

# COMMONWEALTH OF PENNSYLVANIA

## Legislative Journal

WEDNESDAY, JUNE 13, 1984

SESSION OF 1984

168TH OF THE GENERAL ASSEMBLY

No. 45

### HOUSE OF REPRESENTATIVES

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

#### THE SPEAKER (K. LEROY IRVIS) IN THE CHAIR

##### PRAYER

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

Heavenly Father, Glorious Lord, for all of Thy providential care we are extremely grateful. Thou hast blest us as a nation as well as a people, and we thank Thee for Thy individual concern in the life of each of us.

As we approach the eve of Flag Day, we are conscious what that banner of red, white, and blue bunting means to us. We pray that it may long wave telling the story of freedom and liberty to all the world. We recall its proud history in all the world, and under its sovereign sway we beseech Thee to lift the downtrodden and extend hope to all mankind. May its luster never dim, its honor never tarnish, and its glory never cease. O God, as we bow before Thee, we salute Old Glory also. Amen.

##### PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was enunciated by members.)

##### JOURNAL APPROVAL POSTPONED

The SPEAKER. The Journal for Tuesday, June 12, 1984, not yet being in print, the approval of that Journal will be postponed until the Journal is in print, without objection, and the Chair notes no objection.

##### HOUSE BILLS INTRODUCED AND REFERRED

**No. 2281** By Representative ZWIKL

An Act designating a dam in Allentown, Lehigh County, as the Samuel W. Frank Memorial Dam.

Referred to Committee on STATE GOVERNMENT, June 13, 1984.

**No. 2282** By Representative SALVATORE

An Act amending the "Fire and Panic Act," approved April 27, 1927 (P. L. 465, No. 299), requiring certification of the existence of smoke detectors in certain structures in cities of the first class; and imposing penalties.

Referred to Committee on URBAN AFFAIRS, June 13, 1984.

**No. 2283** By Representative PICCOLA

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, further providing for the powers of a personal representative when the decedent was a tenant under lease.

Referred to Committee on JUDICIARY, June 13, 1984.

**No. 2284** By Representative E. Z. TAYLOR

An Act declaring and adopting the song "Summer Days and Nights," music by Jens Rudat, as the State song of the Commonwealth of Pennsylvania.

Referred to Committee on STATE GOVERNMENT, June 13, 1984.

**No. 2285** By Representatives STEIGHNER, BOWSER, MAYERNIK and JAROLIN

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, requiring school buses to stop at all active and in-service railroad crossings.

Referred to Committee on TRANSPORTATION, June 13, 1984.

**No. 2286** By Representatives STEWART, LIVENGOOD and D. R. WRIGHT

An Act authorizing and directing the Department of General Services, with the approval of the Department of Environmental Resources and the Governor, to convey title to the Carl A. White Acid Mine Drainage Treatment Plant, situate in Washington Township, Indiana County, Pennsylvania, to the County of Indiana, subject to a right of reverter for stated conditions.

Referred to Committee on MINES AND ENERGY MANAGEMENT, June 13, 1984.

**No. 2287** By Representatives CAPPABIANCA, F. E. TAYLOR, VAN HORNE, BOWSER, MERRY, SERAFINI, PRATT, DEAL, HALUSKA, DeLUCA, WOZNIAK, COLAFELLA, MADIGAN, GAMBLE and RICHARDSON

An Act amending Titles 1 (General Provisions), 42 (Judiciary and Judicial Procedure) and 62 (Procurement) of the Pennsylvania Consolidated Statutes, adding provisions relating to procurement; and making repeals.

Referred to Committee on JUDICIARY, June 13, 1984.

**No. 2288** By Representatives MANDERINO, RYAN, BALDWIN, PUNT, PETRARCA, HOEFFEL, LLOYD, AFFLERBACH, FREEMAN, ITKIN, COWELL, DOMBROWSKI, D. R. WRIGHT, RUDY, SALOOM, WARGO, BELFANTI, STUBAN, PIEVSKY, COY, KASUNIC, DALEY, McHALE, DeLUCA, COLAFELLA, CESSAR, JOHNSON, STEIGHNER, GEIST, HALUSKA, WASS, GALLAGHER, COHEN, WAMBACH, DAVIES, GRIECO, MICHLOVIC, GANNON, RYBAK, GEORGE, WACHOB, FEE, CALTAGIRONE, MURPHY, COLE, DEAL, GRUITZA, PISTELLA, McCALL, CAPPABIANCA, SHOWERS, PRATT, STEWART, WOZNIAK, CORDISCO, PRESTON, MAYERNIK, BATTISTO, FATTAH, KOSINSKI, RAPPAPORT, OLIVER, SEVENTY, CLARK, DUFFY, MRKONIC, SWEET, GAMBLE and IRVIS

An Act implementing the provisions of the referendum, approved by the electors, for the incurrence of indebtedness of \$190,000,000 for the economic redevelopment of the Commonwealth through grants and loans for industrial and business development, including small business and minority business development, training and retraining programs including the acquisition of computer equipment for local school districts and teacher training in the use of such equipment, economic development in distressed areas and job creation programs.

Referred to Committee on APPROPRIATIONS, June 13, 1984.

**No. 2289** By Representatives MANDERINO, RYAN, MURPHY, DORR, IRVIS, VROON, PIEVSKY, BURD, HOEFFEL, GRUPPO, LLOYD, KENNEDY, AFFLERBACH, PUNT, FREEMAN, SIRIANNI, ITKIN, MOWERY, COWELL, G. M. SNYDER, DOMBROWSKI, SERAFINI, D. R. WRIGHT, REINARD, RUDY, DeVERTER, SALOOM, BOOK, PRATT, GEORGE, FEE, CALTAGIRONE, KASUNIC, DALEY, TELEK, HALUSKA, PETRONE, COLAFELLA, McHALE, WASS, GRUITZA, GEIST, COHEN, WAMBACH, GALLAGHER, GANNON, SIRIANNI, COY, STAIRS, E. Z. TAYLOR, HAYES, ROBBINS, PETERSON, PETRARCA, WARGO, BELFANTI, STUBAN, D. W. SNYDER, KENNEDY, DAVIES, MICHLOVIC, RYBAK, COLE, DEAL, REINARD, PISTELLA, KUKOVICH, BALDWIN, CORDISCO, CAPPABIANCA, SHOWERS, PRESTON, DeLUCA, BATTISTO, FATTAH,

JOHNSON, KOSINSKI, RAPPAPORT, OLIVER, SEVENTY, CLARK, DUFFY, MRKONIC, SWEET, CESSAR, GAMBLE, RICHARDSON, MAYERNIK, STEWART and WOZNIAK

An Act establishing a business infrastructure development program for making grants and loans for infrastructure necessary to complement industrial or commercial investment by private companies; prescribing requirements of and conditions for grants and loans; and making an appropriation.

Referred to Committee on APPROPRIATIONS, June 13, 1984.

**No. 2290** By Representatives MANDERINO, RYAN, DeLUCA, E. Z. TAYLOR, IRVIS, HERMAN, PIEVSKY, BURNS, HOEFFEL, SEMMEL, LLOYD, TELEK, AFFLERBACH, MACKOWSKI, FREEMAN, COSLETT, ITKIN, DeVERTER, COWELL, DOMBROWSKI, HAYES, D. R. WRIGHT, RUDY, SALOOM, PETRARCA, WARGO, BELFANTI, STUBAN, COHEN, GRUPPO, STEIGHNER, CESSAR, KASUNIC, DALEY, D. W. SNYDER, HASAY, WESTON, SALVATORE, BOYES, ROBBINS, MERRY, FARGO, SCHULER, GRIECO, McHALE, DAVIES, MICHLOVIC, GANNON, SIRIANNI, RYBAK, GEORGE, WACHOB, FEE, CALTAGIRONE, PRESTON, HALUSKA, COLE, BUNT, ANGSTADT, PETERSON, PISTELLA, KUKOVICH, BALDWIN, CAPPABIANCA, McCALL, SHOWERS, PRATT, STEWART, WOZNIAK, CORDISCO, KOSINSKI, BATTISTO, GODSHALL, SWIFT, RAPPAPORT, OLIVER, SEVENTY, CLARK, DUFFY, MRKONIC, SWEET, GAMBLE, RICHARDSON and MAYERNIK

An Act establishing a program within the Department of Education for the acquisition of new vocational-technical equipment and the upgrading of existing vocational-technical equipment that is necessary to provide secondary, postsecondary and adult students with relevant occupational training; providing for allocations and grants of money; and making a nonlapsing appropriation.

Referred to Committee on APPROPRIATIONS, June 13, 1984.

**No. 2291** By Representatives MANDERINO, RYAN, RUDY, HERMAN, IRVIS, E. Z. TAYLOR, PIEVSKY, BURNS, HOEFFEL, SEMMEL, LLOYD, TELEK, AFFLERBACH, GRIECO, COWELL, HAYES, FREEMAN, COSLETT, ITKIN, MACKOWSKI, SIRIANNI, DOMBROWSKI, DeVERTER, D. R. WRIGHT, MICHLOVIC, SALOOM,

DAVIES, PETRARCA, GANNON,  
McHALE, COHEN, CESSAR,  
STEIGHNER, WASS, KASUNIC, DALEY,  
WAMBACH, GALLAGHER, PISTELLA,  
KUKOVICH, PRATT, WARGO,  
BELFANTI, STUBAN, GEORGE,  
WACHOB, FEE, CALTAGIRONE,  
RYBAK, SHOWERS, MURPHY, COLE,  
FATTAH, DEAL, SCHULER, BALDWIN,  
CORDISCO, CAPPABIANCA, McCALL,  
PRESTON, MAYERNIK, STEWART,  
WOZNIAK, DeLUCA, BATTISTO,  
KOSINSKI, JOHNSON, HALUSKA,  
RAPPAPORT, OLIVER, SEVENTY,  
CLARK, DUFFY, MRKONIC, SWEET,  
GAMBLE and RICHARDSON

An Act establishing a program within the Department of Commerce to provide funds to engineering degree granting schools to assist in the acquisition of new engineering equipment or the upgrading of existing engineering equipment that is necessary to provide students with the courses required to obtain a degree in engineering; and making a nonlapsing appropriation.

Referred to Committee on APPROPRIATIONS, June 13, 1984.

**No. 2292** By Representatives MANDERINO, RYAN,  
FREEMAN, GEIST, IRVIS,  
E. Z. TAYLOR, PIEVSKY, HOFFEL,  
LLOYD, AFFLERBACH, GALLAGHER,  
ITKIN, COWELL, DOMBROWSKI,  
D. R. WRIGHT, RUDY, SALOOM,  
PETRARCA, WARGO, BELFANTI,  
STUBAN, MICHLOVIC, GANNON,  
McHALE, GRUITZA, KASUNIC, DALEY,  
CESSAR, STEIGHNER, HALUSKA,  
WASS, COHEN, WAMBACH, DEAL,  
PUNT, FARGO, GEORGE, DORR, FEE,  
SAURMAN, WACHOB, D. W. SNYDER,  
CALTAGIRONE, VROON, HALUSKA,  
WOGAN, POTT, SIRIANNI, HERMAN,  
FLICK, HONAMAN, GRIECO, DAVIES,  
RYBAK, KOSINSKI, COLE, DeLUCA,  
REINARD, G. M. SNYDER, COSLETT,  
PISTELLA, KUKOVICH, PRATT,  
BALDWIN, CAPPABIANCA, McCALL,  
SHOWERS, STEWART, WOZNIAK,  
CORDISCO, MAYERNIK, PRESTON,  
COY, MURPHY, BATTISTO, JOHNSON,  
SCHULER, RAPPAPORT, OLIVER,  
SEVENTY, CLARK, DUFFY, MRKONIC,  
SWEET and GAMBLE

An Act creating a small business incubator program; providing for loans and loan guarantees to small business incubators; specifying the conditions of and requirements for grants and loans; providing for seed grants; and making appropriations.

Referred to Committee on APPROPRIATIONS, June 13, 1984.

**No. 2293** By Representatives MANDERINO, RYAN,  
COY, MILLER, IRVIS, PIEVSKY,  
GALLAGHER, ANGSTADT, WESTON,  
PETRARCA, PETERSON, MERRY,  
FREEMAN, AFFLERBACH, GANNON,  
DeLUCA, GRUITZA, KASUNIC, DALEY,  
WILLIAMS, CESSAR, GEIST, COHEN,  
TRELLO, WAMBACH, HALUSKA,  
WASS, JOHNSON, FATTAH,  
STEIGHNER, WOGAN, DeVERTER,  
TELEK, SAURMAN, R. C. WRIGHT,  
JACKSON, SCHEETZ, HERSHEY,  
GRUPPO, BOOK, SWIFT, ROBBINS,  
REINARD, COLE, WACHOB, GEORGE,  
COSLETT, SERAFINI, GREENWOOD,  
McHALE, NOYE, STAIRS, DAVIES,  
MICHLOVIC, RYBAK, PISTELLA,  
KUKOVICH, BALDWIN, SHOWERS,  
CAPPABIANCA, McCALL, PRATT,  
STEWART, WOZNIAK, CORDISCO,  
PRESTON, BATTISTO, KOSINSKI, DEAL,  
RAPPAPORT, OLIVER, SEVENTY,  
CLARK, DUFFY, MRKONIC, SWEET,  
GAMBLE, RICHARDSON, MAYERNIK,  
STEWART, PHILLIPS, MACKOWSKI,  
MOWERY, SEMMEL, CIVERA and  
MICOZZIE

An Act establishing the Pennsylvania Conservation Corps.

Referred to Committee on APPROPRIATIONS, June 13, 1984.

**No. 2294** By Representatives MANDERINO, RYAN,  
MORRIS, GRIECO, IRVIS, RUDY, WASS,  
HONAMAN, PIEVSKY, DeVERTER,  
HAYES, HOFFEL, BOWSER, LLOYD,  
JOHNSON, AFFLERBACH, FARGO,  
FREEMAN, MERRY, PUNT, ITKIN,  
BURD, DOMBROWSKI, GANNON,  
TRELLO, KOSINSKI, McHALE, PRATT,  
MAYERNIK, STEWART, WOZNIAK,  
CORDISCO, DeLUCA, STEIGHNER,  
GALLAGHER, KASUNIC, DALEY,  
COHEN, CESSAR, WAMBACH,  
PETRARCA, PRATT, COY,  
D. R. WRIGHT, NOYE, DORR, RUDY,  
B. SMITH, HERSHEY, SALOOM,  
MADIGAN, SEMMEL, WARGO,  
SIRIANNI, PITTS, BELFANTI, VROON,  
GRUPPO, STUBAN, DeWEESE,  
KENNEDY, MURPHY, COLE, SERAFINI,  
GREENWOOD, COSLETT, SCHULER,  
GEORGE, STAIRS, WACHOB,  
MICHLOVIC, COWELL, E. Z. TAYLOR,  
FEE, CALTAGIRONE, RYBAK,  
PISTELLA, KUKOVICH, SHOWERS,  
BALDWIN, CORDISCO, CAPPABIANCA,

McCALL, PRESTON, BATTISTO, DEAL, RAPPAPORT, OLIVER, SEVENTY, CLARK, DUFFY, MRKONIC, DeLUCA, HERSHEY, PRATT, MAYERNIK, STEWART, WOZNIAK, HERMAN, LEVI, KLINGAMAN, MANMILLER, WASS, BUNT, SAURMAN, MOWERY, BOWSER, CLYMER, REINARD, TELEK, LEHR and DAVIES

An Act providing for agricultural development; establishing the Agricultural Development Advisory Committee and providing for its powers and duties; providing for certain guaranteed loans and interest deferral; providing further duties of the Secretary and Department of Agriculture and the Secretary and Department of Commerce; and making an appropriation.

Referred to Committee on APPROPRIATIONS, June 13, 1984.

**No. 2295** By Representatives MANDERINO, RYAN, SWEET, PITTS, PETRARCA, MICHLOVIC, CLYMER, COWELL, A. C. FOSTER, JR., PIEVSKY, PETERSON, HOFFEL, BOOK, LLOYD, DeVERTER, AFFLERBACH, GRUPPO, FREEMAN, GRIECO, ITKIN, GANNON, DOMBROWSKI, D. R. WRIGHT, KOSINSKI, DALEY, STEIGHNER, HALUSKA, FATTAH, COHEN, JOHNSON, CESSAR, WAMBACH, GALLAGHER, McHALE, DEAL, RUDY, COY, SALOOM, HAYES, PETRARCA, TELEK, WARGO, D. W. SNYDER, BELFANTI, SERAFINI, STUBAN, GANNON, GEORGE, WOGAN, WACHOB, DAVIES, FEE, MURPHY, DeLUCA, PETRARCA, STAIRS, CALTAGIRONE, RYBAK, PISTELLA, KUKOVICH, SHOWERS, PRESTON, BALDWIN, CORDISCO, CAPPABIANCA, McCALL, REINARD, BATTISTO, RAPPAPORT, OLIVER, SEVENTY, CLARK, DUFFY, MRKONIC, SWEET, GAMBLE, RICHARDSON, MAYERNIK, STEWART, IRVIS and PRATT

An Act providing technical and financial assistance to employee-ownership groups that seek to retain or preserve jobs by restructuring an existing business into an employee-owned enterprise with a substantial prospect of future recovery; providing technical assistance on employee-ownership to existing firms and current employee-owned enterprises in Pennsylvania; and making appropriations.

Referred to Committee on APPROPRIATIONS, June 13, 1984.

**No. 2296** By Representatives MANDERINO, RYAN, LLOYD, TELEK, PETERSON, HOFFEL, COY, GRIECO, COWELL, STAIRS, PIEVSKY, DAVIES, ITKIN, MICHLOVIC,

GANNON, AFFLERBACH, FREEMAN, DOMBROWSKI, D. R. WRIGHT, RUDY, HAYES, KASUNIC, DALEY, DeLUCA, HALUSKA, PETRONE, COLAFELLA, JAROLIN, BLAUM, GALLAGHER, GRUITZA, WAMBACH, PISTELLA, SALOOM, PETERSON, WARGO, BELFANTI, STUBAN, GEORGE, WACHOB, FEE, CALTAGIRONE, RYBAK, KOSINSKI, COLE, SERAFINI, GREENWOOD, KUKOVICH, SHOWERS, PRESTON, BALDWIN, CORDISCO, CAPPABIANCA, McCALL, McHALE, COHEN, STEIGHNER, FATTAH, BATTISTO, RAPPAPORT, OLIVER, SEVENTY, CLARK, DUFFY, MRKONIC, SWEET, GAMBLE, RICHARDSON, PRATT, MAYERNIK, STEWART, WOZNIAK, CORDISCO, DeLUCA and IRVIS

An Act establishing a loan program for capital development projects; providing for the use of funds made available under the Appalachian Regional Development Act of 1965 and the Public Works and Economic Development Act of 1965; providing for loans, loan guarantees and other programs for capital development projects of small businesses; creating the Capital Loan Fund; providing standards for and requirements of the program; and making appropriations.

Referred to Committee on APPROPRIATIONS, June 13, 1984.

**No. 2297** By Representatives MANDERINO, RYAN, LINTON, R. C. WRIGHT, IRVIS, FATTAH, CALTAGIRONE, MILLER, PIEVSKY, MICHLOVIC, COWELL, E. Z. TAYLOR, PETRARCA, HOFFEL, LLOYD, AFFLERBACH, FREEMAN, ITKIN, DOMBROWSKI, D. R. WRIGHT, RUDY, SALOOM, WARGO, HALUSKA, GALLAGHER, KASUNIC, WASS, DALEY, CESSAR, WAMBACH, PISTELLA, KUKOVICH, PRATT, McHALE, RYBAK, CALTAGIRONE, BELFANTI, STUBAN, GEORGE, WACHOB, FEE, DeLUCA, COLE, BATTISTO, SERAFINI, GREENWOOD, COSLETT, DEAL, SHOWERS, PRESTON, MURPHY, RAPPAPORT, OLIVER, SEVENTY, CLARK, DUFFY, MRKONIC, SWEET, GAMBLE, RICHARDSON, PRATT, MAYERNIK, STEWART, WOZNIAK, CORDISCO and IRVIS

An Act amending the "Pennsylvania Minority Business Development Authority Act," approved July 22, 1974 (P. L. 598, No. 206), further providing for assistance to minority business enterprises; and making appropriations.

Referred to Committee on APPROPRIATIONS, June 13, 1984.

**No. 2298** By Representatives MANDERINO, RYAN, MAYERNIK, ROBBINS, DeLUCA, MERRY, COWELL, BOYES, ITKIN, RUDY, HASAY, PIEVSKY, HERMAN, HOEFFEL, LLOYD, FREIND, AFFLERBACH, D. W. SNYDER, FREEMAN, TELEK, DOMBROWSKI, SWIFT, WASS, DURHAM, KASUNIC, DALEY, E. Z. TAYLOR, SIRIANNI, PETRONE, HALUSKA, JAROLIN, BLAUM, McHALE, GEIST, FATTAH, CESSAR, HALUSKA, WAMBACH, GALLAGHER, D. R. WRIGHT, PETERSON, STAIRS, SALOOM, COY, PETRARCA, HAYES, WARGO, GRUPPO, BELFANTI, DAVIES, STUBAN, MICHLOVIC, GEORGE, GANNON, WACHOB, FEE, RYBAK, MURPHY, KOSINSKI, DEAL, COLE, SERAFINI, GREENWOOD, SHOWERS, BALDWIN, CORDISCO, CAPPABIANCA, McCALL, PRESTON, GRUITZA, STEIGHNER, COHEN, BATTISTO, R. C. WRIGHT, RAPPAPORT, OLIVER, SEVENTY, CLARK, DUFFY, MRKONIC, SWEET, GAMBLE, RICHARDSON, STEWART, WOZNIAK, CORDISCO, DeLUCA, PRATT, LEHR, REINARD, CLYMER, COSLETT, STEVENS, MACKOWSKI, HERSHEY, MILLER, VROON, PERZEL and SALVATORE

An Act providing for the rehabilitation, development and acquisition of land, water and structural resources; defining the powers and duties of certain offices, agencies and municipalities; providing for the allotment of proceeds hereunder including Commonwealth grants; prescribing standards; and making appropriations.

Referred to Committee on APPROPRIATIONS, June 13, 1984.

### SENATE BILLS FOR CONCURRENCE

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

**SB 514, PN 564**

Referred to Committee on LOCAL GOVERNMENT, June 13, 1984.

**SB 901, PN 2068**

Referred to Committee on INSURANCE, June 13, 1984.

### FILMING PERMISSION GRANTED

The SPEAKER. The Chair has given permission to Mackenzie Carpenter to film videotape on the floor of the House.

### BILL SIGNED BY SPEAKER

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

**SB 1285, PN 1791**

An Act amending the act of July 17, 1968 (P. L. 368, No. 181), entitled "Susquehanna River Basin Compact Law," authorizing the Susquehanna River Basin Commission to determine the rate of interest on bonds; and removing the interest-cost restriction on the sale of bonds by the commission.

### REMARKS ON VOTE

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Perzel. For what purpose does the gentleman rise?

