

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

MONDAY, APRIL 10, 1989

SESSION OF 1989

173D OF THE GENERAL ASSEMBLY

No. 23

HOUSE OF REPRESENTATIVES

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

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

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

Let us pray:

Gracious God, we render unto You our praise and thanksgiving. As we come now into Your presence to accomplish the business of this Commonwealth, we invite the nearness of Your Holy Spirit.

May we accomplish our labors with truth and sincerity, always remembering that we are mere stewards of Your bounteous resources and that we are always accountable to You for our words and deeds.

As we endeavor to do Your will, grant unto us that peace that passes understanding, knowing that all that we do is under Your care, governed by Your will, and guarded by Your love.

We also pray for those whom we represent. May we always promote their well-being and their interests.

In Your dear name we pray. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, we will postpone until printed the approval of the Journal dated Wednesday, April 5, 1989. The Chair hears no objection.

JOURNAL IN PRINT

The SPEAKER. The members of the House are informed that the Journal of Tuesday, February 14, 1989, is in print. This Journal will be approved prior to adjourning this week's session.

HOUSE BILLS INTRODUCED AND REFERRED

No. 1058 By Representatives KUKOVICH, LETTERMAN, FOX, D. W. SNYDER, GIGLIOTTI, CAPPABIANCA, CALTAGIRONE, MARKOSEK, MAIALE, MAINE, VAN HORNE, HERMAN, KOSINSKI, PISTELLA, EVANS, TRELLO, CAWLEY, CARLSON, FREEMAN, MELIO, SCHEETZ, LASHINGER, STABACK, WOZNIAK, RYBAK, VEON, SERAFINI, BUNT, RAYMOND, McVERRY, PRESTON, COLAIZZO, DeWEESE, CORRIGAN and HECKLER

An Act amending Title 24 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the competency of witnesses.

Referred to Committee on JUDICIARY, April 10, 1989.

No. 1059 By Representatives STUBAN, HASAY, WOGAN, J. L. WRIGHT, DEMPSEY, VAN HORNE, COY, ARGALL, SEMMEL, BATTISTO, BILLOW, BELARDI, HERSHEY, MORRIS, VEON, PHILLIPS, JAROLIN, SERAFINI, FEE, WOZNIAK, COHEN, DOMBROWSKI, SCHEETZ, DALEY, KOSINSKI, SAURMAN, B. SMITH, MICHLOVIC, CAWLEY, FOX, LEVDANSKY, McVERRY, BARLEY, J. H. CLARK, GEORGE, E. Z. TAYLOR, MERRY, MARSICO, HECKLER, STABACK and MELIO

An Act prohibiting landfilling of whole waste tires; providing for nuisance abatement; requiring permits for waste tire collectors and processors; encouraging use of recovered rubber and retread tires by State agencies; establishing a waste tire abatement fund; providing for waste tire grants; imposing additional powers and duties on the Department of Environmental Resources; providing penalties; making an appropriation; and making repeals.

Referred to Committee on CONSERVATION, April 10, 1989.

No. 1060 By Representatives STUBAN, DALEY, TIGUE, CAWLEY, GIGLIOTTI, McCALL, VEON, STABACK, CORRIGAN, HERMAN, THOMAS, JOHNSON, PISTELLA, WILLIAMS, PHILLIPS,

ROBINSON, E. Z. TAYLOR, MELIO,
BELFANTI, JAROLIN, COLAFELLA,
OLASZ and BISHOP

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the photographs on drivers' licenses.

Referred to Committee on TRANSPORTATION,
April 10, 1989.

No. 1061 By Representatives MARSICO,
CALTAGIRONE, PITTS, CESSAR,
MOEHLMANN, DEMPSEY, GODSHALL,
J. L. WRIGHT, GIGLIOTTI, J. TAYLOR,
GEIST, SCHEETZ, NAHILL,
JADLOWIEC, RAYMOND, NOYE,
BELFANTI, COLAIZZO, ARGALL,
REINARD, DORR, TANGRETTI,
SEMMEL, BELARDI, CIVERA, BOYES,
KASUNIC, HERSHEY, CORNELL,
FARGO, RYAN, MORRIS, PHILLIPS,
FOX, GANNON, MRKONIC, SAURMAN,
BARLEY, BATTISTO, MARKOSEK,
JOHNSON, NAILOR, PICCOLA, BUNT,
FEE, STABACK, TRELLO, REBER,
DURHAM, DIETTERICK, GLADECK,
MERRY, B. SMITH, DISTLER,
SERAFINI, ADOLPH, BURD, VROON,
WAMBACH, LANGTRY, E. Z. TAYLOR,
FARMER, LASHINGER, ALLEN,
HERMAN, FLICK, D. F. CLARK, TELEK,
J. H. CLARK, WILSON, HOWLETT,
HAYES, KONDRICH, STRITTMATTER,
FLEAGLE, FAIRCHILD, JACKSON,
DININNI, LEE, CHADWICK, BIRMELIN,
BLACK, S. H. SMITH, MOWERY, BUSH,
HECKLER and HASAY

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for drug trafficking sentencing and penalties.

Referred to Committee on JUDICIARY, April 10, 1989.

No. 1062 By Representatives CHADWICK, MORRIS,
BRANDT, HAYES, BIRMELIN,
HALUSKA, LEH, CARLSON,
JADLOWIEC, MERRY, MOEHLMANN,
HERSHEY, ROBBINS, NOYE, GEIST,
HECKLER, SCHEETZ, MARSICO,
SCHULER, FOX, B. SMITH, JACKSON,
TRELLO, D. W. SNYDER, ARGALL,
STABACK, HASAY, COLAIZZO,
DEMPSEY, BARLEY, HERMAN,
MILLER, HESS, SEMMEL, G. SNYDER,
PHILLIPS, E. Z. TAYLOR, MELIO,
BUSH, RUDY, WASS, BILLOW, MAINE,
BURD, PETRARCA, ALLEN,
LASHINGER, FAIRCHILD, LEE,
ADOLPH, DORR, BELARDI and VEON

An Act amending the act of December 31, 1965 (P. L. 1257, No. 511), known as "The Local Tax Enabling Act," providing that farmers shall not be required to make quarterly payments of tax on earned income under certain conditions.

Referred to Committee on AGRICULTURE AND
RURAL AFFAIRS, April 10, 1989.

No. 1063 By Representatives CAPPABIANCA,
SCRIMENTI, DOMBROWSKI, BOYES and
MERRY

An Act making an appropriation for the purpose of implementing the Pennsylvania portion of the United States Plan for Phosphorus Load Reduction to Lake Erie.

Referred to Committee on APPROPRIATIONS,
April 10, 1989.

No. 1064 By Representatives NOYE, OLASZ,
E. Z. TAYLOR, DALEY, CHADWICK,
FAIRCHILD, MARSICO, JACKSON,
ALLEN, PERZEL, SERAFINI, CIVERA,
CORNELL, FLICK, CAWLEY,
DIETTERICK, ROBBINS, LASHINGER,
TELEK and BATTISTO

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), known as the "Tax Reform Code of 1971," providing for certain contributions from personal income tax refunds to institutions of higher education

Referred to Committee on FINANCE, April 10, 1989.

No. 1065 By Representatives NOYE, CAWLEY,
TELEK, FARGO, OLASZ, DEMPSEY,
FAIRCHILD, PERZEL, SERAFINI,
GEIST, CIVERA, CORNELL,
DIETTERICK and E. Z. TAYLOR

An Act amending the act of June 23, 1982 (P. L. 597, No. 170), known as the "Wild Resource Conservation Act," terminating the checkoff contribution system; and making an appropriation.

Referred to Committee on CONSERVATION, April 10,
1989.

No. 1066 By Representatives COLAFELLA,
SALOOM, DALEY, TRELLO, STISH,
HALUSKA, STABACK, MORRIS,
McCALL, SERAFINI, BELARDI,
CAWLEY, TIGUE, MARSICO,
FAIRCHILD, GODSHALL, FARGO,
HOWLETT, OLASZ, BOYES, LINTON,
KOSINSKI, FOX, D. W. SNYDER and
BURD

An Act concerning the civil liability of retail liquor licensees.

Referred to Committee on LIQUOR CONTROL,
April 10, 1989.

No. 1067 By Representatives KASUNIC, DALEY,
DeLUCA, KOSINSKI, FOX,
E. Z. TAYLOR, HERMAN, VEON,
JOHNSON, FEE, MORRIS, HALUSKA,

ROBINSON, ADOLPH, BELFANTI,
VAN HORNE, MARKOSEK, NAHILL,
MELIO, LEVDANSKY, J. TAYLOR,
CIVERA, PISTELLA, ITKIN, BUNT,
RITTER, COLAIZZO and McVERRY

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), known as the "Public School Code of 1949," requiring certain school students to meet certain curriculum standards to maintain their driver's permit or licenses.

Referred to Committee on EDUCATION, April 10, 1989.

No. 1068 By Representatives RUDY, McNALLY,
NOYE, JAROLIN, VEON, SCHULER,
CAWLEY, OLASZ, KOSINSKI,
JOHNSON, PHILLIPS, FOX,
MICHLOVIC, MORRIS, E. Z. TAYLOR,
BILLOW, KUKOVICH, HERSHEY,
ADOLPH, NAHILL, LASHINGER,
PISTELLA, PETRARCA, FAIRCHILD,
ITKIN, BELARDI, GEIST, RYBAK,
BOYES, COLAIZZO, ROBINSON,
TRELLO, RITTER and STABACK

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for discrimination on account of guide dogs.

