

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, JUNE 14, 1989

SESSION OF 1989

173D OF THE GENERAL ASSEMBLY

No. 43

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, we thank You as we begin to prepare to honor our fathers, by whose hands and sacrifices our families are made strong and vibrant.

We thank You for the memories of early childhood, when our fathers were like unto God - fathers who could do the impossible, fathers who were the toughest in the neighborhood, and fathers who seemed to be able to solve any problems.

And we thank You for the Fathers of this Nation - Washington and Jefferson and Lincoln and all of the other Presidents - who arduously labored to make and keep our country strong and free.

We thank You for our flag. Long may it wave and remind us that America is Your special gift to us.

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 approval of the Journal dated Tuesday, June 13, 1989. The Chair hears no objection.

HOUSE BILLS INTRODUCED AND REFERRED

No. 1693 By Representatives LASHINGER, KOSINSKI, LAUGHLIN, NAHILL, SAURMAN, PISTELLA, CLYMER, WOGAN, CORNELL, FARGO, MILLER, DeLUCA, HOWLETT, MAIALE,

BELARDI, ANGSTADT, WESTON, STABACK, DEMPSEY, ROBINSON, BORTNER, McNALLY, MARSICO, J. H. CLARK, BUNT, BURD, NOYE, McHALE, ADOLPH, FOSTER, VAN HORNE, FOX, LEVDANSKY, NAILOR, SEMMEL, CIVERA, PRESTON, TANGRETTI, MELIO, ARGALL, B. SMITH, E. Z. TAYLOR, GAMBLE, TRELLO, VEON, SERAFINI, TIGUE, HERMAN, JOHNSON, GODSHALL, BILLOW, FEE, FLICK and BISHOP

An act amending the act of November 26, 1975 (P. L. 438, No. 124), known as the "Child Protective Services Law," prohibiting certain ritualistic acts in relation to children; and providing a penalty.

Referred to Committee on JUDICIARY, June 14, 1989.

No. 1695 By Representatives G. SNYDER, MELIO, ANGSTADT, GEORGE, BILLOW, NAILOR, ROBINSON, SCHEETZ, TANGRETTI, SEMMEL, E. Z. TAYLOR, FOX, McCALL, D. F. CLARK, KENNEY, VROON, FLEAGLE, ADOLPH, PHILLIPS, HECKLER, HESS, CLYMER, MORRIS, BARLEY, MAIALE, HOWLETT, BELARDI, STABACK, McVERRY, DALEY, GANNON, FARGO, J. H. CLARK, ROBBINS, DORR, LASHINGER, LANGTRY, MERRY, FOSTER, B. SMITH, BORTNER, CORNELL, HALUSKA and LEE

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), known as the "Public School Code of 1949," further providing for transportation of pupils and payments for transportation of pupils.

Referred to Committee on EDUCATION, June 14, 1989.

No. 1696 By Representatives FOX, RICHARDSON, SAURMAN, DIETTERICK, VROON, JOHNSON, TRELLO, BATTISTO, HECKLER, YANDRISEVITS, HERMAN, E. Z. TAYLOR, GRUPPO, BUNT, VEON, LASHINGER, BILLOW, ADOLPH, GIGLIOTTI, NAHILL, MORRIS, SEMMEL, CIVERA, MELIO and FLICK

An Act amending the act of December 15, 1986 (P. L. 1610, No. 181), known as the "Rabies Prevention and Control in Domestic Animals and Wildlife Act," providing for additional powers and duties of the Department of Agriculture, for the establishment of a rabies hotline and for the purchase of anti-rabies vaccines and supplies; and making an appropriation.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, June 14, 1989.

No. 1697 By Representatives DeLUCA, TRELLO, COLAIZZO, DeWEESE, LEVDANSKY, VAN HORNE, BELARDI, MELIO, MURPHY, COLAFELLA, B. D. CLARK, TANGRETTI, MICHLOVIC, GIGLIOTTI, MARKOSEK, KAISER, TRICH, McVERRY, LANGTRY, FARMER, BUNT, FOX, COWELL, PRESTON, TIGUE, BLAUM, PISTELLA, MRKONIC, PETRONE, PETRARCA, ITKIN, ROBINSON, STUBAN, DALEY and FOSTER

An Act amending the act of December 31, 1965 (P. L. 1257, No. 511), known as "The Local Tax Enabling Act," providing for collection of earned income taxes by the Commonwealth.

Referred to Committee on FINANCE, June 14, 1989.

No. 1698 By Representatives DONATUCCI, ROBINSON, KOSINSKI, VEON, TRELLO, CIVERA, MELIO and BELARDI

An Act requiring reimbursement for postage costs incurred in the mailing of applications for consumer rebates.

Referred to Committee on CONSUMER AFFAIRS, June 14, 1989.

No. 1699 By Representatives LINTON, STEIGHNER, MAIALE, HOWLETT, NAHILL, GIGLIOTTI, PESCI, KOSINSKI, McHALE, ROBINSON, TIGUE, BUNT, PISTELLA, DIETTERICK, J. H. CLARK, PRESTON, ACOSTA, JOSEPHS, MICHLOVIC, CIVERA, KUKOVICH, MELIO, EVANS, CARN, FOX, DeWEESE, TRELLO, VEON, JAMES and SERAFINI

An Act amending the act of August 6, 1941 (P. L. 861, No. 323), referred to as the "Pennsylvania Board of Probation and Parole Law," further providing for the membership by the board.

Referred to Committee on JUDICIARY, June 14, 1989.

No. 1700 By Representatives KAISER, DALEY, TRICH, McNALLY, LEVDANSKY, MURPHY, GIGLIOTTI, COWELL, MAYERNIK, MARKOSEK, PETRONE, TRELLO, DeLUCA, GAMBLE, VAN HORNE, MICHLOVIC, MRKONIC, B. D. CLARK, COLAFELLA, VEON, LAUGHLIN, TANGRETTI, ROBINSON, ITKIN, DeWEESE, LaGROTTA and PISTELLA

An Act amending the act of May 6, 1968 (P. L. 117, No. 61), known as the "Site Development Act," providing for grants to be made for industrial site development projects.

Referred to Committee on APPROPRIATIONS, June 14 1989.

No. 1701 By Representatives TRICH, DALEY, KAISER, COLAIZZO, LESCOVITZ, ROBINSON, ITKIN, GIGLIOTTI, TANGRETTI, FREEMAN, MURPHY, KUKOVICH, WAMBACH, BELARDI, SCRIMENTI, VEON, COLAFELLA and LAUGHLIN

An Act establishing an industrial communities action program for making grants to industrial communities to complement private investment at industrial sites; and prescribing requirements of and conditions for grants.

Referred to Committee on APPROPRIATIONS, June 14, 1989.

No. 1702 By Representatives McNALLY, HAYDEN, MELIO, STABACK, PESCI, ROBINSON, GIGLIOTTI, RUDY, PISTELLA, CAPPABIANCA, ROEBUCK, B. D. CLARK, KOSINSKI, ITKIN, TRELLO, BILLOW, BELARDI, SERAFINI, BELFANTI, TANGRETTI, BORTNER, FARGO, TELEK, BOYES, BUNT, NAHILL, TIGUE, DURHAM, CIVERA and KASUNIC

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the tolling of the statute of limitations for certain offenses involving minors.

Referred to Committee on JUDICIARY, June 14, 1989.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 149 By Representatives GEIST, ANGSTADT, FAIRCHILD, BORTNER, GIGLIOTTI, BILLOW, NAHILL, COY, McHALE, FOX, MILLER, VEON, FLEAGLE, MICHLOVIC, PHILLIPS, ADOLPH, RUDY, BISHOP, SAURMAN, HESS, DISTLER, VROON, TRELLO, HALUSKA, DIETTERICK, CIVERA, ROBBINS, JOHNSON, PETRARCA and SERAFINI

Urging the Governor to provide funds necessary for the installation of telecommunications equipment to assist speech and hearing impaired citizens in using telephone equipment at Pennsylvania State Police stations.

Referred to Committee on RULES, June 14, 1989.

No. 150 By Representatives WOZNAK, HESS, MAINE, MERRY, CARLSON, LESCOVITZ, PESCI, MORRIS, RUDY, HALUSKA, DISTLER, MELIO, BROUJOS,

S. H. SMITH, TRELLO, LEVDANSKY,
D. F. CLARK, BARLEY and VROON

Directing the appointment of a select committee to study the effects of the deer population on growing crops and to determine alternatives available to curb those effects which are negative to the farming industry.

Referred to Committee on RULES, June 14, 1989.

SENATE BILLS FOR CONCURRENCE

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

SB 5, PN 1173

Referred to Committee on HEALTH AND WELFARE, June 14, 1989.

SB 31, PN 1155

Referred to Committee on BUSINESS AND COMMERCE, June 14, 1989.

SB 339, PN 350

Referred to Committee on BUSINESS AND COMMERCE, June 14, 1989.

SB 365, PN 978

Referred to Committee on FINANCE, June 14, 1989.

SB 715, PN 778

Referred to Committee on FINANCE, June 14, 1989.

SB 904, PN 1157

Referred to Committee on APPROPRIATIONS, June 14, 1989.

SB 905, PN 1034

Referred to Committee on APPROPRIATIONS, June 14, 1989.

SB 906, PN 1035

Referred to Committee on APPROPRIATIONS, June 14, 1989.

SB 907, PN 1036

Referred to Committee on APPROPRIATIONS, June 14, 1989.

SB 908, PN 1037

Referred to Committee on APPROPRIATIONS, June 14, 1989.

SB 909, PN 1038

Referred to Committee on APPROPRIATIONS, June 14, 1989.

SB 910, PN 1039

Referred to Committee on APPROPRIATIONS, June 14, 1989.

ADDITIONS AND DELETIONS OF SPONSORS

The SPEAKER. The Speaker announces, for the information of the members, that he is in receipt of additions and deletions of sponsorships on House bills and resolutions, which will be filed with the clerk.

The following list was submitted:

ADDITIONS:

HB 4, Coy; HB 5, Blaum, Broujos; HB 215, Broujos; HB 219, Broujos; HB 426, Kosinski; HB 431, Kosinski; HB 648, Kosinski; HB 685, James; HB 700, Belfanti; HB 899, Broujos; HB 1216, Mayernik; HB 1231, Linton; HB 1279, Barley; HB 1293, McHale; HB 1441, Richardson; HB 1457, Broujos; HB 1553, Bishop; HB 1572, Bishop; HB 1583, Bishop, Herman, O'Brien; HB 1587, Bishop; HB 1588, Bishop; HB 1590, Bishop; HB 1592, Bishop; HB 1593, Bishop; HB 1594, Bishop; HB 1595, Bishop; HB 1596, Bishop; HB 1597, Bishop; HB 1599, Lee, Robbins, Bishop; HB 1609, Petrarca, Serafini; HB 1610, Petrarca, Serafini; HB 1611, Serafini; HB 1623, Robbins; HB 1625, Michlovic, Bishop; HB 1626, Bishop; HB 1633, DeLuca, Richardson, Bishop; HB 1635, Thomas; HB 1636, Bishop; HB 1638, B. Smith; HB 1643, Bishop; HB 1646, Bishop, James; HB 1647, Itkin, DeWeese; HB 1648, Thomas; HB 1649, Bishop; HB 1654, Bishop; HB 1657, J. H. Clark; HB 1659, Bunt, Battisto, Preston, Dietterick, Langtry, Freeman, Raymond; HB 1661, Caltagirone, Burd, D. W. Snyder, Kasunic, Bishop; HB 1663, J. H. Clark; HB 1665, Bishop; HB 1666, Dietterick, Olasz, Itkin, Mrkonic, McVerry, Kasunic, Lashinger, Robbins, Dorr; HB 1677, Bishop; HB 1681, Gladeck, Saloom, Reber, Reinard, Jadlowiec, Clymer, Scheetz, Hasay, Saurman, E. Z. Taylor, DeLuca, Kasunic, Fee, Yandrisevits, Levdansky, Murphy, Lucyk, Hayden, Freeman, Bowley, Broujos, Jarolin, Marsico, Fox, Foster; HR 119, Robbins, Clymer, Marsico, Mrkonic, Bishop; HR 120, Bishop; HR 124, Petrarca; HR 125, Serafini, Colaizzo, Bishop; HR 130, Bishop; HR 131, Noye, Itkin, Robbins, Belardi, Lashinger, Kasunic, Langtry; HR 132, Fleagle, Petrarca, Kasunic, Civera, DeWeese, Trello, McHale, Kosinski, G. M. Snyder, B. Smith, Lescovitz, J. H. Clark, Tigue, Staback, Gigliotti, Jackson, Corrigan, Stish, Josephs, Pesci, Angstadt, Farmer, Nailor, Fairchild, Noye, Williams; HR 133, Strittmatter; HR 140, Bunt.

DELETIONS:

HB 1052, E. Z. Taylor; HB 1539, McNally.

WELCOMES

The SPEAKER. The Speaker is happy to welcome to the hall of the House Don and Sue Papesch, who are here with their children, David and Cynthia. These people are from North East, Pennsylvania, and they are the guests of Representative Thomas Scrimenti. They are in the balcony. Will the House please receive the guests.

The Speaker is happy to introduce to the House guest pages who are guests of Representative David Mayernik. They are on the House floor. They are Timothy Banyas and Steven Simpson, and James Simpson, who is Steven's father. They are all here as guests of Representative Mayernik.

The Speaker is happy to introduce another guest page, Chris Lockerman, who is the guest of Representative Allen Kukovich.

In the balcony today, as guests in the gallery, it is my pleasure to introduce eight social studies teachers from Mechanicsburg High School. They are here as the guests of Representative Jerry Nailor, and they are in the gallery.

LEAVES OF ABSENCE

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

Are there leaves of absence from the minority party? The Chair recognizes the minority whip, Mr. Hayes.

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

I request a leave for the lady from Delaware County, Mrs. DURHAM, for the day.

The SPEAKER. The Chair thanks the gentleman. Without objection, the leave of Mrs. Durham will be granted. The Chair hears no objection.