Mr. PERZEL. Mr. Speaker, inadvertently, yesterday on final passage of HB 2095, I was not recorded, and I would like to be recorded in the affirmative.

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

### REMARKS SUBMITTED FOR THE RECORD

Mr. PERZEL. Mr. Speaker, I would also like to have several remarks recorded for the record.

The SPEAKER. The gentleman will send the remarks for the record. They will be included in the record. The Chair thanks the gentleman.

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

Mr. Speaker:

On Tuesday, March 27, 1984, I requested a leave for the remainder of the day starting at 12:00 noon. I had been asked to speak at a senior citizens club at St. Matthew's in my district. I normally do not like to be absent for floor votes, but the previous two engagements I had scheduled at St. Matthew's had to be canceled and the deadline for the \$4.00 co-pay is at hand. I, therefore, left to inform the senior citizens at St. Matthew's all about the new \$4.00 co-pay program.

Representative John M. Perzel

### LEAVE OF ABSENCE GRANTED

The SPEAKER. Does the gentleman from Philadelphia, Mr. Pievsky, have any requests for leaves of absence?

Mr. PIEVSKY. Thank you, Mr. Speaker.

I ask leave of absence for the gentleman from Centre, Mr. LETTERMAN, for today.

The SPEAKER. Without objection, and the Chair hears no objection, leave is granted.

Does the minority whip have any requests for leaves of absence? The gentleman indicates no requests for leaves.

**BILL REPORTED FROM COMMITTEE,  
CONSIDERED FIRST TIME, AND  
RECOMMITTED TO COMMITTEE ON RULES**

**HB 1735, PN 2221** By Rep. LAUGHLIN

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, prohibiting the use of coal mined in foreign countries by certain utilities.

CONSUMER AFFAIRS.

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

**SB 1081, PN 2098** (Amended)

By Rep. LAUGHLIN

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, providing for the appointment, terms and qualifications of commission members; further providing for commission powers and duties relating to the use of coal, for prohibiting certain natural gas utilities from utilizing a sliding scale of rates to recover natural gas costs, for procedures and standards for regulating the rates of natural gas utilities; and making a repeal.

CONSUMER AFFAIRS.

**MASTER ROLL CALL RECORDED**

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

The following roll call was recorded:

**PRESENT—196**

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

Cowell	Jackson	Petrarca	Van Horne
Coy	Jarolin	Petrone	Vroon
Deluca	Johnson	Phillips	Wachob
DeVerter	Kasunic	Piccola	Wambach
DeWeese	Kennedy	Pievsky	Wargo
Daley	Klingaman	Pistella	Wass
Davies	Kosinski	Pitts	Weston
Dawida	Kowalyshyn	Pott	Williams
Deal	Kukovich	Pratt	Wilson
Dietz	Lashingner	Preston	Wogan
Dininni	Laughlin	Punt	Wozniak
Dombrowski	Lehr	Rappaport	Wright, D. R.
Donatucci	Lescovitz	Reber	Wright, J. L.
Dorr	Levi	Reinard	Wright, R. C.
Duffy	Levin	Richardson	Zwilk
Durham	Linton	Rieger	
Evans	Livengood	Robbins	Irvis,
Fargo	Lloyd	Rudy	Speaker
Fattah	Lucyk		

**ADDITIONS—1**

Cole

**NOT VOTING—0**

**EXCUSED—5**

Alderette	Letterman	Marmion	Wiggins
Barber			

**WELCOMES**

The SPEAKER. The Chair is pleased to welcome to the hall of the House today, as the guest of the Beaver County delegation, Mr. Dean Springer, plant manager of the Polysar Latex Corporation. Welcome to the hall of the House, sir.

And the Chair is glad to welcome to the hall of the House Mr. Sheridan Jones, who is a candidate for the 159th District, and Mr. Taylor Riley. They are here from the city of Chester. *Welcome to the hall of the House, gentlemen.*

**PARLIAMENTARY INQUIRY**

The SPEAKER. For what purpose does the gentleman from Berks, Mr. Gallen, rise?

Mr. GALEN. Mr. Speaker, I have a point of parliamentary inquiry.

The SPEAKER. The gentleman will state the point.

Mr. GALEN. Mr. Speaker, I have in my hand here HB 300, which was amended the last time we considered it 2 weeks ago. There were some extensive amendments placed in it, but the bill was never reprinted, and I am wondering why it was not reprinted.

The SPEAKER. Where does it appear on the calendar?

Mr. GALEN. Page 6, Mr. Speaker.

The SPEAKER. We do not reprint ordinarily until the bill has been passed, and this bill has not been passed. It is still active on the calendar. That is the reason.

Mr. GALEN. But it would not be reprinted then, Mr. Speaker, if amendments were put into it?

The SPEAKER. No. Usually in the House we wait until the bill is passed and we are sure there are no more amendments; then we reprint. That is the reason the Kukovich bill has not been reprinted at this time.

Mr. GALLEN. Thank you, Mr. Speaker.

The SPEAKER. The Speaker's calendar indicates, for example, that Mr. Kukovich and A. Foster both have additional amendments. If we were to reprint every time we had amended a bill, many times we would be reprinting 50 times or more.

Mr. GALLEN. Well, I thought since the lapse of time, Mr. Speaker, that we would have an opportunity to see what the bill—

The SPEAKER. No. We do not consider the lapse of time. It is the fact that we want to make sure when we reprint a bill it is in its final form and it has been passed.

Mr. GALLEN. Thank you, Mr. Speaker.

The SPEAKER. You are welcome.

### BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I move that SB 1276 be taken from the tabled calendar and placed on the active calendar.

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

### CALENDAR

#### BILLS AGREED TO ON SECOND CONSIDERATION

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

**HB 1317, PN 3016; HB 1946, PN 3052; HB 1916, PN 3026; HB 2196, PN 3078; and HB 1901, PN 3051.**

The SPEAKER. Cancel out on your current calendar HB 1299. That is a misprint. Go now to the supplemental calendar A.

#### SUPPLEMENTAL CALENDAR A BILL AGREED TO ON SECOND CONSIDERATION

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

**HB 2199, PN 3037.**

#### CALENDAR CONTINUED BILL AGREED TO ON SECOND CONSIDERATION

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

**HB 1534, PN 2772.**

### BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2247, PN 3101**, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), further providing for special occasion permits.

On the question,  
Will the House agree to the bill on third consideration?  
Mr. RYBAK offered the following amendment No. A2862:

Amend Sec. 1 (Sec. 408.4), page 2, line 21, by inserting after "year"  
, which may be issued only during the period from August 17 to August 26, 1984

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

The SPEAKER. On that question, the Chair recognizes the gentleman from Northampton, Mr. Rybak.

Mr. RYBAK. Mr. Speaker, the amendment is a simple one. It will provide, if adopted, the additional language that a special occasion permit may be issued during the limited 10-day period of August 17 to August 26, 1984.

The citizens of the greater Bethlehem area, the Council on the Arts, the Chamber of Commerce, and the entire constituency there urge the adoption of this bill with the amendment and have set up a program called Musikfest '84 for that 10-day period. They have hired and contracted nationally known country, folk, and jazz artists who will conduct 16 to 18 free-admission concerts which will be capped off by the world-renowned Bach Choir, and this, they are convinced and so am I, will impact on an all-year-round tourism trade and will alleviate the problems that we have as a result of the recession and the high unemployment in the area.

I urge support, vote, and passage of the amendment. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

#### YEAS—166

Afflerbach	Durham	Linton	Rieger
Angstadt	Evans	Lloyd	Rudy
Arty	Fattah	Lucyk	Ryan
Baldwin	Fee	McCall	Rybak
Battisto	Fischer	McClatchy	Saloom
Belardi	Flick	McHale	Salvatore
Belfanti	Foster, W. W.	McMonagle	Saurman
Blaum	Foster, Jr., A.	McVerry	Serafini
Book	Freeman	Mackowski	Seventy
Bowser	Fryer	Madigan	Showers
Boyes	Gallagher	Majale	Sirianni
Brandt	Gallen	Manderino	Smith, B.
Broujos	Gamble	Manmiller	Snyder, D. W.
Bunt	Gannon	Markosek	Snyder, G. M.
Burd	Geist	Mayernik	Spitz
Burns	George	Merry	Steighner
Caltagirone	Gladeck	Michlovic	Stevens

Cappabianca	Greenwood	Miller	Stewart
Carn	Grieco	Miscevich	Stuban
Cawley	Gruitza	Morris	Sweet
Cessar	Gruppo	Mrkonic	Taylor, E. Z.
Cimini	Hagarty	Murphy	Taylor, F. E.
Clark	Haluska	Nahill	Telek
Cohen	Harper	Noye	Tigue
Colafella	Hasay	O'Brien	Trello
Cordisco	Hayes	O'Donnell	Truman
Cornell	Hoeffel	Olasz	Van Horne
Coslett	Hutchinson	Perzel	Vroon
Cowell	Itkin	Petrarca	Wachob
Coy	Jackson	Petrone	Wambach
Deluca	Jarolin	Phillips	Weston
DeWeese	Kasunic	Piccola	Williams
Daley	Kennedy	Pievsky	Wilson
Davies	Klingaman	Pistella	Wogan
Dawida	Kosinski	Pott	Wozniak
Deal	Kowalshyn	Pratt	Wright, D. R.
Dietz	Kukovich	Preston	Wright, J. L.
Dininni	Lashinger	Punt	Wright, R. C.
Dombrowski	Laughlin	Rappaport	Zwinkl
Donatucci	Lehr	Reber	
Dorr	Lescovitz	Reinard	Irvis,
Duffy	Levi	Richardson	Speaker

NAYS—23

Armstrong	Godshall	Moehlmann	Schuler
Civera	Herman	Mowery	Smith, L. E.
Clymer	Hershey	Peterson	Spencer
DeVerter	Honaman	Pitts	Swift
Fargo	Johnson	Robbins	Wass
Freind	Micozzie	Scheetz	

NOT VOTING—8

Cole	Livengood	Oliver	Stairs
Levin	McIntyre	Semmel	Wargo

EXCUSED—5

Alderette	Letterman	Marmion	Wiggins
Barber			

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

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

On final passage, the Chair recognizes the gentleman from Indiana, Mr. Wass.

Mr. WASS. Mr. Speaker, may I interrogate Mr. Rybak, please?

Mr. RYBAK. Yes.

The SPEAKER. Mr. Wass, you may now continue.

Mr. WASS. Thank you, Mr. Speaker.

Mr. Speaker, your bill also extends the hours of serving liquor on Sunday, does it not?

Mr. RYBAK. No, it does not. The promoters of the 10-day period must comply with the existing law relating to sales, hours, et cetera.

Mr. WASS. Mr. Speaker, if I may—and forgive me for insisting on my question—in the legislation, does it not move

the hours that you can serve liquor on Sunday back to 11 o'clock a.m.?

Mr. RYBAK. That is already the law. It has already been signed, and that is part of the law and part of that section.

Mr. WASS. Okay. Then in your legislation do you move that authority to the fire companies and the nonprofits?

Mr. RYBAK. No. Under the law, this will apply only to those who are listed in the bill for a special occasion permit, and they are: churches, synagogues, volunteer fire companies, sportsmen clubs, and museums and nonprofit groups for the performance of the arts in a third-class city.

Mr. WASS. Then, Mr. Speaker, if I may for my personal information, under law today, does the law permit that these organizations can start serving liquor or beer at 11 o'clock in the morning on Sundays?

Mr. RYBAK. That is the law, and that section will apply, and this group will have the same privileges.

Mr. WASS. Thank you very much.

Mr. RYBAK. Thank you.

The SPEAKER. The Chair thanks both gentlemen.

On the question recurring,  
Shall the bill pass finally?

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

YEAS—134

Afflerbach	Duffy	McCall	Saloom
Angstadt	Durham	McHale	Salvatore
Arty	Evans	McMonagle	Semmel
Baldwin	Freeman	Mackowski	Serafini
Battisto	Freind	Maiale	Seventy
Belardi	Gallagher	Manderino	Showers
Belfanti	Gamble	Manmiller	Snyder, D. W.
Blaum	Gannon	Markosek	Spitz
Book	Geist	Mayernik	Steighner
Bowser	Gladeck	Merry	Stevens
Bunt	Godshall	Michlovic	Stewart
Burd	Greenwood	Micozzie	Stuban
Burns	Grieco	Miscevich	Sweet
Caltagirone	Gruitza	Morris	Taylor, F. E.
Cappabianca	Gruppo	Mrkonic	Telek
Carn	Hagarty	Murphy	Tigue
Cawley	Haluska	Nahill	Trello
Cessar	Harper	O'Brien	Truman
Cimini	Hasay	O'Donnell	Van Horne
Civera	Hoeffel	Olasz	Wachob
Clark	Hutchinson	Oliver	Wambach
Cohen	Itkin	Perzel	Wargo
Colafella	Jarolin	Petrarca	Weston
Cordisco	Kasunic	Petrone	Williams
Coslett	Klingaman	Pievsky	Wilson
Cowell	Kosinski	Pistella	Wogan
Coy	Kowalshyn	Pratt	Wozniak
Deluca	Kukovich	Preston	Wright, D. R.
DeWeese	Lashinger	Punt	Wright, J. L.
Daley	Laughlin	Rappaport	Wright, R. C.
Davies	Lehr	Reber	Zwinkl
Dawida	Lescovitz	Reinard	
Dombrowski	Livengood	Rieger	Irvis,
Donatucci	Lucyk	Rybak	Speaker

NAYS—51

Armstrong	Foster, W. W.	Linton	Rudy
Boyes	Foster, Jr., A.	Lloyd	Ryan
Brandt	Fryer	McClatchy	Scheetz
Clymer	Gallen	McVerry	Schuler
DeVerter	George	Madigan	Smith, B.
Deal	Hayes	Moehlmann	Smith, L. E.



Dietz	Herman	Mowery	Snyder, G. M.
Dorr	Hershey	Noye	Spencer
Fargo	Honaman	Peterson	Swift
Fattah	Jackson	Phillips	Taylor, E. Z.
Fee	Johnson	Pitts	Vroon
Fischer	Kennedy	Richardson	Wass
Flick	Levi	Robbins	

NOT VOTING—12

Broujos	Dininni	Miller	Saurman
Cole	Levin	Piccola	Sirianni
Cornell	McIntyre	Pott	Stairs

EXCUSED—5

Alderette	Letterman	Marmion	Wiggins
Barber			

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 **SB 1152, PN 2054**, entitled:

An Act authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Public Welfare, to sell and convey 1.268 acres of land situate in Penn Township, Snyder County, Pennsylvania.

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

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

The question is, shall the bill pass finally?

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

YEAS—192

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

Coslett	Itkin	Petrarca	Truman
Cowell	Jackson	Petrone	Van Horne
Coy	Jarolin	Phillips	Vroon
Deluca	Johnson	Piccola	Wachob
DeVerter	Kasunic	Pievsky	Wambach
Daley	Kennedy	Pistella	Wargo
Davies	Klingaman	Pitts	Wass
Dawida	Kosinski	Pott	Weston
Deal	Kowalshyn	Pratt	Williams
Dietz	Kukovich	Preston	Wilson
Dininni	Lashingner	Punt	Wogan
Dombrowski	Laughlin	Rappaport	Wozniak
Donatucci	Lehr	Reber	Wright, D. R.
Dorr	Lescovitz	Reinard	Wright, J. L.
Duffy	Levi	Richardson	Wright, R. C.
Durham	Linton	Rieger	Zwikl
Evans	Livengood	Robbins	
Fargo	Lloyd	Rudy	Irvis,
Fattah	Lucyk	Ryan	Speaker
Fee	McCall		

NAYS—0

NOT VOTING—5

Clark	DeWeese	Levin	McIntyre
Cole			

EXCUSED—5

Alderette	Letterman	Marmion	Wiggins
Barber			

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.

RESOLUTIONS

Mrs. WESTON called up **HR 236, PN 3106**, entitled:

Establishing a select committee to investigate problems created by manuals which instruct adults on how to have sex with children.

On the question,  
Will the House adopt the resolution?

The **SPEAKER**. On that question, the Chair recognizes the lady from Philadelphia, Mrs. Weston.

Mrs. WESTON. Thank you, Mr. Speaker.

First of all, I would like to thank the leadership of both our caucuses for moving this resolution so quickly.

Very briefly, it deals with a manual recently sold in at least one Philadelphia bookstore titled "How To Have Sex with Kids." Naturally we are all outraged by such an occurrence, but additionally and initially we are prohibited in preventing such an occurrence.

So what I am asking for is your support in forming a House committee which will investigate the potential harm this can cause to our children, and hopefully, to seriously pursue and draft legislation which will deal with this problem. I ask for an affirmative vote. Thank you very much.

The SPEAKER. The Chair thanks the lady.

On the question of the adoption of the resolution, the Chair recognizes the gentleman from Berks, Mr. Caltagirone.

Mr. CALTAGIRONE. Mr. Speaker, I would just like to add that I think this is a very critical problem that has to be addressed by this legislature. I think there are some flaws in the statute that are going to have to be looked at, and I would urge my fellow members of the House to fully support this in the hope that we will have a truly good mix on that committee to investigate this matter. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—193

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

NAYS—0

NOT VOTING—4

Cole	McIntyre	Pitts	Spitz
EXCUSED—5			
Alderette	Letterman	Marmion	Wiggins
Barber			

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

\* \* \*

Mr. KOSINSKI called up **HR 238, PN 3148**, entitled:

Creating a Special Investigative Lottery Fund Task Force.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—189

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

## NAYS—5

Honaman Johnson Moehlmann Mowery  
Jackson

## NOT VOTING—3

Cole McIntyre Spitz

## EXCUSED—5

Alderette Letterman Marmion Wiggins  
Barber

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

**BILL REPORTED FROM COMMITTEE,  
CONSIDERED FIRST TIME, AND  
RECOMMITTED TO COMMITTEE ON RULES**

**HB 2248, PN 3114** By Rep. F. E. TAYLOR

An Act amending the "Goods and Services Installment Sales Act," approved October 28, 1966 (1st Sp. Sess., P. L. 55, No. 7), further providing for disclosures.

BUSINESS AND COMMERCE.

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

**SB 1084, PN 1912** By Rep. F. E. TAYLOR

An Act amending the act of September 20, 1961 (P. L. 1548, No. 658), entitled "Credit Union Act," further providing for corporate or central credit unions.

BUSINESS AND COMMERCE.

**SB 1085, PN 1758** By Rep. F. E. TAYLOR

An Act amending the act of September 20, 1961 (P. L. 1548, No. 658), entitled "Credit Union Act," further providing for credit unions.

BUSINESS AND COMMERCE.

**SB 1304, PN 1997** By Rep. F. E. TAYLOR

An Act amending the act of November 30, 1965 (P. L. 847, No. 356), entitled "Banking Code of 1965," further providing for stock of subsidiary corporations, refunds of certain interest payments, lending limitations, fiduciary activities, corporate names, emergency acquisitions, independent audits of private banks and loans to executive officers and examinations by the Department of Banking; and making a repeal.

BUSINESS AND COMMERCE.

**SB 1305, PN 1998** By Rep. F. E. TAYLOR

An Act amending the act of May 15, 1933 (P. L. 565, No. 111), entitled "Department of Banking Code," limiting effects of subpoenas on officers and employees; easing restrictions on loans to clerical employees of the Department of Banking; and extending the examination period.

BUSINESS AND COMMERCE.

**RULES COMMITTEE MEETING**

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, there will be a Rules Committee meeting in my office immediately on the declaration of the recess.

**APPROPRIATIONS COMMITTEE MEETING**

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

Mr. PIEVSKY. Thank you, Mr. Speaker.

Mr. Speaker, immediately upon the call of the recess, there will be a meeting of the Appropriations Committee at the rear of the chamber; immediately upon the call of the recess in the rear of the chamber.

The SPEAKER. An Appropriations Committee meeting immediately on the declaration of the recess at the rear of the chamber. A Rules Committee meeting immediately in the majority leader's office on the declaration of the recess.

**BILLS REPORTED FROM COMMITTEE,  
CONSIDERED FIRST TIME, AND  
RECOMMITTED TO COMMITTEE ON RULES**

**HB 1220, PN 3174 (Amended)**

By Rep. KOWALYSHYN

An Act regulating chiropractic peer review reports upon insurance reimbursement.

INSURANCE.

**HB 1437, PN 1749** By Rep. KOWALYSHYN

An Act amending the act of June 22, 1931 (P. L. 844, No. 274), entitled, as amended, "An act authorizing the Commonwealth of Pennsylvania, or any department or division thereof, and counties, cities, boroughs, incorporated towns, townships, school districts, vocational school districts, and institution districts to make contracts of life, health, hospitalization, medical services, and accident policies for the benefit of employees thereof, \*\*\* and providing for the payment of the cost thereof," prohibiting discrimination among elected county officials.

INSURANCE.

**HB 2010, PN 3175 (Amended)**

By Rep. KOWALYSHYN

An Act amending the "Model Act for the Regulation of Credit Life Insurance and Credit Accident and Health Insurance," approved September 2, 1961 (P. L. 1232, No. 540), providing for the mandatory offering of disability insurance when group life insurance is purchased.

INSURANCE.

**HB 2046, PN 2780** By Rep. KOWALYSHYN

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103, No. 69), providing for specific authority for the inclusion of disability income in insurance expenditures.

INSURANCE.

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

**SB 784, PN 1996** By Rep. KOWALYSHYN

An Act amending the act of July 22, 1974 (P. L. 589, No. 205), entitled "Unfair Insurance Practices Act," providing for disclosure of benefit limits when advertising guaranteed permanent life insurance to persons 50 years of age or older.

INSURANCE.

**REMARKS ON VOTE**

The SPEAKER. The Chair recognizes the gentleman from Cumberland, Mr. Broujos. For what purpose does the gentleman rise?

Mr. BROUJOS. On HB 2247 I was not recorded on final passage. I would like to be recorded in the negative.

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

**ADDITIONS AND DELETIONS OF SPONSORS**

The SPEAKER. The Chair acknowledges receipt of additions and deletions for the sponsorships of bills from the majority leader, which the clerk will file.

The following list of additions and deletions was submitted:

**ADDITIONS:**

HB 1331, Broujos, Geist; HB 1580, Reber; HB 1636, Cordisco; HB 1901, Steighner; HB 1946, E. Z. Taylor; HB 1992, D. W. Snyder; HB 2009, Itkin; HB 2121, Flick; HB 2169, Wiggins; HB 2186, Davies; HB 2197, Jarolin; HB 2198, Bowser; HB 2204, Wiggins; HB 2205, Wiggins; HB 2210, DeLuca; HB 2216, Fischer; HB 2224, Daley, Gamble; HB 2225, Cornell; HB 2241, Rudy, Armstrong, Colafella; HB 2243, Semmel, Colafella; HB 2251, Donatucci, D. R. Wright, Baldwin, Kasunic; HR 233, Markosek, Salvatore.

**DELETIONS:**

HB 819, Manderino; HB 2035, Baldwin; HB 2047, Book, E. Z. Taylor, Semmel, Godshall, Saurman.

