

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, APRIL 9, 1986

SESSION OF 1986

170TH OF THE GENERAL ASSEMBLY

No. 24

HOUSE OF REPRESENTATIVES

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

Almighty God, Thy protective arm reaches out to each one of us to keep us from harm and danger and to guide us in the accomplishments of Thy truth in all of life. Guard us sleeping lest the evil forces of life take hold of us and drag us away from Thee and the fulfilling of Thy way. Fill us waking that we are ever alert to the witness Thou wouldst have us show to our fellow men. Direct the members of this House of Representatives so that they may not only be in Thy protective care, but may ever exemplify in thought, word, and deed Thy teachings in all of life. Amen.

PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was enunciated by members.)

JOURNALS APPROVED

The SPEAKER. The Journals for Tuesday, January 7; Tuesday, January 21; and Wednesday, January 22, 1986, are currently in print. Unless there be objection, the Journals will be accepted as printed, and the Chair hears no such objection.

JOURNAL APPROVAL POSTPONED

The SPEAKER. The Journal for Tuesday, April 8, 1986, is not yet in print. Therefore, without objection, the approval of that Journal will be postponed until the Journal is in print, and the Chair hears no such objection.

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader. Mr. MANDERINO. Mr. Speaker, I move that HB 2247 be lifted from the tabled calendar and placed on the active calendar.

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

COMMITTEE APPOINTED

The SPEAKER. Pursuant to the instructions of HR 237, the Speaker has appointed the following to study the long-term nursing care problem in the Commonwealth of Pennsylvania: As chairman, Frank Pistella; associates, Ruth Harper, Ron Cowell, Joe Preston, Bob Freeman, Don Dorr, Howard Fargo, Bob Flick, and Harold Mowery.

LEAVES OF ABSENCE

The SPEAKER. The Chair turns to leaves of absence. Mr. Pievsky, are there any requests?
Mr. Pievsky indicates there are no leaves at this time.

MASTER ROLL CALL

The SPEAKER. The Chair will take the master roll call for today. Members will proceed to vote.

The following roll call was recorded:

PRESENT—200

Acosta	Dietz	Laughlin	Robbins
Afflerbach	Dininni	Lescovitz	Roebuck
Angstadt	Distler	Letterman	Rudy
Argall	Dombrowski	Levdansky	Ryan
Arty	Donatucci	Linton	Rybak
Baldwin	Dorr	Livengood	Saloom
Barber	Duffy	Lloyd	Saurman
Barley	Durham	Lucyk	Scheetz
Battisto	Evans	McCall	Schuler
Belardi	Fargo	McClatchy	Semmel
Belfanti	Fattah	McHale	Serafini
Birmelin	Fee	McVerry	Seventy
Black	Fischer	Mackowski	Showers
Blaum	Flick	Maiale	Sirianni
Book	Foster	Manderino	Smith, B.
Bortner	Fox	Manmiller	Smith, L. E.
Bowley	Freeman	Markosek	Snyder, D. W.
Bowser	Freind	Mayernik	Snyder, G.
Boyes	Fryer	Merry	Staback
Brandt	Gallen	Michlovic	Stairs
Broujos	Gamble	Micozzie	Steighner
Bunt	Gannon	Miller	Stevens
Burd	Geist	Moehlmann	Stewart
Burns	George	Morris	Suban
Bush	Gladeck	Mowery	Sweet
Caltagirone	Godshall	Mrkonic	Swift
Cappabianca	Greenwood	Murphy	Taylor, E. Z.
Carlson	Gruitza	Nahill	Taylor, F.
Carn	Gruppo	Noye	Taylor, J.

Cawley	Hagarty	O'Brien	Telek
Cessar	Haluska	O'Donnell	Tigue
Chadwick	Harper	Olasz	Trello
Cimini	Hasay	Oliver	Truman
Civera	Hayes	Perzel	Van Horne
Clark	Herman	Petrarca	Veon
Clymer	Hershey	Petrone	Vroon
Cohen	Honaman	Phillips	Wambach
Colafella	Howlett	Piccola	Wass
Cole	Hutchinson	Pievsky	Weston
Cordisco	Itkin	Pistella	Wiggins
Cornell	Jackson	Pitts	Wilson
Coslett	Jarolin	Pott	Wogan
Cowell	Johnson	Pressmann	Wozniak
Coy	Josephs	Preston	Wright, D. R.
Deluca	Kasunic	Punt	Wright, J. L.
DeVerter	Kennedy	Raymond	Wright, R. C.
DeWeese	Kenney	Reber	Yandrisevits
Daley	Kosinski	Reinard	
Davies	Kukovich	Richardson	Irvis,
Dawida	Langtry	Rieger	Speaker
Deal	Lashinger		

ADDITIONS—0

NOT VOTING—0

EXCUSED—1

Gallagher

LEAVES ADDED—1

Freind

LEAVES CANCELED—1

Freind

REMARKS ON VOTE

The SPEAKER. For what purpose does the gentleman from Warren, Mr. Bowley, rise?

Mr. BOWLEY. To correct the record.

The SPEAKER. The gentleman will state the correction.

Mr. BOWLEY. Yesterday, on amendment A0965 to HB 1876, I was absent from my seat. If I had been there, I would have voted in the negative.

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

LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes the minority leader. Are there any leaves of absence to your knowledge?

Mr. RYAN. Yes. Thank you, Mr. Speaker.

Mr. Speaker, I request leave for the gentleman from Delaware, Mr. FREIND, for the day's session.

The SPEAKER. The leave will be granted, without objection, and the Chair hears no such objection.

WELCOME

The SPEAKER. The Chair welcomes, as the guest of Curt Bowley, Stacy McNeal. Welcome, Stacy, to the hall of the House. We are glad to have you.

CALENDAR

BILLS ON SECOND CONSIDERATION

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

HB 2080, PN 3197; and SB 642, PN 1990.

* * *

The House proceeded to second consideration of **HB 1029, PN 1182**, entitled:

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, providing for a cost-of-living adjustment in certain State pensions.

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

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader. Mr. MANDERINO. Mr. Speaker, I move that HB 1029 be recommitted for a fiscal note to the Committee on Appropriations.

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

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1921, PN 2783**, entitled:

An Act empowering certain local taxing authorities to provide exemptions from taxation for certain improvements made to certain unimproved residential property.

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?

On final passage, the Chair recognizes the gentleman from Berks, Mr. Fryer.

Mr. FRYER. Mr. Speaker, I wish to oppose HB 1921. Mr. Speaker, what this bill does is it permits our local taxing authorities to grant any or all of a 2-year period for their local taxes.

Now, Mr. Speaker, the point is made that this is to help the housing industry. Mr. Speaker, most people seem to agree that the answer to the housing industry is interest rates, and as the interest rates have dropped, we have building today at record heights. Basically, Mr. Speaker, what we are really doing, if we adopt this bill, is we would be granting an exemption of a 2-year period.

Now, it seems to me that the average cost of a new home is approximately \$90,000, if you would accept that figure. Mr. Speaker, what you would be doing is granting that 2-year exemption, permitting the local authorities to grant that exemption, and basically, it seems to me that what we are doing is giving a property tax transference, because when you give an exemption, you merely shift the burden to others. The others who are affected most adversely, of course, are those on fixed incomes who are trying as best they can to remain in their own homes.

The bill before us is designed to give relief from property taxes. Now we are asking that many of our retired people who are facing a problem in remaining in their homes, that they pay more so that the developers can pay less.

Now, it seems to me that this is a most unfair proposal, and obviously, the point is going to be made, well, it is "may" legislation; they do not really have to do it. However, what happens is that pressures are placed upon our local authorities which are rather hard to avert. You open the door, Mr. Speaker, to this approach.

Mr. Speaker, I would call for the defeat of HB 1921. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. MARKOSEK. Thank you, Mr. Speaker.

Mr. Speaker, I rise in favor of this particular bill. This piece of legislation will help certain communities that currently right now are having a difficult time having developers come in and develop in their communities. Of course, we know that the development that takes place in these communities does in fact help the tax rolls in those particular communities.

Mr. Speaker, I know for a fact that in Mr. Mayernik's district he has a situation where a developer has come in and on a plot of ground has developed that plot of ground that is in a certain township and has not developed across the line from that particular development where the township line or border is because of the property tax situation in that particular township. What Mr. Mayernik's bill will do is it will create an exemption so that developers will be able to come into areas, particularly areas that are in need of development, and have an incentive to develop in that particular area.

That is the purpose, I know, of his particular bill, and that is why he and I are in favor of this bill and would ask the support of the rest of the General Assembly to support this bill. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Cowell, on the bill on final passage.

Mr. COWELL. Thank you, Mr. Speaker.

Mr. Speaker, I, too, rise to speak in favor of HB 1921. I think Representative Mayernik proposes an important planning tool which would be available to but not imposed upon local municipalities. We have many local municipalities throughout this Commonwealth that would choose to use this tool. Others would choose not to use it, I am sure. But I think is appropriate and is desirable that this legislature make the

I available.

With respect to the concern that a shift in terms of the tax burden may be made, a shift to other taxpayers in the community, I think Representative Mayernik provides some protection there when he provides for a public hearing on this issue, and the issue, the proposed abatement, proposed exemption, will be thoroughly aired and there will be an opportunity for the community and its residents to completely discuss the pros and cons of a proposed abatement.

I think we have to keep in mind that it is permissive, not mandatory, and that in the view of many municipalities, it is an important planning tool that they think will help improve the tax-base situation in their community in the long run.

For those reasons, I urge that we pass this bill. Thank you.

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

Mr. MAYERNIK. Thank you, Mr. Speaker.

I was temporarily out of the chamber, and I would like to thank my colleague, Mr. Cowell, for speaking on the bill.

HB 1921 would simply permit local taxing authorities to adopt by ordinance or resolution a tax abatement program not to exceed 2 years. Back in 1968 we included this provision in the Constitution and it was through a referendum vote by the people that this was adopted. Now all HB 1921 is a piece of enabling legislation to voice the will of the people and to enact it.

I ask for an affirmative vote on this piece of legislation, Mr. Speaker. I have also spoken to the Boroughs Association representatives, the Township Supervisors Association representatives, Allegheny intermediate unit representatives. I have not found any opposition to this bill to date, Mr. Speaker. This is a "may" provision and will be totally up to the local municipalities to decide on the abatement.

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

Mr. FOSTER. Thank you, Mr. Speaker.

I rise to support HB 1921. I have looked at the bill. I find no problem with it in that it provides an option to municipalities and local governments. No local government is forced to enter into this type of program. It is an option that they may or may not take advantage of, and I think it is something that we can use. I think it is good legislation.

I urge an affirmative vote on the bill.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Olasz, on final passage.

Mr. OLASZ. Mr. Speaker, will the maker of the bill stand for interrogation, please?

The SPEAKER. The gentleman, Mr. Mayernik, indicates he will stand for interrogation. You are in order, and you may proceed, sir.

Mr. OLASZ. Mr. Speaker, I would ask for the attention of the House, please, because I think it is a very important issue.

Mr. Speaker, I am curious as to how the bonding requirements of the developer would be handled under this act, the bond requirements for the sanitation sewer lines and the street improvements. Does this absolve them from those bond requirements?

Mr. MAYERNIK. Mr. Speaker, HB 1921 does not address the bond requirements at all for new residential construction. It addresses the tax abatement that would be charged by the local municipalities, and it is a "may" provision that they could decide this abatement. It does not address the bond provision, sir.

Mr. OLASZ. How does it address the sewage assessments for the sewage being put into the local sewage system if they have their own treatment plants?

Mr. MAYERNIK. It does not address that, sir.

If a tax abatement would not be enacted, you would not receive increased revenues by individuals moving into your municipality or school district. The first 2 years it would be up to the local municipalities and school districts to enact this, and they would have to realize that there would be some cost incurred. That is why we have a resolution attached or a public meeting attached for input. It would be a "may" provision and up to the individual municipalities to decide.

Mr. OLASZ. Mr. Speaker, I have many other questions, but I think those are two extremely key provisions that must be addressed by any local municipality prior to a development being accepted in a community.

I have had the experience of 8 years on borough council of a community of approximately 30,000 people. Even though it may be a "may" provision, I know firsthand of the pressures, and you may wish to call them lobbying efforts, that can be exerted on local officials. I know firsthand of the problems that you can have with the roads that are placed in these developments. I know firsthand of the problems with the sewage systems and the sewer lines that are put in these developments. Those are two very key issues that have not been addressed in this bill.

But let us go back, and I reiterate, let us remember the two key issues that are not addressed in this bill, the roads and the sewers.

Mr. MAYERNIK. Mr. Speaker, is the gentleman still asking a question or is he making a statement, sir?

Mr. OLASZ. Mr. Speaker, the maker of the bill apparently was not listening when I said I had many other questions that I would not make at this time, so I am not questioning any further. I am making a statement and other statements.

Mr. MAYERNIK. Thank you, Mr. Speaker.

Mr. OLASZ. Mr. Speaker, I have seen these proposed developments. Has the impact on already devastated school districts been addressed, many with 80 mills of local taxation levied against them? We are talking about giving a developer a free ride, when conceivably he could be putting 100 additional students into a school system. Who absorbs that added cost? Who absorbs the added cost of fire and police protection? I have seen developers come in and, at the end of a so-called free-ride period, put the place up for sale.

While there are many responsible developers, I suggest that there are many carpetbaggers out there also. It has historically been the case that after a 2-year period, these developers will then go before the board of review and ask for a reduction in their assessment.

MOTION TO RECOMMIT

Mr. OLASZ. I submit that there are too many important questions not answered in this bill, and for that reason I move at this time that this bill, HB 1921, be recommitted to the Local Government Committee for further study.

The SPEAKER. The question is on the motion. Moved by the gentleman, Mr. Olasz, that HB 1921 be recommitted to the Committee on Local Government.

On the question,

Will the House agree to the motion?

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

Mr. MAYERNIK. Mr. Speaker, I would ask for a negative vote on the commission of that bill to the Local Government Committee.

This bill came through the Finance Committee. It deals with taxes in the school districts, municipalities, and the governing bodies. We have debated this bill several times. We have had testimony on it, and I feel that the Finance Committee has adequately heard this. This is a portion of the Constitution that we are implementing and enacting enabling legislation, and we have municipalities and school districts out there that need this type of legislation so that they can have improvement in their area.

I would ask for a negative vote on recommitment.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—25

Acosta	Gallen	Miller	Preston
Birmelin	Godshall	Moehlmann	Saloom
Broujos	Hutchinson	Morris	Showers
Clark	Laughlin	Mrkonic	Telek
DeWeese	Letterman	Murphy	Van Horne
Duffy	Manderino	Olasz	Wright, J. L.
Fryer			

NAYS—170

Afflerbach	Dawida	Kukovich	Rudy
Angstadt	Deal	Langtry	Ryan
Argall	Dietz	Lashinger	Rybak
Arty	Dininni	Lescovitz	Saurman
Baldwin	Distler	Levdansky	Scheetz
Barber	Dombrowski	Linton	Schuler
Barley	Donatucci	Livengood	Semmel
Battisto	Dorr	Lloyd	Serafini
Belardi	Durham	Lucyk	Seventy
Belfanti	Evans	McCall	Sirianni
Black	Fargo	McClatchy	Smith, B.
Blaum	Fattah	McHale	Smith, L. E.
Book	Fee	McVerry	Snyder, D. W.
Bortner	Fischer	Mackowski	Snyder, G.
Bowley	Flick	Manmiller	Staback
Bowser	Foster	Markosek	Stairs
Boyes	Fox	Mayernik	Steighner
Brandt	Freeman	Merry	Stevens
Bunt	Gamble	Michlovic	Stewart
Burd	Gannon	Micozzie	Stuban
Burns	Geist	Mowery	Sweet
Bush	George	Nahill	Swift
Caltagirone	Gladeck	Noye	Taylor, E. Z.
Cappabianca	Greenwood	O'Brien	Taylor, F.
Carlson	Gruitza	O'Donnell	Taylor, J.

Cawley	Gruppo	Oliver	Tigue
Cessar	Hagarty	Perzel	Trello
Chadwick	Haluska	Petrarca	Truman
Cimini	Harper	Petrone	Veon
Civera	Hasay	Phillips	Vroon
Clymer	Hayes	Piccola	Wambach
Cohen	Herman	Pievsky	Wass
Colafella	Hershey	Pistella	Weston
Cole	Honaman	Pitts	Wiggins
Cordisco	Howlett	Pott	Wilson
Cornell	Itkin	Pressmann	Wogan
Coslett	Jackson	Punt	Wozniak
Cowell	Jarolin	Raymond	Wright, D. R.
Coy	Josephs	Reber	Wright, R. C.
Deluca	Kasunic	Reinard	Yandrisevits
DeVerter	Kennedy	Richardson	
Daley	Kenney	Rieger	Irvis,
Davies	Kosinski	Robbins	Speaker

NOT VOTING—4

Carn	Johnson	Maiale	Roebuck
------	---------	--------	---------

EXCUSED—2

Freind	Gallagher
--------	-----------

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

On the question recurring,
Shall the bill pass finally?

The SPEAKER. On final passage, the Chair recognizes the gentleman from Centre, Mr. Letterman.

Mr. LETTERMAN. Mr. Speaker, I rise in opposition because I believe that what is really happening is not good for this time. Building a new home at the present time is something that everybody is doing because interest rates are very low. If interest rates are high and we were not building new homes, I would understand why you would try to do this. But why would you try to overload a school district at this time with new housing and then exempt them from the taxes? It just does not make very good sense to me.

I would hope that we would have a negative vote. Thank you very much.

The SPEAKER. The Chair recognizes the gentleman from Berks, Mr. Fryer, for the second time on final passage.

Mr. FRYER. Mr. Speaker, the issue is before you. By passing this legislation and by the permission of the local governments, you would be giving a free ride, a free ride to someone who purchased a home possibly for \$100,000 or more, bringing children into that school district. They are receiving municipal services, and you are saying to them, we are giving you a free ride for 2 years. Then you are turning around to lifelong residents of that area, people possibly of a low income, elderly people who have difficulty in maintaining their homes, and you are saying, I am sorry we cannot give you a special exemption, but we are going to give it to this person who purchased this new home.

The argument is made that this is going to spur building. Absolutely, building today is at record heights throughout this State because of the reason that interest rates have dropped. This is a bonanza that you are passing out; it is a freebie, a free ride. How in the world you can judge that and then ignore and turn your backs to the elderly and to the life-

long residents of an area, Mr. Speaker, it is so basically unfair. It is such a hungry grab by a special group who seeks another privilege from this legislature.

Mr. Speaker, I call for the defeat of this ill-conceived, ill-devised piece of legislation. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Olasz, for the second time on final passage.

Mr. OLASZ. Mr. Speaker, some statements have already been made that should be considered by this House.

We have seen mortgage rates now drop below 10 percent as an inducement for home purchases. In the city of Pittsburgh there is a program that offers homes for a very cheap price. Those homes are still available for purchasers.

What about the break for the senior citizens in the communities who have been shouldering the tax burden for year upon year even though their children have long since used the school system? Their grandchildren are gone, but they are still paying those high school taxes.

Our area in western Pennsylvania has many, many vacant homes. Where in the world are you going to induce a developer to come in where there are 40,000 jobs that have disappeared; the young people have disappeared? The communities now must appeal to the State to provide State Police for protection. They can no longer afford police departments. Every day local governments are looking for ways to combine their volunteer fire companies.

I think it is a gross injustice to the senior citizens of many of the older communities to ask them to shoulder the burden on a retirement, some on a \$226-a-month social security tax, and watch some man come in, purchase ground, put up a development, no sewage assessment, no street bonds, walk away from it, because I do not know where the liability factor would rest should those streets crumble 25 months or 23 months into the contract. That already strapped community would then have to go out and figure out a way, how are we going to pave this broken-up road? That local council is going to be subjected to irate taxpayers saying, look, you gave these guys a free ride; now you want me to pay for the improvement of this road.

Before you push that button, I think these are questions you must deliberate within your own conscience. Remember that poor old soul, that poor widow, who is scraping to pay her tax and lives in constant fear that, for failure for her to pay that tax, her home may be sheriff saled.

I ask for a negative vote.

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

Mr. TRELLO. Mr. Speaker, I rise in support of the legislation.

Much has been said here today about senior citizens, about sewage problems, about every problem you can think of. If you read the bill, it does not mandate a thing. It is a "may" bill allowing the local authorities to do what they are saying. First of all, as a former local elected official myself, I know that all of my colleagues back in my municipalities have acted responsibly.

Now, we are talking about jobs and the loss of jobs and taxes. I think we should all be aware that 6 out of every 10 jobs deal with the building trade, so in fact this abatement will in fact create jobs.

I see no serious problem with this bill. It is a "may" bill. We are allowing local elected officials to do it if they feel they should and not to do it if they feel they should not. I see nothing wrong with the bill, and I am asking for a positive vote on HB 1921. Thank you.

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

Mr. PRESTON. Thank you, Mr. Speaker.

Will the gentleman stand for a few questions?

The SPEAKER. Mr. Mayernik indicates he will so stand. You are in order, and you may proceed.

Mr. PRESTON. Mr. Speaker, can you tell me then that if a municipality—and I say this because I represent two municipalities in the Commonwealth of Pennsylvania. One is the second largest city in the State of Pennsylvania and the next one is the ninth largest city in Pennsylvania. I am concerned because Pittsburgh does have an abatement program; the other city, being Penn Hills, does not.

Are you saying that if the city of Penn Hills would choose to opt to this program, that they could say that certain people would not have to pay taxes due to new construction, but yet at the same time they could also raise taxes? Is that possible under your bill?

Mr. MAYERNIK. Mr. Speaker, this legislation is a "may" provision in every aspect. It is locally initiated, locally debated in public hearings, and locally implemented. It is locally planned development encouragement sought by local entities that feel that their areas need a stimulus for expanding their tax base and developing their communities. It is home rule at its finest, its best, and at the local level. There is no provision of raising taxes in this legislation.

Mr. PRESTON. That was not my question, sir. What I am saying is this: If a municipality, for example, where you reside would decide to adopt and take the "may" provision and decide to abate some properties, especially new construction, is it possible that there are people who will be building new homes who would not have to pay any property taxes and, also, at the same time the municipality could increase its property tax base? Is that possible, sir, and raise the amount of taxes that the citizens would have to pay?

Mr. MAYERNIK. Anything is possible, Mr. Speaker, but if you were an elected official sitting in that position and you were intending to raise taxes, you sure as heck would not put an abatement in when you are raising taxes for your people or you would not be in that position very long.

Mr. PRESTON. Thank you, Mr. Speaker.

May I speak on the bill, please?

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

Mr. PRESTON. This really concerns me, because I am very unhappy about the program that even exists in my city of Pittsburgh. My school district is in the process right now of

already raising its taxes after they have already given other people tax forgiveness. So I am going to wind up myself having to pay higher taxes; my senior citizens are going to wind up paying higher taxes, but there are some people who are going to be building millions of dollars' worth of property who are not going to pay any taxes within the next couple of years. That really concerns me.

It is also possible that there are towns that might only have 200 or 300 people where they might build a building, which is going to increase and require you to have better fire protection; it is going to require you to have more policemen; it is going to require you to improve the sewers; it is going to require you to do more street repairs, but yet in a sense these people will be getting a free ride, a free lunch, and then the people who live in your district are going to have to pay for that and possibly have a tax increase.

Now, I do not think that that is fair, and I do not think that we can go along and support HB 1921, and I would ask you to give a "no" vote.

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

Mr. MERRY. Mr. Speaker, I rise in support of HB 1921. I cannot believe some of the things that are being said on this House floor. Do some of us people here hate people? Do we hate our citizens? There have been emotional issues brought up here, such as this bill will hurt senior citizens, will hurt other taxpayers. Nothing can be further from the truth than that. This bill is built for senior citizens.

Now, maybe our districts are different, but look at my district where we have many senior citizens who have full-size homes who would love to build themselves a cottage who cannot stand the cost of building plus the cost of interest. In my district, Mr. Speaker, we have homes that have been burned down that were not fully covered by insurance. We have homes that have been blown away by tornadoes, and the people are unable to build.

Look at the realisms that are involved in this situation. Have you ever built a home or improved a home? Does the loan that you got from the bank cover everything? Does it put in the sidewalks? Does it put in the landscaping? Does it buy the new curtain rods? Does it buy the draperies? A person building a home or improving a home has many other costs that are not covered at the time of purchasing that home or building that home. To find out that local taxing authorities are imposing the taxes almost immediately upon them is a burden that many of them cannot cover.

Do not overlook, Mr. Speaker, that this is a "may" provision. This allows or permits a local governing body to create a tax abatement if in their best opinion that is necessary. This is an incentive for remodeling, an incentive for building. Look at our communities that have decayed and unimproved buildings because they cannot afford it. This bill has all sorts of possibilities of permitting senior citizens to remodel or to build homes. It permits the average citizen to buy those extra things for just 2 years if the local government permits them to.

I believe that this bill is needed, not only for our citizens but also for the laboring man who would like to build or to improve existing buildings. It is imperative that we pass HB 1921, and I urge the members to vote for the bill.

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

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

Mr. Speaker, I concur with the supporters of HB 1921 in the points that have been raised. I just would like to make reference to a few other issues that have not yet been raised.

First of all, Mr. Speaker, this bill only applies to fourth- to eighth-class counties, which are basically the rural areas of the Commonwealth of Pennsylvania which are not having many of the problems that some of the speakers have risen in reference to, such as the high cost of police protection and fire protection and other high municipal costs.

Secondly, Mr. Speaker, the Municipal Planning Code now provides that with most new construction all public improvements are included with that construction. Therefore, as a result of new residential construction in a community, there generally is no incremental cost to that community for many years due to the fact that the highways are new, the pipes for water and sewage and stormwater are new, and the fact that other improvements that the municipality feels are necessary are incorporated when the construction is completed.

Finally, Mr. Speaker, this bill will help address a housing crisis that exists in this Commonwealth. Many of us have apartments in which the rents are escalating because young people cannot purchase new homes. This bill will help provide the type of relief we need for our young people, in which approximately 90 percent of young people who want to purchase a home cannot do it at this time. This type of relief, which is only a short relief in which the municipalities can control the circumstances in which the relief is granted, will certainly benefit many of our communities.

Mr. Speaker, I think overall this Commonwealth has always had a strong housing policy. Having people live in houses, in residential communities, means greater stability for our schools, greater stability for our tax base, and greater overall cohesiveness in our communities. I would ask for support of HB 1921. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Montgomery, Mr. Bunt.

Mr. BUNT. Thank you, Mr. Speaker.

Mr. Speaker, I, too, rise in support of HB 1921. I am somewhat amazed at the previous speakers who have spoken out in opposition to the passage of this legislation. I think Mr. Mayernik is to be congratulated for having the foresight to draft such legislation which I feel is beneficial to our local school districts and local municipalities as revenue enhancement without taxing our existing residents of those municipalities and school districts.

In addition, Mr. Speaker, this is one way of raising local taxes and at the same time building pride in our neighborhoods by providing an incentive for people to locate, relocate, and also improve their existing properties.

I would like to go on record and urge the members on this side of the aisle to support HB 1921. Thank you.

The SPEAKER. For the second time on final passage, the Chair recognizes the gentleman from Allegheny, Mr. Mayernik.

Mr. MAYERNIK. Thank you, Mr. Speaker.

I know we have a good bill here when Mr. Olasz has to address it by bringing into it the poor and the old people in that it is going to hurt them. In essence what it is going to do is help them, because it is bringing additional people and growth into the community. It is bringing people in which will increase the number of students in the school districts. We here speak about improving life in Pennsylvania and bringing people in to locate in Pennsylvania. That is exactly what this piece of legislation does.

As far as Representative Fryer's comments, Mr. Speaker, about the housing starts, I have a chart here in my hand from Mellon Economic Briefing of March 1986 that indicates that the new residential housing starts are similar to that of next year. Even with declining interest rates, the housing growth is still the same. So we are trying to booster the housing growth and trying to get our economy going.

I knew that I would have opposition today from Mr. Fryer on this amendment due to the reason that it was a constitutional amendment back on March 7 of 1967 and the same gentleman voted against this - 1 of 33. It seems to be that gentleman's position on all of this type of legislation that is for helping the people in growth in our districts.

I ask for an affirmative vote on this bill, HB 1921. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Centre, Mr. Letterman, on final passage.

Mr. LETTERMAN. Mr. Speaker, I can tell you right now, I live in the little town of Milesburg and, Mr. Speaker, I hope that you get all the housing built in your district so you load all your school districts up; I will take some of the industry. I do not want any more houses built in my district if I am going to exempt them for 2 years, because I do not want the people who are living there who have been paying all the taxes to run our school districts and keep our streets and roads in good condition to be paying all the bills for somebody else who can darn well afford taxes if they can afford a \$90,000 home. But I will just say, you are saying you may have a real giveaway on your hands. I am asking for a "no" vote. Thank you.

The SPEAKER. The Chair recognizes the lady from Susquehanna, Miss Sirianni.

Miss SIRIANNI. Mr. Speaker, may I interrogate Mr. Fryer?

The SPEAKER. The gentleman, Mr. Fryer, indicates he will stand for interrogation. You are in order, and you may proceed, Miss Sirianni.

Miss SIRIANNI. Mr. Speaker, do I understand that if I build a new house, the local government can exempt me from 2 years' taxes?

Mr. FRYER. Yes, Mr. Speaker.

