

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, FEBRUARY 9, 1988

SESSION OF 1988

172D OF THE GENERAL ASSEMBLY

No. 11

HOUSE OF REPRESENTATIVES

The House convened at 11:10 a.m., e.s.t.

THE SPEAKER (K. LEROY IRVIS) IN THE CHAIR

PRAYER

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

O God, as the members of this legislature confront the financial problems of this Keystone State and begin the task of wrestling with a budget for the next fiscal year, we humbly pray that Thou wilt share with them Thy tender mercy and abiding care.

Heavenly Father, grant to them the competency of Thy divine wisdom, bestow upon them the relevancy of Thy discerning spirit, and guide them in the accomplishment of Thy eternal truth so that the legislation enacted may be for the welfare of the people of this great Commonwealth, the betterment of the society in which we live, and the extension of Thy kingdom for all mankind. In Thy blest name, we pray. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Monday, February 8, 1988, in regular session will be postponed until that Journal is in print. The Chair hears no such objection.

LEAVES OF ABSENCE

The SPEAKER. The Chair now turns to leaves of absence. The Chair recognizes the gentleman from Lawrence, Mr. Fee.

Mr. FEE. Mr. Speaker, the gentleman from Philadelphia, Mr. MAIALE, for today.

The SPEAKER. The leave is granted, there being no objection.

The Chair recognizes the minority whip.

Mr. HAYES. Thank you, Mr. Speaker.

I request a leave for the gentleman from Delaware County, Mr. RAYMOND, for the day.

The SPEAKER. The leave is granted, there being no objection.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2179 By Representative NOYE

An Act returning former Legislative Route 50036 in Perry County to the State highway system.

Referred to Committee on TRANSPORTATION, February 9, 1988.

No. 2180 By Representatives HONAMAN, MORRIS, MOEHLMANN, MICHLOVIC, BRANDT, HERSHEY, TRELLO, BARLEY, SALOOM, FISCHER, GODSHALL, GEIST, FOX, HERMAN, JACKSON, PERZEL, MILLER, TELEK, BELARDI, E. Z. TAYLOR, McVERRY and HECKLER

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, providing for electric transmission lines.

Referred to Committee on CONSUMER AFFAIRS, February 9, 1988.

No. 2181 By Representative McCLATCHY

An Act amending the act of June 11, 1935 (P. L. 326, No. 149), entitled "An act relating to counties of the first class; defining deceased service persons; providing for contributions by the county to the funeral expenses for such persons and their widows; providing for the erection and care of markers, headstones, and flags, and for the compilation of war records," further regulating flags to be placed on graves.

Referred to Committee on LOCAL GOVERNMENT, February 9, 1988.

No. 2182 By Representative McCLATCHY

An Act amending the act of July 28, 1953 (P. L. 723, No. 230), known as the "Second Class County Code," further providing for flags to decorate the graves of service persons.

Referred to Committee on LOCAL GOVERNMENT, February 9, 1988.

**HOUSE RESOLUTION
INTRODUCED AND REFERRED**

No. 228 By Representative KENNEDY

Amending the Rules of the House of Representatives by adding a rule to provide for lapsing of appropriations.

Referred to Committee on RULES, February 9, 1988.

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 the Senate amendments to **HB 446, PN 2668**.

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 409, PN 1734**.

**REPORT OF COMMITTEE
OF CONFERENCE PRESENTED**

Mr. HUTCHINSON presented the Report of the Committee of Conference on **SB 515, PN 1785**.

COMMUNICATION FROM GOVERNOR

REQUEST FOR JOINT SESSION

The Secretary to the Governor presented the following communication from His Excellency, the Governor:

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

January 12, 1988

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania

If it meets with the approval of the General Assembly, I would like to address the Members in Joint Session on Tuesday, February 9, 1988, at a time convenient to the General Assembly.

Robert P. Casey
Governor

RESOLUTION ADOPTED

COMMITTEE TO ESCORT SENATE

Mr. MANDERINO offered the following resolution, which was read, considered, and adopted:

In the House of Representatives, February 9, 1988

RESOLVED, That the Speaker appoint a committee of three to escort the members and officers of the Senate to the Hall of the House for the purpose of attending the Joint Session of the General Assembly.

COMMITTEE APPOINTED

The SPEAKER. The Chair appoints as a committee to wait upon the Senate the following: the gentleman from Philadelphia, Mr. Cohen; the lady from Philadelphia, Ms. Kitchen; and the gentleman from Chester County, Mr. Pitts.

The committee will proceed in the performance of its duties.

**COMMITTEE TO ESCORT
GOVERNOR APPOINTED**

The SPEAKER. Pursuant to the concurrent resolution previously adopted by the House, the Chair appoints as a committee to escort the Governor to the hall of the House the following: the gentleman from Clearfield County, Mr. George; the gentleman from Cambria County, Mr. Billow; and the gentleman from Bucks County, Mr. Wilson.

The committee will proceed in the performance of its duties.

WELCOME

The SPEAKER. The Chair is delighted to welcome to the hall of the House a friend who has been a friend of many years to all of us. For many years he represented Penn State; he retired from Penn State; he is here, and he is looking fine - Fred Ciletti. Fred, we are delighted to have you here.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. Some of you may remember that the Chair reminded you, and the Chair will now remind you again, that your financial interest forms must be filed with your nominating petitions; your financial interest forms must be filed with your nominating petitions. Some of you may have neglected that. If you continue to neglect it, you will regret it.

**CONDOLENCE RESOLUTION
SUBMITTED FOR THE RECORD**

Mr. IRVIS submitted the following condolence resolution for the Legislative Journal:

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

WHEREAS, Herbert M. Packer, Jr., of Camp Hill, passed away on January 24, 1988 at the age of sixty-one; and

WHEREAS, One of Pennsylvania's most respected lobbyists, Mr. Packer served since 1976 as vice president of the partnership of Packer, Oesterling and Smith, Incorporated, a Harrisburg

firm handling advertising, marketing, public affairs and public relations. For fifteen years prior to this he was executive vice president of the Pennsylvania Builders Association; and

WHEREAS, Mr. Packer graduated Cum Laude in Journalism, Public Relations and Political Science from the University of Pennsylvania and did graduate work in Business Administration at the University of Pittsburgh. He was listed in Who's Who in the East and Who's Who in Public Relations. A published author, his work appeared in the Philadelphia Evening Bulletin, the Philadelphia Inquirer and Newsweek Magazine, to name a few. He has been listed as one of the top ten lobbyists in Harrisburg by Associated Press as well as one of the "most knowledgeable lobbyists in Harrisburg" by Today Magazine, Sunday Supplement of the Inquirer; now therefore be it

RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania note with sadness the passing of Herbert M. Packer, Jr., a loving husband and father and outstanding businessman; extend heartfelt condolences to his wife, Kay Robinson Packer, and his children, Herbert M. III and Lynne Allison Packer Wells; and be it further

RESOLVED, That a copy of this resolution be delivered to Mrs. Kay Robinson Packer, 58 Circle Drive, Camp Hill, Pennsylvania 17011.

We hereby certify that the foregoing is an exact copy of a resolution introduced in the House of Representatives by the Honorable K. Leroy Irvis, and unanimously adopted by the House of Representatives on the 26th day of January 1988.

K. Leroy Irvis
Speaker of the House
ATTEST:
John J. Zubeck
Chief Clerk

WELCOME

The SPEAKER. Dennis and Debbie Barr are in the balcony, and they are the guests of Representative Semmel. Welcome to the hall of the House. We are delighted to have you here.

REPORT OF COMMITTEE ESCORTING SENATE

The SPEAKER. The Senate is now entering the hall of the House. Members will now rise.

The Chair recognizes the Sergeant at Arms of the House.

The SERGEANT AT ARMS. Mr. Speaker, a committee of the House escorting the Senate to the hall of the House.

The SPEAKER. The Chair recognizes the chairman of the committee escorting the Senate, the gentleman from Philadelphia, Mr. Cohen.

Mr. COHEN. Mr. Speaker, your committee appointed to wait upon the Senate and escort them to the hall of the House has performed that duty and reports that the Senate is now in attendance.

The SPEAKER. The Chair discharges the committee with the thanks of the House.

LIEUTENANT GOVERNOR MARK S. SINGEL REQUESTED TO PRESIDE

The SPEAKER. The Chair requests the Lieutenant Governor, the Honorable Mark S. Singel, to preside over the proceedings of the joint session of the General Assembly.

The President pro tempore of the Senate, the Honorable Robert C. Jubelirer, is invited to be seated on the rostrum.

The members of the Senate will please be seated.
Governor, we welcome you here to the House.

JOINT SESSION OF THE GENERAL ASSEMBLY LIEUTENANT GOVERNOR MARK S. SINGEL PRESIDING

The LIEUTENANT GOVERNOR. Thank you, Mr. Speaker. I appreciate that.

Would the members of the Senate and the House please come to order.

This being the day and time agreed upon by a concurrent resolution of the Senate and House of Representatives to hear an address by His Excellency, the Governor, the Honorable Robert P. Casey, this joint session will come to order.

The General Assembly will be at ease while it awaits the arrival of His Excellency, the Governor of the Commonwealth.

REPORT OF COMMITTEE ESCORTING GOVERNOR

The LIEUTENANT GOVERNOR. The Chair recognizes the chairman of the committee to escort the Governor, the Senator from Delaware, Senator Bell.

Mr. BELL. Mr. President, as chairman of the committee to escort the Governor, I wish to report that His Excellency, Gov. Robert Patrick Casey, is present and is prepared to address this joint session.

The LIEUTENANT GOVERNOR. Members of the General Assembly, I have the honor and privilege of presenting His Excellency, the Governor, the Honorable Robert P. Casey, who will now address this joint session.

FISCAL YEAR 1988-89 BUDGET ADDRESS OF GOVERNOR ROBERT P. CASEY

The GOVERNOR. Lieutenant Governor Singel, Speaker Irvis, President Pro Tempore Jubelirer, the leadership of the House and Senate on both sides of the aisle, and a special welcome back to Harrisburg to Senator Jack Stauffer, the Senate majority leader, ladies and gentlemen of the General Assembly:

I come before you today with pride in a year of accomplishment and faith in an even brighter year ahead.

I come to report on our stewardship in the year just past and to propose a plan of financial investment for the year ahead.

For the family of Pennsylvania, 1987 was a year of growth and prosperity.

While nationally there was a near 7-percent decrease in the number of new business starts, in Pennsylvania there was a near 5-percent increase.

While business failures in other mid-Atlantic States increased over the previous year, business failures in Pennsylvania decreased.

In 1987 our unemployment rate was lower than in any year since 1974, and in January of this year the unemployment rate stayed below 6 percent for the 12th consecutive month.

And together we are creating jobs in Pennsylvania in record numbers.

After climbing throughout 1987, the number of Pennsylvanians at work last month reached an all-time record high of 5,497,000 workers. That is 238,000 more jobs than just 1 year ago.

Now, a hallmark of this unprecedented economic growth has been the participation of the Commonwealth as a full partner in the day-to-day effort to create new jobs. State Government is no longer just a bystander. It cannot be, because those statistics are not just numbers; they are people - people like Nick Germanos, who, after 30 years at the LTV mill in Aliquippa, was put on extended layoff when the mill shut down. Our Governor's Response Team worked with all the parties to put together a plan which allowed part of the mill to open again under new ownership, and just a few weeks ago Nick Germanos went back to work.

People like Gale Bennett, who lost her job when Frito-Lay moved out of Lycoming County. Together with local groups, the Response Team created a financing package which helped Kellogg to buy the plant and create hundreds of new jobs. Gale Bennett has one of those jobs.

The Governor's Response Team, which we started as part of our Economic Development Partnership, has proven its effectiveness time and again. The team has been involved in over 200 job-creation or job-saving projects in every corner of the Commonwealth, from the Shenango Valley to the Lehigh Valley. It is a good example of how government can work actively and aggressively and creatively to expand opportunity for every member of the family of Pennsylvania.

Today my message is not so much about spending as it is investing. Because we cannot spend limitlessly, we must invest wisely.

When I say investment, I mean investment in people - in children, in families, older citizens, too - because investments in bridges and roads and water and sewer systems mean little without strong and healthy workers; because investments in new jobs and industries are pointless without Pennsylvanians who are trained to fill them.

We must match investment in our economic future with investment in our children to ensure that every Pennsylvania child growing up today has the opportunity to enjoy the Pennsylvania we are building for tomorrow.

I know that you agree that our children's healthy development and their successful education, and also the education of

those adults the system has failed, are the most important tasks that we face as a State. They are the foundation of all that matters to us: economic growth, equal opportunity, and a society which values the human spirit.

No State in this Nation has a deeper commitment to the opportunity that a free, public education affords - the opportunity for each child to grow, to prosper, and to achieve a life of personal fulfillment.

The expectation that we have for teachers and students, all of us, and that they have for themselves is not to be average but to be great. To achieve that greatness, it will take not only the increased financial investment I am asking you to make but the resolve to do this for our children.

There are three steps we must take right now toward preparing our young people for the 21st century.

First, we must again put our money where our kids are. Last year I called on you to provide an unprecedented \$214-million increase in our commitment to basic education. You responded to that call, and today I am asking you to do so again by increasing the State's contribution to basic education by an additional \$214 million, increasing our investment by nearly half a billion dollars in just 2 years.

Second, we want to create every day, in every Pennsylvania classroom, an environment in which a dynamic, productive relationship between teacher and student will flourish, because that relationship is the core of successful learning. To do that we must have teachers with the spirit and the creativity and the knowledge we want our own children to emulate.

But we will not have teachers with these qualities if the best and the brightest continue to leave the profession at the rates they are leaving right now.

So we must take steps to attract college graduates of the highest caliber and encourage the best teachers to continue teaching. We will ensure that even the most disadvantaged school districts have those kinds of teachers. That means paying teachers more money; it means according them true professional status, and allowing them to advance without having to leave the profession.

Here is how we do it:

Use State dollars to raise the minimum starting salary for teachers to \$18,500 over the next 2 years, and then make a commitment within the subsidy formula to help school districts pay for higher salaries throughout the ranks.

Establish for the first time a partial loan forgiveness program through the Pennsylvania Higher Education Assistance Agency for college graduates who choose to teach in distressed communities, so hard-pressed school districts in big cities and rural areas are no longer left behind in our effort to attract good teachers and improve instruction.

We will begin "lead teacher" centers at five schools to serve as models for schools throughout the State. We will give competitive grants to schools with continuing professional development plans which promote the "lead teacher" concept, which means teachers working with other teachers; classroom observation of other teachers; creating partnerships between universities, businesses, and schools to improve

teaching skills and broaden curriculum; and giving teachers greater voice over the work of their schools. Our goal is to instill in all teachers a mastery of those teaching methods that work.

Now, in making this commitment to pay teachers more and give them greater professional opportunity, we will also insist that no teachers found to be incompetent are allowed to remain in the classroom. The vast majority of the teachers in our public schools are good and they want to be better, but too little effort has been made in the past to remove those teachers who simply are not cutting it.

Recognizing that fairness and due process, as well as the local autonomy of school districts, must be respected, we will increase our efforts to identify and decertify teachers who are not doing the job or who do not demonstrate a willingness to improve.

The third critical step is to set higher expectations and insist on results. Our goal is to create a system that demands accountability and rewards success in the education of our children.

To do that, we will establish for the first time in Pennsylvania a system of performance incentives for schools. Based on measures developed with teachers and administrators and school board members, in such areas as basic reading and math scores, dropout rates, attendance rates, and the rates of students going on to college, we will provide incentive grants based on those criteria to individual schools which demonstrate meaningful improvement.