**WELCOME**

The SPEAKER. We have in the hall of the House, as the guests of Representative Wass, Thomas Jordan, Dan Perna, Karen Bauer, Annette Jordan, Cheryl Ralston, Mary Jo Campbell, and Robert L. King. Welcome to the hall of the House.

**RECESS**

The SPEAKER. This House will stand in recess until 1:30.

**AFTER RECESS**

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

**BILLS REREPORTED FROM COMMITTEE**

**HB 845, PN 942** By Rep. MANDERINO

An Act amending the "Senior Citizens Rebate and Assistance Act," approved March 11, 1971 (P. L. 104, No. 3), providing rent and tax rebates for senior citizen facilities used for group meetings.

RULES.

**HB 1193, PN 3132** By Rep. MANDERINO

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), excluding items used by agricultural fair organizations for fairs.

RULES.

**HB 1822, PN 3133** By Rep. MANDERINO

An Act amending "The Local Tax Enabling Act," approved December 31, 1965 (P. L. 1257, No. 511), further providing for taxes on admissions prices to golf courses.

RULES.

**HB 1872, PN 3134** By Rep. MANDERINO

An Act amending "The Local Tax Enabling Act," approved December 31, 1965 (P. L. 1257, No. 511), providing restrictions on taxes on admission to ski facilities.

RULES.

**HB 2108, PN 3135** By Rep. MANDERINO

An Act establishing a program for providing smoke detectors to elderly persons by the use of excess lottery funds.

RULES.

**HB 2169, PN 3136** By Rep. MANDERINO

An Act amending the "Senior Citizens Rebate and Assistance Act," approved March 11, 1971 (P. L. 104, No. 3), increasing eligibility under the property tax or rent rebate or inflation dividend.

RULES.

**COMMUNICATION FROM SECRETARY  
OF GENERAL SERVICES**

The SPEAKER. The Chair is in receipt of a letter from Walter Baran, Secretary of the Department of General Services, pursuant to the Federal law which provides for the distribution of Federal surplus personal property.

The following communication was read:

Commonwealth of Pennsylvania  
Department of General Services  
Harrisburg

June 12, 1984

To the General Assembly of the  
Commonwealth of Pennsylvania

Pursuant to the "Federal Property and Administrative Services Act of 1949," the Department of General Services transmits herewith the Commonwealth of Pennsylvania's Permanent Plan of Operation, as required for participation in the Federal Surplus Property Program.

The Federal Surplus Property Program, created by the Federal Property and Administrative Services Act of 1949, as amended, and modified by Public Law 94-519, permits the transfer of

federal surplus personal property to states and local organizations for public purposes and other limited purposes. The federal act provides that the Administrator of the General Services Administration is authorized to transfer without cost (except for costs of care and handling) any federal surplus personal property to the state agency responsible for the distribution of all federal property transferred for donation within the states.

The Federal Property and Administrative Services Act of 1949 provides that the legislature of each state must develop a plan of operation for its State Agency for surplus property before the State can participate in the federal surplus property donation program. The Act further provides that a temporary State Plan of Operation can be filed with the General Services Administration as an interim enabling device until such time as legislative approval of a plan for permanent operation is obtained. In 1977, the Department of General Services filed a temporary plan of operation with the General Services Administration for participation in the program.

The Act of May 5, 1965 (P.L. 40 No. 34) authorized the Department of Property and Supplies (now General Services) and its designated bureau or agents to enter into contracts with any agency of the United States of America for acquisition, acceptance, receipt, warehousing and distribution of federal surplus property pursuant to the Federal Property and Administrative Services Act of 1949. Within the Department of General Services, the Bureau of Supplies and Surplus Operations has been designated to administer the Federal Surplus Property Program.

Adoption of a concurrent resolution would satisfy the Federal requirement of a legislatively-approved permanent Plan of Operation for participation in the federal surplus property donation program. This permanent Plan of Operation will serve as the federally mandated replacement for the temporary plan, which was submitted to the General Services Administration in 1977.

Legislative approval of the permanent Plan of Operation through the adoption of a concurrent resolution is required in order for the Commonwealth to continue its participation in the Federal Surplus Property Program which benefits many important entities, including units of local government, school districts, fire companies, police departments and public health organizations.

As Secretary of the Department of General Services, I, therefore, urge your approval of a concurrent resolution adopting this permanent Plan of Operation for participation in the Federal Surplus Property Program.

Walter Baran  
Secretary of  
General Services

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

## REPORT OF COMMITTEE ON COMMITTEES

The SPEAKER. The Chair recognizes the gentleman from Lackawanna, Mr. Wargo.

Mr. WARGO. Mr. Speaker, I present a supplemental report of the Committee on Committees.

The following report was read:

### COMMITTEE ON COMMITTEES SUPPLEMENTAL REPORT

RESOLVED, that Representative Emil Mrkonic, Allegheny County, is elected a member of the Health and Welfare Committee, vice Leland Beloff resigned.

RESOLVED, that Representative Christopher Wogan, Philadelphia County, is elected a member of the Urban Affairs Committee, vice Gerald Spitz resigned.

RESOLVED, that Representative Gerald Spitz, Delaware County, is elected a member of the Professional Licensure Committee, vice Joseph Manmiller resigned.

Joseph G. Wargo, Chairman  
Committee on Committees

On the question,

Will the House adopt the resolution?

Resolution was adopted.

## BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND RECOMMITTED TO COMMITTEE ON RULES

### HB 2116, PN 3177 (Amended)

By Rep. GEORGE

An Act providing procedures for the expenditure of moneys in coal producing counties.

### CONSERVATION.

### HB 2226, PN 3178 (Amended)

By Rep. MORRIS

An Act reenacting and amending the "Soil Conservation Law," approved May 15, 1945 (P. L. 547, No. 217), further providing for county boards; and providing for nomination of district directors and for additional duties for the Department of Environmental Resources, the State Conservation Commission and district boards.

### AGRICULTURE AND RURAL AFFAIRS.

## BILL REREPORTED FROM COMMITTEE

### HB 1236, PN 2567

By Rep. PIEVSKY

An Act requiring chemical identification of substances in the community and on employer premises; requiring the posting of the identity of these substances by employers and the labeling of chemicals; requiring information and safety data on chemicals to be given to the Department of Health, members of the community, and employees; requiring employers to operate educational programs relating to hazardous substances; providing for further duties of the Department of Health, for complaint procedures, for investigations, for compliance orders and the enforcement thereof; and providing penalties.

### APPROPRIATIONS.

## SENATE MESSAGE

### AMENDED SENATE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House by amending said amendments to **SB 658, PN 2095**.

Ordered, That the clerk present the same to the House requesting concurrence.

## MEMBER'S PRESENCE RECORDED

The SPEAKER. The gentleman from Adams, Mr. Cole's name will be added to the master roll.

CALENDAR CONTINUED
BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of HB 1580, PN 2615, entitled:

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, providing for radiation emergency response.

On the question,

Will the House agree to the bill on third consideration?

Mr. B. SMITH offered the following amendment No. A2641:

Amend Sec. 1 (Sec. 8107), page 12, line 10, by inserting after "FACILITY"

: Provided, however, That no such plan shall depend upon or utilize the services of any volunteer organization, fire company or rescue organization unless that particular volunteer organization was actively involved in and consulted with concerning the preparation and execution of the plan

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Chair recognizes the gentleman from York, Mr. Smith.

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

This amendment mandates that volunteer organizations become part of the preparation and execution of evacuation plans. It is an agreed-to amendment.

The heart of it is that some small communities which have no full-time police, no full-time firemen, their evacuation plan revolves around volunteers. These volunteers must have input. The amendment requires involving these volunteers and consulting the volunteers in the preparation of the evacuation plans. I urge support for the amendment.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Erie, Mr. Cappabianca, on the amendment.

Mr. CAPPABIANCA. Thank you, Mr. Speaker.

This is an agreed-to amendment. I have no objections, and I would encourage an affirmative vote.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—191

Table listing names of members who voted 'YEAS' in 191 columns: Afflerbach, Angstadt, Armstrong, Arty, Baldwin, Battisto, Belardi, Belfanti, Blaum, Book, Bowser, Boyes, Brandt, Broujos, Bunt, Fee, Fischer, Flick, Foster, W. W., Foster, Jr., A., Freeman, Freind, Fryer, Gallagher, Gallen, Gamble, Gannon, Geist, George, Gladeck, McCall, McClatchy, McHale, McMonagle, McVerry, Mackowski, Madigan, Maiale, Manderino, Manmiller, Markosek, Mayernik, Merry, Michlovic, Micozzie, Rybak, Saloom, Salvatore, Saurman, Scheetz, Schuler, Semmel, Serafini, Seventy, Showers, Sirianni, Smith, B., Smith, L. E., Snyder, D. W., Snyder, G. M.

Table listing names of members who voted 'NAYS' in 0 columns and 'NOT VOTING' in 6 columns: Burd, Burns, Caltagirone, Cappabianca, Carn, Cawley, Cessar, Cimini, Civera, Clark, Clymer, Cohen, Colafella, Cole, Cordisco, Cornell, Coslett, Cowell, Coy, Deluca, DeVerter, DeWeese, Daley, Davies, Dawida, Dietz, Dininni, Dombrowski, Donatucci, Dorr, Duffy, Durham, Fargo, Fattah, Godshall, Greenwood, Grieco, Gruppo, Hagarty, Haluska, Harper, Hasay, Hayes, Herman, Hershey, Hoeffel, Honaman, Hutchinson, Itkin, Jackson, Jarolin, Johnson, Kasunic, Kennedy, Klingaman, Kosinski, Kowalshyn, Kukovich, Lashinger, Laughlin, Lehr, Lescovitz, Levi, Levin, Livengood, Lloyd, Lucyk, Miller, Misceovich, Moehlmann, Morris, Mowery, Mrkonic, Murphy, Nahill, Noye, O'Brien, O'Donnell, Olasz, Oliver, Perzel, Peterson, Petrarca, Petrone, Phillips, Piccola, Pievsky, Pistella, Pitts, Pott, Pratt, Preston, Punt, Rappaport, Reber, Reinard, Rieger, Robbins, Rudy, Ryan, Spencer, Spitz, Stairs, Steighner, Stevens, Stewart, Stuban, Sweet, Swift, Taylor, E. Z., Taylor, F. E., Telek, Tigue, Trello, Truman, Van Horne, Vroon, Wachob, Wambach, Wargo, Wass, Weston, Williams, Wilson, Wogan, Wozniak, Wright, D. R., Wright, J. L., Wright, R. C., Zwick, Irvis, Speaker

NAYS—0

NOT VOTING—6

Table listing names of members who were 'NOT VOTING' in 6 columns: Deal, Evans, Gruitza, Linton, McIntyre, Richardson

EXCUSED—5

Table listing names of members who were 'EXCUSED' in 5 columns: Alderette, Barber, Letterman, Marmion, Wiggins

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

On the question,

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

BILL PASSED OVER TEMPORARILY

The SPEAKER. The Chair is informed that Mr. Reber has three amendments, but they are not yet circulated.

We will therefore pass over the bill temporarily, but the Chair cautions the members that if these amendments to these two bills are not ready for action on the part of the floor, the Chair is going to cut off the action, and we will take the vote on Monday. The Chair does not intend to keep you here all afternoon on this.

BILL ON FINAL PASSAGE

Agreeable to order,

The House proceeded to the consideration on final passage of HB 1997, PN 2683, entitled:

An Act amending the "Pharmaceutical Assistance Contract for the Elderly Act," approved November 4, 1983 (P. L. 217, No. 63), further providing for program criteria.

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

The question is, shall the bill pass finally?

#### DECISION OF CHAIR RESCINDED

The SPEAKER. Without objection, the Chair rescinds its announcement that this bill is on final passage. The Chair hears no objection. The bill will be considered for the third time.

On the question recurring,

Will the House agree to the bill on third consideration?

Mr. CORDISCO offered the following amendments No. A2900:

Amend Title, page 1, line 7, by inserting after "program," "further providing for the definition of "maximum annual income"; and

Amend Bill, page 1, by inserting between lines 9 and 10

Section 1. The definition of "maximum annual income" in section 3 of the act of November 4, 1983 (P.L.217, No.63), known as the Pharmaceutical Assistance Contract for the Elderly Act, is amended to read:

Section 3. Definitions.

The following words and phrases when used in this act shall have the meanings given to them in this section unless the context clearly indicates otherwise:

\*\*\*

"Maximum annual income." Annual income as determined by the department. Such amount shall not exceed [\$9,000] \$12,000 in the case of single persons nor [~~\$12,000~~] \$15,000 in the case of the combined annual income of married persons.

\*\*\*

Amend Sec. 1, page 1, line 10, by striking out "1" and inserting

2

Amend Sec. 1, page 1, lines 10 through 12, by striking out "of November 4, 1983" in line 10, all of line 11 and "Contract for the Elderly Act," in line 12

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

3

On the question,

Will the House agree to the amendments?

#### PARLIAMENTARY INQUIRY

The SPEAKER. For what purpose does the gentleman from Bucks, Mr. Wilson, rise?

Mr. WILSON. A point of parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state the point.

Mr. WILSON. Would the Chair inform the House as to the determination as to the Cordisco amendment or the choice of the Cordisco amendment drafted 6/12/84 and the Wilson amendment drafted 4/24/84 and submitted to this House? The identically same amendment.

The SPEAKER. The only thing the Chair can tell the gentleman, Mr. Wilson, is that the Chair is going by the list on

the Chair's calendar, which reads, Cordisco, Gannon, Wilson, Merry, and Salvatore. Are you informing the Chair that you have the identical amendment?

Mr. WILSON. That is correct, Mr. Speaker, drafted 4/24 and submitted the day that the bill was reported out of committee, HB 1997.

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, the majority leader set the priority of the amendments. The gentleman, Mr. Wilson, may well have drafted his amendment earlier but never made the majority leader aware of the amendment, never gave him a copy of the amendment, and today, we understand, is the first time we were made aware of the contents thereof.

Even had I known 2 weeks ago, I may have made the same choice.

Mr. WILSON. I understand what you might have done 2 weeks ago. Thank you.

#### PARLIAMENTARY INQUIRY

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

Mr. GANNON. A point of parliamentary inquiry, Mr. Speaker.

The SPEAKER. Will the gentleman state his point.

Mr. GANNON. Yes, Mr. Speaker.

The same inquiry as Mr. Wilson. My amendment is dated April 25, 1984, Mr. Speaker. Mr. Speaker, for the record, I did tell the majority leader about this amendment, Mr. Speaker, and he was fully aware of it.

The SPEAKER. Is your amendment identical to the Cordisco and Wilson amendments?

Mr. GANNON. My amendment is slightly different from the Cordisco amendment, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Mr. GANNON. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendments?

The SPEAKER. On the question, the Chair recognizes the gentleman from Bucks, Mr. Cordisco.

Mr. CORDISCO. Thank you, Mr. Speaker.

The amendment basically amends the PACE (Pharmaceutical Assistance Contract for the Elderly) program and the eligibility requirements thereof. An individual who had made \$9,000 would now qualify under the program if he indeed makes under \$12,000. For those who are married, it would change the restriction from \$12,000 to \$15,000. That is the heart of the amendment, and I would urge support.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Luzerne, Mr. Stevens, on the amendment.

Mr. STEVENS. Thank you, Mr. Speaker.

I rise to support the Cordisco amendment. I just hope we realize that even with these new limits, if it passes, there are still a lot of senior citizens who I think do not qualify for this who should qualify for it, and I hope that this House is going

to even raise these limits higher so that more people qualify in the near future. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Bucks, Mr. Wilson.

Mr. WILSON. Mr. Speaker, I applaud the initiative of the gentleman, Mr. Cordisco. It is terrific, and I support my idea.

Mr. CORDISCO. Mr. Speaker?

The SPEAKER. Do you wish to exercise your privilege to speak twice on the same amendment this quickly?

Mr. CORDISCO. Yes, Mr. Speaker.

The SPEAKER. Then the Chair recognizes you for the second and last time on the amendment.

Mr. CORDISCO. I do appreciate Mr. Wilson's support for my particular amendment. However, I would like to inform the House that this was indeed the House's original proposal when we passed the initial piece of legislation, so I think the credit should go to the entire House and not, certainly, to any individual member.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Cambria, Mr. Wozniak.

Mr. WOZNIAK. Thank you, Mr. Speaker.

I just want to make a statement. I am going to be supporting this piece of legislation reluctantly because we know the political influence of senior citizens, but I think that by jacking everything up to \$15,000 and \$12,000 before even one single prescription has been filled so far is a little irresponsible on our part. I would just like to be cautious in voting for this type of legislation before we give the boat away, before we even know what it costs in actuality. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Venango, Mr. Peterson.

Mr. PETERSON. Thank you, Mr. Speaker.

I rise for two reasons to oppose the Cordisco amendment. First, to reiterate what I spoke of here several months ago when we were passing the pharmacy program, I thought that we should walk before we run, that we should get this program in place, find out how many people are actually out there—we are still working with estimates—and make sure that we have funds available to take care of those most in need. Now, one of the dangers that we are dealing with today with the Cordisco amendment is we are raising the eligibility levels but we are not changing the funding. We have in law a \$300-million cap for a 3-year period, and what we are going to do is we are going to force our poorer senior citizens, the ones who do not have the resources at all, to pay a higher copay if we pass the Cordisco amendment today. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, would the maker of the amendment stand for brief interrogation?

The SPEAKER. Mr. Cordisco indicates he will so stand. Mr. Clymer may proceed.

Mr. CLYMER. Mr. Speaker, what is the fiscal note if we raise the income eligibility to those new levels as recorded on the amendment?

Mr. CORDISCO. Mr. Speaker, it would cost an additional \$54 million. And there is approximately 190 million dollars' worth of surplus just for this year.

Mr. CLYMER. Okay. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. MILLER. Thank you, Mr. Speaker.

I have a technical question for the maker of the amendment, if I might proceed in interrogation, sir.

The SPEAKER. The gentleman, Mr. Cordisco, indicates he will so stand for interrogation. Mr. Miller is in order, and he may proceed.

Mr. MILLER. Thank you, Mr. Speaker.

The effective date of HB 1997 in section 2 of the parent bill that is being amended states that this act will take effect immediately. If the Cordisco amendment is adopted, sir, what would be your effective date? Is there any effective date change in your amendment?

Mr. CORDISCO. No; it would be immediately.

Mr. MILLER. I have a question for the gentleman with regard to his administrative impact. Does the gentleman have any research indicating whether or not the Commonwealth would be required to redraw the current services contract that has been issued with regard to implementing this program?

Mr. CORDISCO. No. There is a clause in the contract that allows them to renegotiate this particular point.

Mr. MILLER. Does the gentleman have a number on the cost of that renegotiation with respect to this program and its costs as well?

Mr. CORDISCO. Could you repeat the question, Mr. Speaker? I could not hear.

Mr. MILLER. Would the gentleman share with the General Assembly the cost of renegotiating that contract and the cost of this additional item?

Mr. CORDISCO. It is the cost that I have given on the fiscal note. It would be an additional \$54 million, and, as I said before, currently we have approximately 190 million dollars' worth of a surplus for this current year.

Mr. MILLER. Does the gentleman assume then that the \$54 million and are we to assume that his \$54-million fiscal cost is the cost of raising the limits in the program or the cost of renegotiating the existing contract?

Mr. CORDISCO. That is the cost of raising the limits.

Mr. MILLER. What is the cost of renegotiating the contract? Have you looked at that?

Mr. CORDISCO. I do not think there would be any cost involved in renegotiating that particular item, Mr. Speaker.

Mr. MILLER. Mr. Speaker, might I respond?

The SPEAKER. The gentleman may make a statement on the amendment.



Mr. MILLER. Yes, sir. For the information of the members, the Commonwealth is currently under a 1-year contract with a provider firm to administer this program. It is in about its fourth month of startup time. We are all familiar with the rush at which folks have been registering.

With respect to the current contract in place, there would be certain costs for which the Commonwealth may be held liable with respect to opening that contract up, with respect to existing limits, and additional costs with respect to the Cordisco amendment. That is problem number one. Problem number two is we do not have a handle on that first set of costs, for, in fact, we have not adopted legislation that would require its opening up.

I have an earnest suggestion, and it is not in opposition to the amendment. It is this: If this chamber is to consider a midstream change in funding eligibility that necessitates this Commonwealth's rewriting its entire contract, two things ought to be done. The first is simple. It is a way to avoid the problem, and that is, make the effective date of this amendment effective with the writing of the next single year's contract. That gets us on line with a year of experience. If that is not possible, we ought to have a fiscal note, Mr. Speaker, on this amendment with respect to renegotiation of costs, and at the appropriate time, if this amendment is adopted, I will move that this bill be placed back in the Appropriations Committee for a fiscal note on that renegotiation cost as well. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Miller.

Mr. MILLER. Mr. Speaker, I have tendered a request across the aisle to the gentleman, the suggestion that this amendment, which I did not see before walking on the floor today, be redrafted with its effective date concurrent with the expiration of our first 1-year term of the current contract of services. Would the gentleman be agreeable to that? It should be a very simple item administratively to handle.

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

Mr. CORDISCO. With all due respect, Mr. Speaker, not at this point in time. I do not see there being a substantial administrative cost for the renegotiation of that particular item, since there is a clause that exists within the current contract that allows for that. I have given the fiscal impact of this particular amendment. There are substantial funds in there to implement this kind of program. It was the Senate's wisdom to reduce the restrictions or limit them even more so in the Senate. However, I feel we should stay with the House's original proposal. I think there are a lot of people who are entitled to this program and should be included in it. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Lancaster, Mr. Miller, for the second time.

Mr. MILLER. Thank you, Mr. Speaker. I appreciate your bending the rules slightly.

The gentleman earlier, Mr. Speaker, in answer to the question of costs, stated he was not aware of any. We have not

been presented any. If the gentleman is not willing to amend the effective date, I would ask that the measure be held, once amended by the Cordisco amendment, for the presentation of an amendment on the effective date so as to not necessitate the contract being redrafted. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Montgomery, Mr. Saurman.

Mr. SAURMAN. Thank you, Mr. Speaker.

May I also interrogate the maker of the amendment?

The SPEAKER. The gentleman, Mr. Cordisco, indicates he will stand for interrogation. Mr. Saurman is in order and may proceed.

Mr. SAURMAN. Mr. Speaker, aside from the dollar figure that has already been indicated with respect to the renegotiation of a contract, has there been any consideration given to the time delay that the acceptance of your amendment would cause with the entire program? We have all distributed already the application forms through our district offices. They have been widely disseminated throughout the State with the present levels involved. All of that logistically has taken months, and your amendment, of course, would change all of that, requiring and necessitating a great deal of additional work. I wonder what amount of time you would figure these changes would make. I would like to hear the answer to that question, please.

Mr. CORDISCO. Mr. Speaker, that is the urgency for the amendment. I think if the House were to act upon it now and it was to be sent over to the Senate and they were to react favorably, I think there would be a sufficient amount of time for those people to be incorporated into this program and for that particular company to be able to implement the program.