MASTER ROLL CALL

The SPEAKER. The Chair is about to take the master roll call. Members are to indicate their presence in the Assembly by voting "yea" on the master roll.

The following roll call was recorded:

PRESENT—202

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

Table listing names of members absent, including Coy, DeLuca, DeWeese, Daley, Davies, Dempsey, Dieterick, Dininni, Distler, Josephs, Kaiser, Kasunic, Kenney, Kondrich, Kosinski, Kukovich, LaGrotta, Langtry, Pievsky, Pistella, Pitts, Pressmann, Preston, Raymond, Reber, Reinard, Richardson, Wogan, Wozniak, Wright, D. R., Wright, J. L., Wright, R. C., Yandrisevits, Manderino, Speaker.

ADDITIONS—0

NOT VOTING—0

EXCUSED—1

Durham

CALENDAR

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of HB 1293, PN 1486, entitled:

An Act amending the act of July 2, 1984 (P. L. 568, No. 113), known as the "Employee-Ownership Assistance Program Act," further providing for the final date for approvals.

On the question,

Will the House agree to the bill on third consideration?

Mr. MICHLOVIC offered the following amendments No. A1681:

Amend Title, page 1, line 8, by inserting after "appropriations," "defining employee-owned enterprises, regulating technical assistance, financial assistance and program administration;

Amend Title, page 1, line 9, by removing the period after "approvals" and inserting ; and making repeals.

Amend Bill, page 1, by inserting between lines 11 and 12 Section 1. The title of the act of July 2, 1984 (P.L.568, No.113), known as the Employee-Ownership Assistance Program Act, is amended to read:

AN ACT

Providing technical and financial assistance to employee-ownership groups that seek to retain or [preserve] create jobs by restructuring an existing or starting a new business [into] as an employee-owned enterprise [with a substantial prospect of future recovery]; providing technical assistance on employee-ownership to existing and new firms and current employee-owned enterprises in Pennsylvania; encouraging employee-ownership and employee participation in Pennsylvania businesses; and making appropriations.

Section 2. Sections 2 and 3 of the act are amended to read:

Section 2. Definitions.

The following words and phrases when used in this act shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Department." The Department of Commerce.

"Employee-owned enterprise." A business which either:

(1) meets all of the following conditions:

(i) is organized as:

(A) a worker cooperative, within the meaning of Subchapter T of the Internal Revenue Code of 1954, as amended; or

(B) a corporation in which the employees own the stock of the corporation through an Employee

Stock Ownership Plan, within the meaning of section 4975(e)(7) of the Internal Revenue Code of 1954, as amended;

(ii) a majority of the voting rights are held by employees and all employees who have stock allocated to them are entitled to vote; shares are voted in such a manner that the vote of the majority of the employees controls the vote of the majority of shares; voting rights on corporate matters for shares held in a trust for the employees shall pass through to those employees, at least to the extent required by the pass through voting requirements of section 409A(e) of the Internal Revenue Code of 1954, as amended;

(iii) the majority of the members of the board of directors are elected by the employees; [or]

(iv) is a business which involves substantial employee participation; or

(2) [is organized in a manner determined by the secretary to involve substantial employees' participation.] is a business in which 30% to 50% of the stock is owned by the employees and which involves substantial employee participation. In the case of a business whose employees own less than 50% of the stock at the time of application for feasibility study assistance, the feasibility study must include a plan for employee-ownership of at least 50% of the stock within ten years of the restructuring or creation of the business.

"Employee-ownership group." A corporation or other entity, including labor unions, formed by or on behalf of the current or former employees of [an industrial or commercial] a firm or facility located in this Commonwealth for the purpose of exploring the feasibility of assuming ownership or control, or participating in the ownership of the firm or facility [and operating it as an employee-owned enterprise].

"Local administrative agency." An organization which enters into a written agreement with the department to administer technical and financial assistance pursuant to this act, including a municipality, a county, a local development district of the Appalachian Regional Commission, an industrial development corporation organized and existing under the act of May 17, 1956 (P.L.1609, No.537), known as the Pennsylvania Industrial Development Authority Act, or any other nonprofit economic development organization designated by the secretary.]

"Secretary." The Secretary of Commerce.

"Technical assistance." Prefeasibility assessments, feasibility studies and professional services.

Section 3. Employee-ownership program.

The department will establish a technical and financial assistance program to promote the development of employee-owned enterprises and increase employee participation in new and existing businesses for the purpose of retaining existing jobs and creating new employment opportunities.

Section 3. Sections 4 and 5 of the act, amended July 9, 1986 (P.L.1197, No.102), are amended to read:

Section 4. Technical assistance.

(a) Authorization to advance funds.—The department is authorized to [advance funds to local administrative agencies for the purpose of providing] provide grants and loans to employee-ownership groups [in industrial and commercial enterprises as defined in section 3 of the act of August 23, 1967 (P.L.251, No.102), known as the Industrial and Commercial Development Authority Law.] for technical assistance to develop or improve an employee-owned enterprise.

(b) Eligibility.—Employee-ownership groups, including those in firms where the owners are not amendable to the reorganization of the firm as an employee-owned enterprise, shall be eligible for assistance if the employees in the employee-ownership group are employed by, formerly employed by or affiliated with one of the following:

(1) Existing firms facing a threat of substantial layoffs or a plant closing and investigating a reorganization of all or some portion of the firm's business activity, at sites located within this Commonwealth, as an employee-owned enterprise. For purposes of this section "existing firm" shall include an ongoing concern, the assets of an existing company or the assets of a company which has been closed for no more than two years as of the date of application for the [feasibility study loan] technical assistance.

(2) Existing firms, not necessarily facing a threat of substantial layoffs or a plant closing, but considering a conversion to an employee-owned enterprise and seeking [professional services] technical assistance to accomplish this, if conversion to employee-ownership will create net new jobs or retain existing jobs at sites within this Commonwealth.

(3) Existing firms which currently have some form of employee ownership and require professional services to insure success of the employee-owned enterprise in its effort to create net new jobs or retain existing jobs at sites within this Commonwealth.

(4) New firms seeking to structure a business as an employee-owned enterprise and requiring professional services.

(c) Uses.—[Loans, grants or a combination of the two] Grants and loans will be made to employee-ownership groups for the following purposes:

(1) Prefeasibility assessments to indicate quickly if an employee ownership structure can or cannot succeed. The prefeasibility assessment shall include, but is not limited to, an investigation of the following:

(i) whether a company's product or service is obsolete or in demand;

(ii) whether a plant is obsolete or efficient;

(iii) whether present owners are amendable to the reorganization; and

(iv) whether a firm has the qualified and committed labor and management to succeed.

[(1)] (2) Feasibility studies to investigate a reorganization or new incorporation as an employee-owned enterprise will be funded if the prefeasibility assessment set forth in subsection (c)(1) or other assessment, indicates that a conversion is possible. At a minimum, the feasibility study should:

(i) Assess the market value and demand for the product produced by the plant affected by the closing or layoff.

(ii) Assess the market value and demand for other products which could be manufactured or assembled at the plant affected by the closing or layoff.

(iii) Evaluate the production costs incurred if the plant were to be operated by the employee-ownership group.

(iv) Determine whether there exists in the affected area and in the employee-ownership group, the desire and capacity to create a new production entity and to become competitive.]

(i) investigate the existing and future market value and demand for the company's existing products and for other products and services which could be produced and delivered;

(ii) determine the level of investment necessary to convert the business and make it viable, including the costs of any employee ownership-training;

(iii) determine whether financing can be obtained; and

(iv) develop a business plan for the company, including a plan to phase-in the agreed upon percentage of employee-ownership and a plan to ensure substantial employee participation.

[(2)] (3) Professional services to [implement a feasibility study and other professional services] reorganize or convert a business to an employee-owned enterprise and to develop or insure the success of an employee-owned enterprise.

(3) Grants for feasibility studies shall be awarded for not more than 90% of the cost of the study. Local matching shares should include, but are not limited to, individual contributions by affected employees.]

(d) Amounts, repayments.—

(1) The department may contract annually with consultants who will perform the prefeasibility assessments.

(2) Feasibility study funds shall be awarded for 100% of the cost of a feasibility study, not to exceed \$100,000.

(3) Funds for professional services shall be awarded for 100% of the total cost of professional services, not to exceed \$50,000.

[(d) Repayment.—Loans] (4) Funds provided for feasibility studies [and other] or professional services [to employee-ownership groups to investigate a conversion to an employee-owned enterprise] are subject to the following repayment condition:

If the enterprise studied is purchased or improved [by the employee group,] as an employee-owned enterprise, the employee group shall repay the entire amount of the loan, at no interest, in a lump sum at the closing of the purchase of the company or within two years after the date of the release of the loan by the department, whichever occurs later.

[(e) Other conditions.—

(1) The applicant shall provide evidence that there is a prospect for recovery and future job growth or job retention in applications under subsection (b)(1) or a substantial prospect of job growth or job retention in applications under subsection (b)(2) and (3).

(2) Maximum State participation is 90% of the total cost of the technical assistance and the maximum size of State participation is \$100,000.]

Section 5. Financial assistance.

(a) Authorization to advance funds.—The department is authorized to advance funds to local administrative agencies for the purpose of providing loans and loan guarantees to employee-owned enterprises reorganizing industrial, manufacturing and agricultural enterprises as defined in section 3 of the act of May 17, 1956 (1955 P.L.1609, No.537), known as the Pennsylvania Industrial Development Authority Act, for the development of employee-owned enterprises.

(b) (a) Eligibility.—[Eligibility for this assistance shall be limited to employee-ownership groups reorganizing an existing enterprise which is facing a threat of substantial layoffs or a plant closing,] Employee ownership groups in the types of firms defined in section 4(b) are eligible for financial assistance where adequate private financing is not available. For purposes of this subsection "existing enterprise" shall include an ongoing concern, the assets of an existing company or the assets of a company which has been closed for no more than [two] five years as of the date of completion of a feasibility study.

[(c)] (b) Uses.—Eligible project costs shall include land and buildings, machinery and equipment and working capital secured by accounts receivable and inventory.

[(d)] (c) Debt instruments.—The financial subsidy provided should be the minimum necessary to accommodate the borrower's financial needs. Debt instruments shall include either or both of the following:

(1) Loans, including deferred interest and principal payments.

(2) Loan guarantees.

[(e)] (d) Security.—Funds loaned shall be secured by lien positions on collateral at the highest level of priority which can accommodate the borrower's ability to raise sufficient debt and

equity capital. When the obligation of a firm is guaranteed, the financial institution holding the obligation shall be required to adequately secure the obligation.

[(f)] (e) Loan limits.—The maximum loan or guarantee is \$1,500,000 per firm. Loan funds shall not exceed 25% of the total project costs and guarantees shall not exceed 25% of the total loan value. The term of the loan shall be the shortest consistent with the needs of the firm, but no longer than 20 years. The interest rate shall be determined by the department.

[(g)] (f) Equity requirement.—A significant equity investment by the employee-ownership group equal to at least 10% of the project cost and including substantial participation by having at least two-thirds of the current members of the employee-ownership group employed at the project is required to qualify for the loan or guarantee.

[(h)] (g) Feasibility study.—Assistance shall not be approved without a feasibility study demonstrating a substantial prospect for job retention or future job growth and a business plan including steps to facilitate labor-management cooperation. General adherence to the plan is required to receive funding.

Section 4. Section 6 of the act is repealed.

Section 5. Section 7 of the act, amended July 9, 1986 (P.L.1197, No.102), is amended to read:

Section 7. Administration of the program.

(a) Responsibility of local administrative agencies.—Local administrative agencies will be responsible for promoting the program, soliciting applications, evaluating applications and making preliminary decisions on both technical assistance and financial assistance. Up to 2% of the funds appropriated for the purpose of this act may be used by local administrative agencies for the purpose of administering this program.]

(a) Application evaluations.—Criteria for evaluating applications shall be specified by the department.

(b) Approval by secretary.—The secretary will have full responsibility for final approval of all applications for assistance and shall make every attempt possible to intervene as early as possible in situations which may benefit from assistance under this act. The secretary shall approve or disapprove applications for assistance within 45 days of receipt of the completed application. The secretary shall inform an applicant within 20 days of any additional information required.

[(c)] Advances.—The department may make advances to local administrative agencies for the purpose of making loans or loan guarantees consistent with this act.

(d) Loan and loan guarantee fees.—Local administrative agencies may establish and charge reasonable fees for processing loans or loan guarantees under section 5, with the approval of the secretary.]

(c) Funds appropriated for the purpose of this act may be used by the department for the purpose of administering and marketing the program.

[(e)] (d) Rules and regulations.—The secretary may adopt any rules and regulations, statements of policy, forms, guidelines and other procedures, forms and requirements necessary for the implementation of this act.

Section 6. Sections 8 and 9 of the act are amended to read:

Section 8. Indicators of program impact.

On March 1 of each year of the program's existence, the secretary shall submit a report to the Chief Clerk of the House of Representatives and the Secretary of the Senate on the impact of the program, including the rules, guidelines or statements of policy used in administering this program, the number of employee-ownership groups and firms receiving assistance, the number of feasibility studies which were actually implemented and the number of jobs retained or created [and the number of jobs created or retained as a result of financial assistance]. All recipients of funds under this program shall provide the department with any or all information needed to fulfill this requirement. The

secretary shall provide copies of all official policies, guidelines, regulations or rules regarding the program to the Chief Clerk of the House of Representatives and to the Secretary of the Senate.
Section 9. Nondiscrimination.

No [loan, loan guarantee or other financial] assistance shall be made to a recipient under this act unless the recipient certifies to the department, in a form satisfactory to the department, that it shall not discriminate against any employee or against any applicant for employment because of race, religion, color, national origin, sex or age.

Section 7. Section 11 of the act is repealed.

Amend Sec. 1, page 1, line 12, by striking out "1" and inserting

8

Amend Sec. 1, page 1, line 12, by inserting a comma after "act"

Amend Sec. 1, page 1, lines 12 and 13, by striking out "of July 2, 1984 (P.L.568," in line 12 and all of line 13

Amend Sec. 2, page 1, line 18, by striking out "2" and inserting

9

On the question,

Will the House agree to the amendments?

