

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, APRIL 15, 1986

SESSION OF 1986

170TH OF THE GENERAL ASSEMBLY

No. 26

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:

O God, our hope is in Thee, and in Thee do we put our trust. We pray that after the events of last evening Thou wilt lift a canopy of protective care over the President and Congress of these United States and the Governor and legislature of this great Commonwealth, as well as all who give allegiance to the Stars and Stripes. Bring a cessation to conflict and promote a lasting and enduring peace which will deepen the understanding between nations, enrich the associations we have with one another, and foster a happier relationship among the peoples of the world. This we ask that Thy guiding hand may continue over each of us. Amen.

PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was enunciated by members.)

JOURNALS APPROVED

The SPEAKER. The Chair is informed that the Journals for Wednesday, January 29, and Monday, February 3, 1986, are now in print. Unless the Chair hears objection, the Journals will stand approved as they are printed, and the Chair does not hear such objection.

JOURNAL APPROVAL POSTPONED

The SPEAKER. The Journal for Monday, April 14, 1986, is not yet in print. Therefore, the Chair will postpone the approval of that Journal, without objection, until the Journal is in print, and the Chair does not hear objection.

WELCOME

The SPEAKER. We have as our guests in the gallery now the third and fourth grade students of the Trevorton Elementary School. They are on a tour of the Capitol. Welcome to the hall of the House, children.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2372 By Representative REBER

An Act amending the act of April 2, 1980 (P. L. 63, No. 26), known as the "Divorce Code," providing for equitable distribution in certain ex parte actions.

Referred to Committee on JUDICIARY, April 15, 1986.

No. 2373 By Representatives LLOYD, TRELLO, BELARDI, KUKOVICH, DIETZ, COY, DeLUCA, SHOWERS, J. L. WRIGHT, STABACK, MORRIS, BOOK, BELFANTI, PHILLIPS, TELEK, HOWLETT and ROBBINS

An Act amending the act of June 19, 1964 (P. L. 7, No. 1), known as the "Motor Carriers Road Tax Act," regulating credit for motor fuel tax payment.

Referred to Committee on FINANCE, April 15, 1986.

No. 2374 By Representatives LLOYD, OLASZ, KUKOVICH, BELARDI, DIETZ, HALUSKA, COY, GREENWOOD, SHOWERS, J. L. WRIGHT, SWEET, STABACK, MORRIS, TIGUE, TELEK, MERRY, JOHNSON, DEAL, HERMAN, FOX, TRELLO and PERZEL

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further regulating required benefits.

Referred to Committee on TRANSPORTATION, April 15, 1986.

No. 2375 By Representatives BOWSER, DOMBROWSKI, MERRY, FARGO, NOYE, FOX, SIRIANNI, STABACK, LASHINGER, WILSON, COLAFELLA, BELARDI, CAWLEY, J. L. WRIGHT and TRELLO

An Act relieving certain property from increases in real property assessments; and making an appropriation.

Referred to Committee on FINANCE, April 15, 1986.

No. 2376 By Representatives FREIND, NAHILL and COY

An Act amending the act of February 1, 1966 (1965 P. L. 1656, No. 581), known as "The Borough Code," conforming the law as to tax levies for library purposes.

Referred to Committee on LOCAL GOVERNMENT, April 15, 1986.

No. 2377 By Representatives PETRARCA, BURD, FARGO, J. L. WRIGHT, BELFANTI, HALUSKA, OLASZ, DUFFY, DALEY, WOZNIAK, CARLSON, STAIRS, DISTLER and STEIGHNER

An Act amending the act of May 31, 1945 (P. L. 1198, No. 418), known as the "Surface Mining Conservation and Reclamation Act," providing for the establishment of an emergency bond fund to reclaim certain surface mined lands; and further providing for the obligations of operators.

Referred to Committee on MINES AND ENERGY MANAGEMENT, April 15, 1986.

No. 2378 By Representatives PETRARCA, KOSINSKI, PERZEL, STUBAN, OLASZ, SIRIANNI, STABACK, TIGUE, TRELLO, BELARDI, CALTAGIRONE, SAURMAN, MACKOWSKI, DEAL, WOGAN, SEMMEL, FOX, LINTON, McCALL, MARKOSEK, STAIRS and TELEK

An Act requiring specific patient authorization of medical care in order for medical insurance to reimburse for medical care provided.

Referred to Committee on FINANCE, April 15, 1986.

No. 2379 By Representatives MAYERNIK, HUTCHINSON and MARKOSEK

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

Referred to Committee on TRANSPORTATION, April 15, 1986.

No. 2380 By Representatives BOWSER, DOMBROWSKI, MERRY, LAUGHLIN, DISTLER, FARGO, BURD, ROBBINS, NOYE, CLYMER, MACKOWSKI, SEMMEL, HERSHEY, TRELLO, JOHNSON, VROON and DORR

An Act amending the act of December 19, 1984 (P. L. 1140, No. 223), known as the "Oil and Gas Act," further providing for bonding.

Referred to Committee on CONSERVATION, April 15, 1986.

No. 2381 By Representatives PETRARCA, STAIRS, LIVENGOOD, STUBAN, GEIST, PHILLIPS, PUNT, VEON, LESCOVITZ, LLOYD, McCALL and CAPPABIANCA

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

Referred to Committee on JUDICIARY, April 15, 1986.

No. 2382 By Representatives RUDY and LETTERMAN

An Act directing the Department of Transportation to redesignate that portion of Legislative Route 1052 from Boalsburg bypassing State College to Route 322, which is currently designated as the State College Bypass, as the Mount Nittany Expressway.

Referred to Committee on TRANSPORTATION, April 15, 1986.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 274 By Representatives JOSEPHS, IRVIS, ARGALL, ARTY, BARBER, BATTISTO, BELARDI, BELFANTI, BOOK, BURD, CARN, DAWIDA, DeLUCA, DeWEESE, DISTLER, DURHAM, FARGO, FATTAH, FISCHER, FOX, FREEMAN, GALLAGHER, GEIST, GLADECK, GREENWOOD, HAGARTY, HERMAN, HERSHEY, ITKIN, JACKSON, JOHNSON, KENNEY, KUKOVICH, LANGTRY, LASHINGER, LUCYK, MARKOSEK, MICOZZIE, MRKONIC, NAHILL, NOYE, PERZEL, PETRARCA, PISTELLA, PIEVSKY, POTT, PRESSMANN, RICHARDSON, ROEBUCK, RYBAK, SCHULER, SHOWERS, G. SNYDER, STABACK, SWEET, TRELLO, VEON, WAMBACH, WILSON, WOGAN, D. R. WRIGHT and J. L. WRIGHT

Memorializing the Governor to proclaim the week of May 4 through 11, 1986, as "Days of Remembrance of the Victims of the Holocaust."

Referred to Committee on RULES, April 15, 1986.

No. 275
(Concurrent) By Representatives DAWIDA, FREEMAN, PRESSMANN, TRELLO, VEON and FISCHER

Urging the states in the Mid-Atlantic Region to form a regional commission to develop a regional presidential election.

Referred to Committee on RULES, April 15, 1986.

BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader. Mr. MANDERINO. Mr. Speaker, I move that HB 667 and HB 2305 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.

LEAVES OF ABSENCE

The SPEAKER. The Chair now turns to leaves of absence. The Chair recognizes the majority whip. Are there any requests for leaves, Mr. O'Donnell?
 Mr. O'Donnell indicates there are no requests at this time. The Chair recognizes the minority whip.
 Mr. HAYES. Thank you, Mr. Speaker.
 I request a leave for the gentleman from Lehigh County, Representative SNYDER, for the day.
 The SPEAKER. The Chair hears no objection to the granting of the leave, and the leave is therefore granted.

WELCOME

The SPEAKER. The Chair welcomes, as the guest of Representative Curt Bowley, Ron Dietrich. Welcome to the hall of the House, Mr. Dietrich.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—197

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

Coy	Johnson	Pressmann	Wright, D. R.
Deluca	Josephs	Preston	Wright, J. L.
DeVerter	Kasunic	Punt	Wright, R. C.
DeWeese	Kennedy	Raymond	Yandrisevits
Daley	Kenney	Reber	
Davies	Kosinski	Reinard	Irvis,
Dawida	Kukovich	Richardson	Speaker
Deal	Langtry	Rieger	

ADDITIONS—1

Pievsky

NOT VOTING—0

EXCUSED—3

Book Gallagher Snyder, D. W.

LEAVES ADDED—1

Gannon

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 433, PN 3281 (Amended)

By Rep. F. TAYLOR

An Act regulating sheriffs' foreclosure and tax sales.

BUSINESS AND COMMERCE.

CALENDAR

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 81, PN 85**, entitled:

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.

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 81 be recommitted to the Committee on Appropriations for a fiscal note.

On the question,

Will the House agree to the motion?

Motion was agreed to.

* * *

The House proceeded to second consideration of **HB 82, PN 86**, entitled:

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.

On the question,

Will the House agree to the bill on second consideration?

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I move that HB 82 be recommitted to the Committee on Appropriations for a fiscal note.

On the question,

Will the House agree to the motion?

Motion was agreed to.

* * *

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

HB 1527, PN 1917; HB 1530, PN 1920; and HB 1531, PN 3217.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2097, PN 2864**, entitled:

An Act creating the Pennsylvania Economic and Infrastructure Development Board; providing for the development and implementation of an economic and infrastructure development strategy for the Commonwealth; providing for the monitoring of programs established by the implementation of such strategy; providing for the powers and duties of the board; and making an appropriation.

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?

The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, I want to debate the bill.

The SPEAKER. On final passage of HB 2097, the Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, I am rising in opposition to HB 2097. We have been through this before some year, year and a half, 2 years ago.

The bill, in my judgment, does nothing for the problem of economic development but rather simply creates a board made up of 21 individuals with an expense account of \$500,000. It is a furtherance of bureaucracy in this State. It is not lifting the load but rather increasing the load on government. It is a function that is presently taken care of by government as it now exists without the need, Mr. Speaker, for an additional 21 people and \$500,000 expenditure, and for those reasons, I oppose it.

The SPEAKER. On final passage, the Chair recognizes the gentleman from Westmoreland, Mr. Kukovich.

Mr. KUKOVICH. Mr. Speaker, we have been through this debate before, and some of the same buzzwords and scare tactics have been used by the opponents of this bill. Even though we have seen in virtually every other northern indus-

trial State in the country with the same demographics or similar demographics as Pennsylvania this kind of board being established by the executive branches of those States, in following the establishment of those boards, a more efficient economic recovery program has been established. Because of our lack of such a board, we have been unable in Pennsylvania to target our resources in the comprehensive fashion that we need to in order to bring about proper infrastructure and economic development.

Mr. Speaker, one of the things this board establishes is to bring to the public sector the best minds in the private sector with expertise in economic development, in infrastructure investment, in the business trends that have growth potential and have a future in Pennsylvania. We are saying, when we vote for this bill, that we do not think that a State bureaucracy can handle the problem; we do not think that bureaucrats have the same entrepreneurial spirit that the private sector does. We are telling the State Chamber of Commerce, we are telling the private sector, give us your best; bring those individuals into a policymaking decision, into an advisory capacity in Pennsylvania. No matter who the Governor is, Democrat or Republican, we are saying that we need this legislation in Pennsylvania.

The need has not only starkly been shown over the last 5 years, but correspondingly, in our neighboring States where they have started to develop this sort of targeting and comprehensive program to restore infrastructure and invest our money wisely, it has worked. We are just asking for Pennsylvania to follow suit and set up something that will put our people back to work. We tried to do this with a \$190-million bond issue. The legislation was not supported then. As a result, the money has not been spent, the money has not been targeted, and our workers have suffered.

For all those reasons, Mr. Speaker, I think a reasonable, responsible vote on this issue is in the affirmative.

The SPEAKER. On final passage, the Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I rise in support of the legislation and would like to give one additional reason, aside from those given by Mr. Kukovich, why this kind of legislation is so important.

In addition to doing the things that he indicated in bringing to bear on the economic development problems of the Commonwealth, the expertise that is available in the business community and in the various areas from which we draw board members, having this kind of a mechanism in place allows the economic development efforts of the Commonwealth to span from one administration to another. There will always be in place these people whom we have drawn from the private sector. Those people will not change as administrations change in Harrisburg.

We would ask that an affirmative vote be cast for this legislation, voting not only to do the job of planning for economic development, targeting for economic development, but having an economic development component that will span from one administration to the next. That is lacking in Penn-

sylvania. Those people who deal with the State in its economic development efforts have indicated that that is a shortcoming of what we have now, and it will be cured by this legislation.

Mr. Speaker, I ask for an affirmative vote.

MEMBER'S PRESENCE RECORDED

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

CONSIDERATION OF HB 2097 CONTINUED

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—113

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

NAYS—83

Argall	Dietz	Honaman	Raymond
Arty	Dininni	Jackson	Reinard
Barley	Distler	Johnson	Robbins
Birmelin	Dorr	Kennedy	Ryan
Black	Durham	Langtry	Scheetz
Bowser	Fargo	Lashingner	Schuler
Boyes	Flick	McClatchy	Serafini
Brandt	Foster	McVerry	Sirianni
Burd	Fox	Mackowski	Smith, B.
Burns	Freind	Manmiller	Smith, L. E.
Bush	Gallen	Merry	Snyder, G.
Carlson	Gannon	Micozzie	Stairs
Cessar	Geist	Moehlmann	Stevens
Chadwick	Gladeck	Mowery	Swift
Cimini	Godshall	Nahill	Taylor, E. Z.
Civera	Greenwood	Noye	Telek
Clymer	Hagarty	Perzel	Vroon
Cornell	Hasay	Phillips	Weston
Coslett	Hayes	Piccola	Wilson
DeVerter	Herman	Pitts	Wright, J. L.
Davies	Hershey	Pott	

NOT VOTING—2

Reber Saurman

EXCUSED—3

Book Gallagher Snyder, D. W.

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.

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The House proceeded to third consideration of **HB 2100, PN 3098**, entitled:

An Act amending the act of July 2, 1984 (P. L. 568, No. 113), known as the "Employee-Ownership Assistance Program Act," further providing for technical assistance, financial assistance, and criteria for evaluating applications; providing for grants; and removing provisions relating to guidelines and regulations.

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—189

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

Coslett	Jackson	Pistella	Wogan
Cowell	Jarolin	Pitts	Wozniak
Coy	Johnson	Pott	Wright, D. R.
Deluca	Josephs	Pressmann	Wright, J. L.
DeVerter	Kasunic	Preston	Wright, R. C.
DeWeese	Kennedy	Punt	Yandrisevits
Daley	Kenney	Raymond	
Davies	Kosinski	Reber	Irvis,
Dawida	Kukovich	Reinard	Speaker
Deal	Langtry	Richardson	

NAYS—0

NOT VOTING—9

Afflerbach	Gannon	Nahill	Staback
Cornell	Micozzie	Serafini	Truman
Dombrowski			

EXCUSED—3

Book	Gallagher	Snyder, D. W.
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passes finally.

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

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The House proceeded to third consideration of **HB 2180, PN 2982**, entitled:

An Act amending the act of November 30, 1965 (P. L. 847, No. 356), known as the "Banking Code of 1965," providing for the conversion of associations into savings banks.

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 Fayette, Mr. Taylor.

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

I would just like to bring to the attention of the House the reason for HB 2180.

The House passed a resolution asking the Business and Commerce Committee to look into the stability of the small savings and loans in the State of Pennsylvania. That we did, and in public hearings we addressed those problems and found out that the Pennsylvania Savings Insurance Association was able, by regulation, to direct them that any small savings and loan under \$5 million they would insure. Those savings and loans over \$5 million would seek Federal deposit insurance coverage for their deposits. What happened in the interim was that we were trying to address the large one, which was the commercial credit having over \$100 million in deposits, and they found out from the Federal Reserve Board that the Federal Deposit Insurance Corporation would not take them under insurance because they were a multiple entry. As a result of that, we then have to ask for this special legislation so that they can become a savings bank and, therefore, qualify for Federal deposit insurance.

I would highly recommend an affirmative vote from everybody. Thank you very much.

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—198

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

NAYS—0

NOT VOTING—0

EXCUSED—3

Book	Gallagher	Snyder, D. W.
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passes finally.

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

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The House proceeded to third consideration of **HB 2154, PN 2937**, entitled:

An Act requiring persons engaged in the rental of motor vehicles who arrange liability coverage for the lessee to ensure that certain coverage is included; and imposing liability for failure to do so.

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—189

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

NAYS—1

Murphy

NOT VOTING—8

Belfanti	Deal	Gannon	Richardson
Bowser	Fattah	Linton	Saloom

EXCUSED—3

Book	Gallagher	Snyder, D. W.
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passes finally.

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

WELCOME

The **SPEAKER**. The Chair is delighted to welcome to the hall of the House the PIAA Class AA State Girls' Basketball Champions. They are here from Trinity High School, they are called the Lady Shamrocks, and they are in the balcony. Welcome to the hall of the House. We are delighted to have you.

The Chair takes a personal delight in announcing that one of the stars of that basketball team is the daughter of our late friend, Tom Balaban. Those of you who served with Tom when he was Parliamentarian know in what high regard we all held him, and I held him in a personal regard of friendship. I am delighted to see Rita here. Rita is here with her mother, Margaret; with her sister, Karen, who incidentally is also a parliamentarian; and with her brother, Bill. Welcome to the hall of the House.

CITATION PRESENTED

The **SPEAKER**. The Chair recognizes the gentleman from Cumberland, Mr. Kennedy, who wishes to present a citation.

Mr. **KENNEDY**. Thank you, Mr. Speaker.

It seems as though central Pennsylvania has, at least this year, dominated who is the best in basketball. We had just recently the Carlisle High School boys' team, and today I am honored to present to the members of the House what we refer to as the Lady Shamrocks.

The Trinity High School girls' team I have had the pleasure to watch develop over the last 6 or 8 years, and this year they won it all. For that reason, I would like to present a House citation to the athletic director, Mr. Hudson, as well as the cocaptains, Meghan Finegan and Rita Balaban. Incidentally, Miss Balaban has just been selected to the all-State team in the State of Pennsylvania, being the number one vote getter for that position.

With that, Mr. Speaker, I will read the following citation:

WHEREAS, The Trinity High School Girls' Basketball Team captured the PIAA Class AA State Girls' Basketball Championship title by defeating Bishop McCort of Johnstown by a score of fifty-six to fifty-one; and

WHEREAS, Under the skillful guidance of Head Coach Harry DeFrank and Assistant Coaches Stephen Bischof, James Radcliff and Cecilia Gibbons, the Lady Shamrocks also won the Mid Penn Division II Championship, the PIAA Eastern Girls' Class AA Championship, and the Shamrock Classic Championship; and

WHEREAS, The championship team is comprised of Meghan Finegan, Gail Beatty, Trish Murray, Jennifer Scott, Karen Schwab, Rita Balaban, Colleen Erickson, Robyne Bostick, Patty Dornisch, Treanne Burch, Bridgite Speck, Maile Paduano, Kristi Dunleavy, Kim Giordano and Roni Hergenroeder.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania extends hearty congratulations to the Trinity High School Girls' Basketball Team and coaching staff on their outstanding accomplishments; wishes them continued success in future seasons; and further directs that a copy of this citation be delivered to Trinity High School Girls' Basketball Team, Route 14 and Simpson Ferry Road, Shiremanstown, Pennsylvania 17011.

It is submitted by yours truly, Representative Kennedy, and signed by the Speaker of the House, Mr. K. Leroy Irvis.

The SPEAKER. The Chair congratulates the girls and their coaches. It is a marvelous record. We are honored to have you here.

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

Mr. STEWART. Thank you, Mr. Speaker.

To the basketball team, on behalf of Johnstown's Bishop McCort, anytime you are ready for a rematch, just contact my office.

The SPEAKER. You are saying that after Rita Balaban is gone though, are you not?

WELCOMES

The SPEAKER. The Chair welcomes to the hall of the House a former member, J. Harold Arnold, Representative from Fayette County from 1935 to 1938. He is here as the guest of the Speaker. Welcome, Mr. Arnold. We are delighted to have you here.

Mr. Arnold served with the late Homer S. Brown, who was really the Speaker's early mentor when I was in law school. Judge Brown came to me and suggested that I consider a political career. I agreed to consider it. I think that may have been a mistake, but the mistake was mine and not his.

We are glad also to have Elizabeth Gilger here. She is sponsored by the Venango County delegation, headed by Ron Black. She is here as a guest page.

Juan Perez is here. He is a pharmacist and he is a personal guest and friend of Representative Jim Barber. Welcome to the hall of the House.

Donna Williams of Susquehanna County is a guest of Representative Carmel Sirianni. Welcome to the hall of the House. We are delighted to have you here.

REMARKS ON VOTE

The SPEAKER. Why does the gentleman from Montgomery, Mr. Reber, rise?

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

The SPEAKER. The gentleman will make the statement.

Mr. REBER. On HB 2097 my switch did not operate. I would like to be recorded in the negative, please.

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

PRESENTATION TO MR. LETTERMAN

The SPEAKER. All too frequently, individual members of this great body labor hard and long for important principles of law and then they are forgotten. Today we have the opportunity of reassuring at least one of our members that his works are not forgotten.

The Chair recognizes the gentleman from Montgomery, Mr. Godshall, and asks for your attention, please.

Mr. GODSHALL. Thank you, Mr. Speaker.

Recently one of our members was honored down in southeastern Pennsylvania by a group known as the Pennsylvania State Fish and Game Protective Association. I would like to give you some information pertaining to that activity.

The Pennsylvania State Fish and Game Protective Association is the oldest fishing, hunting, and conservation club in the United States. It traces its origin to the year 1854. This group has been meeting annually and having an annual dinner ever since that day. They give every year what is known as their Gold Medal Award. Some of the previous winners of the Gold Medal Award were Secretary Nick DeBenedictis, Governor Dick Thornburgh, John E. DuPont, Ralph W. Abele, Honorable Stewart Udall, Brigadier General Nicholas Biddle, Maurice Goddard, and Honorable James H. Duff.

The president of the Pennsylvania State Fish and Game Protective Association, in his message to the attendees, said it all, and I want to read briefly what he said.

It is a privilege to welcome you to our 104th dinner.

