

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, FEBRUARY 7, 1989

SESSION OF 1989

173D OF THE GENERAL ASSEMBLY

No. 11

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:

O Thou, in whose presence our souls take delight, we come with thankful and expectant hearts. Fill us with Your purity and strength.

We lift unto You our lives and destinies in the blessed assurance that You will never leave nor forsake us. Use us, Lord, in Your service. Stir up our gifts that we might more ably promote the good of Your people. Grant that we will never betray their trust but ardently labor for their well-being.

Lead us through the labyrinths of life. Guide us in our gloom, and direct us in our doubt.

Bless and keep the leadership of this House and all of our Representatives. Keep them as the apple of Your eye.

Be ever near, 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 approval of the Journal dated Monday, February 6, 1989. The Chair hears no objection.

HOUSE BILLS INTRODUCED AND REFERRED

No. 256 By Representatives J. L. WRIGHT, BILLOW, WASS, HERMAN, SEMMEL, REINARD, DORR, HECKLER, JOHNSON, BARLEY, VEON, MERRY, NOYE, E. Z. TAYLOR, GEIST, BELFANTI, MILLER and McVERRY

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), known as the "Tax Reform Code of 1971," further providing for an exclusion from tax.

Referred to Committee on FINANCE, February 7, 1989.

No. 257 By Representatives J. L. WRIGHT, BILLOW, WASS, HERMAN, SEMMEL, REINARD, HECKLER, JOHNSON, BARLEY, VEON, MERRY, NOYE, GEIST, BELFANTI and MILLER

An Act amending the act of May 21, 1943 (P. L. 571, No. 254), known as "The Fourth to Eighth Class County Assessment Law," excluding cogeneration facilities and small power production facilities in determining the value of real estate.

Referred to Committee on LOCAL GOVERNMENT, February 7, 1989.

No. 258 By Representatives J. L. WRIGHT, BILLOW, WASS, HERMAN, SEMMEL, REINARD, HECKLER, JOHNSON, BARLEY, VEON, MERRY, GEIST, BELFANTI and MILLER

An Act amending the act of May 22, 1933 (P. L. 853, No. 155), known as "The General County Assessment Law," excluding cogeneration facilities and small power production facilities in determining the value of real estate.

Referred to Committee on LOCAL GOVERNMENT, February 7, 1989.

No. 259 By Representatives KAISER, PISTELLA, McVERRY, COWELL, MICHLOVIC, VAN HORNE, TRELLO, GIGLIOTTI, OLASZ, LEVDANSKY, MARKOSEK, PRESTON, ROBINSON and PETRONE

An Act amending the act of June 24, 1976 (P. L. 424, No. 101), referred to as the "Emergency and Law Enforcement Personnel Death Benefits Act," further providing for the definition of "firefighter, ambulance service or rescue squad member or law enforcement officer."

Referred to Committee on LOCAL GOVERNMENT, February 7, 1989.

No. 260 By Representatives GIGLIOTTI, MARKOSEK, TRELLO, OLASZ, COWELL, KAISER, LEVDANSKY, McVERRY, PISTELLA, VAN HORNE, PRESTON, ROBINSON and PETRONE

An Act amending the act of October 20, 1966 (3rd Sp. Sess., P. L. 96, No. 6), known as the "Mental Health and Mental Retardation Act of 1966," further providing for local mental health and mental retardation services and for the liability of the Commonwealth for certain care.

Referred to Committee on HEALTH AND WELFARE, February 7, 1989.

No. 261 By Representatives ITKIN, LEVDANSKY, KAISER, VAN HORNE, McVERRY, PISTELLA, COWELL, GIGLIOTTI, TRELLO, MARKOSEK, OLASZ, ROBINSON, PRESTON and PETRONE

An Act amending the act of August 6, 1941 (P. L. 861, No. 323), referred to as the "Pennsylvania Board of Probation and Parole Law," further providing for grants-in-aid to certain counties.

Referred to Committee on JUDICIARY, February 7, 1989.

No. 262 By Representatives GAMBLE, DeLUCA, TRELLO, MICHLOVIC, MARKOSEK, VAN HORNE, COWELL, LEVDANSKY, OLASZ, PISTELLA, McVERRY, GIGLIOTTI, PRESTON, ROBINSON, PETRONE and LANGTRY

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for costs of certain traffic-control devices.

Referred to Committee on TRANSPORTATION, February 7, 1989.

No. 263 By Representatives OLASZ, PISTELLA, MARKOSEK, LEVDANSKY, VAN HORNE, McVERRY, GIGLIOTTI, COWELL, TRELLO, ROBINSON, PRESTON and PETRONE

An Act amending the act of June 13, 1967 (P. L. 31, No. 21), known as the "Public Welfare Code," further providing for computations affecting counties.

Referred to Committee on YOUTH AND AGING, February 7, 1989.

No. 264 By Representatives GAMBLE, LEVDANSKY, TRELLO, COWELL, PISTELLA, MARKOSEK, GIGLIOTTI, MICHLOVIC, OLASZ, McVERRY, VAN HORNE, PRESTON, ROBINSON and PETRONE

An Act amending the act of May 21, 1931 (P. L. 149, No. 105), known as "The Liquid Fuels Tax Act," changing the formula for distribution of part of the tax to the counties.

Referred to Committee on LOCAL GOVERNMENT, February 7, 1989.

No. 265 By Representatives ROBINSON, PISTELLA, COWELL, GIGLIOTTI, PRESTON, OLASZ, McVERRY, MARKOSEK,

LEVDANSKY, VAN HORNE, TRELLO and PETRONE

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 contracts.

Referred to Committee on URBAN AFFAIRS, February 7, 1989.

No. 266 By Representatives DeLUCA, MICHLOVIC, PISTELLA, ROBINSON, KAISER, McVERRY, TRELLO, GIGLIOTTI, MARKOSEK, OLASZ, LEVDANSKY, VAN HORNE, COWELL, PRESTON and PETRONE

An Act amending the act of July 28, 1953 (P. L. 723, No. 230), known as the "Second Class County Code," further providing for the location and storage of public records; and making editorial changes.

Referred to Committee on URBAN AFFAIRS, February 7, 1989.

No. 267 By Representatives COWELL, PISTELLA, LEVDANSKY, MICHLOVIC, MARKOSEK, GIGLIOTTI, OLASZ, VAN HORNE, McVERRY, TRELLO, DeLUCA, PRESTON, ROBINSON, B. D. CLARK and PETRONE

An Act amending the act of August 24, 1951 (P. L. 1304, No. 315), known as the "Local Health Administration Law," further providing for State grants to county departments of health and to certain municipalities.

Referred to Committee on APPROPRIATIONS, February 7, 1989.

No. 268 By Representatives VAN HORNE, TRELLO, PRESTON, OLASZ, McVERRY, MICHLOVIC, PISTELLA, LEVDANSKY, MARKOSEK, COWELL, GIGLIOTTI, B. D. CLARK, ROBINSON and PETRONE

An Act amending the act of November 30, 1967 (P. L. 658, No. 305), known as the "Business Improvement District Act of 1967," authorizing municipal corporations to finance services within business improvement districts.

Referred to Committee on LOCAL GOVERNMENT, February 7, 1989.

No. 269 By Representatives PISTELLA, DeLUCA, GIGLIOTTI, MARKOSEK, COWELL, LEVDANSKY, MICHLOVIC, OLASZ, McVERRY, PRESTON, TRELLO, VAN HORNE, ROBINSON and PETRONE

An Act amending the act of July 28, 1953 (P. L. 723, No. 230), known as the "Second Class County Code," further providing for the jurisdiction of the coroner.

Referred to Committee on LOCAL GOVERNMENT, February 7, 1989.

No. 270 By Representatives PISTELLA, OLASZ, ROBINSON, MARKOSEK, PRESTON, KAISER, VAN HORNE, LEVDANSKY, COWELL, GIGLIOTTI, DeLUCA, TRELLO, MICHLOVIC, McVERRY and PETRONE

An Act amending the act of June 29, 1953 (P. L. 304, No. 66), known as the "Vital Statistics Law of 1953," further providing for the medical certification for death certificates and for referrals to coroners.

Referred to Committee on HEALTH AND WELFARE, February 7, 1989.

No. 271 By Representatives MARKOSEK, TRELLO, COWELL, VAN HORNE, McVERRY, MICHLOVIC, PRESTON, PISTELLA, ROBINSON, DeLUCA, GIGLIOTTI, OLASZ, LEVDANSKY, PETRONE and LANGTRY

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, reducing the time for advertisement of accounts to two weeks; adding a section providing that documents submitted to the register of wills, except for probate, may be attested to by an affidavit or by a verified statement; broadening the class of property deemed disclaimed when a spouse takes an elective share; avoiding automatic modification of wills and inter vivos conveyances that are made in contemplation of a marriage or divorce; adding a rule of interpretation for wills and conveyances regarding corporate fiduciaries; confirming existing law that a gift to any unfunded trust is valid; permitting a parent to appoint by will a guardian of the person of an adult incompetent child; ***; and making technical changes.

Referred to Committee on JUDICIARY, February 7, 1989.

No. 272 By Representatives MICHLOVIC, McVERRY, TRELLO, LEVDANSKY, MARKOSEK, KAISER, COWELL, ROBINSON, VAN HORNE, PRESTON, OLASZ, DeLUCA, GIGLIOTTI, PISTELLA and PETRONE

An Act permitting counties of the second class to form storm water management districts for the purpose of regulating storm water within designated watershed boundaries; imposing duties and conferring powers on second class county storm water districts, on municipalities and on persons engaged in the development of land; and providing for organization, for function, for enforcement and for financing.

Referred to Committee on CONSERVATION, February 7, 1989.

No. 273 By Representatives BISHOP, MAINE, COLAIZZO, THOMAS, JAMES, ACOSTA, WILLIAMS, LINTON, RYBAK, KONDRICH, CARN, J. H. CLARK, FOX, HAGARTY, SCRIMENTI, PRESTON, RICHARDSON, HUGHES, PISTELLA, JACKSON, MORRIS, YANDRISEVITS, MARKOSEK, KOSINSKI, J. TAYLOR,

JOSEPHS, SERAFINI, ROBINSON, COHEN, BUNT, CAPPABIANCA, TIGUE, MRKONIC, RITTER, MELIO, VEON, JOHNSON, LAUGHLIN and HALUSKA

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for harassment by communication or address.

Referred to Committee on JUDICIARY, February 7, 1989.

No. 274 By Representatives SCHULER, FARGO, MARKOSEK, SAURMAN, TRELLO, JOHNSON, FLICK, SCHEETZ, VEON, BARLEY, DORR, HECKLER and E. Z. TAYLOR

An Act amending the act of July 12, 1972 (P. L. 762, No. 180), referred to as the "Intergovernmental Cooperation Law," authorizing councils of governments to build and maintain highways.

Referred to Committee on LOCAL GOVERNMENT, February 7, 1989.

No. 275 By Representatives SCHULER, TRELLO, BARLEY, COLAFELLA, HERSHEY, FARGO, SCHEETZ, FLICK and BUNT

An Act providing for the organization of corporations and certain municipal authorities for the purpose of constructing and operating toll roads; providing for the supervision of same by the Pennsylvania Public Utility Commission and the Department of Transportation; and establishing the Toll Road Improvement Fund.

Referred to Committee on TRANSPORTATION, February 7, 1989.

No. 276 By Representatives SCHULER, TRELLO, BARLEY, COLAFELLA, HERSHEY, FARGO, SCHEETZ, FLICK and BUNT

An Act providing for the organization of corporations and certain municipal authorities for the purpose of constructing and operating toll roads; providing for the supervision of same by the Pennsylvania Public Utility Commission and the Department of Transportation; and establishing the Toll Road Improvement Fund.

Referred to Committee on TRANSPORTATION, February 7, 1989.

No. 277 By Representatives BARLEY, D. R. WRIGHT, J. L. WRIGHT, VROON, WASS, JOHNSON, BUSH, BROUJOS, FOX, SCHULER, GIGLIOTTI, MAINE, COWELL, MARKOSEK, NAILOR, HERMAN, MERRY, KOSINSKI, DISTLER, SEMMEL, NAHILL, MOEHLMANN, PHILLIPS, REBER, STAIRS, JACKSON, HALUSKA, CLYMER, TRELLO, PETRARCA, MORRIS, SAURMAN, FLICK, CARLSON, McHALE, DORR, MELIO, COY,

DIETTERICK, GEIST, GODSHALL,
BELARDI, BILLOW, MICOZZIE,
GRUPPO, ARGALL, CORRIGAN,
BELFANTI, ROBBINS, CIVERA, VEON,
McCALL, WOZNIAK, OLASZ, CORNELL,
CESSAR, ALLEN, STABACK, BUNT,
RAYMOND, E. Z. TAYLOR, FLEAGLE,
D. F. CLARK, HERSHEY, JADLOWIEC,
LEH, WILSON, FREEMAN and MARSICO

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, providing for electric service supplied to volunteer ambulance and rescue companies.

Referred to Committee on CONSUMER AFFAIRS, February 7, 1989.

No. 278 By Representatives TRELLO,
LETTERMAN, PERZEL, VROON,
MORRIS, BELFANTI, GIGLIOTTI,
HARPER, DEMPSEY, TIGUE, CAWLEY,
BUNT, DeLUCA, LEH, E. Z. TAYLOR,
CORRIGAN, MERRY, HALUSKA,
J. L. WRIGHT, COWELL, STABACK,
DALEY, OLIVER, NOYE, GEIST,
WOGAN, COLAIZZO, REBER, CLYMER,
JOHNSON and RAYMOND

An Act requiring certain persons to undergo testing for acquired immune deficiency syndrome (AIDS); prohibiting the employment of certain persons; and imposing a penalty.

Referred to Committee on LABOR RELATIONS, February 7, 1989.

No. 279 By Representatives TRELLO,
LETTERMAN, PERZEL, SCHULER,
VROON, MORRIS, FARGO, BELFANTI,
HARPER, BELARDI, LINTON, TIGUE,
CAWLEY, MICHLOVIC, BUNT, DeLUCA,
LEH, E. Z. TAYLOR, CORRIGAN,
MERRY, HALUSKA, OLASZ,
J. L. WRIGHT, FARMER, CORNELL,
STABACK, DALEY, OLIVER, GEIST,
WOGAN, COLAIZZO, REBER, CLYMER,
LANGTRY, JOHNSON, RAYMOND,
NOYE and GIGLIOTTI

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, making it unlawful for certain persons to sell or donate blood, blood products, semen or bodily organs.

Referred to Committee on JUDICIARY, February 7, 1989.

No. 280 By Representatives TRELLO,
LETTERMAN, MORRIS, GIGLIOTTI,
HARPER, CAWLEY, BUNT, LEH,
E. Z. TAYLOR, MICOZZIE,
J. L. WRIGHT, CORNELL, DALEY,
OLIVER, COLAIZZO, REBER 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 health services for children.

Referred to Committee on EDUCATION, February 7, 1989.

No. 281 By Representatives TRELLO,
LETTERMAN, PERZEL, VROON,
MORRIS, BELFANTI, GIGLIOTTI,
HARPER, TIGUE, CAWLEY, BUNT,
LEH, E. Z. TAYLOR, MICOZZIE,
J. L. WRIGHT, CORNELL, STABACK,
DALEY, OLIVER, NOYE, COLAIZZO,
REBER, CLYMER and RAYMOND

An Act amending the act of April 23, 1956 (1955 P. L. 1510, No. 500), known as the "Disease Prevention and Control Law of 1955," requiring reports of cases of acquired immune deficiency syndrome; providing for examination and diagnosis of persons suspected of having acquired immune deficiency syndrome; further providing for examinations; and further providing for rules and regulations of the board.