The SPEAKER. On the question, the Representative from Allegheny, Representative Michlovic, is recognized.

Mr. MICHLOVIC. Thank you—

Mr. RYAN. Mr. Speaker?

The SPEAKER. Will the gentleman suspend?

The minority leader, Mr. Ryan, is recognized.

Mr. RYAN. Mr. Speaker, it is going to be necessary, in my judgment, for us to go to caucus today if we are to do the ethics bill.

This particular amendment, which we have not seen, was not caucused on. I am told that it is a fairly substantial amendment, and under those circumstances, I would like not to delay it beyond today but rather delay it so we can take a look at it in caucus.

The SPEAKER. Will the gentleman suspend?

Is there a direction from the majority leader?

BILL PASSED OVER

The SPEAKER. Without objection, HB 1293 will go over in order. The Chair hears no objection.

* * *

The House proceeded to third consideration of **HB 1378, PN 1605**, entitled:

An Act amending the act of July 2, 1984 (P. L. 555, No. 111), known as the "Small Business Incubators Act," extending the expiration date.

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—196

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

NAYS—3

Clark, B. D. Hagarty Hess

NOT VOTING—3

Evans Hayden LaGrotta

EXCUSED—1

Durham

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 1529, PN 1790**, entitled:

An Act authorizing the Commonwealth to participate in the Great Lakes Protection Fund.

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

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.
The question is, shall the bill pass finally?

VOTE CORRECTION

The SPEAKER. The gentleman, Mr. Hess, from Bedford County, is recognized.

Mr. HESS. Mr. Speaker, my switch malfunctioned. I pushed the green button, the red recorded, but I would like to be recorded in the affirmative on HB 1378.

The SPEAKER. The gentleman's vote in the affirmative will be placed upon the record.

CONSIDERATION OF HB 1529 CONTINUED

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—202

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

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

NAYS—0

NOT VOTING—0

EXCUSED—1

Durham

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.

* * *

HB 567 PASSED OVER TEMPORARILY

The SPEAKER. HB 567, PN 1905. Representative Petrone indicates there is an amendment. Will the amendment please be sent to the clerk and will the clerk read the amendment.

PARLIAMENTARY INQUIRY

The SPEAKER. The Chair recognizes the gentleman from Berks, Mr. Davies. For what purpose does the gentleman rise?

Mr. DAVIES. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. Will the gentleman state the parliamentary inquiry.

Mr. DAVIES. Mr. Speaker, I am not testing the— We have just received a new schedule format today and HB 567 was marked for a p.m. consideration. I do not know whether or not we are to stick with that schedule or what—

The SPEAKER. We are going to stick to that schedule. Unfortunately, the majority leader's office had mismarked the Speaker's calendar. It has now been corrected.

Without objection, we will go over temporarily HB 567. The Chair hears no objection.

* * *

The House proceeded to third consideration of HB 68, PN 75, entitled:

An Act amending the act of May 16, 1923 (P. L. 207, No. 153), referred to as the "Municipal Claim and Tax Lien Law," restricting redemption of property after sale pursuant to a tax or municipal claim in cities of the first class.

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—201

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

NAYS—0

NOT VOTING—1

Dininni

EXCUSED—1

Durham

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

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

* * *

BILLS PASSED OVER TEMPORARILY

The SPEAKER. Late amendments have appeared to HB 1335 and HB 1372. Without objection, we will pass over these two bills temporarily.

May I ask members of the House who have amendments prepared to bills to please let the majority leader or the staff of the majority leader know that the amendments are to be offered so that calendars can be properly marked.

The Chair recognizes the gentleman from Perry, Mr. Noye. For what purpose does the gentleman rise?

Mr. NOYE. Mr. Speaker, a followup to your recent comment on the amendments. In addition to letting the majority leader know about the amendments, I would be delighted if the members would share their amendments with the caucus chairmen so we have them for our caucuses. Thank you.

The SPEAKER. The gentleman is right. Members should inform both sides of the aisle, the leadership on both sides of the aisle, when amendments are to be offered. It will facilitate the expeditious running of the calendar.

The Chair recognizes the gentleman from Westmoreland, Mr. Tangretti. For what purpose does the gentleman rise?

Mr. TANGRETTI. Just to clear the record. I did distribute the amendment per House rules.

The SPEAKER. I am not chastising the individual. I am just simply saying that the calendars of the leaders were not marked with the amendment.

Mr. TANGRETTI. Thank you.

BILLS ON CONCURRENCE IN SENATE AMENDMENTS

The clerk of the Senate, being introduced, returned the following **HB 162, PN 1828**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act amending the act of August 5, 1941 (P. L. 752, No. 286), known as the "Civil Service Act," reestablishing the State Civil Service Commission; further providing for the civil service system; further providing for political activity; making editorial changes; and making a repeal.

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

The SPEAKER. The Chair recognizes, on that question, the gentleman from Philadelphia, Representative Linton.

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

Mr. Speaker, I am encouraging the House to concur in the Senate amendments to HB 162, which is the civil service bill.

The SPEAKER. The gentleman, Mr. Linton, from Philadelphia County, moves that the House concur in the amendments inserted by the Senate.

On the question recurring,

Will the House concur in Senate amendments?
 The SPEAKER. Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

YEAS—201

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

NAYS—0

NOT VOTING—1

Dininni

EXCUSED—1

Durham

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

Ordered, That the clerk inform the Senate accordingly.

RESOLUTIONS

Mr. SAURMAN called up HR 33, PN 831, entitled:

Memorializing Pennsylvania dental schools to include information on the pathology of nicotine and tobacco dependence, the oral effects of tobacco and the treatment of dependent users to dental students and practicing dentists.

On the question,
 Will the House adopt the resolution?

The following roll call was recorded:

YEAS—200

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

NAYS—1

Gallen

NOT VOTING—1

Dininni

EXCUSED—1

Durham

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

* * *

Mr. SAURMAN called up **HR 34, PN 832**, entitled:

Memorializing the American College of Physicians, the Pennsylvania Chapter of the American College of Chest Physicians and the Pennsylvania Chapter of the American Thoracic Society to provide continuing education courses in smoking cessation.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—200

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

NAYS—0

NOT VOTING—2

Dininni

Robinson

EXCUSED—1

Durham

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

* * *

Mr. CLYMER called up **HR 136, PN 1997**, entitled:

Designating the week of June 25 to July 1, 1989, as "Organic Foods Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—200

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

NAYS—0
NOT VOTING—2

Dininni James

EXCUSED—1

Durham

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

CONCURRENT RESOLUTIONS

Mr. PETRONE called up **HR 112, PN 1823**, entitled:

Memorializing Congress to investigate price increases in oil and gas.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—199

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

Donatucci

NAYS—0
NOT VOTING—3

Broujos Dininni Herman

EXCUSED—1

Durham

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

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

* * *

Mr. COLE called up **HR 118, PN 1853**, entitled:

Urging the President and the United States Congress to carry out their responsibilities to protect and strengthen the position of the states in the Federal union, avoid intrusion upon state prerogatives and afford protection to the proper governing authorities of the states.

On the question,
Will the House adopt the resolution?

The SPEAKER. On that question, the Representative from Adams County, Representative Cole, has asked for recognition.

Mr. COLE. Thank you, Mr. Speaker.

Mr. Speaker, as a member of the Intergovernmental Affairs Committee of the Council of State Governments, this is a project that is a high priority for this year. I am not one for urging the President or memorializing Congress with resolutions, because I personally know, with attending meetings of the Pennsylvania delegation in Washington, that they resent all the resolutions that come down from Harrisburg to Washington.

The reason for this resolution is to strengthen the 10th Amendment of the United States, and the reason for that is, recent and past decisions by the Supreme Court are infringing on States rights. So approximately 15 States have already passed or, in one of the two chambers, have initiated legislation in resolution form urging the President and the Congress to maintain the powers and the rights of States rights and preserving the Federal Union.

So I urge support of HR 118.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—200

Acosta	Donatucci	Lee	Ritter
Adolph	Dorr	Leh	Robbins
Allen	Evans	Lescovitz	Robinson
Angstadt	Fairchild	Letterman	Roebuck
Argall	Fargo	Levdansky	Rudy
Barley	Farmer	Linton	Ryan
Battisto	Fee	Lloyd	Rybak
Belardi	Fleagle	Lucyk	Saloom
Belfanti	Flick	McCall	Saurman
Billow	Foster	McHale	Scheetz
Birmelin	Fox	McNally	Schuler

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

NAYS—0

NOT VOTING—2

Dininni Josephs

EXCUSED—1

Durham

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

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

FILMING PERMISSION

The SPEAKER. For the information of the House, the Speaker has granted permission to John Sanks of WPVI for the next 10 minutes to videotape on the House floor. The gentleman is to the right of the Speaker in the far aisle.

CONCURRENT RESOLUTIONS CONTINUED

Mr. ROBBINS called up **HR 128, PN 1946**, entitled:

Honoring Stefan Banic, a Slovak immigrant, on the 75th anniversary of the patenting of his invention of the parachute.

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—201

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

NAYS—0

NOT VOTING—1

Dininni

EXCUSED—1

Durham

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

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

The SPEAKER. Without objection, we will go back to page 3 of today's calendar. HB 589 was passed over temporarily. We are now in receipt of the amendment.

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 589, PN 2021**, entitled:

An Act to provide an optional automobile insurance plan to cover, at an affordable rate, all responsible drivers in cities of the first class; and creating the Philadelphia Automobile Insurance Authority and defining its powers and duties.

On the question,

Will the House agree to the bill on third consideration?

Mr. CARN offered the following amendments No. A1876:

Amend Title, page 1, lines 3 and 4, by striking out "and creating the Philadelphia Automobile" in line 3 and all of line 4 and inserting
authorizing the State Workman's Insurance Board to administer the plan; and authorizing the temporary loan of funds from the State Workmen's Insurance Fund to provide initial capital for the plan.

Amend Bill, page 1, lines 5 through 17; page 2, lines 3 through 30; pages 3 through 15, lines 1 through 30; page 16, lines 1 through 14, by striking out all of said lines on said pages and inserting

Section 1. Short title.

This act shall be known and may be cited as the Philadelphia Automobile Insurance Plan Act.

Section 2. Definitions.

The following words and phrases when used in this act shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Board." The State Workmen's Insurance Board as provided for in the act of June 2, 1915 (P.L.762, No.340), referred to as the State Workmen's Insurance Fund Law.

"Fund." The State Workmen's Insurance Fund.

Section 3. Powers of State Workmen's Insurance Board.

In addition to the powers and duties otherwise provided by law, the State Workmen's Insurance Board shall provide on a demonstration basis in first class cities, automobile insurance to meet the "financial responsibility" requirements as defined in 75 Pa.C.S. § 1702 (relating to definitions) with rates that are actuarially sound. The board shall have the power to exempt the participants of the Philadelphia Automobile Insurance Plan from all other mandatory auto insurance coverages and will make those coverages available as options.

Section 4. Financing the plan.

The board is hereby authorized to use the State Workmen's Insurance Fund to meet minimum capital and surplus requirements for the provision of automobile insurance. Such funds shall not exceed one-half of one percent of the total assets of the fund.

Section 5. Moneys of plan.

(a) Payment to board.—All moneys of the plan, from whatever source derived, shall be paid to the board.

(b) Funds to be invested.—The board shall invest plan funds consistent with the law governing insurance company investments.

Section 6. Operating budgets.

(a) Operating budget.—At least 90 days before the commencing of the ensuing fiscal year, the board shall cause to be prepared and submitted to it a recommended operating budget for the provision of automobile insurance pursuant to this act. The operating budget shall set forth the estimated receipts and revenues during the next fiscal year. The board shall, at least 30 days before the end of the fiscal year, adopt, by a majority vote of its members, an operating budget for the next fiscal year and premium rates that are actuarially sound.

(b) Insurance plan.—Notwithstanding any other provisions of this law to the contrary, the premium rates approved by the board shall be submitted to the Insurance Commissioner for approval.

Section 7. Effective date.

This act shall take effect immediately.

On the question,

Will the House agree to the amendments?

The SPEAKER. On that question, the gentleman from Philadelphia, Mr. Carn, is recognized.

Mr. CARN. Thank you, Mr. Speaker.

Once again I stand up here—

Mr. RYAN. Pardon me, Mr. Speaker?

The SPEAKER. Will the gentleman suspend?

For what purpose does the minority leader rise?

Mr. RYAN. Mr. Speaker, we have not caucused on this amendment, but we have caucused on the bill. I believe it is all right to go ahead, but I would appreciate it if we had order in the House so the members could hear the explanation given by the gentleman, Mr. Carn, to his bill before we defeat it.

Mr. CARN. Thank you, Mr. Speaker. I certainly appreciate that.

The SPEAKER. The question is on the amendment.

Mr. CARN. Mr. Speaker, once again we stand up here to discuss this problem of the uninsured driver, and I do thank Mr. Ryan for at least trying to help the members listen to this important issue.

It is mutually agreed throughout the Commonwealth that the existence of uninsured drivers has a direct impact on insurance premiums statewide. Most would agree that something needs to be done to address the problem of uninsured drivers. The rise in the number of uninsured drivers is directly proportional to the rise in auto insurance premiums. In other words, as auto insurance premiums rise, the number of uninsured drivers rises.

It has only been since October of 1984 that Pennsylvanians have been mandated by law to purchase uninsured motorist coverage. Before 1984 it was not mandatory. How much is this coverage costing you and your constituents? It is true that over 50 percent of Philadelphia drivers are uninsured because of unavailable and unaffordable auto insurance. It is also true that these Philadelphians make up a fair share of the uninsured drivers reported statewide. Philadelphia is the victim of an insurance company practice called redlining, the systematic refusal to issue policies in certain locations. As a result of redlining practices, the Pennsylvania Insurance Commissioner acknowledged that many people are unjustifiably forced to face the ever-higher rates offered by the assigned risk plan despite perfect driving records.

In Pennsylvania car insurance is mandatory. Yet auto insurers refuse to write policies in certain locations, particularly in Philadelphia. The practice leads to a constitutional question: Can the State mandate auto insurance without guaranteeing its availability? It becomes clear that one of the problems facing Philadelphia drivers is that there are no insurance companies willing to sell insurance to us.