This year is particularly eventful since we are paying a proper recognition to a person who has committed himself to sportsmen and wildlife conservation. His legislative record, personal commitment, as well as his annual ventures in hunting and fishing, demonstrates to us all that Russell P. Letterman is a truly outstanding Pennsylvanian.

His worth could not have been achieved without people like yourselves. Your letters to the legislator indicating your views has gone a long way in formulating current laws. Your concern for preserving our environment as well as maintaining our privileges to hunt and fish in Pennsylvania are in the forefront of Russell P. Letterman's legislative thinking.

In closing, join me in praise and recognition for this distinguished legislator.

These were the words of the president of the organization.

The Pennsylvania State Fish and Game Protective Association hails from southeastern Pennsylvania. As the only member of the House Game and Fisheries Committee from

southeastern Pennsylvania, it gives me great pleasure to participate in this presentation to an outstanding Pennsylvanian, Russell P. Letterman.

The SPEAKER. Will the gentleman, Mr. Letterman, come to the podium.

The Chair recognizes the gentleman from Greene, Mr. DeWeese.

Mr. DeWEESE. Thank you, Mr. Speaker.

I want to make these remarks to Representative Petrone and to Representative Noye and to a variety of friends of Russell Letterman.

We did attend an event in Philadelphia last week where our rough-and-tumble, inimitable pal, Russell Letterman, was honored, and we have a brief citation that says it all.

WHEREAS, The Honorable Russell P. Letterman, a member of the Pennsylvania House of Representatives since 1971, is the recipient of the Gold Medal for 1986, awarded by the Pennsylvania State Fish and Game Protective Association; and

WHEREAS, A leading spokesman on environmental conservation and outdoor recreation issues, Mr. Letterman is serving his second term as Majority Chairman of the House Game and Fisheries Committee and is a member of the Council of State Governments Eastern Regional Conference Environmental Task Force and the Interstate Commission on the Great Lakes. He has also served as chairman of the Joint Legislative Air and Water Pollution Control and Conservation Committee which was established to monitor the State's landmark Environmental Bill of Rights. He was a former member of the House Conservation Committee and a member of the Interstate Legislative Committee on Lake Erie. He has authored numerous state laws involving environmental conservation and outdoor recreation issues.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania extends hearty congratulations to the Honorable Russell P. Letterman on being honored with the prestigious Gold Medal for 1986; expresses its respect and admiration for his commitment to environmental conservation and outdoor recreation; and further directs that a copy of this citation be delivered to the Honorable Russell P. Letterman, P.O. Box 285, Milesburg, Pennsylvania 16853.

I would like for all of my colleagues on the Democratic side and the Republican side to recognize a character, a friend, a person who is outspoken and devoted especially to the cause of the environment and to the outdoors. So will Dave Mayernik and all of my friends please give Russell a nice hand. Thank you.

The SPEAKER. The Chair teases with Representative Letterman many times over, sometimes referring to him as a great bear of a man, but in all sincerity, the Chair wishes to put on the record that despite the outward toughness of mind and body which this great bear of a man obviously has, the Chair has visited him in his own district. The Chair has toured with him where he has seen him bend down to pick up small children gently and lovingly. The Chair has been with him when he has demonstrated that which he does not readily reveal. He would much rather give you the picture of the

rugged frontiersman, the tough outdoorsman, but the Chair has seen him be gentle, be caring, be considerate. These are the qualities which have been recognized in granting him the prestigious medal of Sportsman of the Year, and it is for these qualities which the Chair will remember him for the rest of the Chair's life.

Russell, the Chair is honored to call you a personal friend and delighted to affix the medal around your neck, which you should wear proudly.

The Chair recognizes the gentleman from Centre, Mr. Letterman.

Mr. LETTERMAN. I just want to say thank you for everything that all you people have always done for me, and especially the staff of both the minority and majority Fish and Game Committee. Without their help, I just could not have won this. Thank you very much.

LEAVE OF ABSENCE

The SPEAKER. The Chair recognizes the minority whip.

Mr. HAYES. Mr. Speaker, may we return to leaves of absence?

The SPEAKER. Without objection, we will return to leaves. The Chair hears no objection.

Mr. HAYES. Thank you, Mr. Speaker.

I request a leave for the gentleman from Delaware County, Mr. GANNON, for the remainder of today's session.

The SPEAKER. The leave is granted, the Chair hearing no objection thereto.

REMARKS ON VOTE

The SPEAKER. The Chair recognizes the gentleman from Montgomery, Mr. Saurman. Why do you stand, sir?

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

On HB 2097 I was not in my seat when the vote was taken. I would like to be recorded in the negative.

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

Mr. SAURMAN. Thank you.

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 1033, PN 1307**, entitled:

An Act amending the act of April 12, 1951 (P. L. 90, No. 21), known as the "Liquor Code," granting additional rights to private citizens and community groups to seek injunctions barring nuisances.

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—197

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	Simmel
Belfanti	Fattah	McHale	Serafini
Birmelin	Fee	McVerry	Seventy
Black	Fischer	Mackowski	Showers
Blaum	Flick	Maiale	Sirianni
Bortner	Foster	Manderino	Smith, B.
Bowley	Fox	Manmiller	Smith, L. E.
Bowser	Freeman	Markosek	Snyder, G.
Boyes	Freind	Mayernik	Staback
Brandt	Fryer	Merry	Stairs
Broujos	Gallen	Michlovic	Steighner
Bunt	Gamble	Micozzie	Stevens
Burd	Geist	Miller	Stewart
Burns	George	Moehlmann	Stuban
Bush	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	Olasz	Truman
Civera	Hayes	Oliver	Van Horne
Clark	Herman	Perzel	Yeon
Clymer	Hershey	Petrarca	Vroon
Cohen	Honaman	Petrone	Wambach
Colafrilla	Howlett	Phillips	Wass
Cole	Hutchinson	Piccola	Weston
Cordisco	Itkin	Pievsky	Wiggins
Cornell	Jackson	Pistella	Wilson
Coslett	Jarolin	Pitts	Wogan
Cowell	Johnson	Pott	Wozniak
Coy	Josephs	Pressmann	Wright, D. R.
Deluca	Kasunic	Preston	Wright, J. L.
DeVerter	Kennedy	Punt	Wright, R. C.
DeWeese	Kenney	Raymond	Yandrisevits
Daley	Kosinski	Reber	
Davies	Kukovich	Reinard	Irvis,
Dawida	Langtry	Richardson	Speaker
Deal	Lashingner	Rieger	

NAYS—0

NOT VOTING—0

EXCUSED—4

Book Gallagher Gannon Snyder, D. W.

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.

WELCOME

The SPEAKER. Students of the Pennwood East High School from Delaware County are here. They are the guests of Representative Micozzie. Welcome to the hall of the House.

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of SB 670, PN 1900, entitled:

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

On the question,

Will the House agree to the bill on third consideration?

Mr. LETTERMAN offered the following amendment No. A1276:

Amend Sec. 2 (Sec. 4981), page 3, line 4, by inserting after "AGRICULTURE."

The personnel performing the weighing shall inform the drivers of the vehicle of the right to readjust or rearrange the load under section 4982(c) (relating to reducing or readjusting loads of vehicles).

On the question,

Will the House agree to the amendment?

BILL PASSED OVER TEMPORARILY

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

Mr. LETTERMAN. Thank you, Mr. Speaker.

Mr. Speaker, I just learned that an amendment which I had ordered will not be ready until later this afternoon. Could we hold this bill and go over it temporarily?

The SPEAKER. Certainly.

Mr. LETTERMAN. Thank you.

The SPEAKER. Mark the bill over temporarily.

HB 1876 PASSED OVER TEMPORARILY

The SPEAKER. HB 1876 will be passed over temporarily. That will be brought up this afternoon.

The Chair recognizes the gentleman from Allegheny, Mr. Murphy. Why does the gentleman rise?

Mr. MURPHY. Mr. Speaker, I would like to object to passing over HB 1876 at this time.

The SPEAKER. We are not passing it over, Mr. Murphy; it is over temporarily. It will be called up when we return this afternoon. It will be called up.

Mr. MURPHY. Mr. Speaker, in what order will it be called up?

The SPEAKER. The gentleman would have to check that out with the majority leader. The Speaker follows the chart given to him by the majority leader's office. Normally it would be called up in the regular order of business, and that would mean that we would go back to the early pages and then come back and run down the list, Mr. Murphy.

WELCOME

The SPEAKER. Representative Bruce Smith has from York County, Barry Franciscus. Welcome to the floor of the House, Mr. Franciscus.

Mr. Murphy, are you satisfied now that we can go ahead with this?

Mr. Murphy indicates for the record that he has no objection to our continuing on the calendar as we had planned.

**BILL ON CONCURRENCE
IN SENATE AMENDMENTS**

The clerk of the Senate, being introduced, returned the following **HB 440, PN 3123**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act making an appropriation to the Department of Agriculture for animal disease eradication programs.

On the question,

Will the House concur in Senate amendments?

The SPEAKER. The Chair recognizes the gentleman from Chester, Mr. Morris. What are your suggestions on this, sir?

Mr. MORRIS. We suggest concurrence, Mr. Speaker. This takes care of the avian flu situation, at least for the time being.

The SPEAKER. The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, this is one of the bills that we were unable to caucus on this morning.

BILL PASSED OVER TEMPORARILY

The SPEAKER. All right. The bill will go over temporarily.

FILMING PERMISSION

The SPEAKER. KDKA has been given permission to film on the floor of the House beginning immediately.

REPUBLICAN CAUCUS

The SPEAKER. The Chair recognizes the gentleman from Perry, Mr. Noye. Do you wish to announce a caucus? We are about to declare a 2-hour recess for that purpose.

Mr. NOYE. Thank you, Mr. Speaker.

Republicans will caucus at 1 p.m.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Pievsky, to announce a committee meeting.

Mr. PIEVSKY. Thank you, Mr. Speaker.

Mr. Speaker, there will be a brief meeting of the House Appropriations Committee at the rear of the House chambers immediately upon the call of the lunch break. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

LABOR RELATIONS COMMITTEE MEETING

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

Mr. COHEN. Mr. Speaker, there will be a meeting of the House Labor Relations Committee immediately upon the call of the recess in the rear of the House chambers.

REMARKS ON VOTE

The SPEAKER. The Chair recognizes the gentleman from Westmoreland, Mr. Saloom.

Mr. SALOOM. I wish to correct the record, Mr. Speaker.

The SPEAKER. You may do so.

Mr. SALOOM. When the vote was taken on HB 2154, my vote should have been recorded in the affirmative. I wish the record to show that, please.

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

RULES COMMITTEE MEETING

The SPEAKER. The majority leader announces a Committee of Rules meeting in his office on the declaration of the recess.

REMARKS ON VOTE

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

Mr. STABACK. Mr. Speaker, on HB 2100 my switch neglected to work. Had it worked, I would have voted in the affirmative.

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

ANNOUNCEMENT BY MR. ITKIN

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

Mr. ITKIN. Mr. Speaker, I just want to announce to the membership that flood and tornado relief applications can be obtained through the Chief Clerk's Office pursuant to Act 25; that is HB 66. So those of you who want to have those applications in your district office, they are available now in the Chief Clerk's Office to be picked up and taken home with you.

RECESS

The SPEAKER. The House stands in recess until 2 p.m.

AFTER RECESS

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

SENATE MESSAGE**ADJOURNMENT RESOLUTION
FOR CONCURRENCE**

The clerk of the Senate, being introduced, presented the following extract from the Journal of the Senate, which was read as follows:

In the Senate, April 14, 1986

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Monday, April 21, 1986, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, That when the House of Representatives adjourns this week it reconvene on Monday, April 21, 1986, unless sooner recalled by the Speaker of the House of Representatives.

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

On the question,

Will the House concur in the resolution of the Senate?

Resolution was concurred in.

Ordered, That the clerk inform the Senate accordingly.

RESOLUTIONS REPORTED FROM COMMITTEE

HR 266, PN 3220 By Rep. MANDERINO

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

RULES.

HR 272, PN 3276 By Rep. MANDERINO

Proclaiming April 24, 1986, as "Armenian Martyrs' Day" and the week of April 20 through 26, 1986, as "Armenian Martyrs' Week" throughout the Commonwealth of Pennsylvania.

RULES.

HR 273, PN 3277 By Rep. MANDERINO

Recognizing the week of May 4 through 10, 1986, as "Correctional Officers Week."

RULES.

BILLS REREPORTED FROM COMMITTEE

HB 124, PN 138 By Rep. PIEVSKY

An Act creating the Pennsylvania Veterans' Memorial Commission; prescribing duties; establishing a fund; and making a general repeal.

APPROPRIATIONS.

HB 247, PN 264 By Rep. PIEVSKY

An Act defining and providing for the licensing and regulation of private schools; establishing the State Board of Private Licensed Schools; imposing penalties; and making repeals.

APPROPRIATIONS.

SB 1259, PN 2035 (Amended)

By Rep. PIEVSKY

An Act amending the act of December 17, 1981 (P. L. 435, No. 135), entitled "Race Horse Industry Reform Act," further providing for the powers and duties of the State Horse Racing Commission and the State Harness Racing Commission; further regulating licensing of racing corporations and individuals involved in racing, handling of funds, and racing employees; further providing for special funds; further providing for allocation of racing days, for the place and manner of conducting pari-mutuel wagering, for the retention percentage and distribution of pari-mutuel pools, for fines and penalties and for the simulcasting and televising of races; placing limitations on day and night racing; making editorial changes; and reestablishing the State Horse Racing Commission and the State Harness Racing Commission.

APPROPRIATIONS.**WELCOMES**

The SPEAKER. The Chair welcomes to the hall of the House members of the Mount Royal AARP. They are here as the guests of Rick Cessar. Welcome to the hall of the House.

Mr. Chris Spoa is here. Mr. Spoa is a member of the board of directors of the Pennsylvania Food Merchants Association. He is here as the guest of the Beaver and Lawrence County delegations. Welcome to the hall of the House, Mr. Spoa.

**APPOINTMENT OF
COMMITTEE OF CONFERENCE**

The SPEAKER. The Chair wishes to announce for the record that the House has insisted on its nonconcurrence in amendments inserted by the Senate to HB 954, which is a Second Class Township Code, and the following members of the House are appointed by the Chair for the committee of conference: The gentleman, Mr. Fryer, who will be chairman; the lady, Mrs. Rudy; and the gentleman, Mr. A. C. Foster, of York.

WELCOME

The SPEAKER. The Chair welcomes a young man who is a guest of Representative Pressmann, Jerry Mayza. He is a student at Allentown College. Welcome to the hall of the House, Jerry.

CALENDAR CONTINUED**BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 2264, PN 3121**, entitled:

An Act amending the act of May 15, 1945 (P. L. 547, No. 217), known as the "Conservation District Law," further structuring and reestablishing the State Conservation Commission.

On the question,

Will the House agree to the bill on third consideration?
 Mr. LLOYD offered the following amendments No. A1264:

Amend Sec. 1 (Sec. 4), page 2, line 18, by inserting after "Governor"

with the advice and consent of a majority of the members elected to the Senate

Amend Sec. 3, page 6, line 19, by inserting after "act."
 Any person presently serving on the board of directors of a conservation district shall continue to serve as a board member until his present term of office expires.

Amend Sec. 5, page 6, line 27, by striking out "April 30" and inserting

May 1

On the question,

Will the House agree to the amendments?

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

Mr. LLOYD. Thank you, Mr. Speaker.

Mr. Speaker, this is an amendment which would clarify the State Conservation Commission sunset bill in the following three ways: One, it would make clear that all the members of the commission who do not hold other State positions are subject to Senate confirmation. That is existing law.

Two, it would make clear that no member of a county conservation district would in any way have his term shortened because of this sunset process. He would be allowed to finish out whatever term he has already been appointed to.

Thirdly, consistent with the choice of effective dates in other sunset bills, this amendment changes the effective date from April 30 to May 1.

I would ask for an affirmative vote.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—192

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

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

NAYS—1

Stevens

NOT VOTING—4

Barley	Flick	Raymond	Schuler
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EXCUSED—4

Book	Gallagher	Gannon	Snyder, D. W.
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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—191

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

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

NAYS—1

Stevens

NOT VOTING—5

Bowser	Durham	Flick	Richardson
Deal			

EXCUSED—4

Book	Gallagher	Gannon	Snyder, D. W.
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passes finally.

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

REMARKS ON VOTES

The SPEAKER. Why does the gentleman from Luzerne, Mr. Stevens, rise?

Mr. STEVENS. Mr. Speaker, on the last two votes I was recorded in the negative, and I wanted to be recorded in the positive on HB 2264 and amendment A1264. Thank you.

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

BILLS ON THIRD
CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 1958, PN 2638**, entitled:

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), known as "The Administrative Code of 1929," imposing certain restrictions on the Environmental Quality Board; and reducing certain fees.

On the question,

Will the House agree to the bill on third consideration?

The SPEAKER. On that question, the Chair recognizes the gentleman, Mr. Letterman, who offers the following amendment, which the clerk will read. On page 4, HB 1958, the clerk is about to read a Letterman amendment.

On the amendment, the Chair recognizes the gentleman from Centre, Mr. Letterman.

Mr. LETTERMAN. Mr. Speaker, I am withdrawing the amendment and want to run the bill as is.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Letterman, is withdrawing his amendment.

On the question recurring,

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?

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

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to this particular piece of legislation.

Before I begin, I wonder if I could have the prime sponsor stand for brief interrogation.

The SPEAKER. Mr. Letterman indicates he will so stand.

You are in order, and you may proceed, sir.

Mr. CLYMER. Mr. Speaker, why are you proposing the changes regarding the boat fees as outlined in your particular legislation? Why are we giving this power to the General Assembly?

Mr. LETTERMAN. Because I do not think the Environmental Quality Board did a very good job. What they did is they took and they looked at the fees and decided to raise them. At one time they raised them for a 3-year period. They did not care whether it was right or whether it was wrong; they just raised them over a 3-year period. What has transpired is that we do not fill the boat slips that we have in our State parks, and we are not using them properly.

Mr. CLYMER. Could you tell me what boat slips in what State parks have not been filled?

Mr. LETTERMAN. Bald Eagle State Park. There are 26 of them available right now, and you cannot change it because the Environmental Quality Board will not meet to do anything about it.

Mr. CLYMER. I am sorry. What was the name of the State park?

Mr. LETTERMAN. Bald Eagle State Park.

Mr. CLYMER. Bald Eagle State Park.

Mr. LETTERMAN. What I am saying is, if we have this ability to vote, that we can vote wherever it needs to be raised or lowered, we can do that. But what they want to do is just set everything for 3 years running. They do not care whether it is right or wrong or whether we use the facility or we do not use it.

Mr. CLYMER. Mr. Speaker, does this bill set the fees back to the 1984 levels?

Mr. LETTERMAN. Only on the price of putting a boat out in an open field for storage over winter.

Mr. CLYMER. How about the use of the boat slips during the regular season. Does that put the price back to 1984?

Mr. LETTERMAN. Yes, Mr. Speaker.

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

I would like to speak on the bill.

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

Mr. CLYMER. Mr. Speaker, as I just prefaced a few minutes ago, I am opposed to this piece of legislation. Let me tell you why.

In Nockamixon State Park we do have the largest number of boat slips in any of the nine State parks. We have 652, and there is a great deal of revenue that is received not only from these boat slips but from the other eight State parks that have boat slips as well.

Mr. DORR. Mr. Speaker, point of order.

The SPEAKER. The Chair recognizes the gentleman from York, Mr. Dorr. What is the gentleman's point of order?

Mr. DORR. Mr. Speaker, I cannot hear the gentleman. I am sure that other members who might want to hear him cannot hear him.

The SPEAKER. I am sure you are right, Mr. Dorr.

There is entirely too much noise on the floor of the House. If each one of you who is carrying on a conversation would just cease for a few moments, we will get along with the business of the afternoon. Mr. Dorr is right.

All right, Mr. Clymer; try it again. The Chair apologizes for having to interrupt you.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, within a brief time, I will try to put this whole issue in perspective regarding boat slips as they exist now in the nine State parks and as they relate then to this piece of legislation.

As I had mentioned, Nockamixon State Park, which is one of the larger State parks, is in my legislative district. It has 652 boat slips. Now, the increases: For 1986 for a 24-foot slip it is \$216. Now remember, this bill, if we enact it, would bring the prices and fees back to the 1984 levels. Of course, as you heard the prime sponsor say, he is opposed to seeing these increases take place because of vacancies at Bald Eagle, but we have to look at the whole issue.

Now, \$216, in my opinion, is a very reasonable fee for a 24-foot boat slip, and the 1986 price for a 16-foot boat slip is \$144. A sailboat generally runs \$20,000, and those people who use sailboats normally are in the upper-level income. They are not protesting the dollars that they have to pay in my legislative district for these new fees. In fact, they want to make sure that there is a good maintenance program for our State parks, and that brings me to the other point.

The money that we receive from these boat fees is used by the State parks as a capital project program. The money goes into this fund, and wherever there is a need for repair, whether it be at Bald Eagle or Nockamixon or Neshaminy, those moneys are then utilized to repair those various needs.

Now, very briefly, what has happened at Nockamixon State Park because of these boat fees, we have been able to repair

sewer lines back in 1981 at a cost of \$60,000, and again, remember, it is the user who is paying these dollars; it is not the taxpayer. We had two very important fishing piers reconstructed at a total cost of \$106,000. There have been roof repairs; a well has been dug; chemical protection to the boat slips at a cost of \$42,000. I could go on ad infinitum to tell you how important it is that we get top revenue from these boat slips.

Now, while there may be a problem at Bald Eagle, there is no problem in renting the boat slips at the other State parks. In fact, there is a waiting list. As an example, at Nockamixon State Park you wait 3 to 4 years to get a boat slip for your sailboat. The point I am making is that there is no problem here. And to use that old cliché, if it ain't broke, why fix it? So I have some severe problems about this bill that would bring the fees back to the 1984 level.