Miss SIRIANNI. Thank you, Mr. Speaker.

I had to ask you that because I thought something was wrong with me that I thought such a dumb thing would happen, Mr. Speaker.

Mr. FRYER. Mr. Speaker, as usual the lady is right on target.

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—162

Acosta	Dawida	Langtry	Roebuck
Afflerbach	Dininni	Lashinger	Rudy
Angstadt	Distler	Laughlin	Ryan
Argall	Dombrowski	Lescovitz	Rybak
Arty	Donatucci	Levdansky	Saloom
Baldwin	Dorr	Linton	Saurman
Barber	Duffy	Livengood	Semmel
Battisto	Durham	Lloyd	Serafini
Belardi	Evans	Lucyk	Seventy
Belfanti	Fargo	McCall	Smith, B.
Black	Fee	McClatchy	Smith, L. E.
Blaum	Fischer	McHale	Snyder, D. W.
Book	Flick	McVerry	Snyder, G.
Bortner	Foster	Mackowski	Staback
Bowley	Fox	Manderino	Stairs
Bowser	Freeman	Manmiller	Stevens
Boyes	Gamble	Markosek	Stewart
Broujos	Gannon	Mayernik	Stuban
Bunt	Geist	Merry	Sweet
Burd	George	Micozzie	Swift
Bush	Gladeck	Miller	Taylor, E. Z.
Caltagirone	Greenwood	Mowery	Taylor, J.
Cappabianca	Gruitza	Nahill	Telek
Carlson	Gruppo	Noye	Tigle
Carn	Hagarty	O'Brien	Trello
Cawley	Haluska	O'Donnell	Truman
Cessar	Hasay	Perzel	Van Horne
Chadwick	Hayes	Petrone	Veon
Civera	Herman	Phillips	Vroon
Cohen	Hershey	Piccola	Wambach
Colafella	Honaman	Pievsky	Wass
Cole	Howlett	Pistella	Weston
Cordisico	Hutchinson	Pitts	Wiggins
Cornell	Itkin	Pott	Wogan
Coslett	Jackson	Pressmann	Wozniak
Cowell	Johnson	Punt	Wright, D. R.
Coy	Josephs	Raymond	Wright, R. C.
Deluca	Kennedy	Reber	Yandrisevits
DeVerter	Kenney	Reinard	
Daley	Kosinski	Rieger	Irvis,
Davies	Kukovich	Robbins	Speaker

NAYS—35

Barley	Dietz	Michlovic	Scheetz
Birmelin	Fattah	Moehlmann	Schuler
Brandt	Fryer	Morris	Showers
Burns	Gallen	Mrkonic	Sirianni
Cimini	Godshall	Murphy	Steighner
Clark	Harper	Olasz	Taylor, F.
Clymer	Jarolin	Petrarca	Wilson
DeWeese	Kasunic	Preston	Wright, J. L.
Deal	Letterman	Richardson	

NOT VOTING—2

Maiale	Oliver
--------	--------

EXCUSED—2

Freind Gallagher

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

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

CARLISLE HIGH SCHOOL BASKETBALL TEAM PRESENTED

The SPEAKER. The Chair is delighted to welcome to the hall of the House the Carlisle State Championship Basketball Team as the guests of Representative Broujos, Representative Noye, and Representative Mowery. The team is in the gallery, but the captains and the coaches are to the left of the Speaker.

The Chair invites the coach and the captains and the gentleman, Mr. Roebuck, to present the citation.

The Chair recognizes the gentleman, Mr. Broujos.

Mr. BROUJOS. Mr. Speaker, the score in the championship game was 49 to 49. Orlando Roebuck came in off the bench and received a pass from Billy Owens, and Orlando laid it up within the last 5 seconds, winning the game. It was the second straight championship in the Quadruple-A for Carlisle and the first time back to back since about 1959. Kiski was an outstanding team and they had Joe Petrarca's nephew, Tony Petrarca, as their star. He did an outstanding job, leading his team to a lead of at least 10 points, and Carlisle came back from that to win.

We are here now to honor that team on behalf of myself, Representative Noye, and Representative Mowery. The coaching staff is devoted not only to the physical performance of these men but also to the intellectual and moral development of the team.

I would like to present Jim Roebuck, our Representative, to present to his relative, Orlando Roebuck, a citation.

Mr. ROEBUCK. Thank you, Mr. Speaker.

It is my honor to present the following citation:

Orlando Roebuck, reserve forward of Carlisle High School's Gold Team, came off the bench and calmly and successfully executed a backdoor lay up to secure for Carlisle its second consecutive PIAA AAAA championship title.

Orlando Roebuck, together with other Gold Team members, was instrumental in the conditioning, development and readiness of Carlisle's Thundering Herd in their drive to win the state title.

Since Orlando has recently been honored by the Urban League of Harrisburg for his high SAT score, he embodies the best qualities of scholar and athlete, a hallmark of the Carlisle Area School District. He has demonstrated that achievement as an athlete does not preclude academic accomplishment.

Resolved, that the House of Representatives of the Commonwealth of Pennsylvania expresses its respect and admiration for Orlando Roebuck of 330 C Street, Carlisle, Pennsylvania, on the occasion of his and his team's being honored as State AAAA Basketball Champions, and urges all athletes to emulate his standards.

Mr. BROUJOS. We have that outstanding high school coach, Dave Lebo, who has coached the team for years and, as I said, was concerned not only with their athletic accomplishments but their academic, and the father of Jeff Lebo, All-American, and now with the North Carolina team. This is Dave Lebo on the left here.

This is the captain of the team, Mike Owens, who is the nephew of Don Owens, who you all know is with the Republican staff. Mike Owens.

And we have a very special number one fan whom we all know as Carlisle's favorite, Buster Hodge.

The SPEAKER. Thank you, coach, and we thank the team. The team is in the gallery. Would the rest of the team please stand. Welcome to the hall of the House.

Thank you very much for coming. We are very pleased to have you. We understand that you have to leave to get over to the Senate.

WELCOMES

The SPEAKER. We have a group of students from Juniata College. They are here as the guests of Representative Sam Hayes. Welcome to the hall of the House.

We have, as the guests of Representative Ben Wilson, Carl and Barbara Crouthamel from Chalfont with their sons, Ryan, Lauren, and Kenley, and they will be here as future pages. Welcome to the hall of the House. Glad to have you here.

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 1972**, **PN 2664**, entitled:

An Act amending the act of August 26, 1971 (P. L. 351, No. 91), known as the "State Lottery Law," prohibiting the awarding of certain prizes.

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?

On final passage, the Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, I think some remarks should be made with respect to this particular bill.

According to the analysis that our staff has done on this, the effect of the prohibition contained in the bill will be to preclude any automobile from being awarded as a prize since there is no United States automobile manufacturer who will certify that any of its cars are wholly manufactured in the United States. Now, it may very well be that the intention of the sponsor was to preclude the awarding of automobile prizes of the Subaru or the Honda or one of the Japanese-manufactured cars, but that is not what the bill says.

In addition, prizes have been given out for travel. The question is raised whether or not these travel arrangements, outside of the country in many cases, are produced, are they nonmanufactured, and our legal staff is unable to determine what intent should be put on those words.

I think it is also something that should be noted that much is being said about this, at least in the committee stage and I am sure by Mr. Laughlin in a moment, but what we are really talking about is an infinitesimal amount of money that is being spent by the Lottery Commission for these prizes, some of which have been made in part outside of the United States, some of the cheaper prizes from what I understand - calculators, that type thing. Mr. Laughlin, I know, has received correspondence, as has Mr. Van Horne, from the Department of Revenue, which in short says that the prizes really amount to very little; the bids that are taken for the purchasing of these prizes by the Lottery Commission are all bid locally; that the prizes are all from United States sources—there are no purchases from outside of the country—and that the amount, according to a letter addressed to Mr. Van Horne, a copy of which I have, indicates that less than 1 cent of every \$10 would be in issue. It could perhaps upset the bidding process; it could upset the workings of the Lottery Commission.

I would, Mr. Speaker, ask Mr. Laughlin if he would address some of these issues. I have not urged, you will notice, Mr. Speaker, whether the bill be passed or defeated, but rather I am raising some of the questions that have been raised, and I would like Mr. Laughlin to address these issues.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Beaver, Mr. Laughlin, on final passage.

Mr. LAUGHLIN. Mr. Speaker, I will be very happy to address the Republican leader's position with regard to the purchase of foreign-made prizes to be given out by the lottery of the State of Pennsylvania.

Very clearly, Mr. Speaker, I would believe that Representative Ryan, having been a leader in this House of Representatives over the years, would support the position that any intelligent businessman or any intelligent administrator would certainly find prizes that are made in the United States or, even more specifically, made in the State of Pennsylvania to be given out whenever we are talking about lottery funds. We are not talking about taxpayer funds; we are not talking about Federal funds matched by the State of Pennsylvania; we are talking about dollars contributed by Pennsylvania residents for the benefit of the elderly in this State.

Mr. Speaker, I believe very strongly that the Department of Revenue can certainly purchase items for prizes within this State and within this Nation without going outside to give additional business to foreign companies. I believe the lottery is dedicated to Pennsylvania. I believe that wherever possible, Pennsylvania business should benefit from the lottery.

Mr. RYAN. Mr. Speaker, I heard his speech on the bill but I did not hear the issues addressed.

Would the gentleman agree that under the provisions of the bill there really—

Mr. LAUGHLIN. Mr. Speaker, I was not aware that Mr. Ryan had the floor. I was aware of the fact that I had the floor. If he wants to interrogate me, I would suggest he request that of the Speaker.

The SPEAKER. The gentleman, Mr. Ryan, indicates to the Chair that he wishes to interrogate the gentleman, Mr. Laughlin. The gentleman, Mr. Laughlin, indicates he will stand for interrogation. You are in order, and you may proceed.

Mr. LAUGHLIN. Thank you, Mr. Speaker. I was always under the impression that you ran this House.

The SPEAKER. Sometimes.

Mr. RYAN. Mr. Speaker, at no time while Mr. Laughlin was ever on the floor did I think I had control of the House; sometimes the majority, but never total control.

Mr. Speaker, would the gentleman address the issue as to whether or not under the provisions of this bill it would be possible for the Lottery Commission to award any automobile manufactured anywhere as a prize.

Mr. LAUGHLIN. Mr. Speaker, I had discussions with the department, and the Secretary agreed with my position that they should not be buying prizes any longer that are made outside of the country. So I would think that the Secretary has thus excluded from his consideration prizes made from automobiles or otherwise. That is the response that I have been receiving from the department.

Mr. RYAN. No, Mr. Speaker. My question was, does the gentleman believe—forget what the Secretary wants to do—does the gentleman believe that the Secretary, if he wanted to, could award an automobile as a prize under the provisions of this bill? It is a yes-or-no kind of answer, I think.

Mr. LAUGHLIN. I would be glad to answer it yes or no, Mr. Speaker, if you could present to me the manufacturing detail of every car that is produced in the United States and where those manufacturing parts were made. I cannot give you a yes-or-no answer because I believe you want a truthful answer, Mr. Speaker, and I cannot give that. Unless you can present me with the manufacturing lists of those products that go into that car and where it is manufactured, I could not give you a truthful answer, Mr. Speaker.

Mr. RYAN. Does the gentleman know, Mr. Speaker, of any car that is manufactured here in the United States—does he know; I do not have such specifications—do you know of any car that is manufactured or distributed in the United States that would qualify as a prize under this bill?

Mr. LAUGHLIN. Mr. Speaker, I have already answered the question. I do not have a manufactured list of vehicles made any more than you do.

Mr. RYAN. You do not know.

Mr. LAUGHLIN. That is right, Mr. Speaker.

Mr. RYAN. It is my understanding that there is no automobile distributed in the United States today that the manufacturer will certify is made entirely of United States products. Do you agree with that or is that something you are not sure of?

Mr. LAUGHLIN. It would be very, very difficult for me to respond to that question, Mr. Speaker. I have already told you that. I do not think that you or I have a list of those vehicles or where they are made, and you are making a presumption based on information you have received or you have heard, and I have not that benefit of that presumption.

Mr. RYAN. Mr. Speaker, the information I have—the gentleman has copies of the same information—and I confess that I, too, have never been blessed with the opportunity to search through the specifications of every automobile manufactured in the United States from the components of the paint down to the smallest nut and bolt, but the information I have and Mr. Laughlin has from the Secretary is that there is no automobile in the United States that would qualify under the provisions of this bill. So, in effect, no award of an automobile could be given.

Now, Mr. Laughlin in his usual truthful manner has confessed to ignorance the same as I in this area. I really wonder, though, if this is true what the Secretary says, whether this is the type thing we want to do, whether we want to preclude any automobile prize from being permitted under the provisions of the act. I suspect that we here in Pennsylvania who have been strong supporters of the car industry, particularly the cars manufactured here in the United States whose steel to a great extent is made and is contributed to by our people, do not want to participate in a preclusion of the offering of these for prizes.

Because both Mr. Laughlin and I are ignorant as to this, I wonder whether the bill should be set aside—I am not suggesting being recommitted—and see if we can get the answer to this, I think, rather simple question for someone with more expertise than the two of us.

The point I am really trying to make though, I guess, throughout this debate is to dispel the perception that the Lottery Commission is taking a position or has acted in such a way that they are promoting the purchase and distribution of foreign-made products. I do not think that is the case nor do I think that Mr. Laughlin is suggesting it. However, that perception, I believe, does exist.

Now, I do not know. I saw Mr. Laughlin at the leader's desk, and I am wondering if he has any thoughts with respect to passing this bill over until we get an answer, because I think that you and I, Mr. Speaker, would welcome the distribution of automobiles as prizes by the Lottery Commission if they were automobiles manufactured here in the United States.

Mr. LAUGHLIN. Is that a question, Mr. Speaker?

Mr. RYAN. No; that is a representation on my part based on my knowledge of the gentleman's interest in the automotive industry. I cannot imagine that he would be against the purchase of cars manufactured in Pennsylvania. If I am wrong in that presumption, of course, I am willing to stand corrected.

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

Mr. LAUGHLIN. Mr. Speaker, as far as Representative Laughlin is concerned with regard to the purchase of prizes

within the State lottery, I believe that the Secretary of Revenue, along with the lottery director, can certainly find adequate prizes that are available of any amount financially that they wish to spend, excellent merchandise that is manufactured, built, and produced in the United States. It is not necessary for them to envision the purchase of a vehicle or the giving of a vehicle as a prize. The lottery can certainly come up with adequate prizes if in fact the prize considered does not meet the standard of being an American product.

I would hope that some of the prizes, for instance, that they gave— And for those who are from an agricultural area in this State, whenever they were giving away calculators, I would have preferred them to give away a bushel of fresh corn. If they wanted to give away a bushel of apples, I would have been happy to see them do that instead of a calculator. It would have been the same monetary value, it would have been the product of a Pennsylvania farmer, and it would have helped Pennsylvania business. That, Mr. Speaker, is my kind of concern. And it starts at that level and it escalates on up the line. Whatever prizes are purchased and are available, I believe we should have them purchased to whatever degree possible in Pennsylvania and do business with Pennsylvania business people and generate business in this State.

The Governor yesterday presented an economic program for distressed areas, something that you and I have discussed at length. In that program he is talking about buy and deal and work and build in Pennsylvania. Well, Mr. Speaker, I support that contention. I am not concerned that one item on the lottery list—I should not say I am not concerned; I am not overly concerned—that one item on the lottery list might possibly be excluded for that reason. I believe there are adequate prize ranges for them to reach for, and I believe that we can both support something that says we should be purchasing American-made and Pennsylvania-made goods within the lottery structure.

MOTION TO PLACE BILL ON FINAL PASSAGE POSTPONED CALENDAR

The SPEAKER. The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, the gentleman has not evaded the suggestion I made but took another opportunity to make a speech on something that was nonresponsive to what I had requested.

What bothers me is, are we setting a new direction? Are we saying that any car manufactured in the United States does not qualify because some little part or another, perhaps, is made from out of the country? And apparently, from the information we have, this is the case. They will not certify that any car made in the United States is made entirely of United States products.

I agree with you, Mr. Speaker. A bushel of apples is better than a computer. But now we are beyond that, and we are looking at the direct issue—I am looking at the direct issue—of the car - the car situation, the Volkswagens of Westmoreland. They do not qualify as prizes under this bill, yet

they have been awarded as prizes by the Lottery Commission. In the event this became law, those Volkswagens out of Westmoreland County, manufactured in Pennsylvania but maybe not 100 percent Pennsylvania products or U.S. products, could not be awarded as a prize.

I do not believe that this legislature intends to hamstring the Lottery Commission so that they cannot award Volkswagens made in Pennsylvania by Pennsylvania workers with maybe some products from across the seas, that they are excluded from this.

I simply am asking that the bill be held over to correct this problem, and I would accordingly move that it be placed on the postponed calendar. Thank you, Mr. Speaker.

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

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

Mr. LAUGHLIN. Mr. Speaker, I have no objection to holding the bill over if that is what Mr. Ryan had suggested in the first place, but what he is constantly hitting on is speeches about automobiles. All he had to do was make the motion, or direct it to me, and I would have been glad to concur in holding it over for a period of a week or so until we can check out some of his complaints.

There are amendments even, Mr. Speaker, that would have been offered to the bill, but there is another bill that is coming forth on the lottery. That will be Representative Van Horne and other members of the committee who have done work on this. So I have no problem with holding it over for a short time, Mr. Speaker. Thank you, Mr. Speaker.

BILL PASSED OVER

The SPEAKER. Without objection, mark the bill over. The Chair hears no objection.

* * *

The House proceeded to third consideration of **SB 937, PN 1953**, entitled:

An Act amending the act of May 17, 1921 (P. L. 789, No. 285), entitled, as amended, "The Insurance Department Act of one thousand nine hundred and twenty-one," continuing gender based rate classifications.

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

Mr. MURPHY offered the following amendments No. A1382:

Amend Sec. 1, page 2, lines 14 through 24, by striking out all of said lines and inserting
Notwithstanding any other provision of law to the contrary, prior to November 30, 1987:

(1) The Insurance Commissioner shall not enter any order mandating the elimination of gender as a rating factor in automobile insurance policies; and

(2) Insurers shall be permitted to continue to use gender as a rating factor in automobile insurance policies provided such rating factors are actuarially sound and such rates shall not be deemed to be unfairly discriminatory.

(b) A Task Force is hereby established to conduct an in-depth study of automobile insurance rates and present to the General Assembly a detailed proposal and recommendations concerning various rating factors used in determining automobile insurance premiums.

(1) The Task Force shall consist of nine members. Three members shall be appointed by the Governor, three by the President Pro Tempore of the Senate and three by the Speaker of the House of Representatives. Each appointing authority shall appoint one male representative of consumers of automobile insurance, one female representative of consumers of automobile insurance and one individual with special skill, training and experience in the field of automobile insurance. At least one member appointed by the President Pro Tempore shall be recommended by the minority leader of the Senate and at least one member appointed by the Speaker of the House shall be recommended by the minority leader of the House. Members of the Task Force shall not be officers, officials or employees of the Commonwealth. Members of the Task Force shall not receive compensation, but may be reimbursed for actual and necessary expenses reasonably incurred in the deliberations of the Task Force.

(2) The Task Force shall constitute a legislative advisory committee assigned administratively to the Joint State Government Commission. The commission shall provide offices, staff, support, clerical assistance and administrative services to the Task Force.

(3) The Task Force shall contract for an independent professional evaluation of automobile insurance rating practices, which evaluation shall identify, analyze and compare various options for the rating of youthful drivers, including recommendations regarding the use of gender as a rating factor and the best alternatives available to gender as a rating factor and the economic impact upon consumers of such options. The Task Force shall develop criteria and specifications for the evaluation, publicly advertise a request for proposals and competitively select a contractor, with the approval of at least six members of the Task Force, from among responsive and responsible bidders. A final report from the contractor shall be presented to the Task Force on January 6, 1987.

(4) The Task Force shall review the final report of the contractor, conduct public hearings following receipt of the report and issue a final report of the recommendations of the Task Force not later than April 1, 1987. The Task Force shall provide its final report and recommendations to the Governor, the President Pro Tempore of the Senate and the Speaker of the House of Representatives.

Section 2. The sum of \$125,000 is hereby appropriated to the Joint State Government Commission for use by the Task Force for the purposes set forth in section 1 of this act. Up to \$100,000 of this appropriation may be utilized for the professional evaluation of automobile insurance rating practices and up to \$25,000 may be utilized for other expenses of the Task Force. This appropriation shall lapse if not encumbered by June 30, 1987.

Amend Sec. 2, page 2, line 25, by striking out "2" and inserting

3

On the question,

Will the House agree to the amendments?

The SPEAKER. On that question, the Chair recognizes the gentleman from Allegheny, Mr. Murphy.

Mr. MURPHY. Thank you, Mr. Speaker. The amendment was circulated yesterday.

Mr. Speaker, this amendment attempts to put forth another study commission for the unisex issue that goes beyond what

originally was proposed and attempts to address the concerns that were raised by the insurance industry and some of the opponents of unisex about the original commission.

For one, it removes the study commission from the Joint State Government Commission and appoints a task force instead with three members appointed by the Governor, three members appointed by the President Pro Tempore of the Senate, and three members appointed by the Speaker of the House of Representatives. Those people appointed would not necessarily be legislators.

That task force would look at the issue of insurance rating. It would evaluate, identify, analyze, and compare various options for the rating of youthful drivers, including gender. It would not require the task force to come back with a gender-neuter rating system. Absolutely. It would only require the task force to provide options to the General Assembly for us to begin to take up.

It is my belief, given that this issue is complex—it is clear that it has a lot of complex questions in it, not only in dealing with insurance rating but in questions of constitutionality—that this is more than a reasonable approach to trying to decide on this issue, and I urge your support of this amendment to create this task force so that we can have an impartial, serious look at the question of gender in insurance rating. I urge your support for the amendment. Thank you.

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Dauphin, Mr. Piccola.

Mr. PICCOLA. Thank you, Mr. Speaker.

First of all, let me just register my objection to the consideration of this bill today. It was not marked for consideration, and I was under the impression that the bill was to be passed over. But since that consideration is not to be given, we will debate this issue.

First of all, the bill in its original form is a so-called study bill, which this House passed in identical form in December in the form of SB 1037. Now, I have here in my file a copy of the tabled calendar from the Senate of Pennsylvania in which SB 1037 is sitting and has been sitting since December of this year. The Senate has taken absolutely no action on that. It will take no action on this bill if we send it over in its current form, and it will take no action on this bill if we adopt the Murphy amendment.

Now, what we did yesterday, Mr. Speaker, was overwhelmingly adopt a motion to override the Governor's veto to get rid of unisex automobile insurance rates in this State. The House did that for the third time by an overwhelming vote. Now, the opponents of gender-based rating continue to disregard the wishes of this House by bringing forth delaying tactics, which is exactly what this is, a delaying tactic, a so-called compromise to which nobody has agreed, and trying to forestall what is the inevitable and what is the wish of this House.

Now, the Murphy amendment merely puts off the final consideration of unisex rating until another day. It does not end this issue. We are going to have to face it again. That is exactly what this bill in its original form did. That is exactly

what SB 1037 did, and the Senate has not taken that issue up and will not take that issue up. Senator Stauffer has said in the press and he has said to me personally that there is no compromise with this issue. We will only override the Governor's veto or we will have unisex rates, and you and I know what unisex rates mean, Mr. Speaker. Unisex rates mean that young women's rates will go up in this State by at least an average of 33 percent and many higher.

Now, a positive vote for the Murphy amendment will only put another delay in front of the abolition of unisex rates, and for that reason, Mr. Speaker, I urge that we defeat this amendment and get on to the real issue, and that is sending that veto message over to the Senate where it belongs. Thank you.

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Thank you, Mr. Speaker.

Mr. Speaker, the gentleman, Mr. Piccola, indicates that it is the will of this House that we are trying to thwart in some manner by the Murphy amendment and the bill that is before us. What we are really trying to do is follow the will of the House as expressed in the legislation we sent to the Senate that is sitting on their calendar. Now, that was the will of this House also, was it not?

The will of this House obviously changes from day to day, and what we are saying today, Mr. Speaker, is the Murphy amendment setting up a study commission is something that the insurance industry can live with. The insurance industry participated in the formulation of this particular amendment. The insurance industry continues to ask this General Assembly, even though they participated in the formulation of this amendment, continues to ask this House and this Senate to disregard the Constitution of Pennsylvania.

If we want to talk about prolonging the agony of the issue, let me predict for you once again, as I predicted for you that the Governor would probably veto what we did, let me predict for you again that gender-based rates will continue only so long in Pennsylvania as it takes for the case to reach the courts, because the courts will certainly tell you what the Constitution is, even though I think most of us know what the Constitution of Pennsylvania is. And I will predict for you again that we are prolonging the agony by not requiring the insurance industry to base rates on other than race, color, creed, or gender, because that is what our Constitution says. They cannot use gender as a basis for insurance rates. That is what the court is going to say when the court is forced to that issue, and this is what we are attempting to do, I guess - force the court to tell us once again that what we have done violates the Constitution that you and I helped make, the people of Pennsylvania made, when we adopted the equal rights amendment in Pennsylvania. And that is what this is all about.

We are violating the equal rights amendment by allowing insurance companies to base rates on gender alone. We are allowing the insurance companies of this State to come in and stampede us, stampede us, and we are listening to them when they say, do not worry about what the Constitution says; just do what we tell you; everything will be all right. Well, it will

not be all right, and we are prolonging the agony if we do what they ask us to do, because I predict—and I do not make these predictions lightly—that the courts of Pennsylvania will tell us maybe 6 months down the line or 1 year down the line, go back to the drawing board, ladies and gentlemen of the General Assembly; you cannot base rates on gender. You cannot make legislation that says it is okay to do that, because there is a higher piece of foundation legislation called the Constitution that even the General Assembly cannot violate when it makes its laws.

Mr. Speaker, I would ask that we take the Murphy amendment, pass it, and then sustain the Governor's veto on gender-based insurance rates. The insurance companies can live with this; the people of Pennsylvania can live with this study. We are not asking for any immediate change in what the rates are in Pennsylvania. We are allowing the rates that are in effect at the present time to remain in effect until the study has been completed, until options are given to the General Assembly. Now, that is a pretty fair way of doing it.

Some of you have indicated that you needed to be able to vote for something positive in this area. This is a positive vote. This takes a step in the right direction; this is a step for ending the controversy which you will certainly be prolonging if you just continue to violate the Constitution and force the issue into the courts, because they will certainly tell us that we did pass an equal rights amendment.

I ask for the adoption of the Murphy amendment, Mr. Speaker.

The SPEAKER. On the Murphy amendment, the Chair recognizes the gentleman from Mifflin, Mr. DeVerter.

Mr. DeVERTER. Thank you, Mr. Speaker.

Mr. Speaker, I would like to be brief. I would like to challenge one of the remarks the majority leader made with respect to the industry being involved in the adoption of that amendment or the makeup of that amendment. I understand that is not correct.

Irrespective of that, I echo the sentiments of everything Representative Piccola said, and on top of that, I think all of us have had our bellies full of automobile insurance in this Commonwealth over the past couple of years. Now, we can keep on playing these cute little games or we can do what we did yesterday and let the Senate act on the action that we took. You know, it is only going to be another week or two until those premium notices start hitting hundreds of thousands of households all over this Commonwealth, and if you all think the Cat Fund was bad last summer, I daresay that those premium notices that will be received into those households are not going to be any fun either.

I do not know for what purpose or reason we continue to do some of the things that we do in this body, and Mr. Manderino keeps reiterating that the House did act on a similar piece of legislation and sent it to the Senate. It is very evident, and the Senate has made it very clear, that they are not going to deal with that issue as it was sent to them. So why do we continue to change their minds when their minds just are not going to be changed?

As it relates to the issue of the courts, let us wait until we see what the courts say after this body has acted, and I daresay if they act the same way, this Assembly has the responsibility to once again go back and do what it deems is necessary for the benefit and the welfare of the citizens of this Commonwealth, the people who send us here to represent them. I get just a little weary day in and day out of watching the mishmash—and that is what it is—of what we do here to the detriment of the people who send us here.

I think we ought to knock down the Murphy amendment, SB 937, and get on with it, and as Mr. Piccola pointed out, have the Speaker send that piece of legislation over to the Senate and find out whether they will override the veto. And if they do, that settles the issue for the moment. If at some point this body decides that it wishes to set up a task force or have the Joint State Government Commission look at the issue, then perhaps we should do that. But let us not do it, let us not do it in a setting that is less than conducive to what we should be about now, and that is whether or not there is to be gender-based insurance for the people of this Commonwealth.

I would ask for a negative vote, Mr. Speaker, and hope that we can proceed with some deliberation on getting that veto message over to the Senate. Thank you.

The SPEAKER. For the second time, the Chair recognizes the gentleman from Dauphin, Mr. Piccola.

Mr. PICCOLA. Thank you, Mr. Speaker.

I today for the first time heard from a lawyer whom I want to have represent me when I have a problem with the courts, because Mr. Manderino has made a prediction as to what the Supreme Court or the courts of this Commonwealth are going to do in this issue. I just do not know how he can be so certain on that, especially if he might have read the case and cases involved in this particular issue. Nowhere, nowhere in that court decision, in the Insurance Commissioner's decision, has it ever been said that gender-based rating is unconstitutional in Pennsylvania. That has never been raised. The Governor has not said that either. That has never been said by anyone in authority.

