

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

MONDAY, JANUARY 25, 1988

SESSION OF 1988

172D OF THE GENERAL ASSEMBLY

No. 4

HOUSE OF REPRESENTATIVES

The House convened at 1 p.m., e.s.t.

THE SPEAKER (K. LEROY IRVIS) IN THE CHAIR

PRAYER

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

Eternal and Everlasting Father, as humble stewards of Thine, we pause in the midst of life's activities to honor and magnify Thy glorious name. We know that Thou art always by our side and dost reach out to share with us Thy manifold presence and blessing. O God, we ask that Thou wilt ever keep us in the hollow of Thy hand and protect us from the allurements and temptations of life, that Thou wilt share with us the indwelling of Thy precious spirit that we may be in the power and strength of Thy might, and that Thou wilt bestow upon us the assurance of Thy blessed peace forever and ever. Amen.

PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was delivered by members and visitors.)

JOURNAL APPROVAL POSTPONED

The SPEAKER. The Journal for Wednesday, January 20, 1988, is not yet in print. We will postpone the approval of that Journal, without objection, until the Journal is in print. The Chair hears no objection thereto.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. The Chair is delighted to welcome back on the floor of the House Rudy Dininni. Rudy, we are delighted to have you here.

LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes the gentleman from Lawrence, Mr. Fee. Do you have any requests for leaves?

Mr. FEE. Yes, Mr. Speaker. The gentleman from Allegheny, Mr. PISTELLA, for the week, and the lady from Philadelphia, Mrs. HARPER, for today.

The SPEAKER. The leaves are granted, there being no objection.

Mr. Hayes, do you have any requests for leaves today?

Mr. HAYES. Yes, Mr. Speaker. I request a leave for the gentleman from Montgomery County, Mr. NAHILL, for the week; the gentleman from Montgomery County, Mr. CORNELL, for the week; the gentleman from Mifflin County, Mr. DeVERTER, for the day; the gentleman from Lebanon County, Mr. MOEHLMANN, for the day; the gentleman from Franklin County, Mr. PUNT, for today and tomorrow; the gentleman from Washington County, Mr. FISCHER, for the day; and the gentleman from Montgomery County, Mr. FOX, for the day.

The SPEAKER. The leaves are granted, there being no objection.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2100 By Representatives LLOYD, MORRIS, HALUSKA, FARGO, PISTELLA, HERSHEY, BATTISTO, SAURMAN, STABACK, BORTNER and MERRY

An Act amending the act of July 1, 1978 (P. L. 730, No. 132), known as the "Milk Marketing Fee Act," providing for setting of fees by regulation.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, January 25, 1988.

No. 2101 By Representatives LLOYD, PISTELLA, RUDY, JACKSON, BATTISTO, SAURMAN, NAHILL, JADLOWIEC, TIGUE, E. Z. TAYLOR, STABACK and BORTNER

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, prohibiting riding in cargo areas.

Referred to Committee on TRANSPORTATION, January 25, 1988.

No. 2102 By Representatives LLOYD, HALUSKA, FARGO, NOYE, FOX, PISTELLA, NAHILL, GODSHALL, KENNEY, BORTNER, MORRIS, VEON, MERRY and McVERRY

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further regulating surrender of registration plates and cards.

Referred to Committee on TRANSPORTATION, January 25, 1988.

No. 2103 By Representatives LLOYD, FARGO, NOYE, BATTISTO, GODSHALL, BORTNER, MERRY and McVERRY

An Act amending the act of December 5, 1936 (2nd Sp. Sess., 1937 P. L. 2897, No. 1), known as the "Unemployment Compensation Law, further regulating qualifications to secure compensation.

Referred to Committee on LABOR RELATIONS, January 25, 1988.

No. 2104 By Representatives PITTS, HUTCHINSON, GEIST, DININNI, JOHNSON, VROON, KENNEY, FOX, HERSHEY, MORRIS, NAHILL, FLICK, GRUPPO, SEMMEL, J. L. WRIGHT, DISTLER, MERRY, TRELLO, JACKSON, DeLUCA and SAURMAN

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for civil penalties for improperly meeting or overtaking a school bus.

Referred to Committee on TRANSPORTATION, January 25, 1988.

No. 2105 By Representatives COLAFELLA, LESCOVITZ, LaGROTTA, JOSEPHS, MELIO, VEON, FLICK and HUGHES

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), known as the "Public School Code of 1949," prohibiting the use of corporal punishment in the disciplining of pupils.

Referred to Committee on EDUCATION, January 25, 1988.

No. 2106 By Representatives PHILLIPS, HAYES, NOYE, CESSAR, BOWSER, BELFANTI, JADLOWIEC, ROBBINS, JOHNSON, LEVDANSKY, OLASZ, HALUSKA, DIETTERICK, HESS, B. SMITH, STUBAN, TIGUE, FARMER, CARLSON, GEIST, DISTLER, BURD, HOWLETT, FOX, GODSHALL, TRELLO, ARTY, S. H. SMITH, CHADWICK, BLACK, MOWERY and MRKONIC

An act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for the issuance of military licenses.

Referred to Committee on GAME AND FISHERIES, January 25, 1988.

No. 2107 By Representatives BUNT, SIRIANNI, NAHILL, SAURMAN, R. C. WRIGHT, FOX, FLICK, RITTER and RICHARDSON

An act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, adding provisions relating to visitation.

Referred to Committee on JUDICIARY, January 25, 1988.

No. 2108 By Representative BIRMELIN

An act designating a portion of S.R. 1001 which is located in Lebanon Township, Wayne County, as The Dennis Road; and directing the Department of Transportation to erect appropriate signs.

Referred to Committee on TRANSPORTATION, January 25, 1988.

No. 2109 By Representatives LETTERMAN and HUTCHINSON

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

Referred to Committee on TRANSPORTATION, January 25, 1988.

No. 2110 By Representative WILSON

An act amending the act of May 17, 1921 (P. L. 789, No. 285), entitled "The Insurance Department Act of one thousand nine hundred and twenty-one," further providing for insurance companies, banks and savings and loan associations.

Referred to Committee on INSURANCE, January 25, 1988.

No. 2111 By Representative KENNEDY

An act amending the act of June 3, 1937 (P. L. 1333, No. 320), entitled "Pennsylvania Election Code," placing certain limitations on contributions.

Referred to Committee on STATE GOVERNMENT, January 25, 1988.

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader. Mr. MANDERINO. Mr. Speaker, I move that HB 1208 be lifted from the tabled calendar and placed on the active calendar.