Mr. Speaker, last year we took in over \$108,000 in fees just at Nockamixon State Park, and these dollars are used very carefully in keeping our facilities at top peak, and that is the other point. Mr. Speaker, if any one of these members or if I were to walk into a State park and I saw that there was a building in need of repair or the macadam on a road had potholes or they needed to have sewer lines put in, you know, and that could not be done because of lack of fees, we would be all upset. We have a great system that provides this funding. The boaters in my district, and I am sure in other districts as well where there are State parks having boating fees, would say that, you know, there has been no problem. They want—they, the boaters and the people who visit Nockamixon State Park—want that facility to remain in a topnotch condition.

So, Mr. Speaker, let me conclude my remarks by saying, you know, I am opposed to this bill. There may be a few people who are upset because the increases went in or because at Bald Eagle—and let us take a quick look and see what we have at Bald Eagle State Park—there are indeed a number of vacancies there, but do we change the program, which would decrease the total funding, just because of a problem here? I feel that problem can be worked out on a one-to-one basis. Let us not ruin the system because of one problem. Thank you, Mr. Speaker.

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

Mr. LETTERMAN. Mr. Speaker, I believe Mr. Clymer just said exactly what I said the problem is. He said that they do not have a problem there but they do at Bald Eagle in renting their spaces. That is what I want to eliminate. If people are not renting at Bald Eagle, I want those prices brought to a point where they will rent those spaces and they will use our State park. We can vote each individual park as the system calls for but not the way the Environmental Quality Board does it. They just do it in a cover-all phase. And that is what I am asking you.

The other thing, Mr. Speaker, is why do you think we boaters and the boaters of Pennsylvania should pay for everything else in the State park when you are one who probably

would not vote for a use head tax in the State park? Who pays for people to swim?

The other thing is that a boater also pays a marine tax on gasoline, and you think that is fair that he pays everything? And he receives nothing more for it. He gets no protection for his boat that is in one of those slips. If you think that \$216 is not enough to put a boat in the water plus the gas tax you are paying for 4 months, there is something the matter with you. A lot of poor people and older people cannot afford this. Besides, the ones who keep their boats in the docks are the ones who buy the gas at the lake, and that is where they pay the tax. What you are asking is that they pay the fee for everybody to use the State park.

I do not believe they should be using that money they collect from the boat docks to fix your sewage and your other buildings. If they would take care of the boat docks, that would be fine, and giving people the proper protection they deserve for the money they pay. That is what we are trying to straighten out, and I hope that all of you understand that if we do this on an individual basis, we would be able to determine whether or not each one of those State parks should be raising the boat fees or not.

Let me give you an example of what the Environmental Quality Board thinks is good, fair prices. You take an open, vacant field that absolutely means nothing to nobody. You put your boat in it in 1984 and they charge you \$25, in 1985 they charge you \$50, and in 1986 they are going to charge you \$75. For what reason, no one knows. For no logical reason you put the fees up so high; you do not give that man any protection while his boat is there; you do nothing except let him put it in a very vacant field that does not do anything for anybody. I am just saying to you that they are very unfair. They do not look at things very well, and I think we could do a much better job.

Yesterday I heard that we should not let the Game Commission set their own fees, and that is exactly what I am saying to you here. We should not let these people set their own fees either; we should be doing it.

FILMING PERMISSION

The SPEAKER. The Chair has given permission to Brad Nau to photograph on the floor of the House for WTAF-TV beginning now.

CONSIDERATION OF HB 1958 CONTINUED

The SPEAKER. On final passage, the Chair recognizes the gentleman from Schuylkill, Mr. Lucyk.

Mr. LUCYK. Mr. Speaker, I would like to speak in favor of HB 1958.

We pour public tax money into the State parks to provide for the enjoyment of the common man and recreational pleasure. We continually here on this House floor vote increases in hunting fees, in fishing fees, and now boating fees. Maybe Mr. Clymer and his constituents agree on these fees, but just recently I have been approached by several con-

stituents in my district complaining about the fees in the State parks and they have withdrawn their boats from the State park system, and I am not talking about \$20,000 sailboats; I am talking about \$300 or \$400 rowboats.

I feel that the House of Representatives has to protect this type of individual, make this type of activity affordable to him. I think it is our duty to do this. I ask support for HB 1958.

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

Mr. BURNS. Thank you, Mr. Speaker.

I would like to speak against the bill, HB 1958. My reason for that is this: I very seldom pick a fight with my good buddy, Mr. Letterman, but I will tell you, in my situation I have Neshaminy State Park. Neshaminy State Park has improved and put in a lot of boat slips down there in their marina and continually improve it. They have to provide, in order to give people protection, and they do provide park guard service-type protection for the boats because they have to - being down in my area guys walk away with boats at night. But they have put improvements in there - in the area of bubblers so that they do not freeze in the winter.

You know, an interesting thing, at least in our area as far as our State parks are concerned—and I guess you do not run into this nearly as much as we do—we cannot, because there is Federal money in those parks, limit who comes into the boat slips. It has to be on a first-come-first-served. We have a lot of New Jerseyites and a lot of New Yorkers come over and bring their boats here because the rates are so cheap. I think we are talking about in the neighborhood of \$250 a year or whatever that figure is you just mentioned in your last statement. But if you go 60 miles to the south of us, which is the seashore area, for an ordinary small-sized sailboat you are talking \$1,100 a year for a private slip. The New Jerseyites and the New Yorkers come up into Pennsylvania, up into our area, and we cannot stop them because of the Federal money in the park system. We have to give them these slips, and I think that if we are going to rent to people who own boats— I mean, we are talking big money with boats. No, we are not talking about the little guy who hauls it on his trailer to fish every weekend or something like this; we are talking pretty big money with these big boats, and to worry about a guy like that getting an increase is silly. I do not mind it even staying where it is, but under this bill as I understand it, it will be decreased, and I think that is wrong. I think that money is needed if we are going to improve our State parks and improve our boat slips.

So I therefore— My colleague just pointed out to me that in Neshaminy State Park there are 191 slips. There are no vacancies at the present time, and there is a 430-person waiting list. So, you know, my contention is that these are people who do not need a break, and to lower their moneys that they have to pay I think is silly when the private sector right next door and 60 miles down and away from us is getting \$1,100 for a slip. I think we ought to look at our prices and use that money that we can get to improve the State parks.

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

Mr. HALUSKA. Mr. Speaker, I stand here to support HB 1958. Over the years this Commonwealth has endeavored to build State parks within a 25-mile radius of every resident of this Commonwealth. The intent of building these State parks was to take care of the masses, those who can ill afford to go out any long distance or to buy high-class boats to entertain themselves. We have hundreds of people who are using the State park facilities who are on minimum Social Security, and the constant increase of rates at these particular mooring sections at the State parks have caused these people to discontinue to register for a space at these parks. It apparently appears that because they have so much demand for these spaces, they are eliminating this class of people, and I do not think it is fair. I think somebody has to overlook this. We have considered this and taken it up with the parks commission at various times, but they are rather reluctant to even give any consideration to these people. They raise the prices without any consideration of the fact that these people can ill afford to pay them, and this is their only source of recreation.

I ask this House to support this bill. Thank you.

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

Mr. GODSHALL. Thank you, Mr. Speaker.

I rise in support of this bill. We have numerous State parks across the State, and because there is a waiting list for boat slips in one, that does not mean that that is the same situation across the whole State. The prices have been jacked up unbelievably, mainly because—especially down in Nockamixon State Park—they have a demand for the boat slips. We are definitely pricing the small person out of the market, and I ask for your support of this bill. Thank you.

The SPEAKER. For the second time, the Chair recognizes the gentleman from Bucks, Mr. Clymer.

Mr. CLYMER. Mr. Speaker, just in response to someone who said there are a lot of boat slips available. The large boat slips are all taken; there is a waiting list, and there is where the majority of them are. On the smaller slips, the 16-foot slips, although they are vacant now, throughout the summer they will be taken and there will only be very few that will actually be what we call vacant.

I want to share with the members of this General Assembly the fiscal note if this bill goes into effect, and right now we are all cost conscious. For the 1985-86 year - the one we are in right now - the loss to the Department of Environmental Resources to run these State parks would be \$322,000 with a cost of \$10,000 to administer the refunds on the moneys that have been collected since January 1. Then in the next budget - the budget that we are working on right now - there would be a loss of \$350,000 that we would have to make up.

Mr. Speaker, as I said at the outset, if it ain't broke, why fix it? This is a good program, believe me, the way this thing has been working - very successfully. We are seeing a lot of money put back into the State parks to keep them in good repair for the enjoyment of all Pennsylvanians.

Again, I ask for the defeat of HB 1958.

The SPEAKER. For the second time on the bill, the Chair recognizes the gentleman from Centre, Mr. Letterman.

Mr. LETTERMAN. Mr. Speaker, it seems to me that what is happening is that people like Mr. Burns and Mr. Clymer are talking about their areas, and they are only talking about their areas. They do not understand what we are trying to do. I am trying to say, if yours is fine, you do not have to come to the General Assembly and ask for a change. And Mr. Burns, if your area is doing fine, you do not have to come. But say you rent everything, you have everything rented out and have a long list and you want to raise those fees, then all you do is come and ask us to raise those fees; you explain why. But why should I have a whole boating marina that is not even being rented? Does it make any sense that mine is not rented, that we have a beautiful State park, and the kind of people who use it are just fishermen? They have a small boat they want to go fishing in. They are retired people. I have the letters in my office where they are begging me to drop these fees, and they state in there— Now, you people tell me that you have protection. I do not have protection in my State park for the boats and the motors that are there. Now, you tell me you do. You must have a better boating facility than what I have, a lot better.

What I am asking you is to be fair to me and let me be the one, through my State park attendant, to determine what the fees should be at that State park. I am not asking you to change all yours. If yours are running fine, that is great. I do not want to change that, but I do not want to see my State park vacant, and that is what I am looking at right now.

Mr. Speaker, I ask for an affirmative vote. Thank you.

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

Mr. GEORGE. Mr. Speaker, I just want to enlighten some of those who may have forgotten that some time ago, before the inception of the IRRC (Independent Regulatory Review Commission) situation, whenever there were increases to be handed out to the public, those increases, under normal situations, had to come through an affirmative resolution or an amendment by the General Assembly. What has happened over the past couple of years is an example of what happened this morning. The Environmental Quality Board almost unanimously passed raises on campsites, et cetera. The only two negative votes were the Republican and Democratic members of that committee. As you would suspect, all the Cabinet officers voted with the proposition. Why should they not? They serve at the will and the discretion of the Chief Executive. Most of the members who are appointed fill an obligation. But I want to remind you that when these costs continue to spiral and yet the performance of the parks does not continue to be implemented to the benefit of the people, it is we as individual legislators who get the complaints.

Mr. Letterman does not want to take it on himself or anybody else. It will be the department that will come forth and submit a proposition to some legislator whenever the increases are needed or asked for. The only difference is that

it will be this body that makes a decision of whether that suggestion should go forth into law.

I believe that we should pass this bill, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Butler, Mr. Steighner, for the first time on the bill.

Mr. STEIGHNER. Thank you, Mr. Speaker.

Mr. Speaker, two of the arguments that I have heard in opposition to this legislation, one is that the General Assembly should not be involved or should not be tinkering with the fee system. Mr. Speaker, the General Assembly has already gone on record previously in establishing where and what fees, if any, should be charged at our State parks by the Commonwealth.

Secondly, it was also mentioned that the people whom these fees are imposed upon supposedly can afford them because they own recreational boats. One example I would like to give you of one of the fee increases since 1984: If you own a 7-foot boat in Pennsylvania and moor it at the State parks, your fee has been increased from \$45 to \$80 alone. That is for a 7-foot boat.

Mr. Speaker, I would ask for the support of HB 1958. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Bucks, Mr. Burns, for the second time on the bill.

Mr. BURNS. Mr. Speaker, I just want to ask Mr. Letterman a question, if I could.

Mr. Speaker, I understand your position very well, and I think you have somewhat of a point; and in our way, I think we have a point, too. I guess my problem here is with letting the legislature set these fees. The legislature, you know, we are all lobbied, and I am sure I have constituents who have a boat who could well afford to pay \$500 a year, but they are going to lobby me for no increase and keep it at whatever, and I am going to have a tough time saying no, just the same way as you might have.

I am just wondering, is there any other way that this bill might be worked out so that someone at the park themselves, is there some way the park itself could set the fee so that Neshaminy State Park, the head ranger there or whoever is in charge of that park, could say, hey, I have to put bubblers in to keep the water from freezing; I have to put a new pier in for gas; I have to do this or that; I need more money and I have guys who can really afford more money. Whereas in your case that may not be the case. I am just wondering, could we make the recommendation, or is there some way that the parks could do it and keep the legislature out? And I bow to your expertise on the EQB (Environmental Quality Board) to keep them out of it. I am just asking, and I do not know the answer.

Mr. LETTERMAN. I think, Mr. Speaker, if we would be willing to accept each park superintendent's recommendation, he knows whether he rented all the slips out last year; he knows the additional money he might need. Now you are telling me that you use bubblers and everything in the winter-time to keep your boats free of ice. Right? I do not have anything near that expensive in the place that I am talking about.

You see, you have got so much more. I understand why you think you have a cheap rate. But I do not have that. My boats have to be taken out of the water and then I have to pay storage for my boats.

Mr. BURNS. Mr. Speaker, I understand exactly where you are coming from, and I sympathize with you. I really do.

Mr. LETTERMAN. I think what we really need is a study commission to go out and decide what we should do with our State parks in toto. That is the answer that I have.

Mr. BURNS. Mr. Speaker, would it be advisable maybe to take this bill back into committee and to put something on there that the superintendent of the State park would make the recommendation?

Mr. LETTERMAN. I think we would have to ask Mr. George if he is willing to do something with this bill if we put it back in his committee. It would be the proper thing to do.

Mr. BURNS. Mr. Speaker, if I could interrogate Mr. George for just a minute?

The SPEAKER. The gentleman, Mr. George, indicates he will stand for interrogation. You may proceed, Mr. Burns.

Mr. BURNS. Mr. Speaker, my interrogation, and I do not know whether you heard that, Mr. Speaker, but—

Mr. GEORGE. Mr. Speaker, let me say this and allow me to explain—

Mr. BURNS. Mr. Speaker, could we have one moment on the floor by ourselves? I think maybe we can straighten this out.

The SPEAKER. All right. The House will stand at ease.

Mr. GEORGE. Mr. Speaker, just tell him to make sure it is in view of all the other legislators.

The SPEAKER. The Chair has no worries about what you are capable of dealing either ad seriatim or together with both Mr. Burns and Mr. Letterman.

Mr. BURNS. Mr. Speaker, with the size of Mr. Letterman and myself, we are always in full view.

WELCOMES

The SPEAKER. The Chair welcomes to the hall of the House the father of Elizabeth Gilger, Richard "Bud" Gilger. He is here from Oil City, as the guest of Ron Black. Welcome to the hall of the House. I think your daughter, Elizabeth, was off on an errand when we announced her name. Elizabeth, will you please stand?

Representative Kasunic has two guests here from Conellsville: Bill Corbett and Walt Wiltrout.

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 1989, PN 2700**, entitled:

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), known as "The Administrative Code of 1929," further providing for the State Board of Public Welfare; continuing the agency under the Sunset Act; and making editorial corrections.

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

BILL RECOMMENDED

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

Mr. BARBER. Mr. Speaker, I move that HB 1989 be recommitted to the Committee on Health and Welfare for further study.

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

CONSIDERATION OF HB 1958 CONTINUED

Mr. BURNS. Mr. Speaker, I have concluded my interrogation, and I think the conference is over. I will yield to Mr. Letterman.

The SPEAKER. Is there any change in position, or shall we continue with the vote, Mr. Letterman?

Mr. LETTERMAN. Mr. Speaker, we could not come to any agreement, so I think we should run the bill at the present time.

The SPEAKER. On final passage, the Chair recognizes the gentleman from Cambria, Mr. Haluska, for the second time.

Mr. HALUSKA. Mr. Speaker, I would like to ask this body to preserve the intent of the original concept that Pennsylvania had provided State parks in order to give the masses, the people of the Commonwealth, a very inexpensive means of recreational facilities. I believe that if this legislature can stand here and offer \$180 million for a convention center, we certainly ought to be able to increase the appropriations to the parks division to provide recreation for the masses of people who so need it. I thank you.

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	Dorr	Laughlin	Roebuck
Afflerbach	Duffy	Lescovitz	Rudy
Angstadt	Durham	Letterman	Ryan
Arty	Evans	Levdansky	Rybak
Baldwin	Fargo	Livengood	Saloom
Barley	Fattah	Lloyd	Saurman
Battisto	Fee	Lucyk	Scheetz
Belardi	Fischer	McCall	Semmel
Belfanti	Foster	McClatchy	Serafini
Birmelin	Fox	Mackowski	Seventy
Blaum	Freind	Maiale	Showers
Boyes	Fryer	Manderino	Sirianni
Brandt	Gallen	Manmiller	Smith, B.
Broujos	Gamble	Markosek	Smith, L. E.
Bunt	Geist	Mayernik	Snyder, G.
Burd	George	Merry	Staback
Caltagirone	Gladeck	Michlovic	Steighner
Cappabianca	Godshall	Micozzie	Stevens
Carn	Gruitza	Miller	Stewart
Cawley	Gruppo	Morris	Stuban
Cessar	Hagarty	Mowery	Swift
Chadwick	Haluska	Mrkonic	Taylor, E. Z.

Cimini	Harper	Murphy	Taylor, F.
Civera	Hasay	Nahill	Taylor, J.
Clark	Hayes	Noye	Tigue
Cohen	Herman	O'Brien	Trello
Colafella	Hershey	Olasz	Van Horne
Cole	Honaman	Oliver	Veon
Cornell	Howlett	Perzel	Vroon
Cowell	Hutchinson	Petrarca	Wambach
Coy	Itkin	Petrone	Wass
Deluca	Jackson	Phillips	Weston
DeVerter	Jarolin	Piccola	Wilson
DeWeese	Johnson	Pievsky	Wogan
Daley	Josephs	Pistella	Wozniak
Davies	Kasunic	Preston	Wright, D. R.
Dawida	Kenney	Punt	Wright, R. C.
Deal	Kosinski	Raymond	Yandrisevits
Dininni	Kukovich	Reber	
Distler	Langtry	Richardson	Irvis,
Dombrowski	Lashinger	Rieger	Speaker
Donatucci			

NAYS—28

Argall	Cordisco	Linton	Pressmann
Black	Coslett	McHale	Reinard
Bortner	Dietz	McVerry	Robbins
Bowley	Flick	Moehlmann	Schuler
Bowser	Freeman	O'Donnell	Stairs
Burns	Greenwood	Pitts	Telek
Clymer	Kennedy	Pott	Wright, J. L.

NOT VOTING—6

Barber	Carlson	Truman	Wiggins
Bush	Sweet		

EXCUSED—4

Book	Gallagher	Gannon	Snyder, D. W.
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passes finally.

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

BILL ON FINAL PASSAGE POSTPONED

The House proceeded to **HB 1876, PN 3213**, on final passage postponed, entitled:

An Act amending the act of April 6, 1956 (1955 P. L. 1414, No. 465), known as the "Second Class County Port Authority Act," further providing for the board of the authority; providing for a transit council, audits, service standards and the operating budget; and further providing for labor relations.

On the question recurring,
Shall the bill pass finally?

DECISION OF CHAIR RESCINDED

The SPEAKER. Without objection, the Chair rescinds its announcement that HB 1876 was agreed to on third consideration as amended. The Chair hears no objection.

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

Mr. PISTELLA offered the following amendment No. A1530:

Amend Sec. 3 (Sec. 13.2), page 7, lines 7 through 30; pages 8 through 14, lines 1 through 30; page 15, lines 1 through 27, by striking out all of said lines on said pages and inserting

Section 13.2. (a) The authority through its boards shall deal with and enter into written contracts with the employes of the authority through accredited representatives of such employes or representatives of any labor organization authorized to act for such employes concerning wages, salaries, hours, working conditions and pension or retirement provisions.

(b) Collective bargaining shall commence at least ninety days prior to the expiration date of a collective bargaining agreement.

(c) If, upon the expiration of the thirty-day period, after commencement of collective bargaining under subsection (b), a dispute exists between the authority and the authorized representative, both parties shall immediately, in writing, call in the service of the Pennsylvania Bureau of Mediation.

(d) (1) If an agreement is not reached within fifteen days after mediation has commenced, the parties shall submit the dispute to fact-finding. If the parties have not agreed upon a neutral fact-finder, a neutral fact-finder shall be selected by the authority and the authorized representative by alternately striking names from a list of qualified persons maintained and made available at the request of either party by the Pennsylvania Labor Relations Board. Each party shall specify in writing the unresolved issues and its position on each issue to the fact-finder. The fact-finder shall issue his report not later than fifteen days prior to the expiration date of the collective bargaining agreement. The report shall make final recommendations as to all unresolved issues and shall set forth supporting factual findings.

(2) In making findings and recommendations for the resolution of the matter, the fact-finder shall take into consideration and give weight to the following factors in determining his recommendations: (i) the financial ability of the authority to pay wages and provide benefits and the authority's expenditure of public funds and revenues toward its obligation of maintaining levels of transit service sufficient to serve the service area; (ii) the amount, if any, of any fare increase and/or additional public subsidy which would be necessary to fund an economic cost increase and the ability of the public to bear such a fare increase, with consideration given to the per capita income of persons in the service area and the impact, if any, upon future ridership levels; (iii) a comparison between the overall wage salary and fringe benefit levels of the authority's represented employes and other workers in the public and private sectors of the metropolitan area who perform similar work and other transit systems in comparable metropolitan areas and/or similar metropolitan transit systems with similar population, size and system and service area; (iv) a comparison of the hours and working conditions of the authority's represented employes and other workers in the public and private sectors of the metropolitan area who perform work requiring similar skills and other transit systems in comparable metropolitan areas and/or similar metropolitan transit systems with similar population, size and system and service areas; (v) the cost of consumer goods and services within the metropolitan area; (vi) any stipulation entered between the authority and the authorized representative; (vii) the hazards of employment, physical and mental qualifications, including the stress and demands of the job, as well as the training and skills of the employes involved; (viii) the hazards of employment in relationship to whether any existing legislation or regulatory agency has any control over the occupational safety and health of the employes.

(3) The findings of fact and recommendations shall be sent by certified mail to the board and to both parties.

