

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, JULY 6, 1988

SESSION OF 1988

172D OF THE GENERAL ASSEMBLY

No. 50

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (K. LEROY IRVIS) IN THE CHAIR

PRAYER

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

O God, our Loving and most Gracious Father, Thy steadfast love and mercy have been demonstrated in all our walks of life. Thou hast prepared, for all those who love Thee, joys beyond man's understanding. We pray that Thou wilt pour into our hearts such love for Thee that, loving Thee above all things, we may obtain Thy promises which exceed all that we can want or desire. We beseech Thee that our response to Thy goodness may be seen in our willingness to share our blessings for the good of others. This we ask that Thy love and mercy may continue in our world and touch the life of each of us to Thy glory and our peace. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, we will pass over the approval of the Journal for Tuesday, July 5, 1988, in regular session. That Journal is not yet in print. The Chair hears no objection to that.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2619 By Representatives PICCOLA, FARGO, NOYE, FOX, SAURMAN, BIRMELIN, E. Z. TAYLOR, McVERRY, SIRIANNI, VROON, TRELLO, HOWLETT, FLICK and LANGTRY

An Act regulating private prisons; providing for contracts with, licensing of and employee status for private prisons; and imposing powers and duties on the Department of Corrections.

Referred to Committee on JUDICIARY, July 6, 1988.

No. 2620 By Representatives MOWERY, VAN HORNE, McVERRY, PHILLIPS, NOYE, CLYMER, S. H. SMITH, JOHNSON, HERMAN, MANMILLER, PICCOLA, DEMPSEY, LEH, DIETTERICK, HASAY, JACKSON and FARGO

An Act amending the act of June 11, 1968 (P. L. 149, No. 84), known as the "Volunteer Firemen's Relief Association Act," providing for volunteer firefighters' money purchase deferred benefit plans.

Referred to Committee on LOCAL GOVERNMENT, July 6, 1988.

HOUSE RESOLUTION INTRODUCED AND REFERRED

No. 314 By Representatives PICCOLA, JAROLIN, CORRIGAN, SCHULER, MRKONIC, ANGSTADT, FOX, JACKSON, VEON, NAHILL, CARLSON, LIVENGOOD, BOOK, VROON, MELIO, HERMAN, SAURMAN, PHILLIPS, CIVERA, ARTY, RYBAK, SERAFINI, E. Z. TAYLOR, McVERRY, ROBBINS, FARMER, J. L. WRIGHT, J. TAYLOR, MICOZZIE, KENNEY, HAGARTY, TRELLO, HOWLETT, McCALL, DeLUCA, MERRY, MAINE and HESS

A Resolution memorializing Congress to demonstrate its support for allowing states to provide Medicaid-reimbursed community-based programs to people with developmental disabilities who live with their families, in their own homes or in small, family-scale environments by passage of S. 1673 and H.R. 3454, the Medicaid Home and Community Quality Services Act of 1987.

Referred to Committee on RULES, July 6, 1988.

SENATE BILL FOR CONCURRENCE

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

SB 1382, PN 2200

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, July 6, 1988.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 1053, PN 1163; HB 1339, PN 1550; and HB 2196, PN 2865**, with information that the Senate has passed the same without amendment.

SENATE MESSAGE

HOUSE AMENDMENTS CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to **SB 738, PN 2076; SB 1109, PN 2082; and SB 1176, PN 2242**.

SENATE MESSAGE

HOUSE AMENDMENTS CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to the Senate amendments to **HB 423, PN 3582**.

LEAVES OF ABSENCE

The SPEAKER. Are there any requests for leaves of absence from the Democratic side?

The gentleman, Mr. Wiggins, for the day. Is that correct?

Mr. COY. Yes, Mr. Speaker. The gentleman from Philadelphia, Mr. WIGGINS, for today's session.

The SPEAKER. Leave will be granted, there being no objection.

The Chair recognizes the minority whip. Do you have any requests?

Mr. HAYES. Thank you, Mr. Speaker.

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

The SPEAKER. Leave is granted.

SENATE MESSAGE

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

The clerk of the Senate, being introduced, returned **HB 442, PN 3574; and HB 1688, PN 3601**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND RECOMMITTED TO COMMITTEE ON RULES

HB 2601, PN 3593

By Rep. SALOOM

An Act amending the act of April 12, 1951 (P. L. 90, No. 21), known as the "Liquor Code," further providing for acceptable forms of identification cards.

LIQUOR CONTROL.

BILL REREPORTED FROM COMMITTEE

SB 279, PN 2294 (Amended)

By Rep. SALOOM

An Act providing for the licensing of clubs to conduct games of chance, for the licensing of persons to manufacture and distribute games of chance, for suspensions and revocations of licenses and for fees and disposition of revenues; requiring records; providing for local referendum on gambling by electorate; prescribing penalties; and making repeals.

LIQUOR CONTROL.

WELCOME

The SPEAKER. Otto Shilling is here as the guest of Representative Melio. Where is Mr. Shilling, to the left of the Speaker? Welcome to the hall of the House, Mr. Shilling. We are delighted to have you here.

CALENDAR

BILLS ON SECOND CONSIDERATION

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

SB 1222, PN 2283; and SB 542, PN 2273.

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—193

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

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

ADDITIONS—0

NOT VOTING—1

Seventy

EXCUSED—3

Heckler

Sirianni

Wiggins

LEAVES ADDED—1

Evans

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 1436, PN 2161**, entitled:

An Act making an appropriation from the State Employees' Retirement Fund to provide for expenses of the State Employees' Retirement Board for the fiscal year July 1, 1988, to June 30, 1989, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1988.

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

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

The question is, shall the bill pass finally?

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

YEAS—193

Acosta	Distler	Kosinski	Punt
Angstadt	Dombrowski	Kukovich	Raymond
Argall	Donatucci	LaGrotta	Reber
Arty	Dorr	Langtry	Reinard
Barley	Duffy	Lashinger	Richardson
Battisto	Durham	Leh	Rieger

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

NAYS—0

NOT VOTING—1

Seventy

EXCUSED—3

Heckler

Sirianni

Wiggins

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

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

* * *

The House proceeded to third consideration of **SB 1437, PN 2091**, entitled:

An Act making an appropriation from the Public School Employees' Retirement Fund to provide for expenses of the Public School Employees' Retirement Board for the fiscal year July 1, 1988, to June 30, 1989, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1988.

On the question,

Will the House agree to the bill on third consideration?

BILL RECOMMITTED

The **SPEAKER**. The Chair recognizes the majority leader.
Mr. **MANDERINO**. Mr. Speaker, I move that SB 1437 be recommitted to the Committee on Appropriations.

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

* * *

The House proceeded to third consideration of **SB 1440, PN 2094**, entitled:

An Act making appropriations to the Department of General Services out of various funds for payment of rental charges to The General State Authority.

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

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

The question is, shall the bill pass finally?

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

YEAS—193

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

- | | | | |
|------------|-----------|-----------|---------------|
| DeLuca | Jackson | Petrarca | Wozniak |
| DeVerter | Jadlowiec | Petrone | Wright, D. R. |
| DeWeese | Jarolin | Phillips | Wright, J. L. |
| Daley | Johnson | Piccola | Wright, R. C. |
| Davies | Josephs | Pievsky | Yandrisevits |
| Dawida | Kasunic | Pistella | |
| Dempsey | Kennedy | Pitts | Irvis, |
| Dietterick | Kenney | Pressmann | Speaker |
| Dininni | Kitchen | Preston | |

NAYS—0

NOT VOTING—1

Seventy

EXCUSED—3

- | | | |
|---------|----------|---------|
| Heckler | Sirianni | Wiggins |
|---------|----------|---------|

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

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

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The House proceeded to third consideration of **HB 2033, PN 3295**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, prohibiting the disclosure of information regarding individuals renting video tapes.

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—191

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

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

NAYS—0

NOT VOTING—3

Freind	Hagarty	Seventy
		EXCUSED—3
Heckler	Sirianni	Wiggins

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.

PARLIAMENTARY INQUIRY

The SPEAKER. Why does the gentleman from Dauphin, Mr. Piccola, rise?

Mr. PICCOLA. Point of parliamentary inquiry.

The SPEAKER. What is your point, sir?

Mr. PICCOLA. That bill was not on our voting list, and I am wondering whether or not there are any other bills not on the voting list, because I have some amendments to some of them that I would like to offer if we are going to vote bills that are not on the list.

The SPEAKER. The Chair cannot answer the question, but what the Chair will do, if you have amendments, the Chair will slow down on its delivery, and if you rise in place, the Chair will stop its delivery and ask what your purpose is. So if you are ready to amend and want to call up, you will be given the opportunity.

The Chair really does not know; that was changed at the last minute on the Chair's calendar.

The Parliamentarian says that to his knowledge, there are no other changes indicated other than those on the printed page.

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **SB 769, PN 2265**, entitled:

An Act amending the act of December 17, 1981 (P. L. 435, No. 135), entitled "Race Horse Industry Reform Act," further providing for licenses for commissioners, employees and participants at horse races; providing for distributions from the Fair Fund; providing for nonprimary location wagering; and making a repeal.

On the question,

Will the House agree to the bill on third consideration?

Mr. OLIVER offered the following amendment No. A4423:

Amend Sec. 2 (Sec. 218), page 9, line 26, by inserting after "POOLS."

All money wagered by patrons on these races shall be computed in the amount of money wagered each racing day for purposes of taxation under section 222.

On the question,

Will the House agree to the amendment?

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Philadelphia, Mr. Oliver.

Mr. OLIVER. Thank you, Mr. Speaker.

Mr. Speaker, my amendment says, "All money wagered by patrons on these races shall be computed in the amount of money wagered each racing day for purposes of taxation under section 222." What it actually means is that on all money that is won, taxes must be paid. It is an agreed-to amendment.

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

Mr. REBER. Thank you, Mr. Speaker.

Mr. Speaker, I would agree with the maker of the amendment, Mr. Oliver, that this is a necessary inclusion in the bill, and I would submit it to be an agreed-to amendment. Thank you.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—191

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

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

NAYS—0

NOT VOTING—3

Freind	Richardson	Seventy
		EXCUSED—3
Heckler	Sirianni	Wiggins

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

On the question,

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

Mr. DOMBROWSKI offered the following amendment No. A4443:

Amend Sec. 2 (Sec. 218), page 12, line 5, by inserting after "HOWEVER"
for the purpose of any section of this act

On the question,

Will the House agree to the amendment?

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

Mr. DOMBROWSKI. Thank you, Mr. Speaker.

The amendment that I am offering will merely place wording in the legislation that would allow section 10 to refer to all sections of the bill, not only section 234. The wording is, "for the purpose of any section of this act." As I said earlier, that would allow for the wording in this section to pertain to all sections of the act.

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

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

Mr. MANDERINO. Mr. Speaker, the amendment that the gentleman offers is not as simple as the gentleman would like us to believe. What he is doing is allowing horsemen and horsemen organizations, I guess at any one of the facilities in Pennsylvania, to waive any of the provisions of the act of the Assembly.

You know, we are talking about the taxing section. We are talking about the section that protects on what races can be simulcast from out of State. We are talking about each and every section of the bill, and most of the bill has protections in it - the kinds of facilities that must be built, the commissions that have to approve. What he is saying is that horsemen anywhere at any one of the facilities can do what this Assembly may attempt to do through legislation and the requirements put in legislation.

I reluctantly—because Mr. Dombrowski is a friend of mine—reluctantly say that we just cannot accept this amendment. Mr. Speaker, I ask for a negative vote.

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

Mr. REBER. Mr. Speaker, I agree with the remarks of the majority leader. I think the overly broad application of this amendment would be detrimental to the intent of the legislation, and I, too, would respectfully ask for a negative vote.

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

Mr. DOMBROWSKI. Thank you, Mr. Speaker.

Mr. Speaker, I never did get up to this microphone and say the amendment was a simple amendment. I tried to talk to people regarding this piece of legislation regarding some kind of amendment that I could insert in there that would maybe take care of the smaller tracks in the Commonwealth of Pennsylvania. I think that if this amendment fails, and it appears that it is going to fail, that you can take the smaller tracks in the State of Pennsylvania and tell them to close their doors, and we will be controlled by Penn National and Philadelphia Park. I think that these two major parks in the State of Pennsylvania will be able to run 142 days.

The majority leader and the gentleman, Mr. Reber, both know that Erie Downs and possibly Pocono Downs and the Meadows cannot run 142 days. I think we will be eaten up by the major tracks. They will put off-track wagering all over this State, and they will come into these sections and they will close down the smaller tracks.

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

The SPEAKER. On the Dombrowski amendment, the Chair recognizes the gentleman from Philadelphia, Mr. Oliver.

Mr. OLIVER. Thank you, Mr. Speaker.

Mr. Speaker, I, too, rise in opposition to the Dombrowski amendment, and I would ask the House to vote in the negative.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—32

Belardi	Clark	Fee	Merry
Billow	Coy	Gannon	Petrarca
Blaum	DeWeese	George	Piccola
Bowser	Dawida	Gruitza	Staback
Boyes	Distler	Haluska	Tiguer
Burd	Dombrowski	Harper	Veon
Cappabianca	Duffy	Hutchinson	Wozniak
Cawley	Fargo	Livengood	Wright, D. R.

NAYS—161

Acosta	Farmer	Letterman	Reinard
Angstadt	Fattah	Levdansky	Richardson
Argall	Fischer	Linton	Rieger
Arty	Flick	Lloyd	Ritter
Barley	Foster	Lucyk	Robbins
Battisto	Fox	McCall	Roebuck
Belfanti	Freeman	McClatchy	Rudy
Birmelin	Freind	McHale	Ryan
Black	Gallen	McVerry	Rybak
Book	Gamble	Maiale	Saloom
Bortner	Geist	Maine	Saurman
Bowley	Gladeck	Manderino	Scheetz
Brandt	Godshall	Manmiller	Schuler
Broujos	Gruppo	Markosek	Semmel
Bunt	Hagarty	Mayernik	Serafini
Burns	Hasay	Melio	Showers
Bush	Hayden	Michlovic	Smith, B.
Caltagirone	Hayes	Micozzie	Smith, S. H.
Carlson	Herman	Miller	Snyder, D. W.
Carn	Hershey	Mochlmann	Snyder, G.
Cessar	Hess	Morris	Stairs
Chadwick	Honaman	Mowery	Steighner
Civera	Howlett	Mrkonic	Stuban
Clymer	Hughes	Murphy	Sweet
Cohen	Itkin	Nahill	Taylor, E. Z.
Colafella	Jackson	Noye	Taylor, F.
Cole	Jadlowiec	O'Brien	Taylor, J.
Cornell	Jarolin	O'Donnell	Trello
Corrigan	Johnson	Olasz	Van Horne
Cowell	Josephs	Oliver	Vroon
DeLuca	Kasunic	Perzel	Wambach
DeVerter	Kennedy	Petrone	Wass
Daley	Kenney	Phillips	Weston
Davies	Kitchen	Pievsy	Wogan
Dempsey	Kosinski	Pistella	Wright, J. L.
Dietterick	Kukovich	Pitts	Wright, R. C.
Dininni	LaGrotta	Pressmann	Yandrisevits
Donatucci	Langtry	Preston	
Dorr	Lashingier	Punt	Irvis,
Durham	Leh	Raymond	Speaker
Evans	Lescovitz	Reber	

NOT VOTING—1

Seventy

EXCUSED—3

Heckler	Sirianni	Wiggins
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The question was determined in the negative, and the amendment was not 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?

