman	O'Donnell	Telek
Cornell	Hutchinson	Olasz	Tigue

Coslett	Itkin	Oliver	Trello
Cowell	Jackson	Perzel	Truman
Coy	Jarolin	Peterson	Van Horne
Deluca	Johnson	Petrarca	Vroon
DeVerter	Kasunic	Petrone	Wachob
DeWeese	Kennedy	Phillips	Wambach
Daley	Klingaman	Piccola	Wargo
Davies	Kosinski	Pievsky	Wass
Dawida	Kowalyszyn	Pistella	Weston
Deal	Kukovich	Pitts	Wiggins
Dietz	Lashinger	Pott	Williams
Dininni	Laughlin	Pratt	Wilson
Dombrowski	Lehr	Preston	Wogan
Donatucci	Lescovitz	Punt	Wozniak
Dorr	Letterman	Rappaport	Wright, D. R.
Duffy	Levi	Reber	Wright, J. L.
Durham	Levin	Reinard	Wright, R. C.
Evans	Linton	Richardson	Zwinkl
Fargo			

NAYS—0

NOT VOTING—2

Cohen	Maiale
	EXCUSED—4
Cole	Stuban
Cordisco	Irvis, Speaker

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

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

REMARKS ON VOTE

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

Mr. GANNON. Mr. Speaker, I was out of my seat on the vote on HB 160, and if I had been in my seat, I would have voted in the affirmative.

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

Mr. GANNON. Thank you, Mr. Speaker.

RESOLUTIONS

Mr. MOWERY called up **HR 78, PN 1883**, entitled:

Memorializing Congress to extend the expiration date of the mortgage revenue bond program.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—190

Afflerbach	Fattah	Lloyd	Richardson
Alderette	Fee	Lucyk	Rieger
Angstadt	Fischer	McCall	Robbins
Arty	Flick	McClatchy	Rudy
Baldwin	Foster, Jr., A.	McHale	Ryan
Barber	Freeman	McIntyre	Rybak
Battisto	Freind	McMonagle	Saloom
Belardi	Fryer	McVerry	Salvatore
Belfanti	Gallagher	Mackowski	Saurman

Beloff	Gallen	Madigan	Scheetz
Blaum	Gamble	Manderino	Schuler
Book	Gannon	Manmiller	Semmel
Bowser	Geist	Markosek	Serafini
Boyes	George	Marmion	Seventy
Brandt	Gladeck	Mayernik	Showers
Broujos	Godshall	Merry	Sirianni
Bunt	Greenwood	Michlovic	Smith, B.
Burd	Grieco	Micozzie	Smith, L. E.
Burns	Gruitza	Miller	Snyder, D. W.
Caltagirone	Gruppo	Miscevich	Snyder, G. M.
Cappabianca	Hagarty	Moehlmann	Spencer
Carn	Haluska	Morris	Spitz
Cawley	Harper	Mowery	Stairs
Cessar	Hasay	Mrkonic	Steighner
Cimini	Hayes	Murphy	Stevens
Civera	Herman	Nahill	Stewart
Clark	Hershey	Noye	Sweet
Clymer	Hoeffel	O'Brien	Swift
Colafella	Honaman	O'Donnell	Taylor, E. Z.
Cornell	Hutchinson	Olasz	Taylor, F. E.
Coslett	Itkin	Oliver	Telek
Cowell	Jackson	Perzel	Tigue
Coy	Jarolin	Peterson	Trello
Deluca	Johnson	Petrarca	Van Horne
DeVerter	Kasunic	Petrone	Vroon
DeWeese	Kennedy	Phillips	Wachob
Daley	Klingaman	Piccola	Wambach
Davies	Kosinski	Pievsky	Wargo
Dawida	Kowalyszyn	Pistella	Wass
Deal	Kukovich	Pitts	Weston
Dietz	Lashinger	Pott	Wiggins
Dininni	Laughlin	Pratt	Wogan
Dombrowski	Lehr	Preston	Wozniak
Donatucci	Lescovitz	Punt	Wright, D. R.
Dorr	Letterman	Rappaport	Wright, J. L.
Duffy	Levi	Reber	Wright, R. C.
Durham	Linton	Reinard	Zwilk
Fargo	Livengood		

NAYS—1

Armstrong

NOT VOTING—8

Cohen	Foster, W. W.	Maiale	Williams
Evans	Levin	Truman	Wilson

EXCUSED—4

Cole	Stuban
Cordisco	Irvis, Speaker

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

* * *

Mr. PISTELLA called up HR 127, PN 1717, entitled:

Memorializing the Postal Service to issue commemorative stamps for Constantino Brumidi, Antonio Meucci, Dr. Enrico Fermi and Arturo Toscanini.

On the question,
Will the House adopt the resolution?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Bucks, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

I wonder if I could interrogate the maker of this resolution, HR 127.

The SPEAKER pro tempore. The gentleman has asked the gentleman, Mr. Pistella, if he will stand for a period of interrogation. The gentleman indicates that he will stand for interrogation, and the gentleman is in order and may proceed.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, other than the last name, Arturo Toscanini, I do not know the other three names listed on the resolution. Mr. Speaker, would the maker please inform the General Assembly of the importance of these other three names?

Mr. PISTELLA. Mr. Speaker, Dr. Enrico Fermi was a physicist who participated in the development of the atomic bomb in World War II.

Antonio Meucci was a pioneer in the development of the telephone. He had submitted to the United States Patent Office some very early patents for the development of the telephone. They subsequently expired. He was not able to raise the necessary funds to continue his work. A lot of what he had pioneered was later developed by Alexander Graham Bell.

Constantino Brumidi is referred to as the Michelangelo of Washington, D.C. Mr. Brumidi is an artist who worked in the restoration of the Sistine Chapel. He used some of the same techniques that Michelangelo had used in painting of frescos in the Nation's Capitol. Perhaps his most famous is known as the Apotheosis of Washington, in which George Washington is portrayed on the ceiling dome of the Nation's Capitol standing between victory and freedom.

Is there anything else you wish to know, sir?

Mr. CLYMER. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The gentleman indicates he has completed his interrogation.

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

The following roll call was recorded:

YEAS—195

Afferbach	Evans	Linton	Rieger
Alderette	Fargo	Livengood	Robbins
Angstadt	Fattah	Lloyd	Rudy
Armstrong	Fee	Lucyk	Ryan
Arty	Fischer	McCall	Rybak
Baldwin	Flick	McClatchy	Saloom
Barber	Foster, Jr., A.	McHale	Salvatore
Battisto	Freeman	McIntyre	Saurman
Belardi	Freind	McMonagle	Schuler
Belfanti	Fryer	McVerry	Semmel
Beloff	Gallagher	Mackowski	Serafini
Blaum	Gallen	Madigan	Seventy
Book	Gamble	Manderino	Showers
Bowser	Gannon	Manmiller	Sirianni
Boyes	Geist	Markosek	Smith, B.
Brandt	George	Marmion	Smith, L. E.
Broujos	Gladeck	Merry	Snyder, D. W.
Bunt	Godshall	Michlovic	Snyder, G. M.
Burd	Greenwood	Micozzie	Spencer
Burns	Grieco	Miller	Spitz
Caltagirone	Gruitza	Miscevich	Stairs
Cappabianca	Gruppo	Moehlmann	Steighner
Carn	Hagarty	Morris	Stevens
Cawley	Haluska	Mowery	Stewart
Cessar	Harper	Mrkonic	Sweet
Cimini	Hasay	Murphy	Swift
Civera	Hayes	Nahill	Taylor, E. Z.
Clark	Herman	Noye	Taylor, F. E.
Clymer	Hershey	O'Brien	Telek

Cohen	Hoefel	O'Donnell	Tigue
Colafella	Honaman	Olasz	Trello
Cornell	Hutchinson	Oliver	Truman
Coslett	Itkin	Perzel	Van Horne
Cowell	Jackson	Peterson	Vroon
Coy	Jarolin	Petrarca	Wachob
DeLuca	Johnson	Petrone	Wambach
DeVerter	Kasunic	Phillips	Wargo
DeWeese	Kennedy	Piccola	Wass
Daley	Klingaman	Pievsky	Weston
Davies	Kosinski	Pistella	Wiggins
Dawida	Kowalshyn	Pitts	Williams
Deal	Kukovich	Pott	Wilson
Dietz	Lashingier	Pratt	Wogan
Dininni	Laughlin	Preston	Wozniak
Dombrowski	Lehr	Punt	Wright, D. R.
Donatucci	Lescovitz	Rappaport	Wright, J. L.
Dorr	Letterman	Reber	Wright, R. C.
Duffy	Levi	Reinard	Zwikl
Durham	Levin	Richardson	

NAYS—0

NOT VOTING—4

Foster, W. W.	Maiale	Mayernik	Scheetz
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EXCUSED—4

Cole	Stuban
Cordisco	Irvis, Speaker

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

* * *

Mr. MANDERINO called up **SR 62, PN 1009**, entitled:

Urging the President to create an Office of Special Assistant to the President for Coal.

On the question,
Will the House concur in the resolution of the Senate?

The following roll call was recorded:

YEAS—193

Afflerbach	Fattah	Lucyk	Robbins
Alderette	Fee	McCall	Rudy
Angstadt	Fischer	McClatchy	Ryan
Armstrong	Flick	McHale	Rybak
Arty	Foster, Jr., A.	McIntyre	Saloom
Baldwin	Freeman	McMonagle	Salvatore
Barber	Fryer	McVerry	Saurman
Battisto	Gallagher	Mackowski	Scheetz
Belardi	Gallen	Madigan	Schuler
Belfanti	Gamble	Manderino	Semmel
Beloff	Gannon	Manmiller	Serafini
Blaum	Geist	Markosek	Seventy
Book	George	Marmion	Showers
Bowser	Gladeck	Mayernik	Sirianni
Boyes	Godshall	Merry	Smith, B.
Brandt	Greenwood	Michlovic	Smith, L. E.
Broujos	Grieco	Micozzie	Snyder, D. W.
Bunt	Gruitza	Miller	Snyder, G. M.
Burd	Gruppo	Miscevich	Spencer
Burns	Hagarty	Moehlmann	Spitz
Caltagirone	Haluska	Morris	Stairs
Cappabianca	Harper	Mowery	Steighner
Carn	Hasay	Mrkonic	Stevens
Cawley	Hayes	Murphy	Stewart
Cessar	Herman	Nahill	Sweet
Cimini	Hershey	Noye	Swift
Civera	Hoefel	O'Brien	Taylor, E. Z.
Clark	Honaman	O'Donnell	Taylor, F. E.

Clymer	Hutchinson	Olasz	Telek
Cohen	Itkin	Oliver	Tigue
Colafella	Jackson	Perzel	Trello
Cornell	Jarolin	Peterson	Truman
Coslett	Johnson	Petrarca	Van Horne
Cowell	Kasunic	Petrone	Vroon
Coy	Kennedy	Phillips	Wachob
DeVerter	Klingaman	Piccola	Wambach
DeWeese	Kosinski	Pievsky	Wargo
Daley	Kowalshyn	Pistella	Wass
Davies	Kukovich	Pitts	Weston
Dawida	Lashingier	Pott	Wiggins
Deal	Laughlin	Pratt	Williams
Dietz	Lehr	Preston	Wilson
Dombrowski	Lescovitz	Punt	Wogan
Donatucci	Letterman	Rappaport	Wozniak
Dorr	Levi	Reber	Wright, D. R.
Duffy	Levin	Reinard	Wright, J. L.
Durham	Livengood	Richardson	Wright, R. C.
Evans	Lloyd	Rieger	Zwikl
Fargo			

NAYS—0

NOT VOTING—6

DeLuca	Foster, W. W.	Linton	Maiale
Dininni	Freind		

EXCUSED—4

Cole	Stuban
Cordisco	Irvis, Speaker

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

Ordered, That the clerk inform the Senate accordingly.

APPROPRIATIONS COMMITTEE MEETING

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

Mr. PIEVSKY. Thank you, Mr. Speaker.

Mr. Speaker, at the call of the break I would like to call a meeting of the House Appropriations Committee in the majority caucus room—at the call of the break.

The SPEAKER pro tempore. The gentleman from Philadelphia, the chairman of the Appropriations Committee, Mr. Pievsky, has called a meeting of the Appropriations Committee at the break of today's session. The meeting will be held in the majority caucus room. The Chair thanks the gentleman.

BUSINESS AND COMMERCE COMMITTEE MEETING

The SPEAKER pro tempore. A reminder from the chairman of the Business and Commerce Committee: They will be meeting at the break of today's session.

HOUSE SCHEDULE

The SPEAKER pro tempore. The Chair recognizes at this time the majority whip.

Mr. O'DONNELL. Mr. Speaker, when we return to session this afternoon, we are going to be dealing with the senior citizens package, the "lemon" bill, and also with the child restraint bill. It is going to be a long afternoon. If anybody has any amendments to any of these bills, they had better get them prepared over lunchtime so we can run them this afternoon. Thank you.

The SPEAKER pro tempore. Does the gentleman have any suggestion or does the majority leader as to what time they wish the House to return to session?

Mr. O'DONNELL. Two o'clock, Mr. Speaker.

The SPEAKER pro tempore. Two o'clock. The House will return to session at 2 o'clock.

The Chair recognizes the minority leader. Does the minority leader have any business?

Mr. RYAN. Mr. Speaker, would the Chair grant me a moment to speak to Mr. Manderino prior to making an announcement?

The SPEAKER pro tempore. Certainly.

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 1332, PN 1938 (Amended)

By Rep. HUTCHINSON

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for points and penalties related to speeding.

TRANSPORTATION.

HB 1469, PN 1939 (Amended)

By Rep. HUTCHINSON

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for points and penalties related to speeding, for the use of hearing impairment devices, for limited exemptions from the axle tax and for the inspection of motorcycles; and adding provisions relating to motorcycle safety.

TRANSPORTATION.

HB 1517, PN 1940 (Amended)

By Rep. HUTCHINSON

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), requiring the Department of Transportation to do certain work on manhole covers, drains and other devices at the time a road is repaired or resurfaced; and imposing additional duties on the Department of Transportation relating to the raising of certain utility structures to grade level before highway resurfacing projects are instituted.

TRANSPORTATION.

SB 11, PN 1351 (Amended)

By Rep. HUTCHINSON

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, requiring school buses to stop at all railroad crossings; and permitting local authorities to designate and use roads for nonvehicular purposes; and further providing for limited exemptions from the axle tax.

TRANSPORTATION.

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

Mr. RYAN. Mr. Speaker, evidently there will be no need for the Republicans to caucus during this recess.

The SPEAKER pro tempore. The Chair thanks the gentleman.

RECESS

The SPEAKER pro tempore. This House will now be in recess until the hour of 2 o'clock.

AFTER RECESS

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

BILLS REREPORTED FROM COMMITTEE

HB 124, PN 138

By Rep. PIEVSKY

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, providing an additional limitation on creditable nonschool services.

APPROPRIATIONS.

HB 125, PN 412

By Rep. PIEVSKY

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, providing an additional limitation on creditable nonschool service.

APPROPRIATIONS.

HB 163, PN 1587

By Rep. PIEVSKY

An Act amending "The General County Assessment Law," approved May 22, 1933 (P. L. 853, No. 155), to provide that other food storage structures not be included in determining the value of real estate used predominantly as a farm.

APPROPRIATIONS.

HB 353, PN 1943 (Amended)

By Rep. PIEVSKY

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for duties and jurisdiction of the Municipal Court of Philadelphia.

APPROPRIATIONS.

HB 477, PN 538

By Rep. PIEVSKY

An Act amending the "Motor Carriers Road Tax Act," approved June 19, 1964 (P. L. 7, No. 1), further providing for exempt vehicles.

APPROPRIATIONS.

HB 508, PN 569

By Rep. PIEVSKY

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723, No. 230), further providing for the definition of "Early Retirement"; further providing for eligibility for retirement allowances; and further providing for survivorship option benefits.

APPROPRIATIONS.

HB 559, PN 1593

By Rep. PIEVSKY

An Act amending the act of May 17, 1929 (P. L. 1798, No. 591), referred to as the Forest Reserves Municipal Financial Relief Law, increasing the amount paid by the Commonwealth.

APPROPRIATIONS.

HB 758, PN 1944 (Amended)

By Rep. PIEVSKY

An Act amending the "State Lottery Law," approved August 26, 1971 (P. L. 351, No. 91), providing for repayment of interest on money borrowed from the State Lottery Fund.

APPROPRIATIONS.

HB 946, PN 1084

By Rep. PIEVSKY

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, redefining "abandoned vehicles"; and further providing for removal of vehicles.

APPROPRIATIONS.

HB 969, PN 1437

By Rep. PIEVSKY

An Act amending the "Public Welfare Code," approved June 13, 1967 (P. L. 31, No. 21), providing for the operation of vending facilities by licensed blind persons; creating a Committee of Blind Vendors; and imposing duties on Blindness and Visual Services.

APPROPRIATIONS.

HB 1131, PN 1945 (Amended)

By Rep. PIEVSKY

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), further providing for the tax treatment of S corporations.

APPROPRIATIONS.

HB 1208, PN 1413

By Rep. PIEVSKY

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), further providing for excluding certain transfer from the realty transfer tax.

APPROPRIATIONS.

HB 1214, PN 1419

By Rep. PIEVSKY

An Act prescribing when a caboose is required in connection with the movement of locomotives and cars; and providing further duties of the Public Utility Commission.

APPROPRIATIONS.

HB 1310, PN 1703

By Rep. PIEVSKY

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), further providing for taxation as personal income on installment payments of real and personal property.

APPROPRIATIONS.

HB 1342, PN 1608

By Rep. PIEVSKY

An Act amending the "County Pension Law," approved August 31, 1971 (P. L. 398, No. 96), providing that counties may make pickup contributions to the county employees' retirement system on behalf of county employees.

APPROPRIATIONS.

SB 632, PN 1200

By Rep. PIEVSKY

An Act amending the act of August 31, 1955 (P. L. 531, No. 131), entitled "Pennsylvania Athletic Code," regulating kick boxing; further regulating amateur boxing; establishing a State

boxing register; providing for medical training seminars; requiring certain emergency medical equipment to be at situs of certain events; further providing for suspension; further defining referee's role in boxing contest; prohibiting tough guy contests or battle of the brawlers contests; and providing a penalty.

APPROPRIATIONS.

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

SB 443, PN 1118

By Rep. LAUGHLIN

An Act providing compensation for those communities which are affected by public utility electricity generating stations and incur economic loss by virtue of having such facilities sited within their jurisdictions.

CONSUMER AFFAIRS.

ADDITIONS AND DELETIONS OF SPONSORS

The SPEAKER pro tempore. The Chair acknowledges receipt of the following communication from the majority leader of additions and deletions for sponsorships of bills:

ADDITIONS:

HB 74, Caltagirone; HB 728, Caltagirone; HB 1301, O'Donnell, Wambach; HB 1309, O'Donnell; HB 1450, Fee; HB 1458, Fischer; HB 1469, Hershey, Trello, Brandt, Bowser, A. C. Foster, Jackson, DeWeese, Kukovich, Noye, Semmel, Vroon; HB 1483, Pratt; HB 1545, Johnson; HB 1555, Tigue, Michlovic; HR 112, Fee; HR 133, E. Z. Taylor; HR 135, Fischer.

DELETIONS:

HB 1204, Kosinski; HB 1241, Pratt.

CALENDAR CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 21, PN 1251**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, requiring certain passenger restraint systems.

On the question,

Will the House agree to the bill on third consideration?

Mr. BURNS offered the following amendment No. A2995:

Amend Sec. 1 (Sec. 4581), page 4, line 15, by inserting after "RENTAL,"

transferal from another child seat owner (evidenced by notarized letter)

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Bucks, Mr. Burns. The gentleman will give a detailed explanation of the amendment.

Mr. BURNS. Thank you, Mr. Speaker.

Mr. Speaker, this amendment simply allows a notarized letter to be shown to the district justice, or whoever may be

prosecuting the case, to show as evidence that the person does in fact own a child restraint seat. It makes it easier for a parent, for example, who may have gotten one from his next-door neighbor where he cannot show any proof of sale. A notarized letter of transferal would do the same thing.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—184

Afflerbach	Fee	Lloyd	Ryan
Alderette	Fischer	Lucy	Rybak
Angstadt	Flick	McCall	Saloom
Armstrong	Foster, W. W.	McClatchy	Salvatore
Arty	Foster, Jr., A.	McHale	Saurman
Baldwin	Freeman	McMonagle	Scheetz
Barber	Freind	McVerry	Schuler
Battisto	Fryer	Mackowski	Semmel
Belardi	Gallagher	Madigan	Serafini
Belfanti	Gallen	Manderino	Seventy
Beloff	Gamble	Manmiller	Showers
Blaum	Gannon	Markosek	Sirianni
Book	Geist	Marmion	Smith, B.
Bowser	George	Mayermik	Smith, L. E.
Boyes	Godshall	Merry	Snyder, D. W.
Brandt	Greenwood	Michlovic	Snyder, G. M.
Broujos	Grieco	Micozzie	Spencer
Bunt	Gruitza	Miller	Spitz
Burd	Gruppo	Miscevich	Stairs
Burns	Hagarty	Moehlmann	Steighner
Caltagirone	Haluska	Mowery	Stevens
Cappabianca	Hasay	Mrkonic	Stewart
Cawley	Hayes	Nahill	Sweet
Cessar	Herman	Noye	Swift
Cimini	Hershey	O'Brien	Taylor, E. Z.
Civera	Hoefel	O'Donnell	Taylor, F. E.
Clymer	Honaman	Olasz	Telek
Colafella	Hutchinson	Oliver	Tigue
Cornell	Itkin	Perzel	Trello
Coslett	Jackson	Peterson	Truman
Cowell	Jarolin	Petrone	Van Horne
Coy	Johnson	Phillips	Vroon
DeLuca	Kasunic	Piccola	Wachob
DeVerter	Kennedy	Pievsky	Wambach
Daley	Klingaman	Pistella	Wargo
Davies	Kosinski	Pitts	Wass
Deal	Kowalyszyn	Pott	Weston
Dietz	Kukovich	Pratt	Wiggins
Dininni	Lashingier	Punt	Williams
Dombrowski	Laughlin	Rappaport	Wilson
Donatucci	Lehr	Reber	Wogan
Dorr	Lescovitz	Reinard	Wozniak
Duffy	Letterman	Richardson	Wright, D. R.
Durham	Levi	Rieger	Wright, J. L.
Fargo	Levin	Robbins	Wright, R. C.
Fattah	Livengood	Rudy	Zwikl

NAYS—4

Dawida	Linton	Murphy	Preston
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NOT VOTING—11

Carn	DeWeese	Harper	Morris
Clark	Evans	McIntyre	Petrarca
Cohen	Gladeck	Maiale	

EXCUSED—4

Cole	Stuban
Cordisco	Irvis, Speaker

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?

Mr. BURNS offered the following amendments No. A2996:

Amend Sec. 1 (Sec. 4583), page 6, line 6, by inserting before "THE" where it appears the first time

(a) Availability of restraint devices.—

Amend Sec. 1 (Sec. 4583), page 6, by inserting between lines 10 and 11

(b) Instruction and education programs.—The department shall provide instructional and educational program material through all current public information channels and to all relevant State and Federally funded, community-based programs for maximum distribution of information about this child passenger protection law.

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

The SPEAKER pro tempore. The Chair recognizes the gentleman from Bucks, Mr. Burns.

Mr. BURNS. Thank you, Mr. Speaker.

This amendment simply says that there will be an instructional and educational program, that the Department of Motor Vehicles shall instruct and make the public current with what child restraint seats do and how they are supposed to be used and so forth. So it is simply requiring the department to have an instructional and educational program so that all drivers will understand it.

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

The following roll call was recorded:

YEAS—186

Afflerbach	Fattah	Linton	Rieger
Alderette	Fee	Livengood	Robbins
Angstadt	Fischer	Lloyd	Rudy
Armstrong	Flick	Lucy	Ryan
Arty	Foster, W. W.	McCall	Rybak
Baldwin	Foster, Jr., A.	McClatchy	Saloom
Barber	Freeman	McHale	Saurman
Battisto	Freind	McMonagle	Scheetz
Belardi	Fryer	McVerry	Schuler
Belfanti	Gallagher	Mackowski	Semmel
Beloff	Gallen	Madigan	Serafini
Blaum	Gamble	Manderino	Showers
Book	Gannon	Manmiller	Sirianni
Bowser	Geist	Markosek	Smith, B.
Boyes	George	Marmion	Smith, L. E.
Brandt	Gladeck	Mayernik	Snyder, D. W.
Broujos	Godshall	Merry	Snyder, G. M.
Bunt	Greenwood	Michlovic	Spencer
Burd	Grieco	Micozzie	Spitz
Burns	Gruitza	Miller	Stairs
Caltagirone	Gruppo	Miscevich	Steighner
Carn	Hagarty	Moehlmann	Stevens
Cawley	Haluska	Mowery	Stewart

Cessar	Hasay	Mrkonic	Sweet
Cimini	Hayes	Murphy	Swift
Civera	Herman	Nahill	Taylor, E. Z.
Clymer	Hershey	Noye	Taylor, F. E.
Colafella	Hoeffel	O'Brien	Telek
Cornell	Honaman	O'Donnell	Tigue
Coslett	Hutchinson	Oliver	Trello
Cowell	Itkin	Perzel	Truman
Coy	Jackson	Peterson	Van Horne
Deluca	Jarolin	Petrone	Vroon
DeVerter	Johnson	Phillips	Wachob
Daley	Kasunic	Piccola	Wambach
Davies	Kennedy	Pievsky	Wargo
Dawida	Klingaman	Pistella	Wass
Deal	Kosinski	Pitts	Weston
Dietz	Kowalshyn	Pott	Wiggins
Dininni	Kukovich	Pratt	Williams
Dombrowski	Lashingner	Preston	Wogan
Donatucci	Laughlin	Punt	Wozniak
Dorr	Lehr	Rappaport	Wright, D. R.
Duffy	Lescovitz	Reber	Wright, J. L.
Durham	Letterman	Reinard	Wright, R. C.
Evans	Levi	Richardson	Zwilk
Fargo	Levin		

NAYS—0

NOT VOTING—13

Cappabianca	Harper	Morris	Salvatore
Clark	McIntyre	Olasz	Seventy
Cohen	Maiale	Petrarca	Wilson
DeWeese			

EXCUSED—4

Cole	Stuban
Cardisco	
	Irvic, Speaker

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

On the question recurring,

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

Mr. BURNS offered the following amendments No. A3146:

Amend Sec. 1 (Sec. 4581), page 3, lines 19 and 20, by striking out "A PARENT OR LEGAL GUARDIAN OF A CHILD UNDER FOUR YEARS OF AGE" and inserting

Any driver

Amend Sec. 1 (Sec. 4581), page 3, line 23, by striking out "SUCH CHILD" and inserting

a child under four years of age

Amend Sec. 1 (Sec. 4581), page 3, line 26, by inserting after "GUARDIANS"

as well as any other persons

Amend Sec. 1 (Sec. 4582), page 5, line 30, by striking out "PARENTS OR LEGAL GUARDIANS OF" and inserting persons who transport

On the question,

Will the House agree to the amendments?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Bucks, Mr. Burns.

Mr. BURNS. Mr. Speaker, this amendment is the amendment that says any driver who transports a youngster who under the bill is required to be in a child restraint seat. It makes it any driver rather than just a parent or a legal guardian.

There is nothing that I have ever read that says that parents are the only ones who have accidents. If we are going to protect the youngsters, then I think any driver driving a youngster should be required to have that type of car seat.

The SPEAKER pro tempore. The gentleman has introduced a controversial amendment.

