COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

FRIDAY, JUNE 30, 1989

SESSION OF 1989 173D OF THE GENERAL ASSEMBLY No. 51

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, we come rejoicing into Your presence with thanksgiving for Your gift of a State budget for the 1989-90 fiscal year. We felt Your presence throughout all of our proceedings in making it a reality.

We thank You for giving us the necessary leadership both in this House, in the Senate, and in the Governor’s Office. You have proven to us once again that when men of good will address problems, they can be resolved. We recall Your words, come let us reason together, saith our Lord. We especially thank You for our Speaker, our majority and minority leaders and whips, and all of our legislators, who labor in the trenches to assure the smooth operation of our government.

Now, Lord, be with us until we meet again. Until then, grant us Your peace which passeth all understanding.

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. The Journal for Thursday, June 29, 1989, will be postponed in its approval until printed. No objections are heard by the Speaker.

HOUSE BILLS INTRODUCED AND REFERRED

No. 1816 By Representatives ARGALL, ALLEN, TRELLO, FOX, TIGUE, FLEAGLE, E. Z. TAYLOR, TELEK, RICHARDSON and LASHINGER


Referred to Committee on LOCAL GOVERNMENT, June 30, 1989.

No. 1817 By Representatives LUCYK, VAN HORNE, CALTAGIRONE and HAYDEN

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for exemptions from special permit requirements.

Referred to Committee on TRANSPORTATION, June 30, 1989.

No. 1818 By Representatives ANGSTADT, JACKSON, JADLOWIEC, BOYES, O’BRIEN, TELEK, LEE, WESTON, ALLEN, SEMMEL, GRUPPO, FARMER, WOGAN, BLACK, D. W. SNYDER and ARGALL

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for a penalty for littering.

Referred to Committee on TRANSPORTATION, June 30, 1989.

No. 1819 By Representatives CIVERA, ADOLPH, JOHNSON, ROBINSON, TRELLO, CARLSON, MICOZZIE, NAHILL, DEMPSEY, KUKOVICH, RAYMOND, E. Z. TAYLOR, FOX, OLASZ, TANGRETTI, LASHINGER, GANNON, STABACK, BELARDI, DIETTERICK, BILLB, BUNT, JAMES, MORRIS, FLICK and STRITTmatter

An Act providing for civil service preference for volunteer firefighters.

Referred to Committee on LOCAL GOVERNMENT, June 30, 1989.

No. 1820 By Representatives CAWLEY, STABACK, DISTLER and GEORGE

An Act placing a moratorium on the issuance of permits for certain waste incinerators; and restricting the location of waste treatment and disposal facilities.

Referred to Committee on CONSERVATION, June 30, 1989.
No. 1821  By Representatives RUDY, HERMAN, HERSHEY, GEIST, PESCI, ROBINSON, ANGSTADT, TRELLO, CARLSON, SCHULER, E. Z. TAYLOR, MICHLOVIC, PISTELLA, ARGALL, ALLEN, BELFANTI, BELARDI, JAMES, BUNT and GRUPPO

An Act requiring counties to cause the graves of former Governors of Pennsylvania to be decorated with flags on Memorial Day.

Referred to Committee on LOCAL GOVERNMENT, June 30, 1989.

No. 1822  By Representatives WESTON, JOHNSON, KOSINSKI, BELFANTI, JACKSON, JOSEPHS, ALLEN, NAHILL, J. L. WRIGHT, ROBINSON, TRELLO, RAYMOND, E. Z. TAYLOR, LEVDANSKY, MICHLOVIC, McHALE, OLASZ, WILLIAMS, TIGUE, J. TAYLOR, FREEMAN, RITTER, JAMES, ITKIN, MAIALE, BELARDI, JAMES, BUNT and FLICK

An Act requiring health insurers to cover certain adopted children.

Referred to Committee on INSURANCE, June 30, 1989.

No. 1824  By Representatives E. Z. TAYLOR, TRELLO, NOYE, MELIO, ROBINSON, MORRIS, STABACK, JAMES, HERMAN, BATTISTO, JOHNSON, BELARDI, PHILLIPS and HALUSKA


Referred to Committee on BUSINESS AND COMMERCE, June 30, 1989.

No. 1825  By Representative E. Z. TAYLOR

An Act authorizing and directing The General State Authority, with the approval of the Governor, to convey to Michael and Helen Bluinski, of West Goshen Township, Chester County, Pennsylvania, 0.193 of an acre of land, more or less, situate in West Goshen Township, Chester County, Pennsylvania.

Referred to Committee on STATE GOVERNMENT, June 30, 1989.

No. 1826  By Representatives BORTNER, CALTAGIRONE, MOEHLMANN, McVERRY, G. SNYDER, YANDRISEVITS, HAGARTY, McNALLY and HECKLER

An Act amending Title 13 (Commercial Code) of the Pennsylvania Consolidated Statutes, conforming the text of the title to the current official text of the Uniform Commercial Code relating to uncertificated securities.

Referred to Committee on JUDICIARY, June 30, 1989.

No. 1827  By Representatives ROBINSON, PISTELLA, HALUSKA, F. TAYLOR, VAN HORNE, KOSINSKI, COLAIZZO, DeWEES, GODSHALL, GIGLIOTTI, JOSEPHS, FOX, BELARDI, TIGUE, KUKOVICH, PRESTON, DALEY, THOMAS, RYBAK, DeLUCA, CORRIGAN, McHALE, COWELL, MELIO, TRICH, BATTISTO, VEON, CAPPAIANCA, MICHLOVIC, PESCI, TRELLO, HERMAN, MAIALE, HOWLETT, HAYDEN, FREEMAN, ITKIN and J. TAYLOR


Referred to Committee on YOUTH AND AGING, June 30, 1989.

No. 1828  By Representatives ROBINSON, PISTELLA, HALUSKA, F. TAYLOR, VAN HORNE, KOSINSKI, COLAIZZO, DeWEES, GODSHALL, GIGLIOTTI, JOSEPHS, FOX, BELARDI, TIGUE, KUKOVICH, PRESTON, DALEY, THOMAS, RYBAK, DeLUCA, CORRIGAN, McHALE, COWELL, MELIO, TRICH, BATTISTO, VEON, CAPPAIANCA, MICHLOVIC, PESCI, TRELLO, HERMAN, MAIALE, HOWLETT, HAYDEN, FREEMAN, ITKIN and J. TAYLOR

An Act establishing admission requirements for skilled nursing facilities and intermediate care facilities; imposing duties upon operators of skilled nursing facilities and intermediate care facilities; providing for the powers and duties of the Department of Health regarding skilled nursing facilities and intermediate care facilities; imposing limitations on charges; providing for enforcement by the Attorney General and district attorneys; creating a private cause of action; and making an appropriation.

Referred to Committee on YOUTH AND AGING, June 30, 1989.

No. 1829  By Representatives PISTELLA, ROBINSON, HALUSKA, DORR, F. TAYLOR, VAN HORNE, KOSINSKI, COLAIZZO, DeWEES, GODSHALL, GIGLIOTTI, JOSEPHS, FOX, BELARDI, TIGUE, KUKOVICH, PRESTON, DALEY,
An Act amending the act of June 13, 1967 (P. L. 31, No. 21), known as the “Public Welfare Code,” providing for determination of eligibility for skilled nursing and intermediate care benefits, and further providing for medical assistance payments for institutional care.

Referred to Committee on YOUTH AND AGING, June 30, 1989.

No. 1830

By Representatives PISTELLA, ROBINSON, HALUSKI, F. TAYLOR, VAN HORNE, KOSINSKI, COLAIizzo, DeWEese, GODSHALL, GIgGIOtti, JOSEPHS, FOX, BELARDI, TIGUE, KUKOVICH, PRESTON, DALEY, THOMAS, RYBAK, DeLUCA, CORRIGAN, McHALE, COWELL, MELIO, BATTISTO, VEON, CAPPABIANCA, MICHLovic, PESCI, TRELLO, HERMAN, MAIALE, HOWLETT, HAYDEN, FREEMAN, ITKIN, J. TAYLOR and E. Z. TAYLOR

An Act relating to long-term care insurance; providing for limits, disclosure and performance standards; and prescribing powers and duties of the Insurance Commissioner.

Referred to Committee on YOUTH AND AGING, June 30, 1989.

No. 1831

By Representatives MARKOSEK, MELIO, TRELLO, BILLow, OLASZ, GIgGIOtti, DeLUCA, PRESTON, VEON, COWELL, CESSAR, KONDRICh, FARMER, OLIVeR, DeWEese, KUKOVICH, VAN HORNE, ITKIN, TANGRETTI and B. D. CLARK

An Act amending the act of December 19, 1988 (P. L. 1262, No. 156), known as the “Local Option Small Games of Chance Act,” further providing for local option referenda.

Referred to Committee on FINANCE, June 30, 1989.

No. 1832

By Representatives ROEBUCK, McNALLY, JOSEPHS, ACOSTA, DeWEese, ROBINSON, FOX, KOSINSKI, COLAIizzo, STABACK, NAHILL, MILLER, BLAUM, THOMAS, BILLOW, PRESSMAN, BELARDI, TIGUE, EVANS, JAMES, KUKOVICH, HARPER, BELFANTI, PISTELLA, CAPPABIANCA, BROJOS, MELIO, HUGHES, VEON, PESCI, LINTON, FREEMAN, WILLIAMS and BUNT

An Act amending the act of October 27, 1955 (P. L. 744, No. 222), known as the “Pennsylvania Human Relations Act,” prohibiting discrimination in any program or activity which receives Commonwealth financial assistance; and making an appropriation.

Referred to Committee on STATE GOVERNMENT, June 30, 1989.

No. 1833

By Representatives BORTNer and McVERRY

An Act amending Title 15 (Corporations and Unincorporated Associations) of the Pennsylvania Consolidated Statutes, extending to shareholders of certain domiciliary corporations operating under foreign charters the same rights of access to financial information and certain other rights as are enjoyed by shareholders of domestic corporations.

Referred to Committee on JUDICIARY, June 30, 1989.

No. 1834

By Representative CLyMER

An Act providing that, in a lottery operated by the Commonwealth, there shall be no drawings or selections of winning tickets or shares on Sunday.

Referred to Committee on FINANCE, June 30, 1989.

No. 1835

By Representatives STRITTMATTER, BARLEY, SCHEETZ, SCHULER and BRANDT


Referred to Committee on LOCAL GOVERNMENT, June 30, 1989.

No. 1836

By Representatives BELFANTI, PESCI, DeWEese, JOHNSON, MORRIS, KOSINSKI, HALUSKA, SCRIMENTI, BURD, PRESTON, KASUNIC, BUNT, VEON, GEIST, DALEY, TRELLO, COLAFella, ROBINSON, BILLOW, MOEHLMANN, NAHILL, J. L. WRIGHT, BELARDI, MIcHLovic, GODSHALL, MAINE, RITTER, McHALE, PETRARCA, LASHINGER, MccALL, MELIO, STABACK, PHILLIPS and E. Z. TAYLOR

An Act making an appropriation to the Pennsylvania Veterans’ Memorial Commission.

Referred to Committee on MILITARY AND VETERANS AFFAIRS, June 30, 1989.

No. 1837

By Representatives BELFANTI, McCALL, CAWLEY, STUBAN, KOSINSKI, HALUSKA, GIgGIOtti, ROBINSON, J. L. WRIGHT, PESCI, MELIO, PHILLIPS, BELARDI, ARGALL, TANGRETTI, PRESSMAN, McHALE, TIGUE, BUNT, MIcHLovic, PETRARCA and BISHOP
An Act amending the act of April 9, 1929 (P. L. 177, No. 175), known as "The Administrative Code of 1929," transferring responsibility for the operation and administration of the State General Hospitals to the Department of Health.

Referred to Committee on HEALTH AND WELFARE, June 30, 1989.

No. 1838 By Representatives COY, COLE, WAMBACH, McCALL, MORRIS, BORTNER, YANDRISEVITS, DeWEESE, DORR, RYAN and MELIO

An Act providing for the management of nutrients on certain agricultural operations to abate nonpoint source pollution; providing for the assessment of other nonpoint sources of nutrient pollution to the waters of this Commonwealth; and making appropriations.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, June 30, 1989.

HOUSE RESOLUTIONS
INTRODUCED AND REFERRED

No. 173 By Representatives MRKONIC, DAVIES, BROUKOS, DeLuca, EVANS, ROBINSON, PRESTON, OLASZ, GIGLIOTTI, B. D. CLARK, CALTAGIRONE, STABACK, MORRIS, RYBAK, FARMER, ACOSTA, OLIVER, THOMAS, O'BRIEN, KONDRICH, GRUPPO, KAISER, HAYDEN, LUCYK, COLE, WOZNIAK, LEVDANSKY, MARSICO, WASS, MCVERRY, CESSAR, LANGTRY and COLAIZZO

Memorializing the President and the United States Congress to enact a Constitutional Amendment to permit the states and the Federal Government to prohibit flag desecration.

Referred to Committee on RULES, June 30, 1989.

No. 175 By Representatives CLYMER, BATTISTO, PITTS, PHILLIPS, MOWERY, BILLOW, CARN, ROEBUCK, J. L. WRIGHT, WILSON, FLEAGLE, BIRMELIN, HERSHEY, JOHNSON, TELEK, SAURMAN, GODSHALL, NOYE, HERMAN, LEH, MARSICO, GRUPPO, FOSTER and HAYES

Urging the Governor and the Secretary of Revenue not to conduct lottery drawings on Sundays.

Referred to Committee on RULES, June 30, 1989.

No. 176 By Representatives PETRONE, MURPHY, MCNALLY, KAISER, DeLuca, TRELLO, GIGLIOTTI, OLASZ, MICHLOVIC, LEVDANSKY, VAN HORNE, COWELL, DeWEESE, MRKONIC, GAMBLE, MARKOSEK, MAYERNIK and PISETTLLA

Memorializing Congress to establish an ecological zone of safety, extending 100 miles from the nation's shores, within which all oil tankers would be escorted by a coast guard vessel.

Referred to Committee on RULES, June 30, 1989.

SENATE BILLS FOR CONCURRENCE

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

SB 405, PN 1395

Referred to Committee on EDUCATION, June 30, 1989.

SB 627, PN 1353

Referred to Committee on MILITARY AND VETERANS AFFAIRS, June 30, 1989.

SB 1055, PN 1400

Referred to Committee on STATE GOVERNMENT, June 30, 1989.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned HB 439, PN 1855; HB 691, PN 759; HB 1520, PN 1774; HB 1522, PN 1776; HB 1731, PN 2108; and HB 1732, PN 2109, with information that the Senate has passed the same without amendment.

SENATE MESSAGE

SENATE CONCURRENCE IN HOUSE RESOLUTION

The clerk of the Senate, being introduced, informed that the Senate has concurred in HR 128, PN 1946.

FILMING PERMISSION

The SPEAKER. The Chair announces for the information of the members of the House that he has granted permission to the photographer of the Republican Caucus to photograph still photos on the floor of the House of Republican members only, of Republican members only, and he will be operating on the floor of the House this morning.

BILLS SIGNED BY SPEAKER

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

HB 439, PN 1855

HB 691, PN 759


HB 1520, PN 1774

An Act making an appropriation from the Public School Employees' Retirement Fund to provide for expenses of the Public School 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.

HB 1522, PN 1776

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

HB 1731, PN 2108

An Act amending the act of March 4, 1988 (P. L. 1925, No. 1A), entitled “An act appropriating money from the Sunny Day Fund to the Department of Commerce for various projects throughout this Commonwealth for fiscal year 1987-1988,” further providing for the award and expenditure of funds for certain projects.

HB 1732, PN 2109

An Act amending the act of December 17, 1988 (P. L. 2242, No. 69/A), entitled “An act appropriating money from the Sunny Day Fund to the Department of Commerce for various projects throughout this Commonwealth for fiscal year 1988-1989,” further providing for the award of funds for certain projects.

SB 339, PN 350

An Act amending the act of December 12, 1980 (P. L. 1179, No. 219), entitled “Secondary Mortgage Loan Act,” defining and regulating a secondary mortgage loan broker; further providing for record retention, processing and the licensing of contiguous State offices; providing for loan closings; and further providing for the authority of the Secretary of Banking.

CALENDAR

BILLS ON SECOND CONSIDERATION

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

HB 510, PN 572; and HB 981, PN 1781.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of SB 907, PN 1036, entitled:

An Act making an appropriation from the Public School Employees' Retirement Fund to provide for expenses of the Public School 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 motion? Motion was agreed to.

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.

Mr. O'DONNELL. Mr. Speaker, I move that SB 907 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 1010, PN 1182, entitled:


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?

MASTER ROLL CALL

The SPEAKER. We are going to count this first vote as the master roll call. This vote will be the master roll call.

CONSIDERATION OF SB 1010 CONTINUED

On the question recurring,

Shall the bill pass finally?

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

YEAS—201

Acosta  Donatucci  Lashinger  Ritter
Adolph  Doran  Laughlin  Robbins
Allen  Durham  Lee  Robinson
Angstadt  Evans  Lesh  Roebuck
Ardell  Fairchild  Leskovitz  Ryan
Barley  Fargo  Lewdansky  Rybak
Beatty  Farmer  Linton  Schuette
Belardi  Fee  Lloyd  Saloom
Beloff  Fleagle  Lucyk  Saurman
Billov  Fick  McCall  Scheetz
Birmelina  Foster  McHale  Schuler
Bishop  Fox  McNally  Scrimizi
Black  Freeman  McVerry  Semmel
Blaum  Freund  Mainle  Serafini
Bortner  Gallen  Maine  Smith, B.
Bowley  Gamble  Markosek  Smith, S. H.
Boyce  Gannon  Marisco  Snyder, D. W.
Brandt  Geist  Mayernik  Snyder, G.
Brooks  George  Melo  Staback
Burt  Giglotti  Merry  Stairs
Burd  Gladeck  Michalovic  Steiger
Burns  Godshall  Micozzi  Sush
Bush  Gruitzka  Miller  Strittmatter
Calzaghe  Gruppo  Moehmann  Stuban
Cappabianca  Hagarty  Morris  Tangretti
Carlson  Haluska  Mowery  Taylor, E. Z.
Carn  Harper  Mrkonic  Taylor, F.
The SPEAKER. The Chair recognizes the majority leader.
Mr. O’DONNELL. Mr. Speaker, I move that SB 1095 be
recommitted to the Appropriations Committee.