We will also continue our commitment to Pennsylvania's proud system of public and private universities and colleges. For the second consecutive year we will spend over a billion dollars on higher education in Pennsylvania - three-quarters of a billion on State-owned and State-related institutions, \$91 million for private colleges, and \$107 million for community colleges and other programs.

But this enormous commitment to our colleges and universities is only part of the story. High school students and their families have to be able to afford them.

Today too few of Pennsylvania's high school graduates ever go on to college. We rank 46th in the Nation in our percentage of college-bound students, almost rock bottom. That is simply unacceptable.

We must ensure that our high school graduates are prepared, both intellectually and financially, to work toward a college degree, and we must give students the kind of freedom of choice which maintains the extraordinary diversity of Pennsylvania's colleges and universities.

I am therefore asking you once again to provide an increase of 10 percent for Pennsylvania Higher Education Assistance Agency scholarships. This is a record 20-percent increase over the last 2 years in direct aid to students and families to lighten the crushing burden of financing a college education.

I also propose to increase Institutional Assistance Grants by another 10 percent. Now, these grants and scholarship funds, coupled with our expanded loan forgiveness program

for teachers, will allow our higher education system and our public schools to contribute more to each other's success.

In addition, we will augment our commitment to higher education by putting in place our new \$10-million program to establish industrial resource centers to assist companies in developing and applying new technologies. Many of these centers will be at our colleges and universities and will help them stay on the cutting edge of research and innovation.

Last year with your support we established Pennsylvania's first dropout prevention program. Already it has made a difference, a difference for students like Heather McKnight, who dropped out of Reading High School in the 11th grade. After a year out of school, she went back to class with the help of our dropout program, and this spring she hopes to have her diploma.

I propose to double the funding for the dropout prevention program this year.

Last year we began Pennsylvania's first program to wipe out adult illiteracy. We committed \$5 million to it. This year, as we increase funds for the enriched education of our gifted children, we will also increase funds to literacy programs for the adults who missed the chance to learn how to read the first time around. We must not leave them behind.

We have no illusions that the educational progress we seek will happen overnight, but we can and we must take these vital steps to see that our schools provide the training necessary for our children to live and work in a new century, which now lies only a dozen years ahead of us.

But, you know, education is just one part of the investment we make in our children.

If we truly believe that each child we bring into the world has the potential for greatness, then we must give that child every chance to survive infancy and live a healthy adulthood and childhood.

Last year we took action to provide first-time funding or long overdue increases in a wide range of programs to help pregnant women, children, and single mothers in need.

I was the first Governor to send you a budget with State funding for women's, infants', and children's nutrition.

We doubled State funds for maternal and child health clinics.

We provided day care for another 1,400 Pennsylvania children, day care targeted to low-income parents to help them work or enter job training programs.

And we started Healthy Beginnings, which will expand full medical assistance coverage to 4,500 pregnant women and nearly 32,000 children, to improve prenatal and early childhood health care. When fully implemented, Healthy Beginnings will significantly reduce infant mortality in Pennsylvania and also improve early prevention of medical problems for infants and children.

But today I ask you to do even more, because we know for a fact that we improve a child's chance to prosper in our society when we invest in that child's early years. Altogether, I propose a \$341-million investment in early childhood health and development, including increases in our contribution to

women's, infants', and children's nutrition; in prenatal and postnatal health care; in child abuse and domestic violence services; in community vaccination programs; and funds sufficient for another 1,000 subsidized day-care placements.

As so many of our young parents know, the need for affordable day care is great, and it is growing. It is estimated that there are 485,000 Pennsylvania children under the age of 6 with working parents caught between the desire to care for them and the need to earn a living. We can spare them that difficult choice.

With your support, we will undertake a brand-new initiative to establish model child care services in public facilities and we will encourage the private sector to follow our lead in helping working parents, and especially working mothers, to participate fully in our economy.

Day care is not just an entitlement program, it is an enablement program. It enables young parents to join the work force and stay in the work force without compromising the healthy development of their children. That is something a whole generation of 30-something-year-olds can relate to.

This expansion of day care is a good illustration of how our investment in the future begins with children but must continue for all working people throughout their lives. In an ever-changing economy which constantly demands new skills, that investment must mean job training.

In the past year, we have taken aggressive steps to ensure that the Commonwealth's huge investment in job training is really paying off for workers.

With your support, we established the Joint Jobs Initiative, which brings together in a single State office all the job training services of Labor and Industry, Public Welfare, and Education - these three major departments. People seeking training and placement service no longer have to work with three different agencies to get it.

Now, this year I ask you to expand the Joint Jobs Initiative while also expanding programs to help the dislocated worker, as well as those who are too often written off as unemployable. I do not believe in writing people off. I believe that these people should be given the opportunity to get jobs and keep jobs and stay off welfare.

When you talk about job training, we realize we have also got to make sure that job training prepares people for jobs that really exist. Customized job training does just that. So I propose a substantial increase in the Customized Job Training Program which would allow us to serve 4,000 new clients and help more businesses locate or expand in Pennsylvania.

These investments in training people must be matched by a continuing investment in the kind of business environment which will provide opportunity for those people. In the past year, we made major strides toward improving Pennsylvania's business climate.

One major step forward was the creation of the Economic Development Partnership. The American and foreign leaders in business and government who were with me at the World Economic Forum in Switzerland last week were keenly interested in this partnership among labor and business, education

and government. Why? Because they are interested in results, and the partnership has achieved results.

This year I ask you to build on the partnership's successes by strategically investing State dollars where they can make a real difference in Pennsylvania's business climate.

As I announced on Friday, we will save Pennsylvania business some \$475 million in payroll taxes by paying off the State's entire unemployment compensation debt. That is \$126 for each covered employee, the biggest business tax cut in Pennsylvania history. This act alone will make Pennsylvania a more competitive State in which to do business.

As part of the same plan, we will contribute \$25 million to mass transit and \$25 million to the State's Sunny Day business development fund and \$25 million to the Rainy Day Fund as a hedge against economic hard times.

I also today renew my call for the Senate to demonstrate its commitment to job creation by passing our partnership legislation - HB 1. The House endorsed the partnership last June by a unanimous, bipartisan 199-to-zero vote. The Senate has had the bill for almost 8 months. It is time now for action.

I also want to commend the House for its historic action in passing a tax reform plan which will make Pennsylvania a better place to live and work. And I ask that the Senate act quickly in moving the bill to my desk so we can give our people, at long last, a more equitable local tax structure.

Last year, working together we made an unprecedented commitment to reclaiming Pennsylvania's natural environment.

Either through ignorance or indifference, our environment has been sorely neglected for decades. We put an end to that neglect. We reacted more quickly than the Federal Government and any other affected State to a pipeline company's dumping of poisonous PCB's (polychlorinated biphenyls) at 18 sites across Pennsylvania.

We imposed the largest fine in Pennsylvania history - a half million dollars - for violating our solid waste laws.

We made the first assessments of more than 2,000 potential hazardous waste sites throughout our State.

At the same time, we responded swiftly to environmental crises like a chemical fire in Nanticoke and the Ashland oil spill on the Monongahela.

Now, if our aim is to invest in our children's future, then our investment in environmental quality must continue to grow this year, for we know that we borrow the earth from our children as much as we inherit it from our parents. So this budget will increase annual spending for the environment by \$115 million more than in the year before I took office. In all, we will commit over a third of a billion dollars this year to the fight for a cleaner and safer environment.

I also today renew my call for enactment of our \$3-billion PENNVEST plan to rebuild Pennsylvania's water and sewer systems. PENNVEST not only protects our natural environment, it protects public health and it promotes new jobs and new growth, because business will not move or expand where people have to boil their water. PENNVEST also passed the House last June, by a vote of 198 to 1. I strongly urge the

Senate to agree to the House bill in conference committee as soon as possible so another construction season does not pass before we begin to give our people clean, drinkable water and safe sewage disposal.

And I call upon you today to enact our toxic waste cleanup program, which gives DER the authority to clean up toxic waste sites without waiting for the Federal Government to act and to pass our mandatory recycling and solid waste plan so we can begin to deal with our mounting tons of garbage and our fast-disappearing landfill space. I commend the Senate for passing that urgently needed legislation.

In this budget, I am also backing up a pledge I made last month in my *auto insurance rate reduction and reform plan*. A key element of that proposal compels insurance companies to disclose information allowing us to assess more effectively whether their rates are justified. But that information is no good to us if our Insurance Department does not have the resources to digest it and make decisions which are in the consumers' interest.

I ask you to increase the Insurance Department budget by nearly 30 percent so we can ensure that Pennsylvania consumers are protected from unjustified insurance costs. That is an investment which will pay big dividends to millions of Pennsylvania motorists, homeowners, and families.

An investment in Pennsylvania's future must also mean an investment in the human potential of every one of our citizens, including those with special needs.

Older citizens are the fastest growing group in our State. In the past year, with your support, we recognized this important fact by establishing new programs to serve older Pennsylvanians: the State's first program of transitional care to the elderly who leave the hospital with continuing medical needs; the first program of aid to the caregivers, those people who look after older relatives in their homes; and the State's first law, with bipartisan support, protecting older people from abuse and neglect.

In the past year, we also began to restore fiscal integrity to the Lottery Fund by transferring \$20 million in program costs to the General Fund and off the backs of our older citizens.

This year we expand this new commitment to older Pennsylvanians and their families. We will take another step toward restoring fiscal integrity to the Lottery Fund. We will lighten the burden on older Pennsylvanians by transferring from the lottery to the General Fund almost \$30 million more in program costs.

We will also double the funding for our programs to support transitional care and aid to the caregiver to help our Pennsylvania families.

Most importantly, in a landmark expansion of our commitment to older Pennsylvanians, this budget will increase medical assistance coverage for older and disabled Pennsylvanians by raising the eligibility threshold to 100 percent of the Federal poverty level. Now, just consider this: It means 14,600 more older citizens and 3,600 more disabled older citizens will be receiving benefits. But when you go behind the numbers, what it really means is new hope and a better life for the most vulnerable among us.

Ours is a commitment to treating the senior members of the family of Pennsylvania with the respect and dignity they deserve.

We will also give the same respect and dignity to Pennsylvania's honored veterans. With their help, we will soon choose the site for a fourth veterans' home and submit to you budget recommendations to get the project underway. At the same time, we will continue to upgrade and expand the existing homes as well as increase short-term emergency assistance for veterans who are in need of food, clothing, heat, and shelter.

When you talk about shelter, adequate shelter for our people is a concern all of us share. One year ago, Pennsylvania's total support for the homeless was \$9.8 million. This coming year, we will commit \$20.6 million for this cause, and that includes \$1 million more for the special housing needs of the mentally ill. That is an increase of 110 percent in just 2 years.

Our commitment to improving the lives of everyone in the family of Pennsylvania is limited only by our determination never to reach too far into the family pocketbook.

Let me speak for just a moment about the needs of the State and fiscal reality. I am committed to prudent investment in our future, and today I ask you to join with me in this effort.

We have got to remain aware at all times that at the same time the national economy is becoming increasingly unpredictable, the Commonwealth has huge potential liabilities lurking ahead, pending a number of current court decisions.

The budget I am presenting today grows a modest 4.1 percent over last year. I strongly urge the General Assembly to work with me on a spending plan which reflects the same fiscal prudence and restraint, the same compassion for those in need, and the same commitment to investing in our future. Budget-busting proposals, or those which build in future tax increases, are totally unacceptable.

Pennsylvania has a history of freedom and opportunity unique in the world. The seeds of democracy and liberty were sown right here. The industrial revolution was led here. And for 300 years, families from all over the globe came here to invest in a future for themselves and their children.

I see a Pennsylvania which leads in intellectual achievement, in equal opportunity, in guaranteeing a clean and safe environment, and in helping those whose horizons are narrowed by disabilities which are no fault of their own. I see a State government with one purpose only: to help build that kind of Pennsylvania for all of our people.

The budget I am putting before you today is a firm and fiscally responsible investment in the future. It helps children. It supports families. It encourages business. It protects our health and safety as it promotes growth and opportunity. It is an investment that will pay dividends to the entire family of Pennsylvania.

So I ask for their support and for your support in making this investment a reality.

(Copy of budget is on file with the Journal clerk.)

JOINT SESSION ADJOURNED

The LIEUTENANT GOVERNOR. The Chair asks that the members of the House and the visitors remain seated for just a moment while the Governor is escorted from the chamber.

The Chair asks that the members of the House and other visitors remain seated while the members of the Senate leave the hall of the House.

Will the members of the Senate please reassemble immediately in the Senate chamber upon adjournment of this meeting.

The business for which this joint session has been assembled having been transacted, the session is now adjourned.

THE SPEAKER (K. LEROY IRVIS) IN THE CHAIR

The SPEAKER. The Chair thanks the Lieutenant Governor for presiding.

The House will remain at ease.

MOTION TO PRINT PROCEEDINGS OF JOINT SESSION

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I move that the proceedings of the joint session of the Senate and the House of Representatives held this 9th day of February 1988 be printed in full in this day's Legislative Journal.

On the question,

Will the House agree to the motion?

Motion was agreed to.

STATEMENT BY MAJORITY LEADER

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Thank you, Mr. Speaker.

Mr. Speaker, as is customary, I am pleased this morning to be able to make some short remarks on the budget proposal that we have heard today.

For the second straight year, this Governor has proposed a budget that entails no increase in taxes, and for the second straight year, this Governor has proposed a budget that falls within the rate of inflation. The Governor has charted a steady, sensible course of fiscal responsibility for the Commonwealth.

The budget proposal we just heard is a tight budget, but I think it is a fair one, and above all, I think it is a masterful job of stretching State dollars to address the issues that are facing us. It is an equitable and a responsible spending plan for the State for this next year. It is a budget that invests in the most critical issues facing us. It continues to emphasize what we have seen from this Governor in the past - economic develop-

ment, upgrading of our water and sewer systems, and cleaning up the environment, investing in our children and the elderly.

This budget provides the most significant proposal for improving the business climate that has been made in recent years, and this Governor's proposal to use surplus funds from the Workmen's Compensation Fund will save businesses \$126 for each and every employee currently in the employment force and any future employees. The total of savings to business is some \$475 million in this next fiscal year.

This budget, above all, is a people plan. It addresses the needs and concerns of our families, our senior citizens, our needy, our homeless, and our students. Let us take a look at some of the specific areas where I would like to commend the Governor for the kind of money he is committing to essential programs.

In economic development, we are seeing a continuation of funds for programs that we put in place last year. There is \$50 million for the PERF (Pennsylvania Economic Revitalization Fund) programs, such as the capital loan program, the industrial resource centers. There is expanded funding for a recently implemented Joint Jobs Initiative. He has proposed another \$25 million in housing and redevelopment moneys to again be used in our economic development effort. He has committed another \$25 million to the Sunny Day Fund in our economic and job development effort. He has requested more funding for the Customized Job Training Program, moneys for a program to coordinate citizen volunteer efforts, and \$7 million, in addition, to improve adult literacy, even this program in the vein and in the mode of economic development, educating our people for future jobs.

The significance of these proposals is not just the money alone being committed to these efforts. As he did last year, this Governor has recognized that government cannot be standing on the sidelines when it comes to economic development. State Government must be a partner and must play a major role in trying to create jobs along with keeping jobs that we already have.