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

Mr. MISCEVICH. Mr. Speaker, would Mr. Burns consent to brief interrogation?

Mr. BURNS. Yes, Mr. Speaker.

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

Mr. MISCEVICH. Thank you, Mr. Speaker.

Mr. Speaker, if I have a Corvette or one of these new Fuegos or a new Firebird that Pontiac is trying to sell or putting their hopes on producing one of these new cars and making it a marketable item, and I am a grandparent, and by some quirk of fate my grandchild has to go to a doctor or a hospital and I am driving him in my two-seat Corvette, do I have to have a child restraint seat in my car?

Mr. BURNS. Well, I believe under the bill it covers ages 1 to 4. For example, the youngster age 1 to 4 can use the regular seat belts that are required by law to be in the car. Now, if you are talking about a youngster under 1 year of age, I believe, and under 40 pounds, yes, if that were the case, Mr. Speaker, you would be required to have a child restraint seat.

Mr. MISCEVICH. This is under your amendment that I would be required to have a child restraint seat in my car?

Mr. BURNS. Yes. If the grandchildren, for example, whom you mentioned were between the ages of 1 and 4, you would not be required under my amendment or any amendment—

Mr. MISCEVICH. We are assuming that these children are at the age where they would require the seat.

Mr. BURNS. Well, if they are under 40 pounds and under the age of 1, yes. Under my amendment, there would have to be a child restraint seat in your car, which you could, in my opinion, borrow very easily from your son or daughter-in-law.

Mr. MISCEVICH. Mr. Speaker, if I am in order, may I make a comment, please?

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

Mr. MISCEVICH. Mr. Speaker, I would just like to bring to the attention of the rest of the House members, if you indeed do have a two-seater automobile such as a Corvette or a pickup truck, you would be in violation of this law, not willfully be in violation but it is just beyond your means of control that you have this type of vehicle, and under Mr. Burns' amendment, you would be in violation. I would ask you for a "no" vote on this amendment.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Somerset, Mr. Lloyd.

Mr. LLOYD. Thank you, Mr. Speaker.

I would like to bring to the members' attention that this amendment was discussed in great detail in committee and defeated overwhelmingly. What the bill does now is to say that parents or legal guardians must have either child seat restraints or seat belts. Under this amendment, everybody, even people who are not related who happen to be giving you or your wife and child a ride home from the local church or from a meeting hall, would have to comply with this law and for failure to comply with that law could be subject to the penalties of the bill. By the same token, grandparents who did not have the child seat restraint would be subject to the penalties if this amendment is adopted. In view of the fact that we had so much controversy about this bill before and this House twice refused to pass it, it was the view of the majority of the members of the committee that we ought to pass the bill as legal guardians and parents and not as all drivers. For that reason and in order to make sure that we can get off square one and get something passed, I would ask for a "no" vote.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Beaver, Mr. Laughlin.

Mr. LAUGHLIN. Mr. Speaker, I sympathize with the maker of the amendment, Representative Burns, and as was stated earlier by Representative Lloyd, this amendment was considered at great length in the committee and was rejected. It was rejected, Mr. Speaker, because we were concerned that many people across the State would be stopped by a police officer and issued a citation for not having a child restraint apparatus in the car merely for transporting a person within their car who would have a child who would be of that age. The Representative mentions a 40-pound limit. I do not believe, Mr. Speaker, that that is correct. The portion of the 40 pounds was stripped out earlier. It is just below the age of 1.

With regard to the passage of this legislation as it is presently structured, Mr. Speaker, it would certainly meet all the criteria that has been requested by the hospitals, by the nursing organizations, and by many of the other charitable organizations across the State who have agreed to provide these seats for those who cannot afford them. When this bill goes in, if this amendment is carried it will mean that all of those efforts would then be diminished, because no one could provide the number of apparatus that would be necessary to take care of this incident. Everyone would be required to have one of these if in fact you were transporting any relative, any friend, who would have a child of this age, and I ask for a "no" on this amendment, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Burns.

Mr. BURNS. Mr. Speaker, if the idea that one has to put a child in a child restraint seat, if that idea is a good one, to protect that youngster from any accident and from permanent brain damage and so forth, it just stands to reason that it is good for any driver and not just parents or guardians. For example, if I had a youngster who was being transported by a

neighbor from a kindergarten center or preschool center, I would certainly want that neighbor to give that child the same protection that I as a parent would give him.

You know, if you really think about it for a minute, we talked about grandparents. I am of the age that I could be a grandparent, and I know my reaction times and so forth are not what they were when I was a parent. I do know that if someone could show me that only parents and only legal guardians are going to have accidents that cause youngsters damage for the rest of their lives, if they are the only ones who are ever going to have accidents that do this, then I would withdraw this amendment; I would never offer it, but we are talking here about protecting youngsters. It is not a big deal. All we have to do, all I would have to do as a grandparent is simply borrow the seat from my son or my daughter and put it in my car if I wanted to transport my grandchildren. That does not seem to me to be a big thing when we are talking about the life of a youngster who has no way, no way at all, to defend himself or herself. I think it is a small price, this inconvenience to transfer a seat from one car to another. They certainly do not have to go out and buy them. They do not have to go out and get loaners. If the parents have a youngster under 1 year of age and we make the parents put that youngster in a child restraint seat, then I think we ought to require that the grandparents or any other person who is transporting that youngster put that child in the same seat. Thank you, Mr. Speaker.

PARLIAMENTARY INQUIRY

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

Mr. DAVIES. A parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state his point of parliamentary inquiry.

Mr. DAVIES. While the subject is so at hand, would, possibly, the Speaker consider seat restraints for several of our members while we are in such a debate, because speaking to the decorum and the conduct of the House, you are absolutely right. It is almost impossible for someone to follow the debate by either of the former two, and I realize that there must be some kind of important discussion going on on the floor, but it is not conducive to that debate. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The skill of man has been unable to devise any device that would maintain the members in their seats, and while straitjackets come to mind, it would seem to me that that would be a rather drastic move. The Chair does thank the gentleman for his remarks.

The Chair recognizes the gentleman from Lehigh, Mr. Snyder.

Mr. D. W. SNYDER. Thank you very much, Mr. Speaker.

I stand in opposition to the Burns amendment, because I feel that we have to look at the intent of the legislation we are trying to enact today. Much of the opposition to the act in the past has been problems with the enforcement and implementation of a child restraint system throughout the Common-

wealth. By restricting it to parents and legal guardians, we are at least sending a message to the public that we do serve a useful purpose by requiring a child restraint system. I would hope that if parents themselves are utilizing the chairs, they would also require any other form of transportation to include a child restraint system.

By enacting this legislation, we are raising public awareness. However, being the parent of an 8-month-old child and having two vehicles, we actually need three child restraint seats within our household in order to have one available at all times for transporting the child in one of our vehicles. I think if we get into any driver and all drivers transporting children, we would certainly have an implementation problem of trying to make sure that there are enough seats available to go around for all forms of transportation. Mr. Burns stated in his remarks that it is very easy to transfer the seats from one vehicle to another. I know from practical experience that really does not work. I would stand in opposition to the amendment. I feel that if this amendment is approved, the bill itself would be in trouble.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Delaware, Mr. Freind.

Mr. FREIND. Thank you, Mr. Speaker.

Would the maker of the amendment stand for brief interrogation?

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

Mr. FREIND. Thank you, Mr. Speaker.

Mr. Speaker, if you know, do any other States have a law which contains the provision of your amendment?

Mr. BURNS. Mr. Speaker, there are 40 States presently that have a child restraint seat law. Of those 40 States, 27 of them require any driver, not just parents, not just legal guardians, but 27 of those 40 that presently have the law on the books require that any driver must have a child restraint seat. If it works in 27 States without any problem, I do not see the problem of it working in Pennsylvania.

The SPEAKER pro tempore. Has the gentleman completed his interrogation?

Mr. FREIND. Yes, I have, Mr. Speaker. If I may, I would just like to make a brief comment.

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

Mr. FREIND. Thank you, Mr. Speaker.

I hate to admit this—and I do not admit it very often—but I think the gentleman, Mr. Burns, has a very good idea with this amendment.

I should point out that I checked with him. It is his own idea. Walt Carmo did not have anything to do with it. This is on his own, and it is a good amendment, Mr. Speaker.

If the bottom line of this bill is to protect little children, it does not matter who is driving the car. They can get hurt or killed just as easily if a friend or a relative is driving rather than the parent. I hope that we adopt this amendment. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—63

Arty	Deluca	Kukovich	Saurman
Belardi	Davies	Lashingier	Schuler
Belfanti	Dombrowski	Lehr	Serafini
Book	Fattah	Levi	Smith, B.
Brandt	Fischer	Lucyk	Snyder, G. M.
Broujos	Flick	McHale	Spitz
Bunt	Freeman	Manmiller	Steighner
Burns	Freind	Mayernik	Stevens
Caltagirone	Gallagher	Micozzie	Sweet
Cappabianca	Gannon	Nahill	Tigue
Cawley	Greenwood	Peterson	Wachob
Cimini	Grieco	Phillips	Wilson
Civera	Gruitza	Pistella	Wozniak
Clark	Hagarty	Pitts	Wright, J. L.
Clymer	Hershey	Rappaport	Wright, R. C.
Cornell	Honaman	Reinard	

NAYS—129

Afflerbach	Gallen	McMonagle	Rudy
Alderette	Gamble	McVerry	Ryan
Angstadt	Geist	Mackowski	Rybak
Armstrong	George	Madigan	Saloom
Baldwin	Gladeck	Manderino	Salvatore
Barber	Godshall	Markosek	Scheetz
Battisto	Gruppo	Marmion	Semmel
Beloff	Haluska	Merry	Seventy
Blaum	Harper	Michlovic	Showers
Bowser	Hasay	Miller	Sirianni
Boyes	Hayes	Moehlmann	Smith, L. E.
Burd	Herman	Mowery	Snyder, D. W.
Cessar	Hoeffel	Mrkonic	Spencer
Cohen	Hutchinson	Murphy	Stairs
Colafella	Itkin	Noye	Stewart
Coslett	Jackson	O'Brien	Swift
Cowell	Jarolin	O'Donnell	Taylor, E. Z.
Coy	Johnson	Olasz	Taylor, F. E.
DeVerter	Kasunic	Oliver	Telek
DeWeese	Kennedy	Perzel	Trello
Daley	Klingaman	Petrarca	Truman
Dawida	Kosinski	Petrone	Van Horne
Deal	Kowalshyn	Piccola	Vroon
Dietz	Laughlin	Pievsky	Wambach
Donatucci	Lescovitz	Pott	Wargo
Dorr	Letterman	Pratt	Wass
Duffy	Levin	Preston	Weston
Durham	Linton	Punt	Wiggins
Fargo	Livengood	Reber	Williams
Fee	Lloyd	Richardson	Wogan
Foster, W. W.	McCall	Rieger	Wright, D. R.
Foster, Jr., A.	McClatchy	Robbins	Zwikel
Fryer			

NOT VOTING—7

Carn	Evans	Maiale	Morris
Dininni	McIntyre	Miscevich	

EXCUSED—4

Cole	Stuban
Cordisco	Irvis,
	Speaker

The question was determined in the negative, and the amendments were not agreed to.

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

Mr. HUTCHINSON offered the following amendment No. A3145:

Amend Sec. 1 (Sec. 4581), page 5, line 9, by inserting after "SUBCHAPTER."

No criminal proceeding for the crime of homicide by vehicle shall be brought on the basis of noncompliance with this subchapter.

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

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

Mr. HUTCHINSON. Thank you, Mr. Speaker.

In this bill they amended it so that any civil or criminal charges could not be used against anybody, but I am not satisfied that that is enough. We have in our Motor Vehicle Code today homicide by vehicle. So I put an amendment in that if somebody dies in a wreck, some youngster, the person or the father or mother would not be held for homicide by vehicle. Thank you.

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

Mr. McHALE. Mr. Speaker, I rise to speak on this amendment.

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

Mr. McHALE. Mr. Speaker, I have conferred with Representative Hutchinson on this particular amendment. It is my own opinion that the language that is being proposed is unnecessary, and the purpose that the gentleman addresses is already included within the existing amendment. However, I do not think that the language which he seeks to add in any way detracts from the existing language, and therefore, I seek an affirmative vote.

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

The following roll call was recorded:

YEAS—196

Afflerbach	Fargo	Linton	Rieger
Alderette	Fattah	Livengood	Robbins
Angstadt	Fee	Lloyd	Rudy
Armstrong	Fischer	Lucyk	Ryan
Arty	Flick	McCall	Rybak
Baldwin	Foster, W. W.	McClatchy	Saloom
Battisto	Foster, Jr., A.	McHale	Salvatore
Belardi	Freeman	McMonagle	Saurman
Belfanti	Freind	McVerry	Scheetz
Beloff	Fryer	Mackowski	Schuler
Blaum	Gallagher	Madigan	Semmel
Book	Gallen	Manderino	Serafini
Bowser	Gamble	Manmiller	Seventy
Boyes	Gannon	Markosek	Showers
Brandt	Geist	Marmion	Sirianni
Broujos	George	Mayernik	Smith, B.
Bunt	Gladeck	Merry	Smith, L. E.
Burd	Godshall	Michlovic	Snyder, D. W.
Burns	Greenwood	Micozzie	Snyder, G. M.
Caltagirone	Grieco	Miller	Spencer
Cappabianca	Gruitza	Miscevich	Spitz
Carn	Gruppo	Moehlmann	Stairs

Cawley	Hagarty	Morris	Steighner
Cessar	Haluska	Mowery	Stevens
Cimini	Harper	Mrkonc	Stewart
Civera	Hasay	Murphy	Sweet
Clark	Hayes	Nahill	Swift
Clymer	Herman	Noye	Taylor, E. Z.
Cohen	Hershey	O'Brien	Taylor, F. E.
Colafella	Hoeffel	O'Donnell	Telek
Cornell	Honaman	Olasz	Tigue
Coslett	Hutchinson	Oliver	Trello
Cowell	Itkin	Perzel	Truman
Coy	Jackson	Peterson	Van Horne
Deluca	Jarolin	Petrarca	Vroon
DeVerter	Johnson	Petrone	Wachob
DeWeese	Kasunic	Phillips	Wambach
Daley	Kennedy	Piccola	Wargo
Davies	Klingaman	Pievsky	Wass
Dawida	Kosinski	Pistella	Weston
Deal	Kowalshyn	Pitts	Wiggins
Dietz	Kukovich	Pott	Williams
Dininni	Lashingier	Pratt	Wilson
Dombrowski	Laughlin	Preston	Wogan
Donatucci	Lehr	Punt	Wozniak
Dorr	Lescovitz	Rappaport	Wright, D. R.
Duffy	Letterman	Reber	Wright, J. L.
Durham	Levi	Reinard	Wright, R. C.
Evans	Levin	Richardson	Zwinkl

NAYS—0

NOT VOTING—3

Barber McIntyre Maiale

EXCUSED—4

Cole Stuban
Cordisco
Irvis,
Speaker

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

The question is, shall the bill pass finally?

The Chair recognizes the gentleman from Lehigh, Mr. McHale.

Mr. McHALE. Thank you, Mr. Speaker.

Mr. Speaker, I would now like to take the opportunity for the next few minutes to very briefly address my colleagues in the House on a bill that I consider to be extremely important.

Every year in Pennsylvania more children under 5 years of age are killed in auto crashes than die from any other single cause. Now that, I think, is a very grim statistic. Mr. Speaker, that figure, that statistic, remains only a number until an individual approaches you, as a father did me, to explain what impact this kind of tragedy can have on an individual family's life.

About 4 or 5 months ago, Mr. Speaker, one of my constituents, a gentleman named Richard Hontz, approached me to tell me about a tragedy that had affected his own family. He

approached me when I was at a volunteer fire company in my district. I was there on a matter completely unrelated to child restraints, and he stopped me as I was leaving and he said, Paul, can I talk to you for a few minutes? I said sure. He took me aside at that point and he said, where does the Pennsylvania General Assembly stand on the issue of child restraints? It was obvious to me at that point that he had a particular concern with regard to this legislation. Very briefly, let me tell you what he related to me.

Several years ago Dick Hontz, his wife, his daughter, and his son were driving on a State legislative route just outside my district and they were involved in a tragic automobile crash. Dick's daughter was in a child safety seat in the back of the car. His son, who was then 3 months old, was in his mother's arms. At the moment of impact, his daughter, who was safely restrained, was virtually uninjured, but his son was killed. I made the decision at that point, Mr. Speaker, to become involved in this issue, because once somebody looks you in the eye, once a father looks you in the eye and tells you how important this legislation is, it takes on a significance that goes far beyond numbers.

Let me highlight for the members of the House some of the very significant changes that have taken place in this legislation since the last time it was considered as the Gekas proposal during the last session. I would emphasize to the members of the House that the bill before us today is considerably different from that which you voted on during the last session.

I had two primary concerns when I drafted the language which is included in the current bill. First of all, I was greatly concerned about the financial impact on low-income families. For that reason, the following proposals were included to cushion the economic impact, particularly on those who are unemployed and are of low incomes. First of all, I would emphasize the seat-belt option. For any child age 1 to 4, a seat belt in the back seat of the car meets the requirements of this act.

Secondly, the penalty provision of this bill would not go into effect until January 1, 1985, which gives us adequate opportunity to set up reasonable loaner programs.

Thirdly, we have a reasonable fine included in this legislation. When this bill passed the Senate, the fine was \$50. It has now been reduced to \$25, and through any number of means that are spelled out in the bill, it will be very difficult for a parent to actually be ultimately fined. We have, I think, very reasonable waiver provisions included.

Lastly, let me emphasize, we are setting up a child restraint fund, the purpose of which will be to assist low-income families. In keeping with the educational purpose of the bill, any money that comes in under this statute will be channeled not into the General Fund but into a specific trust fund administered by the Department of Transportation, again, to assist low-income families.

Mr. Speaker, I do not mean to take a great deal of the House's time today and I recognize we have other important matters that have to be considered, so let me summarize what I had originally intended to say.

Each year in Pennsylvania 9,000 children under the age of 5 are involved in automobile crashes. Two thousand seven hundred children are injured in those crashes, 400 children are incapacitated by those same accidents, and 38 children in Pennsylvania were killed between 1980 and 1982 in automobile crashes.

Let me mention one final and what I think is a startling statistic. In 1978 Tennessee became the very first State to adopt this kind of legislation. Following the enactment of this type of legislation in Tennessee, there was a 55-percent reduction in child fatalities flowing from automobile accidents.

Mr. Speaker, I have worked with this issue now for the last 6 months, and I suppose I could go on for a great deal of time presenting number after number that would capture the heart of my argument, which is that this bill ought to be passed. But very sincerely as I speak to you today, what comes back to my mind is not numbers; I do not think in terms of statistics. I think very sincerely in terms of the conversation that I had with Dick Hontz back in January when he stopped me on that stairwell and said, it is too late for my son but it is not too late for the other children of Pennsylvania.

During our term in office we will have very few opportunities to cast a vote that will touch so directly on the preservation of human life. We have that opportunity right now. Mr. Speaker, I earnestly urge an affirmative vote on SB 21. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

Mrs. ARTY. Thank you, Mr. Speaker.

Mr. Speaker, it may be recalled by some of the members of the House that in the past session I took a bill from the Senate and brought it onto the floor of the House and it concerned the safety of young children while riding in motor vehicles. At that time, Mr. Speaker, I failed to convince my colleagues that we needed a child safety seat law in Pennsylvania. Apparently for many, many reasons, we are on the brink of having Pennsylvania join the other 40 States in the Union in making an effort to cease the hurting and killing of young children in motor vehicles.

I have with me, Mr. Speaker, a file that represents about 2 years, 3 years of effort in doing the research and the background and the kinds of things that we needed to bring this law to light in the Commonwealth of Pennsylvania. For all of these reasons, for all of the aforementioned reasons that have been given, may I urge, Mr. Speaker, that we pass SB 21 and stop killing children in Pennsylvania.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Franklin, Mr. Punt.

Mr. PUNT. Thank you, Mr. Speaker.

During the last session, this legislation came before us and I was very actively opposed to it. Mrs. Arty and I had a few go-arounds last session and this session on this subject. This proposal was in the House Consumer Affairs Committee, and this committee held very extensive hearings and considered all aspects of the many concerns and reservations that I had and

many other members had. In the three terms that I have served here, I have never seen a committee with such dedication and commitment look earnestly into a situation such as this. Three weeks ago this legislation came before the committee for a final vote. During the last session and this session, I expressed severe reservations about a fine, a penalty, a charge on your record. I would like to say this for the benefit of Representative Arty and Representative McHale: They have truly done a superb job in trying to address and resolve the concerns expressed by many members of this House of Representatives during the last session and this session. Two weeks ago I still maintained opposition to this legislation and stated so in public broadcasting. Once I saw this legislation appear on the calendar for a full House vote, particularly during the last week, I studied and searched thoroughly this legislation and my reservations versus the impact that it can have on a small child. I am here to say that I have switched and I am going to fully support SB 21. I believe very firmly in it.

Seven months ago I learned I am going to become a father for the first time. Several weeks ago, without this being law, we went out and purchased a seat. I have always supported the concept and the intent behind it, and there is no reason why, with all of those concerns and reservations, we cannot have an adequate child restraint law in this Commonwealth. If nothing else, if just one life is saved, then I submit to you, Mr. Speaker, it is entirely worth it. Thank you, Mr. Speaker.

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

Mr. DEAL. Mr. Speaker, may I interrogate Mr. McHale?

The SPEAKER pro tempore. Would the gentleman, Mr. McHale, stand for a period of interrogation?

Mr. McHALE. I will, Mr. Speaker.

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

Mr. DEAL. Mr. Speaker, when I look on page 4 of SB 21, under "Waiver of fine," it appears to me that as long as a guardian had a receipt showing that they had purchased, borrowed, or in some way had acquired a safety seat, the fine would be waived. Mr. Speaker, I am wondering, how many times could a guardian go before the magistrate and say that they have a receipt? That is my question. How many times? I do not see a limitation. It is probably in there. I do not see well sometimes and I would hope that you might share with me what would happen.

Mr. McHALE. Mr. Speaker, the gentleman is correct. The provision does appear on page 4 and is very consciously designed to be this way to avoid a fine whenever possible and instead teach a lesson.

This is not a punitive piece of legislation. It is meant to be educational. So as the gentleman, Mr. Deal, points out, if proof of acquisition is provided to a district magistrate before the time of the hearing, the magistrate has no discretion. The language is mandatory. He must dismiss the charge. There is no language in this bill that would limit the number of times that a parent could do that. What we rely on instead is the

good sense of most Pennsylvania parents. I think relatively few parents in this State will repeatedly come back into court and escape a fine by this mechanism. We are not really trying to punish those parents. We are trying to teach them the essential lesson of how essential a child safety seat is for the protection of their children. If a parent chooses to abuse the waiver provision, there is nothing in the current bill that would prevent that. However, I think few Pennsylvania parents would take advantage of that.

The SPEAKER pro tempore. Has the gentleman, Mr. Deal, completed his interrogation?

Mr. DEAL. I have not, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may continue.

Mr. DEAL. Mr. Speaker, what method do you prescribe for police officers to determine whether or not a child is 4 years or older, and why was that 4-year figure selected? I am aware that at one time it was 40 pounds, and we talked about buying scales for police officers. I am now trying to find out about the 4 years.

Mr. McHALE. Mr. Speaker, again the gentleman is correct. As originally proposed and as voted upon the last time in this House, there are two provisions: a 40-pound provision and an age provision. Specifically in response to the concerns that were voiced by Representative Deal in the last session, the 40-pound provision has been removed. With regard to the age provision, what we are calling upon is a certain degree of common sense on the part of our police officers.

We had a State trooper from Michigan, where this type of law is already in effect, appear before our committee and testify. As Representative Deal may recall, I asked that State trooper from Michigan precisely the same question he just asked me. The trooper indicated to our committee that in Michigan there has been no problem. Where a police officer is uncertain as to whether the child is over 4 years of age, the officer issues a warning and no citation. The police officers in Michigan—and I am confident the police officers in Pennsylvania—could draw a reasonable commonsense conclusion as to whether clearly a child was under 4 years of age and in appropriate cases issue a citation. There is no doubt that the bottom line here is a basic reliance upon the good sense, the common sense, of our State troopers.

Mr. DEAL. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Beaver, Mr. Laughlin.

Mr. LAUGHLIN. Mr. Speaker, very briefly, the gentleman, Mr. McHale, had said earlier that he had worked rather strenuously on this particular piece of legislation. I wish to give the Representative his due credit. He did an outstanding job on this particular legislation, as did Representative Arty before him. I believe it is not merely a bill that will give credit to any one individual but will give credit to this House of Representatives when finally the bill is passed and the protection is there for the children across this State. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman for his remarks.

On the question recurring,
Shall the bill pass finally?

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

YEAS—190

Afflerbach	Fargo	Livengood	Robbins
Alderette	Fattah	Lloyd	Rudy
Angstadt	Fee	Lucyk	Ryan
Armstrong	Fischer	McCall	Rybak
Arty	Flick	McClatchy	Saloom
Baldwin	Foster, W. W.	McHale	Salvatore
Battisto	Foster, Jr., A.	McIntyre	Saurman
Belardi	Freeman	McMonagle	Scheetz
Belfanti	Freind	McVerry	Schuler
Beloff	Fryer	Mackowski	Semmel
Blaum	Gallagher	Madigan	Serafini
Book	Gallen	Maiale	Seventy
Bowser	Gamble	Manderino	Showers
Boyes	Gannon	Manmiller	Sirianni
Brandt	Geist	Markosek	Smith, B.
Broujos	George	Marmion	Smith, L. E.
Bunt	Gladeck	Mayernik	Snyder, D. W.
Burd	Godshall	Merry	Snyder, G. M.
Burns	Greenwood	Michlovic	Spencer
Caltagirone	Grieco	Micozzie	Spitz
Cappabianca	Gruitza	Miller	Stairs
Carn	Gruppo	Morris	Steighner
Cawley	Hagarty	Mowery	Stevens
Cessar	Haluska	Mrkonic	Stewart
Cimini	Harper	Murphy	Sweet
Civera	Hayes	Nahill	Swift
Clark	Herman	Noye	Taylor, E. Z.
Clymer	Hershey	O'Brien	Taylor, F. E.
Cohen	Hoeffel	O'Donnell	Telek
Colafella	Honaman	Olasz	Tigue
Cornell	Itkin	Oliver	Trello
Coslett	Jackson	Perzel	Truman
Cowell	Jarolin	Peterson	Van Horne
Coy	Johnson	Petrarca	Vroon
Deluca	Kasunic	Petrone	Wachob
DeVerte	Kennedy	Phillips	Wambach
DeWeese	Klingaman	Piccola	Wargo
Daley	Kosinski	Pievsky	Wass
Davies	Kowalyszyn	Pistella	Weston
Dawida	Kukovich	Pitts	Williams
Dietz	Lashingier	Pratt	Wilson
Dininni	Laughlin	Preston	Wogan
Dombrowski	Lehr	Punt	Wozniak
Donatucci	Lescovitz	Rappaport	Wright, D. R.
Dorr	Letterman	Reber	Wright, J. L.
Duffy	Levi	Reinard	Wright, R. C.
Durham	Levin	Rieger	Zwilk
Evans	Linton		

NAYS—5

Deal	Hutchinson	Moehlmann	Pott
Hasay			

NOT VOTING—4

Barber	Miscevich	Richardson	Wiggins
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EXCUSED—4

Cole	Stuban
Cordisco	
	Irvis, Speaker

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

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.

