

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, JUNE 28, 1989

SESSION OF 1989

173D OF THE GENERAL ASSEMBLY

No. 49

HOUSE OF REPRESENTATIVES

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

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

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

Let us pray:

Gracious God, our Father, bless us according to our deepest needs. You know all about us and are acquainted with all of our ways. You know our uprising and our downsitting.

We acknowledge that You are the potter and we are the clay. Mold us and make us after Your will that we might be fitting vessels and instruments of Your might. Cause us to work to keep our democracy a government that is indeed of, for, and by the people. Let us never forget that we are servants of our constituents and have been given the right by You to represent them.

Keep our republic strong and free. Grant that our flag, our symbol of freedom and hope, will ever wave o'er the home of the brave and the land of the free.

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 27, 1989. The Chair hears no objection.

HOUSE BILLS INTRODUCED AND REFERRED

No. 1775 By Representatives EVANS, ROEBUCK, HAYDEN, ROBINSON, LEE, VEON, KOSINSKI, JOSEPHS, MICHLOVIC, DeWEESE, NOYE, SAURMAN, CARN, DIETTERICK, ITKIN, CORRIGAN, HUGHES, LEVDANSKY, NAHILL,

LASHINGER, TIGUE, BISHOP, THOMAS, BATTISTO, D. W. SNYDER, PRESTON, McHALE and LINTON

An Act amending the act of May 17, 1921 (P. L. 682, No. 284), known as "The Insurance Company Law of 1921," further providing for classes of investments for certain types of insurance companies.

Referred to Committee on INSURANCE, June 28, 1989.

No. 1776 By Representatives EVANS, ROEBUCK, HAYDEN, ROBINSON, LEE, VEON, KOSINSKI, JOSEPHS, MICHLOVIC, DeWEESE, NOYE, SAURMAN, CARN, DIETTERICK, CORRIGAN, HUGHES, LEVDANSKY, NAHILL, LASHINGER, TIGUE, BISHOP, THOMAS, BATTISTO, D. W. SNYDER, PRESTON, McHALE, ITKIN and LINTON

An Act amending the act of November 30, 1965 (P. L. 847, No. 356), known as the "Banking Code of 1965," further providing for investments by savings banks.

Referred to Committee on BUSINESS AND COMMERCE, June 28, 1989.

No. 1777 By Representatives EVANS, ROEBUCK, HAYDEN, ROBINSON, LEE, VEON, KOSINSKI, JOSEPHS, MICHLOVIC, DeWEESE, NOYE, SAURMAN, CARN, DIETTERICK, ITKIN, CORRIGAN, HUGHES, LEVDANSKY, NAHILL, LASHINGER, TIGUE, BISHOP, THOMAS, BATTISTO, D. W. SNYDER, PRESTON, McHALE and LINTON

An Act amending the act of April 25, 1929 (P. L. 723, No. 315), entitled "An act regulating the investment of funds by administrative departments, boards, commissions, and officers of the State Government," further providing for investments of funds.

Referred to Committee on FINANCE, June 28, 1989.

No. 1778 By Representative KUKOVICH

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for warning devices for certain farm equipment vehicles.

Referred to Committee on TRANSPORTATION, June 28, 1989.

No. 1779 By Representatives MRKONIC and PESCI

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, abolishing the Pennsylvania Public Utility Commission; and transferring all powers, duties, personnel, appropriations and property of the commission to the Office of Consumer Advocate.

Referred to Committee on CONSUMER AFFAIRS, June 28, 1989.

No. 1780 By Representatives MRKONIC, BILLOW and OLASZ

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, requiring the approval of the Governor for rate increases granted to public utilities by the Pennsylvania Public Utility Commission.

Referred to Committee on CONSUMER AFFAIRS, June 28, 1989.

No. 1781 By Representatives DALEY, STUBAN, ROBINSON, STISH and CORRIGAN

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, providing for denial of custody and visitation in certain cases.

Referred to Committee on YOUTH AND AGING, June 28, 1989.

No. 1782 By Representatives CHADWICK, BLAUM, PICCOLA, NOYE, NAILOR, FARGO, GRUPPO, BOYES, MRKONIC, KOSINSKI, FLEAGLE, GANNON, BUSH, DEMPSEY, HECKLER, TRELLO, LaGROTTA, MARSICO, FAIRCHILD, BIRMELIN, BELARDI, DeLUCA, KENNEY, GEIST, HERSHEY, MAIALE, HOWLETT, BUNT, DIETTERICK, STABACK, TANGRETTI, E. Z. TAYLOR, SCHEETZ, JADLOWIEC, WILSON, JOHNSON, JAMES, LEH and BATTISTO

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for permanent loss of driving privileges under certain circumstances.

Referred to Committee on TRANSPORTATION, June 28, 1989.

No. 1783 By Representatives SERAFINI, TIGUE, BELARDI, HASAY, CAWLEY, BLAUM, JAROLIN and STABACK

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, providing incentives for water utilities to preserve watershed lands.

Referred to Committee on CONSUMER AFFAIRS, June 28, 1989.

No. 1784 By Representatives SCRIMENTI, MORRIS, DOMBROWSKI, CAPPABIANCA and BOWLEY

An Act amending the act of April 12, 1951 (P. L. 90, No. 21), known as the "Liquor Code," creating the Pennsylvania Grape Development and Promotion Committee; providing for its powers and duties; and making an appropriation.

Referred to Committee on APPROPRIATIONS, June 28, 1989.

No. 1785 By Representatives KUKOVICH, ITKIN, SCHULER and LASHINGER

An Act providing for independent living programs for the disabled.

Referred to Committee on HEALTH AND WELFARE, June 28, 1989.

No. 1786 By Representatives BROUJOS, KUKOVICH, NOYE, MOWERY, NAHILL, KONDRICH, CORRIGAN, MRKONIC, BORTNER, BELARDI, MELIO, E. Z. TAYLOR, COHEN, TRELLO and BISHOP

An Act regulating tanning facilities; providing for the registration of persons operating tanning facilities; requiring that certain warnings be given and safeguards be taken; providing penalties; and making a repeal.

Referred to Committee on CONSUMER AFFAIRS, June 28, 1989.

No. 1787 By Representative VEON

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further prohibiting the sale of tobacco; and prohibiting the furnishing of free coupons for cigarettes or free samples of cigarettes.

Referred to Committee on JUDICIARY, June 28, 1989.

No. 1788 By Representative VEON

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for use of force by persons with special responsibility for care, discipline or safety of others.

Referred to Committee on JUDICIARY, June 28, 1989.

No. 1789 By Representatives VEON, KUKOVICH, BILLOW, PESCI, PISTELLA, STABACK, JOSEPHS, LaGROTTA, HUGHES, THOMAS, TRELLO and ITKIN

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), known as the "Public School Code of 1949," prohibiting corporal punishment.

Referred to Committee on EDUCATION, June 28, 1989.

No. 1790 By Representative WESTON

An Act amending the act of June 3, 1937 (P. L. 1333, No. 320), known as the "Pennsylvania Election Code," further providing for the number of signatures required on nomination petitions.

Referred to Committee on STATE GOVERNMENT, June 28, 1989.

No. 1791 By Representatives WESTON, JACKSON, HERMAN, ROBINSON, HALUSKA,

KOSINSKI, KONDRICH, LAUGHLIN, COHEN, NAHILL, FAIRCHILD, PHILLIPS, GEIST, FOX, CIVERA, SAURMAN, MAIALE, HOWLETT, MILLER, BUNT, LANGTRY, TIGUE, E. Z. TAYLOR, TRELLO, JOHNSON, WILLIAMS, RITTER, JAMES, ADOLPH, FLICK, VROON, BATTISTO, SEMMEL, RYBAK and J. TAYLOR

An Act establishing, on a demonstration basis, a Statewide volunteer service credit program; and providing for powers and duties of the Department of Aging.

Referred to Committee on YOUTH AND AGING, June 28, 1989.

No. 1792 By Representatives RICHARDSON, COHEN, ACOSTA, BISHOP, CARN, EVANS, HARPER, JAMES, OLIVER, ROBINSON, ROEBUCK, THOMAS and R. C. WRIGHT

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, prohibiting the possession and use of certain electrical devices.

Referred to Committee on JUDICIARY, June 28, 1989.

No. 1793 By Representatives RICHARDSON, LINTON, PRESTON, COHEN, ACOSTA, BISHOP, CARN, EVANS, HARPER, JAMES, OLIVER, ROBINSON, ROEBUCK, THOMAS and R. C. WRIGHT

An Act providing for the guarantee of certain security deposits and for grants to local governments and housing agencies; and providing further duties of the Department of Community Affairs.

Referred to Committee on URBAN AFFAIRS, June 28, 1989.

No. 1794 By Representatives RICHARDSON, KUKOVICH, LINTON, WILLIAMS, PRESTON, HUGHES, VAN HORNE, HAYDEN, BATTISTO, VEON, ACOSTA, BISHOP, CARN, EVANS, HARPER, JAMES, OLIVER, ROBINSON, ROEBUCK, THOMAS, R. C. WRIGHT and COHEN

An Act amending the act of May 28, 1937 (P. L. 955, No. 265), known as the "Housing Authorities Law," defining terms; authorizing the lending of money for low-income housing; providing funds for low-income housing; authorizing the issuance of bonds; providing for the securing of such bonds; providing a tax exemption for bonds; authorizing the signing of bonds by facsimile signatures; authorizing political subdivisions and other agencies of the Commonwealth to transfer funds to any authority without consideration; and saving an act from repeal.

Referred to Committee on URBAN AFFAIRS, June 28, 1989.

No. 1795 By Representatives THOMAS, CARN, JOSEPHS, RIEGER, DONATUCCI, EVANS, ROEBUCK, PIEVSKY, O'DONNELL, LINTON, BISHOP and JAMES

An Act authorizing the Pennsylvania Historical and Museum Commission to acquire, for a nominal sum or gift, on behalf of the Commonwealth, the New Freedom Theatre in the City of Philadelphia; providing for its renovation and authorizing an agreement for the administration thereof by the New Freedom Theatre Group; authorizing a Capital Budget Project; and making a repeal.

Referred to Committee on STATE GOVERNMENT, June 28, 1989.

No. 1796 By Representative HESS

An Act designating a certain bridge in Everett Borough, Bedford County, Pennsylvania, as the Ellis R. Weicht Bridge.

Referred to Committee on TRANSPORTATION, June 28, 1989.

No. 1797 By Representatives ITKIN, D. W. SNYDER, PISTELLA, HOWLETT, DeWEESE, KUKOVICH, RYBAK, MICHLOVIC, MERRY, FEE, MORRIS, ROBINSON, GEIST, TIGUE, GIGLIOTTI, TRELLO, MAIALE, JOHNSON, MELIO, DeLUCA, WOZNIAK, RITTER, JAROLIN and VEON

An Act amending the act of November 24, 1976 (P. L. 1163, No. 259), referred to as the "Generic Equivalent Drug Law," requiring the department to publish updated formulary lists.

Referred to Committee on CONSUMER AFFAIRS, June 28, 1989.

No. 1798 By Representatives EVANS and PERZEL

An Act amending the act of May 21, 1943 (P. L. 571, No. 254), known as "The Fourth to Eighth Class County Assessment Law," clarifying certain provisions relating to exemptions from taxation.

Referred to Committee on LOCAL GOVERNMENT, June 28, 1989.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 164 By Representatives LASHINGER, WOGAN, HECKLER, D. W. SNYDER, COY, MELIO, E. Z. TAYLOR, TRELLO, SERAFINI, GEIST, J. H. CLARK, BISHOP, CIVERA and FARMER

Directing the Joint State Government Commission to conduct a study of the fiscal and policy impact of House Bill 150.

Referred to Committee on RULES, June 28, 1989.

No. 165 By Representatives HARPER, ROBINSON, HALUSKA, THOMAS, GEIST, STABACK, CALTAGIRONE, SALOOM, NAHILL,

MILLER, GIGLIOTTI, GODSHALL, RYBAK, MAYERNIK, JACKSON, JOHNSON, RAYMOND, DeLUCA, BURD, LEH, PISTELLA, DOMBROWSKI, MELIO, TRELLO and E. Z. TAYLOR

Providing for the issuance of Legislative Citations in leather binders.

Referred to Committee on RULES, June 28, 1989.

No. 166 By Representatives GANNON, CESSAR, TIGUE, JOHNSON, ROBINSON, KOSINSKI, PETRARCA, LASHINGER, GRUPPO, BROUJOS, NAHILL, PITTS, GIGLIOTTI, COLAIZZO, FAIRCHILD, BOYES, JACKSON, MAYERNIK, MERRY, TRELLO, EVANS, CARLSON, REINARD, MARKOSEK, GLADECK, CORRIGAN, OLASZ, R. C. WRIGHT, O'BRIEN, MRKONIC, KASUNIC, ADOLPH, PERZEL, RAYMOND, J. TAYLOR, SERAFINI, MICOZZIE, DeLUCA, GODSHALL, COY, KENNEY, SAURMAN, GEIST, CIVERA, BUNT, DIETTERICK, VROON, E. Z. TAYLOR and TRICH

Memorializing the President and the Congress of the United States to express support for the continuation of the V-22 Aircraft Program of the United States Department of Defense.

Referred to Committee on RULES, June 28, 1989.

No. 167 By Representatives HESS, FLEAGLE, GEIST, FARGO, DIETTERICK, DEMPSEY, DISTLER, JADLOWIEC, ROBINSON, FOX, WOGAN, HALUSKA, ARGALL, SCHULER, STABACK, PETRONE, PHILLIPS, J. L. WRIGHT, NAHILL, E. Z. TAYLOR, J. H. CLARK, ALLEN, WILLIAMS, TRELLO, GODSHALL, ADOLPH, GAMBLE, NAILOR, D. F. CLARK, SEMMEL, FAIRCHILD, B. SMITH, NOYE, BELARDI, BILLOW, KASUNIC, BUSH, MORRIS, CORNELL, BORTNER, JOHNSON, RAYMOND, DeLUCA, McHALE, CAWLEY, BURD, LEH, G. SNYDER, BUNT, BATTISTO, SERAFINI, CAPPABIANCA and MICHLOVIC

Encouraging the use of agriculturally derived biodegradable plastics as a means of reducing solid waste.

Referred to Committee on RULES, June 28, 1989.

No. 168
(Concurrent) By Representatives VEON, LAUGHLIN, PRESSMANN, BOWLEY, STABACK, CALTAGIRONE, COHEN, MELIO, LUCYK, JADLOWIEC, J. L. WRIGHT, YANDRISEVITS, HESS, D. W. SNYDER,

HECKLER, KOSINSKI, TIGUE, CIVERA, BELFANTI, GODSHALL, STEIGHNER, SCHULER, CAWLEY, CLYMER, MAINE, GIGLIOTTI, ANGSTADT, PHILLIPS, BELARDI, J. H. CLARK, BUNT, MORRIS, ARGALL, COLAFELLA, E. Z. TAYLOR, HALUSKA, ROBINSON, FREEMAN and THOMAS

Providing for the appointment of a special joint bipartisan committee to evaluate and make recommendations to the General Assembly relative to the formula used to allocate funds for highway maintenance.

Referred to Committee on RULES, June 28, 1989.

No. 169 By Representatives FOX, DeLUCA, JACKSON, NAHILL and RAYMOND

Memorializing Congress to propose an amendment to the United States Constitution, for ratification by the states, providing that desecration of the American flag is not protected by the First Amendment.

Referred to Committee on RULES, June 28, 1989.

SENATE BILLS FOR CONCURRENCE

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

SB 312, PN 1148

Referred to Committee on STATE GOVERNMENT, June 28, 1989.

SB 485, PN 509

Referred to Committee on CONSUMER AFFAIRS, June 28, 1989.

SB 486, PN 510

Referred to Committee on CONSUMER AFFAIRS, June 28, 1989.

SB 588, PN 626

Referred to Committee on JUDICIARY, June 28, 1989.

SB 615, PN 1239

Referred to Committee on JUDICIARY, June 28, 1989.

SB 702, PN 1352

Referred to Committee on APPROPRIATIONS, June 28, 1989.

SB 730, PN 794

Referred to Committee on STATE GOVERNMENT, June 28, 1989.

SB 968, PN 1113

Referred to Committee on STATE GOVERNMENT, June 28, 1989.

SB 970, PN 1115

Referred to Committee on STATE GOVERNMENT, June 28, 1989.

SB 971, PN 1296

Referred to Committee on STATE GOVERNMENT, June 28, 1989.

SB 1010, PN 1182

Referred to Committee on APPROPRIATIONS, June 28, 1989.

SB 1025, PN 1197

Referred to Committee on STATE GOVERNMENT, June 28, 1989.

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader. Mr. O'DONNELL. Mr. Speaker, I move that SB 472, presently on the table, be placed on the active calendar.

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

CALENDAR

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 757, PN 1499**, entitled:

An Act providing for the regulation and licensing of mortgage bankers and mortgage brokers; imposing additional powers and duties on the Department of Banking; and providing penalties.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader. Mr. O'DONNELL. Mr. Speaker, I move that HB 757, on page 4 of today's calendar, which is on its 15th legislative day, be placed upon the table.

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

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader. Mr. O'DONNELL. Mr. Speaker, I move that HB 757 be removed from the table, giving it new legislative life.

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

* * *

The House proceeded to third consideration of **HB 1052, PN 1194**, entitled:

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

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader. Mr. O'DONNELL. Mr. Speaker, I move that HB 1052, which is on its 15th day on the calendar, be placed upon the table.

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

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader. Mr. O'DONNELL. Mr. Speaker, I move that HB 1052 be removed from the table, giving it new legislative life.

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

ANNOUNCEMENT BY SPEAKER

The SPEAKER. For the information of the members, in a usual budget-week ritual, the gentleman from Berks County, Representative Davies, has brought in a supply of sticky buns to nourish the members in their deliberations. They are in the rear of the House in the anteroom for those members who have an interest.

ADDITIONS AND DELETIONS OF SPONSORS

The SPEAKER. The Speaker is in receipt of additions and deletions to House bills and resolutions, which will be filed with the clerk.

The following list was submitted:

ADDITIONS:

HB 3, Broujos; HB 226, McNally; HB 567, Broujos; HB 648, Broujos; HB 701, Steighner; HB 756, Distler; HB 765, Broujos; HB 977, Bunt, McHale, Bortner, Perzel, DeLuca, Kasunic, Schuler, Hasay, Melio, Moehlmann; HB 1019, James; HB 1020, James; HB 1378, Broujos; HB 1436, Mowery; HB 1437, Mowery; HB 1449, J. H. Clark; HB 1572, James; HB 1573, Broujos; HB 1584, James; HB 1587, Scrimenti; HB 1599, James; HB 1623, Olasz; HB 1633, James; HB 1635, James; HB 1647, Hughes; HB 1653, James; HB 1659, Olasz; HB 1661, Hughes; HB 1666, Leh; HB 1671, Broujos; HB 1682, James; HB 1683, James, Hughes; HB 1697, Johnson; HB 1699, Hughes; HB 1700, Fox, Lashinger, McCall, Melio, DeWeese, Preston, Robinson, Freeman, Wozniak, Colaizzo, Corrigan, Tigues; HB 1701,

Belfanti, Adolph, Michlovic, McCall, Pistella, Bunt, Hayden, Kosinski, Preston, Mrkonic, Levdansky, Wozniak, DeWeese, Letterman; HB 1702, Leh; HB 1703, McHale; HB 1717, Olasz; HB 1718, Ritter; HB 1719, James; HB 1724, J. J. Taylor; HB 1727, Wogan, D. W. Snyder; HB 1728, James; HB 1729, Wogan; HB 1733, Hughes; HB 1734, Hughes; HB 1735, Hughes; HB 1736, Olasz; HB 1739, Olasz, J. H. Clark; HB 1741, Distler, Tigue, Bunt, Wozniak, Daley, Burd, Fox, Reber, Dempsey, Kenney; HB 1742, Wogan, Cappabianca; HB 1749, Van Horne, J. H. Clark, J. J. Taylor; HB 1750, J. J. Taylor; HB 1751, James; HB 1752, J. H. Clark; HB 1757, Leh; HB 1758, Trello, Linton, McHale, Veon; HR 85, James; HR 107, Olasz; HR 116, James; HR 123, James; HR 124, James; HR 146, Hughes, James; HR 150, Burd; HR 158, D. W. Snyder, J. H. Clark; HR 160, Kukovich, Melio; HR 161, Merry, Gigliotti, Wogan, Distler, Cawley, Dempsey, Nahill, Farmer, Godshall, Hess, Noye, J. L. Wright, Angstadt, Mrkonic, Pesci, Dombrowski, O'Brien; HR 163, Jackson.

DELETIONS:

HB 507, Scrimenti; HB 801, Jackson; HB 1723, Johnson.

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **SB 784, PN 1156**, entitled:

An Act amending the act of December 15, 1986 (P. L. 1610, No. 181), entitled "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 antirabies vaccines and supplies; and making an appropriation.

On the question,

Will the House agree to the bill on second consideration?

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.
Mr. O'DONNELL. Mr. Speaker, I move that SB 784 be recommitted to the Appropriations Committee for a fiscal note.

On the question,

Will the House agree to the motion?

Motion was agreed to.

* * *

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

HB 1743, PN 2133; SB 842, PN 1295; SB 339, PN 350; and SB 252, PN 1364.

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **SB 904, PN 1157**, entitled:

An Act making appropriations from a restricted revenue account within the General Fund and from Federal augmentation funds to the Pennsylvania Public Utility Commission.

On the question,

Will the House agree to the bill on third consideration?

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.
Mr. O'DONNELL. Mr. Speaker, I move that SB 904 be recommitted to the Appropriations Committee.

On the question,

Will the House agree to the motion?

Motion was agreed to.

* * *

The House proceeded to third consideration of **SB 905, PN 1034**, entitled:

An Act making an appropriation from a restricted revenue account within the General Fund to the Office of Consumer Advocate.

On the question,

Will the House agree to the bill on third consideration?

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.
Mr. O'DONNELL. Mr. Speaker, I move that SB 905 be recommitted to the Appropriations Committee.

On the question,

Will the House agree to the motion?

Motion was agreed to.

* * *

The House proceeded to third consideration of **SB 906, PN 1035**, entitled:

An Act making an appropriation from the State Employees' Retirement Fund to provide for expenses of the State Employees' Retirement Board for the fiscal year July 1, 1989, to June 30, 1990, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1989.

On the question,

Will the House agree to the bill on third consideration?

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.
Mr. O'DONNELL. Mr. Speaker, I move that SB 906 be recommitted to the Appropriations Committee.

On the question,

Will the House agree to the motion?

Motion was agreed to.

* * *

The House proceeded to third consideration of **SB 910, PN 1039**, entitled:

An Act making appropriations to the Treasury Department out of various funds for payment of general obligation debt service.

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

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.
Mr. O'DONNELL. Mr. Speaker, I move that SB 910 be recommitted to the Appropriations Committee.

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

LEAVES OF ABSENCE

The SPEAKER. Are there leaves of absence? Are there leaves of absence from the majority party? The gentleman from Lawrence, Mr. Fee, is recognized.

Mr. FEE. Mr. Speaker, there are no leaves from the majority party.

The SPEAKER. The Chair thanks the gentleman.

Are there leaves from the minority party? The indication is there are none.

MASTER ROLL CALL

The SPEAKER. The Chair is about to take the master roll call. Members are to indicate their presence in the hall of the House by voting "yea" on the master roll call. Members will proceed to vote.

The following roll call was recorded:

PRESENT—202

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

Clymer	Hess	Olasz	Van Horne
Cohen	Howlett	Oliver	Veon
Colaifella	Hughes	Perzel	Vroon
Colaizzo	Itkin	Pesci	Wambach
Cole	Jackson	Petrarca	Wass
Cornell	Jadlowiec	Petrone	Weston
Corrigan	James	Phillips	Williams
Cowell	Jarolin	Piccola	Wilson
Coy	Johnson	Pievsky	Wogan
DeLuca	Josephs	Pistella	Wozniak
DeWeese	Kaiser	Pitts	Wright, D. R.
Daley	Kasunic	Pressmann	Wright, J. L.
Davies	Kenney	Preston	Wright, R. C.
Dempsey	Kondrich	Raymond	Yandrisevits
Dietterick	Kosinski	Reber	
Dininni	Kukovich	Reinard	Manderino,
Distler	LaGrotta	Richardson	Speaker

ADDITIONS—0

NOT VOTING—0

EXCUSED—1

Letterman

VOTE CORRECTION

The SPEAKER. The Chair recognizes, from Clarion County, Representative David Wright, who indicates that on HB 1355 in yesterday's session, his vote should be recorded in the affirmative, and those remarks will be spread upon the record.

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 507, PN 2131**, entitled:

An Act concerning the fluoridation of public water.

On the question,
Will the House agree to the bill on third consideration?
Mr. HALUSKA offered the following amendment No. A2237:

Amend Sec. 4, page 2, line 25, by inserting after "PREREQUISITES.—"

Any person, association, firm, corporation, authority or municipality required to add fluoride under section 3, shall make application for an assistance grant within one year from the effective date of this act.

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

PARLIAMENTARY INQUIRY

Mr. PRESSMANN. Mr. Speaker?
The SPEAKER. For what purpose does the gentleman from Lehigh, Mr. Pressmann, rise?

Mr. PRESSMANN. Point of parliamentary inquiry.
The SPEAKER. Will the gentleman state his point of parliamentary inquiry, and will the House be in order so that the Speaker can hear what is being asked.

Mr. PRESSMANN. Mr. Speaker, if a member of the House felt that the bill in question raises constitutional questions, would it be proper at this time to raise the question of constitutionality?

The SPEAKER. A member can raise the question of constitutionality only when he is in possession of the floor, and you are not in possession of the floor when you rise particularly for a parliamentary inquiry. You may seek recognition later for that purpose, but at this time Mr. Haluska from Cambria County is recognized on his amendment.

Mr. PRESSMANN. Thank you, Mr. Speaker.

Mr. HALUSKA. Mr. Speaker, amendment A2237 requires that all public water companies who supply water to various municipalities, cities, States, counties, or townships shall file with the department in order to be qualified for grant money to pay for interest on any money that may be used for the installation of fluoridating equipment in municipal water systems.

I ask for an affirmative vote on this amendment.

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

The following roll call was recorded:

YEAS—200

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

DeWeese	Kaiser	Pressmann	Wright, J. L.
Daley	Kasunic	Preston	Wright, R. C.
Davies	Kenney	Raymond	Yandrisevits
Dempsey	Kondrich	Reber	
Dietterick	Kosinski	Reinard	Manderino,
Dininni	Kukovich	Rieger	Speaker
Distler	LaGrotta		

NAYS—1

Leh

NOT VOTING—1

Richardson

EXCUSED—1

Letterman

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

On the question,

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

CONSTITUTIONAL POINT OF ORDER

The SPEAKER. The Chair recognizes Representative Pressmann from Lehigh County.

Mr. PRESSMANN. Thank you, Mr. Speaker.

Mr. Speaker, I rise on the question of constitutionality of HB 507. Mr. Speaker, I challenge the constitutionality of HB 507 under the Constitution of the Commonwealth of Pennsylvania, Article I, section 27, "Natural Resources and the Public Estate": "The people have a right to clean air, pure water, and to the preservation of the natural, scenic, historic and esthetic values of the environment."

Mr. Speaker, fluoride put in the water is not done to purify the water to make it safe to drink. It is meant as a device to prevent tooth decay, according to the sponsors. Mr. Speaker, under that definition, it does not fit the Constitution of Pennsylvania that says that you have the right to pure water. Additives that are put in the water to purify water, to make it safe from disease so that you do not get giardiasis or whatever, are certainly constitutional.

Mr. Speaker, I ask for support on my motion on constitutionality.

The SPEAKER. On the question of constitutionality, the question is for the House to decide, and the matter is debatable.

On the question,

Will the House sustain the constitutionality of the bill?

The SPEAKER. The Chair recognizes, from Cambria County, Representative Haluska on the question of constitutionality.

Mr. HALUSKA. Mr. Speaker, the courts throughout the land have voted in the affirmative on issues relating to fluoridation. In the Williamsport case in 1969, the Supreme Court of Pennsylvania ruled that the fluoridation is a health measure, and therefore, it should not be voted in public referendum; it should be voted by those who have knowledge in

the health services that are necessary for the health and welfare not only of the State but of the Nation. In addition to that, I would say that preventive medicine is just as important as treating diseases that have already occurred, and what fluoridation is, is indeed a preventive notion. It has saved pain and suffering to hundreds of thousands of people, especially children, throughout this Nation.

Currently we have 60 percent or some 6 million people in Pennsylvania who are on fluoridated water. There are 130 million across the Nation that are on fluoridated water, and the tremendous benefits that have occurred are incalculable. I mean, in Philadelphia alone, for instance, over the 30 or 35 years that they have been using—

Mr. PRESSMANN. Mr. Speaker, the gentleman is not speaking on constitutionality.

The SPEAKER. The question before the House at this time is whether or not the bill before us is constitutional, and all members at this time must direct their debate towards constitutionality. Will the member confine his remarks to constitutionality.

Mr. HALUSKA. Mr. Speaker, I will do so. I think the courts have demonstrated in case after case that this is a very vital entity for the health and welfare and it is constitutional for the health and welfare of the people of this particular Commonwealth, not only the Commonwealth but across the Nation.

I ask for an affirmative vote on his request for constitutional approval. It is constitutional. Thank you, Mr. Speaker.

The SPEAKER. The question is on constitutionality. On that question, Representative Wozniak from Cambria is recognized.

Mr. WOZNIAK. Thank you, Mr. Speaker.

May I interrogate the maker of the motion?

The SPEAKER. Mr. Pressmann has indicated he will stand for interrogation. You may proceed to question Mr. Pressmann.

Mr. WOZNIAK. Thank you, Mr. Speaker.