Referred to Committee on HEALTH AND WELFARE, February 7, 1989.

No. 282 By Representatives TRELLO,
LETTERMAN, PERZEL, SCHULER,
VROON, MORRIS, GIGLIOTTI,
DEMPSEY, TIGUE, CAWLEY, BUNT,
DeLUCA, LEH, E. Z. TAYLOR,
MICOZZIE, MERRY, HALUSKA, OLASZ,
J. L. WRIGHT, FARMER, CORNELL,
STABACK, DALEY, OLIVER, NOYE,
GEIST, WOGAN, COLAIZZO, REBER and
RAYMOND

An Act amending the act of August 22, 1953 (P. L. 1344, No. 383), known as "The Marriage Law," further providing for restrictions and tests for acquired immune deficiency syndrome (AIDS).

Referred to Committee on HEALTH AND WELFARE, February 7, 1989.

No. 283 By Representatives TRELLO, VROON,
PETRONE, PISTELLA, VAN HORNE,
BUNT, KENNEY, COWELL, SCHULER,
LETTERMAN, ROBINSON, VEON,
BOYES, MORRIS, DOMBROWSKI,
GIGLIOTTI, LaGROTTA, PERZEL,
CAWLEY, GODSHALL, LASHINGER,
SERAFINI, E. Z. TAYLOR, SEMMEL,
DALEY, STABACK, MERRY, GEIST,
NOYE, COLAIZZO, PETRARCA,
GRUPPO and REBER

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), known as the "Tax Reform Code of 1971," further providing for exclusions from sales tax relating to food and beverages.

Referred to Committee on FINANCE, February 7, 1989.

No. 284 By Representatives TRELLO, VROON, CORNELL, PISTELLA, VAN HORNE, BUNT, NAHILL, FOX, PETRONE, COWELL, ROBINSON, VEON, BOYES, GIGLIOTTI, CAWLEY, LaGROTTA, SERAFINI, E. Z. TAYLOR, RICHARDSON, DALEY, OLASZ, GEIST, REBER and JOHNSON

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), known as the "Tax Reform Code of 1971," clarifying the definition of "tangible personal property"; and providing a specific exclusion from tax for the sale or use of electricity for newly constructed, separately metered dwelling units.

Referred to Committee on FINANCE, February 7, 1989.

No. 285 By Representatives TRELLO, VROON, PISTELLA, PETRONE, MAYERNIK, VAN HORNE, ROBINSON, BUNT, KENNEY, GIGLIOTTI, VEON, BOYES, LETTERMAN, MORRIS, FARGO, CAWLEY, LaGROTTA, BATTISTO, SERAFINI, E. Z. TAYLOR, SEMMEL, CORRIGAN, G. SNYDER, RICHARDSON, DALEY, MERRY, HALUSKA, GEIST, NOYE, COLAIZZO, REBER and JOHNSON

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), known as the "Tax Reform Code of 1971," excluding certain transactions from the realty transfer tax.

Referred to Committee on FINANCE, February 7, 1989.

No. 286 By Representatives TRELLO, VROON, VAN HORNE, MAYERNIK, KENNEY, LaGROTTA, PETRONE, BUNT, PISTELLA, FARGO, NAHILL, ROBINSON, VEON, GIGLIOTTI, CAWLEY, SERAFINI, McVERRY, PHILLIPS, HALUSKA, RICHARDSON, SEMMEL, E. Z. TAYLOR, DALEY, MERRY, GEIST, REBER and JOHNSON

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), known as the "Tax Reform Code of 1971," providing for the exclusion of certain tax-exempt income.

Referred to Committee on FINANCE, February 7, 1989.

No. 287 By Representatives TRELLO, BUNT, PETRONE, VAN HORNE, LaGROTTA, PERZEL, PISTELLA, VEON, ROBINSON, BOYES, GIGLIOTTI, SERAFINI, CAWLEY, E. Z. TAYLOR, DALEY, OLASZ, GEIST, NOYE, COLAIZZO and JOHNSON

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), known as the "Tax Reform Code of 1971," providing an exclusion from the sales tax of certain gold and silver.

Referred to Committee on FINANCE, February 7, 1989.

No. 288 By Representatives TRELLO, VROON, VAN HORNE, PETRONE, LaGROTTA, GANNON, CORNELL, DeLUCA, PISTELLA, TIGUE, GIGLIOTTI, BELFANTI, NAHILL, FEE, SAURMAN, KOSINSKI, CAWLEY, BATTISTO, SERAFINI, CORRIGAN, SEMMEL, OLASZ, REBER, RICHARDSON, MERRY, E. Z. TAYLOR, GEIST, DALEY, LANGTRY, RAYMOND, PRESTON and BELARDI

An Act amending the act of May 9, 1986 (P. L. 165, No. 53), entitled, "An act requiring banks and other lending institutions to notify the mortgagor when the mortgage has been paid," requiring lending institutions holding mortgages for real estate to forward certain real estate tax bills; and providing for a limited penalty.

Referred to Committee on BUSINESS AND COMMERCE, February 7, 1989.

No. 289 By Representatives TRELLO, RICHARDSON, OLASZ, DALEY, DORR, PISTELLA, CAWLEY, VAN HORNE, JOSEPHS, LaGROTTA, TIGUE, COLAFELLA, BLAUM, FEE, BOYES, FREEMAN, McCALL, BELFANTI, GIGLIOTTI, LAUGHLIN, DISTLER, NAHILL, PERZEL, KOSINSKI, FOX, HARPER, COWELL, BUNT, BURD, LASHINGER, SERAFINI, DeLUCA, GANNON, MAIALE, CORRIGAN, CORNELL, KENNEY, MERRY, E. Z. TAYLOR, COLAIZZO, PRESTON, REBER, JOHNSON, RAYMOND, J. TAYLOR, PETRONE and BELARDI

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

Referred to Committee on YOUTH AND AGING, February 7, 1989.

No. 290 By Representatives TRELLO, McCALL, KOSINSKI, DALEY, LaGROTTA, VROON, FEE, BOYES, BELFANTI, GIGLIOTTI, NAHILL, FOX, G. SNYDER, CARN, CAWLEY, BURD, J. L. WRIGHT, LASHINGER, SERAFINI, McVERRY, DeLUCA, GANNON, CORRIGAN, CORNELL, E. Z. TAYLOR, OLASZ, COLAIZZO, PETRARCA, PRESTON, REBER, JOHNSON, RAYMOND and PETRONE

An Act providing for the waiver of tuition at certain colleges and universities for certain veterans and their dependent children.

Referred to Committee on MILITARY AND VETERANS AFFAIRS, February 7, 1989.

No. 291 By Representatives TRELLO, BELFANTI, LEVDANSKY, TANGRETTI, DeLUCA, KOSINSKI, CARN, McCALL, GIGLIOTTI, LAUGHLIN, LaGROTTA, TIGUE, BLAUM, PERZEL, McVERRY, BURD, COWELL, FEE, BROUJOS, CAWLEY, VAN HORNE, CORRIGAN, PISTELLA, MELIO, E. Z. TAYLOR, OLASZ, GEIST, DALEY, PETRARCA, PRESTON, JOHNSON and PETRONE

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), known as "The Administrative Code of 1929," prohibiting workmen's compensation referees from accepting certain employment within a certain period after leaving State employment.

Referred to Committee on LABOR RELATIONS, February 7, 1989.

No. 292 By Representatives TRELLO, PETRONE, COLAFELLA, JOSEPHS, CARN, CAWLEY, LaGROTTA, MELIO, RAYMOND, FEE, McCALL, BELFANTI, TANGRETTI, GIGLIOTTI, LAUGHLIN, TIGUE, J. TAYLOR, NOYE, BLAUM, PERZEL, MOEHLMANN, SAURMAN, KOSINSKI, FOX, HARPER, DORR, BROUJOS, BURD, SERAFINI, BATTISTO, McVERRY, DeLUCA, CORRIGAN, SEMMEL, CORNELL, RICHARDSON, PISTELLA, KENNEY, MERRY, E. Z. TAYLOR, OLASZ, GEIST, HAGARTY, DALEY, PRESTON, REBER and JOHNSON

An Act amending the act of May 17, 1921 (P. L. 682, No. 284), known as "The Insurance Company Law of 1921," prohibiting the raising of automobile insurance rates because of an accident where the insured is not at fault.

Referred to Committee on INSURANCE, February 7, 1989.

No. 293 By Representatives TRELLO, CAWLEY, COLAFELLA, JOSEPHS, BELFANTI, GIGLIOTTI, DISTLER, LaGROTTA, FEE, KOSINSKI, VAN HORNE, BURD, CORRIGAN, CORNELL, PISTELLA, DALEY, PETRARCA, PRESTON, REBER, LANGTRY and PETRONE

An Act amending the act of April 12, 1951 (P. L. 90, No. 21), known as the "Liquor Code," further providing for the sale of malt and brewed beverages on credit.

Referred to Committee on LIQUOR CONTROL, February 7, 1989.

No. 294 By Representatives BOYES, ANGSTADT, MERRY, CAPPABIANCA, VROON, KOSINSKI, McVERRY, LASHINGER and LANGTRY

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, reducing the size of the General Assembly.

Referred to Committee on STATE GOVERNMENT, February 7, 1989.

No. 295 By Representatives KENNEY, CARLSON, J. TAYLOR, KOSINSKI, BOYES, STUBAN, STABACK, DISTLER, PHILLIPS, ANGSTADT, GEIST, JACKSON, PERZEL, GODSHALL, DEMPSEY, CORRIGAN, EVANS, DOMBROWSKI, F. TAYLOR, BILLOW, BORTNER, ALLEN, GIGLIOTTI, FARGO, WILLIAMS, JOHNSON, MELIO, VEON, MICHLOVIC, COLAFELLA, REBER, SAURMAN, OLIVER, E. Z. TAYLOR, KASUNIC, B. SMITH, OLASZ, BELFANTI, CIVERA and JAMES

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for the operation of vehicles in funeral processions and for the offense of interruption of a funeral procession.

Referred to Committee on TRANSPORTATION, February 7, 1989.

No. 296 By Representatives BOYES, PISTELLA, NOYE, FARGO, PERZEL, SEMMEL and JOHNSON

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

Referred to Committee on LIQUOR CONTROL, February 7, 1989.

No. 297 By Representatives BOYES, CAPPABIANCA, LASHINGER and WESTON

An Act amending the act of April 12, 1951 (P. L. 90, No. 21), known as the "Liquor Code," further providing for licenses issued in resort areas.

Referred to Committee on LIQUOR CONTROL, February 7, 1989.

No. 298 By Representatives MORRIS, PITTS, HERSHEY, VROON, E. Z. TAYLOR and FLICK

An Act designating the Lower Brandywine in Chester and Delaware Counties as a component of the Pennsylvania Scenic Rivers System; requiring cooperation and coordination by State agencies in implementing the purposes of the Pennsylvania Scenic Rivers Act; limiting liability; and authorizing the expenditure of moneys to further the purposes of this act.

Referred to Committee on CONSERVATION, February 7, 1989.

No. 299 By Representatives COWELL, TRELLO, DeLUCA, PISTELLA, VAN HORNE,

VROON, ROBBINS, NOYE, CAWLEY, RYBAK, JOHNSON, KOSINSKI, BOYES, FOX, GIGLIOTTI, CAPPABIANCA, LETTERMAN, SCHULER, MAIALE, RITTER, DALEY, MARKOSEK, REBER, HALUSKA, McVERRY, GEIST, HERSHEY, PETRARCA, FLICK, MICHLOVIC, FARGO, McHALE, E. Z. TAYLOR, MELIO, BELARDI, GODSHALL, MICOZZIE, WOGAN, CLYMER, LANGTRY, CIVERA, OLASZ, J. TAYLOR, BELFANTI, ITKIN, SERAFINI, RAYMOND, LAUGHLIN and LASHINGER

An Act amending Title 72 (Taxation and Fiscal Affairs) of the Pennsylvania Consolidated Statutes, further providing for the inheritance tax.

Referred to Committee on FINANCE, February 7, 1989.

No. 300 By Representatives COWELL, PISTELLA, KOSINSKI, TRELLO, McVERRY, CAWLEY, PRESTON, GIGLIOTTI, CAPPABIANCA, SCHULER, RITTER, DALEY, MICOZZIE, WOGAN and CIVERA

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, increasing the fee for police reports.

Referred to Committee on TRANSPORTATION, February 7, 1989.

No. 301 By Representatives COWELL, TRELLO, PISTELLA, VAN HORNE, ROBBINS, NOYE, CAWLEY, RYBAK, JOHNSON, KOSINSKI, GIGLIOTTI, CAPPABIANCA, LETTERMAN, MAIALE, DALEY, MARKOSEK, MERRY, HALUSKA, McVERRY, GEIST, HERSHEY, FLICK, FARGO, E. Z. TAYLOR, OLIVER, MICOZZIE, LANGTRY, VEON, CIVERA, OLASZ, ITKIN, SERAFINI, RAYMOND and LASHINGER

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), known as the "Tax Reform Code of 1971," further providing for refunds and prepayment of tax.

Referred to Committee on FINANCE, February 7, 1989.

No. 302 By Representatives RYBAK, VROON, BOYES, YANDRISSEVITS, McHALE, HAYDEN, TIGUE, BARLEY, NAHILL, DOMBROWSKI, VEON, COLAFELLA, LINTON, SERAFINI, LAUGHLIN and CAWLEY

An Act amending the act of June 3, 1937 (P. L. 1333, No. 320), known as the "Pennsylvania Election Code," further providing for the appointment of watchers and their powers.

Referred to Committee on STATE GOVERNMENT, February 7, 1989.

No. 303 By Representatives RYBAK, NAHILL, TELEK, CIVERA, MICOZZIE, MARKOSEK, DISTLER, FOX, CAWLEY, THOMAS, KOSINSKI, HERMAN, WILLIAMS, McHALE, PRESSMANN, J. L. WRIGHT, MAIALE, COWELL, BARLEY, GODSHALL, O'BRIEN, TRELLO, RAYMOND, JOSEPHS, WOGAN, MELIO, GIGLIOTTI, VEON, CLYMER, JOHNSON, PRESTON, HOWLETT, MICHLOVIC, COY, COLAFELLA, HALUSKA, BELARDI, DONATUCCI, DeLUCA, OLASZ, SERAFINI and ACOSTA

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for points and approved driver improvement schools; requiring motor vehicle insurance rate deductions for certain senior citizens; and providing for driver improvement courses.

Referred to Committee on TRANSPORTATION, February 7, 1989.

No. 304 By Representatives RYBAK, DISTLER, SCHULER, KOSINSKI, FARGO, YANDRISSEVITS, SCHEETZ, TRELLO, TIGUE, JOSEPHS, WOZNIAK, BUNT, SEMMEL, LAUGHLIN and ACOSTA

An Act amending the act of October 4, 1978 (P. L. 883, No. 170), referred to as the "Public Official and Employee Ethics Law," further providing for the filing of statements of financial interests for county and municipal offices.

Referred to Committee on LOCAL GOVERNMENT, February 7, 1989.

