

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

TUESDAY, JANUARY 31, 1989

SESSION OF 1989

173D OF THE GENERAL ASSEMBLY

No. 8

### HOUSE OF REPRESENTATIVES

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

#### THE SPEAKER (JAMES J. MANDERINO) IN THE CHAIR PRAYER

REV. CLYDE W. ROACH, Chaplain of the House of Representatives, from Harrisburg, Pennsylvania, offered the following prayer:

Let us pray:

Gracious God, our Father, who made us from the dust of the Earth and fashioned us in Your own image and made us a little lower than the angels, we confess that You are the potter and we are the clay. Mold us according to Your will, and make us fitting vessels of Your might, that we will faithfully serve those whom we represent - the citizens of this great Commonwealth.

Rule our lives by Your power, that we may be faithful in words. Keep us with Your gracious protection, that nothing will make us false in our actions.

Remember the leadership of this House. Give them vision, courage, and commitment, and grant that they may ever give full proof of their stewardship, so that one day they will hear You say, "Well done, thou good and faithful servants."

In Your dear name we pray. Amen.

#### PLEDGE OF ALLEGIANCE

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

#### JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, we will postpone until printed the approval of the Journal dated Monday, January 30, 1989. The Chair hears no objection.

#### LEAVES OF ABSENCE

The SPEAKER. Are there requests for leaves of absence? The Chair recognizes the majority whip for the majority party.

Mr. DeWEESE. Mr. Speaker, the gentlelady from Philadelphia, Mrs. HARPER, requests a leave for the remainder of the week.

The SPEAKER. Without objection, the leave is granted. The Chair receives indication that there are no leaves of absence to be requested from the minority party.

#### HOUSE BILLS INTRODUCED AND REFERRED

No. 163 By Representatives PHILLIPS, TIGUE, FAIRCHILD, LETTERMAN, VROON, STUBAN, ROBINSON, ALLEN, DIETTERICK, CIVERA, JOHNSON, MRKONIC, GEIST, S. H. SMITH, DEMPSEY, WASS, BURD, LEH, BELFANTI, BUNT, NOYE, DALEY, ANGSTADT, E. Z. TAYLOR, McCALL, VEON, BELARDI, OLASZ and RAYMOND

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), known as the "Public School Code of 1949," providing that schools shall be closed on Veterans' Day.

Referred to Committee on EDUCATION, January 31, 1989.

No. 164 By Representatives PHILLIPS, COLAFELLA, NOYE, GODSHALL, DISTLER, VROON, DEMPSEY, PERZEL, JADLOWIEC, McCALL, GEIST, MAIALE, BARLEY, TRELLO, HERSHEY, NAHILL, BUNT, MERRY, TIGUE, CLYMER, GIGLIOTTI, VEON, JOHNSON, HOWLETT, BURD, OLIVER, BELARDI, LINTON, DeLUCA, OLASZ, HALUSKA and SERAFINI

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for restoration of operating privileges.

Referred to Committee on TRANSPORTATION, January 31, 1989.

No. 165 By Representatives PHILLIPS, STUBAN, GEIST, LETTERMAN, VROON, ROBBINS, CIVERA, CLYMER, STABACK, FARMER, WASS, TIGUE, BURD, MICHLOVIC, REBER, ANGSTADT, GODSHALL, E. Z. TAYLOR, OLASZ, LEE, VEON, SAURMAN, BELARDI, B. SMITH and BISHOP

An Act amending the act of July 14, 1961 (P. L. 637, No. 329), known as the "Wage Payment and Collection Law," prohibiting the designation by an employer of a particular bank for direct deposit of employee paychecks.

Referred to Committee on BUSINESS AND COMMERCE, January 31, 1989.

**No. 166** By Representatives DOMBROWSKI, BOYES, CAPPABIANCA, D. R. WRIGHT, BOWLEY, MERRY, ROBBINS, S. H. SMITH, BATTISTO and BELFANTI

An Act amending the act of June 18, 1984 (P. L. 384, No. 81), known as the "Amusement Ride Inspection Act," providing for self-insurance by owners and operators; and imposing duties upon the Secretary of Agriculture.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, January 31, 1989.

**No. 167** By Representatives MAYERNIK, LEVDANSKY, McCALL, DeLUCA, OLASZ, PETRONE, D. R. WRIGHT, PETRARCA, HAYDEN, PISTELLA, VEON, DOMBROWSKI, HUGHES, FREEMAN, JOSEPHS, KENNEY, RAYMOND, GRUITZA, CORRIGAN, MAINE, COLAIZZO, EVANS, J. TAYLOR, CESSAR, PERZEL and DeWEESE

An Act amending the act of December 8, 1959 (P. L. 1718, No. 632), entitled, as amended, "An act providing for the payment of the salary, medical and hospital expenses of employes of State penal and correctional institutions, State mental hospitals, Youth Development Centers, County Boards of Assistance, and under certain conditions other employes of the Department of Public Welfare, who are injured in the performance of their duties; and providing benefit to their widows and dependents in certain cases," further providing for salary and benefit payments; and making an editorial change.

Referred to Committee on HEALTH AND WELFARE, January 31, 1989.

**No. 168** By Representatives COY, COLE, WAMBACH, MANDERINO, O'DONNELL, D. R. WRIGHT, BORTNER, GEORGE, MAIALE, DALEY, MELIO, CIVERA, GODSHALL, FOX, HECKLER, JOHNSON, RAYMOND, VAN HORNE, LEVDANSKY, COWELL, STABACK, STEIGHNER, MAINE, GIGLIOTTI, NAILOR, McNALLY, McHALE, PRESSMANN, CAPPABIANCA, JAROLIN, BELARDI, PISTELLA, HASAY, WOZNIAK, BILLOW, JOSEPHS, LUCYK, LETTERMAN, YANDRISEVITS, PIEVSKY, DOMBROWSKI, FEE, McCALL, MORRIS, BOWLEY, BATTISTO, MICHLOVIC, DeWEESE, KUKOVICH, TIGUE, DeLUCA, BROUJOS, MARKOSEK and OLASZ

An Act prohibiting the sale, manufacture, distribution or use of certain cleaning agents containing phosphates; conferring powers and duties on the Environmental Quality Board and the Department of Environmental Resources; and providing penalties.

Referred to Committee on CONSUMER AFFAIRS, January 31, 1989.

**No. 169** By Representatives KOSINSKI, RYBAK, KUKOVICH, JAROLIN, DALEY, FREEMAN, LESCOVITZ, WILLIAMS, McHALE, VAN HORNE, TRELLO, MELIO, LEVDANSKY, PETRARCA, MICHLOVIC, VEON, PISTELLA, BELARDI, DOMBROWSKI, HALUSKA, OLIVER, JOSEPHS, ITKIN, WOGAN, KENNEY, J. TAYLOR, REBER, RAYMOND, NAHILL, ANGSTADT and SERAFINI

An Act providing for grants by the Secretary of Community Affairs to promote social services for Pennsylvania's ethnic and multicultural communities and to insure that ethnic groups are not discriminated against or prohibited from receiving services because of language barriers, cultural obstacles, lack of education or lack of accessibility to government-related or public social programs; and making an appropriation.

Referred to Committee on URBAN AFFAIRS, January 31, 1989.

**No. 170** By Representatives KOSINSKI, JAROLIN, TRELLO, DALEY, VEON, LETTERMAN, JOSEPHS, REBER, J. TAYLOR and SERAFINI

An Act amending the act of January 8, 1960 (1959 P. L. 2119, No. 787), known as the "Air Pollution Control Act," authorizing the awarding of attorney fees in certain circumstances.

Referred to Committee on CONSERVATION, January 31, 1989.

**No. 171** By Representatives KOSINSKI, CALTAGIRONE, PRESSMANN, JAROLIN, DALEY, TRELLO, PISTELLA, FOX and HERMAN

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

Referred to Committee on JUDICIARY, January 31, 1989.

**No. 172** By Representatives KOSINSKI, JAROLIN, DALEY, MORRIS, TRELLO, PISTELLA, OLASZ, OLIVER, JOHNSON and SERAFINI

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

Referred to Committee on JUDICIARY, January 31, 1989.

**No. 173** By Representatives KOSINSKI, JAROLIN, DALEY, TRELLO, MAIALE, DOMBROWSKI, VEON, BELARDI, OLASZ, LETTERMAN, OLIVER, WOGAN, FOX, J. TAYLOR and RAYMOND

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), known as the "Public School Code of 1949," further providing for transportation of students outside of school district boundaries.

Referred to Committee on EDUCATION, January 31, 1989.

**No. 174** By Representatives KOSINSKI, JAROLIN, DALEY, TRELLO, DOMBROWSKI, HALUSKA, LETTERMAN, OLIVER and WOGAN

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), known as the "Public School Code of 1949," increasing the amount to be expended in the purchase of textbooks and instructional materials; and making an editorial change.

Referred to Committee on EDUCATION, January 31, 1989.

**No. 175** By Representatives KOSINSKI, DALEY, TRELLO, VEON, MAIALE and WOGAN

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for court divisions.

Referred to Committee on JUDICIARY, January 31, 1989.

**No. 176** By Representatives KOSINSKI, DALEY, TRELLO, JAROLIN, VROON, MICHLOVIC, BELARDI, LETTERMAN, CORRIGAN, OLIVER, FOX and SERAFINI

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for the grading and offense of a former convict not to own a firearm.

Referred to Committee on JUDICIARY, January 31, 1989.

**No. 177** By Representatives TIGUE, CAWLEY, SALOOM, BELARDI, DOMBROWSKI, STABACK, JAROLIN, CAPPABIANCA, STUBAN, TRELLO, DALEY, CORRIGAN, STEIGHNER, B. SMITH, VEON, HARPER, BELFANTI, LETTERMAN, ARGALL, BIRMELIN, COLAIZZO, BROUJOS, LANGTRY, DIETTERICK, TANGRETTI, SEMMEL, S. H. SMITH, GEIST, MICOZZIE, DEMPSEY, MELIO, MORRIS and ROBINSON

An Act amending the act of December 19, 1988 (P. L. , No. 156), known as the "Local Option Small Games of Chance Act," defining the term "municipality."

Referred to Committee on LOCAL GOVERNMENT, January 31, 1989.

**No. 178** By Representatives REINARD, McVERRY, COLAFELLA, BELFANTI, MORRIS, FARGO, TIGUE, CORRIGAN, SCHEETZ, NOYE, FOX, KENNEY, GRUPPO, RAYMOND, JOHNSON, TRELLO, ACOSTA, BARLEY, GEIST, SAURMAN, GODSHALL, BURD, SERAFINI, MERRY, FLICK, E. Z. TAYLOR, GAMBLE, PETRONE, RICHARDSON, CAWLEY, VROON, GIGLIOTTI, CAPPABIANCA, SEMMEL, MICOZZIE, FARMER, ROBBINS, CORNELL and PHILLIPS

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for attorney fees.

Referred to Committee on JUDICIARY, January 31, 1989.