WELCOMES

The SPEAKER pro tempore. The Chair is pleased to welcome guests of Representative Kosinski. They are Michael H. P. O'Brien, his wife, Rita O'Brien, and their daughter, Bridget O'Brien.

The Chair is pleased to recognize the presence of Sarah and Bob Unruh from Skippack. They are the guests of Representatives Bunt and Godshall.

The Chair is most pleased to welcome Dr. Gerald Potts and Joseph J. Gallen. They are members of the Governor Mifflin School Board in Berks County. They are guests of Representative Gallen.

BILLS ON THIRD
CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 1301, PN 1890**, entitled:

An Act establishing a program of pharmaceutical assistance to the aged; providing further duties of the Department of Aging; and making an appropriation.

On the question,

Will the House agree to the bill on third consideration?

Mr. DALEY offered the following amendments No. A3089:

Amend Title, page 1, line 1, by inserting after "pharmaceutical"

and optical

Amend Sec. 1, page 1, line 8, by inserting after "Pharmaceutical"

and Optical

Amend Sec. 2, page 2, line 1, by removing the period after "drugs" and inserting

, prescribed devices and examinations.

Amend Sec. 2, page 2, by inserting between lines 7 and 8

"Examination." An eye examination or glaucoma test conducted by a licensed optometrist or ophthalmologist.

Amend Sec. 2, page 3, by inserting between lines 5 and 6

"Prescribed device." Eyeglasses or lenses prescribed by a licensed optometrist or ophthalmologist.

Amend Sec. 2, page 3, line 8, by inserting after "pharmaceutical"

and optical

Amend Sec. 2, page 3, line 11, by inserting after "drugs"

and prescribed devices

Amend Sec. 2, page 3, line 12, by removing the period after "department" and inserting

or the customary fee for examinations charged in the locale.

Amend Sec. 3, page 3, line 15, by inserting after "pharmacies"

and eye-care providers

Amend Sec. 3, page 3, line 16, by inserting after "drugs"
 , prescribed devices and examinations
 Amend Sec. 3, page 3, lines 17 and 18, by striking out "per
 prescription, or per purchase of insulin,"
 Amend Sec. 3, page 3, line 19, by inserting after "pharma-
 cies"
 or eye-care providers
 Amend Sec. 5, page 5, line 5, by inserting after "pharmacy"
 or eye-care provider
 Amend Sec. 5, page 5, line 7, by removing the period after
 "pharmacy" and inserting
 or in his office.
 Amend Sec. 6, page 5, line 9, by inserting after "drug"
 , prescribed device or examination
 Amend Sec. 6, page 5, line 10, by striking out "were" and
 inserting
 are
 Amend Sec. 6, page 5, line 12, by inserting after "drug"
 , prescribed device or examination
 Amend Sec. 7, page 5, line 21, by inserting after "drug"
 , prescribed device or examination
 Amend Sec. 9, page 6, line 15, by inserting after "prescrip-
 tion"
 or optical care
 Amend Sec. 12, page 7, line 3, by inserting after "drugs"
 , prescribed devices and examinations

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

AMENDMENTS WITHDRAWN

The SPEAKER pro tempore. The Chair recognizes the gen-
 tleman from Washington, Mr. Daley.
 Mr. DALEY. Mr. Speaker, I had intended to rise to offer
 this amendment, which I feel is a vital need to the citizens of
 the Commonwealth, but after extensive discussion with Rep-
 resentative Hoeffel, I think it would be fiscally irresponsible. I
 think that the most important concept at hand is before us. I
 do still, however, feel that eye care is a vital concern to all
 senior citizens of Pennsylvania, and I hope at some other time
 that this amendment can be offered in another form of legisla-
 tion. So at this time I withdraw the amendment.

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

Mr. TRELLO offered the following amendment No.
 A3143:

Amend Sec. 7, page 5, lines 22 through 25, by striking out
 "The" in line 22 and all of lines 23 through 25 and inserting
 The regulations shall provide that no pharmacy shall accept a pre-
 scription from an eligible claimant unless included thereon is the
 claimant's social security number. The regulations shall also
 provide that payment to pharmacies be made within 30 days of
 the date the pharmacy requests payment from the Common-
 wealth. In the event that payment is not made within 30 days, said
 payment shall accrue interest at the rate provided by section 806
 of the act of April 9, 1929 (P.L.343, No.176), known as The
 Fiscal Code, from the date the payment was requested until the
 date the payment is mailed. No pharmacy shall be entitled to any
 interest payment pursuant to this section during any period in
 which an amount of tax imposed pursuant to Article II of the act
 of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code
 of 1971, is due and payable by said pharmacy, but is overdue,
 unpaid or outstanding.

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

The SPEAKER pro tempore. The Chair recognizes the gen-
 tleman from Allegheny, Mr. Trello.

Mr. TRELLO. Mr. Speaker, this amendment pertains to
 the pharmacists who are going to administer the program. If
 we do not have any pharmacists participating in this program,
 we have no program. What this amendment does is simply
 mandates that the pharmacists be reimbursed within 30 net
 days after the department is billed. Then it provides interest
 penalties if they are not paid within 30 days. I think it is a
 good amendment, and I think we should support it.

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

The following roll call was recorded:

YEAS—196

Afflerbach	Fattah	Livengood	Rieger
Alderette	Fee	Lloyd	Robbins
Angstadt	Fischer	Lucyk	Rudy
Armstrong	Flick	McCall	Ryan
Arty	Foster, W. W.	McClatchy	Rybak
Baldwin	Foster, Jr., A.	McHale	Saloom
Barber	Freeman	McIntyre	Salvatore
Battisto	Freind	McMonagle	Saurman
Belardi	Fryer	McVerry	Scheetz
Belfanti	Gallagher	Mackowski	Schuler
Beloff	Gallen	Madigan	Semmel
Blaum	Gamble	Manderino	Serafini
Book	Gannon	Manmiller	Seventy
Bowser	Geist	Markosek	Showers
Boyes	George	Marmion	Sirianni
Brandt	Gladeck	Mayernik	Smith, B.
Broujos	Godshall	Merry	Smith, L. E.
Bunt	Greenwood	Michlovic	Snyder, D. W.
Burd	Grieco	Micozzie	Snyder, G. M.
Burns	Gruitza	Miller	Spencer
Caltagirone	Gruppo	Miscevich	Spitz
Cappabianca	Hagarty	Moehlmann	Stairs
Carn	Haluska	Morris	Steighner
Cawley	Harper	Mowery	Stevens
Cessar	Hasay	Mrkonic	Stewart
Cimini	Hayes	Murphy	Sweet
Civera	Herman	Nahill	Swift
Clark	Hershey	Noye	Taylor, E. Z.
Clymer	Hoeffel	O'Brien	Taylor, F. E.
Cohen	Honaman	O'Donnell	Telek
Colafella	Hutchinson	Olasz	Tigue
Cornell	Itkin	Oliver	Trello
Coslett	Jackson	Perzel	Truman
Cowell	Jarolin	Peterson	Van Horne
Coy	Johnson	Petrarca	Vroon
Deluca	Kasunic	Petrone	Wachob
DeVerter	Kennedy	Phillips	Wambach
DeWeese	Klingaman	Piccola	Wargo
Daley	Kosinski	Pievsky	Wass
Davies	Kowalshyn	Pistella	Weston
Dawida	Kukovich	Pitts	Wiggins
Dietz	Lashingier	Pott	Williams
Dombrowski	Laughlin	Pratt	Wilson
Donatucci	Lehr	Preston	Wogan
Dorr	Lescovitz	Punt	Wozniak
Duffy	Letterman	Rappaport	Wright, D. R.
Durham	Levi	Reber	Wright, J. L.
Evans	Levin	Reinard	Wright, R. C.
Fargo	Linton	Richardson	Zwilk

Amend Sec. 12, page 7, line 2 by striking out "9%" and inserting

5%

Amend Sec. 13, page 7, line 4, by striking out "13" and inserting

11

On the question,

Will the House agree to the amendments?

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

Mr. DUFFY. Thank you, Mr. Speaker.

I would like to offer this amendment, which is a scrip program. The people who are recipients under this program will receive from the State a certain packet of scrip, and in that packet will be sums of \$1, \$5, and \$10. The scrip will be in there. When they go in, they will make their copayments on their prescriptions and they will pay for the balance in scrip. The pharmacist will take the scrip and present it to the State and be paid within a period of 30 days on that scrip. It is a good control item where the people will have to sign their name to the scrip, plus their social security number. I would like consideration for this at this time.

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

Mr. BARBER. Mr. Speaker, I am definitely against this amendment, because it will include property tax and rent rebate, and it would just flatten out my bill. I am definitely against the amendment.

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

Mr. HOEFFEL. Thank you, Mr. Speaker.

I agree with Mr. Barber that this amendment is a poor one and should be defeated.

The Duffy amendment does several things to the prescription bill, all of which I think are bad. It essentially does away with the copay concept and institutes a scrip concept by which all eligible senior citizens would get an equal amount of scrip, regardless of their financial situation.

The benefit of the copay principle is that it gives the most assistance to those who need the most assistance, and I think we should maintain that principle.

The SPEAKER pro tempore. Has the gentleman completed his remarks?

Mr. HOEFFEL. Could you hold one second, Mr. Speaker?

I apologize for the delay. I notice that I was speaking to a different amendment number than the one offered by Mr. Duffy, so part of my comments were inaccurate.

This amendment by Mr. Duffy does maintain a \$4 copay. I said it did not. However, the next criticism I said is still valid, that this amendment of Mr. Duffy's would divide up the money available to pay for the prescription drug program equally among the eligible senior citizens - again, giving to all eligible citizens the same amount of assistance regardless of their actual financial need and regardless of the number of prescriptions they may need or the cost of the particular prescriptions they may need. So the Duffy amendment does not address the financial needs of the senior citizens we are trying to help.

It would substitute in this bill the Department of Revenue instead of the Department of Aging to implement the program. I believe the Department of Aging is the appropriate agency to implement this program. They will be using the senior centers and so forth that are in existence across the State, and I believe that is a benefit to the seniors we are trying to help.

I think on balance, the Duffy amendment would not offer the targeted help that we should be providing to seniors for their prescription costs, and I would ask for a negative vote.

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

Mr. TRELLO. Mr. Speaker, the Health and Welfare Committee and the House Finance Committee have had extensive hearings on this bill all summer long, and I want to congratulate both committees for the work that they have done in regard to the senior citizen programs.

I do not believe there is one person in this House, lady or gentleman, who opposes programs that would benefit our elder statesmen. However, what the amendment addresses is fiscal responsibility.

The senior citizens all over the State have let Mr. Barber and myself know that they want a copay program and they will not settle for anything less, and I agree with them. But there is one avenue that we have to look long and hard at, and that is, how long is this money going to last? I think if we are going to start a program, we want to make sure that it does not end 3 or 4 years down the road. The only thing that Mr. Duffy's amendment does is simply this: It takes the amount of money that is available and the number of senior citizens who qualify for it and divides it and spreads the money out equally. If this formula is allowed to pass, it will insure the fact that we will never run out of money; there will always be money for senior citizen programs. So it is something for you to think about.

The copay is what the senior citizens have demanded throughout the State, and I say that they deserve whatever they request, because the money is for them and for them only. But again, I must add, let us not start a program that is going to end in a few years because there is no more money left. So it is something to think about. I am not going to ask anybody to vote "yes"; I am not going to ask anybody to vote "no," but I think we have to be responsible here and make sure that if we provide something for our senior citizens, that it is an ongoing program, not one that will last only a few years. Thank you very much.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Venango, Mr. Peterson.

Mr. PETERSON. Thank you, Mr. Speaker.

Would Mr. Hoeffel stand for brief interrogation?

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

Mr. PETERSON. Mr. Speaker, in your argument against the Duffy amendment—and correct me if I am wrong—I thought I understood you to say that the Duffy amendment

treats everybody alike, no matter what their economic need is.

Mr. HOEFFEL. The Duffy amendment proposes to take the amount of money appropriated by the General Assembly from the Lottery Fund and divide it equally among eligible claimants through the scrip concept or vehicle.

Mr. PETERSON. Well, in your argument against it, you said that it did not differentiate between, maybe, the poor and those who are a little more affluent but who still qualify.

Mr. HOEFFEL. Partly that, Mr. Speaker, but more importantly, the Duffy approach does not give additional help to people who have additional prescription needs or additional help to those who have to purchase very expensive prescriptions. The beauty of the existing copay procedure contained in the Barber legislation now is that the senior pays a certain level of copay, \$4—it may have to go up in the future—per prescription, and if that senior needs a large number of prescriptions, he is going to get help from the Lottery Fund every time he needs a prescription. If that senior has to purchase very expensive drugs, he will have additional help as he needs it from the Jim Barber proposal, as we understand it in the bill and others are supporting.

The Duffy proposal divides up the money equally among eligible seniors who qualify under the income levels, and it does not make available to those who have the highest financial needs, because of high or frequent drug costs, the kind of targeted help they need.

Mr. PETERSON. Well, your further explanation does bring in additional information that you did not before, but originally you made the statement that the Duffy proposal treats everybody alike, no matter what their economic need is, and that can be said also about HB 1301, because you could have 3,000 dollars' worth of income and be trying to make it; you could have \$14,999 of income and be doing much better, and HB 1301 treats you alike. So I think your statement that it does not treat people economically—I am not making the argument about what kind of illness you may have and what kind of medicine you may need, but economically HB 1301 does not help the poor and those who are more needy than those who are maybe up to the borderline and maybe making a \$14,999 income. It treats them exactly the same. I think that should be pointed out, that both bills treat them exactly the same in that context.

Mr. HOEFFEL. In that very limited context. Certainly whenever you set an income level for a program, some people make it under the limit and some people do not, and the people who just miss the limit miss out on a valuable program, and it is unfortunate, but because of financial necessities we have to set limits. But my criticism of the Duffy amendment is much more along the lines that it does not provide for the high prescription costs and excessive numbers of prescriptions that some people have compared to others.

Mr. PETERSON. Well, I guess the argument could be given, too, that the person with 4,000 dollars' worth of income who has 20 prescriptions is going to have to pay that \$4 20 times; and the person with 15,000 dollars' worth of income is going to pay the \$4, if they have 20 prescriptions, 20

times, and that is certainly more difficult for the person with the lower income. I mean, I think it cuts both ways, and I do not think your argument that the Duffy amendment is less fair was really a correct one.

Mr. HOEFFEL. I do not know how many more times I can say it. I think the Duffy amendment is less fair. I mean, if you have a large number of prescriptions that you must fill in a year, the Duffy amendment will not offer the same amount of help as HB 1301 does as currently constituted. If you have to purchase very expensive prescriptions, the Duffy amendment does not offer the kind of help that HB 1301 does, so in that very clear and concrete sense, the Duffy amendment is less fair than HB 1301. It does not target the assistance that HB 1301 targets.

Mr. PETERSON. Well, I guess the Duffy amendment does one thing though: it does say we are going to spend what is available, not necessarily agree to an entitlement program whether we have the money or not. I think that is the basic difference.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Lancaster, Mr. Brandt.

Mr. BRANDT. Thank you, Mr. Speaker.

Would the maker of the amendment consent to brief interrogation?

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

Mr. BRANDT. Mr. Speaker, following the last debate, on page 2 of your amendment, you do look to have the guidance of our tax and rent rebate in disbursing funds. Is that correct? So in other words, there would be a differential of what people would receive under HB 1301 under your amendment, because the less affluent they would be, the more money they would receive under your program.

Mr. DUFFY. That is correct.

Mr. BRANDT. Okay. Thank you, Mr. Speaker.

The SPEAKER pro tempore. Has the gentleman completed his interrogation? He indicates that he has.

Does the gentleman, Mr. Duffy, care to be recognized?

Mr. DUFFY. I would just like to say this is a good control item. I see coming across our desks a piece of literature from out of New Jersey which was circulated, and it explains how that plan in New Jersey has become a disaster for the people in that State, and I think that is what we are trying to prevent right here. So consider this amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I can understand the concerns that people sitting here have that we only spend available surplus in the Lottery Fund for a senior citizen prescription program. Every attempt to do that is being made in HB 1301. There is a safeguard built in. On page 3 of the bill there is an indication that copay of \$4 will increase as costs of prescriptions increase, and with every 20-percent rise in the cost of prescriptions, the copay will increase. This will tend to keep the costs of the program within bounds of the surplus.

Mr. Hoefel's indication to you that this program belongs in the Department of Aging I could not agree with more. We should not take it out, as this amendment would want you to do, and put it in the Department of Revenue. The senior citizen groups that we heard from almost to the organization indicated that they wanted this program in the Department of Aging.

Every senior citizen program that this General Assembly has ever started was started with the intention of it continuing. We are not attempting to start a program in HB 1301 that will go broke down the line in 4 or 5 years. We intend it to be a continuing program, and it will be a continuing program.

We have built, we feel, sufficient safeguards into the bill that we do not have to be so concerned about the matters that Mr. Duffy's amendment addresses. I think he would just disrupt the entire intent of the bill, the intent to help those senior citizens who are in most need of prescriptions, those who have many, many prescriptions to pay for each month. The Duffy amendment would be providing scrip to senior citizens who would not use the scrip because they do not use that much in prescription drugs in a month, and it would be providing more than enough to them and less than enough to those who have very large drug bills which we are trying to address.

Mr. Speaker, I ask for a negative vote.

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

The following roll call was recorded:

YEAS—55

Alderette	Foster, Jr., A.	Michlovic	Ryan
Bowser	Fryer	Micozzie	Saloom
Boyes	Gallen	Miscevich	Saurman
Brandt	Gamble	Moehlmann	Scheetz
Caltagirone	George	Mowery	Seventy
Cawley	Haluska	Murphy	Spencer
Civera	Hutchinson	Nahill	Spitz
Clark	Kennedy	Noye	Stairs
Deluca	Laughlin	Olasz	Stewart
Davies	Lescovitz	Peterson	Telek
Dawida	McClatchy	Petrarca	Van Horne
Dombrowski	McVerry	Pistella	Wargo
Duffy	Markosek	Preston	Wozniak
Fee	Mayernik	Rappaport	

NAYS—142

Afflerbach	Evans	Letterman	Robbins
Angstadt	Fargo	Levi	Rudy
Armstrong	Fattah	Levin	Rybak
Arty	Fischer	Linton	Salvatore
Baldwin	Flick	Livengood	Schuler
Barber	Foster, W. W.	Lloyd	Semmel
Battisto	Freeman	Lucyk	Serafini
Belardi	Freind	McCall	Showers
Belfanti	Gallagher	McHale	Sirianni
Beloff	Gannon	McIntyre	Smith, B.
Blaum	Geist	McMonagle	Smith, L. E.
Book	Gladeck	Mackowski	Snyder, D. W.
Broujos	Godshall	Madigan	Snyder, G. M.
Bunt	Greenwood	Manderino	Steighner
Burd	Grieco	Manmiller	Stevens
Burns	Gruitza	Marmion	Sweet
Cappabianca	Gruppo	Merry	Swift
Carn	Hagarty	Miller	Taylor, E. Z.
Cessar	Harper	Morris	Taylor, F. E.
Cimini	Hasay	Mrkoncic	Tigue

Clymer	Hayes	O'Brien	Trello
Cohen	Herman	O'Donnell	Truman
Colafella	Hershey	Oliver	Vroon
Cornell	Hoefel	Perzel	Wachob
Coslett	Honaman	Petrone	Wambach
Cowell	Itkin	Phillips	Wass
Coy	Jackson	Piccola	Weston
DeVerter	Jarolin	Pievsky	Wiggins
DeWeese	Johnson	Pitts	Williams
Daley	Kasunic	Pratt	Wilson
Deal	Klingaman	Punt	Wogan
Dietz	Kosinski	Reber	Wright, D. R.
Dininni	Kowalyszyn	Reinard	Wright, J. L.
Donatucci	Kukovich	Richardson	Wright, R. C.
Dorr	Lashingier	Rieger	Zwikl
Durham	Lehr		

NOT VOTING—2

Maiale Pott

EXCUSED—4

Cole Stuban
Cordisco
Irvis,
Speaker

The question was determined in the negative, and the amendments were not agreed to.

On the question recurring,

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

Mr. BARBER offered the following amendment No. A3166:

Amend Sec. 2, page 2, line 6, by striking out "public" and inserting
cash

On the question,

Will the House agree to the amendment?

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

Mr. BARBER. Mr. Speaker, this amends section 2, page 2, line 6, by striking out "public" and inserting "cash." The reason for that, Mr. Speaker, is for the simple reason that that would leave out 10,000 people who should be getting assistance, so that is the reason I put in "cash" instead of "public."

The SPEAKER pro tempore. The Chair recognizes the gentleman from Venango, Mr. Peterson.

Mr. PETERSON. I think there is a lot of confusion—at least there is in this area—on just what this amendment does. Would Mr. Barber stand for interrogation?

The SPEAKER pro tempore. Would the gentleman, Mr. Barber, stand for a period of interrogation?

Mr. BARBER. Yes, Mr. Speaker.

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

Mr. PETERSON. Could you further explain who is going to benefit by removing the word "public" and inserting the word "cash"?

Mr. BARBER. Yes, the medically needy under medical assistance are not covered by that cost, but the 10,000 people

over 65 would benefit from striking out the word "public" and inserting "cash."

Mr. PETERSON. That would mean that those who are on cash assistance would not qualify, but those on public assistance would?

Mr. BARBER. No; just the opposite.

Mr. PETERSON. You are excluding cash. Okay. Thank you.

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

Mr. BARBER. I would like a "yes" vote, please.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—140

Afflerbach	Duffy	Lloyd	Rybak
Angstadt	Evans	Lucyk	Saloom
Arty	Fattah	McCall	Semmel
Barber	Fee	McHale	Serafini
Battisto	Fischer	McIntyre	Seventy
Belardi	Freeman	McMonagle	Smith, B.
Belfanti	Freind	Mackowski	Snyder, D. W.
Blaum	Fryer	Manderino	Snyder, G. M.
Book	Gallagher	Markosek	Spitz
Bowser	Gallen	Marmion	Stairs
Boyes	Gamble	Mayernik	Steighner
Broujos	George	Merry	Stevens
Burd	Greenwood	Michlovic	Stewart
Burns	Gruitza	Micozzie	Sweet
Caltagirone	Gruppo	Miller	Taylor, E. Z.
Cappabianca	Haluska	Miscevich	Taylor, F. E.
Carn	Harper	Morris	Telek
Cawley	Hayes	Mrkonic	Tigue
Cessar	Hoeffel	Murphy	Trello
Civera	Hutchinson	O'Donnell	Truman
Clark	Itkin	Olasz	Van Horne
Clymer	Jarolin	Oliver	Wachob
Cohen	Kasunic	Peterson	Wambach
Colafella	Klingaman	Petrarca	Wargo
Cowell	Kosinski	Petrone	Wass
Deluca	Kowalshyn	Pievsky	Weston
DeWeese	Kukovich	Pistella	Wiggins
Daley	Lashingner	Pitts	Williams
Davies	Laughlin	Pratt	Wilson
Dawida	Lehr	Preston	Wogan
Deal	Lescovitz	Rappaport	Wozniak
Dietz	Letterman	Reinard	Wright, D. R.
Dombrowski	Levin	Richardson	Wright, J. L.
Donatucci	Linton	Rieger	Wright, R. C.
Dorr	Livengood	Robbins	Zwinkl

NAYS—56

Alderette	Foster, W. W.	Kennedy	Pott
Armstrong	Foster, Jr., A.	Levi	Punt
Baldwin	Gannon	McClatchy	Reber
Brandt	Geist	McVerry	Rudy
Bunt	Gladeck	Madigan	Ryan
Cimini	Godshall	Manmiller	Salvatore
Cornell	Grieco	Moehlmann	Saurman
Coslett	Hagarty	Mowery	Scheetz
Coy	Hasay	Nahill	Schuler
DeVerter	Herman	Noye	Sirianni
Dininni	Hershey	O'Brien	Smith, L. E.
Durham	Honaman	Perzel	Spencer
Fargo	Jackson	Phillips	Swift
Flick	Johnson	Piccola	Vroon

NOT VOTING—3

Beloff Maiale Showers

EXCUSED—4

Cole Stuban
Cordisco Irvis,
 Speaker

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

LEAVE OF ABSENCE GRANTED

The SPEAKER pro tempore. The majority leader requests that the gentleman from Chester, Mr. MORRIS, be granted a leave of absence for the remainder of the day. The Chair hears no objection.

CONSIDERATION OF HB 1301 CONTINUED

On the question recurring,

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

Mr. HALUSKA offered the following amendments No. A3170:

Amend Bill, page 6, by inserting between lines 19 and 20 Section 10. Over the counter drugs.

No person shall be eligible for benefits for any over the counter drugs, notwithstanding that the drugs have been prescribed by a physician.

Amend Sec. 10, page 6, line 20, by striking out "10" and inserting

11

Amend Sec. 11, page 6, line 23, by striking out "11" and inserting

12

Amend Sec. 12, page 6, line 29, by striking out "12" and inserting

13

Amend Sec. 13, page 7, line 4, by striking out "13" and inserting

14

On the question,

Will the House agree to the amendments?

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

Mr. HALUSKA. Mr. Speaker, this amendment states that "No person shall be eligible for benefits for any over the counter drugs, notwithstanding that the drugs have been prescribed by a physician."

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

Mr. BARBER. Mr. Speaker, I do not think it is necessary to have that in the bill for the simple reason that a physician must write a prescription before you can get the drugs, period. A physician will have to write a prescription before we can receive these drugs. It is not but three things - insulin and insulin syringes and needles - that you can receive without a prescription. Even if you would write a prescription for over-

the-counter drugs, it would not be covered under this program.

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

Mr. HALUSKA. Mr. Speaker, if the legendary drug symbol indicates to cover nothing but prescription drugs, I will withdraw this amendment.

The SPEAKER pro tempore. Would the gentleman, Mr. Barber, reply to the question raised by Mr. Haluska.

Mr. BARBER. I did not hear it, Mr. Speaker.

The SPEAKER pro tempore. Did the gentleman, Mr. Haluska, raise a question?

Mr. HALUSKA. Yes, I raised a question. I asked that if the term "legendary drug" means that it covers all prescription drugs only and no over-the-counter drugs, then I will withdraw the amendment, sir.

The SPEAKER pro tempore. Has the gentleman, Mr. Barber, heard the question?

Mr. BARBER. Yes, Mr. Speaker.

If you would read on page 2, line 26 to line 28, the definition—

AMENDMENTS WITHDRAWN

Mr. HALUSKA. I am satisfied, Mr. Speaker, that that will cover the amendment, so I will withdraw that amendment.

The SPEAKER pro tempore. The gentleman, Mr. Haluska, withdraws his amendment.

On the question recurring,

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

Mr. GANNON offered the following amendments No. A3128:

Amend Title, page 1, lines 1 through 3, by striking out all of said lines and inserting

Amending the act of March 11, 1971 (P.L.104, No.3), entitled, as reenacted and amended, "An act providing property tax or rent rebate and inflation dividends to certain senior citizens, widows, widowers and permanently disabled persons with limited incomes; establishing uniform standards and qualifications for eligibility to receive rebates and dividends; providing for transportation assistance grants and grants to area agencies on aging for services to older persons; and imposing duties upon the Department of Revenue," changing and adding definitions; further providing for rebate and inflation dividend schedules; and establishing a pharmaceutical assistance program for the elderly.

