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:

O God, our Maker and Redeemer, we are aware that the raging storms of life cause us to be afraid and challenge us to turn to Thee for the help which Thou hast to give. O God, we humbly pray that Thou wilt rescue Thy people from the depth of doubt and despair, deliver Thy sons and daughters from fear and all the anxieties of life, and preserve us all from unbelief and the tragedy of turning our backs upon Thee.

Heavenly Father, present us one with Thee who art the creator, sustainer, and defender of all mankind; inspire and lead us as faithful stewards of Thine; and grant us the benediction of Thy blessed peace. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. The Chair is advised that the Journal for Wednesday, June 22, 1988, in regular session is not yet in print. Therefore, unless there be objection, and the Chair hears no such objection, we will delay the approval of that Journal until it is in print.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2584 By Representatives DAWIDA, McVERRY, TRELLO, MELIO, BARLEY, PRESTON, MICHLovic and BORTNER

An Act providing for the licensing of masseurs and massage parlors; establishing a board to determine standards and qualifications; providing standards for licenses; and fixing fees and penalties.

No. 2585 By Representatives LASHINGER, BUNT, BOWSER, WOGAN, J. L. WRIGHT, RITTER, HECKLER, ACOSTA, MICOZZIE, VEON, TRELLO, NAHILL, DEMPSEY, DeLUCA, McHALE, ITKIN, GODSHALL, RYBAK, VROON, KOSINSKI, CORNELL, FOX, ARTY, E. Z. TAYLOR, R. C. WRIGHT, JOHNSON, DONATUCCI, KASUNIC, OLASZ, BATTISTO and RICHARDSON

An Act relating to travel charter and tour operators; requiring bonding; prescribing fees; and providing penalties.

Referred to Committee on BUSINESS AND COMMERCE, June 27, 1988.

No. 2586 By Representatives GEORGE, FEE, DOMBROWSKI, JAROLIN, LUCYK, KUKOVICH, TRELLO, FREEMAN, LEVDANSKY, ITKIN, MORRIS, VEON, D. W. SNYDER, COLE, ARGALL, MELIO, J. L. WRIGHT, SAURMAN, McHALE, CARLSON, FOX, BELARDI and WOZNIAK

An Act providing for hazardous waste minimization; establishing the Office of Waste Minimization within the Department of Environmental Resources and providing for its powers and duties; providing for a program for research, development and implementation of methods to reduce the output of hazardous waste at the source; and establishing the Waste Minimization Advisory Board within the department.

Referred to Committee on CONSERVATION, June 27, 1988.

No. 2587 By Representatives COLAFELLA, BATTISTO, MELIO, HECKLER, NOYE, KUKOVICH, MORRIS, PISTELLA, D. W. SNYDER, DeLUCA, JOHNSON, HALUSKA and RICHARDSON


Referred to Committee on CONSUMER AFFAIRS, June 27, 1988.
No. 2588 By Representatives COLAFELLA,
BATTISTO, MELIO, HECKLER, NOYE,
KUKOVICH, MORRIS, PISTELLA,
D. W. SNYDER, DeLUCA, JOHNSON,
HALUSKA and RICHARDSON

An Act amending the act of December 29, 1972 (P. L. 1713,
No. 367), known as the “Motor Vehicle Physical Damage
Appraiser Act,” further regulating appraisals.

Referred to Committee on CONSUMER AFFAIRS,

No. 2589 By Representatives COLAFELLA,
BATTISTO, MELIO, NOYE, KUKOVICH,
MORRIS, PISTELLA, D. W. SNYDER,
DeLUCA, JOHNSON, HALUSKA and RICHARDSON

An Act amending the act of December 29, 1972 (P. L. 1713,
No. 367), known as the “Motor Vehicle Physical Damage
Appraiser Act,” further regulating appraisals.

Referred to Committee on CONSUMER AFFAIRS,

No. 2590 By Representatives MERRY, HALUSKA,
NOYE, VEON, BOWSER, KASUNIC,
HERSHEY, BILLOW, FARGO, COY,
BOYES, MELIO, BIRMELIN, CORRIGAN,
GLADECK, MARKOSEK, DISTLER,
CARLSON, GODSHALL, SCHULER,
E. Z. TAYLOR, SEMMEL,
D. W. SNYDER, CLYMER, HECKLER,
JOHNSON, DORR, ROBBINS, SIRIANNI,
S. H. SMITH, MAYERNIK, LESCOVITZ
and COLAFELLA

An Act amending the act of January 24, 1966 (1965 P. L.
1535, No. 537), known as the “Pennsylvania Sewage Facilities
Act,” further providing for permits.

Referred to Committee on CONSERVATION, June 27,

No. 2591 By Representatives HAGARTY, MELIO,
BUNT, GLADECK, VAN HORNE,
KUKOVICH, WESTON, SEMMEL,
RYBAK, PHILLIPS, RITTER, DAVIES,
TRELLO, PRESTON, E. Z. TAYLOR,
JOSEPHS and RICHARDSON

An Act amending Title 68 (Real and Personal Property) of the
Pennsylvania Consolidated Statutes, further providing for con-
version condominiums.

Referred to Committee on BUSINESS AND COM-

No. 2592 By Representatives HAGARTY, JAROLIN,
OLASZ, TIGUE, MORRIS, LaGROTTA,
KOSINSKI, VEON, STABACK, KENNEY,
KUKOVICH, WESTON, SEMMEL,
ACOSTA, DeLUCA, REBER, J. TAYLOR,
RAYMOND, MICHLIVIC, FREEMAN,
PHILLIPS, CESSAR, GEIST, HERSHEY,
BOWSER, DAVIES, S. H. SMITH,
TRELLO, HECKLER, BLACK,
DIETTERICK, BORTNER, B. SMITH,
JOHNSON, E. Z. TAYLOR, MAIALE,
PETRARCA and RICHARDSON

An Act amending Title 75 (Vehicles) of the Pennsylvania Con-
solidated Statutes, further providing for limitations on insurance
premium increases.

Referred to Committee on INSURANCE, June 27, 1988.

No. 2593 By Representative PISTELLA

An Act amending the act of August 1, 1975
(P. L. 169, No. 87), entitled, “An act relating to pensions for employees of the
City of Pittsburgh,” repealing provisions relating to reduction of
amount of pension.

Referred to Committee on URBAN AFFAIRS, June 27,

No. 2594 By Representatives BROUJOS,
VAN HORNE, DUFFY, NOYE, WASS,
BUNT, BATTISTO, JACKSON, TRELLO,
DISTLER, ROBBINS and BELARDI

An Act amending the act of April 9, 1929 (P.L.177,
No.175), known as “The Administrative Code of 1929,” deleting a certain
notice requirement with respect to water quality permits.

Referred to Committee on CONSERVATION, June 27,

**HOUSE RESOLUTIONS**

**INTRODUCED AND REFERRED**

No. 303 By Representatives LANGTRY, ITKIN,
McVERRY, FOX, FARMER, TRELLO,
FARDO, DEMPESEY, BOOK, NAHILL,
JACKSON, ARTY, BOWSER, HECKLER,
BARLEY, MAYERNIK, KENNEY,
BLACK, SIRIANNI, BURD, LEH, VROON,
BUNT, MELIO, SEMMEL, CLYMER,
McHALE, RAYMOND, RITTER,
GAMBLE, B. SMITH and E. Z. TAYLOR

Directing the Speaker of the House of Representatives to
appoint a select committee to examine and identify programs and
legislation necessary to mitigate the growing number of cases of acquired immunoeficiency syndrome in this Commonwealth.

Referred to Committee on RULES, June 27, 1988.

No. 304 By Representatives BROUJOS, BURNS,
IRVIS, STABACK, MRKONIC, BUNT,
RYAN, McCLATCHY, NOYE, BORTNER,
YANDRISEVITS, McVERRY, KENNEY,
COLE, ROBBINS, JACKSON, VEON,
WOGAN, LESCOVITZ, COY, DALEY,
STEIGHNER, FEE, TRELLO, HALUSKA,
BURD, J. L. WRIGHT, FARDO,
ANGSTADT, DeLUCA, MELIO, GEIST,
S. H. SMITH, ITKIN, PETRONE,
Recognizing the USS Pennsylvania, SSN375, as an important part of United States Naval Forces; and recognizing the men and women who serve aboard her.

Referred to Committee on RULES, June 27, 1988.

No. 305

(Concurrent) By Representatives LASHINGER, DOMBROWSKI, ARTY and FREIND

Providing for a committee to investigate the public health effects of non-ionizing electromagnetic radiation.

Referred to Committee on RULES, June 27, 1988.

No. 306

(Concurrent) By Representatives BELFANTI, LUCYK, COY, FOX, D. R. WRIGHT, STABACK, ACOSTA, BATTISTO, BIRMELIN, BLAUM, BOOK, BOWSER, BROUJOS, BUNT, CAWLEY, CESSAR, CLARK, CLYMER, CORNELL, COWELL, DONATUCCI, DORR, DUFFY, EVANS, FARGO, FARMER, FEE, FOSTER, FREEMAN, GEIST, GEORGE, GRUPPO, HALUSKA, HARPER, HASAY, HAYDEN, HAYES, ITKIN, JAROLIN, JOHNSON, JOSEPHS, KENNEY, KOSINSKI, KUKOVICH, LaGROTTA, LANGTRY, LASHINGER, LIVENGOOD, LLOYD, MAINE, MCALEHE, McVERRY, MELLO, MICOZZIE, MORRIS, MOWERY, MRKONIC, NAHILL, O'BRIEN, O'DONNELL, OLASZ, PERZEL, PETRARCA, PETRONE, PHILLIPS, PISTELLA, PITS, PRESSMAN, PRESTON, PUNT, RAYMOND, REBER, REINARD, RITTER, ROBBINS, ROEBUCK, RUDY, SALOOM, SCHRITZ, SEMMEL, SERAFINI, SHOWERS, S. H. SMITH, D. W. SNYDER, J. TAYLOR, TIGUE, TRELLO, VEON, VROON, WASS, WESTON, WIGGINS, WOGAN, WOZNIAK, R. C. WRIGHT, YANDRIZEVITS and MARKOSEK

Urging the Commissioner of the Pennsylvania State Police to rescind the directive discontinuing drivers' examinations on Saturdays.

Referred to Committee on RULES, June 27, 1988.

SENATE BILL FOR CONCURRENCE

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

SB 1171, PN 2170

Referred to Committee on JUDICIARY, June 27, 1988.

REMARKS ON VOTE

The SPEAKER. The Chair recognizes the gentleman from York, Mr. Bortner. Why do you rise in place?

Mr. BORTNER. To correct a vote, Mr. Speaker.

The SPEAKER. You may proceed.

Mr. BORTNER. Thank you, Mr. Speaker.

On HB 1480, the concurrence vote, although I was in my seat and voting, I was not recorded. I would like to be recorded in the negative, voting against concurrence on HB 1480.

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

Mr. BORTNER. Thank you, Mr. Speaker.

COMMUNICATION FROM GOVERNOR

BILL SIGNED BY GOVERNOR

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

APPROVAL OF HB No. 1755.

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

June 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 1755, Printer's No. 3313, 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,' further providing for allocations of State appropriations; increasing the size of the Board of Governors; further providing for student membership on the Board of Governors and the Council of Trustees; expanding the powers of institution presidents; and authorizing the State System of Higher Education to enter into contracts for maintenance projects to repair buildings and other facilities.'"

Robert P. Casey
Governor
WELCOMES

The SPEAKER. The Chair welcomes to the hall of the House the daughter of John Barley, Susan Barley. Susan is here with her friend, Beverly Caldwell. They are to the left of the Speaker. Welcome to the hall of the House, girls.

We have a summer district aide to Representative Jackson here - Vineta Daiga. Will you please rise, Vineta. Welcome to the hall of the House, Vineta. We are delighted to have you here.

Is young Pat Mairs here yet? He should be a guest page. Patrick, stand up. This is Patrick Mairs. He is the son of Tom Mairs, and he is our guest page today. He is here as the guest of Representative Fox. We are delighted to have you here, Patrick. His father, Tom, is in the balcony, watching over Patrick and us. Welcome to the hall of the House, Tom.

Representative Bruce Smith has in the balcony a youth group from St. Paul’s Lutheran Church of Dillsburg. Their pastor is Bob Sassaman. Welcome to the hall of the House. We are delighted to have you here.

RULES COMMITTEE MEETING

The SPEAKER. The majority leader calls for an immediate meeting of the Rules Committee to the left of the Speaker; immediate meeting of the Rules Committee to the left of the Speaker.

LEAVES OF ABSENCE

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

Mr. FEE. Mr. Speaker, no requests for leaves at this time on the Democratic side.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the minority whip.

Mr. HAYES. Thank you, Mr. Speaker.

I request a leave for the gentleman from Bucks County, Mr. Heckler, for the day.

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

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—196

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ADDITIONS—0

NOT VOTING—0

EXCUSED—1

Heckler

BILLS REFERRED FROM COMMITTEE

HB 2355, PN 3495  By Rep. MANDELENO
An Act amending the act of May 23, 1945 (P. L. 926, No. 369), referred to as the "Public Eating and Drinking Place Law," and to authorize second class township and home rule municipalities to license public eating and drinking places; and making editorial changes.

