

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

WEDNESDAY, JUNE 25, 1986

SESSION OF 1986

170TH OF THE GENERAL ASSEMBLY

No. 50

### HOUSE OF REPRESENTATIVES

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

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

##### PRAYER

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

Most Wise and Ever Gracious Lord, it is with humble yet most gracious hearts that we come before Thee. As we enjoy all the evidences of Thy bounty day by day, we dare not forget to express our grateful thanks to Thee. So, O God, we pause in the midst of this day's activities to extend our glory and praise to Thee, and we pray that Thou wilt ever share with each one of us Thy constant love, Thy forgiving spirit, and Thy glorious presence. Reach out to the members of this legislature and direct their thoughts and actions so that they may ever serve Thee and Thy kingdom to the grandeur of Thy blest name. Amen.

##### PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was enunciated by members.)

##### JOURNAL APPROVAL POSTPONED

The SPEAKER. The Chair is informed that the Journal for Tuesday, June 24, 1986, is not yet in print. The Chair will delay the approval of that Journal, without objection, until the Journal is in print. The Chair hears no objection to that.

##### BILLS REMOVED FROM TABLE

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

SB 1298;  
SB 1349; and  
SB 1414.

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

Motion was agreed to.

##### LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes the gentleman from Lawrence, Mr. Fee. Are there any requests for leaves of absence at this time?

Mr. FEE. Mr. Speaker, there are no requests from the Democratic side at this time.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the minority whip. Are there any requests for leaves?

The minority whip indicates there are no requests for leaves at this time. The Chair thanks the gentleman.

##### SENATE MESSAGE

###### AMENDED SENATE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House by amending said amendments to **SB 180, PN 2234**.

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

##### SENATE MESSAGE

###### HOUSE BILLS CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 2093, PN 2860**; and **HB 2247, PN 3087**, with information that the Senate has passed the same without amendment.

##### SENATE MESSAGE

###### AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

The clerk of the Senate, being introduced, returned **HB 843, PN 3755**; and **HB 2275, PN 3698**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

##### WELCOMES

The SPEAKER. The Chair welcomes to the hall of the House as guest pages Veronica Barhite and Lisa Rouse. Their

families are in the gallery. They are the guests of Curt Bowley.

Peter and Lisa Verbos are the grandchildren of the executive secretary to the Speaker, Olga Verbos, and they are the guests of the Speaker. Welcome to the hall of the House, children.

### MASTER ROLL CALL

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

The following roll call was recorded:

#### PRESENT—201

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

#### ADDITIONS—0

NOT VOTING—0

EXCUSED—0

### WELCOME

The SPEAKER. Richard Lehman is the son of our own Linda Lehman. Linda, of course, is the assistant in the Appropriations Committee. Richard is her son. He is serving as a page here. Welcome to the hall of the House, Richard. We are delighted to have you here.

### HOUSE BILLS INTRODUCED AND REFERRED

**No. 2662** By Representatives FREEMAN, LEVDANSKY, KUKOVICH, PETRONE, BELFANTI, PRESTON, TIGUE, PISTELLA and RYBAK

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, authorizing a graduated income tax.

Referred to Committee on FINANCE, June 25, 1986.

**No. 2663** By Representatives STEVENS, DeLUCA, VROON, JAROLIN, CARLSON, CIVERA, LANGTRY and RICHARDSON

An Act amending the act of May 2, 1945 (P. L. 382, No. 164), known as the "Municipality Authorities Act of 1945," prohibiting a family member of a member of the governing body of the municipality from serving on the board of an authority of the municipality.

Referred to Committee on LOCAL GOVERNMENT, June 25, 1986.

**No. 2664** By Representatives GLADECK, LANGTRY, ITKIN, GANNON, SAURMAN, MERRY, POTT, McVERRY, FOX, AFFLERBACH, FREIND, NAHILL, J. L. WRIGHT, WOGAN and BOOK

An Act amending the act of April 12, 1951 (P. L. 90, No. 21), known as the "Liquor Code," permitting the board to apply a variable markup to its products.

Referred to Committee on LIQUOR CONTROL, June 25, 1986.

**No. 2665** By Representatives DAWIDA, JOHNSON, WOGAN, RYBAK, J. L. WRIGHT, HALUSKA, F. TAYLOR, SEVENTY, KUKOVICH, MRKONIC, KOSINSKI, JAROLIN, TRELLO, STABACK, VAN HORNE, NAHILL, CIVERA, RAYMOND, BUNT, FOX, BELARDI, ACOSTA, BURD, FISCHER, LASHINGER, VEON, MICHLOVIC, PETRARCA and PETRONE

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, further providing for senior resident fishing licenses.

Referred to Committee on GAME AND FISHERIES, June 25, 1986.

**No. 2666** By Representatives MERRY, TRELLO, NOYE, ITKIN, BOWSER, HOWLETT, VROON, FARGO, GREENWOOD, HERMAN, CIVERA, GRUPPO, DISTLER and REBER

An Act amending the act of May 25, 1945 (P. L. 1050, No. 394), known as the "Local Tax Collection Law," further providing for installment payment of taxes.

Referred to Committee on FINANCE, June 25, 1986.

**No. 2667** By Representatives MILLER, WOGAN, VROON, HALUSKA, JOHNSON, SEVENTY, NOYE, CARLSON, SCHULER, FARGO, COLE, DISTLER, TRELLO, STABACK, MORRIS, NAHILL, RAYMOND, E. Z. TAYLOR, BUNT, CARN, FOX, GRUPPO, REBER, BURD, ARTY, PETRARCA, WOZNIAK, LASHINGER, LINTON, VEON and AFFLERBACH

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), known as "The Administrative Code of 1929," authorizing the Department of General Services and other administrative departments to permit any private school or parochial school and non-profit human service agency to participate in purchase contracts entered into by the Commonwealth.

Referred to Committee on STATE GOVERNMENT, June 25, 1986.

**No. 2668** By Representative WESTON

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, changing the age requirements for the offense of statutory rape.

Referred to Committee on JUDICIARY, June 25, 1986.

**No. 2669** By Representatives FREIND, DURHAM, REBER, ANGSTADT, ARGALL, ARTY, BARLEY, BIRMELIN, BLACK, BOOK, BOWSER, BOYES, BRANDT, BUNT, BURD, BURNS, BUSH, CARLSON, CESSAR, CHADWICK, CIMINI, CIVERA, CLYMER, CORNELL, COSLETT, DAVIES, DeVERTER, DIETZ, DININNI, DISTLER, DORR, FARGO, FISCHER, FLICK, FOSTER, FOX, GALLEN, GANNON, GEIST, GLADECK, GODSHALL, GREENWOOD, GRUPPO, HAGARTY, HASAY, HAYES, HERMAN, HERSHEY, HONAMAN, JACKSON, JOHNSON, KENNEDY, LANGTRY, LASHINGER, MACKOWSKI, MANMILLER, McCLATCHY, McVERRY,

MERRY, MICOZZIE, MILLER, MOEHLMANN, MOWERY, NAHILL, NOYE, PHILLIPS, PICCOLA, PITTS, POTT, PUNT, RAYMOND, REINARD, ROBBINS, RYAN, SAURMAN, SCHEETZ, SCHULER, SEMMEL, SERAFINI, SIRIANNI, B. SMITH, L. E. SMITH, D. W. SNYDER, G. SNYDER, STAIRS, STEVENS, SWIFT, E. Z. TAYLOR, TELEK, VROON, WASS, WILSON, J. L. WRIGHT and R. C. WRIGHT

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), known as the "Public School Code of 1949," further providing for payment of an economic supplement and minimum increases.

Referred to Committee on EDUCATION, June 25, 1986.

**No. 2670** By Representatives FLICK, O'BRIEN, HERSHEY, TRELLO, PITTS and COLAFELLA

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, clarifying the definitions of "Commonwealth party" and "local agency"; and further clarifying the provision of legal assistance to Commonwealth parties.

Referred to Committee on JUDICIARY, June 25, 1986.

**No. 2671** By Representatives BARBER, IRVIS, KUKOVICH, DAWIDA, CLYMER, LASHINGER, ARTY, WIGGINS, KASUNIC, HARPER, TIGUE, TRUMAN, SAURMAN, DOMBROWSKI, EVANS, LUCYK, McCALL, RUDY, SEVENTY, STEIGHNER, TRELLO, WAMBACH, D. R. WRIGHT, VAN HORNE, ARGALL, BOYES, BRANDT, FOX, GEIST, JOHNSON, JACKSON, GRUPPO, HERSHEY, PERZEL, BOWSER, CHADWICK and ROBBINS

An Act providing for certain medical assistance payments for institutional care; establishing the scope of the Department of Public Welfare's cost manual; abolishing funded depreciation and moratorium on reimbursement of capital costs; establishing allowable nursing hours; establishing the limitation on general administrative allowance; establishing the cap on capital cost reimbursement; requiring a feasibility study on modifying ceiling setting methodology; requiring indexing of policy statements, bulletins and appeal decision; revising the bed occupancy allowance; clarifying treatment of Medicare Part B services; clarifying treatment of drug services; providing for treatment of capital gains and losses; establishing the interest rate ceiling; providing for treatment of investment income; providing for treatment of ambulance costs and board of directors' expenses; and making an appropriation.

Referred to Committee on HEALTH AND WELFARE, June 25, 1986.

### HOUSE RESOLUTIONS INTRODUCED AND REFERRED

- No. 322** By Representatives KOSINSKI, JAROLIN, DOMBROWSKI, STABACK, LIVENGOOD, COWELL, MARKOSEK, RYBAK, GALLAGHER, MAYERNIK, LEVDANSKY, F. TAYLOR, CAWLEY, PISTELLA, DeWEESE, SWEET, BELARDI, DORR, ITKIN, JOSEPHS, WOGAN, HALUSKA, DAWIDA, KUKOVICH, VEON, CALTAGIRONE, PETRARCA, LUCYK, MRKONIC, CORDISCO, O'DONNELL, MACKOWSKI, ROBBINS, WASS, CARLSON, RAYMOND, CIMINI, JOHNSON, FISCHER, NAHILL, E. Z. TAYLOR, PERZEL, J. L. WRIGHT, J. TAYLOR, VROON, BOWSER, GANNON, ANGSTADT, HERSHEY, R. C. WRIGHT, FOX, WESTON, GODSHALL, STEVENS, CLYMER, TELEK, O'BRIEN, BUNT, KENNEY and PETRONE

Designating October as "Polish Heritage Month."

Referred to Committee on RULES, June 25, 1986.

- No. 323** By Representatives GLADECK, LANGTRY, ITKIN, SAURMAN, MERRY, POTT, McVERRY, FOX, FREIND, NAHILL, J. L. WRIGHT, WOGAN and BOOK

Urging the Pennsylvania Liquor Control Board to seek lower prices on the purchase of liquor.

Referred to Committee on RULES, June 25, 1986.

- No. 324** By Representatives GODSHALL, COY, PHILLIPS, STABACK, RAYMOND, CIVERA, DISTLER, MERRY, HERSHEY, CARLSON, E. Z. TAYLOR, MICHLOVIC, GLADECK and BALDWIN

Directing the Game and Fisheries Committee of the House of Representatives to conduct public hearings on the proposed ban of lead shot for use in waterfowl hunting.

Referred to Committee on RULES, June 25, 1986.

### SENATE BILL FOR CONCURRENCE

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

**SB 1486, PN 2221**

Referred to Committee on FINANCE, June 25, 1986.

### BILLS ON SECOND CONSIDERATION

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

**SB 1349, PN 1800; and SB 1414, PN 2286.**

### CALENDAR

#### BILLS ON SECOND CONSIDERATION

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

**SB 1277, PN 2269; and SB 1451, PN 2270.**

\* \* \*

The House proceeded to second consideration of **SB 1422, PN 2266**, entitled:

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), entitled "Tax Reform Code of 1971," further providing for estimated tax; and reenacting provisions relating to a credit against gross receipts tax for railroad expenditures on maintenance or right-of-way improvements.

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 1422 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 1144, PN 2267**, entitled:

An Act amending the act of May 21, 1943 (P. L. 571, No. 254), entitled, as amended, "The Fourth to Eighth Class County Assessment Law," further providing for appeals.

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 1144 be recommitted for a fiscal note to the Committee on Appropriations.

On the question,

Will the House agree to the motion?

Motion was agreed to.

#### BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2101, PN 3643**, entitled:

An Act amending the act of July 2, 1984 (P. L. 520, No. 105), known as the "Business Infrastructure Development Act," further providing for grant and loan procedures, the conditions of loans and the municipalities where grants may be made; and removing provisions relating to guidelines and regulations.

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

The SPEAKER. The Chair recognizes the minority whip to offer an amendment.

Mr. HAYES. Mr. Speaker, about the amendment. Mr. Speaker, because of the discussions which have been taking place between the leaders of the four caucuses - the two in the House and two in the Senate - with regard to this bill and other bills like this bill and those series of bills which address the types of problems that HB 2101 addresses, I will not offer the amendment I was contemplating at this time, because I believe that the issues contained in that amendment will be appropriately considered when conversations between the House and the Senate take place concerning this bill and the other bills. The mere fact, Mr. Speaker, that I am not offering the amendment at this time should not send a signal that the issues contained in my amendment are not to be considered when the House and Senate discuss this bill and other bills like it.

So at this time, Mr. Speaker, for the purpose of having HB 2101 move forward, possibly from this chamber to the Senate so that we can put final touches on possibly this bill and other bills like it in the package before the summer recess, I am not going to offer my amendment at this time, leaving the door open, Mr. Speaker, so that the subjects and issues contained in that prospective amendment are taken up in conversations between the House and the Senate. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Is the gentleman, Mr. Dorr, on the floor of the House anywhere?

The Chair has just been advised that Mr. Dorr has three amendments to the bill.

Mr. HAYES. Mr. Dorr does have amendments. He is in the Capitol, and it is my understanding that he is on his way to the floor.

The SPEAKER. Very well.

**BILL PASSED OVER TEMPORARILY**

The SPEAKER. Pass the bill over temporarily. We will call it up when Mr. Dorr arrives on the floor. Over temporarily for HB 2101.

\* \* \*

The House proceeded to third 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 third consideration?  
Bill was agreed to.

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

The question is, shall the bill pass finally?

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

**YEAS—199**

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

**NAYS—0**

**NOT VOTING—2**

Hutchinson      Sirianni

**EXCUSED—0**

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

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

\* \* \*

The House proceeded to third consideration of **HB 2308, PN 3688**, entitled:

An Act amending the act of December 12, 1980 (P. L. 1179, No. 219), entitled, "An act to define and regulate secondary mortgage loans and providing penalties," further limiting unlicensed loans, providing for an application and dishonored check fee and setting the frequency of examinations; prohibiting loanfinders's fees; and further providing for exemptions.

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—196**

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

Dietz Lashinger Rieger Speaker  
Dininni Laughlin

**NAYS—0**

**NOT VOTING—5**

Acosta Cordisco Evans Wiggins  
Barber

**EXCUSED—0**

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

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

\* \* \*

The House proceeded to third consideration of **HB 2330, PN 3569**, entitled:

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

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

Mr. **HALUSKA** offered the following amendment No. **A3169**:

Amend Sec. 4, page 7, lines 22 through 26, by striking out "DURING THIS TWO-YEAR PERIOD, ANY SUCH TOURIST" in line 22 and all of lines 23 through 26

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

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

Mr. **HALUSKA**. Mr. Speaker, in committee we amended this act to give a grace period of 2 years for tourist promotion agencies that find it impossible to raise the additional funds to take care of administrative costs which would be eliminated under this act. In this amendment we had an extension for a period of 2 years. They had to indicate that they would show progress for joining with other counties to form a regional tourist promotion agency. This, however, has not been acceptable to many of the small tourist promotion agencies. Therefore, we wish to delete part of line 22 through line 26. We will retain the 2-year grace period but remove the compulsory part of the amendment which required to show progress over a 2-year period, and at the end of that particular time, they would comply with the new act.

I ask for an affirmative vote on this amendment.

The **SPEAKER**. On the amendment, the Chair recognizes the gentleman from Fayette, Mr. Taylor.

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

I would like to inform the members of the House that this is an agreed-to amendment, and we should vote in the affirmative for it. Thank you very much.

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

The following roll call was recorded:

YEAS—198

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

NAYS—0

NOT VOTING—3

Barber	Olasz	Richardson
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EXCUSED—0

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

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

Mr. WASS. Thank you.

Mr. Speaker, may I interrogate the sponsor of the legislation, please?

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

Mr. WASS. Mr. Speaker, we get deeply concerned about cuts in funds. Many times we do not receive additional funds under different legislation that is proposed here, but in this particular case would the tourist bureau of Indiana County lose any funds in the distribution of the funds this year or next year?

Mr. F. TAYLOR. No. There will be no loss of funds to any of those agencies. What it is is a redirection and redistribution. The moneys will stay the same. There will be no loss of funds.

