

LEGISLATIVE JOURNAL

WEDNESDAY, APRIL 26, 1989

SESSION OF 1989

173D OF THE GENERAL ASSEMBLY

No. 31

HOUSE OF REPRESENTATIVES

The House convened at 11 a.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, our creator, redeemer, and friend, we acknowledge Your goodness and mercy, for by them we are given renewed opportunities to better serve Your people.

On this day we lift unto You our dedicated and committed secretaries and those like them, who by their efforts keep our work flowing smoothly and well. So often we are tempted to forget their importance and believe that we are accomplishing tasks by ourselves. When we are so tempted, remind us that "No man is an island; no one stands alone." It takes all of us to keep this Commonwealth the finest in our Nation.

Bless our secretaries and remind them that we truly and dearly love and appreciate them.

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, the approval of the Journal of Tuesday, April 25, 1989, will be postponed, and the Chair hears no objection.

HOUSE BILLS INTRODUCED AND REFERRED

No. 1322 By Representatives THOMAS, RICHARDSON, COLAIZZO, LINTON, JOSEPHS, KOSINSKI, WILLIAMS, JAMES, ACOSTA, DORR, OLIVER, HAYDEN, BISHOP, ROEBUCK, HUGHES, HARPER and EVANS

An Act amending the act of June 13, 1967 (P. L. 31, No. 21), known as the "Public Welfare Code," further providing for medical assistance payments for institutional care.

Referred to Committee on HEALTH AND WELFARE, April 26, 1989.

No. 1323 By Representatives STISH, JAROLIN, HASAY, McCALL, STUBAN, WAMBACH, BATTISTO, COLAIZZO, DALEY, TANGRETTI, CAWLEY, TIGUE, ROBINSON, HALUSKA, MAINE, KUKOVICH, TRICH, LEE, STABACK, DIETTERICK, KASUNIC, STEIGHNER, McHALE, BELFANTI, BARLEY, FAIRCHILD, McNALLY, CAPPABIANCA, MICOZZIE, BLAUM, SCRIMENTI, FREEMAN, RITTER, MRKONIC, RYBAK, TRELLO, BELARDI, COY, DeWEESE, NOYE, LINTON, LEVDANSKY, COHEN, GIGLIOTTI, MICHLOVIC, KOSINSKI, COLE, WOZNIAK, LLOYD, DISTLER, J. L. WRIGHT, LETTERMAN, DOMBROWSKI, VAN HORNE, JOSEPHS, PISTELLA, HERMAN, ARGALL, MANDERINO, BISHOP, MELIO, JOHNSON, BUNT and PETRARCA

An Act amending the act of July 2, 1984 (P. L. 520, No. 105), known as the "Business Infrastructure Development Act," further providing for conditions for grants and loans; and for the expiration of the act.

Referred to Committee on APPROPRIATIONS, April 26, 1989.

No. 1324 By Representative LETTERMAN

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, prohibiting the removal of safety equipment and devices.

Referred to Committee on TRANSPORTATION, April 26, 1989.

No. 1325 By Representatives S. H. SMITH, MRKONIC, TIGUE, BOYES, MARSICO, ROBINSON, NOYE, HALUSKA, DISTLER, SAURMAN, FARGO, NAHILL, McVERRY, PHILLIPS, DIETTERICK, ARGALL, JOHNSON, E. Z. TAYLOR, LANGTRY, RAYMOND, GEIST,

CLYMER, PETRARCA, GANNON,
DORR, RITTER, LEH and TRELLO

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for restitution for injuries to person or property.

Referred to Committee on JUDICIARY, April 26, 1989.

No. 1326 By Representatives JOSEPHS, JAROLIN,
ROBINSON, BISHOP, TRELLO, VEON,
PISTELLA, WILLIAMS and DALEY

An Act establishing the Pennsylvania Executive Oversight Board and providing for its powers and duties; and making an appropriation.

Referred to Committee on STATE GOVERNMENT,
April 26, 1989.

No. 1327 By Representatives JAROLIN and HASAY

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for inspections of school buses.

Referred to Committee on TRANSPORTATION,
April 26, 1989.

No. 1328 By Representatives JAROLIN, HASAY,
TIGUE and PRESTON

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for suspension of certificates of appointment of official inspection stations.

Referred to Committee on TRANSPORTATION,
April 26, 1989.

No. 1329 By Representatives JAROLIN, FEE, STISH,
PERZEL, BLAUM, KOSINSKI, RYBAK,
TRELLO, CAWLEY, TIGUE, BATTISTO,
DeLUCA, VEON, BELFANTI, CIVERA,
BELARDI, STABACK, MILLER,
PRESTON, E. Z. TAYLOR, SALOOM,
HOWLETT, SERAFINI and KASUNIC

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for tire tread depth on school buses.

Referred to Committee on TRANSPORTATION,
April 26, 1989.

No. 1330 By Representatives JAROLIN, FEE, STISH,
PERZEL, BLAUM, KOSINSKI,
DOMBROWSKI, ROBINSON, TRELLO,
CAWLEY, TIGUE, OLIVER, DeLUCA,
VEON, BELFANTI, CIVERA,
E. Z. TAYLOR, CORRIGAN, SALOOM
and HOWLETT

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, requiring school bus drivers to make certain reports involving the operation of their buses.

Referred to Committee on TRANSPORTATION,
April 26, 1989.

No. 1331 By Representatives CALTAGIRONE,
REBER, MOEHLMANN, McNALLY,
VEON and KOSINSKI

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, requiring district justices and judges to provide information about AIDS testing and counseling to persons charged and their victims in cases involving transmission of body fluids; authorizing the ordering of AIDS testing of certain persons; and providing for procedures.

Referred to Committee on JUDICIARY, April 26, 1989.

No. 1332 By Representatives MOWERY,
VAN HORNE, HECKLER, FARGO,
MORRIS, McVERRY, NAHILL, BOYES,
WOGAN, D. W. SNYDER, PHILLIPS,
KASUNIC, BILLOW, ROBBINS,
DISTLER, JOHNSON, VROON, GEIST,
TANGRETTI, HALUSKA, MELIO, NOYE,
SERAFINI, E. Z. TAYLOR, BROUJOS,
ITKIN, CIVERA and SEMMEL

An Act regulating the fiduciary affairs of local government employee retirement systems by providing for persons defined to be fiduciaries, fiduciary activities subject to regulation, general standards of fiduciary conduct, specific, supplemental fiduciary standards, liability for fiduciary breaches including breaches by other fiduciaries, delegation and allocation of fiduciary activities, fiduciary insurance and bonding; providing for penalties; and making repeals.

Referred to Committee on LOCAL GOVERNMENT,
April 26, 1989.

No. 1333 By Representatives TIGUE, CAWLEY,
STABACK, JAROLIN, BELARDI,
HALUSKA, HASAY, REBER, LUCYK,
COLAIZZO, MELIO, STEIGHNER,
D. F. CLARK, VEON, JOHNSON,
DIETTERICK, ADOLPH, BISHOP,
CORRIGAN, BELFANTI, DALEY,
TRELLO, RAYMOND, BATTISTO and
BARLEY

An Act amending the act of May 1, 1933 (P. L. 103, No. 69), known as "The Second Class Township Code," further providing for certain insurance coverage for supervisors.

Referred to Committee on LOCAL GOVERNMENT,
April 26, 1989.

No. 1334 By Representatives TIGUE, CAWLEY,
STABACK, SERAFINI, JAROLIN,
BELARDI, VEON, KASUNIC, OLASZ,
PISTELLA, MICHLOVIC, MELIO,
LUCYK, HALUSKA, DALEY, TRELLO,
BISHOP, J. TAYLOR, PETRARCA,
RITTER, CORRIGAN, RAYMOND,
DIETTERICK, DISTLER, FARGO,
HECKLER and ADOLPH

An Act amending the act of June 5, 1968 (P. L. 140, No. 78), entitled "An act regulating the writing, cancellation of or refusal to renew policies of automobile insurance; and imposing powers and duties on the Insurance Commissioner therefor," prohibiting the cancellation or refusal to renew policies by reason of operating privileges of an underage person being suspended for an offense relating to alcoholic beverages.