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

SENATE MESSAGE

HOUSE AMENDMENTS CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to SB 562, PN 1673; SB 563, PN 1674; and SB 564, PN 1675.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—191

Acosta	Donatucci	Langtry	Rieger
Angstadt	Dorr	Lashinger	Ritter
Argall	Duffy	Laughlin	Robbins
Arty	Durham	Leh	Roebuck
Barley	Evans	Lescovitz	Rudy
Battisto	Fargo	Letterman	Ryan
Belardi	Farmer	Levdansky	Rybak
Belfanti	Fattah	Linton	Saloom
Billow	Fee	Livengood	Saurman
Birmelin	Flick	Lloyd	Scheetz
Black	Foster	Lucyk	Schuler
Blaum	Freeman	McCall	Semmel
Book	Freind	McClatchy	Serafini
Bortner	Gallen	McHale	Seventy
Bowley	Gamble	McVerry	Showers
Bowser	Gannon	Maiale	Sirianni
Boyes	Geist	Maine	Smith, B.
Brandt	George	Manderino	Smith, S. H.
Broujos	Gladeck	Manmiller	Snyder, D. W.
Bunt	Godshall	Markosek	Snyder, G.
Burd	Gruitza	Mayernik	Staback
Burns	Gruppo	Melio	Stairs
Bush	Hagarty	Merry	Steighner
Caltagirone	Haluska	Michlovic	Stuban
Cappabianca	Hasay	Micozzie	Sweet
Carlson	Hayden	Miller	Taylor, E. Z.
Carn	Hayes	Morris	Taylor, F.
Cawley	Heckler	Mowery	Taylor, J.
Cessar	Herman	Mrkonic	Telek
Chadwick	Hershey	Murphy	Tigue
Civera	Hess	Noye	Trello
Clark	Honaman	O'Brien	Van Horne
Clymer	Howlett	O'Donnell	Veon
Cohen	Hughes	Olasz	Vroon
Colafella	Hutchinson	Oliver	Wambach
Cole	Itkin	Perzel	Wass
Corrigan	Jackson	Petrarca	Weston
Cowell	Jadlowiec	Petrone	Wiggins
Coy	Jarolin	Phillips	Wilson
DeLuca	Johnson	Piccola	Wogan
DeWeese	Josephs	Pievsky	Wozniak
Daley	Kasunic	Pitts	Wright, D. R.
Davies	Kennedy	Pressmann	Wright, J. L.
Dawida	Kenney	Preston	Wright, R. C.
Dempsey	Kitchen	Raymond	Yandrisevits
Dietterick	Kosinski	Reber	
Diminni	Kukovich	Reinard	Irvis,
Distler	LaGrotta	Richardson	Speaker
Dombrowski			

ADDITIONS—0
NOT VOTING—0
EXCUSED—9

Cornell	Fox	Moehlmann	Pistella
DeVerter	Harper	Nahill	Punt
Fischer			

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 239, PN 2719 (Amended)
 By Rep. RYBAK
 An Act providing for insurance benefits for cancer chemotherapy and cancer hormone treatments.

INSURANCE.

HB 263, PN 2720 (Amended)
 By Rep. RYBAK
 An Act amending the act of May 17, 1921 (P. L. 789, No. 285), known as "The Insurance Department Act of one thousand nine hundred and twenty-one," authorizing the licensing of lending institutions, public utilities, bank holding companies and savings and loan holding companies to sell credit unemployment insurance.

INSURANCE.

HB 1738, PN 2163
 By Rep. RYBAK
 An Act amending the act of May 17, 1921 (P. L. 682, No. 284), known as "The Insurance Company Law of 1921," further providing for classes of investments for certain types of insurance companies.

INSURANCE.

HB 1992, PN 2540
 By Rep. RYBAK
 An Act amending the act of November 26, 1978 (P. L. 1188, No. 280), known as the "Life and Health Insurance Guaranty Association Act," further providing for certain assessments on insurance companies.

INSURANCE.

SB 659, PN 1729 (Amended)
 By Rep. RYBAK
 An Act amending Title 40 (Insurance) of the Pennsylvania Consolidated Statutes, adding provisions relating to psychologists; and making editorial changes.

INSURANCE.

SB 1133, PN 1677
 By Rep. MRKONIC
 An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, codifying provisions of law relating to the creation, administration and powers and duties of the State Veterans' Commission, to the educational gratuity program for veterans' children and to the real property tax exemption for certain qualified veterans; providing for reestablishment of the State Veterans' Commission and the Pennsylvania Veterans' Memorial Commission; making an appropriation; and making repeals.

MILITARY AND VETERANS AFFAIRS.

BILL REPORTED AND REREFERRED TO COMMITTEE ON STATE GOVERNMENT

HB 1616, PN 1993
 By Rep. RYBAK
 An Act amending the act of September 26, 1961 (P. L. 1661, No. 692), known as the "State Employees Group Life Insurance Law," further providing that benefits shall continue and not be reduced upon retirement.

INSURANCE.

CALENDAR

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 600, PN 2702**, entitled:

An Act amending the act of December 6, 1972 (P. L. 1383, No. 293), entitled "An act requiring municipal pension systems to have an actuarial investigation of the fund made by an actuary who shall report his findings to the Department of Community Affairs," further providing for reports by certain municipalities and local governmental units, for the filing of reports and for failure to file timely reports.

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

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I move that HB 600 be recommitted to the Committee on Appropriations for a fiscal note.

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

* * *

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

HB 167, PN 185; and HB 296, PN 320.

* * *

The House proceeded to second consideration of **HB 487, PN 2701**, entitled:

An Act amending the act of December 15, 1955 (P. L. 865, No. 256), entitled "An act requiring rents and royalties from oil and gas leases of Commonwealth land to be placed in a special fund to be used for conservation, recreation, dams, and flood control; authorizing the Secretary of Forests and Waters to determine the need for and location of such projects and to acquire the necessary land," further providing for the appropriation and distribution of certain royalty and rental payments; and making editorial changes.

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

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I move that HB 487 be recommitted to the Committee on Appropriations for a fiscal note.

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

* * *

The House proceeded to second consideration of **HB 652, PN 712**, entitled:

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

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

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I move that HB 652 be recommitted to the Committee on Appropriations for a fiscal note.

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

* * *

The House proceeded to second consideration of **HB 665, PN 725**, entitled:

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), known as the "Tax Reform Code of 1971," providing for the monthly transfer of certain sales and use tax revenues to the Fish Fund and to the Game Fund.

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

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I move that HB 665 be recommitted to the Committee on Appropriations for a fiscal note.

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

* * *

The House proceeded to second consideration of **HB 666, PN 726**, entitled:

An Act amending the act of May 17, 1929 (P. L. 1798, No. 591), referred to as the "Forest Reserves Municipal Financial Relief Law," increasing the amount paid by the Commonwealth.

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

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I move that HB 666 be recommitted to the Committee on Appropriations for a fiscal note.

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

* * *

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

HB 1258, PN 2703; HB 1652, PN 2062; HB 1714, PN 2139; and HB 1818, PN 2270.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of HB 323, PN 1861, entitled:

An Act amending the act of May 2, 1945 (P. L. 382, No. 164), known as the "Municipality Authorities Act of 1945," providing for the membership of a joint sanitary authority created by cities of the second class and counties of the second class, for audits of the joint sanitary authority and for service standards and performance evaluation measures of the joint sanitary authority.

On the question,

Will the House agree to the bill on third consideration?

Mr. MICHLOVIC offered the following amendments No. A4804:

Amend Title, page 1, line 16, by inserting after "FOR" billing procedures and

Amend Sec. 1, page 4, by inserting between lines 25 and 26

Section 7.5. Charges by Municipality.—Any charge, fee or commission imposed, levied or added to the billing of a joint sanitary authority of a city of the second class and county of the second class by or on behalf of a municipality shall appear on the billing or statement or account of such authority.

