

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, APRIL 22, 1986

SESSION OF 1986

170TH OF THE GENERAL ASSEMBLY

No. 29

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 Heavenly Father, as the newness of Thy creation refreshes the world about us, we humbly pray that we may be refreshed in body, mind, and spirit, so that our whole lives may reflect the power of Thy creation in all that we do or say.

Gracious Father, inspire in us new horizons that we may expend greater efforts for greater accomplishments in Thy name; challenge us with the strength of Thy spirit enabling us to expand our talents in Thy service; and bestow upon each of us the assurance of Thy grace that we may radiate Thy faith, Thy hope, and Thy love. Amen.

PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was enunciated by members.)

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal for Monday, April 21, 1986, will be withheld until the Journal is in print. The Chair hears no objection.

JOURNAL APPROVED

The SPEAKER. The Chair is informed that the Journal for Tuesday, February 4, 1986, is in print, and unless the Chair hears objection, the Journal will stand as approved. The Chair hears no such objection.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2407 By Representative PHILLIPS

An Act designating a certain bridge crossing the Susquehanna River as the Veterans Memorial Bridge.

Referred to Committee on TRANSPORTATION, April 22, 1986.

No. 2408 By Representatives GEIST, HALUSKA, PETRONE, J. L. WRIGHT, DISTLER, FATTAH, HERMAN, JOHNSON, LINTON, AFFLERBACH, ROBBINS, FOX, COLAFELLA and TRELLO

An Act relating to the observation of manufacture or construction by certain licensees; and providing for approval by licensees of changes in documents and for responsibility in connection therewith.

Referred to Committee on PROFESSIONAL LICENSURE, April 22, 1986.

No. 2409 By Representative BURD

An Act authorizing the release of Project 70 restrictions imposed on certain lands owned by the Borough of Evans City, Butler County, in return for the imposition of Project 70 restrictions on certain lands owned by the Borough of Evans City, Butler County.

Referred to Committee on STATE GOVERNMENT, April 22, 1986.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 278 By Representatives VAN HORNE, TRELLO, PETRONE, CESSAR, COLAFELLA, F. TAYLOR, COWELL, HALUSKA, BALDWIN, LUCYK and NAHILL

Appointing a special committee to investigate the procedures involved in the prescription drug program administered by the Department of Public Welfare.

Referred to Committee on RULES, April 22, 1986.

No. 283 By Representatives CESSAR and BURNS

Directing the Joint State Government Commission to conduct an in-depth study of the problem of truancy in Pennsylvania.

Referred to Committee on RULES, April 22, 1986.

No. 284 By Representatives REINARD, GREENWOOD, CLYMER, J. L. WRIGHT and HAGARTY

Directing the House Business and Commerce Committee to conduct an investigation of home equity loans in Pennsylvania to ensure against the loss of property by Commonwealth residents.

Referred to Committee on RULES, April 22, 1986.

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 21, 1986

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Monday, April 28, 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 28, 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.

LEAVES OF ABSENCE

The SPEAKER. The Chair now turns to leaves of absence.

The Chair recognizes the majority whip. Are there any requests?

Mr. O'DONNELL. Mr. Speaker, we would like a leave of absence for the gentleman from Philadelphia, Mr. EVANS, for today and tomorrow.

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

The Chair recognizes the minority whip on requests for leaves.

Mr. HAYES. Thank you, Mr. Speaker.

I request a leave for the gentleman from Montgomery County, Mr. BUNT, for the day.

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

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—197

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

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—4

Bunt DeWeese Evans Gallagher

LEAVES ADDED—2

Barley Linton

BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I move that the following bills be removed from the tabled calendar and placed on the active calendar:

- HB 2148;
- HB 2382;
- SB 1088;
- SB 1216; and
- SB 1253.

On the question,

Will the House agree to the motion?

Motion was agreed to.

WELCOMES

The SPEAKER. The Chair welcomes to the hall of the House Clifford Township, Susquehanna County, senior citizens. They are the guests of Representative Birmelin. Welcome to the hall of the House. We are delighted to have you.

The Chair recognizes the secretary of the Cambria County Township Supervisors Association, Wilma Edwards, who is the guest of the Cambria County delegation. Welcome to the hall of the House.

We have a number of Boy Scouts who are acting as guest pages today. They are here as the guests of Representative Robbins. Their Scoutmasters are Tom Limber, Jr., and Richard Meeker. The Scouts are Christopher Haag, Denny Daniello, Kirk McManious, and Fred Wagner. Welcome to the hall of the House.

There are students from the Gwynedd Mercy Academy who are the guests of Representative George Saurman. Welcome to the hall of the House. We are delighted to have you here.

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 1552, PN 3343 (Amended)

By Rep. LLOYD

An Act licensing and regulating the practice of social work; providing penalties; and making an appropriation.

PROFESSIONAL LICENSURE.

SB 1113, PN 2062 (Amended)

By Rep. LLOYD

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled "The Administrative Code of 1929," providing for the reporting of insurance claims; providing for budget preparation; providing that fees be adopted by regulation; and making editorial changes.

PROFESSIONAL LICENSURE.

BILLS REREPORTED FROM COMMITTEE

SB 934, PN 2060 (Amended)

By Rep. RYBAK

An Act amending the act of May 17, 1921 (P. L. 682, No. 284), entitled "The Insurance Company Law of 1921," further providing for investments; requiring alcohol abuse and dependency coverage; providing for the writing of liability insurance in areas where liability insurance is difficult to obtain; creating the property and casualty insurance joint underwriting association as a legal entity and conferring upon it rights, obligations, powers and duties; giving the insurance department powers and duties; providing for disclosure of certain loss and expense information; and providing a civil penalty.

INSURANCE.

SB 935, PN 2061 (Amended)

By Rep. RYBAK

An Act amending the act of May 17, 1921 (P. L. 682, No. 284), entitled "The Insurance Company Law of 1921," further providing for investments; requiring alcohol abuse and dependency cov-

erage; and providing civil immunity for persons who furnish or receive information relating to suspected fraudulent insurance activities.

INSURANCE.

SB 936, PN 1889 (Amended)

By Rep. RYBAK

An Act amending the act of May 17, 1921 (P. L. 682, No. 284), entitled "The Insurance Company Law of 1921," authorizing stock insurers to establish more than one class or series of shares and to permit different voting rights according to the class of shares; and requiring alcohol abuse and dependency coverage.

INSURANCE.

RESOLUTIONS REPORTED FROM COMMITTEE

HR 262, PN 3138

By Rep. MANDERINO

Memorializing the President and Congress to enact H.R. 864, relating to improving veterans' benefits for former prisoners of war.

RULES.

HR 274, PN 3284

By Rep. MANDERINO

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

RULES.

HR 276, PN 3311

By Rep. MANDERINO

Designating the month of May 1986 as "Project Graduation Awareness Month."

RULES.

HR 277, PN 3312 (Concurrent)

By Rep. MANDERINO

Providing for the appointment of a special joint bipartisan committee to evaluate and make recommendations to the General Assembly relative to the formula used to allocate funds for highway maintenance.

RULES.

HR 281, PN 3344 (Amended)

By Rep. MANDERINO

Congratulating President Reagan on his action against Libya.

RULES.

WELCOMES

The SPEAKER. Representative Mackowski's wife is here to watch over him today. He was not behaving himself quite as well. We will watch him with you today, Mrs. Mackowski. Welcome to the hall of the House.

She has with her Jill Pantuso, who is Representative Mackowski's legislative aide; and Marcia Ernst and Ann Evers, who are staff members for Senator Peterson. They are all here, of course, as the guests of Representative Mackowski. Welcome to the hall of the House. We are delighted to have you.

Evidently some of the wives are getting reports about the behavior of their husbands here, because the chaplain's wife is here to watch over him. Welcome to the hall of the House, Mrs. Hoover.

CALENDAR

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1776, PN 3310**, entitled:

An Act amending the act of December 3, 1959 (P. L. 1688, No. 621), known as the "Housing Finance Agency Law," reestablishing and continuing the Pennsylvania Housing Finance Agency; further providing for agency membership and terms; providing for removal from the agency for nonattendance at meetings; further providing for mortgagors profits; continuing the Homeowner's Emergency Assistance program; and making a conforming amendment.

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. I move that HB 1776 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 **SB 180, PN 2043**, entitled:

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.

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. I move that SB 180 be recommitted for a fiscal note to the Committee on Appropriations.

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

* * *

The House proceeded to second consideration of **HB 1115, PN 1287**, entitled:

An Act amending the act of June 3, 1937 (P. L. 1333, No. 320), known as the "Pennsylvania Election Code," providing for certain changes in the nomination process relating to the offices of Governor and Lieutenant Governor.

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 1115 be recommitted for a fiscal note to the Committee on Appropriations.

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

* * *

The House proceeded to second consideration of **SB 384, PN 428**, entitled:

An Act authorizing the imposition of preferential bidding limitations against nonresident bidders or suppliers of goods when the state of such nonresident imposes or applies preferential bidding limitations on Pennsylvania bidders or suppliers of goods.

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 SB 384 be recommitted for a fiscal note to the Committee on Appropriations.

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

LEAVE OF ABSENCE

The SPEAKER. The gentleman, Mr. LINTON, will remain on leave of absence for the remainder of the week.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 256, PN 3042**, entitled:

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, regulating outages at electric generating units.

On the question,

Will the House agree to the bill on third consideration?

Mr. LLOYD offered the following amendment No. A1307:

Amend Sec. 1 (Sec. 1320), page 3, lines 23 through 27, by striking out “EXCEPT FOR SUBSECTION” in line 23 and all of lines 24 through 27

On the question,

Will the House agree to the amendment?

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

Mr. LLOYD. Thank you, Mr. Speaker.

Mr. Speaker, in the bill now there is language which is designed to prevent a double penalty for a utility company if it has been forced not to charge customers for replacement power. That language set off subsequent discussions between the Pennsylvania Electric Association and the Consumer Advocate’s Office. We have worked out an agreement that we will simply remove that sentence and allow normal regulatory practices to govern.

This is an agreed-to amendment, and I would ask for the members’ support.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—191

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

Coy	Kennedy	Preston	Wright, D. R.
Deluca	Kenney	Punt	Wright, J. L.
DeVerter	Kosinski	Raymond	Yandrisevits
Daley	Kukovich	Reber	
Davies	Langtry	Reinard	Irvis,
Dawida	Lashingner	Richardson	Speaker
Deal			

NAYS—1

Tigue

NOT VOTING—4

Dininni	Fattah	Wilson	Wright, R. C.
---------	--------	--------	---------------

EXCUSED—5

Bunt	Evans	Gallagher	Linton
DeWeese			

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

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—195

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

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

NAYS—0

NOT VOTING—1

Fattah

EXCUSED—5

Bunt	Evans	Gallagher	Linton
DeWeese			

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

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

* * *

The House proceeded to third consideration of **HB 247, PN 264**, entitled:

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.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—195

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

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

NAYS—1

Laughlin

NOT VOTING—0

EXCUSED—5

Bunt	Evans	Gallagher	Linton
DeWeese			

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

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

* * *

The House proceeded to third consideration of **HB 68, PN 72**, entitled:

An Act amending the act of April 12, 1951 (P. L. 90, No. 21), known as the "Liquor Code," providing special occasion permits for local arts agencies.

On the question,

Will the House agree to the bill on third consideration?

Mr. HALUSKA offered the following amendments No. A1119:

Amend Title, page 1, line 17, by removing the period after "agencies" and inserting
and for special licenses for municipal park commissions.

Amend Bill, page 2, by inserting between lines 27 and 28 Section 3. The act is amended by adding a section to read:
Section 470.2. Municipal Park Commission Licenses.—A municipal park commission may be granted a special license, for a period of three days, to be used for the purposes of sponsoring a particular event.

Amend Sec. 3, page 2, line 28, by striking out "3" and inserting

4

On the question,

Will the House agree to the amendments?

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

Mr. HALUSKA. Mr. Speaker, this amendment would permit municipal park commissions a period of 3 days to be used for the purpose of sponsoring a particular event. We find that the park commissions are appointed by the local governments to raise funds to help maintain the park of that respective community, and this would help them in their events to *sell the beer in order to help raise funds for that particular purpose.*

The amendment amends the act by adding a section to read, "Municipal Park Commission Licenses.—A municipal park commission may be granted a special license, for a period of three days, to be used for the purposes of sponsoring a particular event." I ask for an affirmative vote.

The SPEAKER. The Chair recognizes the gentleman from Bucks, Mr. Clymer, on the amendment.

Mr. CLYMER. Thank you, Mr. Speaker.

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

The SPEAKER. Mr. Haluska, will you stand for interrogation? The gentleman indicates that he will so stand. You are in order, Mr. Clymer, and you may proceed.

Mr. CLYMER. Mr. Speaker, what kind of event are you talking about in your amendment? Could you be more specific in that realm?

Mr. HALUSKA. Yes.

What they generally do, once a year they hold a picnic in the respective park and they have games and entertainment and they have the bands playing and have sort of a picnic. They serve meals or sandwiches, whatever they might want. It is a gathering of the community to try to raise funds to maintain the park facility.

Mr. CLYMER. Mr. Speaker, it seems to me as though children and teenagers would be present at such a function. Am I correct in my assumption?

Mr. HALUSKA. When they sell beer at these particular affairs, they have an area that is fenced off completely, that only adults are permitted into the area.

Mr. CLYMER. Thank you, Mr. Speaker. That is the end of my interrogation.

The SPEAKER. Does the gentleman wish to speak on the amendment?

Mr. CLYMER. Yes.

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

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, I think that kind of activity, picnics for families where young people are present, I think this is wholesome activity. I think this is a wholesome program that has been established, and with young people there, I really do not feel that we need to have any liquor or alcoholic beverages there. This is just another way of taking apart the present Liquor Code, and I would ask for a negative vote on this issue.

One more point. We have been privileged to have many fine young people grace this chamber throughout the days and

weeks that we are in session, and on their behalf as well, I would ask for a negative vote. Thank you, Mr. Speaker.

The SPEAKER. Do you wish to speak on the Haluska amendment, Mr. Wass?

Mr. WASS. Yes, Mr. Speaker.

The SPEAKER. The gentleman from Indiana, Mr. Wass, is recognized and may so speak.

Mr. WASS. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose the amendment. Mr. Speaker, this is another attempt to get still another special permit to provide liquor and beer at these different functions throughout our State.

Mr. Speaker, we have provided a provision for our fire companies, for our many different organizations, and I believe that we have now issued permits to many who have need for this permit to raise funds, but in this particular case, Mr. Speaker, I think we are going too far. We are just extending this to too many groups, and I oppose the amendment and ask my colleagues to join me in that effort.

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Montgomery, Mr. Saurman.

Mr. SAURMAN. Thank you, Mr. Speaker.

Mr. Speaker, I, too, rise in opposition to this amendment. I think we are putting the license into the hands of people who are inexperienced. There is no control, or no visible control, as to whether or not young people of an illegal age will be able to obtain alcohol in this fashion. There is no group of people who would be responsible to make sure that that did not happen. I think that we do, for that reason, open an opportunity for some really disastrous drunk driving crashes that might ensue thereafter.

I would ask that we defeat this amendment. Thank you.

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

The following roll call was recorded:

YEAS—64

Argall	Freeman	Markosek	Seventy
Baldwin	Fryer	Mayernik	Staback
Belardi	George	Michlovic	Steighner
Belfanti	Gruitza	Miller	Stevens
Blaum	Haluska	Murphy	Stewart
Bowser	Itkin	O'Brien	Sweet
Caltagirone	Jarolin	O'Donnell	Taylor, F.
Cawley	Kasunic	Oliver	Taylor, J.
Cole	Kenney	Perzel	Tigue
Cowell	Kosinski	Petrarca	Trello
Deluca	Langtry	Pievsky	Van Horne
Daley	Laughlin	Pistella	Veon
Dawida	Letterman	Pott	Weston
Dombrowski	Lucyk	Rieger	Wilson
Donatucci	McVerry	Roebuck	Wogan
Fee	Manderino	Saloom	Wozniak

NAYS—131

Acosta	Davies	Josephs	Richardson
Afflerbach	Deal	Kennedy	Robbins
Angstadt	Dietz	Kukovich	Rudy
Arty	Dininni	Lashingner	Ryan
Barber	Distler	Lescovitz	Rybak
Barley	Dorr	Levdansky	Saurman
Battisto	Duffy	Livengood	Scheetz
Birmelin	Durham	Lloyd	Schuler

Black	Fargo	McCall	Semmel
Book	Fischer	McClatchy	Serafini
Bortner	Flick	McHale	Showers
Bowley	Foster	Mackowski	Sirianni
Boyes	Fox	Maiale	Smith, B.
Brandt	Freind	Manmiller	Smith, L. E.
Broujos	Gallen	Merry	Snyder, D. W.
Burd	Gamble	Micozzie	Snyder, G.
Burns	Gannon	Moehlmann	Stairs
Bush	Geist	Morris	Stuban
Cappabianca	Gladeck	Mowery	Swift
Carlson	Godshall	Mrkonic	Taylor, E. Z.
Carn	Greenwood	Nahill	Telek
Cessar	Gruppo	Noye	Truman
Chadwick	Hagarty	Olasz	Vroon
Cimini	Harper	Petrone	Wambach
Civera	Hasay	Phillips	Wass
Clark	Hayes	Piccola	Wiggins
Clymer	Herman	Pitts	Wright, D. R.
Cohen	Hershey	Pressmann	Wright, J. L.
Colafiglia	Honaman	Preston	Wright, R. C.
Cordisico	Howlett	Punt	Yandrisevits
Cornell	Hutchinson	Raymond	
Coslett	Jackson	Reber	Irvis,
Coy	Johnson	Reinard	Speaker
DeVerter			

NOT VOTING—1

Fattah

EXCUSED—5

Bunt Evans Gallagher Linton
DeWeese

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

On the question recurring,

Will the House agree to the bill on third consideration?