No. 305 By Representatives RYBAK, VROON, FOX, CAWLEY, KUKOVICH, LASHINGER, SCHULER, KOSINSKI, YANDRISSEVITS, MILLER, McHALE, PRESSMANN, J. L. WRIGHT, COWELL, MAIALE, LaGROTTA, VAN HORNE, TRELLO, NAHILL, RAYMOND, HERMAN, E. Z. TAYLOR, TIGUE, JOSEPHS, MELIO, DOMBROWSKI, CAPPABIANCA, J. TAYLOR, GIGLIOTTI, B. D. CLARK, VEON, JOHNSON, THOMAS, PETRARCA, HOWLETT, BUNT, PISTELLA, COLAFELLA, HALUSKA, SEMMEL, KENNEY, BELARDI, OLASZ, CIVERA, TRICH, ACOSTA and LAUGHLIN

An Act establishing the Catastrophic Illness in Children Relief Fund and the Catastrophic Illness in Children Relief Fund Commission; prescribing the membership and powers of the commission; providing certain insurance surcharges; and making an appropriation.

Referred to Committee on INSURANCE, February 7, 1989.

No. 306 By Representatives RYBAK, VROON,
E. Z. TAYLOR, HOWLETT and
PISTELLA

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), known as the "Tax Reform Code of 1971," providing for an amusement device tax.

Referred to Committee on FINANCE, February 7, 1989.

No. 307 By Representatives RYBAK, TIGUE,
DURHAM, FOX, DeLUCA, KOSINSKI,
CAWLEY, McVERRY, J. L. WRIGHT,
VEON, BATTISTO, LASHINGER, BURD,
TRELLO, COLAFELLA, JOSEPHS,
MELIO, BELARDI, MAIALE, SEMMEL,
STABACK, ACOSTA, COHEN,
McNALLY, OLASZ and RAYMOND

An Act establishing the Office of Patient Advocate in the Department of Health; and making an appropriation.

Referred to Committee on HEALTH AND WELFARE, February 7, 1989.

No. 308 By Representatives CAWLEY and BELARDI

An Act amending the act of May 8, 1929 (P. L. 1643, No. 510), entitled "An act relating to the collection of city, county, school, and poor taxes within the territorial limits of cities of the second class A; establishing the office of collector of taxes therein; defining its duties and powers; changing the powers of and imposing duties upon cities of the second class A, counties, school districts and poor districts, and the officers thereof; and imposing penalties," providing that the salary of tax collectors in second class A cities shall be fixed by a salary board; and changing the composition of the salary board.

Referred to Committee on LOCAL GOVERNMENT, February 7, 1989.

No. 309 By Representatives PICCOLA,
CHADWICK, FLEAGLE, MARSICO,
HECKLER, CARLSON, GLADECK,
DISTLER, LEH, BUNT, GALLEN,
FOSTER, VROON, LANGTRY, FLICK,
NOYE, DEMPSEY and FOX

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), known as "The Administrative Code of 1929," repealing provisions requiring certain State and public school employees to pay a fee to employee organizations.

Referred to Committee on LABOR RELATIONS, February 7, 1989.

No. 310 By Representatives ROEBUCK,
CALTAGIRONE, JAMES, WILLIAMS,
WAMBACH, MAINE, VROON,
PISTELLA, VEON, COLAFELLA,
FLEAGLE, MORRIS, FREEMAN, LUCYK,
NOYE, SAURMAN, TRELLO,
MARKOSEK, HERSHEY, ANGSTADT,
PERZEL, CAWLEY, FEE, FOX, HARPER,

FREIND, BUNT, OLIVER, KASUNIC,
BATTISTO, DeLUCA, SERAFINI,
MAIALE, MICOZZIE, CORRIGAN,
CIVERA, J. L. WRIGHT, TIGUE,
ROBINSON, CORNELL, PRESTON,
HUGHES, WOZNIAC, J. TAYLOR,
SCHEETZ, GRUPPO, REBER, SALOOM,
ACOSTA, RAYMOND, GEIST,
HALUSKA, HAYDEN, THOMAS,
KOSINSKI, BISHOP and RYBAK

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for mandatory sentencing for convictions for certain drug offenses in the vicinity of schools.

Referred to Committee on JUDICIARY, February 7, 1989.

No. 311 By Representatives HARPER, JOSEPHS,
GIGLIOTTI, DALEY, KUKOVICH,
BISHOP, CAWLEY, PRESTON, BILLOW,
HUGHES and PISTELLA

An Act amending the act of December 17, 1959 (P. L. 1913, No. 694), known as the "Equal Pay Law," providing for the establishment of pay equity for employees; and making an appropriation.

Referred to Committee on LABOR RELATIONS, February 7, 1989.

No. 312 By Representatives HARPER, GIGLIOTTI,
DALEY, CAWLEY, GEIST, RYBAK,
OLASZ, BILLOW and ACOSTA

An Act requiring motor vehicle service stations to have full-service lines available for certain persons in cities of the first class; and providing for a penalty.

Referred to Committee on URBAN AFFAIRS, February 7, 1989.

No. 313 By Representatives HARPER, VROON,
DALEY, CAWLEY, BELARDI, RYBAK,
WOZNIAC, MILLER, FOX and ACOSTA

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), known as the "Public School Code of 1949," requiring instruction in parenting.

Referred to Committee on EDUCATION, February 7, 1989.

No. 314 By Representatives HARPER, VROON,
FOX, DALEY, CAWLEY, BELARDI,
RYBAK, ACOSTA and MICOZZIE

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), known as the "Public School Code of 1949," authorizing the adoption of rules prohibiting the use of look-alike alcoholic beverages; and further providing for the attire for students and for a discipline code.

Referred to Committee on EDUCATION, February 7, 1989.

No. 315 By Representatives HARPER, JOHNSON, DALEY, CAWLEY, BELARDI, RYBAK, E. Z. TAYLOR, BILLOW, ACOSTA and MICOZZIE

An Act amending the act of May 29, 1956 (1955 P. L. 1840, No. 610), known as the "Water Well Drillers License Act," requiring the filling or sealing of abandoned wells.

Referred to Committee on CONSERVATION, February 7, 1989.

No. 316 By Representatives HARPER, VROON, DALEY, KOSINSKI, BELARDI, MILLER, ACOSTA and MICOZZIE

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), known as the "Public School Code of 1949," providing for school uniforms for school districts within cities of the first class.

Referred to Committee on URBAN AFFAIRS, February 7, 1989.

No. 317 By Representatives HARPER, MURPHY, ACOSTA, LASHINGER, WILLIAMS, McCALL, CAPPABIANCA, MILLER, MORRIS, VAN HORNE, RITTER, KOSINSKI, GEIST, HALUSKA, NAHILL, CARN, SAURMAN, ANGSTADT, BELARDI, J. TAYLOR, D. W. SNYDER, WAMBACH, JOSEPHS, VEON, PRESSMANN, COLAIZZO, MAINE, THOMAS, BISHOP, RICHARDSON, HUGHES, JAMES, RUDY, CALTAGIRONE, PRESTON, DeWEESE, ROBINSON, MICHLOVIC, PISTELLA, KUKOVICH and DALEY

An Act to promote the health, safety and welfare of the people of this Commonwealth by supporting and expanding the network of Neighborhood Housing Services Programs which work to halt the deterioration of homes and the decline of neighborhoods, and to broaden the availability of the programs and services offered by Neighborhood Housing Services Programs, especially to persons of low and moderate income, by establishing within the Department of Community Affairs a State Neighborhood Housing Services Program; and making an appropriation.

Referred to Committee on URBAN AFFAIRS, February 7, 1989.

No. 318 By Representative REINARD

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

Referred to Committee on JUDICIARY, February 7, 1989.

No. 319 By Representatives EVANS, ROEBUCK, ROBINSON, HAYDEN, WILLIAMS, OLIVER, JOSEPHS, KOSINSKI, THOMAS, BISHOP, RYBAK, JAMES, KENNEY, COHEN, HARPER and COWELL

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, including parole and probation agents employed by the Pennsylvania Board of Probation and Parole within the definition of "correction officer" for retirement purposes.

Referred to Committee on STATE GOVERNMENT, February 7, 1989.

ANNOUNCEMENT BY MR. DAVIES

The SPEAKER. The Chair acknowledges that the gentleman from Berks, Mr. Davies, is seeking the attention of the Chair. For what purpose does the gentleman rise?

Mr. DAVIES. Unanimous consent, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Davies, has asked for unanimous consent to address the House. The Chair sees no objections. The gentleman may proceed.

Mr. DAVIES. Thank you, Mr. Speaker.

Mr. Speaker, today is Shrove Tuesday, also known as Fat Tuesday. In the tradition of the Pennsylvania Dutch, it is known as Fastnacht Day, so I have supplied some 14 dozen fastnachts for those that have a sweet tooth or want to observe the day before the beginning of Lent. They are in the back of the House.

The SPEAKER. The gentleman, Mr. Davies, in commemoration and celebration of Fastnacht Day, has provided the House with fastnachts that are in the rear of the House.

The Chair thanks the gentleman for his kindness and enters his remarks on the record.

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.

Mr. O'DONNELL. Mr. Speaker, I move that HB 62 be removed from the table and placed on the active calendar.

On the question,

Will the House agree to the motion?

Motion was agreed to.

BILL ON SECOND CONSIDERATION

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

HB 62, PN 69.

COMMUNICATIONS FROM GOVERNOR AND INDEPENDENT REGULATORY REVIEW COMMISSION

REGULATORY REVIEW REPORT NO. 1

The SPEAKER. The Chair acknowledges receipt of a communication from the Independent Regulatory Review Commission disapproving IRRC regulation No. 7-172, dealing with the Environmental Quality Board and control of gasoline volatility.

The communication will be entered in the record for proper placement, and resolutions properly placing the question before the House will be placed on the calendar.

The following communications were submitted:

Commonwealth of Pennsylvania
Office of the Governor
Harrisburg

January 23, 1989

TO THE HONORABLE MEMBERS OF THE GENERAL ASSEMBLY:

In accordance with Section 7 of the Regulatory Review Act, 71 P.S. §745.7(b), I am submitting this report on the proposed gasoline volatility Reid Vapor Pressure (RVP) regulation of the Department of Environmental Resources (DER). The regulation is intended to address continuing violations in Pennsylvania of the federal National Ambient Air Quality Standards for ozone. Appended to this report are the following: (1) the full text of the proposed regulations as published in the Pennsylvania Bulletin on October 15, 1988; (2) the order and findings of the Independent Regulatory Review Commission (IRRC); (3) the response to the IRRC from DER; and (4) related correspondence between IRRC and DER.

After reviewing the regulations and the record of the agency's participation in the regulatory review process, I have concluded that the proposed regulations are necessary to protect air quality, to protect public health, to promote economic development and to provide for the Commonwealth's continued receipt of substantial amounts of federal funding. Please be advised that I intend to proceed with these regulations despite disapproval by the Independent Regulatory Review Commission.

DER proposes to limit the volatility of gasoline sold in the Commonwealth to RVP levels of 9.0 pounds per square inch (psi) beginning in the summer of 1990. In its Order of Disapproval dated December 9, 1988, IRRC questioned the reasonableness of the 1990 deadline and the adequacy of gasoline supplies if an RVP 9.0 psi limit is imposed in 1990. In this regard, I note that several of our sister states in the Northeast region will impose the RVP 9.0 psi requirement beginning in 1989. The Environmental Quality Board has proposed to allow a one-year extension to provide sufficient lead-time to Pennsylvania's oil industry. I am convinced that a delay in implementation of Pennsylvania's RVP program until the summer of 1990 provides adequate time for the oil industry to develop supplies of RVP 9.0 psi for the Commonwealth. In addition, delaying imposition of a 9.0 psi standard until 1990 will permit us to observe the experience in neighboring states and thereby gauge the ability of the oil companies to refine sufficient quantities of gasoline to meet this standard. In fact, we intend to closely monitor this experience so that, if necessary, we can adjust the standard prior to the summer of 1990.

I believe the proposed regulations are necessary for several important reasons. First, they are a vital part of the Commonwealth's commitment to reduce ozone levels to meet the federal ambient air quality standard. Based on ambient air quality data for the past summer, 53 Pennsylvania counties have been out of compliance with EPA standards. The ozone standard is a health-related standard, and when it is exceeded, the health of the public is adversely affected. Attainment of the ozone standard is necessary to protect the public health of the citizens of the Commonwealth.

Second, the RVP regulation is necessary to encourage continued economic growth and development in the Commonwealth. The inability of industry to find emission offsets in the ozone nonattainment areas of the Commonwealth has caused potential new employers to locate outside of Pennsylvania and has resulted in current employers reducing the size of planned expansions.

Delaying the implementation of the gasoline volatility RVP regulation beyond 1990 would prolong the time that the emission offsets will be required in much of the Commonwealth.

Finally, the RVP regulation is necessary to protect the Commonwealth against potential sanctions under the federal Clean Air Act. The Commonwealth's December 31, 1987 deadline for meeting the ambient air quality standard for ozone has not been met. Failure to implement the RVP regulation would severely hamper Pennsylvania's ability to resolve the ozone nonattainment issue and increase the likelihood that sanctions could be imposed. These potential sanctions include the imposition of a new source construction ban, the withholding of federal highway funds, the withholding of federal sewerage treatment funds and the withholding of federal air quality program funding.

The Environmental Quality Board has already held three public hearings and has considered comments from 42 persons and organizations. DER is now in a position to review the public comments and to prepare a final rulemaking proposal for submission to the EQB for consideration. The package may contain revisions which are warranted by the public comments.

In any event, I have no intention to withdraw this proposal which has been so thoroughly examined, and which I have concluded is vital to the best interests of the people of Pennsylvania for all the reasons I have stated. I am hopeful that the General Assembly will concur in this decision so that further unnecessary delay can be avoided.

Sincerely,
Robert P. Casey
Governor

Independent Regulatory Review Commission
Commonwealth of Pennsylvania
Room 22A, 333 Market Street
Harrisburg, PA 17101

February 3, 1989

Honorable James J. Manderino
Speaker
House of Representatives
Commonwealth of Pennsylvania
139 Main Capitol Building
Harrisburg, PA 17120

Re: IRRC Regulation #7-172
Environmental Quality Board
Control of Gasoline Volatility

Dear Speaker Manderino:

On January 23, 1989, Governor Robert P. Casey submitted his report on the proposed regulation to control gasoline volatility to the General Assembly. Simultaneously, the Governor submitted a copy of this report to the Independent Regulatory Review Commission (Commission) which had previously voted to disapprove the proposal on November 2, and December 7, 1988. The Governor's report stated his conclusion that the regulation, as originally proposed by the Environmental Quality Board (EQB), was necessary and that he intended to proceed with the regulation.

The regulation's purpose is to address recurring violations of the federal National Ambient Air Quality Standards for ozone in Pennsylvania. It would amend Sections 121.1, 129.73, 139.4 and 139.14 of Title 25 of the Pennsylvania Code. These amendments would limit the volatility of gasoline sold in the Commonwealth to Reid Vapor Pressure (RVP) levels of 9.0 pounds per square inch (psi) during the period from May 1 to September 15 beginning in 1990. The proposed rulemaking for these amendments was published in the Pennsylvania Bulletin on October 15, 1988.

We sincerely regret that we cannot fully concur with the opinion of the Governor at this time. While we wholeheartedly support the objectives of the proposed regulation, the Commis-

sion has concluded that the regulation raises questions of such a substantial nature that it requires a legislative review. Therefore, we voted on February 1, 1989, to continue our bar to the publication of this proposed regulation and by this letter to transmit the proposal to you in accordance with the procedures specified in Section 7(b) of the Regulatory Review Act. Our Order of transmittal dated February 1, 1989, and copies of the Governor's report and the proposed regulation are enclosed.