In the area of human services, we are seeing one of the most compassionate budgets ever. I commend the Governor for his leadership in this area. He has taken a good program and made it better by taking advantage of changes in the medical assistance program, changes that will provide coverage in that program for an additional 32,000 children and some 12,000 elderly persons and 2,900 additional disabled persons. He has proposed a 30-percent increase in the WIC (women, infants, and children) program and funds for another 1,000 subsidized day-care placements throughout the Commonwealth. He also has proposed an 8-percent increase in child welfare moneys for counties and a \$20.6-million commitment to help homeless, including the \$1 million for shelters for the homeless who are mentally ill.

In the area of the environment, we are seeing this Governor put his money where his mouth is when it comes to cleaning up our State. This budget proposes an increase of \$115 million in spending for the environment. Two of the major initiatives of this Governor are the PENNVEST program to upgrade our

water and sewer systems and the hazardous waste cleanup effort. We are continuing a commitment to these areas of the budget. For the hazardous waste cleanup, for instance, we have seen a dramatic emphasis. While this State spent \$8.6 million in this area of hazardous waste cleanup just 2 years ago, we can see as much as \$77 million, \$77 1/2 million, for cleanup programs in this next fiscal year if we adopt the program proposed by this Governor. I applaud this plan. I applaud the plan to place 175 additional staff persons in the Department of Environmental Resources to improve the efficiency there. The permitting process in DER is the biggest legislative complaint that most of us receive, and it demands the kind of attention that it is receiving in this budget. The delays must stop.

I also applaud the wise steps that have been taken to preserve the fiscal integrity of the Lottery Fund. This Governor has taken significant steps to deal with programs that benefit the elderly. We have all been concerned with the health of the Lottery Fund. Because of decreasing revenues in recent years, we have all had the concern that the programs presently being funded should continue to be funded, and we have a concern that perhaps that was not so. Through skillful management, through development of the gains, this Governor and his administration have been able to turn that trend of funding around substantially. He has proposed cost containment measures for the programs being funded by the lottery. We passed those programs and we will be seeing soon the salutary effects. In this budget, the Governor has proposed transferring to the General Fund almost \$30 million in costs from programs that are benefiting the elderly.

Finally, this Governor has made a significant commitment to the next generation through increased funding for education and the women's, infants', and children's nutritional programs. He has proposed in the area of education a \$214-million increase in aid to public schools for the second straight year. He has proposed a whole range of teacher improvement programs such as the teacher academy and school performance initiatives. He has also proposed doubling the funding for the school dropout prevention program. He is proposing that we raise the minimum annual teacher's salary to \$18,500 over the next 2 years. He has suggested a manner to us in dealing with the ripple effect of that proposal. Mr. Speaker, this Governor has proposed a 10-percent increase for the second straight year in this State's scholarship assistance program, and I commend that proposal.

The budget that is proposed today and the budget that ordinarily passes this General Assembly are different, but I do not believe those differences will be all that significant. I must reemphasize my opinion that skill has been shown by the Governor and his staff in stretching the funds available in order to provide a fair, equitable, and responsive and responsible budget.

In the spirit of working together as we have in the past few years in the budget and in the budget process, I think we can safely say that we ought to have a budget by June 30 and a budget I think both parties will be proud of. It will probably

be awfully close to that which has been proposed today. There is no question that the General Assembly will put its stamp on the budget process.

I invite the members of the Republican Party to cooperate with us so that our budgetmaking process this year can be as fruitful as it has been in the past. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

STATEMENT BY MINORITY LEADER

The SPEAKER. The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, I listened carefully to the remarks of the gentleman, Mr. Manderino. I listened carefully to the remarks of the Governor. I did not have a copy of the Governor's speech and had the benefit of only a short period to do research on the budget documents prior to coming into the House this morning to listen to the Governor.

I agree with the gentleman, Mr. Manderino. At first blush it would appear to be a sensible budget. It seems to be a frugal budget. The surplus is nice to see, but somewhere along the line someone forgot some of the items that ordinarily one would expect to find in a budget, and some of the increases that were given to one group, perhaps through an oversight in the rush to get something together here today, they neglected; for instance, to put any increase whatsoever in for the agricultural community for research or promotion. There is no increase at all that I was able to find. And as you look closely at the ag lines and you do some addition and subtraction, it appears that the general government for agriculture was only increased one-tenth of 1 percent. Now, I would not want to be held to that exact number, because as I said, we did not have a whole lot of time to go through it. But that is what it looked like, and whoever did that on the Governor's staff I am sure is going to get in trouble. I know the Governor did not have a chance to go through each one of these things closely, and I feel certain he would be offended to think that all of the people that he promised to help during the campaign from the agricultural community got shorted in this budget, and I am sure it is an oversight that we at least will take care of.

Like in agriculture, I do not guess that there is anything more important to the agricultural community on an ongoing educational basis, perhaps, than what happens at the New Bolton Center at the University of Pennsylvania's School of Veterinary Medicine. There are drastic cuts there; I mean, just cut after cut when you take a look at the budget. And again I am sure it is an oversight that people from the agricultural areas, like Sam Morris and Jeff Coy and Ruth Rudy and some of these folks, together with us, will be able to correct.

The other part, Governor Casey is from the Scranton area, the Pocono region, and for years I have heard talk of how important tourism is in that region as well as other regions of the State, of course. Yet here, just like agriculture, which we understand is the largest industry in Pennsylvania, seconded by tourism as I understand it, we find no increase at all in tourist promotion. Now, this clearly is negligence on the part of some member of his staff, because no one can convince me

that Governor Casey intended to put no money into tourism over and above what was in there in the last year. And that person should get in trouble, Mr. Speaker, for doing that, because I know Governor Casey would not want that to happen.

We have watched reform items and talk of reform over the years, and the Liquor Board; that was one. We had some bills come through here that reformed the Liquor Board. It was going to make it a tight ship and we were going to do a lot of things, and we did. We cut their profits down 50 percent this year, as I look at the revenue estimates, and then I see where we have lost all that money from liquor with this tight system we have where we make all the profits from the sale of liquor. But, well now, we certainly are going to do something for the economy, and one of the great things we have done for the economy here in Pennsylvania over the years has been the Ben Franklin Partnership, and I thought, well, I cannot wait to get a look at that in the budget and see what he did there; that will be great. It was: We got 3 percent there, and I did not think that was too good as we looked at it.

Then there are little items that do not mean much to an awful lot of us. In my district, for instance, I rarely hear anything about armory maintenance, but I hear it from a lot of the other people in the House where this is a big item in their districts, and I can understand how it could be a big item. It is something that is of local interest. It is something that the community gets involved in. Yet that took a 40-percent cut.

I guess you have to cut somewhere, but I do not know why you cut the little people and you cut ag and you cut tourist promotion and the like, and nonpublic schools. They are kind of little people. They are little people in the sense that they are paying their own way for the most part with little help from government. But here over the past years we have been able to pour a little bit of help into the nonpublic school system, and really over the past 6, 8, 10 years what we have tried to do is match them in many areas, the increases, with the public school system. But we were not able to do that this time, and I am sure the same guy that made those mistakes on tourism and made the mistakes with the ag community and failing to fund the armories and all probably is going to get in a lot of trouble because he did not give any raise overall in the nonpublic school lines compared to what they did for the public school lines. Now granted, there is a raise in one line, but it is taken away in another, and overall, if you take a look at the whole package, you find that the nonpublic schools did not fare too well when you compare just increase against increase with the others.

You know, I thought, I do not know who this guy is, this person that puts together the budget and causes such great embarrassment, I am sure, to the Governor when a person like me points out these mistakes that have been made by his staff. It must be terribly embarrassing.

Then you go to the large cities. You go to Philadelphia and you go to Pittsburgh, and we pride ourselves and we go out and we tell people about the medical facilities we have in the Greater Philadelphia area, particularly, with the teaching hos-

pitals and the pharmaceutical houses and all the other great research facilities. And then you find that, by golly, from this year versus last year, even though we have this 100-and-some-odd-million-dollar surplus that we have talked about from this year, we find that they took the money away from Pitt's and Penn's cancer research lines that we had in here for a number of years. We were giving certainly not enough money to cure or find the cure for cancer, but we were trying to help, and we gave money to the universities, to their teaching colleges, to their medical schools, to do research in these fields. This same guy that really messed up for ag and messed up for tourist promotion, he somehow or another got hold of those lines, too, and he took all the money out for cancer research for those two fine institutions. And Fox Chase, which is another cancer research facility down in Philadelphia, somebody must have talked to him there. He only cut them 5 percent; he did not eliminate those lines.

The Burn Foundation, of course, is one of the things that I have always been interested in. It is important to, really, Pennsylvania. It is up in the Allentown-Lehigh Valley region. It is in the Children's Hospital, I believe, in Philadelphia. It is in St. Agnes down in Mr. Howlett's district. It is out in Delaware County where they have been so good and they have done so much with the folks who have been unfortunate enough to have been seriously burned. They save some money here with this frugal budget. They cut burn center moneys by 30 percent. But I am sure that when the Governor finds whoever it was that did this, he will probably be fired and amendments will be sent over to Mr. Manderino, and Jim will come over and say, hey, Matt, you were right, and we are going to correct that. Usually we have to do that at a conference committee, because sometimes we have trouble doing it before that time.

But I agree with Jim; except for those few mistakes that I was able to find, it looks like they did not miss much, except maybe 200 or 300 or 400 million dollars of exposure on this court cost business. Now, I do not know what we are going to do about that. I do not guess we can remove the Supreme Court and put a new one in long enough to change that decision and then put the other guys back. That is something that upsets all of us. Somewhere, somehow, there should be a footnote in this budget that says, hey, we are sitting out here with this Supreme Court case that says we may have to pay 200 or 300 or 400 millions of dollars and take over the court system, but we did not hear that. I suspect that what happened is the man who was assigned to do this portion of the budget probably got that court case decision and he was so overwhelmed by it that he forgot ag and tourist promotion and the cancer research centers, and it may be that the Supreme Court really caused all those other problems as sort of a ripple effect.

And on ripple effects—and this is pretty much in closing—we all listened over the years—and I am not being critical of this; again I am just saying that I do not know that everything has been covered—to increase teachers' salaries. I can remember Mr. Freind and some of the others talking in terms of

increasing teachers' salaries and saying, but what is the ripple effect going to be on it? I do not know that that was addressed, although it was kind of touched on at a briefing earlier this morning. As I went through here, I could not see what this ripple effect was and what it was going to do to our schools, although it was touched on. We are going to need a little bit more time to look at that. The numbers we heard this morning did not seem large enough to cover the problem, but again, we are going to need a little time, Mr. Speaker.

All in all, I thought it was a very enjoyable morning. It was fantasy land in a sense, but it was good and it was a tight budget. Except for those few mistakes that I pointed out and probably a few more that I will find in the next day or two, I thought all in all it was a good budget, and I was pleased to hear it. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the majority leader.

Mr. MANDERINO. I cannot let Mr. Ryan's remarks go by without thanking him for the spirit of cooperation in which he has joined me in wanting to get a budget on time and a good budget, and I welcome his thoughts that it is a good budget. But let me say, the budget which you see and I see contained in these two documents contains some 2,400 sequence numbers, and Mr. Ryan had complained about 7 or 8. There are 2,400 there.

The budget is built—and Mr. Ryan knows it, and his staff has advised him—on an increase in funds over last year of less than 4 percent. You cannot give 10-percent increases to scholarship programs and you cannot emphasize education of school children with more than 4 percent unless something is deemphasized. Now, Mr. Ryan knows that we always look at every program and see how the moneys were spent last year and whether that program ended up with a surplus or ended up with a deficit to decide what kinds of moneys we will put in the program this year. My suspicion, Mr. Ryan, is that these things that you had complaints about may well be areas that the Governor has taken care of in some other manner in the budget. And when you have more than the few minutes that I understand you only had to examine this document, you will be enlightened to the point that you will think that that fellow who is making the mistakes and is going to get fired ought to get a raise.

Mr. Speaker, we do have a lot of work ahead of us this afternoon. We have a lot of work ahead of us on the budget. As I said at the closing of my remarks, the legislature always puts its stamp on the budget process. And some of the things that Mr. Ryan mentioned, if they in fact are problems to the General Assembly, we have had no difficulty addressing those kinds of problems in the past and I would imagine that we will not have any difficulty addressing them in the future. Take the exercise the other day when we were spending some \$30 million and we added some \$400 million in amendments to the bill.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—197

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

ADDITIONS—0

NOT VOTING—1

Seventy

EXCUSED—2

Maiale

Raymond

LEAVES ADDED—1

DeLuca

BILL SIGNED BY SPEAKER

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

HB 446, PN 2668

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.

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED**SB 945, PN 1792 (Amended)**

By Rep. F. TAYLOR

An Act establishing the Hardwoods Council; conferring powers and duties upon the council; and making an appropriation.

BUSINESS AND COMMERCE.

DEMOCRATIC CAUCUS

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Itkin, for the purpose of announcing a caucus.

Mr. ITKIN. Mr. Speaker, I am going to urge our members to be in the caucus at 1:30 if they possibly can. We would like to talk about a number of important topics, including PENN-VEST shortly thereafter. So let us talk at 1:30 for caucus.

The SPEAKER. Democratic caucus at 1:30.

REPUBLICAN CAUCUS

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

Mr. NOYE. Mr. Speaker, Republicans will caucus at 1:30.

The SPEAKER. Republican caucus at 1:30.

RECESS

The SPEAKER. The House will stand in recess until 2:30.

AFTER RECESS

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

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED**HB 903, PN 985**

By Rep. MORRIS

An Act amending the act of April 10, 1974 (P. L. 247, No. 59), entitled "An act selecting, designating and adopting the firefly as the official insect of the Commonwealth of Pennsylvania," further providing for the species of firefly which is the official insect of the Commonwealth of Pennsylvania.

AGRICULTURE AND RURAL AFFAIRS.

HB 1769, PN 2839 (Amended)

By Rep. MORRIS

An Act amending the act of December 17, 1981 (P. L. 435, No. 135), known as the "Race Horse Industry Reform Act," further providing for simulcasts by racing corporations who did not have a 1986 racing schedule.

AGRICULTURE AND RURAL AFFAIRS.

ADDITIONS AND DELETIONS OF SPONSORS

The SPEAKER. The Chair acknowledges receipt of additions and deletions for sponsorships of bills, which the clerk will file.

The following list was submitted:

ADDITIONS:

HB 819, Fox; HB 1280, DeWeese, Steighner; HB 1593, Blaum; HB 1647, Rybak, Distler, Tigue, J. L. Wright, Hess; HB 1688, Melio, Distler; HB 1694, Black, Perzel; HB 1900, Lashinger; HB 1912, Nahill; HB 1913, Steighner; HB 1939, Olasz; HB 1984, Clark; HB 2031, Broujos, Petrarca; HB 2072, Clark; HB 2084, Langtry; HB 2098, Clark; HB 2099, Arty, Freeman; HB 2100, Belardi; HB 2102, Belardi; HB 2103, Belardi; HB 2127, Nahill, Robbins, Durham; HB 2174, Black; HB 2175, Black; HB 2176, Black; HB 2177, Black; HB 2178, Black; HR 57, Robbins.

LEAVE OF ABSENCE

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

Mr. ITKIN. Mr. Speaker, would you return to requests for leaves of absence?

The SPEAKER. Without objection, the Chair returns to leaves of absence. What is the request?

Mr. ITKIN. I would like to request a leave for the gentleman from Allegheny, Mr. DeLUCA, for the remainder of today's session.