RULES.

HB 2516, PN 3526  By Rep. MANDELENO
An Act amending the act of July 2, 1984 (P.L. 545, No. 109), known as the "Capital Loan Fund Act," further providing for loans to agricultural processors.

RULES.

HB 2568, PN 3506  By Rep. MANDELENO
An Act amending the act of July 10, 1987 (P. L. 246, No. 147), known as the "Financially Distressed Municipalities Act," providing for the establishment of a revolving fund; further providing for the establishment of a revolving fund; and for the making of a repeal.
RESOLUTION REPORTED FROM COMMITTEE

HR 300, PN 3502 By Rep. MANDERINO
Recognizing the 1988 Governor's Conference on Small Business as historic in that the conference, to be held on July 24, 25 and 26, 1988, in Hershey, will be the first to be held in Pennsylvania.

RULES.

EDUCATION COMMITTEE MEETING

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

Mr. COWELL. Mr. Speaker, I understand that the plan for the House is to shortly recess for purposes of caucuses. I would like to announce an Education Committee meeting which will be scheduled for 2:15 p.m. in room 302B of the South Office Building. That is the Education Committee at 2:15 p.m., room 302B, South Office Building. Thank you.

BILLS ON SECOND CONSIDERATION

The following bills, having been called up, were considered for the second time and agreed to, and ordered transcribed for third consideration:
HB 2355, PN 3485; HB 2516, PN 3526; and HB 2568, PN 3506.

DECISION OF CHAIR RESCINDED

The SPEAKER. The Chair rescinds its announcement that HB 2568 has been read for the second time.

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

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.
Mr. MANDERINO. Mr. Speaker, I move that HB 2568 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.

WELCOMES

The SPEAKER. We have two extraordinary citizens of this Commonwealth here. One is Robert and the other Eric Belfanti. They are the sons of Representative Belfanti, and he has an announcement which I think all of you ought to honor. It is extraordinary to find two sons in Scouting, most extraordinary to find them doing what these young men have done. The Chair welcomes both of them to the hall of the House and turns the microphone over to their father, Bob.

Mr. BELFANTI. Thank you, Mr. Speaker.

Mr. Speaker, approximately a year and a half ago my oldest son, Bobby, was introduced to the House after becoming a third-generation Eagle Scout. Both my father and I received the award, in 1940 and 1962 respectively, and as most members are probably aware, about 1 in every 100 Scouts becomes an Eagle, but Bobby has outdone both my father and me in a number of ways.

Bobby has earned the bronze, silver, and gold Eagle palms - an achievement earned by fewer than 1 in 1,000 Scouts - and about 6 months ago Bobby was awarded the National Scout Leadership Medal in recognition for his 2 years as the outstanding senior patrol leader in the country. He was the first and only Scout in the history of Susquehanna Council to receive this award by the National Boy Scout Court of Honor. Last month Bobby was awarded the Congressional Award for Youth. He was selected from hundreds of nominees by Congressmen across the Nation, and he is the second Scout in the history of Pennsylvania to receive this medal. Three review boards - a State, a regional, and a national board - made the selection of Bobby, all unanimously.

During Bobby's term as senior patrol leader, his troop has received many local, county, district, State, and regional awards for their efforts in wildlife management and conservation - far too many to mention but for the latest two.

With Bobby is his younger brother, Eric, my youngest son, who is a Life Scout currently working on his Eagle project. Four months ago their troop, No. 174 of Mount Carmel, was awarded the first-place recipients in the Keep Pennsylvania Beautiful Award. Last week their troop, 174, was informed by the White House of their selection of the first-place award in the Keep America Beautiful Award, selected from over 500 youth organizations, which does not only include Scouting but 4-H groups and many other organizations. Bobby, Eric,
and approximately 30 other Scouts from Mount Carmel will receive this award during a ceremony on the White House lawn on July 26. President Reagan will be making the presentation personally.

Ladies and gentlemen of the House, please welcome my two sons, Bobby and Eric.

Thank you very much, and I do want to make one apology. It is not that we forgot their Boy Scout pants; it is that they are growing so fast. They both tried their pants on this morning, and they were too small and too short, so that is why they are in blue jeans.

The SPEAKER. I guess you both can understand by the applause and the standing applause, which we put into the record, how proud all of us are of you. You are the sort of young men we Pennsylvanians are delighted to raise. Give our best regards to the President of the United States and tell him everybody in Pennsylvania is proud of you, and everyone is.

WELCOMES

The SPEAKER. Mr. and Mrs. Tom Weiser and their children are here from Oil City. They are the guests of Ron Black, and they are in the balcony. Wave your hands so we can see you. There they are in the balcony. We are delighted to have you here.

Representative Levdansky has two Girl Scout troops, 434 and 974, here. They are in the balcony. Welcome to the hall of the House, girls. We are delighted to have you here.

DEMOCRATIC CAUCUS

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

Mr. ITKIN. Mr. Speaker, the Democrats will go immediately to their caucus room. I anticipate the majority leader will be in caucus to discuss recent events, and I expect that we will return to the floor at 3 o'clock.

The SPEAKER. Immediate Democratic caucus.

The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, I have made inquiries of my staff, and as of the moment, we do not have any schedule as to what is going on today. We have no marked calendar. I do not know whether we should or should not go to caucus. I am wondering when the majority is going to tell us if they need us. From what I read in the newspaper, they are going to need at least one of us.

The SPEAKER. There will be no need immediately for a Republican caucus. It will be called, the Chair assumes, if need arises.

RECESS

The SPEAKER. This House stands in recess until 3 p.m.

AFTER RECESS

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

BILL SIGNED BY SPEAKER

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

SB 1022, PN 2160

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, providing for the price a public utility shall pay and the charges which may be imposed on ratepayers for electricity generated by a qualifying facility that burns coal mined in a foreign country; prohibiting public utilities that furnish water from imposing a certain charge; and providing for decision deadlines for rates.

CALENDAR

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of HB 441, PN 3387, entitled:

An Act creating an independent commission known as the Animal Health and Diagnostic Commission; and establishing a fund.

On the question.

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—185

Acosta        Donatucci        Kukovich        Punt
Angstadt      Dory            LaGrotta       Raymond
Argall        Duffy           Langtry        Reber
Arty          Durham         Lackinger       Reinard
Barley        Evans           Leh            Richard
Batisko       Fargo           Letterman      Rieger
Belardi       Farmer          Levdansky      Ritter
Belfanti      Fattah          Linton         Robbins
Billow        Fee             Livengood      Roebuck
Black         Fischer         McCoy          Rudy
Blau          Flick           Lucyk          Ryan
Book          Foster          McCull          Rybak
Bortner       Fox             McClatchy      Saum
Bowley        Freeman        McHale          Scheetz
Bowser        Freind          McVerry        Schuler
Bouyes        Gamble          Malia           Semmel
Brandt        Gannon          Maine           Serafini
Broujos       Geist           Manderino      Seventy
Bunt          George          Menniman        Showers
Burd          Gladeck         Markosek       Siriani
Burns         Godshall        Mayernik       Smith, B.
Bush          Gruizza         Melo            Smith, S. H.
Caltagirone   Grappo          Merry           Snyder, D. W.
Cappabianca   Hagarty          Michlovie       Snyder, G.
Carlson       Hanuska         Mirozze        Staback
Carn          Harper          Miller          Stairs
Cawley        Hasay           Moehmann        Steighner
Cesar         Hayden          Morris          Stuban
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**Heckler**

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

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

* * *

The House proceeded to third consideration of **HB 2100, PN 2907**, entitled:

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

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

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

The question is, shall the bill pass finally?
Agreeable to the provisions of the Constitution, the yea's and nay's will now be taken.

**YEAS—194**

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**Heckler**

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

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

* * *

The House proceeded to third consideration of **SB 1109, PN 2082**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for the criminal offense of agricultural vandalisms; and providing for a penalty.

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

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

The question is, shall the bill pass finally?
Agreeable to the provisions of the Constitution, the yea's and nay's will now be taken.

**YEAS—190**

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BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of HB 1827, PN 2280, entitled:

An Act amending the act of January 24, 1966 (1965 P. L. 1535, No. 537), known as the “Pennsylvania Sewage Facilities Act,” further providing for the approval of applications for revisions to plans.

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

Mr. MERRY offered the following amendments No. A4000:

Amend Title, page 1, line 12, by removing the period after “plans” and inserting

and further providing for permits.

Amend Sec. 1, page 1, line 15, by striking out “Section 5(e)” and inserting

Sections 5(e) and 7(a)

Amend Sec. 1, page 1, line 17, by striking out “is” and inserting

are

Amend Sec. 1, page 2, by inserting between lines 4 and 5

Section 7. Permits.—(a) No person shall install, construct, or request bid proposals for construction, or alter an individual sewage system or community sewage system or construct, or request bid proposals for construction, or install or occupy any building or structure for which an individual sewage system or community sewage system is to be installed without first obtaining a permit indicating that the site and the plans and specifications of such system are in compliance with the provisions of this act and the standards adopted pursuant to this act. No permit may be issued by the local agency in those cases where a permit from the department is required pursuant to the act of June 22, 1937 (P.L.1937, No.394), known as “The Clean Streams Law,” as amended, or [where the department pursuant to its rules and regulations, determines that such permit is not necessary either] for a rural residence [or for the protection of the public health]. A municipality may, however, by ordinance require a permit for a rural residence. In such a case the local agency administering the provisions of this act within the municipality shall require a permit for a rural residence. A permit for a rural residence shall not be necessary unless the local municipality requires it by ordinance. Except where a municipality requires a permit by ordinance, the owner of any rural residence shall install, as a minimum, a septic tank with a drain field of six hundred twenty-five square feet, and drain field trench lines at a minimum of three feet wide, two feet deep with one foot of aggregate below one foot of soil cover, which shall be at least one hundred feet from any property line, one hundred-year flood plain, or any river, stream, creek, rivulet, impoundment, well, water course, storm sewer, lake, dammed water, pond or spring. However, it is expressly understood that the owner and the purchaser of a parcel which qualifies as a rural residence recognize that soil-testing procedures were not necessary. The owner and purchaser therefore release the Department of Environmental Resources, the local permitting agency, agent and all township officials from any responsibility for the functioning of the septic system installed. It is the sole responsibility of the property owner to correct any system which is shown to contaminate ground or surface water. The local permitting agent shall certify that the system meets the above stated requirements.

Section 2. The provisions of section 1 (relating to section 7) shall not affect any right to a rural residence exemption from

FILMING PERMISSION

The SPEAKER. John Sanks, permission to film on the floor of the House is granted.

Susan Shumaker, permission to film on the floor of the House is granted.
permit requirements imposed by a municipality which was legally established prior to the effective date of this act.

Section 3. Three years after enactment, the Joint Air and Water Pollution Control and Conservation Committee shall report to the General Assembly its findings concerning the performance of those systems installed on rural residences subsequent to the effective date of this act.

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

4

On the question,

Will the House agree to the amendments?

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Crawford, Mr. Merry.

Mr. MERRY. Mr. Speaker, this is the amendment that is commonly known as the 10-acre exemption.

If the members will recall, recently DER (Department of Environmental Resources) instituted regulations that would do away with the 10-acre exemption on rural residences on July 10, 1989. Now, as a compromise at that time, they put in a provision that there is a grandfathering of 2 years, whereby if a person bought property prior to the enactment of the regulations, they would still continue to be exempt from the regulations. However, that grandfathering will be finished as of January 10, and throughout Pennsylvania all people living in a rural area will either have to be on a quality municipal sewage system or they will have to have soils of such nature that they will easily qualify for an ordinary permit, in which case 10 acres no longer makes any difference. But in most of our rural areas, we have many, many parcels of land that will never be on a municipal water system and will never qualify for an ordinary sewage officer's permit. For that reason I have offered this amendment which provides a 10-acre exemption but with many qualifiers. It continues to provide the 10 acres. It will now in addition provide offsets of 100 feet from any property line or from a well or from a dam or from a stream.

If you recall, the apprehension of the DER about the old law was that many municipalities had failed to institute a permitting process that would enable sewage systems to be put in in a safe manner. What this amendment here will do is, by providing offsets, it will mean that we cannot pollute ourselves even on 10 acres. In addition, it insists that a quality sewage tank be put in and a quality field be put in. It also provides for overview by sewage officers so that the system is put in properly, and in addition, and finally, it also provides for the local permits process if the local municipality wants to do that.

I feel that this amendment is essential, that we have it in place before the first of the year or we will have essentially cut off all building in all the rural areas of Pennsylvania.

Mr. Speaker, I urge that amendment A4000 be approved.

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

Mr. BOWLEY. Thank you, Mr. Speaker.

Mr. Speaker, I would like to ask the members of this House to vote against this amendment, and if I may take a moment to update the members of the House on why we are at this point and why I believe Mr. Merry is offering this amendment.

