

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, APRIL 5, 1988

SESSION OF 1988

172D OF THE GENERAL ASSEMBLY

No. 19

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (K. LEROY IRVIS) IN THE CHAIR

PRAYER

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

Everlasting Father, as the signs of spring are seen in the world about us and the joys of new life are evident within our universe, we pause, O God, to express our thanks and praise. We see Thee in the budding of the trees, in the early flowers of the garden, and in the green of the new blades of grass, for we know Thee as the newness of life in our world, as the warm sunshine of each new day, and as the dew which refreshes the grass in early morn.

We humbly pray that Thou wilt grant new life to each of us so that we may show forth in deed and conversation that which is acceptable and pleasing to Thee, an extension of Thy kingdom in the hearts and minds of men, and the praise of Thy name forever and ever. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNALS APPROVED

The SPEAKER. The Chair is informed that the Journals for the regular session of Monday, January 25; Tuesday, January 26; Wednesday, January 27; Monday, February 1; and Tuesday, February 2, all of 1988, are in print. Unless there be objections, deletions, or additions, those Journals will be considered approved as read. The Chair hears no such objections or deletions or additions. The Journals are approved.

JOURNAL APPROVAL POSTPONED

The SPEAKER. However, without objection, the approval of the Journal of regular session Tuesday, March 22, 1988, will be postponed until that Journal is in fact in print, and the Chair hears no such objection.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2280 By Representatives MARKOSEK, JOHNSON, MELIO, DALEY, PRESSMANN, HALUSKA, TIGUE, McVERRY, COY, WOGAN, STABACK, MICHLOVIC, RAYMOND, KENNEY, MAYERNIK, TRELLO, GODSHALL, FOX, HERSHEY, OLASZ, CHADWICK, DeLUCA, MERRY and HESS

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for notice of department action.

Referred to Committee on TRANSPORTATION, April 5, 1988.

No. 2281 By Representatives MARKOSEK, MELIO, DALEY, PRESSMANN, FARGO, HALUSKA, COY, WOGAN, RAYMOND, KENNEY, TRELLO, HERSHEY, CHADWICK, PISTELLA and MERRY

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for suspension of operating privilege for failure to respond to citation.

Referred to Committee on TRANSPORTATION, April 5, 1988.

No. 2282 By Representatives MARKOSEK, MELIO, DALEY, PRESSMANN, FARGO, HALUSKA, McVERRY, COY, STABACK, MICHLOVIC, RAYMOND, KENNEY, MAYERNIK, TRELLO, HERSHEY, OLASZ, PISTELLA and MERRY

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for violations concerning licenses, driving under foreign license during suspension or revocation and subsequent convictions of certain offenses.

Referred to Committee on TRANSPORTATION, April 5, 1988.

No. 2283 By Representatives MARKOSEK, JOHNSON, MELIO, DALEY, PRESSMANN, HALUSKA, TIGUE, McVERRY, MICHLOVIC, RAYMOND, KENNEY, STABACK, TRELLO, GODSHALL, FOX, HERSHEY, OLASZ, CHADWICK and MERRY

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for permitting violation of title.

Referred to Committee on TRANSPORTATION, April 5, 1988.

No. 2284 By Representatives MARKOSEK, MELIO, DALEY, PRESSMANN, RAYMOND, TRELLO, HERSHEY and MERRY

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for registration and certification of title.

Referred to Committee on TRANSPORTATION, April 5, 1988.

No. 2285 By Representatives MARKOSEK, MELIO, DALEY, PRESSMANN, RAYMOND, TRELLO, HERSHEY and PISTELLA

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, amending the definition of "urban mass transportation system"; and further providing for exemption of entities and vehicles from fees.

Referred to Committee on TRANSPORTATION, April 5, 1988.

No. 2286 By Representatives CALTAGIRONE, IRVIS, MANMILLER, CLYMER, COLE, CAWLEY, SALOOM, TRELLO, BRANDT, BUNT, HALUSKA, DAWIDA, KOSINSKI, COLAFELLA and VEON

An Act providing for the licensing procedures for the dental laboratory industry.

Referred to Committee on PROFESSIONAL LICENSURE, April 5, 1988.

No. 2287 By Representatives CALTAGIRONE, RYBAK, TRELLO, KOSINSKI, DALEY, DISTLER, NAHILL, STABACK, KENNEY, REBER, GODSHALL, MRKONIC, BUNT, MICOZZIE, LUCYK and E. Z. TAYLOR

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), known as the "Tax Reform Code of 1971," granting an exemption from filing personal income tax returns and paying personal income tax for certain persons.

Referred to Committee on FINANCE, April 5, 1988.

No. 2288 By Representatives RUDY, RYBAK, WAMBACH, COLE, CORRIGAN, MORRIS, BILLOW, VEON, McHALE, TRELLO, FOX, SHOWERS, KUKOVICH, J. TAYLOR, FARMER, TIGUE, BELARDI, HECKLER, E. Z. TAYLOR, JOHNSON, PETRONE, ARTY, NAHILL, PISTELLA, KOSINSKI, JOSEPHS, PRESSMANN, RITTER, FREEMAN and WOZNIAK

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 coverage for mammographic examination.

Referred to Committee on INSURANCE, April 5, 1988.

No. 2289 By Representatives ITKIN, CESSAR, DUFFY, DeLUCA, PRESTON, TRELLO, PISTELLA, BILLOW, TELEK, LEVDANSKY, MELIO and SEVENTY

An Act amending the act of June 21, 1939 (P. L. 626, No. 294), referred to as the "Second Class County Assessment Law," further providing for persons who have suffered catastrophic losses to their property.

Referred to Committee on FINANCE, April 5, 1988.

No. 2290 By Representatives CORNELL, TRELLO, NAHILL, SEMMEL, REBER, LASHINGER, HECKLER, BUNT, SAURMAN and FOX

An Act amending the act of July 18, 1941 (P. L. 421, No. 169), entitled, "An act requiring recorders of deeds to accept and record deeds prior to registry, where registry is required, and to have the same registered and fixing fees therefor," further providing for deed registration; and imposing a fee.

Referred to Committee on LOCAL GOVERNMENT, April 5, 1988.

No. 2291 By Representative CORNELL

An Act amending the act of December 31, 1965 (P. L. 1257, No. 511), known as "The Local Tax Enabling Act," prohibiting certain taxes on roller-skating rinks.

Referred to Committee on FINANCE, April 5, 1988.

No. 2292 By Representatives DURHAM, TRELLO, BELARDI, SAURMAN, ARTY, SEVENTY, E. Z. TAYLOR, MELIO, OLASZ and FLICK

An Act providing for the regulation of the production and handling of ice; licensing ice producers; imposing duties on the Department of Agriculture; and providing for civil penalties.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, April 5, 1988.

No. 2293 By Representatives PHILLIPS and SHOWERS

An Act authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Agriculture, to convey and confirm two tracts of land located in Penn Township, Snyder County, Pennsylvania, to Randall W. Bailey and Ellen S. Bailey, his wife, and Rick L. Bailey and Kathy A. Bailey, his wife.

Referred to Committee on STATE GOVERNMENT, April 5, 1988.

No. 2294 By Representatives DUFFY, PRESTON, BOOK, VAN HORNE, MARKOSEK, MICHLOVIC, ITKIN, CLARK, DAWIDA, MRKONIC, GAMBLE, MAYERNIK, TRELLO, PETRONE, SEVENTY, McVERRY, CESSAR, FARMER and LANGTRY

An Act amending the act of April 9, 1929 (P. L. 343, No. 176), known as "The Fiscal Code," increasing the limitation on redevelopment assistance capital projects.

Referred to Committee on APPROPRIATIONS, April 5, 1988.

No. 2295 By Representatives CIVERA, MICOZZIE, GANNON, FREIND, RAYMOND, PITTS, KASUNIC, SERAFINI, RYBAK, HALUSKA, KENNEY, NAHILL, OLASZ, BOYES, VEON, VROON, J. L. WRIGHT, STABACK, DeLUCA, MELIO, TRELLO, FISCHER, FOX, MAIALE, LASHINGER, ARTY, E. Z. TAYLOR, JOHNSON, BOOK, BELARDI, SEMMEL, DURHAM, ACOSTA and McHALE

An act establishing a State program in the Department of Health to provide for funding and services for chronically disabled children.

Referred to Committee on HEALTH AND WELFARE, April 5, 1988.

No. 2296 By Representatives TRELLO, DeLUCA, FARGO, CORRIGAN, PISTELLA, ROBBINS, MARKOSEK, BUNT, OLASZ, CESSAR, VEON, MELIO, TIGUE, FEE, McVERRY, MICHLOVIC, MERRY, REBER, LASHINGER, PETRARCA, STABACK, SEMMEL, JOHNSON, E. Z. TAYLOR and BURD

An Act amending the act of June 21, 1939 (P. L. 626, No. 294), referred to as the "Second Class County Assessment Law," further providing for the adjustment in assessments for persons who have suffered catastrophic losses to their property.

Referred to Committee on FINANCE, April 5, 1988.

No. 2297 By Representatives TRELLO, MAYERNIK, MICHLOVIC, MAINE, SEVENTY, KENNEY, DeLUCA, VAN HORNE, BUNT, MORRIS, CORRIGAN, PRESTON, CALTAGIRONE, VEON, PRESSMANN, MARKOSEK, McVERRY, McHALE, TIGUE, OLASZ, RITTER, NAHILL, FOX, LASHINGER, DUFFY, TELEK, GLADECK, BELARDI, LUCYK, LEVDANSKY, BOYES, BOWSER, JADLOWIEC, REBER, DISTLER, RAYMOND, JACKSON, GODSHALL, SEMMEL, E. Z. TAYLOR, STABACK, WOGAN, MRKONIC, MICOZZIE, BURD, PETRARCA, CORNELL, ANGSTADT, BLACK, CARLSON, HOWLETT and PISTELLA

An Act amending the act of November 4, 1983 (P. L. 217, No. 63), known as the "Pharmaceutical Assistance Contract for the Elderly Act," further defining "income" to exclude certain primary health insurance payments.

Referred to Committee on HEALTH AND WELFARE, April 5, 1988.

No. 2298 By Representatives YANDRISEVITS, MORRIS, SEMMEL, BOWLEY, GRUPPO, COY and LIVENGOOD

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, granting immunity to the owners, tenants or lessees of agricultural property from certain claims involving individuals picking their own agricultural products.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, April 5, 1988.

No. 2299 By Representatives HERMAN, NAHILL, McHALE, SEMMEL, LEVDANSKY, JADLOWIEC, DISTLER, HECKLER, E. Z. TAYLOR, SAURMAN and FREIND

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the use of certain electronic speed timing devices by qualified police officers.

Referred to Committee on TRANSPORTATION, April 5, 1988.

No. 2300 By Representatives BUSH, HALUSKA, RAYMOND, COLAFELLA, McHALE, DEMPSEY, TRELLO, CHADWICK, BELARDI, STABACK, JOHNSON, FARGO, NOYE, DISTLER, ANGSTADT, SEMMEL, KENNEY, GLADECK, CLYMER, GODSHALL, SAURMAN, E. Z. TAYLOR, MERRY, BLACK and CARLSON

An Act amending the act of February 1, 1966 (1965 P. L. 1656, No. 581), known as "The Borough Code," authorizing the mayor to employ outside counsel where a legal dispute exists between the mayor and council.

Referred to Committee on LOCAL GOVERNMENT, April 5, 1988.

No. 2301 By Representatives VEON, COLAFELLA, PISTELLA, TRELLO, KUKOVICH, BELFANTI, JOSEPHS, PRESSMANN, MICHLOVIC, KITCHEN, HALUSKA, ACOSTA, LEVDANSKY and BELARDI

An Act amending the act of June 2, 1937 (P. L. 1198, No. 308), known as the "Labor Anti-Injunction Act," further providing for lawful picketing during labor strikes.

Referred to Committee on LABOR RELATIONS, April 5, 1988.

No. 2302 By Representatives FOX, HERMAN, LAUGHLIN, GODSHALL, BURNS, LEVDANSKY, TIGUE, GEIST, NOYE, FISCHER, JACKSON, PHILLIPS, NAHILL, HERSHEY, KENNEY, BIRMELIN, E. Z. TAYLOR, BUNT, JOHNSON and MAIALE

An Act amending the act of August 26, 1971 (P. L. 351, No. 91), known as the "State Lottery Law," providing that arrearages in support payments and debts to State agencies shall be deducted from lottery prizes.

Referred to Committee on CONSUMER AFFAIRS, April 5, 1988.

No. 2303 By Representatives FOX, PERZEL, TRELLO and KOSINSKI

An Act amending the act of December 16, 1986 (P. L. 1646, No. 188), known as the "Chiropractic Practice Act," deleting the requirement that professional liability insurance or self-insurance for professional liability be maintained.

Referred to Committee on PROFESSIONAL LICENSURE, April 5, 1988.

No. 2304 By Representatives MICHLOVIC, GAMBLE, VAN HORNE, MURPHY and DAWIDA

An Act making an appropriation to the Pennsylvania Public Television Network for services for the hearing impaired.

Referred to Committee on APPROPRIATIONS, April 5, 1988.

No. 2305 By Representatives COLAFELLA, SALOOM, DeWEESE, TRELLO, MRKONIC, FOX, ACOSTA, BELARDI, SEMMEL, McHALE, MELIO and GRUPPO

An Act providing for the training and registration of security guards; imposing duties on employers who employ persons as security guards; and imposing penalties.

Referred to Committee on JUDICIARY, April 5, 1988.

No. 2306 By Representatives PICCOLA and BLAUM

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for rights and liabilities of minors.

Referred to Committee on JUDICIARY, April 5, 1988.

No. 2307 By Representatives COLE, RYAN, IRVIS and ARTY

An Act amending the act of December 18, 1980 (P. L. 1241, No. 224), known as the "Pennsylvania Cancer Control, Prevention and Research Act," further providing for the confidentiality of cancer registry records; and extending the sunset provision of the act.

Referred to Committee on HEALTH AND WELFARE, April 5, 1988.

No. 2308 By Representatives BELARDI, CAWLEY, YANDRISEVITS, LaGROTTA, JOHNSON, DEMPSEY, CHADWICK, KOSINSKI, WOGAN, GRUPPO, COY, VAN HORNE, McHALE, RYBAK, SEVENTY, FEE, CARN, NOYE, PRESSMANN, SERAFINI, STUBAN, TRELLO, BATTISTO, FISCHER, BURD, MELIO, BELFANTI, HARPER, CORRIGAN, REBER,

WOZNIAK, R. C. WRIGHT, McVERRY, PRESTON, STABACK and E. Z. TAYLOR

An Act amending the act of August 9, 1955 (P. L. 323, No. 130), known as "The County Code," increasing the amount that may be spent on burials.

Referred to Committee on STATE GOVERNMENT, April 5, 1988.

No. 2309 By Representatives BELARDI, CAWLEY, YANDRISEVITS, LaGROTTA, JOHNSON, DEMPSEY, CHADWICK, KOSINSKI, WOGAN, GRUPPO, COY, VAN HORNE, RYBAK, SEVENTY, FEE, CARN, NOYE, PRESSMANN, SERAFINI, STUBAN, TRELLO, BATTISTO, FISCHER, BURD, MELIO, BELFANTI, HARPER, CORRIGAN, REBER, WOZNIAK, R. C. WRIGHT, McVERRY, PRESTON, STABACK and E. Z. TAYLOR

An Act amending the act of June 13, 1967 (P. L. 31, No. 21), known as the "Public Welfare Code," further providing for the minimum burial costs for certain indigent persons.

Referred to Committee on STATE GOVERNMENT, April 5, 1988.

No. 2310 By Representatives BELARDI, CAWLEY, YANDRISEVITS, LaGROTTA, JOHNSON, DEMPSEY, CHADWICK, KOSINSKI, WOGAN, GRUPPO, COY, VAN HORNE, McHALE, RYBAK, SEVENTY, FEE, CARN, NOYE, PRESSMANN, SERAFINI, STUBAN, TRELLO, BATTISTO, FISCHER, BURD, MELIO, BELFANTI, HARPER, CORRIGAN, REBER, WOZNIAK, R. C. WRIGHT, McVERRY, PRESTON, STABACK and E. Z. TAYLOR

An Act amending the act of June 24, 1937 (P. L. 2017, No. 396), known as the "County Institution District Law," increasing the allowable costs for burial of certain persons.

Referred to Committee on STATE GOVERNMENT, April 5, 1988.

No. 2311 By Representatives ARGALL, TIGUE, D. W. SNYDER, DIETTERICK, DISTLER, DEMPSEY, ACOSTA, FARMER, RAYMOND, SAURMAN, BOOK, MICOZZIE, TRELLO, TELEK, MERRY, CORNELL, WOGAN, J. L. WRIGHT, STAIRS, SCHEETZ, GODSHALL, BOWSER, ANGSTADT, FARGO, LANGTRY, FREEMAN and E. Z. TAYLOR

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for vacancies in office involving members of the General Assembly.

Referred to Committee on STATE GOVERNMENT,
April 5, 1988.

No. 2312 By Representative CLYMER

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for an exemption for the overall length of a load and its transporting vehicle or combination.

Referred to Committee on TRANSPORTATION, April 5, 1988.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 251 By Representatives CAWLEY, KUKOVICH,
DAWIDA, FREEMAN, GRUPPO and
MAINE

Memorializing Congress to enact legislation allowing the Pennsylvania Housing Finance Agency to continue to issue tax-exempt securities.

Referred to Committee on RULES, April 5, 1988.

No. 252 By Representatives O'BRIEN, DORR, FOX,
KENNEY, WOGAN, PERZEL and
J. TAYLOR

Memorializing the Department of Public Welfare to assume responsibility for children and youth services for the City of Philadelphia.

Referred to Committee on RULES, April 5, 1988.

No. 253 By Representatives ARGALL, TIGUE,
D. W. SNYDER, DIETTERICK, DISTLER,
DEMPSEY, ACOSTA, FARMER,
RAYMOND, SAURMAN, BOOK,
MICOZZIE, TRELLO, TELEK, MERRY,
CORNELL, WOGAN, J. L. WRIGHT,
STAIRS, SCHEETZ, GODSHALL,
BOWSER, ANGSTADT, FARGO,
LANGTRY, FREEMAN and
E. Z. TAYLOR

Directing the Speaker to issue writs of election for special elections to fill vacancies existing in representative districts 116, 125, 144 and 191.

Referred to Committee on RULES, April 5, 1988.

SENATE BILLS FOR CONCURRENCE

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

SB 535, PN 1880

Referred to Committee on LOCAL GOVERNMENT,
April 5, 1988.

SB 973, PN 1881

Referred to Committee on JUDICIARY, April 5, 1988.

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 Allegheny, Mr. SEVENTY, for the week, and the gentleman from Beaver, Mr. LAUGHLIN, for the week.

The SPEAKER. The leaves are granted.

The Chair recognizes the minority whip.

Mr. HAYES. Thank you, Mr. Speaker.

I request a leave for the lady from Susquehanna County, Miss SIRIANNI, for the week; the gentleman from Lebanon County, Mr. MOEHLMANN, for the day; the gentleman from Dauphin County, Mr. DININNI, for the week; and the lady from Chester County, Mrs. TAYLOR, for the day.

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

COMMUNICATIONS FROM GOVERNOR

BILLS SIGNED BY GOVERNOR

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

APPROVAL OF HBs Nos. 95, 96, 179, 272, 429, 668, 783, 931, 1099, 1271, 1342, 1347, 1454, 1577, 1682, 1735, 2031, and 2061.

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

March 23, 1988

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

I have the honor to inform you that I have this day approved and signed House Bill 2031, Printer's No. 2849, entitled "AN ACT amending the act of May 5, 1933 (P.L. 364, No. 106), entitled, as amended, 'An act relating to corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of certain corporations for profit; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations and associations within the provisions of this act; prescribing the terms and conditions upon which certain foreign corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, and officers; authorizing certain State departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations and other entities,' providing for option and conversion rights; and further providing for the rights of shareholders."