There are 12 States in this country who have equal rights amendments similar or identical to Pennsylvania's, and they continue to use gender-based rating. So how the majority leader can predict what the courts of Pennsylvania are going to do someday down the line on this issue, I do not know, but if he knows, I want him to be my lawyer.

Now, secondly, Mr. Speaker, I do know what the Senate of Pennsylvania will do if we send them this bill with this amendment in it. They will do nothing; they will do nothing. Here is the Senate's tabled calendar, Mr. Speaker. SB 1037 is on the tabled calendar in the Senate. It has the language of SB 937 in it, and the Murphy amendment does very little in the way of changing that language. It just jumbles it up and changes the method of the study, but it does not change anything else. The Senate had this bill in December; they had this bill in December, Mr. Speaker. No one in either the Democratic Party or the Republican Party in the Senate has even called

this bill up for a vote. Senator Stauffer has said, it is either gender-based rating with the override of the Governor's veto or it is unisex rates on June 1.

Now, a small minority in this House is trying to override the wishes of this chamber in getting rid of unisex rating. This Murphy amendment is a delaying tactic in trying to subvert the wishes of this House, and I, quite frankly, agree with Mr. DeVerter; I am sick and tired of it. I want to defeat this Murphy amendment, put this bill aside where it belongs, and send that veto message over to the Senate so they can deal with this issue in an up-front manner, like we should be dealing with the people of our great State, and stop using parliamentary methods to subvert the will of the people and the will of this House. Defeat the Murphy amendment. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Allegheny, Mr. Murphy, for the second time on the amendment.

Mr. MURPHY. Thank you, Mr. Speaker.

The previous speaker clearly has not read the amendment before you, because if he did, he would realize the significant difference in this amendment compared to SB 1037 that we sent over before. In SB 1037 it required, absolutely mandated, that the Joint State Government Commission come back with a gender-neuter form of ratemaking. This does not require that. This simply requires them to look at it and to try to suggest alternatives. If this task force comes back and says, absolutely, gender is a necessary part of ratemaking, so be it. We are asking very simply to set up something that is a fair look at this complicated issue.

What the previous speaker has suggested is very simply not true. He has said that it is the very same thing that we sent over. It is not the same. The Senate opposed two things in the previous legislation: one, having the Joint State Government Commission look at it; and two, the fact that we mandated that they come back with a gender-neuter insurance rating system. We have taken both of those points out of there. This is a significantly different amendment. It makes a lot of sense. What you are simply saying by voting against this is that you do not want any more knowledge on this issue, that you know everything there is to know. And I defy anybody in this chamber to come forth and explain how they know and understand insurance ratemaking.

It is about time, regardless of whether it is the gender-based issue or not, that we look at the insurance rating issue and how the insurance industry determines their rates. This would be very helpful, regardless of the final decision of this task force. And may I say, although I support the Governor's veto, this task force would be helpful regardless of what we do on the Governor's veto. This task force will give us more information on an issue that we ought to look to.

Finally, in the Supreme Court ruling that brought us here today, Mr. Piccola is correct. The decision did not turn on whether it was a constitutional question or not. It turned only on whether the Insurance Commissioner had the jurisdiction to make the decision. But if you read that case, you will see

Supreme Court justice after Supreme Court justice, including Justice Hutchinson and Justice Nix, referring to the ERA (equal rights amendment) as a basis for their decision. So to suggest that the Supreme Court did not look at the equal rights amendment when they made their decision is simply not to read that decision, because that decision clearly refers to the ERA as a basis of the decision.

I argue from the point of view that in 1986 we should not be going on record as encouraging sex discrimination, and I argue from the point of fairness, that this task force very simply puts us in a position of getting more information while at the same time continuing to let the insurance industry proceed with gender-based insurance rates. I do not like to say that. I have attempted, as other people who are proponents of unisex have attempted, to come more than half way on this issue. I urge you to join us in that middle in that effort to get more information on the issue. Thank you.

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

Mr. MACKOWSKI. I simply want to interrogate the maker of the amendment.

The SPEAKER. Mr. Murphy indicates he will stand for interrogation. You may proceed, Mr. Mackowski.

Mr. MACKOWSKI. Mr. Speaker, the thing that confuses me on this issue is the fact that somewhere along the line you people seem to think the Supreme Court has already ruled in favor of unisex rating. Now, if we are going to delay anything for 18 months and this study commission comes up with gender-based rating, will the Supreme Court not take the same action at that point as they might do if we hasten this decision before them by passing the bill that we passed yesterday and not waiting 18 months to start the whole ball game all over again?

Mr. MURPHY. Mr. Speaker, after 18 months on the study, we have at least a more reasoned approach to the issue. The reason I hear people telling me, and it was just said earlier on the floor by a previous speaker, why people are going to vote against this amendment and vote for the override is because insurance premiums are going up; because you have been told that by the insurance industry. That is not a rational reason to vote against this task force or to vote for an override. But what I am saying is, let us get some information; let us get an objective point of view to look at the use of gender in ratemaking so that we know whether we are doing a rational point of view and are not panicked by the insurance industry, as they have done time and time again on other issues that have come back to haunt us.

It seems to me clearly that that is what is going on now. You just heard earlier from both previous speakers that the reason you ought to vote against this is because if we do not do something, insurance rates are going to go up. That is not a rational reason. That is being controlled by a specific industry.

I suggest to you, if we get this information, we make a rational decision, then there is reason to suspect the Supreme Court might believe that. But why would they believe simply that we ought to have sex discrimination because insurance

rates are going to go up for one particular industry? That does not make any sense.

Mr. MACKOWSKI. Do they have any other position to take? Are they going to be in the ratemaking process or are they going to defend the Constitution, as you say, at one point or another? Now, if they are going to take the position that unisex is the only way to go, this study commission means nothing.

The SPEAKER. Mr. Mackowski, you are way off base. The gentleman cannot answer questions as to what the Supreme Court will do or will not do. You are to confine your questions to his amendment.

Mr. MACKOWSKI. I am sorry, but I thought that somebody had said that that is what the Supreme Court was doing, and that is why I questioned that.

The SPEAKER. The Chair does not happily interrupt you, but if we start speculating about what the Supreme Court will think and what it might do, we cannot even speculate what we will do, let alone what the Supreme Court will do. Let us stick to the amendment.

Mr. MACKOWSKI. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, very briefly.

The gentleman, Mr. Manderino, is not clairvoyant. He made his prediction on what the Supreme Court would do with the issue by reading the case that went to the Supreme Court and reading what the justices said about gender-based insurance rates in Pennsylvania. I just do not think they are going to change their mind. I think that when the insurance industry comes to us now and tells us, you are going to get away with this, go ahead and do it, I think they are wrong. I think they are wrong because I have read what the court has said about the issue. I do not think that we ought to play that game with the insurance industry. We ought to make them face up to basing rates on meaningful things - accident records, a hundred different things that we will ask this study to make suggestions to us in the alternative.

Secondly, I stand by my statement, Mr. Speaker, that the insurance industry participated in the formulation of this amendment. I was there. I had representatives there. I know who participated. I do, though, make the statement that once participating in the formulation by having the amendment meet all of their objections, they continue to think that they can win the issue and whipsaw the legislature into overriding the Governor's veto, and in any event will not support the amendment that they did participate in formulating.

Mr. Speaker, I think that the Murphy amendment honestly attempts to meet a middle ground; ought to be supported by us; will not bring about an increase in rates; will maintain the rates where they are until the study is completed, and I ask for a favorable vote on the amendment.

The SPEAKER. The Chair recognizes the gentleman from Monroe, Mr. Battisto, on the amendment.

Mr. BATTISTO. Thank you, Mr. Speaker.

Mr. Speaker, I would like to make two brief points. First of all, number one, I think it is probably clear that the Senate did

not act on SB 1037 because after 18 months we ordered a prohibition of gender-based rating. We said for the study that gender-based rating would terminate after 18 months. This amendment does the opposite. This amendment considers all factors to include gender-based rating as a possibility. Therefore, I think the Senate will act upon this amendment.

The second important point: Let us be honest with ourselves; HB 452 is a quick fix. It is the kind of bill that we passed—I did not vote for it—but that we passed because it was designed to appease those many letters you and I both received, those beautiful form letters with numbers in the upper right-hand corner. You did that and I did that. I did not do it, rather, but you did that. It is to appease a group of people.

The truth of the matter is, I happen to know Phil Mattes and he was a 26-year-old driver, as Bob O'Donnell said yesterday, who had no record, a perfect driving record. He had no accidents, no violations whatsoever. He found women with violations; he found women who had had accidents with lower rates than his.

The SPEAKER. Mr. Battisto, confine your remarks to the amendment.

Mr. BATTISTO. Yes, sir.

That is the point though. The point is that after this quick fix, we will be back. There will be many suits like the Mattes suit unless we pass this intelligent compromise. It makes a whole lot of sense to pass this intelligent compromise. Thank you.

The SPEAKER. Thank you.

The Chair recognizes the lady from Montgomery, Mrs. Hagarty.

Mrs. HAGARTY. Thank you, Mr. Speaker.

Mr. Speaker, I rise to support the Murphy amendment. I do not know what all the fuss is about the Murphy amendment. I do not think that this House wants to vote to discriminate against women or for sex discrimination. I think all we want is we do not want to see females' rates increased. We are frightened because every time we vote on insurance, rates go up. And so the reason I think the vote to override occurred is that we do not want rates to go up again as a result of our vote. But I do not think that we are essentially in favor of continuing a sex-based rating system if it can be avoided.

I do not see why we simply cannot support a study. We have voted to override. Whether it is the study or the override, female rates will not rise. We will not have our female drivers and parents of young female drivers saying to us, you increased our rates. And on the other hand, we will have an opportunity for once to study rates by the Insurance Department, to have a better understanding of how they occur, and to have an opportunity to see whether or not this is a fair system or what is a fair system, and no one's rates will go up.

I think it makes sense, and I urge an affirmative vote. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Cumberland, Mr. Mowery, on the amendment.

Mr. MOWERY. Thank you, Mr. Speaker.

It is beginning to sound like the same old story again. Everybody has different thoughts, different issues on a very controversial subject. I would just like to make an observation that, number one, yesterday we voted in this House 144 to 50—some to override the veto. I think that we made the decision; now we are back again with another alternative.

My feelings are very simply that I am sure the day will come when unisex ratings will probably be part of the rating system for automobile insurance in the State of Pennsylvania. I think, however, at this time it is a very difficult time for you and me as legislators because the industry is having a lot of problems. I do not see that right now you and I need to have a lot of concerns by our constituency as it relates to automobile insurance rates now. We have liability problems; we have a lot of other problems with our industry. Let it go as we voted yesterday. Let us show that we can make a decision in this House and 2 days in a row stick with a decision we made rather than fluctuating back and forth, which does nothing but cause concern to everybody involved.

I ask for the defeat of the Murphy amendment, and let us stay with the vote that the vast majority of this House showed yesterday was the way we wanted to go. Thank you.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—99

Acosta	Deal	Linton	Schuler
Afflerbach	Duffy	Livengood	Seventy
Angstadt	Fattah	Lucyk	Showers
Baldwin	Fee	McClatchy	Sirianni
Barber	Flick	McHale	Snyder, D. W.
Battisto	Freeman	McVerry	Steighner
Belardi	George	Manderino	Stevens
Belfanti	Gladeck	Markosek	Stewart
Blaum	Gruitza	Mayernik	Stuban
Bortner	Hagarty	Michlovic	Sweet
Bowley	Haluska	Morris	Taylor, F.
Broujos	Harper	Murphy	Tigue
Caltagirone	Howlett	O'Donnell	Truman
Cappabianca	Hutchinson	Olasz	Van Horne
Carn	Itkin	Oliver	Veon
Cawley	Jarolin	Petrone	Wambach
Clark	Josephs	Pievsky	Wass
Cohen	Kasunic	Pistella	Wiggins
Colafella	Kosinski	Pott	Wilson
Cole	Kukovich	Pressmann	Wozniak
Cowell	Lashingier	Preston	Wright, D. R.
Deluca	Laughlin	Richardson	Wright, R. C.
DeWeese	Lescovitz	Roebuck	
Daley	Letterman	Rudy	Irvis,
Davies	Levdansky	Rybak	Speaker
Dawida			

NAYS—98

Argall	Distler	Kennedy	Reinard
Arty	Dombrowski	Kenney	Rieger
Barley	Donatucci	Langtry	Robbins
Birmelin	Dorr	Lloyd	Ryan
Black	Durham	McCall	Saloom
Book	Evans	Mackowski	Saurman
Bowser	Fargo	Manmiller	Scheetz
Boyes	Fischer	Merry	Semmel
Brandt	Foster	Micozzie	Serafini
Bunt	Fox	Miller	Smith, B.

Burns	Fryer	Moehlmann	Smith, L. E.
Bush	Gallen	Mowery	Snyder, G.
Carlson	Gamble	Mrkonic	Staback
Cessar	Gannon	Nahill	Stairs
Chadwick	Geist	Noye	Swift
Cimini	Godshall	O'Brien	Taylor, E. Z.
Civera	Greenwood	Perzel	Taylor, J.
Clymer	Gruppo	Petrarca	Telek
Cordisco	Hasay	Phillips	Trello
Cornell	Hayes	Piccola	Vroon
Coslett	Herman	Pitts	Weston
Coy	Hershey	Punt	Wogan
DeVerter	Honaman	Raymond	Wright, J. L.
Dietz	Jackson	Reber	Yandrisevits
Dininni	Johnson		

NOT VOTING—2

Burd Maiale

EXCUSED—2

Freind Gallagher

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. PICCOLA offered the following amendments No. A1346:

Amend Title, page 1, lines 13 through 25, by striking out all of said lines and inserting

Amending the act of June 11, 1947 (P.L.538, No.246), entitled "An act relating to the regulation of rates for insurance which may be written by stock or mutual casualty insurance companies, associations or exchanges, including fidelity, surety and guaranty bonds and all other forms of motor vehicle insurance, and title insurance; to rating and advisory organizations; conferring on the Insurance Commissioner the power and duty of supervising and regulating persons, associations, companies and corporations, and of enforcing the provisions of this act; prescribing and regulating the practice and procedure before the commissioner, and procedure for review by the courts; giving the Court of Common Pleas of Dauphin County exclusive jurisdiction over certain proceedings; prescribing penalties and providing for enforcement thereof, and repealing inconsistent acts," further providing for ratemaking.

Amend Bill, page 2, lines 10 through 25, by striking out all of said lines and inserting

Section 1. Section 3 of the act of June 11, 1947 (P.L.538, No.246), known as The Casualty and Surety Rate Regulatory Act, is amended to read:

Section 3. Making of Rates.—All rates shall be made in accordance with the following provisions:

(a) Due consideration shall be given to past and prospective loss experience within and outside this Commonwealth, to physical hazards, to safety and loss prevention factors, to underwriting practice and judgment to the extent appropriate, to catastrophe hazards, if any, to a reasonable margin for underwriting profit and contingencies, to dividends, savings or unabsorbed premium deposits allowed or returned by insurers to their policyholders, members or subscribers, to past and prospective expenses both country wide and those specially applicable to this Commonwealth, and to all other relevant factors within and outside this Commonwealth;

(b) The systems of expense provisions included in the rates for use by any insurer or group of insurers may differ from those of other insurers or groups of insurers to reflect the requirements

of the operating methods of any such insurer or group with respect to any kind of insurance, or with respect to any subdivision or combination thereof for which subdivision or combination separate expense provisions are applicable;

(c) Risks may be grouped by classifications for the establishment of rates and minimum premiums. Classification rates may be modified to produce rates for individual risks in accordance with rating plans which establish standards for measuring variations in hazards or expense provisions, or both. Such standards may measure any differences among risks that can be demonstrated to have a probable effect upon losses or expenses;

(d) Rates shall not be excessive, inadequate or unfairly discriminatory. No rate shall be held to be unfairly discriminatory unless, allowing for practical limitations, it clearly fails to reflect with reasonable accuracy the differences in expected losses and expenses. A rate is not unfairly discriminatory because different premiums result for policyholders with like loss exposures but different expense factors, so long as the rate reflects the differences with reasonable accuracy. A rate is not unfairly discriminatory if it is averaged broadly among persons insured under a group, franchise or blanket policy;

(e) This section shall not be construed to prohibit rates for automobile insurance which are based in whole or in part on factors including, but not limited to, sex, if the use of such factors is supported by sound actuarial principles or is related to actual or reasonably anticipated experience; however, such factors shall not include race, religion or national origin.

Section 2. This act shall take effect in 60 days.

On the question,

Will the House agree to the amendments?

PARLIAMENTARY INQUIRY

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Dauphin, Mr. Piccola.

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

The SPEAKER. I think we are checking on it now. You are going to ask whether or not it is in conflict with the Murphy amendment? That is what we are checking right now.

It appears to us in looking at this, obviously quickly, that your amendment does not conflict, at least from a parliamentary point of view. It may conflict in philosophy, we do not know, but from a parliamentary point of view, you are not amending the same lines that Mr. Murphy amended, so our ruling is that you may offer the amendment.

Mr. PICCOLA. A further point of parliamentary inquiry, Mr. Speaker. Would the effect of my amendment be the elimination of the Murphy amendment from the bill?

The SPEAKER. No, it would not. That is what we were looking at. Mr. Murphy amended page 2, lines 14 through 24, and your amendment amends page 2 by adding words after line 25. So although I said philosophically there may be a conflict and we cannot judge that that quickly, from a parliamentary point of view it appears to us here at the desk that your amendment would pertain.

Mr. PICCOLA. A further parliamentary inquiry, Mr. Speaker. If my amendment is passed, would the bill read that gender-based rating would continue through the pendency of the study that the Murphy amendment addressed, which would be concluded on November 30, 1987, and thereafter

gender-based rating would continue under the provisions of my amendment?

The SPEAKER. A quick reading of this will not permit us to give you an accurate answer of that. We would only be guessing, and we prefer not to guess on such a complicated issue.

BILL TABLED

Mr. PICCOLA. Well, Mr. Speaker, in view of the uncertainty of the effect of this amendment, I would like to move that this bill, along with the amendments, be placed upon the table.

The SPEAKER. Moved by the gentleman, Mr. Piccola, that the bill, together with the amendments, be placed on the table.

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

The SPEAKER. On the motion, the Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, we are all of a mind to try to settle the matter, and I think it ought to be settled today. There is another way that Mr. Piccola can resolve his problem; that is simply by not offering the amendment.

I would ask for a negative vote on the motion to table.

The SPEAKER. Only the leaders may debate this motion.
Does the minority leader wish to debate the motion at all?

Mr. RYAN. Mr. Speaker, I would join with the gentleman, Mr. Piccola, in asking that the bill, together with the amendments, be placed upon the table. It would seem that there is some question as to the effect of the Piccola amendment. Maybe if we have the week to look it over, we can figure a way around it so that it can be offered maybe in another draft form. I am not entirely familiar with it, but I would join with the gentleman, Mr. Piccola.

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

(Members proceeded to vote.)

The SPEAKER. There are three members on the floor whose switches are voting green and red simultaneously. The Chair does not understand that. The Chair does not want to call their names out but there are three.

VOTE STRICKEN

The SPEAKER. Strike the vote and then let me see if we can check with that member.

Mr. RYAN. Mr. Speaker?

The SPEAKER. Mr. Ryan, it is one of your members.

Mr. RYAN. I understand, but the 9 1/2 minutes that have already passed, they will be counted on the new roll call, I assume.

The SPEAKER. Not 9 1/2; 6 minutes and 258 seconds.

The Chair recognizes the lady from Susquehanna, Miss Sirianni.

Miss SIRIANNI. Mr. Speaker, do I have to go buy another clock?

The SPEAKER. Try your switch. Your switch was registering green and red simultaneously.

Miss SIRIANNI. Not on the board.

Mr. Speaker, do I have to buy another clock? Please do not put me through that expense.

The SPEAKER. You do not have to buy one as long as the Speaker has the stopwatch in his hand.

We will take the vote immediately. We will start at 6 minutes; that means 4 minutes.

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

(Members proceeded to vote.)

The SPEAKER. Now, Miss Sirianni, the Chair is not joking. Your switch was registering, and I do not know how it happened, both red and green at the same time. Now it is registering green.

Miss SIRIANNI. Mr. Speaker, it was registering green up here.

The SPEAKER. I can only tell it by this, Miss Sirianni. I cannot follow that up there. It was registering—and I am not joking or not making a political posture on it—it was registering both red and green. There were two others. They are now at least clearly registering.

There are approximately 4 minutes to run before the 10-minute time is up.

Two minutes have passed. That means there are 2 more minutes before mandatorily we must cut off the vote.

There are only 20 seconds left. We must close the vote down.

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

The following roll call was recorded:

YEAS—100

Angstadt	Dininni	Kennedy	Robbins
Argall	Distler	Kenney	Ryan
Arty	Dorr	Langtry	Saurman
Barley	Durham	Lashingier	Scheetz
Birmelin	Fargo	McClatchy	Schuler
Black	Fischer	McVerry	Semmel
Book	Flick	Mackowski	Serafini
Bowser	Foster	Manmiller	Sirianni
Boyes	Fox	Merry	Smith, B.
Brandt	Gallen	Micozzie	Smith, L. E.
Bunt	Gamble	Miller	Snyder, D. W.
Burd	Gannon	Moehlmann	Snyder, G.
Burns	Geist	Mowery	Stairs
Bush	Gladeck	Nahill	Stevens
Carlson	Godshall	Noye	Swift
Cessar	Greenwood	O'Brien	Taylor, E. Z.
Chadwick	Gruppo	Perzel	Taylor, J.
Cimini	Hagarty	Phillips	Telek
Civera	Hasay	Piccola	Vroon
Clymer	Hayes	Pitts	Wass
Cornell	Herman	Poit	Weston
Coslett	Hershey	Punt	Wilson
DeVerter	Honaman	Raymond	Wogan
Davies	Jackson	Reber	Wright, J. L.
Dietz	Johnson	Reinard	Wright, R. C.

NAYS—99

Acosta	Deal	Linton	Roebuck
Afflerbach	Dombrowski	Livengood	Rudy
Baldwin	Donatucci	Lloyd	Rybak
Barber	Duffy	Lucyk	Saloom
Battisto	Evans	McCall	Seventy
Belardi	Fattah	McHale	Showers
Belfanti	Fee	Maiale	Staback
Blaum	Freeman	Manderino	Steighner
Bortner	Fryer	Markosek	Stewart
Bowley	George	Mayernik	Suban
Broujos	Gruitza	Michlovic	Sweet
Caltagirone	Haluska	Morris	Taylor, F.
Cappabianca	Harper	Mrkonic	Tigue
Carn	Howlett	Murphy	Trello
Cawley	Hutchinson	O'Donnell	Truman
Clark	Itkin	Olasz	Van Horne
Cohen	Jarolin	Oliver	Veon
Colafella	Josephs	Petrarca	Wambach
Cole	Kasunic	Petrone	Wiggins
Cordisco	Kosinski	Pievsky	Wozniak
Cowell	Kukovich	Pistella	Wright, D. R.
Coy	Laughlin	Pressmann	Yandrisevits
Deluca	Lescovitz	Preston	
DeWeese	Letterman	Richardson	Irvis,
Daley	Levdansky	Rieger	Speaker
Dawida			

NOT VOTING—0

EXCUSED—2

Freind Gallagher

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

PARLIAMENTARY INQUIRY

The SPEAKER. The Chair recognizes the gentleman from Dauphin, Mr. Piccola.

Mr. PICCOLA. Point of parliamentary inquiry.

The SPEAKER. The gentleman will state the point.

Mr. PICCOLA. Is there presently filed with the Speaker a motion to reconsider the vote by which this House overrode the Governor's veto yesterday on HB 452?

The SPEAKER. There is such a motion here.

Mr. PICCOLA. I would like to make whatever motion is appropriate to call that reconsideration motion for a vote immediately.

The SPEAKER. The motion was signed by the gentleman, Mr. Manderino, and ordinarily it is called up only when the signatory calls for it. Let us check and see if you have the power to call up someone else's motion.

Mr. Piccola, the Chair has not faced this question before, but it appears to the Chair— The Chair thinks the members ought to pay attention, because again this may be a conflict. We know that such a motion can be called up only under the order of business in which the business to which it referred is called up. The business to which it referred would be a communication from the Governor, a message from the Governor, which happened to be a veto message in this case. That means it would follow third consideration bills and resolutions. So it could not be called up, in our opinion, by anyone, including Mr. Manderino, until it is called up on a regular

order of business or unless a motion were placed to call it up on special order of business.

Mr. PICCOLA. Well, I would make that motion, Mr. Speaker.

CONSIDERATION OF SB 937 CONTINUED
BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.
Mr. MANDERINO. Mr. Speaker, I would like to make a motion to remove from the table the bill that was just tabled.

POINT OF ORDER

Mr. PICCOLA. Point of order, Mr. Speaker. I placed a motion to call up out of order the reconsideration motion, and I had the floor, Mr. Speaker.

The SPEAKER. Mr. Piccola, would you come to the desk; Mr. Ryan, Mr. Manderino?

The House will stand at ease.

(Conference held at Speaker's podium.)

The SPEAKER. The Chair rules that the gentleman, Mr. Manderino's motion is well taken, and the motion is that SB 937 be lifted from the tabled calendar.

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

The SPEAKER. Now, that motion is not debatable except by the leaders. Mr. Manderino has made his statement.

The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, Mr. Piccola has authorized me to say that there is no objection to removing it from the table.

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

The following roll call was recorded:

YEAS—184

Acosta	Dininni	Levdansky	Ryan
Afflerbach	Distler	Linton	Rybak
Angstadt	Dombrowski	Livengood	Saloom
Arty	Donatucci	Lloyd	Saurman
Baldwin	Dorr	Lucyk	Scheetz
Barber	Duffy	McCall	Schuler
Barley	Durham	McClatchy	Semmel
Battisto	Evans	McHale	Serafini
Belardi	Fattah	McVerry	Showers
Belfanti	Fee	Mackowski	Sirianni
Birmelin	Flick	Maiale	Smith, B.
Black	Foster	Manderino	Smith, L. E.
Blaum	Fox	Manmiller	Snyder, D. W.
Book	Freeman	Markosek	Snyder, G.
Bortner	Fryer	Mayernik	Staback
Bowser	Gallen	Merry	Stairs
Boyes	Gamble	Michlovic	Steighner
Brandt	Gannon	Micozzie	Stevens
Broujos	Geist	Miller	Stewart
Burd	George	Moehlmann	Suban
Burns	Gladeck	Morris	Sweet
Caltagirone	Godshall	Mowery	Swift
Cappabianca	Greenwood	Mrkonic	Taylor, E. Z.
Carlson	Gruitza	Murphy	Taylor, F.
Carn	Gruppo	Nahill	Taylor, J.
Cawley	Hagarty	Noye	Telek

Cessar	Haluska	O'Brien	Tigue
Chadwick	Harper	O'Donnell	Trello
Cimini	Hasay	Oliver	Truman
Civera	Hayes	Perzel	Van Horne
Clark	Herman	Petrarca	Veon
Clymer	Hershey	Petrone	Vroon
Cohen	Honaman	Phillips	Wambach
Colafella	Howlett	Piccola	Wass
Cole	Hutchinson	Pievsky	Weston
Cordisco	Itkin	Pistella	Wiggins
Coslett	Jackson	Pott	Wilson
Cowell	Jarolin	Pressmann	Wogan
Coy	Johnson	Preston	Wozniak
Deluca	Josephs	Reber	Wright, D. R.
DeVerter	Kasunic	Reinard	Wright, J. L.
DeWeese	Kosinski	Richardson	Wright, R. C.
Daley	Kukovich	Rieger	Yandrisevits
Davies	Lashingner	Robbins	
Dawida	Laughlin	Roebuck	Irvis,
Deal	Lescovitz	Rudy	Speaker
Dietz	Letterman		

NAYS—11

Argall	Cornell	Kennedy	Punt
Bunt	Fargo	Langtry	Raymond
Bush	Fischer	Pitts	

NOT VOTING—4

Bowley	Kenney	Olasz	Seventy
--------	--------	-------	---------

EXCUSED—2

Freind	Gallagher
--------	-----------

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

The SPEAKER. The majority having voted in favor of lifting it from the table, SB 937, PN 1953, as amended by Mr. Murphy, is back on the active calendar and immediately before the House, including the Piccola amendment A1346 which was tabled with the bill.

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

The SPEAKER. The Chair recognizes the gentleman from Dauphin, Mr. Piccola.

Mr. PICCOLA. Thank you, Mr. Speaker.

Yesterday 144 of us voted to make the language of this amendment the law of the Commonwealth. This amendment will make gender-based rating permissible in the Commonwealth of Pennsylvania. I would urge your support of that amendment as you voted yesterday for overriding the Governor's veto of that.

Now, this may be the "compromise" that everybody has been looking for, because I am informed by the Speaker that this language, the way the amendment is drafted, does not touch the Murphy amendment. It permits the study to continue; it permits the study to continue, but it also says, with the adoption of my language, Mr. Speaker, that we will continue to have gender-based rating until this General Assembly says otherwise.

The SPEAKER. Will the gentleman yield for a moment?

Did the gentleman, Mr. Piccola, mean to submit A1324? Is that not the wrong amendment?

Mr. PICCOLA. Yes, Mr. Speaker.