In the past there was a 10-acre exemption for rural residences. If you owned 10 acres or more, you did not need to obtain a permit for your sewage system from DER. However, as a member of the House Conservation Committee, I am aware of testimony that was presented before the committee on where this 10-acre exemption was causing numerous problems around the Commonwealth with regard to sewage.

In the past, if a person owned less than 10 acres, he or she was required to obtain a permit, and if a person owned 10 acres or more, they were not. What would happen, Mr. Speaker, is what we would commonly call strip development. Along a particular road, someone who had less than 10 acres would go to the trouble of obtaining a permit, and if their soil passed the DER test, they were issued a permit and allowed to have a sewage system on it. However, if his neighbor had 10 acres or more and they wanted to build their house out near the road, they would not be required to have a sewage permit, and sometimes these people would have long, narrow strips of property — what we call the "bowling alley" effect — and these people would purchase this property and perhaps own only 10 acres. They would build their house out near the road and they would not be required to obtain a permit, and perhaps their soil would be somewhat different than their neighbor's and perhaps their septic system would malfunction, causing problems not only for themselves but for their neighbor.

Because of this reason, DER proposed that everyone should have a rural residence sewage permit. Hearings were held before the House Conservation Committee. We approved these regulations. They were finally adopted by IRRC (Independent Regulatory Review Commission) and are now the law of the State.

Mr. Speaker, I think if we are serious about protecting the groundwater of this Commonwealth, everyone who wants to build a residence in the rural area where they will have onlot sewage systems should be required to have a sewage permit and should have to have the adequate soil necessary to protect the groundwaters. I myself went through a DER test within the last 3 weeks. Fortunately, my property did pass.

I think the rules and regulations that are on the books now are adequate to protect our groundwaters. With this particular amendment, which allows that a rural residence in a municipality does not necessarily have to have a permit unless the local municipality requires it by ordinance, I daresay that a lot of rural municipalities will not enact ordinances and you will have rural residences being built on ground and soil conditions that are inadequate and we will have sewage problems across the Commonwealth, which will affect the potable water of this Commonwealth.
I would ask for a negative vote.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. The Chair notes, with a tremendous sense of admiration for the courage of the man, that Steve Seventy has come back on the floor of this House to do his sworn duty, even at the risk of his health. And in order to make it very clear, he came back not at the demand of the Republican leaders, not at the demand of the Democratic leaders; neither one would have forced him to return to the floor. He insisted on coming on his own, and we applaud his courage, and we trust that he is going to get better real fast.

Steve, God bless you.

CONSIDERATION OF HB 1827 CONTINUED

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

Mr. GODSHELL. Thank you, Mr. Speaker.

I rise in favor of the Merry amendment.

Last year the DER, by regulation, changed again legislative intent. A lot of people were hurt who had purchased properties expecting to be able to build on them under present law, maybe some as long as 3, 4, or 5 years ago. These people were hurt when the DER changed the regulations.

What they did—And I sort of agreed with them that you could have a long, thin parcel of land and you could hurt your neighbors, but what is here with the Merry amendment builds in a lot of safeguards, which should take care of almost every property that we have out there, protecting again their neighbors. You cannot only build on a tract that you have of 10 acres; it is 10 acres or over. It could be 100 acres, 150 acres, or 200 acres.

So I think with the safeguards built into the Merry amendment, I would ask the legislature to vote in the affirmative. Thank you.

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

Mr. BROUJOS. Mr. Speaker, this is an attempt to piecemeal provide for the certification of a septic system on a lot. It provides standards that are better handled through the regulations. It attempts to establish the standards by which a 10-acre lot meets certain onsite sanitary conditions rather than leaving it to the local sewage enforcement officer according to standards that are flexible and standards that have been time honored. This is an attempt to authorize the onsite sewage approval for a site that can be gerrymandered into a very thin strip of residential construction. Then four or five of those strips, as Representative Bowley said, could be adjacent to each other and pollute each other.

So there are so many ways that the 10-acre tract can in fact circumvent good onsite sanitary standards that I would ask for the defeat of this amendment, and this is not the bill to which it should be attached.

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

Mr. NOYE. Thank you, Mr. Speaker.

I rise in support of the Merry amendment.

A few years ago this body in its wisdom helped to create the SEO (sewage enforcement officer) law at a time when we were not happy with what DER was doing in the field on onlot sewage systems. We thought we were doing our constituents a favor by establishing that law in an effort to get them a quicker response and a chance to go on with their plans. At that point in time, we had a 10-acre limitation in this Commonwealth that eventually DER on their own stripped away from us, and we stepped in to extend the 10-acre limitation for a few more years.

Mr. Speaker, if you have a district which has to deal with onlot sewage and the program that is in place today, you cannot be satisfied with what is going on out there because your constituents surely are not. It is time that we take control of this situation. It is time that we decide how to go about it, because DER is not providing the leadership or the information or the assistance to carry out the program that they singlehandedly have taken control of by mandating that all permit applications come before them. They do not have the manpower; they will not, no matter how much money we put in this budget, they will not have the manpower to do the job, and the problems that exist out there on the question of groundwater contamination today are not any greater than they were before when we had the old system in place. In fact, the old system seemed to work a whole lot easier than what we are trying to ram down the throats of our constituents.

Mr. Speaker, you will do your constituents a big service by adopting the Merry amendment.

FILMING PERMISSION

The SPEAKER. Public television is being granted time to film on the floor.

CONSIDERATION OF HB 1827 CONTINUED

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

Mr. BOWSER. Thank you, Mr. Speaker.

Mr. Speaker, I contend that the Merry amendment is trying to do something, and that something is to help a number, a great number of people in this Commonwealth build homes and live in the country. I submit that there are probably very, very few of these 10-acre lots that are long, narrow strips. I wonder if the people of the House know how long a strip of land would have to be if it only had a 100-foot frontage. Most of these people choose to buy 10 acres in the country because they do not want to live close to anybody, and that is what most of these lots are - 10 acres that probably half of it is frontage on a roadway.

In the northwest and many, many other places in the Commonwealth, we have heavy soils. There is just no way in the world that DER is going to permit those soils. But nobody is going to convince me that you cannot take 10 acres of land and put the proper amount of leach fills and whatever in there...
to adequately take care of this sewage problem, and I think the Merry amendment has those safeguards in there. Think about it, think about your constituents that have land waiting for retirement, to build a retirement home out of town. These are the people we are trying to help, mainly, and also those who choose to live out of town and purchase a 10-acre-or-more plot to do this on.

I urge the adoption of the Merry amendment.

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

Mr. MICHLovic. Thank you, Mr. Speaker.

Mr. Speaker, earlier Mr. Godshall indicated that there were adequate protections in this amendment to provide for the safety of the groundwater. The way I read it, and I am reading from the amendment, “A permit for a rural residence shall not be necessary unless the local municipality requires it by ordinance.” The things that Mr. Godshall referred to as protection, I suppose, are on the second page where it refers to the various technical requirements and standards for placing such a septic tank, but if the municipality does not have an ordinance, you are not required to place it to begin with.

I am opposed to this amendment because I think in a State with severe problems of groundwater pollution, with severe problems of giardiasis, in a State where we placed millions and millions of State dollars in farmland preservation, why we should be making it easier to develop that farmland and not to develop but properly to put in a septic system that does not work in the kinds of soils that it has already been proven not to work is really beyond me. I think that we ought to oppose this amendment because it will severely impact in a negative sense the groundwater of Pennsylvania, which is already one of the most seriously polluted. We have more pollution in Pennsylvania drinking waters than most any other State. We ought to disapprove the amendment for this reason. I oppose it. Thank you, Mr. Speaker.

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

Mr. BURD. Thank you, Mr. Speaker.

Mr. Speaker, I rise to support the amendment offered by the gentleman, Mr. Merry.

I can go back probably 10 years as a member of this General Assembly when the Conservation Committee was working with institutions of higher learning in the State, with the DER itself, trying to solve the problem of onlot sewage for single dwellings in the State of Pennsylvania. Pennsylvania has a very unique problem in that we are considered to be on about two-thirds of a clay base, meaning that about two-thirds of the whole State is in an area where clay is of the essence and therefore does not allow a leachate to go through the ground.

As I look at the formula that Mr. Merry has included in his amendment, he is saying he wants to have 625 square feet of area available. He also states that he would like to have 2 feet of aggregate under the leachate pipe that goes out from the septic tank in a 3-foot ditch, which adds to the amount of retention that that leaching field would be able to give to support a septic tank type of onlot sewage arrangement.

For most of you who do not know exactly how this type of a system works, by using that much of a retention, the average family dwelling will use anywhere from 125 upwards to a huge—A big exception would be 500 gallons of water a day, and by allowing that amount of retention in the ground, even though it will not leach through the ground, the principle of that type of a field is to be able to retain the ground long enough for the sun actually to draw the water back out of the ground again and therefore allow the septic tank to properly drain into the leachate field.

But in addition to that, Mr. Merry has added other safeguards to his system and to what he would propose as an onlot sewage system. As I look at them and as I have studied them over the years, it would appear to me that those safeguards are more than adequate, would be more than adequate to allow a system like that to work, and would therefore release a lot of valuable ground within the Commonwealth for people who would like to build in areas where up until now it has been impossible to put in any type of septic system or alternative system. By the alternative system, of course, we are referring to the old sand mound system which has proven time and time again that it does not work because, once again, we are dealing with the wrong type of soil.

So therefore, Mr. Speaker, because of those arguments, I wholeheartedly support the Merry amendment and would ask that my colleagues on both sides of the aisle support this amendment. Thank you, Mr. Speaker.

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

Mr. CLYMER. Thank you, Mr. Speaker.

I also rise to support the Merry amendment. I just want to add one other point to what those other speakers have addressed as important issues, and that is, there are a number of young couples that I am aware of who had purchased the land 2 years ago but due to circumstances beyond their control have not been able to build their dream home, and as has been alluded to, by January 10 of next year if they do not build that home, that 10-acre plot will have to be perked, and if it does not percolate, they have 10 acres of useless land. Therefore, this amendment will provide them the reprieve that they so desperately need in order for them to someday build that home.

Therefore, Mr. Speaker, I concur with the Merry amendment and ask members on both sides of the aisle to support it. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Warren, Mr. Bowley, for the second time on the amendment.

Mr. BOWLEY. Thank you, Mr. Speaker.

Mr. Speaker, may I interrogate the author of this amendment, please?

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

Mr. BOWLEY. Thank you, Mr. Speaker.

Mr. Speaker, on page 2 of your amendment, the last sentence, "The local permitting agent shall certify that the system meets the above stated requirements." Whom do you mean by "the local permitting agent"?
Mr. MERRY. That would be the local sewage enforcement officer.

Mr. BOWLEY. That is what I was afraid of.

Mr. Speaker, is it not also correct that the local sewage enforcement officer is trained and employed sometimes by the local municipalities but he is hired to enforce the State regulations?

Mr. MERRY. I am sure you are correct on that assumption, but I do not see the problem there.

Mr. BOWLEY. Mr. Speaker, under your proposed amendment, would these local permitting agents still be required to enforce the rules and regulations of the Commonwealth or would they just be required to enforce those regulations that a particular municipality may enact?

Mr. MERRY. As far as this amendment is concerned and those qualifying for the 10-acre exemption, the sewage enforcement officer would be enforcing the 625 cubic feet of drain field and the offsets from the property lines and from the other offsets that are in here. Also, in addition, if a local township or borough would have additional laws in their permitting process, he naturally would have to be enforcing those, too.

This does nothing to reduce the effect of the law. It actually just says that the sewage enforcement officer will be certain that this is all done in daylight hours and all aboveboard.

Mr. BOWLEY. Mr. Speaker, would the local permitting agent, whom we commonly refer to as the SEO, the sewage enforcement officer, also be required to investigate the soil conditions where this system is going to be put in the ground with regard to clay and mottling conditions?

Mr. MERRY. That part of the law is exempted. He would not have anything to do with ground quality.

Mr. BOWLEY. Therefore, Mr. Speaker, if I follow what you have said, a particular site may meet the 625 square feet of drain system but a particular site may not necessarily meet the soil conditions as are currently required by law. Correct?

Mr. MERRY. That is exactly the point of this amendment.

Mr. BOWLEY. Therefore, if a particular site did not meet the State's soil conditions test but met all other conditions of your amendment, the local permitting agent could issue the permit.

Mr. MERRY. That is true.

Mr. BOWLEY. Thank you.

Mr. Speaker, I also would like to question you with regard to a part of your amendment also on the second page, the sentence that says, “However, it is expressly understood that the owner and the purchaser of a parcel which qualifies as a rural residence recognize that soil-testing procedures were not necessary.” In particular, what type of soil-testing procedures are not necessary?

Mr. MERRY. The amendment states that there are none necessary. On 10-acre exemptions this is what you are being exempted for - that part of the present regulations that require soil tests before you can qualify for a permit.

Mr. BOWLEY. Yes. You are aware, Mr. Speaker, that under the current law all the rural residences, whether 10 acres or more, still have to meet the testing procedures as outlined?

Mr. MERRY. Yes, I am aware of that.

Mr. BOWLEY. Okay. Thank you, Mr. Speaker.