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

YEAS—131

Acosta	Davies	Kennedy	Pistella
Angstadt	Dawida	Kenney	Preston
Argall	Dietterick	Kitchen	Raymond
Arty	Distler	Kosinski	Reber
Belardi	Dombrowski	LaGrotta	Reinard
Belfanti	Donatucci	Lashingier	Richardson
Billow	Dorr	Lescovitz	Rieger
Blaum	Duffy	Letterman	Roebuck
Book	Durham	Levdansky	Rudy
Bowser	Evans	Linton	Ryan
Boyes	Farmer	Lucyk	Saloom
Brandt	Fee	McCall	Semmel
Bunt	Flick	McVerry	Serafini
Burd	Freind	Maiale	Snyder, D. W.
Burns	Gallen	Maine	Staback
Caltagirone	Gannon	Manderino	Stairs
Cappabianca	Gladeck	Markosek	Steighner
Carn	Godshall	Mayernik	Sweet
Cawley	Gruitza	Melio	Taylor, F.
Cessar	Hagarty	Merry	Taylor, J.
Chadwick	Haluska	Michlovic	Tiguer
Civera	Harper	Micozzie	Trello
Clark	Hasay	Moehlmann	Van Horne
Cohen	Hayden	Morris	Veon
Colafella	Honaman	Nahill	Wambach
Cole	Howlett	Noye	Weston
Cornell	Hughes	O'Brien	Wogan
Corrigan	Itkin	O'Donnell	Wozniak
Cowell	Jackson	Olasz	Wright, D. R.
Coy	Jadlowiec	Oliver	Wright, R. C.
DeLuca	Jarolin	Perzel	
DeVerter	Josephs	Petrone	Irvis,
DeWeese	Kasunic	Pievsy	Speaker
Daley			

NAYS—61

Barley	Freeman	Lloyd	Robbins
Battisto	Gamble	McClatchy	Rybak
Birmelin	Geist	McHale	Saurman
Black	George	Manmiller	Scheetz
Bortner	Gruppo	Miller	Schuler
Bowley	Hayes	Mowery	Showers
Broujos	Herman	Mrkonic	Smith, B.
Bush	Hershey	Murphy	Smith, S. H.
Carlson	Hess	Petrarca	Snyder, G.
Clymer	Hutchinson	Phillips	Stuban
Dempsey	Johnson	Piccola	Taylor, E. Z.
Dininni	Kukovich	Pitts	Vroon
Fargo	Langtry	Pressmann	Wass
Fischer	Leh	Punt	Wright, J. L.
Foster	Livengood	Ritter	Yandrisevits
Fox			

NOT VOTING—2

Fattah Seventy

EXCUSED—3

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same with amendment in which the concurrence of the Senate is requested.

* * *

The House proceeded to third consideration of **HB 2355, PN 3485**, entitled:

An Act amending the act of May 23, 1945 (P. L. 926, No. 369), referred to as the "Public Eating and Drinking Place Law," authorizing second class townships and home rule municipalities to license public eating and drinking places; and making editorial changes.

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—191

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

NAYS—1

Itkin

NOT VOTING—2

Hutchinson Seventy

EXCUSED—3

Heckler Sirianni Wiggins

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 2184, PN 3104**, entitled:

An Act amending the act of February 1, 1966 (1965 P. L. 1656, No. 581), known as "The Borough Code," further providing for the awarding of contracts.

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

(Amendment A3856, offered by Mr. Heckler on June 22, 1988, was withdrawn.)

Mr. BOWSER offered the following amendments No. A3987:

Amend Title, page 1, line 4, by inserting after "for" public employment and for

Amend Bill, page 1, by inserting between lines 6 and 7

Section 1. Section 1121 of the act of February 1, 1966 (1965 P.L.1656, No.581), known as The Borough Code, is amended to read:

Section 1121. Appointment, Suspension, Reduction, Discharge, Powers; Mayor to Have Control.—(a) Borough council may, subject to the civil service provisions of this act, if they be in effect at the time, appoint and remove, or suspend, or reduce in rank, one or more suitable persons, citizens of the United States of America, as borough policemen, who shall be ex officio constables of the borough, and shall and may, within the borough or upon property owned or controlled by the borough or by a municipal authority of the borough whether such property is within or outside the limits of the borough, without warrant and upon view, arrest, and commit for hearing any and all persons guilty of breach of the peace, vagrancy, riotous or disorderly conduct or drunkenness, or who may be engaged in the commission of any unlawful act tending to imperil the personal security or endanger the property of the citizens, or for violating any ordinance of the borough for the violation of which a fine or penalty is imposed, and notwithstanding any statute pertaining to the same or similar offenses. Any person so arrested shall be received for confinement by the keepers of the jails, lockups, or station houses within the county.

(b) The borough council may designate one of said policemen as chief of police. The mayor of the borough shall have full charge and control of the chief of police and the police force, and he shall direct the time during which, the place where and the manner in which, the chief of police and the police force shall perform their duties, except that council shall fix and determine the total weekly hours of employment that shall apply to the policemen.

(c) Policemen shall have authority to serve and execute all criminal process for the violation of borough ordinances which may be issued by the mayor, and shall charge the same fees and

costs as constables of the borough, but such fees and costs shall be collected by the mayor and by him paid into the borough treasury.

(d) The borough may, by ordinance establish a police department consisting of chief, captain, lieutenant, sergeants, or any other classification desired by the council, and council may, subject to the civil service provisions of this act, if they be in effect at the time, designate the individuals assigned to each office, but the mayor shall continue to direct the manner in which the persons assigned to the office shall perform their duties. The mayor may, however, delegate to the chief of police or other officers supervision over and instruction to subordinate officers in the manner of performing their duties. The mayor may appoint special policemen during an emergency in which the safety and welfare of the borough and the public is endangered and auxiliary policemen may be appointed as provided by general law. Part-time policemen who are in compliance with the provisions of the act of June 18, 1974 (P.L.359, No.120), referred to as the Municipal Police Education and Training Law, shall possess all powers of arrest without a warrant and other related powers granted to full-time policemen under this act.

(e) The borough council may assign the chief of police or any member of the police force to undergo a course of training at any training school for policemen established and made available by the State or Federal government, and may provide for the payment by the borough of his expenses while in attendance in such school.

(f) In any case in which a borough has heretofore appointed policemen or established a police department by action of council but not by or pursuant to an ordinance regularly enacted, such action shall be deemed to have been a valid exercise of the legislative power of the borough for all purposes the same as though an ordinance had been enacted, and all policemen appointed thereunder shall occupy the same status and shall have the same rights and privileges as in the case of policemen appointed under authority of an ordinance.

Amend Sec. 1, page 1, line 7, by striking out "1" and inserting

2

Amend Sec. 1, page 1, lines 9 and 10, by striking out "of February 1, 1966 (1965 P.L.1656, No.581), known as The Borough Code"

Amend Sec. 2, page 4, line 21, by striking out "2" and inserting

3

On the question,

Will the House agree to the amendments?

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

Mr. BOWSER. Thank you, Mr. Speaker.

Mr. Speaker, due to a couple of court cases - one in Monroe County; one in Erie County - part-time police in boroughs have been ruled illegal to make arrests. What this amendment will do is restore the power of arrest to these part-time officers that are qualified under the act.

I would appreciate support on this. I am sure that many, many people around the Commonwealth have the same problem. I have got a problem in five municipalities, and I am sure there are many, many others throughout the State.

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

Mr. TRELLO. Mr. Speaker, I rise to oppose the amendment.

I have no problem with part-time police, but giving them all this authority I think would be detrimental to the health, safety, and welfare of the community.

I have always maintained that you cannot put a price tag on public safety. To grant all this power, of arrest, of warrant, and other related powers to part-time policemen I think would be detrimental to the health, safety, and welfare, and I repeat that.

I ask for a negative vote.

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

Mr. PICCOLA. Thank you, Mr. Speaker.

I urge that the House adopt the Bowser amendment.

Just to the contrary of what Mr. Trello said, failure to adopt this amendment will adversely affect the health and welfare of the citizens of some of the smaller boroughs of the Commonwealth. What has occurred is that the courts in their infinite wisdom have misinterpreted the law of the Commonwealth and have put a crimp in the style of the part-time police officers employed by some of our boroughs. They cannot make certain arrests. What this amendment will do is permit part-time police officers to make the necessary arrests, and it assures that those part-time police officers are properly trained under the Municipal Police Officers' Education and Training Commission and the statute that we have adopted in connection with that.

Just to the contrary, if we do not adopt this amendment, the health and welfare of the residents living in these small boroughs who can only afford to hire part-time police officers will suffer. Therefore, we should adopt the Bowser amendment and make it the law of the Commonwealth. Thank you, Mr. Speaker.

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

Mr. FOSTER. Thank you, Mr. Speaker.

The gentleman, Mr. Piccola, is exactly right. We have gone to great lengths in this Commonwealth to provide that part-time policemen shall indeed take the appropriate training, and now to say that part-time police officers shall not have arrest powers does a great disservice to the small municipalities of our Commonwealth and certainly does a disservice to the citizens of this Commonwealth.

I strongly urge a vote for the Bowser amendment.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Trello, for the second time.

Mr. TRELLO. Mr. Speaker, in part I agree with the two previous gentlemen that spoke, but I always maintained, as the previous chairman of public safety back in my hometown for 9 years, that you cannot put a price tag on public safety. I am afraid that this type of legislation will create an atmosphere in every community where we do not need full-time policemen anymore and just have part-time policemen, and I think my community that I live in and maybe the community that you live in might have the same problems with part-time policemen.

I want an expert when I have a problem in my home or in my hometown that deals with public safety; I want a full-time police officer to respond to it. To give this type of power to part-time policemen, in my opinion, will eliminate full-time police forces in all of our communities throughout the Commonwealth.

I urge a negative vote.

The SPEAKER. The Chair recognizes the gentleman from Mercer, Mr. Robbins, on the amendment.

Mr. ROBBINS. Mr. Speaker, I rise in support of this amendment.

I have two communities in particular in my district—one is Jamestown, Pennsylvania, which is the gateway to Pymatuning, which is the largest visited State park in Pennsylvania and has over 6 million visitors every summer, and Jamestown has less than 2,000 population the other 8 months of the year, and the other community is Conneaut Lake, and they also have a large tourist attraction where the numbers swell by thousands in the summertime—and without the use of part-time police, we would indeed jeopardize the health and safety of all of our people. We also would jeopardize, by going to or forcing full-time police, those small communities the other 8 months of the year when they cannot afford them.

So I support the Bowser amendment and ask everyone to vote for it.

The SPEAKER. The Chair recognizes the gentleman from Luzerne, Mr. Tigue, on the amendment.

Mr. TIGUE. Thank you, Mr. Speaker.

Mr. Speaker, I support the Bowser amendment.

As an example, in my district I have 22 municipalities. One of those municipalities has a full-time police force. The other 21 have part-time police. Recently there was a court decision in Luzerne County which affects the powers of the so-called part-time police. Mr. Bowser is absolutely correct. These municipalities cannot afford full-time policemen. They need part-time policemen, and they have to be given powers to enforce the law. So please support his amendment. Thank you.

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

Mr. PICCOLA. Thank you, Mr. Speaker.

The gentleman, Mr. Trello, in his last remarks suggested that somehow part-time police officers are not the professionals that full-time police officers are. Nothing could be further from the truth.

I had the privilege some years ago for about 4 years to represent this chamber on the Municipal Police Officers' Education and Training Commission, and I can tell you that part-time police officers receive every hour of training that a full-time police officer receives. They are equipped just as well as full-time police officers to handle the things that crop up in their communities, and to deny a borough the opportunity to hire a part-time police officer may deny that borough the opportunity to have any police protection at all and to rely solely upon the State Police, which many times is not available.

Therefore, Mr. Speaker, this amendment must be adopted. It is in the best interest of the people of the Commonwealth, and I urge that you support it. Thank you.

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

Mr. WASS. Mr. Speaker, thank you.

Mr. Speaker, may I interrogate Representative Piccola, please?

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

Mr. WASS. Mr. Speaker, if I may, I would just like to further the interrogation regarding the part-time police.

At what point, Mr. Speaker, do the part-time police lose their benefits? Can a community or a municipality circumvent the benefits when a person is a part-time policeman?

Mr. PICCOLA. I am not certain what you are referring to when you say their benefits.

Mr. WASS. Pensions, Blue Cross, Blue Shield. At what point are they compelled to include them in the pension plan, in the hospitalization plan, and so on?

Mr. PICCOLA. That would depend upon the contract that they have with the organization representing the police in their particular borough. The problem is that some boroughs do not have any full-time police officers at all. They may only have one part-time police officer, so there is no collective-bargaining agreement there.

Mr. WASS. Mr. Speaker, your point is well taken, and I represent those districts. But what do we have in this amendment to prohibit large municipalities, those that have means, from reducing their force and going into part-time police to get away from the benefits?

The amendment would be much better, in my mind, if we had a number. Mr. Speaker, in smaller municipalities your argument will hold up, but I believe in larger municipalities I do not think it does, and I think I would take much comfort if this amendment had a number in population or income that would divide those that can use temporary police and those that cannot.

Mr. PICCOLA. Mr. Speaker, in response to your question, this amendment has absolutely nothing to do with the labor relationship between police and the borough. Before the Supreme Court decided the case that this amendment is attempting to address, the situation that you bring up could have occurred; in other words, a borough could have attempted, if it was possible, to circumvent the labor contract by hiring part-time police officers, but they did not do that. That was not a problem. It was not a problem before the Supreme Court ruled, and it certainly is not going to be a problem after we correct this situation. A municipality is not going to go out and hire a bunch of part-timers just to avoid having to hire full-time police officers if they can legitimately afford to hire those full-timers. They did not before the Supreme Court ruled on the arrest-powers issue, and they are certainly not going to do it after we correct that situation.

This amendment deals only with the power of part-time police officers to make arrests. It does not have anything to

do with the labor relations, which remains unchanged. Before the Supreme Court ruled, everyone thought part-timers had the right to make these arrests. The Supreme Court has ruled that they do not, and we must correct that to take the law back to what it was before the Supreme Court ruled. We did not have the problem that you are raising now then, and I certainly do not think we are going to have it in the future.

Mr. WASS. Mr. Speaker, that ends my interrogation. May I make a comment, please?

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

Mr. WASS. Mr. Speaker, my concern is real that in many of our larger municipalities they will have an ability now, the possibility, of reducing their force and hiring part-time policemen to circumvent the benefit policy, so I do have a concern. I must vote for the legislation, because the legislation impacts truly on my districts that are very poor and have a hard time hiring full-time policemen, but I feel that there is a little concern here as it impacts on the larger municipalities.

WELCOME

The SPEAKER. Before the children leave, the Chair wants to welcome the St. John's Episcopal Church Summer Youth Program from Carlisle. Their supervisor is Kim Varner. The counselors are Cassie Miller, Keith Carroll, and Lisa Broujos, who is the daughter, of course, of Representative John Broujos. The children, with their guards, are up in the balcony. Welcome to the hall of the House, children. We are delighted to have you here.

CONSIDERATION OF HB 2184 CONTINUED

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

Mr. PRESSMANN. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to this amendment.

I think this amendment encourages the use of part-time policemen by our municipalities. We have seen in many municipalities across this Commonwealth a move towards using part-time police so, as with the point that Mr. Wass made, that they will not have to pay benefits.

I think it is better for the health and safety of the people of Pennsylvania that we have full-time policemen whenever possible. A full-time policeman spends 5 days a week or 6 days a week on the job. He is immersed in the job. He continually goes through continuing education. A part-time policeman does not do that.

There are very many fine part-time policemen. In fact, most of them would like to be full-time policemen. This is in no way to denigrate the job they do, but we are best served by a full-time professional police force, and I think this amendment makes it more palatable to use part-time policemen.

I urge a "no" vote.

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

Mr. DALEY. Mr. Speaker, would the maker of the amendment stand for brief interrogation?

The SPEAKER. Mr. Bowser, can you hear him?

Try it now, Mr. Daley.

Mr. DALEY. Thank you, Mr. Speaker.

Mr. Speaker, would you please reiterate your reasoning for this amendment on behalf of some of us that did not hear the first explanation to this august Assembly?