The SPEAKER. Let us correct the record. The amendment offered by Mr. Piccola is A1346. Now you may continue, Mr. Piccola. We have the correct amendment. Someone sent up the wrong copy, that is all.

You may continue.

Mr. PICCOLA. A1346.

As I said, Mr. Speaker, I lost my train of thought, so I am not sure what—I might be repeating myself—but the adoption of this amendment is the exact language that you passed yesterday with 144 votes. It will not affect the Murphy study; it will permit the Murphy study to go on, but it will implement gender-based rating, continue gender-based rating until the General Assembly says we are going to go to something else, whether it be what the study commission says, whether it be what we decide, which is, I think, what we ought to do in our Insurance Committee, but it will continue in effect gender-based rating until the General Assembly says otherwise.

Therefore, Mr. Speaker, I would urge that the House adopt this amendment and then pass this bill over to the Senate. Thank you, Mr. Speaker.

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

Mr. MURPHY. Mr. Speaker, for the sake of time and fairness, I have no objection to Mr. Piccola's amendment. Thank you.

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

The following roll call was recorded:

YEAS—189

Acosta	Dawida	Lashingner	Rudy
Angstadt	Deal	Laughlin	Ryan
Argall	Dietz	Lescovitz	Rybak
Arty	Dininni	Levdansky	Saloom
Baldwin	Distler	Linton	Saurman
Barber	Dombrowski	Livengood	Scheetz
Barley	Donatucci	Lloyd	Schuler
Battisto	Dorr	Lucyk	Semmel
Belardi	Duffy	McCall	Serafini
Belfanti	Durham	McHale	Seventy
Birmelin	Evans	McVerry	Showers
Black	Fargo	Mackowski	Sirianni
Blaum	Fattah	Majale	Smith, B.
Book	Fee	Manderino	Smith, L. E.
Bortner	Fischer	Manmiller	Snyder, D. W.
Bowley	Flick	Markosek	Snyder, G.
Bowser	Foster	Mayernik	Staback
Boyes	Fox	Merry	Stairs
Brandt	Fryer	Michlovic	Steighner
Broujos	Gallen	Micozzie	Stevens
Bunt	Gamble	Miller	Stewart
Burd	Geist	Moehlmann	Suban
Burns	George	Morris	Swift
Bush	Gladeck	Mowery	Taylor, E. Z.
Caitagirone	Godshall	Mrkonie	Taylor, F.
Cappabianca	Greenwood	Murphy	Taylor, J.
Carlson	Gruitza	Nahill	Telek
Carn	Gruppo	Noye	Tigue
Cawley	Hagarty	O'Brien	Trello
Cessar	Haluska	Olasz	Truman
Chadwick	Harper	Oliver	Van Horne
Cimini	Hasay	Perzel	Veon
Civera	Hayes	Petrarca	Vroon
Clark	Herman	Petrone	Wambach
Clymer	Hershey	Phillips	Wass

Cohen	Honaman	Piccola	Weston
Colafella	Howlett	Pievsky	Wiggins
Cole	Hutchinson	Pistella	Wilson
Cardisco	Jackson	Pitts	Wogan
Cornell	Jarolin	Pott	Wozniak
Coslett	Johnson	Preston	Wright, D. R.
Cowell	Josephs	Punt	Wright, J. L.
Coy	Kasunic	Raymond	Wright, R. C.
Deluca	Kennedy	Reber	Yandrisevits
DeVerter	Kenney	Reinard	
DeWeese	Kosinski	Rieger	Irvis,
Daley	Kukovich	Robbins	Speaker
Davies	Langtry	Roebuck	

NAYS—8

Afflerbach	Itkin	O'Donnell	Richardson
Freeman	Letterman	Pressmann	Sweet

NOT VOTING—2

Gannon	McClatchy
--------	-----------

EXCUSED—2

Freind	Gallagher
--------	-----------

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

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—195

Acosta	Deal	Lashinger	Rieger
Afflerbach	Dietz	Laughlin	Robbins
Angstadt	Dininni	Lescovitz	Roebuck
Argall	Distler	Letterman	Rudy
Arty	Dombrowski	Levdansky	Ryan
Baldwin	Donatucci	Linton	Rybak
Barber	Dorr	Livengood	Saloom
Barley	Duffy	Lloyd	Saurman
Battisto	Durham	Lucyk	Scheetz
Belardi	Evans	McCall	Schuler
Belfanti	Fargo	McClatchy	Semmel
Birmelin	Fattah	McHale	Serafini
Black	Fee	McVerry	Seventy
Blaum	Fischer	Mackowski	Showers
Book	Flick	Maiale	Sirianni
Bortner	Foster	Manderino	Smith, B.
Bowley	Fox	Manmiller	Smith, L. E.
Bowser	Freeman	Markosek	Snyder, D. W.
Boyes	Fryer	Mayernik	Snyder, G.
Brandt	Gallen	Merry	Staback
Broujos	Gamble	Michlovic	Stairs
Bunt	Geist	Micozzie	Steighner
Burd	George	Miller	Stevens
Burns	Gladeck	Moehlmann	Stewart
Bush	Godshall	Morris	Stuban
Caltagirone	Greenwood	Mowery	Swift
Cappabianca	Gruitza	Mrkonjac	Taylor, E. Z.
Carlson	Gruppo	Murphy	Taylor, F.
Carn	Hagarty	Nahill	Taylor, J.
Cawley	Haluska	Noye	Telek
Cessar	Harper	O'Brien	Tigue
Chadwick	Hasay	Olasz	Trello
Cimini	Hayes	Oliver	Truman
Civera	Herman	Perzel	Van Horne

Clark	Hershey	Petrarca	Veon
Clymer	Honaman	Petrone	Vroon
Cohen	Howlett	Phillips	Wambach
Colafella	Hutchinson	Piccola	Wass
Cole	Itkin	Pievsky	Weston
Cardisco	Jackson	Pistella	Wiggins
Cornell	Jarolin	Pitts	Wogan
Coslett	Johnson	Pott	Wozniak
Cowell	Josephs	Pressmann	Wright, D. R.
Coy	Kasunic	Preston	Wright, J. L.
Deluca	Kennedy	Punt	Wright, R. C.
DeVerter	Kenney	Raymond	Yandrisevits
DeWeese	Kosinski	Reber	
Daley	Kukovich	Reinard	Irvis,
Davies	Langtry	Richardson	Speaker
Dawida			

NAYS—2

O'Donnell	Sweet
-----------	-------

NOT VOTING—2

Gannon	Wilson
--------	--------

EXCUSED—2

Freind	Gallagher
--------	-----------

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

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

REMARKS ON VOTE

The SPEAKER. The Chair recognizes the gentleman from Montgomery, Mr. McClatchy. Why do you rise?

Mr. McCLATCHY. Mr. Speaker, I missed the last Piccola amendment A1346 to SB 937, and I want to be recorded in the affirmative.

The SPEAKER. How do you wish to be recorded?

Mr. McCLATCHY. Recorded in the affirmative.

The SPEAKER. In the affirmative.

The Chair thanks the gentleman.

MOTION TO MAKE HB 452 SPECIAL ORDER OF BUSINESS

The SPEAKER. The gentleman, Mr. Manderino, moves that we go to a special order of business—now, this is important— so that we may take up immediately a reconsideration of the vote by which the Governor's veto to HB 452 was overridden.

The question is on the motion for a special order of business.

On the question,

Will the House agree to the motion?

Motion was agreed to.

VETO OVERRIDE RECONSIDERED

The SPEAKER. The Chair places before the members the following reconsideration motion: Moved by the gentleman, Mr. Manderino, that the vote by which the Governor's veto of HB 452 was overridden on the 8th day of April be reconsidered.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—166

Acosta	Dininni	Linton	Roebuck
Afflerbach	Dombrowski	Livengood	Rudy
Angstadt	Donatucci	Lloyd	Ryan
Argall	Duffy	Lucyk	Rybak
Arty	Durham	McCall	Saloom
Baldwin	Evans	McClatchy	Saurman
Barber	Fattah	McHale	Schuler
Barley	Fee	McVerry	Semmel
Battisto	Flick	Mackowski	Serafini
Belardi	Foster	Maiale	Seventy
Belfanti	Freeman	Manderino	Showers
Black	Fryer	Manmiller	Sirianni
Blaum	Gamble	Markosek	Snyder, D. W.
Book	Gannon	Mayernik	Staback
Bortner	George	Merry	Stairs
Bowley	Gladeck	Michlovic	Steighner
Bowser	Godshall	Micozzie	Stevens
Boyes	Greenwood	Miller	Stewart
Brandt	Gruitza	Moehlmann	Stuban
Broujos	Gruppo	Morris	Sweet
Bunt	Hagarty	Mrkonic	Swift
Burd	Haluska	Murphy	Taylor, E. Z.
Burns	Harper	Nahill	Taylor, F.
Caltagirone	Hayes	O'Brien	Taylor, J.
Cappabianca	Honaman	O'Donnell	Telek
Carn	Howlett	Olasz	Tigue
Cawley	Hutchinson	Oliver	Trello
Chadwick	Itkin	Perzel	Truman
Civera	Jackson	Petrarca	Van Horne
Clark	Jarolin	Petrone	Veon
Cohen	Johnson	Piccola	Wambach
Colafella	Josephs	Pievsky	Weston
Cole	Kasunic	Pistella	Wiggins
Cordisco	Kenney	Pitts	Wilson
Cowell	Kosinski	Pott	Wogan
Coy	Kukovich	Pressmann	Wozniak
Deluca	Langtry	Preston	Wright, D. R.
DeWeese	Lashinger	Raymond	Wright, R. C.
Daley	Laughlin	Reber	Yandrisevits
Davies	Lescovitz	Reinard	
Dawida	Letterman	Rieger	Irvis,
Deal	Levdansky	Robbins	Speaker

NAYS—30

Birmelin	Distler	Herman	Scheetz
Bush	Dorr	Hershey	Smith, B.
Carlson	Fargo	Kennedy	Smith, L. E.
Cimini	Fischer	Mowery	Snyder, G.
Clymer	Fox	Noye	Vroon
Cornell	Gallen	Phillips	Wass
Coslett	Geist	Punt	Wright, J. L.
DeVerter	Hasay		

NOT VOTING—3

Cessar	Dietz	Richardson
--------	-------	------------

EXCUSED—2

Freind Gallagher

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

The SPEAKER. The House has immediately before it the veto message of the Governor to HB 452, PN 2832.

On the question recurring,

Shall the bill become law, the objections of the Governor to the contrary notwithstanding?

The SPEAKER. On that question, the Chair recognizes the gentleman from Dauphin, Mr. Piccola.

Mr. PICCOLA. Mr. Speaker, could we have a short break, just for a minute or two?

The SPEAKER. The Chair would be delighted.

The House will stand at ease.

The Chair recognizes the gentleman from Dauphin, Mr. Piccola.

Mr. PICCOLA. Mr. Speaker, I would urge an affirmative vote on this motion. As you know, this would override the Governor's veto and prevent gender-based rating from going into effect. That is the intent of what we just passed in terms of my amendment. It does not preclude the possibility of SB 937 being adopted by the Senate and having a study commission. But I would urge that the House repeat the vote that it cast yesterday and override the Governor's veto. Thank you.

The SPEAKER. On the question, the Chair recognizes the majority whip.

Mr. O'DONNELL. Thank you, Mr. Speaker.

Mr. Speaker, the House is familiar with the issues. If you will recall the debate of yesterday, I think the salient point is that this system is unfair, it does not work, and it is not acceptable. We just cannot use gender as a basis for making the law in Pennsylvania. Thank you.

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

Mr. MICHLOVIC. Thank you, Mr. Speaker.

It is also very obvious from the last vote that we took on the last bill that there is a great deal of sentiment in the House to take the study to find out what the task force says about the gender-based rate and that we ought to wait until after that study to make a decision on this issue. We ought to sustain the Governor's veto until then. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Mifflin, Mr. DeVerter, on the question.

Mr. DeVERTER. Mr. Speaker, just briefly to the members, I would suggest that we support the override again, because although we have now passed SB 937, the prospects are still very strong that the Senate will not deal with that issue, and if they do not and we fail to vote the override, we are right back where we started. So I suggest we give them a couple options. Let us send them the override and SB 937 and let us see what happens. Thank you.

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I think that the Senate may well pass what we just sent to them in the previous bill. It is something that Senate leaders participated in the formulation of. It is something that the insurance industry at least participated in the formulation of. Mr. Speaker, I think that it meets the criteria of a fair compromise. I think we have taken a positive step. I think that we send the wrong signal by overriding the Governor's veto today. I think what we did in the Murphy amendment met the call in the Governor's veto for a study, and I would ask that we not override the Governor's veto, that we allow the study to be done and to have the report before us with the alternatives before we take the step of overriding the Governor's veto. I ask all members to vote in the negative.

The SPEAKER. On the question, those in favor of sustaining the Governor's veto will vote "yes"; those opposed to sustaining the veto will vote "no."

Mr. PICCOLA. Point of order.

The SPEAKER. You do not have to take the point of order. The Chair is about to retire.

Those who agree with the Governor will vote "no" so we do not override. Those who disagree with the Governor will vote "yes" to override. I think I have it right now.

On the question recurring,

Shall the bill become law, the objections of the Governor to the contrary notwithstanding?

(Members proceeded to vote.)

Mr. MANDERINO. Mr. Speaker, may I remind the members that only those in their seats are permitted to vote under the rules of the House.

The SPEAKER. If there are challenges, the Chair will hold off the recording of the vote. Have all the members voted? Are there any challenges?

On the question recurring,

Shall the bill become law, the objections of the Governor to the contrary notwithstanding?

The following roll call was recorded:

YEAS—137

Angstadt	Distler	Laughlin	Rudy
Argall	Dombrowski	Lescovitz	Ryan
Arty	Donatucci	Livengood	Saloom
Baldwin	Dorr	Lloyd	Saurman
Barley	Duffy	Lucyk	Scheetz
Belfanti	Durham	McCall	Schuler
Birmelin	Fargo	McClatchy	Semmel
Black	Fee	Mackowski	Serafini
Blaum	Fischer	Manmiller	Seventy
Book	Foster	Markosck	Showers
Bowser	Fox	Mayernik	Sirianni
Brandt	Fryer	Merry	Smith, B.
Broujos	Gallen	Micozzie	Smith, L. E.
Bunt	Gamble	Miller	Snyder, G.
Burns	Geist	Moehlmann	Stairs
Bush	George	Morris	Steighner
Cappabianca	Gladeck	Mowery	Stevens
Carlson	Godshall	Mrkonic	Stuban
Cawley	Greenwood	Nahill	Swift
Cessar	Gruitza	Noye	Taylor, E. Z.
Chadwick	Gruppo	O'Brien	Taylor, F.
Civera	Hasay	Olasz	Taylor, J.

Clymer	Hayes	Perzel	Telek
Colafella	Herman	Petrarca	Tigue
Cole	Hershey	Petrone	Trello
Cordisco	Honaman	Phillips	Truman
Cornell	Hutchinson	Piccola	Vroon
Coslett	Jackson	Pitts	Wambach
Coy	Johnson	Punt	Wass
DeLuca	Kasunic	Raymond	Weston
DeVerter	Kennedy	Reber	Wilson
Daley	Kenney	Reinard	Wogan
Davies	Kosinski	Rieger	Wright, J. L.
Dietz	Langtry	Robbins	Yandrisevits
Dininni			

NAYS—56

Acosta	Evans	McHale	Rybak
Afflerbach	Fattah	McVerry	Snyder, D. W.
Barber	Flick	Manderino	Staback
Battisto	Freeman	Michlovic	Stewart
Belardi	Hagarty	Murphy	Sweet
Bortner	Haluska	O'Donnell	Van Horne
Bowley	Harper	Oliver	Veon
Burd	Itkin	Pievsky	Wiggins
Caltagirone	Jarolin	Pistella	Wozniak
Carn	Josephs	Pott	Wright, D. R.
Cohen	Kukovich	Pressmann	Wright, R. C.
Cowell	Lashinger	Preston	
DeWeese	Letterman	Richardson	Irvis,
Dawida	Levdansky	Roebuck	Speaker
Deal	Linton		

NOT VOTING—6

Boyes	Clark	Howlett	Maiale
Cimini	Gannon		

EXCUSED—2

Freind	Gallagher
--------	-----------

The SPEAKER. The majority having voted in favor of overriding the Governor's veto, the House has stated that HB 452 shall be the law of the Commonwealth, the veto of the Governor to the contrary notwithstanding.

MOTION TO MESSAGE SENATE

The SPEAKER. The Chair recognizes the gentleman from Dauphin, Mr. Piccola.

Mr. PICCOLA. Mr. Speaker, I would like to place a motion.

I move that the Governor's veto message on HB 452 and the House's action thereon today be delivered to the Senate during legislative day Wednesday, April 9, 1986, which is today, Mr. Speaker.

The SPEAKER. The purpose of that, for those of you who do not understand that motion, the Chair had explained yesterday that the Chair had 5 days in which to hold the bill, any bill, before sending it to the Senate. The purpose of the gentleman's motion is to instruct the Chair that the veto message, together with the action of the House, be sent immediately to the Senate.

On the question,

Will the House agree to the motion?

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, just so that we keep the record straight, the gentleman's motion is in the nature, I

believe, of a suspension of the rules, because the rules of the House would permit the Speaker to keep the bill here for at least 5 days so that reconsiderations—

The SPEAKER. That is true.

Mr. MANDERINO. That is true. So the gentleman is asking that the rules of this House, as they are stated in the rules, not be followed and that his wishes be followed. I have no problem with that except to say that it is my belief that that should take 102 votes.

The SPEAKER. The Chair concurs and the Chair will so instruct the members.

The rule of the House is that the Speaker has the prerogative of holding bills for 5 legislative days. That is rule 40. For the gentleman to change that means the suspension of that rule.

POINT OF ORDER

Mr. PICCOLA. Point of order, Mr. Speaker.
Is that the ruling of the Chair?

The SPEAKER. That is the ruling of the Chair.

RULING OF CHAIR APPEALED

Mr. PICCOLA. Well, I would challenge the ruling of the Chair, Mr. Speaker, and the reason is that this is totally within the rule. It allows the Speaker up to 5 days. A suspension of the rule would be if we were directing the Speaker to hold it beyond 5 days. But we are directing the Speaker to do something which is properly within the rules, and I do not believe that this requires a suspension of the rules. For that reason, if that is the Chair's ruling, I would challenge the ruling of the Chair.

The SPEAKER. The ruling of the Chair has been challenged. The Chair invites the gentleman, Mr. Ryan, to preside.

THE SPEAKER PRO TEMPORE (MATTHEW J. RYAN) IN THE CHAIR

The SPEAKER pro tempore. The question before the House is on the motion of the gentleman, Mr. Piccola, appealing the ruling of the Chair. The question is, shall the decision of the Chair stand as the judgment of the House?

On the question,

Will the House sustain the ruling of the Chair?

The SPEAKER pro tempore. On that question, the Chair recognizes the majority leader.

Mr. MANDERINO. On that question, Mr. Speaker, I fully expect that there are 102 votes here or 101, whatever might be necessary to suspend the rules in this situation, but I caution the members not to upset the ruling of the Chair. The ruling of the Chair simply is saying that you are taking the prerogative of the Chair of holding a bill for 5 days away from the Chair if you follow the motion that Mr. Piccola has initiated. Now, it is perfectly within our right to take the prerogative

away from the Chair; it is perfectly within our rights to do that, but what I am saying is, we should do it by putting up the necessary votes to suspend the rules, because we are abrogating the rule that gives the Speaker the right.

I would ask that you sustain the ruling of the Chair that it takes 101 or a constitutional majority, whatever that might be, to prevail with the Piccola motion. How you vote on the Piccola motion is, of course, where I expect that there are more than 102 votes. But I do not think that we ought to set precedent that you can upset, by making a subsidiary motion, as Mr. Piccola has made here, upset what is in the rules without a constitutional majority, because the rules become meaningless then.

APPEAL WITHDRAWN

The SPEAKER pro tempore. The Chair recognizes the gentleman from Dauphin, Mr. Piccola.

Mr. PICCOLA. Mr. Speaker, in light of the remarks of the majority leader, although I do disagree with the interpretation of the rules by the Speaker, I will withdraw my appeal. Thank you.

The SPEAKER pro tempore. Mr. Piccola, you recognize that by withdrawing your appeal you are making me come down from this rostrum.

Mr. PICCOLA. I know, and I regret that, Matt.

Miss SIRIANNI. Mr. Speaker?

The SPEAKER pro tempore. I am no longer Speaker; there is nothing before the House on appeal.

The Chair returns to the permanent Speaker the gavel with thanks.

THE SPEAKER (K. LEROY IRVIS) IN THE CHAIR RULES SUSPENDED

The SPEAKER. Now let us get on with the real question of whether or not the rules should be suspended so that the Speaker would be advised to send the bill, together with the veto message, over immediately.

Those in favor of suspension of the rules will vote "aye"; those opposed, "no." This will take 101 votes.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—129

Angstadt	Dininni	Kenney	Saurman
Argall	Distler	Kosinski	Scheetz
Arty	Donatucci	Langtry	Schuler
Baldwin	Dorr	Lashingier	Semmel
Barley	Duffy	Lescovitz	Serafini
Birmelin	Durham	Lloyd	Showers
Black	Fargo	McClatchy	Sirianni
Blaum	Fischer	McVerry	Smith, B.
Book	Flick	Mackowski	Smith, L. E.
Bowser	Foster	Manmiller	Snyder, D. W.
Boyes	Fox	Mayernik	Snyder, G.
Brandt	Fryer	Merry	Stairs
Broujos	Gallen	Micozzie	Steighner
Bunt	Gamble	Miller	Stevens
Burd	Gannon	Moehlmann	Suban

Burns	Geist	Morris	Swift
Bush	Gladeck	Mowery	Taylor, E. Z.
Carlson	Godshall	Mrkonic	Taylor, F.
Cawley	Greenwood	Nahill	Taylor, J.
Cessar	Gruppo	Noye	Telek
Chadwick	Hagarty	O'Brien	Tigue
Cimini	Haluska	Perzel	Trello
Civera	Hasay	Petrone	Vroon
Clymer	Hayes	Phillips	Wambach
Colafella	Herman	Piccola	Wass
Cordisco	Hershey	Pitts	Weston
Cornell	Honaman	Punt	Wilson
Coslett	Itkin	Raymond	Wogan
Coy	Jackson	Reber	Wright, D. R.
Deluca	Johnson	Reinard	Wright, J. L.
DeVertter	Kasunic	Robbins	Wright, R. C.
Davies	Kennedy	Ryan	Yandrisevits
Dietz			

NAYS—67

Acosta	Dombrowski	Livengood	Richardson
Afflerbach	Evans	Lucyk	Rieger
Barber	Fattah	McCall	Roebuck
Battisto	Fee	McHale	Rudy
Belardi	Freeman	Manderino	Rybak
Belfanti	George	Markosek	Saloom
Bortner	Gruitza	Michlovic	Seventy
Bowley	Harper	Murphy	Staback
Caltagirone	Howlett	O'Donnell	Stewart
Cappabianca	Hutchinson	Olasz	Truman
Clark	Jarolin	Oliver	Van Horne
Cohen	Josephs	Petrarca	Veon
Cole	Kukovich	Pievsky	Wiggins
Cowell	Laughlin	Pistella	Wozniak
DeWeese	Letterman	Pott	
Daley	Levdansky	Pressmann	Irvis,
Dawida	Linton	Preston	Speaker
Deal			

NOT VOTING—3

Carn	Maiale	Sweet
------	--------	-------

EXCUSED—2

Freind	Gallagher
--------	-----------

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.

MOTION TO MESSAGE SENATE

The SPEAKER. The Chair recognizes the gentleman from Dauphin, Mr. Piccola, who moves that the Speaker be instructed to send HB 452, together with the action of the House and the veto message of the Governor, immediately to the Senate.

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

The following roll call was recorded:

YEAS—145

Argall	Donatucci	Lashingner	Ryan
Arty	Dorr	Laughlin	Saloom
Baldwin	Duffy	Lescovitz	Saurman
Barber	Durham	Livengood	Scheetz
Barley	Fargo	Lloyd	Schuler
Belfanti	Fee	Lucyk	Semmel
Birmelin	Fischer	McCall	Serafini
Black	Flick	McClatchy	Seventy
Blaum	Foster	McVerry	Showers

Book	Fox	Mackowski	Sirianni
Bowser	Fryer	Mannmiller	Smith, B.
Brandt	Gallen	Mayernik	Smith, L. E.
Broujos	Gamble	Merry	Snyder, G.
Bunt	Gannon	Micozzie	Staback
Burd	Geist	Miller	Stairs
Burns	George	Moehlmann	Steighner
Bush	Gladeck	Morris	Stevens
Cappabianca	Godshall	Mowery	Stuban
Carlson	Greenwood	Mrkonic	Sweet
Cawley	Gruitza	Nahill	Swift
Cessar	Gruppo	Noye	Taylor, E. Z.
Chadwick	Hagarty	O'Brien	Taylor, F.
Cimini	Haluska	Olasz	Taylor, J.
Civera	Hasay	Perzel	Telek
Clymer	Hayes	Petrarca	Tigue
Colafella	Herman	Petrone	Trello
Cole	Hershey	Phillips	Vroon
Cordisco	Honaman	Piccola	Wambach
Cornell	Jackson	Pitts	Wass
Coslett	Jarolin	Punt	Weston
Coy	Johnson	Raymond	Wilson
Deluca	Kasunic	Reber	Wogan
DeVertter	Kenney	Reinard	Wright, D. R.
Davies	Kenney	Rieger	Wright, J. L.
Dietz	Kosinski	Robbins	Wright, R. C.
Dininni	Langtry	Roebuck	Yandrisevits
Distler			

NAYS—49

Acosta	Dawida	McHale	Rudy
Afflerbach	Deal	Manderino	Rybak
Battisto	Dombrowski	Markosek	Snyder, D. W.
Belardi	Evans	Michlovic	Stewart
Bortner	Fattah	Murphy	Truman
Bowley	Freeman	O'Donnell	Van Horne
Caltagirone	Harper	Oliver	Veon
Carn	Itkin	Pievsky	Wiggins
Clark	Josephs	Pistella	Wozniak
Cohen	Kukovich	Pott	
Cowell	Letterman	Pressmann	Irvis,
DeWeese	Levdansky	Preston	Speaker
Daley	Linton	Richardson	

NOT VOTING—5

Angstadt	Howlett	Hutchinson	Maiale
Boyes			

EXCUSED—2

Freind	Gallagher
--------	-----------

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

The SPEAKER. The majority required having voted in favor of the motion, the Speaker instructs the clerk to immediately transmit the veto message, together with this bill, together with the action of the House, immediately to the Senate.

Also, SB 937; send that over immediately. Let the Senate worry about this from now on.

Every once in a while the Chair feels as if he is a circus master; something like being the chief baboon in the zoo. Let me tell you why. Now that we have argued back and forth, the Speaker has vacated the Chair, Mr. Ryan has taken the Chair, Mr. Piccola has withdrawn his motion, and the House has voted on suspension of the rules, the Senate is not in session.

Mr. MANDERINO. Mr. Speaker, what will you do with that bill now?

The SPEAKER. The Speaker thinks he will probably take the veto message home with him this afternoon.

REMARKS ON VOTES

The SPEAKER. The Chair recognizes the gentleman from Lehigh, Mr. McHale. Why do you rise, sir?

Mr. McHALE. To correct the record, Mr. Speaker.

The SPEAKER. The gentleman may state the correction.

Mr. McHALE. Mr. Speaker, on the Piccola amendment A1346 to SB 937, I was recorded in the affirmative. I in fact voted in the negative and would like that reflected in the record.

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

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

Mr. WILSON. Mr. Speaker, before you send SB 937 anywhere, the light showed green but the record shows I did not vote. I would like to be voted in the affirmative.

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

The Chair recognizes the gentleman from Berks, Mr. Davies.

Mr. DAVIES. Parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state the point.

Mr. DAVIES. During your brief hiatus yesterday afternoon, I believe there was a laxness in the enforcement of rule 9(a) during that interim. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

REMARKS ON VOTE

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

Mr. ITKIN. Mr. Speaker, on the Piccola motion to suspend the rules, I voted in error. I wish to be recorded in the negative.

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

REMARKS SUBMITTED FOR THE RECORD

REMARKS ON VOTES

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

Mr. RICHARDSON. Mr. Speaker, I would like to know if you will go back to reports of committee, and then also, I have some remarks to submit for the record.

The SPEAKER. No. If it is a report of committee, hold it a moment; we want to get these corrections out of here.

Mr. RICHARDSON. Well, then, I have a correction, Mr. Speaker, which was my second request.

The SPEAKER. All right; give the Chair the correction. How do you wish to correct the vote?

Mr. RICHARDSON. Mr. Speaker, I have listed a number of them from yesterday's votes that I was not recorded on, and I asked you yesterday whether or not they could be submitted for the record.

The SPEAKER. Very well. The clerk will record the corrections.