Referred to Committee on INSURANCE, April 26, 1989.

No. 1335 By Representatives PRESTON, WAMBACH, HARPER, ANGSTADT, R. C. WRIGHT, TRELLO, VAN HORNE and LASHINGER

An Act amending the act of May 28, 1937 (P. L. 955, No. 265), known as the "Housing Authorities Law," increasing the maximum amount for which authorities may contract or purchase without bids.

Referred to Committee on URBAN AFFAIRS, April 26, 1989.

No. 1336 By Representatives RICHARDSON, DeWEESE, KUKOVICH, VEON, JOSEPHS, NAHILL, MORRIS, ROBINSON, RITTER, ACOSTA, BISHOP, CARN, EVANS, HARPER, HUGHES, JAMES, LINTON, OLIVER, PRESTON, ROEBUCK, THOMAS, WILLIAMS and R. C. WRIGHT

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, April 26, 1989.

No. 1337 By Representatives RICHARDSON, VEON, E. Z. TAYLOR, ROBINSON, ACOSTA, BISHOP, CARN, EVANS, HARPER, HUGHES, JAMES, LINTON, OLIVER, PRESTON, ROEBUCK, THOMAS, WILLIAMS and R. C. WRIGHT

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), known as "The Administrative Code of 1929," establishing the Office of Health Education within the Department of Health and providing for its powers and duties.

Referred to Committee on HEALTH AND WELFARE, April 26, 1989.

No. 1338 By Representatives RICHARDSON, ROBINSON, JOSEPHS, VEON, ACOSTA, BISHOP, CARN, EVANS, HARPER, HUGHES, JAMES, LINTON, OLIVER, PRESTON, ROEBUCK, THOMAS, WILLIAMS and R. C. WRIGHT

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), known as "The Administrative Code of 1929," establishing the Office of Minority Health within the Department of Health; and providing for its powers and duties.

Referred to Committee on HEALTH AND WELFARE, April 26, 1989.

No. 1339 By Representative RICHARDSON

An Act imposing a tax on employers in counties served by metropolitan transportation authorities; making an appropriation; providing penalties; and making a repeal.

Referred to Committee on LOCAL GOVERNMENT, April 26, 1989.

No. 1340 By Representatives RICHARDSON, KUKOVICH, NAHILL, JOSEPHS, VEON, ROBINSON, BILLOW, ACOSTA, BISHOP, CARN, EVANS, HARPER, HUGHES, JAMES, LINTON, OLIVER, PRESTON, ROEBUCK, THOMAS, WILLIAMS, R. C. WRIGHT and RITTER

An Act establishing a comprehensive energy conservation services program designed to enable low-income and near-poor individuals and families to participate in energy assistance programs; providing for crisis intervention and outreach programs; and making appropriations.

Referred to Committee on APPROPRIATIONS, April 26, 1989.

No. 1341 By Representatives CLYMER, JOHNSON, MORRIS, FAIRCHILD, J. L. WRIGHT, TRELLO, E. Z. TAYLOR, STABACK, BELARDI, SERAFINI and HECKLER

An Act amending the act of July 31, 1968 (P. L. 805, No. 247), known as the "Pennsylvania Municipalities Planning Code," further providing for the jurisdiction of county planning agencies regarding approval of certain subdivision and land development applications.

Referred to Committee on LOCAL GOVERNMENT, April 26, 1989.

No. 1342 By Representatives CLYMER, VROON, WOGAN, LEH, JOHNSON, NOYE, ADOLPH, ROBINSON, BARLEY, BIRMELIN, DEMPSEY, FARMER, TIGUE, DeLUCA, MELIO, E. Z. TAYLOR, McVERRY, BUNT, GEIST, SERAFINI and LANGTRY

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 notice to spouses of persons who have acquired immune deficiency syndrome.

Referred to Committee on HEALTH AND WELFARE, April 26, 1989.

No. 1343 By Representatives CLYMER, BILLOW, D. F. CLARK, ROBINSON, TRELLO, JOHNSON and BARLEY

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), known as the "Public School Code of 1949," prohibiting clothing bearing the name or likeness of alcoholic beverages.

Referred to Committee on EDUCATION, April 26, 1989.

No. 1344 By Representatives RICHARDSON, DONATUCCI and WILLIAMS

An Act amending the act of May 1, 1933 (P. L. 103, No. 69), known as "The Second Class Township Code," providing for contiguity of territory.

Referred to Committee on LOCAL GOVERNMENT, April 26, 1989.

No. 1345 By Representatives BATTISTO, VAN HORNE, MRKONIC and COLAIZZO

An Act amending the act of June 24, 1931 (P. L. 1206, No. 331), known as "The First Class Township Code," further prohibiting personal interest in contracts.

Referred to Committee on LOCAL GOVERNMENT, April 26, 1989.

No. 1346 By Representatives BATTISTO, ITKIN, MELIO, VAN HORNE, MRKONIC, BARLEY, CORRIGAN, VEON and TRELLO

An Act amending the act of May 1, 1933 (P. L. 103, No. 69), known as "The Second Class Township Code," further prohibiting personal interest in contracts.

Referred to Committee on LOCAL GOVERNMENT, April 26, 1989.

No. 1347 By Representatives BATTISTO, COY, E. Z. TAYLOR, D. W. SNYDER, MELIO and CORRIGAN

An Act amending the act of May 1, 1933 (P. L. 103, No. 69), known as "The Second Class Township Code," further providing for the composition of park or recreation boards.

Referred to Committee on LOCAL GOVERNMENT, April 26, 1989.

No. 1348 By Representatives COLAFELLA, OLIVER, TRELLO, BATTISTO, EVANS, McVERRY, VAN HORNE, NAHILL, COLAIZZO, REBER, GIGLIOTTI, PISTELLA, WOZNIAK, HOWLETT, BUSH, DOMBROWSKI, VEON, TIGUE, HERMAN, WAMBACH, MORRIS, G. SNYDER, FOSTER, HALUSKA, KASUNIC, NOYE, B. SMITH and ROBINSON

An Act amending the act of November 26, 1978 (P. L. 1309, No. 317), referred to as the "Public Works Contract Regulation Law," providing for a prompt payment schedule; creating a special fund for payments to contractors where bond authorization is unavailable; providing for electronic funds transfers; and making an appropriation.

Referred to Committee on STATE GOVERNMENT, April 26, 1989.

No. 1349 By Representatives COLAFELLA, OLIVER, TRELLO, PISTELLA, DOMBROWSKI, VEON, SERAFINI, LAUGHLIN, WAMBACH, MORRIS, FOSTER and CORRIGAN

An Act amending the act of May 1, 1913 (P. L. 155, No. 104), entitled "An act regulating the letting of certain contracts for the erection, construction, and alteration of public buildings," further providing for the letting of contracts and for the award of contracts.

Referred to Committee on STATE GOVERNMENT, April 26, 1989.

No. 1350 By Representatives COLAFELLA, RYBAK, FREIND, DeWEESE, REBER, GLADECK, COY, LETTERMAN, LEVDANSKY, CORNELL, PITTS, BURNS, COLAIZZO, CESSAR, EVANS, O'BRIEN, F. TAYLOR, MARKOSEK, BOYES, RAYMOND, McCALL, RIEGER, DURHAM, WAMBACH, PIEVSKY and GANNON

An Act amending the act of May 17, 1921 (P. L. 682, No. 284), known as "The Insurance Company Law of 1921," authorizing stock insurers to establish more than one class or series of shares and to permit different voting rights according to the class of shares.

Referred to Committee on INSURANCE, April 26, 1989.

No. 1351 By Representatives DAVIES, GEORGE, HASAY, WASS, NOYE, ANGSTADT, CIVERA, SEMMEL, DIETTERICK, NAHILL, RYBAK, CAWLEY, KASUNIC, FOX, PETRARCA, BUNT, BELARDI, HERMAN, JOHNSON, SALOOM, FEE, FREEMAN, BISHOP, ROBINSON, BURNS, CALTAGIRONE, LESCOVITZ, COLAFELLA, COWELL, LUCYK, BATTISTO, FOSTER, LASHINGER, GALLEN, HESS, REBER, LEH, B. SMITH and TRELLO

An Act providing for radon testing in public buildings; conferring powers and duties on the Department of Environmental Resources; and making an appropriation.