Mr. BOWSER. Yes. We have a problem throughout the State because of a couple court cases saying all of a sudden what has been done out there— Part-time police have indeed had the power to arrest and have been doing that for years and years. Because of these court cases, now they say they do not have that power in many, many small communities, which, incidentally, all we are talking about is boroughs. We are not going into the cities; we are not going into the big townships. We are just trying to solve the problem for that small police department in a borough, and it is a problem out there. I am afraid that if we do not do this today, there are going to be several communities across the Commonwealth that will have to fold up completely or go down to maybe a one-person police department. Bob Robbins said in a situation like he has, they need many, many more during the summer months. There are just all kinds of problems. But that is exactly what we are trying to do.

Mr. DALEY. So what you are saying is that there was a court ruling saying that part-time police officers simply do not have arrest powers in a borough.

Mr. BOWSER. Right. Under the language in the current law, they were excluded for some reason, and that is why the courts ruled that way. All we are doing is putting that language in to say that they do indeed have the power of arrest.

Mr. DALEY. Mr. Speaker, can I make a comment on the amendment?

The SPEAKER. The gentleman may speak on the amendment.

Mr. DALEY. I think what Mr. Bowser is doing is very, very apropos if the courts have decided—and I cannot understand the logic there—to eliminate part-time police officers from having arrest powers. I think it is very, very important for many municipalities, primarily boroughs, that do not have the wherewithal to hire a full-time force or have cooperative agreements with other municipalities, that in essence have part-time police officers, that this is the only way that they will be able to provide police service to the municipality.

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

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

Mr. FOSTER. Thank you, Mr. Speaker.

As we debate this amendment, it is not as if we are carving out new territory for part-time policemen. We are simply restoring the power of arrest that was taken from them by a court decision, and frankly, I am getting sick and tired of court decisions that play into the hands of lawbreakers at the expense of the rest of our citizenry.

I think it is time that we do indeed vote in the affirmative on the Bowser amendment.

The SPEAKER. The Chair recognizes the gentleman from Erie, Mr. Bowser, for the second time on the amendment.

Mr. BOWSER. Thank you, Mr. Speaker.

I just want to reiterate the essence of this. Many, many small departments may have to fold up if we do not get this amendment in. Some of them may go down to a one-person police force. That is the danger there. If we are thinking of the health and welfare of our people at home, we have to have this amendment, and I urge the adoption. Thank you.

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

The following roll call was recorded:

YEAS—131

Table listing names of members who voted 'YEAS' (131 total). Includes names like Argall, Battisto, Belardi, Belfanti, Birmelin, Black, Blaum, Bortner, Bowley, Bowser, Brandt, Broujos, Burd, Burns, Bush, Carlson, Cawley, Chadwick, Clark, Clymer, Colafella, Cole, Cornell, Corrigan, Cowell, Coy, DeVerter, DeWeese, Daley, Davies, Dempsey, Dietterick, Dininni, Distler, Dorr, Duffy, Durham, Evans, Fargo, Farmer, Fattah, Fischer, Foster, Fox, Freeman, Freind, Gallen, Gamble, Geist, George, Gladeck, Gruitza, Gruppo, Hagarty, Haluska, Hasay, Hayes, Herman, Hershey, Hess, Honaman, Hughes, Itkin, Jackson, Jadlowiec, Jarolin, Johnson, Kasunic, Kennedy, Kitchen, Kukovich, Langtry, Lashinger, Leh, Lescovitz, Levdansky, Linton, Lloyd, Lucy, McClatchy, McHale, McVerry, Maiaale, Maine, Manmiller, Melio, Merry, Michlovic, Miller, Moehlmann, Morris, Mowery, Nahill, Noye, O'Donnell, Petrarca, Phillips, Piccola, Pitts, Punt, Reber, Reinard, Richardson, Robbins, Rudy, Ryan, Rybak, Saloom, Saurman, Scheetz, Semmel, Serafini, Showers, Smith, B., Smith, S. H., Snyder, G., Stairs, Steighner, Stuban, Sweet, Taylor, E. Z., Taylor, F., Tigie, Veon, Vroon, Wass, Wozniak, Wright, D. R., Wright, J. L., Yandrisevits, Irvis, Speaker.

NAYS—59

Table listing names of members who voted 'NAYS' (59 total). Includes names like Acosta, Angstadt, Arty, Barley, Billow, Book, Boyes, Bunt, Caltagirone, Cappabianca, Carn, Cessar, Civera, DeLuca, Dombrowski, Donatucci, Fee, Flick, Gannon, Godshall, Harper, Hayden, Howlett, Josephs, Kenney, Kosinski, LaGrotta, Letterman, Livengood, McCall, Manderino, Markosek, Mayernik, Micozzie, Mrkonic, Murphy, O'Brien, Olasz, Oliver, Perzel, Petrone, Pistella, Pressmann, Preston, Raymond, Rieger, Ritter, Roebuck, Schuler, Snyder, D. W., Staback, Taylor, J., Trello, Van Horne, Wambach, Weston, Wogan, Wright, R. C.

NOT VOTING—4

Table listing names of members who did not vote: Cohen, Dawida, Hutchinson, Seventy, Heckler, Siriani, Wiggins.

EXCUSED—3

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

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—169

Table listing names of members who voted 'YEAS' (169 total). Includes names like Acosta, Angstadt, Argall, Barley, Battisto, Belardi, Belfanti, Billow, Birmelin, Black, Blaum, Book, Bortner, Bowley, Bowser, Brandt, Broujos, Bunt, Burd, Burns, Bush, Cappabianca, Carlson, Carn, Cawley, Cessar, Chadwick, Civera, Clark, Clymer, Colafella, Cole, Cornell, Corrigan, Cowell, Coy, DeVerter, DeWeese, Daley, Davies, Dempsey, Dietterick, Dininni, Distler, Dietterick, Dininni, Kennedy, Kitchen, Kosinski, Kukovich, LaGrotta, Langtry, Lashinger, Leh, Lescovitz, Letterman, Levdansky, Linton, Livengood, Lloyd, Lucy, McCall, McClatchy, McVerry, Maiaale, Maine, Manmiller, Melio, Merry, Michlovic, Miller, Moehlmann, Morris, Mowery, Murphy, Nahill, Noye, O'Donnell, Olasz, Oliver, Petrarca, Petrone, Piccola, Pievsky, Pistella, Pitts, Preston, Punt, Reber, Richardson, Robbins, Roebuck, Rudy, Ryan, Saurman, Scheetz, Schuler, Semmel, Serafini, Showers, Smith, B., Smith, S. H., Snyder, G., Steighner, Stuban, Sweet, Taylor, E. Z., Taylor, F., Tigie, Veon, Vroon, Wass, Wozniak, Wright, D. R., Wright, J. L., Yandrisevits, Irvis, Speaker.

NAYS—23

Table listing names of members who voted 'NAYS' (23 total). Includes names like Arty, Boyes, Caltagirone, Flick, Freeman, Gannon, George, Hasay, Kenney, McHale, Mrkonic, O'Brien, Perzel, Pressmann, Raymond, Rybak, Saloom, Snyder, D. W., Taylor, J., Weston, Wogan, Wright, R. C., Yandrisevits.

NOT VOTING—2

Cohen Seventy

EXCUSED—3

Heckler Sirianni Wiggins

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

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

BILLS SIGNED BY SPEAKER

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

HB 423, PN 3582

An Act authorizing the Department of Transportation, with the approval of the Governor, to convey to the Borough of Shamokin Dam two parcels of land in the Borough of Shamokin Dam, Snyder County, Pennsylvania; authorizing the Secretary of Environmental Resources to add certain parcels of land situate in Jefferson Township, Somerset County, to Forbes State Forest; and authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Agriculture, to sell and convey a tract of land situate in East Painsboro Township, Cumberland County.

HB 1053, PN 1163

An Act amending the act of February 1, 1966 (1965 P. L. 1656, No. 581), known as "The Borough Code," further providing for the imposition and collection of sanitary sewer rentals.

HB 1339, PN 1550

An Act amending the act of March 7, 1901 (P. L. 20, No. 14), referred to as the "Second Class City Law," further providing for competitive bidding on contracts; and making an editorial change.

HB 2196, PN 2865

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

SB 291, PN 2261

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled "The Administrative Code of 1929," further providing for the powers and duties of the State Board of Education; requiring certain State and public school employees to pay a fair share fee; and providing for objections to payment of a fair share fee.

SB 738, PN 2076

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.

SB 1109, PN 2082

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

SB 1176, PN 2242

An Act amending the act of April 25, 1986 (P. L. 89, No. 33), entitled "An act amending the act of March 23, 1972 (P. L. 136, No. 52), entitled 'An act relating to the practice of psychology, providing for licensing of psychologists, making certain acts illegal and providing penalties,' reestablishing the State Board of Psychologist Examiners as the State Board of Psychology;....," further providing for the issuance of licenses.

SB 1439, PN 2093

An Act making appropriations from the Workmen's Compensation Administration Fund to the Department of Labor and Industry to provide for the expenses of administering The Pennsylvania Workmen's Compensation Act and The Pennsylvania Occupational Disease Act for the fiscal year July 1, 1988, to June 30, 1989, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1988.

**BILLS ON THIRD
CONSIDERATION CONTINUED**

The House proceeded to third consideration of **SB 256, PN 1649**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for interference with devices, signs or signals.

On the question,

Will the House agree to the bill on third consideration?

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader.
Mr. MANDERINO. Mr. Speaker, I move that SB 256 be placed upon the tabled calendar.

On the question,

Will the House agree to the motion?

Motion was agreed to.

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.
Mr. MANDERINO. Mr. Speaker, I move that SB 256 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.

REMARKS ON VOTE

The SPEAKER. The Chair recognizes the gentleman from Westmoreland, Mr. Petrarca. Why do you rise?

Mr. PETRARCA. Mr. Speaker, on SB 769 I inadvertently voted in the negative. I would like to have my vote changed to the affirmative. Thank you.

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

GAME AND FISHERIES COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Centre, Mr. Letterman, to make a committee announcement.

Mr. LETTERMAN. Mr. Speaker, I would like to call a meeting in the back of the House of the Game and Fisheries Committee immediately, please.

The SPEAKER. Game and Fisheries Committee meeting at the rear of the hall of the House while the House is standing at ease.

REMARKS ON VOTE

The SPEAKER. The Chair recognizes the gentleman from Lehigh, Mr. McHale. Why do you rise?

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

The SPEAKER. You may.

Mr. McHALE. Mr. Speaker, on HB 2184 I was recorded in the negative. I would like to be recorded in the affirmative.

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

DEMOCRATIC CAUCUS

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I suggest that we recess the House until 2 p.m., and there will be a necessity for a Democratic caucus of about a half hour. The announcement will be that the Democratic members will caucus at 1:30 and we will return to the floor at 2.

The SPEAKER. At 1:30, Democratic caucus.

REPUBLICAN CAUCUS

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

Mr. NOYE. Thank you, Mr. Speaker.

Republicans will caucus at 1:30.

The SPEAKER. Republican caucus at 1:30.

The Chair recognizes the gentleman from Westmoreland, Mr. Hutchinson. What is it?

Mr. HUTCHINSON. What is the schedule for the rest of the week? Rumors are running amok. Everybody has a rumor that came out of the bathroom. Could you tell me what the schedule is for the rest of the week?

The SPEAKER. Yes, I can; we will be back here at 2 o'clock.

Mr. HUTCHINSON. What time are we going home today then?

The SPEAKER. Oh, that is a different question.

RECESS

The SPEAKER. The House stands in recess until 2 p.m.

RECESS EXTENDED

The time of recess was extended until 2:15 p.m.; further extended until 2:30 p.m.

AFTER RECESS

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

LEAVE OF ABSENCE

The SPEAKER. The Chair recognizes the gentleman from Lawrence, Mr. Fee. Do you have a request for additional leaves of absence?

Mr. FEE. If you would return to leaves, Mr. Speaker, please.

The gentleman from Philadelphia, Mr. EVANS, for the remainder of today.

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

CALENDAR CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 1215, PN 2022**, entitled:

An Act providing matching grants to public or private regional entities to promote exports; and making an appropriation.

On the question,

Will the House agree to the bill on third consideration?

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I move that SB 1215 be recommitted to the Committee on Appropriations.

On the question,

Will the House agree to the motion?

Motion was agreed to.

* * *

The House proceeded to third consideration of **SB 1441, PN 2255**, entitled:

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

On the question,

Will the House agree to the bill on third consideration?

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I move that SB 1441 be recommitted to the Committee on Appropriations.

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

* * *

The House proceeded to third consideration of **SB 235, PN 2156**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for institutional vandalism.

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

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

The question is, shall the bill pass finally?

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

YEAS—192

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

NAYS—0

NOT VOTING—1

Seventy

EXCUSED—4

- | | | | |
|-------|---------|----------|---------|
| Evans | Heckler | Sirianni | Wiggins |
|-------|---------|----------|---------|

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same with amendment in which the concurrence of the Senate is requested.

* * *

The House proceeded to third consideration of **HB 2546, PN 3462**, entitled:

An Act amending the act of May 1, 1933 (P. L. 103, No. 69), known as "The Second Class Township Code," authorizing the establishment of boards of health; providing for their powers and duties; and making repeals.

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

Mr. FOSTER offered the following amendment No. A4390:

Amend Sec. 3 (Sec. 1902-A), page 2, line 21, by inserting after "year."

Upon the creation of a board of health in a township which has an existing sanitary board, the township supervisors may continue the incumbent members of the sanitary board as members of the board of health.

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

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

Mr. FOSTER. Thank you, Mr. Speaker.

This is an agreed-to amendment which would simply permit the governing body, the members of the sanitary board, to continue in office when a board of health is created in the township.

I would ask for an affirmative vote.

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

The following roll call was recorded:

YEAS—191

- | | | | |
|----------|------------|-----------|------------|
| Acosta | Distler | Kosinski | Preston |
| Angstadt | Dombrowski | Kukovich | Punt |
| Argall | Donatucci | LaGrotta | Raymond |
| Arty | Dorr | Langtry | Reber |
| Barley | Duffy | Lashinger | Reinard |
| Battisto | Durham | Leh | Richardson |
| Belardi | Fargo | Lescovitz | Rieger |
| Belfanti | Farmer | Letterman | Ritter |
| Billow | Fattah | Levdansky | Robbins |
| Birmelin | Fee | Linton | Roebuck |
| Black | Fischer | Livengood | Ryan |
| Blaum | Flick | Lloyd | Rybak |
| Book | Foster | Lucyk | Saloom |
| Bortner | Fox | McCall | Saurman |

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

NAYS—0

NOT VOTING—2

Rudy Seventy

EXCUSED—4

Evans Heckler Sirianni Wiggins

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

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—191

Acosta	Distler	Kukovich	Punt
Angstadt	Dombrowski	LaGrotta	Raymond
Argall	Donatucci	Langtry	Reber
Arty	Dorr	Lashinger	Reinard
Barley	Duffy	Leh	Richardson
Battisto	Durham	Lescovitz	Rieger
Belardi	Fargo	Letterman	Ritter
Belfanti	Farmer	Levdansky	Robbins
Billow	Fattah	Linton	Roebuck
Birmelin	Fee	Livengood	Rudy
Black	Fischer	Lloyd	Ryan
Blaum	Flick	Lucyk	Rybak
Book	Foster	McCall	Saloom
Bortner	Fox	McClatchy	Saurman
Bowley	Freeman	McHale	Scheetz

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

NAYS—1

Itkin

NOT VOTING—1

Seventy

EXCUSED—4

Evans Heckler Sirianni Wiggins

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 2108, PN 2730**, entitled:

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

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—191

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

NAYS—0

NOT VOTING—2

Kennedy Seventy

EXCUSED—4

Evans Heckler Sirianni Wiggins

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 2332, PN 3345**, entitled:

An Act authorizing and directing the Department of Transportation, with the approval of the Governor, to convey to the United States Department of Interior portions of certain State

highways located in Montgomery and Chester Counties, Pennsylvania.