Referred to Committee on JUDICIARY, April 10, 1989.

No. 1069 By Representatives PIEVSKY, MAIALE,
STEIGHNER, NOYE, BILLOW,
J. L. WRIGHT, RYBAK, E. Z. TAYLOR,
COLAIZZO, PISTELLA, VROON,
HECKLER, GIGLIOTTI, MELIO and
MOWERY

An Act amending Titles 24 (Education) and 71 (State Government) of the Pennsylvania Consolidated Statutes, further providing for the compensation and classification of persons appointed by the Public School Employees' Retirement Board and the State Employees' Retirement Board.

Referred to Committee on STATE GOVERNMENT,
April 10, 1989.

No. 1070 By Representatives WOZNIAK, COLAIZZO,
HALUSKA, BELFANTI, CAWLEY and
BATTISTO

An Act amending the act of May 2, 1929 (P. L. 1518, No. 452), referred to as the "Elevator Regulation Law," adding the definition "conveyor"; and removing the term "conveyors" from the definition of "elevator" and from the rules and regulations of the Department of Labor and Industry.

Referred to Committee on LABOR RELATIONS,
April 10, 1989.

No. 1071 By Representatives WOZNIAK,
COLAFELLA, DALEY, HAGARTY,
PRESSMANN, GEIST, HECKLER and
MELIO

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for unsolicited facsimile communications.

Referred to Committee on JUDICIARY, April 10, 1989.

No. 1072 By Representatives WOZNIAK, TIGUE,
VAN HORNE, BATTISTO, FOX,
JAROLIN, DALEY, TRICH, VEON,
PISTELLA and ITKIN

An Act establishing the Pennsylvania Advisory Commission on Intergovernmental Relations; and making an appropriation.

Referred to Committee on STATE GOVERNMENT,
April 10, 1989.

No. 1073 By Representatives WOZNIAK, VROON,
SAURMAN, TRELLO, CAWLEY, BUNT,
JOHNSON, HOWLETT, PETRARCA,
VAN HORNE and COLAIZZO

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, requiring roadspray suppressor devices on vehicles.

Referred to Committee on TRANSPORTATION,
April 10, 1989.

No. 1074 By Representatives WOZNIAK, TIGUE,
GIGLIOTTI, JAROLIN, GEIST and
DALEY

An Act authorizing the levy of a municipal service charge on all real property, including tax-exempt property, for the benefit of municipalities.

Referred to Committee on LOCAL GOVERNMENT,
April 10, 1989.

No. 1075 By Representatives WOZNIAK, TRICH,
SERAFINI and MELIO

An Act relating to and regulating local governmental boundary changes; and making repeals.

Referred to Committee on LOCAL GOVERNMENT,
April 10, 1989.

No. 1076 By Representatives GAMBLE, MAYERNIK,
KAISER, MARKOSEK, GIGLIOTTI,
VAN HORNE, ITKIN, MRKONIC,
COWELL, McNALLY, DeLUCA,
McVERRY, PRESTON, PISTELLA,
TRELLO, MICHLOVIC, CESSAR,
FARMER, OLASZ, B. D. CLARK,
LEVDANSKY, LANGTRY and MURPHY

An Act making an appropriation to the Department of Community Affairs for the Practicing Scholar in Intergovernmental Cooperation Program.

Referred to Committee on LOCAL GOVERNMENT,
April 10, 1989.

No. 1077 By Representatives DALEY, KASUNIC,
KOSINSKI, ITKIN, COLAIZZO,
E. Z. TAYLOR, ROBINSON, BILLOW,
KUKOVICH, TRELLO, PISTELLA and
STABACK

An Act amending the act of May 18, 1937 (P. L. 654, No. 174), entitled, as amended, "An act to provide for the safety and to protect the health and morals of persons while employed; prescribing certain regulations and restrictions concerning places where persons are employed, and the equipment, apparatus, materials, devices and machinery used therein; prescribing certain powers and duties of the Department of Labor and Industry relative to the enforcement of this act; and fixing penalties," further providing for general safety and health requirements.

Referred to Committee on LABOR RELATIONS, April 10, 1989.

No. 1078 By Representatives DALEY, KASUNIC, STUBAN, JAROLIN, VEON, DeWEESE, MORRIS, ROBINSON, CARN, NOYE, JOHNSON, FAIRCHILD, MICHLOVIC, MOEHLMANN, TIGUE, DEMPSEY, TRELLO, NAHILL, CIVERA, WOZNIAK, TANGRETTI, MELIO, DeLUCA, E. Z. TAYLOR, PISTELLA, RITTER, PETRARCA, FOX, WESTON, STABACK and COLAIZZO

An Act amending the act of October 7, 1976 (P. L. 1090, No. 218), known as the "Protection From Abuse Act," further providing for remedies.

Referred to Committee on YOUTH AND AGING, April 10, 1989.

No. 1079 By Representatives DALEY, KASUNIC, VEON, CAWLEY, OLASZ, KOSINSKI, RYBAK, LAUGHLIN, MORRIS, BILLOW, KUKOVICH, TRELLO, LEVDANSKY, TANGRETTI, COLAFELLA and FREEMAN

An Act amending the act of July 1, 1978 (P. L. 584, No. 109), known as the "Milrite Act," further providing for powers and duties of council.

Referred to Committee on LABOR RELATIONS, April 10, 1989.

No. 1080 By Representative LETTERMAN

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the liability of participants in recreational activities.

Referred to Committee on JUDICIARY, April 10, 1989.

No. 1081 By Representatives LUCYK, MELIO, BATTISTO, WOZNIAK and PETRARCA

An Act amending the act of June 11, 1968 (P. L. 149, No. 84), known as the "Volunteer Firemen's Relief Association Act," providing for the purchase and distribution of certain educational materials.

Referred to Committee on LOCAL GOVERNMENT, April 10, 1989.

No. 1082 By Representatives PETRARCA, GEIST, BELFANTI, DININNI, LUCYK, BATTISTO and WOZNIAK

An Act making an appropriation to the Milrite Council to evaluate a high-speed rail proposal.

Referred to Committee on APPROPRIATIONS, April 10, 1989.

No. 1083 By Representatives BISHOP, OLIVER, EVANS, WILLIAMS, HAYDEN, ROEBUCK, JAMES, HUGHES and RIEGER

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), known as the "Public School Code of 1949," providing for instructional programs on steroids and sexually transmitted diseases.

Referred to Committee on EDUCATION, April 10, 1989.

No. 1084 By Representatives TRELLO, CALTAGIRONE, ITKIN, DeWEESE, LINTON, PISTELLA, OLIVER, VAN HORNE, RITTER, PRESSMANN, FREEMAN, ROBINSON, GIGLIOTTI, WOGAN, KOSINSKI, KENNEY, HUGHES, COHEN, COWELL, PRESTON, FARMER, CAWLEY, PETRONE, VEON, BELARDI, TIGUE, BATTISTO, HALUSKA, GEIST, McCALL, DEMPSEY, MORRIS, DALEY, SAURMAN, CIVERA, KASUNIC, LASHINGER, BISHOP, RYBAK and HOWLETT

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 LOCAL GOVERNMENT, April 10, 1989.

No. 1085 By Representatives TRELLO, VAN HORNE, PISTELLA, CAWLEY, CIVERA, ROBINSON, BATTISTO, OLASZ, GIGLIOTTI, MORRIS, COLAIZZO, VEON, HALUSKA, JAMES and BUNT

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), known as the "Tax Reform Code of 1971," increasing the rate of tax imposed on liquid fuels.

Referred to Committee on FINANCE, April 10, 1989.

No. 1086 By Representatives BUSH, COWELL, HERMAN, RUDY, DAVIES, COLAFELLA, HALUSKA, DEMPSEY, BATTISTO, CARLSON, STUBAN, BURNS, CHADWICK, LEE, BORTNER, LINTON, KOSINSKI, PETRONE, EVANS, DALEY, LANGTRY, ARGALL, FLICK, CAWLEY, FAIRCHILD, SCHEETZ, TRELLO, JACKSON, DeLUCA, ROBBINS,

WAMBACH, FREIND, OLASZ, STAIRS,
PHILLIPS, CALTAGIRONE, FOX,
E. Z. TAYLOR, WOZNIAK, ALLEN,
PITTS, McVERRY, McNALLY, O'BRIEN,
BOYES, ANGSTADT, GIGLIOTTI,
GRUPPO, LaGROTTA, YANDRISEVITS,
HAYES and LLOYD

An Act granting status as a State-related institution and a State instrumentality to the Pennsylvania College of Technology, Arts and Sciences; providing for the powers, duties, rights and obligations of the College; and providing for the College to assume the functions of The Williamsport Area Community College.

Referred to Committee on EDUCATION, April 10, 1989.

No. 1087 By Representatives SAURMAN, MORRIS, CESSAR, CARLSON, FLICK, HECKLER, RAYMOND, TIGUE, NAHILL, HALUSKA, VEON, MARSICO, BOYES, E. Z. TAYLOR, ROBINSON, BORTNER, STABACK, SCHEETZ, WOZNIAK, MELIO, HAGARTY, DIETTERICK, KOSINSKI, STRITTMATTER, ANGSTADT, TRELLO, BISHOP, GEIST, BUNT, JOHNSON, HERMAN, OLASZ, DISTLER and J. H. CLARK

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, requiring lessors of vehicles to reveal the names of lessees in certain cases.