Referred to Committee on CONSERVATION, April 26, 1989.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 92 By Representatives COHEN, HAGARTY, PRESSMANN, FOX, FREEMAN, COWELL, ITKIN, MARKOSEK, JOSEPHS, WOGAN, WESTON, RYBAK, BISHOP, LINTON and MILLER

Designating May 10, 1989, as "Israel Independence Day" in Pennsylvania.

Referred to Committee on RULES, April 26, 1989.

No. 93 By Representatives HASAY and GEORGE

Urging the State Board of Education to mandate environmental conservation education into the curriculum of elementary and secondary schools of this Commonwealth.

Referred to Committee on RULES, April 26, 1989.

No. 94 By Representatives PETRARCA, DININNI, GEIST, NOYE, DALEY, WAMBACH, VROON, TIGUE, NAILOR, FLEAGLE, JACKSON, GAMBLE, CARLSON, WOZNIAK, MARKOSEK, S. H. SMITH, LETTERMAN, ARGALL, ROBINSON, FOX, E. Z. TAYLOR, STABACK, BUNT, OLASZ, MRKONIC, MAYERNIK, B. D. CLARK, TANGRETTI, McCALL, PISTELLA, FAIRCHILD, HERSHEY, BIRMELIN, DEMPSEY, D. W. SNYDER, STEIGHNER, SEMMEL, BARLEY, MORRIS, DeLUCA, GIGLIOTTI, LUCYK, LAUGHLIN and LaGROTTA

Urging Congress to oppose any increase in the Federal motor fuel tax for deficit reduction.

Referred to Committee on RULES, April 26, 1989.

No. 95 By Representatives RICHARDSON, GLADECK, ROBINSON, NAHILL, PRESSMANN, VEON, ACOSTA, BISHOP, CARN, EVANS, HARPER, HUGHES, JAMES, LINTON, OLIVER, PRESTON, ROEBUCK, THOMAS, WILLIAMS and R. C. WRIGHT

Urging Pennsylvania colleges and universities to rescind support for Proposition 42.

Referred to Committee on RULES, April 26, 1989.

No. 96 By Representative GEORGE

Offering condolences to the family of Matthew R. Price, who was fatally injured while serving on the U.S.S. Iowa.

Referred to Committee on RULES, April 26, 1989.

SENATE BILLS FOR CONCURRENCE

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

SB 233, PN 910

Referred to Committee on TRANSPORTATION, April 26, 1989.

SB 274, PN 281

Referred to Committee on TRANSPORTATION, April 26, 1989.

BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, from the county of Philadelphia, Robert O'Donnell.

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

HB 213;
HB 240;
HB 246;
HB 422;
HB 423;
HB 687;
HB 747;
HB 757; and
HB 1229.

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

LEAVES OF ABSENCE

The SPEAKER. Are there leaves of absence from the majority party? There is an indication to the negative.

Are there leaves of absence to be requested from the minority party? The Chair recognizes the gentleman from Huntingdon County, Representative Hayes, the minority whip, for leaves of absence.

Mr. HAYES. Thank you, Mr. Speaker.

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

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

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 51, PN 1565 (Amended)

By Rep. GEORGE

An Act providing for the regulation of storage tanks and tank facilities; imposing additional powers and duties on the Department of Environmental Resources and the Environmental Quality Board; and making an appropriation.

CONSERVATION.

HB 210, PN 236

By Rep. OLIVER

An Act designating the lake at Little Buffalo State Park, Perry County, as Holman Lake.

STATE GOVERNMENT.

HB 571, PN 1566 (Amended)

By Rep. OLIVER

An Act designating February 16 of each year as "Lithuanian Independence Day."

STATE GOVERNMENT.

HB 893, PN 1011

By Rep. OLIVER

An Act amending the act of June 3, 1937 (P. L. 1333, No. 320), known as the "Pennsylvania Election Code," making provision for children to accompany electors into polling places and into voting compartments or voting machine booths.

STATE GOVERNMENT.

SB 578, PN 616

By Rep. GEORGE

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.

CONSERVATION.

**BILL REPORTED FROM COMMITTEE,
CONSIDERED FIRST TIME, AND
REREFERRED
TO COMMITTEE ON LOCAL GOVERNMENT**

HB 618, PN 686 By Rep. OLIVER

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), known as "The Administrative Code of 1929," providing for resident State troopers; and making appropriations.

STATE GOVERNMENT.

CALENDAR

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 10, PN 1493**, entitled:

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 attendance of pupils from districts not participating in area vocational-technical schools; and revising the payment formula for technical and vocational training.

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

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the gentleman from Philadelphia County, the majority leader, Representative O'Donnell.

Mr. O'DONNELL. Mr. Speaker, I move that HB 10 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 123, PN 1494**, entitled:

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 payments to certain merged school districts.

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

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the gentleman from Philadelphia County, the majority leader, Representative O'Donnell.

Mr. O'DONNELL. Mr. Speaker, I move that HB 123 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 504, PN 566**, entitled:

An Act imposing limitations on the use of eminent domain by municipalities to obtain certain real estate or facilities; providing for certain additional court proceedings; and making certain repeals.

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

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the gentleman from Philadelphia County, the majority leader, Representative O'Donnell.

Mr. O'DONNELL. Mr. Speaker, I move that HB 504 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.

BILLS PASSED OVER

The SPEAKER. Today's voting schedule, for the information of the members, is HB 197 on page 2; HB 159 on page 3 of today's calendar; HB 514 and SB 4 on page 4 of today's calendar; and on page 5 of today's calendar, HR's 28, 58, 61, 80, 84, and 29. With the exception of those resolutions and bills just announced by the Chair as being on today's voting schedule, without objection, the balance of the bills on today's calendar will go over in order. The Chair hears no objection.

ADDITIONS AND DELETIONS OF SPONSORS

The SPEAKER. The Chair acknowledges to be in receipt of additions and deletions to bills sponsored in this session of the Assembly. The additions and deletions will be placed with the clerk for recording in the record.

The following list was submitted:

ADDITIONS:

HB 60, Mrkonic; HB 68, James; HB 72, Herman; HB 73, Herman; HB 74, Herman; HB 86, Petrarca; HB 162, Thomas; HB 169, Fox; HB 193, Fleagle; HB 227, Broujos; HB 307, James; HB 334, Mrkonic, Nailor; HB 362, Dorr; HB 414, Kasunic; HB 485, Kasunic; HB 588, Phillips; HB 616, Kasunic; HB 651, Olasz; HB 683, James; HB 697, Corrigan; HB 700, Petrone; HB 762, B. D. Clark, Fox; HB 845, Hughes; HB 874, Dorr; HB 885, Kasunic; HB 913, Nailor; HB 936, Tangretti; HB 937, Tangretti;

HB 938, Tangretti; HB 939, Tangretti; HB 947, Kasunic; HB 955, James; HB 956, James, Kasunic; HB 957, Kasunic, James; HB 958, James; HB 959, James; HB 960, James; HB 961, James; HB 962, James; HB 963, James; HB 964, James; HB 965, James; HB 974, Fleagle; HB 975, Fleagle; HB 998, James; HB 999, James, Kasunic; HB 1002, James; HB 1003, Saurman; HB 1022, James; HB 1030, Kasunic; HB 1039, Kasunic, James; HB 1059, Broujos; HB 1062, Broujos; HB 1070, Allen; HB 1071, Kasunic; HB 1087, James; HB 1088, James; HB 1089, Ritter; HB 1091, James; HB 1092, James; HB 1096, Kasunic; HB 1110, Broujos; HB 1113, Langtry; HB 1114, Langtry; HB 1117, Lashinger; HB 1118, Lashinger; HB 1119, Olasz; HB 1140, Mayernik; HB 1141, Marsico, Wilson; HB 1157, Richardson; HB 1160, Olasz; HB 1166, Belardi; HB 1171, Linton; HB 1172, Hershey; HB 1174, James; HB 1175, Argall; HB 1180, Hasay, Olasz, Bunt; HB 1187, Ritter; HB 1193, McVerry, Gamble, Belardi, Fox, McNally, Steighner, Kukovich, Herman, Rybak, Cohen, E. Z. Taylor, Daley, Pistella, Staback, Caltagirone, LaGrotta, Johnson, Civera, Fairchild, Morris, Belfanti, Preston, Rudy, Langtry; HB 1200, Burd; HB 1203, Langtry; HB 1204, Olasz, Cornell; HB 1205, Olasz; HB 1240, Ritter; HB 1273, Ritter; HB 1274, Flick; HB 1275, Flick; HB 1276, Flick; HB 1277, Flick; HB 1278, Flick; HB 1280, Flick; HB 1282, Flick; HB 1284, Flick; HB 1285, Flick; HB 1286, Flick; HB 1287, Flick; HB 1288, Flick; HB 1323, Petrarca; HR 38, Nailor; HR 54, Kasunic; HR 73, Civera; HR 77, Belardi, Ritter; HR 81, Colafella, Wozniak, Serafini, Kasunic, Mrkonic; HR 86, Burd, Corrigan; HR 87, Olasz, Flick.