Mr. BOWSER offered the following amendments No. A1600:

Amend Title, page 1, line 17, by removing the period after "agencies" and inserting
; and creating the Pennsylvania Grape Development and Promotion Committee and defining its powers and duties.

Amend Bill, page 2, by inserting between lines 27 and 28 Section 3. The act is amended by adding an article to read:

ARTICLE IV-A.

The Pennsylvania Grape Development and Promotion Committee.

Section 401-A. Intention of Legislature.—With respect to the provisions of this act, it is the purpose of this article to promote and foster the growth of the Pennsylvania grape and wine industry.

Section 402-A. The Pennsylvania Grape Development and Promotion Committee.—(a) There is hereby created the Pennsylvania Grape Development and Promotion Committee, hereinafter referred to as the committee, consisting of nine members. The members shall be the Secretary of Agriculture, or his designee, who shall be the chairman of the committee; the Secretary of Commerce, or his designee; two Pennsylvania grape processors who receive a major portion of their income from the production of grape products other than wine, such as, juices, jams and jellies; two holders of a Pennsylvania winery license; two Pennsylvania grape growers who receive the major portion of their farm income from the production of grapes; and one public member, all to be appointed by the Secretary of Agriculture. In addition, there shall be two ex officio members who shall be appointed by the Dean of the College of Agriculture of the Com-

monwealth's Land Grant University in existence on the effective date of this act.

(b) One grape grower, one grape processor and one holder of a limited winery license shall each serve an initial term of two years. The remaining members shall serve for a term of four years. Thereafter, all members shall serve a term of four years. No member shall serve more than two consecutive terms. The committee may remove any member for cause.

(c) Members shall be appointed to fill vacancies caused by death, resignation or removal in the same manner prescribed for regular appointment to the committee. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall hold office for the remainder of the term. Any member shall continue in office subsequent to the expiration date of his term until a successor takes office or until a period of one year has elapsed, whichever occurs first.

(d) All members of the committee shall be entitled to their actual and necessary expenses incurred in the performance of their duties as members, payable from moneys received from the committee's special account created under section 405-A.

(e) A majority of the committee shall constitute a quorum.

Section 403-A. Powers and Duties of Pennsylvania Grape Development and Promotion Committee.—The Pennsylvania Grape Development and Promotion Committee shall:

(1) Promote the sale of wines produced from grapes, fruits, honey and other agricultural products grown within the Commonwealth of Pennsylvania for the purpose of maintaining and expanding present markets and creating new and larger intrastate, interstate and foreign markets for Pennsylvania wines.

(2) Promote the sale of grapes and grape products grown and produced within the Commonwealth.

(3) Conduct and contract with the Commonwealth's present Land Grant University referred to in section 402-A to conduct research and extension programs concerning wine, grapes and grape products. The committee shall expend no less than thirty per centum and no more than seventy per centum of all of the funds it receives from the special account for conducting research and extension programs concerning wine, grapes and grape products.

(4) Keep accurate books, records and accounts which shall be open to inspection and audit by the Auditor General.

(5) Do and perform all acts and exercise all powers incidental to, in connection with, or considered reasonably necessary, proper or advisable in effectuating the purposes of this article.

Section 404-A. Monitoring of Committee.—(a) The chairman of the committee shall monitor the conduct of the committee to insure that:

(1) The committee is operating within the requirements of sections 401-A, 402-A and 403-A.

(2) The committee's program is self-supporting.

(3) The committee keeps all records that are required by agencies of the Commonwealth.

(b) The chairman of the committee shall cause to be accomplished an audit of the books and records of the committee at least once annually.

Section 405-A. Special Account.—(a) There is hereby established a separate account within the State Treasury to be known as the Pennsylvania Grape Development and Promotion Special Account. All moneys in this special account shall be disbursed through the Department of Agriculture to the Pennsylvania Grape Development Committee and the College of Agriculture of the Commonwealth's present Land Grant University to carry out the purposes of this article.

(b) The committee shall publish annually an activity and financial report of the preceding fiscal year.

Amend Sec. 3, page 2, line 28, by striking out "3" and inserting

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

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Erie, Mr. Bowser.

Mr. BOWSER. What this amendment will do is create a Pennsylvania Grape Development and Promotion Committee. The grape industry has been very, very much in low tide here in the past few years, due to imports and overproduction. For many, many years, Penn State has offered some limited research and development for growing vines.

What this committee would do, and the other amendments that I have to go along with it to pay for the new development and research, we would get into marketing research for both grape products and wines. The grape growers of Pennsylvania are very much in back of this, and so are the wineries in Pennsylvania. This would create a committee with the Secretary of Agriculture as the prime chairman; the Secretary of Commerce would be on the committee; two holders of a Pennsylvania winery license; two grape growers; and one public member. There would be some ex officio members appointed by the dean of the College of Agriculture of Penn State University.

The funds generated by this new legislation would be put through the Department of Agriculture and they would go to Penn State University - our only land-grant college at this time. These funds would be used for continued research, which is necessary. In the grape industry, you solve a problem today and tomorrow you have another problem. We need this constant research for growing grapes. We also need research and development for promotion and sales of grapes and wines.

I would ask for your support of this.

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

Mr. AFFLERBACH. Will the gentleman, Mr. Bowser, stand for brief interrogation, please?

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

Mr. AFFLERBACH. Mr. Speaker, as I read through the amendment, I see several references to the special account which is indeed created in the amendment in section 405-A. My question is, where would the initial appropriation be derived in order to place money into that special account?

Mr. BOWSER. My second amendment, which possibly we should have run first, will put a 5-cent tax on all wine sold in Pennsylvania per gallon. It would be about 1 cent per bottle, as we know the bottle as taken out of the liquor stores.

Mr. AFFLERBACH. And you say that provision will be contained in a subsequent amendment?

Mr. BOWSER. Yes; amendment A1362.

Mr. AFFLERBACH. Thank you very much.

The SPEAKER. The Chair recognizes the majority leader, on the amendment.

Mr. MANDERINO. Mr. Speaker, perhaps the gentleman answered the question, but if he would yield to interrogation, I may have missed it.

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

Mr. MANDERINO. Mr. Speaker, is there an estimate of how much money will be raised annually by this tax?

Mr. BOWSER. Yes. About \$700,000 is estimated.

Mr. MANDERINO. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—182

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

NAYS—14

Birmelin	Foster	Laughlin	Snyder, G.
Cimini	Fryer	Pitts	Sweet
Clark	George	Showers	Vroon
Clymer	Johnson		

NOT VOTING—0

EXCUSED—5

Bunt	Evans	Gallagher	Linton
DeWeese			

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

On the question,

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

Mr. BOWSER offered the following amendments No. A1362:

Amend Title, page 1, line 17, by removing the period after "agencies" and inserting ; imposing a special tax on wine sold by the board and providing for the collection and payment of such tax; and imposing further duties upon the Department of Revenue and the board.

Amend Bill, page 2, by inserting between lines 27 and 28

Section 3. The act is amended by adding an article to read:

ARTICLE V-A.

Grape Industry Development Tax

Section 501-A. Definitions.—The following words and phrases when used in this article shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Department" shall mean the Department of Revenue of the Commonwealth.

"Fiscal month" shall mean the monthly period established, from time to time, by the board for the purpose of conducting business.

"Wine" shall mean any beverage containing more than one-half of one percentum and not more than twenty-four percentum absolute alcohol by volume, obtained by the fermentation of the natural sugar contents of fruits, honey or other agricultural products containing sugar, including all natural wines and fortified wines within the above limits, but not including any beverage known as beer, lager beer, ale, porter or similar fermented malt liquor obtained by alcoholic fermentation of an infusion or decoction of barley, malt and hops in water.

Section 502-A. Imposition of Tax.—A special State tax is hereby imposed and assessed at the rate of five cents (5¢) per gallon on all wine sold at retail in Pennsylvania. The tax herein imposed shall be collected by the board and by limited wineries. The amount of the tax collected under the provisions of this act shall be paid into the State Treasury, through the department, in the manner and within the times herein specified and, within ten days thereafter, shall be paid into and credited to the Pennsylvania Grape Development and Promotion Special Account.

Section 503-A. Receipts.—It shall be the duty of the board and limited wineries to transmit to the department, on or before the fifteenth day of each fiscal month, a statement of their receipts from sales of wine and the special tax collected during the preceding month and such other information as may be necessary to effectuate the provisions of this section. At that time it shall be the duty of the board and limited wineries to pay to the department the tax imposed upon the wine by the provisions of this article.

(b) The board and limited wineries may, in their discretion, add the tax imposed by this article to the retail price at which wines are sold and eliminate any accounting of such special tax separate from sales prices. The amount of tax collected by the board and limited wineries shall be payable as provided in this article.

Section 504-A. Expiration.—This article shall expire fifteen (15) years after enactment unless extended by statute.

Amend Sec. 3, page 2, line 28, by striking out "3" and inserting

4

On the question,

Will the House agree to the amendments?

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Erie, Mr. Bowser.

Mr. BOWSER. Mr. Speaker, this is the amendment that I spoke about just a few moments ago. It would indeed put a 5-cent tax on all wines sold in Pennsylvania per gallon, which I said would amount to about a penny per bottle sold out of the stores. This money would be used by this committee that we just passed to do this research and development.

I would appreciate your support on this.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—172

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

NAYS—16

Birmelin	Foster	Letterman	Pitts
Cimini	Fryer	Livengood	Punt
Clark	Hershey	Mayernik	Showers
Coy	Laughlin	Piccola	Sweet

NOT VOTING—8

Bowley Clymer	Freind Manmiller	Micozzie Raymond	Roebuck Truman
------------------	---------------------	---------------------	-------------------

EXCUSED—5

Bunt DeWeese	Evans	Gallagher	Linton
-----------------	-------	-----------	--------

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

On the question recurring,

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

Mrs. WESTON offered the following amendments No. A1401:

- Amend Title, page 1, line 16, by inserting after "laws," further
- Amend Title, page 1, line 17, by striking out "for local arts agencies"
- Amend Sec. 2, page 2, line 13, by inserting after "408.4(a)" and (c)
- Amend Sec. 2, page 2, line 14, by striking out "is" and inserting
and July 3, 1985 (P.L.134, No.36), are
- Amend Sec. 2 (Sec. 408.4), page 2, by inserting between lines 27 and 28

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

On the question,

Will the House agree to the amendments?

The SPEAKER. On the amendment, the Chair recognizes the lady from Philadelphia, Mrs. Weston.

Mrs. WESTON. Thank you, Mr. Speaker.

What this amendment does is change, for all categories, those groups that are permitted to apply for special permits from one to two. What I want everyone to understand is the reason I am submitting this.

There were two instances in my legislative district last year which I think warrant this change. There is a Catholic high school, whose name I will not mention, that had an event to raise money for charity, and since they had already gotten a special occasion permit once that year, they could not apply for another one and lived in fear that entire night of being closed down or investigated by the LCB (Liquor Control Board).

More serious than that event was a local athletic organization that is totally nonprofit, totally volunteer; they raise most of their money once a year through a carnival and use their special permit at that time. Last year they found themselves in debt and held a "beef and beer" to raise the money to fund their nonprofit organization, a volunteer sports program for

children. Someone reported them to the LCB, and they were closed down and some of their officers - all volunteer, neighborhood people - were arrested that night.

This would allow that organization and the others under this bill to at least apply for two during the year to keep their vitally needed organizations active and running throughout Pennsylvania, and I would appreciate your support of this amendment. Thank you.

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

Mr. CLYMER. Thank you, Mr. Speaker.

I am sure there is, as has been outlined by the prime sponsor of this legislation, a definite need. But, here again, we are opening the floodgates, and I would ask that the members vote "no" on this particular piece of legislation. Thank you.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—119

Acosta	Dombrowski	Kukovich	Raymond
Angstadt	Donatucci	Langtry	Reber
Argall	Duffy	Lescovitz	Reinard
Arty	Durham	Letterman	Rieger
Baldwin	Fattah	Levdansky	Roebuck
Barber	Fee	Lloyd	Ryan
Battisto	Fischer	Lucyk	Saloom
Belardi	Fox	McClatchy	Serafini
Belfanti	Freind	McVerry	Seventy
Blaum	Gamble	Maiale	Showers
Bowser	Gannon	Manderino	Sirianni
Boyes	Gladeck	Markosek	Smith, B.
Brandt	Greenwood	Mayernik	Staback
Burd	Gruitza	Merry	Stairs
Burns	Gruppo	Micozzie	Steighner
Carn	Hagarty	Miller	Stevens
Cawley	Haluska	Morris	Stewart
Chadwick	Harper	Murphy	Sweet
Civera	Hayes	Nahill	Taylor, F.
Cohen	Honaman	O'Brien	Taylor, J.
Colafella	Howlett	O'Donnell	Tigue
Cole	Hutchinson	Olasz	Trello
Cordischo	Itkin	Oliver	Truman
Cornell	Jackson	Perzei	Van Horne
Coslett	Jarolin	Petrarca	Weston
Cowell	Josephs	Petrone	Wiggins
Deluca	Kasunic	Pievsky	Wilson
Daley	Kennedy	Pistella	Wogan
Dawida	Kenney	Pott	Wozniak
Distler	Kosinski	Preston	

NAYS—76

Afflerbach	Dietz	McHale	Schuler
Barley	Dininni	Mackowski	Semmel
Birmelin	Dorr	Manmiller	Smith, L. E.
Black	Fargo	Michlovic	Snyder, D. W.
Book	Flick	Moehlmann	Snyder, G.
Bortner	Foster	Mowery	Stuban
Bowley	Freeman	Mrkonic	Swift
Broujos	Fryer	Noye	Taylor, E. Z.
Bush	Gallen	Phillips	Telek
Caltagirone	Geist	Piccola	Veon
Cappabianca	George	Pitts	Vroon
Carlson	Godshall	Pressmann	Wambach
Cessar	Hasay	Punt	Wass
Cimini	Herman	Richardson	Wright, D. R.
Clark	Hershey	Robbins	Wright, J. L.
Clymer	Johnson	Rudy	Yandrisevits
Coy	Lashinger	Rybak	

DeVerter	Laughlin	Saurman	Irvis,
Davies	Livengood	Scheetz	Speaker
Deal	McCall		

NOT VOTING—1

Wright, R. C.

EXCUSED—5

Bunt	Evans	Gallagher	Linton
DeWeese			

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

On the question recurring,

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

BILL PASSED OVER TEMPORARILY

The SPEAKER. We will have to discontinue any further consideration of this bill. We have just been advised that a four-page amendment has been given and has been sent down for duplication. Of course, it is not ready for distribution, so mark it over temporarily. We will come back to the bill.

* * *

The House proceeded to third consideration of **HB 1505, PN 2344**, 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 collective bargaining by the authority with its employees and their representatives; and making a repeal.

On the question,

Will the House agree to the bill on third consideration?

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I move that HB 1505 be recommitted to the Committee on Appropriations.

On the question,

Will the House agree to the motion?

Motion was agreed to.

BILL ON FINAL PASSAGE

Agreeable to order,

The House proceeded to the consideration on final passage of **HB 1972, PN 2664**, entitled:

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

On the question recurring,

Shall the bill pass finally?

DECISION OF CHAIR RESCINDED

The SPEAKER. Without objection, the Chair rescinds its decision that this bill had been agreed to on third consideration. The Chair hears no objection.

On the question recurring,

Will the House agree to the bill on third consideration?

The SPEAKER. On that question, the Chair recognizes the gentleman from Beaver, Mr. Laughlin, who offers the following amendment, which the clerk will read.

The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, it is my understanding this amendment has not yet been circulated. I do not have a copy of it in any event.

The SPEAKER. Well, let us see. Has it been circulated?

Mr. LAUGHLIN. I gave it to the Chief Clerk, Mr. Speaker.

The SPEAKER. Just a moment, Mr. Laughlin.

It has been circulated. Very well. It is going out now.

On the question recurring,

Will the House agree to the bill on third consideration?

Mr. LAUGHLIN offered the following amendments No. A1445:

Amend Sec. 1 (Sec. 10.1), page 1, line 13, by inserting after "Prohibited.—"

(a)

Amend Sec. 1 (Sec. 10.1), page 1, by inserting after line 20

(b) Notwithstanding the provisions of subsection (a), a motor vehicle may be awarded as a prize if it can be purchased, leased or rented by a public agency because the conditions of section 5(a) of the act of April 4, 1984 (P.L.193, No.40), known as the "Motor Vehicle Procurement Act," are met.

On the question,

Will the House agree to the amendments?

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

Mr. LAUGHLIN. Mr. Speaker, the members of the House may recall that just a week or so ago the Republican leader, Mr. Ryan, had brought to my attention concerns of his relative to the purchase of vehicles by the Lottery Commission that might possibly be excluded from purchase because of the language within the bill. I certainly do not wish to deny Pennsylvania people who are employed in the manufacture of Volkswagens to be denied an opportunity to sell their product to the Lottery in order to make available this type of employment for them as well as prizes.

Now, with that, Mr. Ryan had indicated other concerns, and certainly I would offer this amendment as a consideration of the gentleman's remarks and would ask for consideration by the members of the House. Thank you.

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

Mr. RYAN. This amendment does reflect and correct the concerns that I expressed last week with respect to the awarding of automobiles as prizes.

I would urge support of it.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—194

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

NAYS—0

NOT VOTING—2

Manderino Wiggins

EXCUSED—5

Bunt Evans Gallagher Linton
DeWeese

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?

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

Mr. LAUGHLIN. Mr. Speaker, this bill is being offered today because of the concerns of many members of this House on both sides of the aisle with regard to the Lottery Commission's purchase of foreign-made prizes and benefits to be passed out by the Lottery to the people of this State. The concerns are reflected by both sides of the aisle that the director of the Lottery be informed that the wishes of this House are that in the future his purchases will reflect Pennsylvania manufacturers wherever possible and United States-made in all cases, with the exception of the amendment that was offered today.