**No. 179** By Representatives REINARD, MAIALE, HOWLETT, GEIST, NOYE, HALUSKA, J. L. WRIGHT, CARLSON, SEMMEL, STAIRS, FOX, RAYMOND, BUNT, TRELLO, CORNELL, FLICK, VEON, LANGTRY, CAWLEY, RYBAK, VROON, GIGLIOTTI, CAPPABIANCA, RITTER, NAHILL, DORR, MORRIS, MICOZZIE and E. Z. TAYLOR

An Act establishing a community trust for persons with severe chronic disabilities.

Referred to Committee on HEALTH AND WELFARE, January 31, 1989.

**No. 180** By Representatives NAHILL, MICHLOVIC, LETTERMAN, WASS, SCHULER, PERZEL, FOX, GIGLIOTTI, BOYES, MARKOSEK, KUKOVICH, SEMMEL, KOSINSKI, RYBAK, REBER, GLADECK, PHILLIPS, J. L. WRIGHT, CAWLEY, TRELLO, HESS, NOYE, SAURMAN, FLICK, WOZNIAC, BATTISTO, OLIVER, CARLSON, DeLUCA, VEON, MELIO, SCHEETZ, MICOZZIE, BELARDI, BILLOW, ANGSTADT, FARMER, GODSHALL, ARGALL, LASHINGER, WOGAN, GRUPPO, ROBBINS, FARGO, HASAY, CIVERA, OLASZ, VROON, CORNELL, MAIALE, BURD, BUNT and McVERRY

An Act amending the act of April 14, 1972 (P. L. 233, No. 64), known as "The Controlled Substance, Drug, Device and Cosmetic Act," further providing for penalties for adulterating drugs with intent to cause bodily harm.

Referred to Committee on JUDICIARY, January 31, 1989.

**No. 181** By Representatives NAHILL, MICHLOVIC, LETTERMAN, WASS, PERZEL, SCHULER, FOX, GIGLIOTTI, BOYES, MARKOSEK, KUKOVICH, SEMMEL, KOSINSKI, RYBAK, REBER, GLADECK, PHILLIPS, J. L. WRIGHT, CAWLEY, TRELLO, HESS, NOYE, SAURMAN, FLICK, WOZNIAK, BATTISTO, OLIVER, CARLSON, DeLUCA, VEON, MELIO, SCHEETZ, MICOZZIE, BELARDI, BILLOW, ANGSTADT, FARMER, GODSHALL, ARGALL, LASHINGER, WOGAN, GRUPPO, ROBBINS, FARGO, HASAY, CIVERA, OLASZ, VROON, CORNELL, MAIALE, BURD, BUNT and McVERRY

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further prohibiting the introduction of dangerous substances into water supply systems.

Referred to Committee on JUDICIARY, January 31, 1989.

**No. 182** By Representatives EVANS, E. Z. TAYLOR, STUBAN, KUKOVICH, DeWEESE, KASUNIC, JOSEPHS, RYBAK, PERZEL, CAWLEY, LETTERMAN, JAROLIN, WILLIAMS, THOMAS, DALEY, RITTER, HERMAN, ANGSTADT, McHALE, HAYDEN, MAIALE, JACKSON, D. R. WRIGHT, COWELL, FOX, TRELLO, MORRIS, NAHILL, RAYMOND, HAGARTY, CAPPABIANCA, CARN, TIGUE, BLAUM, BORTNER, GIGLIOTTI, PRESTON, MELIO, HOWLETT, PISTELLA, LaGROTTA, STISH, LEVDANSKY, MARKOSEK, HALUSKA, HARPER, OLIVER, ROEBUCK, TRICH, BELARDI, LINTON, RUDY, DOMBROWSKI, GLADECK and KOSINSKI

An Act amending the act of June 13, 1967 (P. L. 31, No. 21), known as the "Public Welfare Code," providing for training for family day-care providers.

Referred to Committee on YOUTH AND AGING, January 31, 1989.

**No. 183** By Representatives EVANS, E. Z. TAYLOR, STUBAN, KUKOVICH, DeWEESE, KASUNIC, JOSEPHS, WOGAN, RYBAK, PERZEL, CAWLEY, LETTERMAN, JAROLIN, WILLIAMS, THOMAS, DALEY, RITTER, HERMAN, ANGSTADT, McHALE, HAYDEN, MAIALE, JACKSON, D. R. WRIGHT, COWELL, FOX, TRELLO, MORRIS, NAHILL, RAYMOND, HAGARTY,

CAPPABIANCA, CARN, TIGUE, BLAUM, BORTNER, GIGLIOTTI, PRESTON, MELIO, HOWLETT, PISTELLA, LaGROTTA, STISH, LEVDANSKY, MARKOSEK, HALUSKA, HARPER, OLIVER, ROEBUCK, TRICH, BELARDI, LINTON, RUDY, DOMBROWSKI, GLADECK and KOSINSKI

An Act providing for demonstration programs in child-care resource and referral services; and conferring powers and duties on the Department of Public Welfare.

Referred to Committee on YOUTH AND AGING, January 31, 1989.

**No. 184** By Representatives EVANS, E. Z. TAYLOR, STUBAN, KUKOVICH, DeWEESE, KASUNIC, JOSEPHS, LESCOVITZ, RYBAK, PERZEL, CAWLEY, LETTERMAN, JAROLIN, WILLIAMS, THOMAS, DALEY, RITTER, HERMAN, ANGSTADT, McHALE, HAYDEN, MAIALE, JACKSON, D. R. WRIGHT, COWELL, FOX, TRELLO, MORRIS, NAHILL, RAYMOND, HAGARTY, CAPPABIANCA, CARN, TIGUE, BLAUM, BORTNER, GIGLIOTTI, PRESTON, MELIO, HOWLETT, PISTELLA, LaGROTTA, STISH, LEVDANSKY, MARKOSEK, HALUSKA, HARPER, OLIVER, ROEBUCK, TRICH, BELARDI, LINTON, RUDY, DOMBROWSKI, GLADECK and KOSINSKI

An Act amending the act of June 13, 1967 (P. L. 31, No. 21), known as the "Public Welfare Code," further providing for the regulation of family day-care providers; providing for certain expenditures; conferring powers and duties upon the Department of Public Welfare; and making repeals.

Referred to Committee on YOUTH AND AGING, January 31, 1989.

**No. 185** By Representatives BROUJOS, WAMBACH, NAILOR, COLAFELLA, MORRIS, JOSEPHS, JAROLIN, BOYES, NOYE, McVERRY, WILLIAMS, JACKSON, COY, BELFANTI, BATTISTO, FREEMAN, MRKONIC, COLE, CALTAGIRONE, HALUSKA, TRELLO, DeWEESE, KASUNIC, CARLSON, SAURMAN, NAHILL and PERZEL

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), known as the "Tax Reform Code of 1971," providing that payments to foster parents for the care of foster children shall be excluded from income taxed as compensation.

Referred to Committee on FINANCE, January 31, 1989.

## HOUSE RESOLUTION INTRODUCED AND REFERRED

**No. 11** By Representatives LANGTRY, KAISER,  
LEVDANSKY, KONDRICH, McVERRY,  
FARMER and CESSAR

Designating February 16, 1989, as "Elks American Patriotism Day" in celebration of the Elks' 121st Anniversary.

Referred to Committee on RULES, January 31, 1989.

### MASTER ROLL CALL

The SPEAKER. The Chair is about to take the master roll. Members will proceed to vote.

The following roll call was recorded:

#### PRESENT—200

Acosta	Dombrowski	Lashinger	Ritter
Adolph	Donatucci	Laughlin	Robbins
Allen	Dorr	Lee	Robinson
Angstadt	Durham	Leh	Roebuck
Argall	Evans	Lescovitz	Rudy
Barley	Fairchild	Levdansky	Ryan
Battisto	Fargo	Linton	Rybak
Belardi	Farmer	Lloyd	Saloom
Belfanti	Fee	Lucyk	Saurman
Billow	Fleagle	McCall	Scheetz
Birmelin	Flick	McHale	Schuler
Bishop	Foster	McNally	Scrimenti
Black	Fox	McVerry	Semmel
Blaum	Freeman	Maiale	Serafini
Bortner	Freind	Maine	Smith, B.
Bowley	Gallen	Markosek	Smith, S. H.
Boyes	Gamble	Marsico	Snyder, D. W.
Brandt	Gannon	Mayernik	Snyder, G.
Broujos	Geist	Melio	Staback
Bunt	George	Merry	Stairs
Burd	Gigliotti	Michlovic	Steighner
Burns	Gladeck	Micozzie	Stish
Bush	Godshall	Miller	Strittmatter
Caltagirone	Gruitza	Moehlmann	Suban
Cappabianca	Gruppo	Morris	Tangretti
Carlson	Hagarty	Mowery	Taylor, E. Z.
Carn	Haluska	Mrkonic	Taylor, F.
Cawley	Hasay	Murphy	Taylor, J.
Cessar	Hayden	Nahill	Telek
Chadwick	Hayes	Nailor	Thomas
Civera	Heckler	Noye	Tigue
Clark, B. D.	Herman	O'Brien	Trello
Clark, D. F.	Hershey	O'Donnell	Trich
Clark, J. H.	Hess	Olasz	Van Horne
Clymer	Howlett	Oliver	Veon
Cohen	Hughes	Perzel	Vroon
Colaifella	Itkin	Petrarca	Wambach
Colaizzo	Jackson	Petrone	Wass
Cole	Jadlowiec	Phillips	Weston
Cornell	James	Piccola	Williams
Corrigan	Jarolin	Pievsky	Wilson
Cowell	Johnson	Pistella	Wogan
Coy	Josephs	Pitts	Wozniak
DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Wright, R. C.
Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	
Dietterick	Kukovich	Richardson	Manderino,
Dininni	LaGrotta	Rieger	Speaker
Distler	Langtry		

ADDITIONS—0

NOT VOTING—0

EXCUSED—2

Harper

Letterman

### BETHLEHEM CATHOLIC HIGH SCHOOL FOOTBALL TEAM PRESENTED

The SPEAKER. The Chair would like to move quickly through a number of presentations this morning. This morning is football morning here in the House of Representatives. The championship teams of Pennsylvania - AAAA, AAA, AA, and A - are with us, along with coaches and representatives of the team, and the Representatives here in the hall of the House from that district will present citations to those teams, and we will move quickly.

The first scheduled here this morning is the Bethlehem Catholic High School football team, which won the class AA football championship of Pennsylvania.

The gentleman from Northampton, Mr. Rybak, is recognized for the presentation. Representative Rybak.

Mr. RYBAK. Thank you, Mr. Speaker.

Mr. Speaker, I have with me—to my right—the principal of the Golden Hawks of Bethlehem Catholic High School, Mr. Culver, and the coach, Bob Stem, and his captains are at the head podium with me.

My colleagues in the House chamber, ladies and gentlemen, you are looking at the cream of the crop. These 38 young men in the rear, along with their coach and their managers, make up the 1988 Bethlehem Catholic High School football team; in my opinion, the best football team in this Commonwealth.