Just to clarify in my mind exactly what the Constitution has to say, is it your indication that the constitutional right of the citizens of Pennsylvania is to the cleanest, purest water that the best available technology can deliver to its citizenry?

Mr. PRESSMANN. Yes, Mr. Speaker.

Mr. WOZNIAK. Is it your opinion that chlorine is a necessary additive to prevent epidemics of dysentery and other bacteria-borne diseases?

Mr. PRESSMANN. Yes, Mr. Speaker.

Mr. WOZNIAK. Does fluoride have any situation where it eliminates dysentery or any epidemic-proportion diseases that are publicwide or statewide in danger?

Mr. PRESSMANN. Not to my knowledge.

Mr. WOZNIAK. But in your opinion, fluoride is not a public health issue and should not be made mandatory or should not become an issue that the citizens should not have input in.

Mr. PRESSMANN. Not under the Constitution of Pennsylvania.

Mr. WOZNIAK. Thank you, Mr. Speaker.

I questioned that to raise the fact that this bill is not constitutional; that the issue at hand is not in fact a public health issue; and that this bill should be moved that it is not constitutional. I would recommend that we vote in the negative on the constitutionality of this bill. Thank you, Mr. Speaker.

The SPEAKER. The question is on the constitutionality of the bill that is before us. Those in favor of holding the bill before us as constitutional will vote in the affirmative; those with the opinion that the bill is unconstitutional, under Article I, section 27, of Pennsylvania's Constitution, will vote in the negative.

On the question recurring,

Will the House sustain the constitutionality of the bill?

The following roll call was recorded:

YEAS—167

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

NAYS—34

Acosta	Freind	Moehlmann	Rybak
Barley	Hasay	Morris	Saloom
Birmelin	Heckler	Olasz	Scheetz
Brandt	Hershey	Pitts	Snyder, D. W.
Clark, B. D.	Jackson	Pressmann	Snyder, G.
Dietterick	James	Ritter	Stairs
Dombrowski	Kenney	Robbins	Wogan
Fleagle	Leh	Ryan	Wozniak

Fox

Miller

NOT VOTING—1

Petrone

EXCUSED—1

Letterman

The majority having voted in the affirmative, the question was determined in the affirmative and the constitutionality of the bill was sustained.

On the question recurring,

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

Mr. D. W. SNYDER offered the following amendment No. A2308:

Amend Sec. 3, page 1, line 13, by inserting after "fluoride" and the public water suppliers have no more than two treatment systems

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, from Lehigh County, Representative Snyder is recognized.

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

Mr. Speaker, HB 507 would mandate that all public water supplies in Pennsylvania which serve more than 250 customers would have to fluoridate their water. Mr. Speaker, I serve on both the Health and Welfare Committee and the Local Government Committee and have had to view this legislation this session and in the past from different aspects. I do not wish to discuss the health aspects, because we could probably be here all afternoon just citing various studies on both sides of the health issue. I would like to, however, speak on the issue of mandating to local government another requirement that is going to be very costly for them to administer.

Mr. Speaker, this amendment would limit the number of water suppliers who must fluoridate to only those water systems that have no more than two treatment systems. Mr. Speaker, the proponents of this legislation in May submitted to the members of the General Assembly a cost study that was conducted for them, and in their own material it said it is important to note that small systems that have a large number of wells connected to the distribution in such a way that a single point of application is not possible and, therefore, several installations will be required could increase the overall annual cost.

Mr. Speaker, the water companies and municipalities in my particular legislative district have done various studies on the legislation that we are considering this morning. One particular study was done by Gannett Fleming Water Resources Engineers of Harrisburg for the Lehigh County Authority in Lehigh County. Mr. Speaker, the study indicates that the cost per well site—and in this case there are approximately 14 well sites—would be anywhere from \$75,000 to \$100,000 per site just to comply with this particular piece of legislation. For instance, Mr. Speaker, the capital cost for equipment, installation, structure, outside work, electrical, design would be approximately \$75,000 just for the structure.

What this Assembly has to realize is that fluoride is not treated the same way as chloride. Fluoride is a hazardous material. It is very toxic, and therefore, it requires special handling. In most cases it requires a separate structure with its own spill prevention design included. It requires special handling. It requires separation from all the other chemicals within the area. There are also, Mr. Speaker, annual costs that will be incurred as a result of this. Whereas chlorine can be inspected and monitored on a weekly basis, the various fluoridation supplements will require daily monitoring. Mr. Speaker, any water company in any of our legislative districts that has more than one or two wells is going to incur a substantial initial cost for construction of capital equipment as well as increased annual costs for the monitoring and the operation of fluoride supplements to our water sources.

Mr. Speaker, in a time when this legislature is beginning to recognize the cost of mandates to local government without financial assistance, it has become very clear, with the rejection of the tax reform, in which we at least provide an opportunity for local governments to find ways to fund their own services. Mr. Speaker, this legislation today is going to be a tax increase on our constituents. In our particular district, the estimates are anywhere from a 5-percent to almost a 100-percent increase in water rates as a result of this legislation being enacted by the General Assembly.

It is interesting, Mr. Speaker, that the letter that we all got on the floor today from the Partners for Better Oral Health asking to reject this particular amendment are themselves organizations that have fought mandates by this General Assembly. I look here at some of the insurance associations that keep coming back to us and saying, do not mandate health benefits because we have to pass the costs on. We have labor organizations here that want more freedom to do things. We have organizations here that are beneficiaries of government funding that say there is not enough money for their own program. But yet in diametric opposition to what many of these organizations are asking for, we are now being asked to tax our constituents to provide for mandated fluoridation of their water.

I ask for an affirmative vote on this amendment. Thank you.

The SPEAKER. The Chair thanks the gentleman.

WELCOMES

The SPEAKER. The Speaker is happy to welcome to the hall of the House this morning Linda, Greg, and Brian Yohn, Carol and Chris Forbes, and Cheryl Grybowski, from Monroe Township, Cumberland County, who are the guests of Representative Jerry Nailor. They are in the balcony.

Also in the balcony are Kevin Rudisill and Jason Ritter from Cumberland County, Representative Nailor's additional guests. They are also in the balcony.

To the left of the Speaker are the York County treasurer, Shirley Glass; the deputy treasurer, Kristi Biltz; and West York School Board member, Dorothy Winter. They are the

guests of Representative Mike Bortner. They are to the left of the Speaker. Will they stand.

CONSIDERATION OF HB 507 CONTINUED

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

Mr. HALUSKA. Mr. Speaker, may I interrogate the maker of the amendment?

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

Mr. HALUSKA. Mr. Speaker, in the event that this amendment would pass, what effect would it have on all those entities that are now in place and have been in place for some 25, 30, 20 years and are functioning very satisfactorily? Does this mean that those companies could also drop out of this program because they would no longer be required under the statute of this legislation to implement fluoridation as they have in the past?

Mr. D. W. SNYDER. Mr. Speaker, that question is sort of a hollow question, because the water systems that are presently fluoridating their water supplies are presently not under any mandate to do so. This amendment would not change that requirement. It is not a prohibition. This amendment basically says that if the General Assembly is going to mandate fluoridation, it shall be mandated only for those major water companies that have basically a central water treatment system in which the incremental costs would not be so great as they would be for rural and suburban water companies that have multiple sources of water. Even those rural and suburban systems that would not be mandated by this legislation would continue to have the right to fluoridate if they so choose to do so.

Mr. HALUSKA. That does not answer my question. My question is, does it give them a dropout? Can they let out of this program?

Mr. D. W. SNYDER. Mr. Speaker, they can stop fluoridating tomorrow if they so wish to do so under present law. If this legislation is passed and it becomes a mandate for water companies with one or two treatment systems and they have more than two water treatment systems, they certainly would not be covered by the legislation, and therefore, they would have the same right that they have today; that is, to drop the fluoridation.

Mr. HALUSKA. Mr. Speaker, what do you calculate? I mean, I notice here that you have capital costs incurred with each well installation. We have never heard of this in previous experiences. Because of the small square footage that is necessary to implement this program, it has always been able to apply this within the system. You are trying to exaggerate the cost by stipulating that you would have to provide a separate capital facility in order to accommodate each well, and that is greatly exaggerated.

Mr. D. W. SNYDER. Mr. Speaker, the water suppliers in my area have contacted various consulting engineers on this

particular issue. Each one of them agrees that because of the EPA (Environmental Protection Agency) regulations and because of the hazardous nature and toxicity of the fluoride, that they would have to provide a separate structure for the containment of the feeding equipment and in order to maintain a safe environment for the fluoride acid or the chemicals that are required to be with this.

Mr. Speaker, the study I refer to specifically outlines all the various costs, both annual operational costs and the capital costs, and while the proponents' study also indicates that many of these costs will also be incurred, they do not go quite into as specific a summary as what Gannett Fleming has done for this particular water company. However, I do not think that these figures can be disputed because of the nature of fluoride. In fact, Mr. Speaker, many of the municipalities do not have room on the site of their well for the additional building, and they would actually have to acquire additional property for these additional structures and equipment, and those costs are not even included in these estimates.

Mr. HALUSKA. Mr. Speaker, may I speak on the issue?

The SPEAKER. The gentleman is in order.

Mr. HALUSKA. Mr. Speaker, I believe that this amendment as designed would literally destroy the fluoridated program throughout the Commonwealth. For instance, in Philadelphia they have been operating for 30, 35 years as well as in Pittsburgh and many other cities and municipalities across the Commonwealth, and what they would do is just create chaos in the whole system, and I believe that this would not be in the interest of the people of this Commonwealth or to the costs that would be encountered by the various municipalities or cities.

In addition to that, we have had a ruling by the Pennsylvania Supreme Court that said that this is not a proper issue for local entities to consider. It is a health measure and it should be considered by authorities, and there is a law. The courts have generally assumed that once you fluoridate in your municipality or city, you cannot discontinue the fluoridation. That has been handed down by the courts.

So I think I would ask for you to vote "no" on this amendment. It is not in your interest. Every legislator would be confronted with a very serious problem in his respective district should this become law. It does not serve the health and welfare of the people, and it would just cause chaos. Please vote "no" on this amendment.

The SPEAKER. The Chair thanks the gentleman.

WELCOMES

The SPEAKER. The Speaker is happy to welcome to the hall of the House, from Chester County, Edward Dymek, president of the State Association of Township Supervisors. He is to the left of the Speaker and a guest of Representative Pitts. Will he please stand.

In the balcony the Chair recognizes Bill, Betty, and Terri Hershey, and John, Sharon, and Dianne Althouse, who are the guests of Representative Art Hershey. Will they please stand.

CONSIDERATION OF HB 507 CONTINUED

The SPEAKER. The Chair recognizes, on the amendment, from Montgomery County, Representative Godshall.

Mr. GODSHALL. Thank you, Mr. Speaker.

I rise to support this amendment. I just received a letter from my water authority, and what Representative Snyder has said I believe is also going to be happening to me and to some of my legislators in Montgomery County. The estimate of capital costs for one of my water companies is \$800,000 to \$1 million. The other one is in excess of \$1 1/4 million.

I am a cosponsor of the bill, but I am also cognizant of the fact of what this could do to my local water companies. My water companies have a series of wells, in one case in excess of 20 and in the other case approximately 20. With fluoridation added to each one of these wells, since the water is not taken into a central area but dispersed immediately into pipes, a fluoridation unit would have to be instituted at each well site, and therefore, this is what really brings up the cost.

So I would ask for a positive vote on the Snyder amendment. Thank you.

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

Mr. PRESTON. Thank you, Mr. Speaker.

Will the maker of the amendment answer a few questions?

The SPEAKER. Representative Snyder indicates he will. You may proceed.

Mr. PRESTON. During your initial statement, Mr. Speaker, you used the catchall phrase that you do not want your constituents to be taxed. I think you mentioned this a minimum of three times. Can you explain to me how you use this word as far as your constituents are going to be taxed on their water bill?

Mr. D. W. SNYDER. Certainly, Mr. Speaker.

The water company certainly is not going to absorb the cost of the additional equipment and the additional operating costs for fluoridation. They are not like a private corporation that has stockholders that can absorb these as a long-term investment. The water companies would either have to take out loans and those loans would have to be repaid through rate increases or to take it out of reserves and the reserves would have to be replenished as well through rate increases.

Therefore, Mr. Speaker, when I am using the word "tax," I am using it in either the terms of an immediate rate increase or, for those municipalities that pay for their water out of general tax revenues, they would either have to find new sources of that revenue, probably through taxation, or have to cut back in other areas in order to compensate for the cost. So it depends on how each municipality presently receives the funding for their water supplier, whether it is through a rate specifically for water usage or it is through their general taxation.

Mr. PRESTON. In other words, what you are saying is in general it probably would not be a tax increase, but it would really be the water company's rate increase on the users. Is that what you are saying?

Mr. D. W. SNYDER. For those areas that bill directly for the water, it would be directly an increase through the rate, which I am saying is basically a tax on the users.

Mr. PRESTON. Can you explain to me how a tax and a rate increase are going to be the same thing? I am really curious on this. You are using this for the record, and I do not want the members to be able to misconstrue. Prove to me that a tax increase and a rate increase are exactly the same thing.

Mr. D. W. SNYDER. Mr. Speaker, I am using the term "taxing" in a general term, not in the legal term of a specific tax that is enacted. I am saying it is depending on the sources. Whatever increases for government costs are passed on to the residents and the businesses of an area, whatever it is that is a government fee that is being passed through either a rate increase or through an actual increase in millage or other forms of revenue, that is government charging people for costs. I do not intend to argue whether or not the dictionary definition of "tax" is used. I am using it as a broad, general term.

Mr. PRESTON. You mentioned in your statement that you had two companies. I think that this would directly— Two water companies or—

Mr. D. W. SNYDER. I just referred to two. I have many water companies in my district.

Mr. PRESTON. But you mentioned two with the cost. Are they for profit or are they a governmental entity? Are they privately owned water companies?

Mr. D. W. SNYDER. Mr. Speaker, this bill only applies to public water companies, and the ones I am talking to, one is operated by a borough, another one by a township, and the other one is a regional authority, all of which are governmental.

Mr. PRESTON. The ones that you mentioned as far as the costs, to your knowledge do they currently have any applications in to the State right now, as far as PENNVEST is concerned, to improve their water systems?

Mr. D. W. SNYDER. Mr. Speaker, with the Clean Water Act requiring additional testing and equipment, there are needs for upgrading equipment. One of the companies, Lehigh County Authority, I believe, just received some PENNVEST funding for upgrading their system, but it had nothing to do with the fluoride. In fact, this bill only deals with the interest on any loans. It would not deal with their application. I think that is what you are talking about - through PENNVEST or State money?

Mr. PRESTON. My question simply was this: To your knowledge, do the water companies within your district have an application in to the State to apply to improve their water system?

Mr. D. W. SNYDER. What is an application to improve for a water system?

Mr. PRESTON. An application for a loan or a grant.

Mr. D. W. SNYDER. I think I just answered that. I just said that I have one— The company that I cited with the statistics already has received a loan from PENNVEST. Another one of my municipalities has an application before PENNVEST for improving their water system.

Mr. PRESTON. Would you say that those loans or grants that they have applied for were to improve the health and welfare of the general people that they serve?

Mr. D. W. SNYDER. It is to make the system either be able to serve additional customers or to improve the efficiency of the system. The one borough, their water system is about 80 years old and the pipes are falling apart, so certainly, because of the ability for pollutants to enter the water system, that would add to improvements.

Mr. PRESTON. Is it feasible that within any potential applications, they may be able to use in their applications to be able to apply fluoride or any other forms of chemicals to improve the health and welfare of the ratepayers that they currently serve?

Mr. D. W. SNYDER. Mr. Speaker, my understanding of the PENNVEST requirements right now would not permit any funding for the cost of fluoridating water. This legislation provides for an exception to the current PENNVEST regulations to say that the interest on any loans that they may take out for this purpose could be given in the terms of a loan. But that is the reason why the makers of this legislation felt it necessary to put that exception in, because presently PENNVEST does not permit, to my understanding, any financing for this nature of improvements.

Mr. PRESTON. So what you are saying is that under the current plan that we have under PENNVEST, they would not be eligible to purchase any form of equipment or to revise a building to go under any form of fluoridation program?

Mr. D. W. SNYDER. That is correct, Mr. Speaker, because it really is not an environmental problem, which is what PENNVEST is intending to address.

Mr. PRESTON. Thank you, Mr. Speaker.

If I can address the amendment.

The SPEAKER. The gentleman is in order.

Mr. PRESTON. I think first we heard some erroneous words as far as tax increase is concerned. When I do not know anybody who is really paying a tax for water, I think it is really a rate increase. They may be able to pay a surcharge. I really do not appreciate being misled in that way.

I currently serve on the water authority within the city of Pittsburgh, and I know, for an example, when we increase anything, it happens to be rates, and all the other water companies that we happen to come up and review and keep mandating as far as their rate increases are concerned.

I also think that with what we are dealing with here, it appears that he is only concerned about the cost of something and not about the health and welfare. It appears to me that over the years on a national basis and almost everywhere in the country I have gone, tooth decay has become a major, essential item. You know, it appears to me that Mr. Snyder is saying, well, forget about the first and sixth and seventh graders. He does not care about that. They can just continue as far as brushing is concerned. But here it is, we have a chance to eliminate what has been a national problem. We should not be able to take this for granted. I think that \$50,000 or \$70,000—and that is all he happened to mention to

me as far as his district; I did not hear anything else—is going to be worth the cost when we talk about 50 or 80 years of whether or not a person is going to be able to have the proper tooth structure. I think it is our responsibility to be able to represent the constituents of the Commonwealth of Pennsylvania with the best possible health care that we can. Mr. Snyder's comments of \$50,000 or \$70,000 I do not think generates it, and I think it is disproportionately said as far as his district is concerned.

I think for the kids' sake that we ought to vote down the Snyder amendment.

The SPEAKER. The Chair thanks the gentleman.

WELCOMES

The SPEAKER. The Speaker is happy to welcome to the hall of the House a number of guests of Representative Colaizzo, who are to the left of the Speaker - James Matrogran, John Alterio, Joe D'Orazio, Michael Romanekwizz, Joyce Faiella, and Frances Maceiko. Will they please stand.

Representative Lucyk, Representative Allen, and Representative Argall have Boy Scout Troop No. 54 from Mahanoy City; Boy Scout Troop 91 from Frackville; the Webelos Pack 790 from Frackville; Frank Teneholz from Pottsville; Charles Mellen from Mahanoy City, the scoutmaster; Barbara Meusel, the assistant scoutmaster; and Ben Filer, the scouting coordinator. They are all in the balcony, guests of Lucyk, Allen, and Argall, Representatives.

Representative Bruce Smith has in the balcony visitors Ed Hollinger and members of the York Teenage Republicans. Will they please stand.

Representative Paul Angstadt has the following guests from his area in Berks County - Kimberly Fick, Ralph and Linda Fick, Bryan Fick, Mrs. Ruth Hartman, Chau Phan, Stormy Bernhart, Scott Bernhart, and Brent Ennis. Brent Ennis is Representative Angstadt's district aide. They are all the guests of Representative Angstadt.

Do you get the impression that we have more guests than members? We are coming close.

CONSIDERATION OF HB 507 CONTINUED

The SPEAKER. On the question of the amendment and agreeing to the amendment, from Indiana County, Representative Wass is recognized.

Mr. WASS. Thank you, Mr. Speaker.

Mr. Speaker, may I interrogate the maker of the amendment?

The SPEAKER. Briefly.

Mr. WASS. Thank you very much. I will be brief.

Mr. Speaker, the constituents that you represent, are they in favor of the legislation?

Mr. D. W. SNYDER. Mr. Speaker, what my municipalities are saying is this— What the previous speaker's final comments were were not quite accurate. He is accusing me of not being accurate. Well, the price I gave of \$75,000 is per well

site or per water source. In many of our municipalities we have 10 to 20 different well sites, so you multiply the \$75,000 times 10 or 20 and we are talking about a million or more dollars for small boroughs and townships.

What our municipalities are saying is that the Federal law is increasing the amount of requirements that they have to meet in order to comply with better quality water, cleaner water. One of our municipalities, because of new regulations, has to invest about \$1 million for TCE (trichloroethylene) removals that are now in the new regulations. Many of our water systems, with giardiasis and open reservoirs, they need the money to put into these kinds of resources. What they are saying, Mr. Speaker, is that the cost of this program is not only going to hinder their efforts to improve the quality of their water but also result in water increases that they feel is not their top priority, and they feel that the water increases could impose a hardship on many of their residents in the municipality as a result of the substantial increases in water rates.

Mr. WASS. Mr. Speaker, as we look to your amendment, it says two, no more than two treatment systems. Would you be receptive to saying that at least two must use fluoride? If you have twelve, two of them must comply with the law.

Mr. D. W. SNYDER. Mr. Speaker, this amendment is intended to deal with those water systems that basically have a central water system and treatment where all the water goes to one place, whereas as one of the previous speakers said, \$75,000 or \$150,000 may not be a lot then for the health benefits. If we take your interpretation, Mr. Speaker, then it is a question of which wells do you choose? This amendment is basically designed to deal with those larger water systems that have a central treatment system and perhaps a backup or maybe two, like a reservoir and a central water system that are treated where the cost basically would be rather minimal.

Mr. WASS. Mr. Speaker, I would also question your numbers when you are talking about the cost of providing the systems. I have done my own personal check on it because I represent a region just as you do, many small companies, and I believe that the cost is not as exorbitant as you say, and I believe that your legislation possibly is leading to your objection to the legislation.

That is all. Mr. Speaker, that ends my interrogation.

The SPEAKER. The gentleman is in order with remarks.

Mr. WASS. Thank you very much.

Mr. Speaker, in my district approximately 50 percent of the users now have been under fluoridized water for at least 20 years. It has been very receptive and now it will expand to the others that are not using it. We understand that the cost will be not that great, and we are excited about this legislation providing additional water supplies with fluoridation.

I ask my colleagues to support the legislation.

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

Mr. SAURMAN. Thank you, Mr. Speaker.

Mr. Speaker, I think we really need to look at those figures that Representative Snyder has mentioned. We really need to look at also the care that he described in terms of dealing with this chemical fluoride, which in fact is a controlled substance. It has to be treated separately. It has to be monitored every day, because in quantities that are too large it can be dangerous to our health or it would not be a controlled substance in the first place.

I listened to Representative Haluska talk about the chaos that would be created if Representative Snyder's amendment were passed, and yet what Representative Snyder is proposing would preclude that chaos which will happen in fact if the bill is passed without the amendment. This amendment permits those water companies that have invariably and undoubtedly looked into fluoride. This has been something that is available to every water company, every municipality for years, and they have chosen not to do it. They have chosen not to do it because of the cost. They have chosen not to do it because of whatever reason, but in the fact of municipalities such as those represented in Representative Snyder's amendment, we are talking about an assortment of wells that are scattered all over that system collecting the water and having to be treated separately. We are talking of costs in one instance, as Representative Godshall indicated, of \$800,000 to \$1 million in increased costs for water. We have to keep in mind what Representative Snyder has said about the effects of current mandates on these water companies in terms of the PVC's (polyvinyl chlorides), in terms of getting rid of the lead that is in the systems, in terms of just plain keeping those systems working so that we have water when we turn that spigot on. What we are talking about if we do not put this amendment in is implacing a tremendous cost upon every water user in those municipalities that derive their water from large well sources and a large number of them.

I would urge your support of this amendment. It will indeed not create chaos but prevent chaos from taking place. Thank you.

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

The following roll call was recorded:

YEAS—97

Acosta	Fairchild	Kondrich	Pressmann
Allen	Fargo	Kosinski	Reber
Angstadt	Farmer	Langtry	Ritter
Barley	Fleagle	Lashingier	Robbins
Battisto	Flick	Leh	Ryan
Birmelin	Foster	Levdansky	Rybak
Black	Fox	McHale	Saloom
Bowley	Freind	McVerry	Saurman
Boyes	Gallen	Marsico	Scheetz
Brandt	Gannon	Micozzie	Schuler
Bunt	Geist	Miller	Semmel
Burd	Godshall	Moehlmann	Serafini
Carn	Gruppo	Morris	Smith, B.
Cessar	Hagarty	Mowery	Smith, S. H.
Chadwick	Haluska	Nailor	Snyder, D. W.
Clark, B. D.	Hasay	Noye	Snyder, G.
Clark, D. F.	Hayes	O'Brien	Stairs
Clark, J. H.	Heckler	Olasz	Strittmatter
Clymer	Herman	Perzel	Taylor, J.
Cornell	Hershey	Pesci	Telek

Dietterick	Hess	Petrarca	Thomas
Distler	Jackson	Phillips	Weston
Dombrowski	Jadlowiec	Piccola	Wilson
Dorr	Kenney	Pitts	Wozniak
Durham			

NAYS—103

Adolph	Dininni	Lloyd	Rudy
Argall	Donatucci	Lucyk	Scrimenti
Belardi	Evans	McCall	Staback
Belfanti	Fee	McNally	Steighner
Billow	Freeman	Maiale	Stish
Bishop	Gamble	Maine	Stuban
Blaum	George	Markosek	Tangretti
Bortner	Gigliotti	Mayernik	Taylor, E. Z.
Broujos	Gladeck	Melio	Taylor, F.
Burns	Harper	Merry	Tigue
Bush	Hayden	Michlovic	Trello
Caltagirone	Howlett	Mrkonik	Trich
Cappabianca	Hughes	Murphy	Van Horne
Carlson	Itkin	Nahill	Veon
Cawley	James	O'Donnell	Vroon
Civera	Jarolin	Oliver	Wambach
Cohen	Johnson	Petrone	Wass
Colafrella	Josephs	Pievsky	Williams
Colaizzo	Kaiser	Pistella	Wogan
Cole	Kasunic	Preston	Wright, D. R.
Corrigan	Kukovich	Raymond	Wright, J. L.
Cowell	LaGrotta	Reinard	Wright, R. C.
Coy	Laughlin	Richardson	Yandrisevits
DeLuca	Lee	Rieger	
Daley	Lescovitz	Robinson	Manderino, Speaker
Davies	Linton	Roebuck	
Dempsey			

NOT VOTING—2

DeWeese	Gruitza
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EXCUSED—1

Letterman

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

**CONNELLSVILLE AREA HIGH SCHOOL
BASEBALL TEAM PRESENTED**

The SPEAKER. With us in the hall of the House this morning, as guests of Representative Kasunic and Representative Stairs, is the Connellsville Class AAA PIAA State champions in baseball. They are in the hall of the House, and I have invited Representative Stairs and Representative Kasunic to honor with a citation the coach and four of the seniors honoring the team.

The Chair recognizes the gentleman from Fayette County, Representative Kasunic.

Mr. KASUNIC. Thank you, Mr. Speaker.

It is with great pride and pleasure that I stand before you here today to honor a group of young men who have accomplished a feat that has been so elusive to so many throughout the years. It is quite an accomplishment. They finished the season with 26 wins and 1 loss, and just this morning I noticed that they were also ranked number 10 in the entire United States by the USA Today.

To Representative Saloom, I want to thank Mount Pleasant for helping us along the way. Connellsville defeated Mount

Pleasant in the WPIAL championship and then defeated them once again for the western regional finals in order to put them in the State championship game.

So as I said, it is an honor today to honor the young men who accomplished this feat and also two very good friends of mine whom I have known for a long time, head coach Tom Sankovich and assistant coach Bob Renzi.

The SPEAKER. The Chair extends the congratulations to the entire team and the coaches on behalf of the House.

We are going to recess the House for lunch and caucus.

VOTE CORRECTION

The SPEAKER. The Chair recognizes the gentleman from Cambria County, Representative Haluska, who indicates that he voted wrong on the last vote, A2308 to HB 507, and wants his vote to show in the negative. Those remarks will be spread upon the record.

We are going to recess this House for a period of 2 hours and 20 minutes, until 2:30; until 2:30 this afternoon.

DEMOCRATIC CAUCUS

The SPEAKER. Are there caucus announcements?

From Allegheny County, Representative Ivan Itkin is recognized from the Democratic Caucus.

Mr. ITKIN. Mr. Speaker, the Democrats will assemble in caucus at 1:30.

REPUBLICAN CAUCUS

The SPEAKER. From Perry County, Representative Fred Noye is recognized from the Republican Caucus.

Mr. NOYE. Thank you, Mr. Speaker.

Republicans will caucus at 1:30.

**BUSINESS AND COMMERCE
COMMITTEE MEETING**

The SPEAKER. The Chair recognizes Representative Taylor from Fayette County.

Mr. F. TAYLOR. Mr. Speaker, I would like to call a brief meeting of the Business and Commerce Committee at the rear of the House upon the call of the recess.

The SPEAKER. At the call of the recess, the Business and Commerce Committee will meet in the rear of the House.

VOTE CORRECTION

The SPEAKER. The Chair recognizes Representative Kosinski from Philadelphia County.

Mr. KOSINSKI. Thank you, Mr. Speaker. Correction of the record.

Like Representative Haluska, on the Snyder amendment No. 2308 to HB 507, I was voted in the affirmative due to a malfunction. I wish to be recorded in the negative.

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

RECESS

The SPEAKER. This House stands in recess until 2:30 this afternoon.

RECESS EXTENDED

The time of recess was extended until 2:45 p.m.

AFTER RECESS

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

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

SB 519, PN 1396 (Amended)

By Rep. F. TAYLOR

An Act amending the act of July 2, 1984 (P. L. 545, No. 109), entitled "Capital Loan Fund Act," extending the time limit for Class III and apparel industry loans or aid; and further providing for apparel industry loans.

BUSINESS AND COMMERCE.

CALENDAR CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of HB 1020, PN 1162, entitled:

An Act amending the act of December 5, 1936 (2nd Sp. Sess., 1937 P. L. 2897, No. 1), known as the "Unemployment Compensation Law," further providing for penalties for failure to file certain reports.