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—191

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

NAYS—0

NOT VOTING—2

Kennedy Seventy

EXCUSED—4

Evans Heckler Sirianni Wiggins

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

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

**BILLS ON CONCURRENCE
IN SENATE AMENDMENTS**

The clerk of the Senate, being introduced, returned the following **HB 265, PN 3216**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act providing for the Office of Small Business Advocate in the Office of Attorney General; providing for the powers and duties of the Office of Small Business Advocate and the Pennsylvania Public Utility Commission in relation thereto; and making a temporary appropriation.

On the question,

Will the House concur in Senate amendments?

The SPEAKER. On that question, the Chair recognizes the gentleman from Erie, Mr. Cappabianca.

Mr. CAPPABIANCA. Thank you, Mr. Speaker.

I am asking the House to nonconcur in the Senate amendments to HB 265. When HB 265 left the House last December, it simply advised the PUC (Public Utility Commission) to appoint a spokesman from their trial group to represent the interests of small business. What the Senate amendments have done is they have gutted the bill and created a whole new bureaucracy within the Attorney General's Office, an Office of Consumer Affairs for Small Business.

Based on that, based on the compromises that we tried to work out over the past 5 years I would say in the House, along with utility companies, with the PUC, and so forth, I would advise that we nonconcur in the Senate amendments to HB 265.

The SPEAKER. On the question, those who believe we should concur will vote "aye"; those who believe we should nonconcur, as suggested by Mr. Cappabianca, will vote "no."

On the question recurring,

Will the House concur in Senate amendments?

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

YEAS—26

Black	Flick	Hess	Moehlmann
Brandt	Gannon	Honaman	Pitts
Civera	Geist	Jadlowiec	Raymond
DeVerter	Gladeck	Langtry	Ryan
Dawida	Hagarty	Micozzie	Serafini
Durham	Hayes	Miller	Wright, R. C.
Fischer	Hershey		

NAYS—165

Acosta	Dietterick	Lescovitz	Richardson
Angstadt	Dininni	Letterman	Rieger
Argall	Distler	Levdansky	Ritter
Arty	Dombrowski	Linton	Robbins
Barley	Donatucci	Livengood	Roebuck

Battisto	Dorr	Lloyd	Rudy
Belardi	Duffy	Lucyk	Rybak
Belfanti	Fargo	McCall	Saloom
Billow	Farmer	McClatchy	Saurman
Birmelin	Fattah	McHale	Scheetz
Blaum	Fee	McVerry	Schuler
Book	Foster	Maiale	Semmel
Bortner	Fox	Maine	Showers
Bowley	Freeman	Manderino	Smith, B.
Bowser	Freind	Manmiller	Smith, S. H.
Boyes	Gallen	Markosek	Snyder, D. W.
Broujos	Gamble	Mayernik	Snyder, G.
Bunt	George	Melio	Staback
Burd	Godshall	Merry	Stairs
Burns	Gruitza	Michlovic	Steighner
Bush	Gruppo	Morris	Stuban
Caltagirone	Haluska	Mowery	Sweet
Cappabianca	Harper	Mrkonic	Taylor, E. Z.
Carlson	Hasay	Murphy	Taylor, F.
Carn	Hayden	Nahill	Taylor, J.
Cawley	Herman	Noye	Tigue
Cessar	Howlett	O'Brien	Trello
Chadwick	Hughes	O'Donnell	Van Horne
Clark	Hutchinson	Olasz	Veon
Clymer	Itkin	Oliver	Vroon
Cohen	Jackson	Perzel	Wambach
Colafella	Jarolin	Petrarca	Wass
Cole	Johnson	Petrone	Weston
Cornell	Josephs	Phillips	Wogan
Corrigan	Kasunic	Piccola	Wozniak
Cowell	Kenney	Pievsky	Wright, D. R.
Coy	Kitchen	Pistella	Wright, J. L.
DeLuca	Kosinski	Pressmann	Yandrisevits
DeWeese	Kukovich	Preston	
Daley	LaGrotta	Punt	Irvis,
Davies	Lashinger	Reber	Speaker
Dempsey	Leh	Reinard	

NOT VOTING—2

Kennedy Seventy

EXCUSED—4

Evans Heckler Sirianni Wiggins

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

Ordered, That the clerk inform the Senate accordingly.

* * *

The clerk of the Senate, being introduced, returned the following **HB 389, PN 3557**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act amending the act of December 1, 1977 (P. L. 237, No. 76), known as the "Local Economic Revitalization Tax Assistance Act," adding provisions relating to new construction in deteriorated areas.

On the question,

Will the House concur in Senate amendments?

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

Mr. REBER. Thank you, Mr. Speaker.

Mr. Speaker, the only amendments that were made by the Senate to this bill as it left the House were very technical amendments on page 4, lines 27 and 28, by adding the words "new construction." This is simply a continuation of the use

of the words "new construction" as they were used throughout HB 389 in its original form. So there is absolutely no change but continuing the original intent of the legislation for clarification purposes.

I would urge concurrence in HB 389.

The SPEAKER. On the question, those who believe we should concur, as urged by Mr. Reber, will vote "aye"; those who disagree will vote "no."

On the question recurring,

Will the House concur in Senate amendments?

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

YEAS—187

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

NAYS—0

NOT VOTING—6

Bunt	Kennedy	Rieger	Seventy
Donatucci	Oliver		

EXCUSED—4

Evans Heckler Sirianni Wiggins

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

Ordered, That the clerk inform the Senate accordingly.

* * *

The clerk of the Senate, being introduced, returned the following **HB 1387, PN 3568**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act requiring the development of the Pennsylvania Infectious and Chemotherapeutic Wastes Plan prior to the issuance of permits for infectious and chemotherapeutic wastes incinerators and disposal facilities; and providing penalties.

On the question,

Will the House concur in Senate amendments?

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

Mr. GEORGE. Mr. Speaker, we recommend that this House do concur with the amendments inserted by the Senate.

The SPEAKER. The Chair recognizes the minority leader.

Mr. RYAN. Would the gentleman stand for a brief period of interrogation?

Mr. GEORGE. Yes, Mr. Speaker.

The SPEAKER. Mr. George indicates he will so stand. You may proceed.

Mr. RYAN. Mr. Speaker, in the Republican caucus I expressed some concern about this bill as it comes from the Senate in that hospitals that are in the process of putting in on site their own disposal systems, waste disposal systems, would be affected. I am told now that that is not so, that anything on site is not part and parcel of this prohibition or part and parcel of this bill. Is that accurate?

Mr. GEORGE. That would be our belief.

Mr. RYAN. Thank you.

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, very briefly, the Senate took out several amendments that were placed in by members of the House, one of them having to do with a moratorium on mass burning and another that Mr. Reber put in. Mr. Speaker, those were both important amendments that we would have liked to have seen the Senate keep in the bill. But by sending this bill to the Governor as is on a concurrence vote, we do solve one problem, and we are running a Senate bill that the two amendments that they did not approve in the Senate can be again presented to them and perhaps we might solve those problems also. But I concur that we should concur.

The SPEAKER. The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, may I interrogate the gentleman, Mr. George, again?

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

Mr. RYAN. Mr. Speaker, I am looking at pages 8 and 9 of the bill, and I am back to my original concern. If a hospital today has begun the process of creating or building a site to dispose of infectious or chemotherapeutic wastes, would it be affected by this bill or, because it is on site, it is not affected?

Mr. GEORGE. Mr. Speaker, we honestly believe that if it has already been in the stage of where funding has been applied, a permit has been applied, it would not be affected.

Mr. RYAN. Now, as I look at— It is my understanding then, Mr. Speaker, that it is the legislative intent of the author—meaning yourself—that anything on site is not affected by this legislation. Is that accurate?

Mr. GEORGE. That is accurate.

Mr. RYAN. Thank you.

The SPEAKER. Those who wish to concur will vote "aye"; those opposed, "no."

On the question recurring,

Will the House concur in Senate amendments?

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

YEAS—191

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

Dietterick Kosinski Preston Speaker
Dininni

NAYS—0

NOT VOTING—2

Kennedy Seventy

EXCUSED—4

Evans Heckler Sirianni Wiggins

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

Ordered, That the clerk inform the Senate accordingly.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. Mr. Pievsy, do you wish to ask for a meeting of the Appropriations Committee? The Appropriations Committee meeting will take place at the rear of the hall of the House immediately.

The House will stand at ease.

BILLS REREPORTED FROM COMMITTEE

SB 1215, PN 2297 (Amended)

By Rep. PIEVSKY

An Act making appropriations from the Professional Licensure Augmentation Account and from restricted revenue accounts within the General Fund to the Department of State for use by the Bureau of Professional and Occupational Affairs in support of the professional licensure boards assigned thereto.

APPROPRIATIONS.

SB 1437, PN 2296 (Amended)

By Rep. PIEVSKY

An Act itemizing appropriations required from the Motor License Fund for the fiscal year July 1, 1988, to June 30, 1989, for the proper operation of the several departments of the Commonwealth authorized to spend Motor License Fund moneys; and making an appropriation to the Pennsylvania State Police from the State Stores Fund.

APPROPRIATIONS.

SB 1441, PN 2298 (Amended)

By Rep. PIEVSKY

An Act making an appropriation from the Public School Employees' Retirement Fund to provide for expenses of the Public School Employees' Retirement Board for the fiscal year July 1, 1988, to June 30, 1989, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1988.

APPROPRIATIONS.

COMMUNICATION FROM TITLE 40 REVIEW COMMITTEE

The SPEAKER. The Chair acknowledges receipt of a report of the Pennsylvania Code Title 40 Review Committee pursuant to Act 14 of 1987 signed by the chairman, Mr. Rillo. The clerk will file the report.

PENNSYLVANIA CODE TITLE 40
REVIEW COMMITTEE

June 29, 1988

The Honorable Eugene G. Saloom
Member, House Liquor Control Committee
Room 38E, East Wing, Main Capitol
Harrisburg, PA 17120-0020

Dear Representative Saloom:

Act 14, 1987, (effective July 1, 1987) established the Pennsylvania Code Title 40 Review Committee to undertake the review of all regulations pertaining to the liquor, wine and malt and brewed beverage industry. It further provided that the Committee shall present a report of study to the Pennsylvania Liquor Control Board and the General Assembly within one year of the effective date.

Enclosed is the final report of the Committee. On behalf of the Committee, I wish to extend a note of appreciation to the General Assembly in the creation of the Title 40 Review Committee. The Committee served as an excellent forum for industry members and the public to communicate its concern and ideas to both the General Assembly and the Pennsylvania Liquor Control Board.

For the Title 40
Review Committee,
Nick Rillo
Chairman

Enclosure

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

**BILLS ON CONCURRENCE IN
SENATE AMENDMENTS CONTINUED**

The clerk of the Senate, being introduced, returned the following **HB 1432, PN 3600**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act establishing the Environmental Hearing Board as an independent, quasi-judicial agency; providing for the membership and staff, the powers and duties, the seats and the existing members of the board; transferring certain funds; and making repeals.

On the question,

Will the House concur in Senate amendments?

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

Mr. **GEORGE**. Thank you, Mr. Speaker.

Mr. Speaker, we urge concurrence in the Senate amendments.

The **SPEAKER**. Those who wish to concur will vote "aye"; those opposed, "no."

On the question recurring,

Will the House concur in Senate amendments?

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

YEAS—191

Acosta	Distler	Kukovich	Punt
Angstadt	Dombrowski	LaGrotta	Raymond
Argall	Donatucci	Langtry	Reber
Arty	Dorr	Lashingner	Reinard
Barley	Duffy	Leh	Richardson
Battisto	Durham	Lescovitz	Rieger

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

NAYS—0

NOT VOTING—2

Kennedy Seventy

EXCUSED—4

Evans Heckler Sirianni Wiggins

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

Ordered, That the clerk inform the Senate accordingly.

* * *

The clerk of the Senate, being introduced, returned the following **HB 1727, PN 3473**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act amending the act of May 17, 1956 (1955 P. L. 1609, No. 537), known as the "Pennsylvania Industrial Development Authority Act," adding and amending certain definitions; permitting certain board members to designate others to exercise their powers as board members; providing for forfeiture of a board member's seat for unexcused absences from meetings; providing for certification of industrial development agencies; providing for financial statements of industrial development agencies; making editorial changes; providing for loans for industrial

parks and multiple-tenancy building projects; authorizing the Authority to require additional security for loans; deleting a requirement that all loan repayments be deposited in the Industrial Development Fund; and requiring the Authority to promulgate regulations.

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

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

Mr. DUFFY. Thank you, Mr. Speaker.

I recommend that we concur in the amendments made by the Senate to this bill. Basically, the Senate inserted a provision providing for PIDA (Pennsylvania Industrial Development Authority) to review and certify applications of industrial development agencies. The standards for certification must be developed by regulation. The Senate also inserted a provision requiring industrial development agencies certified by PIDA to file an annual financial statement with it. Additionally, PIDA is given the power to request an independent audit of such an agency's record, and lastly, the Senate changed certain dates in the bill to conform with passage of the bill at the present time and provides for current board members to continue to serve until their term expires and their successors are appointed.

I recommend acceptance.

The SPEAKER. On the question, those who agree with Mr. Duffy that we concur will vote "aye"; those who disagree will vote "no."

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

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

YEAS—191

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

Clark	Herman	Murphy	Tigue
Clymer	Hershey	Nahill	Trello
Cohen	Hess	Noye	Van Horne
Colafella	Honaman	O'Brien	Veon
Cole	Howlett	O'Donnell	Vroon
Cornell	Hughes	Olasz	Wambach
Corrigan	Hutchinson	Oliver	Wass
Cowell	Itkin	Perzel	Weston
Coy	Jackson	Petrarca	Wogan
DeLuca	Jadlowiec	Petrone	Wozniak
DeVerter	Jarolin	Phillips	Wright, D. R.
DeWeese	Johnson	Piccola	Wright, J. L.
Daley	Josephs	Pievsky	Wright, R. C.
Davies	Kasunic	Pistella	Yandrisevits
Dawida	Kenney	Pitts	
Dempsey	Kitchen	Pressmann	Irvis,
Dietterick	Kosinski	Preston	Speaker
Dininni			

NAYS—0

NOT VOTING—2

Kennedy Seventy

EXCUSED—4

Evans Heckler Sirianni Wiggins

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

Ordered, That the clerk inform the Senate accordingly.

**BILL ON CONCURRENCE
IN SENATE AMENDMENTS
TO HOUSE AMENDMENTS**

The clerk of the Senate, being introduced, returned the following **SB 1167, PN 2262**, with information that the Senate has concurred in the amendments made by the House by amending said amendments in which the concurrence of the House of Representatives is requested:

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, authorizing the Governor to utilize public or quasi-public property; changing the organization of the council; expanding powers and duties; ratifying reorganization structure; further regulating authority of political subdivisions; expanding compensation for injuries; creating the office of Pennsylvania State Fire Commissioner; providing for the Pennsylvania State Fire Academy and the Pennsylvania Volunteer Loan Assistance Program; and reestablishing the Pennsylvania Emergency Management Agency.

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

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

Mr. DALEY. Thank you, Mr. Speaker.

I ask the House to concur with the deletions made by the Senate to House amendments. The only deletion that actually was made was that the full-time coordinators provided by the counties was deleted and the qualifications and responsibility for training by PEMA (Pennsylvania Emergency Management Agency), and we think that would be another battle at another time. Even though the Lieutenant Governor and

PEMA and myself and some other people want to go forward with this, we plan to do it in another frame.

So we ask for concurrence to these amendments.

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

Mr. WASS. Thank you, Mr. Speaker.

May I interrogate the gentleman who responded to the amendment?

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

Mr. WASS. Mr. Speaker, you are telling us that the legislation was removed, not extended; it was removed?

Mr. DALEY. I do not understand your question.

Mr. WASS. I am sorry. I believe you would not. You referred to the Senate deleting a portion that called for the full-time executive. Are you telling me it was deleted or extended?

Mr. DALEY. Mr. Speaker, I am saying that the amendment that we inserted on the floor that I offered which causes each county to have a full-time coordinator has been deleted by the Senate.