Referred to Committee on TRANSPORTATION, April 10, 1989.

No. 1088 By Representatives SAURMAN, MORRIS, RITTER, MRKONIC, HECKLER, RAYMOND, TIGUE, NAHILL, HALUSKA, VEON, MARSICO, BELFANTI, FOX, LEVDANSKY, BORTNER, STABACK, CARN, SCHEETZ, WOZNIAK, MELIO, DIETTERICK, KOSINSKI, MICHLOVIC, STRITTMATTER, ANGSTADT, TRELLO, COLAFELLA, BISHOP, BUNT, BELARDI, D. F. CLARK, DISTLER, MILLER, J. H. CLARK, MOEHLMANN, ADOLPH and SEMMEL

An Act amending the act of April 9, 1872 (P. L. 47, No. 40), entitled "An act for the better protection of the wages of mechanics, miners, and laborers and others," further providing for liens for wages; and providing for judicial administration for liens for wages.

Referred to Committee on LABOR RELATIONS, April 10, 1989.

No. 1089 By Representatives SAURMAN, MORRIS, RAYMOND, NAHILL, HALUSKA, DeLUCA, GAMBLE, BELFANTI, FOX, E. Z. TAYLOR, ROBINSON, WOZNIAK, MAIALE, MELIO, SCHULER,

HAGARTY, DIETTERICK, KOSINSKI,
TIGUE, TRELLO, BISHOP, LASHINGER,
BUNT, JOHNSON, BELARDI, OLASZ,
HARPER, LEE and SEMMEL

An Act establishing a family support subsidy program for certain impaired individuals; and providing for the powers and duties of the Department of Public Welfare and the Department of Education regarding the family support subsidy program.

Referred to Committee on HEALTH AND WELFARE, April 10, 1989.

No. 1090 By Representatives SAURMAN, MORRIS, RITTER, RAYMOND, NAHILL, TANGRETTI, GEORGE, VEON, MARSICO, FOX, CARLSON, E. Z. TAYLOR, REBER, MELIO, HAGARTY, KOSINSKI, TRELLO, COLAFELLA, BISHOP, LASHINGER, BUNT, DISTLER, FARMER, BELARDI, HERMAN, J. L. WRIGHT, ITKIN, J. H. CLARK, ADOLPH and CORNELL

An Act providing for the handling of asbestos-containing waste; conferring powers and duties on the Department of Environmental Resources; and making an appropriation.

Referred to Committee on CONSERVATION, April 10, 1989.

No. 1091 By Representatives SAURMAN, MORRIS, MRKONIC, RAYMOND, TANGRETTI, MARSICO, DeLUCA, CLYMER, E. Z. TAYLOR, ROBINSON, MAIALE, McVERRY, PHILLIPS, TRELLO, COLAFELLA, BISHOP, GEIST, LASHINGER, BUNT, JOHNSON, BELARDI, D. F. CLARK, J. H. CLARK, MERRY and CORNELL

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for restriction of motor vehicle operating privileges.

Referred to Committee on TRANSPORTATION, April 10, 1989.

No. 1092 By Representatives SAURMAN, MORRIS, CESSAR, HECKLER, RAYMOND, NAHILL, TANGRETTI, VEON, DeLUCA, CLYMER, FOX, CARLSON, E. Z. TAYLOR, REBER, STABACK, RUDY, MAIALE, McVERRY, FAIRCHILD, B. SMITH, PHILLIPS, COLAFELLA, TRELLO, BISHOP, GEIST, BUNT, FARMER, JOHNSON, HERMAN, D. F. CLARK, DISTLER and MERRY

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, prohibiting the sale of drug-free urine for the purpose of evading drug tests; and providing penalties.

Referred to Committee on JUDICIARY, April 10, 1989.

No. 1093 By Representatives SAURMAN, J. L. WRIGHT, VROON, MORRIS, NAHILL, VEON, E. Z. TAYLOR, J. TAYLOR, McVERRY, TRELLO, BUNT, J. H. CLARK and WILSON

An Act establishing and regulating the practice of respiratory care; imposing penalties; and making an appropriation.

Referred to Committee on PROFESSIONAL LICENSURE, April 10, 1989.

No. 1094 By Representatives SAURMAN, CAWLEY, MORRIS, MARSICO, O'BRIEN, HALUSKA, VEON, CLYMER, E. Z. TAYLOR, NOYE, REBER, WOZNIAK, WOGAN, ALLEN, TRELLO, GEIST, LASHINGER, BUNT, D. F. CLARK, J. H. CLARK, WILSON, MOEHLMANN and CORNELL

An Act Amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for place of confinement.

Referred to Committee on JUDICIARY, April 10, 1989.

No. 1095 By Representatives SAURMAN, J. L. WRIGHT, JOHNSON, MORRIS, RAYMOND, SEMMEL, MARSICO, WASS, NAHILL, VEON, TIGUE, FOX, TRELLO, BUNT and WILSON

An Act establishing the Medical Procedures Emergency Relief Committee; empowering the committee to perform certain powers and duties; and establishing the Uncompensated Medical Care Fund.

Referred to Committee on HEALTH AND WELFARE, April 10, 1989.

No. 1096 By Representatives HAGARTY, MICHLOVIC, REBER, COHEN, MARSICO, COLAIZZO, HESS, YANDRISEVITS, FAIRCHILD, KOSINSKI, GEIST, COWELL, BELFANTI, SERAFINI, SAURMAN, JAROLIN, CLYMER, DeLUCA, BELARDI, JOHNSON, FOX, VEON, McVERRY, BARLEY, HERMAN, VAN HORNE, BOYES, CALTAGIRONE, WOGAN, FARGO, COLAFELLA, E. Z. TAYLOR, BILLOW, MOEHLMANN, MERRY, ROBINSON, TRELLO, GIGLIOTTI, ADOLPH, FARMER, HECKLER, WESTON, STABACK, MELIO, BUNT and RITTER

An Act prohibiting the use of a document facsimile production, or FAX, machine to transmit unsolicited advertising messages.

Referred to Committee on STATE GOVERNMENT, April 10, 1989.

No. 1097 By Representatives HAGARTY, COLAFELLA, REBER, WOZNIAK, COHEN, YANDRISEVITS, GEIST, B. SMITH, DeLUCA, JOHNSON, FOX, VEON, McVERRY, BARLEY, HERMAN, VAN HORNE, BOYES, CALTAGIRONE, ARGALL, E. Z. TAYLOR, JACKSON, BILLOW, ROBINSON, TRELLO, FARMER, HECKLER and BUNT

An Act providing for the regulation of unsolicited promotional advertising telephone calls on the telephone lines of private users.

Referred to Committee on STATE GOVERNMENT, April 10, 1989.

No. 1098 By Representatives JOHNSON, TRELLO, HECKLER, MRKONIC, E. Z. TAYLOR, GEIST, SERAFINI, CAWLEY, ACOSTA and FOX

An Act amending the act of May 15, 1939 (P. L. 134, No. 65), referred to as the "Fireworks Law," increasing penalties.

Referred to Committee on JUDICIARY, April 10, 1989.

No. 1099 By Representatives JOHNSON, TRELLO, E. Z. TAYLOR, MRKONIC, GEIST, HECKLER, CAWLEY and SERAFINI

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for the offense of unlawful firecrackers or fireworks.

Referred to Committee on JUDICIARY, April 10, 1989.

No. 1100 By Representatives JOHNSON, HAYES, TRELLO, FARGO, MRKONIC, NOYE, E. Z. TAYLOR, GEIST, NAHILL, CAWLEY, PHILLIPS, BUNT, HALUSKA, SERAFINI, KASUNIC, MAIALE, FREEMAN, GODSHALL, CORNELL and LANGTRY

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 classes of income.

Referred to Committee on FINANCE, April 10, 1989.

No. 1101 By Representatives JOHNSON, HAYES, MRKONIC, TRELLO, MORRIS, PETRARCA, LETTERMAN, REBER, CARLSON, PHILLIPS, GEIST, JACKSON, HALUSKA, SERAFINI, E. Z. TAYLOR, NOYE, JAROLIN, KOSINSKI, FOX, FREEMAN, GLADECK, FARMER, CAWLEY, BUNT, STABACK, ADOLPH, ROBBINS, HASAY and KASUNIC

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 classes of income.

Referred to Committee on FINANCE, April 10, 1989.

No. 1102 By Representatives JOHNSON, MORRIS, PETRARCA, TRELLO, NOYE, HECKLER, HESS, HERMAN, CARLSON, CAWLEY, BUNT, STABACK, ROBBINS, GEIST, SERAFINI, MRKONIC, E. Z. TAYLOR and JAMES

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 estimated tax.

Referred to Committee on FINANCE, April 10, 1989.

No. 1103 By Representatives JOHNSON, TRELLO, HALUSKA, E. Z. TAYLOR, ADOLPH, JACKSON, KOSINSKI, REBER, SERAFINI, LETTERMAN, CAWLEY, GRUPPO, GEIST, MERRY, CORRIGAN, MRKONIC and JAMES

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

Referred to Committee on LOCAL GOVERNMENT, April 10, 1989.