What makes them the best? To begin with, the BECAHI squad can lay claim to a 1988 gridiron record of 14 wins and no losses. These victories include a first-place finish in the East Penn Conference, as well as the District 11 and Eastern Pennsylvania Class AA titles. To cap this outstanding season, Mr. Speaker and members of this chamber, the triumphant Golden Hawks brought home the first-ever PIAA Class AA football championship trophy.

Manifest in this hard-won crown is the recognition that the Bethlehem Catholic High School football team is Pennsylvania's finest, but it also means much more. It symbolizes the skill, determination, and sheer hard work of 38 talented players. It reflects the leadership and guidance of Coach Bob Stem, his assistants, the team managers, and the direction of its principal, Mr. Culver. It pays tribute to the support of parents, families, faculty, administration, and fans. It celebrates the ideals embodied in the word "team" - sportsmanship, cooperation, camaraderie. In short, it signifies the best of the human spirit.

Mr. Speaker, my colleagues in the chamber, we see and hear so much bad news about young people these days. It is a pleasure indeed to spend time with such outstanding young men at an event like this, and I commend the Speaker and the members for allowing for this time. It is an honor to praise

people who can put their minds and their bodies together to succeed at a top championship in the State.

You are already held, the men in the rear, the BECAHI squad, the high school squad, you are already held in high esteem at home in the Lehigh Valley, and I want you to know that you are held in high esteem by myself, as your State Representative, my colleagues here in the chamber, 203 strong, and in Harrisburg and across the State. I think it is important for government to pause and take a moment to recognize achievements like yours.

I also want you to know that if you proceed in the future with the same determination that you applied on the gridiron and in your schoolwork in the past, we are confident that you will succeed in life. We want you to know that all of us here are not expecting you to make us proud of you; we already are.

It is with great pride that I present two citations today, Mr. Speaker and members of the House: one to Richard Culver, the principal of Bethlehem Catholic High School; and the second citation gives special recognition to the team's coach, Bob Stem, who was named "Pennsylvania Small School Coach of the Year."

I will not take time to read it but will submit it for the record, for it contains the names of the 38 players, their managers, their principal, and their coach.

I am proud to present this to you, gentlemen, and this one to the coach. Congratulations and Godspeed to you and your leadership and all of you back there. Thank you, Mr. Speaker.

Mr. Speaker, the principal, Richard Culver, would like to make a brief statement. Thank you.

The SPEAKER. The Chair thanks the gentleman, Mr. Rybak, and the principal is permitted to make the brief remarks.

Mr. CULVER. I would like to thank Representative Rybak very much for this honor. I would like to thank you for taking time out of your very busy schedule to recognize the time, the hard work, and the effort that these young gentlemen in the back put in this year to win that State title. Again, I think it will be a day that they will remember for many years to come in their life, and I do thank you for that.

I commend you again for recognizing something so positive. I would also like to personally thank Representative Rybak for the promotion of our team, both on the State level and also on the local level in the Lehigh Valley. You have really made this a very memorable day for us, and I thank you very much.

The SPEAKER. The Chair again thanks the gentleman, Mr. Rybak, for making this presentation before the House. We thank the principal and the coach, and we wish all the members of the Bethlehem team the best in their careers from here on. Good luck to you, and bravo.

Mr. RYBAK. Mr. Speaker, the coach wants to make a presentation that will take 2 seconds, and we would like to take a picture with you with the group.

The SPEAKER. Yes.

Mr. STEM. Mr. Rybak, on behalf of the Bethlehem Catholic High School football team and the school and all of the representatives here today, we would like to present you with this sweat shirt of the PIAA State championship team from Bethlehem Catholic. Thank you, Mr. Rybak.

Mr. RYBAK. Thank you very much, Coach. It will bring back memories of when I used to kick points after touchdown on the football field. Thank you.

The SPEAKER. The Chair thanks the House for its attention.

Again, let us hear it for the Bethlehem champions.

## CITATIONS SUBMITTED FOR THE RECORD

Mr. RYBAK submitted the following citations for the Legislative Journal:

### COMMONWEALTH OF PENNSYLVANIA CITATION BY THE HOUSE OF REPRESENTATIVES

WHEREAS, The Bethlehem Catholic High School Football Team ended their 1988 season with a record of fourteen wins and no losses and captured the first PIAA Class AA Football Championship Trophy; and

WHEREAS, The team, comprised of John Mattes, Tim Goodnow, Rich Gaugler, Blayne Diacont, Pete Rosado, Ray Lipsky, Mike Oberholzer, Jim Knoblauch, Mike Rapp, Tony Iasiello, Bryan Quilo, Erik Marsh, Jason Zayas, John Zuk, Bob Stem, Matt Brady, Mike Russ, Justin Morabito, Dennis Walker, John Martins, Tony Spagnola, Cory Charron, John Bailey, Joe Eberhardt, Rob Carpenter, Gil Ramos, Bob Nagle, Giovanni Amato, Tom Perruso, George Hahalis, Damian Vansuch, Scott Saur, Jacob Blackford, Kevin Anderko, Marty Benzing, Glen Pembleton, Tom Wiedl and Mike Pulley; and managers Veronica Jaramillo, Michele Gray and Shelley Herstich, was skillfully guided by Coach Robert Stem to an exciting and impressive season and was strongly supported by Principal Richard B. Culver.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania extends hearty congratulations to the Bethlehem Catholic High School Football Team and coaching staff on winning the coveted PIAA Class AA Football Championship Trophy; notes with pride and respect their tremendous athletic skill; wishes them the best for continued success in future seasons; and further directs that a copy of this citation be delivered to the Bethlehem Catholic High School Football Team, Dewberry and Madison Avenues, Bethlehem, Pennsylvania 18017.

Submitted by:  
William C. Rybak  
Sponsor  
Paul McHale  
Sponsor

James J. Manderino  
Speaker of the  
House of Representatives

ATTEST:

John J. Zubeck  
Chief Clerk of the  
House of Representatives

January 20, 1989

\* \* \*

## COMMONWEALTH OF PENNSYLVANIA

## CITATION BY

## THE HOUSE OF REPRESENTATIVES

WHEREAS, Robert Stem, coach of the PIAA Class AA Bethlehem Catholic High School Football Team, has been named "Pennsylvania Small School Coach of the Year" by the Associated Press; and

WHEREAS, A former linebacker on the Syracuse University's 1959 national championship team, Bob later won a 1977 New Jersey sectional state championship while coaching at Philipsburg High School. His state championship win with Bethlehem is no mean feat with nearly 1,000 football-playing schools in the state; and

WHEREAS, Mr. Stem has compiled a career coaching record of one hundred twelve wins forty-four losses and five ties. His fifty-six wins, fourteen losses and one tie record at Bethlehem Catholic is impressive since it is the smallest school and the only Class AA school in the East Penn Conference.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania extends hearty congratulations to Robert Stem on this well-deserved recognition; notes with great pride and respect his tremendous coaching ability as well as his influential and inspiring relationship with his players; wishes him the best for continued success in all his future endeavors; and further directs that a copy of this citation be delivered to Robert Stem, 515 Moravian Avenue, Easton, Pennsylvania 18042.

Submitted by:

William C. Rybak

Sponsor

Paul McHale

Sponsor

James J. Manderino

Speaker of the

House of Representatives

ATTEST:

John J. Zubeck

Chief Clerk of the

House of Representatives

January 13, 1989

The SPEAKER. We would ask the Sergeant at Arms to allow the Bethlehem team to leave. There is another team that will be entering the hall. Will the Sergeant at Arms direct the ushering activity.

### CAMP HILL HIGH SCHOOL FOOTBALL TEAM PRESENTED

The SPEAKER. As the Bethlehem team is leaving the hall of the House, the Camp Hill champions, the 1988 Pennsylvania class A champions, are now with us in the hall of the House with their coach and principal and officials.

The Representative from that area, Representative Mowery, is recognized for the purpose of making a presentation. Representative Mowery.

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

It is indeed an honor and a privilege to be here today representing the Camp Hill PIAA Class A State football champs. To my right is Coach Steve Stoner, and behind me are the tricaptains of this championship team - Rich Henry, Eric Johnson, and Erik Reisser. We have at the rear the assistant

coaches - Rick Shover, Tom Walton, and Steve Shover - and the entire Camp Hill football team.

A few comments about Camp Hill. As most of you are aware, we are just across the river from Harrisburg.

It is interesting to note that in Camp Hill Borough, the Camp Hill High School, in grades 10, 11, and 12 there is an entire population of 247 students. About 5 years ago a big decision was upon the Camp Hill School Board as to whether or not Camp Hill should continue to participate in football due to its very low membership student population. Obviously, the decision was not made to terminate football. Thank goodness for all of us in Camp Hill, including the team players.

Let me give you just a few comments regarding this small Camp Hill High School, just a few comments regarding the team's accomplishments. This Camp Hill team was the first team to post 2 consecutive seasons with 10 or more game victories for the season; the only team in District 3 to win 3 consecutive district championships; the first team in the history of Camp Hill to win a State championship.

To give you an idea of the team and its power on offense, they averaged 30 points per game; their opponents averaged 5. With three team members, this team had three who had over 1,000 yards in either passing or rushing. For an example, quarterback Reisser passed for 1,350 yards; rushing, teammate Baron, 1,364 yards; and Eric Johnson in rushing, 1,641 yards for the season.

Ladies and gentlemen, I am very proud of a team that faced many obstacles over these last few years and came out to be State champions. I think it lets all of us be aware that even with adversity and with few numbers, with conviction and power and determination, you can also be a champion.

I would like to read the citation—it is brief—on behalf of the House of Representatives to this team.

WHEREAS, The 1988 Camp Hill High School Football Team, led by Head Coach Steve Stoner and Assistant Coaches Rick Shover, Steve Shover and Tom Walton, has the distinction of successfully winning the first ever PIAA Class A State Football Championship; and

WHEREAS, This exceptional group of players and coaches surmounted obstacles and persevered to create what resulted in a team effort, a school effort, and a town effort culminating in a first-time accomplishment, the CHAMPIONSHIP; and

WHEREAS, The coaches and players have proven that all things are possible given an opportunity; and

WHEREAS, The entire community of Camp Hill shares in the pride and joy of this momentous occasion.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania heartily commends and congratulates the coaches and players and their families on this outstanding achievement and wishes each and every participant the best as they pursue their future goals; and further directs that a copy of this citation be delivered to the Athletic Director, each athlete and coach as a remembrance of this milestone.

Thank you very much for this opportunity. I would like for you all to turn around and recognize the team that is standing back there - truly State champions.

And now, Coach Stoner, on behalf of the House, we would like to present this to you. Would you like to make any comments?

The SPEAKER. Coach Stoner.

Mr. STONER. It is a privilege for me to represent not only Camp Hill High School but our class A State championship football team. I would like to take this opportunity to thank the Speaker for allowing us to appear on the floor of the House and a special thanks to Representative Mowery, who has been a supporter of ours in the good and bad times that we have faced at Camp Hill. Thank you all very much for this opportunity.

The SPEAKER. The Chair thanks the gentleman.