Insurance companies have no intention of solving this problem. Therefore, it can be concluded that to address the problem of uninsured drivers, a source needs to be established that will provide insurance coverage at a fair rate to Philadelphia. I have introduced HB 589 that would do just that - make available affordable auto insurance to Philadelphians.

If this bill becomes law, insurance premiums for drivers statewide should decrease. If this bill becomes law, the drivers of Philadelphia will have an optional source that will make auto insurance available and affordable, thus eliminating the barriers of any Philadelphians from acquiring needed auto insurance. This available and affordable insurance would substantially decrease the number of uninsured drivers in the Commonwealth, thus decreasing the rate at which uninsured motorist coverage should cost all Pennsylvanians.

If this bill becomes law, affordable auto insurance coverage will be made available to Philadelphians by reducing mandatory coverages for those who choose to participate in this demonstration auto plan. It will not make mandatory the purchase of wage loss benefits, funeral benefits, personal injury coverage, and uninsured coverage. The only mandatory coverage would be bodily injury liability and personal damage liability. Thus, the cost of purchasing mandatory coverage would be substantially decreased under this demonstration plan, assuring affordability.

Yes, I call this a demonstration plan, because if the bill becomes law, we will be able to put in place a true and independent data base controlled by the Insurance Department that would provide factual statistics relating to the auto insurance experience of Philadelphia drivers. If this bill becomes law, there will be no excuse for those persons who would then be driving without auto insurance to be doing so. Therefore, effective measures to curb uninsured drivers would then be reasonable.

Amendment 1876 authorizes the State Workmen's Insurance Board to provide this demonstration auto insurance plan and to temporarily loan the plan the use of up to one-half of 1 percent of its assets to meet minimum capital and surplus requirements for the provision of auto insurance. A fiscal note is provided to indicate to you what that represents in dollars and cents. Of course, I expect to hear people say that the State should not be in the insurance business, but the State is already in the insurance business. The State operates the workmen's compensation insurance fund. The State authorized the Fair Plan, which is an insurance fund.

I am asking this legislature to seriously give this legislation the opportunity to help address the problem of uninsured motorists in the Commonwealth of Pennsylvania, and I would ask for an affirmative vote on this amendment. Thank you, Mr. Speaker.

The SPEAKER. The question is on the amendment. Will the House agree to the amendment? On that question, the minority leader, Matthew Ryan, is recognized.

Mr. RYAN. Thank you, Mr. Speaker.

Mr. Speaker, I have seen a number of ingenious ways to tap into money in State Government over my years. This proba-

bly ranks among the highest as being the most ingenious in that private enterprise apparently is not a suitable way to get insurance for certain Philadelphians, so instead, they are going to tap \$50 million, \$50,400,000, out of the State Workmen's Insurance Fund - workmen's compensation fund, if you will. I cannot think of any good reason why we should jeopardize the workmen's compensation fund, that pool of money used to guarantee that our workers will be compensated for injuries, to provide automobile insurance for residents of the city of Philadelphia who are either unwilling or unable, as the case may be, to buy automobile insurance.

Mr. Speaker, Mr. Carn was good enough to correct me when I said \$50 million. It is \$5,400,000, a major difference, of course.

The fact remains, however, that it is not our business to get into the insurance business, the automobile insurance business. We tried that with the CAT Fund (Catastrophic Loss Trust Fund) in a way, and look what happened to us. For us to jeopardize the workmen's funds of this State on something that is as, I am going to say harebrained, and I do not mean that as it applies to the sponsor of the bill, because I know how well intentioned he is and I know how desperately he seeks a solution to the problem, but as to the workers of the State, they have got to view this as a terrible scheme to jeopardize their money. To put the State into this business would just be as bad a thing as we could possibly do. We would be revisiting CAT all over again, and those nine lives, hopefully, have been used up.

I know there are more people that have more to say about this, so I will sit down at this time, but take a long, long look at this bill. This is not the solution. I know at an earlier date Mr. Carn reportedly tried to put an insurance company together of people who had this problem of getting insurance and privately funding it - a mutual fund perhaps, a mutual insurance fund. That maybe is the way to go, but to use the money of the working people of Pennsylvania to do this would just be wrong, and I would adamantly oppose any suggestion that it pass. Thank you.

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

Mr. O'DONNELL. I think it is important to point out that the \$5,400,000 that is referred to in the fiscal note is not money that is going to be spent on this plan. This is not an expenditure of money. Let me start at the beginning.

There is a need, at least on a demonstration basis, to figure out whether or not government can be a provider of insurance in areas where availability, for good reason or bad, is clearly an overwhelming issue. In many areas of Philadelphia, and I suspect in other parts of the State but I am confident about Philadelphia, there simply is no insurance to be had. It is appropriate for government to step into that role. But there are two issues that arise: One, where do you get the capitalization, not an expenditure but a fund which renders the risk sound? You are not paying out \$5.4 million. What we are doing is limiting the size of the enterprise to a \$5.4-million fund. Well, why will this money not get paid out? It will not

get paid out; it will be paid for by the premiums of the people that buy the insurance, which raises the next natural question: How do we know that the premiums on the insurance are going to be sufficient to pay the claims? The answer is that there is in this amendment a requirement of actuarial soundness, meaning that a calculation is made so that the premiums coming in pay the losses that are going out. This \$5.4 million will not be expended.

The reason for the selection of this fund is very simply that some time ago there were a number of companies that were considered such high risk that they really could not buy workmen's compensation—I think it is workmen's comp—insurance in the market, and because they could not buy it in the market, the State of Pennsylvania went into the business of providing that insurance. The State entered that insurance, taking people who private enterprise had said were the worst risks, and created what was a profitable enterprise. The reason why we have been able to take money from the State Workmen's Fund in years past for our budget purposes is because they have managed those risks so well. It is not disputed by anybody that the board that is empowered here is a board whose track record on this issue is excellent. They have created out of the worst possible risks a functioning, actuarially sound operation which now is generating surpluses that in fact, as we all know, we have tapped for budget purposes.

What this amendment tries to do is to put those same folks, exercising those same actuarially sound judgments, in the automobile insurance market in a very limited way, in areas where it is not otherwise available. The \$5.4 million is simply a reserve which everybody in the insurance business, government or otherwise, must necessarily have. The reason for setting that number is to put a limit on the extent to which this board can be in the business, because it is essentially a demonstration type of idea.

I would urge support of the amendment.

The SPEAKER. The question is, will the House agree to the amendment? On that question, the minority leader, Matthew Ryan, is recognized.

Mr. RYAN. Mr. Speaker, will the gentleman consent to brief interrogation?

The SPEAKER. Which gentleman?

Mr. RYAN. The gentleman, Mr. Carn.

The SPEAKER. The gentleman, Mr. Carn, indicates that he will.

Mr. RYAN. Mr. Speaker, will the gentleman advise me, today, what happens with any moneys that are available in the SWIF fund that are in excess of what necessarily must be held? To whom do those moneys belong?

Mr. CARN. Can you repeat the question?

Mr. RYAN. If there is a surplus or excess moneys in the State Workmen's Insurance Fund, to whom do those excess moneys belong? Do they belong to the government?

Mr. CARN. Yes. Yes; they belong to the government by law. Even in the amendment, all payments are paid to the Treasurer.

Mr. RYAN. The law today with respect to the SWIF funds, to whom do the excess dollars belong?

Mr. CARN. To the fund.

Mr. RYAN. Thank you.

If I may, Mr. Speaker, I am reading from Purdon's, Title 77, section 283, and I am taking a portion of it:

...and if, at the expiration of any year, there shall be a balance remaining—

We are referring now to the SWIF funds—

after deducting such disbursements, the unearned premiums on undetermined risks, and the percentage of premiums paid or payable to create or maintain the surplus provided in section nine of this act, and after setting aside an adequate reserve, so much of the balance as the board may determine to be safely distributable shall be distributed among the subscribers,...

And then it goes on, but essentially that is the part I was trying to hit.

The subscribers they are referring to, I believe, are the subscribers who have put this money into the SWIF fund today. How does that jive with what you are referring to?

Mr. CARN. After the implementation of that provision of the law, what we are saying is after the reimbursements have taken place, we are just asking for one-half of 1 percent of the assets - after that has taken place.

Mr. RYAN. You are asking for one-half of 1 percent of the total assets or of the excess reserves?

Mr. CARN. Total assets.

Mr. RYAN. That is the \$5-million number? All right.

The money, as I read this act, does not belong to us to do that with.

Mr. CARN. We, the legislature, enacted the law and wrote the language that determined the use of those dollars. So we still have the power to amend that law to make this possible.

Mr. RYAN. That would be true; that would be true.

Thank you, Mr. Speaker.

The SPEAKER. The question is, will the House agree to the amendment? On that question, from Lehigh County, Representative Pressmann is recognized.

Mr. PRESSMANN. Thank you, Mr. Speaker.

Mr. Speaker, will the gentleman from Philadelphia, Mr. Carn, stand for a period of interrogation?

The SPEAKER. He indicates that he will. You may proceed.

Mr. PRESSMANN. Thank you, Mr. Speaker.

Mr. Speaker, does the gentleman know, who sits on the State Workmen's Insurance Board?

Mr. CARN. Yes. The members of the State Workmen's Insurance Board are the Insurance Commissioner, the Secretary of Labor and Industry, and the State Treasurer.

Mr. PRESSMANN. Only those three people?

Mr. CARN. That is it.

Mr. PRESSMANN. Thank you, Mr. Speaker. That is all.

The SPEAKER. The question is, will the House agree to the amendment? On that question, from Cumberland County, Representative Mowery is recognized.

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

I think the majority leader did a very good job in explaining the intent of what we are trying to accomplish. I also agree that we do have a major problem, and I think that it is great that we are trying to come up with some sort of a solution. My concern, however, is how we are going about solving the problem.

As the minority leader questioned here a few moments ago, the use of the workmen's comp fund, in my opinion and in the opinion of many others, is for the purpose of providing benefits so that our employees of the employers in Pennsylvania who subscribe to the fund are taken care of in the event of disability or being hurt while on the job.

It is also the law, as was just read, that the subscribers should be receiving some of the excess money that is not needed or is described as surplus in the current fund. I believe, Mr. Speaker, that this has not been done. I believe that what we are doing is transferring money out of the fund today for use in the General Fund that is really the employers' share who participated in the fund, and they should receive that money first.

Mr. CARN. I would like to point out that the law says that they can be reimbursed if their premiums cover the costs. Presently, the premiums are not covering costs. It is the investment of these dollars that has made this fund as large as it is. So therefore, under the law, there is no situation presently where reimbursements are necessary or called for.

Now, I would like to say that we are not transferring funds. All that we are asking the board to do is to hold funds in reserve so that we can meet the requirements of the insurance law requiring surplus capital.

Now, we intend to make this plan work, meaning that the policies that will be sold at the premiums that they will be sold at will cover the costs of operating the plan, because we intend to make it actuarially sound. So theoretically, these funds should never be tapped, and that is our purpose - not to tap those funds but just to have those funds in reserve to meet certain requirements of the law.

Mr. MOWERY. Thank you very much for the explanation.

I respectfully would disagree with the way that you interpret, that the current premiums are necessary before you return any money to pay all the current claims. I do not think that is how it is written, and really, that is not the way most insurance funds or companies operate today. One of the areas that allows insurance companies to pay these substantial claims, particularly today in the automobile area of auto insurance, is by the investment income in addition to the premium income. Combined together, they are, in many cases, sufficient to pay claims. However, one of the problems we have today, and this is what I would like to address, that, you know, we spent quite a bit of time yesterday discussing the need for probably all of Pennsylvania to maybe be charged—we did not say it this way, but this is where we were going—that if we could eventually get a level rate in Pennsylvania so that the rural communities could help offset the high costs of Philadelphia, we would be able to reduce the Philadelphia rate.

Now, one of the things that we are talking about here is the idea of starting a "company," in quotes, a new "company," which is the concept here, even though we are using the liability or the reserves to be set up by the SWIF fund. What we are doing is attempting to start a company to sell automobile insurance in Philadelphia, the highest risk area in this State of Pennsylvania, and to assume that the current premiums that you are going to be charging are going to be sufficient to pay the very high claims that are going to be established and are already well established by the major insurance companies in Philadelphia. In my opinion, sir, it just is not going to work.

The fact is that in your amendment here that we are talking about, it also says that we are going to borrow the money, that it is going to be loaned, and we are not going to use it, because the current premiums are going to be sufficient to pay claims. Even though we have three very outstanding people who are on this board, I do not believe that they are going to be in a position to be able to run a company better than the insurance industry has run it in the past, finding that there is not enough money, even with current premiums plus reserves, to sufficiently do business in Philadelphia without charging an extremely high premium.

For these many reasons—just let me finish and then you may speak—for the many reasons that I have outlined and for the real concern that the employers of Pennsylvania should get a reimbursement before we go in and spend more of that money in the SWIF fund, I ask that we vote against and defeat this amendment. Thank you very much, Mr. Speaker.

The SPEAKER. The Chair recognizes, from Delaware County, on the question of the amendment, Representative Freind.

Mr. FREIND. Thank you, Mr. Speaker.

I rise to oppose this amendment, of course, but in doing so, I congratulate the maker of the amendment on his creativity.

This is the second part of a two-pronged attack on uninsured motorists in Philadelphia. The first part was yesterday in an amendment rejected by the House which said, basically, if you think the rates are excessive and you cannot afford them, you do not have to have insurance. That failed, so we have this.

Now, we have heard a lot of technical stuff about the SWIF fund, but let us cut to the chase. What we are doing is attempting to put government back into the insurance business. If you do not believe that, listen to the very articulate words of the majority leader when he said, there is a need for a demonstration project to determine whether or not government should be providing insurance in certain areas of the State. I would think that we had learned our lesson with the disastrous effects of the CAT Fund. We do not belong in the insurance business.