Mr. SAURMAN. Thank you, Mr. Speaker.

I would like, then, to make a statement.

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

Mr. SAURMAN. Mr. Speaker, I find it totally unbelievable that the previous speaker could believe that this bill could be amended, sent to the Senate, and these provisions made in time for a July 1 program, which has already been advertised and is ready to begin. I believe that the time that would be necessitated would take months rather than days, which is all that would remain.

Secondly, I would like to say, Mr. Speaker, that, as has been previously spoken and said, we have a program. People are aware of what that program is. It has been in the making for some time. To change that at this last moment, which is the midnight moment, is apt to delay the receipt of this long-awaited benefit for our senior citizens. Also, as Mr. Peterson has pointed out, because of the cap on the program there is also the danger that adding these new people to this program at this time could have the effect of reducing the ultimate benefits to those who we have previously decided need it the most.

Mr. Speaker, several persons have recommended that we work on a basis of a year to determine exactly where we are

heading with this program, to determine what its outcome is, and then to increase it if all goes well. That would seem to me to be the wiser direction in which to follow, not that I am opposed to adding the additional benefits, but I think it would be an unwise direction to follow at this time, and I would urge defeat of this amendment.

### WELCOMES

The SPEAKER. The Chair is delighted to welcome to the hall of the House at this time a group of fourth grade students from the Hegins-Hubley Elementary School, with their teachers, Mrs. Richter and Mr. Snyder, and parents. They are here as the guests of Representative Baldwin. Welcome to the hall of the House.

The Chair is likewise pleased to welcome to the hall of the House a high school classmate of Representative Pete Wambach, Mr. Joseph Walls. He has his two sons with him, Joseph and Patrick. They are from Port St. Lucy, Florida. Welcome to the hall of the House.

### CONSIDERATION OF HB 1997 CONTINUED

The SPEAKER. The question recurs on the Cordisco amendment.

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

Mr. ITKIN. Mr. Speaker, as the prime sponsor of HB 1997, I would like the House to know that I do not oppose this particular amendment. I do have some concerns, as others have raised on the floor of this House, in regard to the debate on this amendment.

Nevertheless, I want to advise the House that several weeks ago when we passed HB 2051, we basically provided these same provisions for a 3-month period beginning April 1 of 1985 through the end of the fiscal year. I would like to suggest to the House that this amendment be considered the first step in that process and that we adopt the Cordisco amendment, send it over to the Senate, and as the conferees meet to deal with the amount of dollars available to fund this program from the lottery, that the Senate then consider, as I am sure they would, the necessary modifications to the Cordisco language to bring it in concert with the amount of dollars that the learned conferees decide to put in the budget for the next fiscal year.

I would suggest that that be the route we follow. I know that there are many members on this side of the aisle, I know that there are members on the other side of the aisle - Mr. Gannon is very much concerned about this amendment passing; Mr. Wilson has made strong arguments; Mr. Salvatore has made strong arguments about having this amendment inserted in the bill. I think we should go ahead, put this amendment in, pass the bill, and send it to the Senate.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Crawford, Mr. Merry.

Mr. MERRY. Mr. Speaker, may I interrogate the maker of the amendment?

The SPEAKER. The gentleman, Mr. Cordisco, indicates he will so stand for interrogation. Mr. Merry may proceed.

Mr. MERRY. Mr. Speaker, at some point or other you had announced the fiscal impact of this bill, and I failed to hear that. Could you tell me what that impact was again?

Mr. CORDISCO. Mr. Speaker, the cost of this particular amendment would be \$54 million. As I have stated before, there is approximately 190 million dollars' worth of surplus up to this point in time.

Mr. MERRY. Your point is well taken, but I do not understand. Is that a 1-year cost or is it a program cost?

Mr. CORDISCO. That is a 1-year cost.

Mr. MERRY. You are saying that the impact will be an additional \$54 million beyond what the program is now?

Mr. CORDISCO. That is correct.

Mr. MERRY. What provision do you have, understanding that we have only appropriated \$100 million for this coming year for the program, how would we come up with the other \$54 million?

Mr. CORDISCO. Mr. Speaker, there are a few options that are open to us. The initial bill that was sent out of the House provided for enough funding for 3 months to implement this particular program. It is also possible at a conference meeting that the conferees could then also supplement that particular piece of legislation to include the amount of money necessary. It is also the prerogative of the House at another point in time to give an additional appropriation.

Mr. MERRY. As I understand it then, you are sort of subjecting this to speculation as to how it might be done. You are aware that the present funding provides that if we begin to run out of money in a 3-month period of time, there is a provision for increasing the copay because of the lack of funds to support the entire program.

Mr. CORDISCO. Mr. Speaker, I do not believe it to be speculation. I believe those to be very viable possibilities as to providing funding if need be at an additional point in time.

I think that as I said before, there is sufficient money to carry it for the 3 months, and that does give us a considerable amount of time. And as I said before, the conferees do have that option once they review this particular piece of legislation.

Mr. MERRY. Mr. Speaker, that ends my interrogation. May I make a statement?

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

Mr. MERRY. Mr. Speaker, I would like to have the maker of the amendment know and my other colleagues know that this does put us in a very bad position. There are not funds presently appropriated for this purpose, even though there is a big surplus supposedly there. But we debated this previously when we approved this measure, and we understood it took a certain amount of trial and error, and we were willing to try it for a year or two or three before we appropriated more money.

As the maker of the amendment knows, I have cosponsored a bill with him that provided for this same thing. I would hope that it would be the intent of this House to be responsible when voting upon this bill. It is an attractive bill, it is one that we should be supporting once the money is appropriated, but to do it at the midnight hour when it is going to cause nothing but confusion with our senior citizens out there I feel is an improper time. I have a problem of wanting to vote for the amendment but feel that it is fiscally irresponsible at this time.

I would wish that he would withdraw the amendment so that we could pursue the original intent of the amendment that was before us before it was further amended. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes, on the amendment, the gentleman from Beaver, Mr. Colafella.

Mr. COLAFELLA. Mr. Speaker, I rise to support this amendment. Many senior citizens have told me that they were very upset because they do not qualify for the new senior citizens prescription plan. This amendment provides an opportunity for these senior citizens who have worked all their lives and now have an opportunity to finally get something, and they have not been able to do so. The plain fact is that there is enough surplus money in the Lottery Fund, and there is enough money in that Lottery Fund to clearly be able to increase the amount that we can give the senior citizens in their prescription plan. I endorse this, and I hope very much we can support this amendment.

The SPEAKER. The Chair recognizes the gentleman from McKean, Mr. Mackowski.

Mr. MACKOWSKI. Thank you, Mr. Speaker.

Mr. Speaker, I would like to speak in opposition to this amendment for a couple of reasons.

You know, we are trying to do the best we can for the senior citizens. We are trying to do something that we really do not know much about as far as the total cost of the future of the program. Now, to expand this at this particular time, if we are talking about \$100 million in this program and you are going to add another \$54 million to the program, pretty soon we are going to be out of the surplus that we are now talking about, and if you will recall, the money that the senior citizens programs are to be used for, if they fall into a deficiency situation, we are talking about backing it up out of the General Fund. So we are looking at a future tax increase, possibly, if this thing should pass.

I have a great concern about the future of the senior citizens programs if we seem to go into, let us spend it all today and to heck with tomorrow, because we are going to deplete the amount of reserve we have there because we still do not know what the cost of the existing program is right now. I think we ought to learn to creep before we walk or crawl or however you want to put it. But I can remember things being said here on the floor years ago when we had an \$800-million surplus in the Unemployment Compensation Fund, and because of the generosity of this House, we find ourselves in a \$3-billion debt because we had sufficient funds at that time. Beware of what

you are doing to the senior citizens. One day we may be faced with either stopping the program or increasing taxes to support it. Let us take it gracefully without going whole hog right off the bat. I can understand politically it is a very, very wonderful, good-looking bill, but practically and fiscally responsible, no. I urge your opposition to this amendment.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. SEVENTY. Thank you, Mr. Speaker.

I would just like to make a short statement. I happen to have, like many of you others, an awful lot of people between the \$12,000 and \$15,000 bracket, and all I have heard for years now is, when are we going to get a break? I think it is time we gave those people a break. I think we can afford it. Thank you very much.

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

Mr. TRELLO. Mr. Speaker, I do not think there is anybody in this chamber who wants to bankrupt the senior citizens' Lottery Fund. However, when the Finance Committee was first working on this prescription bill, the actual financial limits were \$12,000 for single people and \$15,000 for married couples, and our projections were on 80 percent participation, the same as the tax and rent rebate program, and we also had \$100 million to work with. According to the staff of the Finance Committee, the \$12,000 and \$15,000 guidelines would be well within the limits of the \$100 million and we would not go over and put the program in the hole.

We anticipated a lot of problems because of the New Jersey situation where they first allotted \$10 million for their drug and prescription program with no safeguards or anything, and in the first year it went over \$15 million in the hole. The program in Pennsylvania is going to be altogether different from what they did in New Jersey because of our computer program to safeguard any misuse of the program. If my staff decided that \$12,000 and \$15,000 would not go over the \$100 million—they figured a 1-percent difference might be the only problem we would have—I think those people who fall in those income guidelines should be able to participate in this program. I support the amendment, because I do not see any problem in endangering the surplus that we have by allowing these senior citizens to participate also. I support the amendment, and I ask for a positive vote.

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

Mr. DeLUCA. Mr. Speaker, I ask my colleagues here today to vote for this amendment.

There are many senior citizens in the higher income brackets who are forced to do without food, fuel, telephones, and other necessities just to pay for medicine and drugs to sustain their health. We must remember that they need this help now. I ask my colleagues to think of themselves here. How many with incomes from \$12,000 to \$15,000, God forbid, if they would have a medical problem and had to take medication, would be able to support themselves and their wives? You

know, because senior citizens are 65 it does not mean they are not active; it does not mean they do not participate like the younger groups. As a matter of fact, they are more active than some of our younger groups today.

They cannot wait. It was said that they should wait. They cannot wait. They need that help right now. We have that money in the surplus Lottery Fund, and we should use it. We should expand on the program. Originally it was \$12,000 to \$15,000. Even the Governor said that we were going to run out of money, but yet in his budget this year he proposed to take some of that surplus lottery money and stick it into the General Fund. Let us use it where it was intended to be used - for the senior citizens. I ask for an affirmative vote on this amendment.

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

Mr. MARKOSEK. Thank you, Mr. Speaker.

Mr. Speaker, in listening to the debate here this afternoon, I heard at least one Representative who was opposed to this bill state that he was worried that if we pass this amendment, the Lottery Fund surplus would be depleted. In my opinion, there is nothing wrong with the Lottery Fund surplus being depleted, if it is being used to help the needy senior citizens who need it most. And I think it is certainly a lot better to give this money to the senior citizens for the drug prescription program rather than to use it for other things that our Governor and some of the other people have intended to use some of this surplus for - balancing the budget and other things like that, which this Lottery Fund was not intended for to begin with. So I would urge an affirmative vote on the amendment. Thank you, Mr. Speaker.

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

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

I am going to vote in opposition to the amendment, because I think their funds should be conserved for those senior citizens who have need of them, genuine needs, and I think there are areas that we have not addressed, areas other than the pharmaceutical problem.

When we look at the sum of \$15,000 per year and assume that that represents nontaxable income, that comes out to roughly \$1,250 per month, which happens to be the approximate size of the paycheck that we take home from this House. So I think the parameters are set high enough at the \$12,000 level. I think we should keep the funds available for other programs of genuine need. I ask for a negative vote on the amendment, especially until such time as we might see where this program leads us financially.

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

Mr. MAYERNIK. Thank you, Mr. Speaker.

The Governor has constantly attempted to raid the senior citizens' Lottery Fund and use it for other purposes. I believe that it is time that we spend this money for the purpose for which it was intended. I ask for an affirmative vote on this amendment.

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

Mr. SALVATORE. Mr. Speaker, I rise to support this amendment. I think the people of my constituency and my district have been denied the benefits, and I think that they are entitled to the same benefits as any other senior citizen.

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

Mr. KOSINSKI. Thank you, Mr. Speaker.

When we originally considered the prescription act for senior citizens, and when the bill was finally signed into law with the limits of \$9,000 and \$12,000, I stood before my colleagues in the House and I said it was a good bill but the limits were insufficient. I rise in support today of the raising of the income limits to \$12,000 and \$15,000. I think this is a great day for senior citizens in Pennsylvania. I urge an affirmative vote, and I hope that sometime soon the \$12,000 and \$15,000 limits become law.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Cumberland, Mr. Kennedy.

Mr. KENNEDY. Thank you, Mr. Speaker.

I cannot support this amendment. I would just like to mention one item that has occurred to me, as I have heard and talked to many senior citizens in my district, that there are a lot of people in this Commonwealth, husbands and wives, who enjoy very lavish Federal pensions; we have husbands and wives who enjoy very lavish State pensions. Their incomes are very handsome, and they are eating the government cheese, and they are getting all the benefits through this program. I cannot support this amendment because I think its passage and the final passage of this bill would give some of the people who are basically living off taxation and retiring in their midfifties even more and more benefits that I do not believe we can afford. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—186

Afflerbach	Fattah	Lucyk	Ryan
Angstadt	Fee	McCall	Rybak
Armstrong	Fischer	McClatchy	Saloom
Arty	Flick	McHale	Salvatore
Baldwin	Foster, W. W.	McIntyre	Saurman
Belardi	Freeman	McMonagle	Schuler
Belfanti	Freind	McVerry	Semmel
Blaum	Fryer	Madigan	Serafini
Book	Gallagher	Maiale	Seventy
Bowser	Gallen	Manderino	Showers
Boyes	Gamble	Manmiller	Sirianni
Brandt	Gannon	Markosek	Smith, B.
Broujos	Geist	Mayernik	Smith, L. E.
Burns	George	Merry	Snyder, D. W.
Caltagirone	Gladeck	Michlovic	Snyder, G. M.
Cappabianca	Godshall	Micozzie	Spencer
Carn	Greenwood	Miller	Spitz
Cawley	Grieco	Miscevich	Stairs
Cessar	Gruitza	Moehlmann	Steighner
Cimini	Gruppo	Morris	Stevens
Civera	Hagarty	Mrkonic	Stewart

Clark	Haluska	Murphy	Stuban
Clymer	Harper	Nahill	Sweet
Cohen	Hasay	Noye	Taylor, E. Z.
Colafella	Hayes	O'Brien	Taylor, F. E.
Cole	Herman	O'Donnell	Telek
Cordisco	Hershey	Olasz	Tigue
Cornell	Hoeffel	Oliver	Trello
Coslett	Honaman	Perzel	Truman
Cowell	Hutchinson	Petrarca	Van Horne
Coy	Itkin	Petrone	Vroon
Deluca	Jackson	Phillips	Wachob
DeVerter	Jarolin	Piccola	Wambach
DeWeese	Johnson	Pievsky	Wargo
Daley	Kasunic	Pistella	Wass
Davies	Klingaman	Pitts	Weston
Dawida	Kosinski	Pott	Williams
Deal	Kowalshyn	Pratt	Wilson
Dietz	Kukovich	Preston	Wogan
Dininni	Lashingner	Punt	Wozniak
Dombrowski	Laughlin	Rappaport	Wright, D. R.
Donatucci	Lehr	Reber	Wright, J. L.
Dorr	Lescovitz	Reinard	Wright, R. C.
Duffy	Levi	Richardson	Zwinkl
Durham	Linton	Rieger	
Evans	Livengood	Robbins	Irvis,
Fargo	Lloyd	Rudy	Speaker

**NAYS—8**

Battisto	Kennedy	Mackowski	Peterson
Foster, Jr., A.	Levin	Mowery	Swift

**NOT VOTING—3**

Bunt	Burd	Scheetz
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**EXCUSED—5**

Alderette	Letterman	Marmion	Wiggins
Barber			

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

On the question,

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

Mr. GANNON offered the following amendments No. A2928:

Amend Title, page 1, line 7, by inserting after "program," further providing for the definition of "maximum annual income"; and

Amend Bill, page 1, by inserting between lines 9 and 10

Section 1. The definition of "maximum annual income" in section 3 of the act of November 4, 1983 (P.L.217, No.63), known as the Pharmaceutical Assistance Contract for the Elderly Act, is amended to read:

Section 3. Definitions.

The following words and phrases when used in this act shall have the meanings given to them in this section unless the context clearly indicates otherwise:

\*\*\*

"Maximum annual income." Annual income as determined by the department. Such amount shall not exceed [\$9,000] \$12,000 in the case of single persons nor \$12,000 \$15,000 in the case of the combined annual income of married persons.

\*\*\*

Amend Sec. 1, page 1, line 10, by striking out "1" and inserting

2

Amend Sec. 1, page 1, lines 10 through 12, by striking out "of November 4, 1983" in line 10, all of line 11 and "Contract for the Elderly Act," in line 12

Amend Sec. 1 (Sec. 4), page 2, line 4, by inserting after "Commonwealth"

and which has its principal place of business within the Commonwealth

Amend Sec. 2, page 2, line 7, by striking out "2. This" and inserting

3. Except for section 1 which shall take effect in 60 days, this

On the question,

Will the House agree to the amendments?

**REQUEST TO DIVIDE AMENDMENTS**

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

Mr. GANNON. Mr. Speaker, I would like to divide the amendment, if it is possible.

The SPEAKER. Where would the gentleman suggest the amendment be divided?

Mr. GANNON. Excuse me one minute, Mr. Speaker.

**ANNOUNCEMENT BY MAJORITY LEADER**

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, let me take advantage of the short lull here while they are deciding the issue of the amendment and announce that the economic development package of bills will be shortly introduced, and anyone who has not yet sponsored them who wants to sponsor the same ought to come down here. The bills are here, and we can get your names and they will be added to the legislation before introduction.

**BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND RECOMMITTED TO COMMITTEE ON RULES**

**HB 2153, PN 2939** By Rep. RAPPAPORT

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for certain missing person reports.

JUDICIARY.

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

**SB 910, PN 2102 (Amended)** By Rep. RAPPAPORT

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

JUDICIARY.

**SB 1083, PN 1757** By Rep. RAPPAPORT

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for interference with custody of children.

JUDICIARY.

**SB 1231, PN 1811**

By Rep. RAPPAPORT

An Act establishing the fees to be charged and received by sheriffs.

JUDICIARY.

**CONSIDERATION OF HB 1997 CONTINUED**

The SPEAKER. Mr. Gannon, have you and your cohorts decided on what you would like to do, before the Speaker makes a decision?

Mr. GANNON. Yes, Mr. Speaker. We have agreed to disagree. Mr. Speaker, I would like to divide the amendment according to what we talked about a couple of minutes ago.

The SPEAKER. The Chair thanks the gentleman.

**AMENDMENTS DIVIDED**

The SPEAKER. In the opinion of the Chair, the amendment is divisible and will be divided on page 1, after the words "for the Elderly Act," in line 12". That will not be part of the divided amendment. The first words of the divided amendment will be, "Amend Sec. 1 (Sec. 4), page 2, line 4, by inserting after 'Commonwealth' and which has its principal place of business within the Commonwealth" and all the language on page 2. That will be the amendment which the House will act upon.

On the question,

Will the House agree to the amendments as divided?

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

Mr. GANNON. Mr. Speaker, the amendment does two things.

First of all, it requires that any mail-order—

The SPEAKER. Will the gentleman yield? There is no sense of asking him to debate an amendment when we have one-third of the members trying to sign up on something. The House will stand at ease.

**STATEMENT BY MR. DAVIES**

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

Mr. DAVIES. Mr. Speaker, for unanimous consent, if it is proper at this time. If not, if they have settled their problems, I will withdraw the request until after you have considered the amendment.

The SPEAKER. They have not settled their problems by any means.

The gentleman may proceed.

Mr. DAVIES. Thank you, Mr. Speaker.

I would like to submit the following for the record:

State taxes in Pennsylvania rose more slowly than those in all but three other states in the decade 1973 to 1983, according to an independent tax study group.

The Tax Foundation Inc. of Washington rated Pennsylvania 47th on Friday in rate of per capita tax growth for the 10-year period. Only New Hampshire, Vermont and Florida had slower growth rates.

It said that 20 States had higher 1983 per capita tax collections than those in Pennsylvania. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

**REMARKS ON VOTE**

The SPEAKER. For what purpose does the gentleman from Montgomery, Mr. Bunt, rise?

Mr. BUNT. Mr. Speaker, on the Cordisco amendment, A2900 to HB 1997, my switch was inoperative. I would like to have my vote reflected in support of the measure, please.

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

**CONSIDERATION OF HB 1997 CONTINUED**

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

Mr. GANNON. Thank you, Mr. Speaker.

Mr. Speaker, this amendment does two things. First, the thing that it does is it provides very specifically that only pharmacies that have businesses in Pennsylvania would be eligible to fill mail-order prescriptions.

The second thing it would do is address some of the concerns that were expressed earlier by the members in connection with the Cordisco amendment, and that was the effective date. This amendment provides for the effective date of the Cordisco amendment to take place in 60 days rather than immediately, and that would give the department sufficient breathing time to gear up administratively to provide the benefit to those additional senior citizens who are currently denied prescription assistance service. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

**PARLIAMENTARY INQUIRY****AMENDMENTS DIVIDED**

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Itkin, on the Gannon amendment.

Mr. ITKIN. Mr. Speaker, is the amendment further divisible?

The SPEAKER. Where would the gentleman suggest the second division be made?

Mr. ITKIN. I would like to consider the part of the amendment that still remains on the first side of the page separate from—

The SPEAKER. On which side of the page?

Mr. ITKIN. The part of the amendment which appears on the reverse side.

The SPEAKER. Oh, I see. You have it on the back of the page. We have it on a separate sheet. All right, go ahead.

Mr. ITKIN. Mr. Speaker, if so, I would move to divide the amendment.

The SPEAKER. So your amendment, if it is divisible, would start "Amend Sec. 2, page 2, line 7, by striking out '2.

This' and inserting 3. Except for section 1 which shall take effect in 60 days....' Is that correct?

Mr. ITKIN. That is correct, Mr. Speaker.

The SPEAKER. In the opinion of the Chair, the amendment is so divisible.

Mr. ITKIN. Mr. Speaker, I would at this time move to consider the second part of the amendment first.

The SPEAKER. The Chair rules that the amendment may be further divided. The amendment now will read as follows: "Amend Sec. 2, page 2, line 7, by striking out '2. This' and inserting 3. Except for section 1 which shall take effect in 60 days, this'. The effect of the amendment would be to delay the Cordisco amendment for 60 days. That is the amendment currently before the House.

On the question,

Will the House agree to Part II of the amendments?

The SPEAKER. On that part of the amendment, the Chair recognizes the gentleman from Delaware, Mr. Gannon.

Mr. GANNON. Thank you, Mr. Speaker.

As divided, the particular section that we are dealing with right now would, as I said earlier, address some of the concerns expressed by the members earlier, in that it would delay implementation of the Cordisco amendment from immediately to 60 days after this takes effect, which would give the department what I believe would be the needed time to gear up to provide the additional benefit to those additional senior citizens.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Bucks, Mr. Cordisco.