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

House of Representatives
Commonwealth of Pennsylvania
Harrisburg

April 8, 1986

The Honorable K. Leroy Irvis
Speaker, PA House of Representatives

Dear Speaker Irvis:

Had I been in my seat I would have voted in the affirmative on the following bills:

HB 2081, PN 3021 on Final Passage
HB 1557, PN 3048 on Final Passage - I am the Prime Sponsor of this legislation
HB 583, PN 3127 on Concurrence
HB 1549, PN 3038 on Concurrence
HB 383, PN 1275 on Concurrence
HB 1835, PN 2853 on Final Passage
HB 1835 amendment A481 - Lloyd
HB 1880, PN 3196 on Final Passage
HB 1946, PN 2969 on Final Passage
HB 1946 amendment A1112 - Greenwood
HB 1946 amendment A929 - Bowley
HB 2062, PN 2813 on Final Passage
HB 2200, PN 3049 on Final Passage
HB 2200 amendment A1235 - DeWeese

Had I been in my seat, I would have voted in the negative on the following bills:

HB 2062 amendment 1355 - Fargo
HB 452 the Governor's veto override (PN 2832)

The reason for my not being in my seat is because I was called away to meet with constituents.

Sincerely,
Representative David P.
Richardson, Jr.
Majority Chairman, Urban
Affairs Committee

REMARKS ON VOTE

The SPEAKER. The Chair recognizes the gentleman from Warren, Mr. Bowley, to correct the record.

Mr. BOWLEY. Mr. Speaker, on the motion to remove from the table SB 937, I was not in my seat. If I had been, I would have voted in the affirmative.

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

PARLIAMENTARY INQUIRY

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

Mr. DAWIDA. A point of parliamentary inquiry.

The SPEAKER. Will the gentleman state his point?

Mr. DAWIDA. Mr. Speaker, is it possible to correct the record by sending you a note instead of doing it verbally?

The SPEAKER. It is; it certainly is possible that—

Mr. DAWIDA. Might I make the suggestion that instead of taking up everyone's time, that everyone start doing it that way. It still goes on the record, if I am not mistaken.

The SPEAKER. The Parliamentarian has advised the Chair that that would be inadvisable because you need a public record of the statement of the correction of the record; otherwise, it may not be noted.

Mr. DAWIDA. Okay. Thank you.

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 81, PN 85 By Rep. RICHARDSON

An Act amending the act of June 23, 1931 (P. L. 932, No. 317), known as "The Third Class City Code," permitting interests in police pension funds to vest after 12 years.

URBAN AFFAIRS.

HB 82, PN 86 By Rep. RICHARDSON

An Act amending the act of June 23, 1931 (P. L. 932, No. 317), known as "The Third Class City Code," providing for the immediate vesting of certain disabled police officers in pension systems.

URBAN AFFAIRS.

HB 1527, PN 1917 By Rep. RICHARDSON

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

URBAN AFFAIRS.

HB 1530, PN 1920 By Rep. RICHARDSON

An Act amending the act of June 23, 1931 (P. L. 932, No. 317), known as "The Third Class City Code," further providing for qualifications, term of office and removal.

URBAN AFFAIRS.

HB 1531, PN 3217 (Amended)

By Rep. RICHARDSON

An Act amending the act of June 23, 1931 (P. L. 932, No. 317), known as "The Third Class City Code," further providing for sales of personal property.

URBAN AFFAIRS.

REMARKS ON VOTE

The SPEAKER. For a correction of the record, the Chair recognizes the gentleman from Erie, Mr. Dombrowski.

Mr. DOMBROWSKI. Thank you, Mr. Speaker.

On the Murphy amendment A1382 to SB 937 I inadvertently voted in the negative. I would like the record to show I should have voted in the affirmative.

The SPEAKER. Fine.

All right. Now let us get back to the ordinary business of the day, now that the Senate has gone home.

CALENDAR CONTINUED BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1969, PN 2662**, entitled:

An Act amending the act of June 21, 1963 (P. L. 174, No. 104), entitled, as amended, "An act granting and regulating exemption from payment of real estate taxes by war veterans in need thereof who are blind, paraplegic, have suffered the loss of two or more limbs as a result of military service or have a one hundred per cent permanent disability or by a qualifying veteran's surviving spouse who is in need thereof; imposing duties on the State Veterans' Commission; and prohibiting the sale of certain real estate for taxes after grant of an exemption," extending the real property tax exemption to the unmarried surviving spouse of a deceased qualifying veteran.

On the question,

Will the House agree to the bill on third consideration?

Mr. MARKOSEK offered the following amendments No. A0004:

Amend Sec. 1, page 1, line 13, by striking out "Section 2" and inserting

The title

Amend Sec. 1, page 1, by inserting after line 21

AN ACT

Amending the act of June 21, 1963 (P.L.174, No.104), entitled, as amended, "An act granting and regulating exemption from payment of real estate taxes by war veterans in need thereof who are blind, paraplegic, have suffered the loss of two or more limbs as a result of military service or have a one hundred per cent permanent disability or by a qualifying veteran's surviving spouse who is in need thereof; imposing duties on the State Veterans' Commission; and prohibiting the sale of certain real estate for taxes after grant of an exemption.

Section 2. Section 2 of the act, amended March 17, 1978 (P.L.21, No.11), is amended to read:

Amend Sec. 1 (Sec. 2), page 2, line 18, by inserting after "(a)" or by subsection (c)

Amend Sec. 1 (Sec. 2), page 3, lines 6 through 9, by striking out "The" in line 6, all of lines 7 through 9 and inserting

This exemption shall terminate upon the remarriage of the surviving spouse.

Amend Sec. 2, page 3, line 10, by striking out "2" and inserting

3

Amend Sec. 3, page 3, line 12, by striking out "3" and inserting

4

On the question,

Will the House agree to the amendments?

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

Mr. MARKOSEK. Thank you, Mr. Speaker.

Mr. Speaker, the members of the House may recall that last November the voters of the Commonwealth approved a constitutional amendment to the Commonwealth's Constitution

which provided for tax exemptions to the widows of disabled veterans. HB 1969 is the enabling legislation for that particular amendment, and this amendment to HB 1969 is a technical amendment which changes the title of the bill and also adds to it a Senate-added amendment, which we all approved last fall, which states that the widow of the disabled veteran will lose her tax exemption if she remarries.

I offer this amendment. It has been approved once before by the House, Mr. Speaker, and I would suggest that we pass this amendment today. Thank you.

The SPEAKER. On the Markosek amendment, the Chair recognizes the gentleman from Mercer, Mr. Robbins.

Mr. ROBBINS. Mr. Speaker, I would like to ask a couple of questions of the maker of the amendment.

The SPEAKER. Mr. Markosek indicates he will stand for interrogation. You are in order, and you may proceed, Mr. Robbins.

Mr. ROBBINS. Mr. Speaker, it states in your amendment, "Amend Sec. 1, page 1, by inserting after line 21," but as I am trying to read this and go through it, it looks like it amends the paragraph further up, starting on line 14. Would there be a problem with that?

Mr. MARKOSEK. Mr. Speaker, of course, I do not work for the Legislative Reference Bureau and I am not sure why they did it the way they did. I assume that they know a little more about this than we do. I do not think it would cause a problem either way, as long as it gets in the bill.

Mr. ROBBINS. Well, it would get in the bill, but you are adding a line in the middle of that paragraph and—and I am just asking this question—we then would end up with the two paragraphs identical and it is repeating itself. I just, I guess, am asking a technical question, if that would be a problem.

Mr. MARKOSEK. Thank you, Mr. Speaker.

You have a point there, and again, neither one of us works for the Reference Bureau, and I have been told that the Reference Bureau will make the necessary technical changes after this leaves the House and prior to going over to the Senate.

Mr. ROBBINS. One other question: On the second part of the amendment where you inserted "This exemption shall terminate upon the remarriage of,..." you are striking out all of lines 7 through 9, which gives the instructions that the commission shall notify the local board of assessment and the qualifying surviving spouse that the exemption has been extended. With that language taken out of there, would that cause a problem or would the commission do that automatically anyway?

Mr. MARKOSEK. Would you repeat those lines, please, Mr. Speaker?

Mr. ROBBINS. Okay. You are striking out lines 7 through 9, which tells the commission to notify the local board of assessment of what they have done. You are striking that out and putting in the remarriage clause.

Mr. MARKOSEK. Yes. It is my understanding that the commission already has regulations that do this for the current situation. All this is doing is, of course, adding to it the exemption for the spouses. Everything else would remain the same.

Mr. ROBBINS. Thank you.

The SPEAKER. The Chair recognizes Mr. Robbins.

Mr. ROBBINS. Mr. Speaker, I think the amendment is an excellent one, and I would urge support.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—193

Acosta	Deal	Laughlin	Roebuck
Afflerbach	Dietz	Lescovitz	Rudy
Angstadt	Dininni	Letterman	Ryan
Argall	Distler	Levdansky	Rybak
Arty	Dombrowski	Linton	Saloom
Baldwin	Dorr	Livengood	Saurman
Barley	Duffy	Lloyd	Scheetz
Battisto	Durham	Lucyk	Schuler
Belardi	Evans	McCall	Semmel
Belfanti	Fargo	McClatchy	Serafini
Birmelin	Fattah	McHale	Seventy
Black	Fee	McVerry	Showers
Blaum	Fischer	Mackowski	Sirianni
Book	Flick	Manderino	Smith, B.
Bortner	Foster	Manmiller	Smith, L. E.
Bowley	Fox	Markosek	Snyder, D. W.
Bowser	Freeman	Mayernik	Snyder, G.
Boyes	Fryer	Merry	Staback
Brandt	Gallen	Michlovic	Stairs
Broujos	Gamble	Micozzie	Steighner
Bunt	Gannon	Miller	Stevens
Burd	Geist	Moehlmann	Stewart
Burns	George	Morris	Suban
Bush	Gladeck	Mowery	Sweet
Caltagirone	Godshall	Mrkonic	Taylor, E. Z.
Cappabianca	Greenwood	Murphy	Taylor, F.
Carlson	Gruitza	Nahill	Taylor, J.
Carn	Gruppo	Noye	Telek
Cawley	Hagarty	O'Brien	Tigue
Cessar	Haluska	O'Donnell	Trello
Chadwick	Harper	Olasz	Truman
Cimini	Hasay	Oliver	Van Horne
Civera	Hayes	Perzel	Veon
Clark	Herman	Petrarca	Vroon
Clymer	Hershey	Petrone	Wambach
Cohen	Honaman	Phillips	Wass
Colafella	Hutchinson	Piccola	Weston
Cole	Itkin	Pievsky	Wiggins
Cordisco	Jackson	Pistella	Wilson
Cornell	Jarolin	Pitts	Wogan
Coslett	Johnson	Pott	Wozniak
Cowell	Josephs	Pressmann	Wright, D. R.
Coy	Kasunic	Preston	Wright, J. L.
DeLuca	Kennedy	Punt	Wright, R. C.
DeVerter	Kenney	Raymond	Yandrisevits
DeWeese	Kosinski	Reber	
Daley	Kukovich	Reinard	Irvis,
Davies	Langtry	Richardson	Speaker
Dawida	Lashinger	Robbins	

NAYS—0

NOT VOTING—6

Barber	Howlett	Rieger	Swift
Donatucci	Maiale		

EXCUSED—2

Freind	Gallagher
--------	-----------

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

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—192

Acosta	Deal	Lescovitz	Roebuck
Afflerbach	Dietz	Letterman	Rudy
Angstadt	Dininni	Levdansky	Ryan
Argall	Distler	Linton	Rybak
Arty	Dombrowski	Livengood	Saloom
Baldwin	Dorr	Lloyd	Saurman
Barley	Duffy	Lucyk	Scheetz
Battisto	Durham	McCall	Schuler
Belardi	Evans	McClatchy	Semmel
Belfanti	Fargo	McHale	Serafini
Birmelin	Fattah	McVerry	Seventy
Black	Fee	Mackowski	Showers
Blaum	Fischer	Manderino	Sirjanni
Book	Flick	Manmiller	Smith, B.
Bortner	Foster	Markosek	Smith, L. E.
Bowley	Fox	Mayernik	Snyder, D. W.
Bowser	Freeman	Merry	Snyder, G.
Boyes	Fryer	Michlovic	Staback
Brandt	Gallen	Micozzie	Stairs
Broujos	Gamble	Miller	Steighner
Bunt	Gannon	Moehlmann	Stevens
Burd	Geist	Morris	Stewart
Burns	George	Mowery	Stuban
Bush	Gladeck	Mrkonic	Sweet
Caltagirone	Godshall	Murphy	Swift
Cappabianca	Gruitza	Nahill	Taylor, E. Z.
Carlson	Gruppo	Noye	Taylor, F.
Carn	Hagarty	O'Brien	Taylor, J.
Cawley	Haluska	O'Donnell	Telek
Cessar	Harper	Olasz	Tigue
Chadwick	Hasay	Oliver	Trello
Cimini	Hayes	Perzel	Truman
Civera	Herman	Petrarca	Van Horne
Clark	Hershey	Petrone	Veon
Clymer	Honaman	Phillips	Vroon
Cohen	Hutchinson	Piccola	Wambach
Cojafella	Itkin	Pievsky	Wass
Cole	Jackson	Pistella	Weston
Cordisco	Jarolin	Pitts	Wilson
Cornell	Johnson	Pott	Wogan
Coslett	Josephs	Pressmann	Wozniak
Cowell	Kasunic	Preston	Wright, D. R.
Coy	Kennedy	Punt	Wright, J. L.
Deluca	Kenney	Raymond	Wright, R. C.
DeVerter	Kosinski	Reber	Yandrisevits
DeWeese	Kukovich	Reinard	
Daley	Langtry	Richardson	Irvis,
Davies	Lashingner	Robbins	Speaker
Dawida	Laughlin		

NAYS—0

NOT VOTING—7

Barber	Greenwood	Maiale	Wiggins
Donatucci	Howlett	Rieger	

EXCUSED—2

Freind	Gallagher
--------	-----------

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

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

RECESS

The SPEAKER. The House will stand in recess until 2:30 p.m., to give you a chance to eat a quick lunch. Please be back here promptly so that we may try to get you out of Harrisburg at a reasonable time. Recess until 2:30.

AFTER RECESS

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

HOUSE BILLS
INTRODUCED AND REFERRED

No. 2326 By Representative McCLATCHY

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for securing loads on vehicles; requiring certain loads to be covered; and imposing a penalty.

Referred to Committee on TRANSPORTATION, April 9, 1986.

No. 2327 By Representative McCLATCHY

An Act amending the act of July 9, 1976 (P. L. 817, No. 143), known as the "Mental Health Procedures Act," making provision for mentally impaired persons in need of shelter.

Referred to Committee on HEALTH AND WELFARE, April 9, 1986.

No. 2328 By Representatives J. L. WRIGHT, RICHARDSON, PETRONE, BURD, NOYE, MORRIS, MERRY, VROON, ARGALL, O'BRIEN, SEMMEL, LANGTRY and E. Z. TAYLOR

An Act establishing a restricted receipts account in the State Treasury for all moneys received by the Commonwealth in accordance with settlements of litigation or administrative proceedings brought by the United States Department of Energy against oil companies and refineries for alleged violations of the Federal Price Allocation Regulations; providing for the use of said moneys in certain energy programs administered by the Governor's Energy Council, the Department of Community Affairs and the Department of Public Welfare; and making an appropriation.

Referred to Committee on APPROPRIATIONS, April 9, 1986.

No. 2329 By Representatives AFFLERBACH, PRESSMANN, D. W. SNYDER, SEMMEL, RYBAK, HALUSKA, MRKONIC, CALTAGIRONE, STABACK, TRELLO, VEON, LASHINGER, NOYE,

ANGSTADT, PHILLIPS, J. L. WRIGHT
and FARGO

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, adding provisions relating to landlord and tenant; making conforming amendments to Title 42; and making repeals.

Referred to Committee on BUSINESS AND COMMERCE, April 9, 1986.

No. 2330 By Representatives F. TAYLOR, BATTISTO, L. E. SMITH, BELARDI, STUBAN, MOEHLMANN, AFFLERBACH, NOYE, LUCYK, FARGO, HONAMAN, PETRONE, BRANDT, BOWSER, DORR and BLAUM

An Act amending the act of April 28, 1961 (P. L. 111, No. 50), known as the "Tourist Promotion Law," adding definitions; and further providing for grants to tourist promotion agencies.

Referred to Committee on BUSINESS AND COMMERCE, April 9, 1986.

No. 2331 By Representatives DeWEESE, HARPER, KUKOVICH, KOSINSKI, OLASZ, STABACK, SEVENTY, PISTELLA, HALUSKA, CARN, HERMAN, FOX, HOWLETT, TRELLO, PETRARCA, WASS and RICHARDSON

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), known as the "Public School Code of 1949," further providing for the fixing of tuition fees.

Referred to Committee on EDUCATION, April 9, 1986.

No. 2332 By Representatives DeWEESE, F. TAYLOR, DALEY and KASUNIC

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), known as the "Public School Code of 1949," further providing for payment of the annual State appropriation where schools are closed on account of a natural disaster.

Referred to Committee on EDUCATION, April 9, 1986.

No. 2333 By Representatives F. TAYLOR, L. E. SMITH, GEIST, SEVENTY, LESCOVITZ, LIVENGOOD, VAN HORNE, DUFFY, GALLEN, CALTAGIRONE, DORR, McVERRY, OLASZ, CESSAR, DeVERTER, BURD, J. L. WRIGHT, SERAFINI, JACKSON, E. Z. TAYLOR and GREENWOOD

An Act amending the act of November 30, 1965 (P. L. 847, No. 356), known as the "Banking Code of 1965," granting additional powers to savings banks; permitting savings banks to take demand deposits; revising lending and investment authorities for savings banks; permitting savings banks to charge interest at rates permitted competing lenders; allowing savings banks to branch Statewide; revising provisions for savings banks' conversion to stock form; further providing for the issuance of classes or series of stock by banking institutions; revising definitions; and permitting an institution's board to fix directors' qualifications.

Referred to Committee on BUSINESS AND COMMERCE, April 9, 1986.

No. 2334 By Representatives SHOWERS, BATTISTO, KUKOVICH, TRELLO, BOOK and PETRARCA

An Act amending the act of December 7, 1982 (P. L. 784, No. 225), known as the "Dog Law," further providing for the procedure in seizing unlicensed dogs; and providing for liability when unlicensed dogs are illegally killed.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, April 9, 1986.

No. 2335 By Representatives SHOWERS, STABACK, COY, HALUSKA, PETRARCA, PETRONE, TRELLO, NOYE, BELARDI and SEMMEL

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), known as the "Tax Reform Code of 1971," further defining "processing" to include the production or sale of shredded bark products.

Referred to Committee on FINANCE, April 9, 1986.

No. 2336 By Representatives DUFFY, MAYERNIK, MRKONIC, PETRONE and LEVDANSKY

An Act amending Title 42 (Judiciary and Judicial Procedure) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, adding provisions relating to constables.

Referred to Committee on JUDICIARY, April 9, 1986.

No. 2337 By Representatives SAURMAN, HAGARTY, FOX, LASHINGER, NAHILL, GLADECK, McCLATCHY, CORNELL and BUNT

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for chemical testing in cases of driving under the influence.

Referred to Committee on TRANSPORTATION, April 9, 1986.

No. 2338 By Representatives NAHILL, TRELLO, FOX, J. L. WRIGHT, GLADECK, STABACK, BELFANTI, ARTY, HALUSKA, PETRONE, McVERRY, SAURMAN, KENNEY, REBER, VROON, WOZNIAK, BOWSER, BUNT, LANGTRY, FARGO, NOYE, CIVERA, BIRMELIN, SEMMEL, HERMAN, JOHNSON, CAWLEY, FISCHER, E. Z. TAYLOR, WAMBACH, LASHINGER and GODSHALL

An Act amending the act of April 14, 1972 (P. L. 233, No. 64), known as "The Controlled Substance, Drug, Device and Cosmetic Act," further providing for penalties for adulterating drugs with intent to cause bodily harm.

Referred to Committee on HEALTH AND WELFARE, April 9, 1986.

No. 2339 By Representatives NAHILL, TRELLO, FOX, STABACK, GLADECK, VROON, FARGO, NOYE, SEMMEL, HERMAN, J. L. WRIGHT, BOWSER, BIRMELIN, JOHNSON, FISCHER, BUNT, ARTY, CIVERA, REBER, SAURMAN, LANGTRY, BELFANTI, McVERRY, KENNEY, WAMBACH, LASHINGER and GODSHALL

An Act amending the act of April 14, 1972 (P. L. 233, No. 64), known as "The Controlled Substance, Drug, Device and Cosmetic Act," further providing for the powers of the secretary.

Referred to Committee on HEALTH AND WELFARE, April 9, 1986.

No. 2340 By Representatives WILSON, MANMILLER and SALOOM

An Act amending the act of April 12, 1951 (P. L. 90, No. 21), known as the "Liquor Code," further providing for the number of retail licenses issued in each municipality; further providing for licenses in resort areas; and providing for the surrender of licenses for the benefit of licensees.

Referred to Committee on LIQUOR CONTROL, April 9, 1986.

No. 2341 By Representatives DeLUCA, MARKOSEK, FRYER, TRELLO, GAMBLE, PETRONE, VEON, WOZNIAC, BALDWIN, RAYMOND, KENNEDY, OLASZ, TELEK, SHOWERS, JAROLIN, BELFANTI, YANDRISEVITS, PRESTON, SEVENTY, DAWIDA, MURPHY, DUFFY, LAUGHLIN, ITKIN, MICOZZIE, CIVERA, PETRARCA, PISTELLA and COWELL

An Act amending the act of April 13, 1972 (P. L. 184, No. 62), known as the "Home Rule Charter and Optional Plans Law," prohibiting counties and municipalities from retroactively increasing fees for municipal services.

Referred to Committee on LOCAL GOVERNMENT, April 9, 1986.

No. 2342 By Representatives E. Z. TAYLOR and BOWSER

An Act amending the act of December 5, 1936 (2nd Sp. Sess., 1937 P. L. 2897, No. 1), known as the "Unemployment Compensation Law," further providing for employers' records and reports.

Referred to Committee on LABOR RELATIONS, April 9, 1986.

No. 2343 By Representatives HAGARTY, SAURMAN, E. Z. TAYLOR, REBER, OLIVER, JOHNSON, GEIST, MORRIS, GALLAGHER, JACKSON, CORNELL, McVERRY, MERRY, GAMBLE, CIVERA, NOYE, MOEHLMANN, MICOZZIE, FOX, WOGAN, MRKONIC, LASHINGER,

TIGUE, CAWLEY, BUNT, CLYMER, McCLATCHY, NAHILL, J. TAYLOR, O'BRIEN, AFFLERBACH, SIRIANNI, FARGO, LANGTRY, TRELLO and RICHARDSON

An Act amending the act of July 9, 1976 (P. L. 817, No. 143), known as the "Mental Health Procedures Act," further providing for involuntary treatment.

Referred to Committee on HEALTH AND WELFARE, April 9, 1986.

No. 2344 By Representatives KASUNIC, DeLUCA, FEE, RYBAK, TRELLO, VAN HORNE, SEMMEL, STAIRS, BELFANTI, GAMBLE, OLASZ, FOX, DALEY, MICOZZIE, BELARDI, E. Z. TAYLOR and F. TAYLOR

An Act amending the act of July 3, 1985 (P. L. 164, No. 45), known as the "Emergency Medical Services Act," further regulating training of emergency medical technicians.

Referred to Committee on HEALTH AND WELFARE, April 9, 1986.

No. 2345 By Representatives FLICK, GANNON, RAYMOND, R. C. WRIGHT, MICOZZIE and CIVERA

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for Accelerated Rehabilitative Disposition.

Referred to Committee on TRANSPORTATION, April 9, 1986.

No. 2346 By Representatives FRYER, DUFFY, GAMBLE, YANDRISEVITS, FOSTER, VEON, WOZNIAC, TELEK, SHOWERS, JAROLIN and BELFANTI

An Act amending the act of August 9, 1955 (P. L. 323, No. 130), known as "The County Code," further providing for tax levies.

Referred to Committee on LOCAL GOVERNMENT, April 9, 1986.

No. 2347 By Representatives GAMBLE, FRYER, YANDRISEVITS, DUFFY, FOSTER, DeLUCA, VEON, WOZNIAC, TELEK, SHOWERS, JAROLIN and BELFANTI

An Act amending the act of July 28, 1953 (P. L. 723, No. 230), known as the "Second Class County Code," further providing for tax levies.

Referred to Committee on LOCAL GOVERNMENT, April 9, 1986.

HOUSE RESOLUTION INTRODUCED AND REFERRED

No. 266 By Representatives SWEET, HAGARTY, O'DONNELL, FOX, REBER and NAHILL

Proclaiming the week of April 20 through April 26, 1986, as "Victim Rights Week."

Referred to Committee on RULES, April 9, 1986.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 844, PN 963; HB 1670, PN 2129; and HB 1855, PN 2850**, with information that the Senate has passed the same without amendment.

SENATE MESSAGE

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

The clerk of the Senate, being introduced, returned **HB 1671, PN 3214; and HB 1934, PN 3215**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

BILLS SIGNED BY SPEAKER

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

HB 844, PN 963

An Act authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Agriculture, to convey to West Bradford Township 56.804 acres of land, more or less, situate in West Bradford Township, Chester County, Pennsylvania.

HB 1670, PN 2129

An Act amending the act of May 21, 1923 (P. L. 288, No. 184), entitled "An act to better secure all bonds, stocks, mortgages, or other securities deposited with the State Treasurer, by providing for their inspection, examination, and verification, and the verification of the books, containing a record of such bonds, stocks, mortgages, or other securities, by the Auditor General or his agents," providing for an annual examination of securities deposited with the State Treasurer.

HB 1855, PN 2850

An Act authorizing and directing the Department of General Services, with the approval of the Governor and the Secretary of Public Welfare, to convey to Susquehanna Township a tract of land situate in Susquehanna Township, Dauphin County, Pennsylvania.

LEAVE OF ABSENCE CANCELED

The SPEAKER. The gentleman, Mr. Freind's name will be added to the master roll call.

ADDITIONS AND DELETIONS OF SPONSORS

The SPEAKER. The Chair is in receipt of the following additions and deletions for sponsorships of bills, which will be filed with the clerk.

The following list was submitted:

ADDITIONS:

HB 667, Wambach; HB 998, Scheetz; HB 1160, Kukovich; HB 1625, Black, B. Smith, Weston, Kasunic; HB 1693, Steighner; HB 1695, Wiggins, Gallen, Langtry, Schuler; HB 1714, Caltagirone; HB 1776, Kukovich; HB 1982, Lucyk; HB 1983, Lucyk; HB 1984, Lucyk; HB 1985, Lucyk; HB 2011, Distler; HB 2047, Black; HB 2207, Barley; HB 2212, Bortner; HB 2230, Phillips, Cimini, Black, Schuler, Fargo, Vroon; HB 2231, J. J. Taylor, Robbins; HB 2240, Trello, Deal, Greenwood, Flick, E. Z. Taylor, Olasz; HB 2246, Showers, Trello, Mowery, Fischer; HB 2247, Showers; HB 2255, Trello, Reber, Burd; HB 2256, E. Z. Taylor; HB 2260, Trello; HB 2266, Langtry; HB 2267, Langtry; HB 2270, Dietz, Civera, Fox; HB 2272, Fox; HB 2279, Markosek, Trello, Langtry; HB 2310, Langtry; HB 2311, Langtry, Belardi, B. Smith, Sirianni, E. Z. Taylor; HB 2312, E. Z. Taylor; HB 2316, Mayernik, Trello; HB 2318, Richardson, Flick, Trello, Rybak; HR 242, E. Z. Taylor; HR 256, Trello, Linton, B. Smith, E. Z. Taylor, Carlson; HR 257, Veon, E. Z. Taylor, G. M. Snyder, Petrarca, Langtry, Itkin, Burd, Kasunic.

DELETIONS:

HB 847, Jackson.

CALENDAR CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1813, PN 2968**, entitled:

An Act authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Public Welfare, to convey to the City of Philadelphia a tract of land situate in the City of Philadelphia, 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—194

Acosta	Deal	Lescovitz	Robbins
Afflerbach	Dietz	Letterman	Roebuck
Angstadt	Dininni	Levdansky	Rudy
Argall	Distler	Linton	Ryan
Arty	Dombrowski	Livengood	Rybak
Baldwin	Donatucci	Lloyd	Saloom
Barber	Dorr	Lucyk	Saurman
Barley	Duffy	McCall	Scheetz
Battisto	Durham	McClatchy	Schuler
Belardi	Evans	McHale	Semmel
Belfanti	Fargo	McVerry	Serafini
Birmelin	Fattah	Mackowski	Seventy
Black	Fee	Maiale	Showers
Book	Fischer	Manderino	Sirianni
Bortner	Flick	Manmiller	Smith, B.
Bowley	Foster	Markosek	Smith, L. E.