Mr. WASS. Thank you very much. That is all I was interested in.

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—196

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

DeVerter	Josephs	Pressmann	Wozniak
DeWeese	Kasunic	Preston	Wright, D. R.
Daley	Kennedy	Punt	Wright, J. L.
Davies	Kenney	Raymond	Wright, R. C.
Dawida	Kosinski	Reber	Yandrisevits
Deal	Kukovich	Reinard	
Dietz	Langtry	Richardson	Irvis,
Dininni	Lashingner	Rieger	Speaker
Distler	Laughlin		

NAYS—2

Argall Boyes

NOT VOTING—3

Barber Cordisco Sweet  
EXCUSED—0

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

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

\* \* \*

The House proceeded to third consideration of **HB 2469, PN 3463**, entitled:

An Act amending the act of July 10, 1981 (P. L. 214, No. 67), known as the "Bingo Law," further providing for the operation and conducting of bingo.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—199

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

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

NAYS—0

NOT VOTING—2

Barber Cordisco  
EXCUSED—0

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

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

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

**SB 483, PN 2291 (Amended)**

By Rep. LAUGHLIN

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the use of restraining systems.

CONSUMER AFFAIRS.

**REMARKS ON VOTE**

The SPEAKER. Why does the lady from Susquehanna, Miss Sirianni, rise in place?

Miss SIRIANNI. Mr. Speaker, I would like to be recorded in the affirmative on HB 1776.

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

**BILLS ON THIRD CONSIDERATION CONTINUED**

The House proceeded to third consideration of **HB 459, PN 3751**, entitled:

An Act to require the Department of Public Welfare to provide home-based care as an alternative to nursing home or other institutional care; and making an appropriation.



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

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

The question is, shall the bill pass finally?

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

YEAS—197

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

NAYS—2

DeVerter Smith, L. E.

NOT VOTING—2

Barber Wilson

EXCUSED—0

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

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

\* \* \*

The House proceeded to third consideration of **HB 1543, PN 1933**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for the protection of employment of crime victims.

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

Mr. REINARD offered the following amendments No. A2780:

Amend Title, page 1, line 3, by removing the period after "victims" and inserting  
; and further providing for the ownership and possession of certain weapons.

Amend Bill, page 2, by inserting between lines 8 and 9 Section 2. Section 6105 of Title 18 is amended to read:  
§ 6105. Former convict not to own a firearm, etc.

(a) General rule.—No person who has been convicted in this Commonwealth or elsewhere of a crime of violence or of a felony for a violation of the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act, shall own a firearm, rifle or shotgun or have [one] any such weapons in his possession or under his control.

(b) Exemption.—A court of common pleas having jurisdiction where the principal residence of a petitioner is situated shall grant an exemption from the provisions of subsection (a) to the petitioner upon finding that the petitioner meets all of the following provisions:

(1) A period of ten years has elapsed since the most recent conviction of a crime of violence or a violation of The Controlled Substance, Drug, Device and Cosmetic Act.

(2) A period of five years has elapsed since the completion of the most recent term of imprisonment, if any, for any crime, other than a summary offense.

(c) Proceedings.—Whenever any person petitions the court of common pleas pursuant to this section, a hearing shall be held in open court to determine whether the requirements of subsection (b) have been met. The Commissioner of the Pennsylvania State Police and the district attorney of the county of venue shall be parties to any such proceeding.

Amend Sec. 2, page 2, line 9, 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 the exact same amendment that the House passed on November 19, 1985. The legislation clarifies a gray area that currently exists in the Pennsylvania gun law as it compares to Federal legislation.

Currently under Federal law no convicted felon is allowed to possess a firearm. Pennsylvania's gun law also relies on felonies; however, they call them crimes of violence, and drug dealers, although a felony, are not included in Pennsylvania's definition of "crimes of violence." Also, Pennsylvania clarifies firearms by barrel length, and so a rifle in Pennsylvania is

not considered under the definition of a firearm, whereas under Federal legislation "firearms" means all firearms, all guns.

This amendment is language that is supported and agreed to by the Pennsylvania NRA (National Rifle Association) and also the Federation of Sportsmen's Clubs. The language simply will clarify the gray area that exists in Pennsylvania's law. The situation refers back to an individual situation that happened in 1985 in Bucks County where a convicted drug dealer was apprehended, his rifles were confiscated, and he was sentenced. However, his rifles were returned to his wife's possession because the district attorney's office in Bucks County and the local sheriff of the municipality could not agree on whether or not Federal law or State law took precedence.

The gun laws of Pennsylvania have been on the agenda of the NRA to clarify this issue as well as the Sportsmen's Clubs. Again, this has their support. It was passed by this House before, and I ask for your support.

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

Mr. LETTERMAN. Mr. Speaker, I had not been aware of this prior to just now hearing it on the floor. I am therefore going to ask that this bill be recommitted with the amendment until I have a chance to check it out thoroughly. I would ask that everybody give me at least that opportunity. This is something that just came up. I have no way of knowing whether or not the people are supporting it or not, and I would like the opportunity to check it out.

The SPEAKER. Do you wish to have it recommitted or are you satisfied to let it stay on the calendar and be passed over?

Mr. LETTERMAN. It can be passed over until I have a chance to check it out. Yes.

The SPEAKER. All right.

The gentleman from Greene, Mr. DeWeese, is seeking recognition?

Mr. DeWEESE. I wanted to second the motion of Mr. Letterman, but I will agree to pass it over if it is agreeable with Mr. Letterman.

The SPEAKER. The Chair recognizes the gentleman from Montgomery, Mr. Fox. This is your bill.

Mr. FOX. Yes, Mr. Speaker.

I would ask if the House has a problem with the amendment—

The SPEAKER. Just a moment, Mr. Fox. Mr. Noye may have a solution worked out here.

**BILL PASSED OVER TEMPORARILY**

The SPEAKER. Mark HB 1543 over temporarily.

\* \* \*

The House proceeded to third consideration of **HB 2072, PN 3668**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for rules of evidence in relation to medical records; and providing for the use of certified copies and procedures relating thereto.

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—200**

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

**NAYS—0**

**NOT VOTING—1**

Barber

**EXCUSED—0**

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

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

### REMARKS ON VOTE

The SPEAKER. Why does the gentleman from Bucks, Mr. Wilson, rise?

Mr. WILSON. Mr. Speaker, on HB 459, if I had been a little quicker with the switch, I would have voted in the affirmative. Thank you.

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

### HEALTH AND WELFARE COMMITTEE MEETING

The SPEAKER. Does the gentleman from Allegheny, Mr. Pistella, wish to make a committee announcement?

Mr. PISTELLA. Thank you, Mr. Speaker.

I would like to announce a meeting at the lunch break in room 401 of the Health and Welfare Committee. Luncheon will be provided. Thank you.

The SPEAKER. Why does the gentleman from Chester, Mr. Vroon, rise?

Mr. VROON. May I have unanimous consent to make a few remarks out of order? Is this out of order?

The SPEAKER. The Chair would ask that you delay that until after the return from caucus.

Mr. VROON. Okay.

The SPEAKER. The two leaders have advised the Chair that there are two very important issues to be discussed in caucus and they would like to get the troops to caucus.

Mr. VROON. Will you recognize me then when this is finished?

The SPEAKER. Yes, sir. We will do that.

### DEMOCRATIC CAUCUS

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

Mr. ITKIN. Mr. Speaker, upon the declaration of the recess, the Democrats will go immediately to caucus to discuss a couple important issues including scheduling and where we are going to be going and what we are going to be doing for the remainder of the week.

### APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Pievsky. Do you have an announcement?

Mr. PIEVSKY. Thank you, Mr. Speaker.

There will be a meeting of the Appropriations Committee at 3 o'clock this afternoon in the majority caucus room.

### REPUBLICAN CAUCUS

The SPEAKER. The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, the Republican members should report immediately to caucus for the purpose of discussing the balance of the week, next week, summer, winter, budget, all those things that are so dear to our hearts. Thank you, Mr. Speaker.

### CONFERENCE COMMITTEE MEETING

The SPEAKER. Why does the gentleman from Beaver, Mr. Laughlin, rise?

Mr. LAUGHLIN. Mr. Speaker, we are to have a meeting of the Conference Committee on HB 1639, which is the sunset legislation. A conference committee meeting at 1:30 in the House majority caucus room.

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

Mr. VROON. May I make my remarks now, Mr. Speaker?

The SPEAKER. You misunderstood me, Mr. Vroon. We are trying to get them into caucus. We will bring them back on the floor, and then you will be the first one to be recognized. It is the promise of the Chair.

Mr. VROON. Very good. Thank you.

The SPEAKER. The House will stand in recess until 1:15. Caucus immediately for Republicans and Democrats. You had better be there. Then take your lunch period and be back on the floor.

The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, if I may, 1:15 almost sounds like we are going to have lunch. I was under the impression that we were going to go to caucus and come immediately back to the floor.

The SPEAKER. No. The instructions from the floor were that we are going to caucus, have lunch, and then come back on the floor. Is that satisfactory?

Mr. RYAN. Oh, sure. I can always eat, Mr. Speaker.

The SPEAKER. All right.

### RECESS

The SPEAKER. The House stands then in recess until 1:15, but report first to your caucus chambers. The House stands in recess until 1:15.

### AFTER RECESS

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

### BILLS SIGNED BY SPEAKER

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

**HB 2093, PN 2860**

An Act amending the act of August 22, 1953 (P. L. 1344, No. 383), known as "The Marriage Law," further providing for marriage license applications.

**HB 2247, PN 3087**

An Act amending the act of May 1, 1933 (P. L. 103, No. 69), known as "The Second Class Township Code," further providing for voting by township supervisors.

**SB 1253, PN 1664**

An Act designating a bridge in Lock Haven, Clinton County, as the Veterans' Bridge.

**SENATE MESSAGE**

**AMENDED HOUSE BILLS  
RETURNED FOR CONCURRENCE**

The clerk of the Senate, being introduced, returned **HB 90, PN 3771; HB 124, PN 3772; HB 209, PN 2652; and HB 1876, PN 3774**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

**SENATE MESSAGE**

**HOUSE BILL  
CONCURRED IN BY SENATE**

The clerk of the Senate, being introduced, returned **HB 2276, PN 3494**, with information that the Senate has passed the same without amendment.

**ADDITIONS AND DELETIONS OF SPONSORS**

The SPEAKER. The Chair acknowledges receipt of additions and deletions of sponsorships of bills as filed by the majority leader. The clerk will file the additions and deletions.

The following list was submitted:

**ADDITIONS:**

HB 788, Stewart, McCall, George; HB 823, Yandrisevits; HB 1232, Showers; HB 2106, Mrkonic; HB 2316, Micozzie; HB 2333, Cappabianca; HB 2393, Richardson; HB 2422, Fox; HB 2454, Fox; HB 2461, Fox; HB 2562, Clark; HB 2605, R. C. Wright; HB 2606, Caltagirone, R. C. Wright; HB 2609, Rybak; HB 2620, Veon; HB 2624, Clark; HB 2643, Gladeck; HB 2648, Josephs; HB 2650, E. Z. Taylor; HB 2656, Gallen; HR 314, Petrarca; HR 322, Petrone.

**DELETIONS:**

HB 361, Dawida; HB 2073, Richardson; HB 2606, Lucyk.

**CALENDAR CONTINUED**

**BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 2341, PN 3570**, entitled:

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

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—196**

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

**NAYS—0**

**NOT VOTING—5**

Barber	Richardson	Roebuck	Wiggins
Evans			

**EXCUSED—0**

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

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

\* \* \*

The House proceeded to third consideration of **SB 1145, PN 2289**, entitled:

An Act amending the act of April 13, 1972 (P. L. 184, No. 62), entitled "Home Rule Charter and Optional Plans Law," providing for election district amendments and for questions on the ballot.

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.

(A roll-call vote was taken.)

VOTE STRICKEN

The SPEAKER. The clerk will strike the vote on SB 1145. The Chair has been informed there has been an error discovered in the bill, and an amendment is going to be necessary. So mark your calendars, SB 1145 over temporarily.

The Chair advises those members interested in this bill that this will be the last voting day for this week, so any amendment that has to be made had better be made quickly.

BILL PASSED OVER TEMPORARILY

The SPEAKER. Mark SB 1145 over temporarily.

\* \* \*

The House proceeded to third consideration of **HB 2120, PN 3630**, entitled:

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

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

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

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

YEAS—199

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

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

NAYS—0

NOT VOTING—2

Cohen	Cordisco
	EXCUSED—0

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

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

BILLS ON CONCURRENCE  
IN SENATE AMENDMENTS

The clerk of the Senate, being introduced, returned the following **HB 1812, PN 3713**, 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 July 9, 1985 (P. L. 187, No. 47), known as the "Transportation Partnership Act," further providing for transportation development districts; clarifying provisions relating to the financing of a transportation development district project; adding provisions facilitating additional public involvement in a municipality's decision to establish a transportation development district; and further providing for transportation planning.

On the question,

Will the House concur in Senate amendments?

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

Mr. GAMBLE. I would ask for a positive vote in the Senate amendments. It just cleared up some messy language, and it is agreed to by I think Mr. Godshall, who also had a problem with it.

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

Mr. GODSHALL. Thank you, Mr. Speaker.

I have a statement I would like to make on these amendments that reads as follows:

As you know, the original intent of this legislation was to include Allegheny County under the Pennsylvania Transportation Partnership Act of 1985. That language remains in the bill, and while it is most important, I would like to direct my remarks to the remainder of the bill before us.

If we fail to adopt this legislation today, the Transportation Partnership Act will continue to teeter on the brink of total failure. However, if we act today and send this legislation to the Governor, we will have saved the Transportation Partnership Act of 1985 and secured a partnership for the future that will enable local governments to effectively and fairly deal with the development projects so vital to the economic well-being of this Commonwealth and its residents.

If I may, Mr. Speaker, I would like to briefly review the need for the clarifications as set forth in HB 1812. The need began when the commissioners of a southeastern county, in their zeal to increase revenues to the county, saw the Transportation Partnership Act of 1985 as a means of implementing a countywide assessment on all new construction and development projects.

This tax, which since has been implemented, ran directly against the original intent of the Transportation Partnership Act, which was designed to provide local governments with a mechanism to supplement and expedite funds for local transportation improvements necessitated by a specific development project. I believe, and I am confident that this House will agree, the foundation of the Transportation Partnership Act as passed by this General Assembly consisted of an emphasis on a partnership and a cooperation between local governments and developers.

This partnership, as intended by the General Assembly, was to benefit those residents and businesses of a particular transportation development district. Unfortunately, my county commissioners ignored the legislative intent and implemented a transportation development tax formula that definitely had an adverse impact on the economy by way of lost construction and housing starts and, ultimately, lost jobs.

I will not go into the specifics of the county assessment implemented by Montgomery County commissioners, but it is essential—

## POINT OF ORDER

Mrs. HAGARTY. Mr. Speaker, point of order.

The SPEAKER. Just a moment, Mr. Godshall.

Why does the lady from Montgomery, Mrs. Hagarty, rise?

Mrs. HAGARTY. Point of order.

The gentleman is not directing his comments to the amendments on Senate concurrence or to HB 1812 as it is before the House today for a vote.

The SPEAKER. Mr. Godshall, limit your comments to the reasons why you would suggest we be for or against the amendments.

Mr. GODSHALL. That is exactly what I thought I was doing, and I will. Thank you, Mr. Speaker.

The language in the amendments includes four specific points to clarify the original intent of the legislature. These points are as follows: First, and most importantly, any assessment imposed under this partnership effort must be applied to all property owners within the boundaries of the specified transportation district.

Second, all revenues from a transportation development assessment must be used solely for the transportation improvements necessitated by the construction or development project. In my county the commissioners were using the revenues to supplement mass transit and make general road repairs.

Third, a transportation district's boundaries must relate to the project at hand. In other words, only those properties that would benefit from the transportation improvement project may be included in the transportation district. Project cost estimates must also be determined.

Finally, the clarification language in HB 1812 provides affected property owners the right to oppose and halt a project under this act. If the owners, amounting to more than 50 percent of the total property valuation of the properties to be assessed, petition the local municipality in opposition to the development district, the district and assessment could not be implemented.

Again, I must stress that the one-time assessments provided for by the Transportation Partnership Act are based on the word "partnership." These development projects must benefit all property owners in a particular development district, and these property owners must be guaranteed a voice in the process.

I would ask for your concurrence in the Senate amendments. Thank you.

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

Mr. REBER. Mr. Speaker, would the prior speaker stand for brief interrogation?

The SPEAKER. Mr. Godshall indicates he will so stand. You may proceed, sir.

Mr. REBER. Mr. Speaker, on page 3 of the bill there is language on lines 9 through 15 which I assume limits what exactly can or cannot be done in the established transportation development district. Is it your understanding from the language that there could be no use of the funds derived from an assess-

ment and/or a tax under this for maintaining or repairing any existing bridges within a particular municipality as would be adopting this?