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

BILLS RECOMMENDED

The House proceeded to third consideration of HB 1120,
PN 1716, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Penn-
sylvania Consolidated Statutes, providing for the offense of
aggravated indecent assault; further defining the term “deviate
sexual intercourse”; and further providing for indecent assault.

On the question,
Will the House agree to the bill on third consideration?
Mrs. HAGARTY offered the following amendments No.
A2121:

Amend Title, page 1, line 5, by removing the period after
“assault” and inserting
and for offenses against children.

Amend Bill, page 1, lines 8 and 9, by striking out all of said
lines and inserting
Section 1. Section 2908 of Title 18 of the Pennsylvania Consol-
dated Statutes is amended by adding a subsection to read:
§ 2908. Missing children.

(a) Unidentified deceased children.—Law enforcement
agencies and coroners shall, with respect to unidentified deceased
children, have the duty to make an entry into the Unidentified
Deceased Person File through the Commonwealth Law Enforce-
ment Assistance Network (CLEAN) in accordance with Pennsyl-
vania State Police policy and procedures immediately upon
observing or receiving any descriptive information on an uniden-
tified deceased child.

Section 2. Title 18 is amended by adding sections to read:
§ 2909. Concealment of whereabouts of a child.
(a) Offense defined.—A person who removes a child from
the child’s known place of residence with the intent to conceal the
child’s whereabouts from the child’s parent or guardian, unless
concealment is authorized by court order or is a reasonable
response to domestic violence or child abuse, commits a felony of
the third degree. For purposes of this subsection, the term
“removes” includes personally removing the child from the
child’s known place of residence and, when the child’s parent or guardian has a reason-
able expectation that the person will return the child, failing to
return the child to the child’s known place of residence.
(b) Application.—A person may be convicted under subsec-
tion (a) if either of the following apply:
(1) The acts that initiated the concealment occurred in
this Commonwealth.
(2) The offender or the parent or guardian from whom
the child is being concealed resides in this Commonwealth.
Section 3. Section 3101 of Title 18 is amended to read:
Amend Sec. 2, page 2, line 19, by striking out "2" and inserting
4
Amend Sec. 3, page 3, line 14, by striking out all of said line and inserting

Section 5. Sections 3126 and 5902(e) of Title 18 are amended to read:
Amend Sec. 3, page 4, by inserting between lines 8 and 9
§ 5902. Prostitution and related offenses.

Amend Sec. 4, page 4, line 9, by striking out "4" and inserting
6

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

The SPEAKER. On amendment A2121, the Chair recognizes Representative Hagarty from Montgomery County.

Mrs. HAGARTY. Thank you, Mr. Speaker.

Mr. Speaker, this amendment encompasses four specific recommendations which derive from an Attorney General’s family violence task force, which was presided over by our former Attorney General.

Specifically, the amendment in section 1 requires law enforcement agencies and coroners to note into the computer system unidentified deceased children. The goal of this is to help with missing children to at least be able to determine, to match up if it is possible, the child that is deceased.

Secondly, section 2 creates a new crime of concealment of the whereabouts of a child. This section is designed to address the situation where there is not an agreement or a court order with regard to custody but one person takes a child and does not let the other spouse know the whereabouts. It is our contention that both parties have the right to know the whereabouts of their child.

The next section creates a new crime of luring a child into a motor vehicle. The purpose of this section is to make it a crime where kidnapping has not totally occurred because something happened to stop the kidnapping. Luring a child into a motor vehicle terrorizes a family and a child, and when it is without consent, it should be a crime.

The fourth section of this raises from a summary offense to a misdemeanor offense the hiring of a prostitute who is under the age of 16.

I ask for support of this amendment. Thank you.

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

The following roll call was recorded:
Amend Sec. 1, page 1, line 9, by striking out "is" and inserting

Amend Sec. 1, page 1, by inserting between lines 9 and 10
§ 2702. Aggravated assault.
(a) Offense defined.—A person is guilty of aggravated assault if he:
(1) attempts to cause serious bodily injury to another, or causes such injury intentionally, knowingly or recklessly under circumstances manifesting extreme indifference to the value of human life;
(2) attempts to cause or intentionally or knowingly or recklessly causes serious bodily injury to a police officer [or], firefighter, county adult probation or parole officer, county juvenile probation or parole officer or an agent of the Pennsylvania Board of Probation and Parole in the performance of duty or to an employee of an agency, company or other entity engaged in public transportation, while in the performance of duty;
(3) attempts to cause or intentionally or knowingly causes bodily injury to a police officer [or], firefighter or county adult probation or parole officer, county juvenile probation or parole officer or an agent of the Pennsylvania Board of Probation and Parole in the performance of duty;
(4) attempts to cause or intentionally or knowingly causes bodily injury to another with a deadly weapon; or
(5) attempts to cause or intentionally or knowingly causes bodily injury to a teaching staff member, school board member, other employee or student of any elementary or secondary publicly-funded educational institution, any elementary or secondary private school licensed by the Department of Education or any elementary or secondary parochial school while acting in the scope of his or her employment or because of his or her employment relationship to the school.
(b) Grading.—Aggravated assault under subsection (a)(1) and (2) is a felony of the first degree. Aggravated assault under subsection (a)(3), (4) and (5) is a felony of the second degree.

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

The SPEAKER. On amendment 2055, Representative Wogan from Philadelphia is recognized.

Mr. WOGAN. Thank you, Mr. Speaker.

This amendment embodies the provisions of HB 917, which was reported from the Judiciary Committee by a unanimous vote this year on April 11. Last session the same concepts contained in SB 846 passed the Senate by a substantial margin but failed to move prior to our adjournment last November.

Very simply, this amendment would increase the penalties imposed on individuals who are guilty of committing aggravated assault upon county and State probation and parole officers. In other words, it would afford the same protection to probation and parole officers that Pennsylvania law already gives to police officers and also to firefighters acting in the course of pursuing their official duties. To refresh everyone's recollection, to intentionally or recklessly cause serious bodily injury to a probation or parole officer would constitute a felony of the first degree. Intentionally or recklessly causing bodily injury to a probation or parole officer would constitute a felony of the second degree.

I should mention that with a prison cap in our largest municipal system and with all of our prisons currently being somewhat overcrowded with no serious solution in sight, pro-

bation and parole officers will no doubt be dealing with potentially more dangerous criminals in more intensive programs of supervision in the future.

Accordingly, on behalf of 212 State parole agents and approximately 1,400 county adult and juvenile probation and parole officers, I ask for an affirmative vote.

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

Mr. KOSINSKI. Thank you, Mr. Speaker.

Very simply, it is a good amendment. We have been working on this amendment for several years. Having been a former employee of the court of common pleas in Philadelphia and having worked closely with probation and parole, it is something that is desperately needed not only in Philadelphia but statewide.

I ask your support for the amendment.

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

The following roll call was recorded:

YEAS—200

Acosta Donatucci Lashinger Ritter
Adolph Dorr Laughlin Robbins
Allen Durham Lee Robinson
Angstadt Evans Leh Rosback
Argall Fairchild Lescovitz Rudy
Barley Fargo Ledvansky Ryan
Battistio Farmer Linton Rybak
Belardi Fee Lloyd Saloom
Belfanti Fleagle Lucy Sauman
Billow Flick McCall Scheetz
Birmelin Foster McHale Schuler
Bishop Fox McNally Scrimenti
Black Freeman McVerry Semmel
Blauum Freind Maiale Serafini
Bortner Gahlen Maine Smith, B.
Bowley Gamble Markosek Smith, S. H.
Boyes Gannon Marsico Snyder, D. W.
Brandt Geist Mayerknik Sayder, G.
Broujos George Melio Staback
Bunt Gugliotti Merry Stairs
Burd Gladeck Miccozie Sleighner
Burns Godshall Miller Stilp
Bush Grutza Mushinnam Stintziar
Calzagione Gruppo Morris Stuban
Capabianca Hargary Mowery Tangretti
Carlson Haluska Mrkonick Taylor, E. Z.
Carn Harper Murphy Taylor, F.
Cawley Hasay Nabhil Taylor, J.
Censor Hayden Naforl Telek
Chadwick Hayes Noye Thomas
Civera Heckler O'Brien Tigue
Clark, B. D. Herman O'Donnell Trello
Clark, D. F. Hershey Olasz Trib
Clark, J. H. Hess Oliver Van Horne
Clymer Howlett Perzel Veen
Cohen Hughes Pesci Vroom
Colaiella Irkin Petrarca Wambach
Colaizzo Jackson Petrone Wass
Cole Jadiowiec Phillips Weston
Cornell James Piccolie Williams
Corrigan Jarolin Pieskys Wilson
Cowell Johnson Pistella Wogan
Coy Josephs Pits Wojniak
DeLuca Kaiser Pressmann Wright, D. R.
DeWeese Kasunic Preston Wright, J. L.
Daley Kenney Raymond Wright, R. C.
Davies Kondrich Reber Yadurscits
The question was determined in the affirmative, and the 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?

On that question, Representative O’Brien from Philadelphia is recognized.

Mr. O’BRIEN. Thank you, Mr. Speaker.

This legislation has been sponsored by Representative Blaum, myself, and at least 78 other legislators. It has been drafted in conjunction with the Philadelphia district attorney’s office and involved the participation of the sex offenders unit. It was reviewed, approved, and incorporated suggestions by the Attorney General’s Office.

Briefly, this bill would classify forcible penetration with a physical object as involuntary deviate sexual intercourse—punish this crime as severely as rape and forcible sodomy, as a first-degree felony punishable by imprisonment for up to 20 years and/or a fine of up to $20,000—and create a new felony offense of aggravated indecent assault for a finger and other penetration not covered under the rape/IDS1 law—punishable as a second-degree felony by imprisonment of up to 10 years and/or a fine of up to $20,000. Currently such outrageous misconduct is merely treated as a misdemeanor offense. Finally, it upgrades nonpenetration indecent assault of a child by an adult from a second-degree misdemeanor to a first-degree misdemeanor.

Why do we need this legislation? Let me read to you directly from a letter of Philadelphia District Attorney Ron Castille:

This legislation, jointly sponsored by Representatives Dennis O’Brien and Kevin Blaum, as well as 78 other legislators, fills a very serious gap in the Crimes Code. Presently, an assailant who rapes his victim with a physical object—such as a broomstick or the barrel of a gun—is guilty of only a second-degree misdemeanor, unless serious bodily injury occurs. However, such an assault plainly is as destructive, degrading and injurious as ordinary rape, if not more so. This glaring deficiency in the law has a real and tragic impact: a Philadelphia man who pushed a toy hammer into a four year old girl’s vagina could be charged with only the misdemeanor offenses of indecent assault and corrupting the morals of a minor.

Indecent assault also was the most serious sexual offense that could be charged against a man who knocked a teenage girl unconscious and left her with an eighteen inch pipe protruding from her vagina. Finally, we have a prosecution pending in which an adult pushed a serrated knife into the vagina of a six year old girl. Because of the serious physical injuries suffered by the little girl, we were able to charge aggravated assault, but if substantial bodily injury had not occurred we would only have been able to charge indecent assault.

This bill represents the culmination of 3 years’ work and numerous drafts. I believe it is a well-drafted, responsible proposal which merits your favorable consideration. At least 37 other States have adopted object rape laws. It is time for Pennsylvania to join these States by enacting this legislation, and I urge a “yes” vote.

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.

The question was determined in the affirmative, and the bill as amended was agreed to.

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.

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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.
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.
House, first for an announcement, under unanimous consent, by Representative Fred Noye.

**STATEMENT BY MR. NOYE**

The SPEAKER. The Chair recognizes the gentleman from Perry, Representative Noye.

Mr. NOYE. Thank you, Mr. Speaker.

Mr. Speaker, I know we are in the rush of resolving the budget crisis that we are all hopeful to resolve today, but let me just point out something that I think should not go unnoticed, and that is next week a gentleman is going to retire from State service who has been a great friend to every member of this body, and that is the State Fire Commissioner, Chet Henry.

Chet became the first State Fire Commissioner back in the late 1970's and has served in that capacity. All of us have called on his leadership and his service and his advice. He has brought the fire service in this Commonwealth, I think, into the 21st century, and all of us can take pride in what has been accomplished over there at the Pennsylvania Emergency Management Agency under his leadership in that area. The Volunteer Loan Assistance Agency has been a godsend to the volunteer fire service and ambulance service of this Commonwealth. I think, though, throughout all the advancements that have come - the training sites at the local level, the improvements at the State fire school - I think the proudest accomplishment the man has indicated to us is the fact that fire deaths in this Commonwealth have dropped some 27 percent in the last 13 years. A lot of that has to do with the dedication of the volunteer firemen and the service and training that has been provided to them, I think as a direct result of Chet Henry's leadership.

I hope that all of you will take a moment to pass on to Chet our thanks for a job well done. A citation is being prepared for him to be presented to him, and I think that all of us will miss his dedication, and we look forward to working with the new State Fire Commissioner. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair adds the congratulations and well wishes of the Speaker to the retiree.

**ANNOUNCEMENT BY MR. CHADWICK**

The SPEAKER. Representative Chadwick from Bradford seeks recognition. He has indicated to the Speaker that there is an announcement to be made. The gentleman is in order, without objection.

Mr. CHADWICK. Thank you, Mr. Speaker.

I am going to be introducing three resolutions today and, if they get back from Reference Bureau in time, two bills as well dealing with the New York commuter tax. For those of you who are not familiar with this change in the New York tax law, probably the easiest way for me to describe this to you is to give you a hypothetical.

Let us suppose that you and your spouse live in Pennsylvania and one of you works in Pennsylvania and the other works in New York State. New York State has a graduated State income tax with a maximum rate of 8 percent. Now, what they have done is this: Let us suppose that you and your spouse each earn $40,000, one in New York and the other in Pennsylvania. Their new change says that that $40,000 earned in New York will be taxed in the $80,000 tax bracket. You must include the out-of-State income earned by a nonresident to determine your New York tax bracket.

Now, the Speaker of the New Jersey General Assembly has taken New York to court in Federal court. There have also been bills introduced in the United States Congress in the House and the Senate to put a moratorium on this practice until a federally appointed interstate taxation commission can study the issue.

My three resolutions would do the following things: First, urge Governor Casey to meet with Governor Cuomo to attempt to resolve this matter amicably; second, urge the Governor to pursue all legal means to bring this tax to a halt; and third, memorialize the Congress of the United States to enact legislation to put a moratorium on the collection of this unfair tax. Thousands of our State residents are being ripped off by New York State, and we need to do something about it.

I am introducing the three resolutions now. If anyone would like to be a cosponsor, I invite them to join me. The resolutions will be down here. Thank you, Mr. Speaker.

**HOUSE SCHEDULE**

**DEMOCRATIC CAUCUS**

The SPEAKER. The Chair recognizes the majority leader.

The majority leader has asked for the attention of the House so that important announcements can be made regarding today's schedule, and I would ask all members to please pay attention to the announcements of the majority leader, concurred in by the minority leadership.

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

I would like to request a recess until the call of the Chair and request that both caucuses meet - at the convenience of the minority, but in our caucus, we would like to meet at 7 o'clock this evening. Between now and then, there is going to be a series of conference committee meetings which will require the attendance of the leadership but not the membership. So you would be free to go. Return at 7 o'clock. At that caucus we hope to have everything complete and in place for presentation to you at that time, and then we can begin voting as soon as the caucuses are finished deliberating. Thank you.

The SPEAKER. The Democrats will meet in caucus, in caucus, at 7 this evening.

**REpublican Caucus**

The SPEAKER. The Chair recognizes Matthew Ryan, the minority leader.

Mr. RYAN. Mr. Speaker, I am going to ask that the Republican members report to our caucus at 7 this evening. To repeat, I guess, what the gentleman, Mr. O'Donnell, said,
for the most part, the budget package is pretty well put together. There is a great deal of logistical work that has to be done with printshops, with proofreading and the like, and the staff of all four caucuses is working diligently now. We will have printouts for everybody, hopefully, at 7 o'clock.

I have a $2 bet, and my bet is that we will be here until past midnight tonight, so I will win two bucks if we do not get out of here until after midnight. Now, my bet is with Mr. O'Donnell, and Mr. O'Donnell says we are going to get out of here before midnight. So we will see what happens, but it looks like we are going to be here into the evening, in any event.

The SPEAKER. Mr. O'Donnell has an assistance up here at the Chair.

Mr. Ryan. Mr. Speaker, my heart is with Mr. O'Donnell. I would love to lose this dollar.

The SPEAKER. The Republicans will meet in caucus as well as the Democrats at 7 this evening.

The Chair recognizes the chairman of the Democratic caucus, Representative Itkin.

Mr. Itkin. Mr. Speaker, I just want to advise the members on this side of the aisle that when we meet at 7 o'clock, we will probably be here for the duration, so everybody go out and eat before you come here at 7 o'clock.

The SPEAKER. We certainly will be here for the duration when we come back at 7 p.m.

REMARKS SUBMITTED FOR THE RECORD

VOTE CORRECTION

The SPEAKER. The Chair recognizes the gentleman from Lackawanna, Mr. Serafini, who submits remarks for the record.

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

I was incorrectly recorded in the negative on final passage of HB 700. I would like to be recorded in the affirmative.

The SPEAKER. From Philadelphia, Representative Weston is recognized.

Mrs. Weston. Mr. Speaker, I request unanimous consent to address the House.

The SPEAKER. On what subject matter?

Mrs. Weston. On automobile insurance.

The SPEAKER. We did that yesterday, Mrs. Weston.

RECESS

The SPEAKER. This Chair now declares a recess to the call of the Chair.

AFTER RECESS

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

THE SPEAKER PRO TEMPORE
(IVAN ITKIN) IN THE CHAIR
RULES SUSPENDED

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. O'Donnell. Mr. Speaker, I move that the House suspend the rules, particularly rule 30, so that bills returning from the Senate will go directly to the calendar and not to the Rules Committee.

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

SENATE MESSAGE

AMENDED HOUSE BILLS
RETURNED FOR CONCURRENCE

The clerk of the Senate, being introduced, returned HB 31, PN 2317; HB 285, PN 2319; HB 1020, PN 2320; and HB 1373, PN 2321, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

HOUSE BILL
INTRODUCED AND REFERRED

No. 1844 By Representatives BELFANTI, PESCI, DeWEESE, JOHNSON, MORRIS, KOSINSKI, HALUSKA, SCRIMENTI, BURD, PRESTON, KASUNIC, BUNT, VEON, GEIST, DALEY, TRELLO, ROBINSON, BILLOW, COLAFELLA, MOEHLMANN, NAHILL, J. L. WRIGHT, BELARDI, MICHLIOVIC, GODSHALL, MAINE, RITTER, McHALE, PETRARCA, LASHINGER, McCALL, MELIO, STABACK, PHILLIPS and E. Z. TAYLOR

An Act making an appropriation to the Pennsylvania Veterans' Memorial Commission.