Amend Bill, page 1, lines 6 through 13; pages 2 through 6, lines 1 through 30; page 7, lines 1 through 5, by striking out all of said lines on said pages and inserting

Section 1. Section 2 of the act of March 11, 1971 (P.L.104, No.3), known as the Senior Citizens Rebate and Assistance Act, reenacted and amended June 16, 1975 (P.L.7, No.4) and amended March 10, 1982 (P.L.177, No.56), is amended to read:

Section 2. Declaration of Policy.—(a) In recognition of the severe economic plight of certain senior citizens, widows, widowers and permanently disabled persons who must pay prescription costs out of limited incomes which threaten their self-sufficiency or who are real property owners or renters with fixed and limited incomes who are faced with rising living costs and constantly increasing tax and inflation cost burdens which threaten their homesteads and self-sufficiency, the General Assembly,

pursuant to the mandates of the Constitutional Convention of 1968, considers it to be a matter of sound public policy to make special provisions for property tax rebates or rent rebates in lieu of property taxes and inflation dividends to that class of senior citizens, widows, widowers and permanently disabled persons who are real property taxpayers or renters who are without adequate means of support to enable them to remain in peaceable possession of their homes and relieving their economic burden and to provide transportation assistance grants and to provide grants to area agencies on aging for services to older persons and to make special provisions for prescription cost reimbursements to that class of senior citizens who are without adequate means to pay prescription costs in order to relieve them from their economic burden.

(b) The General Assembly further recognizes that senior citizens have additional health needs such as eyeglasses, hearing aids, dental care and health insurance. To insure that senior citizens are able to meet those needs and to provide funds to eligible prescription claimants to pay for prescriptions before their first annual rebate, all income-eligible prescription cost claimants may file with the Department of Revenue for a one-time one hundred dollar (\$100) senior citizen lottery sharing grant.

Section 2. Section 3(1) and (7) of the act, (1) amended December 31, 1979 (P.L.570, No.131) and (7) amended March 10, 1982 (P.L.177, No.56), are amended and clauses are added to read:

Section 3. Definitions.—As used in this act:

(1) "Income" means all income from whatever source derived, including but not limited to salaries, wages, bonuses, commissions, income from self-employment, alimony, support money, cash public assistance and relief, the gross amount of any pensions or annuities including railroad retirement benefits, all benefits received under the Federal Social Security Act (except Medicare benefits), all benefits received under State unemployment insurance laws and veterans' disability payments, all interest received from the Federal or any State government, or any instrumentality or political subdivision thereof, realized capital gains, rentals, workmen's compensation and the gross amount of loss of time insurance benefits, life insurance benefits and proceeds (except the first five thousand dollars (\$5,000) of the total of death benefit payments), and gifts of cash or property (other than transfers by gift between members of a household) in excess of a total value of three hundred dollars (\$300), but shall not include surplus food or other relief in kind supplied by a governmental agency or property tax or rent rebate or inflation dividend or reimbursement from this act for prescription costs incurred.

(7) ["Claimant"] "Property tax rebate or rent rebate claimant" means a person who files a claim for property tax rebate or rent rebate in lieu of property taxes and inflation dividend and was sixty-five years of age or over, or whose spouse (if a member of the household) was sixty-five years of age or over, during a calendar year in which real property taxes, rent and inflation costs were due and payable or was a widow or widower, single or divorced and was fifty years of age or over during a calendar year or part thereof in which real property taxes, rent and inflation costs were due and payable, or was a permanently disabled person eighteen years of age or over during a calendar year or part thereof in which real property taxes, rent and inflation costs were due and payable. For the purposes of this act the term "widow" or "widower" shall mean the surviving [wife or the surviving husband, as the case may be,] spouse of a deceased individual and who has not remarried except as provided in [subsection] subsections (c) and (d) of section 4 of this act. For the purposes of this act the term "permanently disabled person" shall mean a person who is unable to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to continue indefi-

nately, except as provided in [subsection] subsections (c) and (d) of section 4 of this act.

(10) “Prescription costs” means the out-of-pocket expenses for legend drugs, insulin, insulin syringes and insulin needles. Prescription costs shall not include the cost of over-the-counter drugs and shall not include costs which are paid for or reimbursed by an insurer, State or Federal agency or other third party.

(11) “Prescription cost claimant” means a person who files a claim for prescription costs and was sixty-five years of age or over during a calendar year in which prescription costs were incurred.

(12) “Claimant” unless the context otherwise indicates, means a property tax rebate or rent rebate claimant and a prescription cost claimant and the term “claim” means a property tax rebate and rent rebate claim and a prescription cost claim.

Section 3. Section 4(a.1) and (a.2) of the act, amended March 10, 1982 (P.L.177, No.56), are amended and a subsection is added to read:

Section 4. Property Tax; Rent Rebate and Inflation Cost.—

(a.1) The amount of any claim for property tax rebate or rent rebate in lieu of property taxes for real property taxes or rent due and payable during calendar year [1981] 1984 and thereafter shall be determined in accordance with the following schedule:

Household Income	Percentage of Real Property Taxes or Rent Rebate in Lieu of Property Taxes Allowed as Rebate
\$ 0 - \$4,999	100%
5,000 - 5,999	[80] 90
6,000 - 6,999	[60] 80
7,000 - 7,999	[40] 60
8,000 - 8,999	[20] 40
9,000 - 11,999	[10] 20
12,000 - 14,999	10

(a.2) To all claimants eligible for a property tax or rent rebate there shall be paid an inflation dividend determined in accordance with the following schedule:

Household Income	Dividend
\$ 0 - 4,999	[\$125] \$150
5,000 - 5,999	[100] 125
6,000 - 6,999	[75] 100
7,000 - 7,999	[60] 75
8,000 - 8,999	[45] 60
9,000 - 11,999	[30] 45
12,000 - 14,999	30

(f) For purposes of this section the term “claimant” is restricted to a property tax rebate or rent rebate claimant and the term “claim” is restricted to a property tax rebate or rent rebate claim.

Section 4. The act is amended by adding a section to read:

Section 4.1. Prescription Costs.—(a) The amount of any claim for prescription costs due and payable during calendar year 1983 and thereafter shall be determined by the department in the following manner:

(1) All eligible claimants shall be responsible for and may not be reimbursed for the first one hundred dollars (\$100) of eligible annual prescription costs.

(2) The maximum amount of the prescription cost rebate shall not exceed one thousand dollars (\$1,000) per year.

(3) The reimbursement rate for prescription costs shall be seventy-five per cent of the out-of-pocket expenditures by eligible claimants for prescription costs in excess of one hundred dollars (\$100).

(4) Eligible claimants with individual income of less than twelve thousand dollars (\$12,000) per year or household incomes of less than fifteen thousand dollars (\$15,000) per year shall be eligible for a prescription rebate.

(b) For purposes of this section the term “claimant” is restricted to a prescription cost claimant and the term “claim” is restricted to a prescription cost claim.

Section 5. Sections 5, 6 and 8 of the act, amended December 21, 1979 (P.L.570, No.131), are amended to read:

Section 5. Filing of Claim.—(a) A claim for property tax or rent rebate and inflation dividend shall be filed with the department on or before the thirtieth day of June of the year next succeeding the end of the calendar year in which real property taxes or rent were due and payable: Provided, That claims filed after the June 30 deadline until December 31 of such calendar year shall be accepted by the Secretary of Revenue as long as funds are available to pay the benefits to the late filing claimants. No reimbursement on a claim shall be made from the State Lottery Fund earlier than the day following the thirtieth day of June provided in this act on which that claim may be filed with the department. Rebate claims for taxes or rent paid during calendar year 1977 shall be accepted by the Secretary of Revenue if filed with the department on or before the thirtieth day of April 1979. Only one claimant from a homestead each year shall be entitled to the property tax or rent rebate and inflation dividend. If two or more persons are able to meet the qualifications for a claimant, they may determine who the claimant shall be. If they are unable to agree, the department shall determine to whom the rebate and dividend is to be paid. For purposes of this subsection the term “claimant” is restricted to a property tax or rent rebate claimant and the term “claim” is restricted to a property tax or rent rebate claim.

(b) A claim of cost shall be filed with the department at least annually and the department shall reimburse each claimant within thirty days of receipt of the claim after the claimant has established initial eligibility. The secretary may require determination of eligibility not more than once annually. The annual requirement for filing a claim may be waived by the secretary for good cause.

Section 6. Proof of Claim.—(a) Each claim shall include reasonable proof of household income, the size and nature of the property claimed as a homestead and the rent or tax receipt, or other proof that the real property taxes on the homestead have been paid, or rent in connection with the occupancy of a homestead has been paid. If the claimant is a widow, or widower, a declaration of such status in such manner as prescribed by the Secretary of Revenue shall be included. Proof that a claimant is eligible to receive disability benefits under the Federal Social Security Act shall constitute proof of disability under this act. No person who has been found not to be disabled by the social security administration shall be granted a rebate or dividend under this act. A claimant not covered under the Federal Social Security Act shall be examined by a physician designated by the department and such status determined using the same standards used by the social security administration. It shall not be necessary that such taxes or rent were paid directly by the claimant: Provided, That the rent or taxes have been paid when the claim is filed. The first claim filed shall include proof that the claimant or his spouse was age sixty-five or over or fifty years or over in the case of a widow, or widower, during the calendar year in which real property taxes or rent were due and payable. For purposes of this subsection the term “claimant” is restricted to a property tax rebate and rent rebate claimant and the term “claim” is restricted to a property tax rebate and rent rebate claim.

(b) Each claim shall include reasonable proof of household income. The first claim filed shall include proof that the claimant was age sixty-five or over during the calendar year in which the prescription costs were incurred. Claims for prescription costs shall, in addition to reasonable proof of household income, contain an itemized certificate issued by a pharmacist for all legend drugs, insulin, insulin syringes and insulin needles and the cost thereof purchased by the claimant during any quarter of a

program year on a form provided by the department. Each initial claim for prescription costs shall be on an application prepared by the department and shall include reasonable proof of household income or any other reasonable proof of eligibility for a prescription cost rebate as determined by departmental regulation. Each subsequent claim shall be accompanied by an itemized certificate issued by a pharmacist for all prescription costs purchased by the claimant from said pharmacist during any quarter of a program year on a form prescribed by the department. In prescribing application and certificate forms and in requiring documentation for claims, the department may only require such information as may be reasonably necessary to assure that payments are made in accordance with the requirements of this act. A pharmacist who issues a certificate knowing or having reason to believe that any information set forth thereon is false commits a misdemeanor of the second degree and, in addition to any fine and imprisonment imposed in connection therewith, shall have his license subject to revocation or suspension under the provisions of the act of September 27, 1961 (P.L.1700, No.699), known as the "Pharmacy Act," or under any successor licensing statute. For purposes of this subsection the term "claimant" is restricted to a prescription cost claimant and the term "claim" is restricted to a prescription cost claim.

(c) An eligible claimant may assign rebates to any person licensed to dispense prescription drugs.

Section 8. Funds for Payment of Administrative Expenses and Claims.—Expenses, salaries and other costs incurred in the administration of this act and approved claims shall be paid from the State Lottery Fund established by the act of August 26, 1971 (P.L.351, No.91), known as the "State Lottery Law." In the event that the total amount of administrative expenses and claims, other than prescription cost claims, exceeds the amount in such fund, in any one year, then the amounts allowed as tax or rent rebates and [inflation dividends] grants shall be reduced in the proportion that the amount of such fund bears to the total amount of claims in such year. For the purposes of this section, the amount in the State Lottery Fund shall include the June 30 ending lottery fund balance plus eighty per cent of projected lottery fund revenues after lottery fund administrative expenses for the subsequent fiscal year. In the event that the total amount of prescription cost claims exceeds one hundred million dollars (\$100,000,000) the department shall adjust the reimbursement rate or the maximum amount of prescription rebate cap as defined in clauses (2) and (3) of section 4.1, to limit total program expenditures to one hundred million dollars (\$100,000,000) in any program year. There shall be an annual appropriation of one hundred million dollars (\$100,000,000) for the senior citizen prescription program. Any unexpended funds during any program year shall accrue and be restricted to the pharmaceutical assistance program.

Section 6. This act shall be retroactive to January 1, 1983 and shall apply to prescription costs incurred during calendar year 1983 and each calendar year thereafter.

Section 7. This act shall take effect immediately.

On the question,

Will the House agree to the amendments?

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

Mr. GANNON. Thank you, Mr. Speaker.

Mr. Speaker, this amendment does several things to the senior citizens assistance program. The first thing it does is provide a \$100 one-time cash grant from the lottery to eligible senior citizens. Additionally, it raises the income limits for property tax and rent rebate to \$14,999 and also increases the

income limits for the inflation dividend to \$14,999. In addition to that, it provides for a prescription assistance program which would reimburse eligible senior citizens for their prescription costs, less a \$100 deductible, at 75 percent of those costs up to \$1,000 per year. It provides for reimbursement periodically during the course of the year to those eligible participants. In addition to that, there is a \$100-million cap on the prescription assistance portion of the proposed program.

There has been a great deal of discussion, Mr. Speaker, about the income limits. My reason for requesting that they be increased is that a review of the report issued by the Department of Revenue as to who receives assistance from the property tax and rent rebate indicates that very, very few of the senior citizens who live in my legislative district as well as Delaware County actually receive any benefit from this program. I believe the reason for that is because of the low income threshold. I think by increasing this threshold to just under \$15,000, a greater number of those individual senior citizens living in my district and in the districts of many of the members of this House will be eligible for this important program. In addition to that, we are increasing the inflation dividend to \$15,000, as I indicated before.

The \$100 cash grant, I believe, answers some of the concerns of those individuals who had expressed some comparison between what has been characterized as a copay program and the program that I am offering here in that it does provide immediate cash for those senior citizens who wish to participate in a prescription program to purchase prescriptions on a cash basis. In addition to that, it also provides a cash grant to those eligible senior citizens who may not wish to purchase prescriptions, but does give them some benefit of the Lottery Fund which they do not currently have.

Now, let me get into the prescription program itself which is set forth in this particular piece of legislation, and I would like to maybe perhaps use a comparison of a live case to show some of the differences.

Under HB 1301, we have a prescription assistance program providing a \$4 copay. As I understand it, that means that an eligible senior citizen would pay \$4 at the time of purchasing a prescription and the State would pick up the rest through the Lottery Fund, reimbursing the pharmacist for the expense of the prescription, which would not be the sale price of it but some other formula, and in addition to that, pay the pharmacist a modest fee for handling the transaction.

But let us take a comparison as to who benefits from that. I think a lot of us are concerned not only about those individuals and those seniors in our districts who are ineligible for any type of program because of the income limitations; and by the way, we should make note that quite a few of those people who are receiving rebates under the property tax program may not be eligible next year because of the scheduled increase in social security income which is set for sometime next year. But let us take an example and we will look at a live individual, Mrs. Ettorre, who lives in my legislative district. She is 74 years old and has an income of \$7,600. In 1982 she had a total of 72 prescriptions costing her \$689.40. If we

look at HB 1301 for Mrs. Ettorre—and she is in the lower income threshold—she would have paid out of her pocket \$292. Under the amendment that I am proposing, which would have reimbursed her for 75 percent of her prescription costs less the deductible, she would have been out of pocket \$247.35, which is a difference of \$44.65. So Mrs. Ettorre under my proposal would have made out much better than under this card-carrying copay. So far in 1983 she has had 64 prescriptions which, if there were a \$4 copay in place, would have cost her about \$256. She still would be ahead under the proposal that I am submitting right now.

We have looked at some of the cost figures, and I believe earlier in the debate one of the members said that we wanted a continuing program. One of the questions that comes to my mind is how in the world can we have any continuing program when the lottery is broke?

I am circulating to some of the members some of the cost figures on HB 1301 as it presently stands, and, Mr. Speaker, it is a \$1-billion program; no doubt about that. In fact, it is probably more than a \$1-billion program. Administrative costs alone, by 1987-88, are over \$22 million, but by 1987-88, it shows with HB 160 and HB 1301 in its present form in place that the lottery has a deficit of over \$300 million. Now, the question comes to mind, if we are in the hole \$300 million in the lottery, from where are we going to get the money? And we may very well end up doing what they do in New Jersey, and that is, they fund this type of program out of tax revenues. But what happens when we do that, when we start to fund a program like this out of tax revenues in the late 1980's and early 1990's? I can tell you what has happened in New Jersey, and I will read just briefly from the Pharmaceutical Assistance for the Elderly Report, which was an issue paper done for Senator Hugh Farley in the State of New York. One of the statements that is made is that when you are considering a program of this type—and that is, a copay or any type of prescription program—foremost is cost, and it says: "In a period of fiscal retrenchment few states can afford New Jersey's experience with a drug subsidy which costs the taxpayers more than the total cost of all Medicaid programs in the state." I am quoting directly from that report. But what has happened in New Jersey, and I do not want to see that happen in Pennsylvania, is a situation where they are now robbing Peter to pay Paul, and they are actually taking money from other social programs to fund their prescription assistance program. I believe that is what we are looking at down the road, Mr. Speaker, a situation where we will be taking money from the taxpayers to fund a prescription assistance program after we have opened this Pandora's box with the type of program that is set forth in HB 1301.

Just to review briefly the cost figures on HB 1301, the first-year figure is close to \$31 million. By 1984-85 it goes to almost \$150 million; by 1985-86 it is almost \$178 million; by 1986-87 it is close to \$227 million; and by 1987-88 it is almost \$300 million, and as I stated before, by 1987-88 the lottery will be in the red to the tune of over \$334 million, and do not forget, 1988 will be an election year. It is something to seriously con-

sider now when we have an opportunity to take a more prudent course in providing benefits to our elderly population, and that is exactly what my amendment does, Mr. Speaker. Total cost is estimated at about \$95 million with 80 percent participation of those eligible seniors. So what I am looking at is potential outside costs not in excess of \$100 million. Just as a safety measure, we have put a cap of \$100 million on the program, and it is the type of proposal that we have not opened up a Pandora's box, Mr. Speaker, and we can come back and look at it later and make adjustments.

One of the problems that we will have with the type of copay program that is being proposed under HB 1301 as it is that we will open up the lid of a Pandora's box and we will never be able to close it, and we will be running for cover. As you can see from the article that I distributed from the Newark News Journal, many of the people involved in that program are now running for cover because the cost estimates were way out of line.

Mr. Speaker, based on that information I have given you and the example of where a person—and I am sure there are many of these people throughout the Commonwealth—would probably have a greater benefit from this type of program, I am urging an affirmative vote on my amendment to HB 1301.

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

Mr. BARBER. Mr. Speaker, I believe the costs of this amendment would exceed over \$300 million for the simple reason that you are including a rebate, including insurance, and other things that are not in my bill. I do not think it will be a \$4 copayment or any type of copayment, so I ask for a negative vote on the amendment.

REQUEST TO DIVIDE AMENDMENTS

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

Mr. COWELL. Mr. Speaker, I would ask that the amendment be divided, and if you would follow with me, I am referring to page 3. What I want to do is to separate out from the amendment the amendatory language that deals with the prescription drug program. I want to separate from that the language that deals with the property tax rent rebate and inflation dividends. So that language would begin with the line that reads, "Section 3. Section 4(a.1),..." and that goes on down to the line immediately before "Section 4. The act is amended by adding a section to read:"

The SPEAKER pro tempore. The last portion would be "...rebate claim"?

Mr. COWELL. "...or rent rebate claim." That is correct.

The SPEAKER pro tempore. The Chair has been informed that this would be proper; it could be divided, Mr. Cowell.

PARLIAMENTARY INQUIRY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Bucks, Mr. Burns.

Mr. BURNS. I would like to make a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his point of parliamentary inquiry.

Mr. BURNS. If the amendment were divided as the Chair just indicated it could be, what would all of the language on page 2, section (b), at the top of the page mean? It is starting with line 6. You would not be talking to any health insurance; you would not be talking to any eyeglasses, and so forth and so on. It seems to me that it would not make sense. All of that language would not make sense, and continuing on throughout the section, much of that language would not make sense if you are only talking about household income and property and rent rebates.

Mr. Speaker, to save you some time, I have just been told that the maker of the amendment will stand for agreement on the division of the question.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Mr. GANNON. I would agree to the division of the amendment, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Allegheny, Mr. Cowell, has moved that the amendment be divided.

MOTION TO RECOMMIT

The SPEAKER pro tempore. For what purpose does the gentleman from Westmoreland, Mr. Hutchinson, rise?

Mr. HUTCHINSON. I want to know whether I am in order to make a motion to put this bill in the committee where it came from to work it over. It does not seem like it was worked very well. It was worked in the newspaper, but it was not anyplace else. Who is following— You cut this out; you cut that out, and we will not know tomorrow what the heck we voted for.

The SPEAKER pro tempore. A move for recommitment is always in order, Mr. Hutchinson. Is the gentleman making that motion?

Mr. HUTCHINSON. I so move.

The SPEAKER pro tempore. What is your desire? To what committee, sir?

Mr. HUTCHINSON. To Health and Welfare where it came from.

The SPEAKER pro tempore. Thank you.

The gentleman from Westmoreland, Mr. Hutchinson, has moved that the bill be recommitted to the Committee on Health and Welfare.

On the question,

Will the House agree to the motion?

The SPEAKER pro tempore. For what purpose does the gentleman from Montgomery, Mr. Hoeffel, rise?

Mr. HOFFFEL. Simply to argue against recommitment, Mr. Speaker. HB 1301 is in fine shape, and the Health and Welfare Committee knows exactly what it is doing with that bill.

The SPEAKER pro tempore. The gentleman knows full well he cannot debate the merits of the bill. The motion to recommit is a very narrow restriction.

Would the gentleman care to proceed?

Mr. HOFFFEL. I would speak against the recommitment. The problem is with the amendments, Mr. Speaker, not the bill.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

Mr. BARBER. Mr. Speaker, I would ask for a “no” vote on the motion.

The SPEAKER pro tempore. The Chair thanks the gentleman.

PARLIAMENTARY INQUIRY

The SPEAKER pro tempore. For what purpose does the gentleman from Luzerne, Mr. Stevens, rise?

Mr. STEVENS. A point of parliamentary inquiry.

There are some amendments, including my own, that require a fiscal note, and I was wondering if the motion could be amended that all amendments requiring a fiscal note be considered for those fiscal notes, if it is recommitted.

The SPEAKER pro tempore. We cannot amend the motion at this time. We would suggest to the gentleman that if the bill is recommitted, that the gentleman have a conversation with the chairman of the committee.

Mr. STEVENS. Thank you.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—19

Alderette	Geist	Moehlmann	Scheetz
Armstrong	Herman	Nahill	Schuler
Burd	Hutchinson	Peterson	Smith, B.
Dorr	Jackson	Pitts	Swift
Fryer	McClatchy	Saurman	

NAYS—176

Afflerbach	Evans	Linton	Rieger
Angstadt	Fargo	Livengood	Robbins
Arty	Fattah	Lloyd	Rudy
Baldwin	Fee	Lucyk	Ryan
Barber	Fischer	McCall	Rybak
Battisto	Flick	McHale	Saloom
Belardi	Foster, W. W.	McMonagle	Salvatore
Belfanti	Foster, Jr., A.	McVerry	Semmel
Beloff	Freeman	Mackowski	Serafini
Blaum	Freind	Madigan	Seventy
Book	Gallagher	Maiale	Showers
Bowser	Gallen	Manderino	Sirianni
Boyes	Gannon	Manmiller	Smith, L. E.
Brandt	George	Markosek	Snyder, D. W.
Broujos	Gladeck	Marmion	Snyder, G. M.
Bunt	Godshall	Mayernik	Spencer
Burns	Greenwood	Merry	Spitz
Caltagirone	Grieco	Michlovic	Stairs
Cappabianca	Gruitza	Micozzie	Steighner
Carn	Gruppo	Miller	Stevens
Cawley	Hagarty	Miscevich	Stewart
Cessar	Haluska	Mowery	Sweet
Cimini	Harper	Mrkonic	Taylor, E. Z.
Civera	Hasay	Murphy	Taylor, F. E.
Clark	Hayes	Noye	Telek
Clymer	Hershey	O'Brien	Tigue

Cohen	Hoeffel	O'Donnell	Trello
Colafella	Honaman	Olasz	Truman
Cornell	Itkin	Oliver	Van Horne
Coslett	Jarolin	Perzel	Vroon
Cowell	Johnson	Petrarca	Wachob
Coy	Kasunic	Petrone	Wambach
Deluca	Kennedy	Phillips	Wargo
DeVerter	Klingaman	Piccola	Wass
DeWeese	Kosinski	Pievsky	Weston
Daley	Kowalshyn	Pistella	Wiggins
Davies	Kukovich	Pott	Williams
Dawida	Lashingier	Pratt	Wilson
Deal	Laughlin	Preston	Wogan
Dietz	Lehr	Punt	Wozniak
Dombrowski	Lescovitz	Rappaport	Wright, D. R.
Donatucci	Letterman	Reber	Wright, J. L.
Duffy	Levi	Reinard	Wright, R. C.
Durham	Levin	Richardson	Zwikl

NOT VOTING—3

Dininni Gamble McIntyre

EXCUSED—5

Cole Morris Irvis,
Cordisco Stuban Speaker

The question was determined in the negative, and the motion was not agreed to.

On the question recurring,

Will the House agree to the amendments?

The SPEAKER pro tempore. The gentleman from Allegheny, Mr. Cowell, has moved that the Chair divide the question and remove section 3 on page 3 of the bill. The amendment is so divided.

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

Mr. COWELL. Mr. Speaker, so that we all understand which section we are voting on first, would you simply elaborate? Are we voting on that language that deals with the prescription drug program, which is the major thrust of this amendment, or are you first considering that language which I had pulled out, that section 3?

The SPEAKER pro tempore. I understood the gentleman's request was to remove section 3.

Mr. COWELL. To remove it for separate consideration. We cannot remove it from the amendment just by a motion. We want to consider the two parts of the amendment separately, section 3 and then, secondly, the remainder of the amendment.

The SPEAKER pro tempore. Does the gentleman, Mr. Gannon, agree to that?

Mr. GANNON. May I have that explanation again, Mr. Speaker? I am sorry.

The SPEAKER pro tempore. Would the gentleman, Mr. Cowell, proceed.

Mr. COWELL. Mr. Speaker, again to elaborate where I think we just divided the amendment, we want to consider separately that language on page 3 that begins by saying, "Section 3,..." which is section 3 of this bill but amends section 4 of the law—that is what is causing some confusion—section 3 of this amendment on down to near the bottom where the final words are "...or rent rebate claim." After that

you begin section 4 of this amendment. We want to consider section 3 and then the remainder of the amendment separately.

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

Mr. GANNON. I have no objection, Mr. Speaker.

The SPEAKER pro tempore. The House will be at ease.

For what purpose does the gentleman from Westmoreland, Mr. Hutchinson, rise?

Mr. HUTCHINSON. A couple minutes ago I told everybody they did not know what they were talking about. Look at all the throngs trying to find out what the problem is, and I got 19 votes. Thank you.

The SPEAKER pro tempore. Mr. Fryer voted with you, sir.

After consultation and due consideration, the Chair has been advised that the question cannot be divided, and the Chair so rules.

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

Mr. OLASZ. To make a very important announcement, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. OLASZ. While we have a pause here to gather our thoughts and a pause for station identification, I see these many amendments flowing across our desks. I would just like to remind the members of the original intent of the Lottery Act, and I hope that we do not lose sight of that original intent. That was to provide rent and property tax rebates for the elderly and, if we could afford it, a prescription plan.

Now, I respect my colleagues, but when we start picking up these amendments to pay rentals and all these other fringe benefits, let us not get away from this prescription plan and the original intent of the bill. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

Mr. COWELL. Mr. Speaker, just for the record, would you indicate why the amendment cannot be divided?

The SPEAKER pro tempore. For the reason that there are no page numbers that we could insert portions of section 3, because it cannot stand by itself.

Mr. COWELL. Thank you, Mr. Speaker.

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

Mr. HOEFFEL. Thank you, Mr. Speaker.