The Chair also thanks the gentleman, Mr. Mowery, for bringing the Camp Hill single-A champions to the hall of the House, and on behalf of the House, the Chair salutes the team, the young athletes, for a job well done.

The Chair thanks the House for its attention. As the Camp Hill team is being ushered from the hall of the House, the Berwick High School football team, the champions for 1988 football in class AAA, will be coming into the House, and the gentleman from Columbia, Mr. Stuban, is invited to the podium for a presentation.

#### STATE GOVERNMENT COMMITTEE MEETING

The SPEAKER. While we are awaiting the exchange—but while we are awaiting the exchange, the gentleman from Philadelphia, Mr. Oliver, requests that the State Government Committee break for a short meeting in the rear of the House immediately. The State Government Committee, a meeting in the rear of the House immediately.

#### BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

**HB 11, PN 13** By Rep. LLOYD

An Act amending the act of February 19, 1980 (P. L. 15, No. 9), known as the "Real Estate Licensing and Registration Act," regulating time shares, continuing education and disclosures; and further providing for exclusions.

PROFESSIONAL LICENSURE.

**HB 12, PN 14** By Rep. LLOYD

An Act regulating the right to practice electrology; requiring the licensing of electrologists; providing for an Electrology Advisory Committee to the State Board of Cosmetology; and providing penalties.

PROFESSIONAL LICENSURE.

**HB 94, PN 177 (Amended)**

By Rep. COWELL

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, further providing for creditable non-school service.

EDUCATION.

**HB 95, PN 178 (Amended)**

By Rep. COWELL

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, further providing for creditable non-school service.

EDUCATION.

**HB 96, PN 179 (Amended)**

By Rep. COWELL

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, further defining "approved leave of absence"; defining "maternity leave of absence"; and further providing for creditable nonschool service.

EDUCATION.

**HB 110, PN 180 (Amended)**

By Rep. MORRIS

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

AGRICULTURE AND RURAL AFFAIRS.

**HB 117, PN 181 (Amended)**

By Rep. GEORGE

An Act banning the sale and use of certain leaded materials in plumbing systems; requiring water suppliers to provide public notification relating to lead contamination in drinking water and imposing powers and duties on the Department of Environmental Resources in relation thereto; and providing penalties.

CONSERVATION.

#### FILMING PERMISSION

The SPEAKER. I am sure the members are aware that permission has been granted to certain photographers who are connected with the teams and the newspapers from the areas where the teams hail from to photograph on the floor of the House the teams and the presentations. There has also been permission granted to certain television stations from the areas of the teams, so members should be aware that that permission has been granted during these presentations.

Will the gentleman, Mr. Itkin, approach the rostrum.

While the gentleman is approaching the rostrum, the Chair takes this opportunity to thank the gentleman, Mr. Itkin, for presiding as Speaker pro tem yesterday in the absence of the Speaker. The Chair thanks the gentleman, Mr. Itkin.

I do not know how we managed to do it, but we lost an entire football team. The Berwick Bulldogs are somewhere in the Capitol Complex. The gentleman, Mr. Stuban, must be chasing them around, but we can move to the next presentation.

The Central Catholic High School football team were the AAAA champions of Pennsylvania in 1988, and the Central Catholic High School football team is entering the hall of the House at this time. As soon as the Central Catholic team is in, the gentleman, Mr. Itkin, Representative from that district, will be making a presentation.



### CENTRAL CATHOLIC HIGH SCHOOL FOOTBALL TEAM PRESENTED

The SPEAKER. The Chair now recognizes the gentleman from Allegheny, Mr. Itkin, to call the officials, coach, principal, and recognize the team.

Mr. ITKIN. Mr. Speaker, it gives me great pleasure today to introduce to the House the Pittsburgh Central Catholic Vikings, who were victorious in the AAAA championship.

Today we have the principal of the school, Brother Martin Zewe, Coach Fischetti, Assistant Coach Morton, and the athletic director, Michael Angelo, whom I would like to come down to the podium to receive the citation from the House of Representatives. Also, the cocaptains of the team are present and are in the back of the House, and we feel very proud of having them here today.

On my left is Coach Fischetti, and I would like to read to him the citation which we provided to him from this House.

WHEREAS, Central Catholic High School Football Team, under the guidance of head coach John Fischetti and assistant coaches Dave Saville, Bill Morton, Rick Capretta, Tony Velgich, Vince Ciaramella, Tom Zunic and Jim Kingerski, captured the PIAA Class AAAA State Football Championship title on December 10, 1988; and

WHEREAS, The team, comprised of Ron McDermott, Ge DePasquale, Ryan Gevaudan, Bob Drbul, Trevor Lloyd, Bob Bianchin, Mike Campolo, Jarrod Siket, Jamie Porro, Jamie Lichota, Sheldon Higgenbotham, Dennis Hanley, Eric Donnelly, Dino Folino, Joel Niecgorski, Pat Walsh, Eric Allen, Sean Farrell, Maurice Lucas, Brian Walker, Vince Yoos, Darrell Frazier, Matt Cohen, Todd Orlando, Dan Samraney, Pat Kotek, Ted Kerr, Ray Hess, Kevin McClung, Mike Chichwak, Shawn Moore, Scott Callender, Pat Knipp, Mike DeMasi, Alex Panpena, Tony Mariani, James Szejc, Morris Turner, Dan Murphy, Jim Ruiz, Dan Beagle, Jeff Blough, Jason Niecgorski, Jon Amodeo and Vince Natoli through discipline and training, have excelled to the utmost degree in their athletic abilities.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania extends hearty congratulations to the Central Catholic High School Football Team and coaching staff on their outstanding achievement; expresses its hope for continued success in future seasons; and further directs that a copy of this citation be delivered to Central Catholic High School, 4720 Fifth Avenue, Pittsburgh, Pennsylvania 15213.

This is submitted by myself as a sponsor in the district and the members who are here in our body in the legislature who are alumni of Central Catholic.

Coach, I am very happy to present this citation to you, and we would be very welcome for a few brief remarks from you on this great celebration.

The SPEAKER. Coach Fischetti, please.

Mr. FISCHETTI. I would like to thank Mr. Itkin—this is a very great honor—and also thank all the Central Catholic graduates in this room. We hope we have made you proud and will continue to do so in the future. Thank you very much.

The SPEAKER. The Chair thanks the gentleman, Mr. Itkin, and the coaches and school officials and adds its congratulations to the congratulations of the citation on behalf of the House. We recognize the accomplishments of these athletes - the championship team in the highest class in Pennsylvania scholastic football. Congratulations to the champions.

Mr. ITKIN. Mr. Speaker, I would like to introduce the alumni, and I may miss them all. I know Ron Cowell is an alumnus of Central; Frank Pistella is an alumnus of Central. I think that is all we have in the House. We have a few Senators, too, who are also alumni of Central, and they will be receiving our team later on this afternoon.

I really appreciate the indulgence of the House for giving honor to this great team and, of course, this great school. Thank you very much.

The SPEAKER. The Chair thanks the gentleman, Mr. Itkin.

The Chair understands that the Berwick Bulldogs have been located and are about to enter the hall of the House for the fourth presentation and last presentation for this morning. The Berwick Bulldogs will be presented by the gentleman, Mr. Stuban.

### BERWICK HIGH SCHOOL FOOTBALL TEAM PRESENTED

The SPEAKER. The gentleman, Mr. Stuban, is invited to come to the rostrum.

The Chair apologizes to the House. We will employ as soon as possible a stage director so that these performances will run ever so smoothly.

The Chair recognizes the gentleman from Columbia, Mr. Stuban.

Mr. STUBAN. Thank you, Mr. Speaker.

Jake, will you come up here. You said you were going to Notre Dame. Come on up here. Do not let them convince you to go someplace else. When are the rest of those fellows coming up here? Come on up, Coach. Bring them up.

First of all, Mr. Speaker, you have all heard of the Harlem Globetrotters, who have run across not only the United States but internationally peddling the products and good will of their country, and I want to introduce you today to the ambassadors of Berwick, Pennsylvania. We presented the leaders on both sides of the aisle with a gift package. Jake, would you see that our Speaker is given a package of our product from Berwick and a promoter of our team. I know we are talking about a new ethics bill, but I do not think it was unethical for us here to promote a product from our community, and a lot of us have cast votes here to help this industry in our community. So, fellows, enjoy and please help us again.

The SPEAKER. I have not opened my package, but they tell me there are Wise potato chip selections in there. You may not have violated the Ethics Act, but you are going to violate my diet.

Mr. STUBAN. Okay.

I would like to thank the Speaker for saving us for last because we are the best.

The SPEAKER. That did not make it too well.

Mr. STUBAN. We are the AAA champions from the east, and we are the pumpkin dusters and the coalcrackers that the Pittsburgh Press said should not show up in Hershey on one Saturday afternoon, and we showed up and we showed the west that where football is played, it is played in the east. And I want to tell you, here are the greatest eastern champions there are - the AAA champions.

I have a citation, and I am not going to take up a lot of time, Mr. Speaker, because I know you have given us more time than we should have. The citation is, "...The Berwick High School 'Bulldogs' Football Team captured the 1988 PIAA Class AAA Football Championship title..." with a 15-0 record. We have got the names of all the members of the team listed, and "Now therefore, the House of Representatives of the Commonwealth of Pennsylvania extends hearty congratulations to the Berwick High School Football Team and coaching staff on their outstanding achievement; extends best wishes for continued success in future seasons; and further directs that a copy of this citation be delivered to the Berwick High School Football Team...."

I am going to deliver it to Coach Curry, who has a record unbecoming of a football coach in the east. We were named number one in the U.S.A. a few years ago. We were the team to watch this year, and they watched us all the way to the top.

So, Coach, congratulations, good luck, and with us today is the entire team and the school board.

The SPEAKER. Coach.

Mr. CURRY. Speaker of the House, members of the House of Representatives, and all personnel here in this room, on behalf of the Berwick Area School District, the great Berwick football team, and our school board administration, I would like to thank you for the opportunity, for the educational opportunity, to bring our football team down here to the Capitol. Of course, it has been a great educational experience for us meeting the Governor, standing here before you in the House of Representatives and, of course, later on in the Senate. It is nice to know that you gentlemen take a few minutes out of your schedule to honor the champions, all champions, and I think you are to be commended for this also. Again, on behalf of the town of Berwick, thank you very much.

The SPEAKER. The Chair recognizes and acknowledges the accomplishments of the Berwick Bulldogs, who have had a powerhouse football team not only last year when they won the championship but year after year, and we congratulate all of the personnel having any connection with the team and congratulate and give you our best here in the House of Representatives. To all the team members there in the back, congratulations on a job well done. Good luck.

## SUNSET LEADERSHIP COMMITTEE MEETING

The SPEAKER. Before we recess for the purpose of lunch, the Chair would like to announce, pursuant to the laws of the Commonwealth regarding the sunshine of meetings, that there will be a Sunset Leadership Committee meeting immediately upon the declaration of the recess in the Speaker's Office.

## JUDICIARY COMMITTEE MEETING

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

Mr. CALTAGIRONE. Thank you, Mr. Speaker.