On the question,

Will the House agree to the amendments?

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

Mr. MICHLOVIC. Thank you, Mr. Speaker.

Mr. Speaker, amendment 4804 would require that any charge or fee imposed or levied by a joint sanitary authority on behalf of a municipality shall appear on the billing statement. I have learned that in Allegheny County some municipalities are adding a surcharge to some of the sewage bills, and it is not so designated in the bill. These surcharges sometimes are as much as 50 percent of the entire bill itself. I am not disallowing such surcharges; I am simply saying that they must be identified.

Thank you, Mr. Speaker. I appreciate support on the amendment.

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

Mr. CESSAR. Thank you, Mr. Speaker.

I endorse the amendment and ask everyone on this side of the aisle to vote for the amendment.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—184

Table with 4 columns of names: Acosta, Angstadt, Argall, Arty, Barley, Battisto, Belardi, Distler, Dombrowski, Dorr, Duffy, Durham, Fargo, Farmer, LaGrotta, Langtry, Lashingier, Laughlin, Leh, Lescovitz, Letterman, Reinard, Ritter, Robbins, Roebuck, Rudy, Ryan, Rybak.

Table with 4 columns of names: Belfanti, Billow, Birmelin, Black, Blaum, Book, Bortner, Bowley, Bowser, Boyes, Brandt, Broujos, Bunt, Burd, Burns, Bush, Caltagirone, Cappabianca, Carlson, Carn, Cawley, Cessar, Chadwick, Civera, Clark, Clymer, Cohen, Colafella, Cole, Corrigan, Cowell, Coy, DeLuca, DeWeese, Daley, Davies, Dawida, Dempsey, Dietterick, Dininni, Fattah, Fee, Flick, Foster, Freeman, Freind, Gallen, Gamble, Gannon, Geist, George, Gladeck, Godshall, Gruitza, Gruppo, Hagarty, Haluska, Hasay, Hayden, Hayes, Heckler, Herman, Hershey, Hess, Honaman, Howlett, Hughes, Hutchinson, Itkin, Jackson, Jadlowiec, Jarolin, Johnson, Josephs, Kasunic, Kennedy, Kenney, Kitchen, Kosinski, Kukovich, Levdansky, Linton, Livengood, Lloyd, Lucyk, McCall, McClatchy, McHale, McVerry, Maine, Manderino, Manmiller, Markosek, Mayernik, Melio, Merry, Michlovic, Micozzie, Miller, Morris, Mowery, Mrkonic, Murphy, Noye, O'Brien, O'Donnell, Olasz, Oliver, Perzel, Petrarca, Petrone, Phillips, Piccola, Pievsky, Pitts, Pressmann, Preston, Raymond, Reber, Saloom, Saurman, Scheetz, Schuler, Semmel, Serafini, Seventy, Showers, Sirianni, Smith, B., Smith, S. H., Snyder, D. W., Snyder, G., Staback, Stairs, Steighner, Stuban, Sweet, Taylor, E. Z., Taylor, F., Taylor, J., Telek, Tigue, Trello, Van Horne, Veon, Vroon, Wambach, Wass, Weston, Wilson, Wogan, Wozniak, Wright, J. L., Wright, R. C., Yandrisevits, Irvis, Speaker.

NAYS—0

NOT VOTING—7

Table with 4 columns of names: Donatucci, Evans, Maiale, Richardson, Rieger, Wiggins, Wright, D. R.

EXCUSED—9

Table with 4 columns of names: Cornell, DeVerter, Fischer, Fox, Harper, Moehlmann, Nahill, Pistella, Punt.

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. MICHLOVIC offered the following amendments No. A4805:

Amend Title, page 1, line 17, by striking out "AND" where it appears the second time and inserting a comma

Amend Title, page 1, line 18, by inserting after "MEASURES"

and billing procedures

Amend Sec. 1, page 4, by inserting between lines 25 and 26

Section 7.5. Billing by Joint Sanitary Authority of Cities of the Second Class and Counties of the Second Class.—A. A joint sanitary authority of a city of the second class and a county of the second class shall bill the individual consumer or user of the services and not the municipality in which the consumer or user is located for such services as authorized by law. No municipi-

pality shall be responsible for any uncollected bills for services rendered to consumers other than those rendered to the municipality.

B. A joint sanitary authority of a city of the second class and of a county of the second class shall provide a complete statement of account, indicating all past due amounts, with each billing.

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

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

Mr. MICHLOVIC. Thank you, Mr. Speaker.

Mr. Speaker, amendment 4805 would correct a problem which many of our municipalities find themselves in with regard to billings from the joint sanitary authority, the Allegheny County Joint Sanitary Authority. Essentially what the authority does is it holds the municipality liable for any unpaid bills of residents in that municipality. Furthermore, it does not designate any past deficiencies in the bills to the consumers themselves. Sometimes they do not even know that they are deficient or owe back moneys to the joint sanitary authority. What the amendment does is it disallows the Alcosan (Allegheny County Sanitary Authority) from holding the municipality liable for the bills of its residents; and secondly, it corrects the other problem by providing for consumer information or a billing summary on each bill that it presents.

I would ask support of the amendment, Mr. Speaker.

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

Mr. COWELL. Thank you, Mr. Speaker.

I, too, would encourage the adoption of the Michlovic amendment. In too many cases our municipal governments, which are already running on tight budgets, have found themselves in a position where they have had to pay Alcosan for bills owed by various consumers and then have had to engage in a costly process of trying to collect from many consumers throughout the municipality. It simply makes no sense. It has added an unfair burden to our local governments. We can correct that by the adoption of the Michlovic amendment.

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

The following roll call was recorded:

YEAS—186

Acosta	Distler	Kukovich	Reinard
Angstadt	Dombrowski	LaGrotta	Rieger
Argall	Donatucci	Langtry	Ritter
Arty	Dorr	Lashinger	Robbins
Barley	Duffy	Laughlin	Roebuck
Battisto	Durham	Leh	Rudy
Belardi	Fargo	Lescovitz	Ryan
Belfanti	Farmer	Letterman	Rybak
Billow	Fattah	Levdansky	Saloom
Birmelin	Fee	Linton	Saurman
Black	Flick	Livengood	Scheetz
Blaum	Foster	Lloyd	Schuler
Book	Freeman	Lucyk	Semmel
Bortner	Freind	McCall	Serafini
Bowley	Gallen	McClatchy	Seventy
Bowser	Gamble	McHale	Showers