(4) Not later than seven days after the findings and recommendations shall have been sent, the authority, by a majority vote of its board, and in the case of the authorized representative, the membership employed by the authority by a majority of the

members voting on the fact-finder's recommendations, may reject the recommendations; if neither rejects the recommendations, the recommendations shall be deemed agreed upon as a final resolution of the issues submitted and a collective bargaining agreement shall be executed between the parties, including the fact-finder's recommendations, except as otherwise modified by the parties by mutual agreement. If either party rejects the recommendations, the fact-finder shall make public his findings of fact and recommendations for settlement of the labor dispute.

(e) In case of any labor dispute where collective bargaining, mediation or fact-finding does not result in agreement, [the authority shall offer to submit such dispute] upon the expiration date of the existing collective bargaining agreement, the dispute with the written consent of both parties shall be submitted to arbitration by a board composed of three persons, one appointed by the authority, one appointed by the labor organization representing the employes, and a third member to be agreed upon by the labor organization and the authority. The member selected by the labor organization and the authority shall act as chairman of the board. The determination of the majority of the board of arbitration thus established shall be final and binding on all matters in dispute. If, after a period of ten days from the date of the appointment of the two arbitrators representing the authority and the labor organization, the third arbitrator has not been selected, then either arbitrator may request the American Arbitration Association to furnish a list of five persons from which the third arbitrator shall be selected. The arbitrators appointed by the authority and the labor organization, promptly, after the receipt of such list, shall determine, by lot, the order of elimination and, thereafter, each shall, in that order alternately, eliminate one name until only one name remains. The remaining person on the list shall be the third arbitrator. Each party shall pay one-half of the expenses of such arbitration.

(f) At the expiration date of the contract, the board of county commissioners shall be notified of the impasse and of the findings and recommendations of the fact-finder. At such time, the commissioners shall have the opportunity to attempt to resolve any remaining differences between the parties.

(g) The term "labor dispute" as used in this section shall be broadly construed and shall include any controversy involving the formulation of provisions of a collective bargaining agreement concerning wages, salaries, hours, working conditions or benefits, including, but not limited to, health and welfare, sick leave insurance or pension or retirement provisions but not limited thereto, and including any controversy concerning any differences or questions that may arise between the parties including, but not limited to the making or maintaining of collective bargaining agreements, the terms to be included in such agreements and the interpretation or application of such collective bargaining agreements and any grievances that may arise. Each party shall pay one-half of the expenses of such arbitration.] any other terms to be included in such collective bargaining agreement. Controversies which involve past practices or the interpretation or application of provisions of a collective bargaining agreement shall be resolved in accordance with grievance resolution procedures set forth in such collective bargaining agreement.

(h) All managerial rights and functions of the authority which are not otherwise restricted or modified through bargaining or interest arbitration with the employes' representatives, or by the provisions of any agreement or interest arbitration award binding upon both parties or past practice heretofore agreed upon, shall be retained and vested exclusively in the authority; except that any unwritten past practice in effect on the date of this enactment shall remain effective for a period not to exceed three years unless sooner restricted, modified or continued by the provisions of an agreement or arbitration award binding upon both parties. The term "interest arbitration" shall mean the formulation by an arbitration board of provisions governing wages,

salaries, benefits, hours of work, and other terms and conditions of employment advanced by the authority and the authorized representative of the employes of the authority.

(i) If the authority and the authorized representative of the employes of the authority do not accept the recommendations of the fact-finder, and refuse to mutually agree to final and binding interest arbitration, the employes shall have the right to strike in regard to that dispute and such strike shall not be prohibited unless or until such a strike creates a clear and present danger or threat to the health, safety or welfare of the public: Provided, That such strike shall not be prohibited on the grounds that it creates a clear and present danger or threat to the health, safety or welfare of the public unless the court's order granting relief further mandates that both parties submit the labor dispute to final and binding interest arbitration by a board of arbitration under the provisions of this section. No party, other than the authority, shall have any standing to seek any relief in any court of this Commonwealth under this subsection.

(j) In any binding interest arbitration between the authority and an authorized representative, the arbitrator shall consider and give weight to and describe in the award the impact of the following factors in determining the award:

(1) The financial ability of the authority to pay wages and provide benefits and the authority's expenditure of public funds and revenues toward its obligation of maintaining levels of transit service sufficient to serve the service area.

(2) The amount, if any, of any fare increase and/or public subsidy which would be necessary to fund an economic cost increase and the ability of the public to bear such a fare increase, with consideration given to the per capita income of persons in the service area and the impact, if any, upon future ridership levels.

(3) A comparison between the overall wage salary and fringe benefit levels of the authority's represented employes and other workers in the public and private sectors of the metropolitan area who perform similar work and other transit systems in comparable metropolitan areas and/or similar metropolitan transit systems with similar population, size and system and service area.

(4) A comparison of the hours and working conditions of the authority's represented employes and other workers in the public and private sectors of the metropolitan area who perform work requiring similar skills and other transit systems in comparable metropolitan areas and/or similar metropolitan transit systems with similar population, size and system and service areas.

(5) The cost of consumer goods and services within the metropolitan area.

(6) Any stipulation entered between the authority and the authorized representative.

(7) The hazards of employment, physical and mental qualifications, including the stress and demands of the job, as well as the training and skills of the employes involved.

(8) The hazards of employment in relation to whether any existing legislation or regulatory agency has any control over the occupational safety and health of the employes.

(k) If the authority acquires an existing transportation system, such of the employes of such transportation system, except executive and administrative officers, as are necessary for the operation thereof by the authority, shall be transferred to and appointed as employes of the authority subject to all the rights and benefits of this act. These employes shall be given seniority credit and sick leave, vacation, insurance and pension credits in accordance with the records or labor agreements from the acquired transportation system. Members and beneficiaries of any pension or retirement system or other benefits established by the acquired transportation system shall continue to have rights, privileges, benefits, obligations and status with respect to such established system. The authority shall assume the obligations of

any transportation system acquired by it with regard to wages, salaries, hours, working conditions, sick leave, health and welfare and pension or retirement provisions for employes. It shall assume the provisions of any collective bargaining agreement between such acquired transportation system and the representatives of its employes. The authority and the employes through their representatives for collective bargaining purposes shall take whatever action may be necessary to have pension trust funds presently under the joint control of the acquired transportation system and the participating employes through their representatives transferred to the trust fund to be established, maintained and administered jointly by the authority and the participating employes through their representatives.

(l) No employe of any acquired transportation system, who is transferred to a position with the authority, shall by reason of such transfer be placed in any worse position with respect to workmen's compensation, pension, seniority, wages, sick leave, vacation, health and welfare insurance or any other benefits than he enjoyed as an employe of such acquired transportation system.

(m) Employes who have left the employ of any acquired transportation system or leave the employ of the authority to enter the military service of the United States shall have such reemployment rights with the authority as may be granted under any law of the United States or the Commonwealth of Pennsylvania.

On the question,

Will the House agree to the amendment?

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

Mr. PISTELLA. Thank you, Mr. Speaker.

Mr. Speaker, amendment A1530 is the same amendment that was offered last week, with the provisions removed that the House ruled as unconstitutional.

Very briefly, this amendment contains the following parts: It allows collective-bargaining to commence 90 days prior to the expiration of the collective bargaining agreement. At the end of 30 days, mediation will begin. At the end of 15 days after that, factfinding is to commence. It provides for the adoption of the factfinder's recommendations for the acceptance as being the new contract. It allows the commissioners to have the option of resolving any disputes that remain at the end of the existing contract. It freezes all current agreed-to written past practices. It allows the remaining agreed-to unwritten past practices to be negotiated, and it sets down a set of criteria for the factfinder and the arbitrator to follow.

I would appreciate your support of the amendment.

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

Mr. MURPHY. Mr. Speaker, I rise to oppose the amendment. The reason I rise to oppose it primarily is because it will put into law a requirement that an arbitrator will be required to use, within the standards that the arbitrator uses, comparisons with other metropolitan areas. I guess I want to ask you what the price of apples in Los Angeles or Dallas or Houston or Boston has to do with the price of apples in Pittsburgh. They do not, frankly. And to compare wages and benefits of transit workers in municipalities that have different economic conditions than we do simply does not make any sense, and to embody that in law will only make it more difficult for the Port Authority of Allegheny County to gain control of the costs that they are attempting to gain control of.

So for that reason alone, I would oppose this amendment. We do not want to put the Allegheny County Port Authority in the position of having to use comparisons with other metropolitan areas that might be doing much better economically than the Pittsburgh area. I urge your opposition to this amendment. Thank you.

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

Mr. TRELLO. Mr. Speaker, I know we have labored long and hard on the Port Authority of Allegheny County. I think the Pistella amendment brings a fair—and I emphasize “fair”—and equitable solution to our problems in Allegheny County, and I would appreciate a positive vote on the Pistella amendment. Thank you very much.

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

Mr. FOSTER. Thank you, Mr. Speaker.

I rise to oppose the Pistella amendment because it takes us precisely back to where we were before legislation was even introduced on the subject. Really, this is just a freeze-in of the past practices. It institutionalizes the very problems that are at the heart of this controversy.

Number one, the matter of coast-to-coast comparison that Mr. Murphy brought out is certainly entirely correct. Western Pennsylvania and Allegheny County are hard hit as it is economically. We certainly do not want to be comparing wages and benefits there with areas like Los Angeles, San Francisco, Washington, D.C., or other areas of this Nation. We ought to confine our considerations to the area in question.

Second, we do not want to lock in arbitration on matters that are purely managerial prerogatives. That is one of the problems we are trying to correct in the legislation and in the Murphy-Foster amendment that was adopted last week. In short, the Pistella amendment will undo everything that we did last week and will create havoc with a piece of legislation that we already passed.

I would strongly urge the members on this side of the aisle and on both sides of the aisle to vote in the negative on this amendment.

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

Mr. McVERRY. Mr. Speaker, I simply urge a negative vote on the Pistella amendment. We have hashed and rehashed this issue over and over. To reject this amendment will leave HB 1876 as we passed it last week, and we will urge a repassage of HB 1876 as it is. Rather than getting into the particulars of the Pistella amendment, it takes us back to the middle of the issue and it is not a solution to anything.

I urge your negative vote on the amendment.

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

Mr. GAMBLE. I rise to oppose the amendment.

Mr. Speaker, after four investigations that have grown into six and the reports from those investigations, after 21 years of abuses by the union and then to consider an amendment which was put together by the International Transit Union so

that they can pit this legislation against other legislation across the United States, it is absolutely asinine. This bill does nothing to solve the many problems that have been pointed out in the six investigative reports. It does not do anything to solve these problems. It is an insult to the taxpayers of Allegheny County after all these investigations to pass something like this, and I ask a “no” vote on this amendment. Thank you.

PARLIAMENTARY INQUIRY

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

Mr. COWELL. Mr. Speaker, point of parliamentary inquiry.

Are we debating amendment 1530?

The SPEAKER. That is correct.

Mr. COWELL. Mr. Speaker, I am hearing comments that seem to have little to do with this particular amendment, and that is why I sought the clarification.

Would Mr. Foster consent to interrogation, please?

Mr. FOSTER. Yes, Mr. Speaker.

The SPEAKER. Mr. Foster indicates he will stand for interrogation. You may proceed.

Mr. COWELL. Thank you, Mr. Speaker.

Mr. Speaker, the gentleman said that this amendment was going to undo everything we did last week and suggested it takes us back to square 1. Has the gentleman read this amendment?

Mr. FOSTER. I read it about 5 minutes ago, Mr. Speaker.

Mr. COWELL. Mr. Speaker, could you tell me, does this amendment provide for unilateral consent arbitration, which is the current law, or does it provide for mutual consent arbitration, as did the Murphy amendment that was adopted last week?

Mr. FOSTER. It is by written consent, Mr. Speaker.

Mr. COWELL. I am sorry. Mutual consent or unilateral consent? Would it require both parties to agree to go to arbitration?

Mr. FOSTER. By mutual consent in writing.

Mr. COWELL. Mr. Speaker, was that not one of the very significant reforms that many people, a majority, voted for in the Murphy amendment last week - mutual consent?

Mr. FOSTER. Yes, Mr. Speaker.

Mr. COWELL. So this amendment would not undo that very important component that was approved in the Murphy amendment. Is that correct?

Mr. FOSTER. Correct, Mr. Speaker.

Mr. COWELL. Mr. Speaker, it is my understanding that the current law which you studied as part of a committee provided no guidelines to the arbiter when the arbiter was considering some financial award. Is that correct?

Mr. FOSTER. Mr. Speaker, we are not interested in submitting to arbitration the matters of managerial prerogatives. That is one of the problems of the existing law.

Mr. COWELL. Mr. Speaker, I am sorry; the gentleman did not understand my question, apparently. I asked, does the current law provide guidelines for the arbiter to consider when making an arbitration award?

Mr. FOSTER. An economic arbitration award. Is that correct, Mr. Speaker?

Mr. COWELL. Any kind of arbitration award.

Let us talk about economic arbitration. Does it provide guidelines under the current law?

Mr. FOSTER. We do not provide for any standards with respect to arbitration of economic matters.

Mr. COWELL. Now, my understanding of the Murphy-Foster amendment which we approved last week was that it would institute criteria to be considered, guidelines to be considered, by the arbiter for those awards. Is that correct?

Mr. FOSTER. For economic matters; yes, Mr. Speaker.

Mr. COWELL. Now, as I read the Pistella amendment—this version, not the former version—this version also provides guidelines. Although they are different guidelines than were in the Murphy-Foster amendment, the amendment does provide guidelines for consideration by the arbiter. Is that correct?

Mr. FOSTER. They are there, Mr. Speaker, but in my estimation, they are inadequate guidelines.

Mr. COWELL. My understanding of the Murphy-Foster amendment was that it would have required the arbiter to consider the financial ability of the authority to pay wages, would have required the arbiter to consider the impact on a fare increase or a public subsidy which might be required. Is that correct?

Mr. FOSTER. That is correct, Mr. Speaker.

Mr. COWELL. Is not that same language or very similar language found in the Pistella amendment?

Mr. FOSTER. It is offset by the fact that Mr. Pistella will permit comparisons on a coast-to-coast basis with systems all over the State and the U.S.

Mr. COWELL. Would it be fair to describe the essential difference between the list of criteria in the Murphy-Foster amendment and in the Pistella amendment to basically be the addition in the Pistella amendment of language that would allow an argument to be made before the arbiter about wages in some other metropolitan area? That is the essential difference in that long list of criteria?

Mr. FOSTER. No; that is not correct, Mr. Speaker.

Mr. COWELL. What other differences exist?

Mr. FOSTER. First of all, the Pistella amendment provides for arbitration of the hazards of employment and stress on the job, dragging in matters that are just extraneous to normal arbitration considerations and certainly things that we do not want to get into in terms of labor law. Matters of hazards of employment and occupational safety become matters of arbitration.

Mr. COWELL. Mr. Speaker, clarify for me, you said matters of arbitration or criteria to be considered when making an arbitration award. There is a difference. My understanding is that those items are included in the list of

things the arbiter must consider or can consider - the argument may be made before the arbiter - when making an award. Is that not the accurate way of describing it?

Mr. FOSTER. These are things the arbitrator would have to consider, he must consider, but we do not want the standards that are built in in the Pistella amendment.

Mr. COWELL. So the Pistella amendment includes the items that were included in the criteria of the Murphy-Foster amendment but then goes beyond that and adds some other things to the list. Is that correct? And that is what you object to?

Mr. FOSTER. It goes beyond that to the detriment of that list. That is the important part, Mr. Speaker.

Mr. COWELL. Mr. Speaker, you also suggested, or one speaker suggested, that the Pistella amendment would lock in certain past practices that were found to be objectionable. Is that correct? Is that one of your reasons for objecting?

Mr. FOSTER. That is correct, Mr. Speaker.

Mr. COWELL. As I read the Pistella amendment, on page 3, paragraph (h), it suggests that all managerial rights and functions of the authority not otherwise restricted through the collective-bargaining agreement or an interest arbitration award will be binding. Now, do you object to some of these items being the subject of a collective-bargaining agreement, these issues of management practices?

Mr. FOSTER. Our problem with this, Mr. Speaker, is this would require negotiation and bargaining over points that should not be bargainable. We object to them being included.

Mr. COWELL. What kinds of items do you object to being subject to the collective-bargaining process?

Mr. FOSTER. Well, for one thing, Mr. Speaker, are work rules.

Mr. COWELL. You think they ought not to be subject to the collective-bargaining process?

Mr. FOSTER. Basically, collective bargaining should be restricted to dollars-and-cents economic matters, not to work rules, not to the color of the buses, not to other extraneous matters.

Mr. COWELL. When we speak about work rules, Mr. Speaker, it is my understanding that work rules can be the subject of the collective-bargaining process. We are not talking about arbitration; we are talking about the collective-bargaining process where both parties come together and discuss work rules. It is my understanding that that frequently, typically, is a subject for negotiation in our steel factories, our manufacturing plants, and quite typically anywhere in the workforce where labor and management come together to negotiate. You object to that?

Mr. FOSTER. Mr. Speaker, I think the provisions of section (h) do exactly what I said they do. They negate what we are trying to do in reform of the system.

Mr. COWELL. Mr. Speaker, it is my understanding that in many respects, the Pistella amendment is not dissimilar to the Murphy-Foster amendment. It does provide for that essential reform that is going to mutual consent arbitration. It does provide for a list of criteria to be considered by the arbiter

when making an arbitration award, and it does attempt to restrict the arbitration process to interest arbitration. And as I read paragraph (h), it reduces these other arguments, if you will, over work practices to the collective-bargaining process. Now, you apparently disagree with that. Are there other areas of dissimilarity between the Murphy amendment and the Pistella amendment, or are they essentially the same beyond those differences?

Mr. FOSTER. I think the three that I enumerated are my essential differences: the fact that the Pistella amendment does permit for coast-to-coast comparisons, the fact that it provides for arbitration of matters that should not be submitted to arbitration, the erosion of managerial prerogatives, and simply freezing in the current problems of the port authority. And to say that there is a similarity between the Murphy-Foster amendment and the Pistella amendment is like saying that there were certain similarities between Dr. Jekyll and Mr. Hyde. No question there were, but there were grave differences.

Mr. COWELL. Mr. Speaker, one final area. You speak about the Pistella amendment freezing in some of the problems that have been experienced in the past. One of the areas that I am most familiar with is the area of unwritten past practices, which in my opinion has been the subject of some abuse, if you will. As I read the Pistella amendment, it seems to deal with that by providing for the elimination of any unwritten past practices that are not reduced to writing at the end of a 3-year phase-in period. Am I reading that correctly?

Mr. FOSTER. That is my understanding, Mr. Speaker.

Mr. COWELL. And you do not believe that that is an attempt to deal with this problem of unwritten past practices?

Mr. FOSTER. Mr. Speaker, you are dealing with the managerial prerogative section of the Murphy-Foster amendment, and that is the central issue here. Are we going to reform or are we going to take two steps back to right where we were? I will back up on that and say not right where we were but just freezing in all of the bad aspects of the existing system. Now, to try to draw comparisons between the Murphy-Foster amendment and the Pistella amendment is like saying, well, I do not know the song you are requesting, sir, but I will sing you another one that has a lot of the same notes.

Mr. COWELL. Mr. Speaker, apparently that is where I do not understand your explanation, and I would just finally ask you for one last clarification. You use the term "freezing in," which apparently would catch the attention of some folks, but it seems that the Pistella amendment unfreezes, if you will. It says that work practices and the such will have to be the subject of a collective-bargaining agreement, and it says even those problems that have existed in the area of unwritten past practices must be reduced to writing, which means they have got to be the subject of the collective-bargaining process during the next 3 years. Now, is that freezing those things in, or am I misreading the Pistella amendment?

Mr. FOSTER. That would be my interpretation of freezing in, when you lock them in, when you freeze them in for 3 years. We make them part of the managerial process.

Mr. COWELL. And so your essential objection is that you do not believe that these kinds of items should be the subject of collective bargaining between management and labor?

Mr. FOSTER. That is right, Mr. Speaker.

Mr. COWELL. Thank you, Mr. Speaker.

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

Mrs. LANGTRY. Mr. Speaker, I rise to oppose the Pistella amendment. Other than the constitutional issue, the same amendment for all practical purposes was voted down last week by this House.

I again urge that we defeat this amendment. Thank you, Mr. Speaker.

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Lehigh, Mr. Pressmann.

Mr. PRESSMANN. Mr. Speaker, I rise to support the amendment.

In one of the gentleman's statements, he raised the issue of the outside arbiter. Whenever the issue of arbitration is brought up, people always mention about the outside arbiter coming in and making decisions without the clear facts. One of the things that is very important about the Pistella amendment is this: It says that the arbitrator has to take in local issues, local ability to pay, before he can make his decision. The other thing that is important to mention is that when we talk about comparing, one of the gentlemen said comparing apples and oranges. The bill says that when comparing municipalities, they must be of comparable or similar size and have a comparable or similar transit system, population size, or the system they offer.

I think with those safeguards in, I believe that the Allegheny Transit Authority can get a good condition from the arbiter and get a good decision. Thank you.

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

Mr. DeLUCA. Thank you, Mr. Speaker.

Mr. Speaker, I rise to support the Pistella amendment.

We stated here last week when we passed the Murphy amendment that we want to make the transit workers fall under the same guise as Act 195, yet I am hearing today that work rules should not be negotiated. That is one of the critical issues of Act 195. Act 195 specifies that they negotiate working conditions. Very important.

What we want to do here and what the Pistella amendment does is it tries to address an issue, an issue that has been a malfunctioning system between management. It has been an abused system between management and on the part of labor. I do not disagree that both of them should share the blame, but what this does is the fairest way to address the situation. By turning the pendulum all the way back to management does not correct the situation.