Now, beyond that, take a look at the language that we have there in this amendment, that the board would be permitted to have the power to exempt the participants of this plan from all other mandatory auto insurance coverages. By a 3-to-1 margin, this House yesterday voted to continue the mandates on first-party benefits - \$10,000 medical; \$5,000 disability.

The board would have the power to waive this for Philadelphia, and if these people did not have insurance and could not care for their health needs, someone would have to pick up the tab.

What I find interesting is that Philadelphia tries to have a selective situation. On the one hand, it objects on occasions when attempts are made to treat it differently, such as Representative Gannon tried to do yesterday, but when it is convenient, it is singled out to be different from all other parts of the State. What the plan asks for now is to take money paid by employers from across the State for the benefit of employees across the State and use it just for the benefit of those in Philadelphia.

Now, I grant you, and I agree with Representative Carn, that we have a serious problem in Philadelphia with respect to affordability, accessibility, and uninsured motorists, and we have to deal with that. We dealt with that yesterday about 90 percent of the way on a statewide basis. If you want to solve Philadelphia's problems and make auto insurance rates be accessible and affordable, you have got to get a handle on the lawsuits and you have got to get a handle on health care costs. We attempted to do that yesterday. I still believe that that can be salvaged.

This is the wrong way to go, and I hope we resoundingly defeat it. Thank you, Mr. Speaker.

The SPEAKER. The question is on the amendment. On that question, the gentleman from Philadelphia, Representative Linton, is recognized.

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

Mr. Speaker, I do not think the gentleman, Mr. Carn, is making an effort to provide a special provision for the city of Philadelphia, but I think, as the gentleman, Mr. Carn, has heard over many years on the floor of this House, just as I have heard, there are some unique problems in the city of Philadelphia.

The minority leader started to allude to a harebrained idea, but in his wisdom, he decided not to use that term. Over the last several years the constituents in Philadelphia have seen this House, this General Assembly, put forth, as they see it, numerous harebrained ideas, none of which has resulted in a reduction in their premiums, none of which has provided for them accessible and affordable auto insurance. Representative Carn has taken a bold step. Some folks are suggesting that the SWIF funds should not be used for that. Well, quite frankly, we have used the SWIF fund and its surpluses for many, many things in this House, and we just, in the Appropriations Committee, put forth a measure yesterday that would use \$75 million from the SWIF fund.

I think what Representative Carn is trying to do is make sure that the workers in the city of Philadelphia have access to affordable auto insurance. I think we should support him in that effort. I ask for an affirmative vote. Thank you very much, Mr. Speaker.

The SPEAKER. The question is on the amendment. On that question, the Chair recognizes, from Northampton County, Representative Rybak.

Mr. RYBAK. Mr. Speaker, I would like to make a statement of observation on the issue being discussed.

The minority leader and my good friend, the minority chairman of the House Insurance Committee, heretofore have alluded time and again, look at the CAT Fund; look what happened to it. Well, let us call a spade a spade. There was nothing wrong with the CAT Fund that we could not have corrected. What has happened is that the people are now paying through the nose. They are paying double the premium that they could have paid had we corrected that situation.

So I would hope that that type of comment stops and stops now, and that we stop misleading the people and get to the job of doing what has to be done. Thank you, Mr. Speaker.

The SPEAKER. On the question of the amendment, the Chair recognizes, from Philadelphia, Representative Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, I do not really understand some of the arguments that have been made here today. We are told about how all the SWIF fund surplus ought to go into lower rates. There is an historical reason why the SWIF fund surplus has not gone into lower rates. That is because of the power of the insurance companies. The insurance industry does not want the SWIF fund to compete effectively with all other insurance companies. The SWIF fund, if we wanted it to, could easily undersell every single insurance company in the State of Pennsylvania and gain a monopoly of workers' compensation insurance. And if Representative Freind or any member of the Republican Caucus wants to introduce a bill mandating SWIF fund reductions so that there is no surplus in the SWIF fund, I will be glad to support it, and I think large numbers of members of the Democratic Caucus will be glad to support it, but the insurance industry will fight that tooth and nail, and because the insurance industry will fight it tooth and nail, the language that Matt Ryan read authorizing reductions, not mandating reductions but authorizing reductions in rates, has not been carried out, because the SWIF fund does not want to get into a fight with the insurance industry in Pennsylvania.

So we have assets of \$1 billion. We have an operating surplus of \$288 million. Easily one-sixth of the money comes from Philadelphia in that \$288-million surplus. Large numbers of people outside Philadelphia are affected by the Philadelphia auto insurance problem. We have heard in the past about all the problems of suburban commuters. They are affected by this problem as well.

Mr. Carn's attempt to come up with a solution to this problem really deserves the support of all members of the House. Mr. Carn's plan does not adversely affect the SWIF fund. With a \$288-million surplus, we do not have to worry about this \$5.4 million, which, as Mr. Carn and Mr. O'Donnell have said, is not even going to be spent. It is going to stay in the SWIF fund anyway. This has nothing to do with solvency in the SWIF fund. This has nothing to do with stopping reduction of paybacks to employers. There will be no paybacks to employers, in all likelihood, whether this amendment passes or fails. All this has to do with is solving a problem for people in Philadelphia, which seriously affects people outside of Philadelphia as well.

I strongly urge everybody's support of this amendment.
The SPEAKER. The Chair thanks the gentleman.

WELCOMES

The SPEAKER. The Chair is happy to welcome to the hall of the House Mr. Edward T. Kitchen, councilman in the town of Bloomsburg, Pennsylvania, who is the guest of the Honorable Ted Stuban from Columbia County. He is seated to the left of the Speaker. Will he please stand.

Also to the left of the Speaker is Dr. Glen Olsen from Edinboro University, Erie County, the guest of Representative James Merry.

To the left of the Speaker, the Chair is happy to welcome the son of Representative Louise Williams Bishop, James A. Bishop, Jr.

There were earlier in the balcony, as guests of Representative Harold James, from Philadelphia, 15 veterans from the Veterans Upward Bound Program from the University of Pennsylvania with Frederick Whiten, their director. They were here as the guests of Harold James, but we were unable to introduce them at that time.

CONSIDERATION OF HB 589 CONTINUED

The SPEAKER. On the question of agreeing to the amendment, from Beaver County, the Chair recognizes Representative Veon.

Mr. VEON. Thank you, Mr. Speaker.

Mr. Speaker, like the gentleman, Mr. Freind, I would like to commend the gentleman from Philadelphia, Mr. Carn, for an attempt to come up with an innovative and creative solution to a very difficult problem. Unlike the gentleman, Mr. Freind, however, I rise to support this amendment.

I think it is somewhat unfair and not accurate to say that government should not be in the insurance business when we have just spent 3 days debating and interjecting government into the insurance business in every which way possible. We have dictated costs; we have dictated rollbacks; we have dictated freeze; we have dictated just about everything and anything the insurance business can do in this State. So it is unfair now to come back to the gentleman, Mr. Carn, who has a creative and innovative approach to a very difficult problem, and now say that the government has no responsibility or the government has no role in the insurance industry, in the insurance business. I think that is unfair and not accurate.

Mr. Speaker, the gentleman, Mr. Carn, has accurately portrayed this as a demonstration project, attempting to solve a very sticky and difficult problem in Philadelphia, and I would rise to support that and urge my colleagues to do the same. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes, on the question of the amendment, from Philadelphia, Representative Thomas.

Mr. THOMAS. Mr. Speaker, if the real issues as we have articulated throughout these discussions on insurance, if those issues are accessibility and affordability, yesterday this House, in a bipartisan effort, attempted to resolve the ques-

tion of affordability; today we have before us a very, very real and very reasonable alternative in dealing with the question of accessibility. It is clear that in Philadelphia County and in many other counties, auto insurance is not accessible as a result of rates that are out of control.

Mr. Carn has put before this body a reasonable alternative for resolving the question of accessibility, and, Mr. Speaker, I think that it is important that we not confuse this issue with an issue that has been raised, that being that this House is now involved in the insurance business. This amendment would not bring about intervention of this body in the insurance industry. This body has a responsibility to articulate public policy desired to address a need of constituents throughout the Commonwealth. Through this amendment we are articulating public policy; we are providing a one-time measure for putting in effect that public policy. I think that there are no other proposals on the table. This proposal is one that is durable, achievable, and will not take this body into the insurance business.

I think at a minimum, at a minimum, if we are serious about accessibility of auto insurance, that we have to give our full support to the Carn amendment. At worst, we do not have any alternative while we acknowledge that there is a very serious problem, so if we fail to support the Carn amendment, then we in effect say to the people of Philadelphia County and to residents throughout this Commonwealth that we recognize that there is a problem but we have no solution to that problem and that we are satisfied with the problem existing. So I submit to you that it is extremely important that we go forward on the Carn amendment, that we take it upon ourselves to articulate public policy through this amendment, respond to a crisis, and be able to say to the people of the Commonwealth of Pennsylvania that this is an honest and effective General Assembly. Thank you.

The SPEAKER. On the question of agreeing to the amendment, the Chair recognizes Representative Williams, from Philadelphia.

Mr. WILLIAMS. Thank you, Mr. Speaker.

Mr. Speaker, there are several points that I would like to comment on, and I, as a new member, have been bombarded personally with regard to this issue, and I am sure it comes as no surprise as I am from Philadelphia County. But through all the haze and all the discussion that surround it, there was one comment or a few comments that were made today. The formula, as suggested by one of my Republican colleagues, to pay out claims is derived from both the premium payments—Mr. Speaker? Mr. Speaker, I can barely hear myself speak.

The SPEAKER. The gentleman is asking that this House be in order. The Speaker is asking the House be in order. It is difficult to follow the proceedings on the floor of the House when everyone insists on talking whether or not they have been recognized to speak. The Chair has recognized the gentleman from Philadelphia, Mr. Williams, to speak on the subject of the amendment.

Mr. WILLIAMS. Thank you, Mr. Speaker.

As I was attempting to explain, claims, as explained by my Republican counterpart, are paid out in two parts: income derived from premiums and income derived from investments. Thank God, someone in this body will admit that insurance companies are indeed making profits. Investment income is derived from profits. We have, in the State of Pennsylvania, a situation of increased costs. Mr. Freind is correct; we are 90 percent there. Philadelphia needs another 10 percent, and surprisingly enough, some other counties need that other 10 percent with regard to accessibility. If the rates are indeed cut, the 25 percent or whatever rate they are cut, that does not guarantee that Philadelphians will be able to take benefit from that.

There was a letter circulated to me—and I am sure to many other members—that suggested two things: one, that the rates in Philadelphia are as high as they are because of bad drivers, because of accidents. Well, I, for one, who personally have helped the sting of insurance companies and have been very well documented in the Philadelphia newspapers, have not had an accident. My rates, my situation, is simply because I live in Philadelphia and I did not pay a ticket on time. I pay approximately \$5,000, and I have not had an accident, so therefore, I am not a bad driver. I would suggest to you that what Mr. Carn is suggesting to you, the redlining, is real in the city of Philadelphia. It is not all the bogeyman and the lawyer. It is certainly special interests which are running rampant in Harrisburg.

There has been a lot of conversation about creativity, which to me is another way of saying that Mr. Carn's suggestion is shady. The one thing I have not heard is integrity and honesty and forthrightness - those things which supposedly the Constitution of this country, the Constitution of this State, stand for. With regard to Mr. Carn's suggestion, the one thing that it does stand for is integrity. If you have fortitude, then you are for it. If you want to be compromised by special interests, then certainly you are opposed to it.

The SPEAKER. On the question of the amendment, from Delaware County, the Chair recognizes Representative Gannon.

Mr. GANNON. Thank you, Mr. Speaker.

I would like to interrogate the maker of the amendment, please.

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

Mr. GANNON. Thank you, Mr. Speaker.

Mr. Speaker, why did you not put any provision for repayment of this loan back to the workmen's compensation fund in the amendment?

Mr. CARN. Because I felt that the integrity of the Insurance Commissioner, the Secretary of Labor and Industry, and the State Treasurer would be sufficient in making those kinds of rules and regulations under their present ability and authorization. I felt that they could determine what that should be.

Mr. GANNON. So you felt that there was not any need to require repayment of the loan in the act itself?

Mr. CARN. Right. I did not feel it was necessary to put it in the act, because these persons are responsible and they have proven themselves to be able.

Mr. GANNON. I assume that you look on this as an investment.

Mr. CARN. Look on what, the—

Mr. GANNON. The loan to this Philadelphia Automobile Insurance Plan.

Mr. CARN. What we look at that as is reserve capital still within the hands and powers of the board. In order to meet the requirements under the insurance laws, in order to provide auto insurance, there are financial requirements - capitalization, surplus, as well as operating capital. So again, we are not talking about the money being transferred; we are talking about it being in reserve. And again, we are saying that this plan can work, meaning that it can be actuarially sound, where the moneys collected off premiums will in fact cover the cost of claims as well as operating.

We just want this opportunity to show the legislature what the real facts are as it relates to the Philadelphia drivers. You know, we talk here on this floor often about what is happening in Philadelphia, when I know for a fact there are no statistics other than what the insurance companies propagandized us with that showed this to be fact. We just want to have the opportunity to demonstrate, to demonstrate, that we can in fact have an actuarially sound program among the drivers of Philadelphia at fair rates and again hopefully show this legislature that all of the propagandizement that has been going on is not necessarily true, and hopefully your rates will be decreased by eliminating these myths.

Mr. GANNON. I am not so much concerned about protecting the fund from success. What I want to know is what you have done to protect that money from failure.

Mr. CARN. The idea is to put in place the plan that guarantees success. The problem has been, the insurance companies decided years ago that they did not want to fight those elements causing the rates to rise. They did not want to fight the fraud aggressively, so attitudes were, well, let us commit fraud. They did not want to fight the lawsuits. They wanted this payoff, and let us just raise the rates. So we have created this atmosphere, and of course, the atmosphere is most acute in Philadelphia.

Now, what we are proposing is a plan that attacks those factors that have caused rates to skyrocket and have caused the insurance companies to decide to just not sell insurance in Philadelphia altogether. We are saying, let us put the plan there to make it work; let us make sure fraud cannot occur by having the kind of management and operation that protect us from those kinds of situations.