The SPEAKER. The leave is granted, there being no objection.

CALENDAR**RESOLUTIONS**

Mr. PETRARCA called up **HR 183, PN 2376**, entitled:

Directing the House Committee on Military and Veterans Affairs to investigate the possibility of placing a veterans' home at the Torrance State Hospital.

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—193

| | | | |
|----------|------------|-----------|------------|
| Acosta | Dombrowski | Kukovich | Reber |
| Angstadt | Donatucci | LaGrotta | Reinard |
| Argall | Dorr | Langtry | Richardson |
| Arty | Duffy | Lashinger | Ritter |
| Barley | Durham | Laughlin | Robbins |
| Battisto | Evans | Leh | Roebuck |
| Belardi | Fargo | Lescovitz | Rudy |
| Belfanti | Farmer | Letterman | Ryan |
| Billow | Fattah | Levdansky | Rybak |

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

NAYS—0

NOT VOTING—4

| | | | |
|---------|--------|---------|---------------|
| Kennedy | Rieger | Seventy | Wright, D. R. |
|---------|--------|---------|---------------|

EXCUSED—3

| | | |
|--------|--------|---------|
| DeLuca | Maiale | Raymond |
|--------|--------|---------|

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

* * *

Mr. STUBAN called up **HR 202, PN 2556**, entitled:

Directing the Mines and Energy Management Committee to investigate the feasibility of establishing power plants fueled by old tires.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—192

| | | | |
|----------|---------|------------|------------|
| Acosta | Dorr | LaGrotta | Reinard |
| Angstadt | Duffy | Langtry | Richardson |
| Argall | Durham | Lashingier | Rieger |
| Arty | Evans | Laughlin | Ritter |
| Barley | Fargo | Leh | Robbins |
| Belardi | Farmer | Lescovitz | Roebuck |
| Belfanti | Fattah | Letterman | Rudy |
| Billow | Fee | Levdansky | Ryan |
| Birmelin | Fischer | Linton | Rybak |
| Black | Flick | Livengood | Saloom |

| | | | |
|-------------|------------|-----------|---------------|
| Blaum | Foster | Lloyd | Saurman |
| Book | Fox | McCall | Scheetz |
| Bortner | Freeman | McClatchy | Schuler |
| Bowley | Freind | McHale | Semmel |
| Bowser | Gallen | McVerry | Serafini |
| Boyes | Gamble | Maine | Showers |
| Brandt | Gannon | Manderino | Sirianni |
| Broujos | Geist | Manmiller | Smith, B. |
| Bunt | George | Markosek | Smith, S. H. |
| Burd | Gladeck | Mayernik | Snyder, D. W. |
| Burns | Godshall | Melio | Snyder, G. |
| Bush | Gruitza | Merry | Staback |
| Cappabianca | Gruppo | Michlovic | Stairs |
| Carlson | Hagarty | Micozzie | Steighner |
| Carn | Haluska | Miller | Stuban |
| Cawley | Harper | Moehlmann | Sweet |
| Cessar | Hasay | Morris | Taylor, E. Z. |
| Chadwick | Hayden | Mowery | Taylor, F. |
| Civera | Hayes | Mrkonic | Taylor, J. |
| Clark | Heckler | Murphy | Telek |
| Clymer | Herman | Nahill | Tigue |
| Cohen | Hershey | Noye | Trello |
| Cole | Hess | O'Brien | Van Horne |
| Cornell | Honaman | O'Donnell | Veon |
| Cornell | Howlett | Olasz | Vroon |
| Corrigan | Hughes | Oliver | Wambach |
| Cowell | Hutchinson | Perzel | Wass |
| Coy | Itkin | Petrarca | Weston |
| DeVerter | Jackson | Petrone | Wiggins |
| DeWeese | Jadlowiec | Phillips | Wilson |
| Daley | Jarolin | Piccola | Wogan |
| Davies | Johnson | Pievsky | Wozniak |
| Dawida | Josephs | Pistella | Wright, J. L. |
| Dempsey | Kasunic | Pitts | Wright, R. C. |
| Dietterick | Kenney | Pressmann | Yandrisevits |
| Dininni | Kenney | Preston | |
| Distler | Kitchen | Punt | Irvis, |
| Dombrowski | Kosinski | Reber | Speaker |
| Donatucci | Kukovich | | |

NAYS—0

NOT VOTING—5

| | | | |
|-------------|-------|---------|---------------|
| Battisto | Lucyk | Seventy | Wright, D. R. |
| Caltagirone | | | |

EXCUSED—3

| | | |
|--------|--------|---------|
| DeLuca | Maiale | Raymond |
|--------|--------|---------|

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

* * *

Mr. HUTCHINSON called up **HR 214, PN 2738**, entitled:

Memorializing Congress to amend the Budget Reconciliation Law of 1987 to exempt state and local governments from certain diesel fuel tax provisions.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—192

| | | | |
|----------|------------|------------|------------|
| Acosta | Dombrowski | Kosinski | Reber |
| Angstadt | Donatucci | Kukovich | Reinard |
| Argall | Dorr | LaGrotta | Richardson |
| Arty | Duffy | Langtry | Rieger |
| Barley | Durham | Lashingier | Ritter |
| Battisto | Evans | Laughlin | Robbins |
| Belardi | Fargo | Leh | Roebuck |
| Belfanti | Farmer | Lescovitz | Rudy |
| Billow | Fattah | Letterman | Ryan |
| Birmelin | Fee | Linton | Rybak |

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

NAYS—0

NOT VOTING—5

| | | | |
|-----------|---------|-----------|---------------|
| Levdansky | Seventy | Smith, B. | Wright, D. R. |
| McClatchy | | | |

EXCUSED—3

| | | |
|--------|--------|---------|
| DeLuca | Maiale | Raymond |
|--------|--------|---------|

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

* * *

Mr. DOMBROWSKI called up **HR 221, PN 2796**, entitled:

Directing the House Military and Veteran's Affairs Committee to conduct an investigation regarding the existence of vacant domiciliary beds at the Veterans' Homes across this Commonwealth.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—193

| | | | |
|----------|------------|------------|------------|
| Acosta | Dombrowski | Kosinski | Reinard |
| Angstadt | Donatucci | Kukovich | Richardson |
| Argall | Dorr | LaGrotta | Rieger |
| Arty | Duffy | Langtry | Ritter |
| Barley | Durham | Lashingier | Robbins |
| Battisto | Evans | Laughlin | Roebuck |
| Belardi | Fargo | Leh | Rudy |
| Belfanti | Farmer | Lescovitz | Ryan |
| Billow | Fattah | Letterman | Rybak |

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

NAYS—0

NOT VOTING—4

| | | | |
|---------|-------|---------|---------------|
| Preston | Reber | Seventy | Wright, D. R. |
|---------|-------|---------|---------------|

EXCUSED—3

| | | |
|--------|--------|---------|
| DeLuca | Maiale | Raymond |
|--------|--------|---------|

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

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1738, PN 2163**, entitled:

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.

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—192

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

NAYS—0

NOT VOTING—5

| | | | |
|-----------|---------|-----------|---------------|
| Durham | Seventy | Smith, B. | Wright, D. R. |
| McClatchy | | | |

EXCUSED—3

| | | |
|--------|--------|---------|
| DeLuca | Maiale | Raymond |
|--------|--------|---------|

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 1992, PN 2540**, entitled:

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.

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

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

The question is, shall the bill pass finally?

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

YEAS—195

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

NAYS—0

NOT VOTING—2

| | |
|---------|---------------|
| Seventy | Wright, D. R. |
|---------|---------------|

EXCUSED—3

DeLuca Maiale Raymond

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 1993, PN 2748, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the filling of a vacancy in the office of jury commissioner.

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—192

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

Davies Johnson Pievsky Wright, R. C.
Dawida Josephs Pistella Yandrisevits
Dempsey Kasunic Pitts
Dietterick Kenney Pressmann Irvis,
Dininni Kitchen Preston Speaker
Distler Kosinski

NAYS—1

Wilson

NOT VOTING—4

Kennedy Schuler Seventy Wright, D. R.

EXCUSED—3

DeLuca Maiale Raymond

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 1066, PN 1408, entitled:

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

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—193

Acosta Dombrowski Kukovich Reber
Angstadt Donatucci LaGrotta Reinard
Argall Dorr Langtry Richardson
Arty Duffy Lashinger Rieger
Barley Durham Laughlin Ritter
Battisto Evans Leh Robbins
Belardi Fargo Lescovitz Roebuck
Belfanti Farmer Letterman Rudy
Billow Fattah Levdansky Ryan
Birmelin Fee Linton Rybak
Black Fischer Livengood Saloom
Blaum Flick Lloyd Saurman
Book Foster Lucyk Scheetz
Bortner Fox McCall Schuler
Bowley Freeman McClatchy Semmel
Bowser Freind McHale Showers
Boyes Gallen McVerry Sirianni
Brandt Gamble Maine Smith, B.
Broujos Gannon Manderino Smith, S. H.
Bunt Geist Manmiller Snyder, D. W.
Burd George Markosek Snyder, G.
Burns Gladeck Mayernik Staback
Bush Godshall Melio Stairs
Caltagirone Gruitza Merry Steighner
Cappabianca Gruppo Michlovic Stuban
Carlson Hagarty Micozzie Sweet
Carn Haluska Miller Taylor, E. Z.
Cawley Harper Moehlmann Taylor, F.
Cessar Hasay Morris Taylor, J.
Chadwick Hayden Mowery Telek

| | | | |
|------------|------------|-----------|---------------|
| Civera | Hayes | Mrkonic | Tigue |
| Clark | Heckler | Murphy | Trello |
| Clymer | Herman | Nahill | Van Horne |
| Cohen | Hershey | Noye | Veon |
| Colafrella | Hess | O'Brien | Vroon |
| Cole | Honaman | O'Donnell | Wambach |
| Cornell | Howlett | Olasz | Wass |
| Corrigan | Hughes | Oliver | Weston |
| Cowell | Hutchinson | Perzel | Wiggins |
| Coy | Itkin | Petrarca | Wilson |
| DeVertter | Jackson | Petrone | Wogan |
| DeWeese | Jadlowiec | Phillips | Wozniak |
| Daley | Jarolin | Piccola | Wright, J. L. |
| Davies | Johnson | Pievsky | Wright, R. C. |
| Dawida | Josephs | Pistella | Yandrisevits |
| Dempsey | Kasunic | Pitts | |
| Dietterick | Kenney | Pressmann | Irvis, |
| Diminni | Kitchen | Preston | Speaker |
| Distler | Kosinski | Punt | |

NAYS—0

NOT VOTING—4

Kennedy Serafini Seventy Wright, D. R.

EXCUSED—3

DeLuca Maiale Raymond

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.

* * *

The SPEAKER. On page 7, we marked HB 1789 over temporarily.

Mr. GANNON. Mr. Speaker?

The SPEAKER. The Chair recognizes the gentleman from Delaware, Mr. Gannon. Why do you rise?

Mr. GANNON. If you are going to go over HB 1789, I would like to raise an objection.

The SPEAKER. You had better object to the majority leader. We will go over it temporarily. You can go over and talk to the majority leader, Mr. Gannon.

**BILL ON CONCURRENCE
IN SENATE AMENDMENTS**

The clerk of the Senate, being introduced, returned the following **HB 1100, PN 2779**, 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 32 (Forests, Waters and State Parks) of the Pennsylvania Consolidated Statutes, adding provisions relating to water supply and sewage treatment systems; providing for the establishment, implementation and administration of the Pennsylvania Infrastructure Investment Authority; providing for the powers and duties of the board of directors of the authority, including the utilization of Federal funds; authorizing the incurring of indebtedness, with approval of the electors, of \$450,000,000 for the acquisition, repair, construction, reconstruction, rehabilitation, extension, expansion and improvement of water supply and sewage treatment systems; providing for the

allocation of the bond proceeds; authorizing the authority to issue its own bonds and notes; transferring the rights, powers, duties and obligations of the Water Facilities Loan Board to the authority; making an appropriation; and making repeals.

On the question,

Will the House concur in Senate amendments?

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

Mr. PIEVSKY. Mr. Speaker, we urge nonconcurrence in HB 1100. It seems that the Senate substantially changed HB 1100 as it left the House. It passed the House by 198 to 1.

The Senate creates a \$450-million referendum. The Senate eliminates the capital budget, thereby eliminating bond authority that is currently on the books. Also, a referendum could cause us to miss the upcoming construction season. The Senate eliminates revolving-fund aspects of HB 1100 for all but Federal funds, thereby reducing the multiplier factor and reducing the potential program from \$2 to \$3 billion to \$1 billion, Mr. Speaker. It reduces the grant-making ability, thereby impacting ability of small, poor municipalities from taking advantage. Also, the Senate places a cap on the size of projects. It dictates the rate of interest that can be charged for loans to countywide rates, and it does not speak to financial need. The costs to the Commonwealth for equal benefits, 15 to 20 percent under the Senate plan. Mr. Speaker, it deletes the language that defined assistance to small systems. The financial analysis section, as passed by the House, had language that spoke to limits on rate increases to consumers.

Mr. Speaker, I can go on and on. I think this bill should go into conference to reconcile the differences between the House and Senate. Thank you, Mr. Speaker.

The SPEAKER. On the question of concurrence, the Chair recognizes the gentleman from Montgomery, Mr. Lashinger.

Mr. LASHINGER. Thank you, Mr. Speaker.

Mr. Speaker, I think it will be surprising that those of us on the Republican side of the aisle seem to concur with the Democratic majority that we should not concur in the Senate amendments to HB 1100. This is interestingly, though, one of those classic cases where you do not even know the players with the scorecard on this issue. The Republicans on this side of the aisle agree to nonconcur for some of the same reasons but not for all of the reasons that Representative Pievsky intimated. Most importantly, we would like to think that in a conference committee we could work with the majority on the other side of the aisle towards a planning amendment that would help us overcome the problems that we encountered when HB 2035 was kicked out. It had a lot of bad data in it about projects that do merit nomination for infrastructure moneys in the Commonwealth. We also would nonconcur hoping that we could get more than water and sewer projects. But for a lot of the reasons that Representative Pievsky said we should nonconcur, we agree, Mr. Speaker. Thank you.

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

Mr. MURPHY. Thank you, Mr. Speaker.

I would also urge nonconcurrency.

It is my belief that this legislation has been drafted far too broadly in the language. Originally this legislation was meant to deal with rehabilitation of existing sewer systems. The language in this legislation now permits funding for expansion of systems, and it is my belief that development efforts will drive the use of this money.

We have in the last year passed a \$100-million bond issue for farmland preservation. Time and again we have talked about the need to rehabilitate existing systems in urban areas particularly and in small communities, and yet the language in this legislation goes against both of those stated policies.

For those reasons I would urge nonconcurrency and urge the conference committee to begin to look at the language overall to focus it much more clearly on rehabilitation of existing systems. Thank you, Mr. Speaker.

The SPEAKER. On the question, shall the House concur in amendments inserted by the Senate to HB 1100, the members have been urged by both Republicans and Democrats concerned to vote in the negative. If you wish to concur, you will vote "aye"; if you wish to nonconcur, you will vote "no."

On the question recurring,

Will the House concur in Senate amendments?