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—200

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

- Bortner, Bowley, Boyes, Brandt, Broujos, Bunt, Burd, Burns, Bush, Caltagirone, Cappabianca, Carlson, Cawley, Cessar, Chadwick, Civera, Clark, B. D., Clark, D. F., Clark, J. H., Clymer, Cohen, Colafella, Colaizzo, Cole, Cornell, Corrigan, Cowell, Coy, DeLuca, DeWeese, Daley, Davies, Dempsey, Dietterick, Dininni, Distler, Dombrowski, 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, Kaiser, Kasunic, Kenney, Kondrich, Kosinski, Kukovich, LaGrotta, Langtry, Lashingier, Markosek, Marsico, Mayernik, Melio, Merry, Michlovic, Micozzie, Miller, Moehlmann, Morris, Mowery, Mrkonic, Murphy, Nahill, Nailor, Noye, O'Brien, O'Donnell, Olas, Oliver, Perzel, Pesci, Petrarca, Petrone, Phillips, Piccola, Pievsky, Pistella, Pitts, Pressmann, Preston, Raymond, Reber, Reinard, Richardson, Rieger, 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, Trello, Trich, Van Horne, Veon, Vroon, Wambach, Wass, Weston, Williams, Wilson, Wogan, Wozniak, Wright, D. R., Wright, J. L., Wright, R. C., Yandrisevits, Manderino, Speaker

NAYS—0

NOT VOTING—2

Carn, Josephs

EXCUSED—1

Letterman

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

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

The House proceeded to third consideration of SB 872, PN 993, entitled:

An Act amending the act of September 2, 1961 (P. L. 1177, No. 525), entitled "Board and Commission Compensation Law," removing from the act the salaries of the Chairman and members of the Unemployment Compensation Board of Review; and making a repeal.

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—200

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

NAYS—0

NOT VOTING—2

Nahill Reber

EXCUSED—1

Letterman

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same without amendment.

CONSIDERATION OF HB 507 CONTINUED

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

The SPEAKER. Representative Letterman had indicated that an amendment was to be offered. Representative Clark has agreed to offer the Letterman amendment. Will the Letterman-Clark amendment be sent to the desk.

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

Mr. B. D. CLARK, for Mr. LETTERMAN, offered the following amendments No. A2243:

Amend Sec. 3, page 2, line 1, by striking out "shall" and inserting

may

Amend Sec. 4, page 2, line 12, by striking out "SHALL" and inserting

may

Amend Sec. 5, page 3, line 14, by striking out "shall" and inserting

may

Amend Sec. 5, page 3, line 15, by striking out "shall" and inserting

may

Amend Sec. 5, page 3, line 16, by striking out "shall" and inserting

may

Amend Sec. 5, page 3, line 21, by striking out "shall" and inserting

may

Amend Bill, page 3, lines 27 through 30; page 4, line 1, by striking out all of said lines on said pages and inserting Section 6. Effective date.

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

The SPEAKER. On that amendment, the Chair recognizes Representative Clark from Allegheny County.

Mr. B. D. CLARK. Thank you, Mr. Speaker.

As the Speaker indicated, I am offering this amendment for Representative Letterman, who could not be here today.

It is a very simple amendment that would strike out the word "shall" in the bill and replace it with "may"; in other words, make the provisions of this legislation optional.

The reasons for this are numerous. One of the major points that came to my mind was that recently EPA placed some new requirements on small water systems and major water systems that will increase their costs. By adding this to the cost factor, it will put a lot of the water systems in deep trouble in providing good water at a reasonable cost.

Secondly, there is a provision in this bill that requires the resources of the PENNVEST program to be used to implement the bill, and I really do not think that is a good use of those resources. I think they can be put to better use.

I would urge support for the amendment.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—175

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

NAYS—24

Blaum	Freeman	Michlovic	Veon
Cappabianca	George	Rybak	Wambach
Colaizzo	Gruitza	Staback	Yandrisevits
Corrigan	Haluska	Tangretti	
Cowell	Harper	Tigue	Manderino,
Dombrowski	Itkin	Van Horne	Speaker
Fee	Melio		

NOT VOTING—3

Bortner	Cohen	Markosek
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EXCUSED—1

Letterman

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

On the question recurring,

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

Ms. RITTER offered the following amendments No. A2469:

Amend Title, page 1, line 1, by removing the period after "water" and inserting

; and providing for local referendum.

Amend Sec. 3, page 2, line 9, by inserting after "act" , subject to the limitations of section 7

Amend Bill, page 3, by inserting after line 30 Section 7. Referendum.

(a) Initiative.—In any municipality, an election may be held on the date of the general or municipal election immediately following the effective date of this act to determine the will of the electors with respect to the fluoridation of the water of such municipality under the provisions of this act. Whenever the governing body of the municipality adopts, by a majority vote, a resolution to place such a question on the ballot and a copy of the resolution is filed with the board of elections of the county, for a referendum on the question of fluoridation, the county board of elections shall cause a question to be placed on the ballot or on the voting machine board and submitted at the general or municipal election immediately following the effective date of this act. The question shall be in the following form:

Do you favor the fluoridation of the water of this municipality?

(b) Temporary injunction.—Action by a municipality under subsection (a) shall serve as a temporary automatic injunction to prohibit the water supplier of that municipality from fluoridating the municipality's water.

(c) Effect of negative vote.—A negative vote by a majority of the electorate of a municipality on a referendum proposed under subsection (a) shall:

(1) Serve as a permanent automatic injunction to prohibit the water supplier of that municipality from fluoridating the municipality's water.

(2) Relieve a water supplier of the municipality of the duty to comply with sections 3 and 5.

(3) Relieve the municipality of the duty to comply with sections 3 and 5.

(d) Effect of positive vote.—A positive vote by a majority of the electorate of a municipality on a referendum proposed under subsection (a) shall extend the time limitation set forth in section 3 by one additional year.

(e) Ordinance.—The governing body of a municipality which submits to a referendum under this section shall formalize the results of the referendum by ordinance, notwithstanding the provisions of sections 1050 and 1051 of the act of June 23, 1931 (P.L.932, No.317), known as The Third Class City Code.

Amend Sec. 7, page 4, line 1, by striking out "7" and inserting

8

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

The SPEAKER. On amendment A2469, Representative Ritter from Lehigh County is recognized.

Ms. RITTER. May I have a minute, Mr. Speaker?

The SPEAKER. The House will be at ease for a minute.

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

HB 122, PN 133

By Rep. PETRARCA

An Act authorizing the Governor to appoint commissioners to negotiate an interstate compact with states adjoining this Commonwealth concerning maintenance and repair of public highways, transportation facilities and rights-of-way on or along state lines.

TRANSPORTATION.

HB 193, PN 2260 (Amended)

By Rep. PETRARCA

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, creating the offense of trespass by motor vehicles; and further providing for fines, penalties and suspension of driver's license for unauthorized operation of motor vehicles on private real property.

TRANSPORTATION.

HB 407, PN 2261 (Amended)

By Rep. PETRARCA

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for a speed limit of 65 miles per hour on rural interstate highways and on a certain portion of the Pennsylvania Turnpike; and further providing for speed timing devices.

TRANSPORTATION.

HB 462, PN 504

By Rep. PETRARCA

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for exemption from registration fees.

TRANSPORTATION.

HB 704, PN 785

By Rep. PETRARCA

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for inability to pay fine and costs.

TRANSPORTATION.

CONSIDERATION OF HB 507 CONTINUED

AMENDMENTS WITHDRAWN

The SPEAKER. The Chair recognizes the lady from Lehigh, Ms. Ritter.

Ms. RITTER. Mr. Speaker, I would like to withdraw this amendment temporarily.

The SPEAKER. The amendment is withdrawn temporarily.

On the question recurring,

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

AMENDMENT A2243 RECONSIDERED

The SPEAKER. Representative Letterman introduced an amendment, and Representative Brian Clark took the amendment to the floor of the House, explained it to the members of the House, and the members of the House voted 175 to 24 for that amendment. There is a reconsideration motion for that amendment, which I think is wise that we take up at this time.

The reconsideration motion is filed by Representative Edward Haluska, and it asks that the vote by which amend-

ment 2243 was passed on the 28th day of June be reconsidered.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—199

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

NAYS—0

NOT VOTING—3

Josephs	Phillips	Preston
		EXCUSED—1

Letterman

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

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

The SPEAKER. On that question, Representative Clark from Allegheny County is recognized.

Mr. B. D. CLARK. Do I have to explain it again? I was perfectly satisfied with the first vote.

The SPEAKER. The rules of the House require an explanation of an amendment that is going to be considered, and this is going to be considered.

Mr. B. D. CLARK. Thank you, Mr. Speaker.

Once again, this amendment makes the bill optional. It changes the "shall" provisions to "may" and would make this optional for the local distribution companies or authorities within our districts. I think this lessens the burden and leaves it up to the local folks on what they want to do with their water supply. In light of new requirements that have been imposed on them, I think it reduces the cost.

And there is a provision in this bill that would require that PENNVEST funds be used to implement the provisions of the bill, and I think that PENNVEST moneys are better used to solve the problems that threaten health and safety within our communities.

I would appreciate an affirmative vote for Representative Letterman's amendment.

The SPEAKER. The question is, will the House agree to the amendment? On that question, Representative Haluska from Cambria is recognized.

Mr. HALUSKA. Mr. Speaker, I ask for a "no" vote on this amendment. This would literally destroy the legislation. It is very important that we have a mandated vote in order to permit the large water companies to issue a resolution to fluoridate their water.

What currently has happened, we have some 6 million people in Pennsylvania who are drinking fluoridated water. We have 4 million people who are on public water supplies that transcend political systems. For instance, the Philadelphia Suburban Water Company services some 60 municipalities. Many of these municipalities have passed resolutions trying to get fluoridation, but they have not been able to get it because the water companies state that they will not provide fluoridation unless they get a mandate from the State. This same thing happened in the Pennsylvania Gas and Water Company up in the northeast, who also serves some 60 municipalities, and the York Water Company, who serves some 20 municipalities. We transcend political boundaries, and it is impossible for them to get these people to come together to have it done.

So you are not serving the people who have passed resolutions. Under the current law on public referendums, it does not permit them to have their choice. So I think it is very essential that we have proven that fluoridation has saved considerable amounts of money for those entities that have implemented their water systems with fluoride, and it is very necessary for us to try to see that the entire Commonwealth of Pennsylvania will have fluoridated water.

Last year alone, the Commonwealth of Pennsylvania, through the Department of Welfare, expended some \$38 million under medicaid for dental services, and this has just reached a portion of them. So it is very essential. This is a very cost-effective measure that is necessary not only for public health but also for the welfare of the Commonwealth, because it is a cost-effective measure. We find all the unions have endorsed fluoridation because they negotiate contracts with employers that have become very costly, and if we implement fluoridation on the State level, this money can be used for other purposes.

So I think making it a "may" bill does not work from the standpoint, we know that in the Williamsport case of 1969, the Supreme Court stated that health measures are not matters to be decided by public referendum. It should be decided by knowledgeable people trained in science and in that particular field to make the decision whether it is necessary for the health and welfare of the people of this Commonwealth.

I ask for a "no" vote on this amendment.

The SPEAKER. The question is, will the House agree to the amendment? On that question, Representative Wozniak from Cambria is recognized.

Mr. WOZNIAK. Thank you, Mr. Speaker.

I rise for a "yes" vote on this amendment. I think we have to realize that the financial costs of this are extraordinary. It is a big ticket item.

If we make it a "may" bill, those local governments can seek PENNVEST money to eliminate turbidity, to eliminate beaver fever, to eliminate cloudy water, and get to the real root of some of the problems we have with our water systems - to clean them and filter them. If we mandate fluoridation, we will be expending literally millions of dollars to put more chemicals into the water when we should be cleaning our water systems up. I think local governments and the local citizenry can make their decisions, and it should be a "may" provision.

I would appreciate an affirmative vote. Thank you.

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

Mr. FREIND. Very briefly, Mr. Speaker.

I support the amendment, but that is not why I rise. I rise to merely correct one statement that was issued by my good friend, the gentleman, Mr. Haluska. He mentioned Philadelphia Suburban Water Company, which in fact is the water company which supplies my district and much of suburban Philadelphia.

It has never been the position of the Philadelphia Suburban Water Company that they needed a State mandate to provide fluoridation. What the Philadelphia Suburban Water Company has indicated is that if and when all of the townships and municipalities and boroughs which it serves agree on fluoridation, it will provide it. It has never said it needs a State mandate.

This is a local control amendment, and I hope we support it. Thank you.

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

The following roll call was recorded:

YEAS—101

Angstadt	Farmer	Leh	Robbins
Barley	Fleagle	Lloyd	Rudy
Battisto	Flick	McCall	Ryan
Belfanti	Foster	McHale	Rybak
Billow	Fox	McVerry	Saloom
Birmelin	Freind	Marsico	Saurman
Black	Gallen	Miller	Scheetz
Bowley	Gannon	Moehlmann	Schuler
Boyes	Geist	Morris	Scrimenti
Brandt	Godshall	Mowery	Semmel
Bunt	Hagarty	Mrkonic	Serafini
Burd	Hasay	Nailor	Smith, B.
Cawley	Hayes	Noye	Snyder, D. W.
Cessar	Heckler	O'Brien	Snyder, G.
Chadwick	Herman	Olasz	Stairs
Clark, B. D.	Hershey	Perzel	Strittmatter
Clark, D. F.	Hess	Pesci	Stuban
Clark, J. H.	Jackson	Petrarca	Taylor, E. Z.
Clymer	Jadlowiec	Phillips	Taylor, J.
Cornell	Johnson	Piccola	Telek
Dietterick	Kenney	Pitts	Vroon
Dininni	Kondrich	Pressmann	Weston
Dombrowski	Langtry	Reinard	Wilson
Dorr	Lashinger	Richardson	Wogan
Fairchild	Lee	Ritter	Wozniak
Fargo			

NAYS—101

Acosta	Davies	Kukovich	Rieger
Adolph	Dempsey	LaGrotta	Robinson
Allen	Distler	Laughlin	Roebuck
Argall	Donatucci	Lescovitz	Smith, S. H.
Belardi	Durham	Levdansky	Staback
Bishop	Evans	Linton	Steighner
Blaum	Fee	Lucyk	Stish
Bortner	Freeman	McNally	Tangretti
Broujos	Gamble	Maiale	Taylor, F.
Burns	George	Maine	Thomas
Bush	Gigliotti	Markosek	Tigue
Caltagirone	Gladeck	Mayermik	Trello
Cappabianca	Gruitza	Melio	Trich
Carlson	Gruppo	Merry	Van Horne
Carn	Haluska	Michlovic	Veon
Civera	Harper	Micozzie	Wambach
Cohen	Hayden	Murphy	Wass
Colafrella	Howlett	Nahill	Williams
Colaizzo	Hughes	O'Donnell	Wright, D. R.
Cole	Itkin	Oliver	Wright, J. L.
Corrigan	James	Petrone	Wright, R. C.
Cowell	Jarolin	Pievsky	Yandrisevits
Coy	Josephs	Pistella	
DeLuca	Kaiser	Preston	Manderino,
DeWeese	Kasunic	Raymond	Speaker
Daley	Kosinski	Reber	

NOT VOTING—0

EXCUSED—1

Letterman

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

On the question recurring,

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

Ms. RITTER reoffered the following amendments No. A2469:

Amend Title, page 1, line 1, by removing the period after "water" and inserting

; and providing for local referendum.

Amend Sec. 3, page 2, line 9, by inserting after "act" , subject to the limitations of section 7

Amend Bill, page 3, by inserting after line 30 Section 7. Referendum.

(a) Initiative.—In any municipality, an election may be held on the date of the general or municipal election immediately following the effective date of this act to determine the will of the electors with respect to the fluoridation of the water of such municipality under the provisions of this act. Whenever the governing body of the municipality adopts, by a majority vote, a resolution to place such a question on the ballot and a copy of the resolution is filed with the board of elections of the county, for a referendum on the question of fluoridation, the county board of elections shall cause a question to be placed on the ballot or on the voting machine board and submitted at the general or municipal election immediately following the effective date of this act. The question shall be in the following form:

Do you favor the fluoridation of the water of this municipality?

(b) Temporary injunction.—Action by a municipality under subsection (a) shall serve as a temporary automatic injunction to prohibit the water supplier of that municipality from fluoridating the municipality's water.

(c) Effect of negative vote.—A negative vote by a majority of the electorate of a municipality on a referendum proposed under subsection (a) shall:

(1) Serve as a permanent automatic injunction to prohibit the water supplier of that municipality from fluoridating the municipality's water.

(2) Relieve a water supplier of the municipality of the duty to comply with sections 3 and 5.

(3) Relieve the municipality of the duty to comply with sections 3 and 5.

(d) Effect of positive vote.—A positive vote by a majority of the electorate of a municipality on a referendum proposed under subsection (a) shall extend the time limitation set forth in section 3 by one additional year.

(e) Ordinance.—The governing body of a municipality which submits to a referendum under this section shall formalize the results of the referendum by ordinance, notwithstanding the provisions of sections 1050 and 1051 of the act of June 23, 1931 (P.L.932, No.317), known as The Third Class City Code.

Amend Sec. 7, page 4, line 1, by striking out "7" and inserting

8

On the question recurring,

Will the House agree to the amendments?

The SPEAKER. On the Ritter amendment, Representative Ritter from Lehigh County is recognized.

Ms. RITTER. Thank you, Mr. Speaker.

This bill will again impose mandates on local governments from the State level, and while I am certainly not of the opinion that fluoride is a Communist plot and I recognize the benefits of fluoride for children, there is no threat to public health if there is no fluoride in the water. So therefore, I can see no compelling reason to pass this legislation at all. However, if we are going to impose this mandate on local governments, then the very least that we can do is provide them

with an option, with a way that they can take a specific action to reject this mandate.

Now, this amendment that you have before you is very carefully drafted to stay on the right side of the Third Class City Code and court decisions that have come down from Commonwealth and higher courts. So I will explain briefly what the amendment does.

First of all, it provides only that the governing body of the municipality can ask to have the question put on the ballot. There is no provision for citizen initiative in this amendment. So the governing body would file a resolution with the county board of elections if they want to opt out of the mandate. As soon as that resolution is filed with the county board, a temporary injunction would then apply. There would be an automatic injunction against the water authority putting fluoride in the water until after the election results. If the referendum has a negative vote, if the public says that they do not want fluoride in their water in this municipality, it then becomes a permanent automatic injunction against the addition of fluoride to the water in that municipality. If there is a positive vote, then the water authority would have an additional 1 year in order to accomplish the fluoridation of the water. So we are extending that deadline.

If there is a negative vote, the municipality must then take another action to formalize the results of that referendum by passing an ordinance to reject fluoridation of the water supply, and we think that that complies with the Third Class City Code and with the court decisions that have come down which provide that there cannot be a citizen-initiated referendum on a public health issue.

This amendment will give the local governments the option to reject this mandate. At this point in the law, they can put fluoride in their water if they want to. The bill will accomplish a mandatory fluoridation across the State. This amendment will allow a local government to take a specific action to opt out of this mandate and would return the control of this issue to the local governments where it belongs.

I would ask for an affirmative vote.

The SPEAKER. The question is on the Ritter amendment. On that question, Representative Burns from Bucks County is recognized.

Mr. BURNS. Thank you, Mr. Speaker.

I wonder if the maker of the amendment would stand for interrogation, please.

The SPEAKER. She indicates that she will. You may proceed.

Mr. BURNS. Mr. Speaker, in my particular area of Bucks County and in other areas of Bucks County, we get our water from the city of Philadelphia. We buy, purchase water from the city of Philadelphia.

Now, let us suppose that we had this local referendum—I imagine it would be statewide, but we would have a referendum—and my particular municipality opted out of having their water fluoridated and Philadelphia did not opt out. How would they do that? I mean, we have a water supply coming from the city of Philadelphia, and Philadelphia hypothetically

says, yes, we want fluoridation, and Bensalem says, no, we do not want fluoridation. Tell me how that is going to work.

Ms. RITTER. Well, first of all, the mandate is that the water would be fluoridated. My expectation would be that if any of the municipalities that are served by that water company would follow this procedure, pass the referendum and the ordinance that they did not want their water supply fluoridated, then I would suppose that the water company would have to abide by that particular action and therefore could not fluoridate the water.

Mr. BURNS. Mr. Speaker, that is absolutely ludicrous. The city of Philadelphia, the 2 million people or whatever it would be in the city of Philadelphia, would say, yes, we want fluoridated water; the community of Bensalem, 63,000 people, would say no; and if under your amendment that was upheld, the community of Bensalem would have no water supply.

Ms. RITTER. Well, the community could get their water from another source in that case if that was their decision.

In the city of Philadelphia, I understand the water supply is fluoridated now, so if you are getting your water from there, it already has fluoride in it.

Mr. BURNS. But, Mr. Speaker, Bucks County, whatever water comes from the municipal authorities in Bucks County is not fluoridated. Now, we in Bensalem and many other communities of especially lower Bucks County get their water from Philadelphia. There is no other place to get it. If they vote no, if my people vote no, we do not want any more of this fluoridated water, and the city of Philadelphia votes yes, we love fluoridated water, what happens to my communities for a water supply?

Ms. RITTER. Well, keep in mind that the resolution for the referendum can only come from the governing body of the municipality, so I would assume that before that body took such an action, they would either have an alternate water supply or they would not take that step. If I were a member of that local government, that would be the decision I would be facing. If I took the step to put it on the referendum on the ballot because I did not want fluoridation, I would have to keep in mind that then I might find myself in a position of not having a water supply, and I cannot imagine that your local government officials would take such a step. That is one of the reasons we took the citizen initiative out of the amendment in terms of the referendum. It cannot come from the citizens; it must come from the local government authority, and they would have the responsibility to provide water to their citizens in any event, so that if they took such an action, they would be responsible for the result.

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

Mr. Speaker, I submit to you that if the voters in my particular township voted overwhelmingly to do away with fluoride in their water, I suspect very heavily that the local board of supervisors would go along with the wishes of that community, and we would be in one terrible fix or one very costly fix to get us some water from some other source, and I say this is a tremendous problem with this amendment.

I would urge all of my colleagues to vote against this particular amendment.

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

Mr. HALUSKA. Mr. Speaker, this amendment would certainly complicate water problems for many, many municipalities. What would happen if you had an authority who was buying water from two or three different sources, some of which were fluoridated? I am sure there would be mass confusion, and the cost of locating other sources of water would be almost impossible.

We are transcending municipalities with many of these major water companies. In the Philadelphia Suburban Company, we have 60 municipalities that are served by one entity, as I said before. The Pennsylvania Gas and Water Company serves some 60 municipalities; the York company services some 20 municipalities, and it would be very difficult for them to resolve the issue in order to supply and to provide for everybody. The last people that want the responsibility to make decisions are the local governments, to force upon their constituents something that they will not take the responsibility for, and most of them that we talked to say to us that the best solution is to have a State mandate; then we know that we can serve the people without being offensive to them.

So I ask for you to vote "no" on this amendment. It would really cause chaos through all water companies across this Commonwealth. I ask for a "no" vote.

The SPEAKER. The question is, will the House agree to the amendment? On that question, Representative Cohen from Philadelphia is recognized.

Mr. COHEN. Mr. Speaker, I rise in support of the Ritter amendment. Philadelphia has had fluoridated water for over 40 years. I think fluoridated water is a good thing. However, if the people of Allentown or anywhere else do not think fluoridated water is a good thing, there is no real reason why the rest of us ought to impose it upon them. I feel fluoridated water lowers cavities and the negative effects of it are very little. Obviously, the people in Allentown and elsewhere do not agree with that. There is no reason why we have to impose our preferences on those people.

Representative Burns spoke about the hypothetical situation of what would happen if the people who use Philadelphia water, which is fluoridated and which is likely to always remain fluoridated, the people in many suburban communities who rely on Philadelphia water, voted to not have fluoridated water. One of two things would happen: (a) they would go elsewhere other than Philadelphia, or (b) Philadelphia would charge them much higher rates than they are paying now, because it would entail considerable additional expense. Right now Philadelphia charges them what it costs. Taking the fluoride out of the water for them would, in all likelihood, raise the cost by 25, 50, or 100 percent. If the people in any community feel so strongly about this issue that they are willing to pay the higher price or they have some alternate source of water, then there is no reason why the State legislature ought to impose our preference upon them.

I support the Ritter amendment.

The SPEAKER. On the amendment, the Chair recognizes, from Cambria County, Representative Wozniak.

Mr. WOZNIAK. Thank you, Mr. Speaker.

I rise to support the Ritter amendment. The issue is, is fluoride something that should be mandated across the State? We are not talking about d.p.t. (diphtheria, pertussis, and tetanus) shots we give our children. We are not talking about chlorine to eliminate bacteria. We are not talking about an issue that has, in my connotation, a public health end of it. This allows the reasonable people, the reasonable local elected officials, to put on a ballot, in a referendum form, the issue that many times becomes more emotional than factual.

I think that the local people can make decisions as to what the priority should be in their water system, and when they realize the financial cost and the other programs that could be accomplished with that same amount of money, I think they can have a different look at fluoride. If the local people want to make their own decision, let them. We should not be mandating things. We mandate too many things up here, and sometimes we live to regret it. I would appreciate an affirmative vote. Thank you.

Also, it is an opt-out, so if the mandatory fluoridation comes across, it has to be an action taken by the local governments to opt out of the situation, so the antis would have to make a concerted effort to get enough support to even get it put on the ballot. I think this is a fair and reasonable approach to a complex and emotional issue. Thank you, Mr. Speaker.

The SPEAKER. On the amendment, the Chair recognizes, from Bucks County, Representative Wright.

Mr. J. L. WRIGHT. Mr. Speaker, I would like to point out that the amendment presents many, many complex questions and situations. In the heavily populated areas of the Commonwealth, particularly in the cities and particularly in the suburbs of the big cities, we have a multiplicity of municipalities, and many of them have two and three and more different kinds of water companies and authorities servicing the areas. Many of them are interconnected to each other, and many of us, particularly in and around Philadelphia, are buying all or parts of our water directly or indirectly from the city.

Think for a moment if one of these municipalities with only 30,000 people decides to opt out. There is no other source of water available, and can you imagine that municipality of 30,000 going to the big city of Philadelphia and dictating terms?

I would suggest to you, this is a very complex situation, and if this ever went on a ballot, it would just complicate our problems of clean water forever and ever and just make a fortune for all the attorneys that are trying to make a living.

The SPEAKER. From Allegheny County, the Chair recognizes Representative Preston.

Mr. PRESTON. Thank you, Mr. Speaker.

In reverence to my good colleague and maker of this amendment, I was going to interrogate, but I will not, but I will offer this scenario as far as what may happen.

Out in the east they had drought problems, and I can imagine what you might go through, but think about the constituents that you represent. Think about with water conservation. Think about possibly that the Department of Environmental Resources may come in and say that your wells are contaminated. Think about where you would buy your water source and what you would have to do for your constituents. With the current situation going on now, with the limited water source—and understand, water is probably one of the most precious commodities that we can have within ourselves today—what would you do and how would you be able to find the water, since you said that you did not want to have any fluoridation? You would possibly put the health and welfare of the whole city of Allentown on leash, because they would not have any water source. What would your fire department do? What would some of the hospitals do? And just imagine what may happen.

Also, I have another situation. As I had stated earlier, I sit on the water authority for the city of Pittsburgh. I know even one of our contractors now presently has a contract to buy up to 10 million gallons of water a day. They can draw that much. That company happens to be West Penn Water, who also has roughly around 40 to 50 communities within its system just in Allegheny County. You also have to understand that within Allegheny County, we have 130 separate, individual municipalities. They will also have this same right. I cannot imagine what may happen under a referendum in a particular community where one water system is buying from another water system, and understand, that water system almost had a large drought. We had an oil spill several years ago that was very pertinent, and a lot of people's health and welfare was really at stake. If that water company had listened to us and hooked up a year earlier, they would not have had the drought situation that they had; we would not have had to have the National Guard bring water buffaloes in. If a community decides under your amendment, they would have more of an emergency, because all we have is fluoridated water within the area.

Again, we are talking about major hospital systems; we are talking about emergency systems as far as the civil defense is concerned, that they also may not be able to use certain fluoridated water in particular communities. Now, I can understand a person possibly wanting to represent an island, but we are not talking about an island; we are talking about Pennsylvania as one community. I cannot imagine how, having 137 municipalities in one county alone and maybe one or two communities decide that they want to go under Ms. Ritter's proposed amendment by not accepting fluoride, how we would be able to subsist.

Currently right now in Allegheny County, we pump around 60 million gallons and up to 100 million gallons a day during the summer. We are currently now negotiating contracts with communities not just in Allegheny County but the potential of expanding our lines up to Beaver County. Why? Because a lot of—and I want you to think sincerely about this—a lot of municipalities have well water. A lot of those municipalities

now well are not going to meet the needs of the expansion, and not only that, there are certain health hazards that they are experiencing. Some of those health hazards are going to cost millions of dollars to fix, and unless they can buy the current water system within the area, they are going to come under strong EPA restrictions, even including closing down reservoirs and the present well systems they have.

I would ask for a negative vote on the Ritter amendment. I think it possibly brings catastrophic situations that we may not be able to handle. I am concerned that certain hospitals - whether it is Hershey Medical, whether it is a hospital up at Penn State, or the hospitals out in Erie or the hospitals in Philadelphia or the hospitals even within the city of Allentown and Bethlehem - will not be able to be serviced under this current idea should a catastrophic situation exist. So I would ask for a negative vote. Thank you.

The SPEAKER. On the amendment, from Cambria County, Representative Haluska is recognized.

Mr. HALUSKA. Mr. Speaker, it has been brought to my attention that this amendment would have a very difficult time to function, because just recently the Department of Environmental Resources has mandated that a number of the municipalities in the Philadelphia area join in with the Philadelphia water company rather than trying to restructure their old systems, the cost of which would be unbearable for those municipalities.