Robert P. Casey
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

March 25, 1988

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

I have the honor to inform you that I have this day approved and signed House Bill 95, Printer's No. 2908, entitled "AN ACT amending the act of June 24, 1931 (P.L. 1206, No. 331), entitled 'An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto,' further providing for the penalty for destroying or damaging certain signs."

Robert P. Casey
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

March 25, 1988

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

I have the honor to inform you that I have this day approved and signed House Bill 96, Printer's No. 2909, entitled "AN ACT amending the act of June 23, 1931 (P.L. 932, No. 317), entitled 'An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto,' further providing for the penalties for destroying or damaging certain signs."

Robert P. Casey
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

March 25, 1988

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

I have the honor to inform you that I have this day approved and signed House Bill 272, Printer's No. 2910, entitled "AN ACT amending the act of May 1, 1933 (P.L. 103, No. 69), entitled 'An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto,' further providing for the penalty for destroying, removing, injuring or defacing signs."

Robert P. Casey
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

March 25, 1988

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

I have the honor to inform you that I have this day approved and signed House Bill 668, Printer's No. 2983, entitled "AN ACT amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for the rights of a district attorney in litigation involving prisoners; further providing for offenses relating to alcohol; providing for drug trafficking to minors; further providing for scattering rubbish; regulating matters relating to the performance and funding of abortions, the protection of women who undergo abortion, and the protection of children subject to abortion; revising the penalties for false reports to law enforcement authorities; making an editorial change; and making repeals."

Robert P. Casey
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

March 25, 1988

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

I have the honor to inform you that I have this day approved and signed House Bill 1271, Printer's No. 2970, entitled "AN ACT amending the act of June 23, 1931 (P.L. 932, No. 317), entitled 'An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto,' further providing for the power to make contracts and for regulations concerning contracts."

Robert P. Casey
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

March 25, 1988

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

I have the honor to inform you that I have this day approved and signed House Bill 1342, Printer's No. 1553, entitled "AN ACT amending the act of July 28, 1953 (P.L. 723, No. 230), entitled, as amended, 'An act relating to counties of the second class and second class A; amending, revising, consolidating and changing the laws relating thereto,' further providing for contracts and purchases."

Robert P. Casey
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

March 25, 1988

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

I have the honor to inform you that I have this day approved and signed House Bill 1347, Printer's No. 1558, entitled "AN ACT amending the act of April 6, 1956 (1955 P.L. 1414, No. 465), entitled, as amended, 'An act to promote the welfare of the people of this Commonwealth; creating Port Authorities to function in counties of the second class as bodies corporate and politic, with power to plan, acquire, construct, maintain and operate facilities and projects for the improvement and development of the port district and to borrow money and issue bonds therefor; providing for the payment of such bonds and prescribing the rights of the holders thereof; conferring the right of eminent domain on the authorities; authorizing the authorities to enter into contracts with and to accept grants from the Federal government or any agency thereof; and conferring exclusive jurisdiction on certain courts over rates and services; and authorizing the authorities to collect tolls, fares, fees, rentals and charges for the use of facilities; defining the authorities' powers and duties, and defining the port districts; granting Port Authorities the exclusive right to engage in the business of owning, operating, and maintaining a transportation system for the transportation of persons in counties of the second class, providing, when necessary, for extension of transportation systems into adjoining counties and outside of said counties as provided in the act; limiting the jurisdiction of the Public Utility Commission over Port

Authorities; authorizing municipalities to make loans and grants and to transfer existing facilities; authorizing Port Authorities to enter into contracts with and to accept grants from State and local governments or agencies thereof; exempting the property and facilities of such Port Authorities from taxation and limiting the time to commence civil action against said Authorities,' further providing for the awarding of contracts and making of purchases."

Robert P. Casey
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

March 25, 1988

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

I have the honor to inform you that I have this day approved and signed House Bill 1454, Printer's No. 2902, entitled "AN ACT amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for administration of support matters; providing for notice concerning judgments by operation of law; further providing for expedited procedure and for the duty to report; providing for arrears as judgments; and providing a penalty."

Robert P. Casey
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

March 30, 1988

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

I have the honor to inform you that I have this day approved and signed House Bill 179, Printer's No. 2889, entitled "AN ACT amending the act of June 24, 1931 (P.L. 1206, No. 331), entitled 'An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto,' REMOVING LIMITS ON APPROPRIATIONS FOR OBSERVANCES AND CELEBRATIONS; AND providing for limited annual appropriations for support of drug and alcohol abuse programs."

Robert P. Casey
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

March 30, 1988

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

I have the honor to inform you that I have this day approved and signed House Bill 429, Printer's No. 2853, entitled "AN ACT amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, providing for the regulation of telephone companies that provide recorded message calls."

Robert P. Casey
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

March 30, 1988

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

I have the honor to inform you that I have this day approved and signed House Bill 783, Printer's No. 853, entitled "AN ACT amending the act of July 9, 1984 (P.L. 676, No. 145), entitled 'An act establishing within the Pennsylvania Higher Education Assistance Agency Regional Computer Resource Centers and Regional Computer Resource Center boards,' extending the operation of the act."

Robert P. Casey
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

March 30, 1988

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

I have the honor to inform you that I have this day approved and signed House Bill 931, Printer's No. 1013, entitled "AN ACT amending the act of May 24, 1945 (P.L. 991, No. 385), entitled 'An act to promote elimination of blighted areas and supply sanitary housing in areas throughout the Commonwealth; by declaring acquisition, sound replanning and redevelopment of such areas to be for the promotion of health, safety, convenience and welfare; creating public bodies corporate and politic to be known as Redevelopment Authorities; authorizing them to engage in the elimination of blighted areas and to plan and contract with private, corporate or governmental redevelopers for their redevelopment; providing for the organization of such authorities; defining and providing for the exercise of their powers and duties, including the acquisition of property by purchase, gift or eminent domain; the leasing and selling of property, including borrowing money, issuing bonds and other obligations, and giving security therefor; restricting the interest of members and employes of authorities; providing for notice and hearing; supplying certain mandatory provisions to be inserted in contracts with redevelopers; prescribing the remedies of obligees of redevelopment authorities; conferring certain duties upon local planning commissions, the governing bodies of cities and counties, and on certain State officers, boards and departments,' further providing for the acquisition of blighted property by redevelopment authorities for certain uses and the means of financing the purchase of property."

Robert P. Casey
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

March 30, 1988

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

I have the honor to inform you that I have this day approved and signed House Bill 1099, Printer's No. 2782, entitled "AN ACT amending the act of February 1, 1966 (1965 P.L. 1656, No. 581), entitled 'An act concerning boroughs, and revising, amending and consolidating the law relating to boroughs,' further providing for a decrease in the number of councilmen AND FOR APPROPRIATIONS; and making an editorial change."

Robert P. Casey
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

March 30, 1988

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

I have the honor to inform you that I have this day approved and signed House Bill 1577, Printer's No. 2672, entitled "AN ACT amending the act of May 1, 1933 (P.L. 103, No. 69), entitled 'An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto,' further providing for the compensation of supervisors and for the purchase of insurance; and making editorial changes."

Robert P. Casey
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

March 30, 1988

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

I have the honor to inform you that I have this day approved and signed House Bill 1682, Printer's No. 2092, entitled "AN ACT designating LeTort Spring Run as a component of the Pennsylvania Scenic Rivers System in accordance with the Pennsylvania Scenic Rivers Act; providing for cooperation and coordination in its protection and use and for the responsibilities of its management."

Robert P. Casey
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

March 30, 1988

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

I have the honor to inform you that I have this day approved and signed House Bill 1735, Printer's No. 2966, entitled "AN ACT amending the act of March 10, 1949 (P.L. 30, No. 14), entitled 'An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto,' CHANGING THE DATE FOR PLAN SUBMISSION ON CONTINUING PROFESSIONAL DEVELOPMENT; reestablishing the State Board of Education; further providing for its membership, powers and duties; further providing for the State School Fund; and making repeals."

Robert P. Casey
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

March 30, 1988

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

I have the honor to inform you that I have this day approved and signed House Bill 2061, Printer's No. 2971, entitled "AN

ACT amending the act of April 9, 1929 (P.L. 177, No. 175), entitled 'An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined,' imposing additional powers and duties on the Department of Transportation relating to the inspection of certain bridges without regard to ownership and directing the DEPARTMENT OF REVENUE to make certain deductions from county liquid fuel tax allocations; AND REENACTING, AMENDING AND ADDING PROVISIONS RELATING TO DOMESTIC VIOLENCE AND RAPE CRISIS PROGRAMS."

Robert P. Casey
Governor

CONSERVATION COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Clearfield, Mr. George. Why does the gentleman rise in place?

Mr. GEORGE. Mr. Speaker, at the Speaker's call for a caucus—I am told that will happen—I would like to call a meeting of the Committee on Conservation at the rear of the chamber. There is an IRRC (Independent Regulatory Review Commission) regulation that we have to deal with today.

The SPEAKER. Certainly.

PROFESSIONAL LICENSURE COMMITTEE MEETING

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

Mr. LLOYD. Thank you, Mr. Speaker.

Mr. Speaker, immediately on the call of the recess, the Professional Licensure Committee will meet in the rear of the hall of the House to consider a regulation of the Dental Board. Thank you.

RULES COMMITTEE MEETING

The SPEAKER. There will be a meeting of the Rules Committee on the declaration of the recess in the office of the majority leader.

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

HB 1843, PN 3030 (Amended)

By Rep. HUTCHINSON

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for handicapped license plates; and providing for the design and printing of inspection certificates.

TRANSPORTATION.

HB 1851, PN 3031 (Amended)

By Rep. HUTCHINSON

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for a special license plate for Pearl Harbor survivors.

TRANSPORTATION.

HB 2108, PN 2730

By Rep. HUTCHINSON

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

TRANSPORTATION.

HB 2244, PN 2975

By Rep. HUTCHINSON

An Act designating Route 22 as the AMVETS Memorial Highway.

TRANSPORTATION.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—191

Acosta	Dombrowski	Kosinski	Punt
Angstadt	Donatucci	Kukovich	Raymond
Argall	Dorr	LaGrotta	Reber
Arty	Duffy	Langtry	Reinard
Barley	Durham	Lashinger	Richardson
Battisto	Evans	Leh	Rieger
Belardi	Fargo	Lescovitz	Ritter
Belfanti	Farmer	Letterman	Robbins
Billow	Fattah	Levdansky	Roebuck
Birmelin	Fee	Linton	Rudy
Black	Fischer	Livengood	Ryan
Blaum	Flick	Lloyd	Rybak
Book	Foster	Lucyk	Saloom
Bortner	Fox	McCall	Saurman
Bowley	Freeman	McClatchy	Scheetz
Bowser	Freind	McHale	Schuler
Boyes	Gallen	McVerry	Semmel
Brandt	Gamble	Maiale	Serafini
Broujos	Gannon	Maine	Showers
Bunt	Geist	Manderino	Smith, B.
Burd	George	Manmiller	Smith, S. H.
Burns	Gladdeck	Markosek	Snyder, D. W.
Bush	Godshall	Mayernik	Snyder, G.
Caltagirone	Gruitza	Melio	Staback
Cappabianca	Gruppo	Merry	Stairs
Carlson	Hagarty	Michlovic	Steighner
Carn	Haluska	Micozzie	Stuban
Cawley	Harper	Miller	Sweet
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	Wogan
DeLuca	Jackson	Petrone	Wozniak
DeVerter	Jadlowiec	Phillips	Wright, D. R.
DeWeese	Jarolin	Piccola	Wright, J. L.
Daley	Johnson	Pievsky	Wright, R. C.
Davies	Josephs	Pistella	Yandrisevits
Dawida	Kasunic	Pitts	
Dempsey	Kenney	Pressmann	Irvis,
Dietterick	Kitchen	Preston	Speaker
Distler			

ADDITIONS—1

Kennedy

NOT VOTING—1

Wiggins

EXCUSED—6

Dininni	Moehlmann	Sirianni	Taylor, E. Z.
Laughlin	Seventy		

WELCOMES

The SPEAKER. The Chair is delighted to welcome to the hall of the House, as a guest of Representative Sam Hayes, the good friend of the Chair, Mrs. Charlotte Harris from Bellwood, Pennsylvania. She is the mother of Phyllis Brown, who works in the office of Sam Hayes. Mrs. Harris, welcome to the hall of the House. We are delighted to have you here.

Representative Chadwick has Mr. and Mrs. Richard Besley of Columbia Cross Roads here. They are in the gallery. Welcome to the hall of the House. We are delighted to have you here.

Keith McCall has Dr. Richard Miller here, who is the superintendent of Panther Valley School District. Dr. Miller, will you please rise. Welcome to the hall of the House, Doctor.

And we have visiting here, as the guests of Representative McVerry and the Allegheny delegation, Bridget and Bryan McVerry. They are the children of Representative McVerry. They are here with Thilo Oelert, who is a visiting student from West Germany. Welcome to the hall of the House. We are delighted to have you children here.

FILMING PERMISSION

The SPEAKER. Permission to film on the floor is granted to John Campbell of WGAL-TV.

Please pay attention. We are going to go almost immediately into caucus on the part of the Democratic Party and the Republican Party. We are going to recess until 2:30.

If there are any other announcements to be made before the House stands in recess, please rise now.

DEMOCRATIC CAUCUS

The SPEAKER. There being no other announcements, the Chair recognizes the gentleman from Allegheny, Mr. Itkin.

Mr. ITKIN. Mr. Speaker, on the declaration of the recess, the Democrats will assemble in the majority caucus room.

The SPEAKER. Immediate caucus for the Democratic Party.

REPUBLICAN CAUCUS

The SPEAKER. The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, there will be an immediate caucus of the Republican Party, and I would ask that they immediately go to the caucus room to review the CAT Fund and its related problems.

The SPEAKER. Immediate caucus of the Republican Party; immediate caucus of the Democratic Party. Members are urged to report promptly to their caucus rooms. There will be very important and controversial measures debated on the floor of this House this afternoon.

RECESS

The SPEAKER. The House stands in recess until 2:30.

RECESS EXTENDED

The time of recess was extended until 3 p.m.

AFTER RECESS

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

SENATE MESSAGE**AMENDED HOUSE BILL
RETURNED FOR CONCURRENCE**

The clerk of the Senate, being introduced, returned **HB 1652, PN 2968**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

SENATE MESSAGE**HOUSE BILL
CONCURRED IN BY SENATE**

The clerk of the Senate, being introduced, returned **HB 1258, PN 2703**, with information that the Senate has passed the same without amendment.

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 646, PN 1829**.

COMMUNICATION**LOBBYIST LIST PRESENTED**

The SPEAKER. The Chair acknowledges receipt from Mark Corrigan, Secretary of the Senate, and from John Zubeck, Chief Clerk of the House, of the list of lobbyists as required under the Lobbying Registration and Regulation Act. The clerk will file the list.

The following communication was submitted:

Senate of Pennsylvania

April 5, 1988

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

In compliance with Act No. 712 of the 1961 Session and Act No. 212 of the 1976 Session of the General Assembly titled the "Lobbying Registration and Regulation Act," we herewith jointly present a list containing the names and addresses of the persons who have registered from March 1, 1988 through March 31, 1988 inclusive, for the 172nd Session of the General Assembly. This list also contains the names and addresses of the organizations represented by these registrants.

Respectfully submitted:
Mark R. Corrigan, Secretary
Senate of Pennsylvania
John J. Zubeck, Chief Clerk
House of Representatives

(For list, see Appendix.)

SENATE MESSAGE**ADJOURNMENT RESOLUTION
FOR CONCURRENCE**

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

In the Senate, April 5, 1988

RESOLVED, (the House of Representatives concurring), That when the Regular Session of the Senate adjourns this week it reconvene on Monday, April 11, 1988, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, That when the Regular Session of the House of Representatives adjourns this week it reconvene on Monday, April 11, 1988, unless sooner recalled by the Speaker of the House of Representatives.

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

On the question,
Will the House concur in the resolution of the Senate?
Resolution was concurred in.
Ordered, That the clerk inform the Senate accordingly.

CALENDAR

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1900**, **PN 2987**, entitled:

An Act requiring institutions of higher education to provide students and employees with information relating to crime statistics and security measures and to provide similar information to prospective students and employees upon request; granting powers to the State Board of Education; and providing for penalties.

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

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.
Mr. MANDERINO. Mr. Speaker, I move that HB 1900 be recommitted for a fiscal note to the Committee on Appropriations.

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

* * *

The House proceeded to second consideration of **SB 664**, **PN 1878**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), entitled "Public School Code of 1949," excepting certain school projects from the requirement of a referendum; and further providing for contracts with private residential rehabilitative institutions.

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

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.
Mr. MANDERINO. Mr. Speaker, I move that SB 664 be recommitted for a fiscal note to the Committee on Appropriations.

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

* * *

The House proceeded to second consideration of **HB 2217**, **PN 2927**, entitled:

An Act amending the act of July 7, 1947 (P. L. 1368, No. 542), known as the "Real Estate Tax Sale Law," authorizing counties to extend the time for certain unpaid taxes and to defer certain unpaid taxes.

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

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.
Mr. MANDERINO. Mr. Speaker, I move that HB 2217 be recommitted for a fiscal note to the Committee on Appropriations.

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

* * *

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

SB 1133, PN 1890; and HB 2112, PN 2894.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2035**, **PN 3028**, entitled:

An Act itemizing water and sewer projects eligible for funding through the Pennsylvania Infrastructure Investment Authority for fiscal year 1987-1988 together with their estimated financial costs; authorizing the incurring of debt without the approval of the electors for the purpose of providing funds for the itemized projects; stating the estimated useful life of the projects; and making an appropriation.

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

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.
Mr. MANDERINO. Mr. Speaker, I move that HB 2035 be recommitted to the Committee on Appropriations.

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

* * *

The House proceeded to third consideration of **HB 1695**, **PN 2105**, entitled:

An Act amending the act of April 12, 1951 (P. L. 90, No. 21), known as the "Liquor Code," repealing provisions relating to the property rights of licenses.

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

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.
Mr. MANDERINO. Mr. Speaker, I move that HB 1695 be recommitted to the Committee on Appropriations for a fiscal note.

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

* * *

The House proceeded to third consideration of **HB 1208, PN 1380**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, creating the offense of trespass by motor vehicles; and further providing for fines, penalties and suspension of driver's license for unauthorized operation of motor vehicles on private real property.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader.
Mr. MANDERINO. Mr. Speaker, I move that HB 1208 be placed upon the tabled calendar.

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

BILL REMOVED FROM TABLE

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

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

RESOLUTIONS REPORTED FROM COMMITTEE

HR 249, PN 2992 (Concurrent)

By Rep. MANDERINO

Commemorating the 125th Anniversary of the Battle of Gettysburg; and declaring July 1, 2 and 3, 1988, as "Days of Peace and National Unity."

RULES.

HR 250, PN 3018 (Concurrent)

By Rep. MANDERINO

Proclaiming the month of May as "S.A.D.D. (Students Against Driving Drunk) Month."

RULES.

FILMING PERMISSION

The SPEAKER. Bill Martin of KDKA is being given permission to film whenever he is ready.

Nell McCormack of WITF, permission to film granted.

MEMBER'S PRESENCE RECORDED

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

BILLS SIGNED BY SPEAKER

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

HB 1258, PN 2703

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further prohibiting the use of certain devices to release two or more arrows; and further providing for cooperation after lawfully killing big game.

SB 646, PN 1829

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for substitute bail commissioners and for mandatory sentencing for offenses committed while impersonating a law enforcement officer; precluding actions for wrongful birth and wrongful life; precluding a defense against claims for injuries sustained in utero; providing for the dismissal of certain criminal charges; and further providing for postconviction relief.

SB 1143, PN 1627

An Act amending the act of July 1, 1937 (P. L. 2532, No. 470), entitled "Workmen's Compensation Security Fund Act," extending the act to certain insurers under the Longshore and Harbor Workers' Compensation Act.