I would like to remind the members of the House Judiciary Committee that we will go immediately upon declaration of the recess to room 22 in the Annex for continuation of the ethics bill. Thank you.

## LOCAL GOVERNMENT COMMITTEE MEETING

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

Mr. GAMBLE. Mr. Speaker, I would like to announce that there will be a Local Government Committee meeting tomorrow at 10 a.m. in room 123 of the South Office Building.

The SPEAKER. Tomorrow morning a Local Government Committee meeting at 10 a.m.

## RECESS

The SPEAKER. If there is no other business at this time, this House stands in recess until 1:30 p.m.

## AFTER RECESS

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

## SENATE MESSAGE

### ADJOURNMENT RESOLUTION FOR CONCURRENCE

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

In the Senate  
January 30, 1989

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Monday, February 6, 1989, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, That when the House of Representatives adjourns this week it reconvene on Monday, February 6, 1989, unless sooner recalled by the Speaker of the House of Representatives.

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

On the question,

Will the House adopt the resolution?

Resolution was adopted.

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

### BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

**HB 67, PN 206 (Amended)**

By Rep. OLIVER

An Act amending the act of June 3, 1937 (P. L. 1333, No. 320), known as the "Pennsylvania Election Code," further providing for the creation of new election districts; providing for the number of signers for the nomination petition for the office of district council member in a city of the second class and providing for the fee for filing the petition; further providing for assistance in voting; and further providing for absentee ballots.

STATE GOVERNMENT.

### LEGISLATIVE FELLOWS INTRODUCED

The SPEAKER. The Chair is pleased to announce and to introduce to the House the four Legislative Fellows who will be spending their spring 1989 semester working here within the House of Representatives. They are to the left of the Speaker. Their names: Christina Baldo from Mansfield University, who has been assigned to the Local Government and Urban Affairs Committees with the minority. Christina, will you please stand. Craig Lehman from Shippensburg University has been assigned to the Labor Relations Committee, majority. Craig Lehman, will you please stand. Steven Roth from Penn State's main campus, who has been assigned to the minority Health and Welfare and Insurance Committees. Steven Roth, will you please stand. And the fourth, from Penn State's main campus, William Taylor, assigned to the majority Policy Committee chairman. William Taylor.

We welcome each of you aboard and hope your stay with us will be pleasant and informative. Thank you for coming to us, and members, get to know them and help them in their work.

### WELCOMES

The SPEAKER. The House now recognizes visitors.

Members of the Military Order of the Purple Heart, the Michael J. Nemchick Chapter 9, Greater Pittsburgh area, are in the gallery. They are the guests of Emil Mrkonic. We would like to recognize them by name: Edward Rodman, the commander; John Gochnour, the senior vice commander; Frank W. Peterson, the finance officer; and Dominic R. Ross, the judge advocate. Welcome, gentlemen, and the Chair thanks the gentleman, Mr. Mrkonic, for bringing their presence to our attention.

The Chair welcomes to the hall of the House, on behalf of the House, guests of Representative Ed Johnson - Mr. Bill

Smeltzer, his wife, Peggy, and their daughter, Maggie. These guests are here in connection with the Governor's signing of the home educators bill. Maggie is here to witness the signing of the home education bill. Welcome. Will you please stand.

### CALENDAR

#### BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1, PN 3**, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for differentials in local real estate tax rates.

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?

For what purpose does the gentleman from Montgomery, Mr. Saurman, rise?

Mr. SAURMAN. To debate the bill on final passage, Mr. Speaker.

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

Mr. SAURMAN. Mr. Speaker, addressing the amendment as such, I have some serious concerns. The language leaves a great deal, in my opinion, to be straightened out.

For one thing, the bill divides real property into residential property and, evidently, all other properties, all other real properties. This creates, really, three situations. One, for those commercial properties which belong to corporations, those corporations under the amendment and under the tax reform bill would pay one level of real estate tax; and under the constitutional amendment, the General Assembly could provide that the other, the residential real estate property tax, would be reduced on a dollar-for-dollar basis as the income tax is put in place. But there is a third group of people that we overlook, and that is all of those other than residential properties that are not incorporated, those that pay the income tax, which is supposed to be the reason for reducing that property tax. So they are going to pay the income tax and they are not going to benefit from that reduction in the property tax, which in effect then puts them into a punitive position. I think we need to be aware of that when we look at this language.

I do not know from the language what "certain classes of municipalities" means. I do not know if it is necessary to define that, and some of the lawyers here and constitutionalists may be able to explain it. It says that the General Assembly "may" do all this for certain classes. It does not define what classes it may do it to or for. It does not define whether it has to be uniform in its application. So I do not know if the language that is here is in fact the language that will be used to amend the Constitution and therefore govern exactly what it is that the General Assembly may do.

I think that this amendment will create some real problems for the Commonwealth, and I think that we need to think seriously about its passage. I think we all recognize that it in fact was a compromise with the general direction to pass some kind of tax reform. I think we have passed tax reform without understanding it. I think if we vote for this constitutional amendment, we will not understand its full ramifications.

I would urge my colleagues to vote against this amendment until we have a better handle on exactly how it is going to impact on our constituency. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

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

Mr. Speaker, I am not standing here this afternoon to advocate either passage or defeat of this constitutional amendment, but like Representative Saurman, I, too, am concerned with some of the overall future ramifications of the passage of this amendment.

While I am cognizant of the provisions of the Local Tax Reform Act, which we passed last year, as it relates to HB 1 today, a constitutional amendment necessarily has much broader ramifications. As each of us knows, we can change the Local Tax Reform Act in a matter of days, but if there is an ambiguity in the Constitution, it takes a much longer time - at a minimum, 2 years.

The amendment as before us appears to have an ambiguity which should at least be clarified through the debate this afternoon to express our legislative intent. From a cursory reading of the provision, one initially gets the impression that once residential real estate tax rates are reduced in conjunction with the implementation of the personal income tax, any future changes in real estate tax at the municipal and school district levels would have to be the same, in absolute terms, on both residential properties and all others. However, the provision in fact states that "...all other changes in real property tax rates shall be uniform as provided in section 1."

The problem today with which we are raising some concerns is in section 1 of the present Constitution. Section 1 of the Constitution of Pennsylvania has been there since 1874 and has remained unchanged, despite several challenges to that section. Section 1 requires that all taxes must be uniform "upon the same class of subjects" within the boundaries of the governmental unit imposing the tax.

By this amendment and the enactment of Act 145 of last year, which legislatively defines what residential property tax is, we have both constitutionally and legislatively now created two separate classes of real property for taxation purposes, which is a first for Pennsylvania. Hence, my question is, will future real estate tax rate increases be required to be in the same absolute millage terms for all real property, or does this provision that we are considering today in fact require that real estate tax rate increases be the same in absolute millage terms within each of the two classes of real estate property which are now being established?

I have passed out to each of the members some examples to illustrate some of the problems that may arise unless we have additional legislative interpretation or perhaps the need for judicial interpretation of our constitutional amendment.

The first example, Mr. Speaker, is of a township which presently has equal millage that then reduces their millage for residential property in conjunction with the increased revenues from local income tax.

Mr. Speaker, under Act 145 we have required that the millage be increased for both classes of property each time there is a millage rate. You will see by the example that the differential between residential and general property decreases in difference as the millage increases. In other words, the benefit that is initially attained by residential property owners quickly diminishes as the need for property tax millage hikes are required.

One proposal that the House Democrats had proposed last year was to maintain the same ratio once the income tax rate goes into effect, and the second part of the first example shows then what the millage rates would have to be to maintain that same type of ratio.

The second example of the handout shows what happens when a municipality can totally eliminate the residential property tax because of the imposition of an income tax. The question that arises here is that the constitutional amendment states that taxing authorities shall reduce tax rates on residential real property to the extent of additional revenues obtained from personal income taxes. It does not say upon the imposition of the tax; it says whenever there are additional revenues. Therefore, it can be argued, Mr. Speaker, that as the income tax revenues go up, which they normally will for every municipality and school district, that there perhaps can never be an increase in property tax millage for residential property but there will be property tax increases for general property, which constitutes nonresidential property such as business and commercial.

The final example, Mr. Speaker, shows what happens if revenues from local income tax decline. If they decline, under our present proposal of Act 145, the savings that are given to the residential property owners when the income tax is imposed is continued, because under Act 145, if the tax revenues decrease and there is a need for an increase in property tax, you cannot just increase the residential property if you believe in the uniformity provision.

For those of you who have been listening, you might say, well, what does all this mean? I think what it means is we have got a problem with what our intention is here this afternoon. If we are creating two classes of property, that essentially means that the municipalities can charge whatever millage rate they want for the one type of property and not take into consideration the millage impact on the other property. In other words, Mr. Speaker, as long as the tax is uniform within the same type of property, we are basically establishing two forms of property taxation with the passage of this amendment unless the statutory language imposes additional restrictions on those provisions.

I would hope, Mr. Speaker, that some subsequent members could perhaps clarify the whole problem of uniformity and how it actually relates to the imposition of property tax millage on now two classes of property. Thank you.

The SPEAKER. The Chair thanks the gentleman.

**MATERIAL SUBMITTED FOR THE RECORD**

Mr. D. W. SNYDER submitted the following material for the Legislative Journal:

Article VIII - Section 1: All taxes shall be uniform, upon the same class of subjects, within the territorial limits of the authority levying the tax, and shall be levied and collected under general laws.

Assume in all examples that the municipality has imposed the maximum income tax.

Example #1

Township presently has a millage rate of 10 mills on all property. With the enactment of a local income tax, the township is able to reduce the residential property tax rate millage by 3 mills.

	General Property	Residential Property	% of Res/General Mills
Present	10 mills	10 mills	100%
After Tax Change	10 mills	7 mills	70%
Future Tax Increase			
Is Necessitated	12 mills	9 mills	75%
Subsequent Tax			
Increases	14 mills	11 mills	79%

If the township were required to maintain the same ratio between residential and general property taxes, the millage would have to be set as follows:

After Tax Change	10 mills	7 mills	70%
Future Tax Increase	12 mills	8.4 mills	70%
Subsequent Tax			
Increases	14 mills	9.8 mills	70%

Example #2

Township presently has a budget of \$1,400,000. Revenues are generated as follows: wage tax - \$1,000,000; property tax - \$400,000 (1 mill = \$100,000). The enactment of an income tax allows the township to eliminate the property tax millage on residential property. If subsequent increases in the income tax revenues generate insufficient funds for the township's budget, can it only increase the millage on general property as long as the general property tax millage does not exceed the increased income tax revenues?

	General Property	Residential Property	Income Tax	Total Revenues
Present	2 mills	2 mills	\$1,000,000	\$1,400,000
After Tax Change	2 mills	0 mills	\$1,200,000	\$1,400,000
Subsequent Year with rise in Income Tax Revenue				
Need for Millage Increase on General Property	3 mills	0 mills	\$1,300,000	\$1,600,000

Example #3

City is presently at the maximum millage permitted under statute. With adoption of a local income tax, the city reduces its residential property tax millage by 20%. In subsequent years, the revenues from the income tax decline. In order to make up for the lost revenue, can the city raise only the residential property tax millage?