Mr. GODSHALL. Mr. Speaker, the interrogator is exactly right. In another section of this bill, it specifically spells out the fact that these moneys cannot be used for general road or bridge repairs in the municipality involved.

Mr. REBER. Mr. Speaker, the particular assessment that may be made under this, it is my understanding that the act is now attempting to clarify that it has to be an assessment that benefits any property which is assessed. Is that a correct characterization of the amendments that have been entered on the Senate side?

Mr. GODSHALL. I would say that is definitely a correct assessment, and it even on page 9, on line 9, calls for a study that shall identify the beneficiaries of all projects in the transportation improvement program and include an analysis of cost allocations among beneficiaries prorated according to benefits to be received.

Mr. REBER. Mr. Speaker, is it still possible, the way the language of this particular HB 1812 is with the Senate amendments that have been entered, that it will allow a municipality to be a countywide type of district? In short, does the language of the bill still construe "municipality" or still define "municipality" to be a county?

Mr. GODSHALL. In answer to that, I believe a county still can designate itself as an entire transportation district, and that is under another law where the county comes in as a municipality. But what this does is really sort of excludes that. There are different amendments in here which say that all property owners must be notified 15 days prior to public hearings. That would mean that everybody in the county would have to be notified. Then it also says that there has to be public hearings on the bill. Before a county could implement this with all these safeguards, it would be much easier for the county to raise the general millage than it would to make an assessment based on this Transportation Partnership Act of 1985.

Mr. REBER. Mr. Speaker, on page 5 of the bill there is language on lines 16 through 20 that refers to the fair and reasonable assessment that can be made pursuant to this act on each of the benefited properties within the specific district. The language "specific district" appears to be new, appears to be an amendment added on the Senate side. My question is this, Mr. Speaker: Does this in fact now allow for a county to be the governing body to impose an assessment and/or a tax under this particular statute, if adopted and signed by the Governor, of course? Does this then allow a county to, in essence, derive a specific district within the county itself from which assessments can be made and then the moneys on those benefited properties within that specific district? Even though it is made by the county governing body, it is not a countywide assessment. Does it allow for such action as I have just explained?

Mr. GODSHALL. It would allow for such action, and really, that was the intent of the original bill - not only to

allow municipalities but a county to create a district within itself with a specific improvement and have the benefited properties pay for that specific improvement.

Mr. REBER. Finally, Mr. Speaker, on page 8 of the bill, beginning on line 28, there is language relating to a limitation on use of the funds. Is it correct from what I believe you earlier stated that the funds that might be derived from an assessment or a tax under this act can only be used for a designated particular project or projects at the outset of the assessment ordinance procedure, adoption procedure, if you will, and that they could not be used for any types of general revenue funds within a governing body's municipality for whatever purpose they might deem necessary during a particular fiscal year?

Mr. GODSHALL. That is exactly right, Mr. Speaker. Furthermore, all property owners in advance must be notified, and that notification is exactly what the transportation district is, what the borders are, how much the assessment is going to be, what the transportation improvement is exactly that is going to be contemplated to be built. There are various safeguards built in here that say the money collected must be used for a certain improvement already specified prior to the assessment.

Mr. REBER. Thank you, Mr. Speaker. That is all.

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

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

I would like to interrogate Representative Godshall if he allows.

The SPEAKER. The gentleman indicates he will stand for further interrogation.

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

Mr. Speaker, on page 5 of the bill in paragraph (2), approximately lines 19 and 20, the Senate amended that section to state that the assessment must be on each property within the district, and then it goes on to say, "There shall be no exception, exclusion or preference granted to any property."

Mr. Speaker, if an area is defined under this act to be a transportation district, then can the municipality assess both existing property and new development within that district according to this language?

Mr. GODSHALL. The original intent of this act when it passed last year, the Transportation Partnership Act of 1985, said that all benefited properties must pay equally. What happened in my county, all benefited properties did not pay equally. The assessment was placed only on new construction. What this does is spell out the legislative intent of last year. Legislative intent was that all properties must and should pay equally within the district.

Mr. D. W. SNYDER. So, Mr. Speaker, what you are basically saying with the amendments put in by the Senate that we are asked to concur in today is that if a developer should build, say, for example, a shopping center in a particular district and the municipality determines that a particular highway which would serve that shopping center should be upgraded in order to minimize traffic impact, that all the

existing properties within that zone would theoretically be assessed equally to what the new construction would be assessed.

Mr. GODSHALL. It would depend on what your commissioners or whoever, your governing body, designate as the zone. They can designate the transportation partnership district. They are the ones that determine that, and also, if you look at page 9, there has to be a study done and it shall identify the beneficiaries of the projects in the transportation improvement program and include an analysis of cost allocation among benefited properties.

Mr. D. W. SNYDER. But basically, Mr. Speaker, your answer then would be, yes, that existing properties could also be assessed on the same basis as that new construction within that particular area if the transportation district is defined as being broader than that particular property.

Mr. GODSHALL. Only if the governing body included those properties in the transportation district - only if.

Mr. D. W. SNYDER. Mr. Speaker, also with the Senate amendments, can a county also provide for a transportation district and assess as well as a municipality? In other words, a similar piece of property may basically be assessed by two levels of government. Is that possible under this act as being amended?

Mr. GODSHALL. It is possible under this act but it is going to become more difficult under this act. That same possibility exists under the present act. In fact, in Montgomery County today, you have municipalities with a transportation partnership district; you also have the county for a transportation partnership district. So you have two existing tiers of assessments right now in the county. This tightens this up considerably.

And your previous question about existing properties being taxed - under the old law, under the original act, they were also to be taxed. This only spells out the legislative intent which we had discussed on the floor when we passed this in 1985.

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

Mr. Speaker, may I make a comment, please?

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

Mr. D. W. SNYDER. Mr. Speaker, reviewing this act I am uncertain as to what the impact could be on a particular community and the property owners within that community. It appears that it is possible that existing property owners could be assessed a value for the impact of new development within a particular area. I do not believe that that is fair.

Mr. Speaker, also, I think the problem of a double assessment being a possibility is also another concern. For that reason, Mr. Speaker, I would ask for nonconurrence until we can resolve these points more specifically. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the question of concurrence, the Chair recognizes the gentleman from Montgomery, Mr. Saurman.

Mr. SAURMAN. Thank you, Mr. Speaker.

Mr. Speaker, would Representative Godshall consent to interrogation on this bill?

The SPEAKER. The gentleman, Mr. Godshall, indicates he will stand for further interrogation. You may proceed, Mr. Saurman.

Mr. SAURMAN. Thank you, Mr. Speaker.

Mr. Speaker, my concern is for other than county governments. My concern is, how will this affect those local municipalities that have already put into place transportation districts and are currently receiving some revenue from that? Will this mean that they will have to change the way in which they are operating? How does this affect, in other words, governments other than the county government which I understand was the direct purpose of these amendments?

Mr. GODSHALL. In answer to that, Mr. Speaker, it just depends on how they are implementing the Transportation Partnership Act of 1985. What these amendments simply do is clarify and define the legislative intent of the original bill. If they are within the scope of the act as it is defined with the amendments, the clarifying amendments as I proposed here today, which the Senate passed I believe unanimously, you know, they will not have to refine.

Besides that, there was a concern about moneys previously collected by those municipalities. This says, effective as of now or upon the Governor's signature, that this will become effective. So I would say if any municipality is beyond the scope of these amendments, they are going to have to bring their ordinance into line with the bill that, hopefully, we will pass today.

Mr. SAURMAN. But when you say that the bill changes the way or clarifies—

Mr. GODSHALL. No; I said it clarifies.

Mr. SAURMAN. It clarifies. But then that would assume that there was no statement as to how these moneys should be collected, and it also does not speak to the fact that some of these municipalities are currently receiving this money. Now, you say clarified. Does that mean that it is likely that the municipalities that are collecting were not collecting in terms or in agreement with what you now have or what is now in this document?

Mr. GODSHALL. I cannot answer that because I do not know what the ordinances of various municipalities that were operating under this act are. I would believe that probably the bulk of them would probably fall under this act, but I do not know that because I do not know the specifics. However, as I said prior to this, this was supposed to be everything retroactive upon the passage of the act, which was July 1985; we made this effective upon the Governor's signature.

Mr. SAURMAN. Then am I to understand that anything that is currently in position would remain and is grandfathered regardless of how it might be operating, or would this not still cause them to go back and change that?

Mr. GODSHALL. It would cause changes to be made if changes are needed under this act.

Mr. SAURMAN. Thank you, Mr. Speaker.



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

The SPEAKER. The gentleman may make the statement on the question.

Mr. SAURMAN. Mr. Speaker, I realize the time constraints under which we are operating. I have in fact a phone call that I have been waiting for from one of my local municipalities. I am concerned that that phone call is not one asking for support. There are other municipalities that throughout this deliberation have been in touch with me and are concerned, the major concern, that the use of this act by the county has aimed and directed changes in that direction and may indeed be injurious to them.

### POINT OF ORDER

Mr. GODSHALL. Point of order, Mr. Speaker.

Mr. Speaker, I was directed to limit my remarks to the amendments specifically before us, and you—

The SPEAKER. And you wish the Chair to advise Mr. Saurman to do the same.

Mr. Saurman, the point is well taken. How do you suggest the vote be taken, “yea” or “nay”?

Mr. SAURMAN. That was my next sentence, Mr. Speaker.

I would request that a “no” vote be cast on this vote. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Montgomery, Mr. Lashinger, on the question.

Mr. LASHINGER. Mr. Speaker, I will yield to Representative McClatchy.

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

Mr. McCLATCHY. Mr. Speaker, I rise to support concurrence in Senate amendments. I think this bill was carefully drafted when it was first initiated by Senator Stauffer. I think that as our Montgomery County—and I guess the members can see our dog and pony show up here from the members of Montgomery County—but there has been some discussion about whether in fact the law, as interpreted by Montgomery County, was correct or not. We feel very strongly that it was not; we feel that the original intent of the law was correct, and all we have done is put in clarifying amendments to make sure the original intent was there. I cannot speak for any other municipalities, but certainly they should have known, if they had contacted us from the very beginning, that it was a strong opinion in Harrisburg that the county in fact was wrong in what they were doing and that they should live up to what we felt was the original intent of the legislation. Again, this is merely a clarifying amendment to the original legislation.

Mr. Speaker, I again ask for concurrence in Senate amendments.

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

Mr. HUTCHINSON. Thank you, Mr. Speaker.

I wish the Democrats would vote in the affirmative on this. I do not know what they are going to do on that side, but I am for a “yes” vote.

The SPEAKER. The Chair has been intrigued by the brilliance of the arguments on whether we should concur or non-concur and would love to have someone privately inform the Chair as to what really is going on down there.

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

Mr. LASHINGER. Mr. Speaker, I will make an effort to enlighten the Chair and the balance of the membership.

Your comments are interesting, Mr. Speaker, because this same statute that is in front of us for amendment today passed this House a year ago very close to this budget deadline that we are approaching. It passed through here rapidly, I believe, with some major misunderstandings later on, which resulted in some misapplication of the statute. I disagree with my colleague, Representative McClatchy—I respectfully disagree—that this is just clarifying amendments that will take care of a problem, a problem that has become specific to Montgomery County.

Just briefly—and I have something to say for the proponents and the opponents—there are reasons for both sides of this issue to be concerned about the clarifying amendments, as they have been characterized by Representative McClatchy, that are before us. Representative Saurman raises a valid issue. There is no provision—and Representative Godshall’s comments carry that out—there is no provision in this legislation or in these amendments for a municipality that chooses to levy this transportation partnership tax—it is a tax, Mr. Speaker; it is called an assessment, but it is a tax—at their local level. I specifically have one of those municipalities that levies this tax or this assessment under the Transportation Partnership Act. There is no crediting provision in this statute for the municipality that chooses to levy it at the local level. They will compete for these dollars against the very county in which they are situated.

The best hypothetical is a municipality chooses to levy it at a different rate, and actually a lower rate than the county that is levying it. They then are competing for the same dollars. The county, because of their levy at a higher rate, ends up getting that assessment or that tax revenue into its pocket. It was always— And when hearings were held on this topic, it was my understanding or my belief that it was municipalities that were intended - municipalities being all of the townships and boroughs in the Commonwealth, not the counties. I am surprised, and I am surprised, also, to see Representative Godshall supporting the concept of still having counties approved to levy this assessment. I thought at the hearings that were held by the Transportation Committee and discussion among some of the members of the House that the intent was to just allow municipalities - local political subdivisions, townships, and boroughs included - as those who could levy this assessment or this tax.

So Representative Saurman is correct in requesting nonconcurrency. If you want your townships and boroughs to have this authority solely, not in competition with your respective counties, then you should nonconcur. There is plenty of time, Mr. Speaker, in the next few days for us to work out this difference of opinion.

Now for those people who are supportive, Mr. Speaker, there is something else to be concerned about. On page 8 of the bill, there is a provision that allows property owners who oppose the levying of this tax and who own 50 percent or more of the valued property in that transportation partnership district to within 45 days file a protest and the tax is out the window. So if you have a major property owner who is going to be assessed, who should be assessed, you are for the tax, but decides that he or she or his or her company does not want the assessment and files a protest with the prothonotary's office, the tax is gone; the tax is out the window. So if you really are a believer in this assessment and you believe in this tax, you should be concerned about that provision. I also question whether we have the authority to disallow taxes that we authorize in the same statute. There is no severability clause in this legislation, nor in the original statute, so if the Supreme Court of this Commonwealth decides that it is unconstitutional in giving those people whom we are taxing the authority to disallow a tax and throws the statute out, then we really have nothing and we are back where we started.

Mr. Speaker, I am sure everyone is more confused than ever now after that explanation, but I can assure you that we should move slowly on this. There is no sense of urgency today to pass this. We were snookered in 1985 at about this same hour on this, and I do not think we have been as deliberate as some of us - Representative Saurman, Representative Reber, and a few others - would have wished that we could have been. I would therefore respectfully ask for nonconcurrency, Mr. Speaker.

The SPEAKER. On the question, for the second time, the Chair recognizes the gentleman from Montgomery, Mr. Godshall.

Mr. GODSHALL. Thank you, Mr. Speaker.

Very briefly, in answer to Representative Snyder pertaining to safeguards about existing properties, this legislation, through the amendment process, has put in for the first time the right that property owners owning 51 percent or more of the property by valuation can file at the prothonotary's office against this assessment and thereby void the assessment. That was put in there.

Also, for Representative Saurman and Representative Lashinger, page 10 of the act says, "This act shall take effect immediately. If, prior to the effective date of this amendatory act, notice was given under section 3 of the act of July 9, 1985...known as the Transportation Partnership Act, pursuant to the requirements of the act of November 30, 1967...known as the Business Improvement District Act of 1967, the notice given shall be considered as being in compliance with this amendatory act." Therefore, Representative Lashinger, who spoke on behalf of one of his municipalities that is imposing this act, is covered.

I want to say in conclusion very briefly, there was a number of people who were connected with this. We had attorneys, realtors, builders, the Building Trades Council. We spent 3 months working on this amendatory language, and I think we

can vacillate from here on forever, but this amendatory language is as good as we can get. I think it is excellent, and I am asking for your concurrence today on this language. Thank you very much.

**MOTION TO TABLE**

The SPEAKER. Do you insist, Mr. Snyder?

Mr. D. W. SNYDER. Yes, Mr. Speaker.

The SPEAKER. You have a right to a second time, but this is the second time. You are recognized.

Mr. D. W. SNYDER. Mr. Speaker, this is not the time and place, I think, to discuss some of the issues that have been back and forth here. Mr. Godshall just raised some counterpoints to arguments that were issued in the debate, so at this time I would like to make a motion that we table HB 1812.

The SPEAKER. The gentleman's motion to table is not debatable, thank God and thank the rules of the House. Those who wish to table will vote "aye"; those who are opposed will vote "no."

On the question,

Will the House agree to the motion?