Boyes	Gannon	McVerry	Sirianni
Brandt	Geist	Maiale	Smith, B.
Broujos	George	Maine	Smith, S. H.
Bunt	Gladeck	Manderino	Snyder, D. W.
Burd	Godshall	Manmiller	Snyder, G.
Burns	Gruitza	Markosek	Staback
Bush	Gruppo	Mayernik	Stairs
Caltagirone	Hagarty	Melio	Steighner
Cappabianca	Haluska	Merry	Stuban
Carlson	Hasay	Michlovic	Sweet
Carn	Hayden	Micozzie	Taylor, E. Z.
Cawley	Hayes	Miller	Taylor, F.
Cessar	Heckler	Morris	Taylor, J.
Chadwick	Herman	Mowery	Telek
Civera	Hershey	Mrkonic	Tigue
Clark	Hess	Murphy	Trello
Clymer	Honaman	Noye	Van Horne
Cohen	Howlett	O'Brien	Veon
Colafiglia	Hughes	O'Donnell	Vroon
Cole	Hutchinson	Olasz	Wambach
Corrigan	Itkin	Oliver	Wass
Cowell	Jackson	Perzel	Weston
Coy	Jadlowiec	Petrarca	Wilson
DeLuca	Jarolin	Petrone	Wogan
DeWeese	Johnson	Phillips	Wozniak
Daley	Josephs	Piccola	Wright, J. L.
Davies	Kasunic	Pievsky	Wright, R. C.
Dawida	Kennedy	Pitts	Yandrisevits
Dempsey	Kenney	Pressmann	
Dietterick	Kitchen	Raymond	Irvis,
Dininni	Kosinski	Reber	Speaker

NAYS—0

NOT VOTING—5

Evans	Richardson	Wiggins	Wright, D. R.
Preston			

EXCUSED—9

Cornell	Fox	Moehlmann	Pistella
DeVerter	Harper	Nahill	Punt
Fischer			

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

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

Mr. CLARK offered the following amendment No. A4998:

Amend Sec. 1 (Sec. 7.2), page 1, line 25; page 2, lines 1 through 30; page 3, lines 1 through 9, by striking out "There is" in line 25, page 1, all of lines 1 through 30, page 2, all of lines 1 through 9, page 3 and inserting

Any joint sanitary authority of cities of the second class and counties of the second class shall consist of nine members, three to be appointed by the mayor of a second class city, six to be appointed by the county commissioners of a second class county. One member appointed by the mayor of a second class city and two members appointed by the county commissioners of a second class county shall serve for one year, one member appointed by the mayor of a second class city and two members appointed by the county commissioners of a second class county shall serve for three years, one member appointed by the mayor of a second class city and two members appointed by the county commissioners of a second class county shall serve for five years. Thereafter, when a vacancy has occurred or is about to occur by reason of the expiration of the term of any member, the mayor of a second class city or the county commissioners of a second class county, whichever had the power of appointment of the member who vacated or will vacate his seat on the board, shall appoint a

member of the board for a term of five years from the date of expiration of the prior term. Every board member shall serve at the pleasure of the governing body that appointed him or her.

B. One of the three members appointed by the mayor of a second class city shall be a resident of the city ward where the main sanitary facility is situated.

C. Of the six members appointed by the county commissioners, none shall be a resident of a city of the second class. The six appointees of the county commissioners shall each be from a different geographic area of the county.

D. The term of any person serving as a member of any joint sanitary authority of a city of a second class and county of a second class on the effective date of this act shall expire on the effective date of this act.

On the question,

Will the House agree to the amendment?

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

Mr. CLARK. Thank you, Mr. Speaker.

This amendment goes to the heart of the bill and changes several of the provisions that are in the bill. So if I could have a little leeway to talk about the legislation and compare it to the amendment, I would assure you that I am not trying to avoid discussing the amendment.

The SPEAKER. You may proceed.

Mr. CLARK. Thank you, Mr. Speaker.

In order to make it easier for everybody to understand, the amendment will strike out language in the bill and replace it with language that appears in the amendment, so you can read it as a narrative and you do not have to compare what gets stricken and what does not.

Mr. COWELL. Mr. Speaker, excuse the interruption, but I do not believe this amendment has been circulated yet.

The SPEAKER. It has been circulated. Yes, it has been.

You may proceed, Mr. Clark.

Mr. CLARK. Thank you, Mr. Speaker.

The way the bill is drafted presently, it creates a new authority in Allegheny County. Never does it make any reference to the existing authority that we are trying to affect until page 3, section D, where it talks about the term of people serving on an existing authority. There is a big hole here where the people who serve on the existing authority could interpret this to say, this is an entirely new authority, and we are not going to pay attention to what the General Assembly said in amending the Municipal Authorities Act. So what I have attempted to do is strike out that language and put language in that directly affects the existing authority.

And so we make no mistake, we are talking about Alcosan in Allegheny County. There have been several investigations done, accusations of wrongdoing, a bunch of resignations from the board and the executive director, and we are trying to get our house in order in Allegheny County. This amendment is designed to do that the right way. Where it differs from the existing bill, this amendment would give control of the appointments at the authority to the county commissioners instead of the city of Pittsburgh and the mayor.

Presently the city council controls the appointments to Alcosan, even though 60 percent of the customers of Alcosan

lie outside the city of Pittsburgh. The bill as drafted is designed to force the county commissioners to negotiate with the mayor of the city of Pittsburgh for control of the authority. Essentially, the mayor would appoint three, the county commissioners would appoint three, and they would negotiate on the seventh.

Well, I submit that our sewage problem in Allegheny County is greater than a political problem. To date, all we have heard about is patronage over at the authority and abuse of expense accounts. We have not heard anyone talk about the real issue.

To support my philosophy here, I would like to point out some statistics in Allegheny County. Twenty-five sewage authorities outside the city of Pittsburgh, not including Alcosan, are under some sort of ban or limited connection order. We need a feasible Alcosan, an Alcosan that the people have faith in, to be able to solve this problem in the west.

My amendment gives representation on the board in proportion to the customers or as closely as possible without going to an even-numbered board, and we all know that to be unworkable. Additionally, the bill corrects the staggering of terms to coincide with the existing Municipal Authorities Act. And finally, the board members would serve at the pleasure of the appointing authority, meaning if we have a future problem, the county commissioners and the mayor do not have to come back to the General Assembly.

One final point I would like to make on this legislation is, Alcosan was formed under the Municipal Authorities Act. It was not formed by an act of this General Assembly specifically for Alcosan. That is an impression that a lot of people back in Pittsburgh and Allegheny County want to give you. If they wanted to solve this problem, the county commissioners and the city of Pittsburgh could pass a resolution to amend the articles of incorporation of Alcosan right now and solve this problem, which is why I want to be specific in this bill. They have not to this date solved the problem. I do not think they intend to. And to point out how clearly this is done, in 1956 the city and the county amended the bylaws to make this a joint authority. Prior to that, it was a county authority.

I would appreciate your support for this. The gentleman, Mr. Cessar, has cosponsored this amendment, and I would ask for your support.

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

Mr. MURPHY. Thank you, Mr. Speaker.

If I may have the attention of the members, while this might not affect your county, it is important for all of us in Allegheny County that this issue be resolved, and I rise to oppose Mr. Clark's amendment. I oppose his amendment because it, as he would lay it out, would give clear control of the sanitary authority to the county. Neither the county commissioners nor the mayor of the city of Pittsburgh supports Mr. Clark's amendment. They both prefer that the legislation remain intact, that they would share the authority for Alcosan. The reason they want to share authority is because it would put in

additional accountability and the recognition that historically the city of Pittsburgh has paid for Alcosan through floating bonds for building the facility, and the facility is located in the city of Pittsburgh. So by giving clear control to one unit of government while another unit of government continues to have a major importance in the running and location of Alcosan would only go back to what we have originally faced, which has been outright corruption and incompetence in running that facility.