Mr. CORDISCO. For the benefit of the members in the House, I agree to the amendment, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. ITKIN. Mr. Speaker, I urge the House to adopt this part of the amendment.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring?

Will the House agree to Part II of the amendments?

The following roll call was recorded:

YEAS—184

Afflerbach	Fee	McCall	Saloom
Angstadt	Fischer	McClatchy	Salvatore
Armstrong	Flick	McHale	Saurman
Arty	Foster, W. W.	McMonagle	Scheetz
Baldwin	Foster, Jr., A.	McVerry	Schuler
Battisto	Freeman	Madigan	Semmel
Belardi	Freind	Maiale	Serafini
Belfanti	Fryer	Manderino	Showers
Blaum	Gallagher	Manmiller	Sirianni
Book	Gallen	Markosek	Smith, B.
Bowser	Gamble	Mayernik	Smith, L. E.
Boyes	Gannon	Merry	Snyder, D. W.
Brandt	Geist	Michlovic	Snyder, G. M.
Broujos	George	Micozzie	Spencer
Bunt	Gladeck	Miller	Spitz
Burd	Godshall	Miscevich	Stairs
Burns	Greenwood	Moehlmann	Steighner
Caltagirone	Grieco	Morris	Stevens

Cappabianca	Gruitza	Mowery	Stewart
Carn	Gruppo	Murphy	Stuban
Cawley	Hagarty	Nahill	Sweet
Cessar	Haluska	Noye	Swift
Cimini	Harper	O'Brien	Taylor, E. Z.
Civera	Hasay	O'Donnell	Taylor, F. E.
Clark	Hayes	Oliver	Telek
Clymer	Herman	Perzel	Tigue
Cohen	Hershey	Peterson	Trello
Cole	Hoeffel	Petrarca	Truman
Cordisco	Honaman	Petrone	Van Horne
Cornell	Hutchinson	Phillips	Vroon
Coslett	Itkin	Piccola	Wachob
Cowell	Jackson	Pievsky	Wambach
Coy	Jarolin	Pistella	Wargo
Deluca	Johnson	Pitts	Wass
DeWeese	Kasunic	Pott	Weston
Daley	Kennedy	Pratt	Williams
Davies	Klingaman	Preston	Wilson
Deal	Kosinski	Punt	Wogan
Dietz	Kowalyszyn	Rappaport	Wozniak
Dininni	Kukovich	Reber	Wright, D. R.
Dombrowski	Lashinger	Reinard	Wright, J. L.
Donatucci	Lehr	Rieger	Wright, R. C.
Dorr	Levi	Robbins	Zwikel
Durham	Linton	Rudy	
Evans	Livengood	Ryan	Irvis,
Fargo	Lloyd	Rybak	Speaker
Fattah	Lucyk		

NAYS—7

Dawida	Mackowski	Olasz	Seventy
Duffy	Mrkonic	Richardson	

NOT VOTING—6

Colafella	Laughlin	Levin	McIntyre
DeVerter	Lescovitz		

EXCUSED—5

Alderette	Letterman	Marmion	Wiggins
Barber			

The question was determined in the affirmative, and Part II of the amendments was agreed to.

The SPEAKER. Does the gentleman, Mr. Gannon, wish to submit now, as a second amendment, that part of the amendment which reads, "Amend Sec. 1 (Sec. 4), page 2, line 4, by inserting after 'Commonwealth' and which has its principal place of business within the Commonwealth"? Is the gentleman willing to accept that as the amendment?

Mr. GANNON. Yes, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

We are now deciding whether to adopt the following as an amendment: "Amend Sec. 1 (Sec. 4), page 2, line 4, by inserting after 'Commonwealth' and which has its principal place of business within the Commonwealth".

On the question,

Will the House agree to Part I of the amendments?

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

Mr. GANNON. Thank you, Mr. Speaker.

Mr. Speaker, this amendment would provide, very specifically, that any mail-order business under the prescription assistance program for the elderly would have to be done by a mail-order firm or a licensed pharmacy that does business and has its principal business in the Commonwealth.

One of the chief complaints that we have received about mail-order operations is the abuses and the lack of controls that our licensing department has over outside mail-order firms. I think we have an obligation to our senior citizens who are going to be eligible for this program to make certain that they are getting the highest quality standards available, and I think the only way we can do that is to insist that any mail-order service must have its principal place of business in the Commonwealth.

Now, Mr. Speaker, the other thing that I think is probably as equally important is that we do not provide an opportunity for unfair competition to our local pharmacies that provide that individual service at the present time and hope to provide that individual service in the future to senior citizens.

Mr. Speaker, the licensing authority for pharmacies in Pennsylvania does not license mail-order pharmacy services. There are only two types of licenses - a hospital pharmacy license and a retail pharmacy license - and every pharmacy, whether it is owned by a chain or owned individually, has to be licensed by the Commonwealth, and whether that is a chain or owned individually, if that pharmacy is located in the Commonwealth and is licensed by the Commonwealth, then it is doing its principal business within the Commonwealth.

Mr. Speaker, I think, once again, that we owe it to our senior citizens to make sure they get the highest quality assurance, and the only way we can do that is to make sure that our licensing authority has control over those mail-order establishments. Therefore, I urge adoption of this amendment.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Allegheny, Mr. Itkin, on the amendment.

Mr. ITKIN. Mr. Speaker, I rise to oppose the amendment, particularly because the words "principal place of business" are nowhere defined in the act, and it is difficult to determine what one means to be a principal place of business and, therefore, qualify for the mail-order program. For example, if you are a large chain drugstore with, let us say, 100 or 200 drug outlets in Pennsylvania, but you operate other drug outlets in other States, is Pennsylvania your principal place of business or is there some location outside Pennsylvania which may be your principal place of business? An interpretation by somebody else might give that connotation and say, well, even though you have 150 stores in Pennsylvania, you have outside Pennsylvania 187 stores elsewhere. This is the concern I have with this particular amendment - that it can be misconstrued and misapplied.

Let me give you a concern that I have with one mail-order operation in Pennsylvania that I do not think we wish to see it applied to. The American Federation of State, County and Municipal Employees, through the Pennsylvania health and welfare fund, provides a mail-order drug program operating out of the Thrift Drug company, which is located in Pittsburgh and has many, many stores in western Pennsylvania. However, Thrift Drug is a subsidiary of the J. C. Penney Company, which is incorporated in the State of Delaware, and I cannot say for sure that J. C. Penney has its

principal place of business in Pennsylvania. Would we then, if we adopt this amendment, exclude the Thrift Drug company from operating the drug program for AFSCME and also participating in such a PACE mail-order program?

Let me tell you, just to give you an appreciation of what kind of business we are talking about, J. C. Penney Company and Thrift Drug employ almost 20,000 employees in Pennsylvania. They pay over \$16 million a year in taxes to the State of Pennsylvania. They employ Pennsylvanians to the tune of \$106 million in payroll annually. They have gross sales of \$710 million annually. Now, I do not think we want to exclude this kind of an operation from this particular program. I do not think you want to either.

Mr. Merry will be offering an amendment which I believe does what should be done. His amendment will say that the only way you can participate in this program is if you have an established office in the Commonwealth and regularly do business in the Commonwealth and that you fill prescriptions at locations within the Commonwealth.

Mr. GANNON. Mr. Speaker?

The SPEAKER. Would the gentleman yield?

Mr. GANNON. Mr. Speaker, I would appreciate if Mr. Itkin would address my amendment, please.

The SPEAKER. To the gentleman, Mr. Itkin, if you wish to compare what has been offered and what might be offered, you may not be specific about who is going to offer the latter, but you may give your opinion, of course, as to what would be a more reasonable approach to the problem.

Mr. ITKIN. Thank you, Mr. Speaker.

Mr. Speaker, I feel that this particular part of Mr. Gannon's amendment is too restrictive, allows itself to bureaucratic misinterpretation, and that a subsequent amendment to be offered is more clearly what I think we wish to achieve. I would ask you to reject this part of the Gannon amendment and to support the subsequent amendment to be offered on the floor today. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Philadelphia, Mr. Salvatore, on the Gannon amendment.

Mr. SALVATORE. Mr. Speaker, we talk about economics, and we are signing economic packages, and we are worried about jobs in Pennsylvania, and here we are going to take jobs out of Pennsylvania.

I am saying that the Gannon amendment is a good amendment, and that is why I cosponsored that amendment. I think they should have their principal place of business in Pennsylvania, and I urge my colleagues to vote "yes" on the amendment.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Gannon, for the second time on the amendment.

Mr. GANNON. Thank you, Mr. Speaker.

Mr. Speaker, as I said earlier, the department only licenses individual pharmacies; it does not license mail-order houses. Therefore, any particular pharmacy that has a license, whether it be part of a chain or owned by an individual, has its



principal place of business in the Commonwealth of Pennsylvania. I think that addresses the argument that is raised by Mr. Itkin.

But more importantly than that, Mr. Speaker, what concerns me is that we are going to have— Let me put it this way, Mr. Speaker: I am not really concerned about these big corporations that are situated in other States and take money out of Pennsylvania. What I am concerned about is the people of Pennsylvania and the older folks in Pennsylvania. I am concerned about some of those local pharmacists who are my neighbors, and they contribute substantially to the economy of the neighborhoods where I live and to the neighborhoods where these other members live, and I do not think we should shortchange them with this type of legislation. That is why I have offered this amendment, Mr. Speaker. I want to make certain, Mr. Speaker, that those mail-order operations are located here in the State so they can be brought to account by the licensing authority and, if necessary, this General Assembly. I do not want to stand here someday, Mr. Speaker, and look at all kinds of abuses and say, well, that is too bad, because their headquarters are located in some far-distant State. I think if they want to do business in this State and they are anxious to get into this mail-order operation, I do not think it is going to be very difficult for them to go to the licensing authority and get a license and open up a pharmacy here and do business in this State and therefore become eligible, Mr. Speaker.

This amendment does not ask for too much, but what it does is it guarantees the people of Pennsylvania a lot. It guarantees that they are going to know whom they are doing business with, Mr. Speaker, and it also guarantees that this General Assembly will bring to account anybody who abuses the system, and it guarantees that this General Assembly will have the authority to do that. Therefore, Mr. Speaker, I urge adoption of this amendment. Thank you.

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

Mr. HALUSKA. Mr. Speaker, I rise in support of the Gannon amendment. I think it will do several things. First of all, it will preserve the local pharmacies in the various communities, especially in the rural areas. It does a second thing. It will permit a mail-order system to be set up within our local pharmacies rather than export our economy to a distant point. I think this is a very important factor when it comes to trying to take care of our senior citizens.

As I mentioned before, most of our senior citizens are required to go to a number of physicians for treatment. They have multiple prescriptions, and I think it is very important that we have control of those prescriptions through the local pharmacy. Right now, I think there are some 12 percent of our senior citizens who become overmedicated, and there is more likelihood that this will increase twofold once we get to a mail-order system where we have no control of the type of drugs that people are taking. I think it is very important that we control the drug use in Pennsylvania by setting up legislation that will give the local druggist an opportunity to observe

what the patients are taking and prevent health hazards from occurring. We know very well that these drugs can become time bombs. We are not dealing here with peanuts and marshmallows; we are dealing with a very crucial product that affects the health and welfare of our senior citizens, and retaining and containing the sale of our drugs through our local druggists is a very important factor. I do not think there is anybody in this House who would be willing to put dynamite on sale through a wholesale marketing service. We do not even permit the selling of fireworks through a marketing or retail service. Why should we permit drugs to go out through a retail service and endanger the lives of our senior citizens?

I think it is very important that we retain control of the drug system through our local pharmacies. In addition to this, we are retaining the economy within the local area for employment and tax purposes. I ask for a favorable vote on this amendment.

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

Mr. SEVENTY. Thank you, Mr. Speaker.

Can I interrogate Mr. Gannon, please?

The SPEAKER. The gentleman, Mr. Gannon, indicates he will stand for interrogation. Mr. Seventy is in order, and he may proceed.

Mr. SEVENTY. Thank you, Mr. Speaker.

Mr. Speaker, if your amendment is implemented, would it mean that a senior citizen could not go to Thrift Drug and have his prescription filled?

Mr. GANNON. Are you asking whether Thrift Drug could fill the prescription?

Mr. SEVENTY. Yes.

Mr. GANNON. Yes; if it is in Pennsylvania.

Mr. SEVENTY. If the store is located in Pennsylvania, they can. Is that what you are saying?

Mr. GANNON. Yes.

Mr. SEVENTY. Rexall and Rite Aid likewise?

Mr. GANNON. Excuse me?

Mr. SEVENTY. Rexall and Rite Aid likewise?

Mr. GANNON. Yes. If they are licensed and do business in Pennsylvania, then they could fill that prescription.

Mr. SEVENTY. All right.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to Part I of the amendments?

The following roll call was recorded:

YEAS—167

Afflerbach	Fargo	Lucyk	Rudy
Angstadt	Fee	McCall	Ryan
Armstrong	Fischer	McClatchy	Rybak
Arty	Flick	McHale	Saloom
Baldwin	Freeman	McMonagle	Salvatore
Battisto	Freind	McVerry	Scheetz
Belardi	Fryer	Mackowski	Schuler
Belfanti	Gallagher	Madigan	Semmel
Blaum	Gallen	Maiale	Serafini
Book	Gamble	Manmiller	Seventy
Bowser	Gannon	Markosek	Sirianni

Boyes	Geist	Mayernik	Smith, B.
Brandt	George	Merry	Smith, L. E.
Broujos	Gladeck	Michlovic	Snyder, D. W.
Bunt	Godshall	Micozzie	Snyder, G. M.
Burd	Greenwood	Miller	Spencer
Burns	Grieco	Miscevich	Stairs
Caltagirone	Gruppo	Moehlmann	Steighner
Carn	Hagarty	Morris	Stevens
Cawley	Haluska	Mowery	Stewart
Cimini	Harper	Mrkonic	Stuban
Civera	Hasay	Murphy	Swift
Clark	Hayes	Nahill	Taylor, E. Z.
Clymer	Herman	Noye	Taylor, F. E.
Colafella	Hershey	O'Brien	Telek
Cole	Hoeffel	Perzel	Tigue
Cornell	Honaman	Peterson	Trello
Coslett	Hutchinson	Petrarca	Van Horne
Cowell	Jackson	Petrone	Vroon
Coy	Jarolin	Phillips	Wachob
Deluca	Johnson	Piccola	Wambach
DeVerter	Kasunic	Pievsky	Wargo
Davies	Kennedy	Pistella	Wass
Dawida	Klingaman	Pitts	Weston
Deal	Kosinski	Pott	Wilson
Dietz	Kowalyszyn	Pratt	Wogan
Dininni	Lashingner	Punt	Wozniak
Dombrowski	Laughlin	Rappaport	Wright, D. R.
Donatucci	Lehr	Reber	Wright, J. L.
Dorr	Lescovitz	Reinard	Wright, R. C.
Duffy	Levi	Rieger	Zwikel
Durham	Livengood	Robbins	

NAYS—24

Cappabianca	Gruitza	O'Donnell	Sweet
Cessar	Itkin	Oliver	Truman
Cohen	Kukovich	Preston	Williams
Cordisco	Levin	Richardson	
DeWeese	Linton	Saurman	Irvis,
Fattah	Lloyd	Showers	Speaker
Foster, Jr., A.	Manderino		

NOT VOTING—6

Daley	Foster, W. W.	Olasz	Spitz
Evans	McIntyre		

EXCUSED—5

Alderette	Letterman	Marmion	Wiggins
Barber			

The question was determined in the affirmative, and Part I of the amendments was agreed to.

On the question recurring,

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

Mr. WILSON offered the following amendments No. A2935:

Amend Title, page 1, line 7, by inserting after "program," " further defining "maximum annual income"; and

Amend Bill, page 1, lines 10 through 12, by striking out all of said lines and inserting

Section 1. The definition of "maximum annual income" in section 3 of the act of November 4, 1983 (P.L.217, No.63), known as the Pharmaceutical Assistance Contract for the Elderly Act, is amended to read:

Section 3. Definitions.

The following words and phrases when used in this act shall have the meanings given to them in this section unless the context clearly indicates otherwise:

\*\*\*

"Maximum annual income." Annual income as determined by the department. Such amount shall not exceed \$9,000 in the case of single persons nor [ \$12,000 ] \$18,000 in the case of the combined annual income of married persons.

\*\*\*

Section 2. Section 4(e)(9) of the act is amended to read:

Amend Sec. 2, page 2, line 7, by striking out all of said line and inserting

Section 3. Except for section 1, which shall take effect July 1, 1985, this act shall take effect immediately.

On the question,

Will the House agree to the amendments?

The SPEAKER. On that question, the Chair recognizes the gentleman from Bucks, Mr. Wilson.

Mr. WILSON. Mr. Speaker, this is an amendment that would attempt to eliminate the let-us-get-divorced-so-we-can-get-the-benefits-of-the-act proposal. As I understand it in listening to the debate today, there is roughly a \$200-million surplus in the Lottery Fund. Governor Thornburgh proposed to spend \$65 million of that. Representative Cordisco is spending \$48 or \$54 million, your choice. There is roughly a balance of \$17 million there between the Cordisco proposal and the Governor's proposal; that leaves about \$17 million in balance. This amendment would cost, I am told, somewhere between \$15 million and \$16 million, and it leaves \$135 million in the surplus, plus \$100 million in reserves for the Lottery Fund. Now, what I propose to do here, I would like to go to \$24,000, but I will be happy with \$18,000 for the total amount of income attributable to a married couple. I leave in place the issue that Representative Cordisco amended of raising the individual income to \$12,000. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

As the Chair reads the amendment, the amendment is acceptable because it does make a significant change from an earlier amendment. As the Chair reads the amendment, that change would mean instead of \$15,000 maximum annual income for a married couple, it would be \$18,000. Is that correct, Mr. Wilson?

Mr. WILSON. That is correct, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. ITKIN. Mr. Speaker, does Mr. Wilson have a fiscal note on this amendment?

Mr. WILSON. I have the same one that Mr. Cordisco had.

The SPEAKER. Is the gentleman, Mr. Itkin, interrogating Mr. Wilson or interrogating the Chair?

Mr. ITKIN. Mr. Speaker, I was not sure of the answer. You do have one?

Mr. WILSON. I have an estimate—

The SPEAKER. Just a moment.

Mr. Wilson stands for interrogation. Mr. Itkin may interrogate.

Mr. ITKIN. Mr. Speaker, do you have a fiscal note on amendment A2935?

Mr. WILSON. I called the Appropriations Committee for an estimate and that is where I got it. I do not have it in writing, Mr. Speaker.

Mr. ITKIN. Mr. Speaker, in view of the fact that Mr. Wilson's amendment does not have a fiscal note, I do not believe, according to our rules, we can consider it.

The SPEAKER. Incidentally, the Chair did not read the amendment carefully. There is a second change in there. This would revert back to "this act shall take effect immediately."

Mr. WILSON. No, no, it does not, Mr. Speaker. You read part of it but you did not read all of it. It says, "Except for section 1...." The original bill would take place immediately, but section 1—speaking to the comments made by the gentleman, Mr. Merry, and others—would take effect July 1, 1985. Just that section.

The SPEAKER. 1985. All right.

AMENDMENTS RULED OUT OF ORDER

The SPEAKER. The Chair reads from rule 19(a), subsection (5): "No amendment to a bill...which may result in an increase in the expenditure of Commonwealth funds...or a loss of revenues in addition to that originally provided for in the bill prior to the proposed changes...shall be voted upon until the day following the distribution of a fiscal note to the members...." So the Chair will have to rule that the gentleman, Mr. Wilson's amendment is out of order.

PARLIAMENTARY INQUIRY

The SPEAKER. The Chair recognizes the gentleman from Bucks, Mr. Wilson.

Mr. WILSON. Point of parliamentary inquiry, please.

The SPEAKER. The gentleman will state the point.

Mr. WILSON. Would the Chair define for me "Commonwealth funds"? The question would be, are lottery funds Commonwealth funds or are they segregated?

The SPEAKER. Although the words "Commonwealth funds" are not included, the Chair would have to rule that the lottery funds clearly are Commonwealth funds under the control of the Commonwealth of Pennsylvania, and the gentleman would still be out of order.

Mr. WILSON. A further point, Mr. Speaker.

The SPEAKER. The gentleman will state the point.

Mr. WILSON. I do not have time to read the entire rule, but perhaps the Chair could enlighten me as to the previous amendments - Cordisco and others. The fiscal note would have to be where, in what place, at what time? Would that have to be at each member's desk or in Mr. Cordisco's hands?

The SPEAKER. The rule states that the amendment, in this case, could not be voted on until the day following the distribution of a fiscal note to the members. Now, if the gentleman is questioning, should the other amendments have had a fiscal note, the Chair will answer that in anticipation.

Mr. WILSON. Yes.

The SPEAKER. They perhaps should have, but unless there is an objection to that, as there is in your case, the Chair assumes that there is no objection and therefore goes ahead.

Mr. WILSON. I thank the Chair. I wish the next time we would have the fiscal notes in place properly according to rule 19(a).

RULES SUSPENDED

Mr. WILSON. Mr. Speaker, one more point, if I may?

The SPEAKER. Surely.

Mr. WILSON. It has been suggested by my colleagues that we move to suspend rule 19(a) for the purpose of offering this amendment, and I do so, if I may.

The SPEAKER. It has been moved by the gentleman, Mr. Wilson, that the rules be suspended so that he may offer his amendment minus the fiscal note which the rules require.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—126

Angstadt	Dorr	Lehr	Ryan
Arty	Duffy	Lescovitz	Salvatore
Battisto	Durham	Livengood	Saurman
Belardi	Fargo	McClatchy	Scheetz
Belfanti	Flick	McMonagle	Schuler
Blaum	Foster, Jr., A.	McVerry	Semmel
Book	Freeman	Madigan	Serafini
Bowser	Freind	Merry	Sirianni
Boyes	Gallen	Micozzie	Smith, B.
Brandt	Gannon	Miller	Smith, L. E.
Broujos	Geist	Miscevich	Snyder, D. W.
Bunt	George	Möehlmann	Snyder, G. M.
Burd	Gladeck	Mowery	Spencer
Burns	Godshall	Mrkonic	Spitz
Cappabianca	Greenwood	Nahill	Stairs
Carn	Grieco	Noye	Steighner
Cawley	Gruppo	O'Brien	Stevens
Cessar	Hagarty	Perzel	Swift
Cimini	Hasay	Peterson	Taylor, E. Z.
Civera	Hayes	Petrarca	Taylor, F. E.
Clark	Herman	Petrone	Telek
Clymer	Hershey	Phillips	Tigue
Colafella	Honaman	Pistella	Trello
Cole	Hutchinson	Pitts	Vroon
Cornell	Jackson	Pott	Wass
Coslett	Johnson	Pratt	Weston
Coy	Kasunic	Punt	Wilson
DeVerter	Kennedy	Reber	Wogan
Daley	Klingaman	Reinard	Wright, D. R.
Davies	Kosinski	Robbins	Wright, J. L.
Dietz	Lashinger	Rudy	Wright, R. C.
Donatucci	Laughlin		

NAYS—66

Afflerbach	Gamble	Maiale	Saloom
Armstrong	Gruitza	Manderino	Seventy
Baldwin	Haluska	Manmiller	Showers
Caltagirone	Harper	Markosek	Stewart
Cohen	Hoeffel	Michlovic	Stuban
Cordisco	Itkin	Morris	Sweet
Cowell	Jarolin	Murphy	Truman
DeWeese	Kowalyshyn	O'Donnell	Van Horne
Dawida	Kukovich	Olasz	Wachob
Deal	Levi	Oliver	Wambach
Dininni	Levin	Piccola	Wargo
Dombrowski	Linton	Pievsky	Williams
Evans	Lloyd	Preston	Wozniak
Fattah	Lucyk	Rappaport	Zwilk
Fee	McCall	Richardson	
Fryer	McHale	Rieger	Irvis,
Gallagher	Mackowski	Rybak	Speaker

## NOT VOTING—5

Deluca Foster, W. W. McIntyre Mayernik  
Fischer

## EXCUSED—5

Alderette Letterman Marmion Wiggins  
Barber

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

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

## PARLIAMENTARY INQUIRY

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

Mr. FREEMAN. Thank you, Mr. Speaker.  
Point of parliamentary inquiry.