The following roll call was recorded:

**YEAS—34**

Afflerbach	Freeman	Lashinger	Saurman
Argall	Gallen	McHale	Semmel
Burns	Gannon	Miller	Snyder, D. W.
Caltagirone	Gladeck	Moehlmann	Stairs
Clymer	Greenwood	O'Brien	Swift
Cornell	Hagarty	Pott	Wogan
Daley	Jackson	Pressmann	Wright, J. L.
Distler	Johnson	Reinard	Yandrisevits
Fattah	Langtry		

**NAYS—162**

Acosta	Deal	Letterman	Roebuck
Angstadt	Dietz	Levdansky	Rudy
Arty	Dombrowski	Linton	Ryan
Baldwin	Donatucci	Livengood	Rybak
Barber	Dorr	Lloyd	Saloom
Barley	Duffy	Lucy	Scheetz
Battisto	Durham	McClatchy	Schuler
Belardi	Evans	McVerry	Serafini
Belfanti	Fargo	Mackowski	Seventy
Birmelin	Fee	Majale	Showers
Black	Fischer	Manderino	Sirianni
Blaum	Flick	Manmiller	Smith, B.
Book	Foster	Markosek	Smith, L. E.
Bortner	Fox	Mayernik	Snyder, G.
Bowley	Freind	Merry	Staback
Bowser	Fryer	Michlovic	Steighner
Boyes	Gallagher	Micozzie	Stevens
Brandt	Gamble	Morris	Stewart
Broujos	Geist	Mowery	Stuban
Bunt	George	Mrkonic	Sweet
Burd	Godshall	Murphy	Taylor, E. Z.
Bush	Gruitza	Nahill	Taylor, F.
Cappabianca	Gruppo	Noye	Taylor, J.
Carlson	Haluska	O'Donnell	Telek
Carn	Hasay	Olasz	Tigue
Cawley	Hayes	Oliver	Trello
Cessar	Herman	Perzel	Truman
Chadwick	Hershey	Petrarca	Van Horne
Cimini	Honaman	Petrone	Veon
Civera	Howlett	Phillips	Vroon

Clark	Hutchinson	Piccola	Wambach
Colafella	Itkin	Pievsky	Wass
Cole	Jarolin	Pistella	Weston
Cordisco	Josephs	Pitts	Wiggins
Coslett	Kasunic	Preston	Wilson
Cowell	Kennedy	Punt	Wozniak
Coy	Kenney	Raymond	Wright, D. R.
Deluca	Kosinski	Reber	Wright, R. C.
DeVerter	Kukovich	Richardson	
Davies	Laughlin	Rieger	Irvis,
Dawida	Lescovitz	Robbins	Speaker

NOT VOTING—5

Cohen	Dininni	Harper	McCall
DeWeese			

EXCUSED—0

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

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

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

Mr. GRUPPO. Mr. Speaker, I am sorry to belabor this issue, but it is important that I clear something up. I wonder if Mr. Godshall would just stand for brief interrogation.

The SPEAKER. The gentleman indicates he will so stand. You may proceed.

Mr. GRUPPO. Just for those members in this chamber who may not have experienced it yet, there is a possibility that you may in the very near future. I know that Montgomery County has; I know that Northampton County, where I reside, will be shortly involved in this type of project with the transportation district. I would like Mr. Godshall to just clarify something for me and perhaps the other members.

In the area that I represent, we have a highway that is currently incomplete about 3 miles. We are going to attempt to have this project completed in the near future. In order to do it, PennDOT will fund approximately 50 percent of the project, which includes a bridge. The rest of the money will have to come from a local initiative, unless we get lucky and get some money from the Federal Government. So 50 percent of the project, which ranges in cost between \$40 million and \$80 million, will have to come from local tax resources; i.e., the county or the local municipality.

When you are talking about a transportation district and assessment and allowing the county to tax all properties, I just want to be sure that what you are saying is that perhaps my county, Northampton County, in an effort to raise its 50 percent, could then tax every property owner in the county to complete the highway. Is that correct?

Mr. GODSHALL. If the plan was approved by the planning commission and the regional planning commission, as is called for in the bill—again, there are all kinds of safeguards—and if the county commissioners created an entire transportation district in your county. And that is really the case under the present bill. There are absolutely no changes in that at all.

Mr. GRUPPO. Okay. Now, if the county commissioners or county council were to establish a restricted district, say within the area of the highway itself and those properties benefiting from that construction, they may do that and then tax or assess those properties that currently exist and any new properties that would be built in that area. Is that correct?

Mr. GODSHALL. Only after they go through the notification plan as is called for in the act, and the plan itself must conform with Federal, State, and regional standards and the integrated transportation plan for the district; just the same as was in the old bill.

Mr. GRUPPO. Okay. Thank you very much.

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—185

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

**NAYS—13**

Afflerbach	Lashinger	Saurman	Snyder, D. W.
Cessar	McHale	Semmel	Weston
Freeman	Rybak	Smith, L. E.	Yandrisevits
Hagarty			

**NOT VOTING—3**

Cohen	Linton	Pistella
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**EXCUSED—0**

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

Ordered, That the clerk inform the Senate accordingly.

**REPORT OF COMMITTEE OF CONFERENCE PRESENTED**

Mr. LAUGHLIN presented the Report of the Committee of Conference on **HB 1639, PN 3778**.

**BILLS ON THIRD CONSIDERATION CONTINUED CONSIDERATION OF SB 1145 CONTINUED**

**DECISION OF CHAIR RESCINDED**

The SPEAKER. Without objection, the Chair rescinds its decision that SB 1145 was agreed to on third consideration. The Chair hears no objection.

On the question recurring,  
Will the House agree to the bill on third consideration?  
Mr. POTT offered the following amendment No. A3680:

Amend Sec. 1 (Sec. 221), page 2, lines 22 through 27, by striking out "**IF AN**" in line 22 and all of lines 23 through 27

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

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

Mr. POTT. Thank you, Mr. Speaker.

This amendment is a technical amendment to correct an amendment which I offered and which was agreed to by a vote of 196 to nothing yesterday. The amendment that I offered yesterday was in conflict with another section of the bill; this amendment corrects that conflict and it is an agreed-to amendment. Thank you, Mr. Speaker.

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

The following roll call was recorded:

**YEAS—198**

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

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

**NAYS—0**

**NOT VOTING—3**

Deal	Nahill	Richardson
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**EXCUSED—0**

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—198**

Acosta	Dietz	Langtry	Rieger
Afflerbach	Dininni	Lashinger	Robbins
Angstadt	Distler	Laughlin	Roebuck
Argall	Dombrowski	Lescovitz	Rudy
Arty	Donatucci	Letterman	Ryan
Baldwin	Dorr	Levdansky	Rybak
Barber	Duffy	Linton	Saloom
Barley	Durham	Livengood	Saurman
Battisto	Evans	Lloyd	Scheetz

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

NAYS—0

NOT VOTING—3

Cohen Perzel Taylor, J.  
EXCUSED—0

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

**WELCOME**

The SPEAKER. The daughter, Laura; the son, Sean; and the wife, Deborah, of Representative Pressmann are in the gallery. Are they still there or did they give up on us? I think they gave up on us. We are sorry we did not get the announcement out sooner but congratulate the family on having good sense.

**CONSIDERATION OF HB 1543 CONTINUED**

On the question recurring,  
Will the House agree to amendments No. A2780?  
The clerk read the following amendments No. A2780:

Amend Title, page 1, line 3, by removing the period after "victims" and inserting  
; and further providing for the ownership and possession of certain weapons.

Amend Bill, page 2, by inserting between lines 8 and 9  
Section 2. Section 6105 of Title 18 is amended to read:

§ 6105. Former convict not to own a firearm, etc.

(a) General rule.—No person who has been convicted in this Commonwealth or elsewhere of a crime of violence or of a felony for a violation of the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act, shall own a firearm, rifle or shotgun or have [one] any such weapons in his possession or under his control.

(b) Exemption.—A court of common pleas having jurisdiction where the principal residence of a petitioner is situated shall grant an exemption from the provisions of subsection (a) to the petitioner upon finding that the petitioner meets all of the following provisions:

(1) A period of ten years has elapsed since the most recent conviction of a crime of violence or a violation of The Controlled Substance, Drug, Device and Cosmetic Act.

(2) A period of five years has elapsed since the completion of the most recent term of imprisonment, if any, for any crime, other than a summary offense.

(c) Proceedings.—Whenever any person petitions the court of common pleas pursuant to this section, a hearing shall be held in open court to determine whether the requirements of subsection (b) have been met. The Commissioner of the Pennsylvania State Police and the district attorney of the county of venue shall be parties to any such proceeding.

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

3

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

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

Mr. REINARD. Mr. Speaker, if I could switch the mike over to Representative Letterman.

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

Mr. LETTERMAN. Mr. Speaker, I am going to withdraw my objection and take the word of my good friends on that side. I could not get clarification from the NRA as to what they say, but there is evidence that we passed this once before and I voted for it, so it must have been okay.

I would ask for a "yes" vote.

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

The following roll call was recorded:

**YEAS—195**

Acosta	Dietz	Kukovich	Rieger
Afflerbach	Dininni	Langtry	Robbins
Angstadt	Distler	Lashinger	Roebuck
Argall	Dombrowski	Laughlin	Rudy
Arty	Donatucci	Lescovitz	Ryan
Baldwin	Dorr	Letterman	Rybak

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

NAYS—1

Michlovic

NOT VOTING—5

Deal	Richardson	Sweet	Taylor, J.
Perzel			

EXCUSED—0

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

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—199

Acosta	Dietz	Langtry	Rieger
Afflerbach	Dininni	Lashingner	Robbins
Angstadt	Distler	Laughlin	Roebuck
Argall	Dombrowski	Lescovitz	Rudy

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

NAYS—0

NOT VOTING—2

Richardson	Sweet
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EXCUSED—0

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

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

\* \* \*

The House proceeded to third consideration of **SB 303, PN 1910**, entitled:

An Act requiring public agencies to hold certain meetings and hearings open to the public; and providing penalties.

On the question,

Will the House agree to the bill on third consideration?

The SPEAKER. The Chair has been advised that all potential amendments have been withdrawn. Is that correct? There are no amendments to this. Fine.

Why does the gentleman from Berks, Mr. Davies, rise?  
Mr. DAVIES. Unanimous consent, Mr. Speaker, on the amendment that was withdrawn.

The SPEAKER. Must you speak before we take the vote?  
Mr. DAVIES. I will ask for unanimous consent after.  
The SPEAKER. Afterwards. Fine.

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—201

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

NAYS—0  
NOT VOTING—0  
EXCUSED—0

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same without amendment.

STATEMENT BY MR. DAVIES

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

Mr. DAVIES. Mr. Speaker, the amendment on that current legislation, SB 303, was withdrawn to expedite that legislation. This in no manner will allow the matter that was addressed in the amendment to go without legislative attention. I intend to draft a bill to address the very issue.

The issue is that last week I attended an Independent Regulatory Review Commission meeting and they were conducting a public hearing by telephone conference call. Two of the members were not present, and they voted all of the issues before that body by conference call. I think, of course, this commission is not allowed to do so under the current law, but if the current law does not address it, I intend to address that very issue, because I think it takes the very essence of a public meeting away from the public if the business is to be conducted in this manner. Thank you, Mr. Speaker.

The SPEAKER. The Chair would ask his good friend, the gentleman, Mr. Davies, that when you have that piece of legislation drafted, that you would submit it to the Chair for his signature along with yours. Such business ought not to be permitted in the Commonwealth, and the Chair agrees with you.

CONSIDERATION OF HB 2101 CONTINUED

On the question recurring,  
Will the House agree to the bill on third consideration?  
Mr. DORR offered the following amendments No. A3213:

Amend Sec. 1 (Sec. 6), page 7, line 7, by inserting a bracket after "problems"

Amend Sec. 1 (Sec. 6), page 7, line 8, by inserting a bracket before "Twenty"

Amend Sec. 1 (Sec. 6), page 8, line 7, by inserting after "DISTRESSED"

; or

(2) have agreed to commit the municipal solid waste generated in the municipality to disposal projects which are alternatives to solid waste landfills, such as incinerators

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

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

Mr. DORR. Mr. Speaker, this amendment would allow the municipalities which are engaging in projects involving incineration of trash, which as the members all know is a matter involving heavy expenditures with regard to infrastructure, to qualify for grants under this program.

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

Mr. PRESSMANN. Mr. Speaker, thank you.

Mr. Speaker, we are opposed to this amendment. What this amendment will do is change in many ways the definition of "distressed community." What this would mean, if you were the richest—and I repeat—the richest municipality in the State and if you decided to build an incinerator, you would then be defined as distressed. That means, Mr. Speaker, that if you come from the Main Line area of Delaware or Montgomery County where people are doing rather well and if you were going to build an incinerator, you would then become a distressed community. In other words, if all your people were working, you had no unemployment, nobody on welfare, no abandoned housing or whatever, you would still be a distressed community.

I ask for a negative vote on the amendment.

The SPEAKER. On the amendment, for the second time, the Chair recognizes the gentleman from York, Mr. Dorr.

Mr. DORR. Mr. Speaker, the gentleman discussed the issue of distressed community. The fact is that we do not know what a distressed community will be the way this legislation is written. A distressed community is defined as what the Secretary decides is distressed.

I think this General Assembly should decide what is distressed and what is not and what is deserving of grants under the infrastructure program. Most of the members of this General Assembly would like to promote the demise of landfills in this Commonwealth, and the only way we are going to do it, frankly, is if we make it economically attractive for municipalities to engage in incinerator projects. This is one way of encouraging that to happen without major cost to the taxpayers of those communities or to the taxpayers of this State.

Mr. Speaker, I urge an affirmative vote on the amendment.

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

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

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

Mr. CORDISCO. Mr. Speaker, could you explain to this General Assembly just how a municipality would qualify for funding under your particular amendment?

Mr. DORR. If a municipality has agreed to commit the municipal solid waste generated in that municipality to disposal projects which are alternatives to solid waste landfills, such as incinerators, then they would be qualified for the grants under this program, the purpose being to encourage municipalities to get into this business. All of the municipali-

ties that are involved in one of these projects are going to have to be financing it, either through the user fees or through municipality outlays. This would give them some incentive to become involved in such a project.

Mr. CORDISCO. Could that fund then be used for, say, the building of that particular plant as well?

Mr. DORR. Yes.

Mr. CORDISCO. Mr. Speaker, do you have any estimate as to how many dollars would be designated, and would it be on a first-come-first-served basis?

Mr. DORR. The General Assembly decides how many dollars are involved because of the appropriation being the limiting factor. As I understand the system, the municipalities then make applications to the department, and the department approves those applications depending on the amount of money that is available, depending on the competing projects, and so forth. There are additional limitations in the proposed legislation with regard to how much can be used in one municipality as opposed to another and so forth.

Mr. CORDISCO. One further question, Mr. Speaker, and a hypothetical.

Could a municipality decide to embark upon a project of, say, trash-to-steam and at the same time then, say 2 or 3 years down the road, while it is still in the planning stage, decide to go with an alternative to that particular trash-to-steam and therefore still be eligible for those funds?

Mr. DORR. I guess I do not understand the scenario. If I am understanding you—

Mr. CORDISCO. Let me clarify it for you.

If they just went forward with the planning and never actually built the plant, would they still be just as eligible for funds as compared to municipalities that, say, went forward with the total project?

Mr. DORR. My impression is—and I can be wrong about this—my impression is they would not be able to get the funds just for the planning stages of that project. It would have to be funded for the construction of the infrastructure improvement.

Mr. CORDISCO. Mr. Speaker?

The SPEAKER. You may continue, Mr. Cordisco.

Mr. CORDISCO. Mr. Speaker, I understand the intentions of the maker of the amendment in attempting to address that solid waste issue. However, I do not particularly feel that this is the proper vehicle to do so. I think that it attempts to attack it in a totally different vein. I think we are looking at a totally separate issue that warrants separate attention. I think that that issue will be addressed sometime in the fall, and I think that due to the many unanswered questions that still exist, that it is proper to address it at that time and in that forum.

Again, I do want to say that I think that the intentions of the maker of the amendment are well founded and well intentioned. Thank you.

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

Mr. WASS. Thank you, Mr. Speaker.



Mr. Speaker, I rise to support the amendment. The amendment is simply an incentive to municipalities to encourage the disposal of solid waste, a major problem in Pennsylvania, and I ask my colleagues to support the amendment.

The SPEAKER. For the second time, the Chair recognizes the gentleman from Lehigh, Mr. Pressmann.

Mr. PRESSMANN. Thank you, Mr. Speaker.

For those of you who do not remember what this bill is concerning, it is the original part of the \$190-million jobs program to do with infrastructure development. In that fund, originally allocated was \$50 million. The preparation, the planning, the construction of waste energy plants is a very expensive process. If this is put in this bill, it could eat up a very large chunk of that \$50 million and not make it available for many of the programs that this bill was originally designed for, such as streets and curbing and sewage lines, and I think it would be very debilitating to the future of this program.

Thank you. I again urge a "no" vote.

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

(Members proceeded to vote.)

The SPEAKER. Very well, we will run the clock on it. Start the clock.

The watch has been running for about three-quarters of a minute on the stopwatch. Remember, no more than 10.