SENATE MESSAGE

AMENDED HOUSE BILL
RETURNED FOR CONCURRENCE

The clerk of the Senate, being introduced, returned **HB 167, PN 3029**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **SB 123, PN 1844**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for the imposition of surcharges on persons convicted of driving under influence of alcohol or controlled substance and for the deposit of the surcharges into the Catastrophic Loss Trust Fund; further regulating eligibility, funding, annual reports and collection of fines; and making a repeal.

On the question,
Will the House agree to the bill on third consideration?
Mr. LLOYD offered the following amendments No. A1331:

Amend Title, page 1, lines 5 and 6, by striking out "FURTHER REGULATING" in line 5 and all of line 6 and inserting

repealing certain provisions relating to the Catastrophic Loss Trust Fund; mandating the offering of certain insurance coverage;

Amend Bill, page 1, lines 12 through 19; page 2, lines 1 through 30; page 3, lines 1 through 25, by striking out all of said lines on said pages and inserting

Section 1. Section 1306(7) of Title 75 of the Pennsylvania Consolidated Statutes is repealed.

Section 2. Section 1309 of Title 75 is amended to read:
§ 1309. Renewal of registration.

At least 60 days prior to the expiration of each registration, the department shall send to the registrant an application for renewal of registration. Upon return of the application, accompanied by self-certification of financial responsibility[,] and the applicable fee or fees [and proof that the Catastrophic Loss Trust Fund charge has been paid], the department shall send to the registrant a renewed registration card. Failure to receive a renewal application shall not relieve a registrant from the responsibility to renew the registration.

Section 3. Section 1373(7) of Title 75 is repealed.

Section 4. Sections 1715 and 1723 of Title 75 are amended to read:

§ 1715. Availability of adequate limits.

(a) General rule.—An insurer shall make available for purchase first party benefits as follows:

(1) For medical benefits, up to at least \$100,000.

(1.1) For extraordinary medical benefits, from \$100,000 to \$1,000,000, as limited by subsection (d).

(2) For income loss benefits, up to at least \$2,500 per month up to a maximum benefit of at least \$50,000.

(3) For accidental death benefits, up to at least \$25,000.

(4) For funeral benefits, \$2,500.

(5) For combination of benefits enumerated in paragraphs (1) through (4) and subject to a limit on the accidental death benefit of up to \$25,000 and a limit on the funeral benefit of \$2,500, up to at least [\$277,500] \$1,177,500 of benefits in the aggregate or benefits payable up to three years from the date of the accident, whichever occurs first.

(b) Higher or lower limits and additional benefits.—Insurers may make available higher or lower limits or benefits in addition to those enumerated in subsection (a).

(c) Restriction on providing first party benefits.—An insurer shall not issue or deliver a policy providing first party benefits in accordance with this subchapter unless the policy also contains coverage for liability in amounts at least equal to the limits required for financial responsibility.

(d) Limitations.—The maximum medical benefit which shall be paid on behalf of any one eligible claimant under subsection (a)(1.1) shall be \$50,000 per year and \$1,000,000 lifetime aggregate. During the first 18 months of eligibility, the insurer shall approve payments on behalf of a claimant without regard to the \$50,000 per year limit but subject to the \$1,000,000 lifetime aggregate.

§ 1723. Reporting requirements.

Beginning December 31, 1986, and each year thereafter, each insurance company writing automobile insurance in this Commonwealth shall file with the Insurance Department the number of its insureds, the number of its insureds who have purchased first party medical benefits in excess of the minimum required by section 1711 (relating to required benefits) and the number of insureds who have purchased first party medical benefits [in the amount of \$100,000] under section 1715(a)(1) and (1.1) (relating to availability of adequate limits). The Insurance Department shall furnish this information to the General Assembly annually.

Section 5. Sections 1762 and 1763 of Title 75 are repealed.

Section 6. Sections 1764(b) of Title 75 is amended to read:

Amend Bill, page 4, lines 10 through 29, by striking out all of said lines and inserting

Section 7. Sections 1765(c)(6) and 1766 of Title 75 are repealed.

Amend Sec. 6, page 4, line 30, by striking out "6" and inserting

8

Amend Sec. 6 (Sec. 1767), page 5, line 21, by striking out "ELIGIBLE TO BE SUBJECT TO THE FUND," and inserting required to be registered under chapter 13 (relating to registration of vehicles) except trailers, recreational vehicles not intended for highway use, motorcycles, motor-driven cycles, motorized pedicycles or like type vehicles;

Amend Sec. 6 (Sec. 1767), page 5, line 23, by striking out the underscored comma after "DEFINITIONS)" and inserting a semicolon

Amend Sec. 6 (Sec. 1767), page 5, lines 23 and 24, by striking out "ELECTED TO BE MADE SUBJECT TO THE FUND" and inserting

for which coverage is purchased under section 1715 (a)(1.1)

Amend Bill, page 5, by inserting between lines 27 and 28

Section 9. Section 1787(d) of Title 75 is repealed.

Section 10. Section 1791 of Title 75 is amended to read:

§ 1791. Notice of available benefits and limits.

It shall be presumed that the insured has been advised of the benefits and limits available under this chapter provided the following notice in bold print of at least ten-point type is given to the applicant at the time of application for original coverage or at the time of the first renewal after October 1, 1984, and no other notice or rejection shall be required:

IMPORTANT NOTICE

Insurance companies operating in the Commonwealth of Pennsylvania are required by law to make available for purchase the following benefits for you, your spouse or other relatives or minors in your custody or in the custody of your relatives, residing in your household, occupants of your motor vehicle or persons struck by your motor vehicle:

(1) Medical benefits, up to at least \$100,000.

(1.1) Extraordinary medical benefits, from \$100,000 to \$1,000,000.

(2) Income loss benefits, up to at least \$2,500 per month up to a maximum benefit of at least \$50,000.

(3) Accidental death benefits, up to at least \$25,000.

(4) Funeral benefits, \$2,500.

(5) As an alternative to paragraphs (1) through (4), a combination benefit, up to at least [\$277,500] \$1,177,500 of benefits in the aggregate or benefits payable up to three years from the date of the accident, whichever occurs first, subject to a limit on accidental death benefit of up to \$25,000 and a limit on funeral benefit of \$2,500.

(6) Uninsured, underinsured and bodily injury liability coverage up to at least \$100,000 because of injury to one person in any one accident and up to at least \$300,000 because of injury to two or more persons in any one accident or, at the option of the insurer, up to at least \$300,000 in a single limit for these coverages, except for policies issued under the Assigned Risk Plan. Also, at least \$5,000 for damage to property of others in any one accident.

Additionally, insurers may offer higher benefit levels than those enumerated above as well as additional benefits. However, an insured may elect to purchase lower benefit levels than those enumerated above.

Your signature on this notice or your payment of any renewal premium evidences your actual knowledge and understanding of the availability of these benefits and limits as well as the benefits and limits you have selected.

Section 11. Title 75 is amended by adding a section to read:
 § 1798.1. Extraordinary Medical Benefit Plan.

(a) Provisions.—Insurers licensed to write motor vehicle liability insurance in this Commonwealth shall organize, maintain and participate in an Extraordinary Medical Benefit Plan. The plan shall provide for all of the following:

(1) The remittance by insurers of premiums collected for coverage under section 1715(a)(1.1) (relating to availability of adequate limits) to a fund established by the plan.

(2) The periodic reimbursement of insurers from the fund for losses which have been paid as the result of coverage under section 1715(a)(1.1).

(3) A means, including the establishment of a servicing entity, for the adjustment of losses payable for coverage under section 1715(a)(1.1).

(4) The filing of a rate request on behalf of insurers for coverage under section 1715(a)(1.1).

(5) Annual reports to the commissioner on the operation of the plan, including the submission of an annual financial statement to the Insurance Department in the same format as required of property and casualty insurers.

(6) Development of methods and standards for the establishment of adequate, actuarially sound reserves for unpaid losses and loss adjustment expenses, including provision for incurred but not reported losses.

(b) Approval of plan.—The initial plan shall be submitted to the commissioner within 60 days of the effective date of this section. The commissioner shall approve, disapprove or modify the plan. All future amendments to the plan shall be subject to the approval, disapproval or modification by the commissioner. The commissioner may review and propose amendments to the plan, which shall become effective on the date specified by the commissioner.

(c) Rates.—Pursuant to the means established under subsection (a)(3), the servicing entity shall file for an extraordinary medical benefit rate for coverage under section 1715(a)(1.1). The filing shall be subject to the act of June 11, 1947 (P.L.538, No.246), known as The Casualty and Surety Rate Regulatory Act, and shall be established on a uniform Statewide basis.

Amend Sec. 7, page 5, line 28, by striking out "7" and inserting

12

Amend Sec. 8, page 6, line 17, by striking out "8" and inserting

13

Amend Bill, page 7, lines 17 through 22, by striking out all of said lines and inserting

Section 14. Notwithstanding the repeal of 75 Pa.C.S. §§ 1762 (relating to funding), 1763 (relating to enforcement) and 1766 (relating to benefits), all individuals who suffer or suffered a catastrophic loss prior to the effective date of this section shall continue to receive, or be eligible to receive, catastrophic loss benefits as if those sections had not been repealed.

Section 15. The repeal of 75 Pa.C.S. §§ 1762 (relating to funding), 1763 (relating to enforcement) and 1766 (relating to benefits) shall not be applicable in the case of a motor vehicle until the end of the registration year for which a charge was paid in accordance with section 1762 for that vehicle prior to the effective date of this section.

Section 16. This act shall take effect as follows:

(1) Section 11 of this act shall take effect immediately.

(2) The remaining provisions of this act shall take effect in 90 days.

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, under the bill which is before us, participation in the CAT Fund (Catastrophic Loss Trust Fund) would be optional. Under this amendment there would no longer be a CAT Fund. This amendment abolishes the CAT Fund.

What the amendment does in place of that is to require the insurance companies to provide an extraordinary medical benefit to pay for health and doctor and hospital and recuperative and rehabilitation expenses once they are over \$100,000 up to \$1 million, the same thing that the CAT Fund now provides. Participation, whether you choose or your constituents choose to buy that coverage, would be up to them; it would be optional. However, the insurance companies would provide that coverage through a pooling arrangement in which they would set up a plan in which they would all share the risk and they would assess a uniform fee for those people who chose to buy the coverage. That fee would go into the plan fund and would pay the benefits the same way as benefits are now paid. The fee would be determined through the rate-making process and the final decision would be in the hands of the Insurance Department, just as it is with other insurance rates.

This amendment would abolish the fund but it would allow those people who have already paid their \$8 for the current registration year to get what they paid for. So in other words, those people who have paid money would be entitled to keep the coverage for that period of time until the registration year is out. The amendment preserves the coverage for those people who are currently drawing benefits from the CAT Fund; they will continue to get benefits. Those people who have been injured and have claims pending or those people who are injured while their \$8 is still out there would continue to be eligible for the CAT Fund on the same basis as they are today, but in the future, for those people starting October 1 of 1988 who wanted to be purchasing insurance, they would have a choice, and if they bought it, they would buy it from a pooled arrangement.

Mr. Speaker, I urge adoption of the amendment.

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Berks, Mr. Gallen.

Mr. GALLEN. Mr. Speaker, would the gentleman stand for interrogation?

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

Mr. GALLEN. Thank you, Mr. Speaker.

Mr. Speaker, now, exactly how did you say this unfunded liability is going to be handled?

Mr. LLOYD. The unfunded liability portion of the bill would stay the way it is now. Under the bill—and the amendment would preserve that—the Insurance Commissioner would make a report by January 1 of 1989 with regard to the unfunded liability and a variety of ways to pay it off. One of the problems which has occurred up to now is that we have had only a limited number of choices worked out by the Insur-

ance Department. This legislation would require the Insurance Commissioner to look at what would the cost be if we paid it off over 20 years, for example, as opposed to over 5 years or over 10 years. But that decision would be up to us and it would be made after we receive that report on January 1, 1989.

Mr. GALLEN. Mr. Speaker, did not the Insurance Commissioner already make a recommendation as to the unfunded liability?

Mr. LLOYD. The Insurance Commissioner has made a recommendation. That recommendation is based on the assumption that the world will end if we do not pay it off over a 10-year period of time. We have seen no figures to show that we actually will have a cash-flow problem that requires us to pay it off over that period of time. Maybe those figures exist. I do not know. But this amendment does not really affect— That is already in the bill. This amendment does not change that part of the bill.

Mr. GALLEN. But as of what date would the CAT Fund be eliminated under your amendment?

Mr. LLOYD. The amendment would say that as of the registration year starting October 1 - in other words, the time when you would be required to go from \$8 to \$24 - you no longer have to have this kind of insurance if you do not want it. If you do want it, you buy it from your insurance company as part of your regular insurance policy, and the insurance company provides it through a pooling arrangement.

Mr. GALLEN. But is it not true that between now and October there will be more liability incurred?

Mr. LLOYD. That is correct. And the fiscal note indicates that that should not change the unfunded liability estimate provided by the Insurance Commissioner, because her figure of \$269 million is based on the assumption that everybody will stay in the fund on a mandatory basis until October 1, 1988. So you should not make the situation any worse than the Insurance Commissioner has already determined her number.

Mr. GALLEN. Thank you, Mr. Speaker.

Mr. Speaker?

The SPEAKER. The gentleman has the floor and may speak on the amendment.

Mr. GALLEN. Mr. Speaker, I think we have pussyfooted long enough and it is time to put the CAT out. However, I do not like Mr. Lloyd's amendment, because I think he continues to pussyfoot. I think that we must now make a decision to eliminate the CAT Fund. The people of this Commonwealth do not want the CAT Fund.

Now, I do not deny that it has helped many people, but I do not think we have a right, that this legislature has a right, to tell people that they must buy first-person coverage any more than we should tell every breadwinner that he has to buy 100,000 dollars' worth of life insurance in the event that he dies, or any more than we can tell any homeowner that he has got to cover his house up to 100 percent of its value. I do not think it is our position as legislators to do this.

I feel we should defeat the Lloyd amendment, support another amendment which will eliminate the CAT Fund

immediately, and then fund the unfunded liability. Thank you, Mr. Speaker.

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

Mr. REBER. Thank you, Mr. Speaker.

Would the maker of the amendment stand for interrogation, please?

The SPEAKER. Mr. Lloyd indicates he will stand for further interrogation. You may proceed, Mr. Reber.

Mr. REBER. Mr. Speaker, it is my understanding from your explanation—and I frankly had a hard time hearing it, and that is the reason why I rise—the current status quo of the CAT Fund will end when?

Mr. LLOYD. The current status quo of the CAT Fund under the amendment: People whose registration runs out at the end of September, the ones who would, if we do nothing, have to pay \$24, at that point their decision as to whether or not they want to have this kind of coverage at all is up to them. It is voluntary.

Mr. REBER. But my next question then, Mr. Speaker, is, this particular amendment in its current form does not address the funding aspect. When I say "address the funding aspect," it does not create in any way a drive mechanism to get money into the fund for the unfunded liability, whatever that number might be. Is that a correct statement?

Mr. LLOYD. That is correct. The bill itself already requires a report by January 1, 1989. That is not in this amendment; that is in the bill.

Mr. REBER. Is that law?

Mr. LLOYD. No; that is in the bill before us.

Mr. REBER. Okay.

Now, Mr. Speaker, if for sake of argument, if for sake of argument, this body did nothing after the adoption of this amendment, where would we be in a jeopardy situation on the unfunded liability as far as a date certain?

Mr. LLOYD. We should be at exactly the same place as the Insurance Commissioner has determined when she calculated the \$269 or \$270 million. It should be exactly the same unfunded liability.

Mr. REBER. My next question then, Mr. Speaker, is, with that in mind, can you give me a date when there would be no money available to pay claims already on the books?

Mr. LLOYD. It is my understanding that we should be able to pay claims for at least another year.

Mr. REBER. Another year from today's date?

Mr. LLOYD. That is right, although I have read statements by Senator Holl which have suggested that we actually could do it longer than that, that there would be enough money to go for another year or two beyond that.

Mr. REBER. So, Mr. Speaker, I think it is a safe statement for purposes of this debate to say publicly at this time that if this legislature does nothing else following the adoption of this particular amendment—and assuming it becomes law within the next few weeks—that we would be in a position where no claimant, no legitimate claimant under the CAT Fund currently receiving benefits or who would be entitled

during that period of time to benefits would be denied benefits for at least 1 year from this date. Is that a correct statement?

Mr. LLOYD. Yes.

Mr. REBER. So that would mean then, Mr. Speaker, that this particular legislature is at best—at best—solving the CAT-Fund-problem issue, political or otherwise, only 50 percent today by doing something with the fund as far as what we do in regard to paying into that fund in the future, but we are not in essence finalizing, crystallizing, bringing to a termination the issue of the unfunded liability situation. Is that a fair statement?

Mr. LLOYD. I think that it is at least a debatable statement, because while it is correct that we do not solve the unfunded liability problem, we are requiring that the Insurance Commissioner look at a number of options that we could consider and I think we would have to consider at the time that those recommendations are made.

Mr. REBER. Now, Mr. Speaker, to your knowledge or through information you have received from leadership in your caucus, has there been any dialogue already with the administration and/or the Insurance Commissioner as to how soon these actuarial experts, these investigatory tools can be put into motion so the report that is being talked about can be returned to the legislature for action?

Mr. LLOYD. I had a number of meetings with the administration. The administration had an actuarial report on which it based its determinations for the \$269 million. One of the things that we are asking the administration to do is to tell us, if we were going to— Assuming that that \$269 million is correct—and first, we do not know if it is or not, but assuming that they think it is—they are not going to re-create the wheel. They are going to look at the cash-flow situation and determine, if we pay this off over 20 years—if, for example, we were going to do it out of tax revenue, which some people want to do, and we are going to pay it off over 20 years—how much would it take? The figures that the administration provided to me were if you paid it off immediately, if you paid it off in 5 years, and if you paid it off in 10 years. The administration also is assuming that you pay it off by assessing each person on his motor vehicle registration. That may or may not be the best way to do it. Maybe it ought to be a tax on insurance; maybe it ought to be collected out of a general fund; maybe it ought to be taxed onto certain kinds of auto violators. You know, we do not have that information.

Also, this bill—and my amendment would leave that undisturbed—creates two additional sources of revenue. We do not know how much that will be, probably not enough to make a major dent in the problem, but at least we will make some dent, and that is the DUI (driving under the influence) surcharge of \$100 on DUI convictions, which will go into the fund to help pay unfunded liability; and secondly, the fines from seatbelt violations, and the Insurance Commissioner would have to look at the revenue from that and recalculate what has already been done. I see no reason why the Insurance Commissioner could not have that to us by January 1.

Mr. REBER. So after all of that, I guess we could expect to have the report on or before January 1. Is that your best guesstimate?

Mr. LLOYD. The Insurance Commissioner is legally obligated to make an annual report. We are simply saying that some additional information has to be provided, and I am aware of absolutely no reason why that could not be done by January 1.

Mr. REBER. Okay. Using that January 1, 1989, date that you have suggested—and I think I understand how you arrived at that as a benchmark to move forward from there—that would mean then, assuming that we had the report on or about January 1, that we would have until April 4, 1989, to come up with some drive funding mechanism to handle the unfunded liability. Is that a fair statement?

Mr. LLOYD. Based on the information I have, I think it is.

Mr. REBER. Would it also be a fair statement then to say that all those unfortunate families and individual victims that are currently concerned and very justifiably concerned with where this issue is going should be aware of the fact that there is no concern that their benefits are going to be terminated in any way, shape, or form, in a worst-case scenario, within 1 year from this date, and second of all, that it is your intention, your understanding, that investigatory reports as to how to solve the unfunded liability can be garnered for our deliberation by January 1 at the latest, at the outside, and that we can then act upon some way of crystallizing that unfunded liability?