The SPEAKER. Would the gentleman state his point.

Mr. FREEMAN. Mr. Speaker, under the Cordisco amendment, we raised the income levels to \$12,000 for the single individual and \$15,000 for the married couple. I notice that in the Wilson amendment we raise the income levels to \$18,000 for the married couple, but the single individual seems to drop to \$9,000. My question is, if we adopt the Wilson amendment, do we drop the income level for the single person from \$12,000 to \$9,000?

The SPEAKER. Yes. The answer is yes.

Mr. FREEMAN. Would there be any way to divide the amendment so that we vote on the married couple amendment separate from the single individual?

The SPEAKER. The answer to that is, no, there is not, in the opinion of the Chair.

Mr. FREEMAN. Thank you, Mr. Speaker.

## AMENDMENTS WITHDRAWN

The SPEAKER. The Chair recognizes the gentleman from Bucks, Mr. Wilson.

Mr. WILSON. On the point of parliamentary inquiry just answered by the Chair, on amendment 2935 now being considered, whereas your ruling would be that the \$9,000 would revert from the Cordisco amendment, I was informed by Reference Bureau—I brought that same point up—that because I was drafting it to the original language, this is the way it would have to be. If that is the ruling of the Chair, I would withdraw the amendment and request the Chair consider then amendment A2929.

The SPEAKER. The Chair thanks the gentleman.  
The gentleman has withdrawn amendment A2935.

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

Mr. WILSON offered the following amendments No. A2929:

Amend Title, page 1, line 7, by inserting after “program,”

further defining “maximum annual income”; and

Amend Bill, page 1, lines 10 through 12, by striking out all of said lines and inserting

Section 1. The definition of “maximum annual income” in section 3 of the act of November 4, 1983 (P.L.217, No.63), known as the Pharmaceutical Assistance Contract for the Elderly Act, is amended to read:

Section 3. Definitions.

The following words and phrases when used in this act shall have the meanings given to them in this section unless the context clearly indicates otherwise:

\*\*\*

“Maximum annual income.” Annual income as determined by the department. Such amount shall not exceed \$9,000 in the case of single persons nor ~~[\$12,000]~~ \$18,000 in the case of the combined annual income of married persons.

\*\*\*

Section 2. Section 4(e)(9) of the act is amended to read:

Amend Sec. 2, page 2, line 7, by striking out “2” and inserting

3

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

## AMENDMENTS WITHDRAWN

The SPEAKER. On that question, the Chair recognizes the gentleman from Bucks, Mr. Wilson.

Mr. WILSON. Mr. Speaker, I apologize. I will have to withdraw this one, too. It has been called to my attention that the same language is in there and would revert, as you indicated, back to \$9,000. I thought the Reference Bureau had cured that in this case, and they had not.

The SPEAKER. The gentleman withdraws that amendment?

Mr. WILSON. I have to, because the Reference Bureau told me one thing, you tell me something else, and I do not want to reduce it to \$9,000.

The SPEAKER. The Chair thanks the gentleman.

The amendments are withdrawn.

On the question recurring,

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

Mr. SALVATORE offered the following amendments No. A2930:

Amend Sec. 1, page 1, line 10, by striking out “Section” where it appears the second time and inserting

The definition of “income” in section 3 and section

Amend Sec. 1, page 1, line 12, by striking out “is” and inserting

are

Amend Sec. 1, page 1, by inserting between lines 12 and 13  
Section 3. Definitions.

The following words and phrases when used in this act shall have the meanings given to them in this section unless the context clearly indicates otherwise:

\*\*\*

“Income.” 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 ben-

efits 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 Government 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 \$5,000 of the total of death benefits payments, and gifts of cash or property, other than transfers by gift between members of a household, in excess of a total value of \$300, but shall not include benefits received under the Federal Social Security Act, surplus food or other relief in kind supplied by a government agency or property tax rebate.

\*\*\*

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

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

Mr. SALVATORE. Mr. Speaker, what my amendment does in income is it takes out the benefits received under the Federal Social Security Act. I found in my district that many people who have worked hard all their lives have denied themselves vacations, saved their money, and now they are being discriminated against because other people who might have worked did not save any money and now are entitled to benefits that they are not receiving.

Also, Mr. Speaker, these people have paid all their lives into the social security program. In essence, most of that money is their money, and now we come along and say to them, that is part of your income. I think it is wrong, and I think that that should not be included when we tabulate income.

The SPEAKER. The Chair thanks the gentleman.

On the Salvatore amendment, the Chair recognizes the gentleman from Bucks, Mr. Cordisco.

Mr. CORDISCO. Mr. Speaker, would the maker of the amendment stand for brief interrogation?

Mr. SALVATORE. Yes, I will.

The SPEAKER. The gentleman, Mr. Salvatore, indicates he will so stand. The gentleman, Mr. Cordisco, may proceed.

Mr. CORDISCO. Mr. Speaker, do you have a fiscal note attached to this particular amendment?

Mr. SALVATORE. No, I do not, but I think the rules have been suspended.

The SPEAKER. That is incorrect, Mr. Salvatore. They were suspended only for Mr. Wilson's amendment.

**RULES SUSPENDED**

Mr. SALVATORE. All right. Well, then, are you questioning—I do not have a fiscal note on it, no.

I will suspend the rules if I have to. I will ask for a suspension of the rules, Mr. Speaker, if that is what you are challenging me on.

The SPEAKER. The Chair rules that a reading of the amendment would indicate there is a possible loss of Commonwealth funds. Therefore, you would fall under the rule, and therefore, the amendment is out of order.

The Chair now recognizes the gentleman, Mr. Salvatore, who moves that the rules of the House be temporarily suspended so that he may offer his amendment minus the required fiscal note which the rules normally require.

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

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

Mr. COHEN. Is a motion to suspend the rules debatable?

The SPEAKER. No, it is not.

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

The following roll call was recorded:

**YEAS—121**

Angstadt	Fargo	Lehr	Reinard
Arty	Fischer	Lescovitz	Rieger
Belardi	Flick	Levi	Robbins
Blaum	Foster, Jr., A.	Livengood	Ryan
Book	Freind	McCall	Saloom
Bowser	Gallen	McClatchy	Salvatore
Boyes	Gannon	McIntyre	Saurman
Brandt	Geist	McMonagle	Schuler
Broujos	George	McVerry	Semmel
Burd	Gladeck	Mackowski	Serafini
Burns	Godshall	Madigan	Sirianni
Carn	Greenwood	Manmiller	Smith, B.
Cawley	Grieco	Markosek	Smith, L. E.
Cessar	Gruppo	Mayernik	Snyder, D. W.
Cimini	Hagarty	Merry	Snyder, G. M.
Civera	Hasay	Micozzie	Spencer
Clark	Hayes	Moehlmann	Spitz
Clymer	Herman	Mrkonic	Stairs
Colafella	Hershey	Nahill	Stevens
Cornell	Honaman	Noye	Taylor, E. Z.
Coslett	Hutchinson	O'Brien	Taylor, F. E.
Coy	Jackson	Perzel	Telek
DeVerter	Jarolin	Peterson	Tigue
Daley	Johnson	Phillips	Wambach
Davies	Kasunic	Piccola	Wass
Dietz	Kennedy	Pitts	Weston
Dininni	Klingaman	Pott	Wilson
Donatucci	Kosinski	Pratt	Wogan
Dorr	Lashinger	Punt	Wright, J. L.
Duffy	Laughlin	Reber	Wright, R. C.
Durham			

**NAYS—75**

Afflerbach	Freeman	Miller	Showers
Armstrong	Fryer	Miscevich	Steighner
Baldwin	Gallagher	Morris	Stewart
Battisto	Gamble	Mowery	Stuban
Belfanti	Gruitza	Murphy	Sweet
Bunt	Haluska	O'Donnell	Swift
Caltagirone	Harper	Olasz	Trello
Cappabianca	Hoeffel	Oliver	Truman
Cohen	Itkin	Petrarca	Van Horne
Cole	Kowalshyn	Petrone	Vroon
Cordisco	Kukovich	Pievsky	Wachob
Cowell	Levin	Pistella	Wargo
Deluca	Linton	Preston	Williams
DeWeese	Lloyd	Rappaport	Wozniak
Dawida	Lucyk	Richardson	Wright, D. R.
Deal	McHale	Rudy	Zwikl
Dombrowski	Maiale	Rybak	
Evans	Manderino	Scheetz	Irvis,
Fattah	Michlovic	Seventy	Speaker
Fee			

## NOT VOTING—1

Foster, W. W.

## EXCUSED—5

Alderette  
Barber

Letterman

Marmion

Wiggins

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

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

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

Mr. COWELL. Mr. Speaker, would Mr. Salvatore consent to interrogation, please?

Mr. SALVATORE. Yes, I will, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Salvatore, indicates he will so stand. The gentleman, Mr. Cowell, is in order and may proceed.

Mr. COWELL. Thank you, Mr. Speaker.

Mr. Speaker, although we do not have a fiscal note on this amendment, I think it is important that we have some idea of what the cost would be, and I assume that the maker of the amendment has done some research and has some answers, although we do not have a formal fiscal note. Could the gentleman tell us how many seniors in Pennsylvania are receiving social security payments?

Mr. SALVATORE. Yes - 1,000,238.

I am only being facetious, Mr. Speaker.

The SPEAKER. Mr. Salvatore, the Speaker, when he was a freshman on the floor, used that same technique, except I did not laugh afterwards and it was never questioned.

Mr. COWELL. Mr. Speaker, what was the source of that number that the gentleman just gave me?

Mr. SALVATORE. I think the gentleman knows the answer, but I would estimate, Mr. Speaker, it is about 10 percent of the population.

Mr. COWELL. Mr. Speaker, I want to emphasize, I do not have the answers, and I assume that the maker of the amendment is able to shed some light on these questions, and that is why I am asking in good faith. I do not have the answers, and I think it is important that the members have some information.

Did I understand correctly the gentleman to say that about 10 percent of Pennsylvania's almost 12 million residents are eligible for social security payments?

Mr. SALVATORE. It is 700,000, Mr. Speaker, to be more exact, I have been informed.

Mr. COWELL. Does the gentleman have information in terms of the range of social security payments that eligible persons now receive?

Mr. SALVATORE. No, I do not.

What was the question, Mr. Speaker?

Mr. COWELL. Does the gentleman have an idea what the range of social security payments would be that are now received by eligible Pennsylvanians?

Mr. SALVATORE. Yes - \$441 average for an average retired worker, and for the spouse, \$226, Mr. Speaker. I am sorry. I did not understand your question at first.

Mr. COWELL. Do I understand correctly then that a married couple might have a social security income of approximately \$700 per month? That is on average.

Mr. SALVATORE. Yes. When you are taking into consideration that the spouse of the retired worker is only 62 years of age, yes.

Mr. COWELL. And roughly we are talking about an \$8,400 per year income from social security. Is it my understanding that that \$8,400, on average, would be added on top of the \$15,000 figure that we have just approved in a prior amendment in terms of income that is permitted and allows you to remain eligible for participation in this program?

Mr. SALVATORE. Right.

Mr. Speaker, what you would do is you would exclude that from his income. You would exclude whatever his social security benefits were. You would exclude that. It would not necessarily be added on to the \$15,000.

Mr. COWELL. But is my understanding correct, Mr. Speaker, that for some seniors, at least, who might have an average social security income annually of about \$8,400, that in addition to that they could have up to another \$15,000 in income and therefore have a total income of about \$23,000, \$24,000 and still be eligible for participation in the PACE program?

Mr. SALVATORE. Yes, except that social security is not considered income.

Mr. COWELL. But he would have income of \$15,000 plus social security payments of \$8,600?

Mr. SALVATORE. Well, they do not pay taxes on the social security.

Mr. COWELL. I think I understand the gentleman's position. He would permit them to have social security payments plus another up to \$15,000 in income. Is that correct?

Mr. SALVATORE. Yes.

Mr. COWELL. Could the gentleman tell us what the average income for families in Pennsylvania is today? All families?

Mr. SALVATORE. No; I do not know, Mr. Speaker.

Mr. COWELL. Would the gentleman agree that the average family income in Pennsylvania is probably less than that \$23,000 or \$24,000 figure that we just discussed?

Mr. SALVATORE. I could not answer that, Mr. Speaker. All I know is that the constituents in my district are concerned about this, and many people in my district, who have worked hard all their lives, are being discriminated against.

Mr. COWELL. Has the gentleman, as he prepared this amendment, developed any ballpark figure in terms of what the real cost of this amendment will be, in terms of additional cost to the program?

Mr. SALVATORE. Mr. Speaker, I have not. As I said before, I was sent up here from the people in my district to represent them. I have spoken to senior citizens groups and they have told me that they are being discriminated against

with even a \$15,000 limit. And I think that social security should not be part of it.

Mr. COWELL. Does the gentleman have any reason to believe that there are adequate surplus funds in the Lottery Fund to finance this amendment?

Mr. SALVATORE. Yes, I do, Mr. Speaker.

Mr. COWELL. With that understanding, Mr. Speaker, the gentleman must have some idea of what the cost of this amendment is. Could he share that with us?

Mr. SALVATORE. Mr. Speaker, you asked that question before, and I can only answer you, I was sent up here by the people in my district, not your district, and they are concerned about this and I am concerned about their welfare.

Mr. COWELL. Mr. Speaker, has the gentleman asked for a fiscal note from the Appropriations Committee?

Mr. SALVATORE. Yes, Mr. Speaker, but I was informed that I had to have my amendment ready by 1:30 today, and I have asked for a fiscal note from our Appropriations and they are trying to work it up for me.

Mr. COWELL. Mr. Speaker, I would next like to ask the chairman of the Appropriations Committee, the majority chair, if he would submit to interrogation?

The SPEAKER. The gentleman from Philadelphia, Mr. Pievsky, indicates he will stand for interrogation. The gentleman, Mr. Cowell, is in order and may proceed.

Mr. COWELL. Mr. Speaker, we obviously do not have a formal fiscal note for this amendment, and it appears to me from the answers I received that the maker of the amendment has absolutely no idea what the cost of this amendment would be. Is the Appropriations Committee able at this time to make a preliminary judgment about the cost impact of this amendment, at least in terms of the ability of the Lottery Fund with current surpluses to sustain this additional cost?

Mr. PIEVSKY. Mr. Speaker, our best estimate is, and I do not have a dollar amount, it would be a lot of money, and the Lottery Fund cannot afford it.

Mr. COWELL. Mr. Speaker, one other question for the chairman of the Appropriations Committee.

Would staff at this time have an idea what percentage of current eligible seniors for this PACE program actually receive social security payments that would now be exempt under this amendment?

Mr. PIEVSKY. No; we have never seen that kind of data.

Mr. COWELL. Thank you, Mr. Speaker.

Mr. Speaker, may I make a brief remark, please?

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

Mr. COWELL. Thank you, Mr. Speaker.

Mr. Speaker, this is the kind of sexy amendment that sometimes comes before this House and which often, then, is subsequently approved by this House because members dare not vote against it; it is so popular.

We were not able to debate the question of whether or not to suspend the rule on the fiscal note, but I think it is appropriate at this time to at least comment about this process and the context in which this amendment is being offered.

I think it is absolutely irresponsible for any person or for any group of legislators to take up this issue that is so important without having any idea what the real cost is. People who want to give speeches about representing their constituents ought to have the candor and be honest enough with those same constituents to put things in context, and the context is our ability, or in this case the ability of the Lottery Fund, to pay for what otherwise is a great idea with which no one would disagree.

In this real world, however, we need to determine how much additional money may exist in that Lottery Fund, and we need to, if we are going to be responsible, make an informed decision about whether there is enough money to pay for the additional bills that would be incurred by this or any other amendment. Too frequently, in cases like this, we choose to make uninformed judgments because it is easier to ignore the real consequences or the real issue, and that is, is there enough money to pay for this amendment? What is the real cost of this amendment? It is absolutely unpersuasive when we hear members talk about doing what their constituents want.

Every one of us would love to vote for this kind of amendment and something even more liberal so that even more people would be eligible, and I think some folks could frame an argument on the floor of this House that we ought to make nonseniors eligible for this fine idea, but we will leave that to other people, like Bill DeWeese, to frame that argument. I am not going to try to do that today. The point is, we do not know what the cost of this amendment is. We acted irresponsibly when we chose to suspend the rule so that we would not find out what the cost of this would be. It is a lot easier for all of us to vote in favor of it without knowing what the cost is, because there we can be irresponsible while we are being ignorant.

Shame on us for suspending the rules. Shame on folks for bringing this kind of amendment before us and asking us to vote for it in ignorance. The process is wrong. We ought not to be pursuing this. Thank you, Mr. Speaker.

### PARLIAMENTARY INQUIRY

The SPEAKER. The Chair recognizes the gentleman from Washington, Mr. Sweet.

Mr. SWEET. Mr. Speaker, a parliamentary inquiry.

Is a motion to table in order at this time?

The SPEAKER. As long as no one has the floor, the gentleman may make the motion.

### MOTION TO TABLE

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

Mr. SWEET. Thank you, Mr. Speaker.

I move, Mr. Speaker, that we table HB 1997.

The SPEAKER. It is moved by the gentleman, Mr. Sweet, that HB 1997 be placed upon the table.

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

The SPEAKER. Only the majority and minority leaders may give opinions on that motion. The motion is not debatable.

The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I think that the gentleman has made a motion that deserves an affirmative vote.

The SPEAKER. The motion to table was made, Mr. Ryan. Do you wish to comment?

Mr. RYAN. My only comment would be I feel confident that our caucus can think for themselves on this issue, because I do not know what to do.

The SPEAKER. Is it any wonder that the Irish who came here from the potato-famined fields of Ireland and as a minority rose to such political prominence when they have wit like that?

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

The following roll call was recorded:

YEAS—93

Afflerbach	Dombrowski	McVerry	Scheetz
Angstadt	Fischer	Mackowski	Serafini
Battisto	Fryer	Majale	Seventy
Book	Gamble	Manderino	Smith, L. E.
Broujos	Gladeck	Michlovic	Snyder, G. M.
Bunt	Greenwood	Miller	Spencer
Burd	Gruitza	Miscevich	Stairs
Burns	Hagarty	Morris	Steighner
Caltagirone	Haluska	Mowery	Stewart
Cappabianca	Harper	Nahill	Sweet
Carn	Herman	Noye	Trello
Cawley	Hoeffel	O'Donnell	Truman
Clark	Honaman	Olasz	Vroon
Clymer	Jarolin	Oliver	Wachob
Cohen	Kennedy	Peterson	Wargo
Cole	Klingaman	Petrarca	Williams
Cornell	Kowalshyn	Petrone	Wilson
Cowell	Kukovich	Pievsky	Wozniak
Deluca	Levi	Pott	Wright, J. L.
DeVerter	Levin	Rappaport	Zwilk
DeWeese	Lloyd	Reinard	
Daley	McClatchy	Rieger	Irvis,
Davies	McHale	Rudy	Speaker
Dawida	McMonagle	Rybak	

NAYS—94

Armstrong	Flick	Lescovitz	Ryan
Arty	Foster, Jr., A.	Livengood	Saloom
Baldwin	Freeman	Lucyk	Salvatore
Belardi	Freind	McCall	Saurman
Beffanti	Gallagher	McIntyre	Schuler
Blaum	Gallen	Madigan	Semmel
Bowser	Gannon	Markosek	Showers
Boyes	Geist	Mayernik	Smith, B.
Brandt	George	Merry	Snyder, D. W.
Cessar	Godshall	Micozzie	Spitz
Cimini	Grieco	Moehlmann	Stevens
Civera	Gruppo	Mrkonic	Stuban
Colafrilla	Hasay	Murphy	Swift
Cordisco	Hayes	O'Brien	Taylor, E. Z.
Coslett	Hershey	Perzel	Taylor, F. E.
Coy	Hutchinson	Phillips	Telek
Deal	Itkin	Pitts	Tigue
Dietz	Jackson	Pratt	Van Horne
Donatucci	Johnson	Preston	Wambach
Dorr	Kasunic	Punt	Wass

Duffy	Kosinski	Reber	Wogan
Durham	Lashinger	Richardson	Wright, D. R.
Fargo	Laughlin	Robbins	Wright, R. C.
Fee	Lehr		

NOT VOTING—10

Dininni	Foster, W. W.	Piccola	Sirianni
Evans	Linton	Pistella	Weston
Fattah	Manmiller		

EXCUSED—5

Alderette	Letterman	Marmion	Wiggins
Barber			

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

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

Just one statement I would like to make. There has been some discussion about the fiscal impact of the amendment that we are considering and other amendments that had been brought to this floor. Mr. Speaker, the point I want to make I think every member should pay attention to, since there has been much concern about the fiscal impact of the amendments to this bill and the Lottery Fund. To the best of my knowledge, this legislature has put a cap of \$100 million per year for the next 3 years on the pharmaceutical assistance program, and unless we raise that cap with an additional amendment to the lottery legislation, we are only talking about how that \$100 million will be distributed amongst the eligible participants and not talking about increasing the total amount of dollars to be outlaid from the Lottery Fund. I think that should be taken into consideration in this debate. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. VROON. Mr. Speaker, I think it is rather easy to make a quick calculation on the costs, but from what this gentleman, Mr. Snyder, just said, it is rather elementary to even talk about the cost of this amendment because we cannot go above \$100 million anyhow. I am not sure that that is correct. I would like to interrogate somebody as to that particular point. May I interrogate Mr. Pievsky?

The SPEAKER. Will the gentleman, Mr. Pievsky, stand for interrogation? The gentleman indicates he will so stand. Mr. Vroon is in order and may proceed.