Our action on this proposed regulation was due in large part to the letters and calls received by the Commission from over 50 Members of the General Assembly during the last week and a half. This legislative input was bipartisan and included Members from both the House Conservation Committee and the Senate Environmental Resources and Energy Committee. The unanimous recommendation of these legislators was that the Commission should transmit this regulation to the General Assembly for its consideration.

This regulation involves substantive questions about public policy which will affect every member of the motoring public in Pennsylvania. The Commission received comments that the proposed regulation, in its current form, poses a serious threat to gasoline supplies and represents an economic burden totaling millions of dollars to refineries and petroleum companies in the Commonwealth. On the other hand, failure on the part of the Commonwealth to take action to reduce ozone pollution puts human health and the environment at risk. It has also been suggested that the payment of federal funds to the Commonwealth may be jeopardized and that the Commonwealth could be exposed to sanctions imposed by a federal judge as a result of a citizen lawsuit filed under the provisions of the federal Clean Air Act. Additionally, ozone pollution, in excess of federal standards, severely limits the rate of economic development and growth in Pennsylvania by denying industries the ability to locate or expand in the state because of federal construction bans due to the lack of offset emission credits.

The Commission was also disappointed by the fact that the EQB's proposal was not as aggressive as it could have been in tackling the ozone problem. In our Order of disapproval, dated December 7, 1988, we suggested that a 10.5 psi RVP standard should be imposed in May of 1989 as a step towards adopting the 9.0 psi RVP standard. The U.S. Environmental Protection Agency (EPA) published a similar proposal as part of a proposed rulemaking in 1987. The 10.5 standard would have brought immediate relief from ozone pollution during the coming summer. Furthermore, the petroleum industry has stated that it could meet this standard in 1989.

It is reasonable to insist that policy decisions of this magnitude be presented to the duly elected representatives of the public in the General Assembly for their consideration and action. The Regulatory Review Act provides a 20-day "window of opportunity" in which the designated standing committees may actively and effectively participate in the review of proposed regulations. Unfortunately, the 20-day period for this particular proposed rulemaking, which began on October 15, 1988, occurred at a time when the General Assembly was not in session. Therefore, the standing committees were unable to effectively meet, review and act on this regulation. The Commission's latest action on this regulation provides the General Assembly with the opportunity and the ability to effectively participate in the regulatory review process.

In closing, the Commission believes that there is strong evidence which fully demonstrates that the 9.0 psi RVP standard for gasoline is an effective tool in reducing ozone pollution. We wholeheartedly support its adoption by the Commonwealth. The major question, which has not been fully resolved, is one of timing. Commentators on the proposal have indicated that a premature imposition of this standard could have a deleterious impact, especially on Pennsylvania's smaller refineries, and that

it could cause a significant disruption and reduction in the state's gasoline supplies during the summer months.

Thank you for your time and consideration. If you have any questions, please call me at (412) 553-6300, or Frank J. Ertz, the Commission's Executive Director at (717) 783-5417.

Sincerely,
John R. McGinley, Jr.
Chairman

Enclosures (3)

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

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
February 6, 1989

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Monday, February 13, 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 13, 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 concur in the resolution of the Senate?
Resolution was concurred in.
Ordered, That the clerk inform the Senate accordingly.

MASTER ROLL CALL

The SPEAKER. The master roll call is about to be taken. Members will proceed to vote.

The following roll call was recorded:

PRESENT—194

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

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

ADDITIONS—0

NOT VOTING—1

Morris

EXCUSED—7

Birmelin	Fee	Letterman	Olasz
Fargo	Gamble	Noye	

LEAVES ADDED—2

Morris Wright, R. C.

LEAVES OF ABSENCE

The SPEAKER. The Chair will take up leaves of absence at this time.

Are there leaves of absence from the majority party?

The Chair recognizes the majority whip.

Mr. DeWEESE. Mr. Speaker, the gentleman from Chester County, Mr. MORRIS, for the remainder of the week.

The SPEAKER. Without objection, the leave will be granted. The Chair hears no objection.

Are there leaves of absence from the minority party?

The Chair recognizes the minority whip.

Mr. HAYES. Thank you, Mr. Speaker.

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

The SPEAKER. Without objection, the leave will be granted. The Chair hears no objection.

HB 67 RECONSIDERED

The SPEAKER. The Chair is in receipt of a reconsideration motion on HB 67, PN 285, which was defeated on final passage yesterday, the 6th day of February.

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

The following roll call was recorded:

YEAS—193

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

NAYS—0

NOT VOTING—0

EXCUSED—9

Birmelin	Gamble	Morris	Olasz
Fargo	Letterman	Noye	Wright, R. C.
Fee			

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

On the question recurring,
Shall the bill pass finally?

DECISION OF CHAIR RESCINDED

The SPEAKER. Without objection, on HB 67 the Chair rescinds its statement that the bill was agreed to on third consideration as amended. The Chair hears no objection.

On the question recurring,

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

Mr. ITKIN offered the following amendments No. A0102:

Amend Title, page 1, lines 11 and 12, by striking out "further providing for the creation of new election districts;"

Amend Sec. 1, page 1, lines 20 through 25; page 2, lines 1 through 24, by striking out all of said lines on said pages

Amend Sec. 2, page 2, line 25, by striking out "2" and inserting

1

Amend Sec. 2, page 2, line 25, by inserting after "act" of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code

Amend Sec. 2 (Sec. 913), page 6, line 7, by striking out "or second"

Amend Sec. 2 (Sec. 913), page 6, line 18, by inserting after "of" where it appears the first time

district councilman in a city of the second class or the office of

Amend Sec. 3, page 6, line 21, by striking out "3" and inserting

2

Amend Sec. 4, page 15, lines 6 through 8, by striking out all of lines 6 through 7, "(b) Section 2" in line 8 and inserting

Section 3. Section 1

Amend Sec. 5, page 15, line 11, by striking out "5" and inserting

4

On the question,

Will the House agree to the amendments?

The SPEAKER. For what purpose does the gentleman from Chester, Mr. Vroon, rise?

Mr. VROON. Just to state that we have not seen a copy of that yet. I assume it is being distributed.

The SPEAKER. The Chair thanks the gentleman. The amendment must be on the desks of the members.

Mr. Itkin, has the amendment been duplicated?

Mr. ITKIN. Mr. Speaker, the amendment was given to the clerk about 15 minutes ago. I do not know if the amendment has been distributed yet.

The SPEAKER. We will have the House pages check on the duplication.

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 52, PN 287 (Amended)

By Rep. GEORGE

An Act amending the act of January 24, 1966 (1965 P. L. 1535, No. 537), known as the "Pennsylvania Sewage Facilities Act," further providing for the approval of certain plans, for permits, for the powers and duties of local agencies, the certification board, the Environmental Quality Board and the department; and reestablishing the State Board for Certification of Sewage Enforcement Officers pursuant to the Sunset Act.

CONSERVATION.

HB 247, PN 275

By Rep. CALTAGIRONE

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for deposits into the Judicial Computer System Augmentation Account; and making refunds.

JUDICIARY.

HB 254, PN 282

By Rep. CALTAGIRONE

An Act amending the act of June 22, 1964 (Sp. Sess., P. L. 84, No. 6), known as the "Eminent Domain Code," further providing for the definition of "displaced person," for moving and related expenses of displaced persons, for replacement housing and for issuance of regulations.

JUDICIARY.

WELCOME

The SPEAKER. The Speaker welcomes to the hall of the House a guest of Representative McHale, Mr. Kevin Delafield, from Whitehall, Pennsylvania. Will the gentleman rise for the recognition of the House.

CONSIDERATION OF HB 67 CONTINUED

On the question recurring,

Will the House agree to the amendments?

AMENDMENTS WITHDRAWN

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

Mr. ITKIN. Mr. Speaker, I would like to withdraw that amendment and replace it initially with another amendment, which I would like the clerk now to read.

The SPEAKER. Without objection, Mr. Itkin withdraws the amendment submitted and already read by the clerk and submits a new amendment to the clerk, which the clerk will read.

On the question recurring,

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

Mr. ITKIN offered the following amendments No. A0101:

Amend Sec. 4, page 15, line 6, by striking out "(a)"

Amend Sec. 4, page 15, lines 8 through 10, by striking out all of said lines

On the question,

Will the House agree to the amendments?

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

Mr. ITKIN. Mr. Speaker, I would like to apologize to the members of the House for the confusion and inconvenience these deliberations have caused them. I believe we have worked out an acceptable set of amendments on both sides of the aisle with which we can move HB 67 expeditiously through this chamber and through the Senate.

The amendment which Rick Cessar and I have offered jointly and will be followed by a second amendment takes out all the retroactive provisions and allows the bill to become effective immediately, whenever that might occur. I would move that we support this amendment.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, there are two amendments that we have agreed to. The overall effect of the adoption of the two amendments will be to take the bill that we were debating yesterday— Mr. Speaker, may I have order?

The SPEAKER. The gentleman is entitled to be heard. Will the members please take their seats. Pay attention to the debate that is handled on the floor.

The gentleman is in order and may proceed.

Mr. RYAN. Mr. Speaker, as a result of the two amendments, the bill that we debated at great length yesterday will be changed so that it will come into Federal compliance, and the only other change will be in the filing of petitions for candidates. The filing fee will go from \$5 to \$50, and the number of signatures needed on the petition will go from 10 to 100. It is my understanding that prior to this change there was, I believe, a \$200 filing fee and required 300 signatures. So all the retroactivity provisions that we argued about the constitutionality of yesterday will be stricken. That will not be part of this bill, and I think it addresses the problem. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Does the gentleman from Allegheny, Mr. Pistella, seek recognition?

Mr. PISTELLA. Yes, Mr. Speaker.

The SPEAKER. On the question?

Mr. PISTELLA. I was wondering if the gentleman, Mr. Itkin, would stand for brief interrogation.

The SPEAKER. Will the gentleman, Mr. Itkin, consent to brief interrogation? The gentleman indicates that he will, and the gentleman, Mr. Pistella, may proceed.

Mr. PISTELLA. Thank you, Mr. Speaker.

Mr. Speaker, I do not nor do any of my colleagues have a copy of the amendment you circulated, which is A101. I believe you circulated this yesterday.

At that time and currently in HB 67 there is a provision that provides for vacancies in the office of district committee-person in a county of the second class. What effect does your amendment A101 have on that provision contained in HB 67?

Mr. ITKIN. Mr. Speaker, amendment A101 does not deal with the substantive part of the changes to be made this morning. Amendment A101 only deals with striking that section dealing with retroactivity. It strikes it completely, so when the bill is signed into law, it will take effect immediately with no retroactivity.

Mr. PISTELLA. What does that mean?

Mr. ITKIN. That means that the bill will be effective upon the Governor's signature and not before.

Mr. PISTELLA. So what you are saying is that in essence, if some people were appointed to either Republican or Demo-

cratic committee slots, upon the signing of that bill into law by the Governor, those positions are considered to be revoked. Is that right?

Mr. ITKIN. No. We plan to offer a second amendment following this one which will delete that particular section entirely.

Mr. PISTELLA. Okay. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—191

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

NAYS—0

NOT VOTING—2

Cohen Harper

EXCUSED—9

Birmelin	Gamble	Morris	Olasz
Fargo	Letterman	Noye	Wright, R. C.
Fee			

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

On the question recurring,

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

The SPEAKER. Is there another amendment to the bill?

The Chair recognizes the gentleman from Allegheny, Mr. Itkin, for an additional amendment.

Mr. ITKIN. Mr. Speaker, we originally submitted amendment A102, which I would now like to be considered at this time.

On the question recurring,

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

Mr. ITKIN reoffered the following amendments No. A0102:

Amend Title, page 1, lines 11 and 12, by striking out "further providing for the creation of new election districts;"

Amend Sec. 1, page 1, lines 20 through 25; page 2, lines 1 through 24, by striking out all of said lines on said pages

Amend Sec. 2, page 2, line 25, by striking out "2" and inserting

1

Amend Sec. 2, page 2, line 25, by inserting after "act" of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code

Amend Sec. 2 (Sec. 913), page 6, line 7, by striking out "or second"

Amend Sec. 2 (Sec. 913), page 6, line 18, by inserting after "of" where it appears the first time

district councilman in a city of the second class or the office of

Amend Sec. 3, page 6, line 21, by striking out "3" and inserting

2

Amend Sec. 4, page 15, lines 6 through 8, by striking out all of lines 6 through 7, "(b) Section 2" in line 8 and inserting Section 3. Section 1

Amend Sec. 5, page 15, line 11, by striking out "5" and inserting

4

On the question,

Will the House agree to the amendments?

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

Mr. ITKIN. Mr. Speaker, this particular amendment goes to the substantive changes in the legislation. By this amendment we have basically removed all of the controversial parts of the bill. If this amendment is adopted, what will remain in the bill are two issues. The first issue deals with district councilmen in cities of the second class, namely Pittsburgh, for which a filing fee of \$50 and a number of petition signers of 100 will be required; and secondly, the information contained in the bill relative to assistance in voting by handicapped persons will be retained.

Those will be the only two things in the legislation, and I urge the adoption of the amendment.

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

Mr. CESSAR. Thank you, Mr. Speaker.

The gentleman from Allegheny County, Mr. Itkin, is absolutely correct, and I do support the amendment and urge everybody on this side of the aisle to be supportive.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—191

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

NAYS—0

NOT VOTING—2

Cohen Harper

EXCUSED—9

Birmelin	Gamble	Morris	Olasz
Fargo	Letterman	Noye	Wright, R. C.
Fee			

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?

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

YEAS—191

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

NAYS—0

NOT VOTING—2

Cohen Harper

EXCUSED—9

Birmelin	Gamble	Morris	Olasz
Fargo	Letterman	Noye	Wright, R. C.
Fee			

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.

COMMUNICATION FROM GOVERNOR

REQUEST FOR JOINT SESSION

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

Commonwealth of Pennsylvania
Office of the Governor
Harrisburg

January 17, 1989

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

If it meets with the approval of the General Assembly, I would like to address the Members in Joint Session on Tuesday, February 7, 1989, at a time convenient to the General Assembly.

Sincerely,
Robert P. Casey
Governor

RESOLUTION ADOPTED

COMMITTEE TO ESCORT SENATE

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

In the House of Representatives
February 7, 1989

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

COMMITTEE APPOINTED

The SPEAKER. The Chair appoints, pursuant to the resolution, as a committee to wait upon the Senate, the gentleman from Bucks, Mr. Melio; the lady from Philadelphia, Ms. Bishop; and the gentleman from Juniata, Mr. Clark.

The committee will proceed now with the performance of its duties.

COMMITTEE TO ESCORT GOVERNOR APPOINTED

The SPEAKER. Pursuant to a concurrent resolution previously adopted, the Chair appoints as a committee to escort the Governor to the hall of the House, the lady from Lehigh, Ms. Ritter; the gentleman from Luzerne, Mr. Stish; and the gentleman from Montgomery, Mr. Clark.

That committee will proceed with the performance of its duties.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. For the information of the members, the cameras and lighting that are here for the joint session are the usual cameras and lighting that are here for the joint session, but there is an additional camera that has been permitted by the Speaker that takes only still shots. It will take still shots only before the Governor begins his speech, once he has entered the room, and it will take still shots just at the end of his speech. For the information of the members, the still camera is right behind the Speaker, so the members will be in the still photos that will be taken at those times.

REPORT OF COMMITTEE ESCORTING SENATE

The SPEAKER. Will the House please be in order. The Senate is now entering the hall of the House. All members will rise.

The Chair recognizes the Sergeant at Arms of the House.