DELETION:
HB 586, Trello.

WELCOMES

The SPEAKER. The Speaker welcomes to the hall of the House this morning Dan and Helen Remley, who are the guests of the majority leader. They are in-laws of a person on the majority leader's staff, Jonathan Bigley, and they are to the left of the Speaker. Will they please stand and be recognized by the House. Those individuals wanted to politick this morning. They wanted to tell you that they are retired teachers and were appreciative of the COLA (cost-of-living adjustment) recently enacted by the General Assembly, but I did not think it was appropriate to announce their appreciation in that manner.

The Chair acknowledges and welcomes a guest page, Brian Romeo, who is seated with the Republican pages and serving as a guest page for today. He is the guest of Representative Argall. Will the guest page please stand. The guest page is in the aisle.

MASTER ROLL CALL

The SPEAKER. Members will now indicate their presence in the Assembly by voting on the master roll call. The master roll call is being taken at this time. The members will proceed to vote.

The following roll call was recorded:

PRESENT—199

Acosta	Donatucci	Langtry	Ritter
Allen	Dorr	Lashinger	Robbins
Angstadt	Durham	Laughlin	Robinson
Argall	Evans	Lee	Roebuck
Barley	Fairchild	Leh	Rudy

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

ADDITIONS—0

NOT VOTING—1

Murphy

EXCUSED—2

Adolph

Pievsky

LEAVES ADDED—1

Murphy

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 197, PN 1346**, entitled:

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), known as "The Administrative Code of 1929," providing for the submission to the General Assembly of information relating to tax expenditures.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—197

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

NAYS—0

NOT VOTING—3

Itkin Murphy Robinson

EXCUSED—2

Adolph Plevsky

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.

VOTE CORRECTION

The SPEAKER. The Chair recognizes the gentleman from Allegheny County, Representative Itkin, who indicates that his switch malfunctioned on the last vote, final passage of HB 197, and he wishes to be recorded in the affirmative. Those remarks will be spread upon the record.

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 159, PN 172**, entitled:

An Act amending the act of December 7, 1982 (P. L. 784, No. 225), known as the "Dog Law," further providing for offenses relating to dogs used for law enforcement.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—197

Acosta	Dombrowski	LaGrotta	Ritter
Allen	Donatucci	Langtry	Robbins
Angstadt	Dorr	Lashingier	Robinson
Argall	Durham	Laughlin	Roebuck
Barley	Evans	Lee	Rudy
Battisto	Fairchild	Leh	Ryan
Belardi	Fargo	Lescovitz	Rybak
Belfanti	Farmer	Letterman	Saloom
Billow	Fee	Levdansky	Saurman
Birmelin	Fleagle	Linton	Scheetz
Bishop	Flick	Lloyd	Schuler
Black	Foster	Lucyk	Scrimenti
Blaum	Fox	McCall	Semmel
Bortner	Freeman	McHale	Serafini
Bowley	Freind	McNally	Smith, B.
Boyes	Gallen	McVerry	Smith, S. H.
Brandt	Gamble	Maiale	Snyder, D. W.
Broujos	Gannon	Maine	Snyder, G.
Bunt	Geist	Markosek	Staback
Burd	George	Marsico	Stairs
Burns	Gigliotti	Mayernik	Steighner
Bush	Gladeck	Melio	Stish
Caltagirone	Godshall	Merry	Strittmatter
Cappabianca	Gruitza	Michlovic	Stuban
Carlson	Gruppo	Micozzie	Tangretti
Carn	Hagarty	Miller	Taylor, E. Z.
Cawley	Haluska	Moehlmann	Taylor, F.
Cessar	Harper	Mowery	Taylor, J.
Chadwick	Hasay	Mrkonic	Telek
Civera	Hayden	Nahill	Thomas
Clark, B. D.	Hayes	Nailor	Tigue
Clark, D. F.	Heckler	Noye	Trello
Clark, J. H.	Herman	O'Brien	Trich
Clymer	Hershey	O'Donnell	Van Horne
Cohen	Hess	Olasz	Vroon
Colaifella	Howlett	Oliver	Wambach
Colaizzo	Hughes	Perzel	Wass
Cole	Itkin	Petrarca	Weston

Cornell	Jackson	Petrone	Williams
Corrigan	Jadlowiec	Phillips	Wilson
Cowell	James	Piccola	Wogan
Coy	Jarolin	Pistella	Wozniak
DeLuca	Johnson	Pitts	Wright, D. R.
DeWeese	Josephs	Pressmann	Wright, J. L.
Daley	Kaiser	Preston	Wright, R. C.
Davies	Kasunic	Raymond	Yandrisevits
Dempsey	Kenney	Reber	
Dietterick	Kondrich	Reinard	Manderino,
Dininni	Kosinski	Richardson	Speaker
Distler	Kukovich	Rieger	

NAYS—0

NOT VOTING—3

Morris Murphy Veon

EXCUSED—2

Adolph Pievsky

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 514, PN 939**, entitled:

An Act authorizing the release of Project 500 restrictions imposed on certain land owned by the Township of Upper Dublin, Montgomery County in return for the imposition of Project 500 restrictions on certain other land owned by the Township of Upper Dublin, Montgomery County.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—199

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

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

NAYS—0

NOT VOTING—1

Murphy

EXCUSED—2

Adolph Pievsky

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

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

* * *

The House proceeded to third consideration of **SB 4, PN 913**, entitled:

An Act reenacting and amending the act of June 25, 1982 (P. L. 633, No. 181), entitled, as reenacted and amended, "Regulatory Review Act," further providing for the membership of the Independent Regulatory Review Commission and for the procedure for regulatory review; changing the termination date for the commission; and making repeals.

On the question,

Will the House agree to the bill on third consideration?

Mr. MILLER offered the following amendment No. A1058:

Amend Sec. 1 (Sec. 4.1), page 11, line 23, by inserting after "5(B.3)"

, to notify the agency of an objection in accordance with section 6(a), or to issue an order in accordance with section 7(b)

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the gentleman from Lancaster County, Representative Miller, is recognized.

Mr. MILLER. I thank the Chair.

Mr. Speaker, one of the issues in IRRC (Independent Regulatory Review Commission) has been the question of whether or not a quorum of IRRC commissioners is necessary to conduct business with respect to suggestions to regulations that are sent over by members of the House and Senate through the standing committee process. We were able to solve the quorum question, and in doing so, we needed to make two additional changes so that the quorum question is also applicable to final orders of the commission.

I would ask the members' approval of the amendment.

The SPEAKER. The Chair thanks the author of the amendment.

On the question of agreeing to the amendment, the gentleman from Westmoreland County, Representative Kukovich, is recognized.

Mr. KUKOVICH. Thank you, Mr. Speaker.

I believe Representative Miller and I discussed this amendment yesterday. I think it is technical in nature but will improve the intention of what the State Government Committee wanted to do and will improve the bill.