Referred to Committee on MILITARY AND VETERANS AFFAIRS, June 30, 1989.

BILLS ON CONCURRENCE
IN SENATE AMENDMENTS

The clerk of the Senate, being introduced, returned the following HB 31, PN 2317, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act amending the act of April 9, 1929 (P. L. 343, No. 176), known as "The Fiscal Code," requiring the Board of Finance and Revenue to issue written opinions to accompany its decisions.
On the question,
Will the House concur in Senate amendments?

The SPEAKER pro tempore. It is moved by the gentleman from Philadelphia, Mr. O'Donnell, that the House nonconcur in the amendments inserted by the Senate.

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

The SPEAKER pro tempore. Agreeable to the provisions of the Constitution, those in favor will vote "yea"; those opposed, "nay."

The Speaker pro tempore having determined that less than the majority required by the Constitution voted in the affirmative, the question was determined in the negative and the amendments were not concurred in.

Ordered, That the clerk inform the Senate accordingly.

***

The clerk of the Senate, being introduced, returned the following HB 285, PN 2319, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), known as the "Tax Reform Code of 1971," further defining the terms "employee" and "employer" for personal income tax purposes; and excluding certain transactions from the realty transfer tax.

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

The SPEAKER pro tempore. It is moved by the gentleman from Philadelphia, Mr. O'Donnell, that the House nonconcur in the amendments inserted by the Senate.

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

The SPEAKER pro tempore. Agreeable to the provisions of the Constitution, those in favor will vote "yea"; those opposed, "nay."

The Speaker pro tempore having determined that less than the majority required by the Constitution voted in the affirmative, the question was determined in the negative and the amendments were not concurred in.

Ordered, That the clerk inform the Senate accordingly.

***

The clerk of the Senate, being introduced, returned the following HB 1020, PN 2320, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:


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

The SPEAKER pro tempore. It is moved by the gentleman from Philadelphia, Mr. O'Donnell, that the House nonconcur in the amendments inserted by the Senate.

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

The SPEAKER pro tempore. Agreeable to the provisions of the Constitution, those in favor will vote "yea"; those opposed, "nay."

The Speaker pro tempore having determined that less than the majority required by the Constitution voted in the affirmative, the question was determined in the negative and the amendments were not concurred in.

Ordered, That the clerk inform the Senate accordingly.

SENATE MESSAGE

HOUSE AMENDMENTS NONCONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has nonconcurred in the amendments made by the House of Representatives to SB 253, PN 1342.

MOTION INSISTING UPON AMENDMENTS

Mr. O'DONNELL moved that the House insist upon its amendments nonconcurred in by the Senate to SB 253, PN 1342, and that a committee of conference on the part of the House be appointed.
On the question,
Will the House agree to the motion?
Motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE

The SPEAKER pro tempore. The Chair appoints as a committee of conference on the part of the House on SB 253, PN 1342:
Messrs. COWELL, BATTISTO and HAYES.
Ordered, That the clerk inform the Senate accordingly.

RECESS

The SPEAKER pro tempore. The House will now stand in recess until the call of the Chair.

AFTER RECESS

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

THE SPEAKER (JAMES J. MANDERINO) IN THE CHAIR

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Representative Pievsky, the chairman of the Appropriations Committee, for the purpose of an announcement.

Mr. PIEVSKY. Thank you, Mr. Speaker.
Mr. Speaker, there will be a brief meeting of the Appropriations Committee immediately at the rear of the chamber.
The SPEAKER. The Appropriations Committee will meet in the rear of the chamber immediately. Members of the committee will proceed to the meeting in the rear of the chamber.

REMARKS SUBMITTED FOR THE RECORD

VOTE CORRECTION

The SPEAKER. The Chair recognizes, from Philadelphia, Representative Perzel, who asks unanimous consent to submit remarks for the record. The gentleman is in order and may submit his remarks for the record.

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

Mr. Speaker, in regard to HB 2, which amends the "Minimum Wage Act of 1968," I inadvertently voted in the negative and would like to be recorded in the affirmative.
Thank you.

RULES SUSPENDED

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

Mr. O'DONNELL. I move that when HB 22, HB 52, HB 1293, HB 1694, SB 280, and HB 1392 are returned from the Senate with amendments having been added, that the same will go directly to the calendar rather than to the Rules Committee under rule 30 of this House.

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

SENATE MESSAGE

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

The clerk of the Senate, being introduced, returned HB 22, PN 2301; HB 52, PN 2259; HB 1293, PN 2302; HB 1694, PN 2226; and HB 1392, PN 2138, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

SENATE MESSAGE

AMENDED SENATE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House by amending said amendments to SB 280, PN 1412.
Ordered, That the clerk present the same to the House requesting concurrence.

SENATE MESSAGE

HOUSE AMENDMENTS CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to SB 283, PN 1328.

SENATE MESSAGE

HOUSE AMENDMENTS NONCONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has nonconcurred in the amendments made by the House of Representatives to SB 910, PN 1398, and has appointed Senators TILGHMAN, LOEPER and FUMO a committee of conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

MOTION INSISTING UPON AMENDMENTS

Mr. O'DONNELL. I move that the House insist upon its amendments nonconcurred in by the Senate to SB 910, PN 1398, and that a committee of conference on the part of the House be appointed.
On the question,
Will the House agree to the motion?
Motion was agreed to.

APPOINTMENT OF
COMMITTEE OF CONFERENCE

The SPEAKER. The Chair appoints as a committee of conference on the part of the House on SB 910, PN 1398:
Messrs. O'DONNELL, PIEVSKY and HAYES.
Ordered, That the clerk inform the Senate accordingly.

SENATE MESSAGE

HOUSE AMENDMENTS
NONCONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has nonconcurred in the amendments made by the House of Representatives to SB 252, PN 1364, and has appointed Senators HESS, LOEPER and MELLOW a committee of conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

MOTION INSISTING UPON AMENDMENTS

Mr. O'DONNELL moved that the House insist upon its amendments nonconcurred in by the Senate to SB 252, PN 1364, and that a committee of conference on the part of the House be appointed.

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

APPOINTMENT OF
COMMITTEE OF CONFERENCE

The SPEAKER. The Chair appoints as a committee of conference on the part of the House on SB 252, PN 1364:
Messrs. COWELL, PIEVSKY and HAYES.
Ordered, That the clerk inform the Senate accordingly.

FILMING PERMISSION

The SPEAKER. For the information of the members, the Chair is granting to WPVI, channel 6, in the person of John Sanks, and to Nell McCormack, WITF, the privilege of videotaping on the floor of the House for the next 10 minutes. Both cameras are to the right of the Speaker in the far aisle.

SENATE MESSAGE

HOUSE BILLS
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned HB 139, PN 2155; HB 222, PN 2112; HB 1086, PN 2219; HB 1259, PN 1628; HB 1302, PN 1505; HB 1323, PN 1531; HB 1450, PN 2195; HB 1529, PN 1790; and HB 1740, PN 2128, with information that the Senate has passed the same without amendment.

RULES SUSPENDED

The SPEAKER. The Chair recognizes, from Philadelphia, the majority leader, Mr. O'Donnell.
Mr. O'DONNELL. I move that rule 30 be suspended so that HB 1687, when it is returned from the Senate with amendments, goes directly to the calendar rather than to the Rules Committee.

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

SENATE MESSAGE

AMENDED HOUSE BILL
RETURNED FOR CONCURRENCE

The clerk of the Senate, being introduced, returned HB 1687, PN 2322, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

BILL ON CONCURRENCE
IN SENATE AMENDMENTS

The clerk of the Senate, being introduced, returned the following HB 1687, PN 2322, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act appropriating and transferring amounts from the State Workmen's Insurance Fund to the Treasury Department.

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

The SPEAKER. It is moved by Representative O'Donnell, the majority leader, that the House nonconcur in the amendments inserted by the Senate.

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

The SPEAKER. Agreeable to the provisions of the Constitution, those in favor will vote "yea"; those opposed, "nay."

The Speaker having determined that less than the majority required by the Constitution voted in the affirmative, the question was determined in the negative and the amendments were not concurred in.

Ordered, That the clerk inform the Senate accordingly.

SENATE MESSAGE

HOUSE AMENDMENTS
NONCONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has nonconcurred in the amendments made by the
House of Representatives to SB 253, PN 1342, and has appointed Senators HESS, RHOADES and REIBMAN a committee of conference to confer with a similar committee of the House of Representatives (already appointed) on the subject of the differences existing between the two Houses in relation to said bill.

CONDOLENCE RESOLUTION ADOPTED

The SPEAKER. The Chair recognizes at this time, from York County, Representative Bruce Smith. The gentleman indicates that there is a condolence resolution to be considered by the House, and the condolence resolution is for a former member of this House.

The following resolution was read:

COMMONWEALTH OF PENNSYLVANIA
THE HOUSE OF REPRESENTATIVES
RESOLUTION

WHEREAS, Stanley H. Gross of Manchester, a former Pennsylvania State legislator, passed away April 5, 1989 at the age of sixty-three; and
WHEREAS, Mr. Gross served three terms in the House of Representatives, 92nd District, from 1957-58 and 1961-64. He also served as a state auditor from 1959-61. A graduate of the former York Junior College, he was a businessman and farmer. He served with the United States Merchant Marines during World War II; and
WHEREAS, Mr. Gross was a member of James Danner Post 537, Veterans of Foreign Wars of Etters, and Christ Lutheran Church. He served two terms as president of the Northeastern School Board and was a former chairman of the Young Republicans Club of York County. In addition, he was a past member of the Legislative Council of the Pennsylvania State School Directors Association and was appointed by Governor Scranton to serve on the Potomac River Basin Commission in Washington, D.C.; now therefore be it
RESOLVED, that the House of Representatives of the Commonwealth of Pennsylvania note with sadness the passing of Stanley H. Gross; extend heartfelt condolences to his daughter, Barbara Gorman; and sons, George and Stanley S. Gross; and be it further
RESOLVED, that a copy of this resolution be transmitted to the Family of Stanley H. Gross. We hereby certify that the foregoing is an exact copy of a resolution introduced in the House of Representatives by the Honorable Bruce Smith and unanimously adopted by the House of Representatives on the 28th day of June 1989.

James J. Manderino
Speaker of the House of Representatives

ATTTEST:
John J. Zubeck
Chief Clerk of the House of Representatives

On the question,
Will the House adopt the resolution?

The SPEAKER. Will members and all guests please stand.

(Members and all visitors stood.)

The SPEAKER. The resolution is unanimously adopted.

MARINES INTRODUCED

The SPEAKER. The Chair recognizes Representative Broujos, who has an introduction of some very distinguished guests. Representative Broujos is in the well of the House.

Mr. BROUJOS. Mr. Speaker, we are very honored tonight to have a special group with us. They have chosen to have their reunion here in Harrisburg. They come from all over the United States - Michigan, New York, Pennsylvania.

During the Korean war, the Chinese were in a position to attack south through the main line of resistance toward Seoul and there was a hill 229, and that hill had three outposts. Those three outposts had to be held in order to keep the Chinese from moving south to Seoul. One of them was outpost 3. Outpost 3 was held by Easy Company, 2d Battalion, 5th Marines. We have tonight members of that company. Among that company of distinguished men are two who have been singled out to represent them in a very special way.

There is Navy Cross winner Arthur Barbosa. He was the head of a machinegun section. When all but one of his section were wounded, he went from location to location getting ammunition. He set up his machinegun. He personally repelled with others three attacks on the position. He went about cheering the troops, keeping the morale up, and he was able to kill at least 12 and help repel the three attacks.

In addition, we have a Medal of Honor winner, which is a distinct honor for this chamber to have. His name is Duane Dewey, and I will read part of his citation:

When an enemy grenade landed close to his position while he and his assistant gunner were receiving medical attention for their wounds during a fierce night attack by numerically superior hostile forces, Cpl. Dewey, although suffering intense pain, immediately pulled the corpsman to the ground and, shouting a warning to the other marines...bravely smothered the deadly missile with his body, personally absorbing the full force of the explosion to save his comrades.... His indomitable courage, outstanding initiative, and valiant efforts...reflect the highest credit upon Cpl. Dewey and enhance the finest traditions of the U.S. Naval Service.

It is my honor to introduce to you and I ask you to welcome a very special group of marines - Easy Company, 2d Battalion, 5th Marines - on behalf of our marines in this House.

The SPEAKER. On behalf of the House, let me say how happy we are that you took these few minutes to be with us so close to Independence Day, and thank you, Representative Broujos, for bringing them to our attention.

BILL REREPORTED FROM COMMITTEE

SB 906, PN 1035
By Rep. PIEVSKY
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.
APPROPRIATIONS.

CALENDAR CONTINUED

BILLs ON THIRD CONSIDERATION

The House proceeded to third consideration of SB 472, PN 952, entitled:

An Act providing for insurance benefits for cancer chemotherapy and cancer hormone treatments.

On the question,

Will the House agree to the bill on third consideration?

Mr. COLAFELLA offered the following amendments No. A2672:

Amend Title, page 1, lines 1 and 2, by striking out all of said lines and inserting

Amending the act of May 17, 1921 (P.L.682, No.284), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," providing for requirements relating to minimum capital surplus for certain insurers; increasing capital requirements for certain insurance companies; authorizing stock insurers to establish more than one class or series of shares and to permit different voting rights according to the class of shares; and providing for insurance benefits for cancer chemotherapy and cancer hormone treatments.

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

Section 1. Section 206(c) of the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, amended July 9, 1976 (P.L.948, No.184), is amended to read:

Section 206. Minimum Capital Stock and Financial Requirements To Do Business.—

(c) Stock casualty companies, organized under this act for any of the purposes of insurance mentioned in subdivision (c) of section two hundred and two (202) of this act, must have a paid up capital stock of not less than one hundred thousand dollars ($100,000); except (i) companies organized for the purpose of credit insurance, which must have a paid up capital stock of not less than two hundred thousand dollars ($200,000); (ii) companies organized for the purposes mentioned in clause (11) subdivision (c) of section two hundred and two (202) of this act, which must have a paid up capital stock of not less than five hundred thousand dollars ($500,000); (iii) companies organized for the purpose of workmen's compensation insurance as provided for in clause (14) subdivision (c) of section two hundred and two (202) of the act, which must have a paid up capital stock of not less than seven hundred fifty thousand dollars ($750,000); and (iv) companies organized to guarantee the fidelity of persons and contracts of suretyship, which must have a paid up capital stock of at least two hundred and fifty thousand dollars ($250,000) seven hundred fifty thousand dollars ($750,000). Stock casualty companies organized under this act may undertake two or more classes of insurance mentioned in subdivision (c) of section two hundred and two (202) of this act, by providing at least fifty thousand dollars ($50,000) additional paid up capital stock for each additional class of insurance; except in case credit or fidelity and surety insurance is added to any other line or lines, in which case the additional paid up capital stock for credit insurance shall be one hundred thousand dollars ($100,000), and the additional paid up capital stock for fidelity and surety insurance shall be two hundred thousand dollars ($200,000); and except that the paid up capital stock in the case of insurance for the purposes mentioned in clause (11) subdivision (c) of section two hundred and two (202) of this act is added to any other line or lines, in which case the additional paid up capital stock shall be five hundred thousand dollars ($500,000) and except that the paid up capital stock in the case of workmen's compensation insurance as provided for in clause (14) subdivision (c) of section two hundred and two (202) of the act is added to any other line or lines in which case the additional paid up capital stock shall be seven hundred fifty thousand dollars ($750,000). Any such stock casualty company with a paid up capital stock of three hundred thousand dollars ($300,000) may transact all of the organized under this act to undertake two or more classes of insurance mentioned in subdivision (c) of section two hundred and two (202) of this act, except credit, livestock, and fidelity and surety insurance, and except insurance for the purposes mentioned in clause (11) and except workmen's compensation insurance as provided for in clause (14) thereof; must have a paid up capital stock equal to the greater of seven hundred fifty thousand dollars ($750,000) or the sum total of the required capital paid up for each class of insurance for which the company is organized, and a company with a paid up capital stock of one million nine hundred fifty thousand dollars ($1,950,000) may transact all of the classes of insurance mentioned in subdivision (c) of section two hundred and two (202) of this act. Every such company shall, in addition thereto, have a surplus paid in at least equal to fifty per cent (50%) of the (subscribed capital stock) required paid up capital.

***

Section 2. The act is amended by adding sections to read:

Section 206.1. Exclusion from Minimum Financial Requirements.—(a) A fire or casualty company seeking a certificate of authority to do business in Pennsylvania shall satisfy and continue to comply with the minimum capital and surplus requirements imposed by this act.

(b) An existing fire or casualty company with capital and surplus that satisfies the requirements imposed by this act shall comply and continue to comply with the requirements of this act.

(c) An existing fire or casualty company that has capital and surplus less than the minimum requirements imposed by this act shall be required to continue to comply with the minimum capital and surplus requirements imposed by this act as of January 1, 1921, and shall not be required to meet the minimum requirements of this act. However, an existing fire and casualty company must comply with the minimum capital and surplus requirements imposed by this act, if any of the following occurs:

(1) any change in charter powers expanding the lines of insurance the company is authorized to write, except for the limited purpose of issuing policies covering homeowners multiple peril, farmowners multiple peril, mobile homeowners multiple peril, personal liability and farmers personal liability;

(2) a merger or the acquisition of beneficial ownership of more than 10% of any class of such insurer's voting stock which requires a filing pursuant to section 377.6 of this act;

(3) a transaction under section 809 that results in a transfer of ownership, or acquisition of control of such insurer through purchase or assignment of a management contract, or

(4) a change in the majority of such insurer's board of directors as a result of a single event or series of related events.

Section 301.2. Classes of Shares.—Every stock insurance company shall have power to create and issue one or more classes of shares or one or more series of shares within any class thereof, any or all of which classes or series may have full, limited, multiple or fractional, or no voting rights, and such designations, pref-
of policies held, or the amount of premiums paid; and in the case
evidence of all such elections.

The record of the votes made by the secretary, which shall show
vy&.

number of votes based upon the insurance in force, the number

at the company, each share of stock having voting

cast in person or by proxy, shall be evi-

dent.