Mr. LLOYD. That is correct.

Mr. REBER. Thank you.

That concludes my interrogation, Mr. Speaker. Thank you very much.

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

Mr. PICCOLA. Would the gentleman, Mr. Lloyd, stand for interrogation?

The SPEAKER. The gentleman, Mr. Lloyd, indicates that he will stand for interrogation. You may proceed, Mr. Piccola.

Mr. PICCOLA. Mr. Speaker, I am a little confused based upon your previous questioning.

Under section 14 of your amendment, it says that "...all individuals who suffer or suffered...loss prior to the effective date of this section shall continue to receive...catastrophic loss benefits as if those sections had not been repealed." From whom are they to receive those benefits?

Mr. LLOYD. From the remaining money in the CAT Fund that the gentleman, Mr. Reber, was asking about.

Mr. PICCOLA. That unfunded liability then would in no way be put into this—I do not know what you would call it—this consortium of companies licensed to write motor vehicle insurance.

Mr. LLOYD. No, it would not, unless we, next year, decided we wanted to do it that way.

Mr. PICCOLA. In section 11 of your amendment you create what I would call this consortium of companies designed to actually create another CAT Fund. Am I correct?

Mr. LLOYD. It is designed to create a pooled risk offering of voluntary coverage. Contrary to what one of the previous speakers said, whether people chose to buy this or not would be strictly up to them.

Mr. PICCOLA. Why did you choose to make it a pooled situation? Why did you not permit each individual company to offer the coverages?

Mr. LLOYD. If we have each individual company offering, we have had quotes that range anywhere from \$50 to \$150 or \$200 that our constituents will have to pay. If we allow them to pool the risk so that no one company is in danger of having a disproportionate share of claimants, the price will be lower. That is the principle behind the CAT Fund and that is a valid principle of insurance, that if you can pool the risk, you can keep the costs lower.

So what this amendment does is to abolish the fund, which our constituents want to have done. It gives those people who want to buy coverage the opportunity to buy it, and it tries to get them a better price than they will get if they have to go directly to their insurance company offering a coverage underwritten solely by and a risk borne solely by that insurance company.

Mr. PICCOLA. Thank you, Mr. Speaker.

That concludes my interrogation. I would like to make a few remarks.

The SPEAKER. The gentleman has the floor, is in order, and may proceed.

Mr. PICCOLA. I concur with the gentleman, Mr. Lloyd's portion of the amendment where he repeals the CAT Fund. I do not think any of us have any quarrel with that.

I have some concerns about the consortium of insurance companies that he is putting together to write voluntary coverage. I do not have sufficient information to know how this is going to work, and I look askance at this, because it does not appear to be something that is natural and something that would function efficiently for the benefit of the people of the Commonwealth.

I also have concerns raised by Mr. Reber that we are only going to fund the unfunded liability to the extent that the CAT Fund currently has revenue in its treasury. I do not know how long that is going to last. But it seems to me that as of October of this year, there is going to be about \$270 million in unfunded liability, and I do not think the CAT Fund will have more than about \$60 or \$70 million available. I would like to know, before I adopt a plan such as this, from where that unfunded liability is going to come. Is it going to be paid out of the General Fund or are we going to be forced to do something else to spread that risk around, to spread that liability around? It is not a risk; it is a liability.

For those reasons, Mr. Speaker, I have grave concerns about this amendment and will probably opt to vote against it and vote for another amendment which will repeal the CAT Fund.

The SPEAKER. The Chair recognizes the gentleman from Mifflin, Mr. DeVerter, on the amendment.

Mr. DeVERTER. Thank you, Mr. Speaker.

Would the sponsor of the amendment stand for brief interrogation?

The SPEAKER. Mr. Lloyd indicates he will stand for further questioning. You are in order, and you may proceed, Mr. DeVerter.

Mr. DeVERTER. Mr. Speaker, under your extraordinary medical benefit plan, you require that insurers that are licensed to write liability insurance in the Commonwealth participate in this extraordinary medical benefit plan. How is the plan to be paid for?

Mr. LLOYD. The plan is to be paid for by a rate that will be charged and collected by each individual insurance company.

Mr. DeVERTER. And where is the insurance company to levy that rate or that cost?

Mr. LLOYD. If you look in the amendment in subsection (a), clause (4), the plan is to provide for "The filing of a rate request on behalf of insurers for coverage under section 1715..." and so forth, which is the extraordinary medical benefit coverage. Then if you look in subsection (c), it indicates the rules under which the Insurance Commissioner is to determine whether or not that rate is just and reasonable.

Mr. DeVERTER. But this is a mandated plan, though. Is that what you are saying?

Mr. LLOYD. It is mandated that the insurance companies participate; it is optional whether people choose to buy the coverage. So in other words, if you do not want the coverage, you do not have to buy it.

Mr. DeVERTER. But the plan is mandatory, and what we are in effect doing is establishing what is to be known as the Extraordinary Medical Benefit Plan to replace the catastrophic loss plan in effect.

Mr. LLOYD. Well, I think that your question is what you determine to be mandatory. The insurance companies must participate in a pool. I do not know how many times or how many different ways to say it. Under this amendment, the CAT Fund is abolished. It is abolished, period.

Mr. DeVERTER. We understand that.

Mr. LLOYD. Under this amendment, if people want to buy insurance to cover their own costs of doctor and hospital bills between \$100,000 and \$1 million, it is up to them. If they do not want to buy it, if they do not want it at all, they do not have to buy it. So I do not think it is the same thing as the CAT Fund at all.

The choices that we have are really between a mandatory system or a voluntary system. If we simply abolish the CAT Fund, as a number of people have said, we will have a voluntary system. That is what this is. The only difference is if we abolish the CAT Fund and do not have a pooled insurance, our constituents who want to buy the coverage are going to pay more than they will if the risk is pooled.

Mr. DeVERTER. Why, Mr. Speaker, is it necessary for us to have a pooling mechanism in this instance when we did not have one under no-fault with unlimited medical coverage? Why do we require that the companies form another pool, or,

quite frankly, an assigned risk plan from the sounds of it, that is poorly administered? Why not leave this completely voluntary under the coverages offered by the companies instead of forcing and mandating them into another plan of some kind?

What we are doing, Mr. Speaker, I think— And that is the end of my interrogation, Mr. Speaker. If I may speak on the amendment?

The SPEAKER. The gentleman has the floor and may speak on the amendment.

Mr. DeVERTER. What we are doing, Mr. Speaker, I think, is adding another cost for the industry to do business in this State, and we all know where those costs are going to end up: They are going to end up in the rate filing, and the rate filing means simply this, that you as a consumer end up paying more premiums.

Now granted, Mr. Lloyd says it is optional, it is voluntary, and that is fine, but the problem is you have created another entity, if you will, that just clogs the system further, and I think what you are going to find is it is a system that will end up not being as effective as letting the companies deal with their own individual policyholders if those individuals so choose and want to purchase catastrophic loss coverages. Yes, I believe the companies should offer it, but I have serious reservations that we are going to get back into another dilemma when we start talking about a pooling effect.

Everybody complains about the assigned risk plan right now. Well, I remind you, that is nothing more than what you are going to have with the extraordinary medical benefit plan, and if you want to see another disaster on your hands, then I suggest that you vote for it. But I would just as soon you not, and defeat the Lloyd amendment. Thank you.

The SPEAKER. For the second time, the Chair recognizes the gentleman from Berks, Mr. Gallen.

Mr. GALLEN. Mr. Speaker, I think the weakness of the Lloyd amendment is this idea that we are going to pool for some reason the companies' resources in order to handle this risk. Companies do not have to be told that they have to pool; they do it automatically. If a risk seems too unwieldy for one insurance company, they have such consortiums. They deal with either other companies domiciled in Pennsylvania, with those companies domiciled outside of Pennsylvania, and indeed with foreign companies. We do not have to tell insurance companies that they have to pool their resources in order to assume certain risks; they do that without our encouragement, and I do not see why we should be in the business once again of telling anybody what they must do, whether it be the individual policyholder or the insurance companies. I think the weakness of the Lloyd plan is this.

Again, I would like to say that this House is ready to put the CAT out. Let us do that, and let us not muddy the carpet at the same time. Thank you, Mr. Speaker.

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

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

The speakers who have thus far indicated some mild opposition to the amendment being offered by Mr. Lloyd seem to indicate that they want the CAT Fund abolished. The CAT Fund is a mandatory coverage fund. It is being abolished. You will no longer be required to cover yourself with this catastrophic coverage.

Now, what we are doing is saying to people who in their better judgment want to be covered by such a catastrophic fund of some kind, or at least be able to buy coverage for such a loss, we are saying that in Pennsylvania there will be an availability of that insurance coverage, and there is no guarantee without the Lloyd amendment that the insurance companies will make such coverage available.

The CAT Fund concept was born in the General Assembly's wisdom at a time when limits of coverage for automobile insurance were being lowered, and they were being lowered for everyone in Pennsylvania so that a small amount of coverage would allow anyone to meet the law of Pennsylvania, and we thought at that time it would be wise if the costs could be held at a reasonable amount to provide mandatory coverage for a catastrophic loss, which was certainly not going to be covered by a \$15,000 liability policy. Well, that coverage, the people of Pennsylvania evidently think, is not worth what they are paying for it—at least some people in Pennsylvania feel that—and we are being asked to abolish the CAT Fund, and we are abolishing the CAT Fund. It will no longer be mandatory to have that coverage, but the Lloyd amendment is saying, in essence, that we ought to make sure that it is available at whatever rates should be charged under the insurance rating system in Pennsylvania for those who want to purchase such coverage, and I think that is a reasonable approach.

Those of you who think that that approach is something novel and something new, let me say to you that it is not novel and it is not new. This is not the first time we are seeing this type of coverage. You can equate Pennsylvania's Workmen's Compensation Fund where we take all known risks. You can equate the medical malpractice insurance that we passed as a statute. You can equate that to being akin and alike to what we are doing today, but that is only akin and alike to what we are doing today.

But to come closer to what we are doing today, I point you to the legislation that we passed last year, which is still in the Senate, granted, but the JUA, the joint underwriting authority that we authorized here in this Assembly for dramshops, if you remember, when the problem was real acute, where no one could get insurance for taverns. We passed JUA authority for municipalities, and that passed here very handily. For day-care centers that were having difficulty with insurance and the costs of insurance, we passed a concept of joint underwriting authorities for insurance companies, the pooling arrangement that we are talking about, and those passed here about 168 to zero, or by 168 votes; I do not know what the negative votes were. But that is a pretty substantial vote.

So what we are seeing today is not new; it is not brand new. We have certain things in the law already that come pretty

close. We have authorized legislation that has gone to the Senate by substantial vote that does about the same thing in the pooling arrangement. I think that we have an opportunity today to provide availability for those who want availability.

Mr. Speaker, we are not hurting those who are already receiving from the Catastrophic Fund that we once provided. Families who need that coverage and are presently with disabled persons to the extent that they need that coverage are going to continue to receive that coverage if they are already in the fund, and if they want to continue to have the availability of that kind of coverage, we are providing the availability. But we are abolishing the CAT Fund, the mandatory coverage that is causing the people of Pennsylvania to write to their legislator and say that they would like that fund abolished. They do not care whether we provide it as an optional coverage, because it will be their choice. What they are saying to us is, do not force us to take that coverage.

I think what they are saying to us is unfortunate. There is no question that there are some 7 1/2 million Pennsylvanians that pay into the CAT Fund, and on average, only about 200 new claims are paid from that fund every year, because we are talking about very substantial costs with each and every one of those claims, and that is why the claims are so small. But to those people who may need that coverage, to those families that without the availability would become bankrupt through no fault of their own because they want to purchase catastrophic coverage, we ought to leave the option, as the Lloyd amendment does, leave the option that they can purchase at the rate to be determined by the Insurance Commissioner under the rate structure law of Pennsylvania. Leave them the option to buy such coverage should they so desire.

I think we will be fulfilling our obligation to follow those who have indicated to us in great numbers that they want the Catastrophic Fund eliminated as a mandatory coverage. We should do that. I think we will do that today. I think to make it available is our duty also - to make available the kind of coverage that people can purchase - and that is what the Lloyd amendment does. Without the Lloyd amendment, there is no guarantee that any of us will be able to purchase that kind of coverage should we so desire.

I ask for an affirmative vote, Mr. Speaker.

The SPEAKER. For the first time on the amendment, the Chair recognizes the gentleman from Indiana, Mr. Wass.

Mr. WASS. Thank you, Mr. Speaker.

May I interrogate the maker of the amendment?

The SPEAKER. Mr. Lloyd indicates he will stand for interrogation. You may proceed, Mr. Wass.

Mr. WASS. Mr. Speaker, I find your amendment very interesting. Help me understand the phaseout. Now, tomorrow I am going to buy a registration for my car, and I am going to pay an \$8 CAT fee. Help me through that period.

Mr. LLOYD. If you pay that \$8, you will get what you paid for. You will get the coverage under the CAT Fund until that registration year has run out.

Mr. WASS. And up until September, that will be mandatory. It will continue to be mandatory. Is that right?

Mr. LLOYD. That is correct.

Mr. WASS. So it is not until September that we then have the option. We will not be required to pay the CAT Fund.

Mr. LLOYD. That is correct, and the reason for that is that you need to have time for the insurance companies to get their act together and let people know that coverage is available and set up the pooling arrangement. We are allowing some time for that to happen. But actually, the bills for the \$24, if we do nothing, the bills for the \$24 will start going out in July. So if this amendment were to become law, people would not receive those bills.

Mr. WASS. Mr. Speaker, do you have hope that this legislation will become law within that period of time?

Mr. LLOYD. I am hoping that if we adopt this amendment, the House will pass the bill as amended and the Senate will concur and the Governor will sign it.

Mr. WASS. Mr. Speaker, thank you very much. That is all I have.

The SPEAKER. For the second time on the amendment, the Chair recognizes the gentleman from Dauphin, Mr. Piccola.

Mr. PICCOLA. Thank you, Mr. Speaker.

It is indeed unfortunate that we did not have this amendment earlier and have the opportunity to reflect upon it in caucus. It is unfortunate it was passed out while we were up in caucus, because the longer we look at it, the more I think we discover the reasons for doing what the maker of the amendment is doing, and I point specifically to section 11 of the amendment, which creates this consortium or this pool of companies. I could not quite put my finger on why Mr. Lloyd would want to do that, and I particularly could not understand it since he is from the central part of the State, but it all of a sudden came to me that what he wants to do, first of all, is have the Insurance Commissioner have total and complete control over the rates that are set by this CAT Fund, this new CAT Fund, if you will. The Commissioner can keep those rates artificially low, and there is absolutely nothing that companies can do about it, because they have to offer the coverage. But in order to make up and get their fair rate of return, they will have to collect that money across the board in all of their other coverages that they offer to the people of Pennsylvania, the mandated coverages that we have to buy, and they will also charge the same rate in Philadelphia as they charge in Harrisburg or in Somerset County or in Allegheny County.

The other reason, Mr. Speaker, is because the rate set by the Commissioner will probably be the same rate across the board, across Pennsylvania, and as you know, the rates in certain parts of this State are higher than they are in other parts of the State. This is going to spread the risk among people who do not deserve to pay it, Mr. Speaker. They should not have to pay it, but under this scheme that Mr. Lloyd has developed, we in central Pennsylvania and in western Pennsylvania and in rural Pennsylvania where rates are low will pay the same CAT Fund premium for this optional CAT Fund, if you want to buy the coverage, as they will pay in Philadelphia. There is nothing in here that says there has to be anything different in the rates.

I could not quite put my finger on it, Mr. Speaker, but that is the reason why we have the pooling. We do not let it up to free enterprise. We again create a quasi-governmental scheme to provide insurance. We do not rely on people's best judgment as to what is affordable and what the market can bear in their particular area. We go back to government mandates and government programs, even though it is in the disguise of an insurance company consortium. Whatever happened to freedom of individual choice, Mr. Speaker? Whatever happened to personal liberty? Mandate that the companies offer these programs or this coverage, but let the people decide what they want to buy based upon what the market can bear.

Let us get back to that, Mr. Speaker. Let us defeat the Lloyd amendment and get on to some of these other repealer amendments which directly address all of the questions involved, including the unfunded liability.

The SPEAKER. The Chair recognizes the gentleman from Delaware, Mr. Gannon, on the amendment.

Mr. GANNON. Mr. Speaker, I would like to interrogate the sponsor of the amendment.

The SPEAKER. Mr. Lloyd indicates he will stand for interrogation. You may proceed, Mr. Gannon.

Mr. GANNON. Mr. Speaker, the funds that would be collected by this servicing entity, what restrictions would be placed upon the investment and use of those funds, other than the payment of claims, in your amendment?

Mr. LLOYD. Under the amendment, they would be required to submit a plan. That plan would address that matter. If the Insurance Commissioner was not satisfied, she could make changes in the plan.

Mr. GANNON. So if I understand you correctly, the investments of this servicing entity would be totally exempt from the present insurance laws so far as investments of insurance companies?

Mr. LLOYD. I am not an expert on how the current investment laws read, but assuming that you are, I think the answer probably would be yes, because this is setting up something other than an insurer or an insurance company, but that would be subject to checking what the definition of to whom those other laws apply happens to be, and I do not know what that definition is.

Mr. GANNON. If in fact the purpose of those investment laws was to protect the funds of the policyholders, why would you draft this up so that those investment laws would not apply to these insurance funds?

Mr. LLOYD. Because I am satisfied that this is a pooled risk. The insurance companies are not going to make any money out of this. This is an insured risk plan in which the Insurance Commissioner has the final say as to what the rate ought to be and to how the money ought to be invested, and I would assume that some of the other investment laws which currently apply to the CAT Fund would apply here as well.

Mr. GANNON. So as I understand what you are saying, your intent in this amendment is to leave the investment of those funds totally and completely up to the Insurance Commissioner.

Mr. LLOYD. My intent with this amendment and the language of the amendment requires the insurance company to come forward with a plan. That plan will address the issues that you are raising. The Insurance Commissioner has the responsibility of deciding whether that plan addresses those issues in a proper way.

Mr. GANNON. But is it not true that the amendment also says that the Insurance Commissioner can modify the plan, and would that not include any amendment or modification dealing with investments of the fund?

Mr. LLOYD. The Insurance Commissioner has the right to modify the plan, and if, when she looks at that plan, she has concerns about the issues you have raised, she has the right to modify the plan to try to correct any deficiencies which she finds.

Mr. GANNON. Another question, Mr. Speaker: How would this plan be rated so far as experienced losses, severity of claims, frequency of claims? Territorially, would the rates charged to individuals who were a part of this plan be based upon those factors?

Mr. LLOYD. It is my opinion that the rate provided under this pooling arrangement should be in the range of \$25, \$30. I have attended hearings where insurance companies have said what they would charge in my county if they provided this coverage on their own, and nobody said that they would do that for less than \$50. So it is my view that by establishing this statewide, nobody is going to get hurt, because the rate is going to be lower, lower than they would pay if their own insurance company provided this on a territory-by-territory basis or an individual-by-individual basis and for a profit.

Mr. GANNON. Well, let me perhaps phrase the question a different way.

Under this proposal that you have submitted, would it not be true that the rating or the charge that would be made per customer on the basis of those factors that I spoke of earlier would be totally exempt from the existing insurance laws?

Mr. LLOYD. That depends which insurance laws you are talking about. I do not know which laws specifically you are referring to. Clearly, this is part of the insurance law. There are parts of Title 75 which would clearly be applicable to this. You have the Insurance Department Act. That act continues to be applicable. If you look in subsection (c), it says that the rate-setting process is to be done in conformity with the Casualty and Surety Rate Regulatory Act. That is the insurance law. It is not exempt from that law. It has to follow that law.

Mr. GANNON. Then if I understand you correctly, an individual who would, say, own a 1985 Chevrolet in Philadelphia would be charged the same premium as a person who would live in Cumberland County.