In addition to this, I want to stress that anytime that you have a public referendum, you have great emotions transpiring among the constituents. There is so much misinformation, with scare tactics used, with scare language, telling people that fluoride is going to cause cancer; it is going to cause kidney disease; it is going to cause AIDS (acquired immune deficiency syndrome); it is going to cause Alzheimer's disease; it is going to cause clubfoot; anything they can think of, and the people become confused, and they do not have an opportunity when these statements are made to hear or read about the rebuttal about what is actually the truth. I think there is no possible way that they can make a truthful decision on what is best for them. Therefore, I think it is essential that we have a State mandate to make decisions in health matters of this nature.

I ask for a negative vote on the amendment. Thank you.

The SPEAKER. On the amendment, the Chair recognizes the amendment's author, Representative Ritter from Lehigh County, for the second time.

Ms. RITTER. Thank you, Mr. Speaker.

All of these terrible stories that you have heard about these poor people who are going to be without water and the hospitals are not going to have water, all these stories are based on the premise, which is very common in this chamber, that the local government officials are total idiots who are incapable of running their governments.

This amendment does not require anybody to put this question on the ballot; it allows them to put it on the ballot. So in the city of Allentown, where we provide our own water, if the local government officials would like to put this question on

the ballot, they are free to do so, and if they choose to abide by the wishes of the referendum, they will then pass an ordinance which will formalize that vote. If they choose not to, then all they have to do is not take the action to formalize it with an ordinance, and then they will not be required to take fluoride out of their water.

These other situations that you are talking about require that the local government officials, realizing that they may not have another source of water, would, in spite of that, decide to put this question on the ballot. Now, I cannot imagine any local government official who would be so irresponsible as to jeopardize the safety and the health of his or her citizens by taking such an action. So we are not requiring anyone to jeopardize the health or safety of their citizens. We are simply allowing municipalities which are in the situation of Allentown, which provide their own water or which have alternate sources of water, to make this decision for themselves. It is not something that every municipality may have the option to do, but it allows those of us who are in that situation to make the decision for ourselves.

I would ask for an affirmative vote.

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

The following roll call was recorded:

YEAS—89

Angstadt	Fairchild	LaGrotta	Pitts
Battisto	Farmer	Langtry	Pressmann
Belfanti	Fleagle	Lashinger	Richardson
Billow	Flick	Leh	Ritter
Bishop	Foster	Lloyd	Robbins
Black	Fox	Lucyk	Rudy
Bowley	Freind	McHale	Rybak
Boyes	Gallen	McVerry	Saloom
Brandt	Gamble	Maiale	Saurman
Broujos	Geist	Maine	Scheetz
Burd	Godshall	Marsico	Scrimenti
Cappabianca	Hagarty	Miller	Semmel
Carn	Harper	Moehlmann	Serafini
Cawley	Hasay	Morris	Snyder, D. W.
Cessar	Hayes	Noye	Snyder, G.
Chadwick	Heckler	Olasz	Stairs
Clark, B. D.	Hershey	Perzel	Strittmatter
Clark, D. F.	Hess	Pesci	Stuban
Cohen	Howlett	Petrarca	Telek
DeLuca	Jackson	Petrone	Weston
Dietterick	Jadlowiec	Phillips	Wogan
Dininni	Kukovich	Piccola	Wozniak
Dombrowski			

NAYS—113

Acosta	Donatucci	Lescovitz	Schuler
Adolph	Dorr	Levdansky	Smith, B.
Allen	Durham	Linton	Smith, S. H.
Argall	Evans	McCall	Staback
Barley	Fargo	McNally	Steighner
Belardi	Fee	Markosek	Stish
Birmelin	Freeman	Mayernik	Tangretti
Blaum	Gannon	Melio	Taylor, E. Z.
Bortner	George	Merry	Taylor, F.
Bunt	Gigliotti	Michlovic	Taylor, J.
Burns	Gladeck	Micozzie	Thomas
Bush	Gruitza	Mowery	Tigue
Caltagirone	Gruppo	Mrkonic	Trello
Carlson	Haluska	Murphy	Trich
Civera	Hayden	Nahill	Van Horne
Clark, J. H.	Herman	Nailor	Veon

Clymer	Hughes	O'Brien	Vroon
Colafiglia	Itkin	O'Donnell	Wambach
Colaizzo	James	Oliver	Wass
Cole	Jarolin	Pievsky	Williams
Cornell	Johnson	Pistella	Wilson
Corrigan	Josephs	Presfong	Wright, D. R.
Cowell	Kaiser	Raymond	Wright, J. L.
Coy	Kasunic	Reber	Wright, R. C.
DeWeese	Kenney	Reinard	Yandrisevits
Daley	Kondrich	Rieger	
Davies	Kosinski	Robinson	Manderino,
Dempsey	Laughlin	Roebuck	Speaker
Distler	Lee	Ryan	

NOT VOTING—0

EXCUSED—1

Letterman

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

On the question recurring,

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

AMENDMENT A2308 RECONSIDERED

The SPEAKER. Representative Donald Snyder has filed a reconsideration motion and moves that the vote by which amendment 2308 to HB 507 was defeated on the 28th day of June be reconsidered.

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

The following roll call was recorded:

YEAS—200

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

Cohen	Howlett	Oliver	Veon
Colaflafa	Hughes	Perzel	Vroon
Colaizzo	Itkin	Pesci	Wambach
Cole	Jackson	Petrarca	Wass
Cornell	Jadlowiec	Petrone	Weston
Corrigan	James	Phillips	Williams
Cowell	Jarolin	Piccola	Wilson
Coy	Johnson	Pievsky	Wogan
DeLuca	Josephs	Pistella	Wozniak
DeWeese	Kaiser	Pitts	Wright, D. R.
Daley	Kasunic	Pressmann	Wright, J. L.
Davies	Kenney	Preston	Wright, R. C.
Dempsey	Kondrich	Raymond	Yandrisevits
Dietterick	Kosinski	Reber	
Dininni	Kukovich	Reinard	Manderino,
Distler	LaGrotta	Rieger	Speaker
Dombrowski	Langtry		

NAYS—0

NOT VOTING—2

Bunt Richardson

EXCUSED—1

Letterman

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

On the question recurring,

Will the House agree to the amendment?

The clerk read the following amendment No. A2308:

Amend Sec. 3, page 1, line 13, by inserting after "fluoride" and the public water suppliers have no more than two treatment systems

On the question recurring,

Will the House agree to the amendment?

The SPEAKER. On the question of agreeing to the amendment, Representative Snyder from Lehigh County is recognized.

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

We have spent quite a bit of time on this issue. I am not going to prolong it. I ask the members who supported this to please continue to support this amendment. There were many members who were not sure exactly what the amendment did, and I think we have been able over the lunchbreak to try to clarify it for some of the members.

You know, we have talked in here in this chamber for the last few hours about cost effectiveness and about the many issues that affect our communities with water quality. What this amendment does, Mr. Speaker, is make this legislation cost effective. For those water systems that only have to add installation of equipment and operating costs for just a couple treatment systems, this bill would be cost effective, but for those municipalities who have multiple sources of water, as Representative Preston noted, those that have wells, multiple wells, which have to impose hundreds of thousands of dollars in order to provide this fluoridated substance in the water, it is not cost effective. The health benefits can certainly be addressed in a much better way and will allow those funds that would be used for this process to be used to treat those health concerns.

I ask for an affirmative vote. Thank you.

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

Mr. HALUSKA. Mr. Speaker, the information that has been presented to us this morning in regards to the rates of the Lehigh Water Authority apparently do not bear witness to the fact, to the statements that have been made. On checking, we find that Gannett Fleming had stated that in the Southern Lehigh Water Authority, which serves the southern Lehigh section, the average bill is \$135 a month, and in addition to that, in the northern section of the Lehigh Water Authority, the average bill is \$200 a month, and the engineers from Gannett Fleming state that if the bills were all billed from the same source, the additional cost for implementing fluoridation would be approximately 4.1 percent, which would average about \$8 a year. So it does not bear witness to what statements have been made, and I think it is very cost effective, and I think we should vote "no" on this amendment.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—98

Allen	Dorr	Leh	Ritter
Angstadt	Fairchild	McHale	Robbins
Argall	Fargo	McVerry	Ryan
Barley	Farmer	Marsico	Rybak
Battisto	Fleagle	Merry	Saloom
Billow	Flick	Micozzie	Saurman
Birmelin	Foster	Miller	Scheetz
Black	Fox	Moehlmann	Schuler
Bowley	Freind	Morris	Semmel
Boyes	Gallen	Mowery	Serafini
Brandt	Gannon	Nahill	Smith, B.
Bunt	Geist	Nailor	Snyder, D. W.
Burd	Godshall	Noye	Snyder, G.
Carn	Hagarty	O'Brien	Stairs
Cessar	Hasay	Olasz	Strittmatter
Chadwick	Hayes	Perzel	Taylor, E. Z.
Clark, B. D.	Heckler	Pesci	Taylor, J.
Clark, D. F.	Hershey	Petrarca	Telek
Clark, J. H.	Hess	Phillips	Vroon
Clymer	Jackson	Piccola	Weston
Cornell	Jadlowiec	Pitts	Wilson
Dietterick	Kenney	Pressmann	Wogan
Dininni	Kondrich	Reinard	Wozniak
Distler	Langtry	Richardson	Wright, J. L.
Dombrowski	Lashinger		

NAYS—104

Acosta	Donatucci	Laughlin	Robinson
Adolph	Durham	Lee	Roebeck
Belardi	Evans	Lescovitz	Rudy
Belfanti	Fee	Leverdansky	Scrimenti
Bishop	Freeman	Linton	Smith, S. H.
Blaum	Gamble	Lloyd	Staback
Bortner	George	Lucyk	Steighner
Broujos	Gigliotti	McCall	Stish
Burns	Gladeck	McNally	Stuban
Bush	Gruitza	Maiale	Tangretti
Caltagirone	Gruppo	Maine	Taylor, F.
Cappabianca	Haluska	Markosek	Thomas
Carlson	Harper	Mayernik	Tigue
Cawley	Hayden	Melio	Trello
Civera	Herman	Michlovic	Trich

Cohen	Howlett	Mrkonic	Van Horne
Colafella	Hughes	Murphy	Veon
Colaizzo	Itkin	O'Donnell	Wambach
Cole	James	Oliver	Wass
Corrigan	Jarolin	Petrone	Williams
Cowell	Johnson	Pievsky	Wright, D. R.
Coy	Josephs	Pistella	Wright, R. C.
DeLuca	Kaiser	Preston	Yandrisevits
DeWeese	Kasunic	Raymond	
Daley	Kosinski	Reber	Manderino,
Davies	Kukovich	Rieger	Speaker
Dempsey	LaGrotta		

NOT VOTING—0

EXCUSED—1

Letterman

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

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

Does the gentleman from Montgomery, Mr. Lashinger, want to speak on final passage?

Mr. LASHINGER. Mr. Speaker, permission to interrogate the prime sponsor, if I can.

The SPEAKER. The prime sponsor of the bill indicates he will consent to interrogation.

Mr. LASHINGER. Thank you, Mr. Speaker.

Mr. Speaker, could you explain for the benefit of the members the infrastructure, the PENNVEST funding portion, of the proposal? Specifically, could you indicate to the membership, is it your intention to have those public water companies that fluoridate get grants in advance of other projects that are being considered for PENNVEST funding currently?

Mr. HALUSKA. Mr. Speaker, the PENNVEST portion of this proposal indicates that those who intend to implement fluoride programs will be reimbursed up to \$15,000 for the interest charges on any money that they borrow to implement the program. Also, PENNVEST has indicated that if any water companies are proposing any improvements in their water systems, they can include a fluoridation program.

Mr. LASHINGER. Mr. Speaker, are you aware that the way that you prioritize this program, it now flies in the face of the original language that we put in the Pennsylvania Infrastructure Investment Authority Act. You now have taken how we prioritized for water projects in that act, subverted that by moving, in my opinion, fluoridation projects to the forefront, and it is now my opinion that those members of the House who have water projects pending that have not been able to be funded through the PENNVEST program because of a lack or scarcity of funds will now fall even further behind, though only to the tune of \$100,000 annually, though that is substantial given the amount of money in the water sections portion

of the program. Because of fluoridation, the needs throughout the Commonwealth for advancing to public water systems and improving systems that are broken down will now regress even further because you have now prioritized fluoridation in the PENNVEST Act.

Mr. HALUSKA. Mr. Speaker, I think it is a very cost-effective measure. I mean, when you implement fluoridation into a program, the cost of implementing can certainly be off-written to its constituents. In Philadelphia alone, with over 30-some years of fluoridation, I have been told that they have saved the people of that city anywhere from \$35 to \$50 million. Today when a person goes to a dentist, just for one filling he will pay a minimum of \$30, and when you fluoridate, you get a return of \$50 for every \$1 expended. So I think that this is a very cost-effective measure, and they have to look at it over a long period of time, that it is cost-effective to implement this, because it is a health measure that is very essential not only to the community but to the people that they serve.

Mr. LASHINGER. Mr. Speaker, switching gears, one other question: If you look at section 6 under "Immunity"—Let me first ask, I have listened to Representative Saurman and Representative Snyder talk about the toxicity of fluoride. I did not hear all of the debate, but I assume that you bought part of their argument that there is a need for careful handling of fluoride when you are putting it into a public system. Is that correct?

Mr. HALUSKA. Mr. Speaker, may I have some quietness, please. I cannot hear the man.

The SPEAKER. Does the gentleman, Mr. Haluska, have a request of the Chair?

Mr. HALUSKA. Yes; I cannot hear the statements that are being made by Mr. Lashinger.

The SPEAKER. The gentleman is asking for order. He is entitled to order. He is entitled to be heard. He is entitled to hear what the questions are that are posed to him. Members are very discourteous when they do not permit that kind of colloquy on the floor of the House to be heard by all and at least by those engaged in it. Please be in order.

POINT OF ORDER

Ms. RITTER. Point of order, Mr. Speaker.

The SPEAKER. What is the point of order of the lady from Lehigh, Ms. Ritter?

Ms. RITTER. I did not want to interrupt Mr. Lashinger earlier, but I have another amendment which has not been called, and it has not been withdrawn - No. 2416.

The SPEAKER. The bill is on final passage.

Ms. RITTER. That is right, but my amendment has not been called up, and it has not been withdrawn.

The SPEAKER. The Ritter amendment was considered. I have no information that there was more than one Ritter amendment.

Ms. RITTER. There were two Ritter amendments, and both were circulated.

The SPEAKER. The Chair had a conversation with Representative Ritter in which Representative Ritter indicated that there was an amendment to be offered and she was not sure whether a second amendment would be offered.

Ms. RITTER. But I did expect I would be called on to be given the opportunity.

The SPEAKER. Well, your expectation was in vain, because I did not call on you. The Chair moved the bill to final passage. There was no objection at that time. Mr. Lashinger asked to be heard on final passage and on final passage has been engaging in a colloquy with Mr. Haluska. The lady is just a little bit late.

What are the wishes of the majority leader?

(Conference held.)

The SPEAKER. The Chair's ruling is that we are on final passage of the bill. To change that, it will take a vote of the House. I will not initiate it, because, in my opinion, the lady had one amendment. The majority leader's desk indicates that there was one amendment, and we have a reconsideration motion filed and signed by Representative Ritter herself to reconsider the first amendment that she put in that was defeated. It is the Chair's opinion that we are on final passage. Until this House votes otherwise, we are on final passage of the bill.

Has the gentleman, Mr. Lashinger, completed his interrogation?

Mr. LASHINGER. No, Mr. Speaker.

The SPEAKER. You may continue.

Mr. LASHINGER. Thank you, Mr. Speaker.

Mr. Speaker, on the immunity section, I was questioning you, when you could not hear, as to Mr. Saurman's comments about the toxicity of fluoride. Is it listed as a controlled substance because of its toxicity? Is that correct?

Mr. HALUSKA. All medicaments are toxic substances. I mean, what you have, you are not talking about the substance; you are talking about the percentage of the substance, whether it is toxic. We are talking about the percent, one part per million, which is not toxic. What happens in this case, in order for this to be toxic, a child 9 months old would have to consume 26 gallons of fluoridated water at one part per million in order to take a lethal dose. An adult at 154 pounds would have to have drunk all at one time 450 gallons of fluoridated water at one part per million.

Mr. LASHINGER. My concern, Mr. Speaker, in that regard is—and that is what the question was leading up to—if that is the case, why would the standard then for immunity be merely good-faith reliance and not some form of negligence, gross negligence or simple negligence? If a death could occur as a result of the mishandling of fluoride, why did you not consider a simple negligence or possibly even a gross negligence standard instead of merely a good-faith reliance standard for immunizing public water systems that use fluoride?

Mr. HALUSKA. I am sorry. I did not get your entire question.

Mr. LASHINGER. I will try again, Mr. Speaker.

Did you examine the use of a simple negligence or a gross negligence standard for immunizing systems that use fluoride instead of just a good-faith reliance standard for immunizing systems that use fluoride?

Mr. HALUSKA. The national water companies and the Disease Control Center have standards. They have standards that have been set by the Department of Environmental Resources and the Department of Health, both on a national and a State level, and we comply by those standards which have been verified and have been acceptable to all water companies throughout the Commonwealth.

Mr. LASHINGER. Thank you, Mr. Speaker.

Mr. Speaker, permission to make a few comments.

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

Mr. LASHINGER. Thank you, Mr. Speaker.

Mr. Speaker, I do not expect these comments to carry the day on this issue, and quite honestly, I was prepared to support the issue of fluoridation. My only concern is that for the first time—and I think this is important for all the members who continue to send letters to the members of the PENNVEST Authority saying please approve my sewer project, please get my municipal water project approved—you should know for the first time we have now opened up, in my opinion, a raid on PENNVEST funds. Whenever we cannot find a way to implement some specific project or program that a member in this chamber might have that might relate to health, might relate to safety, we are now going to turn to what some perceive to be an unlimited source of funds for implementing our program.

This is the first example that I have seen of taking someone's pet project, which is fluoridation, moving it to the forefront. Mr. Haluska said, I think there is great value in fluoridating the water maybe in the Pocono region. Well, you in the Pocono region now have to decide, you have programs that are pending before the authority that will help cure the giardiasis problem in that part of the State. Well, now what you have said is you have now said that we want to take the first \$100,000 in that program, employ that \$100,000 to fluoridate public water systems, and just public water systems, not private water systems. I am unsure why private water systems are precluded from implementation under PENNVEST, and again, I did not have a chance to ask Mr. Haluska, why, if you are going to employ PENNVEST, why not include private water systems since they are under the original act? I also am curious as to why this bill somehow subverts the PENNVEST prioritization that we labored long and hard over in the House.

So I just warn the members who have projects pending that your projects will now be moved back somewhat, especially those water projects, because fluoridation is now at the forefront. And I really caution the members to guard against any raid on the program to implement special projects like this, like fluoridation. Thank you, Mr. Speaker.

The SPEAKER. The question is on final passage of the bill.

FILMING PERMISSION

The SPEAKER. Prior to taking additional debate on final passage, the Chair would like to give to the members of the House the information that he has granted for a period of 15 minutes to the Republican Information Office the right to videotape on the floor of the House, on the "R" side of the House, in the vicinity of the desk of Jerry Birmelin, Representative.

CONSIDERATION OF HB 507 CONTINUED

The SPEAKER. On final passage of the bill, are there additional requests for recognition?

The lady from Chester, Mrs. Taylor, is recognized.

Mrs. TAYLOR. Mr. Speaker, may I interrogate the sponsor of the bill?

The SPEAKER. The gentleman indicates he will consent to interrogation.

Mrs. TAYLOR. Mr. Speaker, could you, for the benefit of the members, clarify for me whether or not there is anything in this legislation that requires the water company to inform the community that they are going to begin the process of fluoridation?

Mr. HALUSKA. There is, to my knowledge, nothing in the bill specifically, Mr. Speaker, but when the law is passed, it is published, and certainly, with all the publicity that is made available on this thing, the public generally knows what is going to transpire, and it is up to them, to the local municipality, to notify their constituents if they so choose. A lot of times they implement these programs years in advance and the constituents themselves had never known what was transpiring, and it is entirely up to the local government whether they want to notify their municipality or not.

Mrs. TAYLOR. So, in your opinion, Mr. Speaker, it is not a part of this legislation but would be the responsibility of the local municipality to inform the constituents that they are now drinking fluoridated water. Thank you.

Mr. Speaker, may I make a comment?

The SPEAKER. The lady is in order.

Mrs. TAYLOR. I asked this for the simple reason that I believe that those who may want not to drink the fluoridated water would then have to go to their own expense, I suppose, to buy water that is not fluoridated, and it would seem to me that the communities must notify so that the individual consumer has that choice. Thank you, Mr. Speaker.

The SPEAKER. On final passage of the bill, from Montgomery County, Representative Saurman is recognized.

Mr. SAURMAN. Thank you, Mr. Speaker.

I would like to ask one question of the maker of the legislation.

The SPEAKER. You are in order. He indicates he will consent.

Mr. SAURMAN. Thank you.

Mr. Speaker, what will happen with bottled spring water? Will that be fluoridated or will that remain uncontaminated?

Mr. HALUSKA. That is a different source. That would remain uncontaminated. I do not see where— That is not a public system.

Mr. SAURMAN. Mr. Speaker, I would like to make a statement, if I might.

The SPEAKER. The gentleman is in order.

Mr. SAURMAN. Thank you, Mr. Speaker.

I think that everyone has received a lot of mail from both sides of this issue, some of the most noted and scientific individuals, the doctors and the dentists on the one side, chemists on the other, telling us of the dangers of fluoride; the doctors telling us or the dentists telling us that it has a beneficial effect.

I am glad to hear that spring water at least will be free for those people who might have allergies or those people who have reactions to fluoride. Otherwise, we are insisting that these people take this medicine which might not be helpful to them, but they will have to do it because we think it is in their best interest.

I think this is a serious step, making this necessary for everyone to have in their water supply, and I think that we stand on the brink of maybe making a mistake that could be damaging, a mistake from which the local municipalities will remain immune, because it may be too much, too little, too whatever.

I think it is a dangerous step that we take, and I would suggest that we vote against this legislation. Thank you, Mr. Speaker.

The SPEAKER. On final passage of the bill, from Cambria County, Representative Wozniak is recognized.

Mr. WOZNIAK. Thank you, Mr. Speaker.

Just a few short comments.

Number one, Mr. Speaker, I think the mission of a water authority is to give us the cleanest, purest water the best available technology can give us. If they want to fluoridate water, let the people go to the grocery store and buy fluoridated water. I think they should be getting the stuff out of their spigot as clean as possible.

We do not really know how much this is going to be. It is a big, big ticket item. We have giardiasis in Representative Emil Mrkonic's area. I think that should be our priority. We have Highland Water Authority that has dirty, muddy water, and iron and all kinds of other sediment in it. The money should be spent to clean them up. Our priorities are backwards. We are committing the State to somehow fund fluoridation or putting it on the backs of the local taxpayers in higher rates on their water to fluoridate water. I do not drink all that much water. I think I put more in my bathtub and more on my automobile and more on the grass than I actually drink in a month.

Mr. Speaker, be very cautious to what we are doing. We are mandating a situation that we are going to be footing the bill, and I would appreciate very much if we would still allow local governments to make those decisions. Thank you very much.

The SPEAKER. On final passage, from Wayne County, Representative Birmelin is recognized.

Mr. BIRMELIN. Thank you, Mr. Speaker.

I will just make this brief.

I am opposed to this legislation. I think it is unnecessary, it is expensive, and it is something that we ought not to be involving ourselves in. It is really not a health factor. It is something that I think the members ought to really consider as to whether or not we want to institute a policy of telling everybody what they ought to be doing as far as their best health is concerned.

So I would encourage the members to vote "no" on this piece of legislation and let us put it to bed. Thank you.

The SPEAKER. From Lackawanna County, Representative Serafini is recognized.

Mr. SERAFINI. Mr. Speaker, I was wondering if I could ask the sponsor a few brief questions, please.

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

Mr. SERAFINI. Mr. Speaker, is there any adverse effect of fluoride when it is mixed with chlorine or the relative pH of the water with regard to the solution of fluoride in water?

Mr. HALUSKA. Mr. Speaker, there is no interaction with fluoride, chlorine, or any other elements or chemicals that are in the water.

Mr. SERAFINI. So then the pH of the water would not affect the amount of solution that would be placed into the water supply?

Mr. HALUSKA. That is correct.

Mr. SERAFINI. What about filtration systems on water supplies. Do they have an effect on the fluoride?

Mr. HALUSKA. There is no effect on the fluoride, Mr. Speaker.

Mr. SERAFINI. So what you are telling me is that water filtration systems in no way, shape, or form can eliminate fluoride from the water?

Mr. HALUSKA. That is correct.

Mr. SERAFINI. You are positive of that?

Mr. HALUSKA. You can defluoridate water—

Mr. SERAFINI. A water filtration system filtering down to 1 micron will not filter out the fluoride?

Mr. HALUSKA. What, Mr. Speaker? I did not understand the question. Repeat the question, please.

Mr. SERAFINI. I was wondering whether water filtration systems currently in use that filter down to 1 micron would eliminate fluoride from the water.

Mr. HALUSKA. That is not correct, sir. The filtration systems do not filtrate fluoride out of the water. There is special equipment that can be used for defluoridation, but it is entirely different than filtration - defluoridation program.

Mr. SERAFINI. Thank you, Mr. Speaker.

Would Right-To-Know have any effect on the handling of the liquid by the water company?

Mr. HALUSKA. I would imagine the Right-To-Know Law would govern every entity in the Commonwealth when it comes to handling any chemical or any element or any mineral that might have an effect on the human health and welfare.

Mr. SERAFINI. Would that then require the water companies to inform the residents or the users of that water as to the amount of chlorine in the water at any specific time?

Mr. HALUSKA. There is nothing in the law that requires the water companies to notify the constituents when they place elements into the water for health reasons. They work with the Department of Health, with the Environmental Resources. Those are the entities and those are the people who give the approval.

Mr. SERAFINI. Well, would they at any time be required under Right-To-Know or any other regulation, would they be required to tell residents of the amount of chlorine in the water that they are consuming?

Mr. HALUSKA. Publicly I do not think they have to do this, but it is the right of a citizen or a constituent to request that information at any time.

Mr. SERAFINI. Thank you, Mr. Speaker. I appreciate the answers to the questions.

The SPEAKER. On final passage of the bill, from Lehigh County, Representative Ritter is recognized.

Ms. RITTER. Thank you, Mr. Speaker.

May I question the maker of the legislation, please?

The SPEAKER. The gentleman indicates he will consent.

Ms. RITTER. Thank you.

Mr. Speaker, I wondered if you could—in line with the discussion that you had with Representative Saurman—I wondered if you could define a public water supplier, because it does not appear to be defined in the bill, and I am wondering if it would not apply to a company who bottled spring water and then sold it to the public. Would they not be considered a public water supplier?

Mr. HALUSKA. The bill specifically states that you must serve 250 service units directly through a public water system. A bottling system is not connected directly to constituents. They sell individually.

Ms. RITTER. All right. Thank you, Mr. Speaker.

May I speak on the bill, Mr. Speaker?

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

Ms. RITTER. I want to remind the members of this legislature again that we are imposing another mandate on our local governments, and in the case of Allentown, it is a mandate that they definitely do not want. The city council does not want it; the mayor does not want it; the citizens do not want it.

I realize that the people in the legislature think that we know everything that is best for our citizens, but in this case I think that we need to reconsider that. We are not talking about the health and safety of these people. We are talking about the possibility that we might reduce their dental bills, and I do not see that as a compelling reason for us to take this action and have a statewide mandate. There are other things that are good for some people and bad for other people. As Representative Saurman pointed out, there are some people who have allergic reactions and other types of adverse reactions to fluoride, and we are requiring these people to spend the extra money to buy bottled water or other sources of water

that would be, as the sponsor of the legislation said, uncontaminated.

So I would suggest to the members of this House that the best thing we can do for our constituents across the State is to vote against this legislation, and I would so urge. Thank you, Mr. Speaker.

The SPEAKER. On final passage of the bill, Representative Haluska from Cambria County is recognized.

Mr. HALUSKA. Mr. Speaker, the Department of Health is responsible for determining and employing the most efficient and practical means for the prevention and the suppression of disease. Fluoridation of water supplies to reduce dental disease is an excellent example of a highly effective, efficient, and safe preventive method which benefits nearly everybody.

Tooth decay is one of Pennsylvania's greatest health problems, not only in Pennsylvania but across the Nation, in terms of the number of people affected and the persistence of tooth decay. The cost to society in terms of dollars spent for treatment and lost days of work and school is tremendous, as well as the physical and the emotional effects of dental diseases.

There should be no mystery about what fluoride is. It is a modern health miracle, and it is an essential nutrient beneficial to all people in our society. Water fluoridation can be defined as the controlled adjustment of a water supply in a temperate climate to an optimum concentration of about one part of fluoride in a million parts of water. This represents one ten-thousandth of 1 percent - I repeat, one ten-thousandth of 1 percent. About the best way you can relate as to distance or volume, it is almost comparable to 1 foot in a distance of 2,000 miles.

The support of fluoridation by the scientific world has been the result of voluminous scientific proof that the archives of scientific literature have demonstrated. Since 1970, over 3,500 scientific publications about fluoridation have been listed in the scientific literature, detailed studies of the relationship of general health to fluoride throughout the world by the scientific community.

Fluoride is present in small but widely varying amounts in practically all soils, plants, animals, and practically all water supplies, and thus it is a normal constituent of all diets. It is one of the four elements in the halogen family, the others being chloride, bromide, iodine. They all have beneficial effects on man. Fluoride currently is being produced from mineral substances such as apatite, cryolite, and fluor spar, which are all elements of phosphate rock.