That, in the case of mutual companies, other than mutual life

companies, each member shall be entitled to one vote: Provided, however,

power, by resolution duly adopted, to issue from time to time, in

whole or in part, the classes or series of shares authorized in the

The power to increase or decrease or otherwise adjust the

purpose of voting by classes under this act. Unless the articles or

other share. Different series of the same class of shares shall not

be construed to constitute different classes of shares for the

The following roll call was recorded:

Mr. COLAFELLA. Mr. Speaker, this amendment passed

in bill form a few weeks ago. What it does is it permits stock

insurance companies to issue various classes of stocks. In

addition to that, the second part of the amendment is that new
casualty insurance businesses coming into Pennsylvania must

have $750,000 in capital and $350,000 in surplus because of a

number of insolvent businesses that have been established in

Pennsylvania and it has been very detrimental to the consum-

ers of Pennsylvania.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—200

Acosta    Dorr    Laughlin    Ritter
Adolph    Durham    Lee    Robbins
Allen     Evans    Leh    Robinson
Angstadt  Fairchild    Lescovitz    Roebuck
Argall    Fargo    Levansky    Rudy
Barley    Farmer    Linton    Ryan
Battista  Fee    Lloyd    Rybak
Belardi   Fleagle    Lucyk    Saloom
Belfanti  Flick    McCall    Saurman
Bilow    Foster    McHale    Scheetz
Birmelin  Fox    McNally    Schuler
Bishop    Freeman    McVerry    Sermenti
Black     Freet    Maiolo    Semmel
Blum      Gahlen    Main    Serafini
Borton    Gamble    Markosek    Smith, B.
Bowley    Gannon    Marksico    Smith, S. H.
Boyces    Geist    Mayenrick    Snyder, D. W.
Broujos  Gigiotti    Melio    Snyder, G.
Bunt     Gliedek    Merry    Staback
Burd     Gladeck    Michovic    Stairs
Buras     Godshall    Miozzee    Steighner
Bush      Gritza    Miller    Stish
Caltagirone    Gruppo    Moehlmann    Strittmatter
Cappianci    Hagarty    Morris    Stuban
Carlson   Haluska    Mowery    Tangett
Carn     Harper    Mrkonvic    Taylor, E. Z.
Casweld  Hassay    Murphy    Taylor, T.
Cessar    Hayden    Nahill    Taylor, J.
Chadwick  Hayes    Nailor    Teld
Civera    Hecker    Noye    Thomas
Clark, B. D.    Herman    O'Brien    Ting
Clark, D. F.    Hershey    O'Donnell    Trello
Clark, J. H.    Hess    Olasz    Trish
Clymer    Howlett    Oliver    Van Horne
Cohen    Hughes    Perzel    Veon
Colairollo  Iknik    Pesci    Vroon
Colaizzo  Jackson    Petracca    Wambach
Cole    Jaddowicz    Petronec    Wass
Cornell  James    Phillips    Weston
Curran    Jaronline    Piccola    Williams
Cowell    Johnson    Plevsky    Wilson
Coy      Josephs    Pistella    Wogan
DeLuca    Kaiser    Pitts    Wozniak
DeWeese  Kasunic    Pressmann    Wright, D. R.
Daley    Kenney    Preston    Wright, J. L.
Davies    Kondrich    Raymond    Wright, R. C.
Dempsey  Kosinski    Reber    Yandrisevits
Dietterick    KuKovich    Reinard    Ye
Dister    LaGrotta    Richardson    Manderino,
Dombrowski    Langtry    Rieger    Speaker
Donatucci  Lasinger

NAYS—0

The SPEAKER. The Chair recognizes, from Beaver

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

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

Mrs. RUDY offered the following amendments No. A2683:

Amend Title, page 1, lines 1 and 2, by striking out all of said lines and inserting

Amending the act of May 17, 1921 (P.L.682, No.284), entitled “An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen’s Insurance Fund; providing penalties; and repealing existing laws,” providing for insurance benefits for cancer chemotherapy and cancer hormone treatments and for mammographic examination.

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

Section 1. The act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, is amended by adding sections to read:

Section 631. Reimbursement for Cancer Therapy.—
(a) Whenever any individual or group health, sickness or accident insurance policy or subscriber contract or certificate issued by any entity subject to 40 Pa.C.S. Chs. 61 (relating to hospital plan corporations) and 63 (relating to professional health services plan corporations), this act, or the act of July 29, 1977 (P.L.105, No.38), known as the “Fraternal Benefit Society Code,” providing hospital or medical-surgical coverage includes within their coverage benefits for cancer chemotherapy and cancer hormone treatments and services which have been approved by the United States Food and Drug Administration for general use in treatment of cancer, the covered individual shall be entitled to benefits for cancer chemotherapy and cancer hormone treatments, whether performed in a physician’s office, in an outpatient department of a hospital, in a hospital as a hospital inpatient or in any other medically appropriate treatment setting.
(b) Nothing in this section shall serve to diminish the benefits of any insured or subscriber in effect on the effective date of this act, nor prevent the offering or acceptance of benefits which exceed the minimum benefits required by this section.
(c) This section shall apply to those insurance policies, subscriber contracts or certificates issued or entered into on or after the effective date of this section.

Section 632. Coverage for Mammographic Examination.—
All group health or sickness or accident insurance policies providing hospital or medical/surgical coverage and all group subscriber contracts or certificates issued by any entity subject to 40 Pa.C.S. Ch. 61 (relating to hospital plan corporations) or 63 (relating to professional health services plan corporations), this act, the act of December 29, 1972 (P.L.1701, No.364), known as the “Health Maintenance Organization Act,” or the act of July 29, 1977 (P.L.105, No.38), known as the “Fraternal Benefit Society Code,” providing hospital or medical/surgical coverage shall also provide coverage for mammographic examination. The minimum coverage required shall include all costs associated with a mammogram every year for women 50 years of age or older and with any mammogram based on a physician’s recommendation for women under 50 years of age. Nothing in this section shall be construed to require an insurer to cover the surgical procedure known as mastectomy or to prevent application of deductible or copayment provisions contained in the policy or plan.

Section 2. This act shall take effect as follows:
(1) Section 631 shall take effect in 120 days.
(2) The remainder of this act shall take effect immediately.

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

The SPEAKER. On amendment 2683, Representative Rudy from Centre is recognized.

Mrs. RUDY. Thank you, Mr. Speaker.

Mr. Speaker, all that my amendment does is amend into the Insurance Law of 1921 a provision that mandates that insurance companies pay for annual mammograms for women 50 and over and any mammograms for women under 50 based on a physician’s recommendation.

This is the same measure that passed the House unanimously last week, and I ask for an affirmative vote.

The SPEAKER. The question is on the Rudy amendment. On that question, Representative Cole from Adams County is recognized.

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

The SPEAKER. She indicates she will stand for interrogation. You may proceed.

Mr. COLE. Mr. Speaker, in your amendment is this the exact language that was sent over in your previous legislation to the Senate as it was amended in the Appropriations Committee word for word?

Mrs. RUDY. Yes; it is the exact language that was sent over to the Senate as was amended on the floor here word for word.

Mr. COLE. Thank you. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—200
Coy is recognized.

dozens of cancer victims sit in the same room and are treated
privacy of an oncologist who treats it in the office.
for this disease. Thank you.
privacy of a doctor's office rather than going to a clinic where
have peace of mind when they are treated for cancer in the

and hard on legislation. We are passing tonight a Senate bill,
and that does not really matter which bill we are passing
tonight, but what has to be said is that the previous speaker,
Representative Cole from Adams County, is the one who
brought this issue to this legislature three successive terms and
we are finally passing it.

It should not go without recognition tonight that the gentle-
man from Adams County, through his personal experience
and through his willingness to work on this issue, has brought
this to the General Assembly and deserves not only credit but
our salute for working on this issue which will have such a
beneficial effect on so many Pennsylvanians to follow. Thank
you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,
Shall the bill pass finally?

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

YEAS—201

Acosta  Donatucci  Lashinger  Ritter
Adolph  Dorf  Laughlin  Robbins
Allen  Durham  Lee  Robinson
Angstadt  Evans  Leh  Roebuck
Argall  Fairchild  Lescovitz  Rudy
Barley  Fargo  Ledyard  Ryan
Bartolino  Farmer  Linton  Rybak
Belardi  Fee  Lloyd  Saloom
Belfanti  Fleagle  Lucyk  Saarman
Billow  Flick  McCall  Scheetz
Birmelin  Foster  McHale  Schuler
Bishop  Fox  McNally  Sciramenti
Black  Freeman  McVerry  Sewell
Blaum  Freind  Malska  Serafini
Bortner  Gallen  Maine  Smith, B.
Bowley  Gambale  Markosek  Smith, S. H.
Boyes  Gannon  Marsico  Snyder, D. W.
Brandt  Geist  Mayernik  Snyder, G.
Broujos  George  Melo  Staback
Bunt  Gigliotti  Merry  Stairs
Burd  Gladeck  Michlich  Steighner
Burns  Godshall  Miccichez  Stup
Bush  Grafton  Miller  Strittmatter
Caltagirone  Gruppo  Moehlmann  Subban
Cappabianca  Hagarty  Morris  Tancredi
Carlson  Haluska  Mowery  Taylor, E. Z.
Carn  Harper  Mrkonic  Taylor, F.
Cawley  Hasay  Murphy  Taylor, F.
Cesar  Hayden  Nahill  Telek
Chadwick  Hayes  Nailor  Thomas
Civera  Hecker  Noye  Tigue
Clark, B. D.  Herman  O'Brien  Trelo
Clark, D. F.  Hershey  O'Donnell  Trich
Clark, J. H.  Hess  Olasz  Van Horne
Clymer  Howlett  Oliver  Veon
Cohen  Hughes  Perzel  Voon
Colaietta  Itkin  Pecsi  Wambach
Colaiizzo  Jackson  Pettraca  Wambach
Cole  Jadowiec  Petrone  Wambach
Cornell  James  Phillips  Wilsone
Corrigan  Jarolin  Piccola  Wigan
Cowell  Johnson  Piekavy  Wigan
Coy  Josephs  Piekala  Wigglesworth
DeLuca  Kaiser  Pitts  Wright, D. R.
DeWeese  Kasunic  Pressman  Wright, L. J.
Daley  Kearney  Preston  Wright, R. C.
Davies  Kondrich  Raymond  Yandriuezvits
Dempsey  Kosinski  Reber  Yandriuezvits
Dietterick  Kukovich  Richardson  Manderino,
DiSalle  LaGrotta  Richardson  Manderino,
Dombrowski  Langtry  Rieger  Speaker
Donatucci  Lashinger  NAYS—0

NOT VOTING—1

Billow

EXCUSED—2

Dini

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

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

The gentleman from Adams County, Representative Cole,
is recognized on final passage.

Mr. COLE. Thank you, Mr. Speaker.

Mr. Speaker, this is the chemotherapy bill to require insur-
ance companies to pay for chemotherapy treatments in the
privacy of an oncologist who treats it in the office.

This bill passed the House in three previous sessions, and I
hope that everyone will support it to aid those cancer victims
to have peace of mind when they are treated for cancer in the
privacy of a doctor's office rather than going to a clinic where
dozens of cancer victims sit in the same room and are treated
for this disease. Thank you.

The SPEAKER. From Franklin County, Representative
Coy is recognized.

Mr. COY. Thank you, Mr. Speaker.

Mr. Speaker, there are very few times around here that
proper credit is given to individuals who have worked long
The House proceeded to third consideration of SB 790, PN 1127, entitled:

An Act authorizing the Board of the Troy Borough Municipal Authority to transfer certain Project 70 lands in Troy Township, Bradford County, to the Department of Transportation for a highway project under certain conditions.

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

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—201


NOT VOTING—0

NAYS—0

Clymer  Cohen  Colafella  Colatizzo  Cole  Cornell  Corrigan  Cowell  Coy  Deluca  DeWeese  Daley  Davies  Dempsey  Dietterick  Distler  Dombrowski  Dinnini  Letterman

EXCUSED—2

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 information that the House has passed the same with amendment in which the concurrence of the Senate is requested.

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.

BILLS ON CONCURRENCE IN SENATE AMENDMENTS

The clerk of the Senate, being introduced, returned the following HB 756, PN 2272, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act amending the act of December 8, 1982 (P. L. 848, No. 235), known as the "Highway-Railroad and Highway Bridge Capital Budget Act for 1982-1983," adding or changing projects; providing for a timber bridge program; making an appropriation; and making a repeal.

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

The SPEAKER. It is moved by the gentleman from Philadelphia, Mr. O'Donnell, that the House concur in the amendments inserted by the Senate.

Those voting to concur will vote "aye"; those voting to nonconcur will vote "no."

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

YEAS—201


NOT VOTING—0

NAYS—0

Clymer  Cohen  Colafella  Colatizzo  Cole  Cornell  Corrigan  Cowell  Coy  Deluca  DeWeese  Daley  Davies  Dempsey  Dietterick  Distler  Dombrowski  Dinnini  Letterman

EXCUSED—2

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 information that the House has passed the same with amendment in which the concurrence of the Senate is requested.

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

YEAS—201


NOT VOTING—0

NAYS—0

Clymer  Cohen  Colafella  Colatizzo  Cole  Cornell  Corrigan  Cowell  Coy  Deluca  DeWeese  Daley  Davies  Dempsey  Dietterick  Distler  Dombrowski  Dinnini  Letterman

EXCUSED—2

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

**HB 139, PN 2155**

An Act amending the act of July 7, 1980 (P. L. 380, No. 97), known as the “Solid Waste Management Act,” further providing for powers and duties of the department; and providing for the beneficial use or reclamation of municipal and residual waste.

**HB 222, PN 2112**

An Act authorizing and directing the Department of General Services and the General State Authority, with the approval of the Governor, to convey to Westmoreland County a tract of land situate in Hempfield Township, Westmoreland County.

**HB 1086, PN 2219**

An Act recognizing the Pennsylvania College of Technology as an affiliate of The Pennsylvania State University; granting to the Pennsylvania College of Technology the benefits and obligations of the status of The Pennsylvania State University as a State-related university and an instrumentality of the Commonwealth; providing for the powers, duties, rights and obligations of the college; and providing for the college to assume the functions of The Williamsport Area Community College.

**HB 1299, PN 1628**

An Act amending the act of October 28, 1966 (1st Sp. Sess., P. L. 55, No. 7), known as the “Goods and Services Installment Sales Act,” further providing for rates, service charges, fees and contracts; requiring plain language; providing for retroactive application; and making repeals.

**HB 1302, PN 1505**

An Act amending the act of July 2, 1984 (P. L. 553, No. 110), known as the “Engineering School Equipment Act,” further providing for acquisition and upgrading of equipment and for the expiration of the act.

**HB 1323, PN 1531**

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

**HB 1450, PN 2195**

An Act establishing the Philadelphia Regional Port Authority and providing for its powers and duties.

**HB 1529, PN 1790**

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

BILLS SIGNED BY GOVERNOR

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

APPROVAL OF HB's 210, 338, 506, 514, 570, and 571.

Commonwealth of Pennsylvania
Governor's Office
Harrisburg
June 29, 1989

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

I have the honor to inform you that I have this day approved and signed House Bill 210, Printer's No. 236, entitled "AN ACT designating the lake at Little Buffalo State Park, Perry County, as Holman Lake."

Robert P. Casey
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg
June 29, 1989

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

I have the honor to inform you that I have this day approved and signed House Bill 338, Printer's No. 373, entitled "AN ACT amending the act of May 21, 1931 (P.L. 149, No. 105), entitled, as amended, 'An act imposing a State tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are practically, and commercially suitable for use in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation,' further providing for acceptable security in lieu of surety bonds."

Robert P. Casey
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg
June 29, 1989

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

I have the honor to inform you that I have this day approved and signed House Bill 506, Printer's No. 839, entitled "AN ACT amending the act of April 28, 1961 (P.L. 111, No. 50), entitled 'An act providing for assistance to agencies promoting tourist travel and vacation business in Pennsylvania; authorizing the Department of Commerce to make grants and provide assistance to properly designated tourist promotion agencies; conferring powers and imposing duties on the governing bodies of certain political subdivisions,' further defining 'eligible costs' and 'regional tourist promotion AGENCY'; AND FURTHER PROVIDING FOR GRANTS."

Robert P. Casey
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg
June 29, 1989

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

I have the honor to inform you that I have this day approved and signed House Bill 514, Printer's No. 939, entitled "AN ACT amending the release of Project 500 restrictions imposed on certain land owned by the Township of Upper Dublin, Montgomery County in return for the imposition of Project 500 restrictions on certain other land owned by the Township of Upper Dublin, Montgomery County."

Robert P. Casey
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg
June 29, 1989

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

I have the honor to inform you that I have this day approved and signed House Bill 570, Printer's No. 1632, entitled "AN ACT amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for spousal privilege in evidence."

Robert P. Casey
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg
June 29, 1989

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

I have the honor to inform you that I have this day approved and signed House Bill 571, Printer's No. 1566, entitled "AN ACT designating February 16 of each year as 'Lithuanian Independence Day.'"

Robert P. Casey
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg
June 29, 1989
Mr. BILLOW. Mr. Speaker, on amendment A2683 to SB 472, my button did not register, and I would like to be recorded in the affirmative, please.

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

Mrs. WESTON. Mr. Speaker, I would like to make a motion to suspend the rules. Mr. Speaker? Mr. Speaker?

The SPEAKER. The House will be at ease.

Mrs. WESTON. Mr. Speaker, it is a very important issue that should be discussed by the House, and I would like to make a motion to suspend the rules for the purposes of considering a resolution—

The SPEAKER. The House is at ease.

Mrs. WESTON. —on the automobile insurance crisis in Pennsylvania.

The SPEAKER. I do not want to turn microphones off, but the House is at ease. No one has been recognized.

Mrs. WESTON. I would like to be recognized for the purposes of making a motion.

The SPEAKER. Will the gentleman controlling the microphones turn them off until the House is called again to order.

The clerk of the Senate, being introduced, returned the following HB 1517, PN 2299, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

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.

On the question,

Will the House concur in Senate amendments?

The SPEAKER. Representative O'Donnell, the majority leader, moves that the vote be for nonconcurrence, that we nonconcur in the amendments inserted by the Senate. Those voting to concur will vote "aye"; those voting to nonconcur, as the motion of the majority leader asks, will vote "no."

On the question recurring,

Will the House concur in Senate amendments?

The SPEAKER. Agreeable to the provisions of the Constitution, those in favor will vote "yea"; those opposed, "nay."

The Speaker having determined that less than the majority required by the Constitution voted in the affirmative, the question was determined in the negative and the amendments were not concurred in.