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

YEAS—0

NAYS—194

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

| | | | |
|------------|-----------|-----------|---------------|
| Coy | Itkin | Petrarca | Wiggins |
| DeVerter | Jackson | Petrone | Wilson |
| DeWeese | Jadlowiec | Phillips | Wogan |
| Daley | Jarolin | Piccola | Wozniak |
| Davies | Johnson | Pievsky | Wright, J. L. |
| Dawida | Josephs | Pistella | Wright, R. C. |
| Dempsey | Kasunic | Pitts | Yandrisevits |
| Dietterick | Kenney | Pressmann | |
| Dininni | Kitchen | Preston | Irvis, |
| Distler | Kosinski | Punt | Speaker |

NOT VOTING—3

Kennedy Seventy Wright, D. R.

EXCUSED—3

DeLuca Maiale Raymond

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the amendments were not concurred in.

Ordered, That the clerk inform the Senate accordingly.

BILLS ON THIRD CONSIDERATION CONTINUED

HB 1789 PASSED OVER

The SPEAKER. Turn back to page 7. Mr. Gannon objected to our passing over HB 1789, but he has agreed now that we may pass it over. Is that correct, Mr. Gannon? All right.

Over, without objection, HB 1789. The Chair hears no objection.

BILL ON FINAL PASSAGE POSTPONED

HB 323 PASSED OVER

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

Mr. CLARK. Mr. Speaker, I will withdraw my motion for today.

The SPEAKER. All right. HB 323 over, without objection. The Chair hears no objection.

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 2031, PN 2786**, entitled:

An Act amending the act of May 5, 1933 (P. L. 364, No. 106), known as the "Business Corporation Law," providing for option and conversion rights; and further providing for the rights of shareholders.

On the question,

Will the House agree to the bill on third consideration?

Mr. O'DONNELL offered the following amendment No. A0693:

Amend Sec. 1 (Sec. 611), page 33, line 29, by inserting after "CORPORATION"
with a class of voting shares

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

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

Mr. O'DONNELL. Mr. Speaker, is that the correct code number on the board, 693?

The SPEAKER. That is correct. Yes, 693 was offered. Do you have a preference of the order in which they are offered?

Mr. O'DONNELL. No, Mr. Speaker. I am offering two amendments - 611 and 492.

The SPEAKER. Then we have the wrong—

Mr. O'DONNELL. If the House could suspend for a moment?

The SPEAKER. Yes. We will try to get it straightened out.

Mr. O'DONNELL. Mr. Speaker, 693 is the correct number. We had a clerical error here.

The SPEAKER. 693 is correct?

Mr. O'DONNELL Yes, sir.

The SPEAKER. On amendment A0693, the Chair recognizes the majority whip.

Mr. O'DONNELL. Mr. Speaker, this is a purely technical amendment to bring the language of this bill in conformity with the 1934 Securities Act.

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

The following roll call was recorded:

YEAS—193

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

| | | | |
|------------|------------|-----------|---------------|
| Cowell | Hutchinson | Perzel | Wiggins |
| Coy | Itkin | Petrarca | Wilson |
| DeVerter | Jackson | Petrone | Wogan |
| DeWeese | Jadlowiec | Phillips | Wozniak |
| Daley | Jarolin | Piccola | Wright, J. L. |
| Davies | Johnson | Pievsky | Wright, R. C. |
| Dawida | Josephs | Pistella | Yandrisevits |
| Dempsey | Kasunic | Pitts | |
| Dietterick | Kenney | Pressmann | Irvis, |
| Dininni | Kitchen | Preston | Speaker |
| Distler | Kosinski | Punt | |

NAYS—1

Stairs

NOT VOTING—3

Kennedy Seventy Wright, D. R.

EXCUSED—3

DeLuca Maiale Raymond

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?

Mr. O'DONNELL offered the following amendment No. A0611:

Amend Sec. 1 (Sec. 611), page 32, line 20, by inserting after "RIGHTS,"

or obligations

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

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

Mr. O'DONNELL. Thank you, Mr. Speaker.
This is another technical amendment. It is for clarifying the term "obligations" to make sure it includes dead instruments.

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

The following roll call was recorded:

YEAS—192

| | | | |
|-------------|------------|-----------|---------------|
| Acosta | Dombrowski | LaGrotta | Reinard |
| Angstadt | Donatucci | Langtry | Richardson |
| Argall | Dorr | Lashinger | Rieger |
| Arty | Duffy | Laughlin | Ritter |
| Barley | Durham | Leh | Robbins |
| Battisto | Evans | Lescovitz | Roebuck |
| Belardi | Fargo | Letterman | Rudy |
| Belfanti | Farmer | Levdansky | Ryan |
| Billow | Fattah | Linton | Rybak |
| Birmelin | Fee | Livengood | Saloom |
| Black | Fischer | Lloyd | Saurman |
| Blaum | Flick | Lucyk | Scheetz |
| Book | Foster | McCall | Schuler |
| Bortner | Fox | McClatchy | Semmel |
| Bowley | Freeman | McHale | Serafini |
| Bowser | Freind | McVerry | Showers |
| Boyes | Gallen | Maine | Sirianni |
| Brandt | Gamble | Manderino | Smith, B. |
| Broujos | Gannon | Manmiller | Smith, S. H. |
| Bunt | Geist | Markosek | Snyder, D. W. |
| Burd | George | Mayernik | Snyder, G. |
| Burns | Gladeck | Melio | Staback |
| Bush | Godshall | Merry | Stairs |
| Caltagirone | Gruitza | Michlovic | Steighner |

| | | | |
|-------------|------------|-----------|---------------|
| Cappabianca | Gruppo | Micozzie | Stuban |
| Carlson | Hagarty | Miller | Sweet |
| Carn | Haluska | Moehlmann | Taylor, E. Z. |
| Cawley | Harper | Morris | Taylor, F. |
| Cessar | Hasay | Mowery | Taylor, J. |
| Chadwick | Hayden | Mrkonic | Telek |
| Civera | Hayes | Murphy | Tigue |
| Clark | Heckler | Nahill | Trello |
| Clymer | Herman | Noye | Van Horne |
| Cohen | Hershey | O'Brien | Veon |
| Colafella | Hess | O'Donnell | Vroon |
| Cole | Honaman | Oliver | Wambach |
| Cornell | Howlett | Perzel | Wass |
| Corrigan | Hughes | Petrarca | Weston |
| Cowell | Hutchinson | Petrone | Wiggins |
| Coy | Itkin | Phillips | Wilson |
| DeVerter | Jackson | Piccola | Wogan |
| DeWeese | Jadlowiec | Pievsky | Wozniak |
| Daley | Jarolin | Pistella | Wright, J. L. |
| Davies | Johnson | Pitts | Wright, R. C. |
| Dawida | Josephs | Pressmann | Yandrisevits |
| Dempsey | Kasunic | Preston | |
| Dietterick | Kitchen | Punt | Irvis, |
| Dininni | Kosinski | Reber | Speaker |
| Distler | Kukovich | | |

NAYS—0

NOT VOTING—5

| | | | |
|---------|-------|---------|---------------|
| Kennedy | Olasz | Seventy | Wright, D. R. |
| Kenney | | | |

EXCUSED—3

| | | |
|--------|--------|---------|
| DeLuca | Maiale | Raymond |
|--------|--------|---------|

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

On the question recurring,

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

BILL PASSED OVER TEMPORARILY

The SPEAKER. We will pass the bill over temporarily awaiting Mr. Veon's amendments, and then we will come back to it.

* * *

The House proceeded to third consideration of **HB 628, PN 2694**, entitled:

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

On the question,

Will the House agree to the bill on third consideration?

Mr. SWEET offered the following amendments No. A0626:

Amend Title, page 1, line 6, by removing the period after "CONSTABLES" and inserting
; and further defining the term "emergency vehicle."

Amend Sec. 4 (Sec. 102), page 48, line 7, by inserting after "POLICE"

or sheriff's

On the question,

Will the House agree to the amendments?

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Washington, Mr. Sweet.

Mr. SWEET. Thank you, Mr. Speaker.

Mr. Speaker, this is a relatively innocuous amendment, but members ought to pay attention because some people have strong feelings on both sides of it.

In the consideration of this legislation in the Judiciary Committee, one of the things that is included in the bill is that constables may have a warning light on their vehicles. It was pointed out to me by the Pennsylvania Sheriffs' Association that deputy sheriffs did not have that ability to have these warning lights on their vehicles. The sheriffs felt very strongly about it, and on their behalf, I am offering this amendment.

I would ask for an affirmative vote.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—170

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

NAYS—20

| | | | |
|------------|---------|-----------|------------|
| Boyes | Freind | Micozzie | Saurman |
| Civera | Gannon | Moehlmann | Serafini |
| Dietterick | Honaman | O'Brien | Taylor, J. |
| Fargo | Kenney | Perzel | Weston |

| | | | |
|--------------|---------|---------------|---------------|
| Flick | Leh | Pressmann | Wogan |
| NOT VOTING—7 | | | |
| Itkin | Kennedy | Seventy | Wright, R. C. |
| Jadlowiec | Melio | Wright, D. R. | |
| EXCUSED—3 | | | |
| DeLuca | Maiale | Raymond | |

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?

PARLIAMENTARY INQUIRY

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

Mr. PICCOLA. Mr. Speaker, I rise to a point of parliamentary inquiry.

The SPEAKER. What is the gentleman's point?

Mr. PICCOLA. I note from the title of the bill that this is a bill which amends both Title 42 and Title 75, and I was wondering if the Chair would rule whether that is a violation of rule 20.

The SPEAKER. At first glance it appears that you are right, but we are going to doublecheck it up here.

The House will be at ease. We are going to look at the bill, but it does appear that you are right, Mr. Piccola.

INSURANCE COMMITTEE MEETING

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

Mr. RYBAK. Mr. Speaker, I would like to call a House Insurance Committee meeting off the floor right now, if that is okay with you.

The SPEAKER. Fine.

Mr. RYBAK. It will be short. Thank you.

The SPEAKER. During the interim when the House is at ease, there will be an Insurance Committee meeting at the rear of the hall of the House immediately.

Mr. RYBAK. Will all the Insurance members come back.

CONSIDERATION OF HB 628 CONTINUED

BILL PASSED OVER TEMPORARILY

The SPEAKER. HB 628 will go over temporarily. There is going to be an amendment drafted, and we will have to wait for the amendment.

* * *

The House proceeded to third consideration of **HB 2099, PN 2718**, entitled:

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.

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

The SPEAKER. The Chair recognizes the gentleman from Blair, Mr. Geist, who offers the following amendment, followed by the gentleman, Mr. Veon.

Mr. GEIST. Mr. Speaker, both our amendments are the same. I am going to withdraw my amendment; Mr. Veon is going to offer his. I would like to speak on the amendment, though, when it is offered.

The SPEAKER. Surely.

On the question recurring,
Will the House agree to the bill on third consideration?
Mr. VEON offered the following amendments No. A0480:

Amend Title, page 1, line 5, by inserting after "programs;" establishing standards for personal care facility administrators; providing for levels of care for personal care facilities; further providing for powers and duties of the department and for regulations by the department;

Amend Bill, page 1, by inserting between lines 7 and 8

Section 1. The act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, is amended by adding sections to read:

Section 212. Establishment of Levels of Care.—(a) In developing rules and regulations for licensure of personal care facilities, the department shall by regulation establish standards for the mental and physical mobility of residents and for determining whether a personal care facility meets these standards. The department shall, in the establishment of these standards, consider the emergency evacuation capabilities and staffing needs of the facility as it may deem appropriate for the resident population. Such standards shall include, but not be limited to, the following categories of personal care facilities:

(1) Level 1 facilities may have residents that are mobile and need only minimal personal care and supervision and shall be constructed in accordance with prompt evacuation capability requirements established in Chapter 21, Residential Board and Care occupancies of the Life Safety Code of 1985 of the National Fire Protection Association Incorporated as administered by the Department of Labor and Industry.

(2) Level 2 facilities may have residents that have functional limitations and rely on the facility for extensive assistance with personal activities of daily living and who do not require regular continuous 24-hour nursing care, although they may be nonambulatory and require the occasional services of an appropriate skilled health professional. These facilities shall be constructed in accordance with the slow capability requirements established in Chapter 21, Residential Board and Care occupancies of the Life Safety Code of 1985 of the National Fire Protection Association Incorporated as administered by the Department of Labor and Industry. Enforcement for noncompliance under this subsection shall be effective January 1, 1989.

(b) A personal care facility may be licensed as a level 1 and/or a level 2 facility in accordance with the standards established by the department.

Section 213. Personal Care Facility Administrator.—

(a) After January 1, 1989, all personal care facilities shall identify and appoint a personal care facility administrator or administrators who meet the qualifications provided in this section.

(b) A personal care facility administrator shall:

(1) be at least 21 years of age, have a high school diploma or a General Educational Development Diploma and be of good moral character, provided that an administrator of a licensed personal care facility on the effective date of this act shall be exempt from the provision that requires an administrator to have a high school diploma or General Educational Development Diploma; and

(2) have knowledge, education and training in:

(i) fire prevention and emergency planning;
(ii) first aid, monitoring of medications, medical terminology and personal hygiene;

(iii) nutrition;

(iv) recreation;

(v) mental illness and gerontology;

(vi) community resources and social services; and

(vii) staff supervision and training.

(c) By January 1988, the department shall by regulation develop such standards for knowledge, education or training to meet the standards of this section.

(d) If not otherwise available, the department shall schedule and offer at cost, training and educational programs for a person to meet the knowledge, educational and training requirements established by this act.

Section 2. Section 1001 of the act, amended July 10, 1980 (P.L.493, No.105) and December 5, 1980 (P.L.1112, No.193), is amended to read:

Section 1001. Definitions.—As used in this article—

“Adult day care” means care given for part of the twenty-four hour day to adults requiring assistance to meet personal needs and who, because of physical or mental infirmity, cannot themselves meet these needs, but who do not require nursing care.

“Adult day care center” means any premises operated for profit, in which adult day care is simultaneously provided for four or more adults who are not relatives of the operator.

“Boarding home for children” means any premises operated for profit in which care is provided for a period exceeding twenty-four hours for any child or children under sixteen years of age, who are not relatives of the operator and who are not accompanied by parent, individual standing in loco parentis or legal guardian. The term shall not be construed to include any such premises selected for care of such child or children by a parent, individual standing in loco parentis or legal guardian for a period of thirty days or less, nor any such premises conducted under social service auspices.

“Child day care” means care in lieu of parental care given for part of the twenty-four hour day to children under sixteen years of age, away from their own homes, but does not include child day care furnished in places of worship during religious services.

“Child day care center” means any premises operated for profit in which child day care is provided simultaneously for seven or more children who are not relatives of the operator, except such centers operated under social service auspices.

“Evacuation capability” means the ability of the occupants, residents and staff as a group to either evacuate the building or relocate from the point of occupancy to a point of safety. The two types of evacuation capabilities are:

(1) Prompt - Evacuation capability equivalent to the capability of the general population. Evacuation capability shall be presumed to be prompt if, after conducting timed fire drills pursuant to standards adopted by the department, evacuation is accomplished within three minutes or less.

(2) Slow - Evacuation capability of the group to move to a point of safety in a timely manner, with some of the residents

requiring assistance from staff. Evacuation capability shall be presumed to be slow if, after conducting timed fire drills pursuant to standards adopted by the department, evacuation is accomplished in more than three but less than thirteen minutes.

“Facility” means an adult day care center, child day care center, family day care home, boarding home for children, mental health establishment, personal care [home for adults] facility, nursing home, hospital or maternity home, as defined herein, and shall not include those operated by the State or Federal governments or those supervised by the department.