No. 1104 By Representatives WAMBACH, SAURMAN, RYBAK, O'DONNELL, RYAN, RICHARDSON, HAYES, MANDERINO, ITKIN, McCALL, FOX, RUDY, RAYMOND, PISTELLA, EVANS, JOHNSON, DeWEESE, PETRARCA, PHILLIPS, KUKOVICH, SALOOM, RITTER, JACKSON, D. R. WRIGHT, LASHINGER, KOSINSKI, CAPPABIANCA, DOMBROWSKI, GEIST, LINTON, LETTERMAN, NAHILL, CALTAGIRONE, MILLER, DIETTERICK, MARKOSEK, WOZNIAC, JADLOWIEC, MORRIS, STUBAN, CORNELL, STABACK, FREEMAN, HAGARTY, KASUNIC, CAWLEY, LAUGHLIN, MICHLOVIC, McVERRY, CARN, TIGUE, MRKONIC, CHADWICK, ROBBINS, CLYMER, PICCOLA, TRELLO, JAMES, VEON, HECKLER, E. Z. TAYLOR, JOSEPHS, BELARDI, COWELL, GIGLIOTTI, CIVERA, MICOZZIE, D. F. CLARK, MELIO, STEIGHNER, McHALE, THOMAS, BURD, HERSHEY, ADOLPH, PRESTON, LEVDANSKY, DEMPSEY, WILSON, HUGHES, MAINE, WILLIAMS, VAN HORNE, COY, BUSH, DURHAM, CORRIGAN, BOWLEY, BILLOW, DISTLER, BUNT, TRICH, BORTNER, OLIVER, ACOSTA, HOWLETT, J. TAYLOR, J. L. WRIGHT, HARPER, DeLUCA, PETRONE,

PRESSMANN, LESCOVITZ, GRUITZA, LaGROTTA, R. C. WRIGHT, F. TAYLOR, KAISER, HAYDEN, JAROLIN, McNALLY, BATTISTO, LUCYK, BELFANTI, SCRIMENTI, ROEBUCK, KONDRICH, ALLEN, HASAY, MARSICO, TELEK, COLAFELLA, WASS, DAVIES, BLACK, HESS and COLE

An Act amending the act of May 17, 1921 (P. L. 682, No. 284), known as "The Insurance Company Law of 1921," providing for benefits for drug abuse and dependency.

Referred to Committee on INSURANCE, April 10, 1989.

No. 1105 By Representatives CHADWICK, COLAFELLA, LaGROTTA, HECKLER, CALTAGIRONE, BRANDT, COY, HAYES, MORRIS, GAMBLE, STAIRS, PICCOLA, GIGLIOTTI, FARGO, HERSHEY, SCRIMENTI, JADLOWIEC, VAN HORNE, FOX, BLACK, GALLEN, BILLOW, ROBBINS, FAIRCHILD, JACKSON, LETTERMAN, STUBAN, BURD, S. H. SMITH, GODSHALL, KENNEY, LANGTRY, MAYERNIK, McCALL, MERRY, MILLER, MRKONIC, NAHILL, NAILOR, J. L. WRIGHT, PRESSMANN, SAURMAN, TIGUE, PHILLIPS, WASS, HALUSKA, DISTLER, PITTS, STRITTMATTER, CORRIGAN, BATTISTO, GLADECK, SCHULER, KASUNIC, CAPPABIANCA, MARKOSEK, LEE, LEH, MELIO, MOEHLMANN, MOWERY, PETRONE, D. R. WRIGHT, NOYE, STISH, WOZNIAC, E. Z. TAYLOR, RITTER, SEMMEL, FOSTER, DALEY, SALOOM, DOMBROWSKI, WILSON, DEMPSEY, ALLEN, TRELLO, FREIND, LAUGHLIN, FLICK, STEIGHNER, DeLUCA, GEIST, VROON, DAVIES, CAWLEY, BROUJOS, JOHNSON, DIETTERICK, WAMBACH, HASAY, J. H. CLARK, CARLSON, RUDY, BARLEY, B. SMITH, SCHEETZ, BOYES, HERMAN, BIRMELIN, HESS, BUNT, FLEAGLE, BUSH, DORR, CESSAR, CLYMER, DININNI, FARMER and REINARD

An Act amending the act of October 15, 1975 (P. L. 390, No. 111), known as the "Health Care Services Malpractice Act," further providing for disclosure by physicians; further providing for damages, liability and practice and procedure in medical malpractice actions; further providing for professional liability insurance; establishing the Joint Committee on Professional Liability and giving it powers and duties; and making repeals.

Referred to Committee on JUDICIARY, April 10, 1989.

No. 1106 By Representatives BLAUM, HAGARTY, PICCOLA, BUNT, CAPPABIANCA, D. F. CLARK, J. H. CLARK, CLYMER, COLAFELLA, DALEY, FARMER, HECKLER, HERMAN, JOHNSON, KOSINSKI, MELIO, MOEHLMANN, MORRIS, NOYE, PHILLIPS, RAYMOND, REBER, ROBINSON, SCHEETZ, SERAFINI, D. W. SNYDER, TANGRETTI, E. Z. TAYLOR, TIGUE, VEON, WOGAN and WOZNIAK

An Act amending the act of June 14, 1923 (P. L. 775, No. 306), entitled, "An act to provide for the physical welfare of all persons confined (whether such persons be tried or untried prisoners) in any penitentiary or county prison in this Commonwealth," further providing for the exercise of prisoners.

Referred to Committee on JUDICIARY, April 10, 1989.

No. 1107 By Representatives BLAUM, HAGARTY, PICCOLA, BUNT, CAPPABIANCA, CHADWICK, D. F. CLARK, CLYMER, COY, DALEY, FAIRCHILD, HECKLER, HERMAN, JOHNSON, KOSINSKI, LANGTRY, LASHINGER, MELIO, MOEHLMANN, MORRIS, NOYE, PHILLIPS, PRESSMANN, RAYMOND, REBER, RITTER, ROBINSON, SCHEETZ, SERAFINI, D. W. SNYDER, TANGRETTI, E. Z. TAYLOR, TIGUE, VEON, VROON, WOGAN and WOZNIAK

An Act amending the act of August 13, 1963 (P. L. 774, No. 390), referred to as the "County Jail Prisoner Temporary Release Law," authorizing the collection of confinement costs in cases relating to prisoners confined only during weekends.

Referred to Committee on JUDICIARY, April 10, 1989.

No. 1108 By Representatives BLAUM, HAGARTY, PICCOLA, CAPPABIANCA, CLYMER, DALEY, HECKLER, HERMAN, KOSINSKI, LANGTRY, LASHINGER, LEVDANSKY, MARSICO, MELIO, MOEHLMANN, MORRIS, PHILLIPS, PRESSMANN, RAYMOND, REBER, RITTER, ROBINSON, SCHEETZ, SERAFINI, D. W. SNYDER, TANGRETTI, E. Z. TAYLOR, VEON, WOGAN and WOZNIAK

An Act providing for the licensing of certain persons charged with the general administration of correctional facilities; empowering the State Board of Corrections Administrators; and fixing fees.

Referred to Committee on JUDICIARY, April 10, 1989.

No. 1109 By Representatives SAURMAN, MELIO, TIGUE and BELARDI

An Act providing for a nonbinding referendum relating to restriction of sale, transportation, possession or purchase of certain firearms.

Referred to Committee on STATE GOVERNMENT, April 10, 1989.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 65 By Representatives STUBAN, STABACK, GEORGE, MORRIS, VROON, DALEY, HALUSKA, BELFANTI, PETRARCA, PHILLIPS, BOYES, WESTON, PRESSMANN, HESS, KOSINSKI, VEON, TRELLO, CALTAGIRONE, CAWLEY, MARSICO, CAPPABIANCA, RYBAK, LLOYD, MELIO, MRKONIC, NAHILL, FARMER, CLYMER, JOHNSON, PISTELLA, DeLUCA, J. L. WRIGHT, FOX, BELARDI, BISHOP, J. H. CLARK, FARGO, D. W. SNYDER and BILLOW

Memorializing the Congress of the United States to swiftly enact legislation designed to curb the increasing use of official-looking mass mailings.

Referred to Committee on RULES, April 10, 1989.

No. 66 By Representatives SAURMAN, HALUSKA, VEON, BELFANTI, D. W. SNYDER, CAWLEY, FOX, MARSICO, ROBINSON, REBER, COHEN, STABACK, MELIO, McVERRY, KOSINSKI, TRELLO, LASHINGER, BUNT, FARMER, THOMAS, HERMAN, SCHULER, ITKIN, DISTLER, E. Z. TAYLOR and ADOLPH

Appointing a select committee to investigate the nature and extent of existing systems to meet emergency needs of adolescents.

Referred to Committee on RULES, April 10, 1989.

No. 67
(Concurrent) By Representatives SAURMAN, MRKONIC, HALUSKA, VEON, CLYMER, VROON, BELFANTI, CAWLEY, CARLSON, JACKSON, MARSICO, ROBINSON, REBER, COHEN, SERAFINI, STABACK, MELIO, McVERRY, TRELLO, HESS, LASHINGER, BUNT, FARMER, JOHNSON, SCHULER, DISTLER, WILSON and FARGO

Directing the Department of State to add the words "The Commonwealth of Pennsylvania" to the official State Flag.

Referred to Committee on RULES, April 10, 1989.