	General Property	Residential Property	Income Tax
Present	25 mills	25 mills	-
After Tax Change	25 mills	20 mills	\$1,000,000
(Net Increase)			
Subsequent Year with decline in Income Tax Revenue	25 mills	21 mills	\$ 800,000

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—167**

Acosta	Dietterick	Kosinski	Richardson
Adolph	Dininni	Kukovich	Rieger
Allen	Distler	LaGrotta	Ritter
Angstadt	Dombrowski	Langtry	Robinson
Argall	Donatucci	Lashingier	Roebuck
Barley	Durham	Laughlin	Rudy
Battisto	Evans	Lee	Rybak
Belardi	Fairchild	Lescovitz	Saloom
Belfanti	Farmer	Levdansky	Scheetz
Billow	Fee	Linton	Schuler
Bishop	Fleagle	Lloyd	Scrimenti
Blaum	Foster	Lucyk	Semmel
Bortner	Freeman	McCall	Serafini
Bowley	Freind	McHale	Smith, B.
Boyes	Gallen	McNally	Smith, S. H.
Brandt	Gamble	McVerry	Snyder, G.
Broujos	Gannon	Maiale	Staback
Bunt	Geist	Maine	Stairs
Burns	George	Markosek	Steighner
Bush	Gigliotti	Marsico	Stish
Caltagirone	Godshall	Mayernik	Strittmatter
Cappabianca	Gruitza	Melio	Stuban
Carlson	Gruppo	Michlovic	Tangretti
Carn	Haluska	Micozzie	Taylor, F.
Cawley	Hasay	Miller	Telek
Cessar	Hayden	Morris	Thomas
Chadwick	Hayes	Mrkoncic	Tigue
Civera	Heckler	Murphy	Trello
Clark, B. D.	Herman	Nahill	Trich
Clark, D. F.	Hershey	Nailor	Van Horne
Clymer	Hess	O'Donnell	Veon
Cohen	Howlett	Olasz	Wambach
Colafella	Hughes	Oliver	Wass
Colaizzo	Itkin	Petrarca	Williams
Cole	Jackson	Petrone	Wogan
Corrigan	James	Piccola	Wozniak
Cowell	Jarolin	Pievsy	Wright, D. R.
Coy	Johnson	Pistella	Wright, R. C.
DeLuca	Josephs	Pressmann	Yandrisevits
DeWeese	Kaiser	Preston	
Daley	Kasunic	Raymond	Manderino, Speaker
Davies	Kondrich	Reinard	
Dempsey			

**NAYS—33**

Birmelin	Gladeck	Noye	Saurman
Black	Hagarty	O'Brien	Snyder, D. W.
Burd	Jadlowiec	Perzel	Taylor, E. Z.
Clark, J. H.	Kennedy	Phillips	Taylor, J.
Cornell	Leh	Pitts	Vroon

Dorr	Merry	Reber	Weston
Fargo	Moehlmann	Robbins	Wilson
Flick	Mowery	Ryan	Wright, J. L.
Fox			

NOT VOTING—0

EXCUSED—2

Harper Letterman

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 6, PN 118**, entitled:

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, requiring the commission to release certain reports.

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

Mr. JOHNSON offered the following amendments No. A0018:

- Amend Title, page 1, line 2, by inserting after "commission" to make certain recordings available and
- Amend Bill, page 1, by inserting between lines 5 and 6 Section 1. Section 332 of Title 66 of the Pennsylvania Consolidated Statutes is amended by adding a subsection to read: § 332. Procedures in general.

\* \* \*

(i) Review of testimony.—Any person who testifies in an investigation or inquiry by, or hearing before, the commission or its representative and whose testimony is recorded electronically and subsequently transcribed, shall, upon request, be permitted to review the recording to ensure that it has been transcribed accurately. The commission may impose a fee in an amount not exceeding the actual costs involved for making the recording available.

Amend Sec. 1, page 1, line 6, by striking out "1" and inserting

2

Amend Sec. 1, page 1, lines 6 and 7, by striking out "of the Pennsylvania Consolidated Statutes"

Amend Sec. 2, page 2, line 24, by striking out "2" and inserting

3

Amend Sec. 3, page 2, line 27, by striking out "3" and inserting

4

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

The SPEAKER. On the question, the Chair recognizes the gentleman from Blair, Mr. Johnson.

Mr. JOHNSON. Thank you, Mr. Speaker.

Let me give you a little background on this amendment, Mr. Speaker.

I have a group of constituents involving three generations of farmers. They had a little dispute with the utility company. Last March they went into the PUC (Public Utility Commis-

sion). They spent 5 hours—5 hours—at the PUC. The transcript which they got of those 5 hours' testimony they say is replete with very substantial errors. Ever since that time, they have been trying to get access to the audio tapes in order to correct the transcript, and that is what this amendment would do today. It would make available to anybody who testifies before the PUC the opportunity to review the electronic recording of that testimony.

Now, I do not think that is unreasonable. My constituents, because they have been denied this, are really down on government. To them, PUC represents you, me, the local government, the State Government, the Federal Government. They are down on government because they cannot have access to a little audio tape. My amendment would provide that people have that opportunity in the future.

I would be happy to hear any questions. I would urge your favorable vote. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Clarion, Mr. Wright.

Mr. D. R. WRIGHT. Thank you, Mr. Speaker.

The amendment that Mr. Johnson offers today is not an unalloyed blessing. But I recognize that he is attempting to solve a problem with a constituent, and I am not going to oppose this amendment.

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

Let me for purposes generally inform the House that this Chair does not intend to keep a list of people who want to speak. If you want to speak, you will have to indicate that you want to speak by getting to a microphone and indicating that you want to speak. Standing near a microphone without an indication to the Speaker will not gain you recognition.

The gentleman, though, Mr. Geist, is now recognized.

Mr. GEIST. Thank you, Mr. Speaker.

I did indicate that I wanted to speak by getting the attention of your chief spotter.

The SPEAKER. You better get the attention of the Chair.

Mr. GEIST. Thank you.

Mr. Speaker, I would urge a "yes" on this amendment. The case that we are talking about here could happen to any one of our constituents no matter who they are. I urge a "yes" vote.

The SPEAKER. The Chair thanks the gentleman.

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

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

The SPEAKER. Will the sponsor of the amendment consent to interrogation? The gentleman, Mr. Johnson, indicates that he will consent. You may proceed.

Mr. GANNON. Mr. Speaker, in the course of these types of inquiries, there is sometimes a lot of extraneous or nonrelevant conversation that takes place that is not really part of the evidence or the testimony, and that conversation may very well be picked up by this recording device. Now, the transcript that is made is the actual, official evidentiary material. What

effect will this amendment have in connection with those sidebar conferences, if you will, and their impact on the case at hand if the actual recording itself is made available to the public for dissemination, as would be the instance here? What I am getting at, there is nothing in here that would prevent anyone from taking excerpts from that tape and making public any of those sidebar or off-the-record-type, at the time that they are made, conversations, and I want to know, what would be the effect of this amendment on that type of situation?

Mr. JOHNSON. Well, Mr. Speaker, I would suggest several things. One thing is, if the sidebar conversations do not pertain or do not belong in the testimony, they should not have been made. What I am concerned about and what my constituents are concerned about is what they said. I certainly feel that I have a right to hear the tape of what I said, and if I do not get that, I feel that the government is doing something sneaky, and that is what my constituents feel. They feel that this is a conspiracy to deny them their lawful rights. My glory, what is wrong with letting somebody hear a transcript of his own testimony?

Mr. GANNON. Well, then would you have any problem with some type of provision that would say that any sidebar or nonrelevant or nontestimonial conversation could be edited out of the tape before it would be available to the public?

Mr. JOHNSON. I really cannot see any point to that. If somebody makes a statement when they know it is being recorded, I certainly think it should be left in there. I do not see any reason. When folks make statements under oath, they certainly should expect that it is available. It should be in the transcript.

Mr. GANNON. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

#### YEAS—196

Acosta	Dombrowski	Langtry	Richardson
Adolph	Donatucci	Lashingier	Rieger
Allen	Dorr	Laughlin	Ritter
Angstadt	Durham	Lee	Robbins
Argall	Evans	Leh	Roebuck
Barley	Fairchild	Lescovitz	Rudy
Battisto	Fargo	Levdansky	Ryan
Belardi	Farmer	Linton	Rybak
Belfanti	Fee	Lloyd	Saloom
Billow	Fleagle	Lucyk	Saurman
Birmelin	Flick	McCall	Scheetz
Bishop	Foster	McHale	Schuler
Black	Fox	McNally	Scrimenti
Blaum	Freeman	McVerry	Semmel
Bortner	Freind	Maiale	Serafini
Bowley	Gallen	Maine	Smith, B.
Boyes	Gamble	Markosek	Smith, S. H.
Brandt	Gannon	Marsico	Snyder, D. W.
Broujos	Geist	Mayernik	Snyder, G.
Bunt	George	Melio	Staback
Burd	Gigliotti	Merry	Stairs
Bush	Gladeck	Michlovic	Steighner
Caltagirone	Godshall	Micozzie	Stish
Cappabianca	Gruitza	Miller	Strittmatter
Carlson	Gruppo	Moehlmann	Stuban
Carn	Hagarty	Morris	Tangretti
Cawley	Haluska	Mowery	Taylor, E. Z.

Cessar	Hasay	Mrkonic	Taylor, F.
Chadwick	Hayden	Murphy	Taylor, J.
Civiera	Hayes	Nahill	Telek
Clark, B. D.	Heckler	Nailor	Thomas
Clark, D. F.	Herman	Noye	Tigue
Clark, J. H.	Hershey	O'Brien	Trello
Clymer	Hess	O'Donnell	Trich
Cohen	Howlett	Olasz	Van Horne
Colaella	Hughes	Oliver	Vroon
Colaizzo	Itkin	Perzel	Wambach
Cole	Jackson	Petrarca	Wass
Cornell	Jadlowiec	Petrone	Weston
Corrigan	James	Phillips	Williams
Cowell	Jarolin	Piccola	Wilson
Coy	Johnson	Pievsky	Wogan
DeLuca	Josephs	Pistella	Wozniak
DeWeese	Kaiser	Pitts	Wright, D. R.
Daley	Kasunic	Pressmann	Wright, R. C.
Davies	Kenney	Preston	Yandrisevits
Dempsey	Kondrich	Raymond	
Dieterick	Kosinski	Reber	Manderino, Speaker
Dininni	Kukovich	Reinard	
Distler	LaGrotta		

#### NAYS—3

Burns Veon Wright, J. L.