Mr. Speaker, on that basis, I would ask for concurrence from all the members of the House. 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—195

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

Deal Laughlin Robbins Speaker
Dietz

NAYS—1

Foster

NOT VOTING—0

EXCUSED—5

Bunt Evans Gallagher Linton
DeWeese

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 CONCURRENCE
IN SENATE AMENDMENTS**

The clerk of the Senate, being introduced, returned the following **HB 772, PN 3299**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act amending the act of April 12, 1951 (P. L. 90, No. 21), known as the "Liquor Code," further defining "club" and "golf course"; regulating sales by privately-owned private golf courses; and making an editorial change.

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

The SPEAKER. On that question, the Chair recognizes the gentleman from Butler, Mr. Burd.

Mr. BURD. Thank you, Mr. Speaker.

I would just urge that my colleagues do concur in the Senate amendments.

The SPEAKER. Will the gentleman explain the amendments?

Mr. BURD. The amendments, I am told by the Senate, have been mainly technical. What they were basically trying to do was make sure that the language was unique to the subject rather than the possibility that it could be treated as the same thing as restaurants and clubs. So it was strictly technical.

The SPEAKER. The Chair recognizes the gentleman from Franklin, Mr. Coy.

Mr. COY. Will Mr. Saloom or someone who is knowledgeable about the concurrence stand for interrogation?

The SPEAKER. Mr. Saloom indicates he will stand for interrogation.

Mr. COY. Thank you, Mr. Speaker.

Mr. Speaker, the bill as it passed the House—and I really have not had an opportunity to look at it—contained a provision for privately owned golf courses in what would be a dry township, after a vote by the electors of that township, to gain a liquor license. Is that provision still in the bill?

Mr. SALOOM. It is my understanding it is still in the bill; yes.

Mr. COY. Thank you.

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—138

Acosta	Dawida	Kukovich	Rieger
Angstadt	Deal	Langtry	Ryan
Argall	Dombrowski	Laughlin	Rybak
Baldwin	Donatucci	Lescovitz	Saloom
Barber	Dorr	Letterman	Saurman
Battisto	Duffy	Levdansky	Semmel
Belardi	Durham	Lucyk	Serafini
Blaum	Fargo	McCall	Seventy
Book	Fattah	McHale	Snyder, D. W.
Bowser	Fee	McVerry	Staback
Boyes	Fox	Maiale	Stairs
Brandt	Freind	Manderino	Steighner
Broujos	Fryer	Markosek	Stevens
Burd	Gallen	Mayernik	Stewart
Burns	Gamble	Merry	Stuban
Bush	Gladeck	Michlovic	Sweet
Caltagirone	Godshall	Miller	Taylor, E. Z.
Cappabianca	Greenwood	Moehlmann	Taylor, F.
Carlson	Gruitza	Morris	Taylor, J.
Carn	Gruppo	Nahill	Trello
Cawley	Hagarty	O'Brien	Truman
Cessar	Haluska	Olasz	Van Horne
Chadwick	Harper	Oliver	Veon
Clark	Hasay	Perzel	Vroon
Cohen	Hershey	Petrarca	Weston
Colafella	Howlett	Petrone	Wiggins
Cole	Hutchinson	Pievsky	Wilson
Cordisco	Itkin	Pistella	Wogan
Cornell	Jackson	Pott	Wozniak
Coslett	Jarolin	Pressmann	Wright, D. R.
Cowell	Josephs	Preston	Wright, J. L.
Coy	Kasunic	Punt	Wright, R. C.
Deluca	Kennedy	Reber	
Daley	Kenney	Reinard	Irvis,
Davies	Kosinski	Richardson	Speaker

NAYS—55

Afflerbach	Distler	Lloyd	Scheetz
Arty	Fischer	McClatchy	Schuler
Barley	Flick	Mackowski	Showers
Belfanti	Foster	Manmiller	Sirianni
Birmelin	Freeman	Micozzie	Smith, B.
Black	Gannon	Mowery	Smith, L. E.
Bortner	Geist	Mrkonic	Snyder, G.
Bowley	George	Murphy	Swift
Cimini	Hayes	O'Donnell	Telek
Civera	Herman	Phillips	Tigue
Clymer	Honaman	Piccola	Wambach
DeVerter	Johnson	Pitts	Wass
Dietz	Lashinger	Robbins	Yandrisevits
Dininni	Livengood	Rudy	

NOT VOTING—3

Noye Raymond Roebuck

EXCUSED—5

Bunt Evans Gallagher Linton
DeWeese

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.

SENATE MESSAGE

SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE

The clerk of the Senate, being introduced, informed that the Senate has adopted the Report of the Committee of Conference on the subject of the differences existing between the two Houses on SB 901, PN 2023.

SENATE MESSAGE

SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE

The clerk of the Senate, being introduced, informed that the Senate has adopted the Report of the Committee of Conference on the subject of the differences existing between the two Houses on SB 902, PN 2024.

REPORTS OF COMMITTEE OF CONFERENCE CONSIDERED

Mr. PICCOLA called up for consideration the following Report of the Committee of Conference on SB 901, PN 2023, entitled:

An Act amending the act of July 31, 1968 (P. L. 805, No. 247), entitled, as amended, "Pennsylvania Municipalities Planning Code," providing that a plat for land abutting a State highway shall not be approved until a highway occupancy permit is issued or it is determined that none is required; providing that no municipality or the Commonwealth shall be liable for damages arising from issuance or denial of highway occupancy permits or the regulation of driveways; and further providing for regional hearing boards.

On the question,

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

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

Mr. PICCOLA. Thank you, Mr. Speaker.

The committee of conference kept the immunity section of the bill intact and kept the requirement that PennDOT approve the highway cut permits within 60 days. However, we changed the requirement with respect to the approval of the subdivision plan so that all that need be required for approval of the subdivision plan is that notice appear on the plan that a highway cut permit would be required before they would have the approval of that plan.

We also kept intact the House language which was inserted concerning regional hearing boards.

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—194

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

NAYS—1

Preston

NOT VOTING—1

Kenney

EXCUSED—5

Bunt, DeWeese, Evans, Gallagher, Linton

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.

* * *

Mr. PICCOLA called up for consideration the following Report of the Committee of Conference on SB 902, PN 2024, entitled:

An Act amending the act of July 9, 1976 (P. L. 919, No. 170), entitled "An act providing for the approval or disapproval of applications for a permit relating to the construction or maintenance of improvements to real estate," providing that a permit shall not be issued unless a highway occupancy permit is obtained in certain cases; and providing that no municipality or the Commonwealth shall be liable for damages arising from the issuance or denial of highway occupancy permits or the regulation of driveways.

On the question,

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

The SPEAKER. The Chair recognizes the gentleman from Dauphin, Mr. Piccola, on the committee of conference report.

Mr. PICCOLA. Again, Mr. Speaker, the conference committee kept the immunity section as it was when it passed the House; also, the requirement for a 60-day approval of highway permits. Again, we required only that a building permit be issued if it had on the face of the permit the notice that a highway occupancy permit would be required from the Department of Transportation.

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—195

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

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

NAYS—1

Gannon

NOT VOTING—0

EXCUSED—5

Bunt
DeWeese

Evans

Gallagher

Linton

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.

WELCOMES

The SPEAKER. Representative Dwight Evans has as his guest here today an elementary school student, Sean Groce. He is a guest page. Welcome to the hall of the House, Sean.

Representative Semmel and the Lehigh delegation have as their guests Ramona Fink, Russell and Elaine Dietrich, Dick Bittner, Don Bachman, and Steve Gehman of the Lehigh County Farmers Association. Welcome to the hall of the House. We are delighted to have you.

RECESS

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

AFTER RECESS

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

BILL SIGNED BY SPEAKER

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

HB 772, PN 3299

An Act amending the act of April 12, 1951 (P. L. 90, No. 21), known as the "Liquor Code," further defining "club" and "golf course"; regulating sales by privately-owned private golf courses; and making an editorial change.

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 1166, PN 3354 (Amended)

By Rep. COHEN

An Act relating to the protection of the occupational health and safety of public employees; providing penalties; and making an appropriation.

LABOR RELATIONS.

REMARKS ON VOTES

The SPEAKER. The Chair recognizes the gentleman from Chester, Mr. Hershey, to correct the record.

Mr. HERSHEY. Thank you, Mr. Speaker.

On concurrence in HB 772 I was voted in the affirmative. I wish to be recorded in the negative.

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

Mr. HERSHEY. Thank you, Mr. Speaker.

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

Mr. GODSHALL. Thank you, Mr. Speaker.

On concurrence in HB 772 I was recorded in the affirmative. I would like to be recorded in the negative. Thank you.

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

CALENDAR CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 1259, PN 2035**, entitled:

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.

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

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

Mr. DORR. Mr. Speaker, based on information which I received this morning, I am going to withdraw the amendment that I had intended to offer.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. RYAN offered the following amendments No. A1647:

Amend Bill, page 38, by inserting between lines 4 and 5 Section 17. This section and sections 13, 14, 15 and 16 of this act shall be retroactive to April 30, 1986.

Amend Sec. 17, page 38, line 5, by striking out "17" and inserting

Amend Sec. 17, page 38, by inserting between lines 8 and 9 (c) Sections 13, 14, 15, 16 and 17 of this act shall take effect April 30, 1986, or immediately, whichever is later.

Amend Sec. 17, page 38, line 9, by striking out "(C)" and inserting

(d)

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

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

Mr. RYAN. Thank you, Mr. Speaker.

Mr. Speaker, it was brought to my attention, through members of the staff, that this bill, if adopted by the House and the Senate and signed into law, has an effective date that is beyond the date of the sunset provisions of this commission. Accordingly, the amendment I offer now is to shorten the effective date as to those provisions that would affect the sunseting of this bill.

I have discussed this with Mr. Manderino; I have discussed it with some of our members who are interested in the bill, and there apparently are no objections to my amendment.

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

The following roll call was recorded:

YEAS—186

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

Daley	Kennedy	Preston	Wright, R. C.
Davies	Kenney	Punt	Yandrisevits
Dawida	Kosinski	Raymond	
Deal	Kukovich	Reber	Irvis,
Dietz	Langtry	Reinard	Speaker

NAYS—0

NOT VOTING—10

Barber	Freind	Sirianni	Truman
Black	Laughlin	Telek	Wiggins
Cordisco	Roebuck		

EXCUSED—5

Bunt	Evans	Gallagher	Linton
DeWeese			

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

REMARKS ON VOTE

The SPEAKER. Why does the gentleman from Delaware, Mr. Freind, rise?

Mr. FREIND. Mr. Speaker, I missed my switch on the Ryan amendment A1647 to SB 1259. I would like to be recorded in the affirmative.

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

CONSIDERATION OF SB 1259 CONTINUED

On the question,

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

Mr. STEVENS offered the following amendments No. A1622:

Amend Title, page 1, line 10, by inserting after "funds;" authorizing slot machines at licensed horse racing facilities;

Amend Sec. 4 (Sec. 218), page 16, lines 9 through 13, by striking out "NO FORM" in line 9 and all of lines 10 through 13

Amend Sec. 10, page 35, by inserting between lines 6 and 7 Section 238. Slot machines.

(a) This section hereby authorizes the use of slot machines at licensed horse racing facilities subject to all of the following terms and conditions:

(1) It shall be a decision of each licensed horse racing facility, subject to regulation by the commission, as to whether it will or will not permit slot machines on the primary premises, as well as the number, location and placement of the machines.

(2) Each horse racing facility using slot machines shall be required to provide a quarterly certified financial statement of its slot machine operation to the commission. Copies of the report shall be filed with the Secretary of the Senate and the Chief Clerk of the House of Representatives.

(3) Each horse racing facility shall collect and report all revenues from the machines. Twenty-five percent of the gross revenues collected shall be paid to the Pennsylvania Higher Education Assistance Agency in a special restricted receipts account. The moneys shall be in addition to the annual appropriation and shall be used to provide scholarship funding to Pennsylvania students in accordance with existing law.

(b) The hours of operation of the slot machines may, at the discretion of the horse racing facility, extend beyond normal racing hours and days. The facility shall be authorized to operate the machines on a daily basis, without regard to normal racing program schedules.

(c) The commission shall within 90 days promulgate regulations in accordance with this section.

On the question,

Will the House agree to the amendments?

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

Mr. STEVENS. Thank you, Mr. Speaker.

I believe this amendment has been circulated.

Just for the record, the only amendment I will be introducing would be A1622; the other amendment I will be withdrawing, if they would have received it.

I realize this amendment is going to be very controversial. By way of background, what I would like to do is to provide some funding for some student scholarships. We all recently received information from PHEAA (Pennsylvania Higher Education Assistance Agency) that our student scholarship program is in severe jeopardy. We all have received information from PHEAA that our student scholarship program is going to be suffering severe consequences if and when the Gramm-Rudman cuts come, and they are coming.

What I would like to do is to provide a means or mechanism of funding to prevent those serious consequences that would not raise taxes and that would not cut benefits. What I propose to do by this amendment is to allow horse racing facilities the right to have slot machines. Now, I have an amendment that would also allow it at the secondary location, but I am not introducing that amendment. Twenty-five percent, twenty-five percent of the gross revenues would go to PHEAA to provide funding for student scholarships.

Now, I understand and I respect the rights of those who are opposed to gambling. People who are undecided, I ask you to consider. We need some mechanism of funding. We cannot close our eyes, and I am willing to listen to other alternatives, if they can be provided. I think that we have to recognize that there are people in Pennsylvania who are gambling and they are going to New Jersey, and Maryland and West Virginia are considering legalizing slot machines. What is going to happen is Pennsylvania money will continue to be drawn out of the State. This amendment would bring money back, it would keep Pennsylvania money here, and 25 percent of the revenues would go to PHEAA.

I really hope you have read what PHEAA has sent us, because there are going to be severe consequences in the Federal budget cuts to our student scholarships. So I would like to see the racetrack facilities have the right to have slot machines.

First of all, they have the physical location; they have the parking; they have the access roads. This would not put it in every community that does not want it. It would just be at the racetrack's primary facility. That is all. It would not be at any other location.

I would leave it to the Horse Racing Commission to come up with the rules and regulations within 90 days to carry out the intent of this. As I said, I know this is a controversial subject. I just hope that we can come up with a way to fund our student scholarship programs without raising taxes and without cutting our scholarship program. I think that I am providing an alternative here that would provide a major source of revenue to PHEAA, and it would provide it at locations that are already accustomed to handling gambling money.

So I would ask your support of this amendment.

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

Mr. BATTISTO. Thank you, Mr. Speaker.

Mr. Speaker, I am very sensitive to what Mr. Stevens wants to do - that is, to provide additional money for PHEAA or for education in general - in fact, so sensitive, Mr. Speaker, that Mr. Wass and I and 33 other people are cosponsoring a bill called HB 2261. Now, although that bill does not provide money directly to PHEAA, it could be amended to do that very thing. In general, it sends \$114 million or one-tenth of 1 percent of income tax to education. I am very sensitive to that need. But to use this, to use this kind of methodology, that is to say to try to change public policy and to legalize slot machines, which are by far the worst kind of addictive form of gambling that is known, this has been proven over and over again.

I do not want to enumerate a litany of letters that I have gotten, but one will bring home quite a message. I discussed that with some legislators just this morning. A letter from a 13-year-old girl who talks about the police stopping her mother from spending the grocery money on machines. Now, I know they are going to be in horse racing places. I know that, but the fact of the matter is they will be proliferating in other places. The fact of the matter is they do not belong there. If the horse racing industry cannot survive on itself, if we need all kinds of peripheral forms of gambling to buttress it, then I say perhaps maybe we should take another look at it. I am willing to allow the industry to exist on its own, but it is just very bad public policy to legalize slot machines or any other kinds of machines in these places. Already a horse racing facility is becoming more than a horse racing facility. We are adding telet betting; we are adding simulcasting. Enough is enough.

A resounding "no" vote, please. Thank you very much.

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

Mr. COWELL. Thank you, Mr. Speaker.

Mr. Speaker, I know that there are mixed opinions in this chamber concerning the use of slot machines and certainly the use of slot machines at racetracks. Some people may be offended by this suggestion; some may not. What I think everybody ought to be offended by, however, is the suggested use of higher education, and particularly higher education scholarships, as a gimmick to generate support for what is otherwise admittedly a controversial subject.

Whether you are for or against the use of slot machines, I would urge you to vote against this amendment simply on the basis of its attempt to link scholarship moneys to slot machines at racetracks. That I find truly offensive.

There is no doubt that we need all the additional dollars we can get for PHEAA scholarships, particularly in the face of policy decisions being made at the Federal level. This is not the way to do it. We will have plenty of opportunities, either through the legislation that was suggested by Mr. Battisto or certainly as we finally consider the 1986-87 budget. We will have plenty of opportunities to put all the dollars that we think are necessary and useful into the PHEAA budget. We will bite that bullet in a meaningful way. Let us not use PHEAA as a gimmick though to generate support for this other concept of slot machines at racetracks.

I urge you to defeat this amendment.

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

Mr. TRELLO. Mr. Speaker, several years ago when the unemployment was very, very high in Allegheny County and everybody was out of medical benefits, I was looking for some money to buy a health insurance policy for the unemployed. I came up with a piece of legislation that would allow slot machines in racetracks only that would pay the premium for the unemployed so they could have health insurance. Well, with Gramm-Rudman coming down the line and the \$700 million that we are going to lose in the State of Pennsylvania, we are going to have to look to alternatives to taxes. Although I see nothing wrong with this amendment, SB 1259 is a separate issue, and I think that it should be judged with.

I think the prime sponsor of this bill should address a piece of legislation through his bill at another time and withdraw his amendment and allow us to vote on SB 1259. Thank you, Mr. Speaker.

AMENDMENTS WITHDRAWN

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

Mr. STEVENS. Mr. Speaker, not to belabor this point, I have met with Representative Trello and Representative Petrone, and perhaps this amendment should not be introduced to this particular bill and perhaps discussion of this matter is premature at this time. I know that we are all committed to obtaining funding for education.