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

The SPEAKER. The Chair recognizes the chairman of the committee escorting the Senate, the gentleman from Bucks, Mr. Melio.

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

The SPEAKER. The committee is discharged with the thanks of the Chair.

LIEUTENANT GOVERNOR MARK S. SINGEL REQUESTED TO PRESIDE

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

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

The members of the Senate will please be seated.

The Chair now presents the President of the Senate, the Honorable Lieutenant Governor Mark Singel, to preside at these proceedings.

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

The LIEUTENANT GOVERNOR. Thank you, Mr. Speaker.

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

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

REPORT OF COMMITTEE ESCORTING GOVERNOR

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

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

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

FISCAL YEAR 1989-90 BUDGET ADDRESS OF GOVERNOR ROBERT P. CASEY

The GOVERNOR. Thank you very much.

Lieutenant Governor Singel, Speaker Manderino, President Pro Tem Jubelirer, members of the General Assembly, members of the Cabinet, my fellow citizens:

Two weeks ago I came before you with my midterm report on the state of our Commonwealth and delivered an accounting of financial health and economic growth.

I gave you my assessment of the historic achievements of the 172d General Assembly, and I presented an agenda of urgent unfinished business - the devastation of drugs and addictions, the shame of child abuse, the challenges of basic and higher education, the skyrocketing cost of auto insurance.

Now we must allocate our resources to confront these and other pressing challenges with the budget I submit to you today.

It is our collective decision on this spending plan that will guide our stewardship of the Commonwealth in the year ahead.

The decisions we make, beginning today, will determine the kind of State we build for the people of Pennsylvania as they prepare to enter the 21st century.

We meet at a time when our State is fiscally sound and the future bright with promise.

But we have had two recent reminders of the need to chart a prudent and responsible course through the economic uncertainties of the future.

The first was the decision of our Supreme Court on county court costs. The second was the court's ruling last Friday on the so-called 1983 single excise tax case on our banks.

This budget does not address the issue of county court costs, because neither the Governor nor the legislature can be expected to allocate public money to a program whose scope and cost have not yet been determined.

At the request of the Supreme Court, you appropriated \$1 million this fiscal year for a study of that subject from which recommendations will be made to the General Assembly. You have commissioned this study, so the matter is moving forward in accordance with the court's recommendation.

The second reminder came last Friday when the State Supreme Court declared the 1983 single excise tax on banks unconstitutional.

As a result of this decision, the Commonwealth could be required to return as much as \$700 million in back taxes and interest to more than 300 banks.

Now, obviously we must replace this revenue as soon as possible. Otherwise, the banking industry will have paid virtually no State tax for the years in question.

You responded promptly and responsibly last year in a similar situation when the court struck down the old axle tax of 1981. Working together, we put a replacement plan in place in record time. The bank shares case requires the same response, in my judgment.

So in consultation with you and the leadership of both the House and the Senate, we will offer new legislation which is consistent with the Constitution, and I am confident that, once again, you will rise to the occasion with bipartisan support for prompt passage.

As we look to the year ahead, I believe the priorities of the people are clear. To lead, we simply have to listen and to act.

Zachary Montone is a third grader in Hazleton. Back before Thanksgiving he sent me a letter and he asked for my help. I would like to read that letter to you now.

The letter says: "Dear Governor Casey, I am 8 years old and I am in third grade. I listen to the news and read the paper. But I am worried. I have some questions for you. Could you find homes for the homeless? Give jobs to people? And give some of the tax money to the poor? I enclose a dollar to help."

He continues: "Also help the children to be safe from drugs. Because I want the world to be safe.

"Some day I want to be a President of the United States.

"Thank you." Signed, Zachary Montone.

Well, Zachary, I want to tell you, you have got my vote. And you know something, Zachary? A lot of us are worried. A lot of people have the same worries and concerns that you do.

Ladies and gentlemen, our job is to respond to the call of the Zacharies of this Commonwealth, and with this budget, we will.

I want to tell you why. We will be able to respond because, together, over the last 2 years, we have laid a firm foundation of legislative performance, fiscal restraint, and rock-solid financial administration. That has been our approach in the past two budgets; it will be the bedrock of the next two.

We are a State that is solvent. In fact, I am pleased to report today that we anticipate a budget surplus of \$275 million for the fiscal year that will end June 30.

Right now our revenue is coming in about 1 percent higher than what we forecast last year - and I would sure rather be 1 percent higher than 1 percent lower.

The surplus is not a revenue windfall or a stroke of luck; it is the product of prudent fiscal administration. And it is certainly no excuse to go on a spending spree, because the economic future is just too uncertain.

And so once more in this year's budget I call on you to invest in our most precious resource - our children, our families, our people.

Invest in the war against drugs and addiction.

Invest in new jobs for workers and families and new opportunities for business and industry.

Invest in reclaiming our environment from the neglect of the past.

Invest in enhancing our children's opportunity for a limitless future by improving their education.

Yes, and invest in human services that directly touch the millions of those people out there who look to us to bring them compassion and hope and the chance for a better life.

First, I call on you to help free the families of this State from the violence of the drug dealers and the ravages of addiction.

Drugs and addiction are the single greatest threat to family life in Pennsylvania today. It is almost impossible to overstate this problem - an estimated 700,000 men, women, children addicted to alcohol and other drugs.

The demand on public and private resources is staggering: prison overcrowding, mounting health care and welfare costs, the burdens of supporting the children of addiction, and a young generation of urban poor decimated, decimated by cocaine and crack.

It is time to end the violence - right now - and to salvage the human potential that is being lost to addiction. I am issuing a call to arms today, to every branch of government, to join in the first comprehensive attack on drug abuse ever proposed by a Pennsylvania Governor.

The drug enforcement program I am going to talk about and outline today was developed in discussions with our new Attorney General, Ernie Preate. This budget translates into action our determination to win this battle.

Today I recommend that we double State spending for drug law enforcement to \$21 million so we can do the following things:

- * Increase the Attorney General's antidrug funding to almost \$12.5 million - an increase of 120 percent.
- * Create a new Attorney General's Drug Law Division, with over 120 new drug investigators and prosecutors.
- * Strengthen the Attorney General's eight regional drug strike forces.
- * Set up a ninth strike force and assign it exclusively to the drug battle already under way in Philadelphia.

* Form a special prosecuting "flying squad" to target drug conspiracies that are too sophisticated for any single local agency to handle.

* Increase State Police antidrug spending by 52 percent, including \$2 million to staff and equip five mobile narcotics teams that will crack down on street-level drug trafficking.

* And assist our local police and our local district attorneys in setting up more than 20 local drug enforcement task forces and providing them with the equipment and resources that they need to get this job done.

This budget sends a clear and simple message to the drug traffickers: If you are dealing drugs anywhere in the State of Pennsylvania, we are going to use the full force of government to hunt you down and drive you out of business.

But you know, when you think about it, tough law enforcement is just one part of the job. The real hope and the lasting solution is to cut the demand for drugs through education and treatment.

That means recommitting this government to helping sick people get better. It means helping the next generation to avoid addiction entirely. This budget recommends that we spend almost \$80 million for all treatment and prevention programs in this State in the next year.

Our top priority is to make sure our kids do not get hooked on drugs in the first place.

In the last 2 years, Pennsylvania became one of the first States in this country to require drug and alcohol education in every school. We will spend \$1 million in this budget on student assistance programs to train a corps of teachers to reach out to alcoholic and addicted school children and get them help.

We will add more than \$2 million in new prevention programs in our schools and neighborhoods, searching out young people who are at the highest risk of losing control of their lives to addiction.

With another \$2 million we will double our investment in new treatment services for the most vulnerable among us - pregnant women and addicted mothers with young children. We will spend as much as \$2.25 million to remodel old facilities—and this is a first—remodel old facilities so mothers and children can live together during the long-term treatment.

We are going to provide an extra \$1.5 million for medical assistance nonhospital rehabilitation for the addicted poor.

We will help 4,000 prison inmates break their addictions so they can return to society as productive and law-abiding citizens, and that is triple the number since 1987.

We are going to open two new treatment units for addicted young people who are confined in State youth development centers.

Now, this is the most far-reaching antidrug campaign in State history, but government cannot do it alone. People are the key - people and partnerships and persistence.

I am going to direct the Drug Policy Council to form the Governor's Coalition Against Drug Abuse to harness the people's energies in a grassroots movement aimed at prevention and education. It is going to take all of us, working

together, but I am confident we will win this drug war, one day at a time.

Another affliction of the eighties is called AIDS (acquired immune deficiency syndrome)—much of it drug related—that challenges us to find new answers, and we are ready to meet that challenge.

I call on you, the members of the General Assembly, to increase our direct AIDS spending by more than \$8 million this year - nearly four times what we budgeted last year.

AIDS touches every segment of our society. Cases are reported in 59 of our counties. In just 8 years, AIDS has killed 1,323 of our people.

What is more frightening is that thousands more men, women and, yes, even children are infected with the HIV virus, and they will need support from our health care system for years to come.

Last year we set up a special AIDS unit in the Health Department. We became the first State to require mandatory AIDS education in every classroom. We provided free testing and counseling to nearly 60,000 people at 74 sites in every corner of this State.

We will continue these services and much more:

* A 50-percent increase in Health Department spending for AIDS education, counseling, and testing.

* Nearly \$2.5 million to provide the life-prolonging drug, AZT, to medical assistance recipients.

* Nearly \$900,000 for medical service to the growing number of State prison inmates that have AIDS.

In addition, there is 3.5 million in Federal dollars for drug and alcohol services to IV drug users who are at the greatest risk of contracting this disease, plus more than \$6 million that we will spend on State medical assistance for AIDS patients in the next year.

When you look at this budget, throughout this budget you will find human service programs that reach out to the hundreds of thousands of men and women and children who turn to us every year with problems they cannot overcome on their own.

Among those who depend on us the most for daily support are the mentally ill and mentally retarded citizens. I propose a total increase of more than \$31.5 million for community mental health and mental retardation services.

For community-based mental retardation programs, I propose more than \$330 million - an increase of \$21.5 million.

To encourage families who care for their loved ones at home, I propose \$1 million to expand services at home - home visitation, help with recreation activities, and speech therapy.

For community mental health services, I propose more than \$115 million - an increase of \$7 million - plus an expanded program to help those who suffer from mental illness find decent and affordable housing and suitable employment.

For the physically handicapped, I propose \$6 million in attendant care and another quarter million in services for the severely disabled who choose to live on their own.

I am requesting \$3.5 million to replace lost Federal funds so we can prevent interruptions in basic services like community

services for the mentally retarded, rape victims, victims of domestic violence, the mentally ill, and the welfare of our children.

To combat the enormous tragedy of teen suicides, I urge you to approve more than \$2 million for intervention and for counseling.

I am also asking you to do more for the fastest growing part of our population, our older citizens. By the turn of this century, twice as many of us will be over 75 years old than in 1980. Just think about that. We have to prepare now for their future long-term care needs.

I am asking you to provide almost \$7 million so we can unify all our programs into a single, coordinated system called PennCARE.

It will provide older citizens with personalized services that let them stay at home instead of going to an institution. And just as important, it will give their caregiving families the support that they need:

- * Support from the General Fund for the Family Caregiver Support program is going to double.

- * Almost \$5 million more will bring services to some 9,500 people who live at home.

- * And a PennCARE pilot program in Philadelphia will provide attendants for those who need help when they leave their home or apartment to venture out.

- * And I propose almost \$1.5 million - a 10-percent increase - for senior citizen centers all across this State.

You know, more than ever, the lottery is essential to programs for the aging. In the coming fiscal year, I propose we transfer \$20 million in program costs from the Lottery Fund back to the General Fund.

That will make a cumulative total over the past three budgets, including the one I am talking about today, a cumulative total of \$134 million in costs that we will have lifted off the backs of our older citizens in just 3 years - \$134 million. We have a reason to be proud of that.

And I want to talk to you about another problem. Thousands of older couples in this State are trapped in a nursing home "Catch 22" situation. Just listen to this: Under a rigid and unforgiving Federal system, neither spouse can qualify for medical assistance for long-term nursing home care until they exhaust their assets.

Couples literally have to go broke first. The spouse who stays at home often ends up on the welfare rolls. Now, that is not just bad public policy; that is crazy.

We will spend over \$10 million more in this budget so more older people can get the nursing home care they need, and their spouses - 22,000 of them - will have enough of their life's earnings to keep their independence and keep their dignity.

We are going to invest in other members of our families, too, with human service programs that support families trying to support themselves. You know, some families have no choice but to depend on public assistance to meet the expenses of everyday living.

I recommend we increase monthly cash assistance grants by an average of 5 percent to help 618,000 people in this State.

To make sure they get the health care they need, I propose more than \$16 million for expanded medical assistance coverage for children, for older people, and for the disabled through our new programs called Healthy Beginnings and Healthy Horizons.

Healthy Beginnings reduces infant mortality and prevents medical problems for infants and children. We are going to open this program to 30,000 more kids this year.

We will expand another program to help prevent infant mortality. With more than \$1 million, this program will provide prenatal case management to 3,800 pregnant women: nutrition and psychological counseling, childbirth and parenting education to insure their babies are born safe and sound.

This will be the first full year also that 53,000 older and disabled people will get expanded medical care from Healthy Horizons.

Now, these are investments that all protect the well-being of the people who depend almost entirely on us.

I am just as committed to strengthening the independence of Pennsylvania's families by helping men and women take control of their own lives.

Job training is the key, but for too long our job training programs did not do enough to steer poor people into the workplace.

We began to change that with our Joint Jobs Initiative. In less than 2 years, 57,000 people have been helped to find meaningful employment.

I recommend we invest \$5 million in job training programs to continue to find jobs for people on public assistance as well as unemployed or dislocated workers on the brink of poverty. We are going to support our job trainees with child care allowances, toughened child support collection efforts, and up to a year of extended medical assistance coverage.

We believe we can close more than 23,000 welfare cases this way, and that will not only save millions of dollars, it will produce human benefits that cannot be measured in dollars.

The unique problems of the homeless continue to mount, as do the number of homeless families with children.

Our response has escalated sharply. Since 1987 we have increased assistance for the homeless by 98 percent in this State.

The Pennsylvania Housing Finance Agency, at my request, is going to contribute another \$10 million from its own reserves for low-income housing units. That will make \$30 million the agency has agreed to invest in housing for the homeless since 1987.

All told, in 2 years the agency has financed 1,134 housing units for the homeless and for very low income families and expects to underwrite 800 more in the next year.

This year I also recommend a new program to rescue homeless families from the chaos and crime of crowded public shelters. We will move these families to more permanent housing where we can give them the kind of services they need to regain a stable life.

We are also going to protect families that are on the verge of becoming homeless through mortgage foreclosure. To help

them, I propose \$11.5 million to extend the life of the Homeowner's Emergency Mortgage Assistance Program.

You know, in one form or another, these are all investments in our children. We have to invest in other ways as well, to insure their childhoods are healthy and secure.

For the well-being and development of our children, I am proposing that we increase the nutrition program for women and their children, the so-called WIC (women, infants, and children) program, by almost 15.5 percent, expanding the program to cover 4,000 more mothers and their babies.

We are going to buy baby formula and other foods in bulk, using the \$14 million in savings to expand the services for yet another 20,000 women and their children.

To keep poor families and their children from going hungry, I also propose to increase the Emergency Food Assistance. This program is going to be increased to \$9.5 million under this budget.

We want to expand our new Farmers' Market Food Coupons program so low-income pregnant and nursing mothers can buy fresh Pennsylvania fruit and vegetables.