I ask my colleagues on the floor of the House to vote for the Pistella amendment. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—95

Acosta	Dombrowski	Laughlin	Saloom
Afflerbach	Donatucci	Lescovitz	Serafini
Angstadt	Durham	Livengood	Seventy
Arty	Evans	Lloyd	Staback
Baldwin	Fattah	Lucyk	Stairs
Barber	Fee	McCall	Steighner
Battisto	Freeman	McHale	Stewart
Belardi	Gallen	Maiale	Stuban
Belfanti	Geist	Manderino	Sweet
Blaum	George	Morris	Taylor, F.
Broujos	Godshall	Mowery	Taylor, J.
Bunt	Gruitza	Olasz	Telek
Caltagirone	Haluska	Oliver	Trello
Cappabianca	Harper	Petrarca	Truman
Carn	Hasay	Petrone	Veon
Cawley	Herman	Pievsky	Wambach
Clark	Howlett	Pistella	Wass
Cohen	Hutchinson	Pressmann	Weston
Colafella	Itkin	Preston	Wiggins
Cole	Jarolin	Reber	Wozniak
Cowell	Josephs	Richardson	Wright, D. R.
Deluca	Kasunic	Rieger	
DeWeese	Kosinski	Rudy	Irvis,
Daley	Kukovich	Rybak	Speaker
Deal			

NAYS—99

Argall	Dininni	Levdansky	Raymond
Barley	Distler	Linton	Reinard
Birmelin	Dorr	McClatchy	Robbins
Black	Duffy	McVerry	Ryan
Bortner	Fargo	Mackowski	Saurman
Bowley	Fischer	Manmiller	Scheetz
Bowser	Flick	Markosek	Schuler
Boyes	Foster	Mayernik	Semmel
Brandt	Fox	Merry	Showers
Burd	Freind	Michlovic	Sirianni
Bush	Fryer	Micozzie	Smith, B.
Carlson	Gamble	Miller	Smith, L. E.
Cessar	Gladeck	Moehlmann	Snyder, G.
Chadwick	Greenwood	Mrkonic	Stevens
Cimini	Gruppo	Murphy	Swift
Civera	Hagarty	Nahill	Taylor, E. Z.
Clymer	Hayes	Noye	Tigue
Cordisco	Hershey	O'Brien	Van Horne
Cornell	Honaman	O'Donnell	Vroon
Coslett	Jackson	Perzel	Wilson
Coy	Johnson	Phillips	Wogan
DeVerter	Kennedy	Piccola	Wright, J. L.
Davies	Kenney	Pitts	Wright, R. C.
Dawida	Langtry	Pott	Yandrisevits
Dietz	Lashinger	Punt	

NOT VOTING—3

Burns	Letterman	Roebuck
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EXCUSED—4

Book	Gallagher	Gannon	Snyder, D. W.
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The question was determined in the negative, and the amendment was not agreed to.

On the question recurring,

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

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—106

Argall	Dorr	Livengood	Rudy
Baldwin	Duffy	McClatchy	Ryan
Barley	Fargo	McVerry	Saurman
Birmelin	Fischer	Mackowski	Scheetz
Black	Flick	Manmiller	Schuler
Bortner	Foster	Markosek	Semmel
Bowley	Freind	Mayernik	Serafini
Boyes	Fryer	Merry	Showers
Brandt	Gamble	Michlovic	Sirianni
Burd	Gladeck	Micozzie	Smith, B.
Bush	Greenwood	Moehlmann	Smith, L. E.
Carlson	Gruppo	Mowery	Snyder, G.
Cessar	Hagarty	Mrkonic	Staback
Chadwick	Harper	Murphy	Stairs
Cimini	Hayes	Nahill	Swift
Civera	Herman	Noye	Taylor, E. Z.
Clymer	Hershey	O'Brien	Telek
Cordisco	Honaman	O'Donnell	Tigue
Cornell	Itkin	Perzel	Van Horne
Cowell	Jackson	Piccola	Vroon
Coy	Johnson	Pitts	Wilson
DeVerter	Kennedy	Pott	Wogan
DeWeese	Kenney	Punt	Wright, D. R.
Davies	Langtry	Raymond	Wright, J. L.
Dawida	Lashinger	Reinard	Wright, R. C.
Dininni	Levdansky	Robbins	Yandrisevits
Distler	Linton		

NAYS—90

Acosta	Daley	Kosinski	Rieger
Afflerbach	Deal	Kukovich	Roebuck
Angstadt	Dietz	Laughlin	Rybak
Arty	Dombrowski	Lescovitz	Saloom
Barber	Donatucci	Letterman	Seventy
Battisto	Durham	Lloyd	Steighner
Belardi	Evans	Lucyk	Stevens
Belfanti	Fattah	McCall	Stewart
Blaum	Fee	McHale	Stuban
Bowser	Fox	Maiale	Sweet
Broujos	Freeman	Manderino	Taylor, F.
Bunt	Gallen	Miller	Taylor, J.
Burns	Geist	Morris	Trello
Caltagirone	George	Olasz	Truman
Cappabianca	Godshall	Oliver	Veon
Carn	Gruitza	Petrarca	Wambach
Cawley	Haluska	Petrone	Wass
Clark	Hasay	Pievsky	Weston
Cohen	Howlett	Pistella	Wiggins
Colafella	Hutchinson	Pressmann	Wozniak
Cole	Jarolin	Preston	
Coslett	Josephs	Reber	Irvis,
Deluca	Kasunic	Richardson	Speaker

NOT VOTING—1

Phillips

EXCUSED—4

Book	Gallagher	Gannon	Snyder, D. W.
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passes finally.

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

REMARKS ON VOTES

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

Mr. BOWSER. My switch was fouled up. I wanted to be recorded in the positive on that last vote on HB 1876. I could not get it to switch over.

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

Mr. BOWSER. Thank you.

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

Mr. MOWERY. Mr. Speaker, on amendment 1530 to HB 1876, I would like to be recorded in the negative instead of the affirmative.

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

PARLIAMENTARY INQUIRY

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

Mr. GEIST. Mr. Speaker, I would like to ask a question of the Chair.

The SPEAKER. The gentleman will state the question.

Mr. GEIST. When are you going to schedule this for a vote next week?

The SPEAKER. Why wait until next week? We have tomorrow.

Mr. GEIST. There is a fellow out here in the lobby, Ralph Cramden, who wants to know.

The SPEAKER. Oh, I see.

REMARKS ON VOTES

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

Mr. FOX. Thank you, Mr. Speaker.

I was recorded in the negative on HB 1876. It should have been in the affirmative.

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

Mr. FOX. Thank you, Mr. Speaker.

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

Mr. FLICK. Thank you, Mr. Speaker.

Earlier this afternoon I was not recorded on HB 2264. I would like to be recorded in the affirmative, and also on the amendment A1264 to that bill in the affirmative. Thank you.

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

**REPORT OF COMMITTEE
OF CONFERENCE POSTPONED**

Mr. MANDERINO called up from the postponed calendar the Report of the Committee of Conference on **SB 655, PN 1850**, entitled:

An Act to provide a convention center facility in cities of the first class; creating the Pennsylvania Convention Center Authority; defining its powers and duties; and authorizing a hotel room rental tax.

On the question recurring,

Will the House adopt the report of the committee of conference?

The SPEAKER. The Chair recognizes the gentleman from Montgomery, Mr. Lashinger, on the question of the adoption of the committee of conference report.

Mr. LASHINGER. Thank you, Mr. Speaker.

Mr. Speaker, somehow I vaguely remember going through this before. I will once again ask that one of the conferees stand for a brief period of interrogation.

The SPEAKER. Which conferee are you asking to stand?

Mr. LASHINGER. I believe Representative Manderino was one of the conferees, Mr. Speaker.

The SPEAKER. Will the gentleman, Mr. Manderino, advise the Chair whether or not the— Will the gentleman tell us who the conferees were on this?

Mr. MANDERINO. Mr. Ryan was a conferee.

The SPEAKER. Mr. Ryan.

Mr. LASHINGER. Mr. Speaker, I pursued my line of questioning with Mr. Ryan privately and have not gotten the exact answer that I need, and probably there is more information available from the majority side.

Mr. MANDERINO. My answers would be exactly the same as Mr. Ryan's.

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

Mr. LASHINGER. Thank you, Mr. Speaker.

Mr. Speaker, permission just to make some comments on the proposal.

The SPEAKER. Permission granted.

Mr. LASHINGER. Thank you, Mr. Speaker.

Mr. Speaker, I had expected that response.

I guess there are three ways to characterize the convention center vote that we are about to face once again today. One is, well, here we go again; the second is, as the media has characterized it, three strikes and you are out; and the other is, I am just not sure what has changed to be back here a third time voting this convention center again. I made the statement on the second vote, Mr. Speaker, what has changed in the proposal that shifted a 30-vote deficiency to an 11-vote deficiency, and what has changed in the last 5 or 6 days that is going to shift an 11-vote deficiency to a bill that passes today?

Mr. Speaker, in my last speech before the House on the convention center, I talked about a number of deficiencies in the legislation. I think there are a lot of reasons for everyone across this Commonwealth, all of those legislators representing various portions of this Commonwealth, to be opposed to this proposal today. I will give you a couple of reasons why, on the substantive side of the bill, and I will not belabor the point, because I pointed out those specific sections last time.

There is a section in the bill that continues to allow the authority that we were guaranteed was going to be airtight,

was going to make good business decisions with proper direction from the authority members. That is not true, Mr. Speaker. I challenge any member, and that is why I asked to interrogate someone from the majority side of the aisle, Mr. Speaker, on that specific issue. There is a provision in there that will allow the authority to exercise management prerogatives. I pointed out what that means. That means about 11 percent, in my estimation, of this project will be governed by what the authority calls management prerogative. That means issues like engineering, construction management, supervision, all of the expensive soft cost in a project, 10 percent of a \$500-million project, \$50 million could go unbid, Mr. Speaker. You heard Representative Linton and Representative Richardson and others last week talk about some of the issues like construction management.

Some of the questions I would have asked some of the majority— This dialogue almost reminds me of one of our colleagues who left the House and went to the Senate and no longer serves here in Harrisburg, but I am almost tempted to go through that colloquy, as one of my colleagues did years ago here in the House. But I will tell you what some of the answers would have been to some of the questions.

I would have asked the question about architectural firms on this construction project. The answer would have been, yes, there is an architect on board, and I think a lot of the members in the House know that, and it is the intention of the authority to continue using that architect. I would have asked the question, who is going to do construction management on the project? And if you would have gotten a candid or an honest answer, you would have gotten the name of who was going to carry out the construction management on this project.

This is a charade, Mr. Speaker. I do not know why we are here going through the dance today of putting together an authority when all of those decisions have been made, even the simple decision of appointing a chairman. One of our Senate colleagues chose to make it incumbent upon the sponsors or the proponents of the legislation to come up with a chairman before we went ahead and passed the authority legislation. That is not what the legislation says. The legislation says six members who make up the authority shall choose the seventh person. The legislation says the authority shall choose who does the construction management or the architectural work. That is not the way it is operating. Already this project *has gotten out of our hands. We have lost control of a project that we are telling people we want to control.*

There is another provision that everyone was frightened about. It is a conflict-of-interest provision. Again, I do not want to beat a dead horse. There is a provision in there that says, if there is an open bidding process, that a person who bids this, despite the conflict of interest, can still get the bid on this project. My comment is, is it a conflict-of-interest provision? It is not. It is a conflict-of-interest provision in title only with a loophole in it allowing people to get into this project if it is done through an open bidding process, notwithstanding any potential conflict.

Mr. Speaker, there is no limit on the State participation in this project. It is \$185 million currently in the proposal that is before us. I am not sure how we ever got to the position that we are in. I remember sitting in this chamber and the Governor of this Commonwealth making a budget presentation a few years ago and hitting this chamber for the first time with the idea that we were participating in what was then known as the Pennsylvania Convention Center. That surely was not done with any input from any of the members of this House or of the Senate, and I am positive it caught a number of members off guard, as it did me, when the Governor first presented it to us.

One of the questions that we would have again asked is, why cannot we limit the Commonwealth's participation to \$185 million? Well, the reason we cannot limit it to \$185 million is because there is no project in the country that is breaking even or making money today; there is not one publicly owned facility that is at that level. This—and everyone agrees on this point—will operate at a deficit from day 1 through to the day that this facility chooses to close, if it ever does reach that point. We have asked for a cap; we have not gotten it. The \$185 million amortized over 30 years—just so you can go back to your constituents and tell your constituents what you paid for this convention center—amortizes to well over \$500 million, over one-half billion dollars, Mr. Speaker.

For all of those reasons, for the cost reason, the deficiencies in the legislation, and so many other reasons that are some of the ancillary issues that have still gone unaddressed by the proponents - Representative Richardson and Representative Linton's claim for a minority set-aside provision in the legislation - no negotiations have taken place; none of the concerns have been addressed. Instead, the proponents of the legislation have used what I like to call the erosion method of lobbying all of us up here. The erosion method is to not offer anything to satisfy those members who are opposed but, instead, just to wear members down and get them to the point where there is no benefit in voting for it; it is just to get it out of the way or get it off the calendar, and that is how I perceive the lobbying effort that has been done on this project.

Mr. Speaker, I do not think any of us who are voting against the proposal are opposed to the construction of the convention center in the city of Philadelphia. We all share the same concern for the city; we are interested in promoting Philadelphia as a tourist destination. We, by not voting this convention center, are not going to deprive Philadelphia of its place as a primary tourist destination in this country. That is a fallacy, Mr. Speaker. Philadelphia is a primary tourist destination without a Philadelphia Convention Center today.

I will repeat something that I found interesting as I was trying to gather data on the convention center, and that was what I said before, in case members did not hear it the last time. I asked the question, gee, when will we have our first boat show, our first flower show in the new convention center? The response to that was, they will not be in the convention center; they will still be at the Philadelphia Civic

Center, because this convention center will be much too large to handle those types of projects. Well, you can imagine my amazement at hearing that type of response, that the types of shows that we also thought would be populating the convention center are not going to be using this convention center. Instead, the Philadelphia Civic Center will still be in use in the city of Philadelphia.

Mr. Speaker, there are a lot of other speakers to follow, but for the deficiencies in the bill itself, for the fact that there are no cost limitations on the Commonwealth participation, for the fact that the minority set-aside issue has failed to be addressed, and probably what the media has characterized as the most important debate between the two sides on this bill, and that is the failure to negotiate on the city wage tax—and that is still a critical issue, in my mind not paramount, the cost issue being paramount at this point in time—but for all of those reasons, I promise those of you who are voting “yes” on this convention center that you are being misled; you are being misguided. Because of this erosion method of lobbying, you are going to be caught with your pants down - maybe not today, maybe not next year, but when they come back here for us to fund deficiency appropriations. And maybe the Commonwealth will be in a different economic point at that time in its history; maybe we will not have a surplus; maybe we will be looking for some other method to raise the funds that will be necessary to help pay the operating costs or the operating overruns at this Philadelphia Convention Center.

I said one thing, Mr. Speaker, that I want to repeat. I am not sure how we got into this box, how the Governor put us in this position. I remember 4 or 5 years ago this project starting as an economic partnership between the city of Philadelphia and private entrepreneurs.

Mr. Speaker, I just want to close by saying that I am still confused as to how we got here today. Originally we were not a partner in this project. Now we are a partner to the tune of \$185 million, and who knows what lies beyond \$185 million. This was a project that started out as a private city partnership with private developers with city participation. I have said to some of the proponents and over the weekend you have seen the response from some of the major city leaders in Philadelphia saying that maybe it is possible with State participation, but State participation in the form of tax incentives, industrial development financing, economic redevelopment tax incentives, to make this project work, but without the type of participation that we are talking about here today, without us holding up with what you see is a city response on some other important issues like the set-aside provision, this project is still workable. My fear is that by calling this vote up today, the proponents, the people who so desperately want this facility built, are going to be responsible for killing a convention center in the city of Philadelphia because of the negativism or because of the skepticism that is going to be surrounding this project as a result of this chamber rejecting this vote on its third go-around.

For so many reasons, and I promise you with more time, Mr. Speaker, we could find a reason for all 202 members in

this House to go home and take home with them a justification for voting against this convention center the way it is structured today. Thank you, Mr. Speaker.

WELCOME

The SPEAKER. The Chair welcomes to the hall of the House, as guests of Representative Saurman, these children who have won the “There Ought To Be a Law” contest: David Bell, Colleen Aurelia, Jordan Horoschak, Paula Kalandiak, Dan Riordan, and Vicki Davis. They are here with their teachers, Joyce Hallman, Bob King, John Hartman, and Frank Edwards. Welcome to the hall of the House.

CONSIDERATION OF SB 655 CONTINUED

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

Mr. RICHARDSON. Thank you, Mr. Speaker.

Mr. Speaker, we have tried very hard to go over this problem concerning the Philadelphia Convention Center - and as it is being called, the Pennsylvania Convention Center - and raising some very serious questions.

Last week on the floor of this House we tried to enumerate for those who are very interested in a very serious problem. Number one, it should be noted that we have raised several objections to this conference committee report, and I rise today to oppose the Conference Committee Report on SB 655 once again. But this time I want to share with you some more information that we have been gathering on this issue to indicate that not only is it a bad project and not only has it been conceived incorrectly, but in fact already while we sit here, the designers as well as the architects have already been selected on this project. While it is contrary to popular belief that there are no individual persons who have already been slotted in those positions, it is definitely not true. That is why you cannot find anyone to debate you on this issue, because there is no one who is willing to stand up and say they have already cut the deal on who is going to be involved in the convention center from the very inception. And it is sad that those individuals who have cut the deal are only talking about wealth for themselves; they are not talking about the Commonwealth of Pennsylvania. That is why I object so strongly to the language that is used in calling this the Pennsylvania Convention Center, because every time you call it a Pennsylvania Convention Center, you are not calling it a Pennsylvania Convention Center in Erie; you are not calling it a Pennsylvania Convention Center over there in Pittsburgh; nor will you call it that in Lancaster. You are not going to call it anywhere where there has been a convention center other than the city in which it is in. It is a contradiction of thought and power to see you have us held up as hostages because you want a convention center so badly that you are willing to do anything for it.

Well, I do not care what happens today, and as they run around and say that they have all the votes necessary to pass this legislation today, I want to make it very clear that we do not care what they pass here. We do not care what they try to

attempt to come back to you on in passing the money for this project, because this is just one step. The first step is to let you know that you now have an authority, but you do not have the money that goes along with that authority. In fact, it is quite obvious that if they do not put it back in the capital budget, you are not going to have the money. What you are going to have to do is vote for it separately, and in an election year, I do not think a lot of people are going to come back and appropriate that money for a convention center when it should have all been done at the same time.

Thirdly, I think it is very obvious and very clear that we who have been raising the questions on many of the issues concerning this convention center have tried to narrow it to a point where they are trying to say the only thing that we are concerned about is the minorities, blacks, and women issue inside this convention center. That could not be further from the truth. In fact, we have pointed out that on a number of occasions people have talked about the site and the fact that 13th and Market, where it is supposed to be built, is in fact not a conducive place in order to build this convention center. I think it is obvious that it does not matter whether or not there is congestion around City Hall or not, but the fact that as long as we build a convention center and as long as we have it the way we want it, we do not have to worry about anybody else.

It should be noted that as we did our research, we found out that there is an act of 1935, Act No. 414, which says specifically in section 1, "Be it enacted...That the specifications upon which contracts are entered into by the Commonwealth, county, municipality, or other subdivisions of the Commonwealth, for the construction, alteration, or repair of any public works shall contain the provision that laborers and mechanics employed on such public works shall have been residents of the Commonwealth for at least ninety days prior to their employment; and failure to keep and comply with such provision shall be sufficient legal reason to refuse payment of the contract price to the contractor."

Now, it is quite obvious that there is an attempt to make sure that those who are going to benefit from this, according to Mr. Fred DiBona, in his report that he only happened to send to suburban legislators, who happens to be in the Greater Philadelphia Chamber of Commerce, sent out information indicating that the suburbanites and not the city of Philadelphia will benefit greatly from this bill, because if in fact enacted, it will up the numbers of the 15 percent of those working from the suburbs in the city of Philadelphia to a higher number for new positions in construction and new positions in employment within the city of Philadelphia on this so-called Pennsylvania Convention Center. Now, it is quite obvious what the deal is. The deal is that as long as the Governor has cut a deal and has made it very clear that this is what they want, they are not going to listen to anything else that deals with reason. So it is quite obvious and logical to assume that at this point what they have done is confused the masses of our people.

But I want to say to you that citizens in the city of Philadelphia - black, white, Hispanic, and others - have indicated strongly, not only through letter but also through their voice, that they are opposed to this convention center as it stands now. We are not opposed to a convention center being built; we are opposed to this project that is hijacking the citizens of the city of Philadelphia to the point that it makes it appear as though the citizens in this Commonwealth of Pennsylvania have to go down with this deal without anybody standing up and rumbling for what is the truth and what is right. I am not going to be placed in that position.

The other thing you need to know is that there has been a whole historical perspective. The one thing started off as a private contracting concern; the other thing made people believe that in that private contracting concern was the specific language dealing with blacks, minorities, and women and in fact gave a 15-10 set-aside provision. It was this Governor, to make it very clear, who said that he did not want affirmative action. Going back to the 1983-84 fiscal year budget, it was Governor Thornburgh who blue-lined the language of affirmative action out of the bill to make sure that there would be no set-aside provision or affirmative action program that dealt with every agency within the Commonwealth.

So clearly there is no commitment coming from here; that is why Senator Stauffer and Representative Ryan can say that the project that was being built out at Osage, they did not want to guarantee any of those inside of the bill, because it had to be very clear that we will let these bids go out but we cannot guarantee that any of those contracts will be let to blacks, minorities, or women. I think that that is wrong to say that when a project is supposed to be so public.

What we need is an opportunity to see a change for once in doing something right. On the largest project ever given to the city of Philadelphia, \$455 million, how can we accept this without looking at the real problems that are designed directly to this project? They have gone around and they have beaten up as many legislators as they possibly could on this moneymaking venture, not for any concern of the little people, not for any concern of those who really are asking for some inside track to be involved in this process, but for the few who continue to rip off the top and who get the reward and leave those in the little backgrounds and the little communities out so there can be nothing for them. I cannot stand it any longer, and I believe if you are about the Commonwealth of Pennsylvania's citizens, you will let Philadelphia decide if they should build that convention center themselves in the city of Philadelphia on the premise that we should not be held hostage or not be held up by anybody else who threatens us and tells us that we are not going to give it to them. It is like putting a shotgun to a person and telling them, give me your money, and if you do not give it to me I am going to blow you away. It is quite obvious that they have done everything that they possibly could to divide us on this project in the city of Philadelphia.