Mr. GANNON. Now, I note that in the amendment you call this the Philadelphia Automobile Insurance Plan, and my question is, where will this agency have offices?

Mr. CARN. Well, since it is geared for Philadelphians, it would be within the city of Philadelphia so that Philadelphians would have access to the source of insurance if they cannot get it from the private carriers.

Mr. GANNON. Well, I mean, will they have an office in, say, Erie or Harrisburg?

Mr. CARN. Well, that decision, really, is dependent on the board.

Mr. GANNON. Do they have to have an office in Philadelphia?

Mr. CARN. Well, I think it is only practical, if you are going to sell insurance to Philadelphians, to have an office in Philadelphia.

Mr. GANNON. Now, are they going to sell this insurance through agents? Are they going to sell it direct? Are they going to sell it by mail? How is it going to be sold?

Mr. CARN. What we anticipate the board doing is requesting proposals on how to proceed in the implementation of this concept. Now, we have in fact proposals to submit to the board for their consideration that would address the questions that you are putting forth.

Mr. GANNON. Now, who are these proposals going to be coming from?

Mr. CARN. Those persons who have proposals to provide these kinds of coverage. There are plans available. I have several that have been proposed. The problem has been, of course, capitalization.

Mr. GANNON. Are you telling us that this plan is going to contract with somebody to—

Mr. CARN. No. What I am saying is that the board has the power to make the decision as to how they are going to do it. They may choose to do it another way. But you are asking me some hypotheticals, and I am saying to you, the board decides how it will be done.

Mr. GANNON. Well, but you said they are going to ask for proposals. Are they going to contract—

Mr. CARN. I am not saying that. You asked me how it was going to be done. I said, the board could ask for proposals; they could do it themselves; it is their decision.

Mr. GANNON. Well, now, this is just a two-page amendment here, and you have given us a litany of facts that the insurance industry has not done this; they do not go after fraud aggressively; they are ripping off the public; their profits are excessive; they are taking us down the tubes; and you have got a two-page amendment here, and you are saying, well, the board is going to take care— I hope the board is going to take care of this; I trust the Insurance Commissioner is going to take care of this; the Treasurer, I hope the Treasurer is going to take care of this. Why could you not be more specific in this amendment exactly what it was going to do? I mean, there must be a reason why you were not specific.

Mr. CARN. Because I believe in the integrity and the ability of the members of that board to do what is right to implement this program correctly and actuarially sound. Now, one of the things that we have got to make sure is that it is actuarially sound. The board is not going to do anything that is not actuarially sound. It is written in the legislation.

Mr. GANNON. Well, now, what do you mean by actuarially sound? That term is not defined here, but what does that mean?

Mr. CARN. What actuarially sound means is that the premiums collected and the moneys generated from those premiums collected shall cover the claims and the operating costs of the plan.

Mr. GANNON. Well, now, where does this fund money, this State workers' compensation fund money, come into play as far as that is concerned?

Mr. CARN. How would the board play—

Mr. GANNON. Well, you are talking about their operating expenses. Actuarially sound, you said that is enough money to pay claims and run the business.

Mr. CARN. Right.

Mr. GANNON. But now, where does this workers' compensation fund money come into play?

Mr. CARN. It comes into play by putting money in reserve as well as authorizing certain operational expenses while premiums are being collected to cover those actuarial expenses.

Mr. GANNON. Now, if the money available from the premiums is less, is not sufficient to pay claims, will this money that is in the workers' compensation fund, which you say is in reserve, be used to pay those claims and operating expenses?

Mr. CARN. No. What would happen is, the board would then increase the premiums. As pointed out in the legislation, every year they must review the premiums and make them actuarially sound, so therefore, if such a situation occurs, this board has the power to increase those premiums to cover those costs.

Mr. GANNON. Thank you, Mr. Speaker.

Mr. CARN. Thank you.

The SPEAKER. The question is, will the House agree to the amendment? On that question, from Union County, the Chair recognizes Representative Fairchild.

Mr. FAIRCHILD. Mr. Speaker, I rise to oppose this amendment. I do not oppose it on the premise that Philadelphia—and maybe this whole State—has an insurance problem. We all realize that. What I oppose with your amendment, Mr. Speaker, is that you are using the funds from the SWIF fund. As a person involved in business for a long time, it has always been my understanding that that fund was a dedicated fund to be used for specific purposes. What I believe your amendment does is expand those purposes beyond the faith that I had when I supported the creation of the SWIF fund, and I believe that our business community and those people that support the SWIF fund are going to be very upset and adversely affected if we continue to take moneys earmarked for the SWIF fund and start to divert these into other programs.

We are addressing the insurance problem. We do realize that Philadelphia indeed does have a very serious problem, but this is the wrong method to address this problem. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes, from Allegheny County, Representative Trello on the amendment.

Mr. TRELLO. Mr. Speaker, I rise not to support or to defeat this amendment but just to make a statement.

There has been some question about States getting into the insurance business. You know, the State of Ohio got into the workmen's compensation business there, and there are no private underwriters in Ohio at all. It is all underwritten by the State of Ohio, and I understand the program is working very, very well.

I also can sympathize with my colleagues from Philadelphia for their high insurance rates, but the people in my district believe that their insurance rates are high, too, and maybe what Representative Carn has is a good idea. Maybe what we ought to do is investigate what it would be like if that fund could be used for every resident of Pennsylvania and find out if everybody's insurance rates can go down. I would personally like to see a committee to investigate that and report back so that my constituents can get a rate on their insurance premiums also. Thank you, Mr. Speaker.

The SPEAKER. From Wyoming County, the Chair recognizes Representative Lee.

Mr. LEE. Mr. Speaker, I have sat here for the last 2 days and witnessed the debate in this House, and as a freshman member, like Mr. Williams, I do not believe I have a great deal to say on the merits of this legislature doing what it has done, but I have to comment on the remarks made by Representative Williams in his statement, because I believe, as basically a conservative Pennsylvanian, in certain things, and I believe that Mr. Williams might believe opposite things from me, but based on sound principles. I am personally insulted that he could stand on the floor of this House today and say that if I vote against this proposal, I am voting against it purely because I am bought off by some special interest group. I find that personally repulsive, and I hope he will restrain from doing that in the future.

The SPEAKER. The question is on the amendment. On that question, the Chair recognizes Representative Richardson, from Philadelphia County.

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

Mr. Speaker, I rise to support the measure, and I do it with a great deal of enthusiasm, because I think that when genius strikes us, we should recognize it.

It seems to me that what we have done is that we have allowed ourselves to be caught in the wave of Philadelphia bashing. When someone comes up with an idea, such as Representative Carn has, with respect to a solution to a particular problem, I hear all kinds of comments. We have heard right away that Philadelphia has the highest rate of uninsured motorists, and therefore, we are not doing anything about the problem. We have heard that many ideas have come and gone, but while this may be a good idea, we do not think it should work now. I think that contrary to all of the discussion, it seems to me that cities of the second class, as well as those other counties that believe that the amendment of Representative Carn is a positive one, should add their names to this amendment and join in. I do not think that we need to do a study. We have done too many studies. The studies have proven already that there is a major problem in the Commonwealth of Pennsylvania and that motorists and those who

drive cars and those who want insurance are saying that they want something done about the high rate of insurance on those particular motorists here in the Commonwealth.

The debate has gone on and on. Representative Carn has gone forward and put together several different measures that he has felt would help with the solution, so therefore, I do not buy into the argument of those individuals who say that there is not a real mandate to really want to do this. Everybody is telling us that it is a good idea, but it is like the good ideas are always positive, but do not let me float it or do not let me be the one who initiates it. I think that the creativeness and the kind of ability given towards the information as well as the study and research that has gone behind this particular act should be supported.

Finally, Mr. Speaker, it seems to me that you can talk all you want about the fact that we have passed some other measures that we have sent away from this House over to the Senate, but still directly in Philadelphia, persons who do not live there, and while Representative Trello indicates that there are persons in his district who have similar-type problems, I do not understand why we do not force ourselves to recognize that this particular measure, dealing directly with making sure that we give some affordable insurance to people who need it, is the best way to go. I think that on behalf of our colleagues in the House of Representatives who also agree that it is a good measure and their counties should be added or other counties in this Commonwealth should be added, then stand up and ask that an amendment be drawn to add those counties to this amendment and pass the amendment favorably. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

WELCOMES

The SPEAKER. The Speaker is happy to welcome to the hall of the House two guests who are in the balcony. The guest of Representative Harold James, from Philadelphia, the sheriff of Philadelphia, John Green, is seated in our gallery this afternoon.

Sandra Toslosky, a summer intern of Representative Tom Stish, is also in the balcony.

CONSIDERATION OF HB 589 CONTINUED

The SPEAKER. On the question of agreeing to the amendment, the Chair recognizes for the second time Representative Freind, from Delaware County.

Mr. FREIND. Thank you, Mr. Speaker.

You know what this amendment is saying? This amendment echoes the words of the head of the Pennsylvania Trial Lawyers a couple of weeks ago when he said, there is nothing wrong with the present system statewide; there is only a problem in Philadelphia. Does anybody here outside Philadelphia believe that? Does anybody believe that it is only in Philadelphia where the citizens of Pennsylvania have a problem with auto insurance reform, and does anybody really believe we are going to solve the problem by putting government back into the insurance business?

I really respect my colleague, Mr. Rybak, but he stood up and said, there was not anything wrong with the CAT Fund. Are our memories that short? Number one, the people of Pennsylvania, more than any issue I ever remember, absolutely rejected it and said, get rid of it. And sure, we were giving it for low premiums, and it is going to cost us and the people of Pennsylvania about \$300 million in an unfunded liability. That is what happens when government gets involved in the insurance business.

Now, I have to give credit here. The debate went on for almost an hour before I heard the phrase "Philadelphia ashing." Love that phrase. I am not in favor of Philadelphia ashing, but I am not in favor of Philadelphia bashing the rest of the State. Let us call it by its name; it is another attempt to single out Philadelphia and bail out Philadelphia on the backs of workers throughout the Commonwealth of Pennsylvania.

It is a bad idea. The amendment we passed yesterday before the Kosinski amendment would have reduced the average premium in Philadelphia by 27 percent across the board. That is the way to go, not this way. It is a mistake, it is destined to failure, and I sincerely hope we reject it. Thank you, Mr. Speaker.

The SPEAKER. The question is, will the House agree to the amendment, and the author of the amendment is recognized for the second time, Representative Carn.

Mr. CARN. Thank you, Mr. Speaker.

You know, Representative Freind always impressed me with recognizing the problem but not offering a solution and condemning any solution that comes along. There is no money that is going to be jeopardized by the implementation of this plan. This plan can work, and I am saying to you that all we ask for is the opportunity to make this plan work. The people of Philadelphia want insurance. They want insurance. We just need a place to get it from that we can afford it from.

I cannot get insurance. Nationwide charged me \$15,694 a year for one car. I cannot afford it. I am saying we need and all we ask for here is the opportunity to provide insurance to ourselves. There is no jeopardy to anyone else's situation. It is a demonstration plan. I am saying to you in this legislature that those of you who truly believe that Philadelphia is causing your rates to rise, I differ with you. I am saying to you that you are misled. If we want to truly find out what the real story is, let this demonstration project happen, and I can guarantee to you that we will prove that this House and the Senate and the Governor and this government have been misled. We want to be law-abiding citizens. We just ask for the means in which to do so.

To the gentleman who talked about the viability of the fund and it being jeopardized, again, that is not so. There is no jeopardy anywhere, and I just hope that those of you who are listening have an open mind, an open mind to try something. We all agree that it is a problem, and we just ask for a chance to try.

Thank you, Mr. Speaker. I ask for an affirmative vote from this great House.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—57

Acosta	George	Levdansky	Roebuck
Battisto	Godshall	Linton	Snyder, D. W.
Belardi	Gruitza	Majale	Taylor, J.
Bishop	Harper	Melio	Thomas
Carn	Hayden	O'Brien	Tigue
Cawley	Howlett	O'Donnell	Trich
Clark, B. D.	Hughes	Oliver	Veon
Cohen	Itkin	Perzel	Weston
Colaizzo	James	Petrarca	Williams
DeWeese	Josephs	Petrone	Wogan
Dombrowski	Kenney	Pievsky	Wright, R. C.
Donatucci	Kosinski	Preston	
Evans	Kukovich	Richardson	Manderino, Speaker
Fee	LaGrotta	Rieger	
Fox	Letterman	Robinson	

NAYS—145

Adolph	Dempsey	Lashinger	Reinard
Allen	Dietterick	Laughlin	Ritter
Angstadt	Dininni	Lee	Robbins
Argall	Distler	Leh	Rudy
Barley	Dorr	Lescovitz	Ryan
Belfanti	Fairchild	Lloyd	Rybak
Billow	Fargo	Lucy	Saloom
Birmelin	Farmer	McCall	Saurman
Black	Fleagle	McHale	Scheetz
Blaum	Flick	McNally	Schuler
Bortner	Foster	McVerry	Scrimenti
Bowley	Freeman	Maine	Semmel
Boyes	Freind	Markosek	Serafini
Brandt	Gallen	Marsico	Smith, B.
Broujos	Gamble	Mayernik	Smith, S. H.
Bunt	Gannon	Merry	Snyder, G.
Burd	Geist	Michlovic	Staback
Burns	Gigliotti	Micozzie	Stairs
Bush	Gladeck	Miller	Steighner
Caltagirone	Gruppo	Moehilmann	Stish
Cappabianca	Hagarty	Morris	Strittmatter
Carlson	Haluska	Mowery	Suban
Cessar	Hasay	Mrkoncic	Tangretti
Chadwick	Hayes	Murphy	Taylor, E. Z.
Civera	Heckler	Nahill	Taylor, F.
Clark, D. F.	Herman	Nailor	Telek
Clark, J. H.	Hershey	Noye	Trello
Clymer	Hess	Olasz	Van Horne
Colafella	Jackson	Pesci	Vroon
Cole	Jadlowiec	Phillips	Wambach
Cornell	Jarolin	Piccola	Wass
Corrigan	Johnson	Pistella	Wilson
Cowell	Kaiser	Pitts	Wozniak
Coy	Kasunic	Pressmann	Wright, D. R.
DeLuca	Kondrich	Raymond	Wright, J. L.
Daley	Langtry	Reber	Yandrisevits
Davies			