#### NOT VOTING—1

Robinson

#### EXCUSED—2

Harper Letterman

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—200

Acosta	Dombrowski	Lashingier	Ritter
Adolph	Donatucci	Laughlin	Robbins
Allen	Dorr	Lee	Robinson
Angstadt	Durham	Leh	Roebuck
Argall	Evans	Lescovitz	Rudy
Barley	Fairchild	Levdansky	Ryan
Battisto	Fargo	Linton	Rybak
Belardi	Farmer	Lloyd	Saloom
Belfanti	Fee	Lucyk	Saurman
Billow	Fleagle	McCall	Scheetz
Birmelin	Flick	McHale	Schuler
Bishop	Foster	McNally	Scrimenti
Black	Fox	McVerry	Semmel
Blaum	Freeman	Maiale	Serafini
Bortner	Freind	Maine	Smith, B.
Bowley	Gallen	Markosek	Smith, S. H.
Boyes	Gamble	Marsico	Snyder, D. W.
Brandt	Gannon	Mayernik	Snyder, G.
Broujos	Geist	Melio	Staback
Bunt	George	Merry	Stairs
Burd	Gigliotti	Michlovic	Steighner
Bush	Gladeck	Micozzie	Stish
Caltagirone	Godshall	Miller	Strittmatter
Cappabianca	Gruitza	Moehlmann	Stuban
Carlson	Gruppo	Morris	Tangretti

Carlson	Hagarty	Mowery	Taylor, E. Z.
Carn	Haluska	Mrkonic	Taylor, F.
Cawley	Hasay	Murphy	Taylor, J.
Cessar	Hayden	Nahill	Telek
Chadwick	Hayes	Nailor	Thomas
Civera	Heckler	Noye	Tigue
Clark, B. D.	Herman	O'Brien	Trello
Clark, D. F.	Hershey	O'Donnell	Trich
Clark, J. H.	Hess	Olasz	Van Horne
Clymer	Howlett	Oliver	Veon
Cohen	Hughes	Perzel	Vroon
Colaifella	Itkin	Petrarca	Wambach
Colaizzo	Jackson	Petrone	Wass
Cole	Jadlowiec	Phillips	Weston
Cornell	James	Piccola	Williams
Corrigan	Jarolin	Pievsky	Wilson
Cowell	Johnson	Pistella	Wogan
Coy	Josephs	Pitts	Wozniak
DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Wright, R. C.
Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	
Dietterick	Kukovich	Richardson	Manderino,
Dininni	LaGrotta	Rieger	Speaker
Distler	Langtry		

NAYS—0

NOT VOTING—0

EXCUSED—2

Harper Letterman

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 7, PN 119**, entitled:

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, providing protection for public utility employees who report a violation or suspected violation of Federal, State or local law; providing protection for such employees who participate in investigations, hearings, inquiries or court actions; and prescribing remedies.

On the question,

Will the House agree to the bill on third consideration?

Mr. SAURMAN offered the following amendment No. A0025:

Amend Sec. 1 (Sec. 3316), page 3, line 27, by inserting after "regulation"  
or of a code of conduct or ethics designed to protect the interest of the public or the employer

On the question,

Will the House agree to the amendment?

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

Mr. SAURMAN. Thank you, Mr. Speaker.

Mr. Speaker, this is language that was omitted in copying the language from the original Whistleblower Law, and I think it should be included in this piece of legislation.

The SPEAKER. The Chair recognizes the gentleman from Clarion, Mr. Wright.

Mr. D. R. WRIGHT. Mr. Speaker, the amendment is agreed to.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—198

Acosta	Dombrowski	Langtry	Ritter
Adolph	Donatucci	Lashinger	Robbins
Allen	Dorr	Lee	Robinson
Angstadt	Durham	Leh	Roebuck
Argall	Evans	Lescovitz	Rudy
Barley	Fairchild	Levdansky	Ryan
Battisto	Fargo	Linton	Rybak
Belardi	Farmer	Lloyd	Saalom
Belfanti	Fee	Lucyk	Saurman
Billow	Fleagle	McCall	Scheetz
Birmelin	Flick	McHale	Schuler
Bishop	Foster	McNally	Scrimenti
Black	Fox	McVerry	Semmel
Bortner	Freeman	Maiale	Serafini
Bowley	Freind	Maine	Smith, B.
Boyes	Gallen	Markosek	Smith, S. H.
Brandt	Gamble	Marsico	Snyder, D. W.
Broujos	Gannon	Mayernik	Snyder, G.
Bunt	Geist	Melio	Staback
Burd	George	Merry	Stairs
Burns	Gigliotti	Michlovic	Steighner
Bush	Gladeck	Micozzie	Stish
Caltagirone	Godshall	Miller	Strittmatter
Cappabianca	Gruitza	Moehlmann	Stuban
Carlson	Gruppo	Morris	Tangretti
Carn	Hagarty	Mowery	Taylor, E. Z.
Cawley	Haluska	Mrkonic	Taylor, F.
Cessar	Hasay	Murphy	Taylor, J.
Chadwick	Hayden	Nahill	Telek
Civera	Hayes	Nailor	Thomas
Clark, B. D.	Heckler	Noye	Tigue
Clark, D. F.	Herman	O'Brien	Trello
Clark, J. H.	Hershey	O'Donnell	Trich
Clymer	Hess	Olasz	Van Horne
Cohen	Howlett	Oliver	Veon
Colaifella	Hughes	Perzel	Vroon
Colaizzo	Itkin	Petrarca	Wambach
Cole	Jackson	Petrone	Wass
Cornell	Jadlowiec	Phillips	Weston
Corrigan	James	Piccola	Williams
Cowell	Jarolin	Pievsky	Wilson
Coy	Johnson	Pistella	Wogan
DeLuca	Josephs	Pitts	Wozniak
DeWeese	Kaiser	Pressmann	Wright, D. R.
Daley	Kasunic	Preston	Wright, J. L.
Davies	Kenney	Raymond	Wright, R. C.
Dempsey	Kondrich	Reber	Yandrisevits
Dietterick	Kosinski	Reinard	
Dininni	Kukovich	Richardson	Manderino,
Distler	LaGrotta	Rieger	Speaker

NAYS—0

NOT VOTING—2

Blaum Laughlin

EXCUSED—2

Harper Letterman

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. SAURMAN offered the following amendments No. A0042:

Amend Title, page 1, line 7, by removing the period after "remedies" and inserting and penalties.

Amend Sec. 1 (Sec. 3316), page 3, line 4, by striking out "and."

Amend Sec. 1 (Sec. 3316), page 3, line 5, by striking out "punitive damages"

Amend Sec. 1 (Sec. 3316), page 3, by inserting between lines 5 and 6

(g) Penalties.—A person who, under color of an employer's authority, violates this section shall be liable for a civil fine of not more than \$500. A civil fine which is ordered under this section shall be paid to the State Treasurer for deposit into the General Fund.

Amend Sec. 1 (Sec. 3316), page 3, line 6, by striking out "(g)" and inserting

(h)

Amend Sec. 1 (Sec. 3316), page 3, line 9, by striking out "(h)" and inserting

(i)

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

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

Mr. SAURMAN. Thank you, Mr. Speaker.

Mr. Speaker, this language simply parallels what the State has done with the whistleblower act, and I would appreciate an affirmative vote so that these two things will parallel each other. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Clarion, Mr. Wright.

Mr. D. R. WRIGHT. Mr. Speaker, Mr. Saurman's amendment is useful, and I urge its adoption.

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

The following roll call was recorded:

YEAS—200

Acosta	Dombrowski	Lashinger	Ritter
Adolph	Donatucci	Laughlin	Robbins
Allen	Dorr	Lee	Robinson
Angstadt	Durham	Leh	Roebuck
Argall	Evans	Lescovitz	Rudy
Barley	Fairchild	Levdansky	Ryan
Battisto	Fargo	Linton	Rybak
Belardi	Farmer	Lloyd	Saloom
Belfanti	Fee	Lucyk	Saurman
Billow	Fleagle	McCall	Scheetz
Birmelin	Flick	McHale	Schuler
Bishop	Foster	McNally	Scrimenti
Black	Fox	McVerry	Semmel
Blaum	Freeman	Maiale	Serafini
Bortner	Freind	Maine	Smith, B.
Bowley	Gallen	Markosek	Smith, S. H.
Boyes	Gamble	Marsico	Snyder, D. W.
Brandt	Gannon	Mayernik	Snyder, G.
Broujos	Geist	Melio	Staback
Bunt	George	Merry	Stairs
Burd	Gigliotti	Michlovic	Steighner

Burns	Gladeck	Micozzie	Stish
Bush	Godshall	Miller	Strittmatter
Caltagirone	Gruitza	Moehlmann	Stuban
Cappabianca	Gruppo	Morris	Tangretti
Carlson	Hagarty	Mowery	Taylor, E. Z.
Carn	Haluska	Mrkonic	Taylor, F.
Cawley	Hasay	Murphy	Taylor, J.
Cessar	Hayden	Nahill	Telek
Chadwick	Hayes	Nailor	Thomas
Civera	Heckler	Noye	Tigue
Clark, B. D.	Herman	O'Brien	Trello
Clark, D. F.	Hershey	O'Donnell	Trich
Clark, J. H.	Hess	Olasz	Van Horne
Clymer	Howlett	Oliver	Veon
Cohen	Hughes	Perzel	Vroon
Colafrilla	Itkin	Petrarca	Wambach
Colaizzo	Jackson	Petrone	Wass
Cole	Jadlowiec	Phillips	Weston
Cornell	James	Piccola	Williams
Corrigan	Jarolin	Pievsky	Wilson
Cowell	Johnson	Pistella	Wogan
Coy	Josephs	Pitts	Wozniak
DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Wright, R. C.
Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	
Dietterick	Kukovich	Richardson	Manderino,
Dininni	LaGrotta	Rieger	Speaker
Distler	Langtry		

NAYS—0

NOT VOTING—0

EXCUSED—2

Harper Letterman

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

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

The Chair recognizes the gentleman from Dauphin, Mr. Wambach.

Mr. WAMBACH. Thank you, Mr. Speaker.

I would like to speak to you on final passage of HB 7, and I want to commend Representative Wright for developing the bill in a timely response to what has been occurring.