In line with that, at this point I am going to withdraw my amendment, if the House would consent, and I will then work with Representative Trello.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

On final passage, the Chair recognizes the gentleman from Bucks, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, I know there has been some confusion as to what this final piece of legislation does. To try to clarify some of the issues, I wonder if I could have one of the prime sponsors or one who is interested in the bill stand for just very brief interrogation?

The SPEAKER. Is there someone on the floor who is an expert on this particular piece of legislation? Mr. Lashinger?

Mr. Lashinger indicates he will stand for interrogation. You may proceed, Mr. Clymer.

Mr. CLYMER. Okay.

Mr. Speaker, could the individual tell us the kinds of racetrack gambling we presently have without SB 1259, and what kinds of new types of gambling, betting, will this bill provide? What we have now and what this bill contains; that is my question.

Mr. LASHINGER. Mr. Speaker, my response is that there is no new form of gambling with the amendment to SB 1259.

Mr. CLYMER. Mr. Speaker, at the present time do we have a form of racetrack betting known as autovend betting machines? Is that a proper, legal betting mechanism at the present time?

Mr. LASHINGER. No, Mr. Speaker, we do not have any authorized autovend betting within the Commonwealth, nor does this legislation purport to authorize autovend gambling in the Commonwealth.

Mr. CLYMER. Mr. Speaker, one last question.

We have, as I understand from listening to this bill—I believe it was in the State Government Committee—71 non-primary locations that are established for the procedure of horserace betting. Are these now in line? Can people go to these 71 nonprimary locations and do horserace betting?

Mr. LASHINGER. Mr. Speaker, I am not going to be held to the figure of 71. My recollection is, according to the Horse Racing Commission, that there are approximately 70 to 75 of these locations where transfer accounts are maintained. My answer is, yes, that an individual can go and employ the transfer account at one of those locations, but—and the speaker knows the answer to this question—only, prior to going to that establishment, having opened up his or her own individual account at the primary location.

Mr. CLYMER. Thank you, Mr. Speaker.

The SPEAKER. The gentleman may speak on final passage.

Mr. CLYMER. Mr. Speaker, the problem I see with this particular piece of legislation is an expansion of racetrack betting here in the Commonwealth of Pennsylvania. In the bill we have a provision that under certain conditions the racetrack season can be increased by 25 additional days. We also have the use of simulcasting, which is a means of televising racetrack races from one State to another, which is in the law. But under this bill it would authorize between a thoroughbred racetrack and a harness racetrack, as well as between racetracks conducting the same type of racing, this

simulcasting, which, again, is a means for additional racetrack betting.

The sales tax, which currently is 2 percent, which is placed against the daily amount wagered, will drop from 2 percent to 1.5 percent effective June 30 of this year. I see less revenue coming to the Commonwealth because of that.

Mr. Speaker, another area where I have a problem deals with this nonprimary location. Let me tell you why this is a major issue and probably at the heart of what we are looking at in SB 1259.

As I understand from what has been told to me just a few minutes ago and from other sources, a nonprimary location means a bar, a tavern, a home, a hotel, anyplace that the Racing Commission approves to be a nonprimary location. From that location, you can then wager your bets.

Now, it has been in the interest of the Horse Racing Commission to bring racing to Pennsylvania - that is, to the people - as directly as possible. This provision will do it. Now, under current law it is being done, but I do not know; I have researched and made a number of phone calls. Where does the authority come for them to be allowed to do this? They are not doing this under law, and this is a problem I have, that we as legislators have not been adhered to in that bill we passed back in 1981 on telebetting.

I foresee, Mr. Speaker, a major problem as we expand gambling through these nonprimary locations. Again, the only people who are going to be responsible for them is the Racing Commission. With the simulcasting and other provisions that are in this bill, I see some real problems taking place.

Mr. Speaker, my last remark on this bill, as it expands racing in Pennsylvania and the gambling of racing in Pennsylvania, deals with one of the individuals who has purchased the Philadelphia Park Race Track, Mr. Brennen, who is executive vice president or president of First Jersey Securities. Mr. Speaker, there have been some controversial articles about him, and I do not mean to bring those up and I will not, but he has said in his commercials that enterprise is what built this country and risk is not a dirty word, and I agree with him on that. We should not be putting into law legislation that is going to be a boon for him on the backs of Pennsylvanians.

For this and the other reasons I have articulated here, Mr. Speaker, I ask for a "no" vote on SB 1259. Thank you.

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

Mr. TRELLO. Mr. Speaker, I just cannot believe what I heard. We have a gentleman here complaining about more outlets for horse racing and betting, but by the same token we have a State lottery in the State of Pennsylvania that started out with a daily number. It expanded to the instant tickets; then it went on to the Lotto; then it expanded to the Big 4. When it started out, it had 700 locations; now it has close to 3,000 locations. I just cannot believe that he would have two sets of rules, because I never heard him get up and speak and object to all the other additional programs that the lottery produced.

I do not think this House has two sets of rules. Horse racing is legal in Pennsylvania. It is not illegal. They are just providing to expand it to maintain the jobs that we have for an industry that is dying. We have a track in eastern Pennsylvania, Liberty Bell, that is closing up. You are talking about 400 or 500 jobs in that place, and they are closing up. Why? Because of the gambling in New York and New Jersey and Atlantic City and so forth. We want to help a dying industry. This is no different than helping a steel mill or Scott Paper Company or Hall's trucking company or something. We want the program to stay alive.

If he does not object to the lottery expanding, why should he object to something that is already legal to make a better program for the people of Pennsylvania? I suggest we give this a positive vote. Thank you.

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

Mr. REBER. Thank you, Mr. Speaker.

Mr. Speaker, if I might take just a couple seconds of the time of the General Assembly today to correct a number of gross misstatements that were placed upon the record by an earlier speaker.

First of all, there was a statement made that this particular bill that is before the body today, SB 1259, will reduce the tax take generated by the horse racing industry. That is categorically incorrect. Section 218 of the existing Race Horse Industry Reform Act requires on July 1, 1986, the takeout to be 1 1/2 percent. A review of SB 1259 will evidence again that that remains intact, that the takeout continues to be the same. There will be no reduction whatsoever.

Additionally, Mr. Speaker, there were some comments made about the concern of the commission regarding the nonprimary location interpretation that has been given heretofore. I would submit to all members of the body that the legislation presently before us for consideration today on final passage, specifically on page 16, permits the racing commission involved to inspect any and all nonprimary locations. It also permits the commission to promulgate appropriate rules and regulations in the conducting of operations at those particular primary locations and nonprimary locations. I would daresay the most important aspect of that is that there are no separate pools, there are no separate manners in which the money is handled; everything is dollar for dollar back to the primary existing racetrack.

Most importantly, I want to emphasize to this body that each and every particular aspect concerning the transfer account issue, concerning the telebet issue, concerning intrastate simulcasting has in some way, shape, or form already been sanctioned as public policy, as law in the Commonwealth of Pennsylvania, by prior actions of this legislature in 1981 and 1983.

SB 1259 is the final act, hopefully, in bringing about true racehorse industry reform in the Commonwealth of Pennsylvania. This project began in 1980-81, was culminated today—or hopefully will be culminated today—by the particular passage of this piece of legislation.

I would urge each and every one of you who earlier today voted for lottery legislation when it went up on the board to again push your green button and vote for horserace industry reform legislation that has been tabulated to bring \$650 million per year of generated revenue into the Commonwealth of Pennsylvania through various businesses and ancillary industries. Mr. Speaker, I would wholeheartedly ask for unanimous adoption of SB 1259.

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

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, just a comment here or two.

The previous speaker had mentioned that the nonprimary locations, which are really the heart and soul of expansion of horse racing in Pennsylvania, are going to be inspected by the Horse Racing Commission. Now, members of this General Assembly, think it through. Do you think they are actually going to close these places down when they have been supportive of violations of our intent? I cannot imagine that the Horse Racing Commission is going to go out at these primary and nonprimary locations that are going to be expanding rapidly throughout this Commonwealth saying that we are going to close you down. There may be a few violations, but obviously something that they support they are not going to cut back.

So, again, I trust you will consider the arguments placed here today and vote "no" on SB 1259.

WELCOME

The SPEAKER. The Chair welcomes to the hall of the House from the Indiana Free Library, as the guests of Paul Wass, Allan Campbell, Susan Gatti, and Linda Pulliam. Welcome to the hall of the House.

CONSIDERATION OF SB 1259 CONTINUED

The SPEAKER. On final passage, the Chair recognizes the gentleman from Montgomery, Mr. Lashinger.

Mr. LASHINGER. Mr. Speaker, I had not planned to rise, but Representative Clymer's last remarks warrant a rebuttal. I say this respectfully to Representative Clymer and those people who are supportive of his position: I think that the remarks are unnecessarily inflammatory. I think they unfairly represent what has happened.

Representative Reber cited the Race Horse Industry Reform Act which this body adopted in 1981, and I reference section 218 of that act that clearly says— And Representative Clymer said that the racehorse industry has distorted that language. The racehorse industry has read that language verbatim and employed it obviously in their best interests, but we wrote it so it would be in their best interests. Clearly the language says that a licensed corporation may conduct a telephone account wagering system. That is what they have been doing with approval of the Pennsylvania Horse Racing Commission. We are merely today codifying what has been done through the regulatory process since 1981.

I, as much as any other member of this House, can be sensitive to comments when they are made that this is an expansion of racetrack betting or any form of betting in the Commonwealth. It is not—and most of the members understand my sensitivity or appreciate my sensitivity to that topic—it is not an expansion of any form of racehorse betting that currently is employed in the Commonwealth; it is merely a codification of what has been taking place in the last 5 years.

I, like Representative Reber and others, would ask for the support of the House. Thank you, Mr. Speaker.

On the question recurring,
Shall the bill pass finally?

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

YEAS—128

Acosta	Donatucci	McHale	Rudy
Afflerbach	Dorr	McVerry	Rybak
Argall	Duffy	Maiale	Saloom
Belardi	Fargo	Manderino	Saurman
Belfanti	Fee	Markosek	Serafini
Blaum	Freeman	Mayernik	Seventy
Bortner	Gallen	Merry	Showers
Bowley	Gladeck	Michlovic	Smith, L. E.
Bowser	Godshall	Micozzie	Snyder, D. W.
Boyes	Greenwood	Moehlmann	Staback
Burd	Gruitza	Morris	Steighner
Burns	Hagarty	Mrkonic	Stevens
Bush	Haluska	Murphy	Stewart
Caltagirone	Harper	Nahill	Stuban
Cappabianca	Hasay	Noye	Sweet
Carn	Howlett	O'Brien	Taylor, F.
Cawley	Hutchinson	Olasz	Taylor, J.
Cessar	Itkin	Oliver	Telek
Clark	Jarolin	Perzel	Tigue
Cohen	Josephs	Petrarca	Trello
Colafella	Kasunic	Petrone	Truman
Cole	Kenney	Pievsky	Van Horne
Cordisco	Kosinski	Pistella	Veon
Cornell	Kukovitch	Pott	Weston
Coslett	Langtry	Pressmann	Wogan
Cowell	Lashinger	Preston	Wozniak
Coy	Laughlin	Punt	Wright, D. R.
Deluca	Lescovitz	Raymond	Wright, J. L.
Daley	Letterman	Reber	Wright, R. C.
Davies	Levdansky	Reinard	
Dawida	Livengood	Rieger	Irvis,
Distler	McCall	Roebuck	Speaker
Dombrowski	McClatchy		

NAYS—64

Angstadt	Deal	Herman	Robbins
Arty	Dietz	Hershey	Ryan
Baldwin	Dininni	Honaman	Scheetz
Barley	Durham	Jackson	Schuler
Battisto	Fischer	Johnson	Semmel
Birmelin	Flick	Kennedy	Sirianni
Black	Foster	Lloyd	Smith, B.
Book	Fox	Lucyk	Snyder, G.
Brandt	Freind	Mackowski	Stairs
Broujos	Fryer	Manmiller	Swift
Carlson	Gamble	Miller	Taylor, E. Z.
Chadwick	Gannon	Mowery	Vroon
Cimini	Geist	O'Donnell	Wambach
Civera	George	Phillips	Wass
Clymer	Gruppo	Piccola	Wilson
DeVerter	Hayes	Pitts	Yandrisevits

NOT VOTING—4

Barber	Fattah	Richardson	Wiggins
--------	--------	------------	---------

EXCUSED—5

Bunt	Evans	Gallagher	Linton
DeWeese			

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

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

WELCOMES

The SPEAKER. From DuBois, as the guests of Representative Distler, Mr. and Mrs. Carl Reagle. Welcome to the hall of the House. We are delighted to have you here.

Representative Fox has invited the Abington High School Key Club and Builders Club and the Glenside Kiwanis Club. Welcome to the hall of the House.

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **SB 239, PN 1826**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for certain vehicles to stop at railroad crossings.

On the question,

Will the House agree to the bill on third consideration?

Mr. LLOYD offered the following amendments No. A0850:

Amend Title, page 1, line 3, by removing the period after "crossings" and inserting

; and further regulating ambulance warning systems.

Amend Sec. 1, page 3, line 6, by striking out "Section 3342" and inserting

Sections 3105(c), 3342 and 4571(e)

Amend Sec. 1, page 3, line 7, by striking out "is" and inserting

are

Amend Sec. 1, page 1, by inserting between lines 7 and 8 § 3105. Drivers of emergency vehicles.

(c) Audible and visual signals required.—The privileges granted in this section to an emergency vehicle shall apply only when the vehicle is making use of an audible signal and visual signals meeting the requirements and standards set forth in regulations adopted by the department, except that an emergency vehicle operated as a police vehicle need not be equipped with or display the visual signals. An ambulance which is transporting a patient may use either the lights or the audible warning system, or both, as determined by the driver of the ambulance.

Amend Sec. 1, page 3, by inserting between lines 4 and 5 § 4571. Visual and audible signals on emergency vehicles.

(e) Authorized period of use.—The lights and warning systems specified by this section may be used only during an emergency or in the interest of public safety and by police officers in enforcement of the law. An ambulance which is transporting a patient may use either the lights or the audible warning system, or both, as determined by the driver of the ambulance.

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

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

Mr. LLOYD. Thank you, Mr. Speaker.

Mr. Speaker, this is the same amendment that we adopted yesterday. It has to do with taking care of a problem with ambulance drivers and allows the ambulance driver, if he thinks that running the siren when he has a patient in the ambulance is going to hurt the patient, this allows him not to have to run that siren. I would ask for the same overwhelming support we had yesterday.

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

The following roll call was recorded:

YEAS—192

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

DeVerter	Kenney	Raymond	Wright, R. C.
Daley	Kosinski	Reber	Yandrisevits
Dawida	Kukovich	Reinard	
Deal	Langtry	Richardson	Irvis,
Dietz	Lashinger	Rieger	Speaker
Dininni	Laughlin		

NAYS—1

Wilson

NOT VOTING—3

Barber Davies Wiggins
EXCUSED—5

Bunt Evans Gallagher Linton
DeWeese

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

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

Mr. HUTCHINSON offered the following amendment No. A1712:

Amend Sec. 1 (Sec. 3342), page 2, line 9, by inserting brackets before and after "This" and inserting immediately thereafter Except as provided in subsection (b), this

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

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Westmoreland, Mr. Hutchinson.

Mr. HUTCHINSON. This is sort of a technical amendment. It puts brackets before and after "This" and inserts immediately thereafter "Except as provided in subsection (b), this".

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

The following roll call was recorded:

YEAS—181

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

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

NAYS—1

Perzel

NOT VOTING—14

Barber	Hasay	Micozzie	Stairs
Burns	Itkin	O'Brien	Sweet
Fattah	McClatchy	Richardson	Wiggins
Hagarty	Manderino		

EXCUSED—5

Bunt	Evans	Gallagher	Linton
DeWeese			

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

On the question recurring,

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

Mr. REINARD offered the following amendments No. A1163:

Amend Title, page 1, line 2, by inserting after "Statutes," providing for preparation and examination of applicants for drivers' licenses regarding the effects of alcohol and drug use on highway safety; and

Amend Bill, page 1, by inserting between lines 5 and 6

Section 1. Section 1508 of Title 75 of the Pennsylvania Consolidated Statutes is amended by adding a subsection to read: § 1508. Examination of applicant for driver's license.

(c) Alcohol and drug use information.—The traffic laws examination shall contain at least one question relating to the driver's ability to understand the effects of alcohol and drug use on highway safety. The driver's manual shall include a section relating to the effects of alcohol and drug use on highway safety, along with the related penalties. A chart which demonstrates the levels of alcohol in a person's bloodstream legally sufficient to constitute intoxication shall be included in this section of the driver's manual.

Amend Sec. 1, page 1, line 6, by striking out "1" and inserting

2

Amend Sec. 1, page 1, lines 6 and 7, by striking out "of the Pennsylvania Consolidated Statutes"

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

3

On the question,

Will the House agree to the amendments?

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

Mr. REINARD. Thank you, Mr. Speaker.

Mr. Speaker, this amendment is an amendment that has been passed by this House unanimously in the past. It makes some changes in the oral driver's examination that prospective new drivers must take in order to get their Pennsylvania driver's license. It would specify that all drivers have to be asked at least one question relating to drugs and alcohol and highway safety during the oral portion of the driver's examination.

It also specifies that in the new driver's manual that Pennsylvania distributes there be a body blood-alcohol chart which they can look at which demonstrates the effects of alcohol.

Thirdly, also in that Pennsylvania driver's manual would be the new tough drunk driving penalties in Pennsylvania specified and clearly stated in that manual so all new young drivers and new older drivers alike would at least be aware of the effects of alcohol on highway safety as well as the penalties. I ask your support.