No. 68 By Representatives SAURMAN, MRKONIC, VEON, BELFANTI, FOX, CAWLEY, JACKSON, ROBINSON, REBER, COHEN, MELIO, KOSINSKI, TRELLO, GEIST, HESS, BUNT, FARMER, JOHNSON and E. Z. TAYLOR

Memorializing Congress to require new automobiles to have headlights and taillights wired so that they will be turned on automatically whenever the windshield wipers are turned on.

Referred to Committee on RULES, April 10, 1989.

No. 69 By Representatives SAURMAN, HALUSKA, DeLUCA, CLYMER, VROON, FOX, CAWLEY, CARLSON, JACKSON, MARSICO, ROBINSON, COHEN, MELIO, NOYE, WOGAN, KOSINSKI, COWELL, TRELLO, GEIST, HESS, BUNT, FARMER, JOHNSON, DISTLER, J. H. CLARK, FARGO and E. Z. TAYLOR

Memorializing Congress to intercede to protect the public from the ruling of the Federal Communications Commission allowing indecent programming on television between 12 midnight and 6 a.m.

Referred to Committee on RULES, April 10, 1989.

No. 70 By Representatives E. Z. TAYLOR, FARMER, TIGUE, CARLSON, COLAFELLA, ARGALL, ROBINSON, YANDRISSEVITS, BILLOW, ADOLPH, DALEY, BELFANTI, JACKSON, HERMAN, HESS, MORRIS, GIGLIOTTI, HARPER, PETRARCA, MERRY, NOYE, RUDY, GEIST, DeLUCA, LASHINGER, J. TAYLOR, JOHNSON, KASUNIC, DIETTERICK, BORTNER, REBER, SAURMAN, FOX, STABACK, MAINE, BUNT, HAGARTY, RITTER and COLAIZZO

Designating April 1989 as "Pennsylvania Organ and Tissue Donor Month."

Referred to Committee on RULES, April 10, 1989.

No. 71
(Concurrent) By Representatives E. Z. TAYLOR, COLAFELLA, SAURMAN, MERRY, CARLSON, ROBINSON, TIGUE, BILLOW, BELFANTI, MORRIS, GIGLIOTTI, PETRARCA, FARMER, GEIST, DeLUCA, LASHINGER, J. TAYLOR, JOHNSON, KASUNIC, DIETTERICK, BORTNER, REBER, STABACK, BUNT, HAGARTY, RITTER and COLAIZZO

Urging all local educational agencies to provide regular daily opportunities in physical education for students in kindergarten through grade 12.

Referred to Committee on RULES, April 10, 1989.

No. 72 By Representatives E. Z. TAYLOR, HARPER, FARMER, COLAFELLA, ARGALL, CARLSON, ROBINSON, YANDRISSEVITS, TIGUE, BILLOW, ADOLPH, BELFANTI, JACKSON, HESS, MORRIS, GIGLIOTTI, PETRARCA,

MERRY, RUDY, GEIST, DeLUCA, LASHINGER, J. TAYLOR, JOHNSON, KASUNIC, DIETTERICK, BORTNER, REBER, SAURMAN, WESTON, FOX, STABACK, MAINE, BUNT, HAGARTY, RITTER and COLAIZZO

Recognizing "Healthy Baby Week."

Referred to Committee on RULES, April 10, 1989.

SENATE BILLS FOR CONCURRENCE

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

SB 134, PN 840

Referred to Committee on CONSUMER AFFAIRS, April 10, 1989.

SB 580, PN 618

Referred to Committee on JUDICIARY, April 10, 1989.

BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader. Mr. O'DONNELL. Mr. Speaker, I move that the following bills be removed from the tabled calendar and placed on the active calendar:

HB 301;
HB 338; and
HB 497.

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

COMMUNICATION FROM GOVERNOR

BILL SIGNED BY GOVERNOR

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

APPROVAL OF HB 254.

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

April 4, 1989

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

I have the honor to inform you that I have this day approved and signed House Bill 254, Printer's No. 929, entitled "AN ACT amending the act of June 22, 1964 (Sp.Sess., P.L.84, No.6), entitled 'An act to codify, amend, revise and consolidate the laws relating to eminent domain,' further providing for the definition of "displaced person," for moving and related expenses of displaced persons, for replacement housing and for issuance of regulations."

Robert P. Casey
Governor

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

The clerk of the Senate, being introduced, returned **HB 6, PN 1135**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

CALENDAR**BILLS ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 298, PN 330**, entitled:

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.

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

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.
Mr. O'DONNELL. Mr. Speaker, I move that **HB 298** be recommitted to the Appropriations Committee for the purpose of a fiscal note.

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

* * *

The House proceeded to second consideration of **HB 329, PN 1087**, entitled:

An Act amending the act of May 31, 1945 (P. L. 1198, No. 418), known as the "Surface Mining Conservation and Reclamation Act," further providing for proceedings involving contamination or diminution of water supplies.

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

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.
Mr. O'DONNELL. Mr. Speaker, I move that **HB 329** be recommitted to the Appropriations Committee for the purpose of a fiscal note.

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

* * *

The House proceeded to second consideration of **HB 380, PN 420**, entitled:

An Act establishing a volunteer litter patrol program to be administered by the Department of Environmental Resources; and providing for the appointment and powers and duties of patrol members.

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

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.
Mr. O'DONNELL. Mr. Speaker, I move that **HB 380** be recommitted to the Appropriations Committee for the purpose of a fiscal note.

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

* * *

The House proceeded to second consideration of **HB 643, PN 711**, entitled:

An Act amending the act of February 2, 1966 (1965 P. L. 1860, No. 586), entitled "An act encouraging landowners to make land and water areas available to the public for recreational purposes by limiting liability in connection therewith, and repealing certain acts," further defining the lands to which the act is applicable; and further providing for immunity relating to sports, playground and certain pleasure-driving use of property, and for the immunity of the Commonwealth and its political subdivisions.

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

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.
Mr. O'DONNELL. Mr. Speaker, I move that **HB 643** be recommitted to the Appropriations Committee for the purpose of a fiscal note.

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

* * *

The House proceeded to second consideration of **HB 691, PN 759**, entitled:

An Act amending the act of August 31, 1971 (P. L. 423, No. 101), known as the "Higher Education Equal Opportunity Act," further providing for eligibility of part-time students.

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

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.
Mr. O'DONNELL. Mr. Speaker, I move that **HB 691** be recommitted to the Appropriations Committee for the purpose of a fiscal note.

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

* * *

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

HB 778, PN 869; and HB 273, PN 1086.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 52, PN 287**, entitled:

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

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

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.
Mr. O'DONNELL. Mr. Speaker, I move that HB 52 be recommitted to the Appropriations Committee.

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

LEAVES OF ABSENCE

The SPEAKER. The Chair moves to leaves of absence. Are there leaves of absence to be requested by the majority party?

The Chair recognizes the majority whip.

Mr. DeWEESE. Mr. Speaker, the gentleman, Mr. PRESSMANN, from Lehigh for today's session only, and the gentleman from Allegheny, Mr. MURPHY, for today's session only. Thank you.

The SPEAKER. The Chair thanks the gentleman.

Without objection, the leaves requested by the majority party will be granted. The Chair hears no objection.

Are there requests for leaves from the minority party? The minority whip is recognized.

Mr. HAYES. Thank you, Mr. Speaker.

I request a leave for the gentleman from Montgomery County, Mr. SAURMAN, for the day; the gentleman from York County, Mr. FOSTER, for the day; the gentleman from Lancaster County, Mr. SCHULER, for the week; and the gentleman from Philadelphia, Mr. PERZEL, for the day.

The SPEAKER. The Chair thanks the minority whip.

Without objection, the leaves requested by the minority party are granted. The Chair hears no objection.

MASTER ROLL CALL

The SPEAKER. Members will indicate their presence by voting on the master roll call. The master roll call will now be taken. A "yea" vote will indicate presence in the hall of the House. Members will proceed to vote.

The following roll call was recorded:

PRESENT—196

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—6

Foster	Perzel	Saurman	Schuler
Murphy	Pressmann		

LEAVES CANCELED—1

Pressmann

WELCOME

The SPEAKER. The Chair is happy to welcome to the hall of the House today and recognizes the presence in the hall of the House today of Brenda Bayliss, who is the State chaperon of Pennsylvania's Junior Miss, along with Mr. and Mrs. John Solovey, parents of Pennsylvania's Junior Miss, who are here as the guests of Representative Bruce Smith. Will these individuals please stand.

LEAVE OF ABSENCE CANCELED

The SPEAKER. The Chair recognizes the gentleman, Mr. Pressmann, from Lehigh County, who indicates his presence in the hall of the House and has asked to be added to the master roll call. The gentleman's remarks will be spread on the record, and he will be added to the master roll call.

BILLS ON THIRD
CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 49, PN 1084**, entitled:

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

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?

Does the gentleman from Bucks, Mr. Clymer, request recognition?

Mr. CLYMER. Yes.

The SPEAKER. The gentleman is recognized. For what purpose does the gentleman rise?

Mr. CLYMER. To speak on final passage.

The SPEAKER. On final passage of the bill, the gentleman, Mr. Clymer, is in order.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, I bring to the attention of some members that in the past the General Assembly has been very generous in fracturing the Liquor Code to provide special treatment for a number of special organizations. Here we are again where the bill would allow stadiums in third-class cities to serve alcoholic beverages by reducing the seating capacity from 7,000 to 4,000. Even though the sponsor has provided a 15-percent seating capacity as a nondrinking area, we still have problems with the bill. Once again we are given the opportunity to expand the opportunity to provide alcoholic beverages at a place where I feel they should not be served.