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

The following roll call was recorded:

YEAS—104

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

NAYS—97

Acosta	Donatucci	Linton	Roebuck
Afflerbach	Duffy	Livengood	Rybak
Baldwin	Evans	Lloyd	Saloom
Barber	Fattah	Lucyk	Seventy
Belardi	Fee	McCall	Showers
Belfanti	Freeman	McHale	Staback

Blaum	Fryer	Maiale	Steighner
Bortner	Gallagher	Manderino	Stewart
Bowley	Gamble	Markosek	Stuban
Caltagirone	George	Mayermik	Sweet
Cappabianca	Gruitza	Michlovic	Taylor, F.
Carn	Haluska	Morris	Tigue
Cawley	Harper	Mrkonic	Trello
Clark	Howlett	Murphy	Truman
Cohen	Hutchinson	O'Donnell	Van Horne
Colafella	Itkin	Olasz	Veon
Cordisco	Jarolin	Oliver	Wambach
Cowell	Josephs	Petrarca	Wiggins
Coy	Kasunic	Petrone	Wozniak
Deluca	Kosinski	Pievsky	Wright, D. R.
DeWeese	Kukovich	Pistella	Yandrisevits
Daley	Laughlin	Pressmann	
Dawida	Lescovitz	Preston	Irvis,
Deal	Letterman	Richardson	Speaker
Dombrowski	Levdansky	Rieger	

NOT VOTING—0

EXCUSED—0

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. DORR offered the following amendment No. A3215:

Amend Sec. 1 (Sec. 7), page 9, by inserting between lines 29 and 30

(f) Minimum allocation to small communities.—A minimum of 25% of the grants and loans issued pursuant to this act shall be allocated to small communities.

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

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

Mr. DORR. Mr. Speaker, one of the actions that took place in committee on this matter has to do with the small communities of Pennsylvania. This program has had a dedication of a certain amount of its funds to small communities, and in the legislative process on this matter, that particular provision has been deleted. This amendment would reinsert a provision assigning a minimum allocation under this bond fund availability to the small communities of Pennsylvania. Under this amendment, 25 percent of the grants and loans issued pursuant to this act would be allocated to the small communities of Pennsylvania.

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

Mr. PRESSMANN. Thank you, Mr. Speaker.

I rise also to oppose this amendment. This puts back in the language that exists in the existing law that is causing a lot of problems with this program. Since the inception of this program, only three awards have been given out, and one of the reasons is there has been too much restrictive language on how the awards can be given. In fact, it was agreed upon from the Department of Commerce to try to take out this kind of language, because it just puts too many restrictions in.

The way we have worded the law now, it will give the Department of Commerce the flexibility to enact these programs and get something done. We have been sitting on this money too long. We need to get the money out into the communities, whether they be small communities or large communities, and get some help to develop some jobs. Thank you.

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

The following roll call was recorded:

YEAS—124

Angstadt	DeVerter	Jackson	Robbins
Argall	Davies	Johnson	Rudy
Arty	Dietz	Kennedy	Ryan
Baldwin	Dininni	Kenney	Saloom
Barley	Distler	Kukovich	Saurman
Belardi	Donatucci	Langtry	Scheetz
Belfanti	Dorr	Lashinger	Schuler
Birmelin	Duffy	Letterman	Semmel
Black	Durham	Lloyd	Serafini
Blaum	Fargo	McCall	Showers
Book	Fischer	McClatchy	Sirianni
Bowley	Flick	McVerry	Smith, B.
Bowser	Foster	Mackowski	Smith, L. E.
Boyes	Fox	Manmiller	Snyder, D. W.
Brandt	Freind	Merry	Snyder, G.
Broujos	Gallen	Micozzie	Stairs
Bunt	Gannon	Miller	Stevens
Burd	Geist	Moehlmann	Suban
Burns	George	Mowery	Swift
Bush	Gladeck	Nahill	Taylor, E. Z.
Carlson	Godshall	Noye	Taylor, J.
Cawley	Greenwood	O'Brien	Telek
Cessar	Gruitza	Perzel	Tigue
Chadwick	Gruppo	Phillips	Vroon
Cimini	Hagarty	Piccola	Wambach
Civera	Haluska	Pitts	Wass
Clymer	Hasay	Pott	Weston
Cole	Hayes	Punt	Wilson
Cornell	Herman	Raymond	Wogan
Coslett	Hershey	Reber	Wright, J. L.
Coy	Honaman	Reinard	Wright, R. C.

NAYS—74

Acosta	Fattah	McHale	Roebuck
Afflerbach	Fee	Maiale	Rybak
Barber	Freeman	Manderino	Seventy
Battisto	Fryer	Markosek	Staback
Bortner	Gallagher	Mayernik	Steighner
Caltagirone	Gamble	Michlovic	Stewart
Cappabianca	Harper	Morris	Sweet
Carn	Howlett	Mrkonic	Taylor, F.
Clark	Itkin	Murphy	Trello
Colafella	Jarolin	O'Donnell	Truman
Cordisco	Josephs	Oliver	Van Horne
Cowell	Kasunic	Petrarca	Veon
Deluca	Kosinski	Petrone	Wiggins
DeWeese	Laughlin	Pievsky	Wozniak
Daley	Lescovitz	Pistella	Wright, D. R.
Dawida	Levdansky	Pressmann	Yandrisevits
Deal	Linton	Preston	
Dombrowski	Livengood	Richardson	Irvis,
Evans	Lucyk	Rieger	Speaker

NOT VOTING—3

Cohen	Hutchinson	Olasz
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EXCUSED—0

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?

AMENDMENT A3213 RECONSIDERED

The SPEAKER. Before we can go to final passage, the Chair places before the House a motion of reconsideration signed by the gentleman, Mr. O'Donnell, whereby he moves that the vote on the Dorr amendment, A3213, which was passed on this the 25th day of June, be reconsidered.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—199

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

Dawida Langtry Richardson Speaker  
Deal

NAYS—2

Dietz Wright, J. L.  
NOT VOTING—0

EXCUSED—0

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

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

The clerk read the following amendments No. A3213:

Amend Sec. 1 (Sec. 6), page 7, line 7, by inserting a bracket after "problems"

Amend Sec. 1 (Sec. 6), page 7, line 8, by inserting a bracket before "Twenty"

Amend Sec. 1 (Sec. 6), page 8, line 7, by inserting after "DISTRESSED"

; or  
(2) have agreed to commit the municipal solid waste generated in the municipality to disposal projects which are alternatives to solid waste landfills, such as incinerators

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

The following roll call was recorded:

YEAS—107

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

NAYS—94

Acosta	Duffy	Linton	Rieger
Afflerbach	Evans	Livengood	Roebuck
Baldwin	Fattah	Lloyd	Rybak
Barber	Fee	Lucyk	Saloom
Belardi	Freeman	McCall	Seventy
Belfanti	Fryer	McHale	Showers
Blaum	Gallagher	Maiale	Staback
Bowley	Gamble	Manderino	Steighner
Caltagirone	George	Markosek	Stewart
Cappabianca	Gruitza	Mayernik	Stuban
Carn	Haluska	Michlovic	Sweet

Cawley	Harper	Morris	Taylor, F.
Clark	Howlett	Mrkoncic	Tigue
Cohen	Hutchinson	Murphy	Trello
Colafella	Itkin	O'Donnell	Truman
Cordisco	Jarolin	Olasz	Van Horne
Cowell	Josephs	Oliver	Veon
Deluca	Kasunic	Petrarca	Wambach
DeWeese	Kosinski	Petrone	Wiggins
Daley	Kukovich	Pievsky	Wozniak
Dawida	Laughlin	Pistella	Wright, D. R.
Deal	Lescovitz	Pressmann	
Dombrowski	Letterman	Preston	Irvis,
Donatucci	Levdansky	Richardson	Speaker

NOT VOTING—0

EXCUSED—0

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?

On final passage, the Chair recognizes the gentleman from Lehigh, Mr. Pressmann.

Mr. PRESSMANN. Mr. Speaker, just very briefly. The effect of this bill will be to change the definition of "distressed municipality," allowing the Secretary of Commerce to designate municipalities as distressed. It will also, very importantly, lower the interest rate on loans that are made to businesses, the charge for the interest rate. It will also allow for more grants. Before the amendments it was also to eliminate some of the bureaucratic requirements pertaining to regulations and exemptions from regulations. Also, it eliminates restrictions on the dollar amount of grants and location of projects in any single fiscal year, and it lessens the lien position of the requirement.

I ask for a positive vote on this bill. 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—201

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

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

NAYS—0

NOT VOTING—0

EXCUSED—0

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

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

**RESOLUTIONS**

Mr. CIVERA called up **HR 314, PN 3673**, entitled:

Memorializing the Governor to designate August 1, 1986, as "Smoke Detector Awareness Day."

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—200

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

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

NAYS—1

Hershey

NOT VOTING—0

EXCUSED—0

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

\* \* \*

Mr. CIMINI called up **HR 316, PN 3720**, entitled:

Declaring the month of August 1986 as "Little League Month."

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—200

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

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

NAYS—0

NOT VOTING—1

Micozzie

EXCUSED—0

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

\* \* \*

Mr. DOMBROWSKI called up **HR 317, PN 3721**, entitled:

Congratulating the Statute of Liberty/Ellis Island Foundation on the restoration of the Statute of Liberty; and creating a special committee.

On the question,

Will the House adopt the resolution?

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

Mr. RYAN. Mr. Speaker, I notice as I read HR 317 that the Speaker of the House shall appoint a special committee of four Representatives to present this resolution. I assume that that is two from each party. Would that be correct?

The SPEAKER. In the opinion of the Chair, that will be absolutely correct.

Mr. RYAN. Thank you, Mr. Speaker.

**REMARKS SUBMITTED FOR THE RECORD**

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

Mr. DOMBROWSKI. Mr. Speaker, I would like to submit these remarks for the record.

The SPEAKER. The gentleman will send the remarks for the record. We shall file them.

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

Thank you, Mr. Speaker.

There is probably no symbol more closely related to everybody's idea of the spirit of America than the Statue of Liberty. Thursday will be the 101st anniversary of the statue's arrival at what was then called Bedloe's Island in New York Harbor.

This noble symbol of America - sometimes called "The Mother of Immigrants" - was a gift from France, designed and built on the other side of the Atlantic and then transported here to be put together again.

We like to think of our country as the source of all inspiration, but the real symbol of our Nation is an immigrant. All of us in this chamber are the descendants of immigrants.

The statue itself, as I have said, was a gift from the people of France; but the base, which was a gift from the people of the United States, cost almost as much as the statue. Citizens from across the country, many of them recent immigrants, contributed nickels and dimes to pay for the construction.

To me that is rather symbolic. Somebody else can give you liberty, but you have got to establish its base for yourself. Liberty, to be maintained, cannot be just a free ride.

Now, a century later, history is repeating itself. People from all walks of life have contributed money for the restoration of the statue and Ellis Island.

The Lady of the Harbor has now been restored to original beauty, readied to welcome new generations of families aspiring to a better life, and prepared to light the way for hope and freedom.

The statue will be rededicated for her contribution of a century of confidence in the promise of America on the day most fitting - Independence Day.

It is most appropriate that the Commonwealth of Pennsylvania, the birthplace of liberty, extend its congratulations to the Statue of Liberty/Ellis Island Foundation for their work in preserving this symbol of American independence, and that a copy of this resolution be delivered to Mr. Lee Iacocca, foundation chairman.

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

On the question recurring,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—200

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

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

NAYS—0

NOT VOTING—1

Evans

EXCUSED—0

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

**BILLS ON CONCURRENCE IN SENATE AMENDMENTS CONTINUED**

The clerk of the Senate, being introduced, returned the following **HB 2079, PN 3710**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, adding revised, compiled and codified provisions relating to game and wildlife; and making conforming amendments to Titles 18, 42 and 75.

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

**MOTION TO CONCUR WITH EXCEPTIONS**

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

Mr. LETTERMAN. Thank you, Mr. Speaker.

Mr. Speaker, I move that the House concur in amendments inserted by the Senate to HB 2079, except for amendments A2193, A2194, and A3193. These three aforementioned amendments are not acceptable, in my opinion, and should be *nonconcurring* in.

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

Mr. RYAN. Mr. Speaker, it is my understanding that the motion that the gentleman made is permitted under our rules.

The SPEAKER. Yes. The Chair was startled to find it, but it is true. We may concur in part and, in effect, *nonconcur* in part, but he may do it.

Mr. RYAN. Now, Mr. Speaker, for the benefit of the members—and I know that the Chair and the Parliamentarian have been forewarned—what is the effect of agreeing to the motion of the gentleman? In other words, we are going to end up—assuming for the moment that the gentleman's motion carries—we have a bill that has been partially concurred in and partially *nonconcurring* in. We do not rip that up into little pieces; we have it all in one document, which I understand will then go to conference committee. Would the Chair explain to the members what the conferees are then required to do with a bill in this condition?

The SPEAKER. If we vote here on the floor of the House to concur in part and *nonconcur* in part and send that message to the Senate, the Senate has two options. One, it may recede from the offensive amendments, and therefore, we will have concurred in the final product. Two, it may say it refuses to recede from those amendments and disagree with the action of the House, in which case a committee of conference would be appointed. During that period in which the committee of conference was meeting, it would be limited to the subject matter of those three disagreed-upon amendments; that and nothing more.

Mr. Ryan, do you wish to speak on it?

Mr. RYAN. Yes.

The SPEAKER. The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, I wonder if the gentleman, Mr. Letterman, would explain to the membership the three amendments that he is asking us not to concur in.

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

Mr. LETTERMAN. Thank you, Mr. Speaker.

Mr. Speaker, the one amendment is the majority confirmation. We passed it in the House accepting it as majority confirmation. The Senate put it back to two-thirds confirmation. I would like to see majority confirmation.

The other one is the one 8-year term of a commissioner. The present commissioners are not affected; they can run again, but in the future a commissioner could only run for one 8-year term and then he would have to be out for a full 8-year term before he could run again. No succession of running in terms. It is an 8-year term, and if he was filling less than 4 years, that would not affect his right to run on his own for a full 8-year term.

We all accepted this here in the House and they changed it in the Senate. I think it is a very good policy if we change this so that we have more young people and more people have the right to run for this commission and serve on it. I think we could get a better job done, and we all agreed to that. It was even agreed to by the Game Commission when it left here, but they saw fit in the Senate to try to change that. I am just asking that we keep that part of it.

The SPEAKER. The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, that is two as I count, is it not?

Mr. LETTERMAN. The other one is a technical amendment that was added that I must put in there, and it all has to do with the running of the terms of the commissioners. It is just a technical term.

### PARLIAMENTARY INQUIRY

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

Mr. NOYE. Point of parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state the point.

Mr. NOYE. Following up your explanation as to the procedure, if the conference committee is limited to studying the three points that are made in the motion, what are the mechanics at that point in time of the printing of the bill? Does the rest of the bill, which has already been agreed to, go on for printing and await the results of the conference committee, which will come in the fall sometime, or will the printing be held over?

The SPEAKER. Mr. Noye, the Parliamentarian advises the Chair, because the Chair was anticipating that question—it was bothering the Chair—that we do not have to send the bill back; therefore, we can avoid the question of printing entirely. We simply message the Senate saying—assuming the House takes this action—that we have concurred in the following amendments but we have refused to concur in these three. Then if the Senate disagrees and says we insist on our amendments and a committee of conference be appointed, we would have to wait for the printing until we finish with the job of the committee of conference. That means the bill, until the committee of conference is through with it, would remain here not yet completed.

Mr. NOYE. A further point of parliamentary inquiry.

The SPEAKER. The gentleman will state that point.

Mr. NOYE. If this motion made by Mr. Letterman fails, is it proper then to make a further motion for concurrence on the bill in toto?

The SPEAKER. The Chair anticipated that, and the Parliamentarian agrees with the Chair that such a motion would of course be in order. But the Chair's question to the Parliamentarian would be—and I am sure Mr. Ryan is smiling already—which one do you take first? If that question comes up, the Chair would rule that the one which was temporarily placed first, meaning Mr. Letterman's, would be taken first, and then the second motion would be taken regardless of a vote on the first, because the second motion would be as well in order as the first. Does that explain it sufficiently?

Now, is there a second motion, because we may not have that to worry about.

Mr. NOYE. I would so make that second motion.

The SPEAKER. All right.

Moved by the gentleman, Mr. Noye, that the House do concur in all of the amendments inserted by the Senate to HB 2079.

We will now take the first motion placed. The motion of the gentleman, Mr. Letterman, is as follows: The gentleman moves that the House concur in the amendments inserted by the Senate to HB 2079, with the exception—with the exception—of amendments 2193, 2194, and 3193. The question is on that motion.

On the question,

Will the House agree to the motion?

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

Mr. LETTERMAN. Mr. Speaker, I really did not want to get into this on the House floor and tell you exactly why I want to do this, but I guess it is going to come down to where I have to. I would hope everybody would pay attention to this.

You know, we have worked for 6 years total on this piece of legislation, and we have worked very closely with the Pennsylvania Game Commission. We have had them in our office as we made almost every move and we have asked them, is this acceptable and will it be able to be workable within the parameters of what you need to do to enforce the law? The Pennsylvania Game Commission advised me that this bill was in beautiful condition. They would like to see it passed just the way we had it written.