Mr. LLOYD. This insurance has absolutely nothing to do with what kind of car you have. This insurance is insurance to pay your own medical benefits. Whether your car is an expensive car or not an expensive car has nothing to do with what benefits you can get out of this plan and therefore should have nothing to do with what you pay for the insurance coverage.

Mr. GANNON. Well, let me ask the question another way.

Suppose I lived in Philadelphia and I had three suspensions on my license and four chargeable accidents. Would a person living in Cumberland County who had a clean record or in Forest County or in Westmoreland County or one of the other rural counties, would that individual be charged the same dollar that I am charged in Philadelphia and yet they would have a clean driving record - never had a chargeable accident, never had any points on their license, never had a suspension? Would they be charged the very same amount of money for this coverage?

Mr. LLOYD. All I can do is compare. What the insurance companies have said is, if they provide this coverage, they are going to charge a minimum of \$50 for it. If we provide it under a pooling arrangement, we can provide it for maybe \$24 or \$30. That is the choice. If everybody here wants to vote to abolish the CAT Fund, there are five or six different versions. Under this version, we have the chance to let those people who want to buy insurance get it for less. True, the insurance companies will not get a big profit out of it. That is too bad. I do not think they ought to get a big profit out of it.

Mr. GANNON. Okay. One other question, Mr. Speaker.

If in fact the Commissioner sets the rate that is going to be charged for this plan, as you say the Commissioner can do, irrespective of existing investment laws and irrespective of existing insurance laws to the contrary, and this plan starts to lose money - it starts to pay out more than it has coming in and there is a deficiency; it is in the red - how does this amendment address making up for those funds that would be needed to pay those claims which were now out of luck because there was no money in the fund because of undercharging?

Mr. LLOYD. In the first place, this plan would not be exempt from all the insurance laws. This plan is specifically subject to the Casualty and Surety Rate Regulatory Act. I do not know if some of the legislation that you are referring to is in that law or not. It may be referred to in that law if it is not actually contained in it, so unless you know to the contrary, we are arguing about something that neither one of us knows the answer to.

With regard to the second aspect that you raised - what would they do if they did not get enough money - they would have to set the rate at an actuarially sound basis. But what would the insurance company do if it did not charge enough? Gee, I think the insurance company would come back and ask us for more. My recollection was that that is why they have been raising our rates for the last 5 or 6 years, because they say they did not charge us enough, and they come back for more again and again and again. So I do not see how letting it up to private enterprise, as you suggest—and this is private enterprise—but letting it up to their unbridled decision, as opposed to having it be a matter where there is a pooling arrangement, is going to change the ability or the obligation or their opportunity to recover unfunded liability if they turn out to have set the rate too low.

Mr. GANNON. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I indicated that the idea that Mr. Lloyd proposes is not a new idea. I think many of us can recall that Pennsylvania has a fair plan for the insurance of dwellings where one cannot ordinarily have a dwelling insured. That is a pooled arrangement. That is a pooled arrangement that we require. The State legislature required that insurance companies pool the risk of dwellings in certain areas of the Commonwealth. We have an assigned risk plan in automobile insurance where this legislature has required insurance companies to pool the risk for those who are in that assigned risk plan.

We are not doing anything inimicable to free enterprise. As Mr. Lloyd explained, we are requiring the insurance companies simply to make available this kind of coverage, and we are not dictating that they should make it available for \$24 or for \$48 or for \$62. We are saying that they have the right, under the rate structure laws of Pennsylvania, to come in to the Insurance Commissioner and show what the cost of that insurance should be. We think that the smallest cost for catastrophic loss is probably being provided by the fund as it exists today, but the mandatory element of that particular program is what people are objecting to and we are removing it.

Mr. Gallen, who wants to throw the CAT out, ought to be reminded that so often we admonish ourselves not to throw the baby out with the bath water, and that is what you are going to be doing today in your hoopla, in your enthusiasm to get rid of the CAT Fund. You are taking away from the people of Pennsylvania, without the Lloyd amendment, the ability to cover themselves, their person, their family, for the catastrophic losses that might take place, because there is no insurance company, let me remind you, that has indicated that they will make this kind of coverage available if we do not enact the pooling arrangement that Mr. Lloyd has here. And the pooling arrangement will make it more affordable. I do not think anyone has denied that. I do not think anyone can argue with that.

Mr. Speaker, again I ask for an affirmative vote on the Lloyd amendment.

The SPEAKER. The Chair recognizes the minority leader on the Lloyd amendment.

Mr. RYAN. Mr. Speaker, I am going to vote in favor of the amendment, and I would like to explain why I am voting that way.

I think that the people of Pennsylvania as of the moment are tired of the CAT Fund, probably almost as tired of it as we are. So this amendment takes care of that problem; it does away with the CAT Fund.

There are many of us who believe that the CAT Fund maybe is not all that bad. So to those, Mr. Lloyd offers an alternative. You may voluntarily join this other fund. I am sure it is going to get a name. I would hope that it will not be called the CAT Fund.

The question raised by the gentleman, Mr. Piccola, I believe, was—and I was trying to prompt Mr. Gannon into

getting some answers from Mr. Lloyd—but are the rates going to be different between the driver who wants to join this voluntary fund who lives in Towanda and the driver who lives in the city of Philadelphia? And although I never really heard Mr. Lloyd come right out and say it, I think his answer was, no, there will be no difference or, yes, the premium will be the same, because it is a pool. And I guess many of us, particularly those from outside of Philadelphia and even more so those outside of the southeast, could say, well, we are being penalized because the hospital coverage in the Philadelphia area is far more expensive than it is in the rural parts and there are more accidents and there are more injuries and the like and we should not pay as much; and maybe you are right. The other side of it is, though, this is a voluntary thing. It is not necessary for anyone to join the Lloyd plan, if you will. It is something that you can or cannot join, as you see fit.

The obligation to continue to fund those people who have a vested interest in the CAT Fund as it exists today I believe legally continues. Now, how do we pay for that? Well, we do not know. And we were in caucus trying to figure out how we would pay for it, and I know the Democrat members were in their caucus, and I do not think any of us really have come up with a solution yet to how this \$250 million of unfunded, contingent liability is going to be met.

Mr. Lloyd addresses that issue by putting the monkey where it belongs, on the back of the Insurance Commissioner, and says, Mr. Insurance Commissioner, you study this problem and you tell us; you are the expert; you tell us how to best fund this contingent, \$250-million liability, and you send over your recommendations to us and let us take a look at it, and we will do what has to be done. I do not think any of us are ignoring the problem or the moral or legal responsibility that we have to those people who have been injured prior to this date and prior to the date of the CAT Fund expiring under the amendment, but rather we are trying to figure out where the source of payment is going to come from after the present funds are exhausted, and let the Insurance Commissioner make the recommendations to us on that.

And last—and again, I probably should have said this next to last—on the question of the failure to differentiate on premiums, my response to that is, if the Philadelphia inclusion into the rates makes the rates too high, commercial insurance would be available. I have to think you could go out and buy commercial insurance, the same way you can today, and if it is cheaper, that is the way you are going to go. That is the way I would go. I do not have to join this fund. It is the same way workmen's compensation is available today - either through the State or through private carriers. I do not think there would be any difference, and you go to whichever one is best suited to your pocketbook. So in a sense, you have the best of both worlds on that. You can go commercially or you can go to the State pool, the same way there are other pools available for other insurances.

So all in all, although it is not perfect, Mr. Speaker, I think under the circumstances and considering the timing, it is as good an amendment as we are going to find available on the

floor today, based on those that I am familiar with. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Delaware, Mr. Gannon, for the second time.

Mr. GANNON. Thank you, Mr. Speaker.

Mr. Speaker, I believe the legislature is dealing with three issues in this amendment. The first one and perhaps the most overriding one and the one that principally brings many of us here today is to repeal the CAT Fund, and this amendment does that.

The second issue and probably the second most important—and I think the amendment deals with that in a proper fashion—is what program is going to be set up to fund the continued liability of that CAT Fund; and as Representative Ryan has pointed out, the amendment places that where it should be, at the Commissioner, so that she can come back to us and make a recommendation as to how we should deal with that very, very important issue.

It is the third part of the amendment that I have had the most trouble with, and I think in looking over that aspect of the amendment, it leaves many of us off the hook, because it is a voluntary program, unlike workers' compensation, which has been bandied around here somewhat. Workers' compensation coverage is not optional; that is mandatory. If you are an employer in the Commonwealth, you are required to purchase workers' compensation. You may be able to get it from a private carrier, or you may be required to go the pool because that is the only way you can get it. That is a sharp distinction between that and what is proposed in this amendment, which is totally voluntary.

I think the amendment in that respect is also seriously flawed in terms of the ratings and how the rating is set up, and I think it is most seriously flawed in that it permits the Insurance Commissioner to be the czar of this pool. He or she is going to determine the rates; he or she is going to determine the program; he or she is going to determine the details of the coverage; he or she is going to determine the investments.

So I think in that respect, that portion of the amendment contains the mechanism for its own self-destruction, but the other aspects of the amendment - the repeal of the CAT Fund and coming to grips with the issue of how that unfunded liability is going to be taken care of - are so overwhelmingly important that I am going to support the amendment. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—173

Acosta	Donatucci	Kitchen	Reber
Angstadt	Dorr	Kosinski	Richardson
Argall	Duffy	Kukovich	Rieger
Arty	Durham	LaGrotta	Ritter
Barley	Evans	Leh	Robbins
Battisto	Fargo	Lescovitz	Roebuck
Belardi	Farmer	Letterman	Rudy
Belfanti	Fattah	Levdansky	Ryan
Billow	Fee	Linton	Rybak
Black	Flick	Livengood	Saloom
Blaum	Foster	Lloyd	Saurman

Book	Fox	Lucyk	Scheetz
Bortner	Freeman	McCall	Schuler
Bowley	Freind	McClatchy	Semmel
Boyes	Gamble	McHale	Serafini
Brandt	Gannon	McVerry	Showers
Broujos	Geist	Maiale	Smith, B.
Burd	George	Maine	Snyder, D. W.
Burns	Gladeck	Manderino	Snyder, G.
Bush	Godshall	Markosek	Staback
Caltagirone	Gruitza	Mayernik	Steighner
Cappabianca	Gruppo	Melio	Stuban
Carlson	Hagarty	Michlovic	Sweet
Carn	Haluska	Micozzie	Taylor, F.
Cawley	Harper	Morris	Taylor, J.
Cessar	Hasay	Mowery	Telek
Chadwick	Hayden	Mrkonic	Tigue
Civera	Hayes	Murphy	Trello
Clark	Heckler	Nahill	Van Horne
Cohen	Herman	Noye	Veon
Colafella	Hershey	O'Brien	Vroon
Cole	Hess	O'Donnell	Wambach
Corrigan	Honaman	Olasz	Wass
Cowell	Howlett	Oliver	Weston
Coy	Hughes	Perzel	Wogan
DeLuca	Hutchinson	Petrarca	Wozniak
DeWeese	Itkin	Petrone	Wright, D. R.
Daley	Jadlowiec	Phillips	Wright, J. L.
Davies	Jarolin	Pievsky	Wright, R. C.
Dawida	Johnson	Pistella	Yandrisevits
Dempsey	Josephs	Pressmann	
Dietterick	Kasunic	Preston	Irvis,
Distler	Kennedy	Punt	Speaker
Dombrowski	Kenney	Raymond	

NAYS—17

Birmelin	DeVerter	Manmiller	Pitts
Bowser	Fischer	Merry	Reinard
Bunt	Gallen	Miller	Smith, S. H.
Clymer	Langtry	Piccola	Stairs
Cornell			

NOT VOTING—3

Jackson	Lashinger	Wiggins
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EXCUSED—6

Dininni	Moehlmann	Sirianni	Taylor, E. Z.
Laughlin	Seventy		

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

On the question,

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

Mr. ITKIN offered the following amendments No. A1428:

Amend Title, page 1, line 2, by inserting after "Statutes," further providing for motor vehicle liability insurance;

Amend Bill, page 1, by inserting between lines 11 and 12

Section 1. Section 1711 of Title 75 of the Pennsylvania Consolidated Statutes is amended to read:

§ 1711. Required benefits.

An insurer issuing or delivering liability insurance policies covering any motor vehicle of the type required to be registered under this title, except recreational vehicles not intended for highway use, motorcycles, motor-driven cycles or motorized pedalcycles or like type vehicles, registered and operated in this Commonwealth, shall include coverage providing a medical benefit in the amount of [\$10,000] \$1,000,000, an income loss benefit up to a monthly maximum of \$1,000 up to a maximum benefit of \$5,000 and a funeral benefit in the amount of \$1,500,

as defined in section 1712 (relating to availability of benefits), with respect to injury arising out of the maintenance or use of a motor vehicle. The income loss benefit provided under this section may be expressly waived by the named insured provided the named insured has no expectation of actual income loss due to age, disability or lack of employment history.

Section 2. Title 75 is amended by adding a section to read:

§ 1711.1 Duplication of coverage not required.

(a) Alternative method of satisfying mandate.—An insured may satisfy, in whole or in part, the liability coverage mandated by this chapter through a group or individual policy that provides for the following:

(1) Medical and rehabilitation benefits as these benefits are defined in section 1712(1) (relating to availability of benefits).

(2) Disability income.

(3) Life insurance.

(4) Burial, or eligibility for, burial benefits provided by Federal law.

(5) Personal liability.

(6) Proof that the insured is a receiver of medical assistance benefits.

(7) Other related benefits.

(b) Regulations.—The Insurance Department shall adopt regulations and procedures to determine whether and to what extent an insured's other policies of insurance or as a recipient of medical assistance, satisfy the requirements of this chapter.

(c) Option to purchase supplemental insurance.—An insured may purchase from a motor vehicle liability insurer the coverage needed to supplement a group or individual policy of insurance which does not fully meet the requirements of this chapter.

(d) Voluntary participation in the fund.—Liability for medical benefits as these benefits are defined in section 1712(1), which is greater than \$100,000 but less than \$1,000,000 may be satisfied by voluntary participation in the Catastrophic Loss Trust Fund, as provided hereinafter.

Section 3. Sections 1715(a) and 1719 of Title 75 are amended to read:

§ 1715. Availability of adequate limits.

(a) General rule.—An insurer shall make available for purchase first party benefits as follows:

(1) For medical benefits, up to at least [\$100,000] \$1,000,000.

(2) For income loss benefits, up to at least \$2,500 per month up to a maximum benefit of at least \$50,000.

(3) For accidental death benefits, up to at least \$25,000.

(4) For funeral benefits, \$2,500.

(5) For combination of benefits enumerated in paragraphs (1) through (4) and subject to a limit on the accidental death benefit of up to \$25,000 and a limit on the funeral benefit of \$2,500, up to at least \$277,500 of benefits in the aggregate or benefits payable up to three years from the date of the accident, whichever occurs first.

§ 1719. Coordination of benefits.

(a) General rule.—Except for workers' compensation, and except as provided in section 1711.1 (relating to duplication of coverage not required), a policy of insurance issued or delivered pursuant to this subchapter shall be primary. Any program, group contract or other arrangement for payment of benefits such as described in section 1711 (relating to required benefits), 1712(1) and (2) (relating to availability of benefits) or 1715 (relating to availability of adequate limits) shall be construed to contain a provision that all benefits provided therein shall be in excess of and not in duplication of any valid and collectible first party benefits provided in section 1711, 1712 or 1715 or workers' compensation.

(b) Definition.—As used in this section the term “program, group contract or other arrangement” includes, but is not limited to, benefits payable by a hospital plan corporation or a professional health service corporation subject to 40 Pa.C.S. Ch. 61 (relating to hospital plan corporations) or 63 (relating to professional health services plan corporations).

Amend Sec. 1, page 1, line 12, by striking out “1” and inserting

4

Amend Sec. 1, page 1, line 13 and 14 by striking out “OF THE PENNSYLVANIA CONSOLIDATED STATUTES”

Amend Sec. 2, page 2, line 16, by striking out “2” and inserting

5

Amend Sec. 3, page 3, line 24, by striking out “3” and inserting

6

Amend Sec. 4, page 3, line 25, by striking out “4” and inserting

7

Amend Sec. 5, page 4, line 10, by striking out “5” and inserting

8

Amend Sec. 6, page 4, line 30, by striking out “6” and inserting

9

Amend Bill, page 5, by inserting between lines 27 and 28

Section 10. Title 75 is amended by adding a section to read:
§ 1788. Random sampling of financial responsibility.

(a) General rule.—The department shall annually obtain a random sampling of at least 10% of all vehicle registration applications to verify the financial responsibility information contained therein. Upon the selection of any registered vehicle owner for verification, the department shall request proof of financial responsibility from the vehicle owner. The registered vehicle owner shall, within 30 days, submit to the department in the form and manner prescribed by the department, proof that the registered vehicle owner had financial responsibility on the date specified by the department. The department shall suspend all vehicle registrations of any owner found to have provided false information regarding financial responsibility and shall also suspend the operating privileges of the owner.

(b) Penalty.—Providing false information regarding financial responsibility is a summary offense punishable by a fine of \$100.

(c) Reinstatement.—If the department assesses a vehicle owner with a penalty under this section, the department may not reinstate a registration or operator’s license suspended under this chapter or issue a new registration or operator’s license to that vehicle owner until proof of financial responsibility is provided and the penalty is paid. The monetary penalties provided in this chapter may not be avoided by transferring title to the vehicle. Regardless of whether money or other valuable consideration is involved in the transfer, if title to a vehicle is transferred by an individual who has violated this chapter to another, any suspension of the vehicle’s registration or the owner’s operator’s license that occurred prior to the transfer shall continue as if no transfer has occurred, and a new registration or operator’s license may not be issued until the penalty is paid.

(d) Use of fines.—All fines collected under this section shall be placed in a special fund and shall be used for payments to municipalities whose police officers seize registration plates and registration cards as provided in section 1376 (relating to surrender of registration plates and cards upon suspension).

Section 11. Section 1791 of Title 75 is amended to read:
§ 1791. Notice of available benefits and limits.

It shall be presumed that the insured has been advised of the benefits and limits available under this chapter provided the fol-

lowing notice in bold print of at least ten-point type is given to the applicant at the time of application for original coverage or at the time of the first renewal after October 1, 1984, and no other notice or rejection shall be required:

IMPORTANT NOTICE

Insurance companies operating in the Commonwealth of Pennsylvania are required by law to make available for purchase the following benefits for you, your spouse or other relatives or minors in your custody or in the custody of your relatives, residing in your household, occupants of your motor vehicle or persons struck by your motor vehicle:

(1) Medical benefits, up to at least [\$100,000] \$1,000,000.

(2) Income loss benefits, up to at least \$2,500 per month up to a maximum benefit of at least \$50,000.

(3) Accidental death benefits, up to at least \$25,000.

(4) Funeral benefits, \$2,500.

(5) As an alternative to paragraphs (1) through (4), a combination benefit, up to at least \$277,500 of benefits in the aggregate or benefits payable up to three years from the date of the accident, whichever occurs first, subject to a limit on accidental death benefit of up to \$25,000 and a limit on funeral benefit of \$2,500.

(6) Uninsured, underinsured and bodily injury liability coverage up to at least \$100,000 because of injury to one person in any one accident and up to at least \$300,000 because of injury to two or more persons in any one accident or, at the option of the insurer, up to at least \$300,000 in a single limit for these coverages, except for policies issued under the Assigned Risk Plan. Also, at least \$5,000 for damage to property of others in any one accident.

Additionally, insurers may offer higher benefit levels than those enumerated above as well as additional benefits. However, an insured may elect to purchase lower benefit levels than those enumerated above.

Your signature on this notice or your payment of any renewal premium evidences your actual knowledge and understanding of the availability of these benefits and limits as well as the benefits and limits you have selected.