Will Mr. Gannon submit to interrogation?

The SPEAKER pro tempore. The gentleman indicates he will. The gentleman, Mr. Hoeffel, is in order and may proceed.

Mr. HOEFFEL. Thank you, Mr. Speaker.

Would the gentleman tell us how much section 3 of his amendment would cost? That is the section that would increase income eligibility for rent rebates and property tax rebates; secondly, increase the amount, the percentage of increase people would be eligible for; and thirdly, increase the

inflation dividend that is mailed out in the wintertime. Can you tell me the fiscal impact of that?

Mr. GANNON. \$24,500,000.

Mr. HOEFFEL. Can you tell me where you got that figure?

Mr. GANNON. That was from our Appropriations staff.

Mr. HOEFFEL. Whose Appropriations staff?

Mr. GANNON. The House minority Appropriations staff.

Mr. HOEFFEL. I am sure those numbers are accurate—

Mr. GANNON. Thank you.

Mr. HOEFFEL. —although the \$24-million size surprises me. We are bringing many more people into the program. We are qualifying all people currently in the program for larger rebates, and we are qualifying all people currently in the program for larger inflation dividends.

The current cost of the rent rebate, property tax rebate, and inflation dividend is about \$150 million, I believe, annually, in that ball park, and you are saying that your proposal is only increasing that cost 10 or 15 percent. I register my disbelief without questioning the people who put that program together.

If I could make a comment, Mr. Speaker.

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

Mr. HOEFFEL. Thank you.

I rise to oppose the Gannon amendment on two grounds. First, accepting Mr. Gannon's figures, he is proposing to spend an additional \$25 million in the Lottery Fund which we simply do not have. I think that his proposal, on the face of it, is attractive. It is wonderful to include more people in the program, but I do not believe we have the money to finance it.

More importantly, however, the thrust of my objection of the Gannon amendment is that it totally changes the concept and principles behind the prescription drug program. Mr. Gannon would substitute for the copay concept that is included in HB 1301 and which senior citizens have unanimously asked for at our public hearings of the Health and Welfare Committee last spring and at the public hearings of the House Finance Committee this summer, he would substitute for copay a reimbursement plan, a reimbursement plan that nobody in this Commonwealth wants except the pharmacists. I do not think we should be accepting a proposal that one special-interest group wants when the people who are designed to receive the benefit of this program have unanimously testified in public hearings—I think seven public hearings before two different committees—that they did not want the rebate proposal.

Mr. Gannon has gone so far as to share with us the suggestion that the Pennsylvania Retailers and the Pennsylvania Pharmaceutical Association have made as to what is an acceptable form for them to use. It is very nice of them, I think, to go out of their way to distribute to the members of the House the kind of prescription rebate form that they think is appropriate. They show us how easy it would be for the State to handle the rebate. The problem is that it is not easy for the senior citizens involved, and that is exactly why the senior citizens are against a rebate.

Now, it is fine that the retailers like it and it is fine that the pharmacists like it, but the senior citizens do not like it. It would impose difficult administrative burdens on the senior citizens who would have to wait for their rebates, who would have to keep their records in impeccable order in order to qualify and get the maximum benefit from the program. They do not want it; I think it is inappropriate, and I ask for a negative vote on the Gannon amendment.

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

Mr. GANNON. Mr. Speaker, may I answer further Mr. Hoeffel's interrogation? I think he asked a question and then did not wait for a response; he went into his statement. If I may?

The SPEAKER pro tempore. The gentleman may proceed.

Mr. GANNON. Mr. Speaker, the Department of Revenue, as far as the property tax and rent rebate costs for 1982-83, was a little over \$101 million. This particular part of the amendment is about \$25 million. I think that the cost is there because in January, as indicated earlier, with the increase in social security income, a lot of people are going to be knocked out of the program. What we are trying to do is recapture those people in addition to bringing some other people in who were out of the program before, who were knocked out with prior increases in social security.

Finally, Mr. Speaker, I think that the cost here of \$25 million, less than that really, is insignificant, and I am not using that word "insignificant" that \$25 million is not a lot, but when we look at the number of people who will now benefit from this program, when you look at the individual counties of many of the members here, you are surprised at the small number of people that you represent who can participate in this program. What we are trying to do is recapture or bring some of those people into a program that has been very, very beneficial. That is in answer to his interrogatory.

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

Mr. BARBER. Mr. Speaker, as Representative Hoeffel stated, we had hearings all over the Commonwealth. The people want a copayment for the simple reason that there are many people in the Commonwealth who do not have the money to put out for drugs. They would have to do without their medicine. So that is the reason they wanted a copayment instead of a rebate.

We had a hearing here in Harrisburg where so many senior citizens came that we had to move it from the majority caucus room over to the museum. Ninety-five percent of those people were for a copayment, Mr. Speaker. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Lancaster, Mr. Miller.

Mr. MILLER. Thank you, Mr. Speaker.

Over the years we have talked, all of us, to many senior citizens who have been interested in the prescription concept. It is subject matter that has come to the attention of every legisla-

tor who has served in this chamber since the original tax and rent rebate bill was run. Over the years our difficulty in discussing a prescription plan has been that hard question: How do we project costs that live within the revenues we are able to produce through the Lottery Fund?

Now, we have been fortunate with that Lottery Fund. Revenue projections continue to be healthy. Surpluses are there and general knowledge among the membership. So the senior citizens of this State have continued their pressured interest, as is their right, to discuss a prescription reimbursement plan, but I must take specific umbrage with the subject matter of those speakers who have suggested that it is a copay that they insist upon. What they are asking for is generally two things: Number one, that the majority of the dollars in this Lottery Fund now available flow to those both most in need and to those on the tightest incomes.

If you take the time and look at the Gannon amendment, you will see some hybrid ideas in that amendment that have not just bounced out of the Reference Bureau in the last 3 hours but suggestions that have evolved from many of the bills introduced. Some of the ideas from the Zwinkl bill that is in this session are in here - that suggestion that the fairest way to spread the prescription dollars is not to offer a copay to those on the high end of the scale as well as those on the low end of the scale but to target your dollars throughout that scale. It is the same concept that was in the Lloyd amendment last session when we ran HB 1102 amendments on property tax rebate. It is a proven principle that has made our previous program successful, because we have always resisted the hysteria of throwing money at this program. We are targeting money by spreading it through the income spectrum, and we are guaranteeing up to 75 percent of their \$1,000 claim for that year. That in most instances will take care of those with severe traumas, particularly during the end of their living years when their medical expenses are the highest.

In addition, we keep that proverbial group of people from falling through the cracks that always does by simply stating that we are going to, for the first time, make the single and divorced who meet the 55-year age and the income requirement eligible and eliminate that problem.

While it is not my intent to go through this bill and bore you for 20 minutes on some of the financial suggestions that are in it that protect us in the future from overspending, I should point out that the amendment caps the amount of dollars available in the first year, but because we are only going to have about a quarter and a half in the remaining year, that money will not be expended. This General Assembly under that capping language will be able to come back next session and reauthorize any portion of that \$100 million in addition to the \$100 million already outlined in the statute. It gives us time to play with the administrative difficulties that cause both the industry difficulty, the recordkeeping by pharmacists, as well as the recordkeeping question of the individual claimant who is going to the store and needing her prescription.

The chairman of the House Health and Welfare Committee, the distinguished Jim Barber, is right when he says one thing, and it is the one drawback of this amendment. Many senior citizens feel the need to have that prescription cash-flow need they have personally filled immediately. And, yes, there is some sentiment for the copay when senior citizens do examine rebate versus copay. But rebate over the long run, when we look at the dollars going out of the lottery system and to the income level that they are targeted to, will maximize the fair sharing of those dollars across our entire claimant file, and that is the real strength of this amendment. If indeed this amendment fails today, I believe we will be back here in a year, not only looking at our \$100-million maximum and knowing we will need to spend more money, knowing we will need to reauthorize it by this General Assembly, but also realizing that the tried and proven principle of targeting our dollars across that graded file has been the key to the success of every program we have had so far in the lottery system, and it is an item we all ought to stop and think about.

I thank you, Mr. Speaker, and I encourage support for the Gannon amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Elk, Mr. Wachob.

Mr. WACHOB. Thank you, Mr. Speaker.

I am kind of amazed at the supporters of this amendment and the arguments they use, and I, too, am concerned about what in a year from now we are going to have to do with this fund, but the reason we are even considering this program today is because senior citizens from across this State have said that they need help with their prescription drugs. Now, we can differ on how we are going to do that, but I think we should look at that and not look about what has to happen in a year from now.

Representatives Barber, Hoeffel, and Trello can tell you that senior citizens across this Commonwealth have said with one voice, we want a copay, and they want that for the obvious reason. If we enact the rebate program, it really does nothing to help senior citizens today. The problem today is that senior citizens cannot afford to put the money up front to buy the prescription drugs that they need. They cannot afford to put out the \$20 every week or the \$20 every month. They cannot afford to do that up front. That is the reason why we are talking about a prescription drug program and a copay program, to go along to help the senior citizens.

I am well aware that we do not have any kind of track record on this program. We may have to come back later on and readjust it and make some changes based on our record, but I suggest we do that. If the copay is so unworkable, it is only unworkable for a small group of people. I agree that the pharmacists of this State have a problem not only with the institution of a copay program but they have a problem with medicaid reimbursements in general as far as their dispensing as do doctors and everyone else. But I suggest that if the supporters of this amendment are so worried about a copay

program, that each and every one of you rip up your own copay program and your own copay card, because if it is good enough for the members of this legislature, a copay program is good enough for the senior citizens. Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Delaware, Mr. Civera.

Mr. CIVERA. Thank you, Mr. Speaker.

I rise to support the Gannon amendment. I have heard many people get up this afternoon and say why we should have a copay and why we should have a rebate.

The Gannon amendment will keep the Lottery Fund solvent, and there is no question in my mind that it will. In January, as Mr. Gannon has pointed out today, social security will go up 3 percent. The people who are presently in the lottery system now who are getting tax rebates and rent rebates, some of them will be eliminated. Because of that 3-percent increase, it will knock them out. This General Assembly will be back here 6 months from now or 7 months from now amending the Lottery Law to bring those people back in. The bottom line is dollars. Where are we going to get the dollars?

This amendment is the most practical. It will help most of the people in Pennsylvania, and it does put a dollar in their hand. The \$100 dividend is something where we could start the program.

Mr. Speaker, I hope that you support the Gannon amendment. Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Lancaster, Mr. Miller.

Mr. MILLER. Thank you, Mr. Speaker.

I rarely stand to speak twice on the same subject, but I do have to respond to the suggestions of the gentleman from Elk, Mr. Wachob. They are this: He made the statement that if the dollar copay is good enough for the members of the General Assembly, it is good enough for the senior citizens of Pennsylvania. Under the dollar copay system that we operate on at our current salaries of \$25,000, no one would be eligible. Now, I do not think that is what he meant, but the point I am trying to make to you is that the question of eligibility ought to be targeted to income. Should you provide the same benefit at the high end of the scale to those who are making it and do have moderate needs as you do to the same person who is at the low end of the scale, \$4,000 or less income, and ignore his traumatic need?

The cardinal difficulty with copay is you fail to target your dollars and you also begin to replace some private insurance copay programs. I have an aunt who is on a retirement copay program, and she is bright enough to see through it. I sent her a copy of the bill. She said, which one do I claim on? Do I claim on my union insurance or do I claim on the Lottery Fund?

Maximize your dollars, Mr. Speaker. Look at the scales of payback that are in this bill and consider them before you rush into copay. We are going to be back here on copay with a massive infusion of dollars in the next session correcting the deficiencies that we have the opportunity to correct today in the Gannon amendment. I thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Somerset, Mr. Lloyd.

Mr. LLOYD. Thank you, Mr. Speaker.

Two points which were raised in debate: one, Mr. Miller's comments with regard to the change in the schedule for the rent and property tax rebate. Suggestion was made that somehow that parallels an amendment which I offered last year and a bill which we passed earlier today, and I would suggest that that is not correct. What we were trying to do last year and what we did this morning was to put intermediate steps, intermediate brackets, into the rent and property tax rebate schedule so that when a person went from one income bracket to the next higher one, he did not lose 20 percent of his benefit. But for the most part, the Gannon amendment continues the current system of a penalty of 20 percent when you move from one bracket to the next. He does that, I assume, so that he can bring in more people at the top of the income scale. I think that really the issue then is, which is more important - to target the dollars, as the gentleman, Mr. Miller, said, to those who really need it or to bring in a lot of people who are making a whole lot more money than the fellow who is working on minimum wage, bring them into the program whether they need it or not?

Secondly, I guess I have some sympathy with the argument that a reimbursement system is better than a copay, but the one thing that keeps coming back to me, and maybe I misunderstood Mr. Gannon's explanation of his amendment, I am concerned about the senior citizens who, when it comes time to turn in all their bills for all their drugs, cannot find them all. Maybe I misunderstood the way the mechanics of this are going to work, but if they are going to have to submit that, I suggest that you and I are going to get lots of calls from people saying, hey, I cannot find my bills; what can you do to help me? The only way we could have a reimbursement system which worked would be to have reimbursement occur very often, probably more often than it would be cost effective.

So it seems to me that while there may be some merit to reimbursement, this is not the right reimbursement plan. I think for the time being we ought to go with the bill and reject this amendment. Thank you.

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

Mr. A. C. FOSTER. Thank you, Mr. Speaker.

I think the strength of the Gannon amendment lies in the fact that it comes closer to answering the needs of all senior citizens and it attracts the support of those of us who would do other than apply these funds purely to pharmaceutical programs. Frankly, I think the best distribution of these lottery funds would be simply to divide the proceeds among those senior citizens, and, Mr. Speaker, that has been the all-but-unanimous advice of my senior citizens groups at the grass levels. When I speak to them and ask them, what do you want out of three choices, would you like a copay program, would you like a rebate program, or would you simply like cash on the barrelhead mailed to you from the Treasury, universally among those groups, cash on the barrelhead wins out.

However, there are many groups that want the pharmaceutical program. I think the Gannon amendment comes closer to doing all of these. It provides a \$100 cash grant. All of you have people who have needs other than pharmaceutical assistance. Some of my people may need a tank of oil next winter. Some of my people may need dental care, eyeglasses, hearing aids. There is a provision in there, at least for some of that, in the \$100 cash grant.

I think this is a compromise that comes closer to the solution than any I have seen offered. That is certainly why I support the Gannon amendment, and I strongly urge an affirmative vote.

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

Mrs. ARTY. Thank you, Mr. Speaker.

I draw the Chair's attention, sir, to section 7 on page 2. It is the definition of "claimant." The persons who now fall under that definition are those within the eligible income limits, 65 years of age or older, the disabled, and widows or widowers 50 years of age or older. I would draw your attention to the fact that there are many people who would fall within the eligible age limits who are not widows or widowers. They are single people or they are those people who have been divorced and are no longer married.

This amendment of Representative Gannon's brings those people, the single persons and the divorced persons who have been effectively written out of any possibility of being a beneficiary of any of our senior citizen legislation, into the mainstream of becoming eligible. I think that is a positive aspect of this particular amendment, and I ask that the members consider that particular aspect, as we hope for an affirmative vote.

The SPEAKER pro tempore. The Chair recognizes the lady from Chester, Mrs. Taylor.

Mrs. TAYLOR. Mr. Speaker, I would like to say to my fellow colleagues that as a member of the Health and Welfare Committee, we had considered very, very carefully the merits of HB 1301. However, I say to you colleagues that the bill, HB 1301, that you have before you now is not, is not, the legislation that was voted out of the Health and Welfare Committee. There have been some very serious changes made in this piece of legislation, and it is because of the fact that this is not the legislation that was voted out of the Health and Welfare Committee, but was considerably altered in the Appropriations Committee, that I would urge the members on both sides of the aisle to support the Gannon amendment.

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

Mr. MANDERINO. Mr. Speaker, first to address the comments of Mrs. Taylor, who just spoke and said that HB 1301 is not the bill that was reported from the Health and Welfare Committee.

Mrs. Taylor, I am sure, is aware that the only changes that were made in HB 1301 as it was reported from the Health and Welfare Committee and the bill that you see today have to do with eligibility. The eligibility was expanded to a \$15,000

income level in one case, and the copay was written in such a manner that it would increase by 20 percent as the cost of prescription drugs increased by 20 percent. Leaving those two changes, the bill is exactly the way it came from the Health and Welfare Committee. So we are dealing with a bill designed as a copay bill in the Health and Welfare Committee that every senior citizen organization in this Commonwealth testified at hearings before the Finance Committee was the kind of bill they wanted for prescription drugs.

It is ironic that the Finance Committee at that time had before it a reimbursement bill that it was holding hearings on. It was holding hearings on a bill that called for reimbursement, and in testifying on that bill, to an organization, the senior citizen groups said they wanted a copay plan. They said they wanted a copay plan because, one, many of the senior citizens who are in need of prescriptions will go without the prescriptions. They go without the prescriptions now because they cannot afford to put out the money to buy those prescriptions, and in the reimbursement plan you force the senior citizens to put out all of the money. Sometimes that amounts to several hundred dollars a month that they cannot afford to put out. The \$4 they can afford on a copay; they can afford the three or four or five prescriptions at \$4, which comes to \$20 a month, and they will not go without their medicine, at least in the numbers that are now going without their medicines. They did not like the idea of having to put out each month over the entire year the money needed for prescriptions and then wait for the people in Harrisburg to decide whether or not they were reimbursable and to take their time about sending money back to them that they might be able to use for the next year in the event they could afford it and for those who could afford it.

The Gannon amendment, if you read it carefully—and I urge you to read it carefully—in its first page takes everything but the first paragraph of HB 1301 and strikes it. It strikes all of page 1, all of page 2, all of page 3, 4, 5, 6, and all the lines on page 7, and substitutes for the bill that the Health and Welfare Committee worked on, put on this floor, what he is proposing, and it is defended by arguments such as came from Mr. Miller that said we want to target our money to those in most need. Well, I defy you to tell me how the prescription portion of the Gannon amendment is targeted anywhere. Everybody, whether in need of prescriptions, whether in need because of their income level, everyone is entitled to the same thing. You do not get X number of dollars in prescriptions reimbursed if you are in a small income level; you do not get less if you are in a higher income level; everybody gets the same level. That is hardly targeting the money. And the disadvantages to the reimbursement program were certainly known by the senior citizens who came down here and actually pleaded with you not to go through with the reimbursement program that they thought we were about to go through with because they were attending hearings on a bill that provided for reimbursement. And all summer they came into the hearings and asked for a copay program.

Let us speak to the costs, which Mr. Gannon and Mr. Foster seem to be concerned about. We will be in deficit \$300 million 5 years down the line only if certain things occur. The assumptions made are that the \$100 million being paid for nursing homes that used to be paid by the General Fund continues to be paid out of the Lottery Fund, and that is \$100 million a year for 5 years. That is \$500 million that you have really taken from the Lottery Fund, or want to take from the Lottery Fund and rob the senior citizens of a viable prescription program.

The second assumption that is made to find \$300 million in deficit down the line is that prescription drugs will increase at the rate of 20 percent per year for the next 5 years so that in 5 years, as the projections are made, we will be paying 100 percent more for prescription drugs than we are right now. I, frankly, see on the scene labor, business, and many other organizations, even this General Assembly, taking hard aim at cost containment of medical costs, and I do not believe that 5 years down the line we are going to be paying \$100 million, or 100 percent more, for prescription drugs than we are today; and if we are not, that comes off the deficit that Mr. Gannon is talking about.

In addition, there is not a program that we started in this General Assembly that when you projected it out 5 years did not show that the Lottery Fund was going to be in deficit; not one program. The rebate program for taxes, the addition of renters, all of those showed that we were going to be in deficit down the line 5 years. As reasonable people, we knew that the income projections that were being made were very conservative and the expenditure projections that were being made were very liberal, and I tell you that that is what is happening here today, and I do not believe that we are going to be back here, no, not in 7 months, because the projections themselves, even made liberal on the expenditure side and conservative on the revenue side, even they show we are going to be able to pay for these programs for the next 3 years with no difficulty whatsoever.

Now, are we going to get in trouble 4 years and 5 years down the line? Well, it seems to me that if costs of the services, the prescriptions, are going to go up 100 percent, the people are no longer going to be wagering 50 cents on the lottery, because it will mean nothing. They will be wagering \$1, and the revenues will be up. But that is not in here. The lotto that is costing 50 cents now will probably cost 75 cents or \$1 or maybe more down the line 5 years, and that is why every time a projection was made of a deficit 5 years down the line, it never came about, and that is why we always ended up with a surplus and we were able to provide additional programs.

Mr. Speaker, I think the Gannon amendment is an amendment that does nothing but gut the HB 1301 which came out of the Health and Welfare Committee; does nothing but tell the senior citizens, go home, do not come down here and tell us anymore what you want, because we know what is good for you and we are going to give you what we think you ought to have rather than what you tell us you need. I for one will not vote in that manner. I will ask everyone in the Assembly to

respect the wishes of the senior citizens, because it is my belief that they are consistent with a sound Lottery Fund, and we will not, by the action we take on prescription drugs, put the fund in deficit. If we continue to raid the Lottery Fund with administrative costs for the Department of Aging, with nursing homes, with SEPTA (Southeastern Pennsylvania Transportation Authority) and PAT (Port Authority of Allegheny County) payments out of the Lottery Fund, yes, we will be in deficit, even with the increased revenues that I think will be there. But do not say we are going to be in deficit because we are trying to enact a viable senior citizens prescription program.

The SPEAKER pro tempore. The Chair recognizes the lady from Chester, Mrs. Taylor.

Mrs. TAYLOR. Mr. Speaker, may I interrogate the majority leader?

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

Mrs. TAYLOR. I am concerned about the language which speaks to the cap. I understood the language as it came out of the Health and Welfare Committee, because it said very explicitly that it would not exceed \$100 million per year. I do not see that same language in the bill that I have in front of me. Am I correct in that assumption?

Mr. MANDERINO. Mr. Speaker, I am not sure that I understand the lady's question. Are you questioning the change that was made on page 6 of the bill?

Mrs. TAYLOR. Yes, I am.

Mr. MANDERINO. We appropriated \$100 million in the present budget for this purpose. All right?

Mrs. TAYLOR. Yes; I understand.

Mr. MANDERINO. We will have to make an appropriation every year, and we will continue to make the appropriation every year, and if the cost of the program next year cannot be afforded from the Lottery Fund, I imagine we will have to make adjustments, but all the projections that I have seen are that we are going to make it next year and we are going to make it the year after, and we probably, in my opinion, will make it in the fourth and fifth year, because their revenue estimates are shy and their expenditure estimates are heavy.

Mrs. TAYLOR. I am not questioning that. I am not questioning the fact that it will probably be more. I am questioning the fact that that language was changed and was different—

Mr. MANDERINO. You are entirely correct. I mentioned two changes; there was that third change.

Mrs. TAYLOR. Thank you. That was what I was referring to in my prior remarks.

If I may have the privilege, Mr. Speaker, to make a statement?

The SPEAKER pro tempore. The lady, Mrs. Taylor, is in order and may proceed.

Mrs. TAYLOR. I wish to point out to the General Assembly that Mr. Gannon's amendment does provide \$100 up-

front money. The senior citizen for whom we all have concern—that is why we are debating this bill this afternoon—does not have to save his receipts. The senior citizen may file quarterly, and the maximum rebate that that individual has could be \$1,000. If I understand under the current bill, the maximum rebate for a senior citizen would be only \$200. Thank you very much.

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

Mr. GANNON. Thank you, Mr. Speaker.

Mr. Speaker, first of all, the majority leader recommended that the members read the amendment very closely, and I concur with his suggestion and I would like to particularly, with respect, suggest that the majority leader read the amendment closely.

One of the things that we have not really talked about a lot in connection with HB 1301 as it stands is the administrative cost; that is, how much it is going to cost the lottery to run this kind of program. Well, if you just take the figures that the Appropriations Committee has come up with—and these are their figures, Mr. Speaker—they come to about \$70 million in administrative costs over the 5 years that they have projected. That means that we are taking \$70 million away from the senior citizens and giving it to the new bureaucracy that we are going to create with the copay program.

Let us talk about what was discussed at the hearings. He said that all these senior citizens came in and objected to a rebate program. Mr. Speaker, I would object to the rebate program that was suggested at those hearings. It was an outrage. This amendment that is before this House right now has no relationship at all to the rebate proposal that was being rejected at the Finance Committee hearings, and I was there, Mr. Speaker. I interrogated one of the people from the senior citizens groups about the rebate program to which they were comparing the copay, and they admitted under direct testimony that this proposal would give more money to the senior citizens for prescription costs than the copay program.

Let us talk about the mechanics of the program. We had a man stand up here and say, those senior citizens are not going to save their receipts; they will not be able to do that; they will never know how much they spend on prescriptions at cost. Let me tell you about Mrs. Ettorre. She called me on the phone a few days ago about this proposal that is before the House, and I said to her, Mrs. Ettorre, would you please get me your prescription costs for 1982 and 1983? In 2 days she had it delivered to my office from her pharmacist. Save-A-Cent Pharmacy in Springfield gave us a complete printout of her prescription costs, and it was not a printout, it was handwritten, as a matter of fact, by the pharmacist himself. Now, if the pharmacist is willing to cooperate that far today when there is no prescription assistance program in place, how in the world can you say that these senior citizens will not be able to save their receipts or determine what their prescription costs were during the year? And Mrs. Ettorre happens to be 78 years old and sick in bed.

Let us talk about the figures. The majority leader over there was very flip about, oh, well, we always project a deficit. We always project a deficit, Mr. Speaker. These are the figures supplied by the Appropriations Committee on HB 1301, and they show the lottery in the hole, in the red, by a deficit of over \$300 million by 1987-88. That is a lot of money to have to come up with to fund a program. Now, what are we going to do? Are we going to do like they did in New Jersey and go to tax revenues? Is that what we are going to do? Are we going to cut the winnings in the lottery? Is that what we are going to do in order to get that money to pay for this program that is suggested by HB 1301 as it is right now? What are we going to do when we have to get the money from tax revenues, Mr. Speaker? Are we going to cut someplace else so we can fund this entitlement program that is supposed to be out of the lottery for senior citizens? Are we going to cut medicaid reimbursement? Are we going to cut help for nursing homes? Are we going to cut the property tax and rent rebate program? Are we going to cut the inflation dividend? Are we going to cut transportation assistance? Is this what we are going to be confronted with?

The majority leader seemed to feel that this really was not a concern today. Mr. Speaker, I think we should be concerned about the future today, and that is why I am up here asking for support on this amendment, because this amendment will bring cost containment to any kind of prescription program that we would enact, and particularly the rebate-type program.

Somebody got up and talked about targeting the need, and I agree. We should try to target need. We should target need within the context of the intention of the lottery, and the context of that is to provide benefits for senior citizens, and that is exactly what my amendment does - provides a \$100 cash rebate. And they can use that for prescriptions; they can use it for wheelchairs; they can use it for crutches; they can use it for hospital beds; they can use it for whatever they feel they should.

Let us talk about Mrs. Ettorre again when we are targeting need. What we are asking her to do with the Barber bill as it now stands is to pay 20 percent more for her prescriptions so that we can have \$70 million in administrative costs to create a new bureaucracy. So we are going to take \$45 from Mrs. Ettorre so that we can spend \$70 million someplace else. Mr. Speaker, I find that very objectionable. I think that every penny of this lottery money, to the extent that we are humanly capable, should go to the senior citizens. That is the intention of the original program; that is the intention of the original act; that should be our intention today - to get that money to the seniors because that is what the program was designed for.