Mr. Speaker, for the second time, may I speak on the amendment?

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

Mr. BOWLEY. Mr. Speaker, I am not sure if I am making myself clear enough or if the members of the House know today what this amendment will do. However, Mr. Speaker, I feel that this amendment should be voted on in the negative for numerous reasons. However, the basic reason I think is that if we are to protect our groundwater of this Commonwealth, we should require a rural residence, whether it be on 1 acre, 3 acres, or 15 acres, wherever this rural residence is, that their sewage system should be placed in soil conditions that will adequately handle the effluent that will come out of the particular residence.

Mr. Speaker, I do not have training as a sewage enforcement officer, but having gone through the test within the last month, I can tell you that a drain field of 625 square feet, while it may sound like a large system, is not that large of a system. That is approximately 60 feet by 11 feet. That is not that large of a system, especially if you have soil conditions that are not adequate to handle.

Also, Mr. Speaker, the 100-foot setback that is in this amendment I do not feel is anywhere near adequate the way groundwater travels in the Commonwealth of Pennsylvania.

Mr. Speaker, what this amendment attempts to do is to allow people to purchase property in rural Pennsylvania regardless of the size and put a septic system on that property regardless of whether it is going to work or not, and I think that is wrong if we are serious about protecting the groundwater of this Commonwealth.

Also, Mr. Speaker, under current law—and I hope the maker of this amendment realizes this—under current law, if I purchase property from someone and that property subsequently fails a perc test and I cannot build on that property, I under the current law am allowed to get my money back from that person because they did not inform me of that fact. Under this particular amendment I do not think you would have any standing in a court of law to do that, and I think you are going to have a lot of disappointed people out there when they find that out and have malfunctioning sewage systems and the local agent or their neighbor takes them to court because they are poisoning their groundwater that they are drinking.

Mr. Speaker, I ask for a negative vote.

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

Mr. LLOYD. Thank you, Mr. Speaker.

Mr. Speaker, I support the amendment. I recognize that perhaps this amendment is not drafted in the best possible language, and I recognize that there might have to be some fine tuning with regard to the size of the drain fields, but I think it is important that today we start the process moving. This is a House bill; it is going to go to the Senate. There will be lots of
opportunities for people to make amendments, but if we do not pass this legislation today, the Department of Environmental Resources will do nothing to provide any relief for those of us in rural areas.

Now, several speakers have I think put their finger on what really is going on in here. If you do not want any development in rural areas, if you do not want us to be able to build up our tax base, then you vote with Mr. Bowley and the opponents of the Merry amendment. However, if you want to give a reasonable opportunity for development and jobs in rural Pennsylvania, then you vote for the Merry amendment and we will worry about working out anything that needs to be worked out as the bill moves through the process. Thank you, Mr. Speaker.

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

Mr. GODSHALL. Thank you, Mr. Speaker.

Again, I totally agree with Representative Lloyd in what he said. There are many of us living in rural areas who have absolutely no relief at all under the present regulation of DER. I totally disagree with Representative Bowley, who kept saying "under present law." It is not present law; it is present regulation. DER changed the law that we established by regulation, so it is not law; it is regulation.

We living in the rural areas, as Representative Bowley had said, should put the sewage lines in the soil that will accept and that are okay under DER regulations for accepting the sewage and the effluent. Unfortunately, we cannot change the soil conditions that are out there. Many of us are living in areas with no type of soil that the DER recognizes as being acceptable, so we have no other alternative.

I agree with Representative Lloyd that this is a way of getting off the ground and trying to seek some relief from the DER. Anybody in rural Pennsylvania I think knows what I am talking about.

I urge a "yes" vote on this amendment. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Butler, Mr. Burd, for the second time.

Mr. BURD. Thank you, Mr. Speaker.

You know, it kind of tickles me in a way to hear various members get up and talk about their concerns about the groundwater. Watching and being around construction sites where leach fills are being installed or septic tanks are being put in, perc tests are being made, all the inspector is looking for is to see if the water is going to leach into the ground, and in most cases, if you are lucky enough in Pennsylvania to hit an area where we have a shaly soil, of course it is going to leach into the ground and of course that is where you are going to have problems with the possibility of contaminating your groundwater. But I do not think that one of the previous speakers was listening when I said that Pennsylvania is two-thirds clay base, and the secret to making a system like this work is to provide enough retention so that the sun can soak it back out of the ground or actually pull it out of the ground. If you are in that clay base, you do not have any danger to the groundwater, because the clay is not going to allow the water to go through to get into the groundwater. So if you would just use your common sense for a little bit, you would understand that the safeguards that have been put into the language of this bill adapting it to Pennsylvania soil convinces me that this system will work.

Once again, I would certainly urge my colleagues on both sides of the aisle to support this amendment. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Perry, Mr. Noye, for the second time on the amendment.

Mr. NOYE. Mr. Speaker, the statement is being made over and over that if we want to get serious about cleaning up groundwater in the Commonwealth, then we have got to defeat this amendment. The fact of the matter is that we are not going to get serious about the groundwater problem in this Commonwealth until DER starts enforcing the law that is on the books right now, and they are not interested in doing that.

We have all over this Commonwealth problems with SEO's. To this date, not one SEO has been removed by the legal process that is available to DER. We have problems of malfunctioning sewage systems all over this Commonwealth. When you call DER, their standard response is, we cannot do a thing because that is up to the local SEO. You go to the SEO; he does not know what options are available to him. He does not even know what he can do to force compliance. The township officials will not back him up even though he is an employee of them. The problem is with the SEO law, and until we address that—and we are going to have that opportunity before we shut down here for the summer—until we address that problem, the groundwater problems of this Commonwealth are going to continue. Until that time, for the people who live in rural areas, this amendment is essential if we are to have any kind of growth in our areas, and we ask your support of the amendment.

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I rise in opposition to the amendment.

Some of the arguments that I hear today I honestly cannot believe. What we are saying is that if you have a rural residency lot—and that is defined as anything over 10 acres—the State of Pennsylvania no longer cares whether or not the septic tank system that you install according to these specifications works properly or not. As long as you are 100 feet—and it is not 100 yards I do not think; it is 100 feet—away from a property line, a stream, et cetera, you can put a septic tank system in stone, in rock, where there is not going to be any percolation; there is not going to be any percolating at all. The permit that the local municipality is able to issue and the responsibilities given to the local municipality in the ordination-making in this amendment is simply to come out and see if you put the septic tank in according to these specifications, and these specifications say nothing about suitability of soil, ability of percolation tests to show that a septic tank system is proper for the kind of ground.
What we are saying here today is that there are too many of us that have clay soil that percolation will not occur, that septic tank systems will not work without getting into the ground table, the groundwater, or without creating a health hazard, but we do not care. We want to be able to build residences, at least two-family, as long as we are 100 feet away from the property line or from the stream, and nobody - the local municipality, State Government - is going to be able to do anything about it. In fact, this amendment says everybody is released. The local municipality is released from any responsibility; the State is relieved; the permitting agent, the agent, all township officials are all released if that system does not work right.

Further, Mr. Speaker, this amendment says that the protection that we have initiated in law for people who buy land expecting to build a residence on that land, expecting that that land is going to be suitable for a residence - and we have said that it must pass a perc test - they now have the ability to go back to the seller and say to that seller, hey, you sold me something that will not work for a residence; you have sold me something that I have no ability to put an operating disposal system for sewage on. What we are saying in here is we do not have to worry about that any longer, because any purchaser whom we have given that protection to no longer has the protection. The language in here says, "The owner and purchaser therefore release the Department of Environmental Resources,..." and the ones I indicated to you, and also, "...it is expressly understood that the owner and the purchaser of a parcel which qualifies as a rural residence recognize that soil-testing procedures were not necessary." That means they are not necessary for him and it means they were not necessary for the people that sold him the ground. He has no recourse. Nobody had to test that ground to see whether or not it was suitable for a septic tank. What we are saying is, if you build a septic tank with a drain field of 625 square feet - and I have not sat down to figure out how big that is; somewhere around, what, 6 by 100? 6 feet by 100 feet or 12 feet by 50 feet - if you have that kind of a drainage system in and if you put it in at a minimum of 3 feet wide - so I guess there is a 3-foot wide; that brings the 600 down a little bit, maybe to 25 feet or 20 feet - and you put it 2 feet deep, we do not care how it operates. We do not care if it does not operate at all, because the only thing the inspector can come out and inspect, even with the local ordinance, is he can inspect if you did it the way we told you to do it in here. Mr. Speaker, I think this is a step backwards.

Now, I can understand frustration in the rural areas, as Mr. Noye said, with the SEO's, with the sewage enforcement officers, and I have that same frustration in what is not so rural an area, and I can understand that Mr. Broujos has a frustration. He introduces a bill here that says instead of 120 days we are going to cut DER's response time down on these permits to 90 days. I can understand that and I can be for that kind of legislation, and that is the way we ought to be attacking this kind of a problem, not simply saying, you do not have to do anything but put the septic tank system in like this even if, even if it will not work.

Let us talk about not working. I come from an area where active coal mining has gone on for many years - deep mine - where the subsurface is fractured. I can meet the requirements of this bill as long as I have 10 acres, even where I know that my sewage is going to find its way down to the mine and eventually into a stream into people's drinking water, so long as my residence is 100 feet away from that stream. I will tell you that there are underground channels with subsurface water that run more than 100 feet by far-thousands of feet, miles to the nearest stream that we will pollute.

We have just spent millions of dollars in Pennsylvania to clean streams. We spent millions of dollars in municipalities so that people's drinking water can be safe. Because of our frustration in the permit procedure - And no one will attack that we ought to have a procedure that leads to systems that are conducive to good health, that are conducive to clean water. Nobody will argue that. But somehow they can reason, as long as you put this septic tank system in, we do not care whether it works or not; we do not care if you have mines underground that it can find its way down to and eventually into a stream. We do not care about that. The local inspector, that is his responsibility to go out, but all he can do is check to see if you installed it this way.

Mr. Speaker, if my interpretation is incorrect, if it is incorrect, then somebody will explain to me why the provisions in section 2 read, "The provisions of section 1..." - where you set up the septic tank system - "shall not affect any right to a rural residence exemption from permit requirements imposed by a municipality which was legally established prior to the effective date of this act." Now, what does that mean? That means if you already have an ordinance in that requires more than the simple inspection, you may have to comply with that ordinance that requires more than the simple inspection. But anybody who does not have in place now any ordinance, do not run out and put an ordinance in, because this law says the only thing you will be able to control with your ordinance is whether or not this septic tank system, which is going to pollute two-thirds of the Commonwealth - if I can believe someone who says there is that much clay in the Commonwealth - and maybe not pollute the groundwater, if it does not get into the groundwater, but certainly creates a health hazard for people, and I am sure it can create a health hazard for people as close as 100 feet, 200 feet. That is not an awful long distance. That is one-third of a football field, 100 feet, and that is what you will have - a nonoperating septic system permitted in that kind of an area.

Mr. Speaker, when I see these kinds of amendments that I honestly believe jeopardize an effective bill that might cut down, and hopefully will cut down, from 120 days to 90 days the response time of DER that we are all having problems with, I would expect that this amendment would probably lead to a veto, because it is a polluter's amendment. Whether that polluter is in the rural area, whether that polluter is a developer, whether that polluter is one who sells property for residential purposes without having it tested so that the buyer knows and can rely that it will be suitable for residential pur-
poses, all of those things, we are still promoting the pollution of the Commonwealth’s lands and the safety of our people, our drinking water supplies, and I would expect a veto by the Governor. I would expect that because I think his Department of Environmental Resources would point out some of the things that I am pointing out, and I would expect that if this reaches the Governor’s desk in anywhere near the form that it is in, we will not only fail to do anything about the problem that frustrates the rural community in the time granted for permits that Mr. Broujos is having trouble with, but we will have certainly failed to do anything about the problem which this amendment attempts to address.

Mr. Speaker, I ask for a negative vote.

The SPEAKER. The Chair recognizes the gentleman from Lancaster, Mr. Scheetz, for the first time.

Mr. SCHEETZ. Thank you, Mr. Speaker.

The previous speaker mentioned the fact that he thinks this amendment is a step backwards. I certainly have to agree with that. In fact, I would say it is a giant step backwards. I think we are in a situation here where we are caving in to some special interest groups that I do not think we should be caving in to. We have here an amendment that is doing away with the 10-acre requirement, a requirement that the rural people of Pennsylvania, so to speak—the farmers I am speaking of, the farmers’ organizations—have supported.

I just want the members to know that, that the farm organizations here in the State have supported this particular concept, and I think we should also. I think this amendment is a real threat to the environment, and I would hope that we would vote it in the negative. Thank you.

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

Mr. REBER. Thank you, Mr. Speaker.

Mr. Speaker, the debate has been very long. I am going to keep my remarks very short. Frankly, they are basically in response to the position, to the hysteria, if you will, that was emanating from the remarks of the majority leader.