It is very interesting that in many major stadiums the ownerships are designating areas and they are prohibiting the serving of alcoholic beverages after a certain inning or a certain quarter because they recognize the problem there. And so, Mr. Speaker, that concerns me about this bill.

When you take families to a sporting event, I do believe that they should not have to feel uncomfortable because there are people who become very obnoxious as they become intoxicated, and that is a problem that I have. I think we may be furthering also those people who would leave the stadium who would be inebriated and could cause problems out on the highway.

So, Mr. Speaker, for these reasons and for others, I would ask the members to vote "no" on HB 49. Thank you.

The SPEAKER. On the question of final passage, the Chair recognizes the bill's sponsor, the gentleman from Lycoming County, Mr. Dempsey.

Mr. DEMPSEY. Thank you, Mr. Speaker.

Mr. Speaker, this is a noncontroversial piece of legislation, and since you are not caucusing on this bill, I thought I would take a few minutes to explain to you the reasons why we are looking to pass it.

There are over 180 professional baseball teams in the United States. At the present time only five of those teams are unable to sell alcoholic beverages in their stadium. In the State of Pennsylvania we have seven professional baseball teams. At the present time only one of those cities is not allowed to sell alcoholic beverages. That city is Williamsport, Pennsylvania.

The law, as it is presently constituted, discriminates against third-class cities. It allows third-class counties with only 4,200 available seats to have a liquor license and it allows school districts in a third-class county to have 2,500 seats and gain a liquor license. It is obvious that the availability of seating really has nothing to do with whether a stadium should be allowed to sell alcoholic beverages or not.

This legislation makes a level playing field—and there is no pun intended by that—for the third-class cities that are not in third-class counties to be able to attract what has become a very positive economic force in the seven cities in Pennsylvania that have minor league and professional league baseball. This bill also mandates that 15 percent of the available seating will be set aside for those folks who do not wish to sit where alcoholic beverages are being sold.

This bill will enable Williamsport to compete on a scale with the rest of the third-class cities in the State of Pennsylvania to secure and keep a minor league franchise.

I ask for a positive vote on this bill. Thank you very much.

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

Mr. WAMBACH. Thank you, Mr. Speaker.

Mr. Speaker, I rise with Representative Dempsey in support of HB 49. As he most eloquently told the House, Williamsport is the only third-class city that has a professional franchise that is not permitted to serve alcoholic beverages at their athletic events. This bill will decrease the amount of seating

required. Harrisburg was permitted under a special provision within the Liquor Code pertaining to third-class county school districts. It just happened by pure luck a situation that occurred in Erie was the same situation that had been applied to Harrisburg. That is why today at RiverSide Stadium, at the home of the Senators, you are permitted to have alcoholic beverages. This does decrease that number for third-class cities to include the stadium capacity that is presently placed, I think, at 4,000 at the Williamsport stadium. I wholeheartedly support the provisions in HB 49 that pertain to the Williamsport stadium that will permit the third-class city there, Williamsport, to sell beer, and the only reason why they do not fall under the provisions that are currently in the code is that they are not a third-class county in Lycoming County.

So I would indulge my members to support this legislation as an economic development piece of legislation and good for the environs of Lycoming County. Thank you very much, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question of final passage, the Chair recognizes the majority whip.

Mr. DeWEESE. Mr. Speaker, consonant with my desire to keep government out of people's personal lives and parallel with my view that people should be given the choice to behave the way they want to behave within the bounds of the law, I urge an affirmative vote. I would hope that in a bipartisan effort to keep government off our backs, we would allow Mr. Dempsey's measure to go forward and to be accepted by this chamber resoundingly. Thank you.

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—176

Acosta	Dininni	Lee	Robbins
Adolph	Distler	Leh	Robinson
Allen	Dombrowski	Lescovitz	Roebuck
Angstadt	Donatucci	Letterman	Rudy
Argall	Dorr	Levdanský	Ryan
Battisto	Durham	Linton	Rybak
Belardi	Evans	Lloyd	Saloom
Belfanti	Fairchild	Lucyk	Scrimenti
Billow	Farmer	McCall	Semmel
Bishop	Fee	McHale	Serafini
Black	Fox	McNally	Smith, B.
Blaum	Freeman	McVerry	Smith, S. H.
Bortner	Freind	Maijale	Snyder, D. W.
Bowley	Gallen	Maine	Snyder, G.
Boyes	Gamble	Markosek	Staback
Brandt	Gannon	Marsico	Stairs
Broujos	Geist	Mayermik	Steighner
Bunt	George	Melio	Stish
Burd	Gigliotti	Michlovic	Suban
Burns	Gladeck	Micozzie	Tangretti
Bush	Godshall	Miller	Taylor, E. Z.
Caltagirone	Gruitza	Moehlmann	Taylor, F.
Cappabianca	Gruppo	Morris	Taylor, J.
Carlson	Hagarty	Mowery	Telek
Carn	Haluska	Mrkoncic	Thomas
Cawley	Harper	Nahill	Tigue
Cessar	Hayden	Nailor	Trello
Chadwick	Heckler	O'Brien	Trich
Civera	Herman	O'Donnell	Van Horne
Clark, B. D.	Howlett	Olasz	Veon

Clark, D. F.	Hughes	Oliver	Wambach
Clark, J. H.	Itkin	Petrarca	Wass
Cohen	Jackson	Petrone	Weston
Colafella	Jadlowiec	Piccola	Williams
Cole	Jarolin	Pievsky	Wilson
Cornell	Josephs	Pistella	Wogan
Corrigan	Kaiser	Pressmann	Wozniak
Cowell	Kasunic	Preston	Wright, D. R.
Coy	Kenney	Raymond	Wright, J. L.
DeLuca	Kosinski	Reber	Wright, R. C.
DeWeese	Kukovich	Reinard	Yandrisevits
Daley	LaGrotta	Richardson	
Davies	Langtry	Rieger	Manderino,
Dempsey	Lashingier	Ritter	Speaker
Dietterick	Laughlin		

NAYS—21

Barley	Flick	James	Phillips
Birmelin	Hasay	Johnson	Pitts
Clymer	Hayes	Kondrich	Scheetz
Colaizzo	Hershey	Merry	Strittmatter
Fargo	Hess	Noye	Vroon
Fleagle			

NOT VOTING—0

EXCUSED—5

Foster	Perzel	Saurman	Schuler
Murphy			

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.

PENNSYLVANIA JUNIOR MISS PRESENTED

The SPEAKER. The Chair is happy to welcome to the hall of the House this afternoon Pennsylvania's Junior Miss. She is here this afternoon as the guest of Representative Bruce Smith. We introduced the chaperon and the parents just a moment ago.

The Chair would like to invite Representative Bruce Smith to the podium along with Pennsylvania's Junior Miss.

Mr. B. SMITH. Thank you, Mr. Speaker.

I have been a Representative now for 9 years, and this is the first time that I have had the privilege of having somebody from my legislative district win statewide competition.

This is quite an extraordinary young woman. When I first met her, it was at Northeastern High School's dance marathon, and in one day she was cochairman of the event in which they raised \$30,000 for St. Jude. Furthermore, she is valedictorian of her class. She was told by her guidance counselor at the end of the second grade period that it was almost mathematically impossible for anyone to catch her at this point.

She is going to York College in the fall, and her list of achievements is long. I just want to share several with you. She is the York County Junior Miss, the Pennsylvania Junior Miss. She is number one in her senior class, a member of the National Honor Society and the Distinguished Honor Roll. She is listed in "Who's Who Among American High School Students." She competes in volleyball and track for North-

eastern High School. She also devotes her time as a member of York Hospital's Medical Explorer Post 611 and is a volunteer for the American Cancer Society and the Voter Registration Drive.

Now therefore, the House of Representatives recognizes her for being Pennsylvania Junior Miss, and I am sure that all of you join me in wishing her the best as she competes for Pennsylvania in July at the National Junior Miss competition.

At this time I want to present to you Elizabeth Solovey. Miss SOLOVEY. Good afternoon.

It is very nice to be here. This is probably one of the most exciting things that has happened so far, and I am sure I will never forget it, and it is my privilege to address you today.

Today I would like to talk with you about equal opportunities in education. As it has been stated thousands of times, today's youth is the future of America. It is my generation that will face problems of nuclear war, famine, endangered environment, overpopulation, and a decaying society. With this in mind, we of course want each and every student to be completely prepared to face and overcome the challenges presented to them in this ever-changing Nation of ours. But how can we be expected to do this when we are not all given the same opportunities?

I am a senior at Northeastern High School in Manchester, Pennsylvania, and I am one of those students who is not given all the opportunities. The reason I do not have the opportunities is not because of a lack of desire on my part, but it is due to a lack of financing. As public school financing now stands, the education of a school district is tied directly to the wealth of its residents. Poor school districts raise far less money from property taxes than rich districts do because the total property value in poor districts is much lower. So if you live in a wealthy neighborhood, it is very likely you will attend a wealthy school district. Because you attend a wealthy school district, you will more than likely receive better educational opportunities.

Let us take my school for example. Construction is almost completed on our new swimming pool. For our district to build this facility, there was an extreme increase in taxes. Is it fair that school A can possess such a facility when for school B to possess it there must be such an extreme increase in taxes? The answer is no. It is also unfair that specific courses are offered at one school and not at another, not because the students are not interested in those courses but because, once again, there is not enough money.