Bowser	Fox	Mayernik	Snyder, D. W.
Boyes	Freeman	Merry	Snyder, G.
Brandt	Fryer	Michlovic	Staback
Broujos	Gallen	Micozzie	Stairs
Bunt	Gamble	Miller	Steighner
Burd	Gannon	Moehlmann	Stevens
Burns	Geist	Morris	Stewart
Bush	George	Mowery	Stuban
Caltagirone	Gladeck	Mrkonic	Sweet
Cappabianca	Godshall	Murphy	Swift
Carlson	Greenwood	Nahill	Taylor, E. Z.
Carn	Gruppo	Noye	Taylor, F.
Cawley	Hagarty	O'Brien	Taylor, J.
Cessar	Haluska	O'Donnell	Telek
Chadwick	Harper	Olasz	Tigue
Cimini	Hasay	Oliver	Trello
Civera	Hayes	Perzel	Truman
Clark	Herman	Petrarca	Van Horne
Clymer	Hershey	Petrone	Veon
Cohen	Honaman	Phillips	Vroon
Colafigliola	Howlett	Piccola	Wambach
Cole	Itkin	Pievsky	Wass
Cordisco	Jackson	Pistella	Weston
Cornell	Jarolin	Pitts	Wiggins
Coslett	Johnson	Pott	Wilson
Cowell	Josephs	Pressmann	Wozniak
Coy	Kasunic	Preston	Wright, D. R.
DeLuca	Kennedy	Punt	Wright, J. L.
DeVertter	Kenney	Raymond	Wright, R. C.
DeWeese	Kosinski	Reber	Yandrisevits
Daley	Langtry	Reinard	
Davies	Lashinger	Richardson	Irvis,
Dawida	Laughlin	Rieger	Speaker

NAYS—0

NOT VOTING—6

Blaum	Gruitza	Kukovich	Wogan
Freind	Hutchinson		

EXCUSED—1

Gallagher

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

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

* * *

The House proceeded to third consideration of **HB 1556, PN 1945**, entitled:

An Act directing the Department of Transportation to designate Route 28 as the Allegheny Valley Expressway.

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—195

Acosta	Dininni	Lescovitz	Robbins
Afferbach	Distler	Letterman	Roebuck
Angstadt	Dombrowski	Levdansky	Rudy
Argall	Donatucci	Linton	Ryan
Arty	Dorr	Livengood	Rybak

Baldwin	Duffy	Lloyd	Saloom
Barber	Durham	Lucyk	Saurman
Barley	Evans	McCall	Scheetz
Battisto	Fargo	McClatchy	Schuler
Belardi	Fattah	McHale	Semmel
Belfanti	Fee	McVerry	Serafini
Birmelin	Fischer	Mackowski	Seventy
Black	Flick	Maiale	Showers
Book	Foster	Manderino	Sirianni
Bortner	Fox	Manniller	Smith, B.
Bowley	Freeman	Markosek	Smith, L. E.
Bowser	Freind	Mayernik	Snyder, D. W.
Boyes	Fryer	Merry	Snyder, G.
Brandt	Gallen	Michlovic	Staback
Broujos	Gamble	Micozzie	Stairs
Bunt	Gannon	Miller	Steighner
Burd	Geist	Moehlmann	Stevens
Burns	George	Morris	Stewart
Bush	Gladeck	Mowery	Stuban
Caltagirone	Godshall	Mrkonic	Sweet
Carlson	Greenwood	Murphy	Swift
Carn	Gruitza	Nahill	Taylor, E. Z.
Cawley	Gruppo	Noye	Taylor, F.
Cessar	Hagarty	O'Brien	Taylor, J.
Chadwick	Haluska	O'Donnell	Telek
Cimini	Harper	Olasz	Tigue
Civera	Hasay	Oliver	Trello
Clark	Hayes	Perzel	Truman
Clymer	Herman	Petrarca	Van Horne
Cohen	Hershey	Petrone	Veon
Colafigliola	Honaman	Phillips	Vroon
Cole	Howlett	Piccola	Wambach
Cordisco	Itkin	Pievsky	Wass
Cornell	Jackson	Pistella	Weston
Coslett	Jarolin	Pitts	Wiggins
Cowell	Johnson	Pott	Wilson
Coy	Josephs	Pressmann	Wozniak
DeLuca	Kasunic	Preston	Wright, D. R.
DeVertter	Kennedy	Punt	Wright, J. L.
DeWeese	Kenney	Raymond	Wright, R. C.
Daley	Kosinski	Reber	Yandrisevits
Davies	Langtry	Reinard	
Dawida	Lashinger	Richardson	Irvis,
Deal	Laughlin	Rieger	Speaker
Dietz			

NAYS—0

NOT VOTING—5

Blaum	Hutchinson	Kukovich	Wogan
Cappabianca			

EXCUSED—1

Gallagher

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

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

* * *

The House proceeded to third consideration of **HB 1900, PN 2516**, entitled:

An Act designating the Jay Street Bridge, Lock Haven, Clinton County, as the Veterans Bridge.

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—194

Acosta	Deal	Laughlin	Roebuck
Afflerbach	Dietz	Lescovitz	Rudy
Angstadt	Dininni	Letterman	Ryan
Argall	Distler	Levdansky	Rybak
Arty	Dombrowski	Linton	Saloom
Baldwin	Donatucci	Livengood	Saurman
Barber	Dorr	Lloyd	Scheetz
Barley	Duffy	Lucyk	Schuler
Battisto	Durham	McCall	Semmel
Belardi	Evans	McClatchy	Serafini
Belfanti	Fargo	McHale	Seventy
Birmelin	Fattah	McVerry	Showers
Black	Fee	Mackowski	Sirianni
Book	Fischer	Maiale	Smith, B.
Bortner	Flick	Manderino	Smith, L. E.
Bowley	Foster	Manmiller	Snyder, D. W.
Bowser	Fox	Markosek	Snyder, G.
Boyes	Freeman	Mayernik	Staback
Brandt	Fryer	Merry	Stairs
Broujos	Gallen	Michlovic	Steighner
Bunt	Gamble	Miller	Stevens
Burd	Gannon	Moehlmann	Stewart
Burns	Geist	Morris	Stuban
Bush	George	Mowery	Sweet
Caltagirone	Gladeck	Mrkonic	Swift
Cappabianca	Godshall	Murphy	Taylor, E. Z.
Carlson	Greenwood	Nahill	Taylor, F.
Carn	Gruitza	Noye	Taylor, J.
Cawley	Gruppo	O'Brien	Telek
Cessar	Hagarty	O'Donnell	Tigue
Chadwick	Haluska	Olasz	Trello
Cimini	Harper	Oliver	Truman
Civera	Hasay	Perzel	Van Horne
Clark	Hayes	Petrarca	Veon
Clymer	Herman	Petrone	Vroon
Cohen	Hershey	Phillips	Wambach
Colafella	Honaman	Piccola	Wass
Cole	Howlett	Pievsky	Weston
Cordisco	Itkin	Pistella	Wiggins
Cornell	Jackson	Pitts	Wilson
Coslett	Jarolin	Pott	Wogan
Cowell	Johnson	Pressmann	Wozniak
Coy	Josephs	Preston	Wright, D. R.
DeLuca	Kasunic	Punt	Wright, J. L.
DeVerter	Kennedy	Raymond	Wright, R. C.
DeWeese	Kenney	Reber	Yandrisevits
Daley	Kukovich	Reinard	
Davies	Langtry	Richardson	Irvis,
Dawida	Lashingier	Robbins	Speaker

NAYS—1

Kosinski

NOT VOTING—5

Blaum	Hutchinson	Micozzie	Rieger
Freind			

EXCUSED—1

Gallagher

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

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

* * *

The House proceeded to third consideration of **HB 1949, PN 2604**, entitled:

An Act designating Interstate Route 79 as the Disabled American Veterans Highway.

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—195

Acosta	Deal	Lescovitz	Roebuck
Afflerbach	Dietz	Letterman	Rudy
Angstadt	Dininni	Levdansky	Ryan
Argall	Distler	Linton	Rybak
Arty	Dombrowski	Livengood	Saloom
Baldwin	Donatucci	Lloyd	Saurman
Barber	Dorr	Lucyk	Scheetz
Barley	Durham	McCall	Schuler
Battisto	Evans	McClatchy	Semmel
Belardi	Fargo	McHale	Serafini
Belfanti	Fattah	McVerry	Seventy
Birmelin	Fee	Mackowski	Showers
Black	Fischer	Maiale	Sirianni
Blaum	Flick	Manderino	Smith, B.
Book	Foster	Manmiller	Smith, L. E.
Bortner	Fox	Markosek	Snyder, D. W.
Bowley	Freeman	Mayernik	Snyder, G.
Bowser	Fryer	Merry	Staback
Boyes	Gallen	Michlovic	Stairs
Brandt	Gamble	Micozzie	Steighner
Broujos	Gannon	Miller	Stevens
Bunt	Geist	Moehlmann	Stewart
Burd	George	Morris	Stuban
Burns	Gladeck	Mowery	Sweet
Bush	Godshall	Mrkonic	Swift
Caltagirone	Greenwood	Murphy	Taylor, E. Z.
Cappabianca	Gruitza	Nahill	Taylor, F.
Carlson	Gruppo	Noye	Taylor, J.
Carn	Hagarty	O'Brien	Telek
Cawley	Haluska	Olasz	Tigue
Cessar	Harper	Oliver	Trello
Chadwick	Hasay	Perzel	Truman
Cimini	Hayes	Petrarca	Van Horne
Civera	Herman	Petrone	Veon
Clark	Hershey	Phillips	Vroon
Clymer	Honaman	Piccola	Wambach
Cohen	Howlett	Pievsky	Wass
Colafella	Jackson	Pistella	Weston
Cole	Jarolin	Pitts	Wiggins
Cordisco	Johnson	Pott	Wilson
Cornell	Josephs	Pressmann	Wogan
Coslett	Kasunic	Preston	Wozniak
Cowell	Kennedy	Punt	Wright, D. R.
Coy	Kenney	Raymond	Wright, J. L.
DeLuca	Kosinski	Reber	Wright, R. C.
DeVerter	Kukovich	Reinard	Yandrisevits
DeWeese	Langtry	Richardson	
Daley	Lashingier	Rieger	Irvis,
Davies	Laughlin	Robbins	Speaker
Dawida			

NAYS—0

NOT VOTING—5

Duffy Hutchinson Itkin O'Donnell
Freind

EXCUSED—1

Gallagher

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

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

* * *

The House proceeded to third consideration of **HB 2211, PN 3015**, entitled:

An Act amending the act of October 18, 1972 (P. L. 951, No. 232), entitled "An act amending the act of June 22, 1931 (P. L. 594, No. 203), entitled 'An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act,' changing routes in Centre County," further providing for the effective date.

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

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

The question is, shall the bill pass finally?

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

YEAS—199

Acosta	Dietz	Laughlin	Robbins
Afflerbach	Dininni	Lescovitz	Roebuck
Angstadt	Distler	Letterman	Rudy
Argall	Dombrowski	Levdansky	Ryan
Arty	Donatucci	Linton	Rybak
Baldwin	Dorr	Livengood	Saloom
Barber	Duffy	Lloyd	Saurman
Barley	Durham	Lucyk	Scheetz
Battisto	Evans	McCall	Schuler
Belardi	Fargo	McClatchy	Semmel
Belfanti	Fattah	McHale	Serafini
Birmelin	Fee	McVerry	Seventy
Black	Fischer	Mackowski	Showers
Blaum	Flick	Maiale	Sirianni
Book	Foster	Manderino	Smith, B.
Bortner	Fox	Manmiller	Smith, L. E.
Bowley	Freeman	Markosek	Snyder, D. W.
Bowser	Freind	Mayernik	Snyder, G.
Boyes	Fryer	Merry	Staback
Brandt	Gallen	Michlovic	Stairs
Broujos	Gamble	Micozzie	Steighner
Bunt	Gannon	Miller	Stevens
Burd	Geist	Moehlmann	Stewart
Burns	George	Morris	Stuban
Bush	Gladeck	Mowery	Sweet
Caltagirone	Godshall	Mrkonic	Swift

Cappabianca	Greenwood	Murphy	Taylor, E. Z.
Carlson	Gruitza	Nahill	Taylor, F.
Carn	Gruppo	Noye	Taylor, J.
Cawley	Hagarty	O'Brien	Telek
Cessar	Haluska	O'Donnell	Tigue
Chadwick	Harper	Olasz	Trello
Cimini	Hasay	Oliver	Truman
Civera	Hayes	Perzel	Van Horne
Clark	Herman	Petrarca	Veon
Clymer	Hershey	Petrone	Vroon
Cohen	Honaman	Phillips	Wambach
Colafella	Howlett	Piccola	Wass
Cole	Itkin	Pievsky	Weston
Cordisco	Jackson	Pistella	Wiggins
Cornell	Jarolin	Pitts	Wilson
Coslett	Johnson	Pott	Wogan
Cowell	Josephs	Pressmann	Wozniak
Coy	Kasunic	Preston	Wright, D. R.
DeLuca	Kennedy	Punt	Wright, J. L.
DeVerter	Kenney	Raymond	Wright, R. C.
DeWeese	Kosinski	Reber	Yandrisevits
Daley	Kukovich	Reinard	
Davies	Langtry	Richardson	Irvis,
Dawida	Lashingner	Rieger	Speaker
Deal			

NAYS—0

NOT VOTING—1

Hutchinson

EXCUSED—1

Gallagher

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

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

RESOLUTIONS

Mr. **LETTERMAN** called up **HR 240, PN 2935**, entitled:

Requesting the Department of the Interior of the United States to assist the Pennsylvania Game Commission in an in-depth study of the great horned owl.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—193

Acosta	Deal	Laughlin	Robbins
Afflerbach	Dietz	Lescovitz	Roebuck
Angstadt	Dininni	Letterman	Rudy
Argall	Distler	Levdansky	Ryan
Arty	Dombrowski	Linton	Rybak
Baldwin	Donatucci	Livengood	Saloom
Barber	Dorr	Lloyd	Scheetz
Barley	Duffy	Lucyk	Schuler
Battisto	Durham	McCall	Semmel
Belardi	Evans	McClatchy	Serafini
Belfanti	Fargo	McHale	Seventy
Birmelin	Fattah	McVerry	Showers
Black	Fee	Mackowski	Sirianni
Blaum	Fischer	Maiale	Smith, B.
Book	Flick	Manderino	Smith, L. E.
Bortner	Foster	Manmiller	Snyder, D. W.
Bowley	Fox	Markosek	Snyder, G.
Bowser	Freeman	Mayernik	Staback
Boyes	Freind	Merry	Stairs

Brandt	Fryer	Michlovic	Steighner
Broujos	Gallen	Micozzie	Stevens
Bunt	Gannon	Miller	Stewart
Burd	Geist	Moehlmann	Stuban
Burns	George	Morris	Sweet
Bush	Gladeck	Mowery	Swift
Caltagirone	Godshall	Mrkonic	Taylor, E. Z.
Cappabianca	Greenwood	Murphy	Taylor, F.
Carlson	Gruitza	Nahill	Taylor, J.
Carn	Gruppo	Noye	Telek
Cawley	Hagarty	O'Brien	Tigue
Cessar	Haluska	O'Donnell	Truman
Chadwick	Harper	Olasz	Van Horne
Cimini	Hasay	Oliver	Veon
Civera	Hayes	Perzel	Vroon
Clark	Herman	Petrarca	Wambach
Clymer	Hershey	Phillips	Wass
Colafella	Honaman	Piccola	Weston
Cole	Itkin	Pievsky	Wiggins
Cordisco	Jackson	Pistella	Wilson
Cornell	Jarolin	Pitts	Wogan
Coslett	Johnson	Pott	Wozniak
Cowell	Josephs	Pressmann	Wright, D. R.
Coy	Kasunic	Preston	Wright, J. L.
Deluca	Kennedy	Punt	Wright, R. C.
DeVerter	Kenney	Raymond	Yandrisevits
DeWeese	Kosinski	Reber	
Daley	Kukovich	Reinard	Irvis,
Davies	Langtry	Richardson	Speaker
Dawida	Lashinger	Rieger	

NAYS—0

NOT VOTING—7

Cohen	Howlett	Petrone	Trello
Gamble	Hutchinson	Saurman	

EXCUSED—1

Gallagher

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

* * *

Mr. BELFANTI called up HR 253, PN 3114, entitled:

Directing the Joint State Government Commission to study the status of occupational disability compensation insurance and the awarding of certain disability compensation benefits.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—195

Acosta	Dietz	Laughlin	Roebuck
Afflerbach	Dininni	Lescovitz	Rudy
Angstadt	Distler	Letterman	Ryan
Argall	Dombrowski	Levdansky	Rybak
Arty	Donatucci	Linton	Saloom
Baldwin	Dorr	Livengood	Saurman
Barber	Duffy	Lloyd	Scheetz
Barley	Durham	Lucyk	Schuler
Battisto	Evans	McCall	Semmel
Belardi	Fargo	McClatchy	Serafini
Belfanti	Fattah	McHale	Seventy
Birmelin	Fee	McVerry	Showers
Black	Fischer	Mackowski	Sirianni
Blaum	Flick	Manderino	Smith, B.
Book	Foster	Manmiller	Smith, L. E.
Bortner	Fox	Markosek	Snyder, D. W.
Bowley	Freeman	Mayernik	Snyder, G.
Bowser	Freind	Merry	Staback
Boyes	Fryer	Michlovic	Stairs

Brandt	Gallen	Micozzie	Steighner
Broujos	Gamble	Miller	Stevens
Bunt	Gannon	Moehlmann	Stewart
Burd	Geist	Mowery	Stuban
Burns	George	Mrkonic	Sweet
Bush	Gladeck	Murphy	Swift
Caltagirone	Godshall	Nahill	Taylor, E. Z.
Cappabianca	Greenwood	Noye	Taylor, F.
Carlson	Gruitza	O'Brien	Taylor, J.
Carn	Gruppo	O'Donnell	Telek
Cawley	Hagarty	Olasz	Tigue
Cessar	Haluska	Oliver	Trello
Chadwick	Harper	Perzel	Truman
Cimini	Hasay	Petrarca	Van Horne
Civera	Hayes	Petrone	Veon
Clark	Herman	Phillips	Vroon
Clymer	Hershey	Piccola	Wambach
Colafella	Honaman	Pievsky	Wass
Cole	Itkin	Pistella	Weston
Cordisco	Jackson	Pitts	Wiggins
Cornell	Jarolin	Pott	Wilson
Coslett	Johnson	Pressmann	Wogan
Cowell	Josephs	Preston	Wozniak
Coy	Kasunic	Punt	Wright, D. R.
Deluca	Kennedy	Raymond	Wright, J. L.
DeVerter	Kenney	Reber	Wright, R. C.
DeWeese	Kosinski	Reinard	Yandrisevits
Daley	Kukovich	Richardson	
Davies	Langtry	Rieger	Irvis,
Dawida	Lashinger	Robbins	Speaker
Deal			

NAYS—0

NOT VOTING—5

Cohen	Hutchinson	Maiale	Morris
Howlett			

EXCUSED—1

Gallagher

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

* * *

Mr. WOZNIAK called up HR 256, PN 3133, entitled:

Proclaiming the week of April 20 through April 26, 1986, as "Professional Secretaries Week" and April 23, 1986, as "Professional Secretaries Day" throughout the Commonwealth of Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—196

Acosta	Deal	Lescovitz	Roebuck
Afflerbach	Dietz	Letterman	Rudy
Angstadt	Dininni	Levdansky	Ryan
Argall	Distler	Linton	Rybak
Arty	Dombrowski	Livengood	Saloom
Baldwin	Donatucci	Lloyd	Saurman
Barber	Dorr	Lucyk	Scheetz
Barley	Duffy	McCall	Schuler
Battisto	Durham	McClatchy	Semmel
Belardi	Evans	McHale	Serafini
Belfanti	Fargo	McVerry	Seventy
Birmelin	Fattah	Mackowski	Showers
Black	Fee	Maiale	Sirianni
Blaum	Fischer	Manderino	Smith, B.
Book	Flick	Manmiller	Smith, L. E.
Bortner	Foster	Markosek	Snyder, D. W.
Bowley	Fox	Mayernik	Snyder, G.

Bowser	Freeman	Merry	Staback
Boyes	Freind	Michlovic	Stairs
Brandt	Fryer	Miller	Steighner
Broujos	Gallen	Moehlmann	Stevens
Bunt	Gamble	Morris	Stewart
Burd	Geist	Mowery	Stuban
Burns	George	Mrkonic	Sweet
Bush	Gladeck	Murphy	Swift
Caltagirone	Godshall	Nahill	Taylor, E. Z.
Cappabianca	Greenwood	Noye	Taylor, F.
Carlson	Gruitza	O'Brien	Taylor, J.
Carn	Gruppo	O'Donnell	Telek
Cawley	Hagarty	Olasz	Tigue
Cessar	Haluska	Oliver	Trello
Chadwick	Harper	Perzel	Truman
Cimini	Hasay	Petrarca	Van Horne
Civera	Hayes	Petrone	Veon
Clark	Herman	Phillips	Vroon
Clymer	Hershey	Piccola	Wambach
Cohen	Honaman	Pievsky	Wass
Colafella	Itkin	Pistella	Weston
Cole	Jackson	Pitts	Wiggins
Cordisco	Jarolin	Pott	Wilson
Cornell	Johnson	Pressmann	Wogan
Coslett	Josephs	Preston	Wozniak
Cowell	Kasunic	Punt	Wright, D. R.
Coy	Kennedy	Raymond	Wright, J. L.
Deluca	Kenney	Reber	Wright, R. C.
DeVerter	Kosinski	Reinard	Yandrisevits
DeWeese	Kukovich	Richardson	
Daley	Langtry	Rieger	Irvis,
Davies	Lashinger	Robbins	Speaker
Dawida	Laughlin		

NAYS—0

NOT VOTING—4

Gannon	Howlett	Hutchinson	Micozzie
--------	---------	------------	----------

EXCUSED—1

Gallagher

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

* * *

Mr. WOZNIAK called up **HR 257, PN 3134**, entitled:

Memorializing Congress to study the possibility of erecting a memorial for the soldiers who served during the Korean Conflict.

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—191

Acosta	Deal	Laughlin	Robbins
Afflerbach	Dietz	Lescovitz	Rudy
Angstadt	Dininni	Letterman	Ryan
Argall	Distler	Levdansky	Rybak
Baldwin	Dombrowski	Linton	Saloom
Barber	Donatucci	Livengood	Saurman
Barley	Dorr	Lloyd	Scheetz
Battisto	Duffy	Lucy	Schuler
Belardi	Durham	McCall	Semmel
Belfanti	Evans	McClatchy	Serafini
Birmelin	Fargo	McHale	Seventy
Black	Fattah	McVerry	Showers
Blaum	Fee	Mackowski	Sirianni
Book	Fischer	Maiale	Smith, B.
Bortner	Flick	Manderino	Smith, L. E.
Bowley	Foster	Manmiller	Snyder, D. W.
Bowser	Fox	Markosek	Snyder, G.
Boyes	Freeman	Mayernik	Staback

Brandt	Freind	Merry	Stairs
Broujos	Fryer	Michlovic	Steighner
Bunt	Gallen	Miller	Stevens
Burd	Gamble	Moehlmann	Stewart
Burns	Geist	Morris	Stuban
Bush	George	Mowery	Sweet
Caltagirone	Gladeck	Mrkonic	Swift
Cappabianca	Godshall	Murphy	Taylor, E. Z.
Carlson	Greenwood	Nahill	Taylor, F.
Carn	Gruitza	Noye	Taylor, J.
Cawley	Gruppo	O'Brien	Telek
Cessar	Hagarty	O'Donnell	Tigue
Chadwick	Harper	Olasz	Truman
Cimini	Hasay	Oliver	Van Horne
Civera	Hayes	Petrarca	Veon
Clark	Herman	Petrone	Vroon
Clymer	Hershey	Phillips	Wambach
Cohen	Honaman	Piccola	Wass
Colafella	Itkin	Pievsky	Weston
Cole	Jackson	Pistella	Wiggins
Cordisco	Jarolin	Pitts	Wilson
Cornell	Johnson	Pott	Wogan
Coslett	Josephs	Pressmann	Wozniak
Cowell	Kasunic	Preston	Wright, D. R.
Coy	Kennedy	Punt	Wright, J. L.
Deluca	Kenney	Raymond	Wright, R. C.
DeVerter	Kosinski	Reber	Yandrisevits
DeWeese	Kukovich	Reinard	
Daley	Langtry	Richardson	Irvis,
Davies	Lashinger	Rieger	Speaker
Dawida			

NAYS—0

NOT VOTING—9

Arty	Howlett	Micozzie	Roebuck
Gannon	Hutchinson	Perzel	Trello
Haluska			

EXCUSED—1

Gallagher

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

* * *

Mr. MANDERINO called up **HR 265, PN 3141**, entitled:

Recognizing June 21, 1986, as "Save American Industry and Jobs Day."

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

Acosta	Deal	Lescovitz	Roebuck
Afflerbach	Dietz	Letterman	Rudy
Angstadt	Dininni	Levdansky	Ryan
Argall	Distler	Linton	Rybak
Arty	Dombrowski	Livengood	Saloom
Baldwin	Donatucci	Lloyd	Saurman
Barber	Dorr	Lucy	Scheetz
Barley	Duffy	McCall	Schuler
Battisto	Durham	McClatchy	Semmel
Belardi	Evans	McHale	Serafini
Belfanti	Fargo	McVerry	Seventy
Birmelin	Fattah	Mackowski	Showers
Black	Fee	Maiale	Sirianni
Blaum	Fischer	Manderino	Smith, B.
Book	Flick	Manmiller	Smith, L. E.
Bortner	Foster	Markosek	Snyder, D. W.
Bowley	Fox	Mayernik	Snyder, G.
Bowser	Freeman	Merry	Staback

Boyes	Freind	Michlovic	Stairs
Brandt	Fryer	Micozzie	Steighner
Broujos	Gallen	Miller	Stevens
Bunt	Gamble	Moehlmann	Stewart
Burd	Gannon	Morris	Stuban
Burns	Geist	Mowery	Sweet
Bush	George	Mrkonic	Swift
Caltagirone	Gladeck	Murphy	Taylor, E. Z.
Cappabianca	Godshall	Nahill	Taylor, F.
Carlson	Greenwood	Noye	Taylor, J.
Carn	Gruitza	O'Brien	Telek
Cawley	Gruppo	O'Donnell	Tigue
Cessar	Hagarty	Olasz	Trello
Chadwick	Harper	Oliver	Truman
Cimini	Hasay	Perzel	Van Horne
Civera	Hayes	Petrarca	Veon
Clark	Herman	Petrone	Vroon
Clymer	Hershey	Phillips	Wambach
Cohen	Honaman	Piccola	Wass
Cotafella	Itkin	Pievsky	Weston
Cole	Jackson	Pistella	Wiggins
Cordisco	Jarolin	Pitts	Wilson
Cornell	Johnson	Pott	Wogan
Coslett	Josephs	Pressmann	Wozniak
Cowell	Kasunic	Preston	Wright, D. R.
Coy	Kennedy	Punt	Wright, J. L.
DeLuca	Kenney	Raymond	Wright, R. C.
DeVerter	Kosinski	Reber	Yandrisevits
DeWeese	Kukovich	Reinard	
Daley	Langtry	Richardson	Irvis,
Davies	Lashinger	Rieger	Speaker
Dawida	Laughlin	Robbins	

NAYS—0

NOT VOTING—3

Haluska	Howlett	Hutchinson
---------	---------	------------

EXCUSED—1

Gallagher

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

* * *

Mr. CORDISCO called up **HR 258, PN 3135**, entitled:

Designating the week of April 27 through May 4, 1986, as "Students Against Driving Drunk Week."

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—194

Acosta	Deal	Laughlin	Richardson
Afflerbach	Dietz	Lescovitz	Rieger
Angstadt	Dininni	Letterman	Robbins
Argall	Distler	Levdansky	Roebuck
Arty	Dombrowski	Linton	Rudy
Baldwin	Donatucci	Livengood	Ryan
Barber	Dorr	Lloyd	Rybak
Barley	Duffy	Lucyk	Saloom
Battisto	Durham	McCall	Saurman
Belardi	Evans	McClatchy	Scheetz
Belfanti	Fargo	McHale	Schuler
Birmelin	Fattah	McVerry	Semmel
Black	Fee	Mackowski	Serafini
Book	Fischer	Maiale	Seventy
Bortner	Flick	Manderino	Showers
Bowley	Foster	Manmiller	Sirianni
Bowser	Fox	Markosek	Smith, B.
Boyes	Freeman	Mayermik	Smith, L. E.
Brandt	Freind	Merry	Snyder, D. W.

Broujos	Fryer	Michlovic	Snyder, G.
Bunt	Gallen	Micozzie	Staback
Burd	Gamble	Miller	Stairs
Burns	Gannon	Moehlmann	Steighner
Bush	Geist	Morris	Stevens
Caltagirone	George	Mowery	Stewart
Cappabianca	Gladeck	Mrkonic	Stuban
Carlson	Godshall	Murphy	Swift
Carn	Greenwood	Nahill	Taylor, E. Z.
Cawley	Gruitza	Noye	Taylor, F.
Cessar	Gruppo	O'Brien	Taylor, J.
Chadwick	Hagarty	O'Donnell	Telek
Cimini	Harper	Olasz	Tigue
Civera	Hasay	Oliver	Trello
Clark	Hayes	Perzel	Truman
Clymer	Herman	Petrarca	Van Horne
Cohen	Hershey	Petrone	Veon
Colafella	Honaman	Phillips	Vroon
Cole	Itkin	Piccola	Wambach
Cordisco	Jackson	Pievsky	Wass
Cornell	Jarolin	Pistella	Weston
Coslett	Johnson	Pitts	Wiggins
Cowell	Josephs	Pott	Wilson
Coy	Kasunic	Pressmann	Wogan
DeLuca	Kennedy	Preston	Wozniak
DeVerter	Kenney	Punt	Wright, D. R.
DeWeese	Kosinski	Raymond	Wright, J. L.
Daley	Kukovich	Reber	Wright, R. C.
Davies	Langtry	Reinard	Yandrisevits
Dawida	Lashinger		

NAYS—1

Blum

NOT VOTING—5

Haluska	Hutchinson	Irvis,
Howlett	Sweet	Speaker

EXCUSED—1

Gallagher

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

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

* * *

Mr. CORDISCO called up **HR 259, PN 3136**, entitled:

Designating the week of May 5 through May 11, 1986, as "Mothers Against Drunk Driving Week."