Ordered, That the clerk inform the Senate accordingly.
SUPPLEMENTAL CALENDAR A
BILL ON THIRD CONSIDERATION

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 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—198
Acosta
Adolph
Angiardi
Argall
Barley
Battiste
Belardi
Bellanti
Billow
Birxel
Bishop
Black
Blaum
Bortner
Bowley
Boyce
Brandt
Brojios
Bunt
Burd
Burms
Bash
Braggione
Cappabianca
Carlson
Carr
Cawley
Cesar
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
Dietrick
Distler
Donatucci
Dorr
Durham
Evanis
Fairchild
Fargo
Farmer
Fee
Fieagle
Flick
Foster
Fox
Freeman
Freind
Gallen
Gamble
Gagliotii
Gleadje
Godshall
Grazia
Grupp
Hagarty
Haluska
Hamer
Hayden
Hayes
Heckler
Herman
Hershey
Hess
Howlett
Hughes
Itkin
Jackson
Jadlowiec
James
Jarolin
Johnson
Josephs
Kaiser
Kasunic
Kenney
Kondrich
Kosinski
Kukovich
Langry
Lashtinger
Laughlin
Lee
Leh
Lescovitz
Levandusky
Linton
Lloyd
Lucyk
McCall
McHale
Maiale
Maine
Markosek
Marsiscio
Mayernik
Melio
Merry
Michloic
Micozie
Miller
Moehmann
Morris
Mowery
Noye
Nahill
Nailor
O'Brien
O'Donnell
Olasz
Oliver
Peretz
Pesci
Petarca
Petrone
Pietra
Pits
Pressmann
Raymond
Reber
Reinhard
Richardson
Ritter
Robbins
Robinson
Roebuck
Rudy
Ryan
Rybak
Saloom
Saurman
Scheetz
Scrumenti
Semmel
Serafini
Smith, B.
Smith, S. H.
Snider, D. W.
Snyder, G.
Staback
Stairs
Steighner
Stitmmatter
Subban
Tangretti
Taylor, E. Z.
Taylor, F.
Taylor, J.
Tellek
Thomas
Tigue
Trich
Van Horne
Veen
Vreven
Wambach
Wass
Weston
Weston
Williams
Wilson
Wogan
Wozniak
Wright, D. R.
Wright, J. L.
Wright, R. C.
Yandrisevits
Manderino,
of that cost be borne by the State. The Senate changed that to say that the State could pay as much as 75 percent, which is current law.

In addition, and most importantly, when the bill left the House, the PCC would have been made a permanent program. Consistent with what is being done with all of the other economic development programs tonight, the Senate amended this legislation to continue the PCC for 2 more years instead of making it permanent.

Mr. WASS. Thank you.

The SPEAKER. Those voting to concur will vote “aye”; those voting to nonconcur will vote “no.”

On the question recurring,

Will the House concur in Senate amendments?

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

YEAS—200

Acosta ........................................... Dorr ........................................... Laughlin ........................................... Ritter
Adolph ........................................... Durham ........................................... Lee ........................................... Robbins
Allen ........................................... Evans ........................................... Leh ........................................... Robinson
Angel ........................................... Fairchild ........................................... Lescowitz ........................................... Roebuck
Argall ........................................... Fargo ........................................... Ledvansky ........................................... Rudy
Barley ........................................... Farmer ........................................... Linton ........................................... Ryan
Battisto ........................................... Fee ........................................... Lloyd ........................................... Rybak
Belardi ........................................... Flagg ........................................... Lucyk ........................................... Saloom
Bellanti ........................................... Flisch ........................................... McCall ........................................... Saurman
Billow ........................................... Foster ........................................... McHale ........................................... Scheetz
Birmelin ........................................... Fox ........................................... McNally ........................................... Schuler
Bishop ........................................... Freeman ........................................... McVeary ........................................... Scribenti
Black ........................................... Freind ........................................... Malale ........................................... Semmel
Blum ........................................... Gallen ........................................... Maine ........................................... Serafini
Bortner ........................................... Gumble ........................................... Markosek ........................................... Smith, B.
Bowley ........................................... Gannon ........................................... Marsico ........................................... Smith, S. H.
Boyds ........................................... Geist ........................................... Mayernik ........................................... Snyder, D. W.
Brandt ........................................... George ........................................... Melo ........................................... Snyder, G.
Broujos ........................................... Gigliotti ........................................... Merry ........................................... Staback
Bunt ........................................... Gladeck ........................................... Michidovic ........................................... Stairs
Burd ........................................... Goddall ........................................... Micozzie ........................................... Steighner
Burns ........................................... Gruitz ........................................... Miller ........................................... Strish
Bush ........................................... Gruppo ........................................... Moellmann ........................................... Strittmatter
Caltagirone ...................................... Hagarty ........................................... Morris ........................................... Stuban
Cappabianca ..................................... Haluska ........................................... Mowery ........................................... Tartetti
Carlson ........................................... Harper ........................................... Mrkonick ........................................... Taylor, E. Z.
Carr ........................................... Hass ........................................... Murphy ........................................... Taylor, F.
Cawley ........................................... Hayden ........................................... Nahill ........................................... Taylor, J.
Cessar ........................................... Hayes ........................................... Naiker ........................................... Teel
Chadwick ........................................... Heckler ........................................... Noye ........................................... Thomas
Civita ........................................... Herman ........................................... O’Brien ........................................... Tingle
Clark, B. D. ...................................... Hershey ........................................... O’Donnell ........................................... Trello
Clark, J. H. ...................................... Hess ........................................... Olson ........................................... Trich
Clymer ........................................... Howell ........................................... Oliver ........................................... Van Horne
Cohen ........................................... Hughes ........................................... Perzel ........................................... Vecan
Colaifella ........................................ Irkin ........................................... Pesci ........................................... Vroom
Colaiazzo ........................................ Jackson ........................................... Petracca ........................................... Wambach
Cole ........................................... Jadowickey ........................................... Petrone ........................................... Wass
Cole ........................................... James ........................................... Phillips ........................................... Weston
Corrigan ........................................... Janott ........................................... Piccola ........................................... Williams
Cowell ........................................... Johnson ........................................... Piesky ........................................... Wilson
Coy ........................................... Josephs ........................................... Pistella ........................................... Wogan
DeLuca ........................................... Kaiser ........................................... Pits ........................................... Wozniak
DeWeese ........................................ Kasunic ........................................... Pressmann ........................................... Wright, D. R.
Daley ........................................... Kenney ........................................... Preston ........................................... Wright, J. L.
Davies ........................................... Kondrich ........................................... Raynov ........................................... Wright, R. C.
Dempsey ........................................... Kosinski ........................................... Heber ........................................... Yandleswits
Dietterick ....................................... Kukovich ........................................... Reinard ........................................... Yander
Distler ........................................... LeGrotta ........................................... Richardson ........................................... Manderino,
Dombrowski .................................... Langtry ........................................... Rieger ........................................... Speaker
Donatucci ....................................... Lashtinger ..............................................

NAYS—0

NOT VOTING—1

Clark, D. F.

EXCUSED—2

Dinami Letterman

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

Ordered, That the clerk inform the Senate accordingly.

* * *

The clerk of the Senate, being introduced, returned the following HB 52, PN 2259, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

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

On the question,

Will the House concur in Senate amendments?

The SPEAKER. Representative George from Clearfield County is recognized.

Mr. GEORGE. Mr. Speaker, this bill continues the State Board for Certification—

The SPEAKER. Representative George moves that the House do concur in the amendments inserted by the Senate, and the question recurs, will the House concur in the amendments inserted by the Senate?

On that question, Representative George from Clearfield County is recognized.

Mr. GEORGE. Mr. Speaker, the Senate added a definition for “residential subdivision plan,” and there was also a reinsertment of the 10-acre exemption for onlot sewage systems that has been replaced by a provision stating that a local agency may require a permit for an onlot system on a tract of 10 acres or more. And it took out the section that would require the Joint Air and Water Pollution Control Committee to report its findings of rural residence systems 3 years from the effective date of this act.

I recommend that we approve this bill.

The SPEAKER. The Chair recognizes Representative Hasay from Luzerne County.

Mr. HASAY. Thank you, Mr. Speaker.

Mr. Speaker, I urge this side of the aisle to concur with the Senate amendments on HB 52. Thank you.

The SPEAKER. From Crawford County, Representative Merry is recognized.

Mr. MERRY. Mr. Speaker, I concur with Representative Hasay and Representative George. We should accept the amendments to HB 52. While this bill when it left the House
had provisions for environmental controls on 10-acre exemptions, they have instead substituted a grandfathering clause, which is a small step forward.

I agree that we should concur with this bill at this present time.

The SPEAKER. Those voting "aye" will vote to concur; those voting "nay" will vote to nonconcur.

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

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

YEAS—201

Acosta
Adolph
Allen
Angstadt
Argall
Barley
Battisto
Belardi
Belfanti
Billow
Birnlin
Bishop
Black
Blaum
Botteri
Bowley
Boyes
Brandt
Broujos
Bunt
Burd
Burns
Bush
Caltagirone
Cappabianca
Carlson
Carn
Cawley
Cesar
Chadwick
Civera
Clark, B. D.
Clark, D. F.
Clark, J. H.
Clymer
Cohen
Colafelia
Colaiasso
Cole
Connell
Corrigan
Cowell
Coy
DeLuca
DeWeese
Daley
Davies
Dempsay
Dietterick
Distler
Dombrowski
Donatucci
Dorr
Dunham
Evans
Fairchild
Fargo
Farmer
Fee
Fleck
Foster
Fox
Freeman
Freind
Gallen
Gamble
Gannon
Geist
George
Gigliotti
Glodeck
Goldshall
Grazia
Gruppo
Hagarty
Haluska
Harper
Hasay
Hayden
Hayes
Heckler
Heerman
Hershey
Hess
Howlett
Hughes
Itkin
Jackson
Jadlowiec
James
Jadlowiec
Johnson
Josefs
Kaiser
Kasunic
Kenney
Kondrich
Kosinski
Kukovich
LaGrotta
Langtry
Lashinger
Laughlin
Lee
Leh
Lescovitz
Levdansky
Linton
Lloyd
Lucyk
McCall
McDale
McNally
Marsico
Mayernik
Melo
Merry
Michlovic
Micozzi
Miller
Moehlmann
Morris
Mowery
Mrkonic
Murphy
Nahill
Naier
Olver
Perzel
Pesi
Petracca
Petrone
Phillips
Piccola
Plevsky
Pistella
Pitts
Pressmann
Preston
Raymond
Reber
Reinard
Richardson
Ritter
Robbins
Robinson
Robinson
Roebuck
Rudy
Rudy
Ryan
Salaom
Sau hart
Scheetz
Scheler
Scrimenti
Semmel
Serafini
Shack
Stair
Steighner
Stish
Straitmatter
Stuban
Tangretti
Taylor, E. Z.
Taylor, F.
Taylor, J.
Telek
Thomas
Veon
Vroon
Wambach
Wass
Weston
Williams
Wilson
Wogan
Wogan
Wozniak
Wright, D. R.
Wright, J. L.
Wright, R. C.
Wright, R. C.
Xander
Yandle
Zilinski

NAYS—0

NOT VOTING—0

EXCUSED—2

Dinnini
Letterman

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

Ordered, That the clerk inform the Senate accordingly.

* * *

The clerk of the Senate, being introduced, returned the following HB 1293, PN 2302, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act amending the act of July 2, 1984 (P. L. 568, No. 113), known as the "Employee-Ownership Assistance Program Act," defining employee-owned enterprises; regulating technical assistance, financial assistance and program administration; further providing for the final date for approvals; and making repeals.

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

The SPEAKER. The gentleman from Allegheny, Mr. Michlovic, moves that this House concur in the amendments inserted by the Senate, and the question recurs, will the House concur in the amendments inserted by the Senate?

On the question of concurrence, Representative Hayes is recognized.

Mr. Hayes. Thank you, Mr. Speaker.

This bill, HB 1293, was the subject of extensive debate just a few legislative days ago. As the Representatives will recall, Mr. Speaker, the measure pertains to feasibility studies with regard to the possibility of employee ownership of Pennsylvania-based corporations.

At the time the House of Representatives first considered this bill, there was language in the bill which indicated that these studies, these plans, could move forward even if the business owner, corporation ownership, was not in agreement with such a proposal at the outset. The Senate has placed an amendment in the bill which strikes that what I believe to be ill-advised language, and I respectfully suggest that we concur in Senate amendments.

The SPEAKER. The motion is to concur in Senate amendments. Those voting to concur will vote "aye"; those voting to nonconcur will vote "no."

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

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

YEAS—200

Acosta
Adolph
Allen
Angstadt
Argall
Barley
Battisto
Belardi
Belfanti
Billow
Birnlin
Distler
Dombrowski
Donatucci
Dorr
Dunham
Evans
Fairchild
Fargo
Farmer
Fee
Fleck
Foster
Fox
Freeman
Freind
Gallen
Gambl e
Gannon
Geist
George
Gigliotti
Glodeck
Goldshall
Grazia
Gruppo
Hagarty
Haluska
Harper
Hasay
Hayden
Hayes
Heckler
Heerman
Hershey
Hess
Howlett
Hughes
Itkin
Jackson
Jadlowiec
Jadlowiec
Johnson
Josefs
Kaiser
Kasunic
Kenney
Kondrich
Kosinski
Kukovich
LaGrotta
Langtry
Lashinger
Laughlin
Lee
Leh
Lescovitz
Levdansky
Linton
Lloyd
Lucyk
McCall
McDale
McNally
Marsico
Mayernik
Mello
Merry
Michlovic
Micozzi
Miller
Moehlmann
Morris
Mowery
Mrkonic
Murphy
Nahill
Naier
Olver
Perzel
Pesi
Petracca
Petrone
Phillips
Piccola
Plevsky
Pistella
Pitts
Pressmann
Preston
Raymond
Reber
Reinard
Richardson
Ritter
Robbins
Robinson
Robinson
Roebuck
Rudy
Ryan
Salaom
Sau hart
Scheetz
Scheler
Scrimenti
Semmel
Serafini
Shack
Steighner
Stish
Straitmatter
Stuban
Sumber
Snyder, D. W.
Snyder, G.
Staback
Stairs
Steighner
Stish
Straitmatter
Stuban
Tangretti
Taylor, E. Z.
Taylor, F.
Taylor, J.
Telek
Thomas
Veon
Vroon
Wambach
Wass
Weston
Williams
Wilson
Wogan
Wogan
Wozniak
Wright, D. R.
Wright, J. L.
Wright, R. C.
Xander
Yandle
Zilinski

NAYS—0

NOT VOTING—0
The SPEAKER. Representative Wambach from Dauphin County moves that the House concur in the amendments inserted by the Senate, and the question recurs, will the House concur in the amendments inserted by the Senate?

On that question, Representative Wambach from Dauphin County is recognized.

Mr. WAMBACH. Thank you, Mr. Speaker.

Mr. Speaker, I just wanted to explain the Senate amendments, which I feel are redundant to the extent that what they do is they say that no community action agency shall receive less than $150,000. Obviously there is a hold harmless for community action agencies for $150,000. We, in the original bill that was drafted, on page 5, line 7, indicated that a minimum funding level would be set at $150,000.

Although we feel the amendment is redundant, we ask for concurrence by this House. Thank you, Mr. Speaker.

LETTER SUBMITTED FOR THE RECORD

The SPEAKER. On the question of concurrence, from Allegheny County, Representative Pistella is recognized.

Mr. PISTELLA. Thank you, Mr. Speaker.

Mr. Speaker, I rise to urge concurrence in the Senate amendments to HB 1392.

On June 5, 1989, I had offered an amendment which this House saw fit to adopt. I would like to take this opportunity to insert into the record a letter that further clarifies the reference to the funds that are contained in that amendment to indicate the legislative intent of that amendment at this time.

The SPEAKER. The remarks may be submitted for the record.

Mr. PISTELLA submitted the following letter for the Legislative Journal:

House of Representatives
Commonwealth of Pennsylvania
Harrisburg
June 30, 1989

Honorable Robert W. O'Donnell
Majority Leader
House of Representatives
Room 110 Main Capitol Building
Harrisburg, Pennsylvania 17120-0028

Dear Representative O'Donnell:

I am writing to encourage concurrence in Senate Amendments to House Bill 1392.

House Bill 1392 amends and extends the Community Services Act, the authorization for which would sunset today, June 30, 1989, without this legislation.

I wish to further clarify the funds referred to in amendments prepared on my behalf and subsequently adopted on the floor of the House. [Section 6 (a) (7) (i) and (ii)]. The Federal funds are Community Services Block Grant (CSBG) funds which are annually appropriated to the Commonwealth of Pennsylvania and administered by the Department of Community Affairs.

No State funds are currently available for distribution under the provisions of the Community Services Act. However, potential State funds would be any future appropriation by the Commonwealth that would be distributed to community action agencies under the provisions of this Act.
Your continued support for the service providers tending to the needs of the less fortunate in the communities throughout the Commonwealth is greatly appreciated.

Sincerely,
Frank J. Pistella, Member
21st Legislative District

The SPEAKER. The motion is to concur. Those voting to concur will vote “aye”; those voting to nonconcur will vote “no.”

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

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

### YEAS—201

<table>
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### NAYS—0

| Dininni       | Letterman |        |

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

Ordered, That the clerk inform the Senate accordingly.

* * *

The clerk of the Senate, being introduced, returned the following HB 1694, PN 2226, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act amending the act of December 15, 1986 (P. L. 1585, No. 174), known as the “Private Licensed Schools Act,” creating a special fund to serve as reservoir for license fees authorized by the act.

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

The SPEAKER. The gentleman from Allegheny County, Representative Cowell, moves that this House concur in the amendments inserted by the Senate.

The question recurs, will the House concur in the amendments inserted by the Senate? On that question, Representative Cowell is recognized.

Mr. COWELL. Thank you, Mr. Speaker.

Mr. Speaker, the issue addressed in HB 1694 is the disposition of moneys collected under the provisions of the Private Licensed Schools Act.

The bill as it was originally introduced would have created a separate and new Private Licensed Schools Fund in the Department of Revenue. The Senate amendments have struck that language and instead would have a restricted revenue account created in the Department of Education for the receipt of the funds in question.

I would urge that we concur in the amendments inserted by the Senate.

The SPEAKER. The question is on concurrence. Those voting to concur will vote “aye”; those voting to nonconcur will vote “no.”