Mr. Speaker, the prescription rebate proposal that is contained in my bill among the other proposals—and I will touch them briefly again in a moment—does just exactly that. It gives the most money back to the most number of senior citizens, and I am sorry to say that HB 1301 does not do that. When you look at somebody in the low-income area like Mrs. Ettorre who only makes \$7,600, \$7,500, a year, we are nickel-

and-diming her. We are taking away money from her that we could give to her with my proposal. When you look at the \$100 rebate, the \$100 cash grant, that goes out to every eligible senior citizen who applies for it, and when you look at the increase in the property tax and rent rebate limits—and we have talked about that before—there are many, many of us who have many constituents who have been income out of the program because of cost-of-living adjustments in their pensions and in social security. I am trying to recapture those people, Mr. Speaker. I am trying to bring them back into the program, and in addition, I am trying to bring some new people back in at a very modest cost, when you look at and compare it with the surplus that is presently in the Lottery Fund.

One other thing that was touched upon briefly here but really was not developed is, at the hearings a lot of these companies came out and said, oh, we really want a copay program. A lot of the labor organizations came out and said, we really want a copay program, and the question comes to mind as to why. Sure, they are advocates for the senior citizens, and I think they want to see those older folks get as much as they can out of this lottery, but I think they also have some very selfish motives, Mr. Speaker, and that concerns me. That concerns me very deeply, because many of those representatives were with companies and organizations which provided a prescription program for their retirees, senior citizens if you will. So what would happen if we enacted HB 1301 as it has been advanced by Mr. Barber? Well, they simply could make a slight adjustment in their program for their retirees and they would just be dumping them all into the copay program that we are arguing for, and if you read the language of HB 1301 very carefully in two particular sections, it makes it absolutely certain that that will happen.

Let us take the experience in New Jersey, Mr. Speaker. When I sat down with Sandy Luger, who happens to be the administrator of the program in New Jersey, and this issue came up, that was one of the big problems they had, and that is that current programs were attempting to modify their programs so they could be dumped into their prescription assistance; that is, dumped into the laps of the taxpayers of New Jersey. In Pennsylvania we are asking them to dump them into the lottery. They get a benefit right now; they have a prescription program, but they are very clever employers, and the heads of their organizations will make the necessary adjustments, Mr. Speaker, and that is going to add tremendously to the cost burden, something that we would not have to pay right now, but they are going to make sure we pick up the bill on that.

Mr. Speaker, I have given a number of reasons why I think that this is the way to go. I think it provides the most money to our seniors; I think it provides the most money to those most in need, and I think I have demonstrated that. When I talked about the deficits, the hole that we were going to put the lottery in, Mr. Speaker, I was not using my figures; I was using their figures. And they cannot stand up today and explain them away, which is what Mr. Manderino tried to do

a few minutes ago without any suggestion as to, oh, it is a we-will-find-the-money scenario. Mr. Speaker, I think we have to worry about the future today, and we have to prepare for the future today, and we have to make sure that our older Pennsylvanians get every penny of that lottery money that we can humanly give to them, and this is the way to do it, Mr. Speaker. I ask for an affirmative vote on my amendment.

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

Mr. MANDERINO. Mr. Speaker, will the gentleman, Mr. Gannon, stand for interrogation?

The SPEAKER pro tempore. The gentleman indicates he will. The gentleman, Mr. Manderino, is in order and may proceed.

Mr. MANDERINO. Mr. Speaker, does the gentleman have in his hand the projection sheet which is entitled "Lottery Fund Balance Sheet"?

Mr. GANNON. Is this the one that says "Lottery Fund Balance Sheet Assuming Passage of HB 1301"?

Mr. MANDERINO. Yes. Do you have that in your hand?

Mr. GANNON. Yes, I do.

Mr. MANDERINO. All right. You have criticized the senior citizen program prepared because this balance sheet shows a deficit in the fifth year. Is that correct?

Mr. GANNON. That is one reason, Mr. Speaker.

Mr. MANDERINO. All right. Since I was not able to explain to you how I believed that we would not necessarily have that deficit, let us see whether you and I together can explain to each other this balance sheet.

Do you see the nursing home program that spends \$100 million in 1983-84?

Mr. GANNON. Yes, I do.

Mr. MANDERINO. Has that money been spent?

Mr. GANNON. That money has been appropriated.

Mr. MANDERINO. Do you see the money 1984-85, 1985-86, 1986-87, and 1987-88, each of \$100 million?

Mr. GANNON. Yes, I do, Mr. Speaker.

Mr. MANDERINO. Does that not total \$400 million?

Mr. GANNON. Yes.

Mr. MANDERINO. Has any of that money been spent yet?

Mr. GANNON. It has not been appropriated.

Mr. MANDERINO. Has not been spent yet.

Let us go down to HB 160 where there is \$4.5 million in 5 different years. If you add those across, will you not get in excess of \$25 million?

Mr. GANNON. No, Mr. Speaker.

Mr. MANDERINO. How do you add?

Mr. GANNON. HB 160 has passed the House; I am assuming—

Mr. MANDERINO. Is that law?

Mr. GANNON. Mr. Speaker, it passed the House.

Mr. MANDERINO. Is it law? Have we spent the money?

Mr. GANNON. Are you telling me that HB 160 will not become law?

Mr. MANDERINO. I am simply telling you that there is \$25 million unspent.

Mr. GANNON. What you are telling me is that when we pass a bill in the House, we assume that it is not going to become law to satisfy a balance sheet when we want to explain it away?

Mr. MANDERINO. No. I am assuming the largest item of \$400 million is still in question. It has not passed, and there are several other items which I am sure you are aware of on the sheet which total \$562 million that have not become law. That is without counting the prescription drug program. Do you understand the balance sheet in that manner?

Mr. GANNON. Yes, Mr. Speaker, but I disagree.

Mr. MANDERINO. All right. You understand it. Okay. I have no further questions.

The gentleman understands that the \$300-million deficit that he says will occur someplace down the line assumes the passage of a number of pieces of legislation which have not passed this General Assembly. The senior citizens seem to indicate that a priority with them at the moment is prescription drugs. When the gentleman talks about administrative costs, saying that we must send every penny of the Lottery Fund to the senior citizens, if we would really do that, we would have no problem with a deficit. We would have no problem. We are taking every year and tapping the Lottery Fund for General Fund purposes, and this balance sheet shows a tapping of the General Fund for an additional \$400 million in the future.

In addition, Mr. Speaker, he speaks about the overhead administrative costs. Presently, I am sure he knows that all of the programs run by the Department of Revenue - the tax rent rebate program, the tax program, the inflation dividend, the fuel dividend - all of those have a deduction of about 9 percent which goes into the funds of the Revenue Department for administration. We are simply putting in the Department of Aging an administrative cost that all of the senior citizen programs presently pay. Now, I am sure that they will contract with the administrative overhead, just as the Department of Revenue does in many cases, so the administrative cost argument holds no valid water.

We will not, in my opinion, be in a deficit situation if all of these programs were enacted. My belief is that all of these programs will not be enacted. The senior citizen program ought to be enacted. It is something that has been around, as Mr. Miller said, for a number of years, and the senior citizens expect that we at least listen to what they have told us when they have taken their time to come down here to testify to give their reasons why they prefer the copay program. I think their reasons are valid. I think we ought to listen to them. I think we ought not to shove some program at them that they are indicating to us they do not want.

Again I ask, Mr. Speaker, for a negative vote on the Gannon amendment.

Mr. GANNON. Mr. Speaker, may I answer that last interrogatory?

The SPEAKER pro tempore. The gentleman has spoken twice.

Mr. GANNON. He was asking a question. I do not recall the majority leader asking for permission to make some remarks.

The SPEAKER pro tempore. I do not believe the gentleman had asked to interrogate you, sir.

Mr. MANDERINO. I indicated that I was through with my interrogation some time ago, and I did not ask him another question.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—78

Angstadt	Foster, W. W.	McClatchy	Robbins
Armstrong	Foster, Jr., A.	McVerry	Ryan
Arty	Freind	Madigan	Saloom
Battisto	Gallen	Marmion	Saurman
Bowser	Gannon	Mayernik	Scheetz
Boyes	Geist	Merry	Semmel
Brandt	George	Micozzie	Sirianni
Burd	Godshall	Miller	Smith, B.
Caltagirone	Grieco	Moehlmann	Smith, L. E.
Cessar	Hayes	Mowery	Snyder, D. W.
Cimini	Herman	Mrkonic	Snyder, G. M.
Civera	Hershey	Murphy	Spencer
Clymer	Honaman	Noye	Spitz
DeVerter	Jackson	O'Brien	Stairs
Dorr	Johnson	Perzel	Sweet
Duffy	Kennedy	Peterson	Swift
Durham	Klingaman	Phillips	Taylor, E. Z.
Fargo	Lehr	Pitts	Vroon
Fischer	Lescovitz	Pott	Wright, J. L.
Flick	Levi		

NAYS—117

Afflerbach	Donatucci	Livengood	Rudy
Alderette	Evans	Lloyd	Rybak
Baldwin	Fattah	Lucyk	Salvatore
Barber	Fee	McCall	Schuler
Belardi	Freeman	McHale	Serafini
Belfanti	Fryer	McIntyre	Seventy
Beloff	Gallagher	McMonagle	Showers
Blaum	Gamble	Mackowski	Steighner
Book	Gladeck	Maiale	Stevens
Broujos	Greenwood	Manderino	Stewart
Bunt	Gruitza	Manmiller	Taylor, F. E.
Burns	Gruppo	Markosek	Telek
Cappabianca	Hagarty	Michlovic	Tigue
Carn	Haluska	Miscevich	Trello
Cawley	Harper	O'Donnell	Truman
Clark	Hasay	Olasz	Van Horne
Cohen	Hoeffel	Oliver	Wachob
Colafella	Hutchinson	Petrarca	Wambach
Cornell	Itkin	Petrone	Wargo
Coslett	Jarolin	Piccola	Wass
Cowell	Kasunic	Pievsky	Weston
Coy	Kosinski	Pistella	Wiggins
Deluca	Kowalshyn	Pratt	Williams
DeWeese	Kukovich	Preston	Wilson
Daley	Lashinger	Punt	Wogan
Davies	Laughlin	Rappaport	Wozniak
Dawida	Letterman	Reinard	Wright, D. R.
Deal	Levin	Richardson	Wright, R. C.
Dietz	Linton	Rieger	Zwinkl
Dombrowski			

NOT VOTING—3

Dininni Nahill Reber
EXCUSED—5

Cole Morris Irvis,
Cordisco Stuban Speaker

The question was determined in the negative, and the amendments were not agreed to.

On the question recurring,

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

Mr. STEVENS offered the following amendments No. A3185:

Amend Sec. 2, page 2, lines 4 and 5, by striking out "whose annual income is less than the maximum annual income, and" and inserting

regardless of income,

Amend Sec. 2, page 2, lines 8 through 25, by striking out all of said lines

Amend Sec. 2, page 2, lines 28 through 30; page 3, line 1, by striking out all of said lines on said pages

On the question,

Will the House agree to the amendments?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Luzerne, Mr. Stevens.

Mr. STEVENS. Thank you, Mr. Speaker.

In speaking with senior citizens groups, I have found that one objection to the proposed paid prescription program deals primarily with the income eligibility. My amendment would treat all senior citizens equally without regard to income. It would eliminate the income eligibility clauses in HB 1301.

Senior citizens have suggested that those who sacrificed over the years and happened to put some money away and made some investments should not now be penalized, because they, too, have utility bills to pay; they, too, have property taxes to pay; and they, too, have prescription needs.

Under this bill, a couple making \$16,000 a year is not eligible. I think the income eligibility is arbitrary; I think it is unfair, and if we are really going to help senior citizens, let us help all senior citizens. The bill as written with this income eligibility only helps a few senior citizens, a very few senior citizens. So let us not play a charade, and let us do away with the income eligibility and let all senior citizens qualify for the copayment program.

I support the copayment program. I did on the last vote, but I do find that many senior citizens feel they are being discriminated against because of the income eligibility. So I would ask for an affirmative vote on this amendment.

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

Mr. BARBER. Mr. Speaker, we have had quite a few amendments before the House today, but this particular amendment I cannot even believe it. This includes everybody. God knows how much this would cost the Commonwealth.

Mr. Speaker, I am definitely against this amendment and would ask for a "no" vote. Thank you.

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

Mr. HOEFFEL. Thank you, Mr. Speaker.

I rise in opposition to the Stevens amendment. Mr. Stevens suggests that very few people will benefit from the bill as currently written. He is incorrect. According to census data that was reviewed by the Appropriations staff, half of the senior citizens in the Commonwealth will qualify for assistance under Jim Barber's bill, so that is more than very few. Fifty-two percent, in fact, will benefit under the bill as currently written. What that means is not only are half of the senior citizens benefiting, but if we accept the Stevens amendment, it doubles the cost, at least doubles the cost.

We have just heard an awful lot of discussion about cost containment from the other side of the aisle. If you vote for this amendment, you are doubling the cost immediately. We cannot afford this amendment.

The SPEAKER pro tempore. Does the lady from Susquehanna, Miss Sirianni, care to be recognized?

Miss SIRIANNI. Yes, Mr. Speaker.

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

Miss SIRIANNI. May I interrogate Mr. Stevens?

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

Miss SIRIANNI. Do I understand you correctly? You mean even millionaires would be eligible?

Mr. STEVENS. All I am saying is that people 65 years of age would be eligible, whether they make \$16,000 a year, \$15,000—

Miss SIRIANNI. Or \$16 million?

Mr. STEVENS. —or whether they win the lotto. But I think there are very few—

Miss SIRIANNI. Whether they have \$16,000 or \$16 million. Is that right?

Mr. STEVENS. Well, I do not think there are very many at all in that category, Mr. Speaker.

Miss SIRIANNI. Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Stevens.

Mr. STEVENS. All I ask is that all senior citizens be treated fairly. I cannot envision very many senior citizens in this Commonwealth who are millionaires. Most of them have a fixed income, as you know, and it is not very high. So I ask that they all be included in this plan.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—29

Belardi	Fischer	Marmion	Smith, B.
Brandt	Hasay	Mrkonic	Spitz
Cappabianca	Kasunic	Pott	Stairs
Cawley	Kosinski	Rappaport	Stevens
Deluca	Letterman	Ryan	Telek

Dietz	Linton	Saloom	Wilson
Dombrowski	McVerry	Serafini	Wozniak
Duffy			

NAYS—166

Afflerbach	Fee	Livengood	Reinard
Alderette	Flick	Lloyd	Richardson
Angstadt	Foster, W. W.	Lucyk	Rieger
Armstrong	Foster, Jr., A.	McCall	Robbins
Arty	Freeman	McHale	Rudy
Baldwin	Freind	McIntyre	Rybak
Barber	Fryer	McMonagle	Salvatore
Battisto	Gallagher	Mackowski	Saurman
Belfanti	Gallen	Madigan	Scheetz
Blaum	Gamble	Maiale	Schuler
Bowser	Gannon	Manderino	Semmel
Boyes	Geist	Manmiller	Seventy
Broujos	George	Markosek	Showers
Bunt	Gladeck	Mayernik	Sirianni
Burd	Godshall	Merry	Smith, L. E.
Burns	Greenwood	Michlovic	Snyder, D. W.
Caltagirone	Grieco	Micozzie	Snyder, G. M.
Carn	Gruitza	Miller	Spencer
Cessar	Gruppo	Miscevich	Steighner
Cimini	Hagarty	Moehlmann	Stewart
Civera	Haluska	Mowery	Sweet
Clark	Harper	Murphy	Swift
Clymer	Hayes	Nahill	Taylor, E. Z.
Cohen	Herman	Noye	Taylor, F. E.
Colafella	Hershey	O'Brien	Tigue
Cornell	Hoeffel	O'Donnell	Trello
Coslett	Honaman	Olasz	Truman
Cowell	Hutchinson	Oliver	Van Horne
Coy	Itkin	Perzel	Vroon
DeVerter	Jackson	Peterson	Wachob
DeWeese	Jarolin	Petrarca	Wambach
Daley	Johnson	Petrone	Wargo
Davies	Kennedy	Phillips	Wass
Dawida	Klingaman	Piccola	Weston
Deal	Kowalshyn	Pievsky	Wiggins
Dininni	Kukovich	Pistella	Williams
Donatucci	Lashinger	Pitts	Wogan
Dorr	Laughlin	Pratt	Wright, D. R.
Durham	Lehr	Preston	Wright, J. L.
Evans	Lescovitz	Punt	Wright, R. C.
Fargo	Levi	Reber	Zwinkl
Fattah	Levin		

NOT VOTING—3

Beloff	Book	McClatchy
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EXCUSED—5

Cole	Morris	Irvis,
Cordisco	Stuban	Speaker

The question was determined in the negative, and the amendments were not agreed to.

On the question recurring,

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

Mr. PETERSON offered the following amendment No. A3165:

Amend Sec. 13, page 7, line 5, by striking out "60" and inserting

120

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Venango, Mr. Peterson.

Mr. PETERSON. Thank you, Mr. Speaker.

This amendment is very simple. It just changes the effective date from 60 to 120. I have my doubts whether the department can implement it that quickly, and I think they certainly need more time, and I ask for an affirmative vote.

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

Mr. BARBER. Mr. Speaker, I have talked with the Secretary of Aging. He stated that 60 days was sufficient time. I believe him. I believe that this bill can be administered in 60 days. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Peterson.

Mr. PETERSON. I just see no way that a department can go through the eligibility program and set up the bureaucracy in Harrisburg and have anything effective in 60 days. I think it is unrealistic, and no matter what the department says, I think they should have a little more time to properly implement the bill. I ask again for an affirmative vote.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—51

Armstrong	Foster, W. W.	Lehr	Phillips
Bowser	Foster, Jr., A.	Levi	Robbins
Brandt	Freind	McClatchy	Ryan
Burd	Gallen	McVerry	Saurman
Cessar	Geist	Madigan	Scheetz
Civera	Godshall	Marmion	Schuler
Clymer	Greenwood	Merry	Smith, B.
Cornell	Hayes	Micozzie	Smith, L. E.
DeVerter	Herman	Miller	Snyder, G. M.
Dietz	Honaman	Moehlmann	Spencer
Dorr	Jackson	Mowery	Stairs
Fargo	Kennedy	Noye	Trello
Flick	Klingaman	Peterson	

NAYS—141

Afflerbach	Fattah	McCall	Rybak
Alderette	Fee	McHale	Saloom
Angstadt	Fischer	McIntyre	Salvatore
Arty	Freeman	McMonagle	Semmel
Baldwin	Fryer	Mackowski	Serafini
Barber	Gallagher	Maiale	Seventy
Battisto	Gamble	Manderino	Showers
Belardi	Gannon	Manmiller	Sirianni
Belfanti	George	Markosek	Snyder, D. W.
Blaum	Gladeck	Mayernik	Spitz
Boyes	Grieco	Michlovic	Steighner
Bunt	Gruitza	Miscevich	Stewart
Burns	Gruppo	Mrkonjic	Sweet
Caltagirone	Hagarty	Murphy	Swift
Cappabianca	Haluska	Nahill	Taylor, E. Z.
Carn	Harper	O'Brien	Taylor, F. E.
Cawley	Hasay	O'Donnell	Telek
Cimini	Hershey	Olasz	Tigue
Clark	Hoeffel	Oliver	Truman
Cohen	Hutchinson	Perzel	Van Horne
Colafella	Itkin	Petrarca	Vroon
Coslett	Johnson	Petrone	Wachob
Cowell	Kasunic	Piccola	Wambach
Coy	Kosinski	Pievsky	Wargo
Deluca	Kowalshyn	Pistella	Wass
DeWeese	Kukovich	Pitts	Weston
Daley	Lashinger	Pott	Wiggins
Davies	Laughlin	Pratt	Williams
Dawida	Lescovitz	Preston	Wilson

Deal	Letterman	Punt	Wogan
Dininni	Levin	Rappaport	Wozniak
Dombrowski	Linton	Reinard	Wright, D. R.
Donatucci	Livengood	Richardson	Wright, J. L.
Duffy	Lloyd	Rieger	Wright, R. C.
Durham	Lucyk	Rudy	Zwilk
Evans			

NOT VOTING—6

Beloff	Broujos	Reber	Stevens
Book	Jarolin		

EXCUSED—5

Cole	Morris	Irvis,
Cordisco	Stuban	Speaker

The question was determined in the negative, and the amendment was not agreed to.

On the question recurring,

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

Mr. PETERSON offered the following amendment No. A3163:

Amend Sec. 8, page 6, line 13, by inserting after "\$100,000,000."

For all future years the expenditures for this program shall be limited to the amount appropriated by the General Assembly from the State Lottery Fund.

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Peterson.

Mr. PETERSON. The bill as it was redrafted in the Appropriations Committee removed the cap and, I think, left it rather confusing how this was to be funded. I have added this one sentence that says, "For all future years the expenditures for this program shall be limited to the amount appropriated by the General Assembly from the State Lottery Fund."

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

Mr. BARBER. I would ask for a negative vote, please.

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

Mr. RYAN. Mr. Speaker, would the gentleman, Mr. Barber, consent to interrogation?

Mr. BARBER. Yes, Mr. Speaker.

Mr. RYAN. Mr. Speaker, would the gentleman advise me as to his thinking on this particular amendment? By that I mean, do you believe that in future years without this amendment the General Fund becomes liable for the payments that are reflected in this bill?

Mr. BARBER. I do not think it is necessary for the simple reason that I think that will be done without this amendment.

Mr. RYAN. Is it your position then that under the provisions of this bill, if enacted, there can be no payouts in excess of the amount appropriated from the Lottery Fund in future years?

Mr. BARBER. That is what it says already.
 Mr. RYAN. It does say that?
 Mr. BARBER. If you look on page 6, line 4.
 Mr. RYAN. What page, Mr. Speaker?
 Mr. BARBER. Page 6, line 4.

If you would like for me to read it, I will, or do you see it, Mr. Speaker?

Mr. RYAN. Forgive me. I am sorry; I did not hear you, Mr. Speaker.

Mr. BARBER. I said, do you see it? It says, "...funding for the program provided for in this act, including administrative costs as provided in section 12, shall be—"

Mr. RYAN. I see that, Mr. Speaker, and I read the amendment offered by the gentleman, Mr. Peterson. The only thing that seems to be a little bit different is that Mr. Peterson says in his amendment, "...shall be limited to the amount appropriated by the General Assembly from the State Lottery Fund." Is it my understanding that your position is that the wording in the bill on page 6 in effect says that very thing?

Mr. BARBER. Yes; it does to me.

Mr. RYAN. So it would be your thought that the legislative intent of this bill reflects these conditions that no money can be expended and the amount expended is as limited by the appropriation annually by the General Assembly from the Lottery Fund.

Mr. BARBER. Yes; unless this bill is amended.

Mr. RYAN. I understand that.

That being the case, if what you are saying is essentially similar to Mr. Peterson's amendment, what is your objection to the amendment?

Mr. BARBER. Because I think it is unnecessary. In fact, I do not think Mr. Peterson's amendment would affect the bill at all. But it is unnecessary, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Venango, Mr. Peterson.

Mr. PETERSON. I think the bottom line is that if you want this program to be funded in total by the Lottery Fund, my amendment accomplishes that.

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

Mr. BARBER. Mr. Speaker, if Representative Peterson wants it in the bill, it is all right with me, because I do not see any difference. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The gentleman, Mr. Barber, has removed his objection to the amendment.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—184

Afflerbach	Fee	Linton	Rudy
Alderette	Fischer	Livengood	Ryan
Angstadt	Flick	Lloyd	Rybak
Armstrong	Foster, W. W.	McCall	Saloom
Arty	Foster, Jr., A.	McClatchy	Salvatore
Baldwin	Freind	McMonagle	Saurman
Battisto	Fryer	McVerry	Scheetz
Belardi	Gallagher	Mackowski	Schuler
Belfanti	Gallen	Madigan	Semmel

Blum	Gamble	Maiale	Serafini
Book	Gannon	Manderino	Seventy
Bowser	Geist	Manmiller	Showers
Boyes	George	Markosek	Sirianni
Brandt	Gladeck	Marmion	Smith, B.
Broujos	Godshall	Mayernik	Smith, L. E.
Bunt	Greenwood	Merry	Snyder, D. W.
Burd	Grieco	Michlovic	Snyder, G. M.
Burns	Gruitza	Micozzie	Spencer
Caltagirone	Gruppo	Miller	Spitz
Cappabianca	Hagarty	Miscevich	Stairs
Cawley	Haluska	Moehlmann	Steighner
Cessar	Harper	Mowery	Stevens
Cimini	Hasay	Mrkonic	Stewart
Civera	Hayes	Murphy	Sweet
Clark	Herman	Nahill	Swift
Clymer	Hershey	Noye	Taylor, E. Z.
Cohen	Hoefel	O'Brien	Taylor, F. E.
Colafiglia	Honaman	O'Donnell	Telek
Cornell	Hutchinson	Olasz	Tigue
Coslett	Itkin	Perzel	Trello
Cowell	Jackson	Peterson	Truman
Coy	Jarolin	Petrarca	Van Horne
Deluca	Johnson	Petrone	Vroon
DeVerter	Kasunic	Phillips	Wachob
DeWeese	Kennedy	Piccola	Wambach
Daley	Klingaman	Pievsky	Wargo
Davies	Kosinski	Pistella	Wass
Dawida	Kowalshyn	Pitts	Weston
Dietz	Kukovich	Pott	Williams
Dininni	Lashingier	Pratt	Wilson
Dombrowski	Laughlin	Punt	Wogan
Donatucci	Lehr	Rappaport	Wozniak
Dorr	Lescovitz	Reber	Wright, D. R.
Duffy	Letterman	Reinard	Wright, J. L.
Durham	Levi	Rieger	Wright, R. C.
Fargo	Levin	Robbins	Zwikl

NAYS—12

Barber	Evans	Lucyk	Preston
Carn	Fattah	McHale	Richardson
Deal	Freeman	McIntyre	Wiggins

NOT VOTING—2

Beloff Oliver

EXCUSED—5

Cole	Morris	Irviss,
Cordisco	Stuban	Speaker

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

On the question recurring,

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

Mr. PETERSON offered the following amendments No. A3162:

Amend Sec. 3, page 4, line 3, by striking out "20%" and inserting

10%

Amend Sec. 3, page 4, line 11, by striking out "BY 20%"

Amend Sec. 3, page 4, line 13, by striking out "80%" and inserting

90%

Amend Sec. 3, page 4, line 16, by striking out "BY 20%"

Amend Sec. 3, page 4, line 18, by striking out "20%" and inserting

10%

Amend Sec. 3, page 4, line 19, by striking out "20%" and inserting

10%

Amend Sec. 3, page 4, line 24, by striking out "20%" and inserting

50¢

Amend Sec. 3, page 4, lines 25 through 27, by striking out all of said lines and inserting

(d) Initial and minimum copayment.—The following schedule shall be the initial and minimum copayment:

Individual Income	Combined Married Income	Copayment
0 - \$5,000	0 - \$8,000	\$3
5,001 - 8,000	8,001 - 11,000	4
8,001 - 10,000	11,001 - 13,000	5
10,001 - 12,000	13,001 - 15,000	6

On the question,

Will the House agree to the amendments?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Venango, Mr. Peterson.

Mr. PETERSON. This amendment on page 4 changes the language that was inserted in the Appropriations Committee, where when the cost of drugs would increase by 20 percent, then the copay would increase by 20 percent. I felt it would be a better safeguard and it could be better implemented if we went to 10 percent, and when a 10-percent increase has happened, we would then increase the copay by 50 cents. When we go on a percentage factor overall, we will come up with some odd figures. We might have a copay of \$4.48 or a copay of \$5.03. I think for implementation it would be much simpler to have an increase of 50-cent increments as we have a 10-percent increase. It really does not make a lot of fiscal difference, but I think it would be easier to implement.