Mr. Speaker, I think it is absolutely imperative that the members of this body recognize that if in fact as I read this particular amendment and if in fact as I understand the intent behind the responsibilities of the Department of Environmental Resources as it exists today as carried out, and there is a system that is not working and there is a system that would be contaminating, then it is my understanding, Mr. Speaker, and certainly my hope, and I am sure the hope of all the other members, that the appropriate enforcement mechanism would be put into effect to shut down a contaminating system.

I think the majority leader certainly has hysteria on his side when he suggests this particular type of amendment has some risk. I certainly agree that there is risk in this particular type of amendment in the manner in which it may in fact be implemented, but I would submit to the members of this body that from 1972 until approximately a year and a half ago, under the Pennsylvania Municipalities Planning Code, under the 10-acre requirements that were looked at and reviewed and enforced at that time, there were virtually no, and I must emphasize, no regulations whatsoever concerning the minimum size of the drain field that must be in effect, and I would again submit that the amendment talks about minimum size.

It also talks about the right and responsibility of a municipality to consider whether it desires to enact an ordinance to in fact regulate, and I would submit and I would hope that every municipality does in fact enact ordinances that strictly regulate under the guise of this amendment the health and safety concerns that I think everyone was addressing.

Now, Mr. Speaker, I would simply say that there are minimum standards set forth in this amendment. They are just that, minimum standards, and if those minimum standards are enforced by Secretary Davis and his “legal beagles” on the General Counsel’s staff and if in fact the municipalities through their sewage enforcement officers attempt to enforce the codes that are put on the books here in Pennsylvania on this particular issue, we will not have the polluters coming out and doing what has been suggested. Obviously that scenario exists. It can always exist.

I also found it somewhat comical that there would be concern about a 100-foot barrier consideration when just a few short weeks ago there was extreme opposition when there were attempts to locate various particular types of landfills from certain troublesome areas, and at that time—And I would say the seasons change, Mr. Speaker; the seasons change, do they not? Now it does not seem to be that much of a concern that we are taking a look at a very small barrier requirement. Many weeks ago when we were looking at what is traditionally in the landfill area significant leachate pollution possibilities, we were then not at all concerned about imposing barrier requirements. I think that is an interesting aside that has to go to the credibility of certain people in this particular area, and I think it also has to go to the credibility of whether there is honesty behind taking a pragmatic, practical look at this amendment.

I would submit that the bottom-line consideration is, are the Clean Streams Act and related types of legislation and laws in the Commonwealth of Pennsylvania going to be enforced in the future if there is a violation? There can be many violations of these existing statutes by many means, by many procedures, by many existing rules and regulations, just like potentially—and I must emphasize potentially—there could be violations as a result of a scheme as set forth in this amendment if it is not appropriately enforced and if in fact an existing contamination, the groundwater or surface water, would take place and DER or the acting issuing authority that has enforcement control does not in fact carry out its mandated responsibilities. That is when the problems develop, when they do not follow through in carrying out those responsibilities.

I think there has been a long debate on the practical concerns and necessities for this kind of legislation. I think we have heard from Representative Lloyd, who suggested that possibly it is not artfully drawn to the nth degree. There may
be some need of cosmetic, technical changes. But I think the issue is before us that there is concern for the lack of this particular type of consideration for development in the Commonwealth. I think there is ample statutory authority. There is ample enforcement capability to handle any contamination. I would support the amendment. Thank you, Mr. Speaker.

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

Mr. LETTERMAN. Mr. Speaker, I just want to say that the next time the last speaker gets up to make it short, I am going to bring my bed along. Thank you.

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I enjoyed the remarks of the previous speaker when he talked about credibility. Let us talk about credibility. He somehow juggled the figures a little bit. Not too long ago we in this Assembly talked about the Solid Waste Act and how far facilities should be located away from residences, and we were not talking about 100 feet. The law now says 100 yards, and we moved it in the amendment we adopted from 100 yards to 300 yards. We are not going backwards; we are improving the distance that we consider healthful and safe to have those kinds of facilities. You are garbling the issue. There is no question in my mind that we are being consistent in our opposition to this amendment.

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

Mr. REBER. Thank you, Mr. Speaker.

This time, in all deference to Representative Letterman, I will not certify to the brevity of my remarks.

Mr. Speaker, I think my remarks that the gentleman, Mr. Manderino, was just reiterating and attempting to compare and contrast, if you will, were made in reference to the concern that we seem to now have for pollution through some particular type of legislation that is remedial in nature, and my remarks regarding the solid waste issue a few weeks ago were again that type of concern where I think there was an imminent possibility of contamination to a very significant and suspect particular type of class, and at that time, it seemed like we were ignoring that. I was only submitting that the fervor that seems to exist for protecting should be good for the goose as well as good for the gander, and with that in mind, I would qualify those remarks accordingly. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Crawford, Mr. Merry, for the second time on his amendment.

Mr. MERRY. Mr. Speaker, I regretted some of the comments I have heard, because I was afraid they were taking a position before I had a chance to more thoroughly explain the amendment, because this amendment is no different than the one that this House passed 2 years ago by a vote of 189 to 2. It is no different than the bill that the Senate approved 2 years ago and sent back to the House for concurrence, and it lost on concurrence because it was not even considered in the waning hours of that session.

This bill does not seek to deteriorate the existing laws one iota. The laws that have been in effect in this Commonwealth of Pennsylvania will still be the same laws. This law seeks to go further than that and to provide additional safeguards. What it does primarily is to keep our present law from ending. The law, by regulation, will end on January 10, 1989, and from that point on, no person in rural Pennsylvania will be permitted to build unless they are on a municipal sewage system or they have extremely quality-type soils.

Now, what this bill does— I want to say something else. What is 10 acres? To listen to Mr. Bowley, he suggested it could be 100 feet wide, and if that were true, it would have to be 1 mile long. Ten acres could possibly be a piece of land 450 feet wide by 1,000 feet long. Ten acres has 440,000 square feet in it. With these safeguards that we have designed in this amendment where it has to be at least 100 feet from another property or from a well or from a stream and so forth, we would have to have at least a minimum of 200 feet.

But what we are essentially trying to do, if I can make all of us instant sewage experts, the bill provides for a septic tank of 900 gallons. In that 900-gallon tank occurs all your primary sewage treatment. After the bacteria has operated on that, it is drained out into a septic field. We provide for 625 square feet of that field. It is more than a minimum that everyone uses, even with soils of the proper type. What we are doing is inserting into a field that may or may not have the proper soils a quantity of gravel that in and of itself is capable of purifying the leachate that comes out of this septic tank.

You have heard in biology how you can run bacteria in a stream. In about 10 feet of the proper-sized stone, the water is pure. If you run bacteria through gravel in a very short number of feet, it is pure. All we have to do then is be sure that whatever might run out at the end, since it cannot get down through the clay barrier, and Representative Burd just pointed out to me again that studies have shown that in two-thirds of Pennsylvania there underlies a clay barrier. But therein lies the benefits of this program, where you have an adequately working septic tank and field where moisture, which is all that can be left, will either drain someplace or be absorbed by the sunshine.

This bill is a good environmental law. It continues existing laws but with further safeguards as to distance from property lines and from streams, and if we do not pass this bill, Mr. Speaker, we are going to have our economies, our tax basis in our townships and boroughs, completely stopped after the first of the year. We need this bill in the interests of the new residents of Pennsylvania. I urge its adoption, Mr. Speaker.

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

The following roll call was recorded:

YEAS—125

Angstadt       Dininni       LaGrutta       Raymond
Arty           Distler       Langtry       Reber
Barley         Dombrowski    Lashinger     Reinard
Battisto       Dorr          Leh           Ritter
Belardti       Duffy         Lescovitz     Robbins
Birmelin       Durham        Lettman       Rudy
Black          Fargo         Livengood     Ryan
Book           Farmer        Lloyd         Saloom
Bowser         Fischer       McCall        Saurman
Boyce          Flick         McClatchey    Schuler
Brandt         Foster        McVerry       Showers
interfere with the debate, but we want it noted that those young people were present and were welcome on the floor of the House.

He had to leave. Gregg was here from Pittsburgh; a friend, Broujos'.

Amendments were agreed to.

On the question recurring,

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

Mr. BROUJOS offered the following amendments No. A3614:

Amend Title, page 1, line 12, by removing the period after "plans" and inserting ;

Amend Bill, page 1, lines 15 through 22; page 2, lines 1 through 5, by striking out all of said lines on said pages and inserting

Section 1. Section 2 of the act of January 24, 1966 (1965 P.L.1535, No.537), known as the Pennsylvania Sewage Facilities Act, is amended by adding a definition to read:

Section 2. Definitions.—As used in this act:

"Sewage review officer" means the officer who or agency which, on a county level, reviews revisions of official plans which consist of residential subdivision plans, necessary to implement this act and rules and regulations promulgated under this act.

Section 2. Section 5(a) and (e) of the act, amended July 22, 1974 (P.L.621, No.208), are amended to read:

Section 5. Official Plans.—(a) Each municipality shall submit to the department an officially adopted plan for sewage services for areas within its jurisdiction within such reasonable period as the department may prescribe, and shall from time to time submit revisions of such plan to the department or, where authorized, to a county as may be required by rules and regulations adopted hereunder or by order of the department: Provided, however, That a municipality may at any time initiate and submit to the department revisions of the said plan. Revisions shall conform to the requirements of subsection (d) of this section and the rules and regulations of the department.

(e) The department is hereby authorized to approve or disapprove official plans for sewage systems submitted in accordance with this act within one year of date of submission and revisions of official plans within such lesser time as the regulations shall stipulate[,] except that the department shall approve or disapprove revisions constituting residential subdivision plans within ninety days of the date of submission, for the period of one year from the effective date of this amendatory act, and within sixty days of the date of submission thereafter. The department shall have the power and its duty shall be to delegate the authority to approve or disapprove revisions constituting residential subdivision plans to a county in the event that:

(1) the county enacts an ordinance creating a position of sewage review officer, with the responsibility to perform the duties hereunder and appoints a sewage review officer; and

(2) the department certifies that the sewage review officer has completed a departmental or approved training program and is qualified to perform duties hereunder. The department may decertify a county sewage review officer upon cause shown, notice, and a hearing.

A county to which authority to approve or disapprove revisions constituting residential subdivision plans shall have the right to impose a fee for such services.

On the question,

Will the House agree to the amendments?
The SPEAKER. On the amendment, the Chair recognizes the gentleman from Cumberland, Mr. Broujos.

Mr. BROUJOS. Mr. Speaker, the amendment A3614 is an amendment to the provision that requires DER to act within 60 days. The history of this is that the Sewage Facilities Act does not contain any deadline for DER to act. DER thereupon set by regulation 120 days. I start with the proposition that no government agency should have 120 days, which is 4 months, to approve a document relevant to one of our major industries - construction. Not only should they not have 120 days but they should not have what almost amounts to an absolute discretion to extend that 120 days by their own regulations, and they should not further have the right to in effect hold a development hostage to their final approval by saying if you do not agree to an extension, we will find something wrong with it and send it back to you disapproved.

Now, when builders and legislators and solicitors and municipalities say, why is it not approved and why do you take so long, they say we approve most of them within 60 days anyway. So we will also start with the proposition that DER does not have that serious a problem to meet 60 days but they want to have the right to go 120 days if their staff requirements dictate. They have a number of regions, perhaps seven regions. They will tell you that only two areas have problems, two regions have serious problems. That is the area in central Pennsylvania and one other one.

There should be a statutory requirement that they approve within a certain amount of time, and that time should be 60 days. We have compromised with DER by agreeing that we would go for 1 whole year to permit them to adjust by their systems and to accommodate this amendment by having the first year 90 days. That is only reducing by 30 days the 120 days. Then the 60 days would kick in. During that time they will have additional personnel, which do now have under their proposed budget and will probably have on board, two to four additional people.

In addition, this amendment provides a means for counties to do the approval on the county level. Now, let me explain that. There is no magic in the authority in the State to approve additions or amendments to an official plan. We are talking about several types of official plans. The first one is the plan required by the Sewage Facilities Act, to be filed and approved within 1 year. That starts the development of sewage process in a township, and it says so much will be by public sewage and so much will be by onsite sewage. That is the big picture. The revisions to that plan may consist of the township saying we want to change that big-picture plan, and it also includes a plan for a 100-house development to be added on to a public sewage system.

Consequently, there are different types of revisions. This approval by counties, by a county review officer, only applies to those plans which are residential in nature. Those plans are approved now by people with the following qualifications: They are a college graduate, and they receive on-the-job training. I asked DER what special qualifications. None; just a college degree in engineering or environmental sciences and then we have them work on the job and learn as they approve plans.

I put in here that DER shall train, so they will have almost absolute discretion in training. They can train them any way they want to insure that they meet the high standards essential for good onsite or public sewage line extensions. In addition, they must certify. With that power they should not complain about a county taking over the power. In addition, the approval of these plans is based, first, on the law; second, on regulations; and third, that third, great unwritten body of regulation, which is policy and guidance. We have little control over it, but it exists in every department. It is kind of a shadow government, and they use it and it seems essential. They will monitor and they will insure that the county people comply. I even added here that they can decertify if they find any errors. So for those who have any hesitation to move this function down to a county, there are adequate safeguards - decertification, training.