“Hospital” means any premises, other than a mental health establishment as defined herein, operated for profit, having an organized medical staff and providing equipment and services primarily for inpatient care for two or more individuals who require definitive diagnosis and/or treatment for illness, injury or other disability or during or after pregnancy, and which also regularly makes available at least clinical laboratory services, diagnostic X-ray services and definitive clinical treatment services. The term shall include such premises providing either diagnosis or treatment, or both, for specific illnesses or conditions.

“Maternity home” means any premises operated for profit in which, within a period of six months, any person receives more than one woman or girl, not a relative of the operator, for care during pregnancy or immediately after delivery.

“Mental health establishment” means any premises or part thereof, private or public, for the care of individuals who require care because of mental illness, mental retardation or inebriety but shall not be deemed to include the private home of a person who is rendering such care to a relative.

“Mobile” and “ambulatory” means an individual who is physically and mentally able to understand and carry out instructions without the assistance of others; capable of moving about independently and to exit from the building; able to ascend or descend stairs; able to independently operate a device such as a wheelchair, prosthesis, walker or cane.

“Nonmobile” and “nonambulatory” means an individual who is physically and/or mentally unable to move from one location to another without the continued full assistance of other persons. The term “full assistance” means the individual needs to be led, carried or wheeled from one location to another.

“Nursing home” means any premises operated for profit in which nursing care and related medical or other health services are provided, for a period exceeding twenty-four hours, for two or more individuals, who are not relatives of the operator, who are not acutely ill and not in need of hospitalization, but who, because of age, illness, disease, injury, convalescence or physical or mental infirmity need such care.

“Person” means any individual, partnership, association or corporation operating a facility.

“Personal care [home for adults] facility” means any premises in which food, shelter and personal assistance or supervision are provided for a period exceeding twenty-four hours for more than three adults who are not relatives of the operator and who require assistance or supervision in such matters as dressing, bathing, mobility, diet or medication prescribed for self administration and including tasks of daily living and obtaining medical and other health care or social services such as the occasional services of an appropriate skilled health professional and financial management. The department or its designee shall have the power to determine whether a premises is a personal care facility for which a license to operate must be obtained under this act.

“Personal care facility administrator” means any individual who is charged with the general administration of a personal care facility, whether or not such individual has an ownership interest in such facility and whether or not his functions and duties are shared with one or more individuals.

“Personal care facility resident” means any occupant, other than facility personnel, of a personal care facility, whether or not he or she needs personal assistance or supervision.

“Relative” means parent, child, stepparent, stepchild, grandparent, grandchild, brother, sister, half brother, half sister, aunt, uncle, niece, nephew.

“Social service auspices” means any nonprofit agency regularly engaged in the affording of child or adult care.

Amend Sec. 1, page 1, line 8, by striking out “1” and inserting

3

Amend Sec. 1, page 1, lines 8 and 9, by striking out “of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code”

Amend Sec. 2, page 4, line 9, by striking out “2” and inserting

4

Amend Sec. 3, page 4, line 10, by striking out “3” and inserting

5

On the question,

Will the House agree to the amendments?

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

Mr. VEON. Thank you, Mr. Speaker.

Mr. Speaker, I have a problem in my legislative district, and I understand that it is a problem in legislative districts throughout the Commonwealth. That problem is that in personal care homes throughout Pennsylvania, we have a certain number of personal care home residents who are being forced and required to leave that personal care home and go on to intermediate care or skilled care or go back home to live with their families or any other number of scenarios. I have been contacted by the family members of the residents in my personal care homes, and, Mr. Speaker, they are satisfied with the kind of care that they get. Mr. Speaker, they have asked that the legislature deal with this issue. My amendment here today attempts to do that.

My amendment attempts to create two levels of care in personal care homes in Pennsylvania. My amendment attempts to deal with the very sticky issue and difficult issue of nonmobility and nonambulatory. Currently today the Department of Public Welfare is correctly reading the regulations and correctly reading the law that we have developed that does not permit a nonmobile or nonambulatory resident to remain in a personal care home.

Mr. Speaker, I think it is a serious issue. I think it is serious enough that I attempted to draft this amendment to HB 2099 on an unrelated issue. Mr. Speaker, I would hope that we would be able to pass this today. We cannot afford to wait; we cannot afford to wait another year until the department is able to develop new regulations.

Mr. Speaker, the time has come, the care is there, and I would ask for an affirmative vote on this amendment. Thank you, Mr. Speaker.

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Blair, Mr. Geist.

Mr. GEIST. Thank you, Mr. Speaker.

I would like to stand and echo the remarks of Representative Veon. We have been working on the same problem in my district for about a year and a half, and we thought we had it worked out a year ago, and apparently we had not, but I

would like to refer to the Commonwealth of Pennsylvania Department of Public Welfare, Department of Health, and Department of Aging Personal Care Home Task Force final report. This report has been signed off by Linda Rhodes, Secretary of Aging; John White, Secretary of Public Welfare; and Mark Richards, Secretary of Health. In that report on page 4 it addresses this very problem. This amendment reads to that language and mirrors it, and I would ask for its adoption.

We have a problem throughout many legislative districts where people are actually forced to move into levels of care not as good as the care that they are receiving at the present, and when you have people who are in their eighties being put back into homes where the homes are run by people who are in their sixties who really cannot give these people the care, I do not think that that is what we are about in this government.

I would urge an affirmative vote on the Veon amendment. I think it is a good amendment, and it should be passed.

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

Mr. KUKOVICH. Thank you, Mr. Speaker.

I empathize with the problem of Representative Veon and Representative Geist. I have had some of the same problems in my district. My concern is that the Department of Public Welfare has been trying to work to correct this. I realize time is of the essence in some of these situations, but we have no idea what the fiscal impact will be, and we know there will be a fiscal impact.

I am worried about the fact that doing it in this fashion with an amendment might undercut the work that Representative Pistella and the long-term care committee has done and will continue to work towards.

I am also concerned that there is a potential that can be created, if this amendment goes in, where we could have a new system, a new level of mini-nursing homes cropping up all over this State, and the level of care in those facilities might be substandard.

I recognize the problem. I recognize there are existing homes that are not up to current standards and there is no place for those people to go if those homes are shut down. But I would rather force the Department of Public Welfare to work on those individual homes, solve those problems, rather than set up a new statewide system in this haphazard way, and I would ask the members for a “no” vote.

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

Mr. FATTAH. Mr. Speaker, as I view the situation, I hear that Representative Kukovich has indicated that he has concerns about people who may not have any place to go. There are indeed people in my district who are similarly situated, and until we can find a place for them to go, I would have to ask the members of this House to favorably consider this amendment. Thank you.

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

Mr. DALEY. Mr. Speaker, all I am saying is that Representative Geist and Representative Veon have both articulately and eloquently explained the reason for the adoption of this amendment, and I rise in support for its adoption. Thank you.

The SPEAKER. On the amendment, the Chair recognizes the lady from Chester, Mrs. Taylor, for the first time.

Mrs. TAYLOR. Mr. Speaker, I heard a previous speaker worry about what might happen as far as the long-term health care committee is concerned. I am a member of that committee, and that committee has been very diligent in its task.

I believe that we should support the Veon amendment, and I heartily recommend that you support it.

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

Mr. VEON. Thank you, Mr. Speaker.

Mr. Speaker, I would like to take a moment also in addressing this amendment to recognize the work that has been done by the House select committee on long-term care. We have in fact addressed this issue, and I want to commend the chairman, Mr. Pistella, for the work that he has done on this personal care issue, not particularly this amendment or this language, but this personal care issue and the long-term care issue in general.

The problem is, in my opinion, and hopefully, it will be the will of this House, that we cannot afford to wait any longer for this particular language. It is a crisis; it is happening every day in personal care homes throughout Pennsylvania, and I would hope that we would be able to pass this amendment today and ask the members for an affirmative vote. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—188

| | | | |
|-------------|-----------|-----------|---------------|
| Acosta | Donatucci | Langtry | Richardson |
| Angstadt | Dorr | Lashing | Rieger |
| Argall | Duffy | Laughlin | Ritter |
| Arty | Durham | Leh | Robbins |
| Barley | Evans | Lescovitz | Roebuck |
| Battisto | Farmer | Letterman | Rudy |
| Belardi | Fattah | Levdansky | Ryan |
| Billow | Fee | Livengood | Rybak |
| Birmelin | Fischer | Lloyd | Saloom |
| Black | Flick | Lucyk | Saurman |
| Book | Foster | McCall | Scheetz |
| Bortner | Fox | McClatchy | Schuler |
| Bowley | Freeman | McHale | Semmel |
| Bowser | Freind | McVerry | Serafini |
| Boyes | Gallen | Maine | Showers |
| Brandt | Gamble | Manmiller | Sirianni |
| Broujos | Gannon | Markosek | Smith, B. |
| Bunt | Geist | Mayernik | Smith, S. H. |
| Burd | George | Melio | Snyder, D. W. |
| Burns | Gladeck | Merry | Snyder, G. |
| Bush | Godshall | Michlovic | Staback |
| Caltagirone | Gruitza | Micozzie | Stairs |
| Cappabianca | Gruppo | Miller | Steighner |
| Carlson | Hagarty | Moehlmann | Stuban |
| Carn | Haluska | Morris | Sweet |
| Cawley | Harper | Mowery | Taylor, E. Z. |
| Cessar | Hasay | Mrkonic | Taylor, F. |
| Chadwick | Hayden | Murphy | Taylor, J. |

| | | | |
|------------|------------|-----------|---------------|
| Civera | Hayes | Nahill | Telek |
| Clark | Heckler | Noye | Tigue |
| Clymer | Herman | O'Brien | Trello |
| Cohen | Hershey | O'Donnell | Van Horne |
| Colafella | Hess | Olasz | Veon |
| Cole | Honaman | Oliver | Vroon |
| Cornell | Howlett | Perzel | Wambach |
| Corrigan | Hughes | Petrarca | Wass |
| Cowell | Hutchinson | Petrone | Weston |
| Coy | Itkin | Phillips | Wiggins |
| DeVerter | Jackson | Piccola | Wilson |
| DeWeese | Jadlowiec | Pievsky | Wogan |
| Daley | Jarolin | Pistella | Wozniak |
| Davies | Johnson | Pitts | Wright, J. L. |
| Dawida | Kasunic | Pressmann | Wright, R. C. |
| Dempsey | Kennedy | Preston | Yandrisevits |
| Dietterick | Kenney | Punt | |
| Dininni | Kitchen | Reber | Irvis, |
| Distler | Kosinski | Reinard | Speaker |
| Dombrowski | LaGrotta | | |

NAYS—5

| | | | |
|----------|---------|----------|-----------|
| Belfanti | Josephs | Kukovich | Manderino |
| Blaum | | | |

NOT VOTING—4

| | | | |
|-------|--------|---------|---------------|
| Fargo | Linton | Seventy | Wright, D. R. |
|-------|--------|---------|---------------|

EXCUSED—3

| | | | |
|--------|--------|---------|--|
| DeLuca | Maiale | Raymond | |
|--------|--------|---------|--|

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—193

| | | | |
|-------------|------------|-----------|---------------|
| Acosta | Dombrowski | Kukovich | Reinard |
| Angstadt | Donatucci | LaGrotta | Richardson |
| Argall | Dorr | Langtry | Rieger |
| Arty | Duffy | Lashing | Ritter |
| Barley | Durham | Laughlin | Robbins |
| Battisto | Evans | Leh | Roebuck |
| Belardi | Fargo | Lescovitz | Rudy |
| Belfanti | Farmer | Letterman | Ryan |
| Billow | Fattah | Levdansky | Rybak |
| Birmelin | Fee | Livengood | Saloom |
| Black | Fischer | Lloyd | Saurman |
| Blaum | Flick | Lucyk | Scheetz |
| Book | Foster | McCall | Schuler |
| Bortner | Fox | McClatchy | Semmel |
| Bowley | Freind | McHale | Serafini |
| Bowser | Gallen | McVerry | Showers |
| Boyes | Gamble | Maine | Sirianni |
| Brandt | Gannon | Manderino | Smith, B. |
| Broujos | Geist | Manmiller | Smith, S. H. |
| Bunt | George | Markosek | Snyder, D. W. |
| Burd | Gladeck | Mayernik | Snyder, G. |
| Burns | Godshall | Melio | Staback |
| Bush | Gruitza | Merry | Stairs |
| Caltagirone | Gruppo | Michlovic | Steighner |
| Cappabianca | Hagarty | Micozzie | Stuban |
| Carlson | Haluska | Miller | Sweet |
| Carn | Harper | Moehlmann | Taylor, E. Z. |

| | | | |
|------------|------------|-----------|---------------|
| Cawley | Hasay | Morris | Taylor, F. |
| Cessar | Hayden | Mowery | Taylor, J. |
| Chadwick | Hayes | Mrkonic | Telek |
| Civera | Heckler | Murphy | Tigue |
| Clark | Herman | Nahill | Trello |
| Clymer | Hershey | Noye | Van Horne |
| Cohen | Hess | O'Brien | Veon |
| Colafella | Honaman | O'Donnell | Vroon |
| Cole | Howlett | Olasz | Wambach |
| Cornell | Hughes | Oliver | Wass |
| Corrigan | Hutchinson | Perzel | Weston |
| Cowell | Itkin | Petrarca | Wiggins |
| Coy | Jackson | Petrone | Wilson |
| DeVerter | Jadlowiec | Phillips | Wogan |
| DeWeese | Jarolin | Piccola | Wozniak |
| Daley | Johnson | Pievsky | Wright, J. L. |
| Davies | Josephs | Pistella | Wright, R. C. |
| Dawida | Kasunic | Pitts | Yandrisevits |
| Dempsey | Kennedy | Pressmann | |
| Dietterick | Kenney | Preston | Irvis, |
| Dininni | Kitchen | Punt | Speaker |
| Distler | Kosinski | Reber | |

NAYS—0

NOT VOTING—4

| | | | |
|---------|--------|---------|---------------|
| Freeman | Linton | Seventy | Wright, D. R. |
|---------|--------|---------|---------------|

EXCUSED—3

| | | |
|--------|--------|---------|
| DeLuca | Maiale | Raymond |
|--------|--------|---------|

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

Mr. WILSON. Mr. Speaker, on HB 1993, PN 2748, I voted in the negative in error. I should have been in the affirmative.

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

CONSIDERATION OF HB 2031 CONTINUED

On the question recurring,

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

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

Mr. VEON. Mr. Speaker, I have decided to withdraw my three amendments and come back another day. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

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

Bill as amended was agreed to.

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

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

YEAS—195

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

NAYS—0

NOT VOTING—2

| | |
|---------|---------------|
| Seventy | Wright, D. R. |
|---------|---------------|

EXCUSED—3

| | | |
|--------|--------|---------|
| DeLuca | Maiale | Raymond |
|--------|--------|---------|

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 1899, PN 2409**, entitled:

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

On the question,

Will the House agree to the bill on third consideration?

Mr. LLOYD offered the following amendments No. A4478:

Amend Sec. 1 (Sec. 1311.1), page 1, line 7, by striking out "1311.1" and inserting 1326

Amend Sec. 1 (Sec. 1311.1), page 2, line 27, by inserting after "be"

added to the rate base and

Amend Sec. 1 (Sec. 1311.1), page 4, line 5, by inserting after "time"

or may be passed through to the ratepayers by such other methodology as the commission may direct

On the question,

Will the House agree to the amendments?

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

Mr. LLOYD. Thank you, Mr. Speaker.