I urge your opposition to this amendment. As I mentioned, both the county commissioners and the mayor of the city of Pittsburgh oppose this amendment, and so I urge your opposition. Thank you.

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

Mrs. LANGTRY. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of the Clark amendment. What the Clark amendment would do would be to permit a larger number of the board members of the joint authority to be from the county area, which represents the huge majority of customers of Alcosan. As we all know from recent reading, there have been some very serious problems pointed out at Alcosan. We would feel much more comfortable that these questions would be addressed if there were more power on the side of the county, and I very strongly support the Clark amendment. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

Now, for the second time on the amendment, the Chair recognizes the gentleman from Allegheny, Mr. Clark.

Mr. CLARK. Thank you, Mr. Speaker.

I would just like to correct a couple of things that were said on the record before they go any further.

The county commissioners have not come out in opposition to this amendment. County Commissioner Foerster has said he would like at least equal representation on the board. He said, at least. In other words, if he cannot get anything better, he will take that. But one thing he has made perfectly clear is he is not going to put the resources of the county to work unless we clean up Alcosan. Without this amendment, Alcosan will not be cleaned up.

Commissioner Hafer has come out in favor of this amendment. If the gentleman would go back to his files and look at a letter that we received last year, she specifically called for provision of this amendment.

And finally, the city of Pittsburgh did not pay for the bonds at Alcosan; the ratepayers did. Sixty percent of the ratepayers are in suburban Pittsburgh in communities outside the city, or 57 percent of the revenues of Alcosan come from outside the city.

I would appreciate support of this amendment so that we can get on with solving our solid waste treatment problems in western Pennsylvania.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—143

Angstadt	Dempsey	Kitchen	Roebuck
Argall	Dietterick	LaGrotta	Rudy
Arty	Dininni	Langtry	Ryan
Barley	Donatucci	Lashingner	Rybak
Battisto	Dorr	Laughlin	Saloom
Belardi	Durham	Leh	Saurman
Belfanti	Fargo	Lescovitz	Scheetz
Billow	Farmer	Letterman	Schuler
Birmelin	Flick	Livengood	Semmel
Black	Foster	Lloyd	Serafini
Blaum	Freind	Lucyk	Seventy
Book	Gallen	McCall	Sirianni
Bowser	Gannon	McClatchy	Smith, B.
Boyes	Geist	McVerry	Smith, S. H.
Brandt	George	Manmiller	Snyder, D. W.
Broujos	Gladeck	Markosek	Snyder, G.
Bunt	Godshall	Mayernik	Stairs
Burd	Gruitza	Merry	Steighner
Burns	Gruppo	Micozzie	Taylor, E. Z.
Bush	Hagarty	Miller	Taylor, F.
Caltagirone	Haluska	Morris	Taylor, J.
Cappabianca	Hasay	Mowery	Telek
Carlson	Hayes	Mrkonic	Tigue
Cessar	Heckler	Noye	Trello
Chadwick	Herman	O'Brien	Van Horne
Civera	Hershey	Olasz	Veon
Clark	Hess	Perzel	Vroom
Clymer	Honaman	Petrarca	Wambach
Colafella	Hutchinson	Phillips	Wass
Cole	Jackson	Piccola	Weston
Corrigan	Jadlowiec	Pitts	Wilson
Cowell	Jarolin	Raymond	Wogan
DeLuca	Johnson	Reber	Wozniak
DeWeese	Kasunic	Reinard	Wright, J. L.
Daley	Kennedy	Rieger	Wright, R. C.
Davies	Kenney	Robbins	

NAYS—36

Acosta	Gamble	Melio	Ritter
Bortner	Hayden	Michlovic	Showers
Bowley	Itkin	Murphy	Staback
Cawley	Josephs	O'Donnell	Stuban
Coy	Kosinski	Oliver	Sweet
Dawida	Kukovich	Petrone	Yandrisevits
Dombrowski	Levdansky	Pievsy	
Duffy	McHale	Pressmann	Irvis,
Fee	Maine	Preston	Speaker
Freeman	Manderino		

NOT VOTING—12

Carn	Evans	Hughes	Richardson
Cohen	Fattah	Linton	Wiggins
Distler	Howlett	Maiale	Wright, D. R.

EXCUSED—9

Cornell	Fox	Moehlmann	Pistella
DeVerter	Harper	Nahill	Punt
Fischer			

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?

MOTION TO RECOMMIT

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

Mr. MURPHY. Mr. Speaker, I would like to make a motion to have the bill recommitted to the Appropriations Committee.

The SPEAKER. Moved by the gentleman, Mr. Murphy, that HB 323 as amended be recommitted to the Committee on Appropriations.

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

The SPEAKER. To speak on the motion, the Chair recognizes the gentleman from Allegheny, Mr. Clark.

Mr. CLARK. You know, Mr. Speaker, I have been reading newspaper articles about what this argument is really about, and the articles keep saying it is about patronage and control over at Alcosan. We have an opportunity today to pass this bill. Let us not send it back to committee where it can die. Let us oppose the gentleman's motion and move it on.

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

Mr. CESSAR. Thank you, Mr. Speaker.

I oppose the motion. I think we have debated this bill. I think it should go into the Senate and let them vote on it as it is.

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

Mr. COWELL. Mr. Speaker, this legislation has been a long time in the making. The need for the legislation today and for the reforms that are included therein is as great today as it was yesterday or as it was 10 minutes ago before the vote was taken on the previous amendment. I would urge that we defeat the motion to recommit and we get on with the business of approving this legislation today.

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

Mrs. LANGTRY. Mr. Speaker, I also oppose the motion to recommit. I think that we need this motion to go through and the bill to pass to solve the problems at the Allegheny County Sanitary Authority. Thank you.

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

The following roll call was recorded:

YEAS—25

Table with 4 columns of names: Cawley, Coy, Dawida, Gamble, Gruitza, Itkin, Jarolin, Josephs, Levdansky, Manderino, Melio, Mrkonic, Murphy, O'Donnell, Petrone, Pievsky, Pressmann, Preston, Ritter, Rybak, Showers, Steighner, Sweet, Trello, Yandrisevits

NAYS—154

Table with 4 columns of names: Angstadt, Argall, Arty, Barley, Battisto, Belardi, Belfanti, Billow, Birmelin, Black, Dempsey, Dieterick, Dininni, Distler, Dombrowski, Dorr, Duffy, Durham, Fargo, Farmer, Kitchen, Kukovich, LaGrotta, Langtry, Lashinger, Laughlin, Leh, Lescovitz, Letterman, Livengood, Robbins, Roebuck, Rudy, Ryan, Saloom, Saurman, Scheetz, Schuler, Semmel, Serafini