Mr. WASS. Deleted, not extended?

Mr. DALEY. Has been deleted by the Senate.

Mr. WASS. Thank you.

On the question recurring,

Will the House concur in Senate amendments to House amendments?

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

YEAS—190

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

Cole	Honaman	O'Brien	Vroon
Cornell	Howlett	O'Donnell	Wambach
Corrigan	Hughes	Olasz	Wass
Cowell	Hutchinson	Oliver	Weston
Coy	Itkin	Perzel	Wogan
DeLuca	Jackson	Petrarca	Wozniak
DeVerter	Jadlowiec	Petrone	Wright, D. R.
DeWeese	Jarolin	Phillips	Wright, J. L.
Daley	Johnson	Piccola	Wright, R. C.
Davies	Josephs	Pievsky	Yandrisevits
Dawida	Kasunic	Pistella	
Dempsey	Kenney	Pitts	Irvis,
Dietterick	Kitchen	Pressmann	Speaker

NAYS—0

NOT VOTING—3

Kennedy	Rudy	Sevnty
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EXCUSED—4

Evans	Heckler	Sirianni	Wiggins
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments to the House amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

CONCURRENT RESOLUTION

Mr. HUTCHINSON called up HR 10, PN 149, entitled:

Rescinding the request to the Congress of the United States that it call a Constitutional Convention to propose an amendment to the Constitution to balance the public debt.

On the question,

Will the House adopt the resolution?

The SPEAKER. The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, I know the gentleman, Mr. Herman, wants to be recognized on this.

The SPEAKER. All right.

The Chair recognizes the gentleman from Centre, Mr. Herman, on the question.

Mr. HERMAN. Thank you, Mr. Speaker.

I wish to bring to the attention of the members exactly what we are doing with this resolution and give you a little historical perspective on what it is that we are doing.

In 1976 a resolution was passed by the House and the Senate asking the Congress to have a constitutional convention to pass a balanced-budget amendment. What this measure would do would be to rescind that earlier resolution. I would point out to the members that I think at this time—and Congress especially in the debt that we have at the national level—that it would be a terrible mistake to rescind the decision that was made 10 years ago, 12 years ago, which is even more prudent today than it was at that time. I would also mention that that resolution passed both the House and the Senate unanimously and that many members of this chamber, including the prime sponsor, voted in favor of that resolution at that time.

I solely request that the members of this chamber take a good look at this resolution and what we are trying to do in

unraveling the accomplishments that were made 12 years ago, which serve to hold even truer today than they were at that time. Thank you, Mr. Speaker.

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

Mr. HUTCHINSON. That is true. Twelve years ago we did pass a constitutional amendment to have a convention to have a balanced budget, but right now the John Birchers' organization, the Liberty Lobby, all kinds on both sides of the middle, are against the con-con because nobody knows what they will do in a convention.

I am for a balanced budget. I also have a resolution to ask Congress with both Senate and House to pass that resolution, but I did not want to get them both mixed up on the same day. If you look, there are all different kinds of organizations that are for this amendment in the State of Pennsylvania. Thank you very much.

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

The following roll call was recorded:

YEAS—108

Acosta	Donatucci	Letterman	Preston
Battisto	Duffy	Levdansky	Punt
Belardi	Fattah	Linton	Richardson
Belfanti	Fee	Livengood	Rieger
Billow	Fischer	Lloyd	Ritter
Birmelin	Freeman	McCall	Robbins
Black	Gamble	McHale	Roebuck
Blaum	Gannon	Maiale	Rudy
Bortner	George	Maine	Rybak
Bowley	Godshall	Manderino	Saloom
Broujos	Gruitza	Markosek	Serafini
Bunt	Haluska	Mayernik	Showers
Caltagirone	Harper	Melio	Staback
Cappabianca	Hayden	Michlovic	Steighner
Carn	Hershey	Miller	Stuban
Cawley	Howlett	Moehlmann	Sweet
Clark	Hughes	Morris	Taylor, F.
Cohen	Hutchinson	Mrkonic	Trello
Colafella	Itkin	Murphy	Van Horne
Cole	Jarolin	O'Donnell	Yeon
Corrigan	Josephs	Olasz	Wambach
Cowell	Kasunic	Oliver	Wozniak
Coy	Kennedy	Petrarca	Wright, D. R.
DeLuca	Kosinski	Petrone	Yandrisevits
DeWeese	Kukovich	Pievsky	
Daley	LaGrotta	Pistella	Irvis,
Dawida	Leh	Pressmann	Speaker
Dombrowski	Lescovitz		

NAYS—81

Angstadt	Distler	Jadlowiec	Reber
Argall	Dorr	Johnson	Reinard
Barley	Durham	Kenney	Ryan
Book	Fargo	Langtry	Saurman
Bowser	Farmer	Lashingier	Scheetz
Boyes	Flick	Lucyk	Schuler
Brandt	Foster	McClatchy	Semmel
Burd	Fox	McVerry	Smith, B.
Burns	Freind	Manmiller	Smith, S. H.
Bush	Gallen	Merry	Snyder, D. W.
Carlson	Geist	Micozzie	Snyder, G.
Cessar	Gladeck	Mowery	Stairs
Chadwick	Gruppo	Nahill	Taylor, E. Z.
Civera	Hagarty	Noye	Tigue
Clymer	Hasay	O'Brien	Vroon
Cornell	Hayes	Perzel	Wass

DeVerter	Herman	Phillips	Weston
Davies	Hess	Piccola	Wogan
Dempsey	Honaman	Pitts	Wright, J. L.
Dietterick	Jackson	Raymond	Wright, R. C.
Dininni			

NOT VOTING—4

Arty	Kitchen	Seventy	Taylor, J.
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EXCUSED—4

Evans	Heckler	Sirianni	Wiggins
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The question was determined in the affirmative, and the resolution was adopted.

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

**SUPPLEMENTAL CALENDAR A
BILL ON CONCURRENCE
IN SENATE AMENDMENTS**

The clerk of the Senate, being introduced, returned the following **HB 442, PN 3574**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act amending the act of June 30, 1981 (P. L. 128, No. 43), known as the "Agricultural Area Security Law," further providing for agricultural areas, public hearings, evaluation criteria, decisions and reviews of proposed areas, appeals, limitation on local agencies, policy of Commonwealth agencies, limitations on exercise of eminent domain and purchases of development easements in agricultural areas; providing for the sale of bonds and other financial devices; making an appropriation; and making editorial changes.

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

The SPEAKER. On the question, the Chair recognizes the gentleman from Chester, Mr. Morris.

Mr. MORRIS. Thank you, Mr. Speaker.

We strongly recommend nonconcurrence. The Senate substituted SB 1251 for HB 442, gutted our bill and put theirs in. Now, if they had done this selectively, it might be different, but the net result is that a great deal of hard work on HB 442 has gone down the drain, and in addition, the distribution formula for the money among the counties puts over a third of the money in about three counties, which I think is unfair. My county would benefit, but I just do not think it is right.

I believe the other side of the aisle agrees with this point of view.

The SPEAKER. The Chair recognizes the gentleman from Mercer, Mr. Fargo.

Mr. FARGO. Thank you, Mr. Speaker.

I would also ask that we nonconcur here to put HB 442 into a conference committee so that some of the things can be ironed out. Actually, the major point here in that the county control is ultimate rather than the State control is in this new bill as it comes over from the Senate, and that part of it I am highly in favor of. But we do need a cap so that we do spread this money over the counties in Pennsylvania.

So I would say, let us nonconcur and send this to a conference committee. Thank you, Mr. Speaker.

The SPEAKER. On the question, those who believe we should concur will vote "aye"; those who believe we should nonconcur, as suggested by Mr. Fargo and Mr. Morris, will vote "no."

On the question recurring,

Will the House concur in Senate amendments?

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

YEAS—3

Fischer	Miller	Schuler
		NAYS—188

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

NOT VOTING—2

Roebuck Seventy

EXCUSED—4

Evans Heckler Sirianni Wiggins

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

Ordered, That the clerk inform the Senate accordingly.

WELCOMES

The SPEAKER. Is Dr. Jim Lavelle still here? Dr. Lavelle, welcome to the hall of the House. He is here as a guest of Tony Melio. We are delighted to have you here, doctor. He is to the left of the Speaker.

Ed Staback has John Mancak and Stan Pezak in the gallery. Where are they? Welcome to the hall of the House. We are delighted to have you here.

HR 10 RECONSIDERED

The SPEAKER. The Chair is in receipt of a reconsideration motion filed by the gentleman from Lackawanna, Mr. Serafini, whereby he moves that the vote by which HR 10 was passed on this the 6th day of July be reconsidered.

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

The following roll call was recorded:

YEAS—189

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

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

NAYS—0

NOT VOTING—4

Harper	Kennedy	Seventy	Stuban
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EXCUSED—4

Evans	Heckler	Sirianni	Wiggins
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The question was determined in the affirmative, and the motion was agreed to.

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

The following roll call was recorded:

YEAS—105

Acosta	Dombrowski	Lescovitz	Preston
Battisto	Donatucci	Letterman	Punt
Belardi	Duffy	Levdansky	Richardson
Belfanti	Fattah	Linton	Rieger
Billow	Fee	Livengood	Ritter
Birmelin	Freeman	Lloyd	Robbins
Black	Gamble	McCall	Roebuck
Blaum	George	McHale	Rudy
Bortner	Godshall	Maiale	Rybak
Bowley	Gruitza	Maine	Saloom
Broujos	Hagarty	Manderino	Showers
Bunt	Haluska	Markosek	Staback
Caftagirone	Harper	Mayernik	Steighner
Cappabianca	Hayden	Melio	Stuban
Carn	Hershey	Michlovic	Sweet
Cawley	Howlett	Miller	Taylor, F.
Clark	Hughes	Moehlmann	Trello
Cohen	Hutchinson	Murphy	Van Horne
Colafella	Itkin	Nahill	Veon
Cole	Jarolin	O'Donnell	Wambach
Corrigan	Josephs	Olasz	Wozniak
Cowell	Kasunic	Oliver	Wright, D. R.
Coy	Kitchen	Petrarca	Yandrisevits
DeLuca	Kosinski	Petrone	
DeWeese	Kukovich	Pievsky	Irvis,
Daley	LaGrotta	Pistella	Speaker
Dawida	Leh	Pressmann	

NAYS—84

Angstadt	Dininni	Jackson	Reber
Argall	Distler	Jadlowiec	Reinard
Arty	Dorr	Johnson	Ryan
Barley	Durham	Kenney	Saurman
Book	Fargo	Langtry	Scheetz
Bowser	Farmer	Lashingner	Schuler
Boyes	Fischer	Lucyk	Semmel
Brandt	Flick	McClatchy	Serafini
Burd	Foster	McVerry	Smith, B.
Burns	Fox	Manmiller	Smith, S. H.
Bush	Freind	Merry	Snyder, D. W.
Carlson	Gallen	Micozzie	Snyder, G.
Cessar	Gannon	Morris	Taylor, E. Z.
Chadwick	Geist	Mowery	Taylor, J.
Civera	Gladeck	Noye	Tigue
Clymer	Gruppo	O'Brien	Vroon
Cornell	Hasay	Perzel	Wass
DeVertter	Hayes	Phillips	Weston
Davies	Herman	Piccola	Wogan
Dempsey	Hess	Pitts	Wright, J. L.
Dietterick	Honaman	Raymond	Wright, R. C.

NOT VOTING—4

Kennedy	Mrkonic	Seventy	Stairs
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EXCUSED—4

Evans	Heckler	Sirianni	Wiggins
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The question was determined in the affirmative, and the resolution was adopted.

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

REMARKS ON VOTE

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

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

The SPEAKER. You may.

Mr. HERSHEY. On the second vote on HR 10, I voted in the affirmative. I wish to be recorded in the negative.

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

BILLS SIGNED BY SPEAKER

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

HB 389, PN 3557

An Act amending the act of December 1, 1977 (P. L. 237, No. 76), known as the "Local Economic Revitalization Tax Assistance Act," adding provisions relating to new construction in deteriorated areas.

HB 1387, PN 3568

An Act requiring the development of the Pennsylvania Infectious and Chemotherapeutic Wastes Plan prior to the issuance of permits for infectious and chemotherapeutic wastes incinerators and disposal facilities; and providing penalties.

HB 1432, PN 3600

An Act establishing the Environmental Hearing Board as an independent, quasi-judicial agency; providing for the membership and staff, the powers and duties, the seats and the existing members of the board; transferring certain funds; and making repeals.

HB 1727, PN 3473

An Act amending the act of May 17, 1956 (1955 P. L. 1609, No. 537), known as the "Pennsylvania Industrial Development Authority Act," adding and amending certain definitions; permitting certain board members to designate others to exercise their powers as board members; providing for forfeiture of a board member's seat for unexcused absences from meetings; providing for certification of industrial development agencies; providing for financial statements of industrial development agencies; making editorial changes; providing for loans for industrial parks and multiple-tenancy building projects; authorizing the Authority to require additional security for loans; deleting a requirement that all loan repayments be deposited in the Industrial Development Fund; and requiring the Authority to promulgate regulations.

ANNOUNCEMENT BY MR. FOX

The SPEAKER. The Chair recognizes the gentleman from Montgomery, Mr. Fox. Why do you rise?

Mr. FOX. Mr. Speaker, I have two bills on long-term-care legislation at the bill clerk's desk for those members who may want to sign up.

The SPEAKER. The Chair thanks the gentleman.

Mr. FOX. Thank you, Mr. Speaker.

CALENDAR CONTINUED**BILLS ON THIRD CONSIDERATION**

The SPEAKER. SB 1443 will go over, without objection.

The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, I object, of course, and ask that— First, with the permission of the Speaker, I would like to suggest that any of the members who are in their offices should probably come to the floor now in that I am going to ask that all of the nonpreferred bills be brought up for a vote.

I object to—

The SPEAKER. Just a moment. Let me interrupt you now and make the announcement over the Speaker's microphone.

Mr. RYAN. Thank you, Mr. Speaker.

The SPEAKER. All members who are in their offices are alerted that we are now beginning the debate on the nonpreferred bills beginning on page 9. There will be a motion on the part of Mr. Ryan to bring up these bills. That motion will be opposed by Mr. Manderino. Your presence is needed on the floor of the House now.

The Chair apologizes for interrupting you, Mr. Ryan. You may proceed.

Mr. RYAN. Thank you, Mr. Speaker.

Mr. Speaker, I am not sure of the appropriate parliamentary motion, but I am moving that SB 1443 be called up at this time for a vote.

The SPEAKER. Mr. Ryan calls up on page 9 SB 1443.

The House proceeded to third consideration of **SB 1443**, **PN 2213**, entitled:

A Supplement to the act of April 1, 1863 (P. L. 213, No. 227) entitled "An act to accept the grant of Public Lands, by the United States, to the several states, for the endowment of Agricultural Colleges," making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated.

On the question,

Will the House agree to the bill on third consideration?

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, SB 1443 is one of the nonpreferred appropriations that ordinarily accompany the passage of the budget and pass at the time the budget passes.

I do not think that it is any news to anyone in the General Assembly that the budget for this Commonwealth is at this time incomplete. Revenues for the Commonwealth are suffering a large shortfall from what should be there because there

is a mutual thrift tax that has been declared invalid that all caucuses know about, at least the leaders do, that loses to the Commonwealth Treasury some \$86 million. In addition, the General Fund budget sent to the Governor has been vetoed with line-item vetoes that will allow us to at best call what exists in the form of a general appropriation bill at this time a partial budget.

It is my proposal that all of the nonpreferred appropriations be passed over for today. I do not think that sending the nonpreferred appropriations to the Governor, which is what would happen, with the shortfall in revenues that are there, with the unsettled state of the General Fund budget, does anything to get us to a final solution of all of the budget-related problems that we still must solve for the next fiscal year, or for this fiscal year that we are already in. I think that taking the action that Mr. Ryan wants to take in calling up for a vote the nonpreferred appropriations really stirs the pot, embroils an already embroiled mess further, and does nothing, in my opinion, to gain a final solution.