Over 40 years of research and community experiences have shown that fluoridation of drinking water supplies is the most efficient and least costly public health measure available for the prevention of decay. For every dollar invested in fluoridation, an estimated \$50 in treatment costs are saved. Last year the Pennsylvania Department of Public Welfare expended some \$38 million for the dental services for welfare recipients for this great medical problem. It makes no sense to spend all this money to treat a dental disease that is largely preventable by a very inexpensive proven public health measure.

In addition to its efficiency and its effect on the teeth, it has been shown that in areas where levels of fluoride are deficient, there is a greater incidence of osteoporosis. This has been done in Finland. The study has been going on for years. Levels of fluoride at one part per million cause increased bone density, which is beneficial to the aged. Studies in Finland have discovered the incidence of hip fractures in elderly women where fluoride is present over a period of years is very beneficial.

Fluoride has also been used in the treatment of otospongiosis; that is spongy bone in the inner ear. Most recently the University of Texas, a southern medical school, completed a research program that has taken place for the past 7 years and announced results from a 7-year trial of a new treatment for spinal osteoporosis. This treatment employs a slow release form of sodium fluoride in conjunction with calcium citrate that is given in a capsule form to bypass the stomach in heavy concentrations of 40 to 50 milligrams.

I could go on and explain all the benefits of fluoridation, but I will submit this for the record, and I ask for a positive vote on this most effective health measure. I thank you.

REMARKS SUBMITTED FOR THE RECORD

Mr. HALUSKA submitted the following remarks for the Legislative Journal:

FLUORIDATION - FACTS & BENEFITS

It was Lyndon Johnson who said that we are the wealthiest country in the world, but we can never be satisfied until we are the healthiest.

Throughout history, man has sought to achieve greater longevity by the eradication of disease and illness. As scientific knowledge increased, the scourge of bubonic plague, yellow fever, and a myriad of similar diseases were eradicated. Polio and small pox inoculations are an everyday occurrence in our society. These are weapons against the contraction of and spread of once fatal enemies of the human body. Even when disease cannot be eliminated, the human mind strives to counteract the effects through research in antibiotics and chemotherapy. Humanity has, and continues to strive for, healthy and pain-free existence as its knowledge permits. Every branch of physiology has been a party to this endeavor, including dentistry, and its most important contribution has been the research and subsequent use of fluorides as a prophylactic means to contain tooth decay and its associated pain, suffering, and economic waste.

No health care measure has been accorded greater clinical and laboratory research, epidemiological study with clinical trial and public attention, than the fluoridation of public water supplies.

The Department of Health is responsible for determining and employing the most efficient and practical means for the prevention and suppression of disease. Fluoridation of water supplies to reduce dental disease is an excellent example of a highly effective, efficient, and safe preventive method which benefits nearly everyone.

Tooth decay is one of Pennsylvania's greatest health problems in terms of the number of people affected and its persistence. The cost to society in terms of dollars spent for treatment, lost days at work and school, and the physical and emotional effects of dental disease is enormous.

There should be no mystery about what fluoride is. It is a modern health miracle and an essential nutrient beneficial to all

people in our society. Water fluoridation can be defined as the controlled adjustment of a water supply in a temperate climate to an optimum concentration of about one part of the fluoride ion in a million parts of water, or one ten-thousandth of 1 percent of fluoride in water. Fluoridation affects neither taste, odor, or color of the water, nor its use for any domestic, commercial, or industrial purpose.

The support of fluoridation by the scientific world has been the results of voluminous scientific proof in the archives of scientific literature. Since 1970, over 3,500 scientific publications about fluoride have been listed in the scientific literature. Detailed studies of the relationship of general health to fluoridation throughout the world by scientists of many disciplines and countries have demonstrated no effect of fluoridation on mortality rates or illnesses.

Fluoride is present in small but widely varying amounts, in practically all soils, plants, animals and practically all water supplies and thus is a normal constituent of all diets. It is one of the four elements in the halogen family, the others being chloride, bromide, and iodine. They all have beneficial effects on man. Fluoride currently is being produced from mineral substances such as apatite, cryolite, and fluorspar, which are elements found in phosphate rock.

Over 40 years of research and community experience have shown that the fluoridation of drinking water supplies is the most effective and least costly public health measure available to prevent tooth decay. For every dollar invested in fluoridation, an estimated \$50 in treatment costs are saved. Last year the Pennsylvania Department of Public Welfare expended some \$38 million for dental services for welfare recipients under the medicaid program. It makes no sense to spend all this tax money to treat a dental disease that is largely preventable by a very inexpensive proven public health measure.

In addition to its effect upon one's teeth, it has been found that in areas where levels of fluoride are deficient, there is a greater incidence of osteoporosis. Levels of fluoride at 1 p.p.m. cause increased bone density, which is beneficial to the aged. Studies in Finland have discovered fewer incidents of hip fractures in elderly women where prolonged ingestions of drinking water containing optimal fluoride content has occurred over a period of many years. Fluoride has also been used in the treatment of otospongiosis (spongy bone in the inner ear). More recently, the University of Texas, southwestern medical school researchers, announced results from a 7-year trial of a new treatment for spinal osteoporosis. The treatment employs a slow release form of sodium fluoride when given with calcium citrate. Although this research does not have any relationship to community water fluoridation, the study demonstrates the effectiveness and safety of administering high levels of fluorides to the elderly population over many years of treatment.

Presently some 6 million Pennsylvanians and 130 million people across the Nation are being served by water supplies whose fluoride content is from a natural source or has been adjusted to the optimal levels for better oral health.

The simple fact remains that there has never been a single legitimate laboratory or epidemiological study that showed that drinking water with fluoride levels at one part per million caused any of the multitude of diseases proclaimed to be caused by fluoridation. We have the collective experience of generation after generation of Americans living their entire lives in parts of this country where the natural fluoride content of their community water supply is 800 to 1,300 percent higher than what is permitted by standards set by the Pennsylvania Department of Health and the Pennsylvania Department of Environmental Resources, as well as the U.S. Public Health Services and the U.S. Department of Environmental Resources.

If the allegations made by the antifluoridationists had any credibility, the multitude of diseases proclaimed to be caused by

fluoridation would now be of epidemic proportions throughout the Commonwealth, as well as the Nation.

Existing home-rule policies in Pennsylvania are impossible and not applicable. Seventy-five percent of unfluoridated water in Pennsylvania is provided by water companies servicing multiple communities in different political jurisdictions. Many communities serviced by these consolidated community water companies have indicated they want their water fluoridated but cannot exercise their home-rule option. Most remaining water companies will not fluoridate unless they all agree or get a State mandate.

For example, the Philadelphia Suburban Water Company serves 1 million people in 59 separate municipalities in 4 counties surrounding Philadelphia. The Pennsylvania Gas and Water Company serves 60 municipalities, including Scranton and Wilkes-Barre. The York Water Company serves 20 municipalities. These companies will not provide this health benefit unless they get a State directive, even though many of the communities have official resolution requesting fluoridation.

This situation is increasing as central water systems expand into suburban communities. These consolidated water companies cannot physically comply to please each community. They are public utilities and are regulated by the Public Utility Commission and the State Department of Environmental Resources. The existing home-rule policy does not work. The Philadelphia Suburban Water Company buys some of its water from Philadelphia, which is fluoridated, and mixes it into their "unfluoridated" system. This confuses the issue as physicians and dentists who prescribe fluoride supplements never know from day to day how much to prescribe. This would be remedied if all water were fluoridated.

There has never been a legal challenge to water fluoridations that has been upheld on appeal. The few negative decisions in the lower courts have been reversed in the higher courts.

It is necessary to evaluate the background and qualifications of those who provide information about any health practice, including fluoridation. It is also necessary to be wary of the self-proclaimed "expert" who lacks scientific qualifications or whose education and experience are in an unrelated field.

Health organization professionals with public health training and experience, along with scientists trained in dental research and dentists and physicians with credentials and current knowledge in this field, are among those most qualified to provide reliable analysis of scientific evidence that has accumulated on fluoridation for over 40 years.

The recognized procedure for submitting research articles for consideration is to submit research projects to legitimate scientific journals that are called referred publications. These research articles are then submitted to panels of review. Revisions may be required before they are permitted to be published, but the material that the antifluoridationists quote does not undergo this scrutiny.

The question arises, is fluoride poisonous? The trace amount of fluoride in water will not harm anyone. Like zinc, iron, and many other minerals, fluoride is classified by the National Research Council as an essential trace element in human nutrition and is necessary to life and good health.

Poison is a matter of dose, not the substance. Even pure water, chlorine, vitamin A, vitamin D, table salt or oxygen can be toxic if taken in excessive amounts. The medication we take can be poisonous if taken in excess. However, when taken in trace amounts of prescribed form, it becomes very beneficial.

A 9-pound baby would have to consume 26 gallons of fluoridated water all at one time in order to receive a lethal dose, and a 154-pound individual would have to drink 450 gallons all at one time in order to receive a lethal dose.

Probably no medical or scientific advance has been the victim of as much irresponsible journalism and abuse of the scientific literature as has community water fluoridation, armed with literally

volumes of pseudo-scientific propaganda and inaccurate media portrayals. Antifluoridationists use obscure or hard-to-locate journals. Those articles referred to as containing the most convincing antifluoride arguments are usually not from recognized peer-reviewed journals and often are authored by the same antifluoridation editing the controversial journals. Painstaking library research by Wolf and Colleagues has shown that many of the references used actually support fluoridation, with works of respected fluoride researchers selectively quoted and misrepresented in order to appear to discourage the use of fluorides. For example, of the 250 references listed in the pamphlet "Life Savers Guide," the antifluoridationist bible, 240 were incompletely referenced, 21 were incorrectly cited, and 116 had no relevance to community water fluoridation. The average consumer, unable to properly evaluate misinformation and misrepresentation in the antifluoride literature, falls prey to what amounts to a marketing fraud.

Fluoride is endorsed by the Pennsylvania Secretary of Health, the Department of Environmental Resources, the U.S. Surgeon General, the American Medical Association, the American Cancer Association, the American Public Health Association, the U.S. Public Health Association, the American Academy of Pediatricians, the American Academy of Allergies, the American Osteopathic Association, the American Society of Clinical Pathologists, the American Pharmaceutical Association, the American Kidney Foundation, the Center of Disease Control, the World Health Organization, the American Dental Association, and practically all major health organizations in the U.S., Canada, and Great Britain and many other foreign lands.

The consumers unions placed the entire issue nicely into perspective when, in an article in Consumer Report, they stated, "The simple truth is that there is no scientific controversy over the safety of fluoridation. The practice is safe, economical and beneficial."

As legislators, you have a rare opportunity to make a very significant cost-effective contribution to the health and welfare of some additional 4 million people that are currently denied the benefits of water fluoridation.

I ask for your affirmative vote on this most important preventive health measure.

FLUORIDATION ENDORSEMENT/SUPPORT

January 1983

HEALTH RELATED/UNITED STATES

- American Academy of Allergy
- American Academy of Pediatrics
- American Academy of Pedodontics
- American Association for the Advancement of Science
- American Association of Dental Schools
- American Association for Dental Research
- American Association of Public Health Dentists
- American Cancer Society
- American College of Dentists
- American Dental Association
- American Dental Health Society
- American Dental Hygienists Association
- American Diabetes Association
- American Heart Association
- American Hospital Association
- American Medical Association
- American Nurses Association
- American Osteopathic Association
- American Pharmaceutical Association
- American Psychiatric Association
- American Public Health Association
- American School Health Association

- American Society of Clinical Pathologists
- American Society of Dentistry for Children
- American Veterinary Medical Association
- Association of Public Health Veterinarians
- Association of State and Territorial Dental Directors
- Association of State and Territorial Health Officials
- Federation of American Societies of Experimental Biology
- Mayo Clinic
- National Academy of Sciences
- National Commission on Community Health Services
- National Kidney Foundation
- National Nutrition Consortium:
 - American Dietetic Association
 - American Institute of Nutrition
 - American Society for Clinical Nutrition
 - Institute of Food Technologists
 - Society for Nutrition Education
 - Food and Nutrition Board, National Academy of Sciences,
 - National Research Council
- National Research Council
- Society of Toxicology
- U.S. Department of Agriculture
- U.S. Environmental Protection Agency
- U.S. Public Health Service (CDC, FDA, NIH, HRSA)

NON-HEALTH RELATED/UNITED STATES

- American Federation of Labor and Congress of Industrial Organizations (AFL-CIO)
- American Institute of Canning
- American Institute of Packing
- American Public Welfare Association
- American Society of Brewing Chemists
- American Water Works Association
- Association of Casualty and Surety Companies
- Child Study Association of America
- Conference of State Sanitary Engineers
- Consumer Federation of America
- Health Insurance Association of America
- National Education Association
- National Institute for Municipal Law Officers
- Office of Civil Defense
- Travelers Insurance Company
- U.S. Chamber of Commerce
- U.S. College Foundation and Pan American Sanitary Bureau
- U.S. Department of Defense
- U.S. Jaycees

INTERNATIONAL (Partial Listing)

- European Organization of Caries Research (ORCA)
- European Organization for the Promotion of Fluoridation
- Federation Dentaire Internationale
- International Association of Dental Research
- Pan-American Health Organization
- World Health Organization (WHO)

Canada

- Canadian Association of Accident and Sickness Insurance
- Canadian Dental Association
- Canadian Dental Hygienists Association
- Canadian Medical Association
- Canadian Nurses Association
- Canadian Pediatric Society
- Canadian Pharmaceutical Association
- Canadian Public Health Association
- Canadian Society of Dentistry for Children
- Department of National Health and Welfare
- The Health League of Canada

Great Britain

British Dental Association
 British Medical Association
 Great Britain Ministry of Health
 Royal College of Physicians
 Royal Health Service
 Royal Society of Health

On the question recurring,
 Shall the bill pass finally?

The SPEAKER. On final passage of the bill, from Allegheny County, Representative Preston is recognized.

Mr. PRESTON. Thank you, Mr. Speaker.

I am not going to deal with the technicalities of the bill other than the fact that we are not just talking about what is good for this area, what is good for that. We are talking about the whole citizenry as far as Pennsylvania is concerned.

I can sit down and I can remember about 2 years ago that my county, as an example, did not want a judge when we were giving new judges. My mayor did not want one; the county commissioners did not want one; all the elected officials in the whole county did not want one, and this august body, including some of the people who were speaking about their particular areas, felt that Allegheny County needed one more judge, but we did not want it. But you gave it to us, because you thought it was best for all the citizens of Pennsylvania. I think that what we are doing right now is the best thing for all the citizens of Pennsylvania, not one county or the other. But let us give them the fluoridation for the health and welfare of our kids. Let us give them what they truly deserve for the best and let us vote this bill up.

The SPEAKER. On final passage of the bill, the Chair recognizes, for the second time, Representative Saurman from Montgomery County.

Mr. SAURMAN. Thank you, Mr. Speaker.

Mr. Speaker, the maker of this legislation referred to the Department of Health and how well they handle our well-being. I would just like to remind everyone that in the inoculation process that we have, the shots that are given to our infants, there is a percentage of them who die. Now, I do not object to that, because if it were not for those inoculations, the spread of that disease would be a terrible thing. Nevertheless, it happens.

In this case there is no spread of tooth decay. What we are doing might be similar to requiring that there be something in our shoes that would release Desenex for athlete's foot. It is an individual situation that each individual should safeguard against. There is no spread; there is no great panic; there is no epidemic.

I think, again, that if it is possible—and it seems to be because of contradicting scientific information—if it is possible that what we are doing is going to be detrimental to one person's health in this State, each of us who vote for this share a responsibility in what might happen. Thank you, Mr. Speaker.

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—116

Acosta	Donatucci	LaGrotta	Rieger
Adolph	Durham	Langtry	Robinson
Allen	Evans	Laughlin	Roebuck
Belardi	Farmer	Lescovitz	Ryan
Belfanti	Fee	Levdansky	Staback
Billow	Freeman	Linton	Steighner
Blaum	Gallen	Lucyk	Stish
Bortner	Gamble	McNally	Tangretti
Burns	George	McVerry	Taylor, E. Z.
Bush	Gigliotti	Maiale	Taylor, F.
Caltagirone	Gladeck	Maine	Taylor, J.
Cappabianca	Gruitza	Markosek	Thomas
Carn	Gruppo	Marsico	Tigue
Cessar	Hagarty	Mayernik	Trello
Civera	Haluska	Melio	Trich
Clark, J. H.	Harper	Merry	Van Horne
Cohen	Hayden	Mrkoncic	Veon
Colafella	Heckler	Murphy	Vroon
Colaizzo	Howlett	Nahill	Wambach
Cole	Hughes	O'Donnell	Wass
Corrigan	Itkin	Oliver	Weston
Cowell	James	Perzel	Williams
Coy	Jarolin	Petrone	Wright, D. R.
DeLuca	Johnson	Pievsky	Wright, J. L.
DeWeese	Josephs	Pistella	Wright, R. C.
Daley	Kaiser	Preston	Yandrisevits
Davies	Kasunic	Raymond	
Dempsey	Kenney	Reber	Manderino, Speaker
Dininni	Kosinski	Reinard	
Distler	Kukovich		

NAYS—86

Angstadt	Dorr	Lloyd	Robbins
Argall	Fairchild	McCall	Rudy
Barley	Fargo	McHale	Rybak
Battisto	Fleagle	Michlovic	Saloom
Birmelin	Flick	Micozzie	Saurman
Bishop	Foster	Miller	Scheetz
Black	Fox	Moehlmann	Schuler
Bowley	Freind	Morris	Scrimenti
Boyes	Gannon	Mowery	Semmel
Brandt	Geist	Nailor	Serafini
Broujos	Godshall	Noye	Smith, B.
Bunt	Hasay	O'Brien	Smith, S. H.
Burd	Hayes	Olasz	Snyder, D. W.
Carlson	Herman	Pesci	Snyder, G.
Cawley	Hershey	Petrarca	Stairs
Chadwick	Hess	Phillips	Strittmatter
Clark, B. D.	Jackson	Piccola	Stuban
Clark, D. F.	Jadlowiec	Pitts	Telek
Clymer	Kondrich	Pressmann	Wilson
Cornell	Lashinger	Richardson	Wogan
Dietterick	Lee	Ritter	Wozniak
Dombrowski	Leh		

NOT VOTING—0

EXCUSED—1

Letterman

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

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

* * *

The House proceeded to third consideration of **SB 122, PN 1153**, entitled:

An Act amending the act of July 28, 1953 (P. L. 723, No. 230), entitled, as amended, "Second Class County Code," further providing for certain annual assessments; providing for the standard of care and liability of retirement board members; further providing for payments into the fund, for the amount of retirement allowances, for eligibility for retirement allowances, for interest on contributions and for requirements for credit for previous service; and further providing for publication of the controller's report.

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

Mr. LEVDANSKY offered the following amendments No. A2411:

Amend Sec. 2, page 2, line 16, by striking out "SECTION" where it appears the second time and inserting

Sections 1703 and

Amend Sec. 2, page 2, line 16, by striking out "IS" and inserting

are

Amend Sec. 2, page 2, by inserting between lines 16 and 17

Section 1703. Retirement Board.—The retirement system shall be under the sole direction of a board, which shall consist of the county commissioners, the treasurer, the controller, and two persons elected by ballot from among the members of the retirement system, one to serve for two years and one for four years. One nonvoting member who is receiving a retirement allowance shall be elected by the members of the retirement system to serve for an initial term of four years. Following the completion of the initial terms, the stated terms of such members including the nonvoting members shall be four years. Ballots shall be mailed to each member of the retirement system at least twenty (20) days prior to the date of the election. A vacancy occurring during the term of any member of the board shall be filled for the unexpired term by the appointment or election of a successor in the same manner as his predecessor. A majority of the members of the board shall constitute a quorum for the transaction of any business.

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

The SPEAKER. On the amendment, Representative Levdansky from Allegheny County is recognized.

Mr. LEVDANSKY. Thank you, Mr. Speaker.

Mr. Speaker, this is a relatively brief and straightforward amendment. This amendment would add one retiree to the Retirement Board for the retirement system in Allegheny County.

I want to point out that there is a limitation. That retiree will not be given a voting status. He or she will be a nonvoting member of the Retirement Board.

I urge a positive vote on the amendment. Thank you.

The SPEAKER. The question is on the amendment. On that question, from Allegheny County, Representative Gamble is recognized.

Mr. GAMBLE. Mr. Speaker, about 6 months ago a bipartisan task force was formed with members from Allegheny County on both sides of the aisle, and there were a lot of

negotiations and several meetings dealing with this very important issue of the pension fund in Allegheny County. We came to an agreement, and part of that agreement was not to deal with the issue of members on the board as that issue is in the courts.

We would ask that we have a clean bill today. That is what this bipartisan committee agreed upon, and we ask that you reject this amendment. Thank you.

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

Mr. CESSAR. Thank you, Mr. Speaker.

I rise to oppose the amendment for the reasons mentioned by the gentleman from Allegheny County, Representative Gamble. We did work on this legislation, and the consideration for a member on the board who was a retiree was talked about, and as mentioned by the other gentleman, we opposed that.

I would hope that everybody on this side of the aisle would oppose this amendment. Thank you, Mr. Speaker.

The SPEAKER. From Allegheny County, the Chair recognizes Representative Trello.

Mr. TRELLO. Mr. Speaker, I, too, was a member of that committee, and ladies and gentlemen from both sides of the aisle met on this issue and came to a complete agreement, and this amendment was not one of them.

I urge a negative vote on the amendment. Thank you.

The SPEAKER. From Allegheny County, Representative Preston is recognized.

Mr. PRESTON. Thank you, Mr. Speaker.

I also ask for a negative vote on the amendment.

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

The following roll call was recorded:

YEAS—15

Cawley	Hayden	Kukovich	Mrkonc
DeWeese	Howlett	Levdansky	Richardson
Freeman	James	Lucyk	Williams
Gigliotti	Kaiser	McNally	

NAYS—182

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

Bush	Gruitza	Mowery	Tangretti
Caltagirone	Gruppo	Murphy	Taylor, E. Z.
Cappabianca	Hagarty	Nahill	Taylor, F.
Carlson	Haluska	Nailor	Taylor, J.
Carn	Harper	Noye	Telek
Cessar	Hasay	O'Brien	Thomas
Chadwick	Hayes	O'Donnell	Tigue
Civera	Heckler	Olasz	Trello
Clark, B. D.	Herman	Oliver	Trich
Clark, D. F.	Hershey	Pesci	Van Horne
Clark, J. H.	Hess	Petrarca	Veon
Clymer	Hughes	Petrone	Vroon
Cohen	Itkin	Phillips	Wambach
Colafrilla	Jackson	Piccola	Wass
Colaizzo	Jadlowiec	Pievsky	Wilson
Cole	Jarolin	Pistella	Wogan
Cornell	Johnson	Pitts	Wozniak
Corrigan	Josephs	Pressmann	Wright, D. R.
Cowell	Kasunic	Preston	Wright, J. L.
Coy	Kenney	Raymond	Wright, R. C.
DeLuca	Kondrich	Reber	Yandrisevits
Daley	Kosinski	Reinard	
Davies	LaGrotta	Rieger	Manderino, Speaker
Dempsey	Langtry	Ritter	

NOT VOTING—5

Evans	Perzel	Roebuck	Weston
Gladeck			

EXCUSED—1

Letterman

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—190

Acosta	Dietterick	Kukovich	Ritter
Adolph	Diminni	LaGrotta	Robbins
Allen	Distler	Lashingner	Robinson
Angstadt	Dombrowski	Laughlin	Rudy
Argall	Donatucci	Lee	Ryan
Barley	Dorr	Leh	Rybak
Battisto	Durham	Lescovitz	Saloom
Belardi	Fairchild	Linton	Saurman
Belfanti	Fargo	Lloyd	Scheetz
Billow	Farmer	Lucyk	Schuler
Birmelin	Fee	McCall	Scrimenti
Bishop	Fleagle	McHale	Semmel
Black	Flick	McVerry	Serafini
Blaum	Foster	Maiiale	Smith, B.
Bortner	Fox	Maine	Smith, S. H.
Bowley	Freeman	Markosek	Snyder, D. W.
Boyes	Freind	Marsico	Snyder, G.
Brandt	Gallen	Mayernik	Staback
Broujos	Gamble	Melio	Stairs
Bunt	Gannon	Merry	Steighner
Burd	Geist	Michlovic	Stish
Burns	George	Micozzie	Strittmatter
Bush	Gladeck	Morris	Stuban
Caltagirone	Godshall	Mowery	Tangretti
Cappabianca	Gruitza	Murphy	Taylor, E. Z.
Carlson	Gruppo	Nahill	Taylor, F.
Carn	Hagarty	Nailor	Taylor, J.
Cawley	Haluska	Noye	Telek

Cessar	Harper	O'Brien	Thomas
Chadwick	Hasay	O'Donnell	Tigue
Civera	Hayden	Olasz	Trello
Clark, B. D.	Hayes	Oliver	Trich
Clark, D. F.	Heckler	Perzel	Van Horne
Clark, J. H.	Herman	Pesci	Vroon
Clymer	Hershey	Petrarca	Wambach
Cohen	Hess	Petrone	Wass
Colafrilla	Howlett	Phillips	Weston
Colaizzo	Hughes	Piccola	Williams
Cole	Itkin	Pievsky	Wilson
Cornell	Jackson	Pistella	Wogan
Corrigan	Jadlowiec	Pitts	Wozniak
Cowell	James	Pressmann	Wright, D. R.
Coy	Jarolin	Preston	Wright, J. L.
DeLuca	Johnson	Raymond	Wright, R. C.
DeWeese	Josephs	Reber	Yandrisevits
Daley	Kasunic	Reinard	
Davies	Kenney	Richardson	Manderino, Speaker
Dempsey	Kosinski	Rieger	

NAYS—10

Gigliotti	Langtry	Miller	Mrkonic
Kaiser	Levdansky	Moehlmann	Veon
Kondrich	McNally		

NOT VOTING—2

Evans	Roebuck
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EXCUSED—1

Letterman

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

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

* * *

The House proceeded to third consideration of **SB 400, PN 911**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for increased fines for moving violations committed in construction and maintenance areas.

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

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

NAYS—2

Broujos James

NOT VOTING—4

Evans Kondrich Miller Roebuck

EXCUSED—1

Letterman

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same without amendment.

VOTE CORRECTION

The SPEAKER. Representative Robinson from Allegheny County is recognized.

Mr. ROBINSON. Mr. Speaker, I rise to correct the record. On SB 122, my vote should be recorded in the negative.

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

Mr. PHILLIPS. Mr. Speaker?

The SPEAKER. If we are correcting the record now, I ask members to wait until we have concluded the business of the day to correct the record. So make note of your corrections, and we will take them all at the end of the day.

BILL ON FINAL PASSAGE

The House proceeded to consideration on final passage of **HB 247, PN 2105**, entitled:

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

On the question recurring,
Shall the bill pass finally?

DECISION OF CHAIR RESCINDED

The SPEAKER. Without objection, the Chair rescinds its decision as to HB 247 having been agreed to the third time.

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

Mr. CALTAGIRONE offered the following amendment No. A2298:

Amend Sec. 1 (Sec. 3733), page 2, lines 14 through 24, by striking out "AN ADDITIONAL FEE OF \$5 SHALL BE CHARGED AND" in line 14, all of lines 15 through 23 and "AUTHORIZED." in line 24 and inserting An additional fee of \$5 shall be charged and collected by the prothonotaries, clerks of orphans' courts and registers of wills of all courts of common pleas, or by any officials designated to perform the functions thereof, for the initiation of any civil action or legal proceeding. An additional fee of \$5 shall be charged by the clerks of courts of all courts of common pleas, or by any officials designated to perform the functions thereof, for the initiation of any criminal proceeding for which a fee, charge or cost is now authorized and a conviction is obtained or guilty plea is entered, except in misdemeanor cases in which case a fee of \$1.50 will be charged. An additional fee of \$1.50 shall be charged and collected by the minor judiciary, including district justices, Philadelphia Municipal Court, Philadelphia Traffic Court and Pittsburgh Magistrates Court, for the initiation of a legal proceeding for which a fee or cost is now authorized, except that in criminal, summary and traffic matters the fee shall be charged only when a conviction is obtained or guilty plea is entered.

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

The SPEAKER. On agreeing to the amendment, Representative Caltagirone from Berks County is recognized.

Mr. CALTAGIRONE. Thank you, Mr. Speaker.

The first amendment that we are going to consider will provide the additional funding for the court augmentation that this legislature had approved in 1987 with Act 64 becoming law. The additional fee will help to implement the lower judiciary, the district justice phase-in of the computerization.

I would ask for an affirmative vote.

The SPEAKER. The question is on the amendment. On that question, Representative Dempsey from Lycoming County is recognized on the amendment.

Mr. DEMPSEY. Thank you, Mr. Speaker.

I wonder if I may interrogate the maker of the amendment, please?

The SPEAKER. The gentleman indicates he will consent to interrogation.

Mr. DEMPSEY. Mr. Speaker, could you explain to me what you mean by "the initiation of any civil action or legal proceeding"?

Mr. CALTAGIRONE. I am sorry. Could you repeat the question again?

Mr. DEMPSEY. Could you explain for me what you mean by assessing the fee in the prothonotary's office on any act that is an initiation of any civil action or legal proceeding? What do you mean by that?

Mr. CALTAGIRONE. I think the term is self-explanatory, Mr. Speaker.

Mr. DEMPSEY. All right. May I ask you, do you mean that the filing of a divorce complaint is a civil action?

Mr. CALTAGIRONE. Yes.

Mr. DEMPSEY. How about the petition for support under the divorce action when it is filed to the same number?

Mr. CALTAGIRONE. No.