Amend Sec. 7, page 5, line 28, by striking out “7” and inserting

12

Amend Sec. 8, page 6, line 17, by striking out “8” and inserting

13

Amend Sec. 9, page 7, line 17, by striking out all of said line and inserting

Section 14. (a) Sections 5 and 6 of this act shall take

Amend Sec. 9, page 7, line 20, by striking out all of said line and inserting

(b) Sections 7, 12 and 13 of this act shall take effect in 60

On the question,

Will the House agree to the amendments?

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

Just a moment, Mr. Itkin. Let us get a little order here. Quiet down.

Mr. Itkin.

Mr. ITKIN. Mr. Speaker, I always find out when the issue is more difficult to understand, fewer people try to listen. I do not know whether that is because they feel that they cannot

grasp the issue or because they feel that the issue has grabbed them. But be that as it may, I had voted for the Lloyd amendment, but I now offer an amendment which I feel may be somewhat superior to the one that I just voted upon.

I am concerned about making participation in a catastrophic fund voluntary. I am concerned that those people who probably need it the most, who are the most irresponsible and therefore are the most contributory to having accidents, will probably be the ones that will fail to pay for the fund and that those of us who are the most responsible and the most concerned about safety will probably pay into this pool on a voluntary basis because we want to insure that we have adequate protection to ourselves and to our loved ones. Unfortunately, many of us are paying more than we should or probably have to pay, because in many instances many of us carry health insurance, accident insurance, on which we are paying premiums but which will do us no good because of the CAT Fund. We pay these premiums or, if we have employer-paid group coverage, the employer pays these premiums, but in the event of an accident, we are not able to collect.

What my amendment does, basically, is to make sure that each vehicle owner who has a responsibility under current law carries \$1 million in medical benefits. I am not necessarily suggesting that that person has to participate in a CAT Fund. What I am requesting is that every vehicle owner does have \$1 million in benefits. Now, how he makes the aggregate of this type of protection is up to him. He may, for example, have a health insurance policy which may provide him with that 1 million dollars' worth of coverage, and therefore, his participation in the CAT Fund is certainly not necessary, or he may have an accident program or a health insurance program that only provides \$500,000 of coverage. My amendment would allow insurance companies to provide additional protection so that he would have \$1 million in coverage, but obviously, since we are only providing for partial coverage, the premium that he would have to provide to that insurance company would be far less than he would have to pay under a CAT Fund scheme.

Now, my amendment does not abolish the CAT Fund. It does provide and does retain, for those who care to choose to use it, the opportunity to participate in the fund. In so doing, they could meet their financial responsibility for this purpose. But the choice is there. Those people who criticize and complain about this CAT Fund and what they have to pay will not have to pay into it. They can use their supplemental insurance or other types of coverage, which many of them now have.

But my amendment goes further. My amendment tries to get a handle on financial responsibility. We have this hue and cry of people who complain that they are paying insurance while others do not pay, and it is not fair for them to have to pay when others go free and with impunity. What my amendment further does is to insure that there will be a random sampling by PennDOT of financial responsibility to insure that every registered vehicle owner has this type of benefits and protection. It would require PennDOT to randomly sample at least 10 percent of the vehicle registrations.

If, for example, false information was furnished, there would be a criminal summary offense, with a fine of \$100, the suspension of all vehicle registrations of that particular individual who is in violation, in addition, of course, to having his driver's license suspended as well. And the moneys from these fines would go directly to municipalities, so their police can go out and get reimbursed for seizure of such registration plates and registration cards. Mr. Speaker, in this way I believe that we truly can have the protection that we all require and pretty much place the responsibility on the various individuals who drive in our Commonwealth.

I would just like to close with one brief remark. Those people who choose not to provide for their own CAT Fund coverage, you say will be denied those kinds of protections. Well, I dispute that entirely. When they end up maimed on our Pennsylvania highways, are we going to ignore them or throw them into the culverts in the roadway? We certainly are not. We are certainly going to expect ambulances to come and pick them up, hospitals to care for them, and rehabilitation services and institutes to take care of them. And how is that going to be accomplished? That is going to be accomplished—because many of them do not have the wherewithal to provide for this type of support—through medical assistance. So by abolishing the contributions to the CAT Fund and also allowing people not to have coverage, what we are ultimately requiring is that the Commonwealth and ultimately the taxpayers will have to pay for the irresponsibility of persons who get maimed in accidents who failed to take the necessary protection.

Mr. Speaker, I ask for the support of the House for this amendment.

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

Mr. LLOYD. Thank you, Mr. Speaker.

Mr. Speaker, I think it is important for members to know that this is the first amendment which leads us astray into a lot of new issues.

Under current law, people do not have to buy insurance to cover their cost of doctor bills and hospital bills between \$10,000 and \$100,000. That has nothing to do with the CAT Fund. Under Mr. Itkin's amendment, that coverage would be mandatory; people would have to buy that.

In addition, Mr. Itkin gets into the whole question of whether people do or do not have insurance. That may be a laudatory approach, but we are going to Christmas-tree this bill and we are going to end up with something that will go over to the Senate and will not get to the Governor's desk.

Furthermore, we just voted overwhelmingly to say that it ought to be voluntary, optional, whether people want to have any coverage between \$100,000 and \$1 million. The Itkin amendment undoes all of that, and the Itkin amendment says you must buy that coverage.

For those reasons, Mr. Speaker, I think the Itkin amendment is a step in the wrong direction and we ought to reject it.

GERMANENESS QUESTIONED

The SPEAKER. On the Itkin amendment, the Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, the Itkin amendment and almost all of the other amendments that are on our desks do a lot more than direct legislative changes to the CAT Fund. They are aimed at other areas of the insurance law of Pennsylvania aside from the CAT Fund. All of them, however, deal with Pennsylvania's Vehicle Code, which is Title 75.

Mr. Speaker, the rules of the House allow this House to decide whether or not it wants to deal with issues that may be akin and may be part of the Vehicle Code but in this House's opinion are not germane to the main issue before us. Mr. Speaker, I think that the main issue before us is the CAT Fund. Should we have a mandatory catastrophic coverage fund in Pennsylvania or should we not, and if we should, what should it be?

Mr. Speaker, for the reasons that Mr. Lloyd indicated that we are beginning to stray in this amendment to mandatory coverage, to mandatory coverage from \$10,000 to \$100,000 and to mandatory insurance in general, I would suggest, Mr. Speaker, that the amendment is not germane to the CAT Fund issue, and I would ask members of this House to decide with me that this amendment, along with others that I will make the same motion about, should not be considered when we are trying to get the issue of the CAT Fund behind us. If we get into the whole field of insurance law in an attempt to do the right thing by the people of Pennsylvania on the CAT Fund issue, I would think that we are not going to have a bill on the Governor's desk to do the will of the people of Pennsylvania.

I would ask, Mr. Speaker, that a determination be made by this House as to germaneness of the Itkin amendment, and I would ask for a negative vote on that question, Mr. Speaker.

On the question,

Will the House sustain the germaneness of the amendments?

The SPEAKER. On the question of germaneness, which is for the House to decide, the Chair recognizes the gentleman from Berks, Mr. Gallen.

Mr. GALLEN. First of all, Mr. Speaker, this bill deals with a lot more than the CAT Fund. Ergo, this amendment, I feel, is germane. You talk about an amendment to the CAT Fund. This amendment is the worst dog that I have ever seen, but I think we ought to defeat it on its merits as opposed to on germaneness. I know what Mr. Manderino is trying to drive at. He does not want us to get into the Insurance Act itself.

I feel, Mr. Speaker, that this amendment is absolutely germane. It deals with medical protection having come from automobile accidents, and we should vote this amendment down. The amendment is not worthy, but I do not feel that we should defeat it on a germaneness question. I feel that we should say that the amendment is germane and then defeat the amendment so we can get on with some real solid amendments having to do with the CAT Fund. Thank you, Mr. Speaker.

The SPEAKER. On the question of germaneness, the Chair recognizes the gentleman from York, Mr. Foster.

Mr. FOSTER. Thank you, Mr. Speaker.

We have a very obvious purpose for being here today - namely, to be rid of the CAT Fund - and we certainly should avail ourselves of every opportunity to do that. I would say this: If we are really serious about quickly getting rid of the CAT Fund, we should have on our calendar the Senate bill which does that. Then that bill can quickly go back and could quickly be concurred in, if it be the wishes of the body.

I think we have a responsibility to do more than just abolish the CAT Fund, and I suggest that we avail ourselves of both of these—

The SPEAKER. Excuse me, Mr. Foster. Mr. Foster, limit your debate to the question, is it germane or not germane.

Mr. FOSTER. Yes, Mr. Speaker. I stand corrected.

I think I have made my point, and I would therefore ask that we vote that the current amendment is germane and then deal with it on its merits.

The SPEAKER. The Chair thanks the gentleman.

On germaneness, the Chair recognizes the gentleman from Somerset, Mr. Lloyd.

Mr. LLOYD. Thank you, Mr. Speaker.

Mr. Speaker, I support the position of the gentleman, Mr. Manderino, and would make several points. First, this is in fact a Senate bill, and if we can keep this bill restricted to the CAT Fund question, it goes back directly to the Senate calendar for a vote on concurrence, and that is the fastest way we can deal with it.

The SPEAKER. Mr. Lloyd, on germaneness only.

Mr. LLOYD. Yes, Mr. Speaker.

On germaneness, this bill in its present posture deals solely with what you do about insurance protection on yourself between \$100,000 and \$1 million of medical expenses. That is what is in the bill now as it has been amended; that is all that is in the bill now. I suggest that anything else which gets into other insurance issues outside that \$100,000-to-\$1-million issue should be ruled nongermane.

The SPEAKER. The Chair recognizes the gentleman from Delaware, Mr. Gannon, on germaneness.

Mr. GANNON. Mr. Speaker, sometimes the line between germaneness and nongermaneness is blurred, and I believe, as Representative Manderino has pointed out, it is up to the House to decide on that issue. I believe that as far as the CAT Fund issue is concerned, we have done our job and we have a bill in front of us that does repeal the CAT Fund, that does provide a mechanism by which the Commissioner can make a recommendation for alternative funding sources, and it does provide an alternative—

The SPEAKER. Mr. Gannon, we know what it does. Your position on germaneness—

Mr. GANNON. I am getting to my point.

The SPEAKER. Get to it.

Mr. GANNON. Mr. Speaker, it is quite clear that the Itkin amendment strays very, very far from those three items, and just upon that premise alone, it is not germane, and I would

urge the members to vote that the Itkin amendment is not germane to the issue that is before the House today. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Dauphin, Mr. Piccola, on germaneness.

Mr. PICCOLA. Thank you, Mr. Speaker.

This amendment clearly is germane. It amends Title 75, which is the Vehicle Code. SB 123 amends Title 75, which is the Vehicle Code. More specifically, this amendment addresses the Financial Responsibility Law, which is an act contained within the Vehicle Code, and this act addresses the Financial Responsibility Law. I cannot see of anything more germane than an amendment that addresses that same law.

I think—and I address these remarks particularly to those members on the minority side—we should be very careful about shutting off amendments when we are in our position, Mr. Speaker. So I would urge that everyone on this side of the aisle, particularly, vote that this amendment is germane. The amendment may not have any merit, but we should be able to vote on it, Mr. Speaker.

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, very briefly, the rule of the House that I point to - allowing the House to decide - was specifically placed there to protect the minority. Title 75 is Title 75, yet we did not write a rule that says any Title 75 amendment is germane. What we said was this House ought to in its wisdom decide what is germane and what is not germane, and sometimes under different circumstances this House may decide that the urgency of the situation is such that they will determine germaneness when maybe they would not have determined germaneness. But the rule itself simply says that the House in each instance will determine what germaneness is and whether an amendment is germane or not germane, and I am asking the House to determine that it is not germane to the abolition of the CAT Fund. The Itkin amendment goes far afield from that, as many other amendments do.

I ask for a negative vote on germaneness, and let us get about the business of abolishing the CAT Fund and adopting SB 123 in its present form.

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

Mr. ITKIN. Mr. Speaker, I rise very rarely to disagree with my leader, because I feel that we have to address legislation like this at times even though we might find it quite distressful.

It would be interesting to compare those people who voted out no-fault and created the CAT Fund—

The SPEAKER. Mr. Itkin, germaneness and only germaneness.

Mr. ITKIN. Okay, Mr. Speaker.

Mr. Speaker, if my amendment is not germane, then the bill is definitely unconstitutional, because the bill then contains two subject matters so distinct and apart from the way my amendment reads to the one dealing with the CAT Fund that

if my amendment cannot stand with the contents of the bill dealing with the CAT Fund, then the CAT Fund provisions cannot stand constitutionally with the elements in the bill with respect to the imposition of surcharges on persons convicted of driving under the influence of alcohol or a controlled substance.

It seems to me that this is a bill that was amended far afield of its original provisions and that my provisions are more inclined to be closer to the current issue than the original version of the bill, and I would think therefore that my amendment is germane.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Montgomery, Mr. Fox, on germaneness.

Mr. FOX. Thank you, Mr. Speaker.

I believe the previous speaker did say that due to an urgency this House could submit that the matter would be germane. I submit that when we are looking for a solution to the CAT Fund for our constituents, we are also looking for a solution to other related insurance matters, auto insurance matters, and therefore, I would ask the membership to vote in the affirmative that this matter is germane.

The SPEAKER. The Chair recognizes the gentleman from Delaware, Mr. Gannon, for the second time on germaneness.

Mr. GANNON. Mr. Speaker, some of the members have expressed concern about setting a priority or a precedent, and I think we have to bear in mind that this is a legislative body, not a judicial body. We are not bound by any precedent. And in fact, if we did look back in our legislative history, for example, when we were running the tax reform package, we did in fact vote nongermane amendments that addressed the title of the act that was being dealt with. So I do not think precedence is an issue. What we have to look at is what is before us and whether or not the Itkin amendment is germane to repealing the CAT Fund, which is what we are here to do, and quite clearly it is not.

Therefore, I would urge the members to vote that the Itkin amendment is not germane.

The SPEAKER. The Chair thanks the gentleman.

The question is, is the Itkin amendment germane? Those who believe it to be germane will vote "aye"; those who believe it not to be germane will vote "no."

On the question recurring,

Will the House sustain the germaneness of the amendments?

The following roll call was recorded:

YEAS—86

Angstadt	Dempsey	Honaman	Pitts
Argall	Distler	Itkin	Preston
Barley	Dorr	Jackson	Punt
Birmelin	Evans	Jadlowiec	Raymond
Book	Fargo	Johnson	Robbins
Bortner	Farmer	Kennedy	Ryan
Bowley	Fischer	Kenney	Saurman
Bowser	Flick	Langtry	Scheetz
Boyes	Foster	Leh	Semmel
Brandt	Fox	McHale	Smith, S. H.
Broujos	Freeman	McVerry	Snyder, G.
Bunt	Freind	Maine	Stairs

Burd	Gallen	Manmiller	Sweet
Bush	Geist	Merry	Taylor, J.
Cawley	Gladeck	Miller	Tigue
Cessar	Godshall	Mowery	Vroon
Chadwick	Gruppo	Nahill	Wass
Civera	Hagarty	Noye	Weston
Cornell	Hayes	Wozniak	Wozniak
DeVerter	Herman	Phillips	Wright, J. L.
Davies	Hershey	Piccola	Wright, R. C.
Dawida	Hess		

NAYS—103

Acosta	Fattah	Lloyd	Rieger
Battisto	Fee	Lucyk	Ritter
Belardi	Gamble	McCall	Roebuck
Belfanti	Gannon	McClatchy	Rudy
Billow	George	Maiale	Rybak
Black	Haluska	Manderino	Saloom
Blaum	Harper	Markosek	Schuler
Burns	Hasay	Mayernik	Serafini
Caltagirone	Hayden	Melio	Showers
Cappabianca	Heckler	Michlovic	Smith, B.
Carlson	Howlett	Micozzie	Snyder, D. W.
Carn	Hughes	Morris	Staback
Clark	Hutchinson	Mrkonc	Steighner
Clymer	Jarolin	Murphy	Stuban
Colafella	Josephs	O'Brien	Taylor, F.
Cole	Kasunic	O'Donnell	Telek
Corrigan	Kitchen	Olasz	Trello
Cowell	Kosinski	Oliver	Van Horne
Coy	Kukovich	Petrarca	Veon
DeLuca	LaGrotta	Petrone	Wambach
DeWeese	Lashinger	Pievsky	Wogan
Daley	Lescovitz	Pistella	Wright, D. R.
Dietterick	Letterman	Pressmann	Yandrisevits
Dombrowski	Levdansk	Reber	
Donatucci	Linton	Reinard	Irvis,
Duffy	Livengood	Richardson	Speaker
Durham			

NOT VOTING—4

Arty	Cohen	Gruitza	Wiggins
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EXCUSED—6

Dininni	Moehlmann	Sirianni	Taylor, E. Z.
Laughlin	Seventy		

Less than the majority having voted in the affirmative, the question was determined in the negative and the amendments were declared not germane.

On the question recurring,

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

Mr. PETRARCA offered the following amendments No. A1125:

Amend Title, page 1, lines 2 through 7, by striking out "providing for the imposition of surcharges on" in line 2, all of lines 3 through 7 and inserting

repealing provisions relating to the Catastrophic Loss Trust Fund.

Amend Bill, page 1, lines 10 through 19; pages 2 through 6, lines 1 through 30; page 7, lines 1 through 22, by striking out all of said lines on said pages and inserting

Section 1. Subchapter F of Chapter 17 of Title 75 of the Pennsylvania Consolidated Statutes is repealed.

Section 2. Sections 1787(d), 1796, 1797 and 1798 of Title 75 are amended to read:

§ 1787. Self-insurance.

[(d) Catastrophic Loss Trust Fund.—Self-insurers shall contribute to the Catastrophic Loss Trust Fund in the manner provided in Subchapter F (relating to Catastrophic Loss Trust Fund).]

§ 1796. Mental or physical examination of person.

(a) General rule.—Whenever the mental or physical condition of a person is material to any claim for medical[,] or income loss [or catastrophic loss] benefits, a court of competent jurisdiction [or the administrator of the Catastrophic Loss Trust Fund for catastrophic loss claims] may order the person to submit to a mental or physical examination by a physician. The order may only be made upon motion for good cause shown. The order shall give the person to be examined adequate notice of the time and date of the examination and shall state the manner, conditions and scope of the examination and the physician by whom it is to be performed. If a person fails to comply with an order to be examined, the court [or the administrator] may order that the person be denied benefits until compliance.

(b) Report of examination.—If requested by the person examined, a party causing an examination to be made shall promptly deliver to the person examined a copy of every written report concerning the examination at least one of which must set forth the physician's findings and conclusions in detail. Upon failure to promptly provide copies of these reports, the court [or the administrator] shall prohibit the testimony of the examining physician in any proceeding to recover benefits.

§ 1797. Customary charges for treatment.

A person or institution providing treatment, accommodations, products or services to an injured person for an injury covered by medical [or catastrophic loss] benefits shall not make a charge for the treatment, accommodations, products or services in excess of the amount the person or institution customarily charges for like treatment, accommodations, products and services in cases involving no insurance.

§ 1798. Attorney fees and costs.

(a) Basis for reasonable fee.—No attorney's fee for representing a claimant in connection with a claim for first party benefits provided under Subchapter B (relating to motor vehicle liability insurance first party benefits) [or a claim for catastrophic loss benefits under Subchapter F (relating to Catastrophic Loss Trust Fund)] shall be calculated, determined or paid on a contingent fee basis, nor shall any attorney's fees be deducted from the benefits enumerated in this subsection which are otherwise due such claimant. An attorney may charge a claimant a reasonable fee based upon actual time expended.

(b) Unreasonable refusal to pay benefits.—In the event an insurer is found to have acted with no reasonable foundation in refusing to pay the benefits enumerated in subsection (a) when due, the insurer shall pay, in addition to the benefits owed and the interest thereon, a reasonable attorney fee based upon actual time expended.

(c) [Payment by fund.—The Catastrophic Loss Trust Fund may award the claimant's attorney a reasonable fee based upon actual time expended because a claimant is unable to otherwise pay the fees and costs.