I would just like to say to the members that this extends the Pennsylvania Whistleblower Law to public utility employees, and I think the extension in and of itself is very important for the protection of public utility employees when they cite wrongdoing or waste in their particular sphere of operation. I think it is a good-government bill. It will assist, if you will, the occurrences that may happen regarding public utilities, but it will protect those public utility employees who bring forth wrongdoing or waste in their particular operation to light. It will not permit any kind of coercion; it will not permit any kind of retaliation that may occur regarding bringing that wrongdoing to light, and I would just encourage my fellow

colleagues to support HB 7. Thank you very much, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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—200

Acosta	Dombrowski	Lashinger	Ritter
Adolph	Donatucci	Laughlin	Robbins
Allen	Dorr	Lee	Robinson
Angstadt	Durham	Leh	Roebuck
Argall	Evans	Lescovitz	Rudy
Barley	Fairchild	Levdansky	Ryan
Battisto	Fargo	Linton	Rybak
Belardi	Farmer	Lloyd	Saloom
Belfanti	Fee	Lucyk	Saurman
Billow	Fleagle	McCall	Scheetz
Birmelin	Flick	McHale	Schuler
Bishop	Foster	McNally	Scrimenti
Black	Fox	McVerry	Semmel
Blaum	Freeman	Maiale	Serafini
Bortner	Freind	Maine	Smith, B.
Bowley	Gallen	Markosek	Smith, S. H.
Boyes	Gamble	Marsico	Snyder, D. W.
Brandt	Gannon	Mayernik	Snyder, G.
Broujos	Geist	Melio	Staback
Bunt	George	Merry	Stairs
Burd	Gigliotti	Michlovic	Steighner
Burns	Gladeck	Micozzie	Stish
Bush	Godshall	Miller	Strittmatter
Caltagirone	Gruitz	Moehlmann	Stuban
Cappabianca	Gruppo	Morris	Tangretti
Carlson	Hagarty	Mowery	Taylor, E. Z.
Carn	Haluska	Mrkonic	Taylor, F.
Cawley	Hasay	Murphy	Taylor, J.
Cessar	Hayden	Nahill	Telek
Chadwick	Hayes	Nailor	Thomas
Civera	Heckler	Noye	Tigue
Clark, B. D.	Herman	O'Brien	Trello
Clark, D. F.	Hershey	O'Donnell	Trich
Clark, J. H.	Hess	Olasz	Van Horne
Clymer	Howlett	Oliver	Veon
Cohen	Hughes	Perzel	Vroon
Colafiglia	Itkin	Petrarca	Wambach
Colaizzo	Jackson	Petrone	Wass
Cole	Jadlowiec	Phillips	Weston
Cornell	James	Piccola	Williams
Corrigan	Jarolin	Pievsky	Wilson
Cowell	Johnson	Pistella	Wogan
Coy	Josephs	Pitts	Wozniak
DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Wright, R. C.
Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	
Dietterick	Kukovich	Richardson	Manderino,
Dininni	LaGrotta	Rieger	Speaker
Distler	Langtry		

NAYS—0

NOT VOTING—0

EXCUSED—2

Harper Letterman

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 108, PN 67**, entitled:

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, providing for action when potential criminal violations are discovered; and further providing for civil penalties for violations.

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

Mr. KAISER offered the following amendment No. A0013:

Amend Sec. 2 (Sec. 3301), page 3, line 14, by striking out "\$5,000" and inserting "\$10,000"

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

The SPEAKER. The gentleman from Allegheny, Mr. Kaiser, is recognized on the amendment.

Mr. KAISER. Mr. Speaker, it is my understanding that this is an agreed-to amendment. Amendment No. A13 would amend HB 108 by raising the daily civil penalty for gas pipeline safety violations from the current law of \$1,000 to \$10,000. This is necessary in order to meet the Federal requirements of the Pipeline Safety Reauthorization Act of 1988, which was signed by President Reagan on the 1st of November 1988.

Mr. Speaker, I ask for favorable consideration. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Wright, from Clarion is recognized.

Mr. D. R. WRIGHT. Mr. Speaker, the gentleman, Mr. Kaiser's remarks are in order and on point, and I urge adoption of the amendment.

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

The following roll call was recorded:

YEAS—199

Acosta	Dombrowski	Lashinger	Ritter
Adolph	Donatucci	Laughlin	Robbins
Allen	Dorr	Lee	Robinson
Angstadt	Durham	Leh	Roebuck
Argall	Evans	Lescovitz	Rudy
Barley	Fairchild	Levdansky	Ryan
Battisto	Fargo	Linton	Rybak
Belardi	Farmer	Lloyd	Saloom
Belfanti	Fee	Lucyk	Saurman
Billow	Fleagle	McCall	Scheetz
Birmelin	Flick	McHale	Schuler
Bishop	Foster	McNally	Scrimenti
Black	Fox	McVerry	Semmel
Blaum	Freeman	Maiale	Serafini
Bortner	Freind	Maine	Smith, B.
Bowley	Gallen	Markosek	Smith, S. H.
Boyes	Gamble	Marsico	Snyder, D. W.
Brandt	Gannon	Mayernik	Snyder, G.
Broujos	Geist	Melio	Staback
Bunt	George	Merry	Stairs
Burd	Gigliotti	Michlovic	Steighner
Burns	Gladeck	Micozzie	Stish
Bush	Godshall	Miller	Strittmatter

Caltagirone	Gruitza	Moehlmann	Stuban
Cappabianca	Gruppo	Morris	Tangretti
Carlson	Hagarty	Mowery	Taylor, E. Z.
Carn	Haluska	Mrkonic	Taylor, F.
Cawley	Hasay	Murphy	Taylor, J.
Cessar	Hayden	Nahill	Telek
Chadwick	Hayes	Nailor	Thomas
Civera	Heckler	Noye	Tigue
Clark, B. D.	Herman	O'Brien	Trello
Clark, D. F.	Hershey	O'Donnell	Trich
Clark, J. H.	Hess	Olasz	Van Horne
Clymer	Howlett	Oliver	Veon
Cohen	Hughes	Perzel	Vroon
Colaella	Itkin	Petrarca	Wambach
Colaizzo	Jackson	Petrone	Wass
Cole	Jadlowiec	Phillips	Weston
Cornell	James	Piccola	Williams
Corrigan	Jarolin	Pievsky	Wilson
Cowell	Johnson	Pistella	Wogan
Coy	Kaiser	Pitts	Wozniak
DeLuca	Kasunic	Pressmann	Wright, D. R.
DeWeese	Kenney	Preston	Wright, J. L.
Daley	Kondrich	Raymond	Wright, R. C.
Davies	Kosinski	Reber	Yandrisevits
Dempsey	Kukovich	Reinard	
Dietterick	LaGrotta	Richardson	Manderino,
Dininni	Langtry	Rieger	Speaker
Distler			

NAYS—0

NOT VOTING—1

Josephs

EXCUSED—2

Harper Letterman

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—199

Acosta	Dombrowski	Langtry	Rieger
Adolph	Donatucci	Lashingier	Ritter
Allen	Dorr	Laughlin	Robbins
Angstadt	Durham	Lee	Roebuck
Argall	Evans	Leh	Rudy
Barley	Fairchild	Lescovitz	Ryan
Battisto	Fargo	Levdansky	Rybak
Belardi	Farmer	Linton	Saloom
Belfanti	Fee	Lloyd	Saurman
Billow	Fleagle	Lucyk	Scheetz
Birmelin	Flick	McCall	Schuler
Bishop	Foster	McHale	Scrimenti
Black	Fox	McNally	Semmel
Blaum	Freeman	McVerry	Serafini
Bortner	Freind	Maiale	Smith, B.
Bowley	Gallen	Maine	Smith, S. H.
Boyes	Gamble	Markosek	Snyder, D. W.
Brandt	Gannon	Marsico	Snyder, G.
Broujos	Geist	Mayernik	Staback
Bunt	George	Melio	Stairs
Burd	Gigliotti	Merry	Steighner
Burns	Gladeck	Michlovic	Stish

Bush	Godshall	Micozzie	Strittmatter
Caltagirone	Gruitza	Miller	Stuban
Cappabianca	Gruppo	Moehlmann	Tangretti
Carlson	Hagarty	Morris	Taylor, E. Z.
Carn	Haluska	Mowery	Taylor, F.
Cawley	Hasay	Mrkonic	Taylor, J.
Cessar	Hayden	Murphy	Telek
Chadwick	Hayes	Nahill	Thomas
Civera	Heckler	Nailor	Tigue
Clark, B. D.	Herman	Noye	Trello
Clark, D. F.	Hershey	O'Brien	Trich
Clark, J. H.	Hess	O'Donnell	Van Horne
Clymer	Howlett	Olasz	Veon
Cohen	Hughes	Oliver	Vroon
Colaella	Itkin	Perzel	Wambach
Colaizzo	Jackson	Petrarca	Wass
Cole	Jadlowiec	Petrone	Weston
Cornell	James	Phillips	Williams
Corrigan	Jarolin	Piccola	Wilson
Cowell	Johnson	Pievsky	Wogan
Coy	Josephs	Pistella	Wozniak
DeLuca	Kaiser	Pitts	Wright, D. R.
DeWeese	Kasunic	Pressmann	Wright, J. L.
Daley	Kenney	Preston	Wright, R. C.
Davies	Kondrich	Raymond	Yandrisevits
Dempsey	Kosinski	Reber	
Dietterick	Kukovich	Reinard	Manderino,
Dininni	LaGrotta	Richardson	Speaker
Distler			

NAYS—0

NOT VOTING—1

Robinson

EXCUSED—2

Harper Letterman

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

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

REMARKS ON VOTE

The SPEAKER. For what purpose does the gentleman from Allegheny County, Mr. Robinson, rise?

Mr. ROBINSON. Mr. Speaker, on the last bill, HB 108, I would like to be recorded as voting in the affirmative on final passage.

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

REPORT OF COMMITTEE ON COMMITTEES

The SPEAKER. The Chair recognizes the majority leader, who presents a resolution for a change of committees.

The following report was read:

Supplemental Report  
Committee on Committees

In the House of Representatives  
January 31, 1989

RESOLVED, That Representative Italo Cappabianca is elected a member of the Professional Licensure Committee vice Representative Curtis Thomas resigned.

Representative Curtis Thomas is elected a member of the Health and Welfare Committee vice Representative Michael Veon resigned.

Representative Michael Veon is elected a member of the Transportation Committee vice Representative Italo Cappabianca resigned.

Respectfully submitted,  
Russell P. Letterman  
Chairman  
Committee on Committees

On the question,  
Will the House adopt the resolution? .....  
Resolution was adopted.

### INSURANCE COMMITTEE MEETING

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

Mr. RYBAK. Mr. Speaker, either at the first recess or at the conclusion of session, I would like to call a meeting that took place yesterday to be continued to the rear of the hall of the House Insurance Committee and then to continue it tomorrow morning, Wednesday, February 1, down in room 39E. It is very important that all members of the House Insurance Committee meet in the rear and then tomorrow morning down in room 39E. Thank you, Mr. Speaker.

The SPEAKER. Is that upon the conclusion of business today?

Mr. RYBAK. Yes, either at the first recess or conclusion, whichever happens.

### RESOLUTIONS PASSED OVER

The SPEAKER. Without objection, all remaining resolutions on the calendar will be passed over. The Chair hears no objection.

### DEMOCRATIC CAUCUS

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

Mr. ITKIN. Mr. Speaker, I would just like to announce to the members on the Democratic side of the aisle that tomorrow at 1 o'clock we will have a caucus to discuss the recently adopted Local Tax Reform Act. I know the members have had a lot of concerns and questions about the act, and we will have experts go through the act with us, so our comments and concerns can be addressed. You can plan your schedules accordingly. It is 1 o'clock tomorrow for this important local tax reform seminar.

### ADJOURNMENT

The SPEAKER. There being no further business to come before the House, the Chair recognizes the gentleman from Allegheny County, Mr. Gigliotti.

Mr. GIGLIOTTI. Mr. Speaker, I move that this House do now adjourn until Wednesday, February 1, 1989, at 11 a.m., e.s.t., unless sooner recalled by the Speaker.

On the question,  
Will the House agree to the motion?  
Motion was agreed to, and at 2:23 p.m., e.s.t., the House adjourned.