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—196

Acosta	Deal	Letterman	Roebuck
Afflerbach	Dietz	Levdansky	Rudy
Angstadt	Dininni	Linton	Ryan
Argall	Distler	Livengood	Rybak
Arty	Dombrowski	Lloyd	Saloom
Baldwin	Donatucci	Lucyk	Saurman
Barber	Dorr	McCall	Scheetz
Barley	Duffy	McClatchy	Schuler
Battisto	Durham	McHale	Semmel
Belardi	Fargo	McVerry	Serafini
Belfanti	Fattah	Mackowski	Seventy
Birmelin	Fee	Maiale	Showers
Black	Fischer	Manderino	Sirianni
Blaum	Flick	Manmiller	Smith, B.
Book	Foster	Markosek	Smith, L. E.
Bortner	Fox	Mayermik	Snyder, D. W.

Bowley	Freeman	Merry	Snyder, G.
Bowser	Freind	Michlovic	Staback
Boyes	Fryer	Micozzie	Stairs
Brandt	Gallen	Miller	Steighner
Broujos	Gamble	Moehlmann	Stevens
Bunt	Gannon	Morris	Stewart
Burd	Geist	Mowery	Suban
Burns	George	Mrkonic	Sweet
Bush	Gladeck	Murphy	Swift
Caltagirone	Godshall	Nahill	Taylor, E. Z.
Cappabianca	Greenwood	Noye	Taylor, F.
Carlson	Gruitza	O'Brien	Taylor, J.
Carn	Gruppo	O'Donnell	Telek
Cawley	Hagarty	Olasz	Tigue
Cessar	Harper	Oliver	Trello
Chadwick	Hasay	Perzel	Truman
Cimini	Hayes	Petrarca	Van Horne
Civera	Herman	Petrone	Veon
Clark	Hershey	Phillips	Vroon
Clymer	Honaman	Piccola	Wambach
Cohen	Itkin	Pievsky	Wass
Colafella	Jackson	Pistella	Weston
Cole	Jarolin	Pitts	Wiggins
Cordisco	Johnson	Pott	Wilson
Cornell	Josephs	Pressmann	Wogan
Coslett	Kasunic	Preston	Wozniak
Cowell	Kennedy	Punt	Wright, D. R.
Coy	Kenney	Raymond	Wright, J. L.
Deluca	Kosinski	Reber	Wright, R. C.
DeVerter	Kukovich	Reinard	Yandrisevits
DeWeese	Langtry	Richardson	
Daley	Lashinger	Rieger	Irvis,
Davies	Laughlin	Robbins	Speaker
Dawida	Lescovitz		

NAYS—0

NOT VOTING—4

Evans	Haluska	Howlett	Hutchinson
-------	---------	---------	------------

EXCUSED—1

Gallagher

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

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

* * *

Mr. MANDERINO called up **SR 101, PN 1507**, entitled:

A Concurrent Resolution requesting the Federal Government to develop a solution to the national liquor price affirmation policy.

On the question,

Will the House concur in the resolution of the Senate?

The following roll call was recorded:

YEAS—191

Acosta	Deal	Lescovitz	Rieger
Afflerbach	Dietz	Letterman	Robbins
Angstadt	Dininni	Levdansky	Roebuck
Argall	Distler	Linton	Rudy
Arty	Dombrowski	Livengood	Ryan
Baldwin	Donatucci	Lloyd	Rybak
Barber	Dorr	Lucyk	Saloom
Barley	Duffy	McCall	Saurman
Battisto	Durham	McClatchy	Scheetz
Belardi	Fargo	McHale	Schuler
Belfanti	Fattah	McVerry	Semmel
Birmelin	Fee	Mackowski	Serafini
Black	Fischer	Maiale	Seventy

Blaum	Flick	Manderino	Showers
Book	Foster	Manmiller	Sirianni
Bortner	Fox	Markosek	Smith, B.
Bowley	Freeman	Mayernik	Smith, L. E.
Bowser	Freind	Merry	Snyder, D. W.
Boyes	Fryer	Michlovic	Snyder, G.
Brandt	Gallen	Micozzie	Staback
Broujos	Gamble	Miller	Stairs
Bunt	Geist	Moehlmann	Steighner
Burd	George	Morris	Stevens
Burns	Gladeck	Mowery	Stewart
Bush	Godshall	Mrkonic	Suban
Caltagirone	Greenwood	Murphy	Sweet
Cappabianca	Gruitza	Nahill	Swift
Carlson	Gruppo	Noye	Taylor, E. Z.
Carn	Hagarty	O'Brien	Taylor, F.
Cawley	Harper	O'Donnell	Telek
Cessar	Hasay	Olasz	Tigue
Chadwick	Hayes	Oliver	Trello
Cimini	Herman	Perzel	Truman
Clark	Hershey	Petrarca	Van Horne
Clymer	Honaman	Petrone	Veon
Cohen	Itkin	Phillips	Vroon
Colafella	Jackson	Piccola	Wambach
Cole	Jarolin	Pievsky	Wass
Cordisco	Johnson	Pistella	Weston
Cornell	Josephs	Pitts	Wilson
Coslett	Kasunic	Pott	Wogan
Cowell	Kennedy	Pressmann	Wozniak
Coy	Kenney	Preston	Wright, D. R.
Deluca	Kosinski	Punt	Wright, J. L.
DeVerter	Kukovich	Raymond	Yandrisevits
DeWeese	Langtry	Reber	
Daley	Lashinger	Reinard	Irvis,
Davies	Laughlin	Richardson	Speaker
Dawida			

NAYS—1

NOT VOTING—8

Taylor, J.

Civera	Gannon	Howlett	Wiggins
Evans	Haluska	Hutchinson	Wright, R. C.

EXCUSED—1

Gallagher

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

Ordered, That the clerk inform the Senate accordingly.

* * *

Mr. MANDERINO called up **SR 123, PN 1821**, entitled:

A Concurrent Resolution recognizing the Board of Trustees of The Pennsylvania State University for its role in the development of rural leadership.

On the question,

Will the House concur in the resolution of the Senate?

The following roll call was recorded:

YEAS—198

Acosta	Deal	Laughlin	Robbins
Afflerbach	Dietz	Lescovitz	Roebuck
Angstadt	Dininni	Letterman	Rudy
Argall	Distler	Levdansky	Ryan
Arty	Dombrowski	Linton	Rybak
Baldwin	Donatucci	Livengood	Saloom
Barber	Dorr	Lloyd	Saurman
Barley	Duffy	Lucyk	Scheetz
Battisto	Durham	McCall	Schuler
Belardi	Evans	McClatchy	Semmel

Belfanti	Fargo	McHale	Serafini
Birmelin	Fattah	McVerry	Seventy
Black	Fee	Mackowski	Showers
Blaum	Fischer	Majale	Sirianni
Book	Flick	Manderino	Smith, B.
Bortner	Foster	Manmiller	Smith, L. E.
Bowley	Fox	Markosek	Snyder, D. W.
Bowser	Freeman	Mayernik	Snyder, G.
Boyes	Freind	Merry	Staback
Brandt	Fryer	Michlovic	Stairs
Broujos	Gallen	Micozzie	Steighner
Bunt	Gamble	Miller	Stevens
Burd	Gannon	Moehlmann	Stewart
Burns	Geist	Morris	Stuban
Bush	George	Mowery	Sweet
Caltagirone	Gladeck	Mrkonic	Swift
Cappabianca	Godshall	Murphy	Taylor, E. Z.
Carlson	Greenwood	Nahill	Taylor, F.
Carn	Gruitza	Noye	Taylor, J.
Cawley	Gruppo	O'Brien	Telek
Cessar	Hagarty	O'Donnell	Tigue
Chadwick	Haluska	Olasz	Trello
Cimini	Harper	Oliver	Truman
Civera	Hasay	Perzel	Van Horne
Clark	Hayes	Petrarca	Veon
Clymer	Herman	Petrone	Vroon
Cohen	Hershey	Phillips	Wambach
Colafigliola	Honaman	Piccola	Wass
Cole	Itkin	Pievsky	Weston
Cordisco	Jackson	Pistella	Wiggins
Cornell	Jarolin	Pitts	Wilson
Coslett	Johnson	Pott	Wogan
Cowell	Josephs	Pressmann	Wozniak
Coy	Kasunic	Preston	Wright, D. R.
Deluca	Kennedy	Punt	Wright, J. L.
DeVerter	Kenney	Raymond	Wright, R. C.
DeWeese	Kosinski	Reber	Yandrisevits
Daley	Kukovich	Reinard	
Davies	Langtry	Richardson	Irvis,
Dawida	Lashingier	Rieger	Speaker

NAYS—0

NOT VOTING—2

Howlett Hutchinson

EXCUSED—1

Gallagher

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

Ordered, That the clerk inform the Senate accordingly.

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **SB 293, PN 1905**, entitled:

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled "The Administrative Code of 1929," further providing for minimum staffing levels at State mental institutions; and imposing restrictions on relinquishment.

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

PARLIAMENTARY INQUIRY

The SPEAKER. The Chair recognizes the minority leader.

Mr. RYAN. Point of parliamentary inquiry.

The SPEAKER. The gentleman will state the point.

Mr. RYAN. I ask this, Mr. Speaker, truthfully not knowing the answer.

SB 293 is a bill that originally dealt with a subject matter that sent the bill to, I understand, the Mines and Energy Management Committee. Yet after a reading of the bill, it appears that the Mines and Energy Management Committee gutted the entire bill and inserted into the bill a measure that deals with the staffing of mental hospitals. Now, it seems to me, Mr. Speaker, that we are setting a very, very dangerous precedent when we permit our committees to take legislation that has been assigned to them because of the subject matter, by the Speaker of the House, and have something that is absolutely 180 degrees away from being germane to the subject matter that that committee ordinarily works on.

Now, Mr. George is the chairman of that committee, I believe.

The SPEAKER. That is Mr. Petrarca's committee.

Mr. RYAN. I am sorry. Mr. Petrarca is the chairman of that committee, and Mr. Petrarca had an amendment dealing with mental hospitals that he was very interested in, and he, as the chairman of the committee, calls up a bill from the Senate that dealt with mines and energy management, strips it, and puts in there something, according to his whim, that was of interest to him. Now, I am not passing on whether or not what he did is right or wrong, but the way he did it was, in my judgment, absolutely wrong and one of the most dangerous parliamentary precedents that I have seen in my tenure here.

MOTION TO RECOMMIT

Mr. RYAN. I am going to move that this bill, together with the amendment that was inserted in it, be recommitted to the Committee on Health and Welfare, which should handle this particular problem—or perhaps State Government. I really have no direct feeling as to which of those two committees it should be sent to, but for the purpose of this motion, I will pick Health and Welfare. And I do it without regard to the merits of the bill as it now stands, because I, frankly, have not had an opportunity to study it, not knowing that it was going to be run today—it was not on our marked calendar—but rather to not put manners on Mr. Petrarca, who, of course, is a perfect gentleman, but rather to show all of us that we cannot do this type thing.

My point of parliamentary inquiry was, is there something that makes it improper to have been reported out in the first place, and if it is not improper, then I move to recommit it to another committee.

The SPEAKER. Will the gentleman, Mr. Petrarca, come here to the desk for a moment?

Mr. PETRARCA. Yes.

(Conference held at Speaker's podium.)

BILL PASSED OVER TEMPORARILY

The SPEAKER. Mr. Ryan, we are going to pass over the bill temporarily, at least until Mr. Petrarca can talk to the Health and Welfare Committee chairman about the bill.

The Chair recognizes the legitimacy of your question, but the Chair is reluctant to rule on it at this moment unless we can solve it another way.

* * *

The House proceeded to third consideration of **HB 1970, PN 3023**, entitled:

An Act relating to charitable organizations; requiring the registration of such organizations; and regulating the solicitation of money and property by or on behalf of charitable organizations.

On the question,

Will the House agree to the bill on third consideration?

Mr. NOYE offered the following amendment No. A1285:

Amend Sec. 7, page 14, by inserting between lines 6 and 7

(5) Senior citizen centers which are nonprofit and charitable and which have been granted tax exempt status under the Internal Revenue Code of 1954 (68A Stat. 3, 26 U.S.C. § 1 et seq.), provided all fundraising activities are carried on by members or officers of such an organization and such members or officers receive no compensation directly or indirectly therefor.

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Chair recognizes the gentleman from Perry, Mr. Noye.

Mr. NOYE. Thank you, Mr. Speaker.

Under present law, under the Charitable Solicitation Act, there are certain groups that are exempt from filing the annual paperwork that must reregister with the Charitable Commission, maybe like fire companies, churches, that kind. There are about four or five different groups that do not have to reregister every year; they have permanent registration. I am adding senior citizen centers that are nonprofit and charitable and which have been granted recognition by the IRS. They would register once, and once they are registered, they would not have to reregister every year.

I would ask for the support of the members.

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Philadelphia, Mr. Deal.

Do you wish to comment? Do you agree with the amendment or disagree?

Mr. DEAL. Mr. Speaker, there was so much noise, I could not even hear the amendment.

The SPEAKER. All right. You are quite correct.

Mr. Noye, would you please repeat the statement so Mr. Deal can hear it.

Mr. NOYE. Mr. Speaker, under present law of the Charitable Commission, there are several groups that have permanent registration status, and they do not have to go through the paperwork every year - volunteer fire companies, churches, and I forget what the others are. There are about four or five that fall into this category that they do not have to reregister

every year and every year. What I am adding to that group, that small group, is senior citizen centers which are nonprofit and charitable and registered as such with the IRS. They would register once and they would not have to go through the paperwork every year and every year.

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

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—195

Acosta	Deal	Lescovitz	Robbins
Afflerbach	Dietz	Letterman	Rudy
Angstadt	Dininni	Levdansky	Ryan
Argall	Distler	Linton	Rybak
Arty	Dombrowski	Livengood	Saloom
Baldwin	Donatucci	Lloyd	Saurman
Barber	Dorr	Lucyk	Scheetz
Barley	Duffy	McCall	Schuler
Battisto	Durham	McClatchy	Semmel
Belardi	Fargo	McHale	Serafini
Belfanti	Fattah	McVerry	Seventy
Birmelin	Fee	Mackowski	Showers
Black	Fischer	Maiale	Sirianni
Blaum	Flick	Manderino	Smith, B.
Book	Foster	Manmiller	Smith, L. E.
Bortner	Fox	Markosek	Snyder, D. W.
Bowley	Freeman	Mayernik	Snyder, G.
Bowser	Freind	Merry	Staback
Boyes	Fryer	Michlovic	Stairs
Brandt	Gallen	Micozzie	Steighner
Broujos	Gamble	Miller	Stevens
Bunt	Geist	Moehlmann	Stewart
Burd	George	Morris	Stuban
Burns	Gladeck	Mowery	Sweet
Bush	Godshall	Mrkonic	Swift
Caltagirone	Greenwood	Murphy	Taylor, E. Z.
Cappabianca	Gruitza	Nahill	Taylor, F.
Carlson	Gruppo	Noye	Taylor, J.
Carn	Hagarty	O'Brien	Telek
Cawley	Haluska	O'Donnell	Tigue
Cessar	Harper	Olasz	Trello
Chadwick	Hasay	Oliver	Truman
Cimini	Hayes	Perzel	Van Horne
Civera	Herman	Petrarca	Veon
Clark	Hershey	Petrone	Vroon
Clymer	Honaman	Phillips	Wambach
Cohen	Itkin	Piccola	Wass
Colafella	Jackson	Pievsky	Weston
Cole	Jarolin	Pistella	Wiggins
Cordisco	Johnson	Pitts	Wilson
Cornell	Josephs	Pott	Wogan
Coslett	Kasunic	Pressmann	Wozniak
Cowell	Kennedy	Preston	Wright, D. R.
Coy	Kenney	Punt	Wright, J. L.
Deluca	Kosinski	Raymond	Wright, R. C.
DeVerter	Kukovich	Reber	Yandrisevits
DeWeese	Langtry	Reinard	
Daley	Lashinger	Richardson	Irvis,
Davies	Laughlin	Rieger	Speaker
Dawida			

NAYS—0

NOT VOTING—5

Evans	Howlett	Hutchinson	Roebuck
Gannon			

EXCUSED—1

Gallagher

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

The SPEAKER. Mr. Ryan, would you speak privately to the majority leader on your question. I think we may have found a way to resolve it without a debate on the floor, and let us go on with HB 1970.

On the question,

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

Mr. WAMBACH offered the following amendments No. A1436:

Amend Sec. 3, page 3, by inserting between lines 23 and 24

“Charitable sales promotion.” An advertising or sales campaign, conducted by a commercial co-venturer, which represents that the purchase or use of goods or services offered by the commercial co-venturer will benefit a charitable organization or purpose.

“Commercial co-venturer.” A person who for profit is regularly and primarily engaged in trade or commerce in this Commonwealth other than in connection with the raising of funds for charitable organizations or purposes and who conducts a charitable sales promotion.

Amend Sec. 7, page 13, line 10, by striking out “Exclusions” and inserting

Exemptions

Amend Sec. 7, page 13, line 11, by striking out “Exclusion” and inserting

Exemptions

Amend Sec. 7, page 13, line 12, by striking out “excluded” and inserting

exempted

On the question,

Will the House agree to the amendments?

The SPEAKER. On the question, will the House adopt the amendment, the Chair recognizes the gentleman from Dauphin, Mr. Wambach.

Mr. WAMBACH. Thank you, Mr. Speaker.

Mr. Speaker, this is amendment A1436. I want to just relate to the House that I am withdrawing amendment A1062.

What amendment A1436 does, Mr. Speaker, is it would add definitions of “charitable sales promotion” and “commercial co-venturer” to the bill. The language that is in the amendment complies with the model language developed by the National Association of Attorneys General.

Also, to follow in compliance with the Charitable Solicitation Act, as well as the National Association of Attorneys General’s model language, we are changing the word “exclusions” to “exemptions.” It is almost an editorial change, Mr. Speaker.

I do not think there are any objections to this amendment, and I would ask for concurrence by the House members. Thank you.

The SPEAKER. On the question, the Chair recognizes the gentleman from Philadelphia, Mr. Deal.

Mr. DEAL. Mr. Speaker, there is an agreement.

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

The following roll call was recorded:

YEAS—195

Acosta	Deal	Laughlin	Robbins
Afflerbach	Dietz	Lescovitz	Roebuck
Angstadt	Dininni	Letterman	Rudy
Argall	Distler	Levdansky	Ryan
Arty	Dombrowski	Linton	Rybak
Baldwin	Donatucci	Livengood	Saloom
Barber	Dorr	Lloyd	Saurman
Barley	Duffy	Lucyk	Scheetz
Bartisto	Durham	McCall	Schuler
Belardi	Evans	McClatchy	Semmel
Belfanti	Fargo	McHale	Serafini
Birmelin	Fattah	McVerry	Seventy
Black	Fee	Mackowski	Showers
Blaum	Fischer	Maiale	Sirianni
Book	Flick	Manderino	Smith, B.
Bortner	Foster	Manmiller	Smith, L. E.
Bowley	Fox	Markosek	Snyder, D. W.
Bowser	Freeman	Mayernik	Snyder, G.
Boyes	Freind	Merry	Staback
Brandt	Fryer	Michlovic	Stairs
Broujos	Gallen	Micozzie	Steighner
Bunt	Gamble	Miller	Stevens
Burd	Geist	Moehlmann	Stewart
Burns	George	Morris	Suban
Bush	Gladeck	Mowery	Sweet
Caltagirone	Godshall	Mrkonic	Swift
Cappabianca	Greenwood	Murphy	Taylor, E. Z.
Carlson	Gruitza	Nahill	Taylor, F.
Carn	Gruppo	Noye	Telek
Cawley	Hagarty	O’Brien	Tigue
Cessar	Haluska	O’Donnell	Trello
Chadwick	Harper	Olasz	Truman
Cimini	Hasay	Oliver	Van Horne
Civera	Hayes	Petrarca	Veon
Clark	Herman	Petrone	Vroon
Clymer	Hershey	Phillips	Wambach
Cohen	Honaman	Piccola	Wass
Colafella	Itkin	Pievsky	Weston
Cole	Jackson	Pistella	Wiggins
Cordisico	Jarolin	Pitts	Wilson
Cornell	Johnson	Pott	Wogan
Coslett	Josephs	Pressmann	Wozniak
Cowell	Kasunic	Preston	Wright, D. R.
Coy	Kennedy	Punt	Wright, J. L.
Deluca	Kenney	Raymond	Wright, R. C.
DeVerter	Kosinski	Reber	Yandrisevits
DeWeese	Kukovich	Reinard	
Daley	Langtry	Richardson	Irvis,
Davies	Lashinger	Rieger	Speaker
Dawida			

NAYS—0

NOT VOTING—5

Gannon	Hutchinson	Perzel	Taylor, J.
Howlett			

EXCUSED—1

Gallagher

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

On the question recurring,

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

Mr. DEAL offered the following amendment No. A1061:

Amend Sec. 14, page 22, by inserting between lines 7 and 8

(f) Similar marks.—No charitable organization, professional fundraiser, commercial co-venturer, professional solicitor or other person soliciting contributions for or on behalf of a charitable organization shall use a name, symbol or registered service mark so closely related or similar to that used by another charitable organization, registered in this State or a national organization with a chapter, branch or affiliate in this State or a governmental agency that the use thereof would tend to confuse or mislead the public.

On the question,

Will the House agree to the amendment?

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Philadelphia, Mr. Deal.

Mr. DEAL. Mr. Speaker, this amendment is to section 14, page 22. All we are doing is inserting between lines 7 and 8 section (f), which is to discourage organizations from using look-alike signs, look-alike signals, and emblems. That is basically what this amendment does, prohibits that.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—197

Acosta	Deal	Lescovitz	Roebuck
Afflerbach	Dietz	Letterman	Rudy
Angstadt	Dininni	Levdansky	Ryan
Argall	Distler	Linton	Rybak
Arty	Dombrowski	Livengood	Saloom
Baldwin	Donatucci	Lloyd	Saurman
Barber	Dorr	Lucyk	Scheetz
Barley	Duffy	McCall	Schuler
Battisto	Durham	McClatchy	Semmel
Belardi	Evans	McHale	Serafini
Belfanti	Fargo	McVerry	Seventy
Birmelin	Fattah	Mackowski	Showers
Black	Fee	Maiale	Sirianni
Blaum	Fischer	Manderino	Smith, B.
Book	Flick	Manmiller	Smith, L. E.
Bortner	Foster	Markosek	Snyder, D. W.
Bowley	Fox	Mayernik	Snyder, G.
Bowser	Freeman	Merry	Staback
Boyes	Freind	Michlovic	Stairs
Brandt	Fryer	Micozzie	Steighner
Broujos	Gallen	Miller	Stevens
Bunt	Gamble	Moehlmann	Stewart
Burd	Geist	Morris	Stuban
Burns	George	Mowery	Sweet
Bush	Gladeck	Mrkonic	Swift
Caltagirone	Godshall	Murphy	Taylor, E. Z.
Cappabianca	Greenwood	Nahill	Taylor, F.
Carlson	Gruitza	Noye	Taylor, J.
Carr	Gruppo	O'Brien	Telek
Cawley	Hagarty	O'Donnell	Tigue
Cessar	Haluska	Olasz	Trello
Chadwick	Harper	Oliver	Truman
Cimini	Hasay	Perzel	Van Horne
Civera	Hayes	Petrarca	Veon
Clark	Herman	Petrone	Vroon
Clymer	Hershey	Phillips	Wambach
Cohen	Honaman	Piccola	Wass
Colafrella	Itkin	Pievsky	Weston
Cole	Jackson	Pistella	Wiggins
Cordisco	Jarolin	Pitts	Wilson

Cornell	Johnson	Pott	Wogan
Coslett	Josephs	Pressmann	Wozniak
Cowell	Kasunic	Preston	Wright, D. R.
Coy	Kennedy	Punt	Wright, J. L.
Deluca	Kenney	Raymond	Wright, R. C.
DeVerter	Kosinski	Reber	Yandrisevits
DeWeese	Kukovich	Reinard	
Daley	Langtry	Richardson	Irvis,
Davies	Lashinger	Rieger	Speaker
Dawida	Laughlin	Robbins	

NAYS—0

NOT VOTING—3

Gannon	Howlett	Hutchinson
EXCUSED—1		

Gallagher

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. DEAL offered the following amendment No. A1093:

Amend Sec. 3, page 5, line 9, by removing the period after "solicitor" and inserting

, nor shall an individual who works as an independent contractor under the direction and control of such officer or employee be deemed to be a professional solicitor.

On the question,

Will the House agree to the amendment?

The SPEAKER. On the question, the Chair recognizes the gentleman from Philadelphia, Mr. Deal.

Mr. DEAL. Mr. Speaker, what we are attempting to do is amend section 3 on page 5, line 9, by removing the period after "solicitor" and inserting ", nor shall an individual who works as an independent contractor under the direction and control of such officer or employee be deemed to be a professional solicitor."

What we are trying to do is this amendment places more control on part-time employees who are soliciting. Currently, there are no controls on them. This amendment places the control of the sponsoring group upon those part-time employees as long as they work under the direction and control of an officer or an employee. Thus, they will not be considered professional solicitors.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—198

Acosta	Deal	Laughlin	Robbins
Afflerbach	Dietz	Lescovitz	Roebuck
Angstadt	Dininni	Letterman	Rudy
Argall	Distler	Levdansky	Ryan
Arty	Dombrowski	Linton	Rybak
Baldwin	Donatucci	Livengood	Saloom
Barber	Dorr	Lloyd	Saurman
Barley	Duffy	Lucyk	Scheetz
Battisto	Durham	McCall	Schuler
Belardi	Evans	McClatchy	Semmel
Belfanti	Fargo	McHale	Serafini

Birmelin	Fattah	McVerry	Seventy
Black	Fee	Mackowski	Showers
Blaum	Fischer	Maiale	Sirianni
Book	Flick	Manderino	Smith, B.
Bortner	Foster	Manmiller	Smith, L. E.
Bowley	Fox	Markosek	Snyder, D. W.
Bowser	Freeman	Mayernik	Snyder, G.
Boyes	Freind	Merry	Staback
Brandt	Fryer	Michlovic	Stairs
Broujos	Gallen	Micozzie	Steighner
Bunt	Gamble	Miller	Stevens
Burd	Gannon	Moehlmann	Stewart
Burns	Geist	Morris	Stuban
Bush	George	Mowery	Sweet
Caltagirone	Gladeck	Mrkonic	Swift
Cappabianca	Godshall	Murphy	Taylor, E. Z.
Carlson	Greenwood	Nahill	Taylor, F.
Carn	Gruitza	Noye	Taylor, J.
Cawley	Gruppo	O'Brien	Telek
Cessar	Hagarty	O'Donnell	Tighe
Chadwick	Haluska	Olasz	Trello
Cimini	Harper	Oliver	Truman
Civera	Hasay	Perzel	Van Horne
Clark	Hayes	Petrarca	Veon
Clymer	Herman	Petrone	Vroon
Cohen	Hershey	Phillips	Wambach
Colafella	Honaman	Piccola	Wass
Cole	Itkin	Pievsky	Weston
Cordisco	Jackson	Pistella	Wiggins
Cornell	Jarolin	Pitts	Wilson
Coslett	Johnson	Pott	Wogan
Cowell	Josephs	Pressmann	Wozniak
Coy	Kasunic	Preston	Wright, D. R.
Deluca	Kennedy	Punt	Wright, J. L.
DeVerter	Kenney	Raymond	Wright, R. C.
DeWeese	Kosinski	Reber	Yandrisevits
Daley	Kukovich	Reinard	
Davies	Langtry	Richardson	Irvis,
Dawida	Lashingner	Rieger	Speaker

NAYS—0

NOT VOTING—2

Howlett Hutchinson

EXCUSED—1

Gallagher

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

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

The Chair recognizes the gentleman from York, Mr. Dorr.

Mr. DORR. Mr. Speaker, I recognize that most of the members of the House want to see this particular regulatory activity continued. However, I do not share that view, and I just wanted to discuss a couple of items with the members of the House before this bill passes today.

Under the terms of this bill and under the terms of existing law, Mr. Speaker, every one of us has probably 10 to 20 organizations in our community which are in violation of this law and will be in violation of this law if it is continued in opera-

tion. If at some point in the future the Department of State, under the provisions this bill enacts, becomes active in enforcing this law, then every one of the members of this House will start hearing from those organizations which are longstanding, legitimate, community-minded organizations which raise very small, usually, amounts, sometimes more than that, of funds from the local community to support charitable and community purposes.

I think, Mr. Speaker, that it is ridiculous for us to indicate that our local Lions Clubs, Rotaries, baseball for boys clubs, YMCA's, you name it, have to register with some Department of State in order to go out and sell cookies or pizza or subs or whatever they are selling to raise money. I believe that at the very least, if we are not going to vote to sunset this regulatory activity, then at the very least we ought to be seriously considering substantially raising the dollar figures that appear in this bill.