NOT VOTING—0

EXCUSED—1

Durham

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?
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—88

Acosta	Gigliotti	Maiale	Saloom
Battisto	Godshall	Maine	Snyder, D. W.
Belardi	Gruitza	Markosek	Staback
Billow	Harper	Melio	Steighner
Bishop	Hayden	Michlovic	Tangretti
Blaum	Howlett	Morris	Taylor, F.
Caltagirone	Hughes	Mrkonic	Taylor, J.
Cappabianca	Itkin	O'Brien	Thomas
Carn	James	O'Donnell	Trello
Clark, B. D.	Jarolin	Oliver	Trich
Cohen	Josephs	Perzel	Van Horne
Colafrella	Kasunic	Petrarca	Veon
Colaizzo	Kenney	Petrone	Wambach
Cole	Kosinski	Pievsky	Weston
Cowell	Kukovich	Pistella	Williams
DeLuca	LaGrotta	Preston	Wogan
DeWeese	Laughlin	Richardson	Wozniak
Dombrowski	Lescovitz	Rieger	Wright, D. R.
Donatucci	Letterman	Ritter	Wright, R. C.
Evans	Levdansky	Robinson	
Fee	Linton	Roebuck	Manderino,
Freeman	McHale	Rybak	Speaker
George	McNally		

NAYS—111

Adolph	Davies	Jadlowiec	Raymond
Allen	Dempsey	Johnson	Reber
Angstadt	Dietterick	Kaiser	Reinard
Argall	Distler	Kondrich	Robbins
Barley	Dorr	Langtry	Rudy
Belfanti	Fairchild	Lashingier	Ryan
Birmelin	Fargo	Lee	Saurman
Black	Farmer	Leh	Scheetz
Bortner	Fleagle	Lloyd	Schuler
Bowley	Flick	Lucyk	Scrimenti
Boyes	Foster	McCall	Semmel
Brandt	Fox	McVerry	Serafini
Broujos	Freind	Marsico	Smith, B.
Bunt	Gallen	Mayernik	Smith, S. H.
Burd	Gamble	Merry	Snyder, G.
Burns	Gannon	Micozzie	Stairs
Bush	Geist	Miller	Stish
Carlson	Gladeck	Moehlmann	Strittmatter
Cawley	Gruppo	Mowery	Stuban
Cessar	Hagarty	Murphy	Taylor, E. Z.
Chadwick	Haluska	Nahill	Telek
Civera	Hasay	Nailor	Tigue
Clark, D. F.	Hayes	Noye	Vroon
Clark, J. H.	Heckler	Pesci	Wass
Clymer	Herman	Phillips	Wilson
Cornell	Hershey	Piccola	Wright, J. L.
Corrigan	Hess	Pitts	Yandrisevits
Daley	Jackson	Pressmann	

NOT VOTING—3

Coy	Dininni	Olasz
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EXCUSED—1

Durham

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill fell.

BILLS AND RESOLUTION PASSED OVER

The SPEAKER. Without objection, today's voting schedule is being revised. This afternoon we intend to take, on page 9 of today's calendar, HB 1335 and HB 1372, and on page 9 of today's calendar, HB 75. All other bills will go over in order for today. We will take three bills this afternoon, and all other bills, without objection, all other bills on the calendar, aside from the three read by the Speaker, will go over in order. The Chair hears no objection.

The Chair is about to declare a recess, concurred in by the majority and minority leaders, for a period of 1 hour, during which time either of the caucuses, perhaps both, may want to meet.

Is there an announcement by either caucus chairman? Is there an announcement by the majority leader?

DEMOCRATIC CAUCUS

The SPEAKER. Is there an announcement by the majority caucus chairman, the gentleman from Allegheny, Mr. Itkin?

Mr. ITKIN. Mr. Speaker, at the recess the Democrats will hold a brief caucus to discuss the ethics bill. It is my understanding we will be returning to the floor at 2 o'clock.

REPUBLICAN CAUCUS

The SPEAKER. Matthew Ryan, the minority leader, is recognized.

Mr. RYAN. Mr. Speaker, we Republicans will caucus immediately on the changes made to the ethics bill by the Senate. I agree with the gentleman from the majority; it should not be a long caucus, but let us go up and get it over with and get on to lunch then.

The SPEAKER. For the information of members of the House, we are going to convene at 2 p.m. this afternoon. We will recess until then. The caucuses will take place. Be admonished that at 2 p.m. we are going to do business. The leaders have budget meetings scheduled for this afternoon, and we intend to move promptly through the three bills that are on the calendar, and should you be 10 minutes late, you may miss the entire session this afternoon.

Is there any further business to come before the House? Any further announcements?

VOTE CORRECTIONS

The SPEAKER. Representative Hagarty is recognized.

Mrs. HAGARTY. Correction of the record.

Mr. Speaker, I was voted incorrectly on HB 1378. I would like to be recorded affirmatively. My switch malfunctioned. Thank you.

The SPEAKER. The Chair thanks the lady from Montgomery. Her remarks will be spread upon the record.

From Centre County, Representative Herman is recognized.

Mr. HERMAN. Mr. Speaker, I was in my seat when HR 112 was brought for a vote. However, my switch did not work properly. I wish to be recorded in the affirmative. Thank you.

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

Representative Gladeck, from Montgomery County, is recognized.

Mr. GLADECK. Mr. Speaker, I would like to correct the record.

On HB 431 I noted that the record did not show that I was recorded, and I wish to be recorded in the affirmative. Thank you.

The SPEAKER. Are there any further announcements?

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

HB 161, PN 2072 (Amended)

By Rep. D. R. WRIGHT

An Act relating to the rights of purchasers of defective used motor vehicles; establishing an enforcement fund; and imposing a fee.

CONSUMER AFFAIRS.

HB 265, PN 297

By Rep. HARPER

An Act amending the act of March 7, 1901 (P. L. 20, No. 14), referred to as the "Second Class City Law," further providing for contracts.

URBAN AFFAIRS.

HB 266, PN 298

By Rep. HARPER

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

URBAN AFFAIRS.

HB 447, PN 489

By Rep. HARPER

An Act amending the act of March 7, 1901 (P. L. 20, No. 14), referred to as the "Second Class City Law," restricting certain persons from bidding on contracts.

URBAN AFFAIRS.

HB 448, PN 490

By Rep. HARPER

An Act amending the act of June 25, 1919 (P. L. 581, No. 274), referred to as the "First Class City Government Law," restricting certain persons from bidding on contracts.

URBAN AFFAIRS.

HB 449, PN 491

By Rep. HARPER

An Act amending the act of June 23, 1931 (P. L. 932, No. 317), known as "The Third Class City Code," restricting persons from bidding on contracts.

URBAN AFFAIRS.

HB 450, PN 492

By Rep. HARPER

An Act amending the act of July 28, 1953 (P. L. 723, No. 230), known as the "Second Class County Code," restricting certain persons from bidding on contracts.

URBAN AFFAIRS.

HB 1681, PN 2036

By Rep. GEORGE

An Act amending the act of July 28, 1988 (P. L. 556, No. 101), known as the "Municipal Waste Planning, Recycling and Waste Reduction Act," further prohibiting the transport of food and other materials in vehicles that transport certain waste.

CONSERVATION.

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

SB 253, PN 1245 (Amended)

By Rep. COWELL

An Act amending the act of December 12, 1973 (P. L. 397, No. 141), entitled "Teacher Certification Law," further providing for the commission; and providing for the reestablishment of the commission.

EDUCATION.

RECESS

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

AFTER RECESS

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

CALENDAR CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1335, PN 1901**, entitled:

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; and prohibiting evasion of requirement to advertise for bids.

On the question,

Will the House agree to the bill on third consideration?

Mr. TANGRETTI offered the following amendments No. A1397:

Amend Title, page 1, line 24, by removing the period after "bids" and inserting
; and providing for purchases that are not subject to advertisement and bidding.

Amend Sec. 1, page 1, line 29, by inserting after "amended" and the section is amended by adding a subsection

Amend Sec. 1 (Sec. 11), page 3, by inserting between lines 6 and 7

(b.1) Written or telephonic price quotations from at least three qualified and responsible vendors shall be obtained for all purchases under ten thousand (\$10,000) dollars, or in lieu of price quotations, a memorandum shall be kept on file showing that fewer than three qualified vendors so qualified exist in the market area within which it is practicable to obtain quotations. A written record of telephonic price quotations shall be made and shall contain at least the date of the quotation, the name of the vendor and the vendor's representative, the item which was the subject of

the quotation and the price of the item. Written price quotations, written records of telephonic price quotations and memoranda shall be retained for a period of three years.

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

The SPEAKER. On that question, the House Speaker recognizes the gentleman from Westmoreland, Representative Tangretti.

Mr. TANGRETTI. Mr. Speaker, this amendment merely authorizes the purchasing agent of housing authorities for purchases under \$10,000 to elicit a minimum of three quotes for obvious and apparent reasons.

I ask an affirmative vote from my colleagues.

The SPEAKER. From Montgomery County, the Chair recognizes Representative Reber.

Mr. REBER. Mr. Speaker, would the maker of the amendment stand for a brief interrogation just to clarify something?

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

Mr. REBER. Mr. Speaker, I note that you used the words "three qualified." The use of the word "qualified" appears throughout the amendment. I am just wondering if you could elucidate upon the manner in which that qualification is established.

Mr. TANGRETTI. Only by virtue of those items that are apparent and needed for the housing authority for the purpose of whatever they are purchasing and that the individual vendors should have the appropriate items that would qualify for the purchase of whatever it is they want.

Mr. REBER. So in short, when that particular vendor is responding, whether it be verbally in a telephone conversation or alternatively in the written memorandum, which, in essence, would be the responsive bid, if you will, he should include with that or he should identify that the items do qualify as intended for the particular purpose. Is that correct?

Mr. TANGRETTI. That is correct.

Mr. REBER. Thank you, Mr. Speaker.

Mr. TANGRETTI. Thank you.

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

The following roll call was recorded:

YEAS—198

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

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

NAYS—0

NOT VOTING—4

Carn	Dininni	Harper	Olasz
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EXCUSED—1

Durham

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

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—180

Adolph	Fairchild	Leh	Ritter
Allen	Fargo	Lescovitz	Robbins
Angstadt	Farmer	Letterman	Robinson
Argall	Fee	Levdansky	Rudy
Barley	Fleagle	Linton	Ryan
Battisto	Flick	Lucyk	Saloom
Billow	Foster	McCall	Saurman
Birmelin	Fox	McHale	Scheetz
Black	Freind	McNally	Schuler
Bortner	Gallen	McVerry	Scrimenti
Bowley	Gamble	Maiale	Semmel
Boyes	Gannon	Maine	Serafini
Brandt	Geist	Markosek	Smith, B.
Broujos	George	Marsico	Smith, S. H.
Bunt	Gigliotti	Mayernik	Snyder, D. W.
Burd	Gladeck	Melio	Snyder, G.
Burns	Godshall	Merry	Staback
Bush	Gruitza	Michlovic	Stairs

Caltagirone	Gruppo	Micozzie	Steighner
Cappabianca	Hagarty	Miller	Stish
Carlson	Haluska	Moehlmann	Strittmatter
Cessar	Harper	Morris	Stuban
Chadwick	Hasay	Mowery	Tangretti
Civera	Hayden	Murphy	Taylor, E. Z.
Clark, B. D.	Hayes	Nahill	Taylor, F.
Clark, D. F.	Heckler	Nailor	Taylor, J.
Clark, J. H.	Herman	Noye	Telek
Clymer	Hershey	O'Brien	Trello
Cohen	Hess	O'Donnell	Trich
Colafella	Howlett	Oliver	Van Horne
Colaizzo	Hughes	Perzel	Veon
Cole	Itkin	Pesci	Vroon
Cornell	Jackson	Petrarca	Wambach
Corrigan	Jadlowiec	Petrone	Wass
Cowell	Jarolin	Phillips	Weston
Coy	Johnson	Piccola	Williams
DeLuca	Kaiser	Pievsky	Wilson
DeWeese	Kasunic	Pistella	Wogan
Daley	Kenney	Pitts	Wozniak
Davies	Kondrich	Preston	Wright, D. R.
Dempsey	Kukovich	Raymond	Wright, J. L.
Dieterick	LaGrotta	Reber	Wright, R. C.
Distler	Langtry	Reinard	
Dombrowski	Lashingier	Richardson	Manderino,
Donatucci	Laughlin	Rieger	Speaker
Dorr	Lee		

NAYS—10

Belardi	Freeman	Pressmann	Tigue
Blaum	Lloyd	Rybak	Yandrisevits
Cawley	Mrkonic		

NOT VOTING—12

Acosta	Carn	James	Olasz
Belfanti	Dininni	Josephs	Roebuck
Bishop	Evans	Kosinski	Thomas

EXCUSED—1

Durham

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 1372, PN 1902**, entitled:

An Act amending the act of June 5, 1947 (P. L. 458, No. 208), known as the "Parking Authority Law," increasing the maximum amount for which an authority may contract or purchase without bids; and prohibiting evasion of the requirement to advertise for bids.

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

Mr. TANGRETTI offered the following amendments No. A1717:

- Amend Title, page 1, line 23, by striking out "AND"
- Amend Title, page 1, line 24, by removing the period after "BIDS" and inserting
; and providing for purchases that are not subject to advertisement and bidding.
- Amend Sec. 1, page 2, line 2, by striking out "A SUBSECTION" and inserting
subsections

Amend Sec. 1 (Sec. 11), page 3, by inserting between lines 26 and 27

(b.2) Written or telephonic price quotations from at least three qualified and responsible vendors shall be obtained for all purchases under ten thousand (\$10,000) dollars, or in lieu of price quotations, a memorandum shall be kept on file showing that fewer than three qualified vendors so qualified exist in the market area within which it is practicable to obtain quotations. A written record of telephonic price quotations shall be made and shall contain at least the date of the quotation, the name of the vendor and the vendor's representative, the item which was the subject of the quotation and the price of the item. Written price quotations, written records of telephonic price quotations and memoranda shall be retained for a period of three years.