Now, how about the cost to counties? It could be paid for by fees imposed.

This proposal has a lot of flexibility. It is optional. A county does not have to become a sewage-review-officer county if it does not want to, but if it is getting a ration from DER and if the builders are not getting the service and if the homeowners have to wait for their mortgages and if interest rates go up and the homeowner has to pay a higher rate because it took 120 days between the time of application and approval of the subdivision under which they have an interest through an agreement of sale conditioned on approval, then, by golly, they should be protected and that county should approve and take over the function and show DER that they are going to act promptly.

The builders, if they want approval on the county level, will have to go to the counties, and the counties can negotiate with them. They can tell them, well, here is what our fees are going to be. They can go to DER and scream, why in the deuce are you not getting this job done? And we can get the job done. Remember, every time I face DER with the fact that they have to reduce their time, they say we do not need a statutory limitation because in fact most of them are done within 60 days. Remember that.

I ask your support for this because it requires the government to act for a major industry. This is not a building industry bill. This is not a bank industry bill. This is a consumer bill, and this can be accomplished by a government that responds and does the job.

Now, I regret very much that I must address the fiscal note. I want you to ask me questions about that fiscal note, because my answer to you will be, what fiscal note are you talking about? DER told me that it is going to cost $4 million over the telephone. Then they came in with a fiscal note on an amendment to HB 1907, which has not been called up yet, saying that it would cost $867,000 and it would be 27 more sewage review officers on the State level; 27 more. Now they come up with one today, which is the third fiscal note, and they say it will cost $800,000 for 12 additional staff. They told us in the
Mr. Bowley. Mr. Speaker, I do not profess today to be an expert on sewage enforcement within the Commonwealth; however, I regretfully ask for a negative vote on this amendment.

I agree with the maker of the amendment that we need to speed up the process for review and approval or disapproval, and I agree with that part of the amendment. However, I wholeheartedly disagree with the part of the amendment on page 2 that will transfer some of the authority on whether to approve or disapprove these residential subdivision plans back to a county level. There are numerous reasons why I do that, but the one I would like to mention today is the tremendous amount of pressure that is going to be placed on this sewage enforcement person who works for the county.

As most of us know, when a subdivision is under review and they receive the necessary plans but perhaps do not have the adequate sewage plans in place, there is a tremendous amount of pressure from the builder in this area. They have already invested a large sum of money to investigate whether this subdivision would be approved or not. There will be a tremendous amount of pressure on this county sewage review officer to approve these plans, whether the sewage plans are adequate or not, and I just think that I would rather have someone from DER reviewing these plans on a statewide basis so that the plans are the same from county to county versus having someone at my local courthouse responsible for a multimillion-dollar investment of a subdivision.

Mr. Speaker, I think it will cause a lot of chaotic problems across the State, and I ask for a negative vote.

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

Mr. Coy. Thank you, Mr. Speaker.

I join with those members who are supporting this amendment. I think that we owe it to our constituents to do what we can to speed up this process.

Many of us have dealt with the frustration of the department under several administrations to deal with permit approvals like this. Regrettably, the process has not gotten a whole lot better. We have attempted to do some things by installing some regional offices and beefing up some of the personnel, but the requirement still has to be with that personnel of the Department of Environmental Resources that we want to move the process along. I think our constituents and mine are entitled to a quick and speedy review of this, whether it is done by a local sewage officer or by the department.

Nonetheless, the Broujos amendment, I think, is a vast improvement to the bill, and both of them deserve a positive vote from the members of this House. Thank you, Mr. Speaker.

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

Mr. Letterman. Thank you, Mr. Speaker.

I rise to ask for the defeat of this amendment. I think this is another builders' amendment. I think this is another amendment that would only do what they want done. I do not think it does anything for protecting the environment in the State of Pennsylvania, and I believe that even though I will hear all kinds of comments that we have to move things along — You know, DER is not my favorite office to work with most of the time, but I can tell you this: Everybody whom I have dealt with in sewage enforcement has been people who have gone out and they have told people exactly what the law is. It is not one day it is one thing and another day it is another thing.

When municipalities hire review officers to go out and SEO's go out and they do the investigations, they are not trained the way one of the people from the State is trained to do the job, and I think that really what we should be doing is letting the situation the same as it is today. I do not think it is all that bad, and I believe that what we really need to do is take a good look at this bill. I do not think it has been properly drawn, and I do not think the amendments are right, and I believe that the whole bill is just screwing up the entire part of the sewage enforcement that we should be taking a very good look at.

I ask for a negative vote. Thank you.

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

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

I rise in support of the amendment.

I, too, as most of us here, am concerned as far as the environment is concerned. This bill really in no way will affect the quality of the environment. It is a procedure that is already established. All we are doing is moving the timeframe up, because, you know, the environment is one consideration, but the cost of housing today in Pennsylvania is certainly escalating at an alarming rate, and one of the reasons is because of the long delays that these contractors have to go through in waiting for the approval of plans that are already well put together. They just need to be moved up in the timeframe. A month or two delay has a lot to do with the interest, and therefore, that is passed on to the home buyer.
I would like to recommend that we pass this amendment. I think it would be good, and I think it is certainly in line with moving things along in the direction for the home buyers.

Thank you.

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

Mr. FOSTER. Thank you, Mr. Speaker.

I rise to strongly support the Broujos amendment.

I have experienced in my own district the delays to which he attests, and we have had occasions where we have almost lost industries that were moving in because of these delays. Lengthy documents were sent back to the potential builders which would indicate that it would take days and weeks of negotiations to clear up certain points, and then we find out when we actually get together in a meeting that they can be resolved in maybe 20 or 30 minutes. In short, the bureaucracy is out of hand, and it is time that we adopt the Broujos amendment.

I strongly urge an affirmative vote.

The SPEAKER. For the second time, the Chair recognizes Mr. Broujos.

Mr. BROUJOS. Mr. Speaker, I must address the observations of Representative Bowley. What he is asking you to do—When he says that he does not want the county sewage review officer to review because of the tremendous pressure, he is saying that he does not trust his county commissioners. He does not trust the county commissioners to follow the law and to in fact insure that the sewage review officer is a responsible person who is going to be certified by the State and required to be a college graduate and is going to be monitored by the State and trained by the State and decertified required to be a college graduate and is going to in fact insure that the sewage review officer is a responsible person who is going to be certified by the State and required to be a college graduate and is going to be monitored by the State and trained by the State.

So in effect, he is asking you to trust DER's efforts, which include a four-time 120-day extension and include taking 119 days to look at it and, on the 119th day, saying it needs to be notarized. That is the kind of thing we are facing.

I ask for an affirmative vote.

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

The following roll call was recorded:

YEAS—169

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NAYS—21

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| Argall | Letterman | Petrone | Tello |
| Argall | Letterman | Petrone | Tello |
| Bownley | McHale | Pivsky | Van Horne |
| Davis | Maine | Rybak | |
| Davida | Manderino | Serafini | Irvis, |
| Freeman | Michnov | Siriani | Speaker |
| LaGrotta | Murphy | Stieghign | |

NOT VOTING—6

| Callaginone | Harper | Oliver | Richardson |
| Cohen | Kennedy | Oliver | Richardson |

EXCUSED—1

| Hecker | |
| Hecker | |

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

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

Mr. BROUJOS offered the following amendments No. A3897:

Amend Title, page 1, line 12, by inserting after "board", the advisory committee

Amend Bill, page 1, lines 18 through 21, by striking out all of said lines and inserting

Section 1. Section 4 of the act of January 24, 1966 (1965 P.L.1535, No.537), known as the Pennsylvania Sewage Facilities Act, amended July 22, 1974 (P.L.621, No.208), is amended to read:

Section 4. Advisory Committee.—An advisory committee shall be appointed within three months of the passage of this act and biennially thereafter, membership of which shall be composed of one representative from the following organizations, the name of said representative to be submitted to the secretary within ten days of receipt of request for same: Pennsylvania State Association of Township Supervisors, Pennsylvania State Association of Boroughs, Pennsylvania League of Cities, Pennsylvania State Association of Township Commissioners, Pennsylvania State Association of County Commissioners, Pennsylvania Association of Plumbing, Heating, Cooling, Contractors, Inc., Pennsylvania Society of Professional Engineers, Mortgage Bankers' Association, Pennsylvania Builders Association, Pennsylvania Society of Architects, County Health Departments, Pennsylvania State University, Pennsylvania Municipal Authorities Association, Pennsylvania Section of the American Water Works Associa...
The SPEAKER. The gentleman will state the point.

Mr. BOWLEY. Mr. Speaker, would I be in order to make a motion to recommit this bill with the attached amendments to the House Conservation Committee for a review?

The SPEAKER. Yes; that motion may be made at this time.

Mr. BOWLEY. Mr. Speaker, I so make a motion.

The SPEAKER. The House will stand at ease.

Mr. Broujos, come here a moment. We may have discovered some error in your amendment.

There is an error, Mr. Bowley. Rather than accepting your motion at this point in time, listen to the Chair's explanation.

The vote on the last amendment must be destroyed, because what was sent here was an amendment to HB 1907 and we were working on HB 1827. The correct amendment is A3913, and the Chair believes—Mr. Broujos, see if the Chair is correct on this—A3913 is exactly the same in wordage as the amendment which was passed. Is that true?

Mr. BROUJOS. That is correct, sir, and it also was distributed, and everybody does have the right amendment.

The SPEAKER. All right. So the error that was made was simply putting the wrong number up on the board.

Mr. MANDERINO. Mr. Broujos did not do anything wrong, did he?

The SPEAKER. Oh, no.

Mr. MANDERINO. Okay.

The SPEAKER. No, no.

But in order that the record be cleansed, the Chair will have the clerk read the correct amendment, A3913.

DECISION OF CHAIR RESCINDED

The SPEAKER. Without objection, the Chair rescinds its decision that HB 1827 was agreed to on third consideration as amended. The Chair hears no objection.

On the question recurring,

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

Mr. BROUJOS offered the following amendments No. A3913:

Amend Title, page 1, line 11, by inserting after “penalties,” “further providing for the Advisory Committee; and

Amend Sec. 1, page 1, line 15, by striking out “Section” where it appears the second time and inserting

Sections 4 and

Amend Sec. 1, page 1, line 17, by striking out “is” and inserting

are

Amend Sec. 1, page 1, by inserting between lines 18 and 19

Section 4. Advisory Committee.—An advisory committee shall be appointed within three months of the passage of this act and biennially thereafter, membership of which shall be composed of one representative from the following organizations, the name of said representative to be submitted to the secretary within ten days of receipt of request for same: Pennsylvania State Association of Boroughs, Pennsylvania League of Cities, Pennsylvania State Association of Township Commissioners, Pennsylvania State Association of County Commissioners, Pennsylvania Association of Plumbing, Heating, Cooling, Contractors, Inc., Pennsylvania Society of Professional Engineers, Mortgage Bankers'

The advisory committee shall have the opportunity to review proposed rules, regulations, standards and procedures and shall review existing rules, regulations, standards and procedures of the department pursuant to this act.

The recommendations of the advisory committee shall be submitted to the secretary who shall give due consideration to the same.

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

The SPEAKER. This is exactly the same amendment, but now correctly on the board, as we voted on before.

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

The following roll call was recorded:

YEAS—177

Acosta
Angstadt
Arby
Barley
Battisto
Belardi
Belfanti
Billow
Birnel
Black
Blau
Book
Bortgner
Bower
Boytes
Brandt
Broujos
Burt
Burd
Burns
Bush
Caltragec
Caltagirone
Cappabianca
Carlson
Carn
Cawley
Cesar
Chadwick
Civera
Clark
Clymer
Cohen
Colafella
Cole
Connell
Corrigan
Cowell

Dutler
Donatucci
Derry
Duffy
Durham
Evans
Farmer
Faith
Fie
Fischer
Fick
Foster
Fox
Freind
Gallen
Gamble
Gannon
Geist
George
Gladek
Godshall
Gratia
Grasso
Hagarty
Haluska
Harper
Hasey
Hayden
Hayes
Herman
Hershey
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Heneman
Howlett
Hutchinson
Ikkin
Kosinski
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Langtry
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Lloyd
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McCall
McClatchy
McVery
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Melio
Merry
Mirozie
Miller
Moeohlmann
Morris
Mowery
Mrkoanic
Nabbar
Noye
O'Brien
O'Donnell
Olaz
Oliver
Penzel
Petracca
Petrole
Phillips
Reber
Reinard
Rieger
Ritter
Robbins
Robeuck
Rudy
Scheetz
Schuler
Semmel
Serafini
Seventy
Showers
Smith, B.
Smith, S. H.
Snyder, D. W.
Snyder, G.
Stieback
Stairs
Stiabun
Sweet
Taylor, E. Z.
Taylor, F.
Taylor, J.
Tigas
Trello
Veen
Voon
Von
Wambach
Wass
Westoa
Wiggis
Wogas
Wozniak

NOT VOTING—4

Argall
Bowley
Davies
Dawida

Freeman
Letterman
McHale
Maine

Manderino
Michlovic
Murphy
Rybak

Sirianni
Steiger
Van Horne

EXCUSED—1

Heckler

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

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

MOTION TO RECOMMIT

The SPEAKER. The Chair recognizes the gentleman from Warren, Mr. Bowley.