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

Mr. WAMBACH. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of the Reinard amendment A1163. I believe when we make people aware, and obviously you do make young folks aware in this particular case with questions regarding the alcohol and drug use information that will be included, I think it goes a long way in helping curb the problem of drug and alcohol abuse, particularly on our highways. I ask the support of all the members for the Reinard amendment.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—192

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

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

NAYS—0

NOT VOTING—4

Barber	Freind	Stairs	Wiggins
--------	--------	--------	---------

EXCUSED—5

Bunt	Evans	Gallagher	Linton
DeWeese			

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

On the question recurring,

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

Mr. GRUPPO offered the following amendments No. A1245:

Amend Title, page 1, line 2, by inserting after "providing" for penalties for failure to register certain vehicles; and further providing

Amend Sec. 1, page 1, line 6, by striking out "Section" where it appears the second time and inserting

Sections 1301(d) and

Amend Sec. 1, page 1, line 7, by striking out "is" and inserting
are

Amend Sec. 1, page 1, by inserting between lines 7 and 8 § 1301. Registration and certificate of title required.

(d) Penalty.—Any person violating the provisions of subsection (a) is guilty of a summary offense and shall, upon conviction, be sentenced to pay a fine of \$75 or double the registration fee, whichever is greater, except when the vehicle was previously registered within 60 days of the commission of the offense whereupon the fine shall be \$25. In the case of a motor carrier vehicle other than a trailer, the fine shall be \$25 if the motor carrier vehicle was previously registered within 60 days of the commission of the offense or, if the registration occurs outside the 60-day period, the fine shall be double the registration fee for the maximum weight at which the vehicle could have been registered in this Commonwealth.

On the question,

Will the House agree to the amendments?

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Northampton, Mr. Gruppo.

Mr. GRUPPO. Mr. Speaker, recently I had a situation occur in my legislative district with a trucking company. One of their vehicles was fined for not having registered the vehicle and it was lapsed 6 days. As a result of that, they were fined double the registration fee. I believe that was a \$540 fine. The owner of the trucking company complained to me. After researching title 75 of the Vehicle Code, I realized that this fine was never intended by the General Assembly.

The reason for the amendment is to correct what I believe is an apparent misinterpretation of the penalty provisions of that section, 1301 of the title, and to correct this to make the fine— The amendment would offer to these vehicles the same cushion that is offered to trucks under 17,000 pounds and passenger cars. If previously registered prior to the 60 days of any citation, the fine is \$25. The double registration fee fine was intended for those motor carrier vehicles which by law were required to be registered in the Commonwealth and were purposely registered in another jurisdiction and not for one that was registered and the sticker expired and the plate was still on the vehicle.

So I would hope to correct this apparent misinterpretation, and that is the reason I am offering this amendment, Mr. Speaker.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—192

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

Cohen	Honaman	Piccola	Wambach
Colafella	Howlett	Pievsky	Wass
Cole	Hutchinson	Pistella	Weston
Cordisico	Itkin	Pitts	Wiggins
Cornell	Jackson	Pott	Wilson
Coslett	Johnson	Pressmann	Wogan
Cowell	Josephs	Preston	Wozniak
Coy	Kasunic	Punt	Wright, D. R.
Deluca	Kennedy	Raymond	Wright, J. L.
DeVerter	Kenney	Reber	Wright, R. C.
Daley	Kosinski	Reinard	Yandrisevits
Davies	Kukovich	Richardson	
Dawida	Langtry	Rieger	Irvis,
Deal	Lashinger	Robbins	Speaker
Dietz	Laughlin		

NAYS—1

Jarolin

NOT VOTING—3

Cessar

Mayernik

Stairs

EXCUSED—5

Bunt

Evans

Gallagher

Linton

DeWeese

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

On the question recurring,

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

Mr. GREENWOOD offered the following amendments No. A1439:

Amend Title, page 1, line 3, by removing the period after "crossings" and inserting ; further providing for the weights of vehicles; providing penalties for the operation of certain vehicles; and providing penalties for weighmasters who issue false or incorrect certificates.

Amend Bill, page 3, by inserting between lines 4 and 5

Section 2. Title 75 is amended by adding a section to read: § 4984. Vehicles leaving quarries.

No vehicle or combination transporting rock, stone, slate or other similar materials shall be permitted to leave the site of any quarry and be operated upon any highway of this Commonwealth unless the operator thereof has in his possession a weight certificate for the load issued by a licensed weighmaster in accordance with the act of April 28, 1961 (P.L.135, No.64), known as the Public Weighmaster's Act. Operation of such a vehicle or combination without the required weight certificate shall constitute a summary offense. No weighmaster shall issue a weight certificate for any vehicle or combination unless its weight is in conformity with the requirements of sections 4941 (relating to maximum gross weight of vehicles) and 4942 (relating to registered gross weight). In the event any person who is operating a vehicle or combination upon the highways of this Commonwealth pursuant to a false or incorrectly issued weight certificate is convicted of a weight violation under this chapter, the weighmaster who issued the false or incorrect certificate is guilty of a summary offense and shall, upon conviction, be sentenced to pay a fine equal to that assessed upon the operator of the vehicle. The foregoing penalties shall be in addition to any other penalties contained in this title or in the Public Weighmaster's Act.

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

3

On the question,

Will the House agree to the amendments?

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

Mr. GREENWOOD. Thank you, Mr. Speaker.

This amendment, amendment 1439, relates to the operation of quarry trucks and goes to solve a problem that has been a big problem in my district and elsewhere throughout the Commonwealth.

One day, just about a year and a half ago, three people were killed in one day, one afternoon, by quarry trucks that were overloaded in my district. Law enforcement officials have tried very, very hard to crack down on overloaded quarry trucks, and it is a very difficult thing to do because the only real opportunity they have is to set up scales and to weigh these trucks, and no matter how frequently they do that, the economic incentives to running overweight are such that law enforcement is not sufficient to solve the problem.

So what we are doing here is, I think, straightforward and simple, and that is this: Since quarries sell their materials - rock, stone, slate, et cetera - by weight and they use scales, this amendment requires that the scale operators be certified weighmasters. That is a simple enough thing to do. It is a \$30-a-year fee to the Department of Agriculture.

Then we require under this language that the quarry truck must receive a ticket from that scale operator specifying the total gross weight of the vehicle. It is a minimum fine, but a summary offense, if the driver leaves the quarry without that certified weight slip. Then if the driver is stopped and the truck is weighed and it is found that the truck is overweight, and it is found also that the weighmaster at the quarry provided that driver with a false or fraudulent, incorrect slip, then the weighmaster would be required to pay the same fine as the operator of the vehicle would. This would for the first time create a very clear economic incentive on the part of the quarry operators not to overload these trucks to the dangerous weights that they so often do.

I think this is a fair and reasonable approach to the issue and will go a long way to stopping overweight quarry trucks which pose an obvious threat to the lives of those in motor vehicles and also do a lot of damage to our highways. I would ask for the support of the House.

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Butler, Mr. Burd.

Mr. BURD. Thank you, Mr. Speaker.

I wonder if the gentleman would stand for interrogation?

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

Mr. BURD. Mr. Speaker, the language of your amendment states, "No vehicle or combination transporting rock, stone, slate or other similar materials...." Could the gentleman tell me if "other similar materials" would indicate coal?

Mr. GREENWOOD. No. We are specifically not looking at the coal industry here. We are talking about quarries.

Mr. BURD. Okay. Would it indicate any products of husbandry?

Mr. GREENWOOD. Absolutely not.

Mr. BURD. Well, I do not see where it says that in your amendment. But I hope you are aware that coal and lime come from quarries - coal being a major product in western Pennsylvania and, of course, lime being a major product also in western Pennsylvania, which is used exclusively, well, not exclusively but used a lot in the use of husbandry or farming and it is also used as a neutralizer for a lot of chemical spills.

A further question, Mr. Speaker: You state, "...any quarry and be operated upon any highway of this Commonwealth..." Could the gentleman answer me if that also includes bonded highways?

Mr. GREENWOOD. I am sorry. What kind of highways?

Mr. BURD. Bonded highways - bonded by a coal stripper or a lime stripper or someone hauling aggregates out of an area where he is required to bond that highway.

Mr. GREENWOOD. If that is a highway that is owned by the Commonwealth, yes.

Mr. BURD. Could I ask, Mr. Speaker, the gentleman a personal question?

The SPEAKER. It depends upon how personal it is.

Mr. BURD. I would like to know if he has ever been in a quarry in western Pennsylvania.

The SPEAKER. That is not too personal. You may ask that question.

Mr. GREENWOOD. No; I have been in quarries in eastern Pennsylvania but not in western Pennsylvania.

Mr. BURD. Well, then let me say, Mr. Speaker, owing to the fact that you have not been into a quarry—and I am speaking specifically now of western Pennsylvania which deals with coal or aggregate quarries and our limestone quarries—I do not know whether you are familiar or not with what we refer to as axle scales or platform scales, but I think you are familiar with the fact that we do have an axle law in force in Pennsylvania, and you indicate in your amendment that these trucks must be legal when they leave the quarry, meaning that each axle has to be weighed out in proportion to make sure that they are not illegal when they hit a Pennsylvania highway.

Now, if you were familiar with those quarries in western Pennsylvania, you would know that they are operating on ground and terrain which in most cases, because of the very quarrying operation that is taking place, becomes very unstable. You could have a wet period where you could have a mudding condition. You could have a dry period where you could have the ground hardening so that those scales could be off tremendously. As I look at it and try to perceive what the problems would be to keep a set of scales like that operating under those quarrying conditions, it just seems to me like what you are trying to achieve would be an impossible thing.

Mr. Speaker, I am finished with my interrogation. I would like to make a comment, if I may.

Mr. GREENWOOD. Mr. Speaker, may I respond to that last part of your interrogation? I think it would be instructive. I think we might come to an agreement.

The SPEAKER. The gentleman may proceed to answer the question.

Mr. GREENWOOD. Representative Burd has mentioned the issue of enforcement of the axle weight, and if you will take a look at the amendment, the language is very specific about which part of the Vehicle Code we are talking about, and that is simply the gross weight. It was originally drafted otherwise. It was originally drafted broader, and after some discussions I narrowed it down simply to the gross weight. So there is no way that the quarry operators have to be responsible for making sure that the weight of the vehicle is in conformity with any of the requirements under maximum axle weight of vehicles. It is simply the two sections that deal with gross weight.

Mr. BURD. Well, I purposely did not bring that up because I think there are other members who might be bringing that particular thing up, and I would have to say that if that is your answer to the portable scales as opposed to a set of permanent scales in a quarry, let me say this: I think your amendment is misdrafted, because you cannot do that. I mean, we have an axle law in this State that has become the law, if you will. A lot of members in this General Assembly have worked on that axle law to make trucks safe and to eliminate the least amount of danger, for one thing, and of course damage to our highways. So that is just another good reason for me to say that this whole amendment is not drafted very well.

That is all I have, Mr. Speaker. I would like to make a comment.

Mr. GREENWOOD. Mr. Speaker, I would like to respond to the interrogation, rather than afford myself to have to speak a second time.

Mr. BURD. I have no further interrogation, Mr. Speaker. I would like to make a comment.

The SPEAKER. The gentleman, Mr. Burd, has the floor and may make his comment, and then we will recognize Mr. Greenwood.

Mr. BURD. Mr. Speaker, if the members present were listening to the interrogation going on, I certainly hope they were paying attention to it.

This type of legislation, of course, in our area of the State—and I am sure as you travel across the State from west to east where you have quarrying conditions—but where you have those conditions and those types of businesses operating, I cannot see, in my view and in my mind, how conditions could change that much from western Pennsylvania to central Pennsylvania and, of course, here in eastern Pennsylvania.

The arguments that I presented are real arguments. They are arguments that I feel would be really detrimental to those types of operations, and not only the quarrying operation itself but to the trucking industry. We have worked long and hard trying to make our trucks legal and safe in the State of Pennsylvania, and I really and truly just cannot see how an amendment like this would help the industry, would help the trucking industry, would help the quarrying industry - those who are engaged in quarrying out aggregates. We even went so far as to try and successfully come up with a different set of

laws dealing with sand and gravel as opposed to coal mining and coal surface mining, which of course creates a quarry where you have to take this material from.

Mr. Speaker, I am adamantly opposed to this amendment, A1439, and I would ask my colleagues on both sides of the aisle to vote "no."

WELCOMES

The SPEAKER. Before the children have to leave, I am glad to welcome Representative Baldwin's guests. They are fourth grade students from the Hegins-Hubley Elementary School, with their teachers and parents. Welcome to the hall of the House, children.

And Representative Al Deal together with the Speaker have the honor of welcoming to the House two Pittsburgh police sergeants - one is Police Sergeant Gwendolyn Elliott; the other is Police Sergeant Roland Lucas - both of whom the Speaker knows. Gwendolyn Elliott has become locally famous in Pittsburgh for her work with the victims of sexual assaults. I understand that she was given a particular award here today in Harrisburg from the Pennsylvania Coalition Against Rape. Welcome to the hall of the House.

Harry Bowser has here as guests Mr. and Mrs. Joe Sonney, Mr. and Mrs. Hunter Mindek, and Louella Johannes, from Harborcreek Township, Erie County. They are here, of course, attending the Township Supervisors Convention at Hershey. Welcome to the hall of the House.

CONSIDERATION OF SB 239 CONTINUED

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

Mr. LETTERMAN. Mr. Speaker, I would like to interrogate the maker of the amendment.

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

Mr. LETTERMAN. Thank you, Mr. Speaker.

Mr. Speaker, have you ever been in a triaxle truck when it was weighed on the highway by the State Police?

Mr. GREENWOOD. Not in the truck, no.

Mr. LETTERMAN. Have you ever seen one weighed?

Mr. GREENWOOD. Yes, sir.

Mr. LETTERMAN. How did they do it?

Mr. GREENWOOD. They used portable scales in the instance that I observed.

Mr. LETTERMAN. Then can you explain to me why you would put this amendment in at all?

Mr. GREENWOOD. I would be happy to explain why I put the amendment in.

The reason I am offering this amendment is because we have a serious problem in this State, and a very serious problem in my district, with trucks operating outside of the law. When a truck goes into a quarry and has an economic incentive to have that truck weighed and have that truck loaded beyond the limits of the law, overloaded, and then

drive that truck across the highways of this Commonwealth where your constituents and my constituents pay a registration fee and a license fee to operate their vehicles, they are entitled to be protected from overloaded trucks, and they are also entitled to be protected because they pay taxes to keep those roads in repair.

Now, it is illegal to operate a truck on the highways of this Commonwealth overweight, and it is dangerous to do that. The problem is that the quarry operators are allowing these trucks to leave overweight, and they should not. They should be prevented from doing that. By tying the quarry operator, the scale operator, placing some penalties on him for overloading a truck, I think we go a long, long way in protecting the people of this Commonwealth who need to be protected from these overloaded trucks. That is why I have offered the amendment.

Mr. LETTERMAN. Do you think that by offering an amendment that would require a gross weight certification you are going to change anything, since the State Police only check by axle scales?

Mr. GREENWOOD. The vehicles that killed three people in 1 day in my district were overweight; the gross weight was over. When those trucks were weighed by the police, they found that the gross weight exceeded the maximum under the law. When a truck is weighed and its gross weight is taken, then I think that the quarry operator ought to be responsible for intentionally overloading that vehicle.

Mr. LETTERMAN. Mr. Speaker, I ask you, how was the gross weight arrived at on the vehicle that killed somebody?

Mr. GREENWOOD. I do not know the answer to that.

Mr. LETTERMAN. It was arrived at by axle scales, right?

Mr. GREENWOOD. I do not know the answer to that. I was not present when they weighed that particular vehicle.

Mr. LETTERMAN. Mr. Speaker, I would like to make a statement. That is the end of my questioning.

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

Mr. LETTERMAN. Mr. Speaker, we have a very serious situation in the State of Pennsylvania. We have a situation where we are arresting people for something which they cannot themselves correct, and I think that is unconstitutional. I think the axle scales themselves are unconstitutional in use. The reason for me saying this is there is no trucker in the State of Pennsylvania who can own a set of axle scales. There is nobody in this State who will certify them if he does own them. So what we are doing is we are arresting people for axle weight scales who have absolutely no way to check to see if they are breaking the law.

This amendment has absolutely nothing to do with curtailing any safety factors or anything else, because we use axle weight scales for weighing on the highway by the Department of Transportation and the State Police. All you are doing is putting another big old piece of red tape on somebody's back. You are not doing a thing to help the industry and safety or the highways and safety. You are not doing a thing toward that. What we need to do is to change the whole attitude of

you people in here who do not understand trucking in the first place. That is the big problem. The big problem is that there are probably only six of us in this whole House of Representatives who know what an 18-wheeler is or how it is loaded or what it does, and we all vote on it and we all make mistakes on it every day.

What I am saying is that your amendment is just a bunch of hogwash loaded onto what the Transportation Department has already loaded us with. What we need to do is wipe it out and use some common sense, and I have asked the chairman of the Transportation Committee to hold a meeting of the trucking industry, the Department of Transportation, and other people involved, the Federal Government also, so that we can get down to the brass tacks of just what we should do. But it is not right for us in this State to let these police go out and arrest someone for something they cannot check or correct themselves. I think your amendment is a bad piece of legislation, and I ask for a negative vote. Thank you.

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

Mr. LAUGHLIN. Mr. Speaker, very briefly, would the gentleman please stand for interrogation?

The SPEAKER. Mr. Greenwood indicates he will stand for further interrogation. You may proceed, sir.

Mr. LAUGHLIN. Mr. Speaker, with regard to the placing of a violation against the person who is issuing the weight permit, or the weighmaster in your amendment, you are saying, I believe, that this person should be fined as the driver of the vehicle, to the same extent. Is that a correct assumption on my part, Mr. Speaker?

Mr. GREENWOOD. That is correct.

Mr. LAUGHLIN. Mr. Speaker, you are aware that in all other weights and measures circumstances in the State, in retail establishments and elsewhere, that when there is a violation of the law, it is the company that in effect is charged with the responsibility of paying that fine in the event there is an overweight in a store or anywhere else. Are you aware of that under weights and measures, Mr. Speaker?