Mr. DEMPSEY. How about a custody action?

Mr. CALTAGIRONE. Yes.

Mr. DEMPSEY. When it is filed to the same number?

Mr. CALTAGIRONE. You have to refer back to your previous question. That is not what the question was.

Mr. DEMPSEY. My question is, it is possible, Mr. Speaker, to file a divorce action. At that point the action gets a number. After that action, there could be custody; there could be support; there could be alimony petitions filed. Are you going to charge \$5 each time one of those is filed?

Mr. CALTAGIRONE. No. You pay that fee once.

Mr. DEMPSEY. The \$5 once.

Mr. CALTAGIRONE. Once.

Mr. DEMPSEY. To each number that is gotten by the filing.

Mr. CALTAGIRONE. Only on the filing, on the initial filing. You pay it once.

Mr. DEMPSEY. How about stipulations against liens?

Mr. CALTAGIRONE. Specifically—

Mr. DEMPSEY. I cannot be any more specific. It is a stipulation against lien.

Mr. CALTAGIRONE. Is it numbered?

Mr. DEMPSEY. Certainly.

Mr. CALTAGIRONE. Then you pay it and pay it once.

Mr. DEMPSEY. How about a judgment note?

Mr. CALTAGIRONE. You pay it once.

Mr. DEMPSEY. You are assessing the \$5 fee against a judgment note filing?

Mr. CALTAGIRONE. If it has a number.

Mr. DEMPSEY. How about a DJ (district justice) judgment note?

Mr. CALTAGIRONE. If it has a common pleas court number.

Mr. DEMPSEY. How about a revival of a judgment?

Mr. CALTAGIRONE. No.

Mr. DEMPSEY. How about a power of attorney?

Mr. CALTAGIRONE. No.

Mr. DEMPSEY. Now, that is getting a number.

Mr. CALTAGIRONE. You are absolutely sure that the power of attorney receives a number at the common pleas court level?

Mr. DEMPSEY. I am certainly sure that they do. Yes, sir. They have to be indexed and docketed.

Mr. CALTAGIRONE. If it is numbered, then you would collect it.

Mr. DEMPSEY. How about a financing statement, a UCC (Uniform Commercial Code) financing statement?

Mr. CALTAGIRONE. If it is numbered.

Mr. DEMPSEY. How about a writ of execution?

Mr. CALTAGIRONE. The same.

Mr. DEMPSEY. How about an appeal from a district justice, a civil complaint?

Mr. CALTAGIRONE. If it is numbered.

Mr. DEMPSEY. You are telling me then, Mr. Speaker, that anything that is filed in the prothonotary's office that gets a new number is going to be assessed the \$5 charge.

Mr. CALTAGIRONE. That is correct.

Mr. DEMPSEY. So if I file a financing statement that used to cost me \$5 in the prothonotary's office, it is now costing me \$10.

Mr. CALTAGIRONE. The bill says that right now without the amendment.

Mr. DEMPSEY. No, the bill says anything a cost is collected for, which means you could also charge me \$7 for a subpoena, which does not get a number. The buying of a subpoena does not initiate a civil action.

Mr. CALTAGIRONE. The amendment narrows the scope. Your objections were taken into consideration, and the amendment was drawn to narrow the focus.

Mr. DEMPSEY. But you have not narrowed the focus. All you have eliminated are subpoenas, because a subpoena is the only thing you can buy in a prothonotary's office that does not get a number.

Mr. CALTAGIRONE. There have been a number of areas that have been eliminated, as you well know, including the areas of the register of wills.

Mr. DEMPSEY. I am not concerned about the register of wills right now; I am concerned about the prothonotary and clerk of courts offices.

Mr. CALTAGIRONE. That was where a lot of the areas were of the fines and the fees that were going to be collected. You may not have been worried about it, but other people were.

Mr. DEMPSEY. I understand that, but you tell me that you have addressed the problems that I brought up about the prothonotary's office and the fact that you are going to be assessing fees to filings that will increase the filing, in some cases 100 percent.

Mr. CALTAGIRONE. Initial filing fees.

Mr. DEMPSEY. That is right. So you are telling me that anything that gets a new number in the prothonotary's office will be assessed a \$5 fee.

Mr. CALTAGIRONE. Yes. This is to help pay for the augmentation fund to cover the costs of computerization for the

courts. We are not taking it out of the General Fund. Unless you are proposing that we take it out of the General Fund and you are willing to do that—

Mr. DEMPSEY. All I am doing, sir, is asking you about your amendment. We have not got to that yet.

Mr. CALTAGIRONE. I have answered the question. I have kept answering your question over and over again.

Mr. DEMPSEY. All right. That is fine.

Mr. Speaker, may I speak to the amendment, please?

The SPEAKER. On the amendment, you are in order.

Mr. DEMPSEY. Mr. Speaker, I find many things wrong with this bill, and the two things that I find wrong, one is the fact that we are charging a user fee or a tax, if you will, for the right of access to the courts. What we are doing is taking some fees that are only \$5, some \$10, and attaching a \$5 charge to them.

I think it is about time we decide that we either take care of the courts through the tax problem or we take care of it through this tax on the access to the courts. We just tacked a \$10 fee on divorce filings; now we are tacking a \$5 fee on all other filings. I find that what we are doing is restricting access to the courts by the people who can least afford it.

Therefore, I am against the amendment, and I ask for a "no" vote. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the former Lycoming County prothonotary and recognizes a former Bedford County clerk of courts, Representative Hess.

Mr. HESS. Thank you, Mr. Speaker.

I would like to agree with Mr. Dempsey. Many of the things in the amendment are flawed. The reason I say that, there is nothing in there capping the amount that the court system can collect. It can go on and on and on. It could be just like giving them a blank check.

So I would ask for a "no" vote on this particular amendment. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—106

Acosta	Fleagle	Lescovitz	Rieger
Angstadt	Fox	Levdansky	Ritter
Battisto	Freeman	Linton	Robinson
Belardi	Freind	Lloyd	Ryan
Belfanti	Gamble	Lucyk	Rybak
Billow	George	McHale	Saloom
Bishop	Gigliotti	McNally	Scrimenti
Blaum	Gruitza	McVerry	Staback
Boyes	Gruppo	Maiale	Stairs
Broujos	Hagarty	Maine	Steighner
Caltagirone	Haluska	Markosek	Stish
Cappabianca	Harper	Mayernik	Stuban
Carn	Hayden	Michlovic	Tangretti
Cessar	Hayes	Miller	Taylor, F.
Clark, B. D.	Heckler	Morris	Taylor, J.
Cohen	Howlett	Murphy	Trello
Colafiglia	Itkin	Nahill	Trich
Colaizzo	James	O'Donnell	Veon
Cole	Jarolin	Olasz	Wambach
Corrigan	Johnson	Oliver	Williams
Cowell	Josephs	Pesci	Wogan
DeLuca	Kaiser	Petrarca	Wozniak
DeWeese	Kasunic	Petrone	Wright, D. R.

Daley	Kosinski	Pievsky	Yandrisevits
Dombrowski	Kukovich	Pistella	
Donatucci	LaGrotta	Prussmann	Manderino, Speaker
Fee	Laughlin	Preston	

NAYS—91

Adolph	Dempsey	Kondrich	Robbins
Allen	Dietterick	Langtry	Rudy
Argall	Dininni	Lashinger	Saurman
Barley	Distler	Lee	Scheetz
Birmelin	Dorr	Leh	Schuler
Black	Durham	McCall	Semmel
Bortner	Fairchild	Marsico	Serafini
Bowley	Fargo	Melio	Smith, B.
Brandt	Farmer	Merry	Smith, S. H.
Bunt	Flick	Micozzie	Snyder, D. W.
Burd	Foster	Moehlmann	Snyder, G.
Burns	Gallen	Mowery	Strittmatter
Bush	Gannon	Mrkonic	Taylor, E. Z.
Carlson	Geist	Nailor	Telek
Cawley	Gladeck	Noye	Tigue
Chadwick	Godshall	O'Brien	Van Horne
Civera	Hasay	Perzel	Vroon
Clark, D. F.	Herman	Phillips	Wass
Clark, J. H.	Hershey	Piccola	Weston
Clymer	Hess	Pitts	Wilson
Cornell	Jackson	Raymond	Wright, J. L.
Coy	Jadlowiec	Reber	Wright, R. C.
Davies	Kenney	Reinard	

NOT VOTING—5

Evans	Richardson	Roebuck	Thomas
Hughes			

EXCUSED—1

Letterman

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

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

Mr. CALTAGIRONE offered the following amendment No. A2303:

Amend Sec. 1 (Sec. 3733), page 2, line 25, by inserting after "ACCOUNT"
, except that 2% of the additional fees collected by prothonotaries, clerks of orphans' courts, registers of wills, and clerks of courts of all courts of common pleas shall be paid to the county where such fees are collected

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

AMENDMENT WITHDRAWN

The SPEAKER. On the amendment, Representative Caltagirone from Berks County is recognized.

Mr. CALTAGIRONE. Mr. Speaker, I would like to withdraw that amendment.

The SPEAKER. The second amendment is withdrawn, without objection.

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

Mr. DEMPSEY offered the following amendment No. A2452:

Amend Sec. 1 (Sec. 3733), page 2, lines 16 through 19, by striking out “, ALL REGISTERS OF WILLS AND RECORDERS OF” in line 16, all of lines 17 and 18 and “COLLECTED ON ALL CRIMINAL PROCEEDINGS INVOLVING MISDEMEANORS.” in line 19 and inserting for the filing of any petition, writ or complaint for which a fee, charge or cost is now authorized, except that a fee of \$1.50 will be charged on such filings relating to criminal proceedings involving misdemeanors. An additional fee of \$5 shall be charged and collected by all registers of wills and recorders of deeds for any transaction for which a fee, charge or cost is now authorized.

On the question,

Will the House agree to the amendment?

The SPEAKER. On the amendment, Representative Dempsey from Lycoming County is recognized.

Mr. DEMPSEY. Thank you, Mr. Speaker.

Mr. Speaker, my amendment will change the original bill so that we only put the tax—and it is a tax, Mr. Speaker, in spite of whatever else it is called—but we are putting a tax only on writs and complaints and petitions. Those are the things that initiate civil actions.

For those who do not know, a financing statement does not initiate a civil action. It is a one-time filing in the courthouse. A complaint and a petition and a writ initiate a civil action that not only takes filings, but there could be interrogatories; there could be all kinds of filings to this file, and that is what makes the business of the court, not a financing statement or a judgment note.

So I ask that you vote positive on this amendment.

POINT OF ORDER

The SPEAKER. On the amendment, Representative Caltagirone from Berks is recognized.

Mr. CALTAGIRONE. Mr. Speaker, I would like to raise a point of order.

The SPEAKER. State your point of order.

Mr. CALTAGIRONE. Whether or not this amendment could be added to the bill considering the previous amendment that had been approved by this body?

The SPEAKER. The Chair is unable to hear the question. Will you repeat the question?

Mr. CALTAGIRONE. The amendment appears to be inconsistent with the previous amendment that was just approved.

The SPEAKER. Will the House please be at ease.

The Parliamentarian indicates that any inconsistency that might prevail because of the adoption of each of the amendments would be resolved in favor of the Dempsey amendment which would be second adopted, if in fact it is adopted, and we do not consider the amendment to be out of order.

The Chair recognizes the gentleman, Mr. Dempsey.

Mr. DEMPSEY. Thank you, Mr. Speaker.

The SPEAKER. Representative Caltagirone from Berks is recognized on the amendment.

Mr. CALTAGIRONE. I would like to interrogate the maker of the amendment.

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

Mr. DEMPSEY. Certainly.

Mr. CALTAGIRONE. How many fees will there be, Mr. Speaker, in the register of wills office for each action?

Mr. DEMPSEY. I have no idea. That is your part of the bill.

Mr. CALTAGIRONE. Is that part of your amendment?

Mr. DEMPSEY. No.

Mr. CALTAGIRONE. If I may, Mr. Speaker, the last sentence of your amendment: “An additional fee of \$5 shall be charged and collected by all registers of wills and recorders of deeds for any transaction for which a fee, charge or cost is now authorized.”

Mr. DEMPSEY. That was part of your original bill, sir.

Mr. CALTAGIRONE. That is part of your amendment. I am just reading from your amendment.

Mr. DEMPSEY. And it was also part of your original bill.

Mr. CALTAGIRONE. But that is part of your amendment.

Mr. DEMPSEY. That is right. So I cannot answer you the question, since you wrote the bill.

Mr. CALTAGIRONE. For each short certificate, will there be a separate fee?

Mr. DEMPSEY. I have no idea. You wrote the bill, sir. You should know that.

Mr. CALTAGIRONE. It is your amendment and you included that in your amendment.

Mr. DEMPSEY. Because it was part of the original bill.

Mr. CALTAGIRONE. It is not in the bill now. That is part of your amendment, sir.

Mr. DEMPSEY. Then if it is part of the bill and it says it will be covered, it will certainly be covered; that is right, because your bill says that any filing where a cost is charged, the \$5 will be assessed.

Mr. CALTAGIRONE. For each short certificate then—

Mr. DEMPSEY. For anything that is purchased in the register’s and recorder’s offices. Anything where a fee is charged.

Mr. CALTAGIRONE. The fee will go from \$2 to \$7, according to your amendment.

Mr. DEMPSEY. That is exactly right; exactly right.

Mr. CALTAGIRONE. According to your amendment.

Mr. DEMPSEY. According to your bill, too.

Mr. CALTAGIRONE. I ask for the defeat of his amendment, because I think it is thoroughly inconsistent with the previous amendment that had been passed.

The SPEAKER. The question is on the amendment. On that question, Representative Hess from Bedford is recognized.

Mr. HESS. Thank you, Mr. Speaker.

In answer to the maker of the bill, I think, as he said, if Mr. Dempsey’s amendment is flawed, then his bill will be flawed also. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—84

Adolph	Dietterick	Kenney	Rudy
Allen	Dininni	Kosinski	Saurman
Angstadt	Distler	Lashingner	Scheetz
Argall	Donatucci	Lee	Schuler
Barley	Dorr	Marsico	Semmel
Birmelin	Fairchild	Merry	Smith, B.
Black	Fargo	Micozzie	Smith, S. H.
Bortner	Farmer	Miller	Snyder, D. W.
Brandt	Foster	Moehlmann	Snyder, G.
Bunt	Fox	Nahill	Stairs
Burd	Freind	Nailor	Strittmatter
Burns	Gannon	Noye	Taylor, E. Z.
Bush	Geist	O'Brien	Taylor, J.
Carlson	Gladeck	Olasz	Telek
Chadwick	Godshall	Oliver	Tigue
Clark, B. D.	Gruppo	Perzel	Vroon
Clymer	Herman	Piccola	Wass
Cornell	Hershey	Pitts	Weston
Coy	Hess	Reber	Wogan
Davies	Jackson	Reinard	Wozniak
Dempsey	Jadlowiec	Robbins	Wright, J. L.

NAYS—112

Acosta	Evans	Lescovitz	Ritter
Battisto	Fee	Levdansky	Robinson
Belardi	Fleagle	Linton	Roebuck
Belfanti	Flick	Lloyd	Ryan
Billow	Freeman	Lucyk	Rybak
Bishop	Gamble	McCall	Saloom
Blaum	George	McHale	Scrimenti
Bowley	Gigliotti	McNally	Serafini
Boyes	Gruitza	Maiale	Staback
Broujos	Hagarty	Maine	Steighner
Caltagirone	Haluska	Markosek	Stish
Cappabianca	Harper	Mayernik	Suban
Carn	Hasay	Michlovic	Tangretti
Cawley	Hayden	Morris	Taylor, F.
Cessar	Hayes	Mowery	Thomas
Civera	Howlett	Mrkonc	Trello
Clark, D. F.	Hughes	Murphy	Trich
Clark, J. H.	Itkin	O'Donnell	Van Horne
Cohen	James	Pesci	Veon
Colaella	Jarolin	Petrarca	Wambach
Colaizzo	Johnson	Petrone	Williams
Cole	Josephs	Phillips	Wilson
Corrigan	Kaiser	Pievsky	Wright, D. R.
Cowell	Kasunic	Pistella	Wright, R. C.
DeLuca	Kukovich	Pressmann	Yandrisevits
DeWeese	LaGrotta	Preston	
Daley	Langtry	Raymond	Manderino,
Dombrowski	Laughlin	Richardson	Speaker
Durham	Leh		

NOT VOTING—6

Gallen	Kondrich	Melio	Rieger
Heckler	McVerry		

EXCUSED—1

Letterman

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

On the question recurring,

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

Mr. HESS offered the following amendments No. A2528:

Amend Bill, page 3, by inserting between lines 11 and 12 Section 4. This act shall expire when the sum of \$80,000,000 has been deposited into the Judicial Computer System Augmentation Account.

Amend Sec. 4, page 3, line 12, by striking out "4" and inserting

5

On the question,

Will the House agree to the amendments?

The SPEAKER. On the Hess amendment, Representative Hess is recognized from Bedford County.

Mr. HESS. Thank you, Mr. Speaker.

Mr. Speaker, this amendment just merely puts a cap on the amount of money that can be collected through this system. I think the bill is very much flawed from the standpoint that it is not sunsetted nor is there a cap on it. According to a Maximus report on the Commonwealth's unified judicial system, they state there that they need a maximum of \$80 million to implement this system. As you know, in most systems, you add something for unknown factors, and I am sure that the \$80 million would cover implementing this system.

I would ask for passage of this amendment. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—202

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

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

NAYS—0

NOT VOTING—0

EXCUSED—1

Letterman

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

On the question recurring,

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

Mr. BORTNER offered the following amendments No. A2135:

Amend Title, page 1, line 4, by striking out "IMPOSING ADDITIONAL FEES;"

Amend Sec. 1 (Sec. 3733), page 2, lines 9 through 25, by striking out all of said lines

On the question,

Will the House agree to the amendments?

The SPEAKER. On the amendment, from York County, Representative Bortner is recognized.

Mr. BORTNER. Thank you, Mr. Speaker.

What my amendment would do would be to remove all the language in the bill that provides for the additional \$5 fee that is to be charged or added to civil filings as well as fines in criminal cases and cases before the minor judiciary. I would point out that this does not affect the language of the bill which provides that the Fish Commission and the Game Commission would receive their share of excess fines and costs.

In my opinion, some time ago we started a bad practice of continuing to fund things that we want by adding costs and fees, particularly in criminal cases, civil cases. If you look back over several of the issues we have taken up, I think you can see this.

It has been pointed out that one of the things we do, I think, is make it that much more difficult for people to have access to courts when we continue to add fees for filing civil cases. Earlier this week we imposed additional fines, significant fines, on traffic cases to fund the CAT Fund. Here we are providing a \$5 fee to fund judicial computers.

I am not opposed to the concept of having computerization of the minor judiciary. I think if we want to do it, we ought to appropriate the money and not try to do it through the back door.

I might just point out that although I think you frequently look at this and think that, well, this does not affect me; it is

going to affect somebody else, sooner or later I think everybody here is going to get a call from somebody like I did a couple weeks ago who was stopped because he had been a couple days over in getting his inspection sticker renewed. After going to the district justice and finding out that he had a \$10 fine because he was only a couple days past the deadline, he ended up paying in excess of \$40 because of the costs that were added.

I think this just makes that situation worse. If we want the computers, let us pay for them. Let us not continue to put additional fines and costs on these many, many cases.

I might also point out—and I think the prothonotaries can speak to this point—I think you are going to hear from the people who have to collect these fees and separate the accounts that it is a real pain in the neck from an administrative point of view as well.

I would urge you to adopt my amendment and would appreciate your support. Thank you.

The SPEAKER. The Chair recognizes, on the amendment, from York County, Representative Snyder.

Mr. G. M. SNYDER. Thank you, Mr. Speaker.

As a cosponsor of HB 247 as it was originally introduced, I rise to ask the members to support and vote for the amendment now under consideration.

I think that the way this bill has been amended, the costs and the additional fees that are attempted to be put onto our constituents who are seeking justice in our court system or who in fact are involved in our court system, because we have passed laws saying they have got to be involved in our court system—our estate administration laws are a good point—I think the fees we are attempting to increase are far in excess of what they should be. I think the purpose, the justification we are trying to use to increase these fees is tenuous at best in many of these kinds of court filings.

I applaud the gentleman on the introduction of this amendment. I ask that you support it. Thank you.

The SPEAKER. On the question of agreeing to the amendment, the minority leader is recognized, Mr. Ryan.

Mr. RYAN. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose the amendment for a number of reasons. One, this is not something that is unusual or different to us. We earmark money that we get from the gasoline tax for use— The people who use the roads pay for the roads. The hunting stamps that are sold for the Game Commission, they are used for the betterment of the people who use the forests of Pennsylvania. The same thing is true with the Fish Commission and the revenues from that source. Why should it be any different with the people who use the courts?

That is the practical answer that I would give you, but there is one that is even more practical, if there is such a word, and that is, if we do not have the \$5.4 million that is to be generated from this source, I tell you, after spending almost a month with your leaders, our leaders, and the Senate leaders, trying to squeeze \$5.4 million out of the budget will be more painful than charging the \$5 and dollar and a half to the people who are using the court system.

Why it should come out of the General Fund is beyond me. I do not know whose ox will be gored. Shall we take it out of the welfare line? Shall we take it out of the education line? Shall we take it out of the repayment of special ed to your school districts? Shall we take it out of the allocation for the homeless or for the AIDS (acquired immune deficiency syndrome) victims? From where do we take this \$5.4 million? I think we take it from the people who are using the system, and that is the person who is filing a complaint, filing a petition, entering a judgment. That is the beneficiary of the computer, and there is no reason in this world why they should not pay for its use.

Thank you, Mr. Speaker.

The SPEAKER. On the amendment, from Montgomery County, Representative Reber is recognized.

Mr. REBER. Thank you, Mr. Speaker.

Mr. Speaker, I concur in the remarks of Representative Bortner, and I am not going to elaborate on them or reemphasize them by repeating any of them, but I think it is important that the members of the General Assembly give them important credence, because they are absolutely correct.

I do not necessarily disagree with some of the remarks just made by the minority leader, but I do have to say that it is important to recognize that what this particular piece of legislation does is continue what I think has become an abusive trend by this body to pass off under the guise that people that are using the court system should pay for the system or people that in fact are causing some form or type of backlog, if you will, in the courts pay for it as well. I think that is an unfair concept to really continue to foster as an argument, because eventually what we are going to do, if we are not already doing it or if we have not already done so, is to really deny access to the court system for some people. What you have is a situation where not only do the people have to spend the money for the preparation of the documents that may have to be filed, the professional consultation or legal consultation that they might have to have, but you are also now making them make a choice: Do they then want to have that filed of record or do they want to move forward with the type of action that necessitates by this and by many other fees and costs that we are placing on them to move forward to have access to the system? I think if we do not begin to become cognizant of this particular concern that we are now causing with this trend that I personally have seen over the past few years here in the House and in the Senate and ultimately being enacted into law, we are sometime going to see a reverse collapsing, if you will, of the rights of these individuals, and I think we are going down the wrong road and we have to draw the line. And I am glad to see that Representative Dempsey and Representative Bortner have in fact moved in a positive fashion to, if you will, draw the line in the sand today and say enough is enough.

I am going to support the Bortner amendment, and with all due respect to the sponsor of the bill, the concept, I think we are treading into an area that we will soon, if we do not already, regret we moved in that direction. I would ask for support of the amendment.

The SPEAKER. The Chair thanks the gentleman.

FILMING PERMISSION

The SPEAKER. The Speaker announces for the information of the members that he is granting to WITF-TV and their camera crew the right to videotape on the floor of the House for the next 10 minutes. The camera crew and reporter are to the right of the Speaker in the far aisle.

CONSIDERATION OF HB 247 CONTINUED

The SPEAKER. The question now is on the amendment. On that question, Representative Caltagirone from Berks County is recognized.

Mr. CALTAGIRONE. Thank you, Mr. Speaker.

I think one point really should sink in and sink in well. If this amendment is adopted, it will create and compound the problem for the Fish and Game Commissions. What this will do is eliminate the possibility that we have presently in this bill that will allow the Fish and Game Commissions to be extracted out so that they do not continue to pay into the augmentation account. It is absolutely critical that this bill pass without this amendment. Thank you, Mr. Speaker.

The SPEAKER. The question is on the amendment. On that question, from Allegheny County, Representative Clark is recognized.

Mr. B. D. CLARK. Thank you, Mr. Speaker.

I rise in support of the amendment.

For a long time we have been told about this judicial computer system, that it would pay for itself, that it would be a reasonable cost, and the whole time the cost of the program has gone up. The real reason we are here today raising more money for the fund is that the Supreme Court has already entered into a contract for a computer vendor to provide these services, and I think before they should have entered into the contract, they should have had their funding in place, and I think that perhaps a novel idea, rather than tapping the General Fund as has been suggested, would be to go back to those vendors and say, this is all we have got, and this is all we are going to do in the way of a computer program.

I do not think we should continue to create these kinds of programs that give blank checks for bureaucrats who do not answer to the public to continue to go out and contract for services. I mean, we just capped this thing at \$80 million in this judicial fund, and my suspicion is that that will never be enough, that they will continue to come back to this General Assembly. As far as the costs on these kinds of programs now, when you look at nontraffic citations and traffic citations, in most cases the costs exceed the fines already, so the costs that we have added need to stop, and I think today we should stop them.

I urge support of this amendment.

The SPEAKER. On the amendment, Representative Dempsey from Lycoming County is recognized.

Mr. DEMPSEY. Thank you, Mr. Speaker.

I rise to support the Bortner amendment. I must take issue with my leader. To compare access to State parks and to fish and game to access to the courts is absolutely ridiculous. Nobody is forced to go to a State park; nobody is forced to go to a State gameland, but if you want relief in the legal system, you must go to the courts of Pennsylvania. This is a user fee that we are putting on here, regardless of what it is called in the bill.

I agree with Representative Bortner. I think that it is going against access to the freedom of courts, and I ask for a positive vote for Mr. Bortner.

The SPEAKER. The question is on the amendment. On that question, Representative Ryan is recognized.

Mr. RYAN. Mr. Speaker, I am not totally familiar with the numbers that are being used here today. I am going to assume that the number \$80 million is an accurate number which reflects the amount of money or debt, really, that has been incurred by the judiciary in connection with updating the judicial system in Pennsylvania, and I am suggesting to you that what we are talking about today is not the \$5.3 or \$5.4 million that is generated in any one year by these payments, but rather we are talking about who is going to pay for 80 million dollars' worth of equipment for the judiciary of Pennsylvania. They have apparently ordered it, and they did it with our knowledge, and it has got to be paid for.

Now, it seems to me that the people who use the system should pay for the 80 million dollars' worth of equipment. I do not know that it is a whole lot different than using the roads, and really, I do not think it is a whole lot different than going to the park or going hunting. Sometimes you have a choice whether you want to go to court or not; you are a plaintiff. These charges are incurred by plaintiffs, by the moving party is the way I read the bill. Now, most people do not want to go to court, but when they go, they believe they have a reason to go, and I do not think the \$5 is going to stop them.

Now, mention has been made, I believe it was by Mr. Bortner, that here the other day we laid on the violators of the laws of Pennsylvania another \$5 for speeding or \$40 in the extreme case. What is wrong with that? Would you rather that money come from the pockets of the general public, who have not violated the law? I do not think, if you think of it in that sense, you would agree that what we did was wrong, nor do I think that when you charge your Appropriations Committee and other people with finding the money for programs, you are going to be happy if \$5 million more is taken out of programs that really are in need of all the money they can get to substitute for the \$1.50 and \$5 that is being requested to be put into the fund to pay for this debt out of every action that is filed. It is really a question of equity, I guess, which is a legal term. Should the general public, maybe the public who does not even use the courts, pay this \$5 million out of the General Fund, or should those who use the courts pay the \$5 million per year out of their pockets as they file their petitions and complaints?

The SPEAKER. On the amendment, from Bucks County, Representative Heckler is recognized.

Mr. HECKLER. Thank you, Mr. Speaker.

I think we all confront a dilemma. The arguments just made by Mr. Ryan are reasonable, responsible arguments. We are in a dilemma. We have to find funding for this commitment that has been made. Representative Caltagirone has made efforts to resolve this particular dilemma as best he can.

I would submit, however, that we made a very serious mistake when this legislature passed legislation which chose to fund this massive commitment by the Supreme Court in this fashion. I for one am deeply troubled by being confronted with the specter of the Supreme Court coming back to us with the Game Commission held hostage, which is the dilemma we are in now, and quite correctly, the Game Commission needs immediate action on this legislation in order to resolve their particular funding dilemma. However, I deeply resent being put in that position. I seriously question the rationale of funding this computer system, which may or may not be a prudent and proper expenditure, in this fashion.

For that reason, rational or not, I am going to vote for the Bortner amendment.

The SPEAKER. The question is on the amendment. On that question, for the second time, from York County, Representative Snyder is recognized.

Mr. G. M. SNYDER. Mr. Speaker, would the gentleman, Mr. Caltagirone, stand for a brief interrogation?

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

Mr. G. M. SNYDER. Thank you.

Mr. Speaker, I am trying to understand what you said in your earlier remarks regarding this particular amendment. Did you say that the passage of this amendment would somehow adversely affect the funds allocated to either the Pennsylvania Fish or Game Commission?

Mr. CALTAGIRONE. Yes, in that if this money is extracted out of the amendment that would provide the court with a funding mechanism to pay for the judicial computerization, it would have a direct impact on the Game and Fish Commissions, because that is where the money is going to be coming from to make up part of the loss that is going to be incurred, by extrapolating them out.

Mr. G. M. SNYDER. But, Mr. Speaker, is it not so that if the Bortner amendment passes and then the bill itself passes without further amendment, in fact the specific language of the bill will indeed mandate that the moneys that were previously allocated to the Fish and Game Commissions will indeed have to go to those commissions as opposed to going for some other purpose?