I would ask for an affirmative vote.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—199

Acosta	Donatucci	Langtry	Ritter
Allen	Dorr	Lashinger	Robbins
Angstadt	Durham	Laughlin	Robinson
Argall	Evans	Lee	Roebuck
Barley	Fairchild	Leh	Rudy
Battisto	Fargo	Lescovitz	Ryan
Belardi	Farmer	Letterman	Rybak
Belfanti	Fee	Levdanskyy	Saloom
Billow	Fleagle	Linton	Saurman
Birmelin	Flick	Lloyd	Scheetz
Bishop	Foster	Lucyk	Schuler
Black	Fox	McCall	Scrimenti
Blaum	Freeman	McHale	Semmel
Bortner	Freind	McNally	Serafini
Bowley	Gallen	McVerry	Smith, B.
Boyes	Gamble	Maiale	Smith, S. H.
Brandt	Gannon	Maine	Snyder, D. W.
Broujos	Geist	Markosek	Snyder, G.
Bunt	George	Marsico	Staback
Burd	Gigliotti	Mayermik	Stairs
Burns	Gladeck	Melio	Steighner
Bush	Godshall	Merry	Stish
Caltagirone	Gruitza	Michlovic	Strittmatter
Cappabianca	Gruppo	Micozzie	Suban
Carlson	Hagarty	Miller	Tangretti
Carn	Haluska	Moehlmann	Taylor, E. Z.
Cawley	Harper	Morris	Taylor, F.
Cessar	Hasay	Mowery	Taylor, J.
Chadwick	Hayden	Mrkonic	Telek
Civera	Hayes	Nahill	Thomas
Clark, B. D.	Heckler	Nailor	Tigue
Clark, D. F.	Herman	Noye	Trello
Clark, J. H.	Hershey	O'Brien	Trich
Clymer	Hess	O'Donnell	Van Horne
Cohen	Howlett	Olasz	Veon
Colaella	Hughes	Oliver	Vroon
Colaizzo	Itkin	Perzel	Wambach
Cole	Jackson	Petrarca	Wass
Cornell	Jadlowiec	Petrone	Weston

Corrigan	James	Phillips	Williams
Cowell	Jarolin	Piccola	Wilson
Coy	Johnson	Pistella	Wogan
DeLuca	Josephs	Pitts	Wozniak
DeWeese	Kaiser	Pressmann	Wright, D. R.
Daley	Kasunic	Preston	Wright, J. L.
Davies	Kenney	Raymond	Wright, R. C.
Dempsey	Kondrich	Reber	Yandrisevits
Dietterick	Kosinski	Reinard	
Dininni	Kukovich	Richardson	Manderino,
Distler	LaGrotta	Rieger	Speaker
Dombrowski			

NAYS—0

NOT VOTING—1

Murphy

EXCUSED—2

Adolph

Pievsky

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

On the question,

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

Mr. S. H. SMITH offered the following amendments No. A1049:

Amend Sec. 1 (Sec. 5), page 17, line 25, by inserting a bracket before "Failure"

Amend Sec. 1 (Sec. 5), page 17, line 25, by striking out the bracket before "both"

Amend Sec. 1 (Sec. 5), page 17, line 25, by striking out "'] a"

Amend Sec. 1 (Sec. 5), page 17, line 26, by striking out the bracket before "committees"

Amend Sec. 1 (Sec. 5), page 17, line 26, by striking out "'] committee"

Amend Sec. 1 (Sec. 5), page 17, line 27, by inserting a bracket after "thereof."

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes, from Jefferson County, Representative Smith.

Mr. S. H. SMITH. Thank you, Mr. Speaker.

Mr. Speaker, the amendment before us has to do with the committee approval of regulations. When the regulations come to each standing committee, presently if the committee does nothing, then those regulations are deemed approved. In essence, what I would like to do is say that the committee should be made to make a decision - either approve or disapprove. Now, it should be noted that approval or disapproval of any proposed regulations by, say, just the standing committee in the House or just the standing committee in the Senate would not prohibit or stop those regulations from going into effect. It could if IRRC were to choose to interpret it that way, but by itself it would not singularly prohibit those regulations from taking effect.

I believe that some of the argument might be that we already have enough work on our hands with the regular committee work and by being forced to make a decision on any regulation that comes before the committee, before our respective standing committees, that it would just be an over-

load, and yet I feel that a lot of our problems that we are faced with come because we are not fully aware of the regulations that went into effect. In other words, regulations just keep coming out of the departments. We do not keep track of them until after the fact when our constituents then beat our ears in because of regulations. It is not the laws that were bad; it was the regulations that caused the problems. I think for that reason we need to have a little more not necessarily control but at least have a little more awareness of just what is being proposed in these regulations.

I realize that at this point— And of course, the whole question of IRRC centers around the separation of the two powers in this case, being the legislative powers and the administrative powers within the Constitution, and I suspect that not just the present Governor but all Governors will kind of flinch at the idea of IRRC existing. By my amendment, we might be trying to exert a little more legislative control over what the administrative body is going to deem as their administrative role. To that I would say that we created the law that allowed the department to develop regulations and that I believe we should certainly be able to reserve the right to look at those more closely, which in fact we have, and that by my amendment, we will thereby be forcing ourselves, as it were, to take a closer look at these regulations.

I ask for an affirmative vote on the amendment.

The SPEAKER. The Chair thanks the gentleman.

LEAVE OF ABSENCE

The SPEAKER. Without objection, the gentleman from Allegheny County, Mr. MURPHY, requests a leave of absence for today. The Chair hears no objection.

CONSIDERATION OF SB 4 CONTINUED

The SPEAKER. The question is on the amendment. On that question, the gentleman from Westmoreland, Representative Kukovich, is recognized.

Mr. KUKOVICH. Thank you, Mr. Speaker.

I sympathize with the—

Mr. COWELL. Mr. Speaker, point of order.

The SPEAKER. Will the gentleman from Allegheny, Mr. Cowell, state his point of order.

Mr. COWELL. Mr. Speaker, I consider this a fairly important amendment in terms of how this process is going to work, and it is impossible to hear what the speakers are saying.

The SPEAKER. Will the House please be in order. Members are entitled to have the discussion on their amendments heard by the members of the House. Important amendments, all. Members do not introduce unimportant amendments. Each amendment is an important amendment, and each member who introduces an amendment is entitled to be heard. Will conversations please cease. I am going to get myself one of those little laser guns, and I am going to point out who is talking too loudly.

Will members please be in order. I have not heard the level of noise drop at all since I asked for conversations to cease.

The level of conversation just continues. It is as if Representative Cowell had not asked me to ask the House to be in order, and it is as if I did not ask the House to be in order and for conversations to cease. Please be in order.

Members may proceed with the debate.

Mr. KUKOVICH. Thank you, Mr. Speaker.

I do sympathize with the maker of the amendment's intention. However, I cannot agree to this amendment. I am asking for a "no" vote.

I understand his philosophical concern, but the reality is that 88 percent, in the 6-year history of IRRC, 88 percent of the regulations have gone through, been approved, without any committee disapproval. Many of these regulations are tiny, noncontroversial regulations that the departments have to move in order to conduct business and have no real impact on the intention of the legislation of this House. If we mandate that every single one of these regulations must be voted on by the appropriate standing committee, we will bog down the process, and it will just implode on itself. We do not have the wherewithal. There are certain committees, especially Health and Welfare, which deal with a myriad of regulations constantly. They simply cannot deal with the noncontroversial ones also. The system will no longer work, and the very important issues, the controversial issues, that we might want to block, we will not be able to put in the work effort to deal with those. So although I understand the philosophical leanings of the gentleman on this amendment, the pragmatic reality is that we would destroy the IRRC process.

I would ask for a negative vote.

The SPEAKER. The question is, will the House agree to the amendment? On that question, the gentleman from Allegheny County, Representative Cowell, is recognized.

Mr. COWELL. Would the maker of the amendment stand for interrogation, please?

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

Mr. COWELL. Thank you, Mr. Speaker.

Mr. Speaker, it was very difficult to follow your explanation because of the noise in this room. However, if you could clarify, would the impact of your amendment be such that a veto of a proposed regulation would have to be precipitated by similar action by standing committees in both chambers rather than action by a single committee in either chamber?

Mr. S. H. SMITH. My understanding, Mr. Speaker, is that with my amendment, it will simply force the standing committee in the House and the standing committee in the Senate to vote one way or the other and that by that singular action of each respective body, that would not stop the regulations or have any direct cause of action. I believe, Mr. Speaker—and I could be mistaken on this—I believe even if both standing committees in the House and the Senate disapproved regulations, that even with that, I do not believe IRRC would absolutely have to disapprove regulations.