You and I, as members of this House, passed that bill believing that that day. That was the word that was out. There was not one organization, not anybody opposed to what we had in that piece of legislation. We sent that piece of legislation to the Senate, and the Game Commission wasted absolutely no time whatsoever. They had more people over there working to eliminate 13 different things out of this bill within a matter of minutes after it went to the Senate. I am saying to you that the Game Commission can tell you and me, we are just going to skip you people over there; we are going to say to you, just pass it through this House because maybe Russ Letterman is a little too strong for us to fight, so we want to just pass this over and we can have it taken care of in the Senate. Is that the kind of thing that you want to continue to happen?

I am asking you to nonconcur on these two pieces of amendments, and I guarantee you I will not hold this up. By the way, this bill does not take effect until 1987, so anybody who tells you that you have to have this tomorrow morning is not telling you the truth. We have plenty of time to do this, and I am asking you not to let this commission or any other department in this State get away with what they are trying to get away with.

I ask you for an affirmative vote.

### PARLIAMENTARY INQUIRY

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

Mr. GODSHALL. Mr. Speaker, could I have some clarification on the Noye motion, please?

The SPEAKER. What is your question, sir?

Mr. GODSHALL. I am just not exactly sure what the Noye motion did.

The SPEAKER. Mr. Letterman moved that we concur in part, and he excepted three of the Senate amendments from that concurrence.

Mr. GODSHALL. Okay.

The SPEAKER. Mr. Noye has said he wishes that we will concur in all of the Senate amendments. But the question before the House now is not Mr. Noye's motion—that will come later, regardless of the vote—but Mr. Letterman's motion, which is partial concurrence with the exception of three amendments. Is that clear?

Mr. GODSHALL. Thank you. Yes, it is. Thank you, Mr. Speaker.

Could I make a statement on that?

The SPEAKER. Yes, you may.

Mr. GODSHALL. Thank you, Mr. Speaker.

I would urge the Republican and Democratic Caucuses to follow the chairman of Game and Fisheries' lead and vote to concur on the basic bill and to exclude the three amendments as listed.

We worked hard and long on that bill, as he said, for 6 years. We discussed it in committee yesterday, and we discussed it among the members. The members voted 15 to 5 against concurring. This was as of yesterday morning. Some of those amendments, especially the one on the two-thirds versus majority for appointments, we passed that unanimously the last time, and I think it had one vote against it the first time when we went through that.

There were about 12 or 13 amendments that the Senate had stricken from the document that we sent over. I can live with 10 or 11 of them, but I do think the three amendments, the really important amendments that Mr. Letterman alluded to, we should not concur in.

I would ask you to nonconcur on those three amendments. Thank you.

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

Mr. WASS. Mr. Speaker, thank you.

May I interrogate the maker of the motion?

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

Mr. WASS. Thank you, Mr. Speaker.

Mr. Speaker, you alluded to the fact that there were 13 changes and you shared three with us. Can you share with us the other changes quickly?

Mr. LETTERMAN. I can, Mr. Speaker, quickly.

Unlawful trespass was deleted, which all of you wanted. Provisions regarding limitations on political subdivisions, preemption, were deleted. The wording "where probable

cause exists" is deleted from the powers and duties of enforcement officers. The penalty for assaulting an officer is taken out of title 18 under "aggravated assault" and stipulated as a misdemeanor of the second degree in the Game Code. The penalty for failure to send in the big-game-kill report card is increased from \$5 to \$25. Beaver dams may be removed with permission of a commission officer. Written permission from private landowners is reinstated for the use of tree stands. Senior lifetime resident hunting and furtaking license fees are increased from \$30 back to \$50. The permit to mount a protected specimen is deleted; the Game Commission sets prices at each specimen. Provisions regarding the marking of birds and animals raised under a permit have been modified to accommodate propagators. There will be no limitation on accumulated penalties a court may assess.

Mr. WASS. Thank you, Mr. Speaker.

Mr. Speaker, just for confirmation: Now if you neglect to turn in your game report, your deer-kill report, the fine is \$25. Is that right?

Mr. LETTERMAN. That is right.

Mr. WASS. For the senior citizen license now, it goes from \$30 to \$50. Is that right?

Mr. LETTERMAN. That is where they put it back to; yes.

Mr. WASS. Thank you very much, Mr. Speaker. I have no other questions.

The SPEAKER. The Chair recognizes the gentleman from Butler, Mr. Burd, on the motion.

Mr. BURD. I will defer to Representative Pott, Mr. Speaker.

### PARLIAMENTARY INQUIRY

Mr. POTT. Point of parliamentary inquiry, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Pott. What is your point?

Mr. POTT. Mr. Speaker, Representative Letterman's motion just includes three amendments.

The SPEAKER. That is not true. Your assumption is wrong, basically. His motion excludes three and includes apparently 10 others.

Mr. POTT. Would his motion be amendable to include other amendments inserted by the Senate which some members of the House may consider to be objectionable? The Senate, as I understand, made 12 or 13 amendments. Mr. Letterman wants to concur in 9 or 10 of them and nonconcur in 3 of them. Should a member of the House want to nonconcur in a fourth amendment, what would be the correct parliamentary procedure? Would it be to attempt to amend Mr. Letterman's motion? Or would it be to vote "no" on Mr. Letterman's motion, and should one vote "no" on Mr. Letterman's motion—

The SPEAKER. The Chair would suggest to the member that the simplest way of approaching it would be, if you disagree with Mr. Letterman's motion, vote "no." If you do not agree with the totality of Mr. Noye's motion, you vote "no," and then you offer your own motion and ask for a "yes"



vote. If you start amending motions on the floor, there is no end to it. The Chair would suggest you not get on that direction.

Mr. POTT. So what the Speaker is suggesting for those members who have objections is to vote "no" on the Letterman motion, vote "no" on the Noye motion to totally concur, and then the bill would go to conference.

The SPEAKER. That is true. That is the way it would have to be.

Mr. POTT. Thank you for the explanation, Mr. Speaker.

The SPEAKER. On the motion of the gentleman, Mr. Letterman, the Chair recognizes the gentleman from Perry, Mr. Noye.

Mr. NOYE. Mr. Speaker, the reason for my motion and the reason I am opposing the Letterman motion is this, and he and a number of the other members have made this statement: They have worked 6 years—it is actually longer than 6 years—in getting this thing in shape. I agree with Mr. Letterman; there are some points in that bill I do not care for. However, I am very, very fearful that they are going to wind up losing the product of their work in its entirety by letting this thing lie.

Now, Mr. Letterman says, and I believe him, that he plans to work on the issue; he can guarantee they are not going to sit on it; they are going to get it out. I do not question that for a moment. What I question is, what is going to happen in the other chamber? We cannot control that.

Mr. Letterman is chairman of the committee. If he has objections—and some of them I will gladly cosponsor with him—I suggest we do it as a separate piece of legislation and we get it moving and get it out on the calendar in the fall and take our chances, but I do not want to see us lose the work. These gentlemen and ladies have worked long and hard, and I congratulate them on what they have done. I just do not want to see the end result go down the drain.

### WELCOME

The SPEAKER. The Chair is interrupting these events to introduce to the floor of the House the former Secretary of the House of Representatives, a friend of many, many of us who served with him on this floor when he was a Representative, Tom Sullivan. He is the guest of the Speaker.

It has not changed a bit, Tom. The faces are different, the players are different, but it is still the same play.

### CONSIDERATION OF HB 2079 CONTINUED

The SPEAKER. On the motion before us, the Chair recognizes the gentleman from Northumberland, Mr. Belfanti.

Mr. BELFANTI. Thank you, Mr. Speaker.

I would ask that we agree with the motion by the gentleman, Mr. Letterman, for the following reasons: First of all, for the very reasons just cited by Representative Noye, I feel that an agreement with Representative Letterman is in order. The 6 years that he alluded to has been a long time, and although not a member of the Fish and Game Committee, I am an active sportsman, and I feel that Representative Letter-

man has shown his good faith by agreeing with, even though personally not agreeing with, but by allowing 10 of the 13 amendments inserted by the Senate to remain in the bill and only asking this body to nonconcur in 3. I think that that has shown his good faith and the good faith of the Fish and Game Committee. The 3 amendments in question can be dealt with very expeditiously, and I would suggest that one of the previous speaker's comments about some of the other 10 amendments still being objectionable, that they be dealt with separately by separate pieces of legislation. The effort presented today by Representative Letterman will allow the House of Representatives, in a hopefully bipartisan fashion, to inform the Senate that we are an equal body and the only difference between them and us is the numbers.

I feel that the motion made by Representative Noye is not in the best interests of sportsmen in Pennsylvania. The three amendments in question can be dealt with by the conferees in a conference committee and not be bogged down with 13 such controversial points or, heaven forbid, starting from scratch next session on a game recodification. It has taken too much time to get this far. Let us deal with this issue as Representative Letterman suggests, and let us do it in a very bipartisan fashion. Send both the Senate and the Game Commission a message that this House is an equal branch of government. Thank you, Mr. Speaker.

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

Mr. PHILLIPS. Thank you, Mr. Speaker.

I agree with Representative Letterman, chairman of the Game and Fisheries Committee. We as a committee did put a lot of time in this bill. There are issues that some of us are very concerned about, and these issues that he has mentioned are, particularly in my case, ones I feel very strongly about. I do not think time is the element; this bill does not go into effect until July of 1987. We do have time—

The SPEAKER. Will the gentleman permit the Chair to interrupt him?

### COMMITTEE MEETING POSTPONED

The SPEAKER. There was a meeting called of the Appropriations Committee at 3 o'clock. That meeting has been delayed. The meeting is not at 3 o'clock; the meeting will be held at the close of business today. Do not leave the floor for your meeting; the meeting has been delayed until the close of business today.

### CONSIDERATION OF HB 2079 CONTINUED

The SPEAKER. The Chair apologizes to Mr. Phillips for interrupting him. You may now continue, sir.

Mr. PHILLIPS. Thank you, Mr. Speaker.

I feel we do have time to look at these issues, and since many of us have questions on them and feel strongly about it, I hope that you would agree with Mr. Letterman's motion to concur with the exception of these three particular issues. I think the thing we have to keep in mind—and this has been

brought out—there were 13 changes after this bill left the House and went to the Senate, and we might as well say at this point that there has been some compromise shown by our chairman in agreeing to 10 of them, although some of us feel, maybe, that some of these issues should be addressed. So therefore, again, I would ask you to agree with Mr. Letterman's motion. Thank you.

### PARLIAMENTARY INQUIRY

The SPEAKER. For the second time on the motion, the Chair recognizes the gentleman from Indiana, Mr. Wass.

Mr. WASS. Parliamentary inquiry, please.

The SPEAKER. What is the gentleman's parliamentary inquiry?

Mr. WASS. Mr. Speaker, if you were objecting to one of the additional amendments in this bill that was inserted by the Senate, how would you vote on the Letterman motion?

The SPEAKER. The Chair answered that question prior to this time—

Mr. WASS. I am sorry, Mr. Speaker.

The SPEAKER. —but the Chair will explain it again.

The Letterman motion, if it were defeated, and the Noye motion, if it were defeated, would then admit to a third motion, which would be different from either one of the two motions. The Noye motion includes agreement on all the Senate amendments; the Letterman motion agrees with all but three. If you wish to agree with all but one and have specified that one, your separate motion would lie.

Now, the simplest way of— Well, no, the Chair may reveal too much on that one. There is a simpler way of solving the problem, but apparently we are not going to follow that simple path.

Mr. WASS. Mr. Speaker, if I object to an additional amendment in this bill inserted by the Senate and I vote with Mr. Letterman, I am approving all other amendments inserted by the Senate other than the three he is concerned with.

The SPEAKER. That is correct.

Mr. WASS. If I vote "no," then I am voting not to concur in any of the legislation before us. Is that right?

The SPEAKER. That is correct.

Mr. WASS. Thank you very much.

### PARLIAMENTARY INQUIRY

Mr. LETTERMAN. Mr. Speaker, a parliamentary question, please.

The SPEAKER. The gentleman from Centre, Mr. Letterman, will state the question.

Mr. LETTERMAN. Mr. Speaker, I am not sure I agree with you on the last part of your explanation to Mr. Wass. I would think— May I explain what I think?

The SPEAKER. Surely.

Mr. LETTERMAN. In doing some research, I think that if my motion is accepted, it still lets it open to any other member on the House floor to object to anything that was done, and

they could bring that single part up. Even if they voted for my motion, they could still bring up the one part that they wanted and it could be tested individually.

The SPEAKER. There is no basic difference between the position that you state and the position of the Chair.

Mr. LETTERMAN. Okay. I misunderstood you then.

The SPEAKER. No; there is no basic difference.

If a member were to vote—

Mr. LETTERMAN. If you were to tell them to vote "no" on my motion and if—

The SPEAKER. No; members could vote "no" on your motion or even "yes" on your motion and then file a separate motion which would not be identical with your motion or anyone else's motion.

Mr. LETTERMAN. But you do suggest a "yes" vote on my motion.

The SPEAKER. The gentleman, Mr. Letterman, requests a "yes" vote on his motion, and the Chair would request that we get to the voting.

Mr. LETTERMAN. Mr. Speaker, I would like a second opportunity, please.

The SPEAKER. He has only spoken once on the motion. You have a second chance, Mr. Letterman.

Mr. LETTERMAN. Mr. Speaker, just very shortly.

I just do not think we should let this thing pass and let any department or any commission treat us the way we have been treated through the Senate. I am not blaming this on the Senate; I am not blaming this on the House. I am just saying we should never let this happen no matter what department or what commission it is. I am asking for an affirmative vote.

The SPEAKER. Those in favor of the position by Mr. Letterman will vote "aye"; those opposed will vote "no."

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—180

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

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

## NAYS—21

Argall	Fischer	Lucyk	Pott
Birmelin	Fryer	McVerry	Saloom
Brandt	George	Moehlmann	Staback
Cimini	Hasay	Noye	Stairs
Coslett	Jackson	Piccola	Wass
Dietz			

## NOT VOTING—0

## EXCUSED—0

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

The SPEAKER. The House has at this point—the Chair asks you to listen—decided to concur in all amendments inserted by the Senate to HB 2079 with the exception of amendments A2193, A2194, and A3193.

## MOTION TO CONCUR

The SPEAKER. There is now a further motion on the floor of the House placed by the gentleman, Mr. Noye, whereby Mr. Noye moves that the House concur in all of the amendments inserted by the Senate to HB 2079. The question is on that motion.

This would mean if we vote for this motion, we would then have concurred in all of the amendments, including A2193, A2194, and A3193. That is the essence of Mr. Noye's motion.

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

## PARLIAMENTARY INQUIRY

The SPEAKER. The Chair recognizes the minority leader.

Mr. RYAN. If this motion did not carry, you would then have a nonconcurrence on matters that we have concurred in. Is that not correct?

The SPEAKER. That is correct. It would cancel out the prior concurrence.

I hope all of you are paying attention. The gentleman, Mr. Ryan, is absolutely correct. You have concurred in 10 amendments. The next motion would be, I move to concur in all 13 amendments, and if that failed, if that failed, the House then

would have effectively nonconcurred in all 13 amendments and would have canceled out the position it just took.

The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, for a number of years I have envied you your position, as you know. This is not one of those days. I am confused right now, and I would hope that the reporters do not put that in the record as an admission of some sort.

With the motion before the House now, if it is carried in the negative, we have a nonconcurrence. It almost seems to me that no matter what happens on this vote, Russ Letterman loses.

Mr. Speaker, I am sorry; you were busy at the moment, but my observation is, no matter what we do, Russ Letterman loses.

The SPEAKER. I heard you, and you are correct. If the House agrees with the Noye motion, it has rejected Mr. Letterman's omission of the three amendments. If the House disagrees with the Noye motion, it has rejected all of the Senate amendments, 10 of which were approved of by Mr. Letterman. He loses in either case.

Mr. RYAN. Then somewhere logic dictates that we did something wrong, because in my way of thinking, there is no way that we can now overrule what we just did—

Mr. LETTERMAN. Mr. Speaker, I have a solution.

Mr. RYAN. Pardon me. —without a reconsideration of that last vote, perhaps. It is just inconsistent to me that no matter what we do, the last vote is canceled out, in part.

Mr. LETTERMAN. Mr. Speaker, do you want a good solution?

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

Mr. LETTERMAN. I would like to make a suggestion that Mr. Noye withdraw his motion.

## MOTION WITHDRAWN

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

Mr. NOYE. Mr. Speaker, that is why I rose, to do that, but Mr. Ryan wanted to at least have the opportunity to place that parliamentary inquiry to the Chair, and I do withdraw the motion.

The SPEAKER. The Chair thanks the gentleman.

On HB 2079 on concurrence in Senate amendments, the House has voted to concur in 10 of the Senate amendments and has failed to concur in amendments A2193, A2194, and A3193, and the clerk will inform the Senate accordingly.

For the information of the members, the simplest and most parliamentarily correct way of doing this would have been for Mr. Noye to have made a motion, after the adoption of the Letterman motion, to concur in 2193, 2194, and 3193; then we would have been out of that mess. There was also a simpler way of not getting into it, but the Chair will not go into that today.