We will serve 12 million solid, nutritional breakfasts, under this budget, to school kids from low-income families. For many of them, it will be the best meal they get all day.

And we are going to put another \$5 million into child day-care programs for nearly 29,000 kids whose parents could not work without our help.

We could not deliver these services without the thousands of personal care workers who help children, the workers who tend to the needs of our older family members, or who guide the mentally retarded through each day.

These hands-on caretakers work for private and nonprofit agencies. They are among our most valuable resources, and yet they are terribly underpaid.

Last year I was up in Luzerne County and made a speech, and after the speech a man came out of the crowd and wanted to speak to me for a minute. He told me that he and his wife were people who worked with children. They were so poorly paid that they qualified for medical assistance. He talked about his love for his work, but he said he did not know how long he could last making such low wages. Is it any wonder the turnover rate in private agencies is as high as 55 percent?

If we do not stabilize this vital work force, our human services network literally will come apart at the seams. I urge you to approve \$10.1 million for pay raises for direct personal care workers in private nonprofit agencies.

Of this group, nearly 1,800 of them have one of the toughest jobs in this State. They are child protective services workers. It is their job to protect our children from abuse.

We have an epidemic of violence against our children that cuts across economic levels and parallels the breakdown of families torn apart over the last decade by mental health problems and by addiction. In the last 2 years, more than 30,000 episodes of child abuse were reported in Pennsylvania. We will never know how many went unreported.

Sadly, our current laws have not been able to deal with the realities of this problem. Up until now, county child abuse

workers could only move to protect a child if the case involved proven physical or sexual abuse - the most obvious, flagrant cases.

But the law did not permit caseworkers to step in to save a child traumatized by what the law terms "neglect." The law considers it "abuse" only if the injuries are serious. Not until then is the child eligible for protection under the current law.

But more and more, it is these victims of child "neglect" who are in danger, even though they have not been seriously hurt - yet. They are the ones who need our protection, need it the most, but the law is not there for them.

We must change the law now—right now—before more children are harmed. I will offer legislation to establish a single and more effective system of protection for both physically abused and neglected children.

We will expand the Child Protective Services Law to safeguard more children, permit earlier detection and allow quicker intervention.

This new program will also insure that the victims of abuse, the children, have their own legal representation.

To do this, I propose \$6.1 million to put the new system to work and to begin to professionalize the child abuse work force:

- * By requiring statewide certification standards for caseworkers, and then giving them more than \$1 million in pay raises.

- * By hiring and training—yes, and retraining—new caseworkers to protect more children.

- * By reducing the caseload so workers can devote more attention to each child.

And we will do more. Last year you approved an unprecedented increase of \$30 million for county children and youth services; much of it went for child abuse. That \$30 million was not a one-shot deal. We will maintain that \$30-million supplement and add another \$4 million to it this year in this budget. For the sake of our children, we should do no less.

We have to build on our investments in a safe and healthy childhood with a commitment to the education of our children - a commitment that is irrevocable, for it is to our children that the future really belongs.

In the last 2 years, we have increased our investment in basic education by a half a billion dollars. Today I ask you to strengthen that commitment by nearly a quarter billion dollars more.

That, by the way, includes a 7-percent increase in our subsidy for special education, plus the first of five annual \$12-million installments to reimburse school districts for prior special ed spending.

Our goal for all basic education is very simple: Improve the quality of our teachers and the quality of their teaching, and the future of each child will be enriched.

But education faces a deepening crisis: Salary levels simply are not competitive with other professions.

Not only is it getting more difficult to attract the best and the brightest college graduates to teaching in the first place,

but half leave within 7 years because there is so little salary growth.

We have adopted the lead recommendations of the Carnegie Report on the Teaching Profession already. Last year we raised minimum starting salaries, introduced performance incentives, and launched a variety of teacher development programs. This year I propose we take the next steps:

First, I recommend we use State dollars to raise the minimum salary of all permanently certified teachers to \$24,000.

Second, to enhance teacher professionalism, we will open three new centers where veteran "lead teachers" can share skills and experience with colleagues.

Third, we are going to increase our teacher loan forgiveness program by more than \$1 million to reward teachers who are dedicated enough to teach kids in hard-pressed city and rural schools where a good education may be a young person's only chance for a better life.

And fourth, we are going to increase performance incentive awards to schools by \$2.5 million.

You know, last year we issued a challenge to students and teachers: Improve your performance and we will reward your school with cash grants to pay for further improvements.

The response has been overwhelming. Soon I am going to be announcing the first of these winning schools, and there will be about 200 of them. We are sending a message that quality counts and that we expect our teachers and schools to give our kids the very best possible education.

Because of this, more of our children are going to be prepared for college. But all this investment and all the book-work will not count if our kids and their families cannot afford the high cost of higher education.

Every parent who sends a child to college is haunted by the same question: What sense does it make to set our children's sights on a better future if it is unreasonably mortgaged from the very start?

That is why since my first day on this job, we have increased higher education scholarships and loans by a record 20 percent. We want to cut that mortgage down to size.

Yet, even with this help, nearly half of our high school graduates never go to college, and rising tuitions are still a major reason why.

You know, we spend over a billion dollars a year on higher education in Pennsylvania—just think about that—and yet, tuition has gone up an average of 13 percent a year through the last decade.

As far as I am concerned, that is no longer acceptable. Still, no one needs to convince me that higher education needs more money. The question is: How much more? And the question also is: What do the people get in return?

Here is what I propose we do:

A 7-percent increase this year for higher education. That will mean \$821 million for the State system and Penn State and Pitt and Temple and Lincoln.

But we will ask them to tighten their belts and practice fiscal restraint, and if they do, we will help them even more. We will

give the schools the opportunity to earn another \$16 million if they agree to cap next year's tuition increases at \$100 a student.

That is my challenge, and when each school accepts, we will contribute \$100 for each registered, full-time Pennsylvania student at that school. And what will this do? I believe it will effectively bring the school's increase in State funding to over 9 percent, first of all.

And to help our families further, I recommend another record-breaking 10-percent increase in scholarship assistance for the third year in a row.

I also intend to give our young families a new headstart in paying for their children's college education. Families with young children will be able to purchase discounted Pennsylvania general obligation bonds today that will mature when it is time to pay the tuition bills tomorrow.

We are going to begin this program with a limited bond issue, and soon I will submit legislation to expand the plan to its full potential.

You know, for the last 2 years, this government has been an active participant in the economic growth that is bringing Pennsylvania to a new era of prosperity.

The crackling energy in our economy is no accident. It is being encouraged by the Economic Development Partnership we have forged between government and business, education and labor. This Partnership is an historic compact between private enterprise and public purpose.

I propose a 22-percent increase to support this Partnership's proven strategy to create jobs and attract new business and assure that Pennsylvania technology and products can compete anywhere in the world.

For the second year in a row, we are going to put \$10 million into Industrial Resource Centers, which put technology to work for Pennsylvania's small and medium-sized manufacturers.

We are going to increase Business Infrastructure Development grants and loans by 10 percent.

We are going to request \$45 million for housing and redevelopment, with more than half earmarked for economic development projects.

We are also going to boost our assistance to mass transportation to a record \$224.4 million. And we are going to spend nearly \$2 billion in State and Federal funds making sure our network of highways and bridges is maintained and enlarged—and we will do it without a gas tax increase.

Our number one industry, of course, is agriculture, and agriculture is a full partner in our Economic Development Partnership.

With the release of \$13 million in capital funds last August, construction has already begun on Penn State's Agriculture and Research Center, to give our farmers the most advanced farm technologies possible.

I intend to strengthen agriculture further with over \$1.5 million in programs to help Pennsylvania farmers stay number one by competing in new markets here and abroad.

I propose we add \$1.5 million to the agricultural research and extension service. It will bring our 3-year increase to nearly \$9 million for this important program.

I also recommend another \$1 million for the PennAg Fund for agribusiness development.

To assure consumer confidence in our food producers, I propose \$450,000 for expanded food inspections and a major program to test Pennsylvania poultry and eggs for salmonella.

I am asking for \$390,000 for agricultural promotion campaigns that we hope will expand our farm export efforts by 50 percent and deepen our domestic market share.

And, of course, tourism, a major industry in Pennsylvania. I intend to continue the aggressive and highly successful promotional campaign that is attracting record numbers of people to this State.

We are letting the world know that "America Starts Here," and the world is knocking down our door to see why. We have turned around a decade-long decline in our share of the national travel market.

The numbers are not in yet, but we estimate that travelers spent well over \$12 billion last year visiting our unique historic and natural and cultural treasures.

We are among the top States in tourism spending, and I recommend we expand this proven investment. I am proposing \$11 million - a 22-percent increase - for statewide tourism marketing and promotion.

I also propose \$7 million for local and regional tourism promotion agencies. We are going to allocate just over \$1 million to create brandnew local Heritage Parks so our communities can showcase their own industrial history.

We are going to back up our economic development budget with \$25 million in reserves from the State Workmen's Insurance Fund for the Sunny Day business development program, and \$25 million for the Rainy Day Fund, as a cushion against any future economic downturn.

We are going to add another \$25 million from the fund to the \$140 million you have already made available and now being held in reserve to make local tax reform work.

Now, this all adds up to good economic news for Pennsylvania. But you know, our help is still urgently needed in areas of this State that still find themselves in transition from the economic hard times of a few years ago.

I propose in this budget a new \$10-million Steel Valleys Economic Revitalization program to help restore industry and new hope to workers and their families in places like the Mon and the Beaver and the Shenango and the Alle-Kiski Valleys.

"Targeted" economic development: taking sharp aim at blighted industrial sites that were given up as useless - until now. You know, with the right caliber financial ammunition, we can transform these sites into modern centers of economic opportunity and community renaissance.

In addition, I am going to increase support by \$2.9 million for the Distressed Communities Act that we put on the books together in 1987.

We are also going to begin a new approach to reviving the economic vitality of our three ports. You know, they create

thousands of jobs and economic opportunity all across this State. We are going to reinforce the competitive position of the Delaware River ports, and soon I will submit legislation to establish regional port governance. The goal, of course, is to link the ports, all of the ports, to our overall economic development strategy.

Another goal, of course, for this year is to put into action the landmark environmental laws that you approved in the last session. Nineteen eighty-eight will go down as the year the people of Pennsylvania began to win the battle to reclaim our environment. With your help, 1989 will go down as the year we put the people's will to work.

Our total investment in reclaiming our natural environment this year will be \$208 million - 11 percent more than a year ago.

Of course, PENNVEST, our 25-year plan to rebuild our clean water system, is already at work with a quarter billion dollars in water and sewer projects all across this State. Now we ask for \$12.5 million more for the PENNVEST loan pool.

Last year, we became the largest State with a mandatory program to recycle trash. I recommend just over \$1.5 million to help get the recycling effort going, so we can cut our volume of solid waste by 25 percent within a decade.

We have also established, of course, our own toxic waste cleanup program that lets us move quickly to clean up the most dangerous waste sites.

To support a total first-year cost of \$40 million, I propose nearly \$16 million from the General Fund to get the cleanup program started.

We are also going to put muscle into the State's toxic waste prosecutions of criminal polluters by increasing funding for Attorney General's investigations by more than 80 percent.

We are going to add nearly \$1.5 million in new programs to clean up hazardous chemical spills and to monitor the infectious and medical waste that clinics and labs and hospitals discard every day.

You know, we have a responsibility to be good environmental neighbors, too. This year we begin a 3-year, \$1.5-million investment in the Great Lakes Protection Fund. And I propose to bring Pennsylvania's contribution to the cleanup of the Chesapeake Bay to nearly \$3 million in this budget.

So by continuing these history-making investments in our economy, in our environment, in our children, in our families, we are renewing the spirit of William Penn's "holy experiment" by building together a New Pennsylvania.

And it is our mission to see that it works - for all of our people:

With a government that satisfies their priorities of peace and safety and happiness.

A government that frees them to fulfill their hopes; yes, and their dreams.

This budget is for our people. It is for young Zachary Montone up in Hazleton. It is for his family. It is for their friends and their neighbors and millions more like them all across this State. This is their agenda; this is their roadmap to the future.

If we meet these challenges, if we listen to the voices of the people, if we respond with compassion and courage and commitment, we will give our people the opportunities that they need to find a better life.

So I ask today the support of our people and the support of you, their elected leaders.

Together we will build a New Pennsylvania, a Commonwealth that works. Thank you.

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

The LIEUTENANT GOVERNOR. The joint session will please be seated. Would the members of the Senate and the House and the visitors please be seated for just a moment.

The Chair would take this opportunity to point out that we have with us all three of our statewide elected officeholders and would take this moment to introduce to all of the members of the Senate and the House and the visitors of this joint session our State Treasurer, Catherine Baker Knoll; our Auditor General, Barbara Hafer; and our Attorney General, Ernie Preate.

JOINT SESSION ADJOURNED

The LIEUTENANT GOVERNOR. Now, would all members of the House and visitors please be seated while the members of the Senate congregate in the middle aisle for departure back to the Senate chamber.

The purpose of this joint session being accommodated, this joint session now stands adjourned.

THE SPEAKER (JAMES J. MANDERINO) IN THE CHAIR

The SPEAKER. Will the members please be in order. Will the visitors and guests in the chamber who are leaving quickly proceed. The House will be in order.

MOTION TO PRINT PROCEEDINGS OF JOINT SESSION

The SPEAKER. The Chair recognizes the gentleman from Union, Mr. Fairchild.

Mr. FAIRCHILD. Mr. Speaker, I move that the proceedings of the joint session of the Senate and House of Representatives held this 7th day of February 1989 be printed in full in this day's Legislative Journal.

On the question,

Will the House agree to the motion?

Motion was agreed to.

STATEMENT BY MINORITY LEADER

The SPEAKER. The Chair recognizes the minority leader, the gentleman from Delaware, Mr. Ryan.

Mr. RYAN. Thank you, Mr. Speaker.

I, of course, did not have the benefit of a month's preparation for reply. The Governor, I know, and very properly, has

been working on his address to the General Assembly for some months since he started to accumulate the various needs of the departments into his Budget Office and his PR office, which resulted in the delivery of the budget message today. So my reply may be somewhat disjointed, and I would beg your forgiveness for it, but a reply it will be.

My general impression of both the briefing by the Governor this morning and of the budget message that was delivered here today was favorable. I thought that for the most part, what the Governor is proposing is fine, and it is certainly within reach that we can correct the deficiencies that are so obvious to some of us in his presentation at the time we negotiate the budget and run budget bills.

There were some deficiencies, and once again, apparently the Governor has not fired the person who prepared his speech for omitting some of the things that I am sure the Governor overlooked.

I thought it was interesting to note that general government seemed across the board to receive approximately a 10-percent-or-better increase. Yet, as I looked at some of the spending figures, I was surprised, and then I realized that I guess I should not be surprised, because in order to keep up that payroll and to give all of those increases, some cuts have got to be made. I was really a little amazed that \$16 million of those cuts came from MA (medical assistance) and deprived, or will deprive unless we are able to correct this oversight on his part in the next several months, deprived some of the finest hospitals and teaching schools in this Commonwealth of \$16 million; schools like Albert Einstein, Children's Hospital of Philadelphia, Allegheny General, Geisinger, Hershey, Crozer in my county, Frankford, Germantown - on and on and on - Chester County, Altoona, Scranton Hospital's Community Medical Center, the Hamot Medical Center in Erie, Jameson Memorial in New Castle, and on and on and on. Hundreds; there is a list here. The head of this list says that there are 129 institutions that receive MA medical education payments. I have here before me perhaps 50 of them, these being the major ones, but I am sure it affects all of our districts, this deprivation of some \$16 million for no apparent reason. It really did take me a little bit by surprise when I was briefed on that this morning.