I would certainly recommend that we do that and will work for that, and I am looking for support from fellow members who might think along the same lines and we will get together and work on that in the future.

For myself, Mr. Speaker, I am voting against this bill today for the above reasons.

The SPEAKER. The Chair recognizes the gentleman from Bucks, Mr. Burns, on final passage.

Mr. BURNS. Mr. Speaker, I am not quite sure whom I should direct this question to. I guess rather than Mr. Deal, it should be directed to the leadership on both sides of the aisle. But as I read this bill, it says that the Charitable Organization Reform Act would allow the Commission of Charitable Organizations to sunset as scheduled. Yet on page 13 of the calendar, there is a sunset review resolution continuing the existence of the Commission on Charitable Organizations. I would just like to know what our plans are on that particular commission, and it seems to me that if we are going to sunset it, then this bill is fine. It seems to me if we are not going to sunset it, then we are passing a bill that says one thing while we in fact do another, and I am willing to talk to anybody if they could explain it to me.

The SPEAKER. Apparently no one is going to explain it.

On final passage, the Chair recognizes the gentleman from Philadelphia, Mr. Deal.

Mr. DEAL. Did you want an explanation or do you want—

I think we should roll the bill, Mr. Speaker. We have had enough debate on it.

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—163

Acosta	Davies	Levdansky	Rudy
Afflerbach	Dawida	Linton	Ryan
Angstadt	Deal	Livengood	Rybak
Arty	Dininni	Lucyk	Saloom
Baldwin	Distler	McCall	Schuler
Barber	Dombrowski	McClatchy	Semmel
Barley	Donatucci	McHale	Seraffini
Battisto	Duffy	McVerry	Seventy

Belardi	Durham	Maiale	Showers
Blaum	Evans	Manderino	Sirianni
Book	Fattah	Manmiller	Smith, B.
Bortner	Fee	Markosek	Snyder, D. W.
Bowley	Fischer	Mayernik	Snyder, G.
Bowser	Freeman	Michlovic	Staback
Boyes	Freind	Micozzie	Stairs
Brandt	Fryer	Miller	Steighner
Bunt	Gallen	Moehlmann	Stevens
Burd	Gamble	Morris	Stewart
Burns	George	Mrkonic	Stuban
Bush	Gladeck	Murphy	Sweet
Caltagirone	Godshall	Nahill	Swift
Cappabianca	Gruppo	O'Brien	Taylor, E. Z.
Carlson	Hagarty	O'Donnell	Taylor, F.
Carn	Haluska	Olasz	Telek
Cawley	Harper	Oliver	Trello
Cessar	Hasay	Petrarca	Truman
Chadwick	Herman	Petrone	Van Horne
Cimini	Hershey	Phillips	Veon
Civera	Honaman	Piccola	Vroon
Clark	Itkin	Pievsky	Wambach
Clymer	Jarolin	Pistella	Weston
Cohen	Josephs	Pott	Wiggins
Colafella	Kasunic	Pressmann	Wilson
Cole	Kennedy	Preston	Wogan
Cordisco	Kenney	Punt	Wozniak
Cornell	Kosinski	Raymond	Wright, D. R.
Coslett	Kukovich	Reber	Wright, R. C.
Cowell	Langtry	Reinard	Yandrisevits
Coy	Laughlin	Richardson	
Deluca	Lescovitz	Rieger	Irvis,
DeWeese	Letterman	Roebuck	Speaker
Daley			

NAYS—28

Argall	Fargo	Jackson	Robbins
Belfanti	Flick	Lashingier	Saurman
Birmelin	Foster	Lloyd	Scheetz
Black	Fox	Mackowski	Smith, L. E.
Broujos	Geist	Merry	Tigue
DeVerter	Gruitza	Mowery	Wass
Dorr	Hayes	Noye	Wright, J. L.

NOT VOTING—9

Dietz	Howlett	Johnson	Pitts
Gannon	Hutchinson	Perzel	Taylor, J.
Greenwood			

EXCUSED—1

Gallagher

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

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

STATEMENT BY MR. WAMBACH

The SPEAKER. Why does the gentleman from Dauphin, Mr. Wambach, rise?

Mr. WAMBACH. Just an explanation, I think, that Representative Burns deserves response to. I know we are trying to go through very quickly, but what we did with HB 1970, Mr. Speaker, was that we allowed the commission to sunset and we are reestablishing those aspects of the commission under the Department of State.

Mr. BURNS. Thank you, Mr. Speaker.

My only question was, since I saw the other sunset review resolution on the calendar, were we really going to let that drop off and go in some other way, and if we were not, why we were—

I just thought I caught a mistake, but I guess I am the guy who made the mistake.

Mr. WAMBACH. Well, obviously, Mr. Speaker, we have to await Senate action as well.

CONSIDERATION OF SB 293 CONTINUED

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

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the minority leader.
Mr. RYAN. Mr. Speaker, I move that SB 293 be recommitted to the Committee on Health and Welfare.

The SPEAKER. The gentleman, Mr. Petrarca, has no objection to that.

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

The following roll call was recorded:

YEAS—196

Acosta	Deal	Lescovitz	Roebuck
Afflerbach	Dietz	Letterman	Rudy
Angstadt	Dininni	Levdansky	Ryan
Argall	Distler	Linton	Rybak
Arty	Dombrowski	Livengood	Saloom
Baldwin	Donatucci	Lloyd	Saurman
Barber	Dorr	Lucyk	Scheetz
Barley	Duffy	McCall	Schuler
Battisto	Durham	McClatchy	Semmel
Belardi	Evans	McHale	Serafini
Belfanti	Fargo	McVerry	Seventy
Birmelin	Fattah	Mackowski	Showers
Black	Fee	Maiale	Sirianni
Blaum	Fischer	Manderino	Smith, B.
Book	Flick	Manmiller	Smith, L. E.
Bortner	Foster	Markosek	Snyder, D. W.
Bowley	Fox	Mayernik	Snyder, G.
Bowser	Freeman	Michlovic	Staback
Boyes	Freind	Micozzie	Stairs
Brandt	Fryer	Miller	Steighner
Broujos	Gallen	Moehlmann	Stevens
Bunt	Gamble	Morris	Stewart
Burd	Geist	Mowery	Stuban
Burns	George	Mrkonic	Sweet
Bush	Gladeck	Murphy	Swift
Caltagirone	Godshall	Nahill	Taylor, E. Z.
Cappabianca	Greenwood	Noye	Taylor, F.
Carlson	Gruitza	O'Brien	Taylor, J.
Carn	Gruppo	O'Donnell	Telek
Cawley	Hagarty	Olasz	Tigue
Cessar	Haluska	Oliiver	Trello
Chadwick	Harper	Perzel	Truman
Cimini	Hasay	Petrarca	Van Horne
Civera	Hayes	Petrone	Veon
Clark	Herman	Phillips	Vroon
Clymer	Hershey	Piccola	Wambach
Cohen	Honaman	Pievsky	Wass
Colafella	Itkin	Pistella	Weston
Cole	Jackson	Pitts	Wiggins
Cordisco	Jarolin	Pott	Wilson

Cornell	Johnson	Pressmann	Wogan
Coslett	Josephs	Preston	Wozniak
Cowell	Kasunic	Punt	Wright, D. R.
Coy	Kennedy	Raymond	Wright, J. L.
Deluca	Kenney	Reber	Wright, R. C.
DeVerter	Kosinski	Reinard	Yandrisevits
DeWeese	Kukovich	Richardson	
Daley	Langtry	Rieger	Irvis,
Davies	Lashingner	Robbins	Speaker
Dawida	Laughlin		

NAYS—0

NOT VOTING—4

Gannon	Howlett	Hutchinson	Merry
--------	---------	------------	-------

EXCUSED—1

Gallagher

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

REMARKS ON VOTES

The SPEAKER. The Chair recognizes the gentleman from Montgomery, Mr. Saurman. Why do you rise?

Mr. SAURMAN. Mr. Speaker, I was out of my seat when HR 240 was voted. I would like to be recorded in the affirmative.

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

The Chair recognizes the gentleman from Philadelphia, Mr. Kosinski. Why do you rise?

Mr. KOSINSKI. Correction of the record, Mr. Speaker.

On HB 1900 I was inadvertently misrecorded on the vote. I want to cast my vote in the affirmative.

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

The Chair recognizes the gentleman from Cambria, Mr. Haluska. Why do you rise, sir?

Mr. HALUSKA. I was out of my seat on HR 257, HR 265, HR 258, HR 259, and SR 101. I would like to be cast in the affirmative.

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

The Chair recognizes the gentleman from Allegheny, Mr. Itkin. Why do you rise, sir?

Mr. ITKIN. To correct the record, Mr. Speaker.

I understand that my vote failed to record on HB 1900. I wish to be recorded in the affirmative.

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

BILL ON CONCURRENCE IN SENATE AMENDMENTS

The clerk of the Senate, being introduced, returned the following **HB 1498, PN 3128**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for sentencing procedures for murder of the first degree and rape, for sentencing guidelines, for community public service programs and for costs and expenses of care of certain children.

On the question,

Will the House concur in Senate amendments?

The SPEAKER. On that question, the Chair recognizes the gentleman from Lehigh, Mr. McHale.

Mr. McHALE. Thank you, Mr. Speaker.

Mr. Speaker, as the prime sponsor of this legislation, I rise to seek nonconcurrence in the Senate amendments.

To refresh the recollection of the members of the House, last October 29 this legislation as originally drafted passed unanimously in this chamber and was forwarded to the Senate. The original terminology contained in the bill provided for stiffer criminal penalties for those individuals who are convicted of crimes while in possession of a deadly weapon. The language originally contained in my bill was preserved in the Senate, but in addition, a series of five amendments were added on third consideration to the text of the bill.

Without going into great detail on all five of those amendments, let me simply indicate that a number of very serious amendments—one of which pertains to a mandatory minimum sentence for rape, the other one of which pertains to capital punishment—were added as part of that series of five amendments. Now, whether you are for or against capital punishment—in my own case, I do support capital punishment in the case of premeditated murder—but whether you are for or against capital punishment, the language that was added I believe precipitously on the floor of the Senate does not conform to existing case law on the subject of capital punishment.

Therefore, Mr. Speaker, I seek a negative vote on this issue so that the bill may be returned to a conference committee where language in conformity with existing case law may be drafted so that when once again the matter comes before us in the form of a conference committee report, it will conform to the requirements of the Constitution. I therefore seek a negative vote.

The SPEAKER. On the question, will the House agree to the amendments inserted by the Senate to HB 1498, the gentleman, Mr. McHale, suggests the vote be in the negative.

On the question, the Chair recognizes the gentleman from Dauphin, Mr. Piccola.

Mr. PICCOLA. Mr. Speaker, very briefly.

I join with the gentleman, Mr. McHale, as the prime Republican sponsor of the bill. The Senate inserted into this bill a number of items which the gentleman has already discussed. Most of them are well-intentioned amendments; however, they were drafted in haste and should be considered in a conference committee. I would urge nonconcurrence.

The SPEAKER. Those in favor of concurring will vote "aye"; those agreeing with Mr. Piccola and Mr. McHale will vote "no."

On the question recurring,

Will the House concur in Senate amendments?

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

YEAS—0

NAYS—198

Acosta	Deal	Laughlin	Robbins
Afflerbach	Dietz	Lescovitz	Roebuck
Angstadt	Dininni	Letterman	Rudy
Argall	Distler	Levdansky	Ryan
Arty	Dombrowski	Linton	Rybak
Baldwin	Donatucci	Livengood	Saloom
Barber	Dorr	Lloyd	Saurman
Barley	Duffy	Lucyk	Scheetz
Battisto	Durham	McCall	Schuler
Belardi	Evans	McClatchy	Semmel
Belfanti	Fargo	McHale	Serafini
Birmelin	Fattah	McVerry	Seventy
Black	Fee	Mackowski	Showers
Blaum	Fischer	Maiale	Sirianni
Book	Flick	Manderino	Smith, B.
Bortner	Foster	Manmiller	Smith, L. E.
Bowley	Fox	Markosek	Snyder, D. W.
Bowser	Freeman	Mayernik	Snyder, G.
Boyes	Freind	Merry	Staback
Brandt	Fryer	Michlovic	Stairs
Broujos	Gallen	Micozzie	Steighner
Bunt	Gamble	Miller	Stevens
Burd	Geist	Moehlmann	Stewart
Burns	George	Morris	Suban
Bush	Gladeck	Mowery	Sweet
Caltagirone	Godshall	Mrkonic	Swift
Cappabianca	Greenwood	Murphy	Taylor, E. Z.
Carlson	Gruitza	Nahill	Taylor, F.
Carn	Gruppo	Noye	Taylor, J.
Cawley	Hagarty	O'Brien	Telek
Cessar	Haluska	O'Donnell	Tigue
Chadwick	Harper	Olasz	Trello
Cimini	Hasay	Oliver	Truman
Civera	Hayes	Perzel	Van Horne
Clark	Herman	Petrarca	Veon
Clymer	Hershey	Petrone	Vroon
Cohen	Honaman	Phillips	Wambach
Colafella	Howlett	Piccola	Wass
Cole	Itkin	Pievsky	Weston
Cordisco	Jackson	Pistella	Wiggins
Cornell	Jarolin	Pitts	Wilson
Coslett	Johnson	Pott	Wogan
Cowell	Josephs	Pressmann	Wozniak
Coy	Kasunic	Preston	Wright, D. R.
Deluca	Kennedy	Punt	Wright, J. L.
DeVerter	Kenney	Raymond	Wright, R. C.
DeWeese	Kosinski	Reber	Yandrisevits
Daley	Kukovich	Reinard	
Davies	Langtry	Richardson	Irvis,
Dawida	Lashinger	Rieger	Speaker

NOT VOTING—2

Gannon Hutchinson

EXCUSED—1

Gallagher

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the amendments were not concurred in.

Ordered, That the clerk inform the Senate accordingly.

RULES SUSPENDED

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

Mr. MURPHY. Mr. Speaker, I move to suspend the rules of the House temporarily so that HR 267 may immediately be considered.

The SPEAKER. This has been cleared with both desks of the minority and majority leaders.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—194

Acosta	Dietz	Lescovitz	Robbins
Afflerbach	Dininni	Letterman	Roebuck
Angstadt	Distler	Levdansky	Rudy
Argall	Dombrowski	Linton	Ryan
Arty	Donatucci	Livengood	Rybak
Baldwin	Dorr	Lloyd	Saloom
Barley	Duffy	Lucyk	Saurman
Battisto	Durham	McCall	Scheetz
Belardi	Fargo	McClatchy	Schuler
Belfanti	Fattah	McHale	Semmel
Birmelin	Fee	McVerry	Serafini
Black	Fischer	Mackowski	Seventy
Blaum	Flick	Maiale	Showers
Book	Foster	Manderino	Sirianni
Bortner	Fox	Manmiller	Smith, B.
Bowley	Freeman	Markosek	Smith, L. E.
Bowser	Freind	Mayernik	Snyder, D. W.
Boyes	Fryer	Merry	Snyder, G.
Brandt	Gallen	Michlovic	Staback
Broujos	Gamble	Micozzie	Stairs
Bunt	Geist	Miller	Steighner
Burd	George	Moehlmann	Stevens
Burns	Gladeck	Morris	Stewart
Bush	Godshall	Mowery	Suban
Caltagirone	Greenwood	Mrkonic	Sweet
Cappabianca	Gruitza	Murphy	Swift
Carlson	Gruppo	Nahill	Taylor, E. Z.
Carn	Hagarty	Noye	Taylor, F.
Cawley	Haluska	O'Brien	Taylor, J.
Cessar	Harper	O'Donnell	Telek
Chadwick	Hasay	Olasz	Tigue
Cimini	Hayes	Oliver	Trello
Civera	Herman	Perzel	Truman
Clark	Hershey	Petrarca	Van Horne
Clymer	Honaman	Petrone	Veon
Cohen	Howlett	Phillips	Vroon
Colafella	Itkin	Piccola	Wambach
Cole	Jackson	Pievsky	Wass
Cornell	Jarolin	Pistella	Weston
Coslett	Johnson	Pitts	Wilson
Cowell	Josephs	Pott	Wogan
Coy	Kasunic	Pressmann	Wozniak
Deluca	Kennedy	Preston	Wright, D. R.
DeVerter	Kenney	Punt	Wright, J. L.
DeWeese	Kosinski	Raymond	Wright, R. C.
Daley	Kukovich	Reber	Yandrisevits
Davies	Langtry	Reinard	
Dawida	Lashinger	Richardson	Irvis,
Deal	Laughlin	Rieger	Speaker

NAYS—0

NOT VOTING—6

Barber Evans Hutchinson Wiggins
Cordisco Gannon

EXCUSED—1

Gallagher

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

RESOLUTION ADOPTED

The SPEAKER. The clerk will read the Murphy resolution.

The following resolution was read:

House Resolution No. 267

A RESOLUTION

Urging the Athletic Congress of the United States to choose Pittsburgh, Pennsylvania, as the location for the final event in the 1988 National Marathon Championships.

WHEREAS, The City of Pittsburgh has contributed greatly to the sports heritage of our nation; and

WHEREAS, The Pittsburgh area has outstanding facilities for housing athletes and provides excellent locations for athletic events; and

WHEREAS, The top three finishers of the men's National Marathon Championships for 1988 will represent the United States at the Olympic games to be held in Seoul, Korea, in 1988; therefore be it

RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania hereby urges the Athletic Congress of the United States to choose Pittsburgh, Pennsylvania, as the location for the final event in the 1988 National Marathon Championships; and be it further

RESOLVED, That a copy of this resolution be sent to the Athletic Congress of the United States.

- Thomas J. Murphy, Jr.
- Roger Raymond Fischer
- Steve Seventy
- Richard D. Olasz
- Thomas A. Michlovic
- Terry E. Van Horne
- Michael M. Dawida
- Ron Gamble
- Fred A. Trello
- David K. Levdansky
- Frank J. Pistella
- Ronald R. Cowell
- Joseph F. Markosek
- Anthony M. DeLuca
- Emil Mrkonic
- Roger F. Duffy
- David J. Mayernik
- Ivan Itkin
- Richard J. Cessar
- K. Leroy Irvis
- George F. Pott, Jr.
- Raymond T. Book
- Terrence F. McVerry
- Alice S. Langtry
- John Kennedy

On the question,

Will the House adopt the resolution?

The SPEAKER. On the resolution, the Chair recognizes the gentleman from Mercer, Mr. Gruitza.

Mr. GRUITZA. Thank you, Mr. Speaker.

Would it be appropriate to have this amended to Butler, Mr. Speaker?

The SPEAKER. On the resolution, the Chair recognizes the gentleman from Montgomery, Mr. Saurman.

Mr. SAURMAN. Mr. Speaker, may I interrogate the maker of the resolution very briefly?

The SPEAKER. Mr. Murphy indicates he will stand for interrogation. You may proceed, Mr. Saurman.

Mr. SAURMAN. Thank you.

Mr. Speaker, my only question has to do with whether or not any other city in the Commonwealth of Pennsylvania is under consideration?

Mr. MURPHY. It is my understanding, Mr. Speaker, that no other city in the Commonwealth of Pennsylvania is being considered.

Mr. SAURMAN. Thank you very much.

On the question recurring,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—187

Acosta	Dietz	Letterman	Roebuck
Afflerbach	Dininni	Levdansky	Rudy
Angstadt	Distler	Linton	Ryan
Argall	Dombrowski	Livengood	Rybak
Arty	Dorr	Lloyd	Saloom
Baldwin	Duffy	Lucyk	Saurman
Barley	Durham	McCall	Scheetz
Battisto	Fargo	McClatchy	Schuler
Belardi	Fattah	McHale	Semmel
Belfanti	Fee	McVerry	Serafini
Birmelin	Fischer	Mackowski	Seventy
Black	Flick	Maiale	Showers
Blaum	Foster	Manderino	Sirianni
Book	Fox	Manmiller	Smith, B.
Bortner	Freeman	Markosek	Smith, L. E.
Bowley	Freind	Mayernik	Snyder, D. W.
Bowser	Fryer	Merry	Snyder, G.
Boyes	Gallen	Michlovic	Staback
Brandt	Gamble	Micozzie	Stairs
Broujos	Geist	Miller	Steighner
Bunt	George	Moehlmann	Stevens
Burd	Gladeck	Morris	Stewart
Bush	Godshall	Mowery	Stuban
Caitagirone	Greenwood	Mrkonic	Sweet
Cappabianca	Gruitza	Murphy	Swift
Carlson	Gruppo	Nahill	Taylor, E. Z.
Carn	Hagarty	Noye	Taylor, F.
Cawley	Haluska	O'Brien	Taylor, J.
Cessar	Harper	O'Donnell	Telek
Chadwick	Hasay	Olasz	Tigue
Cimini	Hayes	Oliver	Trello
Civera	Herman	Perzel	Truman
Clark	Hershey	Petrarca	Van Horne
Clymer	Honaman	Petrone	Veon
Cohen	Itkin	Phillips	Vroon
Colafella	Jackson	Piccola	Wambach
Cole	Jarolin	Pievsky	Wass
Cornell	Johnson	Pistella	Weston
Coslett	Kasunic	Pott	Wogan
Cowell	Kennedy	Pressmann	Wozniak
Coy	Kenney	Preston	Wright, D. R.
DeLuca	Kosinski	Punt	Wright, J. L.
DeVerter	Kukovich	Raymond	Wright, R. C.
DeWeese	Langtry	Reber	Yandrisevits
Daley	Lashinger	Reinard	
Davies	Laughlin	Rieger	Irvis,
Dawida	Lescovitz	Robbins	Speaker

Deal

NAYS—0

NOT VOTING—13

Barber	Evans	Hutchinson	Richardson
Burns	Gannon	Josephs	Wiggins
Cordisco	Howlett	Pitts	Wilson
Donatucci			

EXCUSED—1

Gallagher

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

The SPEAKER. The clerk is about to read another veto message from the Governor; not the one that we have been entangled in for the last 10 days, but you should know this is another veto question and the question of overriding. You should pay attention to it.

COMMUNICATION FROM GOVERNOR

BILL, WITH EXCEPTION, SIGNED BY GOVERNOR

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

APPROVAL OF HB No. 66.

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

March 28, 1986

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

I have the honor to inform you that I have this day, approved and signed House Bill 66, Printer's Number 3039 entitled "PROVIDING FOR GRANTS TO PERSONS FOR PROPERTY DAMAGED OR DESTROYED BY TORNADO OR FLOOD; ESTABLISHING THE BASIS FOR THE GRANTS; AND MAKING AN APPROPRIATION", except as to the following:

SECTION 1. POWER TO ADMINISTER EMERGENCY FUNDS TO DISASTER STRICKEN COUNTIES

* * *

(E) THE SUM OF \$15,000,000 OR AS MUCH THEREOF AS MAY BE NECESSARY, IS HEREBY APPROPRIATED TO THE DEPARTMENT OF PUBLIC WELFARE FOR THE PURPOSES OF THIS ACT. NOTWITHSTANDING THE PROVISIONS OF ANY OTHER ACT TO THE CONTRARY, THE FUNDS HEREBY APPROPRIATED SHALL NOT LAPSE UNTIL JUNE 30, 1987.

This item is approved in the amount of \$7.1 million, the amount which my budget office has determined is needed to carry out the mandate of this legislation in providing additional needed assistance to victims of three natural disasters last year. The budget office undertook an independent and comprehensive review of these needs since data on the number of people needing additional aid, as well as the total amount of additional funds required, was not, as best as can be determined, available to members of the General Assembly when they considered this legislation.

This \$7.1 million provided in this bill will be in addition to the nearly \$50 million in state and federal funds already provided to

those affected by the May 31-June 1 tornadoes that struck in 13 northwestern and northcentral counties, the Sept. 27 flooding in six northeastern counties and the Nov. 4-5 flooding in six southwestern counties.

Hundreds of victims of these disasters have already received grants up to \$5,000 or low-interest loans up to \$120,000.

In signing this bill I have taken into account the special needs of those affected by these three disasters, which most severely affected portions of our state least able to adequately respond.

This new program, more generous than any previous disaster assistance plan provided by either the state or federal governments, allows for additional grants of up to \$12,500 to elderly and unemployed persons with incomes of up to 300 percent of the federal poverty level, or \$32,000 a year for a family of four.

Dick Thornburgh
Governor

On the question,

Shall the bill become law, the objections of the Governor to the contrary notwithstanding?

The SPEAKER. On that question, the Chair recognizes the minority leader.

Mr. RYAN. May I have a moment, please?

The SPEAKER. Surely. The House will stand at ease.

The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, we had no advance notice—I had no advance notice—that this override was going to be called up, and if the gentleman insists on calling it up, I am afraid, reluctantly, that I am going to have to ask that we have an opportunity to caucus.

The SPEAKER. Let the House stand at ease for a moment to see if we can get this resolved without a fight on the floor.

WELCOME

The SPEAKER. The Chair welcomes in the gallery of the hall of the House the director of the Department of Public Works for the city of Scranton, Paul Catalano. He is the guest of the northeastern delegation. Paul, welcome to the hall of the House.

CONSIDERATION OF HB 66 CONTINUED

BILL PASSED OVER

The SPEAKER. The question of overriding the veto on HB 66, by agreement of the parties, will be delayed until Monday of next week.

REMARKS ON VOTE

The SPEAKER. Does the gentleman from Clarion, Mr. David Wright, wish to change his vote on a matter?

Mr. D. R. WRIGHT. Mr. Speaker, the roll call on April 8, 1986, on the Conference Committee Report on SB 655 records me as not voting. I wish the record to indicate that had I been recorded, my vote would be "no."

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

CALENDAR CONTINUED
BILL ON THIRD
CONSIDERATION POSTPONED

The House proceeded to **SB 383, PN 1275**, on third consideration postponed, entitled:

An Act amending the act of April 12, 1951 (P. L. 90, No. 21), entitled "Liquor Code," further providing for licenses for certain performing arts facilities; and adding special provisions for hotel liquor licenses.

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

BILL RECOMMITTED

The **SPEAKER**. The Chair recognizes the majority leader.

Mr. **MANDERINO**. Mr. Speaker, I move that SB 383 be recommitted to the Liquor Control Committee.

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

The following roll call was recorded:

YEAS—190

Acosta	Dietz	Laughlin	Rieger
Afflerbach	Dininni	Lescovitz	Robbins
Angstadt	Distler	Letterman	Roebuck
Argall	Dombrowski	Levdansky	Rudy
Arty	Donatucci	Linton	Ryan
Baldwin	Dorr	Livengood	Rybak
Barley	Duffy	Lloyd	Saloom
Battisto	Durham	Lucyk	Saurman
Belardi	Evans	McCall	Scheetz
Belfanti	Fargo	McClatchy	Schuijer
Birmelin	Fattah	McHale	Semmel
Black	Fee	McVerry	Serafini
Blaum	Fischer	Mackowski	Seventy
Book	Flick	Maiale	Showers
Bortner	Foster	Manderino	Sirianni
Bowley	Fox	Manmiller	Smith, B.
Bowser	Freeman	Markosek	Smith, L. E.
Boyes	Freind	Mayernik	Snyder, D. W.
Brandt	Fryer	Merry	Snyder, G.
Broujos	Gallen	Michlovic	Staback
Bunt	Gamble	Micozzie	Stairs
Burd	Geist	Miller	Steighner
Burns	George	Moehlmann	Stevens
Bush	Gladeck	Morris	Stewart
Caltagirone	Godshall	Mowery	Stuban
Cappabianca	Greenwood	Mrkonic	Swift
Carlson	Gruitza	Murphy	Taylor, E. Z.
Carn	Gruppo	Nahill	Taylor, F.
Cawley	Hagarty	Noye	Taylor, J.
Cessar	Haluska	O'Brien	Telek
Chadwick	Harper	O'Donnell	Tigue
Civera	Hasay	Olasz	Trello
Clark	Hayes	Oliver	Truman
Clymer	Herman	Perzel	Van Horne
Cohen	Hershey	Petrarca	Veon
Colafella	Honaman	Petrone	Vroon
Cordisco	Itkin	Phillips	Wambach
Cornell	Jackson	Piccola	Wass
Coslett	Jarolin	Pievsky	Weston
Cowell	Johnson	Pistella	Wogan
Coy	Josephs	Pott	Wozniak
Deluca	Kasunic	Pressmann	Wright, D. R.
DeVerter	Kennedy	Preston	Wright, J. L.
DeWeese	Kenney	Punt	Wright, R. C.
Daley	Kosinski	Raymond	Yandrisevits

Davies	Kukovich	Reber	
Dawida	Langtry	Reinard	Irvis,
Deal	Lashingier	Richardson	Speaker

NAYS—2

Sweet	Wilson		
-------	--------	--	--

NOT VOTING—8

Barber	Cole	Howlett	Pitts
Cimini	Gannon	Hutchinson	Wiggins

EXCUSED—1

Gallagher

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

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 no objection.

ADJOURNMENT

The **SPEAKER**. The Chair recognizes the gentleman from Allegheny, Mr. Levdansky, to place the adjournment motion.

Mr. **LEVDANSKY**. Mr. Speaker, I move that this House do now adjourn until Monday, April 14, 1986, at 1 p.m., e.s.t., unless sooner recalled by the Speaker.

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

Motion was agreed to, and at 3:26 p.m., e.s.t., the House adjourned.