Mr. CALTAGIRONE. If the amendment passes the way it is, it will eliminate the computerization system that had been previously approved by this General Assembly. The money is going to have to come from somewhere.

Mr. G. M. SNYDER. But, Mr. Speaker, is it not correct that my reading of this bill as it was introduced was indeed to make sure that the moneys collected were allocated to the

proper commissions and departments and for the proper purposes, and is not the bill as introduced designed to make sure that the Fish and Game Commissions get those allocated funds as opposed to them being used for some other purpose, whether for a judicial computer system or otherwise?

Mr. CALTAGIRONE. My previous answer still holds. The money has to come from somewhere.

Mr. G. M. SNYDER. Thank you, Mr. Speaker.

I am completed with my interrogation. May I speak briefly on the amendment?

The SPEAKER. You are in order to speak on the amendment.

Mr. G. M. SNYDER. Thank you, Mr. Speaker.

The Bortner amendment in no way affects the language presently in the bill regarding what I hope is the intent of the General Assembly, and that is that the moneys allocated to the Fish and Game Commissions will actually go to those commissions. In fact, that is the intent of the bill as it was introduced, because those moneys were not going either to the Fish and Game Commissions or for emergency medical services. The present amendment that we are considering will have absolutely no impact on that language. All this amendment does is delete the increase in the costs and fees and fines paid through the county court systems, in some cases in excess of 100 percent.

I again ask for the support of the present amendment. Thank you.

The SPEAKER. The question is, will the House agree to the amendment? On that question, for the second time, Representative Bortner from York County is recognized.

Mr. BORTNER. Thank you, Mr. Speaker.

I would like to follow up on several points.

First of all—and I think this is a point that has been made very well by Representative Snyder—Representative Caltagirone has introduced a red herring into this debate when he suggests that the amendment that I have offered would somehow affect the language of the bill that would allow the Fish Commission and the Game Commission to keep their fines. It does not do that. My amendment only eliminates the language that is on the second page of the bill that starts with “Additional fees” and would not in any way affect the language that deals with the Fish and Game Commissions.

I would like to also address some of the comments made by the minority leader concerning who should pay for the courts. It seems to me, if you take that logic or if you take that argument to its logical extreme, you would have to ask why we appropriate any money for the courts, and when we finally get a budget this week and you see how much we are appropriating for the courts, you may ask yourself why we do not pass all that cost off to the people that use the system. I think it is clear, because providing a court system is a way that we have set aside to resolve our differences in a civilized way. So I find the argument that we should now pass off particular costs, computer costs, to, quote, “users of the system” to be a little bit inconsistent with what we already do.

Finally, I would just like to ask you to hearken back to the days that we first became involved with this issue. The whole concept behind the paying for the computers was that they would pay for themselves. They were going to generate enough additional costs and collections that we would incur no expense, that they would pay for themselves. Now we are back being asked to impose a fee of \$5 to pay for computers for the minor judiciary. I am suggesting to you that we may not have heard the end of this. We may in fact be back here again asking to appropriate some additional fees and some additional costs. This could become another CAT Fund (Catastrophic Loss Trust Fund).

I might suggest that this is a good time to just step back from this issue and reexamine where we are going with this whole idea of computerization. As I said, I am not opposed to the Supreme Court having computerization. I think, though, that we ought to look at this issue, what kind of expense we are incurring, and what kind of expenses we may be incurring for the future. Thank you, Mr. Speaker.

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

Mr. LLOYD. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose the amendment.

I think what Mr. Ryan said in his first comments was absolutely on point, and we are losing sight of that in this whole debate. There is \$5 million here at stake. We know that the budget negotiations are difficult. If we pass this amendment, that is a \$5-million hole. Yes, you can argue about whether this particular thing should have a fee or that should—and this bill is going to get restructured, in all likelihood—but if you do not want to start cutting an already tight budget and if you do not want your appropriation to be the one that is cut, then I suggest you defeat this amendment, and let us get this bill over to the Senate. Thank you, Mr. Speaker.

The SPEAKER. The question is on the amendment. On that question, Representative DeWeese, the majority whip, is recognized.

Mr. DeWEESE. Mr. Speaker, I would like to concur with the observations of the doyen from Delaware, Mr. Ryan, and with the chairman of the Judiciary Committee, Mr. Caltagirone. We have an \$80-million crisis over the next 8 years. There is an absolute budgetary imperative that cannot be avoided or circumvented. I think the argumentation on the other side of the issue is substantial, but nevertheless, I feel that for the fiscal prudence of our current endeavors going on right now as we talk, it would be circumspect for us to vote against the Bortner amendment and to embrace the position as enunciated by Mr. Caltagirone. Thank you.

The SPEAKER. On the question of the amendment, for the second time, from Lycoming County, Representative Dempsey is recognized.

Mr. DEMPSEY. Thank you, Mr. Speaker.

Mr. Speaker, again I rise to support the Bortner amendment.

About two sessions ago, we passed or you passed—I was not here—Act 64, which was supposed to be the start of the funding of the computer system. At that time the act was freeing all costs and fines, and anything over a certain amount was then to go to the judicial system to fund the computer system. This amount, I believe, at the time was targeted at being \$4,300,000. Since that time there have been some costs and some fines that have been withdrawn. However, last year, according to Mr. Caltagirone, that produced somewhere between \$2 1/2 and \$3 million. The analysis for this year is somewhere around \$4 million. I am afraid, the same as some of the other speakers have said today, that we are starting down a path of no return; that this is just the beginning of many, many more items that we are going to have to face to fund this so-called judicial computer system.

I would ask the members to remember the problems we have had before when we have mandated user fees and costs to our constituents, and again I ask for a positive vote on the Bortner amendment.

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

Mr. KUKOVICH. Thank you, Mr. Speaker.

I had not intended to speak on this amendment, but it is so rare that I get to agree with the minority leader on an issue that I thought I would take the opportunity to do so. I think this amendment should be voted down. Secondly, I want to clarify what Representative DeWeese said. Sometimes I do not understand him myself, but he asked for a “no” vote also.

What I am concerned about is the possibility of creating a huge loophole in our budget. Now, I do not necessarily disagree with what Representative Bortner is trying to do—that might be laudable—but what we have done in the past for reasonable purposes is eliminate things like the Crime Victims Compensation Board from any fee, eliminate Crime and Delinquency. The emergency medical services operating fund has been eliminated. Domestic violence shelters are not to be affected. So what we have come up with in this language on page 2, beginning with line 9, is an additional fee to help pay for this. If we do not do it, we will be falling into the same trap that we fell into some years before and now owe, according to our State Supreme Court decision, potentially in excess of \$400 million. The figures could be, if we pass this bill with this amendment, another \$80 million that we are going to eventually have to pay for.

I think the bill as drafted is reasonable. I ask you to vote “no” on the Bortner amendment.

The SPEAKER. The question is on the amendment. On that question, Representative Clark from Allegheny County is recognized.

Mr. B. D. CLARK. Thank you, Mr. Speaker.

I think some of the speakers are giving us the wrong impression behind this contract. There is one clause in the contract that says if the General Assembly does not decide to go forward with the computerization project, we are not obli-

gated to expend all that money, so I do not think that there is automatically created a big hole in our budget or a big hole that needs to be made up.

There are a lot of other clauses in that contract that we need to be aware of. I have only had an opportunity to review it since last Wednesday, and I did not get to complete it, but there are sections that call for technology upgrades. As they create new and faster computers over the 7 or 8 years it takes them to implement this, you can be certain that the vendor on this job is going to try to sell it to the Commonwealth, escalating the cost even more. I can only wonder if all the speakers who are supporting this computer project would support it if we levied the fee on the lawyers and not the clients to pay for the system. It is only the majority whip that I wonder about on this amendment.

I would urge the support of this amendment so we can pull the plug on this project before it goes over the \$100-million mark.

The SPEAKER. Prior to calling on additional speakers on the amendment, the Chair would like to ask Representative Itkin to preside temporarily for the Speaker.

THE SPEAKER PRO TEMPORE (IVAN ITKIN) IN THE CHAIR

The SPEAKER pro tempore. Will the House agree to the Bortner amendment? On the question, the Chair recognizes the chairman of the Judiciary Committee, the gentleman from Berks, Mr. Caltagirone.

Mr. CALTAGIRONE. Mr. Speaker, there has been a lot of misinformation and bad information that has been given about this project. I would like to set the record straight.

There will be no money spent on this project unless it is appropriated annually first in the typical, traditional appropriations process. No matter how much money is raised from this bill—and we anticipate that it is about \$5.3 million—not one penny of it will be appropriated until it is approved in the augmentation account, and the language says that the money has to be approved that way, and it goes through the budget process. Therefore, this House of Representatives does have oversight on every single dollar that is spent.

Every contract that is entered into in this project, under the terms of Act 64 of 1987, must be reviewed by each of the Appropriations Committees before it is entered into. So far there have been two contracts, and they have been reviewed and approved by the full Appropriations Committee in both the House and the Senate. This also appears to me to be direct legislative oversight. The bottom line is that there is more oversight on this project directly from the legislature than there is typically of any other program that I can think of. There is a vast amount of oversight directly from the legislature as to what we are doing.

The State steering committee is the body that oversees the entire project. The committee is chaired by a justice from the Supreme Court. The membership contained therein is a representative from the Speaker of this House; the President pro

tem from the Senate; from the business community, there are experts in data processing; and from the academic community, there are experts in both State Government and data processing; and there are members from all levels of the judiciary, including the district justice and common pleas, Commonwealth, and Supreme Courts, as well as a member from the Governor's Budget Office. This to me represents a balance from both the private and governmental sectors as well as a balance of both Democrats and Republicans.

In terms of working on the contract, the developing and awarding of said contract - IBM - and the implementation, which is in the first phase on the district justice level, is only the first step towards total integration of the system.

Mr. HESS. Mr. Speaker?

The SPEAKER pro tempore. For what purpose does the gentleman from Bedford, Mr. Hess, rise?

Mr. HESS. Mr. Speaker, I think the maker of the bill is not speaking on the amendment. I think he is speaking on the bill.

The SPEAKER pro tempore. The gentleman is correct. The speaker must pertain exclusively to the issue of the House, which is the amendment.

Mr. CALTAGIRONE. Thank you, Mr. Speaker.

The amendment does exactly what I have been telling you it will do. We have come very far along the process. You cannot throw out what we have already begun to do. Where we are now with this process is allowing the courts and the computerization to collect the outstanding moneys and fines that are due and owed. As one example—and I will end with this example—the gentleman from Lycoming County had said to me just yesterday that before computerization in his county, they were collecting 20 percent; after computerization had taken place, they were taking in 66 percent. I think that speaks well of the issue that we are faced with here today.

I ask for a "no" vote on the Bortner amendment. Thank you.

The SPEAKER pro tempore. The Chair now recognizes the gentleman from Westmoreland, Mr. Manderino.

Mr. MANDERINO. Mr. Speaker, I was part of the original agreement, if you want to say, the original negotiations that took place on the judicial computer, and I felt constrained to leave the Speaker's rostrum to at least put some facts on the record that I think have been put on in a fashion but perhaps not as clearly as I would like to see them on record.

When we decided to fund the judicial computer, which is an expensive system, the debate indicated that the judicial computer was going to enhance the collections in various funds in various places where the judicial computer would aid in collections, and all of those funds were listed. The Fish and Game Commission fund was one of those funds where the fines were going to be collected at a better rate, and more money was going to go into the fund. The emergency medical services fund was being funded by certain highway violations, and that collection rate was going to go up, and that was all calculated. And one of the gentlemen said that we froze what those funds were receiving. We did not freeze. We took the amount that those funds were receiving; we took the increases

that they were experiencing each year, and we said, any collections over and above that we are going to attribute to the judicial computer system, and those moneys will pay for the judicial computer.

Well, this General Assembly passed that kind of legislation. Since we first passed that legislation and decided that that was the best way to pay for the judicial computer system, we have come back with legislation and exempted the Crime Victims Compensation Board from paying anything toward that computer; the Commission on Crime and Delinquency, which is fed by fines and costs, from paying toward the judicial computer. The emergency medical services operating fund, which also gets money from enhanced collections through the judicial computer—at least that is the scheme—we say they will not pay. This bill itself, HB 247, is going to exempt the Fish and Game Commissions from paying into the fund for the judicial computer.

Now, if this General Assembly, listening to those interest groups—and I am not saying we are wrong listening to those interest groups—saying, please do not take the enhanced collections from us; we should have had those to do our operations anyway, if we decide that that is what we want to do, fine, but there is a judicial computer that costs some \$80 million to pay for out there, and everybody in here who said that the General Fund is going to pay for it if we do not figure out a way to pay for it, and if we want a user fee to pay for it, the user fee is here. Those who use the court system, those who create the problem that needs to be remedied so far as delinquent collections are concerned, they will pay for the judicial computer. I think those facts should be put on the record in that manner.

As to the involvement of the Fish and Game Commissions, there is an involvement, Mr. Speaker, and that is if we are going to exempt the Fish and Game Commissions from paying any part of the cost of the judicial computer—and that is just that much of a bigger hole that we have in that fund that is going to pay for the judicial computer—and whether or not this bill would get the same votes, exempting the Fish and Game Commissions, in the House and the Senate if there was not a different way to pay for it—I am not sure; maybe it would get the same votes—but that would be the only involvement.

I think that those facts should be on the record and members should have those facts when they vote on this amendment and on final passage of the bill. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and congratulates the House for the attention to the last speaker.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—28

Angstadt	Clark, B. D.	Heckler	Smith, S. H.
Birmelin	Clark, D. F.	Lashinger	Snyder, G.
Bortner	Dempsey	Lee	Tigue
Boyes	Dininni	Perzel	Van Horne

Bush	Distler	Phillips	Wass
Cawley	Dombrowski	Reber	Weston
Chadwick	Geist	Reinard	Wright, J. L.

NAYS—171

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

NOT VOTING—3

Hughes	Linton	Ritter
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EXCUSED—1

Letterman

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

The SPEAKER pro tempore. The pro tem is happy to return the rostrum to the Speaker.

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

The SPEAKER. The Chair thanks the gentleman, Mr. Itkin, for presiding temporarily for the Speaker.

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—192

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

NAYS—8

Bortner	Chadwick	Geist	Reber
Boyes	Clark, D. F.	Phillips	Snyder, G.

NOT VOTING—2

Howlett	Maiale
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EXCUSED—1

Letterman

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

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

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **SB 1093, PN 1314**, entitled:

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

On the question,
Will the House agree to the bill on third consideration?
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—202

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

- | | | | |
|------------|----------|------------|---------------|
| Daley | Kasunic | Pressmann | Wright, J. L. |
| Davies | Kenney | Preston | Wright, R. C. |
| Dempsey | Kondrich | Raymond | Yandrisevits |
| Dietterick | Kosinski | Reber | |
| Dininni | Kukovich | Reinard | Manderino, |
| Distler | LaGrotta | Richardson | Speaker |

NAYS—0

NOT VOTING—0

EXCUSED—1

Letterman

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same without amendment.

* * *

The House proceeded to third consideration of **HB 663, PN 1830**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), known as the "Public School Code of 1949," providing for annual fire and safety inspections of school buildings.

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

Mr. SAURMAN offered the following amendment No. A2450:

Amend Sec. 1 (Sec. 510.2), page 3, by inserting between lines 25 and 26

(d) The board of school directors shall also arrange for instruction in the use of fire extinguishers located in the school, for all pupils, teachers and administrative personnel.

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

The **SPEAKER**. On that question, from Montgomery County, Representative Saurman is recognized.

Mr. SAURMAN. Thank you, Mr. Speaker.

Mr. Speaker, the idea for this amendment was given to me by students who said that these fire extinguishers exist in the school buildings and no one knows how to use them. All I am asking is that there be instruction in their use so that should they be needed, there would be an understanding of how they should be used. Thank you.

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

Mr. YANDRISEVITS. Mr. Speaker, I rise in opposition to the Saurman amendment.

Whether instruction in fire extinguishers is a reasonable idea or not, I do not want to go into at this point. The language in the bill was carefully worked on in the House Education Committee. It represents agreement concerning the safety of school buildings. This amendment deals more with the area of curriculum and instruction, and I think to add it to the bill at this point would just confuse the bill in the present form that it is in.

I would ask for a negative vote on the amendment.

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

The following roll call was recorded:

YEAS—127

Adolph	Durham	LaGrotta	Reber
Allen	Fairchild	Langtry	Reinard
Angstadt	Fargo	Lashinger	Robbins
Argall	Farmer	Lee	Rudy
Barley	Fleagle	Leh	Ryan
Belardi	Flick	Levdansky	Saurman
Birmelin	Foster	Lloyd	Scheetz
Black	Fox	McCall	Schuler
Blaum	Freind	McNally	Scrimenti
Boyes	Gallen	McVerry	Semmel
Brandt	Gannon	Markosek	Serafini
Broujos	Geist	Marsico	Smith, B.
Bunt	Gigliotti	Mayernik	Smith, S. H.
Burd	Gladeck	Merry	Snyder, D. W.
Burns	Godshall	Micozzie	Snyder, G.
Bush	Gruppo	Miller	Stairs
Carlson	Hagarty	Moehlmann	Strittmatter
Cawley	Hasay	Morris	Taylor, E. Z.
Cessar	Hayden	Mowery	Taylor, F.
Chadwick	Hayes	Mrkonic	Taylor, J.
Civera	Heckler	Nahill	Telek
Clark, D. F.	Herman	Nailor	Tigue
Clark, J. H.	Hershey	Noye	Vroon
Clymer	Hess	O'Brien	Wambach
Cornell	Jackson	Olasz	Wass
DeLuca	Jadlowiec	Perzel	Weston
Davies	James	Pesci	Wilson
Dempsey	Johnson	Phillips	Wogan
Dieterick	Kasunic	Piccola	Wozniak
Dininni	Kenney	Pistella	Wright, J. L.
Distler	Kondrich	Pitts	Wright, R. C.
Dorr	Kosinski	Raymond	

NAYS—73

Acosta	Daley	Linton	Rybak
Battisto	Dombrowski	Lucyk	Saloom
Belfanti	Donatucci	McHale	Staback
Billow	Evans	Maiale	Steighner
Bishop	Fee	Maine	Stish
Bortner	Freeman	Melio	Stuban
Bowley	Gamble	Michlovic	Tangretti
Caltagirone	George	Murphy	Thomas
Cappabianca	Gruitza	O'Donnell	Trello
Carn	Haluska	Oliver	Trich
Clark, B. D.	Harper	Petrarca	Van Horne
Cohen	Howlett	Petrone	Veon
Colaella	Hughes	Pievsky	Williams
Colaizzo	Itkin	Pressmann	Wright, D. R.
Cole	Jarolin	Preston	Yandrisevits
Corrigan	Josephs	Richardson	
Cowell	Kukovich	Rieger	Manderino,
Coy	Laughlin	Ritter	Speaker
DeWeese	Lescovitz	Robinson	

NOT VOTING—2

Kaiser Roebuck

EXCUSED—1

Letterman

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

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—201

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

NAYS—0

NOT VOTING—1

Haluska

EXCUSED—1

Letterman

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

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

* * *

The House proceeded to third consideration of **HB 763, PN 1831**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), known as the "Public School Code of 1949," providing for the offering of courses in labor history.

On the question,

Will the House agree to the bill on third consideration?

Mrs. LANGTRY offered the following amendment No. A1591:

Amend Sec. 1 (Sec. 1605), page 1, line 18, by inserting after "HISTORY"

in its objective entirety and instruction in economics as that subject relates to capitalism and the free enterprise system

On the question,

Will the House agree to the amendment?

The SPEAKER. On the question of the amendment, Representative Langtry from Allegheny County is recognized.

Mrs. LANGTRY. Thank you, Mr. Speaker.

Mr. Speaker, the bill that is before us would require instruction in labor history to be integrated into all relevant courses - in American history, American culture, and American government - in grades 9 through 12 in our schools.

My amendment just adds a few words to the bill which says that labor history shall be taught in its objective entirety, and it also says that instruction in economics as it relates to our free enterprise capitalistic system will also be included in the same manner.

I ask for the support of the House. Thank you, Mr. Speaker.

The SPEAKER. On the amendment, from Beaver County, Representative Colafella is recognized.

Mr. COLAFELLA. Mr. Speaker, I think there are some other people who would like to speak first.

The SPEAKER. Yes, but I have called on you.

Mr. COLAFELLA. Mr. Speaker, I yield. I yield, Mr. Speaker.

The SPEAKER. You may not have another chance to speak.

Representative Daley from Washington County is recognized.

Mr. DALEY. Thank you, Mr. Speaker.

I would like to interrogate the maker of the amendment.

Mrs. LANGTRY. Yes.

The SPEAKER. She indicates she will consent to interrogation. You may proceed.

Mr. DALEY. Mr. Speaker, could you explain to the General Assembly here the motivation behind including capitalism being taught and the free enterprise system in a labor history course.

Mrs. LANGTRY. Well, I think that our system of government and labor history are very much interrelated, very important in the history of the United States, business, however you want to relate it. I just want to see that if we are going to mandate that these things be taught in our schools, I think economics is equally as important as labor history. Okay?

Mr. DALEY. Do you agree that when you teach the labor movement—and being a former American history instructor when I taught the labor movement—that you have to teach the capitalistic system, the free enterprise system?

Mrs. LANGTRY. Mr. Speaker, I see this as an opportunity. If this House is going to mandate the teaching of labor history, it seems to me that education in our economic system is sadly lacking, and so I see this as an opportunity to have that taught in our schools.

Mr. DALEY. I do not think you really have answered the question. My question is, are they not the same subjects? When you teach labor history, you are going to teach about capitalism; you are going to teach about socialism; you are going to teach about free enterprise, laissez-faire economics, all those things, and I think what your amendment does is further complicate the situation.

Mrs. LANGTRY. Mr. Speaker, I do not believe that you can have— In the system of freedom and free economics, that is where labor history or labor is able to survive. You simply in this system, this democratic system that we have, you must have a free economic system and you must have an opportunity for labor also. You just— I do not see how you can separate one from the other.

Mr. DALEY. Mr. Speaker, then I am saying to you that is absolutely right, and your amendment is not necessary, because you cannot separate one from the other. When you teach the labor movement, you are going to teach about capitalism and the free enterprise system. I think your amendment is absolutely unnecessary.

Mrs. LANGTRY. Well, in that case, Mr. Speaker, the bill is unnecessary.

Mr. DALEY. Mr. Speaker, may I make comment on the amendment?

The SPEAKER. The gentleman is in order to comment on the amendment.

Mr. DALEY. I think the last comment of the speaker further exacerbates the problems that have always existed among certain parties that want to place an adversarial relationship between business and labor. It is unfortunate that this bill has been placed in that crossfire. Obviously, by the last speaker saying that this bill is really unnecessary, really identifies that she says that her amendment is unnecessary also.

So I urge a negative vote on the Langtry amendment.

The SPEAKER. The question is on the amendment.

Mrs. LANGTRY. May I speak a second time on the amendment?

The SPEAKER. The lady is in order to speak for the second time on the amendment.

Does the lady seek recognition to speak for the second time on the amendment?

Mrs. LANGTRY. No, Mr. Speaker.

The SPEAKER. Not at this time. I thought you might say that.

The question is on the amendment. On that question, the Chair calls on Representative Cowell from Allegheny County.

Mr. COWELL. Thank you, Mr. Speaker.

Would the lady consent to interrogation, please?

Mrs. LANGTRY. Sure.

Mr. COWELL. Mr. Speaker, the language in the amendment would add to language in the bill that requires instruction in labor history to be included in certain curriculum materials. Your amendment speaks to "in its objective entirety," and that would amend the words "labor history." Could you tell us what "its objective entirety" means?

Mrs. LANGTRY. Yes, Mr. Speaker.

As I envision it, it means all elements of labor history. The course is to be, as I see from the bill, written by the Secretary of Education, and I do not want to see just, for instance, one part of labor history included. I want to see the whole history of labor as it relates to the courses in which it is to be integrated. I want all of it taught, if we are going to teach labor history, and not just certain parts of it.

Mr. COWELL. So in other words, you want all sides of labor history to be presented.

Mrs. LANGTRY. Excuse me. Would you repeat the question?

Mr. COWELL. In other words, you want all sides of labor history to be presented. That is what you mean by "in its objective entirety."

Mrs. LANGTRY. Well, if labor history is to be taught in our schools, our children have impressionable minds; they have a lot to learn. I just want to see that it is taught objectively.

Mr. COWELL. But you do not feel that that same principle of objective entirety should apply to the teaching of economics?

Mrs. LANGTRY. Economics is our American system under our free democratic system.

Mr. COWELL. Well, I do not want to debate what system we have now, but am I correct in understanding that you want labor history to be taught in a broad sense, all sides being represented, its objective entirety, but in the case of economics, you only want it taught as it relates to capitalism and the free enterprise system and not any other phases of economics?

Mrs. LANGTRY. Mr. Speaker, the system under which we live in this country is the free enterprise system, and I would just like to see that our children learn and understand that system.

Mr. COWELL. I just want to make sure that I understood that you want labor history taught in a broad sense, different facets, different approaches, but economics only the one view. Is that correct?

Mrs. LANGTRY. Economics could also be taught in its objective entirety.

Mr. COWELL. Thank you, Mr. Speaker.

The SPEAKER. The question is, will the House agree to the amendment? On that question, from Philadelphia, Representative Thomas is recognized.

Mr. THOMAS. Mr. Speaker, may I interrogate the sponsor of this amendment?

Mrs. LANGTRY. Yes.

The SPEAKER. She indicates she will consent.

Mr. THOMAS. Mr. Speaker, do you see your amendment as being one of legislative authority or one of curriculum development?

Mrs. LANGTRY. This bill, Mr. Speaker, would mandate the teaching of labor history and economics, the original bill. It mandates the teaching of labor history. My amendment would add on to that by mandating economics.

Mr. THOMAS. Okay. But your amendment seems to run to content and not authority, and on the question of content, I think that content can adequately be addressed through curriculum development and not legislative authority.

Mrs. LANGTRY. Well, surely the teaching of labor history is content. That is in the original bill that I am merely amending.

Mr. THOMAS. Well, I think that the bill adequately addresses your concerns. It is just that when you start talking about the broad spectrum and identifying subject matter that should come under that spectrum, that is left to curriculum, not legislative authority.

The other concern that I have is I do not think that the language in your amendment provides any clear guidance as to what it is that you really want.

Mr. Speaker, I ask that this amendment be voted down for those two basic reasons. One, it fails to provide clear guidance as to what it is, what the intent of the maker is; and secondly, when I hear the concerns of the maker of the amendment, it is my opinion that those concerns are concerns that are better left to curriculum development and not legislative authority. Thank you.

The SPEAKER. The question is, will the House agree to the amendment? On that question— Oh, Mr. Colafella. The Chair recognizes Representative Colafella from Beaver County for the second time.

Mr. COLAFELLA. Thank you, Mr. Speaker.

Mr. Speaker, I think Mrs. Langtry's amendment is a good amendment. I think that today in 1989 business and labor work together, and I think this amendment is appropriate. I think that the youngsters in grades 9 through 12 will have an opportunity to learn a little bit more about how labor and management work together.

I would appreciate an affirmative vote on this amendment.

The SPEAKER. The Chair recognizes, on the question, Representative Hayes, the minority whip, from Huntingdon County.

Mr. HAYES. Thank you, Mr. Speaker.

I agree completely with the gentleman, Mr. Colafella. We are talking about the American economic system. Obviously, obviously a part of that is labor history. As some of the previ-

ous speakers said, you cannot really teach about the American economic system, which is a capitalistic system, without teaching about labor history. But I really do not believe that lawmakers in Pennsylvania here in this country should be splitting hairs about whether we want the Langtry amendment or whether we do not. The American economic system provides room for instruction in capitalism and, as Mr. Daley said, other types of economic philosophy as well, and certainly in Pennsylvania, one of the strong labor States of this Union, there is room for labor history.

So I suggest that we adopt the Langtry amendment and we also certainly support HB 763.

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

Mr. BELFANTI. Very quickly, Mr. Speaker, I believe the amendment is drafted very poorly. Economics is a quantitative course in and of itself. It is not something that can be inserted into another course as is the case with labor history. I believe that the Representative would have been better served by simply adding to the words "labor history" the subject, the additional subject of capitalism and the free enterprise system.

I would just like the record to reflect and hopefully the Reference Bureau will include in the final makeup of the legislation my remarks that we are not talking or we should not be talking about a quantitative economics course, which is impossible to fit into the curriculum of a high school student.

I have serious difficulties with the amendment. I am not going to ask for a "no" vote, but I think it is very poorly drafted and would hope that somewhere in the Senate the language is cleaned up so that it reflects that we are talking about a course in labor history and business history. Thank you.

The SPEAKER. The question is on the Langtry amendment, and on that question, from York, Representative Dorr is recognized.

Mr. DORR. Mr. Speaker, very briefly. By adoption of the Langtry amendment, the members have an opportunity to adopt one of the top recommendations of the Governor's Conference on Small Business, which urged instruction in our public schools on the free enterprise system.

I would urge the members to vote in favor of this amendment as an opportunity to adopt that recommendation of the Small Business Conference.