On the second page of this, we are amending the minimum payment, and we are having four categories of copayment. Those with less than a \$5,000 income would pay a \$3 copayment; those with \$5,000 to \$8,000 would have a \$4 copayment; those from \$8,000 to \$10,000 would have a \$5 copayment; and from \$10,000 to \$12,000, a \$6 copayment, and we have similar numbers where there is a couple.

I believe that this would have a considerable savings and would also make it more affordable to the poor, and those who have the ability to pay, pay a little bit more. This is the first program in the lottery program that has not been geared to need and to the means that the people have. I think this would, in a small way, make it a little more affordable to the poor and charge those a slight bit more who can afford to pay. I ask for an affirmative vote.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Northumberland, Mr. Belfanti.

Mr. BELFANTI. Will the gentleman stand for a brief inter-rogation?

The SPEAKER pro tempore. The gentleman indicates he will. The gentleman, Mr. Belfanti, is in order and may proceed.

Mr. BELFANTI. Mr. Speaker, how would you determine or how, let us say, would a pharmacist determine at what income level these individuals were each and every time they stopped into the local pharmacy to buy a drug?

Mr. PETERSON. I can only tell you how I would implement it if I were implementing the program. Most of the

implementation is left up to the department. I would have on each person's card their name, their address, their social security number, the same as we have on all charge cards, and I would also have the copay amount. So on the top of that card it would be impregnated with a copay of \$3, \$4, \$5, or \$6, and as they run their card through the machine at the pharmacy, then it would come out on there that they had a \$3, \$4, \$5, or \$6 copay, and then that amount would be paid by the individual and the rest would be billed to the State.

Mr. BELFANTI. So you would issue a card to senior citizens on an annual basis or something to that effect?

Mr. PETERSON. Well, as I understand the bill, you have to have a certain income to qualify. I would assume the department would have to look at your income annually the same as they do in the rent and tax rebate program. You can qualify for it one year and not necessarily the next or maybe miss it by a few dollars one year and qualify the next. I would think if we have a responsible program, that everybody's income is going to have to be adjusted at a time when they know their income for the past year.

Mr. BELFANTI. The point I am trying to make, Mr. Speaker, and the question I am still asking is, are we not getting very confusing here? If an individual is eligible for this program now, he is issued just a one-time card. Under your proposed amendment, his income would have to be checked periodically because of raises in, let us say, his pensions, his outside incomes, and social security, and each and every time that individual wanted to buy a prescription in a different pharmacy than the one that he normally goes to in his hometown, is he going to be required to bring in all of his income data, or are you asking that the Commonwealth keep such rigid tabs on every senior citizen that they are able to identify, by the type of card that they have, what income level that individual is going to be in? Does that not slop the bureaucracy up a little bit in the process?

Mr. PETERSON. Well, to answer your first question first, I would hope the department does not implement a program that once you are considered eligible, you would be eligible forever until you were deceased, because people's incomes change ongoing, and I just could not imagine that the department would not have an annual recertification or an annual form that you would fill out so that you would continue to have your card just like you do with the other programs that we have. I think that would be mandatory in any program that we pass, that your income would be certified each year. I do not see where it would be any different in my proposal.

Mr. BELFANTI. Thank you, Mr. Speaker.

I have completed my interrogation.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

Mr. BARBER. Mr. Speaker, I would ask for a negative vote, please.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—75

Armstrong	Gallen	McVerry	Reber
Book	Geist	Madigan	Robbins
Bowser	Gladeck	Manmiller	Ryan
Brandt	Greenwood	Marmion	Saloom
Bunt	Hagarty	Mayernik	Salvatore
Burd	Hayes	Merry	Saurman
Cawley	Herman	Micozzie	Scheetz
Cessar	Hershey	Moehlmann	Schuler
Civera	Honaman	Mowery	Sirianni
Cornell	Jackson	Nahill	Smith, B.
DeVerter	Johnson	Noye	Smith, L. E.
Davies	Kennedy	O'Brien	Snyder, G. M.
Dietz	Klingaman	Perzel	Spencer
Dorr	Kukovich	Peterson	Stairs
Fargo	Lashingier	Phillips	Swift
Flick	Lehr	Piccola	Taylor, E. Z.
Foster, W. W.	Lescovitz	Pitts	Vroon
Foster, Jr., A.	Levi	Pott	Wachob
Freind	McClatchy	Rappaport	

NAYS—120

Afflerbach	Dininni	Letterman	Rudy
Alderette	Dombrowski	Levin	Rybak
Angstadt	Donatucci	Linton	Semmel
Arty	Duffy	Livengood	Serafini
Baldwin	Durham	Lloyd	Seventy
Barber	Evans	Lucyk	Showers
Battisto	Fattah	McCall	Snyder, D. W.
Belardi	Fee	McHale	Steighner
Belfanti	Fischer	McMonagle	Stevens
Beloff	Freeman	Mackowski	Stewart
Blaum	Fryer	Maiale	Sweet
Boyes	Gallagher	Manderino	Taylor, F. E.
Broujos	Gamble	Markosek	Telek
Burns	Gannon	Michlovic	Tigue
Caltagirone	George	Miller	Trello
Cappabianca	Godshall	Miscevich	Truman
Carn	Grieco	Mrkonjic	Van Horne
Cimini	Gruitza	Murphy	Wambach
Clark	Gruppo	O'Donnell	Wargo
Clymer	Haluska	Olasz	Wass
Cohen	Harper	Oliver	Weston
Colafella	Hasay	Petrarca	Wiggins
Coslett	Hoefel	Petrone	Williams
Cowell	Hutchinson	Pievsky	Wilson
Coy	Itkin	Pistella	Wogan
Deluca	Jarolin	Pratt	Wozniak
DeWeese	Kasunic	Preston	Wright, D. R.
Daley	Kosinski	Reinard	Wright, J. L.
Dawida	Kowalshyn	Richardson	Wright, R. C.
Deal	Laughlin	Rieger	Zwinkl

NOT VOTING—3

McIntyre	Punt	Spitz
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EXCUSED—5

Cole	Morris	Irvis,
Cordisco	Stuban	Speaker

The question was determined in the negative, and the amendments were not agreed to.

On the question recurring,

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

Mr. PETERSON offered the following amendment No. A3160:

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

Revenue

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

The SPEAKER pro tempore. The Chair recognizes the gentleman from Venango, Mr. Peterson.

Mr. PETERSON. Thank you, Mr. Speaker.

This replaces one of the features that was in the bill originally, that it was to be run by the Department of Revenue. I realize the Department of Aging wants this, and I know many of the reasons why they would like to administer this program. The Department of Aging has provided a lot of good services for our senior citizens, but they are a very small department, and I believe the Department of Revenue has the resources and will not have to increase the bureaucracy size in the same manner that the Department of Aging would.

I believe for those reasons that we should have the Department of Revenue administer this program. I know there has been a lot of citizen input that the Department of Aging should do it, but we all know where that has come from. The Department of Aging has been selling that concept because they want to build that bureaucracy that is necessary to run this program. I think it is up to us to make a fiscal decision here of where it can be run best, and I think there it would be the Department of Revenue. I ask for an affirmative vote.

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

Mr. BARBER. Mr. Speaker, when you say the Department of Aging, that means exactly what it says. They know where the senior citizens are. They have been working along with the senior citizens, and I ask for a negative vote, please.

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Peterson.

Mr. PETERSON. Well, I would just respond that the rent and tax rebate program has been promoted very successfully by the Department of Aging and their people out there in the field, and I think they will do the same with any program that we implement. That would be their role. They are a very small department, and I think the Department of Revenue could do it in a much more fiscally responsible manner and save money, which would actually put more money out to the senior citizens.

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

The following roll call was recorded:

YEAS—81

Angstadt	Freind	Madigan	Robbins
Armstrong	Gallen	Manmiller	Rudy
Battisto	Gamble	Marmion	Ryan
Book	Geist	Merry	Saloom
Bowser	Gladeck	Michlovic	Saurman
Boyes	Gruitza	Moehlmann	Scheetz
Brandt	Gruppo	Mowery	Semmel
Broujos	Hayes	Mrkonic	Seventy

Burd	Herman	Murphy	Sirianni
Cessar	Honaman	Noye	Smith, B.
Colafella	Jackson	O'Brien	Smith, L. E.
Deluca	Johnson	Olasz	Snyder, D. W.
DeVerter	Kennedy	Perzel	Snyder, G. M.
Dawida	Klingaman	Peterson	Spencer
Dietz	Lashingner	Petrone	Swift
Dombrowski	Lehr	Phillips	Telek
Dorr	Lescovitz	Piccola	Trello
Duffy	McClatchy	Pott	Van Horne
Fargo	McVerry	Rappaport	Wambach
Foster, W. W.	Mackowski	Reber	Wozniak
Foster, Jr., A.			

NAYS—115

Afflerbach	Durham	Levi	Rybak
Alderette	Evans	Levin	Salvatore
Arty	Fattah	Linton	Schuler
Baldwin	Fee	Livengood	Serafini
Barber	Fischer	Lloyd	Showers
Belardi	Flick	Lucyk	Spitz
Belfanti	Freeman	McCall	Stairs
Beloff	Fryer	McHale	Steighner
Blaum	Gallagher	McMonagle	Stevens
Bunt	Gannon	Maiale	Stewart
Burns	George	Manderino	Sweet
Caltagirone	Godshall	Markosek	Taylor, E. Z.
Cappabianca	Greenwood	Mayernik	Taylor, F. E.
Carn	Grieco	Micozzie	Tigue
Cawley	Hagarty	Miller	Truman
Cimini	Haluska	Miscevich	Vroon
Civera	Harper	Nahill	Wachob
Clark	Hasay	O'Donnell	Wargo
Clymer	Hershey	Oliver	Wass
Cohen	Hoeffel	Petrarca	Weston
Cornell	Hutchinson	Pievsky	Wiggins
Coslett	Itkin	Pistella	Williams
Cowell	Jarolin	Pitts	Wilson
Coy	Kasunic	Pratt	Wogan
DeWeese	Kosinski	Preston	Wright, D. R.
Daley	Kowalyshyn	Punt	Wright, J. L.
Davies	Kukovich	Reinard	Wright, R. C.
Deal	Laughlin	Richardson	Zwikl
Donatucci	Letterman	Rieger	

NOT VOTING—2

Dininni	McIntyre
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EXCUSED—5

Cole	Morris	Irvis,
Cordisco	Suban	Speaker

The question was determined in the negative, and the amendment was not agreed to.

REMARKS ON VOTE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Montgomery, Mr. Reber. For what purpose does the gentleman rise?

Mr. REBER. Mr. Speaker, my vote was not recorded on the Gannon amendment A3128 to HB 1301. I would like it to be so noted I would have voted in the affirmative on that.

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

CONSIDERATION OF HB 1301 CONTINUED

On the question recurring,

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

Mr. PETERSON offered the following amendments No. A3161:

Amend Sec. 2, page 2, line 29, by striking out "\$12,000" and inserting

\$9,000

Amend Sec. 2, page 2, line 30, by striking out "\$15,000" and inserting

\$12,000

On the question,

Will the House agree to the amendments?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Venango, Mr. Peterson.

Mr. PETERSON. Thank you, Mr. Speaker.

For those from the far east and from the far west who are anxious to return home, I am pleased to report this is my last and final amendment.

I was disappointed, I guess, when I reviewed on Monday what the Appropriations Committee had done to the bill that was originally considered in the Health and Welfare Committee, of which I am a member. I was always led to believe that that prestigious committee was the one that was to safeguard the Treasury, was the one to make sure that we were fiscally responsible, to make sure that we did not spend too much money or more than we had and that things made fiscal sense. But after we reviewed what the committee did to the bill on Wednesday or whenever they met, they took off the cap; they increased the ability to get into the system; they took away the safeguards, and I would like to replace one of the portions that was originally in the bill.

My reasoning is this: I think all of us want a senior citizens program for pharmaceutical needs, and I think any of us who have taken any kind of look at the New Jersey program know that it is not an easy program to implement and it will probably be more costly and more difficult than we have anticipated. New Jersey has had a nightmare for many years with their program. I do not think anyone can dispute that. It is going to be a huge program. It is going to cover possibly a million or more people. It is going to cost a lot of money.

Mr. LETTERMAN. Mr. Speaker?

The SPEAKER pro tempore. For what purpose does the gentleman from Centre, Mr. Letterman, rise?

Mr. LETTERMAN. Mr. Speaker, I realize you like to be nice to everybody, but let us stick to the amendments and get down to the facts on the amendments. Let us vote them that way, not talk all day on other things.

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

Mr. PETERSON. Thank you, Mr. Speaker.

The reason that I made the statements that I just made was that I was always taught that it is wise to walk before you run, and I think when we increase the figures that make more

people eligible for the program, we are taking a bigger risk. I would have preferred to have the program as it was designed by the Health and Welfare Committee, with the limits of \$9,000 for a single person and \$12,000 for a couple. Get that program implemented; get a little bit of history; see where we are, and then if we can increase it to \$15,000, I would be very glad to support it.

I believe we are trying to run before we walk. I believe we are inviting disaster down the road. I view what we are doing to the Lottery Fund this year to what was done a few years ago to the Unemployment Compensation Fund, when it had \$900 million or \$800-some million in it, and the members of the House and Senate at that time stumbled over each other trying to spend it first and get the credit for it. The same thing is happening today in the Lottery Fund. We will pass more bills than this. We will probably pass most of the ones that are on the calendar and that are on their way to us, and we will probably pass programs before election year, next year, that have not even been in print yet. I believe, to head off that kind of disaster, we should slow down and go back to the figures that were originally in the bill, and I ask for the members' support.

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

Mr. BARBER. Mr. Speaker, during the hearings the people wanted \$12,000 for a single person and \$15,000 for a married person. Mr. Speaker, I am only doing what the people want. This is a people's bill. Thank you very much.

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Peterson.

Mr. PETERSON. I would just say that if and when we are assured that the funds are available, we can always increase them, but you and I know we will not decrease them, and that will be a much tougher vote. I have individuals in my district who are raising a family on less than \$12,000, and they do not have any kind of pharmaceutical program. I think when we raise the limits to where we have, we are helping those who really have the ability to help themselves. Now, if we have extra money, I say all right, but until we are assured that we have enough money to maintain the programs that are in place, the programs that were implemented in the beginning, I think we are making a mistake to do what was done with this bill.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—19

Burd	Honaman	Moehlmann	Sirianni
DeVerter	Jackson	Peterson	Smith, L. E.
Dombrowski	Madigan	Robbins	Spencer
Fargo	Marmion	Scheetz	Swift
Flick	Merry	Schuler	

NAYS—176

Afflerbach	Durham	Letterman	Reinard
Alderette	Evans	Levi	Richardson
Angstadt	Fattah	Levin	Rieger
Armstrong	Fee	Linton	Rudy
Arty	Fischer	Livengood	Ryan

Baldwin	Foster, W. W.	Lloyd	Rybak
Barber	Foster, Jr., A.	Lucyk	Saloom
Battisto	Freeman	McCall	Salvatore
Belardi	Freind	McClatchy	Saurman
Belfanti	Fryer	McHale	Semmel
Beloff	Gallagher	McMonagle	Serafini
Blaum	Gallen	McVerry	Seventy
Book	Gamble	Mackowski	Showers
Bowser	Gannon	Manderino	Smith, B.
Brandt	Geist	Manmiller	Snyder, D. W.
Broujos	George	Markosek	Snyder, G. M.
Bunt	Gladeck	Mayernik	Spitz
Burns	Godshall	Michlovic	Stairs
Caltagirone	Greenwood	Micozzie	Steighner
Cappabianca	Grieco	Miller	Stevens
Carn	Gruitza	Miscevich	Stewart
Cawley	Gruppo	Mowery	Sweet
Cessar	Hagarty	Mrkonic	Taylor, E. Z.
Cimini	Haluska	Murphy	Taylor, F. E.
Civera	Harper	Nahill	Telek
Clark	Hasay	Noye	Tigue
Clymer	Hayes	O'Brien	Trello
Cohen	Herman	O'Donnell	Truman
Colafella	Hershey	Olasz	Van Horne
Cornell	Hoeffel	Oliver	Vroon
Coslett	Hutchinson	Perzel	Wachob
Cowell	Itkin	Petrarca	Wambach
Coy	Jarolin	Petrone	Wargo
Deluca	Johnson	Phillips	Wass
DeWeese	Kasunic	Piccola	Weston
Daley	Kennedy	Pievsky	Wiggins
Davies	Klingaman	Pistella	Williams
Dawida	Kosinski	Pitts	Wilson
Deal	Kowalshyn	Pott	Wogan
Dietz	Kukovich	Pratt	Wozniak
Dininni	Lashingier	Preston	Wright, D. R.
Donatucci	Laughlin	Punt	Wright, J. L.
Dorr	Lehr	Rappaport	Wright, R. C.
Duffy	Lescovitz	Reber	Zwikl

NOT VOTING—3

Boyes	McIntyre	Maiale
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EXCUSED—5

Cole	Morris	Irvis,
Cardisco	Stuban	Speaker

The question was determined in the negative, and the amendments were not agreed to.

On the question recurring,

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

Mr. CLYMER offered the following amendments No. A3201:

Amend Bill, page 5, by inserting between lines 3 and 4 Section 5. Maximum prescription quantity.

The maximum quantity of drugs per each filling of a prescription shall be 100 capsules or a 30-day supply, whichever is less.

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

6

Amend Sec. 6, page 5, line 8, by striking out "6" and inserting

7

Amend Sec. 7, page 5, line 16, by striking out "7" and inserting

8

Amend Sec. 8, page 5, line 30, by striking out "8" and inserting

9

Amend Sec. 8, page 6, line 1, by striking out "12" and inserting

13

Amend Sec. 8, page 6, line 4, by striking out "12" and inserting

13

Amend Sec. 8, page 6, line 10, by striking out "12" and inserting

13

Amend Sec. 9, page 6, line 14, by striking out "9" and inserting

10

Amend Sec. 10, page 6, line 20, by striking out "10" and inserting

11

Amend Sec. 11, page 6, line 23, by striking out "11" and inserting

12

Amend Sec. 12, page 6, line 29, by striking out "12" and inserting

13

Amend Sec. 13, page 7, line 4, by striking out "13" and inserting

14

On the question,

Will the House agree to the amendments?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Bucks, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, I wonder if I can have just 60 seconds. I would like to converse with another member who has a similar amendment to mine.

The SPEAKER pro tempore. The House will be at ease.

AMENDMENTS WITHDRAWN

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, I at this point yield to my colleague on the other side of the aisle who has a similar amendment. He has an additional provision in there which I support and which my amendment does not have.

The SPEAKER pro tempore. Are you withdrawing your amendment at this time?

Mr. CLYMER. I am withdrawing my amendment and yielding to Mr. Haluska.

On the question recurring,

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

Mr. HALUSKA offered the following amendments No. A3175:

Amend Bill, page 6, by inserting between lines 19 and 20 Section 10. Limitation on prescription.

Notwithstanding any other provision of this act, prescription benefits for any single prescription shall be limited to a 30-day supply of the prescription drug or 100 doses, whichever is less, except that in the case of acute drugs the limitation shall be a 15-day supply.

Amend Sec. 10, page 6, line 20, by striking out "10" and inserting

11

Amend Sec. 11, page 6, line 23, by striking out "11" and inserting

12

Amend Sec. 12, page 6, line 29, by striking out "12" and inserting

13

Amend Sec. 13, page 7, line 4, by striking out "13" and inserting

14

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

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

Mr. HALUSKA. Mr. Speaker, this particular amendment specifies that any single prescription shall be limited to a 30-day supply of the prescription drug or 100 doses, whichever is less, except that in the case of acute drugs, the limitation shall be for a 15-day supply.

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

Mr. BARBER. Mr. Speaker, we are not doctors, and I do not think we should tell the doctors and physicians what to do. Secondly, it would cost the senior citizens more money. Thirdly, it would cost more money to administer the drugs. I ask for a negative vote on the amendment.

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

Mr. HALUSKA. Mr. Speaker, I think Mr. Barber is incorrect in making the statement that it would cost more money. This would be cost effective. In addition to that, it would protect people who receive drugs that are acute and accumulate large supplies of them. Oftentimes they are dated, and these supplies are kept to a point beyond the effective date of use. I think we have to protect the health and welfare of the individual as well as providing for the needs of that individual, and this would actually reduce the amount of medication that he would receive at any one time, as the amendment directs.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Bucks, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, for the reasons just mentioned by the previous speaker, I support this amendment. In addition, this will help to prevent fraud. Can you imagine if a doctor gives a prescription for 100 capsules and the subscriber decides to change it to 400, which can be done very easily? This way we have taken a step in safeguarding the taxpayers' pocketbooks. In addition, what would happen if a subscriber would go in and ask for 300 capsules and then decide to get a second opinion from another doctor, and the doctor says, well, I am changing the medication? If the patient only used a couple days' supply, then we have many capsules that would be paid for by the State but will have no use. I think it is just dangerous to have a lot of pills in the household. We know of health magazines that have come out and stated that it is not in the best interest to have many drugs and medications in the home for grandchildren and other people who may put their hands on

them. As has been mentioned, and most importantly, this becomes a cost-containment amendment, because it will restrict the dollars that will go out when you can only purchase a 30-day supply or 100 capsules. Therefore, Mr. Speaker, I ask the members to support this amendment. Thank you.

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

The following roll call was recorded:

YEAS—133

Alderette	Flick	Letterman	Rudy
Angstadt	Foster, W. W.	Levi	Ryan
Armstrong	Foster, Jr., A.	Livengood	Rybak
Arty	Freind	McCall	Saloom
Baldwin	Fryer	McVerry	Salvatore
Battisto	Gallen	Mackowski	Saurman
Belardi	Gamble	Madigan	Scheetz
Belfanti	Gannon	Manmiller	Schuler
Book	Geist	Markosek	Semmel
Bowser	George	Marmion	Serafini
Boyes	Gladeck	Mayernik	Seventy
Brandt	Godshall	Merry	Sirianni
Bunt	Greenwood	Micozzie	Smith, B.
Burd	Grieco	Miscevich	Smith, L. E.
Burns	Gruitza	Moehlmann	Snyder, D. W.
Caltagirone	Gruppo	Mowery	Snyder, G. M.
Cawley	Hagarty	Mrkonic	Spencer
Cessar	Haluska	Nahill	Spitz
Cimini	Hasay	Noye	Stairs
Civera	Hayes	O'Brien	Stevens
Clymer	Herman	Olasz	Stewart
Cornell	Hershey	Perzel	Swift
Coslett	Honaman	Peterson	Taylor, E. Z.
Cowell	Hutchinson	Petrone	Telek
Coy	Jackson	Phillips	Tigue
Deluca	Johnson	Piccola	Trello
DeVerter	Kennedy	Pistella	Van Horne
Davies	Klingaman	Pitts	Vroon
Dietz	Kosinski	Pott	Wargo
Dininni	Kowalshyn	Punt	Weston
Dorr	Lashingier	Reber	Wozniak
Duffy	Lehr	Reinard	Wright, J. L.
Durham	Lescovitz	Robbins	Wright, R. C.
Fargo			

NAYS—62

Afflerbach	Fattah	McClatchy	Rieger
Barber	Fee	McHale	Showers
Beloff	Fischer	McMonagle	Steighner
Blaum	Freeman	Manderino	Sweet
Broujos	Gallagher	Michlovic	Taylor, F. E.
Cappabianca	Harper	Miller	Truman
Carn	Hoeffel	Murphy	Wachob
Clark	Itkin	O'Donnell	Wambach
Colafella	Jarolin	Oliver	Wass
DeWeese	Kasunic	Petrarca	Wiggins
Daley	Kukovich	Pievsky	Williams
Dawida	Laughlin	Pratt	Wilson
Deal	Levin	Preston	Wogan
Dombrowski	Linton	Rappaport	Wright, D. R.
Donatucci	Lloyd	Richardson	Zwilk
Evans	Lucyk		

NOT VOTING—3

Cohen	McIntyre	Maiale
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EXCUSED—5

Cole	Morris	Irvis,
Cordisco	Stuban	Speaker

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

On the question recurring,

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

Mr. HALUSKA offered the following amendments No. A3178:

Amend Bill, page 6, by inserting between lines 19 and 20 Section 10. Advisory board.

An advisory board within the department shall be established to make recommendations concerning the program. The board shall consist of three senior citizens appointed by the Secretary of Aging, three active, practicing pharmacists appointed by the Secretary of Aging and the Secretary of Aging or his designee.

Amend Sec. 10, page 6, line 20, by striking out "10" and inserting

11

Amend Sec. 11, page 6, line 23, by striking out "11" and inserting

12

Amend Sec. 12, page 6, line 29, by striking out "12" and inserting

13

Amend Sec. 13, page 7, line 4, by striking out "13" and inserting

14

On the question,

Will the House agree to the amendments?

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

Mr. HALUSKA. Mr. Speaker, this amendment would create an advisory board that would be established to make recommendations concerning the program. The board shall consist of three senior citizens appointed by the Secretary of Aging, three active, practicing pharmacists appointed by the Secretary of Aging, and the Secretary of Aging or his designee, to meet quarterly to advise the program.

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

Mr. BARBER. Mr. Speaker, I ask for a negative vote for the simple reason that it is a board that will cost extra money, and we are trying to save the senior citizens money. I definitely would like to have a negative vote.

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

Mr. HALUSKA. Mr. Speaker, I think it is common practice in the Commonwealth. The advisory board members only receive \$75 per diem when they meet. They would meet quarterly, and they get that plus mileage. It is a very cost-effective measure.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—135

Afflerbach	Donatucci	Livengood	Saloom
Alderette	Duffy	Lloyd	Salvatore
Angstadt	Durham	Lucyk	Saurman
Armstrong	Fee	McCall	Scheetz
Arty	Fischer	McMonagle	Schuler

Baldwin	Flick	McVerry	Semmel
Battisto	Foster, W. W.	Manmiller	Serafini
Belardi	Foster, Jr., A.	Markosek	Seventy
Belfanti	Freeman	Marmion	Showers
Book	Freind	Mayernik	Sirianni
Bowser	Fryer	Merry	Smith, L. E.
Boyes	Gallen	Michlovic	Snyder, D. W.
Broujos	Gamble	Micozzie	Snyder, G. M.
Bunt	Gannon	Miller	Spencer
Burd	George	Miscevich	Spitz
Burns	Gladeck	Mrkonic	Stairs
Caltagirone	Godshall	Murphy	Steighner
Cappabianca	Greenwood	Nahill	Stevens
Cawley	Grieco	O'Brien	Stewart
Cessar	Gruitza	Olasz	Swift
Cimini	Gruppo	Perzel	Taylor, E. Z.
Civera	Haluska	Peterson	Telek
Clark	Hershey	Petrarca	Trello
Clymer	Hutchinson	Petrone	Van Horne
Cornell	Itkin	Piccola	Vroon
Cowell	Johnson	Pistella	Wambach
Coy	Kennedy	Pitts	Wargo
DeLuca	Kowalshyn	Pott	Weston
DeVerter	Lashinger	Reber	Wogan
Daley	Laughlin	Reinard	Wozniak
Davies	Lehr	Rieger	Wright, J. L.
Dawida	Lescovitz	Robbins	Wright, R. C.
Dietz	Letterman	Rudy	Zwinkl
Dininni	Levi	Rybak	

NAYS—59

Barber	Geist	Linton	Rappaport
Beloff	Hagarty	McClatchy	Richardson
Blaum	Harper	McHale	Ryan
Brandt	Hasay	Mackowski	Smith, B.
Carn	Hayes	Madigan	Sweet
Cohen	Herman	Manderino	Taylor, F. E.
Coslett	Hoeffel	Moehlmann	Tigue
DeWeese	Honaman	Mowery	Truman
Deal	Jackson	Noye	Wachob
Dombrowski	Jarolin	O'Donnell	Wass
Dorr	Kasunic	Oliver	Wiggins
Evans	Klingaman	Phillips	Williams
Fargo	Kosinski	Pievsky	Wilson
Fattah	Kukovich	Pratt	Wright, D. R.
Gallagher	Levin	Preston	

NOT VOTING—4

Colafella	McIntyre	Maiale	Punt
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EXCUSED—5

Cole	Morris	Irvis,
Cordisco	Stuban	Speaker

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

On the question recurring,

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

Mr. HALUSKA offered the following amendments No. A3174:

Amend Sec. 2, page 3, line 11, by inserting after "drugs" as determined by the department

Amend Sec. 2, page 3, lines 11 and 12, by striking out "as determined by the department" and inserting which shall be increased or decreased annually based upon changes in the Consumer Price Index for the Commonwealth

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

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

Mr. HALUSKA. Mr. Speaker, this amendment deals with a very critical situation the pharmacists are confronted with. Over the years they have been set up on a rate scale by the Department of Welfare and other agencies for prescribing drugs, and the cost of living has constantly gone forth, the employees' wages, their benefits, have increased, and they still have to support a program with their own money at a stipulated fee that has not been increased for a period sometimes of 10 years.