**DEMOCRATIC CAUCUS**

The SPEAKER. It will be necessary now for both parties to have caucuses immediately.

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

Mr. ITKIN. Mr. Speaker, we will be considering the PUC (Public Utility Commission) sunset bill, which is now being printed, and the copies of the report should be available soon. In the interim I suggest that the Democrats go to caucus to learn about the provisions of the conference report. It is my understanding the Republicans are going to caucus as well. I think we will need about a half an hour for the caucus, so I would like to suggest that we recess the House until 3:40.

**COMMITTEE MEETING**

The SPEAKER. Why does the gentleman from Washington, Mr. Daley, rise?

Mr. DALEY. Mr. Speaker, to announce a meeting immediately in the rear of the House.

The SPEAKER. The gentleman may announce it.

Mr. DALEY. Mr. Speaker, the select committee to investigate the Monongahela River Basin flood would like to meet in the rear of the House for 5 minutes.

**REPUBLICAN CAUCUS**

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

Mr. NOYE. Thank you, Mr. Speaker.

We will move to caucus immediately - HB 1639, the conference report.

**REMARKS ON VOTE**

The SPEAKER. Why does the gentleman from Chester, Mr. Hershey, rise?

Mr. HERSHEY. Mr. Speaker, on HR 314 I voted in the negative. I wish 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. Mr. Speaker, so the members know, the conference report is on the reform of the PUC. That is why we are caucusing.

**REMARKS ON VOTE**

The SPEAKER. Why does the gentleman from Monroe, Mr. Battisto, rise?

Mr. BATTISTO. Mr. Speaker, on amendment A3215 to HB 2101 I was recorded in the negative. I wish to be recorded in the positive.

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

**RECESS**

The SPEAKER. The House will stand in recess until 3:45.

**RECESS EXTENDED**

The time of recess was extended until 4:10 p.m.

**AFTER RECESS**

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

**BILLS SIGNED BY SPEAKER**

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

**HB 1812, PN 3713**

An Act amending the act of July 9, 1985 (P. L. 187, No. 47), known as the "Transportation Partnership Act," further providing for transportation development districts; clarifying provisions relating to the financing of a transportation development district project; adding provisions facilitating additional public involvement in a municipality's decision to establish a transportation development district; and further providing for transportation planning.

**HB 2276, PN 3494**

An Act amending the act of May 31, 1974 (P. L. 296, No. 94), entitled "An act providing for the appointment, promotion, reduction in rank, suspension, furlough, discharge and reinstatement of deputy sheriffs in counties of the second class; extending civil service coverage to such deputies; and providing penalties," further providing for civil service examinations and for appeals to the Civil Service Commission.

**RULES SUSPENDED**

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

Mr. BUNT. Mr. Speaker, I move that the rules of the House be temporarily suspended so that we may immediately take on our floor two resolutions - one introduced by me, which is HR 321, and one introduced by Mr. David Wright, which is HR 325.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—186

Acosta	Dawida	Kukovich	Rieger
Afflerbach	Deal	Langtry	Robbins
Angstadt	Dietz	Lashinger	Rudy
Argall	Dininni	Laughlin	Ryan
Arty	Distler	Lescovitz	Rybak
Baldwin	Dombrowski	Letterman	Saloom
Barley	Dorr	Linton	Saurman
Battisto	Duffy	Livengood	Scheetz
Belardi	Durham	Lloyd	Schuler
Belfanti	Fargo	Lucy	Semmel
Birmelin	Fattah	McCall	Seventy
Black	Fee	McClatchy	Showers

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

NAYS—0

NOT VOTING—15

Barber	Gallen	Oliver	Serafini
DeVerter	Jarolin	Perzel	Steighner
Donatucci	Levdansky	Richardson	Wiggins
Evans	Moehlmann	Roebuck	

EXCUSED—0

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

**RESOLUTION ADOPTED**

The SPEAKER. The gentleman from Montgomery, Mr. Bunt, calls up HR 321, which the clerk will read.

The following resolution was read:

**House Resolution No. 321**

**A RESOLUTION**

Congratulating the Municipality of Telford, Pennsylvania, on its 100th Anniversary.

WHEREAS, The Municipality of Telford, Pennsylvania, is celebrating its centennial anniversary on June 30, 1986; and

WHEREAS, The development of Telford started in 1857. With the completion of the railroad from Philadelphia and Bethlehem, a village of over 100 homes and 35 businesses began to grow quickly around the County Line Hotel; and

WHEREAS, This town was incorporated in Bucks County Court in 1886, under the name "Telford." The town was named after a noted English civil engineer, Sir Thomas Telford, famous for his innovations in transportation; and

WHEREAS, Telford grew into a manufacturing center for cigars, and later in the 1920's became a hub of clothing manufacturers; and

WHEREAS, In 1937, the Borough of West Telford, which was chartered in Montgomery County in 1897, merged with Telford under the approval of the Governor; and

WHEREAS, As a result of this merger, Telford enjoys the unique distinction of being a "Borough spanning two counties"; therefore be it

RESOLVED, That the House of Representatives congratulate and honor the citizens of the Municipality of Telford, Pennsylvania, on the meaningful and momentous occasion of its 100th Anniversary and express its hope that the beauty, friendliness and growth of Telford will continue throughout the coming years; and be it further

RESOLVED, That a copy of this resolution be transmitted to the Municipality of Telford, Telford, Pennsylvania 18969.

Raymond Bunt, Jr.  
Paul I. Clymer  
Robert W. Godshall

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—192

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

Davies Dawida	Kosinski Kukovich	Richardson	Speaker
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NAYS—0

NOT VOTING—9

Barber Donatucci Hutchinson	Lescovitz Livengood	Oliver Rybak	Veon Wiggins
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EXCUSED—0

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

The SPEAKER. The House will stand at ease.

We will try to wait. Mr. David Wright may wish to speak on his resolution. We are trying to get him on the floor. The House will stand at ease.

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

#### HB 629, PN 3794 (Amended)

By Rep. DeWEESE

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

JUDICIARY.

#### HB 837, PN 3795 (Amended)

By Rep. PISTELLA

An Act amending the act of July 13, 1967 (P. L. 31, No. 21), known as the "Public Welfare Code," further providing for personal care boarding homes.

HEALTH AND WELFARE.

#### HB 1211, PN 3796 (Amended)

By Rep. DeWEESE

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, defining the offense of spray-painting vandalism.

JUDICIARY.

#### HB 2338, PN 3233

By Rep. PISTELLA

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

HEALTH AND WELFARE.

#### HB 2339, PN 3234

By Rep. PISTELLA

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

HEALTH AND WELFARE.

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

#### SB 1140, PN 1589

By Rep. PISTELLA

An Act amending the act of April 14, 1972 (P. L. 233, No. 64), entitled "The Controlled Substance, Drug, Device and Cosmetic Act," providing for possession, manufacture or distribution of designer drugs; and providing a penalty.

HEALTH AND WELFARE.

#### SB 1152, PN 1442

By Rep. PISTELLA

An Act amending the act of December 18, 1984 (P. L. 1068, No. 213), entitled "An act requiring physicians to obtain informed consent from patients for treatment of breast cancer," making editorial changes.

HEALTH AND WELFARE.

### REMARKS ON VOTES

The SPEAKER. Why does the gentleman from Philadelphia, Mr. Kenney, rise?

Mr. KENNEY. Mr. Speaker, I would like to correct the record.

On HB 2210 and on SB 936 on final passage on June 24, 1986, I would like to be recorded in the affirmative, please.

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

Why does the gentleman from Adams, Mr. Cole, rise?

Mr. COLE. Mr. Speaker, I would like to make a motion that when you consider HR 325, if there is no objection, that all the members' names be added to the resolution.

The SPEAKER. The Chair thanks the gentleman.

### RESOLUTION ADOPTED

The SPEAKER. Mr. Wright, we are ready now. We have suspended the rules of the House. Do you wish to speak on the resolution?

The Chair recognizes the gentleman from Clarion, Mr. Wright, who offers HR 325, which the clerk will read.

The following resolution was read:

#### House Resolution No. 325

##### A RESOLUTION

Noting with sadness the death of William F. Matson; and offering condolence to his family.

WHEREAS, William F. Matson has passed away at the age of 58; and

WHEREAS, William F. Matson was born and raised on a family ranch in South Dakota, served in the United States Navy and graduated from South Dakota State College with a degree in Rural Sociology; and

WHEREAS, From 1952 to 1957, William F. Matson worked as the first information director of East River Electric Power Cooperative in Madison, South Dakota; and

WHEREAS, From 1957 to 1962, William F. Matson managed Cherry-Todd Electric in Mission, South Dakota, leading a legislative effort to extend Federal transmission lines to areas where the cost of electric power would have been prohibitive for rural residents; and

WHEREAS, From 1962 to 1964, William F. Matson managed Decatur County Rural Electric Membership Cooperative in Indiana; and

WHEREAS, By 1964 William F. Matson had developed extensive experience in state and Federal legislation and on every type of rural electric cooperative, had developed a strong technical background and was an adept public speaker; and

WHEREAS, In 1964 William F. Matson came to Harrisburg, Pennsylvania, as the first full-time employee of the Pennsylvania Rural Electric Association and the Allegheny Electric Cooperative and, at the time of his death, was the president of both organizations; and

WHEREAS, William F. Matson helped to form the Pennsylvania Municipal Electric Association and served as its executive secretary; and

WHEREAS, William F. Matson helped to form the Pennsylvania League for Consumer Protection; and

WHEREAS, William F. Matson established a monthly magazine, "Penn Lines," for rural electric consumers of Pennsylvania and New Jersey; and

WHEREAS, William F. Matson organized negotiations with the Power Authority of the State of New York for hydroelectric power from the Niagara power project for Pennsylvania rural electric systems and these negotiations established Allegheny Electric Cooperative as Pennsylvania's bargaining agent for New York hydroelectric power and made this low-cost power available to Pennsylvania rural electric systems, saving them an estimated \$175,000,000 on wholesale power sales; and

WHEREAS, William F. Matson directed negotiations with Pennsylvania Power and Light for part ownership by Allegheny Electric Cooperative of the Susquehanna Steam Electric Station nuclear plant at Berwick, Pennsylvania; and

WHEREAS, William F. Matson oversaw expansion of operations and office facilities for Pennsylvania Rural Electric Association and Allegheny Electric Cooperative, leading to the construction of Locust Court in Harrisburg, Pennsylvania; and

WHEREAS, William F. Matson sought and attained legislation to resolve conflicts between rural electric systems and private power companies over service territories and customers; and

WHEREAS, William F. Matson was the driving force behind plans to develop a 21-megawatt hydroelectric plant at the Raystown Dam in Huntingdon County, Pennsylvania, groundbreaking for which is scheduled for August 1986; and

WHEREAS, William F. Matson has worked for the improvement of the standard of living of farmers and other rural residents and served as an advisor to both state and Federal leaders on agricultural and rural issues; and

WHEREAS, William F. Matson was an enthusiastic spokesman on behalf of the interests of all consumers; and

WHEREAS, William F. Matson, during the Carter Administration, gave up his candidacy for the position of Administrator of the Rural Electrification Administration in Washington, D.C., because of family reasons; and

WHEREAS, William F. Matson was a founder and president of the Great Lakes Electric Consumers Association, representing consumers of the Great Lakes region's 750 public power systems; and

WHEREAS, William F. Matson served on boards and committees of various organizations, including the Consumer Federation of America, the Rural Electric Statewide Managers Association, the Public Broadcasting Council of South Central Pennsylvania, the Governor's Energy Council Advisory Committee, the Consumer Advisory Council of the Pennsylvania Public Utility Commission, the United Way of Pennsylvania, G and T Managers Association and the Fuel Cell Users Group of the Electric Utility Industry; and

WHEREAS, Rural electric leaders of the nation held William F. Matson in regard as one of their most eloquent and dynamic spokesmen; and

WHEREAS, William F. Matson was endowed with great organizational talents and a dynamic presence which he skillfully used

for over 30 years to represent the interests of the "little man at the end of the line," offering a strong, clear voice on behalf of those who would otherwise not be heard and advocating the public interest in a time of special interests; therefore be it

RESOLVED, That the House of Representatives note with sadness the passing of William F. Matson and extend its heartfelt condolences to his wife, Bonnie; his daughters, Marilyn Matson Schemek, Randi Matson Zaiser, and Stacey; his sons, William and John; his grandchildren; and his brother, Colonel James Matson; and be it further

RESOLVED, That copies of this resolution be transmitted to Bonnie Matson in Mechanicsburg, Pennsylvania and to the Board of Directors of the Pennsylvania Rural Electric Association in Harrisburg, Pennsylvania.

David R. Wright  
Samuel E. Hayes, Jr.

On the question,  
Will the House adopt the resolution?

The SPEAKER. The Chair recognizes the gentleman from Clarion, Mr. Wright.

Mr. D. R. WRIGHT. Thank you, Mr. Speaker.

All of us knew William Matson, and he was a great friend of this House and of every member in this House. He died at the age of 58. Many of us were at his memorial service.

I have this resolution. I would suggest, Mr. Speaker, without objection, that each member of the House's name be added to this resolution. It is introduced by Mr. Hayes and me.

The SPEAKER. There being no objection, the names of all the members of the current House of Representatives will be affixed to the resolution.

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

The following roll call was recorded:

YEAS—197

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

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

NAYS—0

NOT VOTING—4

Evans	Richardson	Roebuck	Wiggins
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EXCUSED—0

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

**REMARKS ON VOTE**

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Cessar. Why do you rise?

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

The SPEAKER. What is the gentleman's statement?

Mr. CESSAR. On HB 1812, PN 3713, I was recorded in the negative. I would like to be recorded in the affirmative.

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

**SUPPLEMENTAL CALENDAR B**

**BILL ON CONCURRENCE  
IN SENATE AMENDMENTS**

The clerk of the Senate, being introduced, returned the following **HB 1876, PN 3774**, 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 6, 1956 (1955 P. L. 1414, No. 465), known as the "Second Class County Port Authority Act," further providing for the board of the authority; providing for a transit council, audits, service standards and the operating budget; and further providing for labor relations.

On the question,

Will the House concur in Senate amendments?

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

Mr. MURPHY. Mr. Speaker, this is HB 1876, which is a reform of the Port Authority of Allegheny County. The Senate added three amendments. All three amendments came about through discussions between the various parties in the

Senate and there was agreement on those three amendments. The vote in the Senate was 48 to nothing.

The first amendment dealt with first-line supervisors. When the bill left the House, all first-line supervisors were required to not belong to the union. In the Senate, the compromise grandfathered in those individuals who are now first-line supervisors, but any new individuals hired as first-line supervisors would not be permitted to join the existing union; that is also the union of the drivers.

The second amendment provided language that would permit the union to put into language a written agreement as a supplemental agreement to the collective-bargaining agreement. The language that we permitted said that only the language in the bargaining agreement could be aggrieved. This would provide for a supplemental agreement in that language.

The other one dealt with moving the factfinding back to 45 days so that the union or the port authority could request factfinding 45 days before the contract expired. If neither side requested that factfinding, it would then happen after the contract expiration date.

We urge your concurrence on this bill. It was a long, arduous process. We believe it is a fair bill that will help dramatically the Port Authority of Allegheny County. Thank you.

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

Mr. PISTELLA. Thank you, Mr. Speaker.

Mr. Speaker, I would like to rise for a moment, if I could, and make a brief comment on HB 1876.

In the short time that I have been a member of the General Assembly, I do not think that the delegation of members, both Republican and Democrat from Allegheny County, has ever faced an issue that was so divisive as the legislation that is before the House right now.

I would like to begin by thanking those members on both sides of the aisle who attempted to support me in the efforts to adopt language to this piece of legislation that I thought was fair, not just to the management and labor of the port authority but to the constituency that we serve collectively.

I would like to make a particular comment to those men and women who do not have to face the issues that we do every day but can afford to sit down in a comfortable office somewhere and pass judgment in the name of an editorial board on what they think we should or we should not do here for our constituency. The language that I had attempted to offer at that time, and was supported by a number of the men and women of this General Assembly, was done for a particular reason. That reason, contrary to the editorial writers of the newspapers in a number of the communities around Pittsburgh, was not because we were "nervous Nellies," not because we were worried about whether or not we were going to be invited to the labor ball each and every year, and it was not because a number of us were quaking in our boots out of fear as to what the labor unions could or could not do on our behalf. It was an effort that was undertaken in sincerity and honesty to recommend a solution to a problem that everyone in Allegheny County realized existed.



It was the decision of this House what course of action should be taken to resolve this problem. The Senate, in fact, has decided to adopt additional language to what the House adopted in HB 1876. The point that I am trying to make, Mr. Speaker, is that I think that everyone on both sides of the aisle, on both sides of this issue, acted out of a sense of responsibility, not to any one particular group, not to any one particular individual, not to any one particular editorial writer of a newspaper, but for the benefit of the constituency that we represent in Allegheny County.