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

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

### YEAS—201

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NOT VOTING—0

| Dininni       | Letterman |        |

EXCUSED—2

| Dininni       | Letterman |        |
The SPEAKER. Representative Plevsky from Philadelphia County moves that the House concur in the amendments inserted by the Senate, and the question recurs, will the House concur in the amendments inserted by the Senate?

Those voting to concur in the amendments inserted by the Senate will vote "aye"; those voting to nonconcur will vote "no."

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

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

YEAS—200

Acosta
Adolph
Allen
Angstadt
Argall
Barley
Barto
Belani
Bell
Birn
Bishop
Black
Blaum
Bortner
Bowley
Boyes
Brandt
Broujos
Bult
Burns
Bush
Calzaghero
Cappabianca
Carlson
Carn
Cawley
Cawley
Cesar
Chadwick
Civera
Clark, B. D.
Clark, D. F.
Clark, J. H.
Clymer
Cohen
Colafranca
Colafranca
Cole
Cornell
Corrigan
Cowell
Coy
DeLuca
DeWeese
Daley
Davies
Dempsey
Dietrick
Dietler
Dombrowski
Cinnin
Lettermen

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

Ordered, That the clerk inform the Senate accordingly.

SUPPLEMENTAL CALENDAR B
BILLS ON CONCURRENCE IN SENATE AMENDMENTS

The clerk of the Senate, being introduced, returned the following HB 537, PN 2142, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act making appropriations from a restricted revenue account within the General Fund and from Federal augmentation funds to the Pennsylvania Public Utility Commission, the Office of Consumer Advocate and the Office of Small Business Advocate; and providing for the initial assessment for the Office of Small Business Advocate.

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

Hughes

NAYS—0
NOT VOTING—0
EXCUSED—2

Dininni
Lettermen

NAYS—0
NOT VOTING—1
The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

The clerk of the Senate, being introduced, returned the following HB 1197, PN 2263, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act reestablishing the State Athletic Commission; providing for an Executive Director and a Medical Advisory Board; permitting and regulating boxing contests and exhibitions; requiring licenses and permits; providing for the granting, suspension and revocation of licenses and permits issued by the State Athletic Commission; preserving the rights of existing licensees and permittees; prescribing penalties, fines, forfeitures and misdemeanors; requiring bonds and insurance; providing for rules and regulations; imposing a tax on certain receipts; establishing a restricted revenue account for receipts; and making an appropriation.

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

The SPEAKER. Representative Linton from Philadelphia County moves that this House concur in the amendments inserted by the Senate, and the question recurs, will the House concur in the amendments?

Those voting to concur will vote "aye"; those voting to nonconcur will vote "no."

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

YEAS—201

Acosta Donatucci  Lashinger  Ritter
Adolph Dorr  Laughlin  Robbins
Allen Durham  Lee  Robinson
Angrisadi Evans  Leh  Roebuck
Argall Fairchild  Lescozvit  Rudy
Barley Fargo  Levansky  Ryan
Battistio Farmer  Linton  Rybak
Belardi Fee  Lloyd  Saloom
Belainti Fiegler  Lucy  Saurman
Bilow Flick  McGill  Scheetz
Birmelin Foster  McHale  Schuler
Bishop Fox  McNally  Scrimmini
Black Freeman  McVerry  Sennel
Bluam Freind  Maiale  Serafini
Bortner Galler  Maine  Smith, B.
Bowley Gamble  Markosek  Smith, S. H.
Boyes Gannon  Marsico  Snyder, D. W.
Brandt Geist  Mayernik  Snyder, G.
Broujos George  Metio  Staback
Bunt Gigliotti  Merry  Stairs
Burd Gladeck  Michlovic  Steighner
Burns Godshall  Miccoze  Stish
Bush Gruliza  Miller  Strittmatter
Caldigione Gruppo  Mohennian  Stuban
Cappabianca Hagarty  Morris  Tangretti
Carlson Haluska  Mowery  Taylor, E. Z.
Carn Harper  Mrkonic  Taylor, F.

Cawley Hasay  Murphy  Taylor, J.
Cessar Hayden  Nahill  Telek
Chadwick Hayes  Nairor  Thomas
Civera Heckler  Noye  Tigue
Clark, B. D. Herman  O'Brien  Trelo
Clark, D. F. Hershey  O'Donnell  Trish
Clark, J. H. Hess  Olaz  Van Horne
Clymer Howlett  Oliver  Veen
Cohen Hughes  Perzel  Vroom
Colafella Itkin  Pesci  Wambach
Colatozzo Jackson  Petravca  Wass
Cole Jadvowiec  Petrone  Weston
Connell James  Phillips Williams
Corrigan Jarolin  Piccola  Wilson
Cowell Johnson  Pivsicky  Wogan
Coy Josephs  Pistella  Wozniak
DeLuca Kaiser  Pitts  Wright, D. R.
DeWeese Kazunic  Pressmann  Wright, J. L.
Daley Kenney  Preston  Wright, R. C.
Davies Kondrich  Raymond  Yandrisevits
Dempsey Kosinski  Reber
Dietterick Kukovich  Reinard  Manderino
Distler LaGrotta  Richardson  Speaker
Dombrowski Langtry  Rieger

NAYS—0

NOT VOTING—0

EXCUSED—2

Dininni Letterman

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

Ordered, That the clerk inform the Senate accordingly.

WELCOME

The SPEAKER. The Speaker is happy to welcome to the hall of the House this evening a Philadelphia schoolteacher, a guest of Representative Harold James. She is Sharon Avent. She is in the balcony. Will she please stand.

BILLS SIGNED BY SPEAKER

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

HB 22, PN 2301

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

HB 52, PN 2259

An Act amending the act of January 24, 1966 (1965 P. L. 1535, No. 537), known as the "Pennsylvania Sewage Facilities Act," further providing for the Advisory Committee; further providing for the approval of certain plans, for permits, for the powers and duties of local agencies, the certification board, the Environmental Quality Board and the department; and reestablishing the State Board for Certification of Sewage Enforcement Officers pursuant to the Sunset Act.
HB 537, PN 2142

An Act making appropriations from a restricted revenue account within the General Fund and from Federal augmentation funds to the Pennsylvania Public Utility Commission, the Office of Consumer Advocate and the Office of Small Business Advocate; and providing for the initial assessment for the Office of Small Business Advocate.

HB 1197, PN 2263

An Act reestablishing the State Athletic Commission; providing for an Executive Director and a Medical Advisory Board; permitting and regulating boxing contests and exhibitions; requiring licenses and permits; providing for the granting, suspension and revocation of licenses and permits issued by the State Athletic Commission; preserving the rights of existing licensees and permittees; prescribing penalties, fines, forfeitures and misdemeanors; requiring bonds and insurance; providing for rules and regulations; imposing a tax on certain receipts; establishing a restricted revenue account for receipts; and making an appropriation.

HB 1293, PN 2302

An Act amending the act of July 2, 1984 (P. L. 568, No. 113), as amended, known as the “Employee-Ownership Assistance Program Act,” defining employee-owned enterprises; regulating technical assistance, financial assistance and program administration; further providing for the final date for approvals; and making repeals.

HB 1392, PN 2138

An Act amending the act of July 10, 1986 (P. L. 1263, No. 116), as known as the “Community Services Act,” further providing for community action agencies and the board, for funding eligibility for block grants, for apportionment of appropriations, and for monitoring and remedies for block grant contracts; and extending the sunset provision.

HB 1694, PN 2226

An Act amending the act of December 15, 1986 (P. L. 1585, No. 174), as known as the “Private Licensed Schools Act,” creating a special fund to serve as repository for license fees authorized by the act.

SUPPLEMENTAL CALENDAR A CONTINUED
BILL ON CONCURRENCE
IN SENATE AMENDMENTS
TO HOUSE AMENDMENTS

The clerk of the Senate, being introduced, returned the following SB 280, PN 1412, with information that the Senate has concurred in the amendments made by the House by amending said amendments in which the concurrence of the House of Representatives is requested:

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

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

The SPEAKER. The gentleman, Mr. George, from Clearfield County moves that the House concur in the amendments inserted by the Senate to House amendments, and the question recurs, will the House concur in those amendments?

On that question, Representative George is recognized.

Mr. GEORGE. Mr. Speaker, there were two technical amendments placed in the Senate, and there was a change narrowly defined in the statement that threatens public health or the environment.

Otherwise, this bill is like we had sent it over to the Senate, and we urge its concurrence.

The SPEAKER. From Luzerne County, Representative Hasay is recognized.

Mr. HASAY. Thank you, Mr. Speaker.

I also urge concurrence in Senate amendments. Thank you.

The SPEAKER. The motion is to concur. Those voting to concur will vote “aye”; those voting to nonconcur will vote “no.”

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

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

YEAS—200

Acosta               Dorr               Laughlin               Ritter
Adolph               Durham             Lees                 Robbins
Allen                Evans               Leh                  Robinson
Angstadt             Fairchild          Lescoitz             Roebeck
Argall               Fargo               Levdansky            Rudy
Barley               Farmer             Linton               Ryan
Battisto             Fee                 Lloyd                Rybak
Belardi              Fleagle             Lucyk                Saulman
Belfanti             Flick               McCall               Scheetz
Billow               Foster              McNally              Schaler
Birmelin             Fox                 McIlhany             McVerry
Black                 Freind              Maiale               Scriminti
Blum                 Gallen              Maine                Serafini
Bottmer              Gamble              Markosek             Smith, B.
Boyes                Gannon              Marsico              Smith, S. H.
Brandt               Geist                Mayernik             Snyder, D. W.
Broujos              George              Melo                 Snyder, G.
Bunt                 Gigliotti           Merry                Staback
Burd                 Gladeck             Michiuvich           Stairs
Burns                Godshall            Micozzie             Steighner
Bush                 Gruitzka            Miller               Stish
Caltagirone          Gruppo              Moehlmann            Strittmatter
Cappobianca          Hagarty             Morris               Stuban
Carlton              Halaska             Mowery               Tangretti
Carn                 Harper              Mrokiw               Taylor, E. Z.
Cawley               Hasay               Murphy               Taylor, F.
Cesare               Hayden              Nahill               Taylor, J.
Chadwick             Hayes               Nailer               Telek
Civera               Heckler             Neye                 Thomas
Clark, B. D.        Herman              O’Brien              Tigue
Clark, D. F.         Hershey             O’Donnell            Trello
Clark, J. H.        Hess                 Olasz                Trich
Clymer               Hewlett             Oliver                Van Horne
Cohen                Hughes              Perzel               Veon
Colaifella           Ikin                 Pesci                 Vroom
Colaiizzo            Jackson             Petrosca             Wambach
Cole                 Jadowiecz           Petrone               Wass
Cornell              James                 Phillips              Weston
Corrigan             Jarofin             Piccola               Williams
Cowell               Johnson             Pieovsky             Wilson
Coy                  Josephs             Pietskla              Wogan
DeLuca               Kaiser               Pitts                 Wozniak
DeWeese              Kasunic             Pressmann            Wright, D. R.
Daley                Kenney               Preston               Wright, J. L.
Davies               Kondrich            Raymond              Wright, R. C.
The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments to the House amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

RULES SUSPENDED

The SPEAKER. The Chair recognizes the gentleman from Northampton, Representative Freeman.

Mr. FREEMAN. Mr. Speaker, I move that rule 15 of this House be suspended so that business may be conducted beyond 11 p.m. this evening.

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

CONFERENCE COMMITTEE APPOINTMENT

The SPEAKER. The Chair announces for the information of the members that the conferees appointed on SB 253 have been altered. Representative Sam Hayes, originally appointed by the Speaker this afternoon, has withdrawn from the committee of conference, and Ed Burns, Representative, is being placed on the Conference Committee on SB 253.

VOTE CORRECTION

The SPEAKER. The Chair recognizes the gentleman from Schuylkill, Mr. Allen.

Mr. ALLEN. Mr. Speaker, I was not recorded on final passage of SB 906, and I would like to be recorded in the affirmative.

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

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NONCONCURRED IN BY HOUSE

The clerk of the Senate, being introduced, informed that the Senate has insisted upon its amendments nonconcurred in by the House of Representatives to HB 1687, PN 2322, and has appointed Senators LOEPER, TILGHMAN and BODACK a committee of conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

MOTION INSISTING UPON NONCONCURRENCE IN SENATE AMENDMENTS

Mr. LLOYD moved that the House insist upon its nonconcurrence in Senate amendments to HB 31, PN 2317, and that a committee of conference on the part of the House be appointed.

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

APPOINTMENT OF COMMITTEE OF CONFERENCE

The SPEAKER. The Chair appoints as a committee of conference on the part of the House on HB 31, PN 2317: Messrs. O'DONNELL, PIEVSKY and RYAN.

Ordered, That the clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NONCONCURRED IN BY HOUSE

The clerk of the Senate, being introduced, informed that the Senate has insisted upon its amendments nonconcurred in by the House of Representatives to HB 1687, PN 2322, and has appointed Senators LOEPER, TILGHMAN and BODACK a committee of conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

MOTION INSISTING UPON NONCONCURRENCE IN SENATE AMENDMENTS

Mr. PIEVSKY moved that the House insist upon its nonconcurrence in Senate amendments to HB 1687, PN 2322, and that a committee of conference on the part of the House be appointed.

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

APPOINTMENT OF COMMITTEE OF CONFERENCE

The SPEAKER. The Chair appoints as a committee of conference on the part of the House on HB 1687, PN 2322: Messrs. O'DONNELL, PIEVSKY and PITTS.

Ordered, That the clerk inform the Senate accordingly.
SENATE MESSAGE
SENATE INSISTS ON AMENDMENTS NONCONCURRED IN BY HOUSE

The clerk of the Senate, being introduced, informed that the Senate has insisted upon its amendments nonconcurred in by the House of Representatives to HB 285, PN 2319, and has appointed Senators LOEPER, TILGHMAN and FUMO a committee of conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

MOTION INSISTING UPON NONCONCURRENCE IN SENATE AMENDMENTS

Mr. TRELLO moved that the House insist upon its nonconcurrence in Senate amendments to HB 285, PN 2319, and that a committee of conference on the part of the House be appointed.

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

APPOINTMENT OF COMMITTEE OF CONFERENCE

The SPEAKER. The Chair appoints as a committee of conference on the part of the House on HB 285, PN 2319: Messrs. O'DONNELL, PIEVSKY and RYAN.
Ordered, That the clerk inform the Senate accordingly.

SENATE MESSAGE
SENATE INSISTS ON AMENDMENTS NONCONCURRED IN BY HOUSE

The clerk of the Senate, being introduced, informed that the Senate has insisted upon its amendments nonconcurred in by the House of Representatives to HB 1020, PN 2320, and has appointed Senators LOEPER, TILGHMAN and BODACK a committee of conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

MOTION INSISTING UPON NONCONCURRENCE IN SENATE AMENDMENTS

Mr. ITKIN moved that the House insist upon its nonconcurrence in Senate amendments to HB 1020, PN 2320, and that a committee of conference on the part of the House be appointed.

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

APPOINTMENT OF COMMITTEE OF CONFERENCE

The SPEAKER. The Chair appoints as a committee of conference on the part of the House on HB 1020, PN 2320: Messrs. O'DONNELL, PIEVSKY and PITTS.
Ordered, That the clerk inform the Senate accordingly.

SENATE MESSAGE
SENATE INSISTS ON AMENDMENTS NONCONCURRED IN BY HOUSE

The clerk of the Senate, being introduced, informed that the Senate has insisted upon its amendments nonconcurred in by the House of Representatives to HB 1373, PN 2321, and has appointed Senators LOEPER, TILGHMAN and FUMO a committee of conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

MOTION INSISTING UPON NONCONCURRENCE IN SENATE AMENDMENTS

Mr. PRESTON moved that the House insist upon its nonconcurrence in Senate amendments to HB 1373, PN 2321, and that a committee of conference on the part of the House be appointed.

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

APPOINTMENT OF COMMITTEE OF CONFERENCE

The SPEAKER. The Chair appoints as a committee of conference on the part of the House on HB 1373, PN 2321: Messrs. O'DONNELL, PIEVSKY and RYAN.
Ordered, That the clerk inform the Senate accordingly.

SENATE MESSAGE
SENATE INSISTS ON AMENDMENTS NONCONCURRED IN BY HOUSE

The clerk of the Senate, being introduced, informed that the Senate has insisted upon its amendments nonconcurred in by the House of Representatives to HB 1517, PN 2299, and has appointed Senators LOEPER, TILGHMAN and FUMO a committee of conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

MOTION INSISTING UPON NONCONCURRENCE IN SENATE AMENDMENTS

Mr. PIEVSKY moved that the House insist upon its nonconcurrence in Senate amendments to HB 1517, PN 2299, and
that a committee of conference on the part of the House be appointed.

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

APPOINTMENT OF COMMITTEE OF CONFERENCE
The SPEAKER. The Chair appoints as a committee of conference on the part of the House on HB 1517, PN 2299: Messrs. O’DONNELL, PIEVSKY and PITTS.
Ordered, That the clerk inform the Senate accordingly.

CONFERENCE COMMITTEE MEETING
The SPEAKER. The Chair recognizes the majority leader, Representative O’Donnell.
Mr. O’DONNELL. Thank you, Mr. Speaker.
I would like to call a conference committee meeting on HB 1517, HB 1687, HB 31, HB 285, HB 1373, and HB 1020. The conference committee meeting will be at 11:15 in the Senate majority caucus room. I would also like to inform the House that a conference committee will be meeting on SB 252 and SB 910 at the same time and the same place. Thank you.

RULES SUSPENDED
The SPEAKER. The Chair recognizes the majority leader.
Mr. O’DONNELL. Mr. Speaker, I move that the rules of the House be suspended, specifically rule 30 of the House, so that when HB 1429 is returned to the House, it will go directly to the calendar rather than to the Rules Committee.

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

SENATE MESSAGE
AMENDED HOUSE BILL RETURNED FOR CONCURRENCE
The clerk of the Senate, being introduced, returned HB 1429, PN 2354, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

RECESS
The SPEAKER. The House of Representatives is about to go into a recess for a period of 53 minutes, until 12 midnight. We are in recess until midnight.

RECESS EXTENDED
The time of recess was extended until 12:30 a.m.
The Chair gave notice that he was about to sign the following bills, which were then signed:

HB 110, PN 180
An Act amending the act of July 2, 1984 (P. L. 545, No. 109), known as the “Capital Loan Fund Act,” further providing for loans to agricultural processors.

SB 280, PN 1412
An Act providing for the regulation of storage tanks and tank facilities; imposing additional powers and duties on the Department of Environmental Resources and the Environmental Quality Board; and making an appropriation.