None of the payments on the nonpreferreds must be made at this time. The first nonpreferred payments are not due until the end of July. We still have time. We will be in session next week; we will be in session other weeks in the month of July, and I would implore the members of the House to vote for the motion that I will make to pass over all of the nonpreferreds with the indication from the majority leader that there will not be, because of nonaction by the House on the nonpreferred appropriations, there will not be any payments made to any of the recipients. That means that I am making a pledge that we will call them up prior to the time when not to call them up would cause payments to be missed.

I just think that it contributes to an overall solution by at this time leaving the nonpreferreds on the calendar.

MOTION TO PASS OVER

Mr. MANDERINO. Mr. Speaker, I therefore move that all of the nonpreferred appropriations on the calendar be passed over for today's session.

PARLIAMENTARY INQUIRY

Mr. RYAN. Mr. Speaker, a point of parliamentary inquiry.

The SPEAKER. The gentleman will state the point.

Mr. RYAN. My understanding of the rules is that each bill is called up in sequence, and for the gentleman to make a carte blanche motion covering all bills such as he has done, all nonpreferreds, would require a suspension of our rules.

The SPEAKER. That is correct. The Chair will have to place it individually, one at a time, and the only bill before the House now is SB 1443.

Mr. RYAN. Which is the \$211-million appropriation to Penn State.

The SPEAKER. That is correct.

Mr. RYAN. And is it my understanding that the gentleman, Mr. Manderino, would be required at this time to suspend the rules prior to your entertaining his motion, and my second

parliamentary inquiry is, does his motion take priority over my motion, which was the initial one, which was to call up SB 1443 with a \$211-million appropriation to Penn State?

The SPEAKER. To answer your second point first, you did not make a motion, in fact. You just called up a bill from the calendar which every member has a right to do. The motion was made by the majority leader saying that he does not wish it to be called up. Therefore, the question before the House is, do you agree to call up the bill or do you disagree? Those who agree with you will vote "aye"; those who do not wish it called up will vote "no."

Mr. RYAN. A point of inquiry, Mr. Speaker.

The SPEAKER. Just a moment. Let me see if we can get this straightened up here at the desk.

The Chair misstated it; the Chair misstated it.

The gentleman, Mr. Ryan, calls up SB 1443, which is his right. The gentleman, Mr. Manderino, moves that SB 1443 be passed over. Therefore, those agreeing with the passing over will vote "aye"; those disagreeing will vote "no." If Mr. Manderino succeeds, the bill is passed over. If he does not succeed in his position, then we have immediately before us SB 1443.

Mr. RYAN. Mr. Speaker, I maybe misunderstood what the gentleman's motion was. I believe I heard him say he moved that all nonpreferreds be passed over.

The SPEAKER. He did, but the Chair ruled that you cannot do that—

Mr. RYAN. Thank you.

The SPEAKER. —that you must do it ad seriatim.

Mr. RYAN. Well, on the question then.

The SPEAKER. All right.

On the question,

Will the House agree to the motion?

Mr. RYAN. On the question, Mr. Speaker, I desire recognition.

The SPEAKER. You are recognized. You may proceed.

Mr. RYAN. Thank you.

Mr. Speaker, the gentleman, Mr. Manderino, called our present situation, we are embroiled in a mess, the budget situation. I think that is right. The papers have not discovered it yet because I read in the papers that things are great; we have passed a budget. I hear people say we have passed a budget. What we have passed is a stopgap budget because of the actions of the Governor in blue lining.

Now, I am starting to hear, Mr. Speaker, from people in my county and really people from all over the State of their concerns in the areas that have been blue lined. I am hearing from the mental health and mental retardation people - where do we get our money? Youth services - where do we get our money? The various agricultural interests - when are we getting our money? Are we ever going to get our money?

The nonpreferred bills, representing some 700 millions of dollars of State moneys being appropriated principally to educational and certainly to charitable 501(c)(3)-type organizations, who ordinarily budget—budget—based on this appropriation, are sitting back not knowing whether to call us or to

rely on us. And if we, Mr. Speaker, go home without taking care of this, without addressing this problem, I think we are doing a disservice to these nonpreferred friends of ours who would truly be nonpreferred at that point.

Penn State, by way of example, is the first nonpreferred bill before us. The gentleman, Mr. Manderino, says in effect, Penn State, do not worry about it; take my word; I will see to it that a bill is passed before you have any need for that money or before the due date for the payment of any of the money is on us. Mr. Manderino does not say to Penn State today, and rely on the fact that it will be for \$211,026,000. I did not hear that. I heard, you will get a bill. Will Penn State get a bill for \$211 million past this House? I think it is far better for the parents of the students, for the students who pay their own tuitions, for the administrators of Penn State to know that they have \$211 million.

Here is a bill that came over from the Senate, much like the one that we passed here last week. The Senate passed the bill. Mr. Manderino stood up and said, let us pass it and send it to the Governor. I am saying to you, there are some 40-odd non-preferred bills covering some 700 millions of dollars that have passed the Senate, that are looked on earnestly by the various recipients of these funds as to whether or not they are going to get them. I say to you, this is your opportunity to have the people of the Penn State community, not only the merchants up there knowing that there is going to be some money coming through, but the college, the students, and the parents of the students. Let them know that they are being watched over and cared for by this legislature.

I suggest that we defeat the gentleman, Mr. Manderino's motion and that we then go on and vote for the Penn State appropriation. Thank you, Mr. Speaker.

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

Mr. MANDERINO. Mr. Speaker, I think the gentleman is beginning to hear from constituent groups, from people in his district, about the things that have yet to be done, and I am simply saying with you, Mr. Speaker, that there are things to be done, and I have said I do not think we contribute to getting all of those things done at this time by passing non-preferred appropriations when there is still outstanding the Senate request to cut Treasury dollars of the Commonwealth \$53 million, where there is still outstanding \$86 million in shortfall, where there is still outstanding all those programs that you say have to be funded. We will just make the situation worse. We will exacerbate all of the problems that we know about by attempting to send this bill to the Governor.

Yes, I have said, Mr. Speaker, that it will not be by action of this General Assembly if payments are missed. I usually feel that I have a pretty good track record on the things that I tell this General Assembly and my caucus and the floor in general. And yes, I sent a bill to the Governor in the last days of the fiscal year to stop State Government from breaking down, and it did stop it from breaking down. We did not have a cessation of services. We did not have crises. We do not have those same crises that we have had in the past. Is it still a

mess? Yes, it is still a mess. Have we simply postponed the time in which the crisis will occur? Yes, we have merely postponed the time. Unless, Mr. Speaker, unless we are able to settle the matter before that time comes, and I am still optimistic. I am still optimistic that that can occur, and I think it aids us in that solution if we leave these bills here for this time, and I again renew my plea that we pass over the nonpreferreds and we start with SB 1443.

Mr. Speaker, the solution to the budget problem that we all seek has been addressed by this House of Representatives. We sent a bill to the Governor to keep State Government going. We sent a House bill in budget form to the Senate so they could act on it. They have failed to act on it. They have not moved it one reading, the House bill that went through the House. We sent them the same House bill in a Senate bill so it would be on their calendar for concurrence, and I said here at this microphone that I would hope they would nonconcur because that is what I expected them to do and we could go to a conference committee and begin to settle some of these issues. What they did with that bill that we sent to them for concurrence was commit it to committee, and there has been no action on it.

Mr. Speaker, we are going to have to begin addressing all of those issues, and there is no question about it, but I think that they all must be addressed and the settlement must be achieved for all of the remaining items that are out there, and I propose that we do that by beginning with passing over the bill that is before us. Thank you, Mr. Speaker.

FILMING PERMISSION

The SPEAKER. Kate Megargee of "The People's Business" is granted permission to film on the floor.

CONSIDERATION OF SB 1443 CONTINUED

The SPEAKER. Let the Chair restate the question because it misstated it at first.

The motion on the floor is to pass over SB 1443. Therefore, those who believe it should be passed over will vote "aye"; those who do not believe it should be passed over will vote "no."

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

(Members proceeded to vote.)

VOTES CHALLENGED

The SPEAKER. We will run the stopwatch and recognize the leaders for challenges.

The Chair recognizes the majority leader.

Mr. MANDERINO. Is the gentleman, Mr. Fischer, here?

The SPEAKER. The gentleman, Mr. Fischer, is not in his seat. Strike the vote. The vote has been stricken.

Mr. MANDERINO. Is the gentleman, Mr. Kennedy, here?

The SPEAKER. The gentleman, Mr. Kennedy, is not here? Not in his seat? Strike the vote.

The Chair recognizes the minority leader.

Mr. RYAN. The gentleman, Mr. Richardson?

The SPEAKER. Mr. Richardson? Take it off. He is not in his seat.

Remove the Richardson vote. Let us not play games now.

Mr. RYAN. The gentleman, Mr. Howlett?

The SPEAKER. Is Mr. Howlett in his seat?

Richardson is on the board. Now he is back in the room.

You may return the Richardson vote.

Mr. Howlett, where is he?

Mr. RYAN. I am sorry. Mr. Howlett is not voted.

The SPEAKER. Mr. Howlett is not on the board.

Mr. Richardson is now in his seat.

Mr. RYAN. The gentleman, Mr. Hayden?

The SPEAKER. Mr. Hayden? He is not here. Strike the vote. The vote is off.

Mr. RYAN. The gentleman, Mr. Cole, was not voted a moment ago. I see that his switch is inoperative and it is voting him.

The SPEAKER. Is Mr. Cole in his seat? Remove the vote.

Mr. RYAN. Is the gentleman, Mr. Belfanti, in his seat?

The SPEAKER. Mr. Belfanti is here.

Mr. RYAN. Yes.

Mr. Rieger is here. He always does that.

The SPEAKER. He is just not as submerged as normal, that is all. The conning tower is still visible there.

Mr. RYAN. Thank you, Mr. Speaker.

The SPEAKER. Are there any further challenges, Mr. Manderino?

A little over 4 minutes has elapsed.

Seven minutes have elapsed.

Mr. RYAN. Mr. Speaker, I am satisfied that the board be closed.

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. I will let everybody think about their vote for the full 5 minutes, Mr. Speaker.

The SPEAKER. The Chair will call the second call when there are only about 30 seconds to go in the 10-minute limit. If you have not voted then, you will not be voted.

Is the majority leader satisfied to take the vote now?

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

The following roll call was recorded:

YEAS—92

Acosta	Duffy	Lloyd	Richardson
Battisto	Fattah	Lucyk	Rieger
Belardi	Fee	McCall	Ritter
Belfanti	Freeman	McHale	Roebuck
Billow	Gamble	Maiale	Rybak
Blaum	George	Maine	Saloom
Bortner	Gruitza	Manderino	Showers
Bowley	Haluska	Markosek	Staback
Broujos	Harper	Mayernik	Steighner
Caltagirone	Hughes	Melio	Stuban
Cappabianca	Hutchinson	Michlovic	Sweet
Carn	Itkin	Morris	Taylor, F.
Cawley	Jarolin	Mrkonic	Tigue
Clark	Josephs	Murphy	Trello
Cohen	Kasunic	O'Donnell	Van Horne
Colafella	Kitchen	Olasz	Veon

Corrigan	Kosinski	Oliver	Wambach
Cowell	Kukovich	Petrarca	Wozniak
Coy	LaGrotta	Petrone	Wright, D. R.
DeLuca	Lescovitz	Pievsky	Yandrisevits
DeWeese	Letterman	Pistella	
Daley	Levdansky	Pressmann	Irvis,
Dawida	Linton	Preston	Speaker
Dombrowski	Livengood		

NAYS—93

Angstadt	Distler	Jadlowiec	Reber
Argall	Dorr	Johnson	Reinard
Arty	Durham	Kenney	Robbins
Barley	Fargo	Langtry	Rudy
Birmelin	Farmer	Lashinger	Ryan
Black	Flick	Leh	Saurman
Book	Foster	McClatchy	Scheetz
Bowser	Fox	McVerry	Schuler
Boyes	Freind	Manmiller	Semmel
Brandt	Gallen	Merry	Serafini
Bunt	Gannon	Micozzie	Smith, B.
Burd	Geist	Miller	Smith, S. H.
Burns	Gladeck	Moehlmann	Snyder, D. W.
Bush	Godshall	Mowery	Snyder, G.
Carlson	Gruppo	Nahill	Stairs
Cessar	Hagarty	Noye	Taylor, E. Z.
Chadwick	Hasay	O'Brien	Taylor, J.
Civera	Perzel	Vroon	Wass
Clymer	Herman	Phillips	Weston
Cornell	Hershey	Piccola	Wogan
DeVerter	Hess	Pitts	Wright, J. L.
Davies	Honaman	Punt	Wright, R. C.
Dempsey	Jackson	Raymond	
Dietterick			

NOT VOTING—8

Cole	Donatucci	Hayden	Kennedy
Dininni	Fischer	Howlett	Seventy

EXCUSED—4

Evans	Heckler	Sirianni	Wiggins
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The question was determined in the negative, and the motion was not agreed to.

Mr. RYAN. Mr. Speaker?

The SPEAKER. Mr. Manderino asked for the— All right. He yields.

Mr. RYAN. Mr. Speaker, after that vote was called, the gentleman, Mr. Battisto's name was added to that roll call. I do not like that and I would hope that it does not happen again.

The SPEAKER. Just a moment. The Chair did not observe that. Is that true?

The Chair apologizes to you, Mr. Ryan. The Chair did not observe it.

The Chair would ask that we not behave as children. This is not the time— Now, let me tell you one thing. If we do not stop right now, the Chair is going to ask that your names be added to the list of those who were disturbing us and not helping. Let us stop it now. This is a serious business that we are involved in with each leader. Let them do the arguing.

On the question recurring,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I ask that members vote in the negative to keep this bill here with all the other nonpreferred bills, and when the time comes, we can reconsider it.

Mr. Speaker, I ask for a negative vote on the bill.

The SPEAKER. The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, on behalf of the students, parents, and administration of Penn State, I ask for an affirmative vote.

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—95

Angstadt	Dorr	Johnson	Reber
Argall	Durham	Kennedy	Reinard
Arty	Fargo	Kenney	Robbins
Barley	Farmer	Langtry	Rudy
Birmelin	Fischer	Lashinger	Ryan
Black	Flick	Leh	Saurman
Book	Foster	McClatchy	Scheetz
Bowser	Fox	McVerry	Schuler
Boyes	Freind	Manmiller	Semmel
Brandt	Gallen	Merry	Serafini
Bunt	Gannon	Micozzie	Smith, B.
Burd	Geist	Miller	Smith, S. H.
Burns	Gladeck	Moehlmann	Snyder, D. W.
Bush	Godshall	Mowery	Snyder, G.
Carlson	Gruppo	Nahill	Stairs
Cessar	Hagarty	Noye	Taylor, E. Z.
Chadwick	Hasay	O'Brien	Taylor, J.
Civera	Perzel	Vroon	Wass
Clymer	Herman	Phillips	Weston
Cornell	Hershey	Piccola	Wogan
Davies	Hess	Pitts	Wright, J. L.
Dempsey	Honaman	Pressmann	Wright, R. C.
Dietterick	Jackson	Punt	
Distler	Jadlowiec	Raymond	

NAYS—90

Acosta	Donatucci	Linton	Richardson
Belardi	Duffy	Livengood	Rieger
Belfanti	Fattah	Lloyd	Ritter
Billow	Fee	Lucyk	Roebuck
Blaum	Freeman	McCall	Rybak
Bortner	Gamble	McHale	Saloom
Bowley	George	Maine	Showers
Broujos	Gruitza	Manderino	Staback
Caltagirone	Haluska	Markosek	Steighner
Cappabianca	Harper	Mayernik	Stuban
Carn	Hughes	Melio	Sweet
Cawley	Hutchinson	Michlovic	Taylor, F.
Clark	Itkin	Morris	Tigue
Cohen	Jarolin	Mrkoncic	Trello
Colafella	Josephs	Murphy	Van Horne
Corrigan	Kasunic	O'Donnell	Veon
Cowell	Kitchen	Olasz	Wambach
Coy	Kosinski	Oliver	Wozniak
DeLuca	Kukovich	Petrarca	Wright, D. R.
DeWeese	LaGrotta	Petrone	Yandrisevits
Daley	Lescovitz	Pievsky	
Dawida	Letterman	Pistella	Irvis,
Dombrowski	Levdansky	Preston	Speaker

NOT VOTING—8

Battisto	DeVerter	Hayden	Maiale
Cole	Dininni	Howlett	Seventy

EXCUSED—4

Evans	Heckler	Sirianni	Wiggins
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Less than the two-thirds majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill fell.