Mr. Speaker, this is a clarifying amendment requested by the Public Utility Commission to make clear that in the instance in which there is to be a benefit amortized for the ratepayers, that it can be treated in a number of different ways rather than strictly as an adjustment to the income of the utility.

I 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 | Donatucci | Kukovich | Reber |
| Angstadt | Dorr | LaGrotta | Reinard |
| Argall | Duffy | Langtry | Richardson |
| Arty | Durham | Lashinger | Rieger |
| Barley | Evans | Laughlin | Ritter |
| Battisto | Fargo | Leh | Robbins |
| Belardi | Farmer | Lescovitz | Roebuck |
| Belfanti | Fattah | Letterman | Rudy |
| Billow | Fee | Levdansky | Ryan |
| Birmelin | Fischer | Linton | Rybak |
| Black | Flick | Livengood | Saloom |
| Blaum | Foster | Lloyd | Saurman |
| Book | Fox | Lucyk | Scheetz |
| Bortner | Freeman | McCall | Schuler |
| Bowley | Freind | McClatchy | Semmel |
| Bowser | Gallen | McHale | Serafini |
| Boyes | Gamble | McVerry | Showers |
| Brandt | Gannon | Maine | Sirianni |
| Broujos | Geist | Manderino | Smith, B. |
| Bunt | George | Manmiller | Smith, S. H. |
| Burd | Gladeck | Markosek | Snyder, D. W. |
| Burns | Godshall | Mayernik | Snyder, G. |
| Bush | Gruitza | Melio | Staback |
| Caltagirone | Gruppo | Merry | Stairs |
| Cappabianca | Hagarty | Michlovic | Steighner |
| Carlson | Haluska | Micozzie | Stuban |
| Carn | Harper | Miller | Sweet |

| | | | |
|------------|------------|-----------|---------------|
| Cawley | Hasay | Moehlmann | Taylor, E. Z. |
| Cessar | Hayden | Morris | Taylor, F. |
| Chadwick | Hayes | Mowery | Taylor, J. |
| Civera | Heckler | Mrkoncic | Telek |
| Clark | Herman | Murphy | Tigue |
| Clymer | Hershey | Nahill | Trello |
| Cohen | Hess | Noye | Van Horne |
| Colafella | Honaman | O'Brien | Veon |
| Cole | Howlett | O'Donnell | Vroon |
| Cornell | Hughes | Olasz | Wambach |
| Corrigan | Hutchinson | Oliver | Wass |
| Cowell | Itkin | Perzel | Weston |
| Coy | Jackson | Petrarca | Wiggins |
| DeVerter | Jadlowiec | Petrone | Wilson |
| DeWeese | Jarolin | Phillips | Wogan |
| Daley | Johnson | Piccola | Wozniak |
| Davies | Josephs | Pievsky | Wright, J. L. |
| Dawida | Kasunic | Pistella | Wright, R. C. |
| Dempsey | Kennedy | Pitts | Yandrisevits |
| Dietterick | Kenney | Pressmann | |
| Dininni | Kitchen | Preston | Irvis, |
| Distler | Kosinski | Punt | Speaker |
| Dombrowski | | | |

NAYS—0

NOT VOTING—2

Seventy Wright, D. R.

EXCUSED—3

DeLuca Maiale Raymond

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—195

| | | | |
|-------------|-----------|-----------|---------------|
| Acosta | Donatucci | Kukovich | Reber |
| Angstadt | Dorr | LaGrotta | Reinard |
| Argall | Duffy | Langtry | Richardson |
| Arty | Durham | Lashinger | Rieger |
| Barley | Evans | Laughlin | Ritter |
| Battisto | Fargo | Leh | Robbins |
| Belardi | Farmer | Lescovitz | Roebuck |
| Belfanti | Fattah | Letterman | Rudy |
| Billow | Fee | Levdansky | Ryan |
| Birmelin | Fischer | Linton | Rybak |
| Black | Flick | Livengood | Saloom |
| Blaum | Foster | Lloyd | Saurman |
| Book | Fox | Lucyk | Scheetz |
| Bortner | Freeman | McCall | Schuler |
| Bowley | Freind | McClatchy | Semmel |
| Bowser | Gallen | McHale | Serafini |
| Boyes | Gamble | McVerry | Showers |
| Brandt | Gannon | Maine | Sirianni |
| Broujos | Geist | Manderino | Smith, B. |
| Bunt | George | Manmiller | Smith, S. H. |
| Burd | Gladeck | Markosek | Snyder, D. W. |
| Burns | Godshall | Mayernik | Snyder, G. |
| Bush | Gruitza | Melio | Staback |
| Caltagirone | Gruppo | Merry | Stairs |
| Cappabianca | Hagarty | Michlovic | Steighner |
| Carlson | Haluska | Micozzie | Stuban |
| Carn | Harper | Miller | Sweet |

| | | | |
|------------|------------|-----------|---------------|
| Cawley | Hasay | Moehlmann | Taylor, E. Z. |
| Cessar | Hayden | Morris | Taylor, F. |
| Chadwick | Hayes | Mowery | Taylor, J. |
| Civera | Heckler | Mrkoncic | Telek |
| Clark | Herman | Murphy | Tigue |
| Clymer | Hershey | Nahill | Trello |
| Cohen | Hess | Noye | Van Horne |
| Colafella | Honaman | O'Brien | Veon |
| Cole | Howlett | O'Donnell | Vroon |
| Cornell | Hughes | Olasz | Wambach |
| Corrigan | Hutchinson | Oliver | Wass |
| Cowell | Itkin | Perzel | Weston |
| Coy | Jackson | Petrarca | Wiggins |
| DeVerter | Jadlowiec | Petrone | Wilson |
| DeWeese | Jarolin | Phillips | Wogan |
| Daley | Johnson | Piccola | Wozniak |
| Davies | Josephs | Pievsky | Wright, J. L. |
| Dawida | Kasunic | Pistella | Wright, R. C. |
| Dempsey | Kennedy | Pitts | Yandrisevits |
| Dietterick | Kenney | Pressmann | |
| Dininni | Kitchen | Preston | Irvis, |
| Distler | Kosinski | Punt | Speaker |
| Dombrowski | | | |

NAYS—0

NOT VOTING—2

Seventy Wright, D. R.

EXCUSED—3

DeLuca Maiale Raymond

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 Lancaster, Mr. Schuler, rise?

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

The SPEAKER. You may proceed.

Mr. SCHULER. I would like to be recorded in the affirmative on HB 1993. Thank you.

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

RULES SUSPENDED

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I move that the rules of the House be temporarily suspended so that we may take immediately some resolutions.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—193

| | | | |
|----------|------------|-----------|------------|
| Acosta | Dombrowski | Kosinski | Reber |
| Angstadt | Donatucci | Kukovich | Reinard |
| Argall | Dorr | LaGrotta | Richardson |
| Arty | Duffy | Langtry | Rieger |
| Barley | Durham | Lashinger | Ritter |
| Battisto | Evans | Laughlin | Robbins |
| Belardi | Fargo | Leh | Roebuck |

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

NAYS—0

NOT VOTING—4

Merry Seventy Veon Wright, D. R.

EXCUSED—3

DeLuca Maiale Raymond

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.

RESOLUTIONS ADOPTED

The SPEAKER. We will take up first, Mr. Clerk, HR 232. Then we will follow that with HR 233.

Read HR 232, please.

The following resolution was read:

House Resolution No. 232

A RESOLUTION

Proclaiming March 1 as Saint David's Day to be observed throughout this Commonwealth.

WHEREAS, During the 19th Century, large numbers of people from Wales settled in Pennsylvania seeking employment in every field of industry and commerce; and

WHEREAS, Today millions of Americans proudly proclaim their Welsh descent; and

WHEREAS, The traditions and heritage of the Welsh have enriched the culture and fabric of our society; and

WHEREAS, Thomas Jefferson, Robert Morris, John Marshall, James Monroe, Abraham Lincoln and Calvin Coolidge, among other men of note, are all of Welsh descent; and

WHEREAS, March 1 is traditionally observed by Welshmen as Saint David's Day to mark the life of Saint David, the patron Saint of Wales; therefore be it

RESOLVED, That the House of Representatives proclaim March 1 as Saint David's Day to be observed throughout this Commonwealth.

John S. Davies
James L. Wright, Jr.
Samuel E. Hayes, Jr.
Peter R. Vroon
Paul J. Angstadt
Samuel W. Morris
George W. Jackson
Elaine F. Farmer
Gaynor Cawley
James T. Distler
Thomas R. Caltagirone
Jere W. Schuler
Edgar A. Carlson
Gerard A. Kosinski
Anthony J. Melio
David John Mayernik
Howard L. Fargo
Terrence F. McVerry
Robert J. Flick
Michael E. Bortner
David G. Argall
Robert D. Robbins
Dick L. Hess
Jon D. Fox
Richard A. Geist
Edward G. Staback
Fred A. Trello
Chris R. Wogan
John J. Taylor
Donald W. Dorr
Scott Dietterick
Anthony M. DeLuca
William R. Lloyd, Jr.
Fred Belardi
William Telek
David W. Heckler
Edwin G. Johnson
Charles P. Laughlin
Elinor Z. Taylor
Joseph A. Petrarca

On the question,

Will the House adopt the resolution?

The SPEAKER. Now, ordinarily we would merely adopt the resolution, but the Chair is well aware that the Welshman on the floor of the House would object to not making a speech on it.

You mean the Welshman is not going to make a speech on it? I never knew a Welshman who did not make a speech. I knew it had to come.

Mr. DAVIES. Mr. Speaker, I yield to the will of the House.

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

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—2

Seventy Wright, D. R.

EXCUSED—3

DeLuca Maiale Raymond

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

The SPEAKER. The House has declared that March 1 shall be known as Saint David's Day.

* * *

The SPEAKER. The clerk will read HR 233.

The following resolution was read:

House Resolution No. 233

A RESOLUTION

Proclaiming February 14, 1988, as "Cardiac Rehabilitation Day."

WHEREAS, Cardiovascular disease either kills or severely limits more people in the United States annually than any other disease; and

WHEREAS, Although cardiac rehabilitation has been part of the health care delivery system for many years, both the public and the medical community are generally unaware of its physical and psychological benefits; and

WHEREAS, The incidence of cardiovascular disease can be reduced through greater awareness of the disease process, its risk factors, prevention and rehabilitation; and

WHEREAS, The establishment of a special day to promote the dissemination of information about heart disease, its prevention and rehabilitation will greatly assist in decreasing its incidence; therefore be it

RESOLVED, That the House of Representatives proclaim February 14, 1988, as "Cardiac Rehabilitation Day," in order to bring about a greater awareness of the cardiovascular disease process, and to promote the dissemination of information about heart disease and its prevention and rehabilitation from the disease.

- Jon D. Fox
William C. Rybak
Kenneth J. Cole
Gerard A. Kosinski
James L. Wright, Jr.
Connie G. Maine
Dick L. Hess
Richard A. Geist
Roger Raymond Fischer
Harry E. Bowser
Joseph W. Battisto
Edward G. Staback
Edgar A. Carlson
Elaine F. Farmer
Paul J. Angstadt
Charles F. Nahill, Jr.
Paul W. Semmel
Mary Ann Arty
Chris R. Wogan
Lois Sherman Hagarty
Carmel Sirianni
Mario J. Civera, Jr.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—194

- Acosta Donatucci Kukovich Reber
Angstadt Dorr LaGrotta Reinard
Argall Duffy Langtry Richardson
Arty Durham Lashinger Rieger
Barley Evans Laughlin Ritter
Battisto Fargo Leh Robbins
Belardi Farmer Lescovitz Roebuck
Belfanti Fattah Letterman Rudy
Billow Fee Levdansky Ryan
Birmelin Fischer Linton Rybak
Black Flick Livengood Saloom

- Blaum Foster Lloyd Saurman
Book Fox Lucyk Scheetz
Bortner Freeman McCall Schuler
Bowley Freind McClatchy Semmel
Bowser Gallen McHale Serafini
Boyes Gamble McVerry Showers
Brandt Gannon Maine Sirianni
Broujos Geist Manderino Smith, B.
Bunt George Manmiller Smith, S. H.
Burd Gladeck Markosek Snyder, D. W.
Burns Godshall Mayernik Snyder, G.
Bush Gruitza Melio Staback
Caltagirone Gruppo Merry Stairs
Cappabianca Hagarty Michlovic Steighner
Carlson Haluska Micozzie Stubann
Carn Harper Miller Sweet
Cawley Hasay Moehlmann Taylor, E. Z.
Cessar Hayden Morris Taylor, F.
Chadwick Hayes Mowery Taylor, J.
Civera Heckler Mrkonic Telek
Clark Herman Murphy Tigie
Clymer Hershey Nahill Trello
Cohen Hess Noye Van Horne
Colafella Honaman O'Brien Veon
Cole Howlett O'Donnell Vroon
Cornell Hughes Olasz Wambach
Corrigan Hutchinson Oliver Wass
Cowell Itkin Perzel Weston
Coy Jackson Petrarca Wiggins
DeVerter Jadlowiec Petrone Wilson
Daley Jarolin Phillips Wogan
Davies Johnson Piccola Wozniak
Dawida Josephs Pievsky Wright, J. L.
Dempsey Kasunic Pistella Wright, R. C.
Dietterick Kennedy Pitts Yandrisevits
Dininni Kenney Pressmann
Distler Kitchen Preston Irvis,
Dombrowski Kosinski Punt Speaker

NAYS—0

NOT VOTING—3

- DeWeese Seventy Wright, D. R.

EXCUSED—3

- DeLuca Maiale Raymond

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

EDUCATION COMMITTEE MEETING

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

Mr. COWELL. To announce a committee meeting.

The SPEAKER. When do you want the committee meeting? Not now.

Mr. COWELL. No; I do not want everyone to get away, though, before we announce it. I did not know how close we were to the completion of voting.

The SPEAKER. All right. We will take your announcement and then Mr. George's announcement, but we have some other voting to do.

The Chair recognizes Mr. Cowell first.

Mr. COWELL. Thank you, Mr. Speaker.

Mr. Speaker, at the completion of today's voting, the Education Committee will have a quick meeting in the back of the chamber to deal with proposed regulations.

CONSERVATION COMMITTEE MEETING

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

Mr. GEORGE. Mr. Speaker, I would like to call a meeting of the Committee on Conservation at the rear of the House, far enough away that the Education Committee will not interfere with us.

REMARKS ON VOTE

The SPEAKER. Why does the gentleman from Northampton, Mr. Freeman, rise?

Mr. FREEMAN. A correction of the record, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. FREEMAN. Mr. Speaker, on HB 2099 my vote was not recorded. I would like to be recorded in the affirmative.

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

COMMITTEE MEETING

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

Mr. MARKOSEK. Mr. Speaker, to make another announcement.

Tomorrow morning the special committee to investigate autism will meet as scheduled at 10 a.m. in room 123 of the South Office Building. Thank you.

The SPEAKER. The Chair thanks the gentleman.

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 634, PN 2840 (Amended)

By Rep. SWEET

An Act amending the act of May 27, 1953 (P. L. 244, No. 34), entitled "An act relating to and regulating the contracts of incorporated towns and providing penalties," restricting certain persons from bidding on contracts.

LOCAL GOVERNMENT.

HB 635, PN 2841 (Amended)

By Rep. SWEET

An Act amending the act of July 28, 1953 (P. L. 723, No. 230), known as the "Second Class County Code," restricting certain persons from bidding on contracts.

LOCAL GOVERNMENT.