SUPPLEMENTAL CALENDAR C
REPORTS OF COMMITTEES OF CONFERENCE CONSIDERED

Mr. LLOYD called up for consideration the following Report of the Committee of Conference on HB 31, PN 2361, entitled:

An Act amending the act of April 9, 1929 (P. L. 343, No. 176), known as “The Fiscal Code,” requiring the Board of Finance and Revenue to issue written opinions to accompany its decisions; and providing for shares tax appeals.

On the question,
Will the House adopt the report of the committee of conference?

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

YEAS—200

Acosta  Adolph  Allen  Angstadt  Argall  Barley  Battist  Belardi  Belfanti  Billow  Birmelin  Bishop  Black  Blaum  Bortner  Bowley  Boyes  Brandt  Broujos  Bunt  Burd  Burns  Bush  Callagirone  Cappabianca  Carlson  Carn  Cawley  Cesar  Chadwick  Cirera  Clark, B. D.  Clark, D. F.

Lashinger  Laughlin  Lee  Leh  Lescovitz  Ludansky  Linton  Freeman  Feeg  Flick  Foster  Fox  McNally  McVerry  Maiale  Maine  Markosz  Marsico  Mayernik  Melio  Merry  Michlovic  Miccolez  Moehmann  Morris  Mowery  Mykonic  Murphy  Nahill  Nailer  O'Brien  O'Donnell


NAYS—0

NOT VOTING—1

Vroom

EXCUSED—2

Dininini  Letterman

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the committee of conference was adopted.

Ordered, That the clerk inform the Senate accordingly.

Mr. TRELLO called up for consideration the following Report of the Committee of Conference on HB 285, PN 2365, entitled:

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), known as the “Tax Reform Code of 1971,” providing for imposition of bank shares tax; ascertaining values; requiring reports; imposing an alternative bank share tax; imposing the title insurance and trust companies shares tax; ascertaining values; imposing an alternative title insurance and trust companies shares tax; excluding certain transactions from the realty transfer tax; delaying the reduction of mutual thrift institution tax; and making repeals.

On the question,
Will the House adopt the report of the committee of conference?

MOTION TO SUSPEND RULES

The SPEAKER. The gentleman from Berks County, Mr. Gallen, is recognized. For what purpose does the gentleman rise?

Mr. GALLEN. Mr. Speaker, to speak on the conference report.

The SPEAKER. On the conference report, the gentleman is in order.

Mr. GALLEN. Mr. Speaker, if I went to John Wanamaker’s to buy a $300 suit and the suit did not fit me and I took it back, and even though I paid cash, they would not give me my money back; they say, go to Boscov’s and get your money back, because the Governor and the leadership of the
legislature says that is who is going to pay your money back, I think that would be patently unfair to Boscov’s.

Mr. Speaker, we are being extremely unfair to the thrift institutions of this State, and this business has experienced some tremendous economic pressures brought on by many things, including those things not of their own fault. Mr. Speaker, I think it would have been better had we imposed a 2-cent cigarette tax than try to extract money from these institutions which are seriously hurting right now. Mr. Speaker, I think that this punishment is too great, and therefore, Mr. Speaker, I would like to amend this bill by taking them out of it, and I move to suspend the rules in order that I can offer an amendment.

MOTION RULED OUT OF ORDER

The SPEAKER. The gentleman from Berks County, Mr. Gallen, has asked that the rules of the House be suspended so that he might amend the conference report, and the Chair declares that the gentleman is out of order and reads from Mason’s Manual, section 770, “Conference Committees,” subsection 2, in part: “Under no condition, including suspension of the rules, may the house alter or amend the report of the committee, but must adopt or refuse to adopt the report in the form submitted.” The gentleman is out of order.

POINT OF ORDER

Mr. GALLEN. Mr. Speaker, point of order.

The SPEAKER. State your point.

Mr. GALLEN. Mr. Speaker, in the past we have done exactly this.

The SPEAKER. I do not believe we have ever amended a conference report. The gentleman is out of order.

RULING OF CHAIR APPEALED

Mr. GALLEN. Mr. Speaker, I challenge the ruling of the Chair.

The SPEAKER. The gentleman has appealed the ruling of the Chair. The question is whether or not the ruling of the Chair shall be sustained. When an appeal is taken, the Speaker will state the question.

Shall the decision of the Chair stand as the judgment of the House? Those in favor of sustaining the Chair’s decision will vote “aye”; those opposed to the Chair’s decision will vote “no.”

On the question,

Will the House sustain the ruling of the Chair?

The SPEAKER. The gentleman, Mr. Ryan, is in order on the question.

Mr. RYAN. Mr. Speaker, I reluctantly oppose the motion of my colleague from my caucus. I happen to agree, as a former Speaker, with the ruling of this Speaker, and I feel constrained to say so.

On the question recurring,

Will the House sustain the ruling of the Chair?

The following roll call was recorded:

YEAS—144

Acosta Adolph Allen Argali
Barley Battisto Belardi Belfanti Billow Bishop Black Blaum Bortner Bowley Brandt Broujos Burd Burns Caltagirone Cappabianca Carlson Carn Cawley Cesar Civera Clark, B. D. Clymer Cohen Colafella Colaiazzo Cole Corrigan Cowell Coy DeLuca DeWeese


Mr. BROUJOS. Mr. Speaker, point of order.

The SPEAKER. The gentleman from Cumberland, Mr. Broujos, is recognized on a point of order.

Mr. BROUJOS. Mr. Speaker, I would like a copy—and I think the others would like a copy—of HB 285. I do not have it, and I do not intend to vote on any bill tonight unless I have a copy.

The SPEAKER. There are copies available.

BILL PASSED OVER TEMPORARILY

The SPEAKER. We will go over HB 285 temporarily until the members all have copies of the bill.

* * *

Mr. PRESTON called up for consideration the following Report of the Committee on Conference on HB 1373, PN 2363, entitled:

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), known as the "Tax Reform Code of 1971," further providing for employment incentive payments; imposing new bank tax credits; providing for limitations and procedures; and requiring reports and evaluations.

On the question,

Will the House adopt the report of the committee of conference?

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

YEAS—201

Adolph, D. F. Evans, Donatucci, Lashinger, Ritter

Allen, Durham, Lee, Robinson

Angstadt, Evans, Leh, Roebuck

Argall, Fairchild, Lescovitz, Rudy

Barley, Fargo, Lefsky, Ryan

Battistone, Farmer, Linton, Rybak

Belardi, Fee, Lloyd, Sauley

Belfanti, Fiegle, Lueck, Sauman

Billow, Flick, McColl, Scheetz

Birmelin, Foster, McHale, Schuler

Bishop, Fox, McNally, Sermenti

Black, Freeman, McVerry, Semmens

Blaum, Freind, Maiale, Seafair

Bowette, Callen, Maine, Smith, B.

Boyce, Gamble, Marosek, Smith, E. H.

Boyes, Cannon, Marisco, Snyder, D. W.

Brandt, Geist, Mayernick, Snyder, G.

Broujos, George, Melio, Staback

Bunt, Gigliotti, Merry, Stairs

Burns, Godshall, Miccosie, Stith

Bush, Gruizzi, Miller, Strittmatter

Caltagirone, Gruppo, Moehlmann, Stuhak

Cappabianca, Haggarty, Morris, Tangretti

Carlson, Haluska, Mowery, Taylor, E. Z.

Carr, Harper, Mikovic, Taylor, F.

Cawley, Hayny, Murphy, Taylor, J.

Cessar, Hayden, Nahill, Teiek

Chadwick, Hayes, Nailer, Thomas

Cicero, Heckler, Noyes, Tigno

Clark, B. D., Herman, O'Brien, Trice

Clark, D. F., Hershey, O'Donnell, Trice

Clark, J. H., Hess, Glass, Van Horne

Clower, Howlett, Oliver, Veen

Cohen, Hughes, Perzel, Vroon

Colafella, Itkin, Pesci, Wambach

Colazio, Jackson, Petrarcia, Wass

Cole, JacobSec, James, Phillips, Williams

Cornell, Jobrino, Piccola, Wilson

Cowell, Johnson, Pieksy, Wogan

Coy, Josephs, Pixella, Woziak

DeLuca, Kaiser, Pitts, Wright, D. R.

DeWeese, Karanic, Pizzinelli, Wright, J. L.

Daley, Kenney, Preston, Wright, R. C.

Davies, Kondrich, Raymond, Yandrisevits

Dempsey, Kosinski, Reber

Dietterick, Kukovich, Reinald, Manderino,

Distler, LaGrotta, Richardson, Speaker

Dombrowski, Langtry, Rieger

NAYS—0

NOT VOTING—0

EXCUSED—2

Dininni, Letterman

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the committee of conference was adopted.

Ordered, That the clerk inform the Senate accordingly.

* * *

Mr. PIESKVY called up for consideration the following Report of the Committee on Conference on HB 1687, PN 2364, entitled:

An Act appropriating and transferring amounts from the State Workmen's Insurance Fund to the Treasury Department.

On the question,

Will the House adopt the report of the committee of conference?

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

YEAS—104

Adolph, Evans, Fago, Lefskay, Rybak

Belardi, Fee, Lloyd, Roebuck

Belfanti, Fiegle, Lueck, Ryan

Billow, Foster, McColl, Rybak

Bishop, Fox, McHale, Sauman

Blaum, Gamble, McNally, Sermenti

Bortner, Gigliotti, Maiale, Staback

Bunt, Gruizzi, Maire, Stieghner

Caltagirone, Hagarty, Melio, Stith

Cappabianca, Haluska, Michlovic, Stuhan

Carn, Harper, Morris, Taylor, F.

Cesar, Hayny, Morkovic, Taylor, J.

Cicero, Hayden, Murphy, Thomas

Cohen, Hayes, Nahill, Tigue

Colafella, Hess, Noyes, Trello

Colaiuzzo, Itkin, O'Donnell, Trich

Cole, Jaddlowiec, Oliver, Van Horne

Corrigan, James, Perzel, Veon

Cowell, Jaronik, Peski, Weston

DeLuca, Johnson, Petrone, Williams

DeWeese, Josephs, Piesky, Wright, R. C.

Daley, Kosinski, Pittel, Yandrisevits

Davies, Kukovich, Presto, Manderino,

Distler, LaGrotta, Raymond, Speaker

Dombrowski, Langtry, Rieger

Donatucci, Lescovitz, Vroon


NAYS—93

Acosta  Dorr  Lasinger  Robbins
Allen  Durham  Lee  Rudy
Angstadt  Fairchild  Lch  Saloom
Argall  Farmer  McVerry  Scheetz
Barley  Flick  Markosek  Schuler
Birmelin  Freeman  Marsico  Sernell
Black  Freind  Mayernik  Serafini
Bowley  Gallen  Gerry  Smith, B.
Boyres  Gannon  Miccuzie  Smith, S. H.
Brandt  Geist  Miller  Snyder, D. W.
Brojous  George  Moehlman  Snyder, G.
Burd  Gladeck  Mowery  Stain
Burns  Godshall  Nador  Strittmatter
Busch  Gruppo  O'Brien  Tangretti
Carlson  Heckler  Olas  Taylor, E. Z.
Cawley  Herman  Petrarca  Telek
Chadwick  Hershey  Phillips  Vroom
Clark, B. D.  Howlett  Piccola  Wambach
Clark, D. F.  Jackson  Pressman  Wass
Clark, J. H.  Kasunic  Reber  Wilson
Clymer  Kenney  Reinard  Wogan
Cornell  Kondrich  Richardson  Wozniak
Dempsey  Langtry  Ritter  Wright, J. L.
Dietrich  

NOT VOTING—4

Coy  Hughes  Kaiser  Wright, D. R.

EXCUSED—2

Dininni  Letterman

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the committee of conference was adopted.

Ordered, That the clerk inform the Senate accordingly.

Mr. ITKIN called up for consideration the following Report of the Committee of Conference on HB 1020, PN 2362, entitled:


On the question,
Will the House adopt the report of the committee of conference?
The SPEAKER. Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

YEAS—172

Acosta  Distler  Kondrich  Reinard
Adolph  Dombrowski  Kosinski  Richardson
Allen  Donatucci  Kukovich  Rieger
Argall  Dorr  LaGrotta  Robbins
Baiztso  Durham  Lasinger  Robinson
Belardi  Evans  Laughlin  Roebuck
Belfanti  Fairchild  Lesco-vitz  Ryan
Bilow  Fargo  Levdansky  Rybak
Bishop  Farmer  Linton  Saloom
Black  Fee  Lloyd  Sauman
Blum  Fleagle  Lecyk  Scheetz
Bortner  Foster  McCall  Scrimenti
Bowley  Fox  McHale  Semmel
Brojous  Freind  McNally  Smith, B.
Bunt  Gallea  Maiale  Snyder, D. W.
Burd  Gamble  Maine  Staback
Burns  Gannon  Markosek  Stairs
Bush  Geist  Mayernik  Steghner
Caltagirone  George  Melio  Steh
Cappobianca  Giggliotti  Mordvinov  Stuban
Carlson  Gladeck  Miccuzie  Taniguchi
Carn  Grutzia  Moehlman  Taylor, F.
Cawley  Gruppo  Mordvinov  Taylor, J.
Chadwick  Halaska  Mrkonich  Telek
Chavera  Harper  Murphy  Tigue
Clark, B. D.  Hayes  Nahil  Trello
Clark, D. F.  Hayden  Noye  Trich
Clark, J. H.  Hayes  O'Brien  Van Horn
Clymer  Hecker  O'Donnell  Veon
Cohen  Herman  Olas  Vroom
Colafello  Hershey  Oliver  Wambach
Colaiizzo  Hess  Perzel  Wass
Cole  Howlett  Pesci  Weston
Cornell  Hughes  Petrarca  Williams
Corrigan  Itkin  Petrone  Wilson
Cowell  Jackson  Phillips  Wogan
Coy  Jadowicz  Pienkiewicz  Wright, D. R.
Cotella  James  Piccola  Wright, R. C.
DeWeese  Jarolin  Pits  Yandrisevits
Daley  Johnson  Preston  
Davies  Josephs  Raymond  
Dempsey  Kaiser  Reber  Speaker
Dietrich  Kasunic  

NOT VOTING—0

EXCUSED—2

Dininni  Letterman

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the committee of conference was adopted.

Ordered, That the clerk inform the Senate accordingly.

BILL ON CONCURRENCE IN SENATE AMENDMENTS

The clerk of the Senate, being introduced, returned the following HB 1429, PN 2354, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), known as "The Administrative Code of 1929," further providing for increased fees and additional fees for the Department of Labor and Industry; further providing for the reestablishment, administration and operation of the State Planning Board; and further providing for no-bid contracts and for certain purchases in the open market by increasing the cost of such purchases; and providing for special State duty for the Pennsylvania National Guard and the pay for enlisted personnel performing Federally funded duty.
On the question,
Will the House concur in Senate amendments?

The SPEAKER. On that question, the majority whip, the
gentleman from Greene County, Representative DeWeese,
moves that this House concur in the amendments inserted by
the Senate, and the question recurs, will the House concur in
the amendments inserted by the Senate?

The gentleman, Mr. Snyder, from York County is recog-
nized on concurrence in Senate amendments.

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

Would the gentleman, Mr. DeWeese, stand for brief inter-
rogation?

The SPEAKER. The gentleman indicates he will.

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

If possible, would you please give me a brief summary of
the contents of this legislation?

Mr. DeWEES. Would the gentleman indicate whether the
National Guard aspect of the bill is—

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

Mr. DeWEES. That was one of the amendments, Mr.
Speaker.

There were two areas of emendation, one being the
National Guard issue and the other were some technical
aspects of the original bill dealing with the OSHA (Occupa-
tional Safety and Health Administration) and the boilermaker
fees. Which area would you like to look at, Mr. Speaker?

Mr. G. M. SNYDER. If you could briefly explain both of
them for me, I would appreciate that.

Mr. DeWEES. Mr. Speaker, the initial amendments
dealing with the National Guard are the package that Mr.
Broujos and others are aware of and that allow for National
Guard personnel within the Commonwealth to be involved in
the antidrug effort throughout the State.

The other areas are comparatively technical, and I can go
over them one by one, if you wish.

Mr. G. M. SNYDER. If you can do it briefly and in
summary, I would appreciate that.

Mr. DeWEES. The State Planning Board has been relo-
cated in the Governor’s Office, and that is reflected on page 4,
line 18 and line 19.

Mr. Speaker, it also takes the State Planning Board out of
PennDOT’s 12-year plan process.

Those would be the three major areas of change that the
Senate injected into the measure.

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

The SPEAKER. The minority whip, Mr. Hayes, is recog-
nized.

Mr. HAYES. Thank you, Mr. Speaker.

I would like to amplify upon the—

The SPEAKER. You are in order.

Mr. HAYES. Thank you, Mr. Speaker.

I would like to amplify upon the comments made by the
gentleman, Mr. DeWeese, with regard to the National Guard
and drug interdiction operations. This House of Representa-
tives previously passed similar legislation, and I would like to
underline the fact that participation on the part of one of our
Pennsylvania National Guardsmen would be voluntary and
not mandatory. It is a very important principle which we
should try to preserve in this legislation. So participation on
the part of our National Guardsmen here in Pennsylvania
with regard to drug interdiction operations would be volun-
tary.

Also, there is a provision dealing with special State service
that will allow enlisted personnel to be paid just as is the case
with officer personnel when they are ordered to special State
duty.

So those two provisions are also very important and are
part of the amendments coming back to us from the Senate.

The SPEAKER. The Chair thanks the gentleman.

The motion is to concur. Those voting to concur will vote
"aye"; those voting to nonconcour will vote "no."