In conclusion I want to say that we have done a lot of homework. We have done a lot of homework on just analyz-

ing all of the information that has been sent to us dealing specifically with this convention center. I draw your attention to page 35 of the bill that specifically cites the fact that you who live in the city of Philadelphia will not have any compliance at all to any city ordinances as it applies to this contract whatsoever, meaning that it was purposely put in the bill to confuse those individuals who may be from Philadelphia and saying that we are going to guarantee you that you are not going to get minorities, blacks, and women in that because this authority is not going to be based on any set-aside provision or any other wording or language that already is in compliance with what the city ordinances have already set forth.

Then you will find that in this same bill there is already a provision for single bidding contracts, which means that a single person could wind up getting the bid on this entire contract, and therefore, those individuals who are there would not be able to let out contracts so that everyone else can be in fact considered in the process.

Then you should note that the language that talks about affirmative action deals specifically with the fact that "The authority shall develop and implement an affirmative action plan to assure that all persons are accorded equality of opportunity in employment and contracting by the authority, its contractors, subcontractors, assignees, lessees, agents, vendors and suppliers." Is it not strange that a project that is supposed to be open that deals with affirmative action says affirmative action for all persons when in fact that is not the case? How can it be when already the designer and the architect have already been selected. Harding Company in Atlanta, Georgia, is the company that has been selected, and for those of you who could vote for this knowing that it is coming from outside of the State of Pennsylvania to come in and develop this project is an indication that there is no commitment at all to the city of Philadelphia; notwithstanding, who is going to deal with the cost of this?

The city has indicated to the leadership here that they in fact are going to wind up in a situation where they are going to wind up paying for the cost overruns. I say to you that the cost overruns on this project cannot be said to be paid for by the city of Philadelphia because city council has said they have never agreed to that language. In fact, wherever that came from, in a letter that was signed by the mayor it was indicated that he was in fact speaking for city council. City council said that that could not happen because they have a problem and they want to try to work this thing out.

We have tried to pull together all the components of this issue and place them all in the same room - the building contractors, the engineering contractors, every aspect of the convention center as it relates to this particular project - just sit them down at the table with the Minority Business Enterprise Association. We tried to sit them down with those involved in MBE's (minority business enterprises) and WBE's (women's business enterprises). We have tried to sit down with every aspect that will tie this convention center together so that people will know that there at least was an attempt to bring all sides together. That has not happened. In fact, we have seen

over and over again that the real serious issue involving this has been cut with those individuals who feel that the rank and file is not even necessary. In fact, why do you even come to work? We have already cut the deal. All we want you to do is give us a stamp of approval. Well, I am not one of those patsy boys that they have that will just go ahead and stamp the approval of something that is not in the best interests of the citizens back home.

We need to look at this very seriously. We need the commitment of folks who are always so concerned fiscally about their money not to vote so quickly to give an authority to something in the city of Philadelphia that we do not want and is going to be detrimental to our citizens, because even if you pass it today—and I am saying this to you now—it is not going to be over. It will never be over, because that first day they go to dig down at that site, we will be there in numbers as citizens of the city of Philadelphia to tell you, no, we do not want this convention center built. If it means being arrested, we will be arrested to show the citizens of this Commonwealth that you are not going to build a Pennsylvania Convention Center in the city of Philadelphia and not call it a Philadelphia Convention Center and make us look like we are nothing.

The time has come to start changing some of the minds around of those who are serious about this issue. This issue is more than what meets the eye. You only get reported in the press what they want to write, but the real issue is that this is a moneymaking venture for a lot of big people who feel they can walk over a lot of little people, and we are not buying it. I ask for a negative vote on SB 655, the conference committee report.

The SPEAKER. On the final passage vote, the Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, on final passage, I rise to support the convention center.

Mr. Speaker, we have debated the issue a number of times. I think everyone knows the arguments. Mr. Lashinger wants to know what has changed since the first time we debated it. I think the minds of people have changed. I think some of the people who had special interests, who had special concerns, have been resolving those concerns in favor of the greater good.

We have talked about the number of permanent jobs - well over 10,000, 11,000, 12,000 - that are going to be created by this economic development project. We have talked about the some 5,000 construction jobs that will be created during the construction period. We have talked about the money that the State is going to spend; yes, and the money that they are going to recover - about \$2 billion over the life of the bonds. Mr. Speaker, we have talked about the location of the center. We have talked about the ethics restrictions written into the bill. We have talked this bill, Mr. Speaker, and talked this bill, and now it is time to pass this bill. It is time to provide a Pennsylvania Convention Center for the city of Philadelphia and for the people of Pennsylvania.

Mr. Speaker, we cannot allow the largest city in the State of Pennsylvania to be noncompetitive in the area of conventions and attracting people to Pennsylvania. We spoke the last time about the history of these United States that is embodied in the City of Brotherly Love.

Mr. Speaker, let me ask every one of the members of the Assembly here today to put aside the petty differences, to put aside the arguments that are dwarfed by the greater good that the convention center will provide. Put them aside and cast a vote for the convention center. All of these problems will be resolved. They will not be resolved to everyone's satisfaction. The authority bill before us today does not meet with the satisfaction of everyone here. It was negotiated between a number of adverse and diverse parties, yet it is a product that I think everyone who sat at the negotiating table is able to work with and work through and work under to get a convention center built.

Mr. Speaker, I ask that an affirmative vote be cast and that we get on to other business. Thank you, Mr. Speaker.

On the question recurring,

Will the House adopt the report of the committee of conference?

(Members proceeded to vote.)

The SPEAKER. Please pay attention. The Chair wants each member to vote—this is simply to check this machine—I want each member to vote “aye” or “no.” It does not make any difference which. It does not make any difference what it is. We are not on any bill. I do not care how you vote, please vote. Members will proceed to vote.

(A test vote was taken.)

The SPEAKER. All right. Strike it now.

The House will stand at ease.

The Chair is going to try a quick vote on another bill. Let us see how this records. Let us not play any games on it, please.

Turn back to page 8. I think there is a bill there which—

REMARKS ON VOTES

Mrs. RUDY. Mr. Speaker, could I correct a vote first?

The SPEAKER. Yes; certainly.

The Chair recognizes the lady from Centre, Mrs. Rudy.

Mrs. RUDY. Mr. Speaker, I was incorrectly recorded on amendment A1530 to HB 1876. I was recorded as voting “yes,” and I would like to be recorded as voting in the negative.

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

Why does the lady from Philadelphia, Mrs. Harper, rise?

Mrs. HARPER. Thank you, Mr. Speaker. I would like to correct a vote.

When HB 1876 passed, I would have liked to have been recorded in the negative. Thank you.

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

Why does the gentleman from Cambria, Mr. Telek, rise?

Mr. TELEK. Thank you, Mr. Speaker.

Due to a malfunction of my switch on HB 1876, I wish to be recorded in the negative.

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

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 1714, PN 2184**, entitled:

An Act amending the act of June 24, 1976 (P. L. 424, No. 101), referred to as the “Emergency and Law Enforcement Personnel Death Benefits Acts,” increasing the death benefits.

On the question,

Will the House agree to the bill on third consideration?

Mr. CORDISCO offered the following amendments No. A1481:

Amend Title, page 1, line 6, by removing the period after “benefits” and inserting
; and permitting a designee to receive benefits.

Amend Sec. 1 (Sec. 1), page 3, line 11, by inserting after “parents”

or designee

Amend Sec. 1 (Sec. 1), page 3, line 20, by inserting after “parents”

or designee

On the question,

Will the House agree to the amendments?

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

Mr. CORDISCO. Mr. Speaker, under current law if a firefighter, policeman, or rescue squad personnel should lose his life in the line of duty, his spouse or father or mother would be the recipient of a \$25,000 award from the State of Pennsylvania. In my opinion, I believe there is a flaw that exists within that legislation as recognized by the firefighters and police officers that I had spoken to in reference to this legislation in that there could be a situation whereby that individual would not have a spouse or a parent living at the time. Therefore, no one would be the beneficiary of that particular award. What this amendment says is they could be father, mother, spouse, or designee, and I would ask for a positive vote on the amendment. Thank you.

The SPEAKER. On the amendment, the Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, on the amendment.

Mr. Speaker, would the gentleman, Mr. Cordisco, stand for brief interrogation?

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

Mr. RYAN. Thank you.

Mr. Speaker, I apologize that I was not paying as close attention to Mr. Cordisco as perhaps I should have been.

Is "designee," as used in this amendment, the equivalent of "beneficiary" or the equivalent of "devisee" or "heir" under a will? Is that the intention of the amendment?

Mr. CORDISCO. Yes, Mr. Speaker.

Mr. RYAN. Thank you.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—196

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
Bortner	Foster	Manderino	Smith, B.
Bowley	Fox	Manmiller	Smith, L. E.
Bowser	Freeman	Markosek	Snyder, G.
Boyes	Freind	Mayernik	Staback
Brandt	Fryer	Merry	Stairs
Broujos	Gallen	Michlovic	Steighner
Bunt	Gamble	Micozzie	Stevens
Burd	Geist	Miller	Stewart
Burns	George	Moehlmann	Stuban
Bush	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	Olasz	Truman
Civera	Hayes	Oliver	Van Horne
Clark	Herman	Perzel	Veon
Clymer	Hershey	Petrarca	Vroon
Cohen	Honaman	Petrone	Wambach
Colafella	Howlett	Phillips	Wass
Cole	Hutchinson	Piccola	Weston
Cordisco	Itkin	Pievsky	Wiggins
Cornell	Jackson	Pistella	Wilson
Coslett	Jarolin	Pitts	Wogan
Cowell	Johnson	Pott	Wozniak
Coy	Josephs	Pressmann	Wright, D. R.
Deluca	Kasunic	Preston	Wright, J. L.
DeVerter	Kennedy	Punt	Wright, R. C.
DeWeese	Kenney	Raymond	Yandrisevits
Daley	Kosinski	Reber	
Davies	Kukovich	Reinard	Irvis,
Dawida	Langtry	Richardson	Speaker
Deal	Lashingner		

NAYS—1

Rieger

NOT VOTING—0

EXCUSED—4

Book	Gallagher	Gannon	Snyder, D. W.
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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—197

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
Bortner	Foster	Manderino	Smith, B.
Bowley	Fox	Manmiller	Smith, L. E.
Bowser	Freeman	Markosek	Snyder, G.
Boyes	Freind	Mayernik	Staback
Brandt	Fryer	Merry	Stairs
Broujos	Gallen	Michlovic	Steighner
Bunt	Gamble	Micozzie	Stevens
Burd	Geist	Miller	Stewart
Burns	George	Moehlmann	Stuban
Bush	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	Olasz	Truman
Civera	Hayes	Oliver	Van Horne
Clark	Herman	Perzel	Veon
Clymer	Hershey	Petrarca	Vroon
Cohen	Honaman	Petrone	Wambach
Colafella	Howlett	Phillips	Wass
Cole	Hutchinson	Piccola	Weston
Cordisco	Itkin	Pievsky	Wiggins
Cornell	Jackson	Pistella	Wilson
Coslett	Jarolin	Pitts	Wogan
Cowell	Johnson	Pott	Wozniak
Coy	Josephs	Pressmann	Wright, D. R.
Deluca	Kasunic	Preston	Wright, J. L.
DeVerter	Kennedy	Punt	Wright, R. C.
DeWeese	Kenney	Raymond	Yandrisevits
Daley	Kosinski	Reber	
Davies	Kukovich	Reinard	Irvis,
Dawida	Langtry	Richardson	Speaker
Deal	Lashingner	Rieger	

NAYS—0

NOT VOTING—0

EXCUSED—4

Book	Gallagher	Gannon	Snyder, D. W.
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passes finally.

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

CONSIDERATION OF HB 440 CONTINUED

On the question recurring,
Will the House concur in Senate amendments?

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

Mr. PIEVSKY. Thank you, Mr. Speaker.

Mr. Speaker, HB 440, as amended by the Senate, appropriates an additional \$1,200,000 to the Department of Agriculture for the current fiscal year to be used in the eradication of avian influenza and pseudorabies in the Commonwealth. The provisions of HB 440 are similar to those in HB 2059, which has appropriated \$1,125,000 for the same purpose.

Mr. Speaker, I request concurrence in Senate amendments to HB 440. Thank you, Mr. Speaker.

POINT OF ORDER

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

Mr. GREENWOOD. Mr. Speaker, I do not rise to debate HB 440. I am rising to raise a point of order.

The SPEAKER. The gentleman will state the point of order.

Mr. GREENWOOD. Mr. Speaker, I am uncomfortable with the fact that due to the failing of the machine we have turned our attention away from the convention center vote and have moved on to other business.

The SPEAKER. We are going to return to it.

Mr. GREENWOOD. Well, I am uncomfortable because there is a lot of whipping going on right now and a lot of lobbying going on right now, and I do not think that ought to be happening. I think we ought to move right to the convention center vote.

CONSIDERATION OF HB 440 CONTINUED

The SPEAKER. On the matter, those who believe the House should concur in HB 440 will vote "aye"; those who believe the House should not concur in the amendments inserted by the Senate will vote "no."

The recommendation from Mr. Pievsky is that the vote be in the affirmative.

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—195

Acosta	Dininni	Laughlin	Robbins
Afflerbach	Distler	Lescovitz	Roebuck
Angstadt	Dombrowski	Letterman	Rudy
Argall	Donatucci	Levdansky	Ryan
Arty	Dorr	Linton	Rybak
Baldwin	Duffy	Livengood	Saloom
Barber	Durham	Lloyd	Saurman

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

NAYS—0

NOT VOTING—2

Birmelin	Pistella
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EXCUSED—4

Book	Gallagher	Gannon	Snyder, D. W.
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE CONSIDERED

Mr. LLOYD called up for consideration the following Report of the Committee of Conference on **SB 1134, PN 1989**, entitled:

An Act amending the act of March 23, 1972 (P. L. 136, No. 52), entitled "Psychologists License Act," reestablishing the State Board of Psychologist Examiners as the State Board of Psychology; providing for its composition, powers and duties; changing provisions relating to the issuance of licenses and the suspension and revocation of licenses; providing for fees; providing for penalties; and making repeals.

On the question,

Will the House adopt the report of the committee of conference?

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

Mr. LLOYD. Mr. Speaker, the conference report on the State Board of Psychology adopted all of the standard sunset reforms that have been put into the other bills. There are, however, three unique issues which were in dispute, and I will briefly outline for the House how the conference report compromised those issues.

Under present law, a person who wants to call himself a psychologist—

Mr. GREENWOOD. Mr. Speaker?

POINT OF ORDER

The SPEAKER. The Chair recognizes the gentleman from Bucks, Mr. Greenwood. Why do you rise?

Mr. GREENWOOD. I am sorry to interrupt for the second time, but I would like to know what procedural motion I can make to have the convention center vote called now. I do not like the fact that this lobbying is going on when—

The SPEAKER. Mr. Greenwood, you cannot make any motion to interrupt—in fact, you are interrupting incorrectly—except on a point of personal privilege, a member who already has the floor. Now, you should not even be interrupting this way. There is nothing you can do to delay the movement of the House. The Chair will recognize you after this vote is taken if you wish to be recognized.

Mr. Lloyd, you may continue.

Mr. LLOYD. Thank you, Mr. Speaker.

Mr. Speaker, as I was saying, under existing law a person who wants to call himself a psychologist must have a license. However, a person who does the same kinds of things as a psychologist but who simply does not use the title is not required to be licensed. Under this bill there will be a change. If a person wants to perform the kinds of activities which psychologists do, there will be the requirement for a license. However, there are a whole host of recognized professions which will be exempted from that requirement. They will include people like clergymen, drug and alcohol counselors, mental health counselors, social workers, marriage and family counselors, crisis intervention counselors, pastoral counselors, rehabilitation counselors, psychoanalysts, and volunteers in crisis or emergency situations.

The second point which was in dispute had to do with the treatment of school psychologists. The compromise position is that school psychologists who are certified by the Department of Education will be allowed to perform in private practice those things which they are also allowed to do in the schools. They will not, therefore, in order to do those things in private practice, have to have a license from the State Board.

Finally, there was a question with regard to the education necessary in order to become a licensed psychologist. Pennsyl-

vania at the present time is one of only a handful of States which do not require a doctor's degree. Under this bill, in the future, in order to become licensed to be a psychologist, it will be necessary to have a doctor's degree. However, in recognition of the fact that there are many people who, in reliance on the existing law, are in the pipeline on their way toward getting a license with a master's degree, this bill provides a window - a phase-in. If a person has completed his master's work by September of this year or enrolls in a master's program by September of this year, undergoes 3 years of supervised experience, and passes the licensing exam, he will, until the end of 1995, be eligible to be licensed with a master's degree.

Those were the three issues which divided the House and Senate. They have been compromised. The compromise has been supported by the State Psychology Association, by the school psychologists, and by the PSEA (Pennsylvania State Education Association). So this bill passed the Senate yesterday by a vote of 49 to nothing, and I would urge that we adopt the conference report.

The SPEAKER. On the committee of conference report, the Chair recognizes the gentleman from York, Mr. Dorr.

Mr. DORR. Mr. Speaker, I recognize that this is probably not the most earth-shaking matter that will appear before the House this afternoon, but I think the members might want to pay some attention to the issue in its broader context.

This is, in my view, a test as to whether or not the sunset process works. This bill in its present form, in my view, is the exact antithesis of sunset. Our constituents, when we began this process, when we instituted the law that we now refer to as "sunset," asked us to do so because they wanted less government regulation and they thought there were too many boards and commissions and too much regulation going on in State Government, as well as all other forms of government. What we have done in the process of sunset with regard to the psychologists board is to capitulate, in my judgment, if we pass this bill, to the elitists of the particular profession involved who now want to create a system in which they will be the only people allowed to practice this profession unless there is a very great degree of education, a very costly educational process involved.

In addition, Mr. Speaker, the present bill leads us, in my view, into a quagmire in regard to the practice act issue by creating a definition of the practice of psychology rather than going with the simple titling act that we had in existence prior to the time that we started into this sunset process.

I have a great degree of sympathy, having gone through this process on a number of bills, with the members who have attempted to negotiate what they feel is a compromise on this issue. In my judgment, however, if the House goes along with this conference report, we are losing the whole issue, the whole idea of sunset, and simply capitulating to the profession, which would like to close its doors to as great a degree as they possibly can to further competition. There will be no way, Mr. Speaker, that we can avoid or this State Board of Psychology Examiners can avoid preventing people from

existing professions and from newly developing professions from practicing their profession because they will come in violation of this practice act.

It is simply too complicated a system, the counseling in general, that we have going on in Pennsylvania and in all States in this country today, in my view, to get into a practice act. We are much better off with a titling act.

Therefore, Mr. Speaker, I am going to vote in the negative on this conference report in the hope that we can send it back to the conference committee for further work and come back with a titling rather than a practice act. Thank you, Mr. Speaker.

On the question recurring,

Will the House adopt the report of the committee of conference?

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

YEAS—137

Acosta	Evans	Linton	Rudy
Afflerbach	Fattah	Livengood	Rybak
Arty	Fee	Lloyd	Saloom
Baldwin	Fischer	Lucyk	Schuler
Barber	Flick	McCall	Serafini
Barley	Freeman	McHale	Seventy
Battisto	Fryer	McVerry	Showers
Belardi	Gamble	Mackowski	Staback
Belfanti	George	Maiale	Stairs
Blaum	Godshall	Manderino	Steighner
Bortner	Gruitza	Manmiller	Stevens
Bowley	Gruppo	Markosek	Stewart
Broujos	Hagarty	Mayernik	Stuban
Burd	Haluska	Michlovic	Sweet
Bush	Harper	Miller	Taylor, E. Z.
Caltagirone	Hasay	Moehlmann	Taylor, F.
Cappabianca	Herman	Morris	Taylor, J.
Carlson	Hershey	Mrkonic	Trello
Chadwick	Howlett	Murphy	Truman
Clark	Hutchinson	Nahill	Van Horne
Colafella	Itkin	O'Brien	Veon
Cole	Jackson	O'Donnell	Vroon
Cornell	Jarolin	Olasz	Wambach
Cowell	Josephs	Oliver	Weston
Coy	Kasunic	Perzel	Wiggins
Deluca	Kennedy	Petrarca	Wilson
DeWeese	Kenney	Petrone	Wogan
Daley	Kosinski	Pievsky	Wozniak
Dawida	Kukovich	Pistella	Wright, D. R.
Deal	Langtry	Pott	Wright, R. C.
Dininni	Lashinger	Pressmann	Yandrisevits
Dombrowski	Laughlin	Preston	
Donatucci	Lescovitz	Reber	Irvis,
Duffy	Letterman	Richardson	Speaker
Durham	Levdansky	Rieger	

NAYS—53

Angstadt	Coslett	Hayes	Reinard
Argall	DeVerter	Honaman	Robbins
Birmelin	Dietz	Johnson	Ryan
Black	Distler	McClatchy	Saurman
Bowser	Dorr	Merry	Scheetz
Boyes	Fargo	Micozzie	Semmel
Brandt	Foster	Mowery	Smith, B.
Bunt	Fox	Noye	Smith, L. E.
Burns	Freind	Phillips	Snyder, G.
Cessar	Gallen	Piccola	Swift
Cimini	Geist	Pitts	Telek
Civera	Gladeck	Punt	Wass
Clymer	Greenwood	Raymond	Wright, J. L.
Cordisco			

NOT VOTING—7

Carn	Cohen	Roebuck	Tigue
Cawley	Davies	Sirianni	

EXCUSED—4

Book	Gallagher	Gannon	Snyder, D. W.
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the committee of conference was adopted.

Ordered, That the clerk inform the Senate accordingly.

CONSIDERATION OF SB 655 CONTINUED

The SPEAKER. SB 655, PN 1850, has already been called up. Therefore, the question is, will the House adopt the committee of conference report?

BILL PASSED OVER

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I move that the Conference Committee Report on SB 655 be passed over for today.

The SPEAKER. It is moved by the gentleman, Mr. Manderino, without objection, that the Committee of Conference Report on SB 655 be passed over. The Chair hears no objection.

The Chair recognizes the gentleman from Delaware, Mr. Freind. Mr. Freind, do you object to passing it over?