Then another somewhat insensitive, both from a political standpoint—perhaps more from a political standpoint than any other standpoint—\$1 1/2 million is cut from our volunteer ambulance groups. Now, this clearly has to be an oversight, because I do not think there is anyone in this room when an amendment is offered that is not going to vote to restore to volunteer ambulance corps \$1 1/2 million. I see some of my friends on the other side absolutely amazed that somebody in the Governor's Office could have allowed this oversight to take place, and I am sure it will be corrected.

Another one, the veterans, led by such stalwarts as the majority whip—he must have been shocked, if he realizes it yet, because it is kind of hidden in here: The Hollidaysburg Veterans' Home, the crisis they have is absolutely ignored, yet we found a 10-percent increase for the ACLU's (American

Civil Liberties Union's) legal arm, the Legal Services group. That kind of surprised me that something like this would happen.

The SWIF (State Workmen's Insurance Fund) funds: The Governor proudly proclaimed that SWIF funds were being transferred again. I do not know whether that is a transfer or a raid, frankly; I do not understand enough about that, but I intend to learn more about it. I see that the money that was set aside for the State Workmen's Insurance Fund is being transferred to a Rainy Day Fund and a Sunny Day Fund and for local tax reform, which is that \$140 million we took a few years back, if you recall, and we set it aside for local tax reform. I did not realize until this morning that that \$140 million we set aside, we never paid that fund any interest, so maybe this is sort of a moral obligation that we put \$25 million into the \$140 million to give it 8 percent or 8 1/2 percent interest over the past couple of years that we have been using it. Of course, now, we are taking that from the workers of Pennsylvania, you realize that. We are taking it from their fund, but I guess— And it is the disabled workers. These are the people who look to that fund in the event they are disabled at a later date.

But again, that is the kind of thing we can address, and I think all three of these other items that are the beneficiaries of the raid are good. The Sunny Day Fund: I am trying to get money for one of my enterprises now, and it is a very worthwhile thing; sponsored, incidentally, by the Speaker some years ago. The Rainy Day Fund: That is the kind of thing we better support, because one of these days, you know, things are going to change. I hope not, but we have to be ready for it.

Higher education: Again I refer back to the 10 percent that is kind of generally given to general government, and yet I looked at the community college line, which is pretty much the bulwark of the poor man's education system, if you will - the guy that cannot afford to send his kids to college maybe relies more on the community college; maybe it is the working man who cannot get away to 4 years of college but he can go to night school at the community college and pick up his credits toward his higher education. They got a 4.6-percent increase. Last year they got 10 percent, and maybe before this year is out, we can get them back up to 10 percent.

There were some promises about what we are going to do for higher ed, and I know we are all striving to give full funding. I know the Senate is, because I saw that in their news release the other day. The Republican Senators want 100-percent, full funding. The Governor is at 97.5, and that, too, is something I am sure will take some time.

While I am talking about economic development, though, I think it is pretty interesting that there were no increases for PIDA (Pennsylvania Industrial Development Authority), nor were there any increases for the Ben Franklin Partnership. Now, somewhere the guys that put this speech together did not get together with the people that published "The New Pennsylvania: A Commonwealth That Works" that the Governor put out in connection with his "Executive Budget in Brief," because here when we talk about all the progress we

have made in Pennsylvania and particularly on PIDA, one of the "key issues" talks in terms of how great PIDA is, but yet we did not give them any more money, and that is on page 9.

The same thing is true when we talk about the Ben Franklin Partnership, "Investing in Technology," with a pretty good shot of the Governor here shaking hands with someone, I guess, working a computer. We are talking all about here about how "Reauthorized by the General Assembly in 1988 and with an 11 percent increase in funding in the past two years,..." but my people tell me there is no increase in funding for this year, so I guess once it made the papers, it was not necessary to make the budget.

That is pretty much the quick review of the Governor's budget, except for a few things. I heard the Governor say, we have to work together - the Governor and all of us - and we want to work together, and we want to help each other, and we want to give each other ideas. And as I said 2 or 3 weeks ago, I think it is our job to come up with some ideas, pass some laws, and it is the Governor's job—these are primary jobs—to implement these laws.

Here a couple of years ago, back in 1987, there was a House bill introduced, HB 1659, and it was one of our folks, of course, who did that, Lois Hagarty, and that bill addressed the Child Protective Services Law. There were public hearings and everything on it, and the Deputy Secretary of Children, Youth, and Families went before the committee at the time that bill was going to be considered and had this to say, that they could not endorse that bill because the expansion of the law was troublesome and required further study. Now, of course, that thing has come back to us today, and the Governor has said that he is going to introduce the bill to do essentially the very things that were done in HB 1659 of 1987. That is what I mean when I say we have to work together. We have to give the Governor ideas that he can discount through his agencies and then a year or two later adopt as his own, and that seems to be what is happening a little bit.

Now, last and by no means least, if I can find it, one of the things that happened that I think is very serious—and that is in the area of basic education—the Governor slashed the State support for approved private schools, and I think it is very serious, and I am not kidding about it. I would hope that there is some explanation for this, but what it means is that schools such as Devereux in the southeastern part of Pennsylvania get hurt; the Gertrude Barber Center in Erie takes it; the DePaul Institute in Pittsburgh takes a little rap on this; the Centennial School in Bethlehem gets hurt; the Overbrook School for the Blind, the Pennsylvania School for the Deaf - these institutions are also hurt by this reduction in funds, and I just think that I am going to stop now on that, because I know you are not going to clap that I am stopping after calling to your attention these serious deficiencies in the budget. Thank you.

The SPEAKER. You predicted correctly.

STATEMENT BY MAJORITY LEADER

The SPEAKER. The Chair recognizes the majority leader.
Mr. O'DONNELL. Thank you, Mr. Speaker.

I am very pleased with the minority leader's remarks. Beginning with his last observation about approved private schools, I think that probably was an oversight, and if it was not, I think we will work in this legislature to correct it.

In specific terms, the minority leader criticized a total—And I was counting; I had a long pad out, but I did not need one today, because I added it up and it is \$17 million, and if in a \$12-billion budget there is only \$17 million that divides us, I do not think we are going to have any problems resolving this budget at all.

As I listened to the Governor's budget address, I was reminded of the powerful responsibility that has traditionally rested on Federal shoulders and that I think today rests on our shoulders - those of us in this room and probably those of us in State legislatures around the country.

It was in President Reagan's 1987 budget that he flatly stated what he had been implementing since 1981, that the Federal budget "represents an end to unwarranted federal intrusion into the state and local sphere and restoration of a more balanced, constitutionally appropriate, federalism with more clearly delineated roles for various levels of government."

The end of intrusion. Restoration. Clearly delineated roles. This is a philosophical perspective on the roles of Federal, State, and local governments that we are now living with and will continue to live with into the next century. But these words failed to convey the extent to which we feel these changes, some of us more dramatically than others. They failed to recognize that in changing the way we help our citizens, some of our citizens may go unhelped.

The Governor's budget proposal rightly suggests that it is time to address the issues that are threatening our communities. But as huge as these issues seem - drug addiction, AIDS, the health problems facing our aging population, the lack of proper education for our youth - they must never seem so huge that the faces of the families affected by them become blurred.

I read an editorial last week about a Kittanning family struggling to make ends meet. Three Kittanning area residents testified before the United States Senate in a hearing on the issue of raising the minimum wage. A 30-year-old mother of two testified about the difficulty in raising her family on her husband's \$3.75-an-hour security guard job. For that family, a medical bill of \$20 means another bill does not get paid. A trip to McDonald's is a treat; movies are a rarity. The faces of this young family may be hardened, but they are not hopeless. Last year we looked briefly into the faces of that family and responded on minimum wage.

Throughout the State there are other equally compelling faces. There is the face of the abused young child. He is confused and he will remain confused unless we find a way to help heal the scars he has already formed by the age of 5, 6, or 7. There is the face of the drug addict, hungry for the next fix

and unaware that life exists outside of addiction. Finally, there is the face of the homeless person, whose eyes often reflect nothing more than survival, the ability to make it through another day. These are desperate faces. They have no direction and believe that they have no way out. This year we are offering some direction to the lost, and we have begun to reach out to help solve problems that many view as insoluble.

There are other Pennsylvania faces - some of them bright, energetic, hopeful. Last week we had three highly successful football teams to visit us in the Capitol, and we had an opportunity to praise them for their dedication, their commitment, and ultimately, their victories. These kids deserve quality education, and they deserve a chance to excel in professional fields once they have left the playing fields. This year we are dedicated once again to providing to public schools the funding that they need to produce that opportunity.

I believe that the Pennsylvania legislature can be proud of the way that we have dealt with some of the enormous repercussions of the Reagan years. While other nearby States such as New York are operating in huge deficits, this year, once again, we have managed to increase our revenue surplus to approximately \$275 million. We have resisted the temptation to tax-cut ourselves into a deficit, and we are now in a position to, in the Governor's words, invest in our most precious resource - our people.

Each of us sitting here today has a tremendous responsibility - to our constituents, to our families, and to our own conscience. I think most of us recognize the need to reach out to those less fortunate and to build strong programs which will encourage all Pennsylvanians to achieve a higher quality of life. This year we need to look squarely into the faces of all Pennsylvanians and realize that in those faces, whether bleak or bright, surely rests our future. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The remarks of both leaders will be printed in the record.

Are there any announcements to be made by caucus chairmen for caucus between the session this morning and the afternoon session?

Do either of the leaders have anything to bring before the House at this time?

Mr. O'DONNELL. Mr. Speaker, I would like to return to the House floor at 2:15 for a brief voting session.

RECESS

The SPEAKER. Without objection, and the Chair hears none, this House will stand in recess until 2:15.

AFTER RECESS

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

RULES SUSPENDED

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

Mr. SALOOM. Mr. Speaker, I move that the rules of the House be suspended for the immediate consideration of a resolution.

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

The following roll call was recorded:

YEAS—190

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

NAYS—0

NOT VOTING—3

Carn	Josephs	Williams
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EXCUSED—9

Birmelin	Gamble	Morris	Olasz
Fargo	Letterman	Noye	Wright, R. C.
Fee			

A majority of the members elected to the House having voted in the affirmative, the question was determined in the affirmative and the motion was agreed to.

The SPEAKER. The rules are suspended so that HR 14 may be considered. Without objection, we will remove ourselves from HR 14 and return to the same as soon as the duplicating room furnishes the members with their copies. The Chair hears no objection.

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 3, PN 352 (Amended)

By Rep. RYBAK

An Act amending the act of May 17, 1921 (P. L. 682, No. 284), known as "The Insurance Company Law of 1921," providing for coverage for mammographic examination; providing for mammograms for uninsured women; and providing for collection and publication of data.

INSURANCE.

CALENDAR

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 110, PN 180**, entitled:

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.

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?

The Chair recognizes the gentleman from Cumberland, Mr. Broujos, on the question of, shall the bill pass finally?

Mr. BROUJOS. Mr. Speaker, this bill provides for authorization of capital loans for the purpose of helping agricultural processors. Agricultural processors are a major part of Pennsylvania's agribusiness. Agricultural processors are in practically every one of our 67 counties.

There has been, however, a decline over the last 5 years in the number of businesses and in the number of employees in agricultural processing businesses. The only exception is in the lumber business, which has increased in 5 years in 16 percent of the number of businesses and 42 percent of the employees, and that may well be attributed to the fact that there is a Sunny Day Fund and a major effort on the part of the last two administrations to help the hardwood industry.

The loans will be made under the Capital Loan Fund Act, which now specifically does not authorize loans to agricultural processors. They may be included, but this clarifies the fact that they may be included and has specific provisions that cover the protection of the industry. The loans are up to

\$100,000 or 50 percent of the project. However, it can rise to \$200,000 in the event that they qualify for another category such as enhancing exports.

This is a bill which has broad support. It is essential to help our agricultural industry, and I would ask for a "yes" vote.

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—193

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

NAYS—0

NOT VOTING—0

EXCUSED—9

Birmelin	Gamble	Morris	Olasz
Fargo	Letterman	Noye	Wright, R. C.
Fee			

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.

WELCOME

The SPEAKER. The Chair welcomes this afternoon to the House Julie Hershey and her friend, Corinne Hershey, who are students at Messiah College. They are the guests of Representative Art Hershey. Julie Hershey is Representative Hershey's daughter.

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 117, PN 181**, entitled:

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 relating thereto; and providing penalties.

On the question,

Will the House agree to the bill on third consideration?

Mr. GEORGE offered the following amendments No. A0106:

Amend Sec. 9, page 7, line 12, by striking out "SHALL" and inserting

may

Amend Sec. 11, page 9, by inserting between lines 25 and 26

(f) Construction of section.—Nothing in this section shall be construed or understood to place any duty or obligation upon the department to conduct a minimum number of inspections per year, or to conduct a minimum number of inspections during a certain period, or to inspect for particular reasons.

Amend Sec. 16, page 13, line 27, by striking out "and 7" and inserting

, 7 and 8

On the question,

Will the House agree to the amendments?

The SPEAKER. On that question, the Chair recognizes the gentleman from Clearfield, Mr. George, sponsor of the amendment.

Mr. GEORGE. Thank you, Mr. Speaker.

Mr. Speaker, the first two parts of this amendment are merely technical, and the last part merely gives DER (Department of Environmental Resources) the ability to be able to utilize this legislation upon its passage rather than in 60 days as originally was set in the bill.

I believe this should be an agreed-to amendment, and I ask that we all support it.

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

Mr. HASAY. Thank you, Mr. Speaker.

Mr. Speaker, the minority has examined and researched the amendment, and the amendment puts the bill in perspective with Federal guidelines and also enables the Department of Environmental Resources to obtain a Federal grant of \$50,000 for the inspection program.

We concur with the gentleman from Clearfield and ask for adoption of the amendment. Thank you.

The SPEAKER. The Chair thanks the gentleman from Luzerne County.

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

Mr. REBER. Thank you, Mr. Speaker.

Mr. Speaker, would the prime sponsor stand for brief interrogation?

The SPEAKER. Would the gentleman, Mr. George, consent to interrogation? The gentleman indicates that he will, and the gentleman, Mr. Reber, may proceed.

Mr. REBER. Mr. Speaker, in reading the amendment, which I saw for the first time about 30 seconds ago, I note that in my reading of the amendment it would appear that the department may be put in a position or would allow themselves to avail themselves of the position to not have to do any inspections whatsoever for any kind of reason whatsoever. Would that be a correct reading of this amendment?

Mr. GEORGE. I believe what the intention of the amendment is all about, Mr. Speaker, is so that the provision does not insist or force the department to go in there and to utilize whatever they do not have in making a judgment on what they see in the home, and we basically feel it should be up to the water company to do that.

Mr. REBER. Mr. Speaker, do you have any kind of indication from the Department of Environmental Resources as to what particular type of program they intend to carry out in reference to this particular legislation if it does become law? In short, what is going to be the type of inspection, if any, which they have told you in your capacity as chairman of the Conservation Committee that they will follow as a result of this legislation? And I am not trying to be argumentative; I am just concerned whether we are putting into law basically some language which will avail the department of the opportunity to in essence just turn their back on this meaningful legislation introduced by yourself.

Mr. GEORGE. I am apprised that the purpose and the function of the department is their ability to inspect upon complaint or upon notification that their assistance is needed in utilizing and making a decision of whether there has been a violation as far as the bill is concerned.