Mr. GREENWOOD. Yes.

Mr. LAUGHLIN. Mr. Speaker, this then is contrary to what we normally do in placing the responsibility of a violation of weights and measures when an employee works for a company. That is correct, also?

Mr. GREENWOOD. It is a different approach, yes, but I would hasten to point out that there is nothing that would prevent the companies from reimbursing or paying the weighmaster any fines that they may incur.

Mr. LAUGHLIN. Mr. Speaker, with regard to that response, what we have done in the past is place the responsibility squarely where it belongs. Those scales that you are talking about, I am sure you are aware, are charged with being checked and examined for accuracy by the State on a periodic basis. That is correct? I do not want to go beyond that.

Mr. GREENWOOD. Yes.

Mr. LAUGHLIN. All right. With regard to that then, we are putting in jeopardy any person working for a company where the scales have been checked and through no fault of his own there may be an inaccuracy that develops during those periods, and you are placing a fine upon an individual who could hardly afford to pay that.

Mr. Speaker, you could take away, with this particular language, the salary of an individual working for a living for a company beyond what he actually earns in a year with two or three violations. If he violates it once or twice, it might be a matter of \$8,000 or \$10,000, and that would take his entire salary for a year. Do you agree, Mr. Speaker, that that would be an unfair application of the law?

Mr. GREENWOOD. I believe the reason we drafted it this way is because if the scale operator is taking payoffs, for instance, to overload a truck, then it is the scale operator, if he is doing that without the knowledge of his parent company, then it certainly should be his responsibility to pay the fine and not the parent company. However, there is nothing, as I said earlier, if the owner of the quarry feels that in fact this was not a case where he wanted to hold that employee responsible, then there would be nothing to prevent the owner of the company paying any penalties that would be incurred.

Mr. LAUGHLIN. Mr. Speaker, I do not disagree with any owner of a company being able to take those prerogatives. However, that is not what your amendment says. What your amendment says is the weighmaster, in this case, will be held responsible and will pay a fine equal to the amount assessed to the driver of the illegal overweight truck.

Mr. Speaker, I have ended my interrogation. I would like to make a few remarks. Thank you.

The SPEAKER. The gentleman is in order, and he may make remarks on the amendment.

Mr. LAUGHLIN. Mr. Speaker, I have supported Mr. Greenwood on a number of occasions on amendments on this floor. However, today I certainly cannot support an amendment that would indeed take the livelihood of an individual away by placing undue fines and responsibilities on this person when he certainly is not responsible for any company allowing him to use a scale that may or may not be accurate.

Mr. Speaker, I do not believe that this House of Representatives should be in a position of denying legitimate income to an individual by way of taking away his livelihood with fines related to this matter.

Mr. Speaker, for that reason, I would ask for a negative vote on the Greenwood amendment.

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

Mr. BURNS. Mr. Speaker, I wonder if I could yield my time to Representative Reinard?

The SPEAKER. Surely.

Mr. BURNS. Thank you, Mr. Speaker. I so yield.

The SPEAKER. The gentleman, Mr. Burns, yields to Mr. Reinard. The Chair recognizes the gentleman from Bucks, Mr. Reinard.

Mr. REINARD. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of the Greenwood amendment. I understand firsthand the situation that Representative Greenwood speaks of, since our districts border each other and so do the quarries in Bucks County. The particular problem that Representative Greenwood is addressing is quarry trucks, and if members of this House are familiar with those types of trucks, we are talking about a cab that is pulling a trailer.

The problem is that all vehicles in this Commonwealth are required to state, post, and be licensed by their registered gross vehicle weight. The situation comes in, regardless of what previous speakers talk about of weighing scales being incorrect, the fact of the matter is that no truck should leave that quarry at a gross vehicle weight that exceeds what that scale at that quarry says should be the correct weight. The problem that Representative Greenwood is speaking of is trucks that have done such; trucks that have been grossly overweight; trucks that endanger lives and have killed in Bucks and other counties; trucks with drivers whose main objective is to get as much to a particular location as fast as possible.

The number of trips that these quarry trucks take through Bucks County begin around 5:30 in the morning. They service areas as far south as South Jersey and make numbers of trips each day, crisscrossing the county of Bucks on secondary roads - roads that were never built, nor able, to handle the type of quarry traffic and other road traffic that exists. It is by no means out of the way or too overly protective to say that those trucks should at least be not loaded in excess of that truck's licensed gross vehicle weight, and for those reasons and others, I support the Greenwood amendment.

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

Mr. SERAFINI. Mr. Speaker, I would like to ask the maker of the amendment a few questions, please.

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

Mr. SERAFINI. Mr. Speaker, I was curious about those quarries and those sandpits that are not actually an operating quarry or sandpit. For instance, those facilities that are established specifically for a given purpose over a period of a few months. In my district there is a quarry that is currently operating in order to help out with a sewer project being taken on in Moosic and Old Forge, two small communities. When these sewer projects are completed, this small quarry will cease to operate and will cease to exist. Would they then have to, in this interim, establish scales on their property?

Mr. GREENWOOD. The amendment is clearly aimed at commercial quarries that are operated for the purpose of blasting stone and then selling that stone by the truckload or by weight, and certainly it is not my intention to affect a sandpit or temporary movement of rocks and similar materials for a particular construction project.

Mr. SERAFINI. Mr. Speaker, I would like to support this amendment, because I believe it has a good purpose in mind

and could solve some of the problems we have with overweight trucks. However, the way the amendment is written, I believe it would relate to every quarry and every truck that is hauling stone, and at this time the stone quarry in question in my area is operated by the State Police, and although I do not believe they have overweight trucks leaving their facility, I would really be putting a burden on not only the contractor doing the job but the State Police in my district. I am afraid I am going to have to disagree with this amendment. Thank you very much, Mr. Speaker.

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

Mr. BURNS. I just want to say that Mr. Greenwood is strictly on target in this amendment. Regardless of what has been said here all afternoon, number one, every truck is limited to a certain amount of weight. That is all we are trying to do - make sure that that truck is carrying the amount of weight that it is licensed for. And if that is not the case, then somebody besides that driver has to be responsible, because somebody else is certifying the weight of that truck. Let the person who is certifying it—because it becomes a game; it is almost a piecework operation. How many trucks can that quarry get out during daylight hours on a given day during the construction season? While that game is played, unless we hold somebody strictly responsible for the weighing of those trucks other than the truck driver, because he is making a piecework operation and he is willing at times to take the chance of the fine that many times the quarry operator picks up and he does not pay anything.

Somebody has got to stop it, and this is one method. I think Mr. Greenwood is right on target with the idea that the weighmaster has to certify, and if he certifies incorrectly, then the burden of guilt falls on him. Thank you, Mr. Speaker.

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

Mr. OLASZ. Mr. Speaker, I would never—and I repeat, never—stand before this body to defend any overweight trucks, but several years ago a House committee went out to my district where there is a slagworks located. At that time Secretary Larson was there with five State Police weigh teams demonstrating the most modern scales that were available to the State Police. They called those the pancake scales. They went up to the weighmaster, and those trucks were weighed. Some of those were 3,000, some 4,000 pounds under their gross limit. When they went down to the State Police testing area, not one of those could pass the axle test, and at that time these scales were only a month to two months old. All the members of that committee saw firsthand the fact that those scales are not foolproof. It is physically impossible to weigh these trucks once they leave the plant. In fact, there are differences and discrepancies on those scales. For that reason alone, I would ask for the defeat of this amendment.

The SPEAKER. The Chair recognizes the gentleman from Indiana, Mr. Wass.

Mr. WASS. Thank you, Mr. Speaker.

May I interrogate the maker of the amendment?

The SPEAKER. Mr. Greenwood indicates he will stand for interrogation.

Mr. WASS. Mr. Speaker, coming from western Pennsylvania, I have a deep concern about your legislation. I do not want to believe that you are insisting that every quarry would have a weigh scale on site and that trucks would have to be weighed before they leave the quarry.

Based on my concerns, would you describe what a quarry is? What is a quarry?

Mr. GREENWOOD. A quarry is a facility at which rock and similar materials, stone, are blasted from their natural ground bedrock base and then pulverized to various sizes, depending upon the needs of the consumers, and then sold commercially by weight to a variety of buyers.

It is my understanding, and I think it is accurate, that people in that business have scales, because that is how they sell their material. The truck rolls in across the scale; there is a tare weight taken. The truck is then loaded with the number of tons of material that the consumer wants to purchase. The truck is driven back across the scale. The difference is calculated, and he is billed for that weight. Now, what I am trying to do here is say that when that scale operator looks at that gross weight of that scale and that truck weighs 85,000 pounds and that scale operator knows that the law does not permit that truck to exceed 80,000 pounds, for instance, that that scale operator should say, wait a minute; we cannot put that much weight on that truck; it is illegal; it is illegal for you to operate on the highways, and it is illegal for me to put that much weight in your truck and let you get out of here. All we are saying is that if the scale operator looks at that truck and sees that the scale says that that truck weighs 85,000 pounds and then that scale operator fills out a slip that says 72,000 pounds, then that scale operator is guilty. He is guilty of issuing a false weigh slip, and I think that he should be held accountable for that.

That is a longer answer than you wanted, but that is what I am trying to do.

Mr. WASS. Mr. Speaker, I could agree with you if we were talking about a quarry where there are hundreds of loads of materials taken yearly, but many of our quarries, Mr. Speaker, in western Pennsylvania are where they build roads and northeastern Pennsylvania where they build roads into gas wells, and it is just a little hole in a bank where they remove shale to improve the road conditions into these sites. Mr. Speaker, this will be very burdensome on our area if we insist that there be an official weighmaster and a weigh scale at every one of our sites.

I believe that I would support your amendment if you had X amount of tonnage that was being removed. I could condone that, but, Mr. Speaker, this is unacceptable to us out there in western Pennsylvania.

The SPEAKER. The Chair recognizes the gentleman from Blair, Mr. Geist, for the first time on the amendment.

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

Will the maker of the amendment stand for brief interrogation?

The SPEAKER. Mr. Greenwood indicates he will so stand. You may proceed.

Mr. GEIST. In and around my district, we have many small quarries where the rock is processed in that quarry and moved to a central processing site where it is weighed out for trucks. The way I read this amendment, it would preclude the hauling of any rock out of a quarry that does not have a weigh scale even though it might be going to the central processing plant. Is that true?

Mr. GREENWOOD. Mr. Speaker, may I confer with the gentleman for just a half minute. I think we might be able to resolve this.

The SPEAKER. The House will stand at ease.

The House will return to order.

The Chair recognizes Mr. Geist.

Mr. GEIST. Mr. Speaker, there will be no necessity for interrogation here. What I would like to do is ask the maker of this amendment to withdraw it and rewrite it so it will be acceptable to the small quarry operators of western Pennsylvania.

AMENDMENTS WITHDRAWN

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

Mr. GREENWOOD. Mr. Speaker, the gentleman and I have conferred, and following on the heels of the gentleman, Mr. Wass' interrogation and debate, I will withdraw the amendment. It is certainly not my intention to have this amendment affect any quarry that does not already have a scale. So on that basis, I will withdraw it and maybe the gentleman and I can confer and come back with something else.

The SPEAKER. The amendment is withdrawn.

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

Mr. LETTERMAN. Mr. Speaker, I would like to make a suggestion on that amendment.

The SPEAKER. No, Mr. Letterman. That will have to be made privately.

Mr. LETTERMAN. Thank you.

The SPEAKER. The amendment is no longer before the House.

REMARKS ON VOTE

The SPEAKER. Why does the gentleman from Delaware, Mr. Freind, rise in place?

Mr. FREIND. Mr. Speaker, just to say that on the Reinard amendment A1163 to SB 239, I missed my switch again. I would have voted in the affirmative.

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

CONSIDERATION OF SB 239 CONTINUED

On the question recurring,

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

Mr. GREENWOOD offered the following amendments No. A1019:

Amend Title, page 1, line 2, by inserting after "Statutes," providing for the acceptance of identification cards as a form of identification; and

Amend Sec. 1, page 1, line 6, by striking out "Section" and inserting

Sections 1510(b) and

Amend Sec. 1, page 1, line 7, by striking out "is amended" and inserting

are amended and section 1510 is amended by adding a subsection

Amend Sec. 1, page 1, by inserting between lines 7 and 8 § 1510. Issuance and content of driver's license.

(b) Identification card.—The department shall, upon payment of the required fee, issue an identification card to any person who has made application therefor in such manner as the department shall prescribe. The identification card shall have substantially the same content as a driver's license but shall clearly indicate that it is not a driver's license. In addition, the department shall include with each identification card a notice of the provisions contained in subsection (e). Upon failure of any person to pass any examination required under section 1514 (relating to expiration and renewal of drivers' licenses), the department shall, where appropriate, issue a complimentary identification card as an expression of gratitude for years of safe driving. The card shall only be issued upon receipt of the person's driver's license.

(e) Use of identification cards.—If a person has an established policy of accepting a driver's license issued pursuant to subsection (a) for the purpose of identification for the acceptance of a check given for payment of purchase or for the cashing of a check, the person shall also accept an identification card issued pursuant to subsection (b) for the same purpose. It shall be a defense to a prosecution under this subsection that the person was not presented with the notice of the provisions of this subsection included with the identification card issued by the department.

Amend Sec. 2, page 3, line 5, by striking out all of said line and inserting

Section 2. Within ten days after the effective date of this act, the department shall send by mail to each person who holds a currently valid identification card as of the effective date of the act, the notice required by 75 Pa.C.S. § 1510(b) (relating to identification card) to be included with the identification card.

Section 3. (a) The amendment to section 1510 shall take effect in 120 days.

(b) The amendment to section 3342 shall take effect in 60 days.

On the question,

Will the House agree to the amendments?

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

Mr. GREENWOOD. Thank you, Mr. Speaker.

This amendment, I think, is a lot less controversial. This is an amendment that is aimed at the use of identification cards. PennDOT will right now issue you a look-alike license with

your photo on it for those individuals who do not drive, and with this identification they can identify themselves in a variety of situations. All we are saying in this amendment is that in those establishments that accept the use of a driver's license as sufficient identification to cash a check, that they also accept the nondriver's photo ID as well.

I would ask for the support of the House.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—116

Table listing names of members who voted 'YEAS' in four columns: Afflerbach, Angstadt, Argall, Arty, Battisto, Birmelin, Black, Blaum, Book, Boyes, Brandt, Burd, Burns, Bush, Caltagirone, Cappabianca, Carlson, Chadwick, Cimini, Clark, Clymer, Cordisco, Cornell, Coslett, DeVerter, Davies, Dawida, Dininni, Distler, Dorr, Duffy, Durham, Fischer, Flick, Foster, Fox, Freeman, Freind, Gallen, Gamble, Gannon, Geist, George, Gladeck, Godshall, Greenwood, Gruitza, Gruppo, Hagarty, Haluska, Harper, Hasay, Hayes, Herman, Hershey, Honaman, Itkin, Jarolin, Johnson, Kennedy, Kenney, Kukovich, Lashinger, Levdansky, Lloyd, McClatchy, McHale, Mackowski, Manderino, Manmiller, Merry, Moehlmann, Mowery, Nahill, Noye, O'Brien, O'Donnell, Perzel, Petrarca, Phillips, Piccola, Pitts, Pressmann, Raymond, Reber, Reinard, Robbins, Ryan, Saurman, Scheetz, Schuler, Semmel, Serafini, Showers, Sirianni, Smith, B., Smith, L. E., Snyder, D. W., Snyder, G., Staback, Stairs, Steighner, Stevens, Stewart, Taylor, E. Z., Taylor, J., Telek, Tigie, Van Horne, Wambach, Wass, Weston, Wilson, Wogan, Wright, J. L., Wright, R. C.

NAYS—75

Table listing names of members who voted 'NAYS' in four columns: Acosta, Baldwin, Barber, Belardi, Belfanti, Bortner, Bowley, Bowser, Broujos, Carn, Cawley, Cessar, Civera, Colafella, Cole, Cowell, Coy, Deluca, Daley, Deal, Dietz, Dombrowski, Donatucci, Fargo, Fattah, Fee, Fryer, Howlett, Jackson, Josephs, Kasunic, Kosinski, Langtry, Laughlin, Lescovitz, Letterman, Livengood, Lucyk, McCall, McVerry, Maiale, Markosek, Mayernik, Michlovic, Micozzie, Miller, Morris, Mrkonic, Murphy, Olasz, Oliver, Petrone, Pievsky, Pistella, Pott, Preston, Punt, Richardson, Rieger, Roebuck, Rudy, Rybak, Seventy, Stuban, Sweet, Swift, Taylor, F., Trello, Truman, Veon, Wiggins, Wozniak, Wright, D. R., Yandrisevits, Irvis, Speaker

NOT VOTING—5

Table listing names of members who did not vote: Barley, Cohen, Hutchinson, Saloom, Vroon

EXCUSED—5

Bunt Evans Gallagher Linton
DeWeese

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

On the question recurring,

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

Mr. PHILLIPS offered the following amendments No. A1421:

Amend Title, page 1, line 3, by removing the period after "crossings" and inserting ; and for certain combinations of towed vehicles.

Amend Sec. 1, page 1, line 6, by striking out "Section 3342" and inserting Sections 3342 and 4904(h)

Amend Sec. 1, page 1, line 7, by striking out "is" and inserting

are

Amend Sec. 1, page 3, by inserting between lines 4 and 5 § 4904. Limits on number of towed vehicles.

(h) Certain combinations permitted under section 4968.—Combinations consisting of a truck and one trailer or a truck tractor and one trailer which exceeds the maximum vehicle lengths authorized in section 4923 (relating to length of vehicles) and which shall not exceed 102 inches in width, or a truck tractor and no more than two trailers, each trailer of which [trailers] shall not exceed 102 inches in width and 28 1/2 feet in length [and shall] may be operated under a permit issued under section 4968 (relating to permit for movement during course of manufacture)[, may be driven on any highway].