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

The following roll call was recorded:

YEAS—166

Adolph	Dietterick	Kosinski	Reinard
Allen	Dininni	Kukovich	Rieger
Angstadt	Distler	LaGrotta	Ritter
Argall	Donatucci	Langtry	Robbins
Barley	Dorr	Lashingier	Rudy
Battisto	Fairchild	Lee	Ryan
Belardi	Fargo	Leh	Saloom
Belfanti	Farmer	Lescovitz	Saurman
Billow	Fleagle	Lloyd	Scheetz
Birmelin	Flick	Lucyk	Schuler
Black	Foster	McCall	Scrimenti

Blaum	Fox	McNally	Semmel
Bortner	Freind	McVerry	Serafini
Bowley	Gallen	Maiale	Smith, B.
Boyes	Gamble	Maine	Smith, S. H.
Brandt	Gannon	Markosek	Snyder, D. W.
Broujos	Geist	Marsico	Snyder, G.
Bunt	George	Mayermik	Staback
Burd	Gigliotti	Melio	Stairs
Burns	Gladeck	Merry	Steighner
Bush	Godshall	Micozzie	Strittmatter
Caltagirone	Gruitza	Miller	Stuban
Cappabianca	Gruppo	Moehlmann	Tangretti
Carlson	Hagarty	Morris	Taylor, E. Z.
Carn	Harper	Mowery	Taylor, J.
Cawley	Hasay	Mrkonic	Telek
Cessar	Hayden	Murphy	Thomas
Chadwick	Hayes	Nahill	Tigue
Civera	Heckler	Nailor	Trello
Clark, B. D.	Herman	Noye	Trich
Clark, D. F.	Hershey	O'Brien	Vroon
Clark, J. H.	Hess	Olasz	Wass
Clymer	Howlett	Perzel	Weston
Colafella	Hughes	Pesci	Wilson
Colaizzo	Jackson	Petrarca	Wogan
Cole	Jadlowiec	Petrone	Wozniak
Cornell	Jarolin	Phillips	Wright, D. R.
Cowell	Johnson	Piccola	Wright, J. L.
Coy	Josephs	Pistella	Wright, R. C.
DeLuca	Kaiser	Pitts	
Davies	Kenney	Raymond	Manderino,
Dempsey	Kondrich	Reber	Speaker

NAYS—32

Acosta	Fee	McHale	Roebuck
Bishop	Freeman	Michlovic	Rybak
Cohen	Haluska	O'Donnell	Stish
Corrigan	Itkin	Pievsky	Taylor, F.
DeWeese	James	Pressmann	Van Horne
Daley	Kasunic	Preston	Veon
Dombrowski	Laughlin	Richardson	Wambach
Evans	Levdansky	Robinson	Yandrisevits

NOT VOTING—4

Durham	Linton	Oliver	Williams
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EXCUSED—1

Letterman

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

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

From Lancaster County, the Chair recognizes Representative Schuler on final passage.

Mr. SCHULER. Thank you, Mr. Speaker.

Will the prime sponsor stand for short interrogation?

The SPEAKER. The gentleman indicates that he will.

Mr. SCHULER. Thank you, Mr. Speaker.

I plan to vote for the bill, but I think there is some clarification that needs to be made. On line 18, would the gentleman explain "all relevant courses pertaining to American culture." Would you give me an example of that, Mr. Speaker?

Mr. COLAFELLA. American culture? I think that is self-explanatory. There are courses in American culture which simply explain, you know, the history of our country, the cultures, the mores of our country, and so on, and that is basically what American culture is all about.

Mr. SCHULER. Well, the line says "relevant courses." I assume you are speaking of other courses other than the course known as American culture as now is established in the curriculum.

Mr. COLAFELLA. Mr. Speaker, I am not really sure I understand—

Mr. SCHULER. Let me clarify. Maybe I can get it a little more clear.

Would constitutional history be considered a relevant course to American culture?

Mr. COLAFELLA. Well, in grades 9 through 12, there is no such course like that offered.

Mr. SCHULER. I am sorry, Mr. Speaker. I cannot hear.

The SPEAKER. The gentlemen on the floor who are engaging in the debate are unable to hear each other. This House will be in order. You may proceed.

Mr. SCHULER. To restate my question, are we referring to relevant courses such as American constitutional history? Would that be considered a relevant course?

Mr. COLAFELLA. Yes; it is a relevant course.

Mr. SCHULER. All right. How about the history of American political parties?

Mr. COLAFELLA. Mr. Speaker, yes. I would say any course that deals with any American history, as stated in line 1.

Mr. SCHULER. Then my last illustration, would American lit be considered a relevant course to American culture?

Mr. COLAFELLA. No. American literature is an English course.

Mr. SCHULER. Well, is not American lit part of American culture?

Mr. COLAFELLA. Mr. Speaker, I do not really know what your objective is with this line of questioning.

Mr. SCHULER. Well, let me explain my objective, Mr. Speaker.

Mr. COLAFELLA. Let me just finish what I am saying.

Mr. SCHULER. I am sorry. Go ahead.

Mr. COLAFELLA. This bill specifically relates to history courses that are taught in grades 9 through 12, and what we are saying by the Langtry amendment being inserted in this particular piece of legislation is that business and labor will be taught in grades 9 through 12 in any American culture, American government, or American history course. The bill is as simple as that, and I think you are confusing people by the kinds of questions that you are asking. It is a very simple bill.

Mr. SCHULER. Well, I accept your explanation, Mr. Speaker, but the bill says "all relevant courses." Now, if you are saying American history, American culture, American government, fine, but I have a problem when you say "all relevant courses," because you just told me that—

Mr. COLAFELLA. Mr. Speaker, let me read it to you, okay? Mr. Speaker, it says, "...into all relevant courses pertaining to," specifically now, "American culture, American government or American history."

Mr. SCHULER. That is exactly what it says. That is my problem.

Mr. COLAFELLA. That is exactly what it says.

Mr. SCHULER. Well, I think we have some problems with clarification, and I hope that if this becomes law, that we do not run into some problems, that we will be teaching the American economic system and labor history in all these courses, because you are going to put a tremendous burden on the curriculum. If you are telling me that we are dealing with American culture only and American history, fine. I have no problem with that.

That ends my interrogation, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On final passage of the bill, the Chair recognizes, from Wayne County, Representative Birmelin.

Mr. BIRMELIN. Thank you, Mr. Speaker.

For 6 years I taught American history, American culture, American government in the public school system. I was a part of the history department which surveyed textbooks, tried to find out what the best textbooks were, looked at several of them. I could not find one textbook that was offered then and I do not think you could today that does not teach about the American labor movement. This is superfluous. This is extra. This is nonsense. It is just throwing in more legislation, more restrictions on your public schools, burdening them with more things that they do not need to have that they have already been doing. Any school and any schoolteacher who teaches American history who is worth his salt teaches the American labor movement. We do not have to pass stuff like this. They know what they are doing.

The second objection I have to this, Mr. Speaker, is now we have the Secretary of Education establishing a sample curriculum. We have got hundreds of textbooks all over the country that are doing a much better job than wasting the Secretary of Education's time to come up with some sample curriculum so that somebody perhaps can get to him and see that it has what he wants in it.

This is totally unnecessary. It is a waste of time. It is a waste of money. It ought to be defeated. Thank you.

The SPEAKER. On final passage of the bill, the Chair recognizes, from Allegheny County, Representative Cowell.

Mr. COWELL. Thank you, Mr. Speaker.

Mr. Speaker, the debate of the last 15 or 20 minutes illustrates the danger of this legislature trying to get in the business of specifying in great detail what kind of curriculum will be taught in the schools. However, I am not going to suggest that the members of the House this evening antagonize representatives of the labor community as well as representatives of the business community all at once by voting against this bill in its amended form.

I would note that the original intent of the legislation, as it came before us this evening, is made a bit more difficult

because the original thought was that some labor history could be peppered through the various courses that are identified here, the relevant courses pertaining to American culture, American government, and American history. Because of the amendment that we added, we now say that in each of those relevant courses, we have got to teach labor history in its objective entirety. I am not sure that is going to be very possible or that we really want to teach it in its entirety in each and every one of those courses.

I would suggest that the saving grace here is that elsewhere in the code—and this is just a small section of the code—we do give to the State Board of Education the responsibility for promulgating rules and regulations pertaining to curriculum and interpreting the kinds of things that sometimes we say as we propose to say in HB 763. This year the State Board of Education is going to be reviewing chapter 5, which deals with all the curriculum requirements. I would suggest that they may well take our message in this legislation as something, a thought that they can incorporate into the regulations—at least they can consider incorporating into the regulations—and if this legislation ultimately passes the Senate in some form, there will be an opportunity for the State Board to clarify the language, if in fact the Senate does not clarify what we are saying this evening. Thank you, Mr. Speaker.

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—170

Acosta	Donatucci	Laughlin	Robbins
Allen	Dorr	Lescovitz	Robinson
Angstadt	Durham	Levdansky	Roebuck
Argall	Evans	Linton	Rudy
Battisto	Fairchild	Lloyd	Ryan
Belardi	Farmer	Lucyk	Rybak
Belfanti	Fee	McCall	Saloom
Billow	Foster	McHale	Scrimenti
Bishop	Fox	McNally	Semmel
Black	Freeman	McVerry	Serafini
Blaum	Gamble	Maiale	Smith, B.
Bortner	Gannon	Maine	Smith, S. H.
Bowley	Geist	Markosek	Snyder, G.
Boyes	George	Mayernik	Staback
Brandt	Gigliotti	Melio	Stairs
Broujos	Godshall	Merry	Steighner
Bunt	Gruitza	Michlovic	Stish
Burns	Gruppo	Miller	Strittmatter
Bush	Haluska	Morris	Suban
Caltagirone	Harper	Mowery	Tangretti
Cappabianca	Hasay	Mrkonic	Taylor, F.
Carlson	Hayden	Murphy	Taylor, J.
Carn	Hayes	Nahill	Telek
Cawley	Herman	Noye	Thomas
Cessar	Hershey	O'Brien	Tigue
Civera	Hess	O'Donnell	Trello
Clark, B. D.	Howlett	Olasz	Trich
Cohen	Hughes	Oliver	Van Horne
Colafella	Itkin	Perzel	Veon
Colaizzo	Jadlowiec	Pesci	Wambach
Cole	James	Petrarca	Wass
Cornell	Jarolin	Petrone	Weston
Corrigan	Johnson	Phillips	Williams
Cowell	Josephs	Pievsky	Wilson
Coy	Kaiser	Pistella	Wogan
DeLuca	Kasunic	Pressmann	Wozniak

DeWeese	Kenney	Preston	Wright, D. R.
Daley	Kondrich	Raymond	Wright, J. L.
Davies	Kosinski	Reber	Wright, R. C.
Dietterick	Kukovich	Reinard	Yandrisevits
Dininni	LaGrotta	Richardson	
Distler	Langtry	Rieger	Manderino,
Dombrowski	Lashinger	Ritter	Speaker

NAYS—30

Barley	Fargo	Jackson	Pitts
Birmelin	Fleagle	Lee	Saurman
Burd	Flick	Leh	Scheetz
Chadwick	Freind	Marsico	Schuler
Clark, D. F.	Gallen	Moehlmann	Snyder, D. W.
Clark, J. H.	Gladeck	Nailor	Taylor, E. Z.
Clymer	Hagarty	Piccola	Vroon
Dempsey	Heckler		

NOT VOTING—2

Adolph	Micozzie
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EXCUSED—1

Letterman

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

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

STATE GOVERNMENT COMMITTEE AND APPROPRIATIONS COMMITTEE MEETINGS

The SPEAKER. There are two committees of the House that find it necessary to meet to report bills that are needed in the budget process.

The Committee on State Government and the Appropriations Committee will meet in the rear of the House on separate sides of the House immediately.

While they are meeting, I intend to conduct some house-keeping business, so will the House please be in order while those meetings are going on.

BILL SIGNED BY SPEAKER

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

SB 872, PN 993

An Act amending the act of September 2, 1961 (P. L. 1177, No. 525), entitled "Board and Commission Compensation Law," removing from the act the salaries of the Chairman and members of the Unemployment Compensation Board of Review; and making a repeal.

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority whip.
Mr. DeWEESE. Mr. Speaker, I move that SB 519, which presently rests on the table, be taken from the table and placed on the active calendar.

On the question,

Will the House agree to the motion?

Motion was agreed to.

SENATE BILL FOR CONCURRENCE

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

SB 1095, PN 1351

Referred to Committee on APPROPRIATIONS, June 28, 1989.

HOUSE RESOLUTION INTRODUCED AND REFERRED

No. 171 By Representatives STUBAN, HALUSKA, STISH, KASUNIC, ROBINSON, HASAY, JACKSON, WAMBACH, KOSINSKI, ANGSTADT, STABACK, COLAIZZO, PHILLIPS, SALOOM, DeWEESE, GIGLIOTTI, CARLSON, FAIRCHILD, RYBAK, BILLOW, BELARDI, BOWLEY, McVERRY, KUKOVICH, DALEY, McCALL, BORTNER, DeLUCA, McHALE, MRKONIC, BELFANTI, CORRIGAN, BURD, CAPPABIANCA, DOMBROWSKI, MELIO, BUNT, BATTISTO, TANGRETTI, HUGHES, LINTON, TRELLO, FREEMAN, TELEK, WILLIAMS, E. Z. TAYLOR, RUDY, PETRARCA, ITKIN and OLASZ

Memorializing the late Claude Pepper, member of Congress; expressing condolences to his family; and declaring September 8, 1989, as "Claude Pepper Memorial Day."

Referred to Committee on RULES, June 28, 1989.

WELCOMES

The SPEAKER. The Speaker is happy to recognize on the floor of the House today a summer intern, Mike Murphy, who is in the balcony and is a Penn State student, guest of Representative Saurman, along with Mike Dzubow, who is a guest page, guest of Representative Saurman. Will they please stand.

On the page bench this afternoon, we are happy to have as a guest page Matthew Freind, who happens to be the guest and son of Representative Steve Freind. Will Matthew please stand.

The House is pleased to welcome, as a guest of Representative Harold Mowery, Miss Angela Ross. Her mother, Carol, is a typist in the Legislative Reference Bureau. Will she please stand.

And as guest pages of Representative Kenny Brandt, we have Lisa Wenger and Andrea Hougendobler, members of the Lancaster County 4-H. Lisa and Andrea are here today as the guests of the Lancaster County delegation along with Representative Brandt.

BILL RECOMMITTED

The SPEAKER. A moment ago we took SB 519 from the table and placed it on the active calendar.

The Chair recognizes the majority whip.

Mr. DeWEESE. Mr. Speaker, I now move that SB 519 be recommitted to the Appropriations Committee.

On the question,

Will the House agree to the motion?

Motion was agreed to.

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

HB 441, PN 2269 (Amended)

By Rep. GAMBLE

An Act relating to debarment from bidding on governmental contracts.

LOCAL GOVERNMENT.

HB 714, PN 2270 (Amended)

By Rep. GAMBLE

An Act amending the act of February 1, 1966 (P. L. 1656, No. 581), known as "The Borough Code," further providing for advertising and bidding relating to contracts.

LOCAL GOVERNMENT.

HB 1615, PN 1920

By Rep. GAMBLE

An Act amending the act of May 23, 1945 (P. L. 926, No. 369), referred to as the "Public Eating and Drinking Place Law," authorizing second class townships and certain home rule municipalities to license public eating and drinking places; and making editorial changes.

LOCAL GOVERNMENT.

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

SB 313, PN 321

By Rep. GAMBLE

An Act amending the act of May 1, 1933 (P. L. 103, No. 69), entitled "The Second Class Township Code," authorizing the establishment of boards of health; providing for their powers and duties; and making repeals.

LOCAL GOVERNMENT.

SB 726, PN 790

By Rep. GAMBLE

An Act amending the act of April 27, 1927 (P. L. 409, No. 267), entitled "An Act providing for the postponement of the lien of a mortgage and bond accompanying the same to the lien of another mortgage or mortgages and bond accompanying, and providing for the recording of the agreement therefor;...." eliminating marginal notations of mortgage postponements in certain cases; and making an editorial change.

LOCAL GOVERNMENT.

SB 727, PN 1013

By Rep. GAMBLE

An Act amending the act of December 17, 1986 (P. L. 1685, No. 197), entitled "An act providing that recorders of deeds may make additional charges for accepting certain documents;...." regulating sizes of documents accepted for recording.

LOCAL GOVERNMENT.

VOTE CORRECTIONS

The SPEAKER. From Delaware County, Representative Adolph seeks recognition. For what purpose?

Mr. ADOLPH. Thank you, Mr. Speaker.

My vote was not recorded on HB 763. I would like to be voted and recorded in the affirmative.

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

Mr. ADOLPH. Thank you.

The SPEAKER. From Cambria County, Representative Haluska is recognized.

Mr. HALUSKA. Mr. Speaker, on HB 663 my switch failed to record my vote. I would like to be recorded in the affirmative.

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

Mr. HALUSKA. Also, on HB 763, the Langtry amendment A1591, I voted in the negative. I would like to be recorded in the affirmative.

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

For the information of the members, we are not in completion of today's voting schedule, and there will be additional votes as soon as the two committees meeting return to the floor of the House. There will be additional votes.

BILLS REPORTED FROM COMMITTEE,
CONSIDERED FIRST TIME, AND TABLED

SB 1009, PN 1297 By Rep. PIEVSKY

An Act amending the act of July 2, 1984 (P. L. 520, No. 105), entitled "Business Infrastructure Development Act," extending provisions relating to termination; and further providing for funding.

APPROPRIATIONS.

SB 1010, PN 1182 By Rep. PIEVSKY

An Act amending the act of July 2, 1984 (P. L. 555, No. 111), entitled, as amended, "Small Business Incubators Act," extending the provisions relating to time limit on approvals.

APPROPRIATIONS.

SB 1011, PN 1298 By Rep. PIEVSKY

An Act amending the act of July 2, 1984 (P. L. 568, No. 113), entitled "Employee-Ownership Assistance Program Act," extending provisions relating to final date for approvals; and further providing for funding.

APPROPRIATIONS.

SB 1095, PN 1351 By Rep. PIEVSKY

An Act itemizing appropriations required from the Motor License Fund for the fiscal year July 1, 1989, to June 30, 1990, for the proper operation of the several departments of the Commonwealth and the Pennsylvania State Police authorized to spend Motor License Fund moneys.

APPROPRIATIONS.

BILL REREPORTED FROM COMMITTEE

SB 910, PN 1398 (Amended)

By Rep. PIEVSKY

An Act making appropriations to the Treasury Department out of various funds for payment of general obligation debt service.

APPROPRIATIONS.

VOTE CORRECTIONS

The SPEAKER. The Chair recognizes, from Allegheny County, Representative Kaiser.

Mr. KAISER. Mr. Speaker, on HB 663, the Saurman amendment A2450, my switch malfunctioned, and I would like to be recorded in the affirmative. Thank you.

The SPEAKER. Does Representative Phillips from Northumberland County have a correction of the record? The Chair recognizes Representative Phillips.

Mr. PHILLIPS. Thank you, Mr. Speaker. I would like to correct two votes.

On the reconsideration vote on amendment 2243 to HB 507, I was not recorded. I would like to be recorded in the affirmative. And on HB 247, final passage, I was recorded in the negative. I would like to be recorded in the affirmative. Thank you.

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

ANNOUNCEMENT BY MR. CLYMER

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

Mr. CLYMER. Thank you, Mr. Speaker.

Just an announcement that I will have on the floor of the House today a resolution urging the Governor and the Secretary of Revenue not to conduct lottery drawings on Sundays. So if any member wants to sign, I have that resolution. Thank you.

The SPEAKER. The Chair thanks the gentleman.

BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority whip.

Mr. DeWEESE. Mr. Speaker, I move that the following bills be removed from the table and placed on the active calendar:

SB 1095;
SB 1011;
SB 1010; and
SB 1009.

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

WELCOME

The **SPEAKER**. In the balcony, the Speaker welcomes Mark Manko, who is the guest of Representative Dennis O'Brien. Mark Manko is in the balcony.

RESOLUTIONS

Mr. **VAN HORNE** called up **HR 129, PN 1947**, entitled:

Directing the Business and Commerce Committee to conduct a study of the crisis in funding for future Weatherization Programs.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—200

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

Manderino,
Speaker

NAYS—0

NOT VOTING—2

Mochlmann Oliver

EXCUSED—1

Letterman

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

* * *

Mr. **JACKSON** called up **HR 155, PN 2130**, entitled:

Recognizing the contribution of Artists Raising the Consciousness of Humanity, Inc.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—199

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

Manderino,
Speaker

NAYS—0
NOT VOTING—3

Howlett Maiale Mrkonic
EXCUSED—1

Letterman

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

* * *

Mr. ITKIN called up **HR 156, PN 2153**, entitled:

Memorializing Congress to pass legislation to increase the number of Soviet Jewish refugees permitted to emigrate to the United States, and to encourage the restoration of the United States policy which granted automatic refugee status to Soviet Jews.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—199

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

Dietterick Kukovich Reinard Manderino,
Dininni LaGrotta Richardson Speaker
Distler

NAYS—0
NOT VOTING—3

Howlett Maiale Saloom
EXCUSED—1

Letterman

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

* * *

Mr. O'BRIEN called up **HR 158, PN 2154**, entitled:

Recognizing the accomplishments of the Hugh O'Brian Youth Foundation's Pennsylvania Leadership Seminars.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

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

NAYS—0

NOT VOTING—4

Fee	Howlett	Hughes	Maiale
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EXCUSED—1

Letterman

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

* * *

Mr. WASS called up **HR 159, PN 2168**, entitled:

Directing the Education Committee to review the magnitude of the deferred maintenance, capital renovation and construction needs of the State-owned universities of the State System of Higher Education.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—199

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

Dempsey	Kosinski	Reber	
Dietterick	Kukovich	Reinard	Manderino,
Dininni	LaGrotta	Richardson	Speaker
Distler			

NAYS—0

NOT VOTING—3

Howlett	Maiale	Williams
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EXCUSED—1

Letterman

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

* * *

Mr. BILLOW called up **HR 160, PN 2169**, entitled:

Memorializing Congress to take all available measures to bring the Pittston Coal Company Group, Inc., and the United Mine Workers of America together in a fair settlement of their dispute.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—202

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

Davies	Kenney	Preston	Wright, R. C.
Dempsey	Kondrich	Raymond	Yandrisevits
Dietterick	Kosinski	Reber	
Dininni	Kukovich	Reinard	Manderino,
Distler	LaGrotta	Richardson	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—1

Letterman

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

RESOLUTION ON CONCURRENCE IN SENATE AMENDMENTS

The clerk of the Senate, being introduced, returned the following **HR 29, PN 2054**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

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

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

The **SPEAKER**. It is moved by the gentleman from Washington, Mr. Daley, that the House do concur in the amendments inserted by the Senate.

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

The following roll call was recorded:

YEAS—200

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

Clark, B. D.	Heckler	O'Donnell	Trello
Clark, D. F.	Herman	Olasz	Trich
Clark, J. H.	Hershey	Oliver	Van Horne
Clymer	Hess	Perzel	Veon
Cohen	Hughes	Pesci	Vroon
Colafella	Itkin	Petrarca	Wambach
Colaizzo	Jackson	Petrone	Wass
Cole	Jadlowiec	Phillips	Weston
Cornell	James	Piccola	Williams
Corrigan	Jarolin	Pievsky	Wilson
Cowell	Johnson	Pistella	Wogan
Coy	Josephs	Pitts	Wozniak
DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Wright, R. C.
Davies	Kondrich	Reber	Yandrisevits
Dempsey	Kosinski	Reinard	
Dietterick	Kukovich	Richardson	Manderino,
Dininni	LaGrotta	Rieger	Speaker
Distler	Langtry		

NAYS—0

NOT VOTING—2

EXCUSED—1

Howlett

Maiale

Letterman

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

Ordered, That the clerk inform the Senate accordingly.

RULES SUSPENDED

The **SPEAKER**. The Chair recognizes the gentleman from Franklin County, Representative Coy.

Mr. **COY**. Mr. Speaker, I move that the rules of the House be suspended so that HR 170 may be immediately considered.

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

The following roll call was recorded:

YEAS—200

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

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

NAYS—0

NOT VOTING—2

Evans Williams

EXCUSED—1

Letterman

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

RESOLUTION ADOPTED

The SPEAKER. A resolution of the House, HR 170, is called up by Representative Coy. The clerk will read the resolution.

The following resolution was read:

House Resolution No. 170

A RESOLUTION

Commemorating the 125th Anniversary of the Confederate Burning of Chambersburg, Pennsylvania, on July 30, 1989.

WHEREAS, During the Civil War, Confederate Troops occupied the town of Chambersburg and demanded exorbitant ransom demands which were denied by the citizens; and

WHEREAS, Troops torched the town of Chambersburg, making it the only northern town burned by the Confederates during the Civil War; and

WHEREAS, The hardworking residents of Chambersburg remained in their town and raised an ashen pile of rubble that signified the agony of the Civil War and rebuilt their town; therefore be it

RESOLVED, That the House of Representatives commemorate the 125th Anniversary of the Burning of Chambersburg and remember the citizens of the town who endured and reconstructed Chambersburg in the aftermath of this terrible event.

Jeffrey W. Coy

On the question, Will the House adopt the resolution?

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. On the question of adopting the resolution, Representative Coy from Franklin County is recognized.

Mr. COY. Mr. Speaker, I would like to submit remarks for the record.

I urge adoption of the resolution.

Mr. COY submitted the following remarks for the Legislative Journal:

Thank you, Mr. Speaker.

Today I am asking you to partake in the commemoration of the 125th anniversary of the burning of Chambersburg.

While the event was certainly a tragedy for the people, it also was an event that marked the true spirit of the valiant efforts of the people in Chambersburg.

In 1864, Confederate troops held the town of Chambersburg hostage in the waning years of our country's Civil War.

Confederate forces, under the direction of Gen. Jubal Early, issued a ransom of \$500,000 in U.S. currency or \$100,000 in gold to the people of Chambersburg.

Steeped in principle, the people refused to give in to the demands. Thus, the order was given to burn the town.

On July 30, 1864, the entire central area of Chambersburg was destroyed by fire. Damage reached into the millions.

The people of Chambersburg remained undaunted, despite being the only town north of the Mason-Dixon line to be burned by Confederates.

The people of Franklin County immediately began to help their neighbors rebuild their lives.

It is that spirit of camaraderie and patriotism that we commemorate.

The people showed that when faced with tragedy, they were able to pull together and begin again in the spirit of this great Union.

In that vein, I urge you to adopt this resolution saluting the men and women of 19th century Chambersburg who served this Nation so heroically.

On the question recurring,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—202

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

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

NAYS—0

NOT VOTING—0

EXCUSED—1

Letterman

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

ANNOUNCEMENT BY SPEAKER

The SPEAKER. Members are given this information, that amendments were on the members' desks to HB 700, SB 280, HB 1120, and HB 2. Those amendments will be considered in tomorrow's session on those bills. Please keep those amendments: HB 700, SB 280, HB 1120, and HB 2.

BILLS AND RESOLUTIONS PASSED OVER

The SPEAKER. All other matters on today's calendar not yet considered will go over, without objection. The Chair hears no objection.

There will be no further votes taken today.

Is there any further business to come before the House? Does the majority party have any other business to come before the House? Does the minority party?

ANNOUNCEMENT BY MR. COY

The SPEAKER. Representative Coy from Franklin County is recognized.

Mr. COY. Thank you, Mr. Speaker.

I, because of the hurry to put HR 170 on the calendar, was unable to circulate it for sponsorship, and I would like it to be available for those members who would care to cosponsor it.

The SPEAKER. Representative Coy indicates that HR 170, which the House passed with a suspension of the rules, is available for additional sponsorship with the clerk.

RECESS

The SPEAKER. This House now stands in recess to the call of the Chair.

AFTER RECESS

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

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

HB 424, PN 464 By Rep. OLIVER

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), known as "The Administrative Code of 1929," providing for the notification of members of the General Assembly of office changes or significant personnel changes by agencies planning same.

STATE GOVERNMENT.

HB 425, PN 465 By Rep. OLIVER

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), known as "The Administrative Code of 1929," creating the Department of Housing; defining its powers and duties; providing for the appointment of a Secretary of Housing; transferring certain personnel, allocations, appropriations, etc. of the Department of Community Affairs to the Department of Housing; and making repeals.

STATE GOVERNMENT.

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

SB 576, PN 1404 (Amended) By Rep. OLIVER

An Act providing for a Statewide emergency telephone number "911" system; providing for no-interest loans to help establish 911 emergency communication systems, for a referendum and for contributions from telephone subscribers; providing a penalty; and making a repeal.

STATE GOVERNMENT.

RULES SUSPENDED

The SPEAKER. The Chair recognizes the majority leader. Mr. O'DONNELL. Mr. Speaker, I move that an additional bill to be reported from the State Government Committee, HB 1795, be received in the report of the committee and the rules of the House be suspended so that the bill may go, by referral, to the Appropriations Committee without going to the Rules Committee under the rules of the House.

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

**BILL REPORTED FROM COMMITTEE
AND CONSIDERED FIRST TIME****HB 1795, PN 2249**

By Rep. OLIVER

An Act authorizing the Pennsylvania Historical and Museum Commission to acquire, for a nominal sum or gift, on behalf of the Commonwealth, the New Freedom Theatre in the City of Philadelphia; providing for its renovation and authorizing an agreement for the administration thereof by the New Freedom Theatre Group; authorizing a Capital Budget Project; and making a repeal.

STATE GOVERNMENT.

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.

Mr. O'DONNELL. Mr. Speaker, I move that HB 1795 be recommitted to the Appropriations Committee.

On the question,

Will the House agree to the motion?

Motion was agreed to.

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.

Mr. O'DONNELL. Mr. Speaker, I move that SB 576 be removed from the tabled calendar and placed on the active calendar.

On the question,

Will the House agree to the motion?

Motion was agreed to.

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.

Mr. O'DONNELL. Mr. Speaker, I move that SB 576 be recommitted to the Appropriations Committee.

On the question,

Will the House agree to the motion?

Motion was agreed to.

ADJOURNMENT

The SPEAKER. The Chair recognizes the gentleman from Luzerne County, Representative Stish.

Mr. STISH. Mr. Speaker, I move that this House do now adjourn until Thursday, June 29, 1989, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 10:59 p.m., e.d.t., the House adjourned.