* * *

The SPEAKER. SB 1444, PN 2214.

The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, the students, the parents, and the administration of the University of Pittsburgh deserve to see who their friends are. I call up SB 1444.

The House proceeded to third consideration of SB 1444, PN 2214, entitled:

A Supplement to the act of July 28, 1966 (3rd Sp. Sess., P. L. 87, No. 3), entitled "University of Pittsburgh—Commonwealth Act," making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated.

On the question,

Will the House agree to the bill on third consideration?

MOTION TO PASS OVER

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, the friends of the students, the parents, the faculty, and everyone connected with the University of Pittsburgh, the University of Pennsylvania, Pitt, Temple, Lincoln, and all the other nonpreferred appropriations deserve to know who does not want their bills to go to the Governor for a certain veto.

Mr. Speaker, I would ask that we pass over SB 1444.

On the question,

Will the House agree to the motion?

(Members proceeded to vote.)

VOTES CHALLENGED

Mr. RYAN. The gentleman, Mr. Donatucci.

The SPEAKER. Mr. Donatucci is on the board. Strike Mr. Donatucci's vote. He was not on the board before. Strike the vote; strike the vote for Mr. Donatucci. He is now off the board.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—92

Acosta	Fattah	Lucyk	Rieger
Belardi	Fee	McCall	Ritter
Belfanti	Freeman	McHale	Roebuck
Billow	Gamble	Maiale	Rudy
Blaum	George	Maine	Rybak
Bortner	Gruitza	Manderino	Saloom
Bowley	Haluska	Markosek	Showers

Broujos	Harper	Mayernik	Staback
Caltagirone	Hughes	Melio	Steighner
Cappabianca	Hutchinson	Michlovic	Stuban
Carn	Itkin	Morris	Sweet
Cawley	Jarolin	Mrkonic	Taylor, F.
Clark	Josephs	Murphy	Tigue
Cohen	Kasunic	O'Donnell	Trello
Colafella	Kitchen	Olasz	Van Horne
Corrigan	Kosinski	Oliver	Veon
Cowell	Kukovich	Petrarca	Wambach
Coy	LaGrotta	Petrone	Wozniak
DeLuca	Lescovitz	Pievsky	Wright, D. R.
DeWeese	Letterman	Pistella	Yandrisevits
Daley	Levdansky	Pressmann	
Dawida	Linton	Preston	Irvis,
Dombrowski	Livengood	Richardson	Speaker
Duffy	Lloyd		

NAYS—92

Angstadt	Dietterick	Jackson	Raymond
Argall	Distler	Jadlowiec	Reber
Arty	Dorr	Johnson	Reinard
Barley	Durham	Kenney	Robbins
Birmelin	Fargo	Langtry	Ryan
Black	Farmer	Lashinger	Saurman
Book	Flick	Leh	Scheetz
Bowser	Foster	McClatchy	Schuler
Boyes	Fox	McVerry	Semmel
Brandt	Freind	Manmiller	Serafini
Bunt	Gallen	Merry	Smith, B.
Burd	Gannon	Micozzie	Smith, S. H.
Burns	Geist	Miller	Snyder, D. W.
Bush	Gladeck	Moehlmann	Snyder, G.
Carlson	Godshall	Mowery	Stairs
Cessar	Gruppo	Nahill	Taylor, E. Z.
Chadwick	Hagarty	Noye	Taylor, J.
Civera	Hasay	O'Brien	Vroon
Clymer	Hayes	Perzel	Wass
Cornell	Herman	Phillips	Weston
DeVerter	Hershey	Piccola	Wogan
Davies	Hess	Pitts	Wright, J. L.
Dempsey	Honaman	Punt	Wright, R. C.

NOT VOTING—9

Battisto	Donatucci	Hayden	Kennedy
Cole	Fischer	Howlett	Seventy
Dininni			

EXCUSED—4

Evans	Heckler	Sirianni	Wiggins
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The question was determined in the negative, and the motion was not agreed to.

On the question recurring,

Will the House agree to the bill on third consideration?

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?

On final passage, the Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, for the same reason that I opposed the passage at this time of the bill that we just defeated, I oppose the passage of this bill. I think we do disservice to these universities by sending bills to the Governor in these uncertain times when I am sure that they would suffer a substantial veto because of the lack of funds. I would ask that they be held here, even if we have to hold them here by a negative vote, until the whole matter can be settled.

Mr. Speaker, I ask for a negative vote for that reason.

The SPEAKER. The Chair recognizes the minority leader.

Mr. RYAN. Thank you, Mr. Speaker.

I listened carefully to the words of the gentleman, Mr. Manderino, and one word caught me, and that was "held," that they be "held" here. What the gentleman is effectively saying is that they be held hostage to pass a budget.

These nonpreferred appropriations should not be the vehicles that are used to force a budget settlement. These people depend on this Commonwealth. We have given them good reason to believe that we are going to give them an appropriation so that tuitions can be set, so faculty salaries can be set, so everything else in connection with the administration of a large university can be set and depended upon as they have in the past. I think it is outrageous that we who have within our power a \$113-million appropriation— Once it passes here with two-thirds, it goes to the Governor and then it effectively goes to the University of Pittsburgh. Here is your opportunity to show the people of Pittsburgh and the friends of the University of Pittsburgh, the faculty of the University of Pittsburgh, the students at the University of Pittsburgh, and the long-suffering parents of many of the students who pay some of those tuition bills that you are their friend.

I ask for an affirmative vote by two-thirds of the caring members of this legislative body.

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

Mr. GALLEN. Mr. Speaker, Mr. Manderino has the idea that somehow or other these appropriations will upset the budget. If they are too much, the Governor has the line-item veto in his power. He did not hesitate to use that power last week. I see no reason that he cannot use it again, if he thinks that these appropriations will put the budget out of whack.

I suggest we vote for them.

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I have been here long enough and most members who have been here more than two terms have probably been here long enough to understand and to know that this budget is not going to be settled by grandstanding and this budget is not going to be settled by one-upsmanship and this budget is not going to be settled by political posturing, because we all know how to do those three things, both sides of the aisle, and that is not how we are going to settle this budget. We are going to settle this budget by sitting down in a conference committee - conferees - and doing some tough negotiating. That is how it is going to be settled, and we all know that that is how it is going to be settled.

Mr. Speaker, there must be a Republican leadership disease called "I will tell you what you said," because not only did Mr. Hayes want to tell one of my members what he said but now Mr. Ryan wants to tell me what I said. I did not once say anybody was going to be held hostage. In fact, I did not use any threat at all. I simply said that we will not miss payments. Does that sound like I am holding anybody hostage? We will not miss payments, and if payments are missed, it will not be

because of the acts of this body. Does that sound like I am holding anybody hostage? I simply said I think it contributes nothing to the solution to pass these bills at this time and that I, yes, ask that they be held for today, that they be passed over. Now, that is not hard to understand, but political posturing, grandstanding, and one-upsmanship demands that the leaders on the other side of the aisle take a different tact. I do not think it will be successful. It was not successful on the popular Penn State appropriation. I do not think it is going to work on the popular Pitt appropriation or any of the other nonpreferred appropriations, but if we have to go through this kind of an exercise, we will go through this kind of an exercise. But the settlement, when it comes, Mr. Ryan, the settlement, when it comes, Mr. Hayes, is going to come because reasonable men are able to sit down and settle the matter. It is not going to be settled with these kinds of games played on the floor of the House.

The SPEAKER. The Chair recognizes the minority whip.

Mr. HAYES. Thank you, Mr. Speaker.

A moment ago the majority leader was worried about what others are saying he said. Many persons presently serving in this House of Representatives were not here in 1977, and let me tell you what the gentleman, Mr. Manderino, did. He held the nonpreferreds hostage until December of that year; that is what he did. All the rhetoric aside, he is presently leading this House and this General Assembly on that same type of blueprint. Now, I personally believe that there is still time to save the people of Pennsylvania from that type of destiny. But in 1977—ask the chairman of the Penn State Caucus, Mr. Letterman—the nonpreferred appropriations were held hostage and Manderino was the majority leader. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, this is 1988. In 1977 this gentleman standing at this microphone became the majority leader that year at budget time and inherited a lot of the things that occurred that year. I inherited a shortfall in revenues. I inherited the necessity for a tax increase. I inherited a Republican Party that for \$105 million in need in this Commonwealth was willing to shut the Commonwealth down and did, not only shut the Commonwealth down so it could not operate—okay?—but held the universities hostage because there was not enough money to pay for them.

I have, I hope, matured in 11 years, and if it were my fault, Mr. Hayes, I apologize; I do penance, mea culpa, and all that. But I have no intention of holding hostage the nonpreferred appropriations. I said that. I say it again.

I ask for a negative vote.

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

Mrs. LANGTRY. Thank you.

We have before us SB 1444, concerning appropriations to the University of Pittsburgh, and I would like especially to address this to our colleagues in Allegheny County.

The Senate bill before us appropriates \$626,000 more for the University of Pittsburgh than the House bill or the House

preferred appropriation. I would hope that all of us would vote for this Senate bill in front of us. Thank you.

On the question recurring,
Shall the bill pass finally?

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

(Members proceeded to vote.)

VOTES CHALLENGED

Mr. RYAN. Mr. Speaker?

Mr. MANDERINO. Mr. Speaker, I get angry when I see people over there voted that are not here, too.

Mr. Dininni?

The SPEAKER. Well, Mr. Ryan, you will check the Democrats.

Mr. RYAN. Everything is fine.

The SPEAKER. Then we will come over to the Republicans and have them checked.

The Chair recognizes the majority leader.

Mr. MANDERINO. Is Joe Manmiller here?

The SPEAKER. Is Mr. Manmiller voted? Is he here? He is there in the hall of the House.

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—92

Angstadt	Dietterick	Jackson	Raymond
Argall	Distler	Jadlowiec	Reber
Arty	Dorr	Johnson	Reinard
Barley	Durham	Kenney	Robbins
Birmelin	Fargo	Langtry	Ryan
Black	Farmer	Lashinger	Saurman
Book	Flick	Leh	Scheetz
Bowser	Foster	McClatchy	Schuler
Boyes	Fox	McVerry	Semmel
Brandt	Freind	Manmiller	Serafini
Bunt	Gallen	Merry	Smith, B.
Burd	Gannon	Micozzie	Smith, S. H.
Burns	Geist	Miller	Snyder, D. W.
Bush	Gladeck	Moehlmann	Snyder, G.
Carlson	Godshall	Mowery	Stairs
Cessar	Gruppo	Nahill	Taylor, E. Z.
Chadwick	Hagarty	Noye	Taylor, J.
Civera	Hasay	O'Brien	Vroon
Clymer	Hayes	Perzel	Wass
Cornell	Herman	Phillips	Weston
DeVerter	Hershey	Piccola	Wogan
Davies	Hess	Pitts	Wright, J. L.
Dempsey	Honaman	Punt	Wright, R. C.

NAYS—91

Acosta	Fattah	Lloyd	Rieger
Belardi	Fee	Lucyk	Ritter
Belfanti	Freeman	McCall	Roebuck
Billow	Gamble	McHale	Rudy
Blaum	George	Maine	Rybak
Bortner	Gruitza	Manderino	Saloom
Bowley	Haluska	Markosek	Showers
Broujos	Harper	Mayernik	Staback
Caltagirone	Hughes	Melio	Steighner
Cappabianca	Hutchinson	Michlovic	Suban
Carn	Itkin	Morris	Sweet
Cawley	Jarolin	Mrkonic	Taylor, F.
Clark	Josephs	Murphy	Tigue

Cohen	Kasunic	O'Donnell	Trello
Colafella	Kitchen	Olasz	Van Horne
Corrigan	Kosinski	Oliver	Veon
Cowell	Kukovich	Petrarca	Wambach
Coy	LaGrotta	Petrone	Wozniak
DeLuca	Lescovitz	Pievsky	Wright, D. R.
DeWeese	Letterman	Pistella	Yandrisevits
Daley	Levdansky	Pressmann	
Dawida	Linton	Preston	Irvis,
Dombrowski	Livengood	Richardson	Speaker
Duffy			

NOT VOTING—10

Battisto	Donatucci	Howlett	Maiale
Cole	Fischer	Kennedy	Seventy
Dininni	Hayden		

EXCUSED—4

Evans	Heckler	Sirianni	Wiggins
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Less than the two-thirds majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill fell.

The SPEAKER. The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, I ask that the calendar be continued in order. It is my understanding the next bill is SB 1445, PN 2215, dealing with a \$125-million appropriation to Temple University.

The SPEAKER. Mr. Manderino, do you wish to make the motion to take up supplemental calendar B out of order?

Mr. MANDERINO. Mr. Speaker, if there is no objection, I would like to go to the Motor License Fund budget, which is on supplemental calendar B.

The SPEAKER. The Chair recognizes the minority leader.

Mr. RYAN. Rather than feel that any given geographic area of the State has been neglected today, it was my intention to insist that SB 1445 and SB 1446 be run, and if the same results continued as happened in the prior two votes, I would give up this quest for passage of nonpreferreds. So if we can run just these next two bills and have that on the record, then I would have no objection to passing over the balance.

Mr. MANDERINO. Would the gentleman yield to interrogation?

The SPEAKER. Mr. Ryan, will you stand for interrogation?

Mr. RYAN. Yes.

The SPEAKER. He indicates he will.

Mr. MANDERINO. Is there any doubt in your mind as to what the result would be on those two bills?

Mr. RYAN. Well, I am not sure.

Mr. MANDERINO. You are sure.

Mr. RYAN. I noticed on the last one that I was making progress. On the first round, I had Mrs. Rudy, and on the second round, I think I had two of them over there, and I just have a feeling that I will be more persuasive on the next two.

And incidentally, Mr. Speaker, as a matter of historical fact in that we were going through that routine here a minute ago, back in 1977 we had 85 members and the Democrats had 118. You had control of the House and you also had the Governor's Mansion and the Senate at that time, and I think we

finally bailed you out after it had been all screwed up for a long while. But let us run two more bills, and then we will let them go.

The SPEAKER. Mr. Manderino moves that we take out of order supplemental calendar B.

Mr. MANDERINO. Mr. Speaker, I am willing to go straight to a vote on the bill and save some time.

The SPEAKER. The gentleman, Mr. Manderino, rescinds his motion and moves that SB 1445, PN 2215, be passed over in order.

Mr. MANDERINO. No, Mr. Speaker. I move that the bill be called up in its order and that the members vote against it.

The SPEAKER. The Chair apologizes.

* * *

The House proceeded to third consideration of **SB 1445, PN 2215**, entitled:

A Supplement to the act of November 30, 1965 (P. L. 843, No. 355), entitled "Temple University—Commonwealth Act," making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated.

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.

(Members proceeded to vote.)

The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, I think Bill Cosby would be very, very upset if he— Now, Mr. Speaker, there is no way in this world the members of the Democratic Party, with all those red lights, are going to be able to convince Bill Cosby—

Mr. COWELL. Mr. Speaker, is there anything in order but the taking of the vote?

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I do not know whether that was one-upmanship, political posturing, or grandstanding, but I will bet it fits one of those categories.