Mr. COWELL. Mr. Speaker, explain to me how my interpretation is wrong, and if you will follow with me my interpretation. I am on page 17, line 25.

The current law says that failure of both standing committees to disapprove a regulation will constitute approval thereof, of the proposed regulation. The legislation before us would change that so that disapproval by a single committee would constitute disapproval. You want to go back to the language that is found in current law. Is that correct?

Mr. S. H. SMITH. I am not sure if I understand exactly what you mean, Mr. Speaker. Essentially, what my amendment would do is, on line 25, it would remove the sentence, "Failure of a standing committee to disapprove a regulation within the 20 calendar days shall constitute approval thereof." It would remove that sentence, thereby leaving the law to read, the critical sentence being, "The standing committee shall notify the commission of approval or disapproval. Along with a notification of approval or disapproval the committee shall convey to the commission and the agency a report which includes,..." and it goes on. So in essence, the law will simply state that the committee is responsible to tell IRRC, we agree or, no, we do not agree with these proposed regulations. It does not, in my interpretation, and it was not my intention to put any additional power into one committee, be it the House or the Senate committee, because of the fact that if, say, the House committee disapproved regulations and the Senate committee approved, IRRC is still free to do whatever it wants anyhow.

The intention of the amendment is to force the committee to make a decision so that we are more aware, so that we are having a little more control over the volume of regulations that come through IRRC, to force us to be aware of that, of the nature and the impact of those regulations, and to make a decision, because of the fact that presently no action indicates approval, and I think that because of the volume that are going through that we are not aware of, certain regulations go into effect that we really were not aware of because of our inaction.

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

The SPEAKER. The Chair recognizes the gentleman from Jefferson, Mr. Smith.

Mr. S. H. SMITH. Thank you, Mr. Speaker.

Just one final point. The previous speaker had mentioned that the volume of regulations that were promulgated would bog down the system, and I do not mean this necessarily in a critical fashion of the departments of the State, but I almost believe that in fact it did bog it down, maybe that would be a benefit of this piece of legislation, because I really think that we are missing a lot of the action that is going on here and that we need to be more aware of these regulations and that the fact that they may bog down the system is not a good enough reason to vote against this amendment. I also believe that in the timeframe that is built into the provision, there is a 20-day requirement to react, so that the committees are thereby forced to take action within a 20-day period in either case.

So I would on those grounds ask for an affirmative vote on the amendment.

The SPEAKER. The question is on the amendment. On that question, the gentleman from Westmoreland, Mr. Kukovich, is recognized.

Mr. KUKOVICH. Mr. Speaker, just finally, very simply, this is going to create a lot of unnecessary work; it is going to take away the discretion from the committee chairs as to what is important and what they should handle and what they should not. We cannot afford to do those things. It is self-defeating. It is even self-defeating to the intention of the maker of the amendment. I think common sense dictates that we vote "no" on this amendment.

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

The following roll call was recorded:

YEAS—98

Allen	Dorr	Kenney	Reinard
Angstadt	Durham	Kondrich	Robbins
Argall	Fairchild	Langtry	Ryan
Barley	Fargo	Lashingier	Saurman
Birmelin	Farmer	Lee	Scheetz
Black	Fleagle	Leh	Schuler
Boyes	Flick	McVerry	Semmel
Bunt	Foster	Marsico	Serafini
Burd	Fox	Merry	Smith, B.
Burns	Freind	Micozzie	Smith, S. H.
Bush	Gallen	Mowery	Snyder, D. W.
Carlson	Gannon	Nahill	Snyder, G.
Cessar	Geist	Nailor	Stairs
Chadwick	Gladeck	Noye	Taylor, E. Z.
Civera	Gruppo	O'Brien	Taylor, J.
Clark, D. F.	Hagarty	Olasz	Telek
Clark, J. H.	Hasay	Perzel	Vroon
Clymer	Hayes	Petrarca	Wass
Cornell	Heckler	Phillips	Weston
Coy	Herman	Piccola	Wilson
Davies	Hershey	Pitts	Wogan
Dempsey	Hess	Pressmann	Wright, D. R.
Dieterick	Jackson	Raymond	Wright, J. L.
Dininni	Jadlowiec	Reber	Wright, R. C.
Distler	Johnson		

NAYS—99

Acosta	Donatucci	Linton	Roebuck
Battisto	Evans	Lloyd	Rudy
Belardi	Fee	Lucyk	Rybak
Belfanti	Freeman	McCall	Saloom
Billow	George	McHale	Scrimenti
Bishop	Gigliotti	McNally	Staback
Blaum	Gruitza	Maiale	Steighner
Bortner	Haluska	Maine	Stish
Bowley	Harper	Markosek	Strittmatter
Brandt	Hayden	Mayernik	Stuban
Broujos	Howlett	Melio	Tangretti
Caltagirone	Hughes	Michlovic	Taylor, F.
Cappabianca	Itkin	Miller	Thomas
Carn	James	Moehlmann	Tigue
Cawley	Jarolin	Morris	Trello
Clark, B. D.	Josephs	Mrkonic	Trich
Cohen	Kaiser	O'Donnell	Van Horne
Colaella	Kasunic	Oliver	Veon
Colaizzo	Kosinski	Petrone	Wambach
Cole	Kukovich	Pistella	Williams
Corrigan	LaGrotta	Preston	Wozniak
Cowell	Laughlin	Richardson	Yandrisevits
DeLuca	Lescovitz	Rieger	
DeWeese	Letterman	Ritter	Manderino,
Daley	Levdansky	Robinson	Speaker
Dombrowski			

NOT VOTING—2

Gamble Godshall

EXCUSED—3

Adolph Murphy Pievsky

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

On the question recurring,

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

Mr. S. H. SMITH offered the following amendment No. A1046:

Amend Sec. 1 (Sec. 8.1), page 34, line 29, by inserting after "REGULATION"
or administrative procedure

On the question,

Will the House agree to the amendment?

The SPEAKER. The question is on the amendment. The gentleman from Jefferson, Mr. Smith, is recognized on the amendment.

Mr. S. H. SMITH. Thank you, Mr. Speaker.

This amendment is on a different section of the bill entirely, and essentially what it would do is just create a consistency within the regulations.

The way the bill is drafted presently, it states that the commission, either on its own motion or at the request of any individual, agency, corporation, member of the General Assembly, or other entity, could ask that a regulation or administrative procedure be reviewed, essentially. Then it goes on to say that whenever a committee of the Senate or the House of Representatives shall request a review of a regulation, the commission shall make that review a high priority. I would like to insert after "regulation" that when a committee, a standing committee of the House or the Senate, requests a review of a regulation or an administrative procedure, that the commission will make that a high priority. I just feel that it was a consistent request to ask that the standing committee have, as opposed to just any individual, agency, or corporation. Thank you, Mr. Speaker.

The SPEAKER. The question is on the amendment. The gentleman from Westmoreland, Mr. Kukovich, on the amendment.

Mr. KUKOVICH. Thank you, Mr. Speaker.

In essence, what this amendment does is give the House and the committees a little more power to review these administrative procedures, and the language is such that it will not bog us down. There is still discretion left to the committee chairs. I think that is reasonable.

I would ask for a "yes" vote on this amendment.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—199

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

NAYS—0

NOT VOTING—0

EXCUSED—3

Adolph Murphy Pievsky

The question was determined in the affirmative, and the amendment was 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—199

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

NAYS—0

NOT VOTING—0

EXCUSED—3

Adolph Murphy Pievsky

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

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

RESOLUTIONS

Mr. LUCYK called up **HR 28, PN 1497**, entitled:

Directing the Conservation Committee to conduct a study of regulations relating to the anthracite coal industry.

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—199

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

NAYS—0

NOT VOTING—0

EXCUSED—3

Adolph Murphy Pievsky

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

* * *

Mr. MRKONIC called up HR 58, PN 1137, entitled:

Memorializing the United States Congress to set aside the termination date of December 31, 1989, for GI Bill purposes.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

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

NAYS—0

NOT VOTING—1

Colaizzo

EXCUSED—3

Adolph Murphy Pievsky

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

* * *

Mr. DOMBROWSKI called up HR 61, PN 1202, entitled:

Condemning the systematic violation of internationally recognized human rights by the Government of Romania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

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

NAYS—0

NOT VOTING—2

Merry

Wright, J. L.