Mr. BOWLEY. Mr. Speaker, I move that HB 1827 as amended be recommitted to the Committee on Conservation.

The SPEAKER. The motion now on the floor is that the bill as amended be recommitted to the Committee on Conservation.

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

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

Mr. BROUJOS. Mr. Speaker, I would ask for a negative vote.

The SPEAKER. The Chair recognizes the gentleman from Crawford, Mr. Merry, on the motion.

Mr. MERRY. I urge the defeat of the motion, Mr. Speaker. May I remark on it?

The SPEAKER. Yes; you are in order to make remarks on the reason.

Mr. MERRY. I just suggest that the maker of this motion voted in the minority on two recent amendments, and we have now put in two major amendments to this bill that should be carried forth and put into law.

I urge the defeat of the Bowley motion.

The SPEAKER. The Chair recognizes the minority whip on the Bowley motion.
Mr. HAYES. I was going to say essentially what the gentleman, Mr. Merry, said. We have been on the floor now debating this piece of legislation and amendments for some time this afternoon. The gentleman, Mr. Bowley, was unsuccessful in pleading his case. I have been quite mystified all afternoon. A couple weeks ago he was in here telling us DER is being unfair with the hardwood industry and we should not pass rules and regulations dealing with sedimentation. Today he is telling us that we should continue to have zero growth in Pennsylvania with regard to the building of rural residences.

I believe we have debated this issue quite squarely and quite roundly, and I urge a negative vote on the gentleman. Mr. Bowley’s motion to send this bill back to committee for his personal purpose. Thank you.

The SPEAKER. The Chair recognizes the minority leader on the motion.

Mr. MANDERINO. I do not know; there is something wrong with my hearing, I guess. I was here all afternoon. I listened to all the speakers. I did not hear Mr. Bowley say anything about negative growth in rural residences. You are not picking on him because you are going to try to beat him in an election, are you? That is not why you are doing that. That is not why you are trying to say those things and let us believe that he said those things that he did not say, are you? I hope not, Mr. Hayes.

Mr. HAYES. Is that a question?

Mr. MANDERINO. Mr. Speaker, in the courtroom when somebody does something like Mr. Hayes did, we always say to the court reporter, would you read back that last question and answer. Now, I do not want anybody to read back what Mr. Bowley said, but I will guarantee you, he did not say what Mr. Hayes said he said.

The SPEAKER. The Chair recognizes the minority whip.

Mr. HAYES. Mr. Speaker. I have been struck by Mr. Bowley’s duplicity. A couple weeks ago he scurried all over this chamber—and we all know he did—telling us how terrible Pennsylvania with regard to the building of rural residences. Mr. Hayes, can be right sometimes. It might be dilatory. It has nothing to do with zero growth in residences in the rural areas.

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

The following roll call was recorded:

YEAS—31

YEAS—31

Mr. HAYES. I was going to say essentially what the gentleman, Mr. Bowley, tried twice today to defeat two amendments. He was unsuccessful. This House has spent a great deal of time. Many persons took the floor and debated both of the amendments squarely and roundly, and I think it is dilatory at this time to entertain a motion to send the bill back to committee.

I suggest that we vote against the gentleman’s motion. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Do you see that? The gentleman, Mr. Hayes, can be right sometimes. It might be dilatory. It has nothing to do with zero growth in residences in the rural areas.

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

The following roll call was recorded:

YEAS—31

NAYS—159
The question was determined in the negative, and the motion was not agreed to.

On the question recurring,
Shall the bill pass finally?

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

YEAS—178

Acosta  Dininni  Kennedy  Raymond
Angstadt  Distler  Kenney  Reber
Argy  Dombrowski  Kitchen  Reider
Barley  Donatucci  Kosinski  Rieger
Battista  Dorr  Kukovich  Ritter
Belardi  Duffy  LaGrotta  Robbins
Belfanti  Durham  Langtry  Roebuck
Billow  Evans  Lashinger  Rudy
Birmelin  Fargo  Leh  Ryan
Black  Farmer  Lescoevitz  Saloom
Blau  Fattah  Levansky  Saarman
Book  Fee  Livengood  Schuler
Bortner  Fischer  Lloyd  Semmler
Bower  Flick  Lucyk  Serafini
Boyes  Foster  McCall  Seventy
Brandt  Fox  McClatchy  Showers
Broujos  Freind  McVerry  Siranni
Bunt  Gallen  Maiale  Smith, B.
Burd  Gamble  Mannheimer  Smith, S. H.
Burns  Cannon  Markosek  Snyder, D. W.
Bush  Geist  Mayernik  Snyder, G.
Caltagirone  George  Melio  Staback
Cappabianca  Gladeck  Merry  Stairs
Carlson  Godshall  Micoczie  Stalman
Carn  Cruitz  Miller  Sweet
Cawley  Gruppo  Moehlmann  Taylor, E. Z.
Cessar  Hagarty  Morris  Taylor, F.
Chadwick  Haluska  Mowery  Taylor, J.
Civera  Harper  Mrkonic  Tigue
Clark  Haney  Nahill  Treno
Clymer  Hayden  Noye  Veon
Cohen  Hayes  O'Brien  Vroon
Colafla  Herman  Olasz  Wambach
Cole  Hershey  Oliver  Wass
Cornell  Hess  Perez  Weston
Corrigan  Honaman  Petrarca  Wiggins
Cowell  Howlett  Petrone  Wogan
Coy  Hughes  Phillips  Wozniak
DeLuca  Hutchinson  Piccola  Wright, D. R.
DeVerter  Jackson  Piesky  Wright, J. L.
DeWeese  Jadlowiec  Pistella  Wright, R. C.
Daley  Jaroin  Pitts  Yandirtsevits
Davies  Johnson  Pressmann  
Dempsey  Josephs  Prescon  Irvis,
Detterick  Kasunic  Punt  Speaker

NAYS—16

Argall  Itkin  Maderino  Rybak
Bowley  Letterman  Michlovic  Schectz
Dawida  McHale  Murphy  Steghner
Freeman  Maine  O'Donnell  Van Horne

Linton  Richardson

EXCUSED—1

Heckler

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

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

REMARKS ON VOTE

The SPEAKER. Why does the gentleman from Berks, Mr. Davies, rise?

Mr. DAVIES. Mr. Speaker, when you took the second vote on amendment 3913 of Mr. Broujos to HB 1827, I cast my vote in error. I should have been voted in the affirmative for that.

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

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of HB 1013, PN 1862, entitled:

An Act amending the act of March 10, 1949 (P.L. 30. No. 14), known as the "Public School Code of 1949," providing for an environmental education program and activities of the program; and authorizing the appointment of an Advisory Council on Environmental Education and specifying its duties.

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

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

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

YEAS—193

Angstadt  Dombrowski  Kukovich  Raymond
Argall  Donatucci  LaGrotta  Reber
Argy  Dorr  Langtry  Reider
Barley  Duffy  Lashinger  Rieger
Battista  Durham  Leh  Ritter
Belardi  Evans  Lescoevitz  Robbins
Belfanti  Fargo  Letterman  Roebuck
Billow  Gamble  Mannheimer  Rudy
Birmelin  Fattah  Levansky  Ryan
Black  Fee  Livengood  Rybak
Blau  Fischer  Lloyd  Saloom
Book  Flick  Lucyk  Saarman
Bortner  Foster  McCall  Scheetz
Bowley  Fox  McClatchy  Schuler
Bower  Freeman  McHale  Serafini
Boyes  Freind  McVerry  Semmler
Brandt  Gallen  Maiale  Seventy
Broujos  Gamble  Maine  Showers
Bunt  Cannon  Maderino  Siranni
Burns  Geist  Mannheimer  Smith, B.
Bush  Geist  Markosek  Smith, S. H.
Caltagirone  Godshall  Melio  Snyder, D. W.
Cappabianca  Gruntz  Merry  Staback
The House proceeded to third consideration of SB 794, PN 1765, entitled:


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

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.
The question is, shall the bill pass finally?
Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

YEAS—195

Acosta... Dombrowski... LaGrotta... Reber
Angios... Donatucci... Langry... Reidar
Argall... Doer... Lashinger... Richardson
Arty... Duffy... Leh... Rieger
Barley... Durham... Lescowitz... Ritter
Battist... Evans... Lettermen... Robbins
Belardi... Fargo... Levant... Roebuck
Belfanti... Farmer... Linton... Rudy
Billow... Fattah... Livengood... Ryan
Birmelin... Fee... Lloyd... Rybak
Black... Fischer... Lucyk... Saloom
Blau... Fltck... McCall... Saurman
Book... Foster... McClatchy... Schetz
Bortner... Fox... McHale... Schulz
Bowley... Freeman... McVerry... Semmel
Bowser... Freind... Maiale... Serafini
Boyce... Callen... Maine... Seventy
Brandt... Gambie... Manderino... Showers
Broujos... Gannon... Mannmiler... Sirianni
Bunt... Geist... Markosek... Smith, B.
Burd... George... Mayernik... Smith, S. H.
Burns... Gladick... Melo... Snyder, D. W.
Bush... Godshall... Merry... Snyder, G.
Calzagione... Gruiza... Michlovic... Staback
Cappabianca... Gruppo... Miccoozie... Stairs
Carlson... Hagarty... Miller... Steighner
Carn... Haluska... Moehlmann... Stuban
Cawley... Harper... Morris... Sweet
Cesar... Haas... Mourey... Taylor, E. Z.
Chadwick... Hayden... Mrkonic... Taylor, J.
Clerk... Herman... Murphy... Tigue
Cohen... Hes... Nahill... Trello
Cole... Howlett... Olasz... Van Horne
Cornell... Hughes... O'Brien... Veen
Corrigan... Houman... O'Donnell... Veen
Coy... Itkin... Petrone... Weston
DeLuca... Jadlowiec... Phillips... Wong
DeVerter... Jarolin... Pickola... Woiak
Della... Ksanec... Pistella... Yandrisevits
Dempsey... Kennedy... Pits... Yandrisevits
Dieterick... Kenney... Pressmann... Irvis
Dinini... Kitchen... Preston... Speaker
Distler... Kosinski... Punt...
The House proceeded to third consideration of HB 1685, PN 3449, entitled:

An Act authorizing and directing the Department of General Services, with the approval of the Governor and the Secretary of Environmental Resources, to sell and convey to Perry’s Landing Ltd. No. 1, a tract of land in Presque Isle Bay in Erie County, Pennsylvania, located at the end of a pier between Plum and Poplar Streets.

On the question,
Will the House agree to the bill on third consideration?
Mr. CAPPABIANCA offered the following amendments No. A4042:

Amend Title, page 1, line 6, by inserting a period after “Streets”
Amend Title, page 1, lines 6 through 9, by striking out “and to Great Cascade” in line 6 and all of lines 7 through 9
Amend Sec. 1, page 2, line 2, by striking out “tracts” and inserting “tract
Amend Sec. 2, page 6, line 20, by striking out “deeds” and inserting “deed
Amend Sec. 2, page 6, line 23, by striking out “deeds” and inserting “deed
Amend Sec. 2, page 6, line 24, by striking out “encroachments” and inserting “encroachment
Amend Sec. 2, page 6, line 28, by striking out “piers. The deeds” and inserting “pier. The deed
Amend Sec. 2, page 7, line 1, by inserting after “provide” “free
Amend Sec. 2, page 7, line 10, by inserting after “GRANT-"and to be maintained by the grantees
Amend Sec. 2, page 7, line 12, by inserting after “PARKING” for 50 cars
Amend Sec. 2, page 7, line 14, by inserting after “PROMENADES’ at least 12 feet wide
Amend Sec. 2, page 7, line 15, by inserting after “PROVIDING” free

Amend Sec. 2, page 7, line 15, by striking out the comma after “MARINA” and inserting “for fishing and walking, an encroachment into the bay at the foot of Cascade Street known as
Amend Sec. 2, page 7, line 22, by inserting after “PERMIT” free
Amend Sec. 2, page 7, line 27, by inserting after “A” free
Amend Sec. 2, page 7, line 30, by inserting after “PICNICKING” to be developed within a reasonable time after issuance of a permit for development of the area by the Department of Environmental Resources.
Amend Sec. 2, page 8, line 1, by inserting after “REASONABLE” free
Amend Sec. 4, page 8, lines 17 and 18, by striking out “and quitclaim”

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

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Erie, Mr. Cappabianca.
Mr. CAPPABIANCA. Thank you, Mr. Speaker.
Mr. Speaker, this is a technical amendment—
Mr. RYAN. Mr. Speaker?
The SPEAKER. The gentleman yields.
Mr. Speaker?
Mr. CAPPABIANCA. Thank you, Mr. Speaker.
This is a technical amendment to make some minor corrections within the bill. There are no objections as far as I know, and I would appreciate an affirmative vote on the amendment.