I think that those people who supported my efforts have realized the time has come and it has since gone to change any of the language contained in this bill. I think members, both from my delegation in Allegheny County and both sides of the aisle, understand that this issue is now behind us. It is time that we put aside the differences. I would sincerely hope that no individual member, regardless of their position, acted in a fashion that was disagreeable without in fact just disagreeing on the issue.

I would like to thank those people who were involved in the negotiations and attempts to reach an acceptable document, not by the general public as we know it as being both sides of this issue outside of this chamber, but by the men and women who sit and serve within this chamber. I would encourage my colleagues in Allegheny County who stood with me before and those of you who are not from Allegheny County, regardless of which side of the aisle, to support HB 1876 in its current form, to finally resolve this issue in its current form as it has come before the House.

Thank you very much, Mr. Speaker.

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

Mr. FOSTER. Thank you.

Mr. Speaker, I would like to yield momentarily to the lady, Mrs. Langtry, and then I would like to be recognized again.

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

Mrs. LANGTRY. Thank you, Mr. Speaker.

I would like to thank Representative Pistella for his very eloquent words. We have worked very hard in this body to fashion an agreement that is acceptable to all concerned. We have no problems with the Senate amendments, and I strongly urge everyone on both sides of the aisle to concur in the Senate amendments. Thank you.

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

Mr. FOSTER. Thank you, Mr. Speaker.

I likewise urge concurrence in the Senate amendments. They are wholly within the concept of HB 1876 as it left the House.

I would like to thank all members of the House for their patience with this matter and ask for concurrence in Senate amendments.

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

Mr. GAMBLE. Mr. Speaker, I, too, rise to ask for concurrence in the Senate amendments. The people of Pennsylvania can rest assured that special interest lost in this instance and the taxpayers won, especially the taxpayers of Allegheny County.

I thank you all for your support for concurrence of the amendments.

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—187

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

NAYS—9

Belfanti	Freeman	Maiale	Trello
Cappabianca	Gruitza	Seventy	Veon
DeWeese			

NOT VOTING—5

Deal	Harper	Linton	Richardson
Fattah			

## EXCUSED—0

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.

## WELCOME

The SPEAKER. The Chair welcomes to the hall of the House Stacy Rauenzahn. Stacy is a guest page today for Representative Angstadt.

## ANNOUNCEMENT BY SPEAKER

The SPEAKER. For the information of the members who did not understand the earlier announcement in caucus, the Chair will be here tomorrow and the next day and the next day and the next day, as long as it is necessary, and the officials will be here, but that will be for merely the moving up of bills. No votes will be taken; no master roll call will be taken. That will be merely for the moving up of bills so that they will be available for the final days next week.

REPORT OF COMMITTEE  
OF CONFERENCE CONSIDERED

Mr. LAUGHLIN called up for consideration the following Report of the Committee of Conference on **HB 1639, PN 3778**, entitled:

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, further providing for the appointment, terms, compensation and qualifications of and restrictions on commissioners; providing for a director of operations, the Office of Trial Staff, the Office of Special Assistants and the Director of Operations and their powers and duties; further providing for procedures, reports, budget requests and audits and for rate increase requests; providing for management efficiency investigators and for fuel purchase audits; limiting recovery of certain employee meeting expenses; making provisions relating to the sale of electric generating units; providing for the regulation of excess capacity costs and new electric generating units; restricting rate setting procedures of telephone companies; requiring that certain data be supplied by electric utilities; further regulating the recovery of advertising expenses and the recovery of club dues; authorizing the commission to order conservation and load management; regulating coin telephone service; and reestablishing the Pennsylvania Public Utility Commission.

On the question,

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

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

Mr. LAUGHLIN. Mr. Speaker, the House of Representatives earlier this year passed a bill, HB 1639, dealing with the PUC sunset. That bill went to the Senate, and items such as cogeneration and CWIP (construction work in progress) were added to the bill. It was sent back here to the House, and the members of the House, by an almost unanimous vote, voted

down the proposal because it opened the door to the utility companies to take moneys from the ratepayers far in excess of what they had previously been permitted to do.

Today we have before us a bill which includes a number of items that the House did not put into the bill. They affect individual members of the House in many different fashions.

The bill will provide that utility companies will no longer be able to add new plant capability to their base rate without first meeting a very severe test as to whether or not that energy is needed by the ratepayers and whether it can support itself as such before being added to the base rate. Mr. Speaker, I believe it is a very strong position on behalf of the ratepayers.

We took out of the bill the CWIP provision that would have allowed companies to charge additional moneys while they are improving or updating plant sites. That is no longer a matter of consideration.

In addition to that, Mr. Speaker, we have covered those programs that have been submitted for base rate increases and cases before the Public Utility Commission to be included in this particular legislation. That means that any company that has a bill or an increase presently before the PUC will fall under this bill if the Governor signs it timely. That, I think, Mr. Speaker, is very important because of those cases that are presently before the PUC.

In addition to that, Mr. Speaker, the utility companies have attempted, in a number of areas, to close down existing plants. Those plants would then be replaced by, in some cases, nuclear energy plants coming on line. Mr. Speaker, my concern there has been answered in this particular report in that it now says that the Public Utility Commission will have an opportunity to review those plants and see if in fact that energy can be sold elsewhere or if another company may be able to utilize that plant energy. I think that is a plus for all of the members of the House.

Mr. Speaker, I realize that a number of members have individual problems with labor organizations. I have strongly supported labor people in my area and working people. I know that some members have problems with their utilities in those individual areas. We all have that.

Mr. Speaker, the last thing that this particular legislation does that was not previously there is that it gives a window for a cogeneration project of culm banks in the PP&L (Pennsylvania Power & Light Company) area of northeastern and central Pennsylvania. That is an amendment that was placed in to accommodate the Senate on their side, Mr. Speaker.

Mr. Speaker, I am going to vote in the affirmative on the legislation. Thank you very kindly.

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—173

Acosta	Daley	Langtry	Richardson
Afflerbach	Davies	Lashingier	Robbins
Angstadt	Deal	Laughlin	Roebuck
Argall	Dininni	Letterman	Rudy

Arty	Distler	Levdansky	Ryan
Baldwin	Dombrowski	Linton	Rybak
Barber	Dorr	Livengood	Scheetz
Barley	Durham	Lloyd	Schuler
Battisto	Evans	Lucy	Semmel
Belardi	Fattah	McCall	Serafini
Belfanti	Fee	McClatchy	Seventy
Birmelin	Fischer	McHale	Showers
Black	Flick	McVerry	Sirianni
Book	Foster	Manderino	Smith, B.
Bortner	Fox	Manmiller	Smith, L. E.
Bowley	Freeman	Markosek	Snyder, D. W.
Bowser	Freind	Mayernik	Snyder, G.
Boyes	Fryer	Merry	Staback
Brandt	Gallagher	Michlovic	Stairs
Broujos	Gannon	Micozzie	Steighner
Bunt	Geist	Miller	Stevens
Burd	George	Moehlmann	Stewart
Burns	Gladeck	Morris	Sweet
Bush	Godshall	Mowery	Taylor, E. Z.
Caltagirone	Greenwood	Mrkonic	Taylor, F.
Cappabianca	Gruitza	Murphy	Taylor, J.
Carlson	Gruppo	Nahill	Telek
Cawley	Hagarty	Noye	Trello
Cessar	Haluska	O'Brien	Veon
Chadwick	Harper	O'Donnell	Wambach
Cimini	Hayes	Olasz	Wass
Civera	Herman	Perzel	Weston
Clark	Hershey	Petrarca	Wiggins
Clymer	Honaman	Phillips	Wilson
Cohen	Itkin	Piccola	Wogan
Cole	Jackson	Pievsky	Wozniak
Cordisco	Jarolin	Pistella	Wright, D. R.
Cornell	Johnson	Pott	Wright, J. L.
Coslett	Josephs	Pressmann	Wright, R. C.
Cowell	Kasunic	Preston	Yandrisevits
Coy	Kennedy	Punt	
Deluca	Kenny	Raymond	Irvis,
DeVerter	Kosinski	Reber	Speaker
DeWeese	Kukovich	Reinard	

**NAYS—26**

Blaum	Fargo	Mackowski	Saurman
Carn	Gallen	Majale	Stuban
Colafella	Gamble	Oliver	Tigue
Dawida	Hasay	Pitts	Truman
Dietz	Howlett	Rieger	Van Horne
Donatucci	Hutchinson	Saloom	Vroon
Duffy	Lescovitz		

**NOT VOTING—2**

Petrone	Swift
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**EXCUSED—0**

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.

**REMARKS SUBMITTED FOR THE RECORD**

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

Mr. LAUGHLIN. Mr. Speaker, I want to thank the members for the vote.

Would the Speaker please allow me to present a number of items that I wish to have recorded in the record without speaking to them on the floor?

The SPEAKER. The gentleman will send them to the clerk. The clerk will file them.

Mr. LAUGHLIN. Thank you, Mr. Speaker.

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

The purpose of section 1323 is to insure that the commission consider both the need for and economic benefit of new baseload powerplants in determining whether the plants represent excess capacity.

For example, we do not want a utility to avoid an excess capacity adjustment simply by prematurely retiring inexpensive older units in order to create a false need for expensive new baseload capacity.

Under this legislation, there is a rebuttable presumption that new baseload units will be found to be excess capacity unless they are found to be both needed for reliability and provide net economic benefits within a reasonable period.

Therefore, under this legislation, all new units must be needed for reliability purposes within the test year or the year following the test year. New baseload units must also pass an economic test; that is, if a baseload unit is not to be found to be excess capacity, it must also produce economic benefits which exceed the total annual cost of the plant during the test year or within a reasonable period following the test year.

**CALENDAR CONTINUED  
BILL ON CONCURRENCE  
IN SENATE AMENDMENTS**

The clerk of the Senate, being introduced, returned the following **HB 258, PN 3671**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, adding provisions to allow limited construction work in progress for coal plants; and providing for retirement of electric generating units.

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

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

Mr. LLOYD. Thank you, Mr. Speaker.

Mr. Speaker, when this bill was prematurely called yesterday, I explained it at great length. If no one has any additional questions, I will not do that again. I will simply say that this is part of the package. I would ask you to vote "yes" on this bill.

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—186**

Acosta	Distler	Laughlin	Richardson
Angstadt	Dombrowski	Lescovitz	Rieger
Argall	Donatucci	Letterman	Roebuck
Arty	Dorr	Levdansky	Rudy
Baldwin	Duffy	Linton	Ryan
Barber	Durham	Livengood	Rybak
Barley	Evans	Lloyd	Saloom
Battisto	Fattah	Lucy	Saurman

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

**NAYS—13**

Afflerbach	Burns	Freeman	Robbins
Blaum	Cawley	Itkin	Tigue
Bowser	Fargo	Merry	Truman
Boyes			

**NOT VOTING—2**

Staback	Sweet
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**EXCUSED—0**

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.

**APPROPRIATIONS COMMITTEE MEETING**

The SPEAKER. The Chair recognizes the chairman of the Appropriations Committee, Mr. Pievsky, to announce a meeting.

Mr. PIEVSKY. Thank you, Mr. Speaker.

Mr. Speaker, in order to complete the budgetary process for this fiscal year, the Appropriations Committee will meet immediately upon the call of the recess in the majority caucus room, and I would ask that the desk be kept open for reports of committee.

The SPEAKER. The desk will be kept open.

Mr. PIEVSKY. Thank you, Mr. Speaker.

The SPEAKER. Are there any other announcements, declarations, statements, opinions? Good.

When the House convenes again, it will convene at 11 o'clock tomorrow morning. The Chair repeats, there will be no votes taken. The House will be in session to move bills forward so that the bills will be in position when the next voting session arrives.

**REMARKS ON VOTES**

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

Mr. LAUGHLIN. Mr. Speaker, I am very sorry. I was out of my seat, and when I came back, I hit the button very quickly on concurrence in HB 258 and voted inappropriately. I want to be recorded in the negative, Mr. Speaker. Thank you.

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

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

Mr. J. J. TAYLOR. Correction of the record, Mr. Speaker.

On SB 1145, final passage, I was not recorded as voting. I wish to be voted in the affirmative.

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

**BILLS SIGNED BY SPEAKER**

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

**HB 258, PN 3671**

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, adding provisions to allow limited construction work in progress for coal plants; and providing for retirement of electric generating units.

**HB 1876, PN 3774**

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

**REMARKS ON VOTE**

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

Mr. STABACK. Mr. Speaker, on concurrence in HB 258 I voted in the affirmative in error. I would like to be recorded in the negative.

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

**REMARKS SUBMITTED FOR THE RECORD**

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

Mr. KOSINSKI. Mr. Speaker. I would like to submit remarks for the record.

The SPEAKER. The gentleman will send his remarks to the desk.

Mr. KOSINSKI presented the following remarks for the Legislative Journal:

I voted for the Report of the Committee of Conference on HB 1639 even though I object to the two-thirds confirmation vote of the Senate being taken away.

I believe that the two-thirds vote is necessary to protect the consumer and insure that proconsumer Public Utility Commissioners get appointed and confirmed. I will work toward getting the two-thirds vote restored. Thank you, Mr. Speaker.

**RECESS**

The SPEAKER. The House will stand in recess until 5 p.m.

**AFTER RECESS**

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

**BILLS REREPORTED FROM COMMITTEE**

**HB 2163, PN 3799** (Amended)

By Rep. PIEVSKY

An Act authorizing a program for the Department of Education to make technology upgrade and acquisition grants on behalf of full-time equivalent undergraduate and graduate students attending institutions of higher education in this Commonwealth for one year.

**APPROPRIATIONS.**

**SB 934, PN 2060**

By Rep. PIEVSKY

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.

**APPROPRIATIONS.**

**SB 1422, PN 2293** (Amended)

By Rep. PIEVSKY

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), entitled "Tax Reform Code of 1971," reenacting provisions relating to a credit against gross receipts tax for railroad expenditures on maintenance or right-of-way improvements.

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

**SB 1447, PN 2294** (Amended)

By Rep. PIEVSKY

An Act itemizing appropriations required from the Motor License Fund for the fiscal year July 1, 1986, to June 30, 1987, for the proper operation of the several departments of the Commonwealth authorized to spend Motor License Fund moneys.

**APPROPRIATIONS.**

**SB 1461, PN 2295** (Amended)

By Rep. PIEVSKY

An Act authorizing the Department of Community Affairs to reimburse municipalities containing enterprise zones for a proportion of taxes exempted by the municipalities on improvements to deteriorated property located within enterprise zones under municipal tax exemption programs established pursuant to the Local Economic Revitalization Tax Assistance Act and further providing that the payments so received by municipalities shall be used for community development projects and neighborhood services within the enterprise zones in which taxes are exempted.

**APPROPRIATIONS.**

**SB 1462, PN 2296** (Amended)

By Rep. PIEVSKY

An Act amending the act of November 29, 1967 (P. L. 636, No. 292), entitled "Neighborhood Assistance Act," further providing tax credits for investments made to rehabilitate, expand or improve buildings or land used by private companies which promote community and economic development.

**APPROPRIATIONS.**

**SB 1463, PN 2297** (Amended)

By Rep. PIEVSKY

An Act providing for the establishment of a fund, to be administered by the Department of Community Affairs, to reduce local matching requirements in economic and community development programs for financially disadvantaged municipalities; and providing a procedure for the operation of the fund.

**APPROPRIATIONS.**

**SB 1466, PN 2298** (Amended)

By Rep. PIEVSKY

An Act amending the act of July 2, 1984 (P. L. 545, No. 109), entitled "Capital Loan Fund Act," providing for export assistance loans; and removing provisions relating to guidelines.

**APPROPRIATIONS.**

**SB 1468, PN 2299** (Amended)

By Rep. PIEVSKY

An Act amending the act of July 2, 1984 (P. L. 520, No. 105), known as the "Business Infrastructure Development Act," further providing for grant and loan procedures, the conditions of loans and the municipalities where grants may be made; and removing provisions relating to guidelines and regulations.

**APPROPRIATIONS.**

**SB 1556, PN 2300** (Amended)

By Rep. PIEVSKY

An Act providing for the capital budget for the fiscal year 1986-1987.

## APPROPRIATIONS.

**BILLS REMOVED FROM TABLE**

The SPEAKER. The Chair recognizes the majority leader.

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

SB 1556;  
SB 1447;  
SB 1468;  
SB 1466;  
SB 1463;  
SB 1462; and  
SB 1461.

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

**BILLS AND RESOLUTIONS PASSED OVER**

The SPEAKER. Without objection, all remaining bills and resolutions on today's calendar will be passed over. The Chair hears no objection.

**ADJOURNMENT**

The SPEAKER. There being no further business to be brought before this day's session, the Chair recognizes the gentleman from Venango, Mr. Black.

Mr. BLACK. Mr. Speaker, I move that this House do now adjourn until Thursday, June 26, 1986, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,  
Will the House agree to the motion?  
Motion was agreed to, and at 5:02 p.m., e.d.t., the House adjourned.