I, being a student myself, know that the youth wants to have the opportunities available to them. We want to be the best we can possibly be, but we need your help to become the best we can be. We need you to help us be educated, responsible citizens. We can carry the weight of America's future on our shoulders, but only if we are strong in mind and body. Each of us needs to have access to all the opportunities.

On behalf of the youth of Pennsylvania, I make the plea to you that we may all have all the opportunities available to us. As Debbie Gibson's lyrics go in her new song, "The future belongs to the future itself, which is electric youth." Please help us to become the electric youth. Thank you.

The SPEAKER. Representative Smith, we thank you for bringing Elizabeth to our attention.

To Elizabeth and your parents, we congratulate you on your many achievements; we congratulate you on your public service endeavors; we congratulate you on being selected Pennsylvania's Junior Miss, and good luck in the national competition.

FILMING PERMISSION

The SPEAKER. The Speaker announces that he has granted for the next 10 minutes the privilege of the floor for the purposes of video photography to Mike Kondor of WPVI-TV to begin at this time - 10 minutes. The gentleman is to the right of the Speaker.

VOTE CORRECTION

Mr. MERRY. Mr. Speaker, may I correct a vote?

The SPEAKER. The gentleman from Crawford, Mr. Merry, seeks recognition. For what purpose does the gentleman rise?

Mr. MERRY. Mr. Speaker, on HB 49, PN 1084, my vote was inadvertently cast in the negative. I wish the vote to be recorded in the positive.

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

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 73 By Representatives GODSHALL and FREEMAN

Requiring the State of New Jersey to cease and desist from enforcing certain boating laws on the Delaware River.

Referred to Committee on RULES, April 10, 1989.

No. 74 By Representatives ITKIN, CESSAR, ROBINSON, MRKONIC, McNALLY, McVERRY, GIGLIOTTI, PETRONE, DeLUCA and TRELLO

Designating April 15, 1989, as "Pittsburgh CARES Day."

Referred to Committee on RULES, April 10, 1989.

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 200, PN 226**, entitled:

An Act declaring and adopting the song "Pennsylvania," lyrics and music by Eddie Khoury and Ronnie Bonner, as the State song of the Commonwealth of Pennsylvania.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

The Chair recognizes the gentleman from Indiana, Mr. Wass, on final passage.

Mr. WASS. Mr. Speaker, may I interrogate the maker of the bill?

The SPEAKER. The gentleman, Mr. Oliver, indicates he will stand for interrogation. You may proceed.

Mr. WASS. Thank you, Mr. Speaker.

Mr. Speaker, if I may, in sessions passed by, we struggled with a State song, and at that time we had public hearings where we had an opportunity to hear all the presentations of the State song. My question to you would be, did you have public hearings on this legislation?

Mr. OLIVER. We did not have a public hearing. We had a meeting on it, just like we do with any other piece of legislation.

Mr. WASS. Then, Mr. Speaker, at that meeting, everybody had an opportunity to present their songs?

Mr. OLIVER. Mr. Speaker, if I may, I will let the House know the process that we used.

Mr. WASS. I would appreciate that.

Mr. OLIVER. The State Government Committee for many years has been trying to deal with this situation. What happened this time, the first time that it was actually done this way, Mr. Speaker, a select committee was chosen to review over— Mr. Speaker, if I may have a little order.

The SPEAKER. The gentleman is asking that this House be in order. The Speaker concurs that the House should be in order. The two gentlemen engaging in a colloquy are attempting to put facts upon the record that members of the House should be interested in. Please pay attention.

The gentleman may proceed.

Mr. OLIVER. A select committee was formed. These were members that were chosen from the Pennsylvania Music Educators Association, as well as from the Governor's Council on the Arts. The reason why it was done this way was so as to eliminate any problems as far as politics were concerned. Now, for years that is one of the reasons I think we were not able to achieve this purpose. We met in the rotunda; this group performed; the bill was voted out of committee by a unanimous vote.

Mr. WASS. Then, Mr. Speaker, if I may, you are telling me that this is the only song that appeared before the committee.

Mr. OLIVER. No; that is not true. There were over 200 songs that were reviewed by this committee, which took them 3 different occasions to do this. This was the song that they came up with out of more than 200.

Mr. WASS. Mr. Speaker, if I may, this was the song that was recommended and the only song that was recommended to the committee?

Mr. OLIVER. Yes, it was. There were two songs. This was the song that the committee chose.

Mr. WASS. Thank you, Mr. Speaker.

The SPEAKER. The gentleman from Luzerne, Mr. Jarolin, is recognized on final passage.

Mr. JAROLIN. Thank you, Mr. Speaker.

Mr. Speaker, coming down the interstate highway this past week, there was a radio station on making a statement about the possibility of having our State song. They were requesting numerous people to call in to ask what their opinion was. I overheard some of the conversations, and they were more or less under the impression that the politicians were picking this song and possible favoritism was shown.

The second category was the fact that approximately 200 people had notified or requested consideration for their piece of music. Upon picking this particular song, those people had never known what the standing was of their song, and I got chastised from quite a few different people.

MOTION TO RECOMMIT

Mr. JAROLIN. At this time, Mr. Speaker, I would like to make a motion that this bill be put back into committee.

The SPEAKER. The gentleman, Mr. Jarolin, has moved that HB 200 be recommitted to committee.

To which committee has the gentleman asked recommitment?

Mr. JAROLIN. Mr. Speaker, as long as it had been in the State Government Committee, I would appreciate it very much if it would go back in so I could discuss the problems that are around the State.

The SPEAKER. The Chair thanks the gentleman.

The motion has been made that the bill before us, HB 200, be recommitted to the State Government Committee.

On the question,

Will the House agree to the motion?

The SPEAKER. The gentleman from Philadelphia, Mr. Oliver, is recognized on the motion.

Mr. OLIVER. Mr. Speaker, I oppose the motion.

There is no reason why a motion like that should pass the floor of this House since so much effort has been put into trying to at last bring out of this House a State song. We have done everything humanly possible to satisfy everybody in here who introduced a song.

So based on that, Mr. Speaker, I oppose the motion, and I would ask the House to vote it down.

MOTION WITHDRAWN

The SPEAKER. On the question of the motion, the Chair recognizes the gentleman from Berks County, Mr. Gallen.

Mr. GALLEN. Mr. Speaker, I was wondering if the gentleman, Mr. Jarolin, would withdraw his motion temporarily in order that I might have a chance to debate the bill.

The SPEAKER. The motion to recommit has been withdrawn.

On the question recurring,
Shall the bill pass finally?

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

Mr. GALLEN. Mr. Speaker, when I was chairman of the State Government Committee for a number of years, I had the same problem Mr. Oliver found himself in with so many great songs having been introduced and so on. A couple of years ago, a reporter asked me if I could write a song about not having a State song, and, Mr. Speaker, if you will allow me a little bit of latitude and a very brief time, I would like to further this debate by singing a song about why we do not have a song.

It goes like this, Mr. Speaker—

The SPEAKER. The gentleman is asking for the privilege of the floor to sing a song that has nothing to do with the debate before us.

Mr. GALLEN. Oh, yes it does, Mr. Speaker.

The SPEAKER. Without objection—without objection—the gentleman may proceed, and the Chair hears no objection.

Mr. GALLEN. Thank you, Mr. Speaker.

I hear no objection, Mr. Speaker.

At any rate, Mr. Speaker, the song I wrote about not having a State song goes like this:

Without a song, no way to celebrate;
Without a song, Pa. is out of date;
Without a song, we're the off-keystone state;
Without a song, without a song.

We've got an official state dog.
And flower and fish and even state bug.
But what good's our bug,
If we are unable in song it to plug?
Without a song.

That is it, Mr. Speaker.

Mr. Speaker, I yield to Mr. Jarolin.

The SPEAKER. The Chair thanks the gentleman. On behalf of the House, the Chair thanks the gentleman.

The Chair would indicate that you may have missed your calling.

MOTION TO RECOMMIT

The SPEAKER. The Chair recognizes the gentleman from Luzerne, Mr. Jarolin.

Mr. JAROLIN. Mr. Speaker, is this one of those deals where "can you top this"? If it is, believe you me, I do not carry any kind of a note, but I will bring an orchestra down here to play my song.

Mr. Speaker, I would still like to make the motion to recommit that to the State Government Committee.

The SPEAKER. The gentleman's recommittal motion has been renewed.

Those in favor of the motion will signify by voting "yea"; those opposed, "nay."