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

The following roll call was recorded:

YEAS—195

Acosta
Angstadt
Angell
Arty
Barley
Battistio
Belardi
Belfanti
Billow
Birminlin
Black
Blair
Blaum
Book
Bortner
Bowen
Bowser
Boyce
Brandt
Broujos
Bunt
Burd

Dombrowski
Donatucci
Dorr
Duffy
Dumham
Evans
Farmer
Fargo
Fee
Fischer
Flick
Foster
Fox
Freeman
Frevert
Gaffen
Gamble
Gannon
Geist
George

LaGrotta
Langtry
Lashinger
Lef
Locowitz
Letterman
Levansky
Linton
Livengood
Lloyd
Lucyk
McCullagh
McHale
McVerry
Maiale
Maine
Manderino
Mannheimer
Markosek
Mayernik

Reber
Reinard
Richardson
Rieger
Ritter
Robbins
Rudy
Ryan
Rybak
Saloom
Saurman
Scheetz
Schuler
Semmel
Serafini
Seventy
Showers
Sirianni
Smith, B.
Smith, S. H.
Erie, Mr. Cappabianca.

individuals such as the environmentalists and so forth.

regards to selling public lands, and this is to allay the fears of

that the General Assembly may be adopting a public

precedent or general public policy with respect to the sale of

public lands within the public domain or the management of

filled areas located on submerged lands of the Commonwealth

No.

amended?

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the gentleman from

Amendment 4044 is also an amendment to allay the fears

Mr. CAPPABIANCA offered the following amendments

Will the House agree to the bill on third consideration as

On the question recurring,

I would appreciate an affirmative vote on this amendment.

On the question recurring,

The following roll call was recorded:

Will the House agree to the amendments?

I would appreciate an affirmative vote on this amendment.

On the question recurring,

Will the House agree to the amendments?

The House passed the bill on third consideration as

On the question recurring,

Will the House agree to the amendments?
Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—193

NAYS—0

NOT VOTING—3

EXCUSED—1

Mr. Speaker, I intend to handle HB 9, HB 14, HB 1480, SB 1438, and SB 1438 tomorrow as indicated in the comments I have just made. Thank you, Mr. Speaker.

WELCOME

The SPEAKER. Harry Bowser has a summer intern here, Jodi Nuzzo, and staying with Jodi is a friend of hers from Corry, Pennsylvania, Jeannine Saborsky. Are they still here? Are they in the balcony? I am sorry. I apologize, Harry. We did not get to them in time.

APPROPRIATIONS COMMITTEE MEETING

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

Mr. PIEVSKY. Thank you, Mr. Speaker.

Mr. Speaker, immediately upon the call of the recess there will be a meeting of the House Appropriations Committee in the majority caucus room, and I would ask that the desk be open for reports of committee.

The SPEAKER. The desk will remain open.

Mr. PIEVSKY. Thank you, Mr. Speaker.

STATEMENT BY MAJORITY LEADER

The SPEAKER. The Chair recognizes the majority leader, Mr. MANDERINO. Thank you, Mr. Speaker.

Mr. Speaker, the planned bills for the calendar, other than budget-related matters and special session matters, have been completed. An original plan of the majority leader intended that we be here and work this evening at about 8 or 9 o'clock. Republicans have indicated that on several of the matters that we intend to handle, caucus is needed. Caucus may be needed by both sides of the aisle on other matters that will be handled related to the budget. So I am going to ask that both the special session, which I understand is still open, and the regular session be put in recess, Mr. Speaker, until recalled—and do not expect a recall this evening—so that when we do convene, either in session tomorrow, which is still in today's session—you all understand that—or in tomorrow's session tomorrow, we are able to handle HB 9 and HB 14 in the special session.

Now, for the information of members who do not keep track of numbers, HB 9 and HB 14 are the constitutional amendments having to do with tax reform and the tax reform bill itself. We would also in the regular session expect to handle tomorrow HB 1480 and SB 1438, budget-related bills. And, Mr. Speaker, you might recall that SB 1438 is the budget bill that the Senate sent to us and HB 1480 is the House bill that the Senate sent to us with a tax reduction that I attempted to amend the House version of the budget into and would not expect a recall this evening so that when we do convene, either in session tomorrow, which is still in today's session—you all understand that—or in tomorrow's session tomorrow, we are able to handle HB 9 and HB 14 in the special session.

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

Mr. PIEVSKY. Thank you, Mr. Speaker.

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

Mr. PIEVSKY. Thank you, Mr. Speaker.

The SPEAKER. The desk will remain open.

Mr. PIEVSKY. Thank you, Mr. Speaker.

STATEMENT BY MAJORITY LEADER

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So I would ask that all members elected to this Assembly be here tomorrow, because if you are absent tomorrow, you will probably miss the most important day's session in this year's agenda.

Mr. Speaker, I intend to handle HB 9, HB 14, HB 1480, and SB 1438 tomorrow as indicated in the comments I have just made. Thank you, Mr. Speaker.
WELCOME

The SPEAKER. Before we leave, the Chair would be remiss if he did not draw the attention of the members to a young man who is on the floor of the House named Sean Pressmann, who came prepared to catch whatever balls were tossed his way. Hold your hand up with the glove, Sean. Now, where is that glove? I saw the glove. Welcome to the floor of the House, Sean. And the glove is not a bad idea; also, a catcher’s mask is not a bad idea either on this floor.

CONSUMER AFFAIRS COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Berks, Mr. Caltagirone.

Mr. CALTAGIRONE. Thank you, Mr. Speaker.

I would like to call for an immediate meeting of the Consumer Affairs Committee at the rear of the hall of the House.

LABOR RELATIONS COMMITTEE MEETING

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

Mr. COHEN. Mr. Speaker, I would like to announce that the meeting of the House Labor Relations Committee at 10 o’clock tomorrow morning in room 140, the majority caucus room, will also include the vocational rehabilitation sunset as well as the bills on the initial calendar.

The SPEAKER. An immediate meeting of the Appropriations Committee in the majority caucus room immediately on the declaration of the recess.

REMARKS ON VOTES

The SPEAKER. Why does the gentleman from Cambria, Mr. Wozniak, rise?

Mr. WOZNIAK. To correct a vote.

The SPEAKER. You may do so now.

Mr. WOZNIAK. All right. Amendment 4000 to HB 1827, the Merry amendment, I inadvertently voted myself in the negative. I would like to be recorded in the affirmative. Thank you very much, Mr. Speaker.

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

Mr. LESCOVITZ. To correct the record, Mr. Speaker. I was not recorded on HB 441 and SB 1109. I would like to be recorded in the affirmative.

The SPEAKER. The Chair recognizes the gentleman from Elk, Mr. Distler.

Mr. DISTLER. Mr. Speaker, just to correct the record. My switch malfunctioned on HB 441. I would like to be recorded in the affirmative.

The SPEAKER. The gentleman’s remarks will be spread upon the record. The Chair recognizes the gentleman from Butler, Mr. Steighner.

Mr. STEIGHNER. Thank you, Mr. Speaker.

Mr. Speaker, when the vote was taken on amendment A4000 to HB 1827, my switch malfunctioned. Had it been operating properly, I would have voted in the negative.

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

The Chair recognizes the lady from Centre, Mrs. Rudy.

Mrs. RUDY. Mr. Speaker, on SB 1109 I was not recorded. If I were in my seat, I would have voted in the affirmative.

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

The Chair recognizes the gentleman from Beaver, Mr. Colafella.

Mr. COLAFELLA. Mr. Speaker, on HB 441 and SB 1109, I was not recorded. If I were in my seat, I would have voted in the affirmative.

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

BILL RETEROEREPRTED FROM COMMITTEE

HB 2506, PN 3376  By Rep. MANDERINO
An Act establishing the Legislative Eisenhower Centennial Commission; and providing for its funding.

RULES.

BILL ON SECOND CONSIDERATION

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

HB 2506, PN 3376.

RULES SUSPENDED

The SPEAKER. In order for us to accept the report of the Committee on Appropriations, it is necessary for us to temporarily suspend the rules of the House.

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

Motion was agreed to.

The SPEAKER. The reason for that is that there are two bills in that report which would require a suspension of the rules in order for them not to go to the Rules Committee.

BILLS REPORTED AND REREFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE

HB 2491, PN 3351  By Rep. CALTAGIRONE
An Act amending the act of February 19, 1980 (P. L. 15, No. 9), known as the “Real Estate Licensing and Registration Act,” further providing for prizes offered through the mail in connection with solicitations to purchase real estate.

CONSUMER AFFAIRS.
HB 2492, PN 3352  By Rep. CALTAGIRONE
An Act providing for prizes offered through the mail in connection with solicitations to purchase real estate, time shares, vacation club memberships or other items of similar nature.

CONSUMER AFFAIRS.

BILLS REREPORTED FROM COMMITTEE

HB 948, PN 1030  By Rep. PIEVSKY
An Act amending the act of February 17, 1906 (P. L. 45, No. 1), entitled "An act to regulate the deposits of State funds, to prescribe the method of selecting State depositories, to limit the amount of State deposits, to provide for the security of such deposits, to fix the rate of interest thereon, to provide for the publication of monthly statements of moneys in the general and sinking funds, to declare it a misdemeanor to give or take anything of value for obtaining the same, and prescribing penalties for violations of this act," further providing limitations on investments in Northern Ireland.

APPROPRIATIONS.

HB 949, PN 1031  By Rep. PIEVSKY

APPROPRIATIONS.

HB 1079, PN 1201  By Rep. PIEVSKY
An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, placing limitations on investments in companies doing business in or with Northern Ireland.

APPROPRIATIONS.

HB 1080, PN 1202  By Rep. PIEVSKY
An Act amending the act of February 1, 1974 (P. L. 34, No. 15), known as the "Pennsylvania Municipal Retirement Law," imposing restrictions on investments in Northern Ireland.

APPROPRIATIONS.

HB 1081, PN 1203  By Rep. PIEVSKY
An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, placing limitations on investments in companies doing business in or with Northern Ireland.

APPROPRIATIONS.

HB 1209, PN 1381  By Rep. PIEVSKY
An Act to promote and encourage the protection, preservation and conservation of locally designated scenic roads.

APPROPRIATIONS.

HB 1851, PN 3031  By Rep. PIEVSKY
An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for a special license plate for Pearl Harbor survivors.

APPROPRIATIONS.

HB 2072, PN 2676  By Rep. PIEVSKY
An Act providing for the licensing and regulation of business and industrial development corporations; and providing penalties.

APPROPRIATIONS.

HB 2568, PN 3563 (Amended)  By Rep. PIEVSKY
An Act amending the act of July 10, 1987 (P. L. 246, No. 47), known as the "Financially Distressed Municipalities Act," providing for the establishment of a revolving fund; providing for revision and adoption of plans by municipalities; further providing for criteria to declare a municipality distressed and for the publication of certain notices; establishing a revolving loan fund; further providing for expiration of the act; and making a repeal.

APPROPRIATIONS.

SB 738, PN 2076  By Rep. PIEVSKY
An Act amending the act of April 27, 1927 (P. L. 450, No. 291), entitled, as amended, "State Fire Marshal Law," providing for the delivery of fuels to retail service stations; and imposing penalties.

APPROPRIATIONS.

SB 1282, PN 2256 (Amended)  By Rep. PIEVSKY
An Act making appropriations from a restricted revenue account within the General Fund and from Federal augmentation funds to the Pennsylvania Public Utility Commission.

APPROPRIATIONS.

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 2210, PN 2920  By Rep. PIEVSKY

APPROPRIATIONS.

HB 2583, PN 3541  By Rep. PIEVSKY
An Act amending the act of June 2, 1915 (P. L. 762, No. 340), referred to as the "State Workmen's Insurance Fund Law," providing for the transfer of certain investment earnings; and making appropriations.

APPROPRIATIONS.

SB 1215, PN 2022  By Rep. PIEVSKY
An Act providing matching grants to public or private regional entities to promote exports; and making an appropriation.

APPROPRIATIONS.

BILL REMOVED FROM TABLE

The SPEAKER. Under suspension of the rules, HB 2583 was placed upon the table rather than recommitted to the Rules Committee.
The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I move that HB 2583 be removed from the table.

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

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I move that HB 2583 be recommitted to the Committee on Appropriations.

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

BILLS ON SECOND CONSIDERATION

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

HB 2568, PN 3563; SB 1282, PN 2256; SB 738, PN 2076; SB 1441, PN 2255; HB 2072, PN 2676; HB 1851, PN 3031; HB 1209, PN 1381; HB 1081, PN 1203; HB 1080, PN 1202; HB 1079, PN 1201; HB 948, PN 1030; and HB 949, PN 1031.

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I move that SB 1215 be lifted from the tabled calendar and placed on the active calendar.

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

BILL REMOVED FROM TABLE

The SPEAKER. HB 2210, under a suspension of the rules, was not sent to the Rules Committee. It was placed upon the tabled calendar.

Consequently, the Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I move that HB 2210 be lifted from the tabled calendar and placed on the active calendar.

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

RECESS

The SPEAKER. This House stands in recess subject to the call of the Chair.