What this amendment would do is it would strike out "as determined by the department" and insert "which shall be increased or decreased annually based upon changes in the Consumer Price Index for the Commonwealth." If they had a prescription fee set for formulating or servicing a prescription, it could rise or fall, according to the index, on an annual basis, rather than be situated in one place for a long period of time.

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

Mr. BARBER. Mr. Speaker, I ask for a negative vote, please.

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

Mr. STEWART. Thank you, Mr. Speaker.

It was alluded to earlier by another gentleman that without pharmacists' participation we have no program. Now, it is not so much of a problem in urban areas, Philadelphia and Pittsburgh, where you have a drugstore on every corner. If someone chooses not to participate, there are plenty of other places to go. But those of us who represent some of the rural areas, there is not a pharmacist on every corner. Some of them, I can tell you, are just fed up with every State-paid program that they are involved with, and they just might not participate. That will force our seniors to travel longer distances, those of us who represent rural areas. I think if we give them this provision that the department can adjust the fee, they will be satisfied enough to participate in the program and thus benefit our seniors. I urge adoption of the Haluska amendment.

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

The following roll call was recorded:

YEAS—180

Afflerbach	Durham	Livengood	Robbins
Alderette	Fargo	Lloyd	Rudy
Angstadt	Fee	Lucyk	Ryan
Armstrong	Fischer	McCall	Rybak
Arty	Flick	McClatchy	Saloom
Baldwin	Foster, W. W.	McHale	Salvatore
Battisto	Foster, Jr., A.	McIntyre	Saurman
Belardi	Freeman	McMonagle	Scheetz
Belfanti	Freind	McVerry	Schuler
Beloff	Fryer	Mackowski	Semmel
Blaum	Gallen	Madigan	Serafini

Book	Gamble	Manderino	Seventy
Bowser	Gannon	Manmiller	Showers
Boyes	Geist	Markosek	Sirianni
Brandt	George	Marmion	Smith, B.
Broujos	Gladock	Mayernik	Smith, L. E.
Bunt	Godshall	Merry	Snyder, D. W.
Burd	Greenwood	Michlovic	Snyder, G. M.
Burns	Grieco	Micozzie	Spencer
Caltagirone	Gruitza	Miller	Spitz
Cappabianca	Gruppo	Miscevich	Stairs
Cawley	Hagarty	Moehlmann	Steighner
Cessar	Haluska	Mowery	Stevens
Cimini	Hasay	Mrkonic	Stewart
Civera	Hayes	Murphy	Sweet
Clark	Herman	Nahill	Swift
Clymer	Hershey	Noye	Taylor, E. Z.
Cohen	Honaman	O'Brien	Taylor, F. E.
Colafella	Hutchinson	Olasz	Telek
Cornell	Itkin	Oliver	Trello
Coslett	Jackson	Perzel	Truman
Cowell	Jarolin	Peterson	Van Horne
Coy	Johnson	Petrarca	Vroon
Deluca	Kasunic	Petrone	Wachob
DeVerter	Kennedy	Phillips	Wambach
DeWeese	Klingaman	Piccola	Wargo
Daley	Kowalyszyn	Pistella	Wass
Davies	Lashingner	Pitts	Weston
Dawida	Laughlin	Pott	Wilson
Dietz	Lehr	Pratt	Wogan
Dininni	Lescovitz	Preston	Wozniak
Dombrowski	Letterman	Punt	Wright, D. R.
Donatucci	Levi	Reber	Wright, J. L.
Dorr	Levin	Reinard	Wright, R. C.
Duffy	Linton	Rieger	Zwikl

NAYS—16

Barber	Fattah	Kosinski	Richardson
Carn	Gallagher	Kukovich	Tigue
Deal	Harper	Pievsky	Wiggins
Evans	Hoeffel	Rappaport	Williams

NOT VOTING—2

Maiale	O'Donnell
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EXCUSED—5

Cole	Morris	Irvis,
Cordisco	Stuban	Speaker

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

On the question recurring,

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

Mr. HALUSKA offered the following amendments No. A3183:

Amend Bill, page 6, by inserting between lines 19 and 20 Section 10. Inpatient benefits.

Notwithstanding any other provision of this act, any person who is confined to a hospital, skilled nursing care facility, or extended care unit for treatment of a covered illness or injury shall be eligible to receive benefits for the entire reasonable cost of prescription drugs administered during the person's confinement. No copayment shall be required.

Amend Sec. 10, page 6, line 20, by striking out "10" and inserting

11

Amend Sec. 11, page 6, line 23, by striking out "11" and inserting

12

Amend Sec. 12, page 6, line 29, by striking out "12" and inserting

13

Amend Sec. 13, page 7, line 4, by striking out "13" and inserting

14

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

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

Mr. HALUSKA. Mr. Speaker, this amendment deals with a very important provision. It states that any person who is confined to a hospital, skilled nursing home care facility, or extended care unit for treatment of a covered illness or injury shall be eligible to receive benefits for the entire reasonable cost of prescription drugs administered during the person's confinement. No copayment shall be required.

We have many of the elderly citizens of low income who are confined to nursing homes or hospitals, and they find it very difficult to meet the expense of that institution. This would aid those people to meet their medical costs.

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

Mr. BARBER. Mr. Speaker, these people will be affected by medical assistance. I do not think we should even think about passing this amendment. I ask for a negative vote, please.

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

The following roll call was recorded:

YEAS—26

Alderette	Durham	Kosinski	Steighner
Arty	Fischer	Micozzie	Stewart
Blaum	Flick	Mrkonic	Telek
Brandt	Freeman	Petrone	Trello
Cawley	Gannon	Spencer	Williams
Civera	Haluska	Spitz	Wozniak
Dietz	Honaman		

NAYS—168

Afflerbach	Fargo	Linton	Reinard
Angstadt	Fattah	Livengood	Richardson
Armstrong	Fee	Lloyd	Rieger
Baldwin	Foster, W. W.	Lucyk	Robbins
Barber	Foster, Jr., A.	McCall	Rudy
Battisto	Freind	McClatchy	Ryan
Belardi	Fryer	McHale	Rybak
Belfanti	Gallagher	McMonagle	Saloom
Beloff	Gallen	McVerry	Salvatore
Book	Gamble	Mackowski	Saurman
Bowser	Geist	Madigan	Scheetz
Boyes	George	Manderino	Schuler
Broujos	Gladeck	Manmiller	Semmel
Bunt	Godshall	Markosek	Serafini
Burd	Greenwood	Marmion	Seventy
Burns	Grieco	Mayernik	Showers
Caltagirone	Gruitza	Merry	Sirianni
Cappabianca	Gruppo	Michlovic	Smith, B.
Carn	Hagarty	Miller	Smith, L. E.
Cessar	Harper	Moehlmann	Snyder, D. W.
Cimini	Hasay	Mowery	Snyder, G. M.
Clark	Hayes	Murphy	Stairs
Clymer	Herman	Nahill	Stevens
Cohen	Hershey	Noye	Sweet

Colafella	Hoeffel	O'Brien	Swift
Cornell	Hutchinson	O'Donnell	Taylor, E. Z.
Coslett	Itkin	Olasz	Taylor, F. E.
Cowell	Jackson	Oliver	Tigue
Coy	Jarolin	Perzel	Truman
Deluca	Johnson	Peterson	Van Horne
DeVerter	Kasunic	Petrarca	Vroon
DeWeese	Kennedy	Phillips	Wachob
Daley	Klingaman	Piccola	Wambach
Davies	Kowalyshyn	Pievsky	Wargo
Dawida	Kukovich	Pistella	Wass
Deal	Lashingner	Pitts	Weston
Dininni	Laughlin	Pott	Wiggins
Dombrowski	Lehr	Pratt	Wilson
Donatucci	Lescovitz	Preston	Wright, D. R.
Dorr	Letterman	Punt	Wright, J. L.
Duffy	Levi	Rappaport	Wright, R. C.
Evans	Levin	Reber	Zwikl

NOT VOTING—4

McIntyre	Maiale	Miscevich	Wogan
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EXCUSED—5

Cole	Morris	Irvis,
Cordisco	Stuban	Speaker

The question was determined in the negative, and the amendments were not agreed to.

On the question recurring,

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

MOTION TO RECONSIDER
AMENDMENT A3128

The SPEAKER pro tempore. That completes the amendments; however, the Chair has before it a reconsideration motion filed by the gentleman from Delaware, Mr. Gannon, and the gentleman from Lancaster, Mr. Miller. They move that the vote by which amendment A3128 was defeated on the 12th day of October be reconsidered.

On the question,

Will the House agree to the motion?

MOTION WITHDRAWN

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

Mr. GANNON. Mr. Speaker, I have spoken to a number of members, and I do appreciate their commitments, but I do not want to put anybody's feet to the fire on this, so I am withdrawing the reconsideration motion.

The SPEAKER pro tempore. The gentlemen have withdrawn their reconsideration motion. The Chair thanks the gentlemen.

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

REMARKS SUBMITTED FOR THE RECORD

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

Mr. PERZEL. Mr. Speaker, I have several remarks I would like to submit for the record.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

Mr. Speaker, as we have all heard from the comments here today, the copay is what the senior citizens of this Commonwealth want. Representative Gannon and I have done indepth studies into a copay. It is anticipated by the third year of the copay that the Lottery Fund would be totally depleted. It is doubtful that the fund could remain solvent. I have suggested a rebate system whereby based on the money you receive from the property tax/rent rebate, you would receive a percentage of your medical expenses incurred during the year. This is a much more fiscally sound proposition. There would be no dispersing fees, which are going to drain the lottery of millions of dollars. There would be no fraud involved, which is going to drain the lottery of millions of dollars, and a new bureaucracy would not be needed that is going to drain millions of dollars from the Lottery Fund. There would be a direct cash flow back to the people that need the money.

We all know we have been deluged with requests for a \$4 copay. It is the overwhelming consensus of the majority of senior citizens in my district that they favor the \$4 copay prescription plan, and although I conscientiously have some misgivings about the \$4 copay, as opposed to other plans, I am nonetheless voting the wishes of my senior citizens and support the \$4 copay. I deem it my legislative responsibility in virtually all matters before the General Assembly to vote the overwhelming wishes of my constituency.

I only hope that we, as legislators, will be able to meet our future responsibilities and pay for this program that is expensive beyond our wildest dreams. Thank you, Mr. Speaker.

On the question recurring,

Shall the bill pass finally?

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

YEAS—197

Afflerbach	Fargo	Linton	Rieger
Alderette	Fattah	Livengood	Robbins
Angstadt	Fee	Lloyd	Rudy
Armstrong	Fischer	Lucyk	Ryan
Arty	Flick	McCall	Rybak
Baldwin	Foster, W. W.	McClatchy	Saloom
Barber	Foster, Jr., A.	McHale	Salvatore
Battisto	Freeman	McMonagle	Saurman
Belardi	Freind	McVerry	Scheetz
Belfanti	Fryer	Mackowski	Schuler
Beloff	Gallagher	Madigan	Semmel
Blaum	Gallen	Maiale	Serafini
Book	Gamble	Manderino	Seventy
Bowser	Gannon	Manmiller	Showers
Boyes	Geist	Markosek	Sirianni
Brandt	George	Marmion	Smith, B.
Broujos	Gladeck	Mayernik	Smith, L. E.
Bunt	Godshall	Merry	Snyder, D. W.
Burd	Greenwood	Michlovic	Snyder, G. M.
Burns	Grieco	Micozzie	Spencer

Caltagirone	Gruitza	Miller	Spitz
Cappabianca	Gruppo	Miscevich	Stairs
Carn	Hagarty	Moehlmann	Steighner
Cawley	Haluska	Mowery	Stevens
Cessar	Harper	Mrkonic	Stewart
Cimini	Hasay	Murphy	Sweet
Civera	Hayes	Nahill	Swift
Clark	Herman	Noye	Taylor, E. Z.
Clymer	Hershey	O'Brien	Taylor, F. E.
Cohen	Hoeffel	O'Donnell	Telek
Colafella	Honaman	Olasz	Tigue
Cornell	Hutchinson	Oliver	Trello
Coslett	Itkin	Perzel	Truman
Cowell	Jackson	Peterson	Van Horne
Coy	Jarolin	Petrarca	Vroon
DeLuca	Johnson	Petrone	Wachob
DeVerter	Kasunic	Phillips	Wambach
DeWeese	Kennedy	Piccola	Wargo
Daley	Klingaman	Pievsky	Wass
Davies	Kosinski	Pistella	Weston
Dawida	Kowalshyn	Pitts	Wiggins
Deal	Kukovich	Pott	Williams
Dietz	Lashinger	Pratt	Wilson
Dininni	Laughlin	Preston	Wogan
Dombrowski	Lehr	Punt	Wozniak
Donatucci	Lescovitz	Rappaport	Wright, D. R.
Dorr	Letterman	Reber	Wright, J. L.
Duffy	Levi	Reinard	Wright, R. C.
Durham	Levin	Richardson	Zwilk
Evans			

NAYS—0

NOT VOTING—1

McIntyre

EXCUSED—5

Cole	Morris	Irvis,
Cordisco	Stuban	Speaker

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

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

RULES SUSPENDED

The SPEAKER pro tempore. The Chair recognizes the gentleman from Clarion, Mr. Wright.

Mr. D. R. WRIGHT. Mr. Speaker, I move to suspend the rules for the immediate consideration of a resolution.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—192

Afflerbach	Durham	Levi	Richardson
Alderette	Evans	Levin	Rieger
Angstadt	Fargo	Linton	Robbins
Armstrong	Fattah	Livengood	Rudy
Arty	Fee	Lloyd	Ryan
Baldwin	Fischer	Lucyk	Rybak
Barber	Flick	McCall	Saloom
Battisto	Foster, W. W.	McClatchy	Salvatore
Belardi	Foster, Jr., A.	McHale	Saurman
Belfanti	Freeman	McMonagle	Schuler
Beloff	Freind	McVerry	Semmel
Blaum	Fryer	Mackowski	Serafini
Book	Gallagher	Madigan	Seventy

Bowser	Gallen	Manderino	Showers
Boyes	Gamble	Manmiller	Sirianni
Brandt	Gannon	Markosek	Smith, B.
Broujos	George	Marmion	Smith, L. E.
Bunt	Gladeck	Mayernik	Snyder, D. W.
Burd	Godshall	Merry	Snyder, G. M.
Burns	Greenwood	Michlovic	Spencer
Caltagirone	Grieco	Micozzie	Spitz
Cappabianca	Gruitza	Miller	Stairs
Carn	Gruppo	Miscevich	Steighner
Cawley	Hagarty	Moehlmann	Stevens
Cessar	Haluska	Mowery	Stewart
Cimini	Harper	Mrkonic	Sweet
Civera	Hasay	Murphy	Swift
Clark	Hayes	Nahill	Taylor, E. Z.
Clymer	Herman	Noye	Taylor, F. E.
Cohen	Hershey	O'Brien	Telek
Colafella	Hoeffel	O'Donnell	Tigue
Cornell	Honaman	Olasz	Trello
Coslett	Hutchinson	Oliver	Van Horne
Cowell	Itkin	Perzel	Vroon
Coy	Jackson	Peterson	Wachob
Deluca	Jarolin	Petrarca	Wambach
DeVerter	Johnson	Petrone	Wargo
DeWeese	Kasunic	Piccola	Wass
Daley	Kennedy	Pievsky	Weston
Davies	Klingaman	Pistella	Wiggins
Dawida	Kosinski	Pitts	Williams
Deal	Kowalshyn	Pott	Wilson
Dietz	Kukovich	Pratt	Wogan
Dininni	Lashinger	Preston	Wozniak
Dombrowski	Laughlin	Punt	Wright, D. R.
Donatucci	Lehr	Rappaport	Wright, J. L.
Dorr	Lescovitz	Reber	Wright, R. C.
Duffy	Letterman	Reinard	Zwilk

NAYS—0

NOT VOTING—6

Geist	Maiale	Scheetz	Truman
McIntyre	Phillips		

EXCUSED—5

Cole	Morris	Irvis,
Cordisco	Stuban	Speaker

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

RESOLUTION ADOPTED

The SPEAKER pro tempore. The Chair recognizes the gentleman from Clarion, Mr. Wright.

Mr. D. R. WRIGHT. Mr. Speaker, I offer the following resolution.

The following resolution was read:

House Resolution No. 144

A RESOLUTION

Urging the Pennsylvania delegation in the United States Congress to gain membership on committees which deal with farm and rural legislative matters.

WHEREAS, The 1980 census reported that the rural population in Pennsylvania increased to 3,643,044, more than the combined population of all Pennsylvania's cities of 30,000 or more; and

WHEREAS, Forty-seven of the 67 counties in Pennsylvania have been classified as rural, constituting 70% of the total Pennsylvania landmass; and

WHEREAS, Pennsylvania is first in the Nation in the production of mushrooms, third in the production in calves and eggs, fourth in the production of grapes, fifth in the production of dairy products, chickens, peaches, cherries and floriculture, and sixth in the production of silage, corn and apples; and

WHEREAS, Agriculture is the backbone of a very substantial agri-business industry: food processing, feed, fertilizer, seed, equipment and machinery production and distribution. Agriculture is also the largest user of steel and rubber. If export markets can be captured, agriculture stands in the forefront of economic remedies for Pennsylvania. Agriculture heads the list of the number and quantity of goods exported annually; and

WHEREAS, In spite of the fact that agriculture is the number one revenue-producing industry in the Commonwealth (\$3 billion annually, almost half from dairy products), neither of our United States Senators nor members of the Pennsylvania Congressional delegation serve on either the 18-member Senate Agriculture, Nutrition and Forestry Committee or the 41-member House Committee on Agriculture although United States Senator Specter has served with distinction on the Agricultural Appropriations Subcommittee; therefore be it

RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania urge United States Senators Heniz and Specter, along with the other members of the Pennsylvania Congressional delegation that represent farm/rural constituencies, to strive for positions on either of these committees at the earliest appropriate time; and be it further

RESOLVED, That copies of this resolution be submitted to Senators Heinz and Specter; members of the United States House of Representatives; United States Senator Jesse Helms, Chairman of the Senate Agriculture Committee; Congressmen E. de la Garza, Chairman of the House Agriculture Committee; Senate Majority Leader Howard H. Baker; House Speaker Tip O'Neill; and House Majority Leader James C. Wright, Jr.

- David R. Wright
- James J. Manderino
- Joseph G. Wargo
- William J. Stewart
- Joseph A. Steighner
- Samuel W. Morris
- Ted Stuban
- Kenneth J. Cole
- William R. Lloyd, Jr.
- John H. Broujos
- Ruth C. Rudy
- Jeffrey W. Coy
- David W. Sweet
- Henry Livengood
- John N. Wozniak
- William Wachob
- William Telek
- Joseph V. Grieco
- Roger A. Madigan
- Harry E. Bowser
- Edwin G. Johnson
- Samuel E. Hayes, Jr.
- Carmel Sirianni
- Paul Wass
- Tom Swift
- Jess Stairs
- A. Carville Foster, Jr.
- Robert D. Robbins
- William D. Mackowski
- Stanford I. Lehr

On the question,

Will the House adopt the resolution?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Clarion, Mr. Wright.

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

I appreciate the courtesy of the House in suspending the rules.

This is a resolution simply urging the delegation in the United States Congress to gain membership on committees which deal with farm and rural legislative matters. This is an issue that has been of some interest in the farm community in Pennsylvania. I would ask for the adoption of the resolution.

On the question recurring,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—196

Afflerbach	Evans	Levin	Rieger
Alderette	Fargo	Linton	Robbins
Angstadt	Fattah	Livengood	Rudy
Armstrong	Fee	Lloyd	Ryan
Arty	Fischer	Lucyk	Rybak
Baldwin	Flick	McCall	Saloom
Barber	Foster, W. W.	McClatchy	Salvatore
Battisto	Foster, Jr., A.	McHale	Saurman
Belardi	Freeman	McMonagle	Scheetz
Belfanti	Freind	McVerry	Schuler
Beloff	Fryer	Mackowski	Semmel
Blaum	Gallagher	Madigan	Serafini
Book	Gallen	Manderino	Seventy
Bowser	Gamble	Manmiller	Showers
Boyes	Gannon	Markosek	Sirianni
Brandt	Geist	Marmion	Smith, B.
Broujos	George	Mayernik	Smith, L. E.
Bunt	Gladeck	Merry	Snyder, D. W.
Burd	Godshall	Michlovic	Snyder, G. M.
Burns	Greenwood	Micozzie	Spencer
Caltagirone	Grieco	Miller	Spitz
Cappabianca	Gruitza	Miscevich	Stairs
Carn	Gruppo	Moehlmann	Steighner
Cawley	Hagarty	Mowery	Stevens
Cessar	Haluska	Mrkonic	Stewart
Cimini	Harper	Murphy	Sweet
Civera	Hasay	Nahill	Swift
Clark	Hayes	Noye	Taylor, E. Z.
Clymer	Herman	O'Brien	Taylor, F. E.
Cohen	Hershey	O'Donnell	Telek
Colafella	Hoeffel	Olasz	Tigue
Cornell	Honaman	Oliver	Trello
Coslett	Hutchinson	Perzel	Truman
Cowell	Itkin	Peterson	Van Horne
Coy	Jackson	Petrarca	Vroon
Deluca	Jarolin	Petrone	Wachob
DeVerter	Johnson	Phillips	Wambach
DeWeese	Kasunic	Piccola	Wargo
Daley	Kennedy	Pievsky	Wass
Davies	Klingaman	Pistella	Weston
Dawida	Kosinski	Pitts	Wiggins
Deal	Kowalyshyn	Pott	Williams
Dietz	Kukovich	Pratt	Wilson
Dininni	Lashingner	Preston	Wogan
Dombrowski	Laughlin	Punt	Wozniak
Donatucci	Lehr	Rappaport	Wright, D. R.
Dorr	Lescovitz	Reber	Wright, J. L.
Duffy	Letterman	Reinard	Wright, R. C.
Durham	Levi	Richardson	Zwikl

NAYS—0

NOT VOTING—2

McIntyre Maiale

EXCUSED—5

Cole Morris Irvis,
Cordisco Stuban Speaker

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

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 1309, PN 1892**, entitled:

An Act amending the "Pennsylvania Urban Mass Transportation Law," approved January 22, 1968 (P. L. 42, No. 8), providing free fare services for persons 65 years of age or older for shared ride public transportation services; and reimbursing mass transportation systems at 90% of the costs of services provided to persons 65 years of age or older.

On the question,

Will the House agree to the bill on third consideration?

BILL RECOMMENDED

The SPEAKER pro tempore. The Chair recognizes the gentleman from Elk, Mr. Wachob.

Mr. WACHOB. Mr. Speaker, I move that HB 1309, PN 1892, be recommended to the Committee on Local Government.

On the question,

Will the House agree to the motion?

Motion was agreed to.

BILLS AND RESOLUTIONS PASSED OVER

The SPEAKER pro tempore. Without objection, all remaining bills and resolutions on today's calendar will be passed over. The Chair hears none.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER pro tempore. The Chair at this time recognizes the chairman of the Appropriations Committee, Mr. Pievsky.

Mr. PIEVSKY. Thank you, Mr. Speaker.

Mr. Speaker, at the call of the recess I would like to reconvene the Appropriations Committee in the majority caucus room. Thank you, Mr. Speaker.

The SPEAKER pro tempore. A meeting of the Appropriations Committee in the majority caucus room.

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

HB 1565, PN 1936 By Rep. F. E. TAYLOR

An Act amending the "Landscape Architects' Registration Law," approved January 24, 1966 (1965 P. L. 1527, No. 535), reestablishing and continuing the State Board of Landscape Architects; increasing per diem reimbursement for board members; providing for removal from the board for nonattendance at meetings; removing the requirement that the board keep a list of all licensed landscape architects; requiring the board to furnish the General Assembly with status reports of pending formal complaints; reducing the experience requirement of applicants; and making editorial changes.

BUSINESS AND COMMERCE.

SB 950, PN 1241 By Rep. F. E. TAYLOR

An Act amending the act of December 14, 1982 (P. L. 1227, No. 281), entitled "Architects Licensure Law," providing for the reestablishment and continuation of the Architects Licensure Board; further providing for membership on the board; providing for review of the board; further providing for meetings of the board; and making editorial changes.

BUSINESS AND COMMERCE.

SB 966, PN 1248 By Rep. F. E. TAYLOR

An Act amending the act of May 23, 1945 (P. L. 913, No. 367), entitled, as amended, "Professional Engineers Registration Law," reestablishing the State Registration Board for Professional Engineers; and making a repeal.

BUSINESS AND COMMERCE.

HOUSE SCHEDULE

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

Mr. RYAN. Mr. Speaker, it is my understanding that when the House adjourns today, it will adjourn until Monday. Is that correct?

The SPEAKER pro tempore. Yes, sir. The House will adjourn until Monday, October 17, 1983, at 1 o'clock, unless sooner recalled by the Speaker. The desk will remain open for the report of the Appropriations Committee.

BILLS REMOVED FROM TABLE

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

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

HB 128;
HB 793;
HB 843;
HB 866;
HB 1289;
SB 288; and
SB 446.

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

RECESS

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

AFTER RECESS

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

BILL REREPORTED FROM COMMITTEE

HB 1302, PN 1961 (Amended)

By Rep. PIEVSKY

An Act amending the "State Lottery Law," approved August 26, 1971 (P. L. 351, No. 91), further providing certain prescription drug payments for certain persons; providing payments for in-home and community services for certain persons; providing payments for long-term care of senior citizens eligible for services through the State Medical Assistance Program; and prohibiting the transfer of certain funds.

APPROPRIATIONS.

REMARKS ON VOTE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Cumberland, Mr. Broujos.

Mr. BROUJOS. Mr. Speaker, I would like to be recorded in the negative on amendment A3165 to HB 1301. Thank you.

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

ADJOURNMENT

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

Mr. G. M. SNYDER. Mr. Speaker, I move that this House do now adjourn until Monday, October 17, 1983, at 1 p.m., e.d.t., unless sooner recalled by the Speaker.

On the question,
Will the House agree to the motion?
Motion was agreed to, and at 6 p.m., e.d.t., the House adjourned.