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—69

Allen	Farmer	Melio	Snyder, G.
Angstadt	Fox	Merry	Staback
Belardi	Gannon	Moehlmann	Stairs
Black	Geist	Mowery	Steighner
Blaum	Gruppo	Noye	Stish
Bortner	Hagarty	Olasz	Strittmatter
Boyes	Hasay	Petrone	Stuban
Broujos	Heckler	Phillips	Tangretti
Burns	Hess	Piccola	Taylor, E. Z.
Cawley	Jackson	Pitts	Tigue
Chadwick	Jadlowiec	Preston	Trello
Clark, J. H.	Jarolin	Robbins	Van Horne
Cornell	Johnson	Robinson	Vroon
DeLuca	Kosinski	Rybak	Wass—
Davies	Lashinger	Scheetz	Wozniak
Dietterick	Levdansky	Serafini	Wright, D. R.
Dorr	McNally	Smith, B.	Yandrisevits
Fairchild			

NAYS—124

Acosta	Dempsey	Kukovich	Pressmann
Adolph	Dininni	LaGrotta	Raymond
Argall	Distler	Langtry	Reber
Barley	Dombrowski	Laughlin	Reinard
Battisto	Donatucci	Lee	Richardson
Belfanti	Durham	Leh	Rieger
Billow	Evans	Lescovitz	Ritter
Birmelin	Fargo	Letterman	Roebuck
Bishop	Fee	Linton	Rudy
Bowley	Fleagle	Lloyd	Ryan
Brandt	Flick	Lucyk	Saloom
Bunt	Freeman	McCall	Scrimenti
Burd	Gallen	McHale	Semmel
Bush	Gamble	McVerry	Smith, S. H.
Caltagirone	George	Maiale	Snyder, D. W.
Cappabianca	Gigliotti	Maine	Taylor, F.
Carlson	Gladeck	Markosek	Taylor, J.
Carn	Godshall	Marsico	Telek
Cessar	Haluska	Mayernik	Thomas
Civera	Hayden	Michlovic	Trich
Clark, B. D.	Hayes	Micozzie	Veon
Clark, D. F.	Herman	Miller	Wambach
Clymer	Hershey	Morris	Weston
Cohen	Howlett	Mrkonic	Williams
Colafiglia	Hughes	Nahill	Wilson
Colaizzo	Itkin	Nailor	Wogan
Cole	James	O'Brien	Wright, J. L.
Corrigan	Josephs	O'Donnell	Wright, R. C.
Cowell	Kaiser	Oliver	
Coy	Kasunic	Petrarca	Manderino,
DeWeese	Kenney	Pievsky	Speaker
Daley	Kondrich		

NOT VOTING—4

Freind	Gruitza	Harper	Pistella
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EXCUSED—5

Foster	Perzel	Saurman	Schuler
Murphy			

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

On the question recurring,
Shall the bill pass finally?

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Kosinski, on final passage.

Mr. KOSINSKI. Thank you, Mr. Speaker.

I intend to vote "no" on final passage, because I think that the only State song is the "Pennsylvania Polka."

The SPEAKER. The Chair recognizes the gentleman from Berks County, Mr. Davies.

Mr. DAVIES. Mr. Speaker, would the maker stand for one or two questions?

The SPEAKER. The gentleman, Mr. Oliver, indicates he will stand for interrogation. You may proceed.

Mr. DAVIES. Mr. Speaker, on the copyrights for the song and the moneys that are realized on the sale of the song, do those go entirely to the writers of the song? Is there any agreement that Pennsylvania in any way will have any realization from the song as far as the cost and so forth and so on?

Mr. OLIVER. No. They have given us all rights to use the song.

Mr. DAVIES. Thank you very much.

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—137

Acosta	Dininni	Laughlin	Richardson
Adolph	Distler	Lee	Rieger
Argall	Dombrowski	Leh	Ritter
Barley	Donatucci	Lescovitz	Robinson
Battisto	Durham	Levdansky	Roebuck
Belfanti	Evans	Linton	Rudy
Billow	Farmer	Lucyk	Saloom
Birmelin	Fee	McCall	Scheetz
Bishop	Flick	McHale	Scrimenti
Black	Fox	Maiale	Semmel
Bowley	Freeman	Maine	Serafini
Brandt	Gallen	Markosek	Smith, S. H.
Bunt	Gamble	Marsico	Snyder, D. W.
Burd	Gannon	Mayernik	Stairs
Bush	George	Melio	Steighner
Caltagirone	Gigliotti	Michlovic	Stish
Cappabianca	Gladeck	Micozzie	Strittmatter
Carlson	Godshall	Miller	Tangretti
Carn	Gruppo	Moehlmann	Taylor, F.
Civera	Haluska	Morris	Taylor, J.
Clark, B. D.	Harper	Mrkonic	Telek
Clark, J. H.	Hayden	Nahill	Thomas
Cohen	Herman	Nailor	Trich
Colafella	Hershey	O'Brien	Veon
Colaizzo	Howlett	O'Donnell	Wambach
Cole	Hughes	Olasz	Weston
Corrigan	Itkin	Oliver	Williams
Cowell	James	Petrarca	Wilson
Coy	Josephs	Petrone	Wogan
DeLuca	Kaiser	Pievsy	Wright, J. L.
DeWeese	Kasunic	Pistella	Wright, R. C.
Daley	Kenney	Pitts	
Davies	Kukovich	Pressmann	Manderino,
Dempsey	LaGrotta	Preston	Speaker
Dietterick	Langtry	Raymond	

NAYS—57

Allen	Fargo	Lashingner	Rybak
Angstadt	Fleagle	Letterman	Smith, B.
Belardi	Geist	Lloyd	Snyder, G.
Blaum	Hagarty	McNally	Staback
Bortner	Hasay	McVerry	Stuban
Boyes	Hayes	Merry	Taylor, E. Z.
Burns	Heckler	Mowery	Tigue
Cawley	Hess	Noye	Trello
Cessar	Jackson	Phillips	Van Horne
Chadwick	Jadlowiec	Piccola	Vroon
Clark, D. F.	Jarolin	Reber	Wass
Clymer	Johnson	Reinard	Wozniak
Cornell	Kondrich	Robbins	Wright, D. R.

Dorr	Kosinski	Ryan	Yandrisevits
Fairchild			
NOT VOTING—3			
Broujos	Freind	Gruitza	
EXCUSED—5			
Foster	Perzel	Saurman	Schuler
Murphy			

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.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. Is there further business to come before the body from the majority party?

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

Mr. PIEVSKY. Thank you, Mr. Speaker.

Mr. Speaker, there will be a meeting of the Appropriations Committee immediately upon the call of the recess at the rear of the chamber. Thank you, Mr. Speaker.

The SPEAKER. Appropriations Committee meeting at the rear of the chamber on the call of the recess.

DEMOCRATIC CAUCUS

The SPEAKER. Is there any further business?

An announcement by the caucus chairman, the gentleman from Allegheny, Mr. Itkin, of the majority party.

Mr. ITKIN. Mr. Speaker, I announce for the information of the Democratic members, there will be a caucus this afternoon immediately upon the declaration of the recess.

The SPEAKER. The Chair thanks the gentleman.

REPUBLICAN CAUCUS

The SPEAKER. Is there any further business from the minority party?

The Chair recognizes the gentleman from Perry, Mr. Noye, the caucus chairman of the Republican Party.

Mr. NOYE. Mr. Speaker, before I make the announcement, are you planning a Rules Committee meeting?

The SPEAKER. The Rules Committee meeting is scheduled for tomorrow morning, it is my understanding.

Mr. NOYE. Okay.

Mr. Speaker, the Republicans will caucus at 2:15; 2:15 for the Republican caucus.

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 570, PN 1267 (Amended)

By Rep. CALTAGIRONE

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for spousal privilege in evidence.

JUDICIARY.

The SPEAKER. The House will be at ease.

The chairman of the Appropriations Committee expects that the business of that committee will be concluded very shortly and a report will be made.

There will be no further votes taken on the floor of the House. We will receive the report of the Appropriations Committee, and the gentleman, Mr. Strittmatter, from Lancaster County will have the adjournment motion.

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 22, PN 1266 (Amended)

By Rep. PIEVSKY

An Act amending the act of July 2, 1984 (P. L. 561, No. 112), known as the "Pennsylvania Conservation Corps Act," further providing for educational opportunities, ability assessments, and terms of employment for corpsmembers; for the wages of corpsmembers and crewleaders; for corpsmember exchanges, annual reports, coordination with Job Training Partnership Act, and local conservation corps incubators; for program funding; and deleting the expiration of the act.

APPROPRIATIONS.

BILLS REREPORTED FROM COMMITTEE

HB 50, PN 52

By Rep. PIEVSKY

An Act designating the dam on the Susquehanna River at Williamsport as the Anthony J. Cimini Dam.

APPROPRIATIONS.

HB 52, PN 287

By Rep. PIEVSKY

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.

APPROPRIATIONS.

HB 59, PN 61

By Rep. PIEVSKY

An Act designating a highway bridge on Route 93 in Columbia and Luzerne Counties as the Berwick-Nescopeck Veterans Memorial Bridge.

APPROPRIATIONS.

HB 583, PN 645

By Rep. PIEVSKY

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 business administrators.

APPROPRIATIONS.

HB 691, PN 759

By Rep. PIEVSKY

An Act amending the act of August 31, 1971 (P. L. 423, No. 101), known as the "Higher Education Equal Opportunity Act," further providing for eligibility of part-time students.

APPROPRIATIONS.

BILLS ON SECOND CONSIDERATION

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

HB 691, PN 759; HB 583, PN 645; HB 59, PN 61; and HB 50, PN 52.

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.

Mr. O'DONNELL. Mr. Speaker, I move that HB 22 be removed from the tabled calendar and placed on the active calendar.

On the question,

Will the House agree to the motion?

Motion was agreed to.

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER. The Chair recognizes the gentleman from Lancaster, Mr. Strittmatter.

Mr. STRITTMATTER. Thank you, Mr. Speaker.

Mr. Speaker, I move that this House do now adjourn until Tuesday, April 11, 1989, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 1:56 p.m., e.d.t., the House adjourned.