Table with 4 columns of names: Blaum, Book, Bortner, Bowley, Bowser, Boyes, Brandt, Broujos, Bunt, Burd, Burns, Bush, Caltagirone, Cappabianca, Carlson, Carn, Cessar, Chadwick, Civera, Clark, Clymer, Colafella, Cole, Corrigan, Cowell, DeLuca, DeWeese, Daley, Davies, Fee, Flick, Foster, Freeman, Freind, Gallen, Gannon, Geist, George, Gladeck, Godshall, Gruppo, Hagarty, Haluska, Hasay, Hayden, Hayes, Heckler, Herman, Hershey, Hess, Honaman, Hutchinson, Jackson, Jadlowiec, Johnson, Kasunic, Kennedy, Kenney, Lloyd, Lucyk, McCall, McClatchy, McHale, McVerry, Maine, Manmiller, Markosek, Mayernik, Merry, Michlovic, Micozzie, Miller, Morris, Mowery, Noye, O'Brien, Olasz, Oliver, Perzel, Petrarca, Phillips, Piccola, Pitts, Raymond, Reber, Reinard, Richardson, Seventy, Sirianni, Smith, B., Smith, S. H., Snyder, D. W., Snyder, G., Staback, Stairs, Stuban, Taylor, E. Z., Taylor, F., Taylor, J., Telek, Tigue, Van Horne, Veon, Vroon, Wambach, Wass, Weston, Wiggins, Wilson, Wogan, Wozniak, Wright, J. L., Wright, R. C., Irvis, Speaker

NOT VOTING—12

Table with 4 columns of names: Acosta, Cohen, Donatucci, Evans, Fattah, Howlett, Hughes, Kosinski, Linton, Maiale, Rieger, Wright, D. R.

EXCUSED—9

Table with 4 columns of names: Cornell, DeVerter, Fischer, Fox, Harper, Moehlmann, Nahill, Pistella, Punt

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

On the question recurring,

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

Mr. CLARK offered the following amendments No. A4938:

Amend Title, page 1, line 14, by inserting after "membership"

and bylaws

Amend Sec. 1 (Sec. 7.3), page 3, lines 16 and 17, by striking out "DEPARTMENT OF THE AUDITOR GENERAL" and inserting

county controller

Amend Sec. 1 (Sec. 7.4), page 4, lines 13 and 14, by striking out "(RATIO OF EMPLOYEES TO PEOPLE AND COMMUNITIES SERVED)"

Amend Sec. 1, page 4, by inserting between lines 25 and 26 Section 7.5. Adoption of By-law Changes by a Joint Sanitary Authority of a City of the Second Class and a County of the Second Class.— Within ninety days of the effective date of this section, a joint sanitary authority of a city of the second class and a county of the second class shall amend its articles of incorporation or its by-laws to incorporate the requirements of this section and sections 7.2, 7.3 and 7.4 of this act.

Section 2. Nothing in this amendatory act shall affect any bonds, debts, contracts, labor agreements or any other obligation of a joint sanitary authority of a city of the second class and a county of the second class in existence on the effective date of this amendatory act.

Amend Sec. 2, page 4, line 26, 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 Allegheny, Mr. Clark.

Mr. CLARK. Thank you, Mr. Speaker.

This just further corrects some of the deficiencies in the original legislation. The original bill called for an audit to be done by the Auditor General on the affairs of Alcosan. My amendment would put that back to the county controller of Allegheny County. I do not see a need to spend State tax funds on a localized problem.

Secondly, it removes language that directs the performance standards on employment ratios that deal with the employees— It is basically a ratio, the ratio of employees to people and communities served. In our analysis there is no relationship between the number of employees you need and the number of communities you serve. It is on the basis of how much gallonage of sewage you treat on a daily basis.

And finally, there is a saving clause that says, "Nothing in this amendatory act shall affect any bonds, debts, contracts,..." et cetera, of the authority.

This will be the final amendment that will help this bill out. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—180

Acosta	Distler	Kukovich	Reinard
Angstadt	Dombrowski	LaGrotta	Richardson
Argall	Dorr	Langtry	Ritter
Arty	Duffy	Lashingner	Robbins
Barley	Durham	Laughlin	Roebuck
Battisto	Fargo	Leh	Rudy
Belardi	Farmer	Lescovitz	Ryan
Belfanti	Fattah	Letterman	Rybak
Billow	Fee	Levdansky	Saloom
Birmelin	Flick	Linton	Saurman
Black	Foster	Livengood	Scheetz
Blaum	Freeman	Lucyk	Schuler
Book	Freind	McCall	Semmel
Bortner	Gallen	McClatchy	Serafini
Bowley	Gamble	McHale	Showers
Bowser	Gannon	McVerry	Sirianni
Boyes	Geist	Maine	Smith, B.
Brandt	George	Manderino	Smith, S. H.
Broujos	Gladeck	Manmiller	Snyder, D. W.
Bunt	Godshall	Markosek	Snyder, G.
Burd	Gruitza	Mayernik	Staback
Burns	Gruppo	Melio	Stairs
Bush	Hagarty	Merry	Steighner
Caltagirone	Haluska	Michlovic	Stuban
Cappabianca	Hasay	Micozzie	Sweet
Carlson	Hayden	Miller	Taylor, E. Z.
Carn	Hayes	Morris	Taylor, F.
Cawley	Heckler	Mowery	Taylor, J.
Cessar	Herman	Mrkonic	Telek
Chadwick	Hershey	Murphy	Trello
Civera	Hess	Noye	Van Horne
Clark	Honaman	O'Brien	Veon
Clymer	Howlett	O'Donnell	Vroon
Colafella	Hughes	Olasz	Wambach

Cole	Hutchinson	Oliver	Wass
Corrigan	Itkin	Perzel	Weston
Cowell	Jackson	Petrarca	Wilson
Coy	Jadlowiec	Petrone	Wogan
DeLuca	Jarolin	Phillips	Wozniak
DeWeese	Johnson	Piccola	Wright, J. L.
Daley	Josephs	Pievsky	Wright, R. C.
Davies	Kasunic	Pitts	Yandrisevits
Dawida	Kennedy	Pressmann	
Dempsey	Kenney	Raymond	Irvis,
Dietterick	Kitchen	Reber	Speaker
Dininni	Kosinski		

NAYS—2

Lloyd	Tigue
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NOT VOTING—9

Cohen	Maiale	Rieger	Wiggins
Donatucci	Preston	Seventy	Wright, D. R.
Evans			

EXCUSED—9

Cornell	Fox	Moehlmann	Pistella
DeVerter	Harper	Nahill	Punt
Fischer			

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?

MOTION TO PLACE BILL ON FINAL PASSAGE POSTPONED CALENDAR

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

Mr. ITKIN. Mr. Speaker, in view of the dramatic change in the composition of the bill, I would like to request that the members hold the bill for a day so we have a chance to review its contents. I ask that the bill be placed on the final passage postponed calendar.

The SPEAKER. Moved by the gentleman, Mr. Itkin, that HB 323 as amended be placed on the final passage postponed calendar.

On the question,

Will the House agree to the motion?

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Clark, on the motion.

Mr. CLARK. Thank you, Mr. Speaker.

These city guys will try anything.