(d) Fraudulent or excessive claims.—If, in any action by a claimant to recover benefits under this chapter, the court determines that the claim, or a significant part thereof, is fraudulent or so excessive as to have no reasonable foundation, the court may award the insurer's attorney a reasonable fee based upon actual time expended. The court, in such case, may direct that the fee shall be paid by the claimant or that the fee may be treated in whole or in part as an offset against any benefits due or to become due the claimant.

Section 3. This act shall not be deemed to affect or impair the benefit rights of any person who has filed a claim against the Catastrophic Loss Trust Fund under Subchapter F of Chapter 17 prior to the effective date of this act.

Section 4. The Insurance Department is directed to make a study of an alternative method of protecting motorists who incur accident claims in excess of \$100,000 and make recommendations to the General Assembly within 30 days for the establishment of a new system to replace the Catastrophic Loss Trust Fund. The department shall also make recommendations for the disposition of the funds currently deposited in the Catastrophic Loss Trust Fund.

Section 5. This act shall take effect in 60 days.

On the question,

Will the House agree to the amendments?

AMENDMENTS WITHDRAWN

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

Mr. PETRARCA. Mr. Speaker, the amendment Representative Hayes and I were going to introduce, I feel, forced the issue, so we are withdrawing our amendment. 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?

Mrs. WESTON offered the following amendments No. A1227:

Amend Title, page 1, line 6, by inserting after "FINES;" providing for vehicle stickers evidencing financial responsibility; further providing for altered, forged or counterfeit documents; imposing penalties;

Amend Sec. 7, page 5, line 28, by striking out "a section" and inserting

sections

Amend Bill, page 5, by inserting between lines 29 and 30 § 1782.1. Vehicle sticker evidencing financial responsibility.

(a) Sticker to be affixed.—The registrant of a motor vehicle who is required by section 1782 (relating to manner of providing proof of financial responsibility) to provide financial responsibility shall affix to the vehicle, in the manner prescribed by the department pursuant to subsection (c), an identifying sticker showing that the vehicle is covered by the required financial responsibility. In criminal proceedings under this section, the trier of fact may infer from the absence of a sticker that the owner of the vehicle does not have the required insurance. The term "sticker" means that item described in the department regulations promulgated pursuant to subsection (c), when the item is whole, intact, undefaced and legible.

(b) Temporary sticker.—A temporary sticker of financial responsibility may be displayed for a period not to exceed 30 days during which time the owner of the vehicle shall obtain the sticker required by subsection (a). Temporary stickers shall be issued only by licensed insurance agents, the department and authorized motor vehicle dealers, and only when valid financial responsibility is in effect.

(c) Form, content and location of sticker.—The form and content of the stickers required by subsections (a) and (b) and the location in which they shall be affixed shall be prescribed in department regulations.

(d) Issuance by insurers.—Each insurer of a vehicle shall issue a sticker for the vehicle covering only the period for which the premium has been paid in advance. An insurer which issues a sticker covering a period greater than that for which premium has been paid in advance shall remain obligated to continue the coverage as long as the sticker remains outstanding and valid, even if the insured fails to pay the remainder of the premium.

(e) Period of sticker.—All stickers issued pursuant to this section shall be the property of the issuer and shall be affixed by the registrant to the vehicle only during such time as the required financial responsibility remains in full force and effect. Every registrant shall immediately remove from the vehicle any sticker representing financial responsibility which he knows or has reason to know has been terminated, canceled, impaired or is otherwise ineffective. Such knowledge may be inferred from evidence of the notice required in subsection (f).

(f) Cancellation.—

(1) Every insurer which cancels any contract of insurance on any vehicle insured by it prior to the normal expiration date of the sticker which it has furnished the owner of the vehicle shall notify the insured of the date the sticker shall no longer be in full force and effect, and the insured shall remove it from the vehicle. For purposes of this section, notice shall be given by the insurer or its agents in the manner required under department regulations. Letters, notices and proofs of mailing from the insurer or its agents to the insured shall be admissible, notwithstanding rules of evidence to the contrary. No premium refund shall be given until the unexpired sticker is returned to the insurance company or its agent.

(2) If the insured cancels coverage prior to the expiration of any sticker which has been furnished by the insurer, the insured shall remove the unexpired sticker from the vehicle and return the sticker to the insurer. The insurer shall not be obligated to refund to the insured any prepaid premium unless the unexpired sticker has been returned to the insurer or its agent, and such insurance shall remain in force until the sticker is received by the insurer.

(g) Self-insurers.—Every registrant meeting the security requirements of this chapter through becoming a qualified self-insurer, pursuant to section 1787 (relating to self-insurance), shall obtain a sticker directly from the department.

(h) Penalties.—

(1) The registrant of any vehicle who fails to display the sticker as required under this section commits a summary offense and shall, upon conviction, be sentenced to pay a fine of not less than \$10 nor more than \$50.

(2) If the registrant of a motor vehicle fails to maintain financial responsibility on the motor vehicle, the operating privilege of the registrant shall be suspended for a period of three months. A registrant who fails to maintain financial responsibility on the motor vehicle commits a summary offense and shall, upon conviction, be sentenced to pay a fine of not less than \$500 nor more than \$5,000, or to imprisonment for not less than two days nor more than 90 days, or both. For a second or subsequent conviction, the registrant shall be sentenced to pay a fine of not less than \$1,000 nor more than \$10,000 or to imprisonment for not less than ten days, nor more than 180 days, or both. The penalties imposed by this paragraph shall be mandatory.

(3) A registrant of a motor vehicle who does not have financial responsibility on the vehicle and who fails to remove the sticker required by this section when he knows or has reason to know that the insurance it represents is not in full force and effect commits a summary offense and shall, upon conviction, be sentenced to pay a fine of not less than \$500 nor more than \$5,000, or to imprisonment for not less than ten days nor more than 90 days, or both.

Amend Bill, page 7, by inserting between lines 16 and 17

Section 9. Section 7122 of Title 75 is amended to read:

§ 7122. Altered, forged or counterfeit documents and plates.

A person is guilty of a misdemeanor of the first degree if the person, with fraudulent intent:

(1) alters, forges or counterfeits a certificate of title, registration card or plate, inspection certificate, the sticker required by section 1782.1 (relating to vehicle sticker evidencing financial responsibility) or proof of insurance;

(2) alters or forges an assignment of a certificate of title, or an assignment or release of a security interest on a certificate of title or any other document issued or prepared for issue by the department; or

(3) has possession of, sells or attempts to sell, uses or displays a certificate of title, registration card or plate, driver's license, inspection certificate, the sticker required by section 1782.1, proof of insurance or any other document issued by the department, knowing it to have been altered, forged or counterfeited.

Amend Sec. 9, page 7, line 17, by striking out "9" and inserting

10

Amend Sec. 9, page 7, line 20, by striking out "AND 8" and inserting

, 8 and 9

On the question,

Will the House agree to the amendments?

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

Mrs. WESTON. Thank you, Mr. Speaker.

No doubt about it, there is an automobile insurance crisis facing most Pennsylvanians. While outrageous and exorbitant costs is a very complicated problem requiring a multifaceted solution, I and many others are asking our legislative leaders to deal with this problem quickly and without much more time. However, a big part of our problem is that our current law does not have an adequate enforcement system. In Pennsylvania we mandate that people become financially responsible for drying their car, yet we do not have a system of enforcing it in an easy way.

What my bill does is something that many of you have heard about and read about. It would put into place a color-coded windshield sticker that the insurance companies would issue for the time that the policy is good and paid for. In other words, the stickers would be color coded; they would be validated only for the time that the policy is good.

The insurance industry opposes my amendment and my bill. They say that Philadelphia only has an uninsured motorist problem. While it is true that it is a very exaggerated and extreme problem in Philadelphia, I think it is interesting that in the bill version of my idea, I received over 70 cosponsors, both Democrats and Republicans.

Another thing that the insurance industry opposes my amendment for is counterfeiting. I do not think that counterfeiting itself is going to be a large reason why this part could not be enforced. Inspection stickers currently can be counterfeited too, but that does not prevent us from trying to have good working cars on the road. I think the same can be applied to insurance and the validation of these stickers.

Inconvenience to the motorists. This to me is the most illogical reason for opposing it. I think that our policyholders across Pennsylvania who are now paying for insurance and paying the outrageous costs that they are would be more than happy to put a sticker on their windshield if it meant that their chances of getting hit by an uninsured motorist would be lessened.

While I will continue to push for ways to reform and overhaul the overall system and to bring costs down for all motorists, one way we can begin to effect a reduction of cost is by providing a better enforcement system of the insurance laws in Pennsylvania.

I ask that you vote "yes" to put a windshield sticker system for enforcing insurance in Pennsylvania. Thank you, Mr. Speaker.

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

Mr. LLOYD. Thank you, Mr. Speaker.

Mr. Speaker, I oppose the amendment. I know a lot of people think that this is a good idea in concept, and maybe it is. I think the amendment the way it is drafted would cause a very serious problem for our constituents that we would hear about very quickly.

It appears that under this amendment, if you already have insurance in force, you are in violation unless you get a sticker. Now, you know, it might make sense to phase this in as you buy your next insurance policy, in which case the insurance company, instead of sending you a little card that you put in the glove compartment, sends you a sticker. That is not what the amendment does. The amendment says that you are in violation if you do not have a sticker. There does not appear to be any phase-in, and it is specifically stated that in criminal proceedings the trier of fact may infer from the fact that you do not have a sticker that you do not have the required insurance. Now, I do not know what that means. I do not know whether that means that once that inference has been drawn, it cannot be rebutted, but clearly there are reasons why my failure to have the sticker does not necessarily mean I have not paid for the insurance. If you do not believe that, think back to when the CAT Fund was created and all the problems we had with getting stickers. Think back to when we passed the replacement for the axle tax and all the problems you had with truckers in your district who could not get stickers on time. The way this amendment is drafted, the failure to get that sticker on time would give rise to an inference in a criminal case that you are guilty, that you do not have the insurance, and it is not clear that you can rebut that.

Furthermore, this amendment takes away your driver's license if you do not have insurance on the vehicle, and that raises many questions with regard to multiple-driver families if some vehicles are insured and some are not, and we have heard a lot about bread-and-butter licenses, trying to let people have jobs. The way this amendment is drafted, it would appear to say that you cannot operate that motor vehicle at all.

Furthermore, Mr. Speaker, it seems to me that without precautionary provisions regarding the sticker and who is going to have custody of it, this bill could be a full employment measure for counterfeiters, and I feel quite certain that there will be a black-market business arrive to provide that kind of sticker, especially in the areas of the State where the uninsured motorist problem is at its worst.

For all of those reasons and for the final reason that we are going to burden this bill with a Christmas tree ornament that would need a substantial amount of work before it could become law, I think we are going to get this bill off the track if we put this amendment into it, and so I would ask for a negative vote.

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

Mr. FOX. Thank you, Mr. Speaker.

I think many of us who have cosponsored Representative Weston's original legislation know that this is an important amendment. It has had statewide support from the press, and in fact, whether or not it is phased in or whether all drivers would immediately have the sticker is really a question of a red herring.

This system has already worked in the State of Delaware. It would have the effect of making sure all drivers in Pennsylvania would get insurance, thus either stabilizing or reducing the rates, and I submit to you that if this legislation is a Christmas tree, then the star or the angel at the top of the tree is this amendment, and I ask for its passage.

GERMANENESS QUESTIONED

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, this, as a number of amendments that are on our desks, attempts to make adjustments to the insurance laws of Pennsylvania and to the Vehicle Code of Pennsylvania. Again, many of those amendments and this one in particular have nothing to do with abolishing the CAT Fund, and for the same reasons that on the last amendment offered by Mr. Itkin I suggested that we vote that this amendment and that amendment were not germane, I suggest, Mr. Speaker, that the amendment offered, the sticker amendment by the lady, Mrs. Weston, is not germane to abolishing the CAT Fund.

I ask for a negative vote when the Speaker places the question of germaneness with the House.

On the question,

Will the House sustain the germaneness of the amendments?

The SPEAKER. On that question and only on that question, the Chair recognizes the gentleman from Northampton, Mr. Gruppo.

On germaneness you do not wish to be recognized?

Mr. GRUPPO. No, not on that, Mr. Speaker.

I am sorry. I did not realize it was germaneness. I wanted to interrogate the sponsor of the amendment but not on germaneness.

The SPEAKER. Germaneness only.

Those who believe it to be germane will vote "aye"; those who believe it not to be germane will vote "no."

On the question recurring,

Will the House sustain the germaneness of the amendments?

The following roll call was recorded:

YEAS—125

Angstadt	Dempsey	Jarolin	Pitts
Argall	Distler	Johnson	Punt
Arty	Donatucci	Kennedy	Raymond
Barley	Dorr	Kenney	Reber
Belardi	Durham	Kosinski	Reinard
Belfanti	Fargo	Langtry	Robbins
Birmelin	Farmer	Lashingier	Ryan
Black	Fischer	Leh	Saurman
Book	Flick	Lucy	Scheetz
Bortner	Foster	McCall	Schuler
Bowley	Fox	McClatchy	Semmel
Bowser	Freeman	McHale	Serafini
Boyes	Freind	McVerry	Showers
Brandt	Gallen	Maiale	Smith, B.
Broujos	Gamble	Maine	Smith, S. H.
Bunt	Geist	Manmiller	Snyder, D. W.
Burns	Gladeck	Mayernik	Snyder, G.
Bush	Godshall	Merry	Staback
Caltagirone	Gruitza	Michlovic	Stairs
Carlson	Gruppo	Micozzie	Stuban
Cawley	Hagarty	Miller	Taylor, J.
Cessar	Haluska	Mowery	Tigue
Chadwick	Hasay	Mrkonic	Van Horne
Civera	Hayes	Murphy	Vroon
Clymer	Herman	Nahill	Wambach
Cole	Hershey	Noye	Wass
Cornell	Hess	O'Brien	Weston
Cowell	Honaman	Perzel	Wogan
DeLuca	Itkin	Phillips	Wozniak
DeVerter	Jackson	Piccola	Wright, J. L.
Davies	Jadlowiec	Pistella	Wright, R. C.
Dawida			

NAYS—63

Battisto	Fee	Linton	Ritter
Billow	Gannon	Livengood	Roebuck
Blaum	George	Lloyd	Rudy
Burd	Harper	Manderino	Rybak
Cappabianca	Hayden	Markosek	Saloom
Carn	Heckler	Melio	Steighner
Clark	Howlett	Morris	Sweet
Colafella	Hughes	O'Donnell	Taylor, F.
Corrigan	Josephs	Olasz	Telek
Coy	Kasunic	Oliver	Trello
DeWeese	Kitchen	Petrone	Veon
Daley	Kukovich	Pievsky	Wright, D. R.
Dieterick	LaGrotta	Pressmann	Yandrisevits
Dombrowski	Lescovitz	Preston	
Duffy	Letterman	Richardson	Irvis,
Evans	Levdansky	Rieger	Speaker
Fattah			

NOT VOTING—5

Acosta	Hutchinson	Petrarca	Wiggins
Cohen			

EXCUSED—6

Dininni	Moehlmann	Sirianni	Taylor, E. Z.
Laughlin	Seventy		

The majority having voted in the affirmative, the question was determined in the affirmative and the amendments were declared germane.

On the question recurring,

Will the House agree to the amendments?

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

Mrs. Weston, will you stand for interrogation? The lady indicates that she will. You are in order, and you may proceed, Mr. Gruppo.

Mr. GRUPPO. Thank you, Mr. Speaker.

I would like to interrogate the sponsor of the amendment. I am not sure if I missed this with all the publicity that this particular measure has had. I would like to know how will the people of Pennsylvania be paying their insurance premiums in order to acquire this sticker? Will they be required to pay it all at one time or will they be paying it in installments and receiving stickers for the amount that they pay on those installments?

Mrs. WESTON. There is no reason why they could not pay any differently than they pay now. They can pay monthly; they can pay quarterly; they can pay twice a year or once a year. The sticker will be validated for the time of their policy.

Mr. GRUPPO. So that if a person pays by the month or by the quarter, then they would receive a sticker every month or every quarter to replace the sticker that they had on from the previous time. Is that it?

Mrs. WESTON. That is right.

Mr. GRUPPO. Then my constituents and those other people in this Commonwealth will not be required to pay the premiums for one full year on their insurance policies. Is that correct?

Mrs. WESTON. That is right.

Mr. GRUPPO. Okay.

I just would like to make a comment.

If this amendment would require constituents of mine or anyone for that matter in Pennsylvania to be paying one full year in advance, I would have to oppose it, but based on what the sponsor of the amendment has told me - insurance companies then would be billing no differently than they are now and stickers would be provided on that basis - I would support the amendment, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the amendment, the Chair recognizes the gentleman from Berks, Mr. Davies.

Mr. DAVIES. Mr. Speaker, would the lady submit to a brief question?

The SPEAKER. Mrs. Weston indicates she will stand for further interrogation. You may proceed, Mr. Davies.

Mr. DAVIES. One of the previous speakers speaking to the amendment stated that it was in force in the State of Delaware. How long has it been in the State of Delaware?

Mrs. WESTON. I am not aware that it is law in Delaware. It is a bill also in the legislature in Delaware. It was another Representative that said it was law. I am not aware that it is law yet in Delaware.

Mr. DAVIES. All right. How many other States have this?

Mrs. WESTON. None that I am aware of.

Mr. DAVIES. Similar legislation— Were you aware of similar legislation in Kentucky?

Mrs. WESTON. I am aware that Kentucky tried a system similar to this. However, it is not identical, and for reasons that it is not identical is one of the reasons it did not work in Kentucky.

Mr. DAVIES. And what provision—

Mrs. WESTON. This is not the same system.

Mr. DAVIES. Thank you. And what provision do you make with a transfer of the automobile, a trade-in or sale of the car?

Mrs. WESTON. Your question is if—

Mr. DAVIES. How does the sticker process go when you sell a vehicle or trade a vehicle for another vehicle?

Mrs. WESTON. If your policy is changed to another car, you are required to return the sticker for that vehicle back to the insurance company and get a new sticker.

Mr. DAVIES. In other words, if I trade a car and I want to have another car available to me, what does the process provide for as far as utilization of the new car?

Mrs. WESTON. The insurance company would issue another sticker for your new vehicle.

Mr. DAVIES. And what is the delay? What is the time expense in that transaction?

Mrs. WESTON. Well, hopefully, it is very quickly. Just like you get your card that you get now from the insurance companies as quickly as possible.

Mr. DAVIES. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Delaware, Mr. Gannon.

Mr. GANNON. Thank you, Mr. Speaker.

Mr. Speaker, there has been a lot of reference here to the State of Delaware having introduced legislation along these lines. My information is that this bill was brought up before the appropriate committee of the Delaware legislature and it has been tabled. So I do not think we can use the State of Delaware as a beacon for this particular amendment or this type of legislation.

The other point I wanted to make, Mr. Speaker, is that I vividly recall the days of the CAT Fund sticker, and I think this is a step in that direction. I do not want to go through the turmoil and the tribulation that we went through when that CAT-Fund-sticker problem surfaced, and this is the same exact thing, Mr. Speaker. It is just a rose by another name, but it is still a rose.

I would urge the members to vote "no" on this amendment.

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

Mr. HUTCHINSON. Mr. Speaker, does this amendment have a fiscal note on it? I would like to know who is going to pay for all the enforcement of all these stickers we are putting on the cars. A policeman arrests a person; he has to take them to a squire. That takes time. All policemen get money now for time lost in court. Does this have to have a fiscal note?

The SPEAKER. Mr. Pievsky, are you aware— There has been no fiscal note requested.

The House will stand at ease.

Mr. Pievsky, take a look at the amendment and advise the Chair whether or not in your opinion it requires a fiscal note.

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

Mr. PIEVSKY. Mr. Speaker, it is our opinion that the amendment does not need a fiscal note.

The SPEAKER. The Chair thanks the gentleman.