HB 636, PN 2842 (Amended)

By Rep. SWEET

An Act amending the act of August 9, 1955 (P. L. 323, No. 130), known as "The County Code," restricting certain persons from bidding on contracts.

LOCAL GOVERNMENT.

HB 640, PN 2843 (Amended)

By Rep. SWEET

An Act amending the act of June 24, 1931 (P. L. 1206, No. 331), known as "The First Class Township Code," restricting certain persons from bidding on contracts.

LOCAL GOVERNMENT.

HB 641, PN 2844 (Amended)

By Rep. SWEET

An Act amending the act of February 1, 1966 (1965 P. L. 1656, No. 581), known as "The Borough Code," restricting certain persons from bidding on contracts.

LOCAL GOVERNMENT.

HB 642, PN 2845 (Amended)

By Rep. SWEET

An Act amending the act of May 1, 1933 (P. L. 103, No. 69), known as "The Second Class Township Code," restricting certain persons from bidding on contracts.

LOCAL GOVERNMENT.

HB 1688, PN 2846 (Amended)

By Rep. SWEET

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 financing of projects through loans by the Authorities.

LOCAL GOVERNMENT.

HB 1751, PN 2847 (Amended)

By Rep. SWEET

An Act amending the act of May 2, 1945 (P. L. 382, No. 164), known as the "Municipality Authorities Act of 1945," restricting certain persons from bidding on contracts.

LOCAL GOVERNMENT.

HB 2169, PN 2810

By Rep. RYBAK

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the Catastrophic Loss Trust Fund.

INSURANCE.

BILL SIGNED BY SPEAKER

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

SB 409, PN 1734

An Act amending the act of April 2, 1980 (P. L. 63, No. 26), entitled "Divorce Code," further providing for grounds for divorce, enforcement of foreign decrees, procedure, jurisdiction, marital property, relief and alimony; providing for agreements between parties; making editorial changes; and making a repeal.

INTERROGATION

The SPEAKER. Why does the gentleman from York, Mr. Dorr, rise?

Mr. DORR. Mr. Speaker, I would like to ask unanimous consent to enter into a brief dialogue with the gentleman, Mr. Veon, on the bill we passed, HB 2099.

The SPEAKER. The Chair hears no objection. The gentleman has the floor.

Mr. DORR. Thank you, Mr. Speaker.
Mr. Speaker, I would ask the gentleman some questions regarding page 2 of his amendment to HB 2099.

POINT OF ORDER

Mr. PISTELLA. Mr. Speaker?
The SPEAKER. What is it, Mr. Pistella?
Mr. PISTELLA. I rise to a point of order, Mr. Speaker.
The SPEAKER. What is the gentleman's point of order?
Mr. PISTELLA. I was under the impression, Mr. Speaker, that we had in fact voted on the amendment and on final passage of that bill, and it is my understanding it is no longer before the House. Is that correct?
The SPEAKER. That is true, but a member may rise under unanimous consent as long as there is no objection to that unanimity.
Mr. PISTELLA. I object, Mr. Speaker.
The SPEAKER. Sorry, Mr. Dorr. Unanimous consent has been rejected.

CONSIDERATION OF HB 628 CONTINUED

On the question recurring,
Shall the bill pass finally?

DECISION OF CHAIR RESCINDED

The SPEAKER. The Chair rescinds its decision that HB 628 was agreed to on third consideration as amended.

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

AMENDMENT A0626 RECONSIDERED

The SPEAKER. The Chair has before it a reconsideration motion filed by the gentleman from Philadelphia, Mr. Kosinski, and the gentleman from Philadelphia, Mr. Wogan, whereby they move that the Sweet amendment to HB 628, which was passed on this the 9th day of February 1988, be reconsidered.

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

The following roll call was recorded:

YEAS—184

| | | | |
|----------|------------|-----------|----------|
| Acosta | Dombrowski | Kosinski | Reber |
| Angstadt | Donatucci | Kukovich | Reinard |
| Argall | Dorr | LaGrotta | Rieger |
| Arty | Duffy | Langtry | Ritter |
| Barley | Durham | Lashinger | Robbins |
| Battisto | Evans | Laughlin | Roebuck |
| Belardi | Fargo | Leh | Rudy |
| Belfanti | Farmer | Lescovitz | Ryan |
| Birmelin | Fattah | Levdansky | Rybak |
| Black | Fee | Livengood | Saloom |
| Blaum | Fischer | Lloyd | Saurman |
| Book | Flick | Lucyk | Scheetz |
| Bortner | Foster | McCall | Schuler |
| Bowley | Fox | McClatchy | Semmel |
| Bowser | Freeman | McHale | Serafini |

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

NAYS—0

NOT VOTING—13

| | | | |
|---------|-----------|------------|---------------|
| Billow | Letterman | Punt | Wiggins |
| Cohen | Linton | Richardson | Wozniak |
| Howlett | Pressmann | Seventy | Wright, D. R. |
| Hughes | | | |

EXCUSED—3

| | | |
|--------|--------|---------|
| DeLuca | Maiale | Raymond |
|--------|--------|---------|

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. A0626:

Amend Title, page 1, line 6, by removing the period after "CONSTABLES" and inserting
; and further defining the term "emergency vehicle."

Amend Sec. 4 (Sec. 102), page 48, line 7, by inserting after "POLICE"
or sheriff's

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

AMENDMENTS WITHDRAWN

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Washington, Mr. Sweet, or do you wish to let Mr. Kosinski be first?

Mr. SWEET. Mr. Speaker, because of the objection made by Mr. Piccola, an objection with which I do not agree but with which I do not want to belabor the House with a long parliamentary debate regarding, I am withdrawing amendment A0626.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

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

Mr. PICCOLA offered the following amendments No. A0716:

Amend Title, page 1, line 4, by striking out "TITLES" and inserting

Title

Amend Title, page 1, lines 4 and 5, by striking out "AND 75 (VEHICLES)"

Amend Sec. 4, page 47, lines 28 through 30; page 48, lines 1 through 23, by striking out all of said lines on said pages

Amend Sec. 5, page 48, line 24, by striking out "5" and inserting

4

On the question,

Will the House agree to the amendments?

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

Mr. PICCOLA. Thank you, Mr. Speaker.

HB 628 amends both Title 42 and Title 75. It is my view that that violates rule 20, which prohibits the passing of bills containing more than one subject, and that rule is based on Article III, section 3, of the Constitution.

This amendment will strike all of the references to the Vehicle Code that are contained in this bill and make it comport with rule 20. I would urge the House to adopt the amendment.

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Washington, Mr. Sweet.

Mr. SWEET. Thank you, Mr. Speaker.

While I do not agree with the points raised by Mr. Piccola - I do not agree that this provision violates the rules and I emphatically do not agree that it violates the Constitution - in order to expedite the consideration of the bill, I agree with the Piccola amendment and would urge the members to vote in favor of it.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—193

| | | | |
|----------|-----------|------------|--------------|
| Acosta | Donatucci | Kukovich | Reinard |
| Angstadt | Dorr | LaGrotta | Richardson |
| Argall | Duffy | Langtry | Rieger |
| Arty | Durham | Lashingier | Ritter |
| Barley | Evans | Laughlin | Robbins |
| Battisto | Fargo | Leh | Roebuck |
| Belardi | Farmer | Lescovitz | Rudy |
| Belfanti | Fattah | Letterman | Ryan |
| Billow | Fee | Levdansky | Rybak |
| Birmelin | Fischer | Livengood | Saloom |
| Black | Flick | Lloyd | Saurman |
| Blaum | Foster | Lucyk | Scheetz |
| Book | Fox | McCall | Schuler |
| Bortner | Freeman | McClatchy | Semmel |
| Bowley | Freind | McHale | Serafini |
| Bowser | Gallen | McVerry | Showers |
| Boyes | Gamble | Maine | Sirianni |
| Brandt | Gannon | Manderino | Smith, B. |
| Bunt | Geist | Manmiller | Smith, S. H. |

| | | | |
|-------------|------------|-----------|---------------|
| Burd | George | Markosek | Snyder, D. W. |
| Burns | Gladeck | Mayernik | Snyder, G. |
| Bush | Godshall | Melio | Staback |
| Caltagirone | Gruitza | Merry | Stairs |
| Cappabianca | Gruppo | Michlovic | Steighner |
| Carlson | Hagarty | Micozzie | Stuban |
| Carn | Haluska | Miller | Sweet |
| Cawley | Harper | Moehlmann | Taylor, E. Z. |
| Cessar | Hasay | Morris | Taylor, F. |
| Chadwick | Hayden | Mowery | Taylor, J. |
| Civera | Hayes | Mrkonic | Telek |
| Clark | Heckler | Murphy | Tigue |
| Clymer | Herman | Nahill | Trello |
| Cohen | Hershey | Noye | Van Horne |
| Colafiglia | Hess | O'Brien | Veon |
| Cole | Honaman | O'Donnell | Vroon |
| Cornell | Howlett | Olasz | Wambach |
| Corrigan | Hughes | Oliver | Wass |
| Cowell | Hutchinson | Perzel | Weston |
| Coy | Itkin | Petrarca | Wiggins |
| DeVerter | Jackson | Petrone | Wilson |
| DeWeese | Jadlowiec | Phillips | Wogan |
| Daley | Jarolin | Piccola | Wozniak |
| Davies | Johnson | Pievsky | Wright, J. L. |
| Dawida | Josephs | Pistella | Wright, R. C. |
| Dempsey | Kasunic | Pitts | Yandrisevits |
| Dietterick | Kennedy | Pressmann | |
| Dininni | Kenney | Preston | Irvis, |
| Distler | Kitchen | Punt | Speaker |
| Dombrowski | Kosinski | Reber | |

NAYS—0

NOT VOTING—4

| | | | |
|---------|--------|---------|---------------|
| Broujos | Linton | Seventy | Wright, D. R. |
|---------|--------|---------|---------------|

EXCUSED—3

| | | |
|--------|--------|---------|
| DeLuca | Maiale | Raymond |
|--------|--------|---------|

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 Washington, Mr. Sweet.

Mr. SWEET. Thank you, Mr. Speaker.

Mr. Speaker, this is a matter that has been before the House and before the House Judiciary Committee for a long, long time. We have over 5,000 constables in Pennsylvania. They are not, under current law, accountable to anybody as far as their administration and the operation of their duties. They do not have mandatory training, and it is of particular note that current law does not say that any constable who carries a gun has to have any training whatsoever.

This legislation will provide a clear line of accountability for our constables. If they are going to be doing anything that is considered court-related duty, they will be subject to the administration of the unified court system. It requires and establishes a mandatory training program under a constables' educational board. Finally, Mr. Speaker, it professionalizes

the operation and provides for modern upgraded fees so that the constables will get a fair day's pay for a fair day's work.

The legislation is endorsed by an advisory group that met all summer and fall that was made up of all the constituent groups of the criminal justice system. The legislation has been praised editorially by most of the major media throughout Pennsylvania. It will go a long, long way toward cleaning up some of the many, many problems that have plagued our constable system and will allow those many constables who are out there doing a good, decent job to have the training, to have the supervision, and to get paid a decent fee for the work that they do for the taxpayer.

I have long believed that the constable system is worth saving, but if we do not pass legislation like this, I think the constable system will eventually be abolished. So I ask you today to help in doing something that has been a long-time effort of many members of the Judiciary Committee in this House, and that is cleaning up the constable system, reforming it in such a way that it continues to provide services paid for by the litigants rather than by the taxpayers.

I would ask for an affirmative vote, Mr. Speaker.

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

Mr. PRESSMANN. Thank you, Mr. Speaker.

Mr. Speaker, I rise to support this bill. As a former constable, I recognize the problems in the existing system. I have spoken to many constables not only in my own county but in other counties about the problems that constables face, and universally, those constables who want to do a good job, who want to act in a professional manner support this bill. I ask for your support.

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

Mr. MAYERNIK. I would like to question the maker of the bill.

The SPEAKER. Mr. Sweet indicates he will stand for interrogation. You may proceed, Mr. Mayernik.

Mr. MAYERNIK. Thank you, Mr. Speaker.

Mr. Speaker, would you please tell me how this bill will be funded?

Mr. SWEET. Mr. Speaker, there is a provision in the bill to allow an assessment to the litigants to provide for the costs of the educational program. The increased fees to be paid to the constables will also be paid by the litigants.

Mr. MAYERNIK. And what is that increase in fees, sir?

Mr. SWEET. The increase in the fees takes up about three or four pages in the bill, and I would refer you to the bill.

Mr. MAYERNIK. Is there a specific cost as per litigant?

Mr. SWEET. For what purpose, Mr. Speaker?

Mr. MAYERNIK. Well, to fund the bill. Is it \$2 per litigant, \$4, or is it depending—

Mr. SWEET. There is a cost for the educational part of the bill, which is going to be \$2 per piece of process or paper served.

Mr. MAYERNIK. Okay. And what is the number of hours that would be required under this bill for the education and training?

Mr. SWEET. Eighty hours per year, and there is also a continuing educational requirement of 40.

Mr. MAYERNIK. And the location of training, is that being designated? Will it be one central location within the Commonwealth, will it be spread out throughout the Commonwealth, or will they use existing training centers?

Mr. SWEET. The legislation initially would set up a board. That board will designate at least one central location, and the bill permits regional locations as funds are available.

Mr. MAYERNIK. Mr. Speaker, the board that you name, does that come under the auspices of an existing board or is there a new board that is created, and who are the members of the board and how will that board be comprised?

Mr. SWEET. Mr. Speaker, it is going to come under the board that currently regulates the education of the minor judiciary. There are going to be some extra board members added.

Mr. MAYERNIK. Okay, fine. Thank you, Mr. Speaker.

Mr. SWEET. You are welcome.

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—187

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

| | | | |
|------------|----------|-----------|--------------|
| Dempsey | Kitchen | Pressmann | Yandrisevits |
| Dininni | Kosinski | Preston | |
| Distler | Kukovich | Punt | Irvis, |
| Dombrowski | LaGrotta | Reber | Speaker |
| Donatucci | | | |

NAYS—8

| | | | |
|--------|------------|---------|-------|
| Blaum | Dietterick | Hasay | Leh |
| Bowser | Gannon | Jarolin | Tigue |

NOT VOTING—2

| | |
|---------|---------------|
| Seventy | Wright, D. R. |
|---------|---------------|

EXCUSED—3

| | | |
|--------|--------|---------|
| DeLuca | Maiale | Raymond |
|--------|--------|---------|

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 SPEAKER. The Chair has been informed that there will be no session tomorrow, and the members are free to leave. There will be no further votes.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2196 By Representative PIEVSKY

An Act making appropriations from a restricted revenue account within the General Fund and from Federal augmentation funds to the Pennsylvania Public Utility Commission.

Referred to Committee on APPROPRIATIONS, February 9, 1988.

No. 2197 By Representative PIEVSKY

An Act making an appropriation from a restricted revenue account within the General Fund to the Office of Consumer Advocate.

Referred to Committee on APPROPRIATIONS, February 9, 1988.

BILLS PASSED OVER

The SPEAKER. Without objection, all remaining bills on today's calendar will be passed over. The Chair hears no objection.

ADJOURNMENT

The SPEAKER. The Chair recognizes the gentleman from Lycoming, Mr. Dempsey.

Mr. DEMPSEY. Mr. Speaker, I move that this House do now adjourn until Monday, February 22, 1988, at 1 p.m., e.s.t., in regular session unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 4:01 p.m., e.s.t., the House adjourned.