Mr. RYAN. Mr. Speaker, I think he is right, for the first time today.

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—91

Angstadt	Dietterick	Jadlowiec	Reber
Argall	Distler	Johnson	Reinard
Arty	Dorr	Kenney	Robbins
Barley	Durham	Langtry	Ryan
Birmelin	Fargo	Lashinger	Saurman
Black	Farmer	Leh	Scheetz
Book	Flick	McClatchy	Schuler
Bowser	Foster	McVerry	Semmel

Boyes	Fox	Manmiller	Serafini
Brandt	Freind	Merry	Smith, B.
Bunt	Gannon	Micozzie	Smith, S. H.
Burd	Geist	Miller	Snyder, D. W.
Burns	Gladeck	Moehlmann	Snyder, G.
Bush	Godshall	Mowery	Stairs
Carlson	Gruppo	Nahill	Taylor, E. Z.
Cessar	Hagarty	Noye	Taylor, J.
Chadwick	Hasay	O'Brien	Vroon
Civera	Hayes	Perzel	Wass
Clymer	Herman	Phillips	Weston
Cornell	Hershey	Piccola	Wogan
DeVerter	Hess	Pitts	Wright, J. L.
Davies	Honaman	Punt	Wright, R. C.
Dempsey	Jackson	Raymond	

NAYS—91

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

NOT VOTING—11

Battisto	Donatucci	Hayden	Maiale
Cole	Fischer	Howlett	Seventy
Dininni	Gallen	Kennedy	

EXCUSED—4

Evans	Heckler	Sirianni	Wiggins
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Less than the two-thirds majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill fell.

The SPEAKER. The Chair would like to point out to the majority leader and to the minority leader that the Speaker at the time when we were here all night and all summer was the current Speaker, much younger and with a lot more patience than the current Speaker has.

Mr. RYAN. Mr. Speaker, if I might make an observation, you also had dark hair at that time, and when that session was over, it was as it is today.

The SPEAKER. It turned gray.

Mr. RYAN. Yes.

* * *

The House proceeded to third consideration of **SB 1446, PN 2216**, entitled:

A Supplement to the act of July 7, 1972 (P. L. 743, No. 176), entitled "Lincoln University—Commonwealth Act," making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated.

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.

(Members proceeded to vote.)

Mr. MANDERINO. Mr. Speaker, is this Lincoln University?

The SPEAKER. This is Lincoln University.

Mr. MANDERINO. I think we ought to vote "yes" for this and see what the other side does.

Mr. RYAN. I ask for a "yes" vote. You can see it is up there. I told you I would do better. Now we should keep going, Mr. Speaker.

Mr. MANDERINO. Mr. Speaker, I ask for a negative vote, but I will bet if we would vote green, they would vote red.

Mr. RYAN. Well, why do you not just look at the board.

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—93

Angstadt	Distler	Jadlowiec	Reber
Argall	Dorr	Johnson	Reinard
Arty	Durham	Kenney	Robbins
Barley	Fargo	Langtry	Ryan
Birmelin	Farmer	Lashinger	Saurman
Black	Flick	Leh	Scheetz
Book	Foster	McClatchy	Schuler
Bowser	Fox	McVerry	Semmel
Boyes	Freind	Manmiller	Serafini
Brandt	Gallen	Merry	Smith, B.
Bunt	Gannon	Micozzie	Smith, S. H.
Burd	Geist	Miller	Snyder, D. W.
Burns	Gladeck	Moehlmann	Snyder, G.
Bush	Godshall	Mowery	Stairs
Carlson	Gruppo	Nahill	Taylor, E. Z.
Cessar	Hagarty	Noye	Taylor, J.
Chadwick	Hasay	O'Brien	Vroon
Civera	Hayes	Perzel	Wambach
Clymer	Herman	Phillips	Wass
Cornell	Hershey	Piccola	Weston
DeVerter	Hess	Pitts	Wogan
Davies	Honaman	Punt	Wright, J. L.
Dempsey	Jackson	Raymond	Wright, R. C.
Dietterick			

NAYS—89

Belardi	Fattah	Lloyd	Rieger
Belfanti	Fee	Lucyk	Ritter
Billow	Freeman	McCall	Roebuck
Blaum	Gamble	McHale	Rudy
Bortner	George	Maine	Rybak
Bowley	Gruitza	Manderino	Saloom
Broujos	Haluska	Markosek	Showers
Caltagirone	Harper	Mayernik	Staback

Cappabianca	Hughes	Melio	Steighner
Carn	Hutchinson	Michlovic	Stuban
Cawley	Itkin	Morris	Sweet
Clark	Jarolin	Mrkonic	Taylor, F.
Cohen	Josephs	Murphy	Tigue
Colafella	Kasunic	O'Donnell	Trello
Corrigan	Kitchen	Olasz	Van Horne
Cowell	Kosinski	Oliver	Veon
Coy	Kukovich	Petrarca	Wozniak
DeLuca	LaGrotta	Petrone	Wright, D. R.
DeWeese	Lescovitz	Pievsky	Yandrisevits
Daley	Letterman	Pistella	
Dawida	Levdansky	Pressmann	Irvis,
Dombrowski	Linton	Preston	Speaker
Duffy	Livengood	Richardson	

NOT VOTING—11

Acosta	Dininni	Hayden	Maiale
Battisto	Donatucci	Howlett	Seventy
Cole	Fischer	Kennedy	

EXCUSED—4

Evans	Heckler	Sirianni	Wiggins
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Less than the two-thirds majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill fell.

The SPEAKER. The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, as I indicated a moment ago, with the failure of the four major State-related universities to obtain the necessary two-thirds vote in the House to enable them to receive on time and in plenty of time the hundreds of millions of dollars that we promised them and recognizing that if Pitt, Penn State, Temple, and Lincoln University cannot get the support of the Democratic Caucus, then I strongly suspect that it would be a waste of this House's time to continue through the rest of the nonpreferreds, the majority leader having already said that his position would be the same. I assume that his position would be the same. If it would not be, I would invite him to correct me so that we can pass any of the nonpreferreds, which would certainly be better than passing none at all. If his position is the same, then I have no further motions or requests to call up the nonpreferred bills and waste the time of this House.

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I do not think that the Republican side of the aisle in this General Assembly is any more supportive of our educational institutions than the Democratic side of this aisle. We have always supported the State-related universities, the nonpreferreds, and I would think in the nonpreferreds, over the spectrum of all of the nonpreferreds, we have given more support than the other side of the aisle. I am not talking about the larger ones; I am talking about over the spectrum of all of them.

Mr. Speaker, we will fund the universities. We will fund them at a level that I am sure will be greater than the rate of inflation. It will be at a level that we agree to when we sit down and settle the issue. And no one should take the vote that took place here this afternoon—and Mr. Ryan knows it—as an unwillingness on the Democratic side to support these institutions. We do support them. We support all of the

programs in the Governor's budget that have not yet been funded, and we must make progress toward those - the children and youth line item that Mr. Ryan seemed to be concerned about, the economic development items that we are concerned about, the agriculture items that Mr. Ryan seems to have concern about, the redevelopment items that we seem to have concern about. The list can go on and on and on, and when reasonable men sit down, when we get a conference committee to work on it, I am sure these matters will be settled. Maybe they will be settled before that, but they will eventually get settled.

Our task is that in the settlement of these issues, we do not hurt anyone who deals with the Commonwealth or depends on the Commonwealth. I am willing that that be the case. All of us must be willing that that be the case.

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

Mr. DeVERTER. Mr. Speaker, far be it for me to chime in between the two leaders, but I do have a concern. Although Mr. Manderino has expressed his assurances about these, I was here in 1977 when we waited a long time, and I guess in my little part of the world in central Pennsylvania, there is only one thing we get out of a nonpreferred appropriation of any significance and that is the Beacon Lodge Camp for the blind. Unfortunately, the lodge, Mr. Speaker, gears up now for the summer to bring in folks from all over the State, and they depend to a great extent on that \$77,000.

I just feel from all the rumors we have heard that to go out of here this week and perhaps not come back until fall and do this is really doing this group an injustice, and if possible, I would like to call that bill up, Mr. Speaker, SB 1483, PN 2137. It is a \$77,000 appropriation.

The SPEAKER. Unfortunately, you would be calling it up out of order, and if there were an objection to going out of order, you would have to persuade the majority of the floor of the House to agree with you. The order of business is SB 1447.

Mr. MANDERINO. Mr. Speaker, we have a concern for all of the nonpreferred appropriations. I do not think that it behooves us, it gets us anywhere to start beginning to pick and choose the ones that are our favorites. They are all my favorites. I support every one of them and I have for 22 years.

I really think we ought to get to the Motor License Fund budget and get a budget passed, Mr. Speaker, so that we do not miss payrolls there. We are not going to miss payments to any of the nonpreferreds because of the actions of this House. I have said that, you know, and cut my wrists, take the blood, whatever you want.

Mr. DeVERTER. Mr. Speaker, I am not asking him to cut his wrists or do anything. All I am wondering is whether or not I can relate to those folks at Beacon Lodge who are starting the summer encampment as to whether they can depend on that money for the summer so they do not have to go out and borrow money, pay interest to meet their obligations.

SUPPLEMENTAL CALENDAR B BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 1437, PN 2296**, entitled:

An Act itemizing appropriations required from the Motor License Fund for the fiscal year July 1, 1988, to June 30, 1989, for the proper operation of the several departments of the Commonwealth authorized to spend Motor License Fund moneys; and making an appropriation to the Pennsylvania State Police from the State Stores 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?

On final passage, the Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, I do not have an analysis of the bill before us. It is my understanding, though, that it is the Motor License Fund that we had previously passed with an additional provision in it to take care of the Liquor Control Board, the State Store Fund enforcement, police enforcement, and last but not least—and this is a little bit more difficult to explain, and it may be that I will have to ask the majority leader to do it—there is an additional sum of some \$40 million that is going to be held now in the following manner: \$20 million for safety initiatives, \$15 million for equipment initiatives, and \$5 million for bridge painting initiatives. This \$40 million will be distributed under a set of criteria that will be agreed on at a later time, but it is, in a sense, escrowed for these three purposes.

I intend to vote, Mr. Speaker, for SB 1437. In fairness, however, I think the House should also know that we have just been advised that the Senate has passed a Motor License Fund that differs slightly from this one, and I do not know that it has arrived yet in this House but it is apparently on its way through the process over to this House, and it differs in that the \$40 million, instead of being held, as I have just described, for these various initiatives, has been built into the maintenance fund to be distributed under the maintenance formula.

The suggestion of SB 1437 that is before us more closely tracks what we did here in the past with moneys that were somewhat unexpected, which this \$40 million was, and I am satisfied that SB 1437 is the way to go. Others may disagree with me, and that is why I am simply saying that the other bill is coming over from the Senate. I do not know that it will ever be voted on in this House, nor do I know that the Senate will accept SB 1437 if it goes over to them. So no changes have been made because reasonable men have not sat down, Mr. Speaker, ahead of time and determined what should happen.

On that subject, if I may, I suggested this morning to the Secretary of the Budget, whom I ran into in the back hall, that I thought it was time that the Governor called us in and had us sit down and tried to figure out how we are going to get ourselves out of this mess. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the majority leader.
 Mr. MANDERINO. Mr. Speaker, the gentleman is correct on the differences. In the past when funds appeared that were unexpected and after we had begun the process, rather than add them into the formula for distribution, we put them in line items that were used for maintenance purposes as described here - safety initiatives, equipment acquisition, bridge painting - so that it did not build the base, and that is the basic difference between the approach that we use and the approach that the Senate is using. These matters were discussed with the Senate leaders. Our approach was discussed by Secretary Yerusalim with them and with the leaders, and there is no substantial disagreement in what we are doing here today. The Senate with its full agenda did not think that it would have time to caucus and change, and we did the change here and we are going to send it to them.

Mr. Speaker, I ask for an affirmative vote.

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—188

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

Dininni Kukovich Punt Speaker
 Distler LaGrotta

NAYS—0

NOT VOTING—5

Battisto Hayden Kennedy Seventy
 Cole

EXCUSED—4

Evans Heckler Sirianni Wiggins

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same with amendment in which the concurrence of the Senate is requested.

HOUSE SCHEDULE

The SPEAKER. There will be no further business brought before this floor this week. We will not be adjourning the House but it will be subject to the call of the Chair, and the Chair does not believe that the Chair will find any reason to call you back before 1 o'clock next Monday. But when next Monday comes, at 1 o'clock we shall be in session. The members are now free to leave.

REMARKS ON VOTE

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

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

The SPEAKER. Go right ahead.

Mr. BUNT. On HB 389, Mr. Speaker, I think the record reflects that I did not vote on that particular bill. Had I been in my seat, I would have voted "aye" on the bill.

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

SUNSHINE NOTICE

The SPEAKER. The clerk will read the sunshine notice.

The following communication was read:

House of Representatives
 Commonwealth of Pennsylvania
 Harrisburg

NOTICE
 SESSION TIME
HOUSE OF REPRESENTATIVES

Notice is hereby given, in accordance with the Act of July 3, 1986, P.L. 388, No. 84, that the House of Representatives will convene in open session in the Hall of the House on the following date and time:

Monday, July 11, 1988 at 1:00 p.m.

John J. Zubeck
 Chief Clerk
 House of Representatives

July 6, 1988

House of Representatives
Commonwealth of Pennsylvania
Harrisburg

I hereby certify that thirty copies of the foregoing notice were delivered to the Supervisor of the Newsroom of the State Capitol Building in Harrisburg, and a copy was also posted on the bulletin board outside the main entrance to the Chief Clerk's Office on the following date:

July 6, 1988

John J. Zubeck
Chief Clerk
House of Representatives

July 6, 1988

SENATE MESSAGE

**HOUSE BILLS
CONCURRED IN BY SENATE**

The clerk of the Senate, being introduced, returned **HB 2411, PN 3457**; and **HB 2413, PN 3212**, with information that the Senate has passed the same without amendment.

BILLS SIGNED BY SPEAKER

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

HB 2411, PN 3457

An Act making appropriations from the Professional Licensure Augmentation Account and from restricted revenue accounts within the General Fund to the Department of State for use by the Bureau of Professional and Occupational Affairs in support of the professional licensure boards assigned thereto.

HB 2413, PN 3212

An Act making an appropriation from the Public School Employees' Retirement Fund to provide for expenses of the Public School Employees' Retirement Board for the fiscal year July 1, 1988, to June 30, 1989, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1988.

SB 1167, PN 2262

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, authorizing the Governor to utilize public or quasi-public property; changing the organization of the council; expanding powers and duties; ratifying reorganization structure; further regulating authority of political subdivisions; expanding compensation for injuries; creating the office of Pennsylvania State Fire Commissioner; providing for the Pennsylvania State Fire Academy and the Pennsylvania Volunteer Loan Assistance Program; and reestablishing the Pennsylvania Emergency Management Agency.

SB 1436, PN 2161

An Act making an appropriation from the State Employees' Retirement Fund to provide for expenses of the State Employees' Retirement Board for the fiscal year July 1, 1988, to June 30, 1989, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1988.

SB 1440, PN 2094

An Act making appropriations to the Department of General Services out of various funds for payment of rental charges to The General State Authority.

SENATE MESSAGE

**AMENDED HOUSE BILL
RETURNED FOR CONCURRENCE**

The clerk of the Senate, being introduced, returned **HB 1475, PN 3630**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

RECESS

The **SPEAKER**. The House stands in recess in regular session subject to the call of the Chair.

AFTER RECESS

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

BILLS AND RESOLUTION PASSED OVER

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

ADJOURNMENT

The **SPEAKER**. There being no further business to be brought before this the regular session of the House of Representatives of Wednesday, July 6, the Chair recognizes the gentleman from Philadelphia, Mr. Hayden.

Mr. **HAYDEN**. Mr. Speaker, I move that this House do now adjourn in regular session until Tuesday, July 12, 1988, at 11:10 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 10:59 p.m., e.d.t., the House adjourned.