On the question,

Will the House agree to the amendments?

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Northumberland, Mr. Phillips.

Mr. PHILLIPS. Thank you, Mr. Speaker.

Mr. Speaker, this amendment would allow a truck tractor and one trailer which exceeds the maximum vehicle length to move on undesignated highways by the issuance of a yearly permit by PennDOT. Now, this only includes trailers which are being manufactured and it only includes them being moved from that point to the origin of sale.

Last year we passed HB 1086, which was signed into law, which allowed 28 1/2-foot doubles to move, and this would include single trailers which are manufactured by these same corporations, and I would ask for support.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—189

Acosta Distler Lescovitz Ryan
Afflerbach Dombrowski Letterman Rybak
Angstadt Donatucci Levdansky Saloom
Argall Dorr Livengood Saurman
Arty Duffy Lloyd Scheetz
Baldwin Durham Lucyk Schuler
Barber Fargo McCall Semmel
Battisto Fattah McClatchy Serafinj
Belardi Fee McHale Seventy

Belfanti Fischer McVerry Showers
Birmelin Flick Mackowski Sirianni
Black Foster Maiaie Smith, B.
Blum Fox Manderino Smith, L. E.
Book Freeman Manmiller Snyder, D. W.
Bortner Freind Markosek Snyder, G.
Bowley Fryer Mayernik Staback
Bowser Gallen Michlovic Stairs
Boyes Gamble Micozzie Steighner
Brandt Gannon Miller Stevens
Broujos Geist Moehlmann Stewart
Burd George Morris Stuban
Bush Gladeck Mowery Sweet
Caltagirone Godshall Mrkonic Swift
Cappabianca Greenwood Murphy Taylor, E. Z.
Carlson Gruitza Nahill Taylor, F.
Carn Gruppo Noye Taylor, J.
Cawley Hagarty O'Brien Telek
Cessar Haluska O'Donnell Tigue
Chadwick Harper Olasz Trello
Cimini Hasay Oliver Truman
Civera Hayes Perzel Van Horne
Clark Herman Petrarca Veon
Clymer Hershey Petrone Vroon
Colafella Honaman Phillips Wambach
Cole Howlett Piccola Wass
Cordisco Hutchinson Pievsky Weston
Cornell Jackson Pistella 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.
Daley Kenney Raymond Wright, R. C.
Davies Kosinski Reber Yandrisevits
Dawida Kukovich Richardson
Deal Langtry Rieger Irvis,
Dietz Lashinger Robbins Speaker
Dininni Laughlin Rudy

NAYS—4

Burns Itkin Merry Reinard

NOT VOTING—3

Barley Cohen Roebuck

EXCUSED—5

Bunt Evans Gallagher Linton
DeWeese

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

REMARKS ON VOTES

The SPEAKER. The Chair recognizes the gentleman from Berks, Mr. Davies. Do you rise on the bill?

Mr. DAVIES. No; to identify a vote on the Lloyd amendment.

The SPEAKER. The gentleman may proceed.

Mr. DAVIES. On the Lloyd amendment A850 to SB 239, I was out of my seat. I would like to be recorded in the affirmative.

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

The Chair recognizes the gentleman from Perry, Mr. Noye.

Mr. NOYE. Thank you, Mr. Speaker.

I was out of my seat when the House voted on concurrence in HB 772. I would like the record to reflect that I would have voted in the affirmative.

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

CONSIDERATION OF SB 239 CONTINUED

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?

On final passage, the Chair recognizes the gentleman from Lancaster, Mr. Brandt.

Mr. BRANDT. Thank you, Mr. Speaker.

I know there have been quite a few amendments discussed and some of them added to this bill. I would just like to comment on the original intent of this legislation, and that is that school buses now under this bill shall stop at all railroad crossings.

When we amended the Vehicle Code a number of years ago, we took out that vehicles have to stop at all railroad crossings. Records show us that there are more accidents caused by rear-end collisions of vehicles stopping at railroad crossings than actual damages because of that vehicle crossing the railroad tracks.

With the new signals that are in place now and because of the need to continue the flow of traffic, I just do not think that this type of legislation is needed, and for that reason I am going to vote against the bill.

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—190

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

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

NAYS—4

Brandt	Dawida	Itkin	Letterman
--------	--------	-------	-----------

NOT VOTING—2

Barley	Roebuck
--------	---------

EXCUSED—5

Bunt	Evans	Gallagher	Linton
DeWeese			

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

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

LEAVE OF ABSENCE

The SPEAKER. Why does the minority whip rise?

Mr. HAYES. Mr. Speaker, could you please return to leaves of absence?

The SPEAKER. Mr. Barley?

Mr. HAYES. Mr. BARLEY requests a leave for the remainder of today's session, Mr. Speaker.

The SPEAKER. There being no objection, the leave is granted. Thank you, Mr. Hayes.

Mr. HAYES. Thank you, Mr. Speaker.

REMARKS ON VOTE

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

Mr. JAROLIN. Correction of the record, Mr. Speaker.

On SB 239, amendment 1245, I would like to be recorded in the affirmative.

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 998, PN 1135**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the suspension of operator's license for property damage vandalism.

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

The SPEAKER. We had passed over this bill temporarily because Mr. Broujos' amendment had not yet been delivered to him. He has now withdrawn that amendment.

Do you have an amendment, Mrs. Taylor, on this bill?
Mrs. TAYLOR. No, Mr. Speaker, I do not.

I believe this bill has the unanimous consent of both sides of the aisle.

The SPEAKER. All right. Thank you.

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?

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

YEAS—195

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

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Barley	DeWeese	Gallagher	Linton
Bunt	Evans		

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

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

* * *

The House proceeded to third consideration of **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 recurring,
Will the House agree to the bill on third consideration?

(Amendment A1276, offered by Mr. Letterman on April 15, 1986, was withdrawn.)

Mr. LETTERMAN offered the following amendments No. A1757:

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

The personnel performing the weighing on all highways and interstates in this Commonwealth 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).

Amend Sec. 2 (Sec. 4982), page 3, lines 15 and 17, by inserting a bracket before "AND" in line 15 and after "WEIGHT" in line 17 and inserting immediately thereafter

by more than 3%,

Amend Sec. 2 (Sec. 4982), page 3, lines 18 and 19, by striking out "AND THE WEIGHT UPON ANY AXLE OR GROUP OF AXLES IS IN EXCESS OF 3% OF THE MAXIMUM ALLOWABLE AXLE WEIGHT"

Amend Sec. 2 (Sec. 4982), page 3, line 20, by inserting after "DOWN"

, unload onto another vehicle

Amend Sec. 2 (Sec. 4982), page 3, line 21, by inserting after "THE" where it appears the second time

maximum gross

Amend Sec. 2 (Sec. 4982), page 3, lines 21 and 22, by inserting a bracket before "UPON" in line 21 and after "AXLES" where it appears the second time in line 22

Amend Sec. 2 (Sec. 4982), page 3, line 25, by inserting after "VEHICLES."

The provisions of this subsection shall apply to all highways, including interstate highways within this Commonwealth.

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

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

Mr. LETTERMAN. Thank you, Mr. Speaker.

Mr. Speaker, to start out I want to say that even though I am offering this amendment at this time, that is not going to satisfy me and I hope nobody else in this House.

I am asking the chairman of the Transportation Committee to have a hearing to try to straighten out the mess that we are in in the State of Pennsylvania in weighing trucks on our highways. I do not agree with people who overload and are hauling too much weight. I think that is wrong. But I certainly agree that the cop should not be arresting people who are trying to stay within the limits that they pay a license for, and that is exactly what is happening.

My amendment, at the request of magistrates and judges within my legislative district, has been drawn so that there is a 3-percent variance on the gross weight. Let me explain to you the reason for that.

What I am saying is if a triaxle truck has a license for 73,280, then he would have a variance of 3 percent on the gross weight. As long as he was within that variance, he would be allowed and be given the opportunity of 4 hours to move or shift that load so that the axle weights would be legal.

At the present time the Senate changed the bill which you and I voted in 1982, and it came out of this House of Representatives. What it did is said exactly what I am trying to do, but they changed it and put it on the axle weights. We do not want to help people who are trying to break the law. We are trying to help the people who are trying to live within the law. By putting it on the axle weights, you allowed them 3 percent extra way over what the axle weights were.

Mine just says you put 3 percent on the gross weight, and if they are within that, then they have the right and opportunity to move that load.

I am asking for an affirmative vote.

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

The following roll call was recorded:

YEAS—191

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

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

NAYS—0

NOT VOTING—4

Cohen	Dietz	Itkin	Rudy
-------	-------	-------	------

EXCUSED—6

Barley	DeWeese	Gallagher	Linton
Bunt	Evans		

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

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

Does the gentleman have additional amendments?

Mr. LETTERMAN. Mr. Speaker, I just had a lot of difficulty drawing the amendment properly. The rest of them are no good. Thank you.

On the question,

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

Mr. LAUGHLIN offered the following amendments No. A1195:

Amend Title, page 1, line 2, by inserting after "Statute," further providing for annual permits for and inspection of construction trucks; and

Amend Sec. 2, page 2, line 21, by inserting after "SECTIONS" 4702(b), 4970,

Amend Sec. 2, page 2, by inserting between lines 22 and 23 § 4702. Requirement for periodic inspection of vehicles.

(b) Semiannual inspection of certain vehicles.—School buses, passenger vans under contract with or owned by a school district or private or parochial school, including vehicles having chartered, group and party rights under the Public Utility Commission and used to transport school students, passenger vans used to transport persons for hire or owned by a commercial

enterprise and used for the transportation of employees to or from their place of employment, trailers having a registered gross weight in excess of 10,000 pounds, construction trucks for which annual permits are issued pursuant to section 4970(b) (relating to permit for movement of construction equipment), mass transit vehicles and motor carrier vehicles shall be subject to semiannual inspection.

§ 4970. Permit for movement of construction equipment.

(a) Utility construction equipment.—A permit may be issued for the duration of a single construction project, but not exceeding one year, authorizing a public utility or its contractors or subcontractors to move oversized or overweight construction equipment across or upon highways immediately adjacent to the construction site and between the construction site and the base of operations of the utility company, contractor or subcontractor.

(b) Construction trucks.—An annual permit may be issued for a construction truck to exceed the registered gross weight permitted in section 4941(c) (relating to maximum gross weight of vehicles) and the maximum allowable axle weight permitted in section 4943(a) (relating to maximum axle weight of vehicles) on highways and bridges designated by the department. This subsection shall:

(1) only apply to trucks registered at the time of enactment of this subsection; and

(2) expire [on May 31, 1986] May 31, 1992.

Amend Sec. 3, page 3, line 29, by striking out all of said line and inserting

Section 3. (a) The amendment to section 4970 shall take effect immediately.

(b) The remainder of this act shall take effect in 60 days.

On the question,

Will the House agree to the amendments?

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

Mr. LAUGHLIN. Mr. Speaker, over the last 6 or 8 months the Governor and the members of the House and Senate have exhibited a considerable amount of concern with economic development in the State of Pennsylvania and with some method by which we can aid the industries in this State to continue operating and to continue employing people, hopefully.

Mr. Speaker, back in 1980 we had passed legislation granting an exemption for permitting certain vehicles on the highway to carry weights and to be accepted under the permitting section of title 75. Mr. Speaker, I believe that the problem we have had over the past 5 or 6 years is, with the economy the way it is, a number of those in the trucking business have not been able to capitalize on their equipment and to replace it timely, as a result of the very poor economy they have been faced with.

This amendment, Mr. Speaker, in line with Senator Corman, who is the prime sponsor of the bill, was accepted as such, and I believe it is an accepted amendment. I had given it to Representative Noye for his review.

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

Mr. BROUJOS. Mr. Speaker, I do not have a copy of that amendment, and there are other Representatives who do not have a copy of that amendment.

The SPEAKER. Will the pages see to it that the amendments are distributed. Anyone else missing the amendment? Put your hand up. All right. We will wait a few minutes to make sure the pages have distributed all the copies.

While we are waiting, it would be the advantage of the members offering amendments to offer eight copies. The pages are instructed by the Chair not to receive amendments less than eight copies. So do not give them a hard time if you give them four copies or five copies or six or seven. They are told by the Speaker, eight copies of the amendment. Make sure all of you hear that clearly, because the Speaker will be on the side of the pages in this matter.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—193

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

NAYS—2

Harper O'Donnell

NOT VOTING—0

EXCUSED—6

Barley DeWeese Gallagher Linton
Bunt Evans

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

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

Mr. L. E. SMITH offered the following amendments No. A1740:

Amend Title, page 1, line 2, by removing the period after "vehicles" and inserting and the operation and equipment of certain motorcycles.

Amend Sec. 2, page 2, line 21, by inserting after "SECTIONS"

1504(d)(1), 3525,

Amend Sec. 2, page 2, by inserting between lines 22 and 23 § 1504. Classes of licenses.

(d) Number and description of classes.—Licenses issued by the department shall be classified in the following manner:

(1) Class 1.—A Class 1 license shall be issued to those persons who have demonstrated their qualifications to operate a single vehicle not in excess of 30,000 pounds registered gross weight or any such vehicle towing a trailer not in excess of 10,000 pounds gross weight. Any fireman who is the holder of a Class 1 license and who has a certificate of authorization from his fire chief shall be authorized to operate any vehicle registered to the fire department regardless of the other requirements of this section as to the class of license required. The holder of a Class 1 license shall also be authorized to drive a motorized pedalcycle or a three-wheeled motorcycle equipped with an enclosed cab. The holder of a Class 1 license shall not be deemed qualified to operate buses, school buses or motorcycles unless the license is endorsed as provided in this section.

§ 3525. Protective equipment for motorcycle riders.

(a) Protective headgear.—[No] Except as provided in subsection (d), no person shall operate or ride upon a motorcycle or a motor-driven cycle (other than a motorized pedalcycle) unless he is wearing protective headgear which complies with standards established by the department.

(b) Eye-protective devices.—[No] Except as provided in subsection (d), no person shall operate or ride upon a motorcycle (other than a motorized pedalcycle) unless he is wearing an eye-protective device of a type approved by the department.

(c) Approval of equipment.—The department may approve or disapprove protective headgear and eye-protective devices required under this section and may issue and enforce regulations establishing standards and specifications for the approval of the headgear and devices. The department shall publish lists of all protective headgear and eye-protective devices by name and type which have been approved.

(d) Exception.—The provisions of subsections (a) and (b) shall not apply to the operator or any occupant of a three-wheeled motorcycle equipped with an enclosed cab.

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

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Jefferson, Mr. Smith.

Mr. L. E. SMITH. Mr. Speaker, this amendment strives to correct a problem that I just ran into a couple of weeks ago. It involves three-wheeled vehicles which are classified as motorcycles with an enclosed cab and a seatbelt, used mostly for distribution of food products, mainly ice cream, the Good Humor Man. The State Police have just started to require the use of helmets in these vehicles, and I am attempting here to exempt the driver of those vehicles from the helmet law.

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

The following roll call was recorded:

YEAS—193

Table with 4 columns of names: Acosta, Afflerbach, Angstadt, Argall, Arty, Baldwin, Barber, Battisto, Belardi, Belfanti, Birmelin, Black, Blaum, Book, Bortner, Bowley, Bowser, Boyes, Brandt, Broujos, Burd, Burns, Bush, Caltagirone, Cappabianca, Carlson, Carn, Cawley, Cessar, Chadwick, Cimini, Civera, Clark, Clymer, Colafella, Cole, Cordisco, Cornell, Coslett, Cowell, Coy, Deluca, DeVerter, Daley, Davies, Dawida, Deal, Dietz, Dininni, Distler, Dombrowski, Donatucci, Dorr, Duffy, Durham, Fargo, Fattah, Fee, Fischer, Flick, Foster, Fox, Freeman, Freind, Fryer, Gallen, Gamble, Geist, George, Gladeck, Godshall, Greenwood, Gruitza, Gruppo, Hagarty, Haluska, Harper, Hasay, Hayes, Herman, Hershey, Honaman, Howlett, Hutchinson, Itkin, Jackson, Jarolin, Johnson, Josephs, Kasunic, Kennedy, Kenney, Kosinski, Kukovich, Langtry, Lashinger, Laughlin, Lescovitz, Letterman, Levdansky, Livengood, Lloyd, Lucyk, McCall, McClatchy, McHale, McVerry, Mackowski, Maiale, Manderino, Manmiller, Markosek, Mayernik, Merry, Michlovic, Micozzie, Miller, Moehlmann, Morris, Morwery, Mrkonic, Murphy, Nahill, Noye, O'Brien, O'Donnell, Olasz, Oliver, Perzel, Petrarca, Petrone, Phillips, Piccola, Pievsky, Pistella, Pitts, Pott, Pressmann, Preston, Punt, Raymond, Reber, Reinard, Richardson, Rieger, Robbins, Roebuck, Rudy, Ryan, Rybak, Saloom, Saurman, Scheetz, Schuler, Semmel, Serafini, Seventy, Showers, Sirianni, Smith, B., Smith, L. E., Snyder, D. W., Snyder, G., Staback, Stairs, Steighner, Stevens, Stewart, Stuban, Sweet, Swift, Taylor, E. Z., Taylor, F., Taylor, J., Telek, Tigue, Trello, Truman, Van Horne, Veon, Vroon, Wambach, Wass, Weston, Wiggins, Wilson, Wogan, Wozniak, Wright, D. R., Wright, J. L., Wright, R. C., Yandrisevits, Irvis, Speaker

NAYS—0

NOT VOTING—2

Cohen Gannon

EXCUSED—6

Barley DeWeese Gallagher Linton
Bunt Evans

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

On the question recurring,

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

Mr. GRUPPO offered the following amendments No. A1244:

Amend Title, page 1, line 2, by inserting after "providing" for penalties for failure to register certain vehicles; and

Amend Sec. 2, page 2, line 21, by inserting after "SECTIONS"

1301(d),

Amend Sec. 2, page 2, by inserting between lines 22 and 23 § 1301. Registration and certificate of title required.