EXCUSED—3

Adolph Murphy Pievsky

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

* * *

Mr. CAPPABIANCA called up **HR 80, PN 1381**, entitled:

Recognizing the week of May 7 through 13, 1989, as "Small Business Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

VOTE CORRECTION

The SPEAKER. Does the gentleman from Washington, Mr. Colaizzo, seek recognition at this time?

Mr. COLAIZZO. Mr. Speaker, on HR 58 my switch malfunctioned. I was not recorded. I wish to be recorded in the affirmative.

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

We will hold vote corrections until we are through with the calendar.

CONSIDERATION OF HR 80 CONTINUED

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

The following roll call was recorded:

YEAS—197

Acosta	Dombrowski	Langtry	Robbins
Allen	Donatucci	Lashingier	Robinson
Angstadt	Dorr	Laughlin	Roebuck
Argall	Durham	Lee	Rudy
Barley	Evans	Leh	Ryan
Battisto	Fairchild	Lescovitz	Rybak
Belardi	Farmer	Letterman	Saloom
Belfanti	Fee	Levdansky	Saurman
Billow	Fleagle	Linton	Scheetz
Birmelin	Flick	Lloyd	Schuler
Bishop	Foster	Lucyk	Scrimenti
Black	Fox	McCall	Semmel
Blaum	Freeman	McHale	Serafini
Bortner	Freind	McNally	Smith, B.
Bowley	Gallen	McVerry	Smith, S. H.
Boyes	Gamble	Maiale	Snyder, D. W.
Brandt	Gannon	Maine	Snyder, G.
Broujos	Geist	Markosek	Staback
Bunt	George	Marsico	Stairs
Burd	Gigliotti	Mayernik	Steighner
Burns	Gladeck	Melio	Stish
Bush	Godshall	Michlovic	Strittmatter
Caltagirone	Gruitza	Micozzie	Stuban
Cappabianca	Gruppo	Miller	Tangretti
Carlson	Hagarty	Moehlmann	Taylor, E. Z.
Carn	Haluska	Morris	Taylor, F.
Cawley	Harper	Mowery	Taylor, J.
Cessar	Hasay	Mrkonic	Telek
Chadwick	Hayden	Nahill	Thomas
Civera	Hayes	Nailor	Tigue
Clark, B. D.	Heckler	Noye	Trello
Clark, D. F.	Herman	O'Brien	Trich
Clark, J. H.	Hershey	O'Donnell	Van Horne
Clymer	Hess	Olasz	Veon
Cohen	Howlett	Oliver	Vroon
Colaifella	Hughes	Perzel	Wambach
Colaizzo	Itkin	Petrarca	Wass
Cole	Jackson	Petrone	Weston
Cornell	Jadlowiec	Phillips	Williams
Corrigan	James	Piccola	Wilson
Cowell	Jarolin	Pistella	Wogan

Coy	Johnson	Pitts	Wozniak
DeLuca	Josephs	Pressmann	Wright, D. R.
DeWeese	Kaiser	Preston	Wright, J. L.
Daley	Kasunic	Raymond	Wright, R. C.
Davies	Kenney	Reber	Yandrisevits
Dempsey	Kondrich	Reinard	
Dietterick	Kosinski	Richardson	Manderino,
Dininni	Kukovich	Rieger	Speaker
Distler	LaGrotta	Ritter	

NAYS—0

NOT VOTING—2

Fargo Merry

EXCUSED—3

Adolph Murphy Pievsky

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

* * *

Mr. HERSHEY called up **HR 84, PN 1443**, entitled:

Recognizing April 28, 1989, as Arbor Day; promoting public participation in the celebration; and further recognizing the value of trees to our environment.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—199

Acosta	Donatucci	Langtry	Ritter
Allen	Dorr	Lashingier	Robbins
Angstadt	Durham	Laughlin	Robinson
Argall	Evans	Lee	Roebuck
Barley	Fairchild	Leh	Rudy
Battisto	Fargo	Lescovitz	Ryan
Belardi	Farmer	Letterman	Rybak
Belfanti	Fee	Levdansky	Saloom
Billow	Fleagle	Linton	Saurman
Birmelin	Flick	Lloyd	Scheetz
Bishop	Foster	Lucyk	Schuler
Black	Fox	McCall	Scrimenti
Blaum	Freeman	McHale	Semmel
Bortner	Freind	McNally	Serafini
Bowley	Gallen	McVerry	Smith, B.
Boyes	Gamble	Maiale	Smith, S. H.
Brandt	Gannon	Maine	Snyder, D. W.
Broujos	Geist	Markosek	Snyder, G.
Bunt	George	Marsico	Staback
Burd	Gigliotti	Mayernik	Stairs
Burns	Gladeck	Melio	Steighner
Bush	Godshall	Merry	Stish
Caltagirone	Gruitza	Michlovic	Strittmatter
Cappabianca	Gruppo	Micozzie	Stuban
Carlson	Hagarty	Miller	Tangretti
Carn	Haluska	Moehlmann	Taylor, E. Z.
Cawley	Harper	Morris	Taylor, F.
Cessar	Hasay	Mowery	Taylor, J.
Chadwick	Hayden	Mrkonic	Telek
Civera	Hayes	Nahill	Thomas
Clark, B. D.	Heckler	Nailor	Tigue
Clark, D. F.	Herman	Noye	Trello
Clark, J. H.	Hershey	O'Brien	Trich
Clymer	Hess	O'Donnell	Van Horne
Cohen	Howlett	Olasz	Veon
Colaifella	Hughes	Oliver	Vroon
Colaizzo	Itkin	Perzel	Wambach
Cole	Jackson	Petrarca	Wass
Cornell	Jadlowiec	Petrone	Weston
Corrigan	James	Phillips	Williams
Cowell	Jarolin	Piccola	Wilson

Coy	Johnson	Pistella	Wogan
DeLuca	Josephs	Pitts	Wozniak
DeWeese	Kaiser	Pressmann	Wright, D. R.
Daley	Kasunic	Preston	Wright, J. L.
Davies	Kenney	Raymond	Wright, R. C.
Dempsey	Kondrich	Reber	Yandrisevits
Dietterick	Kosinski	Reinard	
Dininni	Kukovich	Richardson	Manderino,
Distler	LaGrotta	Rieger	Speaker
Dombrowski			

NAYS—0

NOT VOTING—0

EXCUSED—3

Adolph Murphy Pievsky

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

CONCURRENT RESOLUTION

Mr. DALEY called up HR 29, PN 763, entitled:

Directing the Pennsylvania Energy Office to study and report upon existing and proposed technologies to prevent pollutional discharges through the design of effective hydraulic seals and the related development of underground coal mines.

On the question,
Will the House adopt the resolution?

The SPEAKER. The question is on the resolution, and on that question, the gentleman from Washington, Mr. Daley, is recognized.

Mr. DALEY. Thank you, Mr. Speaker.

This concurrent resolution is directing the Pennsylvania Energy Office to study and report upon existing and proposed technologies to prevent high pollutional discharges through the design of effective hydraulic seals, Mr. Speaker, and I ask for an affirmative vote.

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

The following roll call was recorded:

YEAS—199

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

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

NAYS—0

NOT VOTING—0

EXCUSED—3

Adolph Murphy Pievsky

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

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

WELCOME

The SPEAKER. The Chair welcomes to the hall of the House this morning Ron Angle and Jim DiPaolo, supervisors in Upper Mount Bethel Township, Northampton County, who are here as the guests of Representative Len Gruppo. They are seated to the left of the Speaker. Will they please stand.

SENATE MESSAGE

HOUSE AMENDMENTS
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to SB 109, PN 975.

WELCOMES

The SPEAKER. There are some very important announcements that yet have to be made. Representative Birmelin is waiting there to make an announcement which is very important to the House, and prior to that the Chair would like to welcome several other guests to the House.

The Chair welcomes Ms. Jean Porter-Myers from Philadelphia in the gallery, who is the guest of Representative Dwight Evans. Will she please stand.