Mr. REBER. So it is your opinion, Mr. Speaker, that if in fact there is a bona fide request or a bona fide piece of information provided to the department, they will respond; they will affirmatively respond and investigate under this particular legislation?

Mr. GEORGE. To the best of my knowledge, that is what has been relayed to me, Mr. Speaker.

Mr. REBER. Thank you, Mr. Speaker.

Thank you for the indulgence of the House, Mr. Speaker. The SPEAKER. The Chair thanks the gentleman, Mr. Reber, from the county of Montgomery.

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

The following roll call was recorded:

YEAS—189

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

NAYS—4

Bowley	Michlovic	Reber	Tigue
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NOT VOTING—0

EXCUSED—9

Birmelin	Gamble	Morris	Olasz
Fargo	Letterman	Noye	Wright, R. C.
Fee			

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—192

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

NAYS—0

NOT VOTING—1

Taylor, E. Z.

EXCUSED—9

- | | | | |
|----------|-----------|--------|---------------|
| Birmelin | Gamble | Morris | Olasz |
| Fargo | Letterman | Noye | Wright, R. C. |
| Fee | | | |

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 11, PN 13**, entitled:

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.

On the question,

Will the House agree to the bill on third consideration?

Mr. REINARD offered the following amendments No. A0100:

Amend Title, page 1, line 5, by removing the period after "exclusions" and inserting
and for prohibited acts.

Amend Sec. 4, page 3, line 25, by inserting after "Sections" 604(a)(18),

Amend Sec. 4, page 3, line 25, by inserting after "608," amended or

Amend Sec. 4, page 3, by inserting between lines 26 and 27 Section 604. Prohibited acts.

(a) The commission may upon its own motion, and shall promptly upon the verified complaint in writing of any person setting forth a complaint under this section, ascertain the facts and, if warranted, hold a hearing for the suspension or revocation of a license or registration certificate or for the imposition of fines not exceeding \$1,000, or both. The commission shall have power to refuse a license or registration certificate for cause or to suspend or revoke a license or registration certificate or to levy fines up to \$1,000, or both, where the said license has been obtained by false representation, or by fraudulent act or conduct, or where a licensee or registrant, in performing or attempting to perform any of the acts mentioned herein, is found guilty of:

* * *

(18) Soliciting, selling or offering for sale real property by offering free lots, or conducting lotteries or contests or offering prizes for the purpose of influencing by deceptive conduct any purchaser or prospective purchaser of real property. The commission shall promulgate necessary rules and regulations to provide standards for nondeception conduct under this paragraph.

(i) Any offering by mail or by telephone of any prize, gift, award or bonus in relation to the offering of sale of real property, including time sharing, shall be accompanied by a statement of the fair market value, not suggested retail price, of all prizes offered, plus a statement of the odds of receiving any such prize. If the offering is by mail the statement of value and odds shall be printed in the same size type as the prize description and shall appear immediately adjacent to said description.

(ii) If a prize is to be awarded as a rebate, coupon or discount certificate, a statement of that fact shall be included in the same paragraph as the prize description. An offering by mail shall include a statement immediately following the prize description of any fees and the maximum amount of each which the prizewinner must pay in order to receive the prize. Such fees shall include, but not be limited to, dealer preparation, shipping, handling, redemption and shipping insurance. Each fee asso-

ciated with a prize, and the odds of receiving the prize, shall appear immediately below any photograph of the prize which appears on any offering by mail.

(iii) An offering by mail shall be written in a clear and coherent manner, using common usages of words and terms. A concise description of the real property or interest being promoted shall appear in any offering and shall include a statement that the interest is a time share, where applicable. If the prospective prizewinner must personally visit and inspect the real property or interest being promoted and listen to a sales presentation in order to win a prize, the offering shall include a statement of that fact. An offering may include instructions for a recipient to contact a certain telephone number within a specified time period or by a specified date, if the offeror identifies the business entity and its relationship to the offeror and complies with this paragraph.

(iv) Substitutions of prizes having equal or greater fair market value may be made if the offeror complies with this paragraph.

(v) As used in this paragraph, the term "prize" includes, but is not limited to, money, personal property, vacations, travel certificates, motor vehicles and appliances.

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the gentleman from Bucks, Mr. Reinard, on the amendment.

Mr. REINARD. Thank you, Mr. Speaker.

Mr. Speaker, my amendment attempts to address some of the problems that have been experienced in Pennsylvania within all of our legislative districts dealing with prize enticement - prize enticement through the mail and some of the problems that come up due to the offerings and the wordings of those offerings.

As you are aware, the State Attorney General's Office just last year came up with some guidelines for correcting some of the abuses that are happening in Pennsylvania, and this legislation addresses those points outlined by the Attorney General's Office. As a matter of fact, it has the support of the Bureau of Consumer Protection within the Attorney General's Office, and the legislation addresses six specific areas.

Number one, it clarifies the description of a prize. Number two, it says if a prize or a coupon or a rebate or a certificate is offered in lieu of the actual prize upon time of visitation, that must be stated in the offering mailed to you at the time. It says that any fees that are responsible to redeem a prize, such as shipping, handling, dealer prep, must also be stated in the offer. It says that any offer must be written in a clear and coherent manner so no ambiguities could be read into the offering. It says that if you must listen to a sales presentation, this also must be stated in the original offer.

Finally, it addresses the area where there has been a lot of problems in the past, prize substitution, and it says that you are allowed to have prize substitutions but only if they are substituted with equal or greater value.

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

Mr. LLOYD. Thank you, Mr. Speaker.

Mr. Speaker, I support the amendment. I believe that this amendment will help to eliminate some of the abuses of high-pressure sales tactics, because consumers will have a better idea what they are getting themselves into, and it will also make clear to them before they visit some resort just what exactly it is that is going to be attempted to be sold to them when they get there.

So, Mr. Speaker, I would urge a "yes" vote on the amendment.

The SPEAKER. On the question, the Chair recognizes the gentleman from Dauphin, Mr. Wambach.

Mr. WAMBACH. Thank you, Mr. Speaker.

I rise in support of the Reinard amendment as well, Mr. Speaker. I think all too often constituents get involved in these kinds of pressure tactics made by these companies, and it entices them to go and sign up, et cetera.

I think the Reinard amendment is a fair approach and a compromise to this problem where fair market value should be expressed in the form of a prize. I think our constituents will be fully protected and made aware—fair-warned, if you will—regarding this kind of approach to a sale of real property.

I support the amendment, Mr. Speaker. Thank you.

The SPEAKER. On the question of the amendment, the Chair recognizes the gentleman from Berks, Mr. Davies.

Mr. DAVIES. Thank you, Mr. Speaker.

Would the maker of the amendment stand for one question of interrogation?

The SPEAKER. Would the sponsor of the amendment, Mr. Reinard, consent to interrogation?

Mr. REINARD. Yes.

The SPEAKER. Mr. Reinard indicates that he will. Mr. Davies may proceed.

Mr. DAVIES. Mr. Speaker, in your language, who establishes that fair or equal value?

Mr. REINARD. In the act, the prize in the offering already has a stated value, \$300, which is stated by the one making the offering. It simply says that if you are offering a television set at \$300 and that television set is not available when you go to visit, then you must replace it also with another item at least \$300 in total value.

Mr. DAVIES. And you mean the person offering it is the one who establishes that value?

Mr. REINARD. They have to give a clear description of what is being offered and it has to have a stated value, and upon time of substitution, it would have to be substituted with at least equal or greater value.

Mr. DAVIES. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—190

Acosta	Dininni	LaGrotta	Rieger
Adolph	Distler	Langtry	Ritter
Allen	Dombrowski	Lashinger	Robbins
Angstadt	Donatucci	Laughlin	Robinson

Argall	Dorr	Lee	Roebuck
Barley	Durham	Leh	Rudy
Battisto	Evans	Lescovitz	Ryan
Belardi	Farmer	Levdansky	Rybak
Belfanti	Fleagle	Linton	Saloom
Billow	Flick	Lloyd	Saurman
Bishop	Foster	Lucyk	Schuler
Black	Fox	McCall	Scrimenti
Blaum	Freeman	McHale	Semmel
Bortner	Freind	McNally	Serafini
Bowley	Gallen	McVerry	Smith, B.
Boyes	Gannon	Maiale	Smith, S. H.
Brandt	Geist	Maine	Snyder, D. W.
Broujos	George	Markosek	Snyder, G.
Bunt	Gigliotti	Marsico	Staback
Burd	Gladeck	Mayernik	Stairs
Burns	Godshall	Melio	Steighner
Bush	Gruitza	Merry	Stish
Caltagirone	Gruppo	Michlovic	Strittmatter
Cappabianca	Hagarty	Micozzie	Stuban
Carlson	Haluska	Miller	Tangretti
Carn	Harper	Moehlmann	Taylor, F.
Cawley	Hasay	Mowery	Taylor, J.
Cessar	Hayden	Mrkonic	Telek
Chadwick	Hayes	Murphy	Thomas
Civera	Heckler	Nahill	Tigue
Clark, B. D.	Herman	Nailor	Trello
Clark, D. F.	Hershey	O'Brien	Trich
Clark, J. H.	Hess	O'Donnell	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	Josephs	Pitts	Wozniak
DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Yandrisevits
Davies	Kondrich	Reber	
Dempsey	Kosinski	Reinard	Manderino,
Dietterick	Kukovich	Richardson	Speaker

NAYS—0

NOT VOTING—3

Fairchild	Scheetz	Taylor, E. Z.
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EXCUSED—9

Birmelin	Gamble	Morris	Olasz
Fargo	Letterman	Noye	Wright, R. C.
Fee			

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 PASSED OVER TEMPORARILY

The SPEAKER. The Chair recognizes the gentleman from Lackawanna, Mr. Serafini.

Mr. SERAFINI. Mr. Speaker, I am waiting for an amendment from the Reference Bureau. I was wondering if I could get a brief hold on this bill. The amendment should be here shortly, unless, of course, you would like to run the amendment without it being distributed.

The SPEAKER. I will await the pleasure of the House.

Mr. SERAFINI. Thank you very much, Mr. Speaker. I appreciate it.

RESOLUTION ADOPTED

The SPEAKER. Without objection, we will return to the resolution being offered this afternoon by Representative Saloom. The Chair sees and hears no objection.

The House has suspended its rules for the immediate consideration of HR 14.

The clerk will read the resolution.

The following resolution was read:

House Resolution No. 14

A RESOLUTION

Recognizing the 110th Anniversary of the 28th Infantry Division of the Pennsylvania National Guard.

WHEREAS, On March 12, 1879, the 7th Infantry Division of the Pennsylvania National Guard was established by Governor Hoyt with the appointment of John F. Hartranft as Major General, Division Commander, National Guard; and

WHEREAS, The 7th Infantry Division participated in the Spanish-American War, serving in Puerto Rico and in the Philippines, and also served along the Mexican border during the Mexican Revolution in 1916; and

WHEREAS, On October 11, 1917, the 7th Infantry Division was redesignated as the 28th Infantry Division as a result of a massive reorganization of army units; and

WHEREAS, In the global conflicts of World War I, at the battles in Marne, Vesle River and Meuse-Argonne, and of World War II, participating in the crucial St. Lo breakout, the liberation of Paris and the bloody and critical Battle of the Bulge in the Ardennes, the 28th Infantry Division served its country and State in a magnificent fashion, participating in both conflicts in the European theatre of operations; and

WHEREAS, As a result of the Korean conflict, the 28th Infantry Division was once again called in Federal service on September 5, 1950, and served with NATO forces in Europe until May 1953, when the unit returned to National Guard status; and

WHEREAS, Throughout the years, the members of the 28th Infantry Division have valiantly served the Commonwealth of Pennsylvania by responding to control civil disorders and by confronting the destruction caused by natural disasters, especially floods, blizzards and hurricanes, most spectacularly during the aftermath of floods in 1936, 1955, 1972 and 1975; and

WHEREAS, To this day, the 28th Infantry Division continues to serve the Commonwealth and its citizens by being ready and trained to respond to any emergency; therefore be it

RESOLVED, That the House of Representatives extend its thanks and congratulations to the officers and men of the 28th Infantry Division on the occasion of the unit's 110th Anniversary.

Eugene G. Saloom
Thomas A. Tangretti
Edward G. Staback
Peter C. Wambach
Camille "Bud" George
Thomas M. Tigue
Joseph A. Petrarca
Frank J. Gigliotti
H. William DeWeese
Mark B. Cohen

On the question,
Will the House adopt the resolution?

ADDITIONS OF SPONSORS

The SPEAKER. The Chair recognizes the gentleman from Westmoreland, Mr. Saloom, on the resolution.

Mr. SALOOM. Mr. Speaker, the 28th Division of the Pennsylvania National Guard is having their 110th anniversary this year. I offer this resolution to commemorate the 110th anniversary of the Pennsylvania National Guard. They are the pride of Pennsylvania, and I would ask, Mr. Speaker, that all members' names be submitted as sponsors of this resolution. Thank you, Mr. Speaker.

The SPEAKER. Without objection, all members' names will be added as sponsors.

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

The following roll call was recorded:

YEAS—192

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

NAYS—0

NOT VOTING—1

Taylor, E. Z.

EXCUSED—9

Birmelin	Gamble	Morris	Olasz
Fargo	Letterman	Noye	Wright, R. C.
Fee			

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

CONSIDERATION OF HB 11 CONTINUED

The SPEAKER. The House will be at ease awaiting the Serafini amendment in duplication.

Will the floor leaders please come to the podium. Will the gentleman, Mr. Lloyd, come to the podium.

(Conference held at Speaker's podium.)

BILL PASSED OVER

The SPEAKER. Mr. Serafini's amendment will not be down from the Reference Bureau and the duplicating room for an additional half hour. With the concurrence of the sponsor and the floor leaders, without objection, we will pass over the bill and take it up in tomorrow's session. The Chair hears no objection.

ANNOUNCEMENT BY MAJORITY LEADER

The SPEAKER. Is there any further business to come before this Assembly from the majority?

Mr. O'DONNELL. Just an announcement, Mr. Speaker.

The SPEAKER. Announcement by the majority leader. Will all members pay attention.

Mr. O'DONNELL. Thank you, Mr. Speaker.

I would urge the members on both sides of the aisle to pay attention to the notices that you receive from your respective caucus chairmen. When there is an indication that a bill is going to run in a given week, we are going to try and run it in that week. There has also been a request attached to please get your amendments in to the caucus chairmen by noon on Monday so that we know what is going on and we do not have to stop the machinery of this House to wait for a half an hour for an amendment to come down. So please get your amendments in to serious bills when you find out about them.

I appreciate that in the case at hand there was not significant advance notice, but in the future we are going to try and do that. Thank you.

The SPEAKER. The Chair thanks the majority leader for his remarks.

Does the minority party have any further business or announcements to come before the Assembly? Indication is there is none.

REMARKS ON VOTE

The SPEAKER. The gentleman, Mr. Fairchild, from Union County is recognized.

Mr. FAIRCHILD. Mr. Speaker, before I request adjournment, I would like to correct the record.

The SPEAKER. The gentleman is in order.

Mr. FAIRCHILD. Mr. Speaker, on amendment A0100 to HB 11, my vote was not recorded. I would like to be recorded in the affirmative.

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

BILL AND RESOLUTION PASSED OVER

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

ADJOURNMENT

The SPEAKER. The gentleman from Union, Mr. Fairchild, is now recognized for a motion.

Mr. FAIRCHILD. Mr. Speaker, I move that this House do now adjourn until Wednesday, February 8, 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 2:53 p.m., e.s.t., the House adjourned.