Mr. VROON. Mr. Speaker, is it true that we have a ceiling of \$100 million for the next few years on the expenditures out of the Lottery Fund for this program?

Mr. PIEVSKY. That is correct. It is \$300 million for 3 years.

Mr. VROON. Okay. So the impact of this amendment and the impact of Mr. Cordisco's amendment would be merely to change the method of distribution of those funds and then run out of those funds earlier?



Mr. PIEVSKY. That is correct.

Mr. VROON. That is right? I think then, Mr. Speaker, I would like to make a brief statement.

The SPEAKER. The gentleman is in order to make a statement on the amendment and may proceed.

Mr. VROON. Mr. Speaker, what I am saying now is that instead of increasing the overall cost of the program, we are now changing the time and the method of distribution of those benefits, and I think we are going to get all confused if we follow that course of action. And because of the fact that we are already embarking on a \$12,000 and \$15,000 increase in the family income, to go 60 percent higher than that I think is rather absurd, and I would call for a "no" vote on the amendment.

### MOTION TO RECOMMIT

Mr. VROON. Mr. Speaker?

The SPEAKER. The Chair thought the gentleman had finished his statement. The gentleman has not?

Mr. VROON. No; I forgot the last part of it.

The SPEAKER. The gentleman may proceed.

Mr. VROON. In view of what I just concluded, I do move that we refer this bill to the Appropriations Committee for a fiscal note.

Mr. SALVATORE. Mr. Speaker?

The SPEAKER. The gentleman will yield.

You have given us a parliamentary quandary we have to resolve. Just a moment.

The Chair has recognized the gentleman, Mr. Vroon, for the purpose of moving, as he has done, that HB 1997, PN 2683, be recommitted to the Committee on Appropriations for the purpose of a fiscal note.

On the question,

Will the House agree to the motion?

The SPEAKER. Does the gentleman from Philadelphia, Mr. Salvatore, wish to debate the motion?

Mr. SALVATORE. Mr. Speaker, I just want to call attention to the act— Can I?

The SPEAKER. No; you may not. You may give your reasons for either affirming or denying the motion, but nothing else.

Mr. SALVATORE. Well, Mr. Speaker, I vote to deny it because I think we have an act in place that spells it out that we have to spend \$300 million over a 3-year period.

The SPEAKER. The gentleman has forgotten what Mr. Vroon's motion is. Mr. Vroon's motion is to recommit to the Appropriations Committee for a fiscal note. Nothing else may be debated except the need or not the need to recommit for that purpose.

Mr. SALVATORE. Well, Mr. Speaker, I would ask my colleague, Mr. Vroon, if he would delay his motion until I at least get my amendment in and then refer it back for a fiscal note.

### MOTION WITHDRAWN

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

Mr. VROON. Mr. Speaker, I will concede this privilege to Mr. Salvatore to have his amendment debated first but with the distinct understanding, Mr. Speaker, that once that amendment has passed and since it is then a part of the bill, that then this will be referred to the Appropriations Committee for a fiscal note. But really, I do not care which way we handle it.

The SPEAKER. The gentleman, Mr. Vroon, has withdrawn his motion.

On the question recurring,

Will the House agree to the amendments?

### MOTION TO RECOMMIT

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I move that HB 1997 be recommitted to the Appropriations Committee for a fiscal note.

On the question,

Will the House agree to the motion?

### PARLIAMENTARY INQUIRY

The SPEAKER. The Chair recognizes the minority leader.

Mr. RYAN. A point of parliamentary inquiry, if you please.

The SPEAKER. The gentleman will state the point.

Mr. RYAN. Mr. Speaker, it is my understanding that this bill, notwithstanding any amendment that might be offered to it, has a cap of \$100 million. I see Mr. Manderino shaking his head no, and he may very well be right; he may have some understanding better than the remarks that I just heard. But based on conversation I just had, it is my understanding that the exposure to the government, to the Lottery Fund, is \$100 million, so my own opinion is that if that is accurate, it really does not matter what the amendments do; the exposure is \$100 million, and for that reason there would be no need for a fiscal note.

The SPEAKER. The question recurs—

Mr. RYAN. Mr. Speaker?

The SPEAKER. Are you making another parliamentary inquiry?

Mr. RYAN. That is \$100 million per year for 3 years, but my basic assumption is still that there is no need for a fiscal note because there is a cap in the law.

The SPEAKER. The minority leader opposes the motion.

Mr. RYAN. Mr. Speaker, I am asking for an answer to my inquiry.

The SPEAKER. The minority leader is inquiring of whom, the Chair or—

Mr. RYAN. Of the Chair under a parliamentary inquiry.

The SPEAKER. The Chair understands the logic of the minority leader's argument, but the Chair disagrees. If the House decides that it wishes to recommit for the purposes of a fiscal note, even though that fiscal note has already been pre-supposed—it makes no difference—the House has the power to recommit. It may not be wise; it may be foolish. The minority leader has stood where the Speaker now stands and I am sure has recognized that we frequently do things which are unwise, ridiculous, and foolish, but that does not preclude us from so doing.

Mr. RYAN. Well, Mr. Speaker, I would not say that I ever did anything like that.

The SPEAKER. Then the Speaker amends his comments to say all others except Mr. Ryan.

Mr. RYAN. That is better, Mr. Speaker. You are truly a wise man.

The other problem I had, under a parliamentary inquiry, Mr. Speaker, was one that Mr. Salvatore just called to mind, and that is, assuming we need a fiscal note for whatever non-political foolish reason there may be, we have already suspended the rules, I understood, in connection with this, and I am wondering if the Chair would comment on that.

The SPEAKER. Yes. That is what the Chair meant by saying you placed us in a quandary. What the House has done is by more than 102 votes said, we will suspend the rules so we do not need a fiscal note on this particular amendment. Now the House is being asked to vote on a simple motion, which can pass by a simple majority not requiring 102. Consequently, we will be in a situation whereby a simple majority may very well overrule the 102 constitutional majority. We do not see any way out of it, and that is the reason the Speaker said you had placed us in a quandary.

On the motion, does the majority leader wish to be recognized?

Mr. MANDERINO. Yes, Mr. Speaker.

Mr. Speaker, I made a motion to recommit this bill to the Appropriations Committee because it is obvious that no one knows what the effects of the various amendments, in light of the cap that has been brought to light, would have upon the present senior citizens' PACE program that is to go into effect.

Mr. Salvatore, in proposing his amendment, said he was fighting for the people of his district, and I believe that, but I do not even think the people of his district want him to make that kind of a fight not knowing how it is going to affect those persons in his district who may be eligible for the PACE program presently.

I would expect, Mr. Speaker, that the Appropriations Committee is the appropriate place to find the answers to all these questions. I indicated, on the motion to table, that I thought that motion deserved the support and the affirmative vote of members of the House. I did not at that time ask anyone to vote one way or the other. Let me plead with you this time to please recommit this to the Appropriations Committee.

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

Mr. LLOYD. Mr. Speaker, I am very confused. Mr. Ryan may be right with regard to what he says about the cap, but I distinctly recall earlier this afternoon all kinds of discussions about how this amendment and that amendment were going to cost \$50-some million of additional funds. Now, I do not understand, if we are now saying that there is a cap, why before we were saying, when we were voting on amendments, well, we can afford this because there is a \$190-million surplus and we are only going to take \$50 million out of that. So it seems to me that we have had a lot of conflicting information, including conflicting information from people who should be in a position to know that we ought to send this bill back to the Appropriations Committee and find out if in fact that cap does apply, or if in fact by having the latter-passed legislation we are somehow repealing that cap or making some commitment.

We have heard all kinds of statements about what this was going to do in the budget negotiations. You know, I do not think it is a simple matter of saying the \$100-million cap is in place and therefore. I think we ought to send this bill back to Appropriations and find out for sure before we get accused correctly of raiding the lottery without even realizing it. I would ask for a "yes" vote.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. COHEN. Mr. Speaker, assuming that the cap does apply—and I share Mr. Lloyd's confusion as to whether it does or not—the question is, when are we going to run out of money? When does the \$100 million run out? Mr. Speaker, we need to know when the money runs out. We need to know when the money runs out so that we can cast an intelligent vote here on this. I certainly do not want to vote for a bill which means that the money is going to run out in November or December and then for the rest of the year nobody is going to get any paid prescription money. The Appropriations Committee is urgently needed to give us this kind of information so that we can guarantee that all our senior citizens will get the benefits to which we have passed laws entitling them. I urge support of this motion.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. SALVATORE. Mr. Speaker, the act is very clear, and the act also has provisions in it that it will not run out of money, because there is a review board, and periodically they will check to see— There is the Pharmaceutical Assistance Review Board, Mr. Speaker, and they will be responsible for reviewing quarterly reports to see how the money is being spent, and if there is a need to raid the copay, they will do so, Mr. Speaker.

The SPEAKER. The Chair thanks Mr. Salvatore.

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

Mr. GANNON. Mr. Speaker, will the majority leader stand for interrogation?

The SPEAKER. On the motion?

Mr. GANNON. Yes, Mr. Speaker, on the motion.

The SPEAKER. The majority leader indicates he will stand for interrogation on the motion.

Mr. GANNON. Mr. Speaker, let me ask you this: What amendments have been inserted into this bill as of right now?

Mr. MANDERINO. Your guess is as good as mine.

Mr. GANNON. Well, for your enlightenment, Mr. Speaker, I will tell you.

Mr. MANDERINO. Thank you.

Mr. GANNON. The Cordisco amendment—

The SPEAKER. Mr. Gannon.

Mr. GANNON. Yes, Mr. Speaker?

The SPEAKER. Ask your leader whether or not you are in order to question about something the answer to which you already know.

Mr. GANNON. I was guessing, too, Mr. Speaker.

The SPEAKER. I would guess you had better not guess like that again.

Mr. GANNON. I just found out, Mr. Speaker. My leader has told me exactly what has been put in there.

If I may speak to the matter, Mr. Speaker?

The SPEAKER. You may.

Mr. GANNON. Mr. Speaker, we have inserted into the bill the Cordisco amendment and the Gannon amendment, as divided, parts I and II. My understanding is that the Cordisco amendment did have a fiscal note attached to it, and there was a lot of discussion about the cost, so I do not see any reason why this bill has to be recommitted to the Appropriations Committee for a fiscal note on a bill on which we have already seen a fiscal note and an amendment attached thereto on which we have a fiscal note.

Mr. Speaker, I think that Representative Salvatore's suggestion was more appropriate than the present motion, and that is to vote on his amendment, and then if the members are not satisfied at that point, if his amendment goes into the bill, then we should consider whether or not we need a fiscal note. We have already decided by 102 votes under a suspension of the rules that we do not need a fiscal note to decide the Salvatore amendment. Mr. Speaker, I think logic, and not politics, should prevail here, and I think that the logic is that we should get down to the business of considering the Salvatore amendment and then determine what we want to do.

The SPEAKER. The Chair thanks the gentleman.

On the amendment, the Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, would the gentleman, Mr. Gannon, submit to interrogation?

The SPEAKER. The gentleman, Mr. Gannon, indicates—

Mr. GANNON. No, Mr. Speaker.

The SPEAKER. —he will not.

Mr. MANDERINO. May I make a statement, Mr. Speaker?

The SPEAKER. The majority leader is always in order to make a statement.

Mr. MANDERINO. Had the gentleman, Mr. Gannon, submitted to interrogation, I would have asked the gentleman to explain his reference to politics. I would have asked him where the politics were coming from. I would have asked him whether or not political considerations had affected any of his votes this afternoon, because they certainly affected a few of mine. I would have asked him whether he thought any of the proposers of the amendments were affected by politics this afternoon, because I have an opinion as to that also. I would have asked him whether the amendments he proposed had anything to do with politics. I do not know whether he would have answered any of those, but I would certainly not have had the information that I was asking or eliciting from him.

The SPEAKER. The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, I was going to ask the Speaker if the gentleman would hold his inquiry to the motion.

I do not think anyone here was acting in any political manner today, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Lehigh, Mr. Afflerbach.

Mr. AFFLERBACH. Thank you, Mr. Speaker.

I would like to remind my colleagues of one mechanism that exists in the act, and that is this: If the money begins to run out, the mechanism to make up the difference is to increase the copay amount from \$4 to whatever is necessary to make up the difference. I would suggest if you are prepared to tell the senior citizens that we are going to increase the copay before the program is even in existence, then you want to continue to act on this bill, and if you would like to find out how much it is going to cost, then you are going to want to put the bill into the Appropriations Committee so we can determine that amount of money.

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

Mr. PERZEL. Mr. Speaker, I was wondering whether or not it would be possible to ask the majority leader to amend his motion by saying that the bill would be reported back to the floor after it receives a fiscal note next week, either Tuesday or Wednesday.

The SPEAKER. The majority leader does not give any indication that he is willing to so amend, Mr. Perzel.

The Chair recognizes the gentleman from McKean, Mr. Mackowski.

Mr. MACKOWSKI. Mr. Speaker, I move in favor of the motion to recommit to Appropriations, and I hope it will not be construed to be political, because I happen to be a member of the AARP (American Association of Retired Persons) for about 13 years. I do have a concern about senior citizens, being one, and I also have a great concern of what is happening in the future, as we all well know, in the social security system, the medicare system, and all of these other things where it was politically popular to vote for all of the additional expenditures, and we are finding we are going to get ourselves in the same trap. We are getting into a trap that we do not know anything about, and with no answers. We have to go and get some type of answers to know in what direction.

I repeat, the history of the unemployment compensation total of \$800 million now has a deficit of \$3 billion; we look at the social security, we look at all these things because they were voted on in an emotional way without the facts and figures. I wholeheartedly support that this bill be recommitted and some fiscal sense comes out of that conclusion. Thank you, Mr. Speaker.

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

Mr. TRELLO. Mr. Speaker, I support the motion to recommit on one condition. I have the same concerns as Mr. Salvatore. I am concerned about the people in my district who have worked hard all of their lives to save a few bucks for their retirement, for the education of their children, and whatever. I think if his amendment would have read that we would disallow the interest on their savings towards qualifying for the prescription program, I certainly would have voted in support of that. There are a number of my senior citizens, like your senior citizens, who do not qualify because of being a few hundred dollars over, simply because of the interest on the hard-earned dollars that they earned when they were young and they put away for their retirement. But to not allow their social security checks, I think, might be a little bit too much. If the amendment would have read to disallow the interest from their savings, I think it would have been a very good amendment, but since it does not read that way, I support the motion to recommit to the Appropriations Committee.

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

Mr. GAMBLE. Mr. Speaker, I rise to support the motion to recommit also. Before we strangle the goose that has been laying the golden eggs, let us do it.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Perzel, for the second time.

Mr. PERZEL. Yes, Mr. Speaker.

Mr. Speaker, I have been in this General Assembly now, this is my sixth year. I have roughly 9,600 senior citizens in my legislative district, and less than 1,000 of them are qualified for the current PACE applications that have been given out. I would be remiss in my duty if I did not ask that we vote "no" on recommitment, stating that at least give the people in my district and most of your other districts a chance to be qualified for this program.

A man this morning won almost \$11 million out of that lottery - \$11 million - and my people are not qualified. All I am asking for is that you vote "no" not to recommit this so that my people can collect on some program. Thank you very much, Mr. Speaker.

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

The following roll call was recorded:

YEAS—98

Afflerbach	Fee	Lucyk	Seventy
Armstrong	Fischer	McHale	Showers
Baldwin	Freeman	McIntyre	Smith, B.
Battisto	Fryer	McMonagle	Spencer

Belardi	Gallagher	Mackowski	Steighner
Broujos	Gamble	Maiale	Stewart
Burd	Greenwood	Manderino	Suban
Caltagirone	Gruitza	Michlovic	Sweet
Cappabianca	Haluska	Miller	Swift
Carn	Harper	Miscevich	Taylor, F. E.
Cawley	Herman	Morris	Telek
Clark	Hoeffel	Mowery	Trello
Cohen	Hutchinson	O'Donnell	Truman
Colafella	Itkin	Olasz	Van Horne
Cole	Jarolin	Oliver	Wachob
Cowell	Kasunic	Peterson	Wambach
Deluca	Kennedy	Petrone	Wargo
DeWeese	Kowalshyn	Pievsky	Williams
Daley	Kukovich	Pistella	Wozniak
Dawida	Lescovitz	Pratt	Wright, D. R.
Deal	Levi	Preston	Wright, J. L.
Dombrowski	Levin	Rappaport	Zwinkl
Donatucci	Linton	Richardson	
Evans	Livengood	Rieger	Irvis,
Fattah	Lloyd	Rybak	Speaker

NAYS—98

Angstadt	Fargo	McClatchy	Rudy
Arty	Flick	McVerry	Ryan
Belfanti	Foster, Jr., A.	Madigan	Saloom
Blaum	Freind	Manmiller	Salvatore
Book	Gallen	Markosek	Saurman
Bowser	Gannon	Mayermik	Scheetz
Boyes	Geist	Merry	Schuler
Brandt	George	Micozzie	Semmel
Bunt	Gladeck	Moehlmann	Serafini
Burns	Godshall	Mrkonic	Sirianni
Cessar	Grieco	Murphy	Smith, L. E.
Cimini	Gruppo	Nahill	Snyder, D. W.
Civera	Hagarty	Noye	Snyder, G. M.
Clymer	Hasay	O'Brien	Spitz
Cordisco	Hayes	Perzel	Stairs
Cornell	Hershey	Petrarca	Stevens
Coslett	Honaman	Phillips	Taylor, E. Z.
Coy	Jackson	Piccola	Tigue
DeVerter	Johnson	Pitts	Vroon
Davies	Klingaman	Pott	Wass
Dietz	Kosinski	Punt	Weston
Dininni	Lashinger	Reber	Wilson
Dorr	Laughlin	Reinard	Wogan
Duffy	Lehr	Robbins	Wright, R. C.
Durham	McCall		

NOT VOTING—1

Foster, W. W.

EXCUSED—5

Alderette	Letterman	Marmion	Wiggins
Barber			

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. On that question, the Chair recognizes the gentleman from Mercer, Mr. Gruitza.

Mr. GRUITZA. Mr. Speaker, I would just like to rise to a point of personal privilege.

You know, we are acting here on a piece of legislation that is very important to a lot of our senior citizens. What we are doing is we are offering amendments that are going to ruin this bill, even though many of us would like to do these things and give this money that we do not know that we can—

The SPEAKER. The gentleman will yield. That is not a point of personal privilege. The gentleman is going to be limited to the debate on the amendment before us.

### MOTION TO ADJOURN

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

Mr. LEVIN. Mr. Speaker, I dislike doing this, but I do it seriously. I believe we have reached the point of diminishing return, and I suggest that we adjourn. I move that we adjourn until Monday at 1 o'clock.

On the question,

Will the House agree to the motion?

The SPEAKER. On the motion to adjourn, which is not debatable but may be commented on by both majority and minority leaders, the Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I oppose the motion to adjourn. I would rather have the gentlemen continue to debate the bill at 4 o'clock in the afternoon than start all over on Monday.

The SPEAKER. The Chair recognizes the minority leader on the motion.

Mr. RYAN. Mr. Speaker, I agree with the majority leader.

### MOTION WITHDRAWN

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

Mr. LEVIN. I will bow to the majority leader.

The SPEAKER. The Chair thanks the gentleman.

### CONSIDERATION OF HB 1997 CONTINUED

On the question recurring,

Will the House agree to the amendments?

The SPEAKER. Now let us see if we can get to, finally, a decision on the amendment.

The question before the House is whether or not it will adopt the Salvatore amendment. Limit your comments to that only, please.

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

Mr. PRESTON. Thank you, Mr. Speaker.

I rise in opposition to the Salvatore amendment, and I do this very simply. Right now there are people in the city of Philadelphia who are senior citizens who do not have a place to live, who do not have shelter over their heads, but yet in a sense, here we can talk about almost giving benefits to those people who are making \$20,000 a year. We have sat and we have argued over welfare before, and it appears to me that what we are going to do is give public assistance to the middle and the upper middle classes. That is just what you are going to be voting for if you give him this vote to give public assistance to those people in the middle class, but yet we have continuously refused to give it to those people who are the most deserving.

There are people who are senior citizens who do not get a proper diet. And again I reiterate, public assistance to the middle and upper middle classes. There are people right now without jobs, without employment, who do not have any form of medical assistance. And again—I go back to a previous speaker—if we pass this amendment, what we are going to do is ask those people who are in lower income brackets to wind up paying more for prescriptions. That is exactly what you are going to be voting for and let the record show it. You will be giving more money to those people who can really afford it.

I also have an immense personal problem with this because I sit down and think, here we are going to vote for people to get a prescription who are over 65, and most of them are retired, making \$18,000 a year. Now if anybody has worked that long and is still getting an income of \$18,000 a year, whether it is pension, social security or whatever, what we are basically saying is that even though you have your house paid for, and even though you have C.D. (certificate of deposit) certificates where you can make \$18,000 in interest, even though we are going to disallow that \$300 a month or whatever it is where you can have a net income of \$22,000 or \$23,000 and still be a senior citizen, we are going to give you a break on your prescriptions. Now I ask you, anybody who is making \$18,000 or \$19,000 a year ought to be able to pay for their own prescriptions.

I do not think we can continue in our own course of mind in the Commonwealth of Pennsylvania and steal from the poor and give to the rich. I would ask you to defeat the Salvatore amendment. Thank you.

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

Mr. STEVENS. Thank you, Mr. Speaker.

Very briefly, I rise in support of the Salvatore amendment. I think what would be irresponsible is to set up a program such as we have done and funded and have a lottery surplus and then turn down many needy people who maybe are making \$20,000 a year right now together, a married couple, but that may be because over the years they sacrificed and they gave up things so that they could put their money away for the time of retirement. They still have needs. They need medication. There is no reason that because they sacrificed over the years they should now be discriminated against with some artificial income eligibility.

I would prefer to see no limits on income, but that is not realistic. The Salvatore amendment, I think, is responsible, and I think it will take care of a lot of people who have some true needs, especially with their medication. I think this amendment is good and deserves our support. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Trello, on the amendment.

Mr. TRELLO. Mr. Speaker, let us put this in the proper perspective.

Right now with the current income guidelines there are 700,000 senior citizens who qualify for the drug and prescription program. Eighty percent participation is figured. That

brings it down to about a half million people who are going to participate. If we allow people to qualify by not including their social security check, the eligible senior citizens will be approximately over 1 million recipients. That means the eligible content will be close to 800,000 people - 800,000 people - and we only have \$100 million to spend a year. There is no way in the world that we can stay within that income guideline. I think if Mr. Salvatore would redraft his amendment and give them a \$1,000 break on their interest that they have worked so hard for to save in their earlier years, that might be a more acceptable amendment. But to eliminate the entire social security will put the thing completely bankrupt within the first year, and I do not want to be part of a program that I voted to support and start and have it end the first year. And I do not think you want to go back to your senior citizens and tell them, hey, I am sorry, but we gave away too much and we are going to have to stop the program. I think some people might call this welfare for the wealthy.