(d) Penalty.—Any person violating the provisions of subsection (a) is guilty of a summary offense and shall, upon conviction, be sentenced to pay a fine of \$75 or double the registration fee, whichever is greater, except when the vehicle was previously registered within 60 days of the commission of the offense whereupon the fine shall be \$25. In the case of a motor carrier vehicle other than a trailer, the fine shall be \$25 if the motor carrier vehicle was previously registered within 60 days of the commission of the offense or, if the registration occurs outside the 60-day period, the fine shall be double the registration fee for the maximum weight at which the vehicle could have been registered in this Commonwealth.

On the question,

Will the House agree to the amendments?

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Northampton, Mr. Gruppo.

Mr. GRUPPO. Mr. Speaker, this is identical to the amendment which I introduced on SB 239 earlier dealing with the fine which has been imposed on trucks.

I would ask that the House support this amendment also. Thank you.

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

Mr. LETTERMAN. Mr. Speaker, I cannot find the amendment, and I would just like to ask Mr. Gruppo to explain to me what his amendment does, again.

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

Mr. GRUPPO. Okay. Recently in my district a trucking company had one of their vehicles on the road receive a fine because the registration had expired 6 days. They received a fine which was double the registration fee, \$540, because that is what the law says now. The reason is that the double registration fee fine was intended for those motor carrier vehicles who by law are required to be registered in the Common-

wealth of Pennsylvania but were purposely registered in another jurisdiction and not for one that was registered and the sticker expired and the plate was still on the vehicle here in Pennsylvania. So the intent of this amendment is to make the fine comparable to the fines for other vehicles but still penalize any violator who may go beyond 60 days, in which case they would be fined double the registration fee.

Mr. LETTERMAN. Mr. Speaker, are they all Pennsylvania trucks?

Mr. GRUPPO. Yes.

Mr. LETTERMAN. The ones that are registered in Pennsylvania? Or are you talking about trailers that someone has taken across the line and registered over there?

Mr. GRUPPO. No. These would be Pennsylvania trucks. Right now trucks under 17,000 gross weight and passenger cars are fined \$25, which is what I am trying to do for trucks over 17,000. These are trucks that are registered in Pennsylvania.

I believe the fine would make it more equitable and fair to those trucking companies should they by oversight, like in the case of my constituent, not register the vehicle. But if it would be an intentional case where some trucking company wanted it registered in another State or went beyond 60 days, then they would be charged double the registration fee.

Mr. LETTERMAN. He still has a fine. It is double if he goes over the 60 days.

Mr. GRUPPO. That is right. Exactly.

Mr. LETTERMAN. Okay. It is a little bit long, but I will go along with it.

Mr. GRUPPO. Okay.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—194

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

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

NAYS—0

NOT VOTING—1

Howlett

EXCUSED—6

Barley	DeWeese	Gallagher	Linton
Bunt	Evans		

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

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—193

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

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

NAYS—1

NOT VOTING—1

Itkin

Wambach

EXCUSED—6

Barley	DeWeese	Gallagher	Linton
Bunt	Evans		

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

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

**BILLS ON CONCURRENCE
IN SENATE AMENDMENTS**

The clerk of the Senate, being introduced, returned the following **HB 1646, PN 3115**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act amending the act of December 27, 1974 (P. L. 995, No. 326), known as the "Veterinary Medicine Practice Act," further regulating veterinary medicine practice.

On the question,

Will the House concur in Senate amendments?

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

Mr. LLOYD. Thank you, Mr. Speaker.

Mr. Speaker, this is the veterinary bill about which members have been beseiged with phone calls and letters over the last couple of weeks. I would like to briefly explain how we got to where we are and what I hope we are going to do to fix it.

When this bill left the House, it included language to require that veterinarians' offices as well as all animal hospitals have a license. That is not currently the law.

When the bill got to the Senate, the SPCA (Society for the Prevention of Cruelty to Animals) objected because of their concern that the Veterinary Board would refuse to issue to a couple of their hospitals which are providing some veterinary services a license. As a result, the Senate committee worked out an amendment with the SPCA, passed the bill, and sent it back to us. That amendment exempts the SPCA facilities from licensing but imposes some inspection requirements on them. That amendment has been opposed by the Veterinary Medical Association and you have received a lot of letters about that.

Last Thursday a number of us met with representatives of the Veterinary Medical Association and reviewed an amendment which would in effect restore existing law - get rid of the licensing of individual offices as well as the licensing of all animal hospitals. That amendment has been agreed to by the Veterinary Medical Association. You should have gotten a letter today saying that. The amendment has also been agreed to by the SPCA.

RULES SUSPENDED

Mr. LLOYD. For the purposes of considering that amendment, Mr. Speaker, I would move that the House rules be suspended for the purposes of offering an amendment.

The SPEAKER. The motion of the gentleman, Mr. Lloyd, is that the rules of the House be temporarily suspended so that he may offer an amendment to a bill on concurrence in Senate amendments.

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

The following roll call was recorded:

YEAS—195

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

Civera	Herman	Perzel	Truman
Clark	Hershey	Petrarca	Van Horne
Clymer	Honaman	Petrone	Veon
Cohen	Howlett	Phillips	Vroon
Colafella	Hutchinson	Piccola	Wambach
Cole	Itkin	Pievsky	Wass
Cordisco	Jackson	Pistella	Weston
Cornell	Jarolin	Pitts	Wiggins
Coslett	Johnson	Pott	Wilson
Cowell	Josephs	Pressmann	Wogan
Coy	Kasunic	Preston	Wozniak
Deluca	Kennedy	Punt	Wright, D. R.
DeVerter	Kenney	Raymond	Wright, J. L.
Daley	Kosinski	Reber	Wright, R. C.
Davies	Kukovich	Reinard	Yandrisevits
Dawida	Langtry	Richardson	
Deal	Lashinger	Rieger	Irvis,
Dietz	Laughlin	Robbins	Speaker
Dininni			

NAYS—0

NOT VOTING—0

EXCUSED—6

Barley	DeWeese	Gallagher	Linton
Bunt	Evans		

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

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

Mr. LLOYD offered the following amendments No. A1615:

Amend Sec. 1 (Sec. 3), page 2, lines 9 and 10, by striking out "or operate"

Amend Sec. 1 (Sec. 3), page 2, line 10, by striking out "A veterinary establishment"

Amend Sec. 1 (Sec. 3), page 4, lines 1 through 7, by striking out all of said lines

Amend Sec. 1 (Sec. 5), page 6, lines 18 and 19, by striking out "and the operation of veterinary establishments"

Amend Sec. 1 (Sec. 5), page 6, lines 24 and 27, by inserting a bracket before "In" in line 24 and after "Association." in line 27

Amend Sec. 1 (Sec. 5), page 7, lines 1 and 2, by striking out "and the operation of veterinary establishments"

Amend Sec. 1 (Sec. 5), page 7, lines 8 and 9, by striking out "and applicants for a license to operate a veterinary establishment"

Amend Sec. 1 (Sec. 5), page 7, lines 20 through 23, by striking out "and to further require as a condition" in line 20, all of lines 21 and 22 and "premises," in line 23

Amend Sec. 1 (Sec. 9), page 8, line 22, by striking out "or Operate a Veterinary Establishment"

Amend Sec. 1 (Sec. 9), page 9, line 30; page 10, lines 1 through 18, by striking out all of line 30, page 9, all of lines 1 through 17 and "(d)" in line 18, page 10 and inserting

(c)

Amend Sec. 1 (Sec. 9), page 10, line 21, by striking out "(e)" and inserting

(d)

Amend Sec. 1 (Sec. 9), page 10, lines 22 and 23, by striking out "or to operate a veterinary establishment"

Amend Sec. 1 (Sec. 21), page 16, lines 27 and 28, by striking out "or to operate a veterinary establishment"

Amend Sec. 1 (Sec. 21), page 17, lines 5 and 6, by striking out "or with the operation of a veterinary establishment"

Amend Sec. 1 (Sec. 21), page 17, line 18, by striking out the bracket before "business"

Amend Sec. 1 (Sec. 21), page 17, line 18, by striking out "] veterinary establishment"

Amend Sec. 1 (Sec. 21), page 17, line 21, by striking out the bracket before "business"

Amend Sec. 1 (Sec. 21), page 17, lines 21 and 22, by striking out "] veterinary establishment"

Amend Sec. 1 (Sec. 21), page 18, lines 2 and 3, by striking out "or the operation of a veterinary establishment"

Amend Sec. 1 (Sec. 21), page 18, lines 7 and 8, by striking out "or to operate a veterinary establishment"

Amend Sec. 1 (Sec. 24), page 19, line 17, by striking out "(a)"

Amend Sec. 1 (Sec. 24), page 19, lines 25 and 26, by striking out "or to operate a veterinary establishment"

Amend Sec. 1 (Sec. 24), page 19, lines 27 and 28, by striking out "or to operate a veterinary establishment"

Amend Sec. 1 (Sec. 24), page 20, line 14, by striking out "or to operate a veterinary establishment"

Amend Sec. 1 (Sec. 24), page 20, lines 19 through 28, by striking out all of said lines

Amend Sec. 3, page 25, line 14, by striking out ", 31"

Amend Sec. 3 (Sec. 27), page 25, lines 22 and 23, by striking out ", or certify persons determined by the board to be qualified to inspect,"

Amend Sec. 3 (Sec. 27), page 25, line 23, by striking out the brackets before and after "animal hospitals or"

Amend Sec. 3 (Sec. 27), page 25, line 24, by inserting after "establishments"

, including mobile clinics,

Amend Sec. 3 (Sec. 27), page 25, lines 25 through 27, by striking out the underscored comma in line 25, all of line 26 and "21(8) and (9)" in line 27

Amend Sec. 3 (Sec. 27), page 25, line 30; page 26, line 1, by striking out ", including, but not limited to, violations of section 21(8) and (9)"

Amend Sec. 3 (Sec. 28), page 27, line 6, by striking out "or the operation of a veterinary establishment"

Amend Sec. 3 (Sec. 28), page 27, lines 23 and 24, by striking out "or operates a veterinary establishment"

Amend Sec. 3 (Sec. 31), page 28, lines 3 through 10, by striking out all of said lines

Amend Sec. 4, page 29, lines 29 and 30; page 30, lines 1 through 23, by striking out all of said lines on said pages

Amend Sec. 5, page 30, line 24, by striking out "5" and inserting

4

Amend Sec. 6, page 30, line 29, by striking out "6" and inserting

5

Amend Sec. 7, page 31, line 3, by striking out "7" and inserting

6

Amend Sec. 8, page 31, line 10, by striking out "8" and inserting

7

Amend Sec. 9, page 31, line 14, by striking out "9" and inserting

8

Amend Sec. 10, page 31, line 21, by striking out "10" and inserting

9

On the question,

Will the House agree to the amendments?

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

Mr. LLOYD. Thank you, Mr. Speaker.

Mr. Speaker, this is the amendment agreed to by the SPCA and by the Veterinary Medical Association. Briefly, what the amendment does is to eliminate all those sections of the bill which would have required the licensing of any kind of facility. So in other words, your local veterinarian will not have to get a license for his office. He will not have to have a license for his animal hospital. The SPCA will not have to have a license for an animal hospital, and everybody will be treated exactly the same.

The amendment also does allow the inspection of mobile clinics, which currently is unclear whether they can inspect, but nobody has to have a license for any facility under this amendment.

I would urge adoption of the amendment.

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

Mr. RYAN. Mr. Speaker, would the gentleman stand for a brief period of interrogation?

The SPEAKER. The gentleman, Mr. Lloyd, indicates he will so stand. You may proceed, Mr. Ryan.

Mr. RYAN. Would the gentleman tell me what happens when there is an animal hospital or facility that is unclean, unsafe, unsanitary, and the like if there is no licensing? How do we, the government, put pressure on these operators to maintain clean, safe premises?

Mr. LLOYD. Under the law the State Board has the right to inspect all of those facilities for sanitation, methods of operation, and adequacy of equipment. If the State Board finds that something is not as it should be and the veterinarians practicing there are not adhering to prevailing standards, the State Board then proceeds against the individual veterinarians and can take care of the full range of disciplinary powers - either a fine or a reprimand or a license suspension or a revocation.

The SPEAKER. The Chair recognizes the gentleman from Lancaster, Mr. Miller, on the amendment.

Mr. MILLER. Thank you, Mr. Speaker.

I rise to encourage the adoption of the Lloyd amendment. Just to refresh the members, the not-for-profit question that was controversial has been addressed. There is no longer the requirement for a separate facility's license. Finally, the mobile clinic inspection issue has been addressed in this bill vis-a-vis the Dorr amendment some weeks ago on the House floor.

I would encourage an affirmative vote on the amendment. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—194

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

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

NAYS—0

NOT VOTING—1

Howlett

EXCUSED—6

Barley	DeWeese	Gallagher	Linton
Bunt	Evans		

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

The SPEAKER. Now the question is, will the House concur in the Senate amendments as amended by the gentleman, Mr. Lloyd, to HB 1646? Those in favor of such concurrence will vote "aye"; those opposed will vote "no."

On the question,

Will the House concur in Senate amendments as amended?

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

YEAS—194

Acosta	Dininni	Lescovitz	Roebuck
Afflerbach	Distler	Letterman	Rudy
Angstadt	Dombrowski	Levdansky	Ryan
Argall	Donatucci	Livengood	Rybak
Arty	Duffy	Lloyd	Saloom
Baldwin	Durham	Lucyk	Saurman
Barber	Fargo	McCall	Scheetz
Battisto		McClatchy	Schuler

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

NAYS—0

NOT VOTING—1

Howlett

EXCUSED—6

Barley	DeWeese	Gallagher	Linton
Bunt	Evans		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments as amended were concurred in.

Ordered, That the clerk inform the Senate accordingly.

* * *

The clerk of the Senate, being introduced, returned the following **HB 1774, PN 3301**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act amending the act of February 1, 1966 (1965 P. L. 1656, No. 581), known as "The Borough Code," further providing for the filling of certain vacancies on the police force and in the fire department.

On the question,

Will the House concur in Senate amendments?

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

Mr. McVERRY. Mr. Speaker, the Senate simply corrected a word change from "subsection" to "section." It is a very technical definitional correction. I would urge its adoption or concurrence in Senate amendments.

The SPEAKER. Those in favor of adopting the amendments inserted by the Senate to HB 1774 will vote "aye"; those opposed, "no."

On the question recurring,

Will the House concur in Senate amendments?

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

YEAS—194

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

NAYS—0

NOT VOTING—1

Howlett

EXCUSED—6

Barley	DeWeese	Gallagher	Linton
Bunt	Evans		

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.

WELCOMES

The SPEAKER. The Chair welcomes Bernie Atz, Nick Williams, and Charles Jack. They are Fayette County supervisors. They are here as the guests of the Fayette County delegation. Welcome to the hall of the House, gentlemen.

In the gallery we have Mr. and Mrs. Sam Grove and Mr. and Mrs. Ira Whiteman, who are here as guests of Representative Ruth Rudy. They are representing the Centre County Farmers Association. Welcome to the hall of the House.

The Chair is delighted to welcome to the hall of the House, as the guests of his very good friend, the gentleman, Mr. George, Mrs. Barbara Waple, who is a farmer from Clearfield County, and Miss Tarbay, who is a reporter for the Clearfield Progress. Welcome to the hall of the House, ladies.

Students from Sheffield Area High School were here earlier today, together with Mrs. Montoure and Mrs. Bowley. They were the guests of Representative Curt Bowley.

CONSIDERATION OF HB 68 CONTINUED

On the question recurring,

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

BILL PASSED OVER

The SPEAKER. We had passed over temporarily HB 68. We will now pass over the bill for the rest of this day, without objection, and the Chair hears no objection.

Does the majority leader have any further business? Does the minority leader have any further business?

There will be no further votes taken on the floor of the House. We have a little housekeeping. We will see you here again at 11 o'clock tomorrow morning.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS
NONCONCURRED IN BY HOUSE

The clerk of the Senate, being introduced, informed that the Senate has insisted upon its amendments nonconcurring in by the House of Representatives to **HB 1498, PN 3278**.

MOTION INSISTING UPON NONCONCURRENCE
IN SENATE AMENDMENTS

Mr. MANDERINO moved that the House insist upon its nonconcurrency in Senate amendments to **HB 1498, PN 3278**, and that a committee of conference on the part of the House be appointed.

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

**APPOINTMENT OF
COMMITTEE OF CONFERENCE**

The SPEAKER. The Chair appoints as a committee of conference on the part of the House on HB 1498, PN 3278:
Messrs. McHALE, DeWEESE and PICCOLA.
Ordered, That the clerk inform the Senate accordingly.

BILL SIGNED BY SPEAKER

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

HB 1774, PN 3301

An Act amending the act of February 1, 1966 (1965 P. L. 1656, No. 581), known as "The Borough Code," further providing for the filling of certain vacancies on the police force and in the fire department.

REMARKS ON VOTE

The SPEAKER. Why does the gentleman from Warren, Mr. Bowley, rise?

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

The SPEAKER. You may proceed.

Mr. BOWLEY. Mr. Speaker, earlier today on HB 68, amendment A1362, I was not in my seat. If I had been, I would have voted in the affirmative.

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

WELCOME

The SPEAKER. The Friends of the Monessen Public Library system are here. They were recognized as the "Outstanding Friends of the Library Group" in Pennsylvania in 1985. They are here as the guests of the majority leader. Welcome to the hall of the House. We are glad to have you here.

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. There being no further business to be brought before this day's session, the Chair recognizes the gentleman from Lycoming, Mr. Bush.

Mr. BUSH. Mr. Speaker, I move that this House do now adjourn until Wednesday, April 23, 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 3:34 p.m., e.s.t., the House adjourned.