The Chair concurs with that, and in a quick examination of the amendment, the Chair did not see any indication of it.

The Chair rules that the amendment does not require a fiscal note, Mr. Hutchinson.

The Chair recognizes the gentleman from Bradford, Mr. Chadwick, on the amendment.

Mr. CHADWICK. Thank you, Mr. Speaker.

Will the maker of the amendment stand for interrogation?

The SPEAKER. Mrs. Weston indicates she will stand for further interrogation. You may proceed.

Mr. CHADWICK. Thank you, Mr. Speaker.

Mr. Speaker, if I, under your amendment, buy a year's worth of insurance and get a year-long sticker, I believe under the law I can always cancel that policy at any time and get back my unearned premium. If I do that during that year, does the insurance company take its sticker back? How do you handle that problem?

Mrs. WESTON. You would not get the balance of your premium until you returned the sticker to the insurance company.

Mr. CHADWICK. Okay. Thank you, Mr. Speaker.

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

Mr. SAURMAN. Thank you, Mr. Speaker.

Would the maker of the amendment please stand for interrogation?

The SPEAKER. The lady indicates she will stand for further interrogation. You may proceed.

Mr. SAURMAN. Thank you, Mr. Speaker.

I wonder logistically how this would work. If, for instance, I were paying my premiums monthly and I had my premium notice; I sent the notice in. The mails today are not the quickest. If it were to arrive on the last day that the premium was due, then that company would have to process that premium notice and the check and issue a sticker for me for the ensuing month. I could foresee a minimum of a week with no sticker for that individual, and therefore, that individual would be subject to being stopped by a police officer, possibly an arrest, and then a following suit for false arrest inasmuch as the premium had indeed been paid, even though the sticker was not there.

I think that the logistic problems with the sticker are the same as those with the scope that we currently use or attempt to use where the notification is given to the department but, because of this delay of time, it is always uncertain as to whether in fact that person's insurance actually has been paid, and it leads to many, many logistical problems that I do not feel the sticker will solve. I wonder how you would address that.

Mrs. WESTON. Well, I am not sure if that was a question, but I will respond to the question I think I heard, and my response would be this: I would just think that our insurance companies could set up the payment-due time even on those

people who are paying in monthly installments. I just think that it does not sound like a very difficult management problem to me or operational problem for an insurance company to issue that sticker in time for the period of time that you would be covered. And as someone else just pointed out to me, when you renew your registration, you can get a pink slip for the period of time before you get your registration sticker. So I am just sure that they can work something out where the police enforcement officers across the State will know whether you are covered or not and you will have your sticker in time.

Mr. SAURMAN. Well, it still seems to me that there will be a lapse of time during which time there could be a serious problem, and I took the monthly individual to raise the question about. I could go in either direction from there. Even with an annual premium payment, there still could be a week's lapse between the time when the payment is made and that sticker comes. That person would then be in violation, according to your amendment.

You are also aware, I would presume, that there are daily policies that can be written under Pennsylvania law at the present time, and one of the serious problems we have is a policy written for 1 day. If that person then gets another one for the next day, I do not see how the sticker situation would— They would have to have 365 different colors.

Mrs. WESTON. Well, I would rather iron out wrinkles like a lapse time of 1 or 2 weeks or a mailing delay or something like that than go on with our current system where people get a card good for 1 year and then they lapse their policy after 1 month. I just think it is about time we had a better enforcement system, and I think we can work out all these wrinkles.

Mr. SAURMAN. Thank you, Mr. Speaker.

Mr. Speaker, may I make a comment?

The SPEAKER. The gentleman may proceed. He has the floor.

Mr. SAURMAN. I think that certainly the uninsured motorist is a serious problem in Pennsylvania, but I do not think that the sticker really will resolve that problem. It may be helpful in other areas in terms of enforcement, but as far as insurance itself is concerned and making certain that the owner of that automobile is insured according to law, I do not think it will be effective. It will continue to offer the problems that currently exist logistically, particularly for police officers who then would have another task to take care of. And when Representative Hutchinson referred to the costs, they certainly would be considerable.

In addition to that, if the insurance companies in fact were to work out a plan that would immediately get this sticker out, I would envision that there would be some additional employees required in order to do that, and so while there might not be a fiscal note required for the State itself, between the enforcement agencies and the courts and the insurance companies, there could be a considerable increased cost which also then could increase premiums, and I do not think we want to do anything that is going to make the premiums go higher.

I would regretfully ask for a "no" vote on this amendment. Thank you, Mr. Speaker.

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

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

I would like to ask the maker of the amendment one question.

The SPEAKER. The lady indicates she will stand for further interrogation. You may proceed, Mr. Snyder.

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

Mr. Speaker, under the present Financial Responsibility Act, does the responsibility to prove either insurance or enough assets to meet the requirement of the law run with the vehicle or the driver?

Mrs. WESTON. The vehicle.

Mr. D. W. SNYDER. So, Mr. Speaker, in other words, as long as the vehicle is insured by one person, you would only need one sticker, even though there may be five drivers in the family of which four may not have insurance.

Mrs. WESTON. Right.

Mr. D. W. SNYDER. So what happens if one of the four who are not insured drives that vehicle?

Mrs. WESTON. Well, I do not understand what you are asking that is so different from our current law.

Mr. D. W. SNYDER. I just was wondering if we need a sticker for every driver who is insured.

Mrs. WESTON. No, for the car only, just like the policy. The card you get now is for the car only, and you are supposed to keep that in the car.

Mr. D. W. SNYDER. Okay. So in other words, it is your intent that if there are five drivers in a family, you would not need five stickers, just one sticker for each car that is owned by them.

Mrs. WESTON. That is right.

Mr. D. W. SNYDER. Thank you.

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

Mr. PICCOLA. Thank you, Mr. Speaker.

I share the lady's frustration with uninsured motorists and how to deal with that problem, and I can tell her that the House Insurance Committee under Chairman Rybak, and before him under former Chairman DeVerter, has wrestled with this problem and, up until now, has come up with no solution to it, no satisfactory solution. I believe that this also falls into the category of an unsatisfactory solution, and I would urge the House to vote against it.

You have heard many of the problems associated with it, but I think the greatest hue and cry that you will receive from your constituents if we adopt this proposal and it becomes law will be that the companies that are doing business in Pennsylvania will simply stop permitting their customers, their consumers, from paying their insurance on a monthly or quarterly installment plan. It is going to become such a monumental bureaucratic nightmare for them that they are going to demand payment in full for a year.

Now, that may not be too difficult for some of us or for some of our constituents, but I would wager that most of our constituents pay that premium on a monthly basis or on a quarterly basis in order to minimize the impact on the household budget. I think that this will be the greatest problem associated with this proposal, that our constituents will probably have to take out a bank loan, in some instances, in order to pay their insurance premium for a full year in order to get that sticker.

I urge the House to defeat the amendment.

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

Mr. FOSTER. Thank you, Mr. Speaker.

The principal objection that I have heard to this amendment is the inconvenience it may cause the motorist who sends his insurance in by mail and does not receive a sticker prior to the designated time period. I would suggest that if I were in that dilemma, I would do one of two things: If I wanted to send my premium dollar in by mail, I would allow enough time to do so, and if for whatever reason I was unable to do so, I would go to my local insurance agent and pay that premium personally and request at that point the appropriate sticker, and I see no reason why the insurance companies cannot allow that system to operate. There is no reason the moment you hand your check for your premium across the desk to the agent that he cannot hand you back a sticker, and for that reason I strongly support the Weston amendment.

I have had a lot of complaints on auto insurance, and one of the most prominent is, Mr. Foster, get those uninsured motorists off the road; find some system that will identify them. If this one is not perfect, it will certainly go a long way towards identifying them.

I would urge an affirmative vote.

The SPEAKER. The Chair recognizes the gentleman from Northumberland, Mr. Belfanti, on the amendment.

Mr. BELFANTI. Thank you, Mr. Speaker.

Like Representative Foster, I rise in support of the amendment.

I think that part of the arguments were eloquently spoken to by Representative Foster, but I would like to address one of the points raised by Representative Snyder, and that is why the sticker should be mandated for the car as opposed to the driver. At least at that point, if you are the victim of a hit and run or an accident caused by an uninsured motorist, you have a vehicle and a policy to go against.

My car was struck 3 weeks ago by an uninsured motorist, and I was told by the district magistrate when he was caught—it was a hit and run—that I could go against the owner of the car. Well, we subsequently found out that the owner of the vehicle did not have insurance either.

Addressing one or two of the other speakers, I think it is important to point out that our constituents are far more upset with the \$24 line item on uninsured motorists than they would be to worry about the logistics in getting a sticker. I think as Mrs. Weston pointed out, we currently get a pink slip in lieu of a registration plate when a car is purchased. There

would be very little in the way of a logistical problem if, when we purchase our automobile insurance, we are given a simple receipt which is in lieu of a sticker for a period of 7 or 14 days until the sticker arrives in the mail.

I can think of a thousand other ways that the logistical problems of this can be overcome. Our biggest problem is getting the uninsured motorists off the road. I feel that it is high time in this State, when one out of five people in rural areas is uninsured, when one driver out of two in some of our urban areas is uninsured, and the rest of us are paying all of these uninsured motorists' funds for these people who do not have the decency to insure themselves and the people they may injure, I do not know if this is the best system, but it is better than what we have now, and I urge a "yes" vote on the Weston amendment.

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

The following roll call was recorded:

YEAS—141

Table listing names of members voting YEAS, including Acosta, Angstadt, Argall, Arty, Barley, Belfanti, Birmelin, Black, Blaum, Book, Bowley, Bowser, Boyes, Brandt, Broujos, Bunt, Burd, Burns, Bush, Caltagirone, Carlson, Cessar, Civera, Clymer, Colafella, Cornell, Cowell, Coy, DeLuca, DeVerter, Daley, Davies, Dawida, Distler, Donatucci, Dorr, Durham, Fargo, Farmer, Fattah, Fischer, Flick, Foster, Fox, Freeman, Freind, Gallen, Gamble, Geist, George, Gruitza, Gruppo, Hagarty, Hasay, Hayden, Hayes, Herman, Hershey, Hess, Honaman, Howlett, Itkin, Jackson, Jadlowiec, Jarolin, Johnson, Kasunic, Kennedy, Kenney, Kosinski, Kukovich, LaGrotta, Langtry, Lashingner, Lescovitz, Letterman, Levdansky, Livengood, Lucyk, McCall, McClatchy, McHale, McVerry, Maiale, Markosek, Melio, Merry, Michlovic, Micozzie, Miller, Morris, Mowery, Mrkonic, Murphy, Nahill, Noye, O'Brien, O'Donnell, Olasz, Perzel, Petrone, Phillips, Pievsky, Pistella, Pitts, Pressmann, Preston, Punt, Raymond, Reber, Ritter, Robbins, Rudy, Ryan, Scheetz, Schuler, Semmel, Serafini, Showers, Smith, B. Smith, S. H., Snyder, D. W., Snyder, G., Staback, Stairs, Stuban, Sweet, Taylor, F., Taylor, J., Telek, Tigie, Trello, Van Horne, Veon, Wambach, Wass, Weston, Wogan, Wozniak, Wright, J. L., Wright, R. C.

NAYS—46

Table listing names of members voting NAYS, including Battisto, Belardi, Billow, Bortner, Cappabianca, Carn, Cawley, Chadwick, Cole, Corrigan, DeWeese, Dietterick, Dombrowski, Duffy, Evans, Fee, Gannon, Gladeck, Godshall, Haluska, Harper, Heckler, Josephs, Kitchen, Leh, Lloyd, Maine, Manderino, Manmiller, Mayernik, Oliver, Piccola, Reinard, Rieger, Roebuck, Rybak, Saloom, Saurman, Steighner, Vroon, Wright, D. R., Yandrisevits, Irvis.

Dempsey Hutchinson Richardson Speaker

NOT VOTING—6

Clark Hughes Petrarca Wiggins
Cohen Linton

EXCUSED—6

Dininni Moehlmann Sirianni Taylor, E. Z.
Laughlin Seventy

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?

The SPEAKER. Do not leave yet. We have a condolence resolution.

We shall be meeting tomorrow at 10 a.m. The very first business on the floor will be to continue the debate on amendments to be offered to SB 123. It will not be reprinted. Your amendments which were drawn today will be valid tomorrow. We shall start with the gentleman, Mr. Piccola, tomorrow on his amendment.

The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, did I understand you to say that when we adjourn we will go into session tomorrow at 10 a.m.?

The SPEAKER. Ten o'clock.

Mr. RYAN. Thank you.

The SPEAKER. Ten o'clock tomorrow morning.

Mr. RYAN. Mr. Speaker?

The SPEAKER. The Chair recognizes the minority leader.

(Conference held at Speaker's podium.)

AMENDMENT A1331 RECONSIDERED

The SPEAKER. The Chair suggests that the members stay here. There has been a request for a reconsideration for the purpose of taking a new vote, not for the purpose of debating, the amendment numbered 1331, the Lloyd amendment. That request is filed as a formal motion before the House. This is Mr. Reinard's motion.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—183

Table listing names of members voting YEAS, including Angstadt, Argall, Arty, Barley, Battisto, Belardi, Belfanti, Birmelin, Black, Blaum, Book, Bortner, Bowley, Bowser, Boyes, Brandt, Dorr, Duffy, Durham, Evans, Fargo, Farmer, Fattah, Fee, Fischer, Flick, Foster, Fox, Freeman, Freind, Gallen, Gamble, Kukovich, LaGrotta, Langtry, Lashingner, Leh, Lescovitz, Levdansky, Linton, Livengood, Lloyd, Lucyk, McCall, McClatchy, McHale, McVerry, Maiale, Reber, Reinard, Richardson, Rieger, Ritter, Robbins, Roebuck, Rudy, Ryan, Rybak, Saloom, Saurman, Scheetz, Schuler, Semmel, Serafini.

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

NAYS—4

Hutchinson	Letterman	Maine	Morris
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NOT VOTING—6

Acosta	Clark	Howlett	Wiggins
Billow	Cohen		

EXCUSED—6

Dininni	Moehlmann	Sirianni	Taylor, E. Z.
Laughlin	Seventy		

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 SPEAKER. This time, remember: we are not going to reconsider it again. Make sure you are voted.

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

The following roll call was recorded:

YEAS—188

Acosta	Dombrowski	Kosinski	Raymond
Angstadt	Donatucci	Kukovich	Reber
Argall	Dorr	LaGrotta	Reinard
Arty	Duffy	Lashingner	Richardson
Barley	Durham	Leh	Rieger
Battisto	Evans	Lescovitz	Ritter
Belardi	Fargo	Letterman	Robbins
Belfanti	Farmer	Levdansky	Roebuck
Billow	Fattah	Linton	Rudy
Birmelin	Fee	Livengood	Ryan
Black	Fischer	Lloyd	Rybak
Blaum	Flick	Lucyk	Saloom
Book	Foster	McCall	Saurman
Bortner	Fox	McClatchy	Scheetz
Bowley	Freeman	McHale	Schuler
Bowser	Freind	McVerry	Semmel
Boyes	Gamble	Maiale	Serafini

Brandt	Gannon	Maine	Showers
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	Morris	Taylor, F.
Cessar	Hayden	Mowery	Taylor, J.
Chadwick	Hayes	Mrkoncic	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	Wogan
Coy	Jackson	Petrone	Wozniak
DeLuca	Jadlowiec	Phillips	Wright, D. R.
DeWeese	Jarolin	Pievsky	Wright, J. L.
Daley	Johnson	Pistella	Wright, R. C.
Davies	Josephs	Pitts	Yandrisevits
Dawida	Kasunic	Pressmann	
Dempsey	Kennedy	Preston	Irvis,
Dietterick	Kenney	Punt	Speaker
Distler	Kitchen		

NAYS—4

DeVerter	Gallen	Langtry	Piccola
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NOT VOTING—1

Wiggins

EXCUSED—6

Dininni	Moehlmann	Sirianni	Taylor, E. Z.
Laughlin	Seventy		

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

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

BILL PASSED OVER

The SPEAKER. Without objection, we will pass SB 123 over for the day. The Chair hears no objection.

We will meet at 10:30 tomorrow morning instead of 10 o'clock.

The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, I would remind the members from the southeast that there is a meeting at 10 o'clock in my office and/or the minority caucus room that you have been notified of, and that is the reason I have requested the Speaker and the majority leader to move the opening back to 10:30 rather than 10 o'clock. Thank you, Mr. Speaker.

CONDOLENCE RESOLUTION ADOPTED

The SPEAKER. Close the doors of the House. The members will now take their seats.

This is a condolence resolution on the death of a former member. The clerk will read the condolence resolution.

The following resolution was read:

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

WHEREAS, Norman Wood, the retired state representative who led the successful fight to have a Susquehanna River bridge built linking southern Lancaster and York Counties, has passed away at the age of ninety-seven; and

WHEREAS, The former dairy farmer studied agriculture at Penn State University. He was awarded the Penn State Medal in 1946 for outstanding support of education; and

WHEREAS, Elected to the state House of Representatives in 1922, he served for forty-two years, the longest service ever in the state House. He was a member of the House Appropriations Committee for thirty-two years, serving eighteen years as chairman; instrumental in drafting and passing legislation to establish a state museum at Landis Valley; introduced legislation for the state museum commission to purchase Robert Fulton's birthplace; helped organize financing for the William Penn Museum; helped bring the Pennsylvania Railroad Museum to Strasburg; and for more than three decades, argued with state officials that a bridge was necessary to link southern Lancaster and York Counties. He was known as "Mr. Bridge" or "The Bridge Man"; and

WHEREAS, Mr. Wood was a member of the Eastland Religious Society of Friends; Oxford Lodge No. 353 F&AM for more than fifty years; Fulton Grange 66 for more than seventy years; the Southern Lancaster County Historical Society and Lancaster County Historical Society; now therefore be it

RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania pause in its deliberations to mourn the passing of Norman Wood, a distinguished businessman, dedicated community leader and concerned citizen; extend heartfelt condolences to his wife, Esther Nolt Wood; and be it further

RESOLVED, That a copy of this resolution be delivered to Mrs. Esther Nolt Wood, Quarryville Presbyterian Home, Quarryville, Pennsylvania 17566.

We hereby certify that the foregoing is an exact copy of a resolution introduced in the House of Representatives by the Honorable John E. Barley, and unanimously adopted by the House of Representatives on the 21st day of March 1988.

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

On the question,

Will the House adopt the resolution?

The SPEAKER. The members will rise and stand in place.

(Members and all visitors stood.)

The SPEAKER. The resolution has been unanimously adopted.

There will be no further votes taken on the floor of the House. We shall meet at 10:30 tomorrow morning; 10:30.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 811, PN 881; HB 855, PN 929; HB 1128, PN 1276; HB 1449, PN 1709;** and **HB 2002, PN 2567**, with information that the Senate has passed the same without amendment.

BILLS SIGNED BY SPEAKER

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

HB 811, PN 881

An Act designating a certain bridge in the Borough of Clarks Summit, Lackawanna County, as the Parker-Wescott Vietnam Veterans Memorial Bridge.

HB 855, PN 929

An Act designating the bridge on Route 21 over Ten Mile Creek in Franklin Township, Greene County, as the Freedom Bridge.

HB 1128, PN 1276

An Act designating a section of Traffic Route 63 in Philadelphia County, Pennsylvania, as the Veterans Memorial Road.

HB 1449, PN 1709

An Act designating a certain bridge on State Road in Bucks County as the Thomas Gibson Bridge.

HB 2002, PN 2567

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

BILLS PASSED OVER

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

ADJOURNMENT

The SPEAKER. There being no further business to be brought before this day's regular session, the Chair recognizes the gentleman from Lawrence County, Mr. LaGrotta.

Mr. LaGROTTA. Mr. Speaker, I move that this House do now adjourn in regular session until Wednesday, April 6, 1988, at 10:30 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 5:34 p.m., e.d.t., the House adjourned.