I oppose the amendment, and I think if he would draft it in regard to the interest, I could support it. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

**BILL PLACED ON THIRD CONSIDERATION  
POSTPONED CALENDAR**

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, very briefly, HB 1997 and the amendments that are before us are before us right now because a member of my leadership team told me that if I took HB 1997 from the table today, it would sail through this House because all opposition had been withdrawn from the—I cannot even remember what it was. But in any event, Mr. Speaker, I am going to try one more time. I am going to make a motion, Mr. Speaker, that we place HB 1997 on the third consideration postponed calendar.

The SPEAKER. It has been moved by the majority leader that HB 1997 be placed on the third consideration postponed calendar.

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

The SPEAKER. You all will understand clearly why the Speaker says this. If you deviate one whit or tittle from the direction of the motion, you will be seated. You will speak only as to postponement or nonpostponement.

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

Mr. SALVATORE. Mr. Speaker, thank you very much for my instructions.

I was getting up on my feet to concur with the majority leader and ask for that postponement and put it on the postponed calendar, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

**YEAS—177**

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

**NAYS—18**

Cordisco	McClatchy	Phillips	Snyder, G. M.
Dietz	Mayernik	Punt	Stevens
Gallen	Mrkonic	Saloom	Tigue
Geist	Perzel	Serafini	Weston
Kosinski	Petrarca		

**NOT VOTING—2**

Harper	Spitz
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**EXCUSED—5**

Alderette	Letterman	Marmion	Wiggins
Barber			

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

**CONSIDERATION OF HB 1580 RESUMED**

On the question recurring,

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

Mr. REBER offered the following amendment No. A2835:

Amend Sec. 1 (Sec. 8108), page 12, line 29, by inserting after "EXPENSES,"

emergency plan preparation and establishment,

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Chair recognizes the gentleman from Montgomery, Mr. Reber.

Mr. REBER. Thank you, Mr. Speaker.

Mr. Speaker, this is amendment A2835, and I think it can be said it is an agreed-to amendment. It basically adds additional language to section 8108 on page 12 of the bill and will permit a reimbursement for emergency plan preparation and establishment of those emergency preparation plans for all municipalities and school districts that have incurred such expenses for the preparation of the emergency preparedness plans prior to the effective date of the act but having been incurred after the date of March 28, 1979.

For the information of the members, in my legislative district there is a small nuclear facility known as Limerick Nuclear Power Generating Station, and there are a tremendous amount of plans going on at the present time. There is a tremendous amount of concern and money being expended by school districts and local municipalities, and the language of the bill as presently drafted is not specific as to the reimbursement for the actual expense incurred for the emergency plan preparation. Accordingly, I offer this amendment and would ask for the generous support of all members. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Erie, Mr. Cappabianca.

Mr. CAPPABIANCA. Thank you, Mr. Speaker.

This is an agreed-to amendment, and I would encourage a positive vote.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—193

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

Carn	Gruitza	Mowery	Stevens
Cawley	Gruppo	Mrkonic	Stewart
Cessar	Hagarty	Murphy	Stuban
Cimini	Haluska	Nahill	Sweet
Civera	Hasay	Noye	Swift
Clark	Hayes	O'Brien	Taylor, E. Z.
Clymer	Herman	O'Donnell	Taylor, F. E.
Cohen	Hershey	Olasz	Telek
Colafella	Hoeffel	Oliver	Tigue
Cole	Honaman	Perzel	Trello
Cordisco	Hutchinson	Peterson	Truman
Cornell	Itkin	Petrarca	Van Horne
Coslett	Jackson	Petrone	Vroon
Cowell	Jarolin	Phillips	Wachob
Coy	Johnson	Piccola	Wambach
Deluca	Kasunic	Pievsky	Wargo
DeVerter	Kennedy	Pistella	Wass
Daley	Klingaman	Pitts	Weston
Davies	Kosinski	Pott	Williams
Dawida	Kowalyszyn	Pratt	Wilson
Deal	Kukovich	Preston	Wogan
Dietz	Lashinger	Punt	Wozniak
Dininni	Laughlin	Rappaport	Wright, D. R.
Dombrowski	Lehr	Reber	Wright, J. L.
Donatucci	Lescovitz	Reinard	Wright, R. C.
Dorr	Levi	Richardson	Zwift
Duffy	Linton	Rieger	
Durham	Livengood	Robbins	Irvis,
Evans	Lloyd	Rudy	Speaker
Fargo	Lucyk	Ryan	

NAYS—0

NOT VOTING—4

DeWeese	Harper	Levin	McIntyre
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EXCUSED—5

Alderette	Letterman	Marmion	Wiggins
Barber			

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. REBER offered the following amendment No. A2836:

Amend Sec. 1 (Sec. 8108), page 13, by inserting between lines 1 and 2

(c) Appropriation.—The sum of \$5,000,000 is hereby appropriated to carry out the provisions of this act.

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Chair recognizes the gentleman from Montgomery, Mr. Reber.

Mr. REBER. Thank you, Mr. Speaker.

I would like to state for the record that the last amendment which the House adopted, A2835, and this particular amendment, A2836, were jointly sponsored by myself and Representative Bunt and Representative Lashinger of Montgomery County.

Additionally, for the record I would like to state also that HB 2013, which was introduced by myself and a number of legislators who have municipalities affected by the Limerick Nuclear Power Generating Station, proposed an additional

appropriation of \$5 million. This particular amendment sets forth that appropriation of \$5 million to be used by the agency specifically as delineated by the guidelines of usage of funds under HB 1580.

The reason and concern for myself in introducing and offering this amendment is the fact that the funding mechanism that is contained in HB 1580 relies upon the securing of annual and one-time generating fees from Nuclear Regulatory Commission licensed or permitted facilities. My concern is that we do not come about with the passage of this legislation with a similar dilemma that we had with the Mortgage Foreclosure Assistance Act, where we have a meaningful piece of legislation but quite potentially a situation where there is no funding to carry out the concerns of that legislation.

My concern is numerous, as far as the funding mechanism of HB 1580. While I agree with the funding mechanism and the intent of it, I am concerned that since it is a nuclear regulatory federally issued license and permit, we very well could run the potential of having a Federal court enjoin the collection of the fees that might be mandated to be paid by this federally licensed utility company or permitted applicant, if you will. And because of that, I feel it is incumbent that the State step forward and at least put some up-front money into this bill so that our local school districts, our local municipalities are guaranteed and assured that there will in fact be money available to do what exactly is set forth in the intent and throughout the various paragraphs and sections of HB 1580. I do not think it is too much for this General Assembly to come forward and say that we want to aid and assist and carry statewide a small piece of the burden that is vested upon those particular individuals who have the particular burden of a facility being located in their area. I would ask for the generous support of this General Assembly that they gave in the previous amendment also in this amendment. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Erie, Mr. Cappabianca.

Mr. CAPPABIANCA. Thank you, Mr. Speaker.

This amendment is not agreed to. I oppose the amendment on the grounds that we are trying to establish a fund funded by the industry itself, the nuclear industry, by way of fees and so forth. I see no need for the State to put up seed money of \$5 million. It is not necessary, and therefore, I ask for a negative vote on this amendment.

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

Mr. MARKOSEK. Thank you, Mr. Speaker.

I would agree with Representative Cappabianca that this amendment is not necessary due to the fact that we in the bill are assessing the utilities and the nuclear power stations a fee to cover some of these costs. The assessment is really based on what the other States assess their powerplants and has been agreed to in our committee work when we have discussed this. This additional \$5 million is not necessary in my opinion, Mr. Speaker. Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

#### YEAS—66

Armstrong	Flick	Klingaman	Phillips
Arty	Foster, Jr., A.	Kukovich	Pott
Book	Freind	Lehr	Reber
Bowser	Fryer	Levi	Reinard
Boyes	Gallen	McClatchy	Ryan
Bunt	Gannon	Mackowski	Salvatore
Burd	Geist	Madigan	Saurman
Burns	Gladeck	Maiale	Serafini
Cessar	Godshall	Merry	Sirianni
Cimini	Greenwood	Micozzie	Smith, B.
Civera	Grieco	Miller	Snyder, G. M.
Clymer	Hagarty	Morris	Spencer
Cornell	Hasay	Mowery	Taylor, E. Z.
Davies	Hayes	Nahill	Vroon
Dietz	Hershey	Noye	Wogan
Dorr	Jackson	Peterson	Wright, J. L.
Durham	Kennedy		

#### NAYS—126

Afflerbach	Fattah	McIntyre	Schuler
Angstadt	Fee	McMonagle	Semmel
Baldwin	Fischer	McVerry	Seventy
Battisto	Foster, W. W.	Manderino	Showers
Belardi	Freeman	Manmiller	Snyder, D. W.
Belfanti	Gallagher	Markosek	Stairs
Blaum	Gamble	Mayernik	Steighner
Brandt	George	Michlovic	Stevens
Broujos	Gruitza	Miscevich	Stewart
Caltagirone	Gruppo	Moehlmann	Stuban
Cappabianca	Haluska	Mrkonic	Sweet
Carn	Harper	Murphy	Swift
Cawley	Herman	O'Brien	Taylor, F. E.
Clark	Hoeffel	O'Donnell	Telek
Cohen	Honaman	Olasz	Tigue
Colafella	Hutchinson	Oliver	Trello
Cole	Itkin	Perzel	Truman
Cordisco	Jarolin	Petrarca	Van Horne
Coslett	Johnson	Petrone	Wachob
Cowell	Kasunic	Piccola	Wambach
Coy	Kosinski	Pievsky	Wargo
Deluca	Kowalyshyn	Pistella	Wass
DeWeese	Lashingier	Pratt	Weston
Daley	Laughlin	Preston	Williams
Dawida	Lescovitz	Punt	Wilson
Deal	Levin	Rappaport	Wozniak
Dininni	Linton	Richardson	Wright, D. R.
Dombrowski	Livengood	Rieger	Wright, R. C.
Donatucci	Lloyd	Rudy	Zwikl
Duffy	Lucyk	Rybak	
Evans	McCall	Saloom	Irvis,
Fargo	McHale	Scheetz	Speaker

#### NOT VOTING—5

DeVerter	Robbins	Smith, L. E.	Spitz
Pitts			

#### EXCUSED—5

Alderette	Letterman	Marmion	Wiggins
Barber			

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



**REMARKS ON VOTE**

The SPEAKER. For what purpose does the gentleman from Mifflin, Mr. DeVerter, rise?

Mr. DeVERTER. My switch was not operating on that last vote on amendment A2836 to HB 1580. I would like to be recorded in the negative, please.

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

**CONSIDERATION OF HB 1580 CONTINUED**

On the question recurring,

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

The SPEAKER. The Chair recognizes the gentleman from Montgomery, Mr. Reber, who offers the following amendment, which the clerk will read.

Mr. REBER. Mr. Speaker, if I could make a short statement, I am going to withdraw the third amendment.

The SPEAKER. The gentleman may make the statement.

Mr. REBER. Thank you, Mr. Speaker.

It is my understanding that SB 987 will be moving in the immediate future, and my third amendment relates to a concern with the public, private, municipal, or any water supply that might be affected as a result of the use or operation, construction, or anything ancillary to a nuclear generating station.

In reviewing SB 987 and speaking with staff from both sides, it is, I believe, much more germane for that particular concern to be addressed in SB 987, and it will so be drafted and offered accordingly. Therefore, I am withdrawing the last amendment. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

**YEAS—195**

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

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

**NAYS—0**

**NOT VOTING—2**

Gladeck	McIntyre
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**EXCUSED—5**

Alderette	Letterman	Marmion	Wiggins
Barber			

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.

**HOUSE SCHEDULE**

The SPEAKER. Does the majority leader have any further business to bring before the House other than the procedural business which we discussed?

Mr. MANDERINO. Mr. Speaker, so that there is not a misunderstanding of what yet has to take place, the Appropriations Committee will be meeting on the economic development package and a number of other bills. When those are reported to the floor of the House, they will automatically, under the rules, be going to the Rules Committee, and the Rules Committee will be meeting to report the same bills to the floor of the House. So if anyone has an interest in any of those bills, that would be the only reason for being here.

The SPEAKER. The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, I believe the plan—and I am asking this as an inquiry, really, I guess—is that the House

will be open tomorrow; we will be in session, but that the members—

The SPEAKER. There will be no substantive business transacted.

Mr. RYAN. That is correct.

Thank you, Mr. Speaker.

The SPEAKER. Therefore, members of the Appropriations Committee and members of the Rules Committee must remain.

We will not adjourn for the week tonight. We will adjourn tonight until 11 o'clock tomorrow morning. There will, however, be no substantive business, no voting taken. The purpose of the session is obvious. We must move forward those bills which we hope to vote for on third consideration on Monday.

The Chair repeats: Members of the Rules Committee and members of the Appropriations Committee must remain.

### REMARKS ON VOTES

The SPEAKER. The Chair recognizes the gentleman from Montgomery, Mr. Gladeck. For what purpose does the gentleman rise?

Mr. GLADECK. Mr. Speaker, my switch was locked when the final vote on HB 1580 was taken, and had it not been, I would have voted in the affirmative. Thank you.

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

The Chair recognizes the gentleman from Mercer, Mr. Robbins.

Mr. ROBBINS. Mr. Speaker, I was not recorded on amendment A2836 to HB 1580. Had I been recorded, I would have been recorded in the negative.

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

### HOUSE BILL INTRODUCED AND REFERRED

No. 2307 By Representatives MAYERNIK,  
MURPHY, BURD, PETRONE, TRELLO,  
CESSAR, McVERRY, BOOK,  
VAN HORNE, CLARK, COWELL,  
PISTELLA, ITKIN, MANDERINO and  
IRVIS

An Act authorizing the Department of General Services, with the approval of the Governor and the Secretary of Public Welfare, to sell and convey a certain lot or tract of land situate in Allegheny County, Pennsylvania, known as Dixmont State Hospital to St. John's General Hospital of Allegheny County.

Referred to Committee on APPROPRIATIONS, June 13, 1984.

### APPROPRIATIONS COMMITTEE MEETING

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

Mr. PIEVSKY. Mr. Speaker, I just want to alert the members that the Appropriations Committee meeting will be in the majority caucus room as soon as the bills are referred.

The SPEAKER. The members of the Appropriations Committee should repair now immediately to the majority caucus room.

### RULES COMMITTEE MEETING

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, members of the Rules Committee should remain on the floor of the House. We will have our meeting in the space adjacent to the rostrum here.

The SPEAKER. Appropriations Committee to the majority caucus room; Rules Committee will remain on the floor.

The gentleman, Mr. Pievsky, calls for an immediate meeting of the Appropriations Committee in the majority caucus room.

The House will stand at ease.

The House will come to order.

### BILLS REREPORTED FROM COMMITTEE

**HB 365, PN 2584** By Rep. PIEVSKY  
An Act providing for the Pennsylvania Development Corporation; and making an appropriation.

#### APPROPRIATIONS.

**HB 612, PN 2548** By Rep. PIEVSKY  
An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), requiring the preparation of an impact report by the Department of General Services.

#### APPROPRIATIONS.

**HB 1128, PN 2889** By Rep. PIEVSKY  
An Act declaring a policy of the Commonwealth with regard to small business concerns owned by economically disadvantaged persons; creating the Economically Disadvantaged Owners Small Business Procurement Committee; providing for the operation of the committee; establishing a small business set-aside; establishing a procedure for the solicitation of bids and a broadening set-aside; and providing for an annual report to the Governor and General Assembly.

#### APPROPRIATIONS.

**HB 1823, PN 2374** By Rep. PIEVSKY  
An Act amending "The Fiscal Code," approved April 9, 1929 (P. L. 343, No. 176), further providing for payment of interest on certain Commonwealth purchases.

#### APPROPRIATIONS.

**HB 1898, PN 3206 (Amended)** By Rep. PIEVSKY  
An Act establishing an Information Technology Education Board within the Department of Education; enlarging the responsibilities of the Pennsylvania Higher Education Assistance Agency; creating Regional Computer Resource Centers; establishing Regional Computer Resource Center boards; and making appropriations.

## APPROPRIATIONS.

**BILLS REPORTED FROM COMMITTEE,  
CONSIDERED FIRST TIME, AND  
RECOMMITTED TO COMMITTEE ON RULES**

**HB 1900, PN 2491** By Rep. PIEVSKY

An Act creating the Pennsylvania Economic Development Board; providing for the development and implementation of an economic strategy for the Commonwealth; providing for the monitoring of programs established by the implementation of such strategy; and providing for the powers and duties of the board.

## APPROPRIATIONS.

**HB 1945, PN 2576** By Rep. PIEVSKY

An Act creating and establishing the Legislative Job Training Partnership Oversight Committee; providing for its membership; prescribing its powers, functions and duties; and making an appropriation.

## APPROPRIATIONS.

**HB 2288, PN 3194** By Rep. PIEVSKY

An Act implementing the provisions of the referendum, approved by the electors, for the incurrence of indebtedness of \$190,000,000 for the economic redevelopment of the Commonwealth through grants and loans for industrial and business development, including small business and minority business development, training and retraining programs including the acquisition of computer equipment for local school districts and teacher training in the use of such equipment, economic development in distressed areas and job creation programs.

## APPROPRIATIONS.

**HB 2289, PN 3195** By Rep. PIEVSKY

An Act establishing a business infrastructure development program for making grants and loans for infrastructure necessary to complement industrial or commercial investment by private companies; prescribing requirements of and conditions for grants and loans; and making an appropriation.

## APPROPRIATIONS.

**HB 2290, PN 3196** By Rep. PIEVSKY

An Act establishing a program within the Department of Education for the acquisition of new vocational-technical equipment and the upgrading of existing vocational-technical equipment that is necessary to provide secondary, postsecondary and adult students with relevant occupational training; providing for allocations and grants of money; and making a nonlapsing appropriation.

## APPROPRIATIONS.

**HB 2291, PN 3197** By Rep. PIEVSKY

An Act establishing a program within the Department of Commerce to provide funds to engineering degree granting schools to assist in the acquisition of new engineering equipment or the upgrading of existing engineering equipment that is necessary to provide students with the courses required to obtain a degree in engineering; and making a nonlapsing appropriation.

## APPROPRIATIONS.

**HB 2292, PN 3198** By Rep. PIEVSKY

An Act creating a small business incubator program; providing for loans and loan guarantees to small business incubators; specifying the conditions of and requirements for grants and loans; providing for seed grants; and making appropriations.

## APPROPRIATIONS.

**HB 2293, PN 3199** By Rep. PIEVSKY

An Act establishing the Pennsylvania Conservation Corps.

## APPROPRIATIONS.

**HB 2294, PN 3200** By Rep. PIEVSKY

An Act providing for agricultural development; establishing the Agricultural Development Advisory Committee and providing for its powers and duties; providing for certain guaranteed loans and interest deferral; providing further duties of the Secretary and Department of Agriculture and the Secretary and Department of Commerce; and making an appropriation.

## APPROPRIATIONS.

**HB 2295, PN 3201** By Rep. PIEVSKY

An Act providing technical and financial assistance to employee-ownership groups that seek to retain or preserve jobs by restructuring an existing business into an employee-owned enterprise with a substantial prospect of future recovery; providing technical assistance on employee-ownership to existing firms and current employee-owned enterprises in Pennsylvania; and making appropriations.

## APPROPRIATIONS.

**HB 2296, PN 3202** By Rep. PIEVSKY

An Act establishing a loan program for capital development projects; providing for the use of funds made available under the Appalachian Regional Development Act of 1965 and the Public Works and Economic Development Act of 1965; providing for loans, loan guarantees and other programs for capital development projects of small businesses; creating the Capital Loan Fund; providing standards for and requirements of the program; and making appropriations.

## APPROPRIATIONS.

**HB 2297, PN 3203** By Rep. PIEVSKY

An Act amending the Pennsylvania Minority Business Development Authority Act," approved July 22, 1974 (P. L. 598, No. 206),

further providing for assistance to minority business enterprises; and making appropriations.

## APPROPRIATIONS.

**HB 2298, PN 3204** By Rep. PIEVSKY

An Act providing for the rehabilitation, development and acquisition of land, water and structural resources; defining the powers and duties of certain offices, agencies and municipalities; providing for the allotment of proceeds hereunder including Commonwealth grants; prescribing standards; and making appropriations.

## APPROPRIATIONS.

**HB 2307, PN 3205** By Rep. PIEVSKY

An Act authorizing the Department of General Services, with the approval of the Governor and the Secretary of Public Welfare, to sell and convey a certain lot or tract of land situate in Allegheny County, Pennsylvania, known as Dixmont State Hospital to St. John's General Hospital of Allegheny County.

## APPROPRIATIONS.

**RULES COMMITTEE MEETING**

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, the Rules Committee will meet immediately on the floor of the House.

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, the Rules Committee has met and has received the bills that were reported, because they were automatically referred to the Rules Committee, and we report all of them as committed.

The SPEAKER. The Chair thanks the gentleman.

**BILLS REREPORTED FROM COMMITTEE**

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**RULES.**

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**RULES.**

**PARLIAMENTARY INQUIRY**

The SPEAKER. Does the majority leader have any further business?

Mr. MANDERINO. Mr. Speaker, a point of parliamentary inquiry.

The SPEAKER. The gentleman will state the point.

Mr. MANDERINO. Are there any other motions necessary so that the bills just reported would be given first reading today?

The SPEAKER. They have already been given first reading.

Mr. MANDERINO. Thank you, Mr. Speaker.

In addition, are there any additional motions that might be necessary so that the bills will appear on second reading tomorrow?

The SPEAKER. The answer is no. They will appear on the second reading active calendar tomorrow.

Mr. MANDERINO. Then I have no further business.

**SUNSHINE NOTICE**

The SPEAKER. The clerk will read the notice required by the Sunshine Law.

The following communication was read:

House of Representatives  
Commonwealth of Pennsylvania  
Harrisburg

**NOTICE  
SESSION TIME  
HOUSE OF REPRESENTATIVES**

Notice is hereby given, in accordance with the Act of July 19, 1974, P.L. 486, No. 175, that the House of Representatives will convene in open session in the Hall of the House on the following date and time:

Thursday, June 14, 1984 at 11:00 a.m.

John J. Zubeck  
Chief Clerk  
House of Representatives

June 13, 1984

House of Representatives  
Commonwealth of Pennsylvania  
Harrisburg

I hereby certify that thirty copies of the foregoing notice were delivered to the Supervisor of the Newsroom of the State Capitol Building in Harrisburg on June 13, 1984, and a copy was posted

on the bulletin board outside the main entrance to the Chief Clerk's Office on the same date.

John J. Zubeck  
Chief Clerk  
House of Representatives

June 13, 1984

**BILLS AND RESOLUTIONS PASSED OVER**

The SPEAKER. Without objection, all remaining bills and resolutions on today's calendar will be passed over. The Chair hears none.

**ADJOURNMENT**

The SPEAKER. There being no further business to be brought before today's session, the Chair recognizes the gentleman from Luzerne, Mr. Jarolin.

Mr. JAROLIN. Mr. Speaker, I move that this House do now adjourn until Thursday, June 14, 1984, at 11 a.m., e.d.t.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 5:06 p.m., e.d.t., the House adjourned.