Mr. FREIND. You know, Mr. Speaker, normally I would not, but we have seen a miracle here today.

The SPEAKER. Mr. Freind, are you objecting?

Mr. FREIND. Yes.

The SPEAKER. Fine. Then it will not be passed over. It is a matter on the floor.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—130

Afflerbach	Dombrowski	Lucyk	Saloom
Arty	Donatucci	McCall	Saurman
Baldwin	Evans	McClatchy	Scheetz
Barber	Fattah	McHale	Schuler
Battisto	Fee	Mackowski	Serafini
Belardi	Flick	Maiale	Seventy
Blaum	Fox	Manderino	Showers
Bortner	Freeman	Manmiller	Sirianni
Bowley	Gamble	Markosek	Smith, L. E.
Brandt	George	Mayernik	Staback
Broujos	Gruitza	Michlovic	Steighner
Bunt	Gruppo	Micozzie	Stevens
Burd	Hagarty	Miller	Stewart
Bush	Haluska	Murphy	Stuban
Caltagirone	Harper	Nahill	Sweet
Cappabianca	Hasay	O'Brien	Taylor, F.
Carlson	Honaman	O'Donnell	Taylor, J.
Cawley	Howlett	Olasz	Tigue
Chadwick	Hutchinson	Perzel	Trello
Civera	Itkin	Petrarca	Truman
Clark	Jackson	Petrone	Van Horne
Cohen	Jarolin	Piccola	Veon
Colafella	Josephs	Pievsky	Wambach
Cole	Kasunic	Pistella	Weston
Coslett	Kenney	Pott	Wiggins

Cowell	Kosinski	Pressmann	Wogan
Coy	Kukovich	Preston	Wozniak
Deluca	Laughlin	Raymond	Wright, D. R.
DeWeese	Lescovitz	Rieger	Wright, R. C.
Daley	Letterman	Roebuck	Yandrisevits
Dawida	Levdansky	Rudy	
Deal	Livengood	Ryan	Irvis,
Dininni	Lloyd	Rybak	Speaker

NAYS—65

Angstadt	Distler	Hershey	Punt
Argall	Dorr	Johnson	Reber
Belfanti	Duffy	Kennedy	Reinard
Birmelin	Durham	Langtry	Richardson
Black	Fargo	Lashingier	Robbins
Bowser	Fischer	Linton	Semmel
Boyes	Foster	McVerry	Smith, B.
Burns	Freind	Merry	Snyder, G.
Carn	Fryer	Moehlmann	Stairs
Cessar	Gallen	Morris	Swift
Cimini	Geist	Mowery	Taylor, E. Z.
Clymer	Gladeck	Mrkonic	Telek
Cordisco	Godshall	Noye	Vroon
Cornell	Greenwood	Oliver	Wass
DeVerter	Hayes	Phillips	Wilson
Davies	Herman	Pitts	Wright, J. L.
Dietz			

NOT VOTING—2

Acosta Barley

EXCUSED—4

Book Gallagher Gannon Snyder, D. W.

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

REMARKS ON VOTE

The SPEAKER. Why does the gentleman from Allegheny, Mr. Cessar, rise?

Mr. CESSAR. Mr. Speaker, I would like to correct a vote.

The SPEAKER. The gentleman may proceed.

Mr. CESSAR. Thank you, Mr. Speaker.

On the Conference Report on SB 1134, PN 1989, I was incorrectly voted in the negative. I would like to be recorded in the affirmative.

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

PARLIAMENTARY INQUIRY

The SPEAKER. Why does the gentleman from Centre, Mr. Letterman, rise?

Mr. LETTERMAN. Are we finished for the day?

The SPEAKER. No.

Mr. LETTERMAN. Are we going to vote SB 670?

The SPEAKER. SB 670 is still on the list. We may or may not vote it. But we are not finished for the day.

Mr. LETTERMAN. I would like very much to vote it today, if possible.

The SPEAKER. Well, please talk to the majority leader on the scheduling then. Right now it is on the list. It may or may not be voted.

BILL AND VETO MESSAGE
REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.
Mr. MANDERINO. Mr. Speaker, I move that HB 66 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.

The following communication was read:

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 the veto message, the Chair recognizes the gentleman from Fayette, Mr. Taylor.

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

I rise today, Mr. Speaker, to ask you to override the veto of the Governor of the flood victims' funds that were allocated in HB 66 to the tune of \$15 million. The Governor approved \$7.1 million of the \$15 million and in his press release said that \$4 million of that money would come to southwestern Pennsylvania and to the Mon Valley and the balance of that would go to the northeast and the other areas that had floods and tornadoes and other types of natural disasters that happened in the past.

Let me tell you that in southwestern Pennsylvania on November 5, 1985, we had the most severe flood that ever happened in the history of this Commonwealth, what is known as a 500-year flood. We had water in people's houses to the second story, and when FEMA (Federal Emergency Management Agency) came in and PEMA (Pennsylvania Emergency Management Agency) and all the other agencies, they looked at it and said it was the worst disaster they had ever seen. The Governor flew in and he viewed the situation, and from what FEMA calls a "windshield appraisal," the damages done in the Mon Valley from Point Marion to Charleroi and Monongahela were \$50 million. They came back and said, we have now taken a closer view of those damages and now they are \$24 million in damages. Let me tell you, as of today, and I will give you the figures, if you think southwestern Pennsylvania got a hosing, you are right. We got the biggest hosing that has ever been done to the constituents of this State.

As of today—and I called the Welfare Department—with both Federal and State funds, they have spent \$1,876,000, Mr. Speaker, and only \$469,000 of that was State. And as of Sunday, in West Virginia they are having the same problem with FEMA and the way that they treated the flood victims of the November 5 flood, and they are having investigations and are trying to find out who used the sharpest pencil ever devised to say to these people *right now in April* that by the stroke of their pen and the stroke of their pencil and their bookkeeping, not looking at what happened to those people, saying to them almost, well, look, if you wait long enough, you will think there never was a flood; that you did not lose anything.

Mr. Speaker, I will tell you what they did back there. They told people who had flood damage up to 4 and 5 feet on their walls, they said to them, cut the wall in half, drop it down, and we will only pay for half of the wall. That is why these figures are so deflated, because they only want to pay half, and in some cases one-third, of the actual damages of those people. All we are asking for is the ability to give them at least a dollar for a dollar that they lost, and I do not think that is wrong. I have been here quite a few years, and I have voted for flood damages for the rest of you people and you have gotten your money. What I am asking you for here is to make it available to those people, make it available so that they can get it, and I am asking for a new survey in that area, because

these people were treated absolutely abominably. You cannot imagine how they were treated by FEMA and PEMA. And when you talk to people back there and they say to you— And I will read you a letter, and this was not dated in November. I will tell you when it was dated. The letter to me was dated April 11, and this is now almost 6 months or better, over 6 months, since the flood. I am going to read you a letter that was written to me.

Dear Mr. Taylor—

Please take a moment to listen to this, Mr. Speaker; this is very serious business, what has happened with the sharp boys with their sharp pencils, and it is time it stops and it is time we take a long, hard look at how our constituents were treated in comparison to constituents that were treated in other floods.

I am writing to ask you for some help and some hope into what happened to me in the November 5 flood.

I was told I was eligible for a grant of \$2000.00-\$2500.00 to cover losses.

I have received \$554.00 for which I fixed an air conditioner, a refrigerator, replaced my clothing, and some other little things that I had lost. My major loss was 3 rooms and a hall of carpeting.

But let me tell you what has happened. They do not consider carpeting, because it is laid on a floor. They came in with a new set of criteria and said to those people, this is decorative, because if you have a tongue-and-groove floor, we are not going to pay for carpeting. They did not want to pay and they have not paid for her carpeting yet, and she had this under the IFGP program, which is the Individual and Family Grant Program. They have not paid, and she is 80 years old. They are doing this not only to the 80-year-olds, they are doing it to the 25-year-olds; they are doing it to all of them.

Would you believe that in some instances, these people who were flown in from Seattle, Texas, California, and all over this Nation, to come in and tell these people— And some of them, one of them who was supposed to be a specialist, a guy asked him, *what are you a specialist in?* He said, *I am a jeweler.* He worked in a jewelry shop in Seattle, Washington. He did not know beans from apple butter about what it cost to repair a house, and he tried to tell this gentleman that all he suffered was 4,000 dollars' worth of damages. Believe you me, this is what went on in southwestern Pennsylvania, and we better take a long, hard look at it, because if you establish here today a precedent by not permitting the override of this veto of the Governor, then you are going to pit one section of this State against another; you are going to pit flood victims against each other in this House, and it is wrong to do it.

You better override his veto and make sure that these people get just what they are asking for, only dollar for dollar. And let me tell you, if they give them dollar for dollar for what they lost and do not put them back any better than what they were before the flood, only to what they were the day of the flood, you are going to spend \$25 million or more to do that, and believe you me, there is documentation for it. And they ought to have taken a long, hard look at it instead of

listening to those specialists that they sent in here, and now West Virginia is having the same problem. Let us not compound it here today by not having those funds available for those people. We ought to direct that they go back out there and do a job - our people in this State, not some high-priced Federal guy who comes in here who does not know what he is doing.

Thank you, Mr. Speaker. I would like to have an affirmative vote for the override.

The SPEAKER. On the message of the Governor, the Chair recognizes the gentleman from Washington, Mr. Daley.

Mr. DALEY. Thank you, Mr. Speaker.

All I want to say is that Representative Taylor articulates, I think, the concerns of probably the 10,000 pages of testimony that we have heard in southwestern Pennsylvania. But the thing that bothers me here is simply that the Governor had agreed with the Senate on \$15 million; there was an agreement reached in the Senate. Our bill that we originally sent over was \$25 million, but there was a compromise of \$15 million, and then the Governor cut it to \$7 million.

We have seen 4,000 families—not individuals—in southwestern Pennsylvania affected; we have seen 1,000 families in northwestern Pennsylvania affected by the tornado; we have seen 2,300 families in September affected by the flooding in northeastern Pennsylvania, and what we are saying here is it is human suffering. It is human beings suffering; they need the help. The Governor agreed to give us \$15 million; we want that \$15 million, and we need much more.

On November 6 the Governor flew into southwestern Pennsylvania by helicopter, with all the news media, promising aid to help the flood victims. He said 15 million dollars' worth of aid has gone to the flood victims of southwestern Pennsylvania. Indeed, 1 million dollars' worth of aid, in terms of helping those families, have gone so far to the flood victims of southwestern Pennsylvania.

Let us send a message back to the Governor: We want that 15 million dollars' worth of aid. Thank you, Mr. Speaker.

The SPEAKER. On the Governor's message, the Chair recognizes the gentleman from Fayette, Mr. Kasunic.

Mr. KASUNIC. Thank you, Mr. Speaker.

I rise to ask each member of the House of Representatives to join with us in overriding the Governor's veto. I was there on the election day, while the flood occurred; I was there after; I was there during the cleanup, and believe me, I feel that those of us who represent the Commonwealth of Pennsylvania here in the House of Representatives have a moral obligation to help our fellow human beings and our fellow man.

The hurt and suffering that I saw since November 5 until today is unbelievable. Representative Taylor and I just recently toured some areas in Fayette County that still have yet to be cleaned up. The moneys have run out; the municipalities do not have the money to fund the total cleanup. There is mud and debris still in the streets, still in people's yards. I have been to many homes that are still, still not livable. People are living in houses that still contain mildew; the dam-

pness is still there. There is actually fungus growing between the walls and in the floors. In some cases, people have moved back into their homes with as little as a bedroom suite and maybe a kitchen table, and they are counting on their government; they are counting on the promises that were made by FEMA and PEMA to help them, because they believe in their government. These are people who have supported their government, who have paid taxes, who have served their country well, and all they are asking for is a little help in return. We help countries all over the world, but yet it seems as though when people right here in our own Commonwealth need help, we tend to turn our back on them.

Mr. Speaker, let us show them; let us show them that we are decent human beings and we realize we have a moral obligation to help them. They do not ask for much; they are just asking for enough help to try to get them back into their homes. We have many elderly people who are on fixed incomes who cannot afford to take loans out. Loans have been offered to them, but if you are 70 years old, there is not much you can do in the way of securing a mortgage. They need our help today. They are not the enemy, Mr. Speaker; they are our constituents; they are one of us.

I think the real disaster really occurred when we created FEMA and PEMA, because as an emergency agency, I—and I am sure you do, too—expect them to act on an emergency immediately. We are now approaching 6 months after the flood, and they have yet to receive any help whatsoever from this Commonwealth.

Please join with me in overriding this Governor's veto. Thank you very much.

The SPEAKER. On the Governor's veto message, the Chair recognizes the gentleman from Luzerne, Mr. Blaum.

Mr. BLAUM. Thank you, Mr. Speaker.

Mr. Speaker, I rise to ask today that the House override the Governor's veto of HB 66. Vetoing over \$8 million of the \$15-million appropriation that we made to the people who are adversely affected by floods and tornadoes was wrong, and it was wrong for this reason: If \$15 million is too much, then if the people who need the money who were affected by the tornadoes and the floods do not use it all up, that money would lapse.

But the problem occurs that we are going to leave this city at the end of June, and if the people who are making application for that flood money for the damage that was done by the tornado, if the applications exceed the \$7.1 million and we are into the months of July and August, these people are not going to be able to receive help. We are not going to come back here—you and I know we are not going to come back here—and set a special session to take care of that problem. So I ask you now to override the Governor's veto, to appropriate the entire \$15 million that the House and Senate asked for and passed. And hopefully, if all of the money is not used, it will lapse and remain in the coffers of our treasury, but everybody who will make application, everybody who is deserving, and everybody who lost and received damage from these natural disasters will be compensated.

So I ask the members of the House today to vote to override. Thank you very much.

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

Mr. STEWART. Thank you, Mr. Speaker.

I really cannot believe we are standing here debating this. This House, as long as I have been here, has never been reluctant to help citizens who were affected by floods, tornadoes, hurricanes, whatever.

There is one thing going on here today that I think the members ought to think about. Just as the path of the tornado or the path of the floodwaters was arbitrary, any number we put on or the Governor puts on for the amount of damages is going to be arbitrary. From my experience in the 1977 flood that hit Johnstown, the figure is usually arbitrarily low. We started with a \$10-million appropriation for the Johnstown flood; we did a door-to-door survey and came up with \$30 million. PEMA then changed their mind—at that time it was Civil Defense—and we finally ended up with \$50 million, for which I thank the House. But we did a survey after the repairs were made and after the money was disbursed, door to door, and we found out that the citizens themselves spent over \$200 million of their own money repairing their properties.

So the point is, the figure is arbitrary, and the figure is usually arbitrarily low. Let us at least give these victims the amount they were promised, and I urge a vote to override the Governor's veto.

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

Mr. TIGUE. Thank you, Mr. Speaker.

Mr. Speaker, I stand up to support the veto override. As my colleagues prior to me have said, we are asking for fairness; we are asking for help for those people who cannot help themselves.

Let us look at what happened back in late fall of 1985 with the flooding. We passed a bill here in the House allocating \$20 million for flood victims. The Senate said they could not pass a bill with that amount of money; we agreed to \$15 million. Lo and behold, the \$15 million came to the House. I, for one, was not satisfied, but we agreed to withhold amendments and to pass the bill to expedite some type of help; we agreed for the \$15 million. Lo and behold, the Governor, for whatever reasons I cannot comprehend, decided to cut the amount to \$7.1 million.

The Federal Government has walked away from Pennsylvania during this disaster. What they have said is, we will help you; you come in and see me and I will be happy to give you an 8-percent loan. Therefore, many of my constituents did not apply for aid.

Let us be fair. A little while ago we passed HB 440. HB 440 reimburses farmers who have suffered from avian flu 90 percent of the market value for the poultry which they lost. HB 66 merely says 75 percent of the losses you incurred you will be reimbursed for. These are not businessmen; these are our constituents who live and these are damages to their homes where they live. They must be homeowner and occupant.

I supported the money to fund the avian flu victims; I support money to take care of victims in other disasters. I am asking you to support me and my colleagues and override the Governor's veto. Thank you.

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

Mr. SERAFINI. Thank you, Mr. Speaker.

Mr. Speaker, I will be short.

The fact is that the money that has currently been appropriated, the \$7.1 million, is not enough for nearly any of the victims. Just put yourself in the position of a person who cannot afford to bring themselves back to life after a disaster. You have to put yourself in the position of a person who is too poor to afford to bring back that refrigerator that was lost, that stove, and those vital necessities to live a normal life. When this State is throwing around surpluses to different types of needs that do not even affect a human life, I cannot see why we should sacrifice those poor people and scrimp on their livelihood and their future.

I would appreciate it if the Republicans and the Democrats could support an override of this veto so that we once again in northeastern Pennsylvania can breathe life with clean air and a better environment.

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

Mr. VEON. Thank you, Mr. Speaker.

I, too, would like to urge this body to override the Governor's veto. It has been almost a year since the tornado swept through Pennsylvania, and I think if we did a case-by-case study of each and every individual who was affected by that tornado, you would find that there were thousands and thousands of dollars of uncompensated losses. I know from personal experience and working in my district with the tornado victims that the State did not do a very good job in compensating people for their losses.

I think this bill gives us another chance to do that, and I urge this body to override the Governor's veto. Thank you.

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

Mr. FISCHER. Mr. Speaker, I rise to urge my colleagues to vote for an override of this particular veto. This money is not enough. This is one of the largest natural disasters the Monongahela Valley has ever faced. This valley already had many, many economic problems because of the closings of many plants.

We have come here, in my 20 years in the House, time after time and helped those people who were in need. Remember when Frank O'Connell, who was a member of this House, lost his house? We all came to his help; we all came to the help of those people. As a matter of fact, I remember the 14th of August 1972 very well because I delayed—I had been married the day before and came back to a special session to vote for flood aid for those victims of Hurricane Agnes.

It is time we do it now; it is time we override this veto and show these people the mercy that they need right now. Thank you.

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

Mr. LEVDANSKY. Thank you, Mr. Speaker.

Mr. Speaker, I rise to urge that my colleagues support the attempt to override the Governor's veto. I do so for essentially one simple reason. There is outstanding need in the communities affected, especially by the flood in southwestern Pennsylvania from last November. I happen to represent a few of the municipalities, including Forward Township, Elizabeth, and West Elizabeth, and among them I believe that they constitute some of the poorest neighborhoods of any communities anywhere in this State, and they were the most disastrously affected by the flood of last November.

Right after the flood, I worked side by side with a lot of volunteers in an effort to clean up the municipalities, and we were really proud of the self-help and the proud spirit exhibited by the people affected most disastrously by the flood. We also had the benefit of the help of the Allegheny County Maintenance Department in the cleanup efforts who worked hand in hand with local government to the best that their resources provided.

However, however, at this time there still remain pockets of areas that need cleaned up, and certainly many of my constituents need the aid and the assistance and the grant money from the State. How can I go back to them at a time when the State is experiencing a budget surplus and explain to them that in a time of disastrous human need, the State legislature cannot come through with a few more dollars to help at a time like this?

For this reason, Mr. Speaker, I would urge that my members support the motion to override the Governor's veto. Thank you very much.

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

Mr. FATAH. Mr. Speaker, I rise to ask my colleagues to vote in favor of the override.

I assume that we are all amazed at the insensitivity of this administration in this matter. But I believe that here in this House we do share a consensus that we have a responsibility as a State Government to step in and to provide the help that is necessary, and I think that in overriding the veto we will go a long way in that regard. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the minority whip.

Mr. HAYES. Thank you, Mr. Speaker.

I have listened to several speakers now, and I certainly do not disagree with their compassion. However, I do believe that some of their observations are wondering and certainly the arithmetic does not seem to quite hit the mark.

When this General Assembly, House and Senate, passed the bill, it arbitrarily—arbitrarily—established a number in the legislation. Without embarrassing anyone, I do not believe that there is a soul who could say that the \$15 million, or whatever other figure people want to make reference to here today, was in fact the exact dollar-for-dollar figure that was necessary to satisfy what was to become Act 25 of 1986. It was an arbitrary figure. Since the time that you and I, Mr.

Speaker, voted for HB 66, a great deal of effort has been made to establish the arithmetic numbers of dollars which are necessary to satisfy the provisions of HB 66, which is now Act 25 of 1986. That sum of money is \$7.1 million.

Now, before I go on, let me say something else. I do not believe that there is a man or woman serving in this House of Representatives who will not on another day, if it is shown arithmetically that there are additional dollars needed, will not in fact vote for that legislation. I can assure you, Mr. Speaker, as one, I will vote for that legislation. I will cosponsor it with Representative Fred Taylor, if necessary, but certainly there will be many others who would join in cosponsorship.

Regardless of sponsorship, the votes in this chamber undoubtedly would be near unanimous if there is displayed an arithmetic need for a certain number of dollars. The displayed need at the present time, based upon what has been done and what has yet to be done, comes out to \$7.1 million.

A lot of numbers have been flashed about here today, but basically, Mr. Speaker, they have been arbitrary. I do not fault those who are flashing those numbers, but let us please understand that they are arbitrary. Seven point one is a figure certain, based upon arithmetic calculation, based upon actual survey in the disaster areas, both in terms of the tornadoes as well as the flood areas. If there is a need for more than \$7.1 million, I will join, but as Mr. Manderino—and while he may not agree, nevertheless he does have a letter from the Secretary of the Budget which states that since every family eligible under the provisions of HB 66 will receive every dollar of assistance to which they are entitled, there is no need for the \$15-million appropriation.

Possibly we will want to go back and change Act 25. But HB 66, which became Act 25, has contained in it certain provisions. That is what the General Assembly intended, and \$7.1 million will cover the provisions of HB 66. If on another day, Mr. Speaker, there is a greater need, we can come back to it.

Forty-nine point six million dollars in State and Federal assistance has already been made available. I am not standing here right now to tell you that there is not a greater need than that. We have already said that we will put forward at least \$7.1 million to supplement what has already been done. And, Mr. Speaker, we stand ready to do even more, but I do not believe that we should override a veto until we have a bit better handle as to how much more we are going to need in fact. Right now the calculation shows \$7.1 million.