We would like also to welcome students from Brownsville Catholic School and their principal, Sister Gregory; their teachers, Mrs. Faeita, Mrs. Savona, Mrs. Brand, Mrs. Trynock. They are all the guests of Representative Daley and Representative Kasunic. Will they please stand.

ANNOUNCEMENT BY MR. BIRMELIN

The SPEAKER. Representative Birmelin has an important announcement. Mr. Birmelin from Wayne is recognized.

Mr. BIRMELIN. Mr. Speaker, thank you very much.

Before the members leave this morning, I think that many of you are not aware of what happened last night in the annual Republican v. Democrat basketball game. I would like to give you just a little summary of that, if I may. Mr. Michlovic, I am sure, will have a different version of what I have to say.

Last evening in the annual basketball game between the two caucuses, the Democrats were essentially leaderless when Majority Leader O'Donnell failed to show until the game was almost over. The burden of leading the troops was left to Representative Michlovic, who, by the way, did a fine job. But when it got to be the score of 46 to 30, when the Republicans were ahead and the game was only to 50, Representative O'Donnell came in and said he wanted to change the rules, the game rule number 24, and he wanted to send the score to the Rules Committee. But, unfortunately for him, we did not do that and the Republicans went on to victory, and we won by the score of 50 to 34.

Thank you, the two Democrats who clapped.

We would also like to remind you that this is only the first of the triathlon of the spring contests between the two caucuses. Yet remaining are the softball series and the tennis tournament, in which we all encourage you to participate.

Thank you very much, members who played last night, and especially for my colleagues who won. Thank you.

ANNOUNCEMENT BY MR. MICHLOVIC

The SPEAKER. The gentleman, Mr. Michlovic, has some sort of an announcement that he wants to make. The gentleman is in order.

Mr. MICHLOVIC. Thank you, Mr. Speaker.

Well, much of what Mr. Birmelin said is true, but I feel obliged to give you a little more detail about our contest last evening.

We had realized all along that we were much shorter and squatter than the Republican team, represented by me, I guess, and so we split up into two teams - the A team and the B team - and our strategy was to run them, run them. But what we forgot to realize was that they got some new recruits in Ken Lee and Bill Adolph, and they swelled their ranks from seven players to nine, and so they had two teams, too. Our strategy also was to keep the dead-hitter Birmelin from the

outside, keep his score down. He was the key to that whole process, and we succeeded in that through our box-one strategy of Bortner and Tony Williams keeping in the face of our worthy opponent. But we forgot again that they had some other shooters, that deadly Chadwick, John Taylor stealing the ball from out in front, and "Mighty" Joe Lashinger under the board.

You know, we get into debates on this floor and everybody knows that the Republicans have the moneyed interests and we are out there, we Democrats are for the people, and they are supported by the corporate combine, and some of our spies in the AFL-CIO noticed that their candidate selection was moving more along the lines of vertical leaping ability and jumpshot accuracy and it was replacing congeniality and video presence. But all hope is not lost. It is my understanding that our recruit, Tim Pesci, at 6 feet 8 inches, 280 pounds, can dunk either hand, over the shoulder, behind the back, and you guys wait till next year.

In this time of spring when the birds are chirping and the sun is shining, the flowers are sprouting, the only recourse we have is, cannot wait till softball season opens. We will see you there. Thank you.

The SPEAKER. The majority leader, the gentleman from Philadelphia, Mr. O'Donnell, seeks recognition.

Mr. O'DONNELL. Mr. Speaker, I would like the members to consider the appearance of the two gentlemen, Mr. Birmelin and Mr. Michlovic, and as Representative Wambach points out as to last night, that is the long and short of it.

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 215, PN 1567 (Amended)

By Rep. D. R. WRIGHT

An Act requiring certain contracts to be written in plain language; and providing remedies and penalties.

CONSUMER AFFAIRS.

HB 934, PN 1052

By Rep. D. R. WRIGHT

An Act amending the act of October 28, 1966 (1st Sp. Sess., P. L. 55, No. 7), known as the "Goods and Services Installment Sales Act," further providing for rates, service charges, fees and contracts for certain leases or bailments.

CONSUMER AFFAIRS.

HB 1205, PN 1569 (Amended)

By Rep. D. R. WRIGHT

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, requiring that alternative operator service providers make certain disclosures to customers before providing service; and regulating certain rates.

CONSUMER AFFAIRS.

BILL SIGNED BY SPEAKER

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

SB 109, PN 975

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, requiring certain insurers to provide for extraordinary medical benefits; providing for limits, for transition of catastrophic loss benefits and for funding of benefits; and making repeals.

**BILLS REPORTED FROM COMMITTEE,
CONSIDERED FIRST TIME, AND TABLED**

HB 652, PN 720 By Rep. CALTAGIRONE

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for juvenile appearances before district justices.

JUDICIARY.

HB 682, PN 1568 (Amended) By Rep. CALTAGIRONE

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for wiretapping in relation to the offense of dealing in infant children.

JUDICIARY.

HB 835, PN 953 By Rep. CALTAGIRONE

An Act providing for certain arrest powers of Federal agents in cases of State law violations.

JUDICIARY.

HB 853, PN 971 By Rep. CALTAGIRONE

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for the admissibility of certain out-of-court statements.

JUDICIARY.

HB 1023, PN 1165 By Rep. CALTAGIRONE

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, adding provisions relating to domestic relations; making conforming amendments to Titles 18 and 42; and repealing certain acts and parts of acts supplied by the act or otherwise obsolete.

JUDICIARY.

HB 1052, PN 1194 By Rep. CALTAGIRONE

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for confidential communications to news reporters.

JUDICIARY.

HB 1068, PN 1216 By Rep. CALTAGIRONE

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

JUDICIARY.

WELCOME

The SPEAKER. The Chair is happy to welcome to the hall of the House this morning a number of students and teachers from Childs School in South Philadelphia. They are here as the guests of Representative Harold James, and they are in the rear of the Assembly. Welcome, students and teachers.

VOTE CORRECTIONS

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

Mr. MERRY. I would like to correct a vote.

The SPEAKER. You are in order and may proceed.

Mr. MERRY. The vote on HR 80, PN 1381, did not record my vote. I would like to have it recorded in the affirmative.

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

The Chair recognizes, from Mercer County, Mr. Fargo.

Mr. FARGO. I would also like to record an affirmative vote on HR 80, PN 1381. Thank you.

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

From Beaver County, Representative Veon seeks recognition.

Mr. VEON. Thank you, Mr. Speaker.

Mr. Speaker, to correct the record: On HB 197 and HB 159, I was in the back of the hall of the House and was not in my seat and was not recorded. I would like to be recorded in the affirmative on HB 197 and HB 159. Thank you.

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

JUDICIARY COMMITTEE MEETING

The SPEAKER. From Berks County, Representative Caltagirone is recognized.

Mr. CALTAGIRONE. Thank you, Mr. Speaker.

I would like to call an immediate meeting of the House Judiciary Committee in the rear of the hall of the House upon the adjournment motion.

The SPEAKER. The chairman of the Judiciary Committee has called a meeting of that committee upon the adjournment of the Assembly this morning. Members of the Judiciary Committee are instructed to report for a meeting of the Judiciary Committee in the rear of the House upon adjournment.

SENATE MESSAGE**SENATE CONCURRENCE
IN HOUSE RESOLUTION**

The clerk of the Senate, being introduced, informed that the Senate has concurred in **HR 91, PN 1498**.

JOURNALS APPROVED

The following Journals were approved as printed:

Tuesday, March 14, 1989;

Monday, April 3, 1989;

Tuesday, April 4, 1989;

Wednesday, April 5, 1989;

Monday, April 10, 1989; and

Tuesday, April 11, 1989.

The SPEAKER. Is there further business to come before the House from the majority party? Is there further business from the minority party? The indication is in the negative.

ADJOURNMENT

The SPEAKER. The Chair recognizes, from Schuylkill County, Representative Allen.

Mr. ALLEN. Mr. Speaker, I move that this House do now adjourn until Monday, May 1, 1989, at 1 p.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 12:03 p.m., e.d.t., the House adjourned.