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

The SPEAKER. On that question, Representative Tangretti, from Westmoreland County, is recognized.

Mr. TANGRETTI. Thank you, Mr. Speaker.

This amendment offers the same language for the parking authorities as the one we just did for the housing authorities.

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

The following roll call was recorded:

YEAS—195

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

Daley	Kosinski	Preston	Wright, J. L.
Davies	Kukovich	Raymond	Wright, R. C.
Dempsey	LaGrotta	Reber	Yandrisevits
Dietterick	Langtry	Reinard	
Distler	Lashinger	Richardson	Manderino,
Dombrowski	Laughlin	Rieger	Speaker
Donatucci			

NAYS—0

NOT VOTING—7

Bishop	Dininni	Josephs	Thomas
Carn	James	Olasz	

EXCUSED—1

Durham

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

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—188

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

Daley	Kondrich	Raymond	Wright, J. L.
Davies	Kosinski	Reber	Wright, R. C.
Dempsey	Kukovich	Reinard	
Dietterick	LaGrotta	Richardson	Manderino,
Distler	Langtry	Rieger	Speaker
Dombrowski	Lashinger		

NAYS—10

Belardi	Freeman	Pressmann	Tigue
Blaum	Lloyd	Rybak	Yandrisevits
Cawley	Mrkonic		

NOT VOTING—4

Dininni	Harper	James	Olasz
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EXCUSED—1

Durham

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

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

BILLS ON CONCURRENCE IN SENATE AMENDMENTS CONTINUED

The clerk of the Senate, being introduced, returned the following **HB 75, PN 2027**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act reenacting and amending the act of October 4, 1978 (P. L. 883, No. 170), referred to as the "Public Official and Employee Ethics Law," adding definitions; further providing for the membership, powers and duties of the State Ethics Commission and for persons who must file statements of financial interests; reestablishing the State Ethics Commission; and making an appropriation.

On the question,

Will the House concur in Senate amendments?

The SPEAKER. It is moved by Representative Blaum that the House do concur in the amendments inserted by the Senate. The question recurs, will the House concur in the amendments inserted by the Senate? The Chair recognizes the gentleman from Luzerne, Representative Blaum.

Mr. BLAUM. Thank you, Mr. Speaker.

Mr. Speaker, before us today is HB 75, which I think all the members of this General Assembly can be proud of, which formulates one of the toughest and strongest ethics acts in the entire country. Indeed, it defines for the first time "conflict of interest."

Pennsylvania is leading this country in the fact that Pennsylvania will be the first governmental entity that our research could uncover to ban honoraria for public and elected officials. We ban severance agreements where they present the possibility of a conflict and mandate the reporting of transportation, lodging, and hospitality.

In addition, HB 75 expands the definition of "immediate family," all these things to increase the confidence of the people of Pennsylvania in their government. I think the

people of Pennsylvania can be very proud of the work that has been done over the last 6 months by the Pennsylvania Senate and the Pennsylvania House of Representatives.

I ask the members for the affirmative vote, and we will send to Governor Casey for his signature an outstanding piece of legislation, again, which the members of this body can be very proud of. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, from Berks County, Mr. Davies, is recognized.

Mr. DAVIES. Mr. Speaker, I am not going to belabor this version of the bill any more than I did the last version. The previous speaker called this a tough bill and so forth and so on. From the various aspects of it that I spoke to before, I call it pabulum. It is more of the same, and it does not really address many of the issues that we should look at as far as where we are with the role of leadership and actions of the restrictions on some members' activities and so forth and so on.

But I will probably be that only red light again, but I still think it is more of the same. Thank you.

The SPEAKER. From Bucks County, Representative Heckler is recognized.

Mr. HECKLER. Thank you, Mr. Speaker.

I would ask the sponsor of the bill to stand for a brief interrogation.

The SPEAKER. The question before the House is the Senate amendments.

The sponsor of the bill indicates that he will stand for interrogation.

Mr. HECKLER. Thank you, Mr. Speaker.

Mr. Speaker, I note that the Senate has amended the definition of "governmental body" to include the term "any agency performing a governmental function." The significance of that definition is that in subsequent reporting requirements in the bill, hospitality, lodging, that sort of thing which is received from a governmental body, is exempted from the reporting requirement.

I would like to pose a hypothetical and ask if you may be able to clarify for me and the members of this body what is meant by an agency performing a governmental function. The hypothetical would be, let us say that I am the mayor of a borough and that that borough has entered into an arrangement by which a private corporation for profit is collecting all of the trash in our borough. That, it would seem to me, is a governmental function. If that private corporation wants to take me and my wife out to the mountains for the weekend or otherwise wine and dine us in a way that would be reportable otherwise, do you have an understanding whether this particular activity, whether this particular private corporation would fall within the definition of "any agency performing a governmental function"?

Mr. BLAUM. Thank you, Mr. Speaker.

The gentleman's question is a good one for the purposes of intent, and it is good that we can get that on the record.

No, they would not be classified as a governmental agency. What the Senate did was attempt to include any agency, association of elected officials, any public agency, authority, other than the elected commissioners, councilmen themselves. But it would not apply, specifically not apply, to any private entrepreneur group that may in the era of privatization of some governmental responsibilities, it would not apply to them at all, Mr. Speaker.

Mr. HECKLER. Thank you.

That concludes my interrogation, Mr. Speaker. I wonder if I might comment on the bill?

The SPEAKER. The gentleman is in order, briefly.

Mr. HECKLER. Thank you, Mr. Speaker. I will try and be brief. It is easy to be brief.

This bill, unlike the last time we sent a strong ethics bill to the Senate, this bill has come back, for the most part, stronger than it left this House. I would suggest that the gentleman, Mr. Blaum's comments are entirely correct. We have before us a strong, effective ethics bill. I think we have done something of which this legislature and this Commonwealth can be proud.

I had concerns about the matter which I raised in interrogation, and I am voting for this bill specifically based on my understanding that the term "agency," as referred to in the definition of "governmental body," does not apply to a private corporation or individual which may contract with government. But based on that understanding, I am looking forward to casting my vote in favor of concurrence to send this bill on to the Governor. Thank you.

The SPEAKER. From Lehigh County, the Chair recognizes Representative McHale.

Mr. McHALE. Thank you, Mr. Speaker.

To comment on the bill?

The SPEAKER. You are in order.

Mr. McHALE. Thank you, Mr. Speaker.

Mr. Speaker, I respectfully disagree with the comments that were made a few moments ago by the gentleman, Mr. Davies, and it is with pleasure that I paraphrase something that I said last November. This is a bill which invites and sanctions integrity. I strongly urge my colleagues to vote for it.

On the question recurring,

Will the House concur in Senate amendments?

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

YEAS—199

Acosta	Dorr	Laughlin	Ritter
Adolph	Evans	Lee	Robbins
Allen	Fairchild	Leh	Robinson
Angstadt	Fargo	Lescovitz	Roebuck
Argall	Farmer	Letterman	Rudy
Barley	Fee	Levdansky	Ryan
Battisto	Fleagle	Linton	Rybak
Belardi	Flick	Lloyd	Saloom
Belfanti	Foster	Lucyk	Saurman
Billow	Fox	McCall	Scheetz
Birmelin	Freeman	McHale	Schuler
Bishop	Freind	McNally	Scrimenti
Black	Gallen	McVerry	Semmel
Blaum	Gamble	Maiale	Serafini
Bortner	Gannon	Maine	Smith, B.

Bowley	Geist	Markosek	Smith, S. H.
Boyes	George	Marsico	Snyder, D. W.
Brandt	Gigliotti	Mayernik	Snyder, G.
Broujos	Gladeck	Melio	Staback
Bunt	Godshall	Merry	Stairs
Burd	Gruitza	Michlovic	Steighner
Burns	Gruppo	Micozzie	Stish
Bush	Hagarty	Miller	Strittmatter
Caltagirone	Haluska	Moehlmann	Stuban
Cappabianca	Harper	Morris	Tangretti
Carlson	Hasay	Mowery	Taylor, E. Z.
Carn	Hayden	Mrkonic	Taylor, F.
Cawley	Hayes	Murphy	Taylor, J.
Cessar	Heckler	Nahill	Telek
Chadwick	Herman	Nailor	Thomas
Civera	Hershey	Noye	Tigue
Clark, B. D.	Hess	O'Brien	Trello
Clark, D. F.	Howlett	O'Donnell	Trich
Clark, J. H.	Hughes	Oliver	Van Horne
Clymer	Itkin	Perzel	Veon
Cohen	Jackson	Pesci	Vroon
Colaifella	Jadlowiec	Petrarca	Wambach
Colaizzo	James	Petrone	Wass
Cole	Jarolin	Phillips	Weston
Cornell	Johnson	Piccola	Williams
Corrigan	Josephs	Pievsky	Wilson
Cowell	Kaiser	Pistella	Wogan
Coy	Kasunic	Pitts	Wozniak
DeLuca	Kenney	Pressmann	Wright, D. R.
DeWeese	Kondrich	Preston	Wright, J. L.
Daley	Kosinski	Raymond	Wright, R. C.
Dempsey	Kukovich	Reber	Yandrisevits
Dieterick	LaGrotta	Reinard	
Distler	Langtry	Richardson	Manderino,
Dombrowski	Lashingner	Rieger	Speaker
Donatucci			

NAYS—1

Davies

NOT VOTING—2

Dininni

Olasz

EXCUSED—1

Durham

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

Ordered, That the clerk inform the Senate accordingly.

FILMING PERMISSION

The SPEAKER. The Chair informs the members of the House that channel 3 from Philadelphia has been granted the right to videotape on the floor for the next 10 minutes. Where is the cameraman? The cameraman is sitting in the press gallery.

RULES SUSPENDED

The SPEAKER. The Chair recognizes, from Erie County, Representative Dombrowski.

Mr. DOMBROWSKI. Mr. Speaker, I move that the rules of the House be suspended so that HR 152 may be immediately considered.

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

RESOLUTION ADOPTED

The SPEAKER. HR 152 will be read by the clerk.

The following resolution was read:

House Resolution No. 152

A RESOLUTION

Commemorating the week of June 11 through 17, 1989, as "State Veterans' Homes Week."

WHEREAS, Robert P. Casey, Governor of the Commonwealth of Pennsylvania, has proclaimed the week of June 11 through 17, 1989, as "State Veterans' Homes Week"; and

WHEREAS, It will be the first time in Pennsylvania's history that veterans' homes have been recognized in this manner; and

WHEREAS, The three State veterans' homes in Pennsylvania—the Pennsylvania Soldiers' and Sailors' Home, the Hollidaysburg Veterans' Home and the Southeast Pennsylvania Veterans' Center—are participating with planned activities to celebrate the week and are paying tribute to our veterans who served gallantly to preserve our freedom; and

WHEREAS, The ceremony for the signing of the proclamation by Governor Casey will take place on Friday, June 16, 1989, at 12 noon in the Governor's Public Reception Room of the Main Capitol Building, and the proclamation will be presented to the commandants of the three veterans' homes; therefore be it

RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania commemorate the week of June 11 through 17, 1989, as "State Veterans' Homes Week."

Bernard J. Dombrowski
Italo S. Cappabianca
Thomas J. Scrimenti
Karl W. Boyes

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—200

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

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

NAYS—0**NOT VOTING—2**

Dininni Olasz

EXCUSED—1

Durham

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

BILLS SIGNED BY SPEAKER

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

HB 75, PN 2027

An Act reenacting and amending the act of October 4, 1978 (P. L. 883, No. 170), referred to as the "Public Official and Employee Ethics Law," adding definitions; further providing for the membership, powers and duties of the State Ethics Commission and for persons who must file statements of financial interests; reestablishing the State Ethics Commission; and making an appropriation.

HB 162, PN 1828

An Act amending the act of August 5, 1941 (P. L. 752, No. 286), known as the "Civil Service Act," reestablishing the State Civil Service Commission; further providing for the civil service system; further providing for political activity; making editorial changes; and making a repeal.

WELCOME

The SPEAKER. The Chair is happy to announce and we are happy to have with us a guest page, Jeremy Noye, who is the son of Representative Fred Noye. He is in the well of the House. Will the House please receive the guest page.

VOTE CORRECTION

The SPEAKER. The Chair recognizes the gentleman from Northumberland, Representative Belfanti.

Mr. BELFANTI. Thank you, Mr. Speaker.

Mr. Speaker, not being one to take the Speaker's word that he was going to begin promptly at 2 o'clock, I arrived here at about 2:08 and found out that I was missed on HB 1335. I would like the record to reflect that had I taken the Speaker's word and arrived here promptly at 2 o'clock, I would have voted in the affirmative.

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

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

HB 820, PN 2073 (Amended)

By Rep. MORRIS

An Act amending the act of December 7, 1982 (P. L. 784, No. 225), known as the "Dog Law," providing for the control of dangerous dogs; and providing penalties.

AGRICULTURE AND RURAL AFFAIRS.**VOTE CORRECTIONS**

The SPEAKER. Representative Coy from Franklin County seeks recognition. For what purpose does the gentleman rise?

Mr. COY. To correct the record, Mr. Speaker.

The SPEAKER. Without objection, you are in order.

Mr. COY. On final passage of HB 589, I was not in my seat. Had I been in my seat, I would have been recorded in the negative.

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

From Washington County, Representative Trich is recognized.

Mr. TRICH. Mr. Speaker, to correct a vote.

Evidently my switch malfunctioned. I would have liked to have been counted as a negative vote on amendment 1876 to HB 589.

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

JOURNALS APPROVED

The following Journals were approved as printed:

Tuesday, May 23, 1989;

Tuesday, May 30, 1989; and

Wednesday, May 31, 1989.

ADJOURNMENT

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

Are there any other announcements? Any members seeking recognition?

The Chair recognizes, from Allegheny County, Representative McNally.

Mr. McNALLY. Mr. Speaker, I move that this House do now adjourn until Monday, June 19, 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 2:23 p.m., e.d.t., the House adjourned.