Eighteen hundred families still have unmet needs, according to the provisions of Act 25. Now, according to Mr. Taylor and others—and I respect them greatly—there may be yet other unmet needs. But according to the provisions of the legislation that we passed, not based upon our heart but based upon the legislation that we passed, HB 66, the unmet needs at this time come to about 1,800 families out there in those disaster areas, according to the provisions of Act 25. If we want to expand Act 25, then obviously there will be a greater monetary need, but at this time we are trying to carry forth the purpose of the legislation passed by this General Assem-

bly, and that dollar amount right now is \$7.1 million; \$2.3 million for the tornado victims and the remaining amount for the flood areas, the disaster areas affected by floodwaters.

If there is a greater need, come back; I will join you in sponsorship, but in the meantime we should not be appropriating money beyond what is now an established arithmetic calculation based upon our legislation. Not because of our heart—maybe we did not write the legislation broad enough—but based upon the language of our legislation, HB 66, Act 25, \$7.1 million is enough at this time.

I believe that we should take pause and sustain the veto and come back another day and appropriate a larger sum if necessary. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Westmoreland, Mr. Stairs.

Mr. STAIRS. Thank you, Mr. Speaker.

This General Assembly has been most understanding and sympathetic in times of need. Last year in our Commonwealth there was probably more disaster damage due to floods, hurricanes, and tornadoes than any year, possibly, since the Agnes disaster.

I, hopefully, would appreciate a positive vote, a green vote, on your behalf to help the people, particularly those people who surely after the flood were promised help, promised aid, and to their dismay nobody returned. So I would hope that we could in an expedient manner bring relief to the suffering, particularly of southwestern Pennsylvania and other parts of the Commonwealth also.

I appreciate a positive vote. Thank you.

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Thank you, Mr. Speaker.

Mr. Speaker, we appropriate moneys every day. We appropriate moneys to many line items in a budget comprehensively every year, and at the end of the year we end up with surpluses - \$200 million sometimes; \$150 million sometimes. That is because we appropriate moneys so that they can be used for specific purposes, and when those purposes are achieved, we lapse the money and we end up with a surplus.

Mr. Speaker, the \$15 million that was a compromise in the Senate of Pennsylvania, controlled by the party of the Governor, was a figure that was calculated to be enough to pay the damages that the flood victims would be able to recover and be reimbursed for under the provisions of the bill that we sent to the Governor, HB 66. Now, the Governor has come up with a new set of figures, and somehow, somehow, everybody calculated in such error that the Governor is able to take one-half or more than one-half of the moneys that we appropriated, 253 members of the General Assembly in consensus, and the Governor said you do not need that much; I am only going to give you \$7.1 million.

Now, what we are asking here is that the \$15 million that we sent to the Governor for this purpose remain the amount of money that is available for this purpose. And the bill that we sent to the Governor clearly reads, "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."

Now, we are not throwing money away. If \$15 million is not needed; if only the \$7.1 million that the Governor said is needed is all that would be needed—and I really doubt that—the money will lapse. But if we only appropriate \$7 million for a problem that has \$15 million in costs or \$25 million in costs, then what we are doing is legislating a lot of suffering, a lot of people suffering needlessly. The administration has every tool at its disposal to make sure that they do not spend any more money or reimburse people for any more than we have said they should be reimbursed for. That is the control that there is on the money; not an artificial control of \$7 million.

Now, Mr. Hayes can talk about appropriating more money than is enough and we should not do that. What is the harm in doing it? What is the harm in doing it? The administration is in control. They certainly are not going to pay people who do not file claims. They certainly are not going to pay people 200 percent of a claim that is validly filed. They are just going to pay 100 percent of the claim. They are just going to pay for claims that are filed within the time period. That is what we said in the law.

We do not believe the Governor's figure of \$7.1 million, and we are saying, either he is right or we are right. If we are right, then people are going to suffer and there is going to be a lot of people denied claims. We are going to have to go through the process all over again if we are able to go through the process all over again, and all of that is unnecessary. Let us override the veto, provide the \$15 million or so much as may be necessary. That is already there; the wording is already there in the act that we passed.

I ask for an affirmative vote. I ask for compassion by this body. I ask for reasonableness by this body. I ask that we do not turn against those people who are out there in need of help.

When we passed the \$150 million for flood relief or the \$300 million, and there were a lot of large figures, the Governor at that time did not send it back half. And we did not spend all that money. But it was there and it was available and we had a good program, and what was not used in any specific program was returned to the General Fund. But you did not have people out there that we dealt any suffering to; that we dealt any delays to; that we dealt any inconveniences to. We recognized that they were in need of help, and we provided the help that was necessary. We provided the help that we spelled out in the bill just as we are spelling it out in this bill.

I ask for an affirmative vote on the override of the Governor's veto.

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

Mr. McCLATCHY. Mr. Speaker, I would ask for a sustaining of the Governor's veto.

As we look at this issue and we talk about compassion and we talk about facts, the problem is not with the Governor; the problem is us, right here. We did not write the legislation properly, if it wants to do what you people want it to do.

Jim Manderino talks about lapse. On page 8, line 26, it says, "...shall not lapse until June 30, 1987." We cannot

lapse the money. We cannot lapse the money. We cannot spend the money on cleanup. It is not in the bill.

What we are doing is exactly what this piece of legislation says to do, and it comes to \$7.1 million. If we want to spend more, fine, let us rewrite the piece of legislation and give them more money, but for Pete's sake, let us not pick on the Governor. It is we who are the problem. That is what is wrong with it.

We are in a motherhood issue, and it is very, very difficult to vote "yes" or "no" on something like this. We are all for helping flood victims; we are all for helping disaster victims, but for Pete's sake, let us be honest, let us be factual, and go about it in the right way.

The legislation is here. If you want to change it, change it, but let us not pick on the Governor. It is not his fault; it is our fault.

Mr. Speaker, I suggest that we sustain the Governor's veto. If we want to spend more money, fine, let us spend more money, but let us do it with a new piece of legislation.

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, very briefly.

If you want to spend more money, fine. That is what we are saying, Mr. Speaker. We want to spend \$15 million, if it is necessary. That is the number we put in the bill. That is the number we sent to the Governor. We are only blaming the Governor for saying, you cannot spend \$15 million even if it is necessary. He is saying, you could only spend \$7 million, whether \$15 million is necessary or whether \$16 million is necessary or whether \$24 million is necessary. He is simply saying you can only spend \$7 million and I draw a line through your \$15 million. We did ask for \$15 million or so much as is necessary to carry out the purposes of the act.

Now, I do not think it is unreasonable for the General Assembly to have said, to have said, remembering that we are already in April of 1986, I do not think it is terrible that we said none of the money that we are going to appropriate here in April of 1986 should lapse until June 30 of 1987. We are simply saying, give them time to make their claims and get their claims paid, but in June of 1987 what has not been spent can lapse. That is reasonable. We are not asking for anything unreasonable.

The affirmative vote to override the veto is the only course of action that we ought to take today.

The SPEAKER. The Chair recognizes the gentleman from Luzerne, Mr. Tigue, for the second time.

Mr. TIGUE. Thank you, Mr. Speaker.

Mr. Speaker, Mr. Manderino hits it right on the head when he says, why wait to rewrite the legislation? Why not rewrite it right now? Mr. Hayes said we will only spend the money; if we need it, we can come back and do it again.

Look at the bill. The provisions of the bill say that if we do not have enough money, we will only prorate the grants to the people who are eligible. So therefore, if we do not have enough money, when we come back to rewrite it, we are going to have to go through the whole bureaucratic mess again to give those people who only received a partial grant in the beginning. That is one point.

The second point is, if you will read the bill, it says, not only those people who went to disaster assistance centers. That is where the Governor's figures supposedly came from. The Senate came from the same place. The surveys were done only on those people who were able at the time to go to the disaster assistance centers that the Federal Government set up. If, for instance, a constituent said, I am not going to go down there and waste my time for an 8-percent loan, or if they did not have the ability to get to a disaster assistance center, under this bill we can make them eligible. They are not included in anyone's survey, because we do not know how many of these people there are. Why give people a partial grant now and come back later and say, now we are going to give you a 100-percent grant which we should have given you a year ago. Let the funds lapse if they are not necessary.

According to the Budget Office, as of the end of February we had a \$139-million surplus. Let us stop playing games with numbers and take care of our constituents. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Washington, Mr. Daley, for the second time.

Mr. DALEY. Thank you, Mr. Speaker.

All I want to do is clarify the issue that Mr. Hayes raises. He calls the arithmetic calculation that was made a reasonable determination. I just call that a darn good guess on behalf of the administration, but it bothers me greatly that there was a darn good guess made a few weeks ago when the Senate Republicans and the Governor's Office agreed to \$15 million. Now, at that time that was a darn good guess, and all of a sudden now it is \$7.1 million and it is another arithmetic calculation which is a darn good guess.

You are saying 1,800 families are eligible according to the existing criteria, but under this bill, as Representative Tigue just said, we can rewrite that criteria. We have turned away thousands of families. That 1,800, sir, is only from southwestern Pennsylvania. How about northwestern Pennsylvania with regard to the tornadoes? How about northeastern Pennsylvania regarding the flood? We are talking about 3,000 more families.

And how about the \$49.5 million of which \$1 million of direct aid went to southwestern Pennsylvania; less than \$1 million went to northeastern Pennsylvania; less than \$1 million went to northwestern Pennsylvania, and all the rest went to DAC (disaster assistance center) teams and evaluation teams to stay at the Holiday Inns and the Ramada Inns that came into our areas from Oregon and from the State of California and Washington to evaluate our citizenry problems.

If we are going to give \$15 million, let us give the \$15 million. We are not going to spend more than that. In the existing legislation, the language is fine. Let us override the Governor's veto. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the minority whip.

Mr. HAYES. Thank you, Mr. Speaker.

When gentlemen such as Mr. Daley talked about there being an agreement with the Governor's Office, why, I thought it important to ask whether there was such an agree-

ment. The Governor's Office indicated that they had no such agreement with the Senate. So I guess that question is out on the lurch as to who is right or wrong, but they indicated that they have made no agreement.

The gentleman, Mr. Manderino, acknowledged that the \$15 million was a compromise figure for the purpose of placing a figure in the legislation. Mr. Speaker, Act 25 and its provisions arithmetically equate to \$7.1 million. The applications are already in print. They are ready for distribution, as I am sure people from the disaster areas know. Therefore, there is a formula, and that comes out to \$7.1 million.

Now, the gentleman, Mr. Manderino, has been here long enough to know—and he was pretty glib talking about surpluses and it is almost the end of April and we only have a few weeks to go to the end of the fiscal year and all that sort of thing—but the gentleman, Mr. Manderino, has been here long enough to know that this Assembly can only appropriate moneys against an unappropriated surplus.

Now, the General Assembly just a few legislative days ago passed a bill in the sum of approximately \$55 million, as I recall, which was appropriated against this fiscal year's unappropriated surplus, which means that this time we will have somewhere less than \$10 million in that acknowledged unappropriated surplus. It will not be until the new fiscal year begins that we can start flashing around with those hundreds of millions of dollars of surplus that the gentleman, Mr. Manderino, made reference to. And if at that time, which is only a few weeks from now, those persons from the disaster area can come forward and show that we need a portion of that money, so be it. But at the present time there are fewer than 10 million unappropriated surplus dollars against which we can pass spending bills. We have already passed a \$55-million bill the other day. This legislation will begin to compete with those \$55 million, and there are people in this House of Representatives who are just as interested in meeting the needs of people in this Commonwealth through those \$55 million as there are people interested in satisfying the needs of these disaster victims.

Mr. Speaker, the application, if you fill it out in its entirety across those disaster areas, will come out to approximately \$7.1 million. Why do we labor the issue? We can come back again, and it will not be a partial grant, as the gentleman, Mr. Tigue, said, and he is a friend of mine and I respect him. We are not talking about a partial grant. Whatever is in that application form right now that the people fill out, they will get according to the entitlement provided for in Act 25. The application is not leading with the heart; it is an arithmetic expression. If Representative Taylor wants to come back and change the law, let him do so. But at the present time we only have a formula to go by, and that adds up to \$7.1 million, and there are fewer than \$10 million available in the unappropriated surplus because of legislative action taken by us in appropriating a deficiency bill in the sum of about \$55 million.

I ask that we sustain the Governor's veto at this time and come back another day if necessary. Thank you, Mr. Speaker.

The SPEAKER. For the second time on the veto message, the Chair recognizes the gentleman from Fayette, Mr. Kasunic.

Mr. KASUNIC. Mr. Speaker, I ask that we not have to come back a second time. These people have waited going on 6 months already. They want to get back in their homes; they want to get them repaired. They can ill afford to wait another 6 months, another year; they want to be in their homes now. It is long overdue; they should have been in their homes by now. Their homes should have been restored and they should be livable. We only ask that we put back into this bill what we initially asked for. We ask for no more and we are not asking for any less.

We have an obligation to these people. Their only misfortune is that they are poor and they have to live in the river basins and they are subject to flooding. We ask for your help. I ask you and I tell you that it is time maybe that this legislature does vote from its heart and do something for the people of this Commonwealth who have been affected by this great disaster.

I ask once again that you join with me in overriding the Governor's veto. Thank you very much.

Mr. F. TAYLOR. Just briefly, I would like to say—

The SPEAKER. The Chair recognizes the gentleman from Fayette, Mr. Taylor, for the second time.

Mr. F. TAYLOR. —I would take Mr. Hayes up on his offer, but, Mr. Speaker, I do not know what that pencil contains over in that front office and we may get another line veto on that one, too. So let us do it tonight and get it over with. Thank you.

The SPEAKER. The question is, shall HB 66, PN 3039, become the law of the Commonwealth, the objections of the Governor to the contrary notwithstanding? Those who believe it should become the law of the land will vote "aye"; those who do not will vote "no."

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—115

Acosta	Dombrowski	Levdansky	Roebuck
Afflerbach	Donatucci	Linton	Rudy
Angstadt	Duffy	Livengood	Rybak
Baldwin	Evans	Lloyd	Saloom
Barber	Fargo	Lucyk	Serafini
Battisto	Fattah	McCall	Seventy
Belardi	Fee	McHale	Showers
Belfanti	Fischer	Maiale	Staback
Blaum	Freeman	Manderino	Stairs
Bortner	Fryer	Markosek	Steighner
Bowley	Gamble	Mayernik	Stevens
Broujos	George	Merry	Stewart
Burd	Godshall	Michlovic	Stuban
Caltagirone	Gruitza	Morris	Sweet
Cappabianca	Haluska	Mrkonic	Taylor, F.
Carn	Harper	Murphy	Tigue
Cawley	Hasay	O'Donnell	Trello
Clark	Howlett	Olasz	Truman
Cohen	Hutchinson	Oliver	Van Horne
Colafella	Itkin	Petrarca	Veon
Cole	Jarolin	Petrone	Wambach

Cordisco	Josephs	Pievsky	Wiggins
Coslett	Kasunic	Pistella	Wilson
Cowell	Kosinski	Pressmann	Wozniak
Coy	Kukovich	Preston	Wright, D. R.
Deluca	Lashingner	Reber	Yandrisevits
DeWeese	Laughlin	Richardson	
Daley	Lescovitz	Rieger	Irvis,
Dawida	Letterman	Robbins	Speaker
Deal			

NAYS—82

Argall	Dininni	Kenney	Reinard
Arty	Distler	Langtry	Ryan
Barley	Dorr	McClatchy	Saurman
Birmelin	Durham	McVerry	Scheetz
Black	Flick	Mackowski	Schuler
Bowser	Foster	Manmiller	Semmel
Boyes	Fox	Micozzie	Sirianni
Brandt	Freind	Miller	Smith, B.
Bunt	Gallen	Moehlmann	Smith, L. E.
Burns	Geist	Mowery	Snyder, G.
Bush	Gladeck	Nahill	Swift
Carlson	Greenwood	Noye	Taylor, E. Z.
Cessar	Gruppo	O'Brien	Taylor, J.
Chadwick	Hagarty	Perzel	Telek
Cimini	Hayes	Phillips	Vroon
Civera	Herman	Piccola	Wass
Clymer	Hershey	Pitts	Weston
Cornell	Honaman	Pott	Wogan
DeVerter	Jackson	Punt	Wright, J. L.
Davies	Johnson	Raymond	Wright, R. C.
Dietz	Kennedy		

NOT VOTING—0

EXCUSED—4

Book	Gallagher	Gannon	Snyder, D. W.
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The SPEAKER. Less than the required majority of 134 having voted in favor of overriding the Governor's veto, the Governor's veto is sustained.

CONSIDERATION OF SB 670 CONTINUED**BILL PASSED OVER**

The SPEAKER. On page 9, we were going to vote SB 670, but that will now be passed over for the day.

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED**HB 1644, PN 3302 (Amended)**

By Rep. DeWEESE

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.

JUDICIARY.

SB 180, PN 2043 (Amended)

By Rep. DeWEESE

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled "The Administrative Code of 1929," adding and changing definitions relating to crime victims' compensation; further providing for eligibility for crime victims' compensation and for awards; providing for the responsibilities of providers of service to crime victims; further providing for the allocation of certain funds; extending the limitations period for the filing of claims for crimes' victims compensation by child victims; requiring certain

employee organizations to file copies of their constitutions and bylaws with the Secretary of Labor and Industry; imposing penalties for failing to file certain information; providing for agency shop agreements; and making repeals.

JUDICIARY.

SB 1343, PN 2044 (Amended)

By Rep. DeWEESE

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, establishing the Pennsylvania Commission on Sentencing as an agency of the General Assembly; further providing for meetings and the powers and duties of the Pennsylvania Commission on Sentencing and for the rejection of sentencing guidelines; providing for audits, existing rules and present members; reestablishing the Pennsylvania Commission on Sentencing; and making a repeal.

JUDICIARY.

REMARKS ON VOTE

The SPEAKER. For committee announcements, the Chair recognizes the gentleman from Greene, Mr. DeWeese.

Mr. DeWEESE. Mr. Speaker, this is not a committee announcement. I felt it was appropriate to say that on HB 1876, final passage, my switch malfunctioned. I was recorded in the affirmative. I would like to be recorded in the negative and allow the record to show that. Thank you very much.

MINES AND ENERGY MANAGEMENT COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Westmoreland, Mr. Petrarca.

Mr. PETRARCA. Mr. Speaker, there will be a meeting of the Mines and Energy Management Committee on Wednesday, April 16, at 10 a.m. in room 302 of the South Office Building to consider HB 337. Thank you.

REMARKS ON VOTES

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

Mr. DAVIES. Mr. Speaker, I was so flabbergasted by the nonvote-vote result of the convention center legislation that I failed to vote on SB 1134, the conference committee report. I would like to be recorded in the affirmative on SB 1134. Thank you.

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

The Chair recognizes the gentleman from Chester, Mr. Flick.

Mr. FLICK. Thank you, Mr. Speaker.

On the Conference Report on SB 1134, I was recorded in the affirmative. I would like to be recorded in the negative, please.

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

Mr. TIGUE. Thank you, Mr. Speaker.

Mr. Speaker, on the vote on the Conference Report on SB 1134, I was out of my seat. If I had been in my seat, I would have voted in the affirmative.

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

Mr. BOWLEY. Thank you, Mr. Speaker.

On SB 655, the motion to pass over, I would like to be noted to vote in the negative.

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

CONDOLENCE RESOLUTION ADOPTED

The SPEAKER. Members will take their seats and be silent. Close the doors of the House.

The clerk will read the condolence resolution on the death of Robert M. Mumma.

The following resolution was read:

HOUSE OF REPRESENTATIVES
HARRISBURG, PA.
OFFICE OF THE CHIEF CLERK
RESOLUTION

WHEREAS, Robert M. Mumma a prominent Harrisburg businessman and former Pennsylvania Secretary of Commerce, passed away at age seventy-one; and

WHEREAS, Mr. Mumma was president of Pennsy Supply Company, one of the Harrisburg area's largest providers of construction materials. He was a dedicated and community-minded person as evidenced by his service as past president of the Harrisburg Area Chamber of Commerce, Harrisburg Rotary and Harrisburg Builders Exchange; past potentate of the Zembo Temple Shrine; past admiral of the Harrisburg Area Chamber of Commerce Goodfellow Cruise; chairman of the Tri-County United Way fund drive in 1962; board member of the Pennsylvania Transportation Assistance Authority and past director on the boards of the Pennsylvania Chamber of Commerce, Harrisburg YMCA, Salvation Army, Harrisburg Symphony, Harris Savings and Loan, Harrisburg Boys Club and Franklin and Marshall College trustees; and

WHEREAS, Mr. Mumma was also a board member of various community, civic, service and educational organizations and was active in various Masonic bodies. He was active in the Republican party and was a delegate to the 1976 Republican National Convention in Kansas City; now therefore be it

RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania notes with sadness the passing of Robert M. Mumma, a distinguished community leader and highly respected businessman; extends its heartfelt condolences to his wife, Mrs. Barbara McKimmie Mumma; son, Robert M., II; daughters, Mrs. Barbara McClure, Jr., Mrs. Linda Roth and Mrs. Lisa Morgan; and six grandchildren; and be it further

RESOLVED, That a copy of this resolution be delivered to Mrs. Barbara McKimmie Mumma.

We hereby certify that the foregoing is an exact copy of a resolution introduced in the House of Representatives by the Honorable Rudolph Dininni, Joseph C. Manmiller, Jeffrey E. Piccola, Peter C. Wambach, and Harold F. Mowery, Jr., and unanimously adopted by the House of Representatives on the 14th day of April 1986.

K. Leroy Irvis
Speaker of the House
ATTEST:

John J. Zubeck
Chief Clerk

On the question,
Will the House adopt the resolution?

The SPEAKER. Members will rise and stand in place.
(Members stood.)

The SPEAKER. The resolution is unanimously adopted.

BILL SIGNED BY SPEAKER

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

HB 440, PN 3123

An Act making an appropriation to the Department of Agriculture for animal disease eradication programs.

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 Wayne, Mr. Birmelin.

Mr. BIRMELIN. Mr. Speaker, I move that this House do now adjourn until Wednesday, April 16, 1986, at 11 a.m., e.s.t., unless sooner recalled by the Speaker.

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

Motion was agreed to, and at 5:27 p.m., e.s.t., the House adjourned.