I just oppose the gentleman's motion. My amendments were written in a simple enough form that everybody can understand them by reading them. They were circulated before the Christmas recess when I thought the bill was first going to be considered. This bill has been on the calendar, off the calendar for 2, 3 months now. I would just like to get the

bill out of the House and get it moving, and I would appreciate opposition to the motion to postpone consideration.

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

Mr. CESSAR. Thank you, Mr. Speaker.

I concur with the gentleman from Allegheny County. Let us roll the bill and get it out of here.

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

Mrs. LANGTRY. Mr. Speaker, I think we ought to move on with this bill. It has been on the calendar; it has been looked at and studied for some time. The amendments are good and we ought to move on and get to work and clean up Alcosan. Thank you.

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

Mr. ITKIN. Mr. Speaker, I am only asking the House for a simple 1-day delay. Obviously, the support for the original version of the bill came from the mayor and the county commissioners of the affected city and county. I cannot say that the majority commissioners in Allegheny County as well as the mayor support the current version of the bill, and I would ask the membership of this House to give us 1 day so that we can check back to find out how the city and county now will react and feel about the current amendment.

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

Mr. MANDERINO. Mr. Speaker, I support the gentleman, Mr. Itkin's motion. This bill was lodged in the Appropriations Committee of the House for some time, at which time I heard from both the mayor of Pittsburgh and commissioners from the county of Allegheny, and in each case I was being urged to move the bill as it was intact. I think a substantial change has been made, and I think members from that county and from the city ought to have the opportunity of checking back home before the bill is moved. I would ask that we put it over until tomorrow at least, Mr. Speaker.

The SPEAKER. On the motion, the Chair recognizes the gentleman from Allegheny, Mr. Clark.

Mr. CLARK. Mr. Speaker, would the majority leader consent to brief interrogation?

The SPEAKER. The majority leader indicates he will stand for interrogation. You may proceed.

Mr. CLARK. Mr. Speaker, could I have some assurance that this bill will appear on tomorrow's calendar, because the way I understand it, if we postpone it, it has got to be reprinted and I have no guarantee that will get done overnight.

Mr. MANDERINO. My competent staff tells me that the bill will be in print tomorrow, and I have every intention of handling the bill before we leave this week.

The SPEAKER. For the information of the gentleman, Mr. Clark, it is not necessary the bill be reprinted. We do not reprint. The bill would appear as it is currently, if it goes on the postponed calendar.

Mr. CLARK. The bill would not be reprinted?

The SPEAKER. That is correct.

Mr. CLARK. All right. Thank you, Mr. Speaker.

Could I be recognized on the motion again?

The SPEAKER. You have the floor.

Mr. CLARK. Thank you.

Since we are not going to bother reprinting the bill so that it is a little clearer to understand, everybody is going to have to take their amendments and run out of here and try and put it together anyway. So I would continue to oppose Mr. Itkin's motion.

The SPEAKER. You understand, do you not, Mr. Clark, that this is not a special ruling in this case. This is the normal procedure that we do follow.

Mr. CLARK. Just so I understand, Mr. Speaker.

The SPEAKER. All right.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—86

Acosta	Donatucci	Lescovitz	Richardson
Battisto	Duffy	Letterman	Ritter
Belardi	Fattah	Levdansky	Roebuck
Belfanti	Fee	Linton	Rudy
Blaum	Freeman	Lloyd	Rybak
Bortner	Gamble	Lucyk	Saloom
Broujos	George	McHale	Showers
Caltagirone	Gruitza	Maine	Staback
Cappabianca	Haluska	Manderino	Steighner
Carn	Hayden	Markosek	Stuban
Cawley	Howlett	Melio	Sweet
Cohen	Hughes	Michlovic	Taylor, F.
Colafella	Hutchinson	Morris	Tigue
Cole	Itkin	Mrkonic	Trello
Corrigan	Jarolin	Murphy	Van Horne
Cowell	Josephs	O'Donnell	Wambach
Coy	Kasunic	Oliver	Wiggins
DeLuca	Kitchen	Petrarca	Wozniak
DeWeese	Kosinski	Petrone	Yandrisevits
Daley	Kukovich	Pievsky	
Dawida	LaGrotta	Pressmann	Irvis,
Dombrowski	Laughlin	Preston	Speaker

NAYS—100

Angstadt	Dininni	Johnson	Reinard
Argall	Distler	Kennedy	Robbins
Arty	Dorr	Kenney	Ryan
Barley	Durham	Langtry	Saurman
Billow	Fargo	Lashinger	Scheetz
Birmelin	Farmer	Leh	Schuler
Black	Flick	Livengood	Semmel
Book	Foster	McCall	Serafini
Bowley	Freind	McClatchy	Sirianni
Bowser	Gallen	McVerry	Smith, B.
Boyes	Gannon	Manmiller	Smith, S. H.
Brandt	Geist	Mayernik	Snyder, D. W.
Bunt	Gladeck	Merry	Snyder, G.
Burd	Godshall	Micozzie	Stairs
Burns	Gruppo	Miller	Taylor, E. Z.
Bush	Hagarty	Mowery	Taylor, J.
Carlson	Hasay	Noye	Telek
Cessar	Hayes	O'Brien	Veon
Chadwick	Heckler	Olasz	Vroon
Civera	Herman	Perzel	Wass
Clark	Hershey	Phillips	Weston
Clymer	Hess	Piccola	Wilson
Davies	Honaman	Pitts	Wogan
Dempsey	Jackson	Raymond	Wright, J. L.

Dietterick	Jadlowiec	Reber	Wright, R. C.
NOT VOTING—5			
Evans Maiale	Rieger	Seventy	Wright, D. R.
EXCUSED—9			
Cornell DeVerter Fischer	Fox Harper	Moehlmann Nahill	Pistella Punt

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

On the question recurring,
Shall the bill pass finally?

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

YEAS—176

Acosta	Dietterick	Kukovich	Reinard
Angstadt	Dininni	LaGrotta	Robbins
Argall	Distler	Langtry	Roebuck
Arty	Dombrowski	Lashingier	Rudy
Barley	Dorr	Laughlin	Ryan
Battisto	Duffy	Leh	Rybak
Belardi	Durham	Lescovitz	Saloom
Belfanti	Fargo	Letterman	Saurman
Billow	Farmer	Levdansky	Scheetz
Birmelin	Fattah	Linton	Schuler
Black	Fee	Livengood	Semmel
Blaum	Flick	Lloyd	Serafini
Book	Foster	Lucyk	Showers
Bortner	Freeman	McCall	Sirianni
Bowley	Freind	McClatchy	Smith, B.
Bowser	Gallen	McHale	Smith, S. H.
Boyes	Gamble	McVerry	Snyder, D. W.
Brandt	Gannon	Maine	Snyder, G.
Broujos	Geist	Manderino	Staback
Bunt	George	Manmiller	Stairs
Burd	Gladeck	Markosek	Steighner
Burns	Godshall	Mayernik	Stuban
Bush	Gruitza	Melio	Taylor, E. Z.
Caltagirone	Gruppo	Merry	Taylor, F.
Cappabianca	Hagarty	Michlovic	Taylor, J.
Carlson	Haluska	Micozzie	Telek
Carn	Hasay	Miller	Tigue
Cawley	Hayden	Morris	Trello
Cessar	Hayes	Mowery	Van Horne
Chadwick	Heckler	Mrkonic	Veon
Civera	Herman	Noye	Vroon
Clark	Hershey	O'Brien	Wambach
Clymer	Hess	O'Donnell	Wass
Cohen	Honaman	Olasz	Weston
Colafella	Howlett	Perzel	Wiggins
Cole	Hughes	Petrarca	Wilson
Corrigan	Hutchinson	Petrone	Wogan
Cowell	Jackson	Phillips	Wozniak
Coy	Jadlowiec	Piccola	Wright, J. L.
DeLuca	Jarolin	Pievsky	Wright, R. C.
DeWeese	Johnson	Pitts	Yandrisevits
Daley	Kasunic	Preston	
Davies	Kennedy	Raymond	Irvis,
Dawida	Kenney	Reber	Speaker
Dempsey	Kosinski		

NAYS—9

Donatucci	Kitchen	Oliver	Richardson
Itkin	Murphy	Pressmann	Sweet
Josephs			

NOT VOTING—6			
Evans Maiale	Rieger Ritter	Seventy	Wright, D. R.
EXCUSED—9			
Cornell DeVerter Fischer	Fox Harper	Moehlmann Nahill	Pistella Punt

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.

APPROPRIATIONS COMMITTEE MEETING

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

Mr. PIEVSKY. Thank you, Mr. Speaker.

Mr. Speaker, immediately upon the call of the recess, the Appropriations Committee will meet at the rear of the House chamber. I ask that the desk be open, Mr. Speaker. Thank you.

The SPEAKER. The desk will remain open.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. The Chair has the unhappy responsibility of announcing the death of a very close friend, Herb Packer. Herb Packer, who has been ill now for a number of weeks, died last night. Those of you who remember Herb as a lobbyist and a friend will regret his passing. He suffered enormously though before he left us. Herb Packer is dead. There will be no viewing. There will be memorial services at 11 o'clock on Wednesday of this week. If we have more details, we shall give them to you.

RULES COMMITTEE MEETING

The SPEAKER. A Rules Committee meeting to the left of the Speaker on the declaration of the recess.

WELCOME

The SPEAKER. The Chair welcomes to the hall of the House, as guests of Representative Ed Johnson, Miss Heather Bachtell, who is a young lady who works at his district, and another young lady, Miss Nicole Close, who is president of the youth in government class at Claysburg-Kimmel High School. They are both to the left of the Speaker. The class is in the gallery. All of you are welcomed to the hall of the House. Will you please stand so the members see you. It is nice to have you here.

DEMOCRATIC CAUCUS

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

Mr. ITKIN. Mr. Speaker, I want to advise the members on this side of the aisle that there will be a caucus scheduled for 2 o'clock. We will be considering major legislation; in particular, the low-level waste disposal legislation. So I would urge every member to attend and also advise the other side of the aisle that we will be voting this bill later this week, and I would expect that they also caucus on the same legislation.

REPUBLICAN CAUCUS

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

Mr. NOYE. Thank you, Mr. Speaker.

We will caucus immediately and ask the members to be prompt.

The SPEAKER. An immediate caucus of the Republican Party; an immediate caucus of the Democratic Party.

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

SB 1066, PN 1408 By Rep. OLIVER

An Act amending Title 54 (Names) of the Pennsylvania Consolidated Statutes, adding the Pennsylvania State Police to the definition of "organization."

STATE GOVERNMENT.

BILLS SIGNED BY SPEAKER

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

SB 562, PN 1673

An Act amending the act of June 24, 1931 (P. L. 1206, No. 331), entitled "The First Class Township Code," further providing for expenses of delegates and officers who attend certain meetings.

SB 563, PN 1674

An Act amending the act of May 1, 1933 (P. L. 103, No. 69), entitled "The Second Class Township Code," further providing for expenses of delegates who attend certain meetings.

SB 564, PN 1675

An Act amending the act of February 1, 1966 (1965 P. L. 1656, No. 581), entitled "The Borough Code," further providing for expenses of delegates and mayors incurred in attending meetings and conventions.

SB 1068, PN 1633

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

RESOLUTIONS REPORTED FROM COMMITTEE

HR 212, PN 2711 By Rep. MANDERINO

Recognizing the accomplishments of the Hugh O'Brian Youth Foundation's Pennsylvania Leadership Seminars.

RULES.

HR 213, PN 2712 By Rep. MANDERINO

Recognizing the supreme sacrifice that Ronald Strong made in the service of his country; and extending condolences to his wife and parents.

RULES.

SR 103, PN 1459 (Concurrent)

By Rep. MANDERINO

A Concurrent Resolution extending to Kung Sang Buk Do Province, the Republic of South Korea, an invitation to join the Commonwealth of Pennsylvania as a sister state.

RULES.

SR 141, PN 1640 (Concurrent)

By Rep. MANDERINO

A Concurrent Resolution urging the Citizen Stamp Advisory Committee of the United States Postal Service to issue a stamp honoring American horology.

RULES.

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 2099, PN 2718 By Rep. PIEVSKY

An Act amending the act of June 13, 1967 (P. L. 31, No. 21), known as the "Public Welfare Code," reenacting and amending provisions relating to domestic violence and rape crisis programs and imposing costs.

APPROPRIATIONS.

BILLS REREPORTED FROM COMMITTEE

HB 235, PN 1847 By Rep. PIEVSKY

An Act amending the act of August 9, 1955 (P. L. 323, No. 130), known as "The County Code," further providing for the training of park police in counties of the third class.

APPROPRIATIONS.

HB 238, PN 1848 By Rep. PIEVSKY

An Act amending the act of June 18, 1974 (P. L. 359, No. 120), referred to as the "Municipal Police Education and Training Law," further defining "police officer."

APPROPRIATIONS.

HB 289, PN 313 By Rep. PIEVSKY

An Act amending the act of July 15, 1976 (P. L. 1036, No. 208), known as the "Volunteer Fire Company, Ambulance Service and Rescue Squad Assistance Act," adjusting loan limits.

APPROPRIATIONS.

HB 628, PN 2694 By Rep. PIEVSKY

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

APPROPRIATIONS.

HB 1899, PN 2409 By Rep. PIEVSKY

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, further providing for rates.

APPROPRIATIONS.

HB 2002, PN 2567

By Rep. PIEVSKY

An Act designating a section of Route 220 in Clinton County, Pennsylvania, as the Frank D. O'Reilly, Jr., Highway.

APPROPRIATIONS.

BILLS ON SECOND CONSIDERATION

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

HB 2002, PN 2567; HB 1899, PN 2409; HB 628, PN 2694; HB 289, PN 313; HB 238, PN 1848; and HB 235, PN 1847.

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I move that HB 2099 be lifted from the tabled calendar and placed on the active calendar.

On the question,

Will the House agree to the motion?

Motion was agreed to.

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 regular session, the Chair recognizes the gentleman from Bucks, Mr. Melio.

Mr. MELIO. Mr. Speaker, I move that this House do now adjourn until Tuesday, January 26, 1988, at 11:10 a.m., e.s.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 1:56 p.m., e.s.t., the House adjourned.