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

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

YEAS—195

Acosta
Adolph
Allen
Angstadt
Argall
Barley
Battista
Belardi
Belfanti
Billow
Bimbac
Bishop
Black
Blaum
Bortner
Bowley
Boyens
Broujos
Bunt
Burda
Burns
Bush
Callowinary
Cappeliana
Carlon
Carn
Cawley
Cesar
Chadwick
Cica
Clark, B. D.
Clark, D. F.
Clark, J. H.
Clymer
Cohen
Colafella
Colairozro
Coe
Cornell
Corrigan
Cowell
Coy
DeLuca
DeWeese
Daley
Davies
Dempsey

Donatucci
Dorr
Durham
Evans
Fairchild
Fargo
Farmer
Fee
Feagle
Flick
Foster
Fox
Freeman
Freind
Gallen
Gamble
Gannon
Geist
George
Gigliotti
Gladeck
Grunita
Gruppo
Hagarty
Halinka
Harper
Hasay
Hayden
Hayes
Heckler
Herman
Hershey
Hess
Howlett
Hughes
Jackson
Jadlowicz
James
Jarofin
Johnson
Josephs
Kaiser
Kasunic
Kenney
Kendrich
Kosinski
Kukovich
Lashinger
Laughlin
Lee
Lemovitz
Leniskey
Linton
Lloyd
Lucyk
McCall
McHale
McNally
McVerry
Maiale
Maine
Markosek
Marsico
Mayernik
Melo
Merry
Michelovich
Miccioze
Miller
Mochmann
Morris
Mower
Mxkonick
Murphy
Nahil
Naslor
Noye
O'Brien
O'Donnell
Oliver
Perzel
Pesci
Petrarca
Petone
Phillips
Piccola
Pievsky
Pistella
Pitts
Pressmann
Presston
Raymond
Reber
Rieger
Ritter
Robbins
Robinson
Robbeck
Rudy
Ryan
Rybak
Salooom
Saurman
Scheins
Schuler
Scrimenti
Semmel
Serafini
Smith, B.
Smith, S. H.
Snydor, G.
Staback
Stairs
Steiglmer
Stish
Stoban
Tangretti
Taylor, E. Z.
Taylor, F.
Taylor, J.
Telek
Thomas
Tighe
Trello
Trich
Van Horne
Veon
Vroon
Wambach
Wass
Weston
Williams
Wilson
Wogan
Woźniak
Wright, D. R.
Wright, J. L.
Wright, R. C.
Yandrisevits
CONSIDERATION OF HB 285 CONTINUED MOTION TO RECOMMIT

The SPEAKER. The gentleman from Berks County, Representative Gallen, is recognized.

Mr. GALLEN. Mr. Speaker, because I am so concerned about the beleaguered thrift institutions in this Commonwealth, I would now like to move, Mr. Speaker, that this conference committee report be remanded to the conference committee or recommit, if you will, so that it can be divided and the thrift institutions can be taken out. I so move, Mr. Speaker.

The SPEAKER. The gentleman from Berks County, Mr. Gallen, moves that the conference report be remanded to the conference committee.

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

The SPEAKER. The motion is a proper motion. We are checking to see whether it is debatable.

Is there a request for recognition on debate? If not, the leaders are certainly able to debate it.

The majority leader, Representative O’Donnell, is recognized.

Mr. O’DONNELL. Thank you, Mr. Speaker. This motion is in the nature—A parliamentary inquiry, Mr. Speaker.

The SPEAKER. Yes. This motion is to remand to the conference committee.

Mr. O’DONNELL. I understand.

Mr. Speaker, in view of the hour and the amount of work that has been put into this bill and the fact that this is the almost final result on the budget, I would urge the members to reject this motion.

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

Mr. RYAN. Mr. Speaker, I am not going to get into that part of it, because I feel funny in that the gentleman, Mr. Gallen, is a member of my caucus. I am simply going to say, however, that this bill is absolutely probably the critical piece of the budget process. It contains approximately $695 million in revenue. Without it, it will be impossible to pass a budget this year perhaps. Except when things get critical, when things get tight, what will probably happen, if I call on my experiences, is you will end up with a general appropriations bill cut down by the Governor and you will have no appropriations for any of the nonpreferreds. I think that it is a serious mistake. I believe it is at this late date bordering on irresponsible to jeopardize the budget.

Now, there are any number of reasons why I could understand doing some of this, but I think at this hour and at this time, we had better think very carefully about what we are doing on this vote.

The SPEAKER. On the question of remanding, from Berks County, Representative Gallen is recognized.

Mr. GALLEN. Mr. Speaker, I understand that. You know, the rank-and-file members of both caucuses have been kind of cut out of this budget debate more than usual. Mr. Speaker, I think this is so critical to this industry, and we are talking about less or approximately two-tenths of 1 percent of all the spending, and this tax could have a devastating effect on an industry that is hurting right now. I think it would profit us to send it back to conference, come out with a 2-cent cigarette tax or something and make up the hole in the budget, if indeed that is necessary, or let the Governor blue-line and come back and resolve the problem later. But I think it is critical to this industry that we do not do this to them.

Also, Mr. Speaker, I think it is admitted by the conferees, if we would speak to them individually, that this tax is extremely unfair on some of these businesses. Some of them are going to pay the tax; others will not. Some of those who got the refunds will not pay the tax. Some of those who did not get the refunds will pay the tax, and it is patently unfair to this industry to do this to them and it is a terrible thing because we are running into a budget deadline and never had a chance to address this situation before that we are going to take this action.

So, Mr. Speaker, I would hope the members will vote for my motion.

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

The following roll call was recorded:

YEAS—94

Adolph
Allen
Angstadt
Argall
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Belfanti
Birmelein
Black
Bowley
Boyes
Burns
Bush
Carlson
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Clark, B. D.
Clark, D. F.
Clark, J. H.

Fairchild
Fleagle
Flick
Fox
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Naylor
O’Brien
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Petrone
Pressmann

Ritter
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Semmel
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Smith, S. H.
Snyder, D. W.
Snyder, G.
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Strittmatter
Taylor, E. Z.
Taylor, J.
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Van Horne
Wass
Weston
Wilson

NAYS—4
NOT VOTING—2
EXCUSED—2

1989 LEGISLATIVE JOURNAL—HOUSE 1435
passed, I am sure the State is in trouble.

...majority party cannot get their legislation passed, then the...
NOT VOTING—1

Acosta

EXCUSED—2

Dininni Letterman

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the committee of conference was adopted.

Ordered, That the clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE PRESENTED

Mr. COWELL presented the Report of the Committee of Conference on SB 252, PN 1414.

VOTE CORRECTIONS

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

Mr. VROON. May I correct a vote, please?

The SPEAKER. Without objection, go ahead.

Mr. VROON. On the Conference Report on HB 1020, I erroneously voted in the negative, and I wish to be recorded in the affirmative.

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

From Lancaster County, Representative Brandt is recognized.

Mr. BRANDT. Likewise, Mr. Speaker. On HB 1429, on concurrence in Senate amendments, I was not recorded as voting. I would like to be recorded in the affirmative.

The SPEAKER. The remarks are spread upon the record.

Will the people who want to change votes and correct the record please hold. We will give you time to do that at the end of the session. There is important business to be taken care of at this time.

REPORTS OF COMMITTEES OF CONFERENCE CONTINUED

Mr. O’DONNELL called up for consideration the following Report of the Committee of Conference on SB 910, PN 1415, entitled:


On the question,

Will the House adopt the report of the committee of conference?

The SPEAKER. Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.
An Act providing for the establishment of a Family Preservation Program by the Department of Public Welfare; and providing for grants to counties for programs enabling children who would otherwise be subject to out-of-home placement to remain at home.

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.

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NOT VOTING—0
EXCUSED—2

Dinnini  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.

**CALENDAR CONTINUED**

**BILL ON THIRD CONSIDERATION**

The House proceeded to third consideration of SB 519, PN 1406, entitled:

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.

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.

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with information that the Senate has passed the same without amendment.

**BILLS SIGNED BY SPEAKER**

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

**HB 1471, PN 2176**

A Supplement to the act of November 30, 1965 (P. L. 843, No. 355), entitled "An act providing for the establishment and operation of Temple University as an instrumentality of the Commonwealth to serve as a State-related university in the higher education system of the Commonwealth; providing for change of name; providing for the composition of the board of trustees; terms of trustees, and the power and duties of such trustees; providing for preference to Pennsylvania residents in tuition; providing for public support and capital improvements; authorizing appropriations in amounts to be fixed annually by the General Assembly; providing for the auditing of accounts of expenditures from said appropriations; authorizing the issuance of bonds exempt from taxation within the Commonwealth; requiring the President to make an annual report of the operations of Temple University," making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated.

**HB 1472, PN 2177**

A Supplement to the act of July 7, 1972 (P. L. 743, No. 176), entitled "An act providing for the establishment and operation of Lincoln University as an instrumentality of the Commonwealth to serve as a State-related institution in the higher education system of the Commonwealth; providing for change of name; providing for the composition of the board of trustees; terms of trustees; and the power and duties of such trustees; providing for preference to Pennsylvania residents in tuition; authorizing appropriations in amounts to be fixed annually by the General Assembly; providing for the auditing of accounts of expenditures from said appropriations; providing for public support and capital improvements; authorizing the issuance of bonds exempt from taxation within the Commonwealth; requiring the President to make an annual report of the operations of Lincoln University," making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated.

**HB 1477, PN 2182**

An Act making an appropriation to the Philadelphia College of Osteopathic Medicine, Philadelphia.

**HB 1478, PN 2183**

An Act making an appropriation to the Trustees of Drexel University, Philadelphia.

**HB 1480, PN 2185**

An Act making an appropriation to the Philadelphia University of the Arts, Philadelphia.

**HB 1481, PN 2186**

An Act making an appropriation to the Philadelphia College of Textiles and Science.

**HB 1483, PN 2188**

The clerk of the Senate, being introduced, returned HB 1471, PN 2176; HB 1472, PN 2177; HB 1477, PN 2182; HB 1478, PN 2183; HB 1480, PN 2185; HB 1481, PN 2186; HB 1482, PN 2187; HB 1483, PN 2188; HB 1484, PN 2189; HB 1485, PN 2190; HB 1486, PN 2191; HB 1491, PN 2195; HB 1492, PN 2196; HB 1493, PN 2197; HB 1494, PN 2198; HB 1495, PN 2199; HB 1496, PN 2200; HB 1497, PN 2201; HB 1498, PN 2202; HB 1499, PN 2203; HB 1500, PN 2204; HB 1501, PN 2205; HB 1502, PN 2206; HB 1503, PN 2207; HB 1504, PN 2208; HB 1505, PN 2209; HB 1506, PN 2210; HB 1507, PN 2211; HB 1508, PN 2212; HB 1509, PN 2213; HB 1510, PN 2214; HB 1511, PN 2215; HB 1512, PN 2216; HB 1513, PN 2217; HB 1514, PN 2218; and HB 1515, PN 2219.
An Act making appropriations to the Downingtown Industrial and Agricultural School, Downingtown.

HB 1484, PN 2189

An Act making an appropriation to the Johnson Technical Institute of Scranton.

HB 1485, PN 2190

An Act making an appropriation to the Williamson Free School of Mechanical Trades in Delaware County.

HB 1486, PN 2191

An Act making an appropriation to the Pennsylvania College of Optometry, Philadelphia.

HB 1492, PN 1746

An Act making appropriations to the Wistar Institute-Research, Philadelphia.

HB 1493, PN 1747

An Act making an appropriation to the Central Penn Oncology Group.

HB 1494, PN 1748

An Act making an appropriation to the Trustees of the University of Pennsylvania for cardiovascular studies.

HB 1495, PN 1749

An Act making an appropriation to the St. Francis Hospital, Pittsburgh.

HB 1497, PN 1751

An Act making an appropriation to the Lancaster Cleft Palate.

HB 1498, PN 1752

An Act making an appropriation to the Pittsburgh Cleft Palate.

HB 1499, PN 1753

An Act making an appropriation to the Trustees of Jefferson Medical College and Hospital of Philadelphia for a comprehensive program relating to Tay-Sachs Disease.

HB 1500, PN 1754

An Act making an appropriation to the Burn Foundation of Greater Delaware Valley.

HB 1501, PN 1755

An Act making an appropriation to the Home for Crippled Children, Pittsburgh.

HB 1505, PN 1759

An Act making an appropriation to the Beacon Lodge Camp.

HB 1508, PN 1762

An Act making an appropriation to the Trustees of the University of Pennsylvania for the general maintenance and operation of the University of Pennsylvania Museum.

HB 1509, PN 1763

An Act making an appropriation to the Academy of Natural Sciences.

HB 1512, PN 1766

An Act making an appropriation to the Trustees of the Buhl Science Center.

HB 1513, PN 1767

An Act making an appropriation to the Museum of the Philadelphia Civic Center for maintenance and the purchase of apparatus, supplies and equipment.

HB 1514, PN 1768

An Act making an appropriation to the Afro-American Historical and Cultural Museum for operating expenses.

HB 1515, PN 1769

An Act making an appropriation to the Everhart Museum in Scranton.

RULES SUSPENDED

The SPEAKER. The Chair recognizes the majority leader.

Mr. O'DONNELL. Mr. Speaker, I move that rule 30 be suspended so that bills returning from the Senate will go directly to the calendar and not to the Rules Committee.

On the question,

Will the House agree to the motion?

Motion was agreed to.

SENATE MESSAGE

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

The clerk of the Senate, being introduced, returned HB 1469, PN 2304; HB 1470, PN 2305; HB 1473, PN 2306; HB 1474, PN 2307; HB 1475, PN 2308; HB 1476, PN 2309; HB 1479, PN 2352; HB 1482, PN 2311; HB 1487, PN 2312; HB 1491, PN 2313; HB 1496, PN 2314; HB 1503, PN 2315; and HB 1510, PN 2316, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

SUPPLEMENTAL CALENDAR D

BILLS ON CONCURRENCE IN SENATE AMENDMENTS

The clerk of the Senate, being introduced, returned the following HB 1469, PN 2304, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

A Supplement to the act of April 1, 1863 (P. L. 213, No. 227), entitled "An act to accept the grant of Public Lands, by the United States, to the several states, for the endowment of Agricultural Colleges," making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated.
On the question,
Will the House concur in Senate amendments?

The SPEAKER. Representative Pievsky from Philadelphia moves that the House concur in the amendments inserted by the Senate, and the question recurs, will the House concur in those amendments inserted by the Senate?

The Chair recognizes Representative Pievsky from Philadelphia.

Mr. PIEVSKY. Thank you, Mr. Speaker.

Mr. Speaker, the Senate increased the tuition challenge grant in HB 1469, increased it by $104,000. I urge concurrence, Mr. Speaker.

The SPEAKER. The motion is to concur in the Senate amendments. Those wishing to concur, as the motion states, will vote "aye"; those wishing to nonconcur will vote "no."

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

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

**YEAS—200**

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**NAYS—0**

**NOT VOTING—1**

**Maine**

**EXCUSED—2**

Dininni Letterman

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

Ordered, That the clerk inform the Senate accordingly.

**Three stars**

The clerk of the Senate, being introduced, returned the following HB 1470, PN 2305, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is required:

A Supplement to the act of July 28, 1966 (3rd Sp. Sess., P. L. 87, No. 3), entitled "An act providing for the establishment and operation of the University of Pittsburgh as an instrumentality of the Commonwealth to serve as a State-related university in the higher education system of the Commonwealth; providing for change of name; providing for the composition of the board of trustees; terms of trustees, and the power and duties of such trustees; authorizing appropriations in amounts to be fixed annually by the General Assembly; providing for the auditing of accounts of expenditures from said appropriations; providing for public support and capital improvements; authorizing the issuance of bonds exempt from taxation within the Commonwealth; requiring the chancellor to make an annual report of the operations of the University of Pittsburgh," making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated.

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

The SPEAKER. Representative Pievsky moves that the House concur in the amendments inserted by the Senate, and the question recurs, will the House concur in the amendments inserted by the Senate?

The Chair recognizes the gentleman from Philadelphia, Representative Pievsky.

Mr. PIEVSKY. Thank you, Mr. Speaker.

Mr. Speaker, the Senate increased the Western teen suicide center by $250,000, and I would urge concurrence.

The SPEAKER. The motion is to concur. Those voting "aye" vote to concur; those voting "no" vote to nonconcur.

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

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

**YEAS—200**

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The SPEAKER. Representative Pievsky moves that the House concur in the amendments.

The question recurs, will the House concur in those amendments inserted by the Senate? On that question, Representative Pievsky from Philadelphia is recognized.

Mr. PIEVSKY. Thank you, Mr. Speaker.

Mr. Speaker, the Senate decreased the dental clinics in HB 1473 to put them in line with the other dental clinics in the Commonwealth.

I urge concurrence, Mr. Speaker.

The SPEAKER. The motion is to concur. Those voting "aye" vote to concur; those voting "no" vote to nonconcur.

On the question recurring,

Will the House concur in Senate amendments?

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

YEAS—201

**NAYS—0**  
**NOT VOTING—0**  
**EXCUSED—2**

Dininni Letterman

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

Ordered, That the clerk inform the Senate accordingly.

***

The clerk of the Senate, being introduced, returned the following HB 1474, PN 2307, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act making appropriations to the Hahnemann University, Philadelphia.

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

The SPEAKER. Representative Pievsky moves that the House concur in those amendments.

The question recurs, will the House concur in those amendments? Representative Pievsky from Philadelphia is recognized.

Mr. PIEVSKY. Thank you, Mr. Speaker.

Mr. Speaker, the Senate increased the allied health program in HB 1474 by $100,000, and I would urge concurrence.

The SPEAKER. The motion is to concur. Those voting to concur will vote "aye"; those opposed to concurrence will vote "nay."

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

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

**YEAS—200**

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| Clark, D. F. | Hershey | Olax     | Trich   |
| Clark, J. H.| Hess  | Oliver   | Van Horne|
| Clymer | Howlett | Perzel   | Yeon    |
| Cohen  | Hughes   | Pesci    | Vroom   |
| Colaella| Ilkin    | Perezka  | Wambach |
| Colazzo| Jackson  | Petrone  | Wess    |
| Cole   | Jadlowiec| Phillips | Weston  |
| Cornell| James    | Picoila  | Williams|
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| DeWeese| Kazunic  | Preston  | Wright, J. L.|
| Daley  | Kenney   | Raymond  | Wright, R. C.|
| Davies | Kondrich | Reber    | Yandrisevits|
| Dempsey| Kosinski | Reinard  |        |
| Dietterick | Kukovich | Richardson| Manderino,|
| Distler| LaGrotta | Rieger   | Speaker |

**NAYS—0**

Mrkonic

**NOT VOTING—1**

Dininni Letterman

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

Ordered, That the clerk inform the Senate accordingly.

***

The clerk of the Senate, being introduced, returned the following HB 1475, PN 2308, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act making appropriations to the Thomas Jefferson University, Philadelphia.

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

The SPEAKER. Representative Pievsky moves that the House concur in those amendments inserted by the Senate.

The question recurs, will the House concur? Representative Pievsky from Philadelphia is recognized.

Mr. PIEVSKY. The Senate increased the medical school line item for HB 1475 by $100,000, and I would urge concurrence.

The SPEAKER. The motion is to concur. Those voting to concur will vote "aye"; those opposed to concurrence will vote "nay."

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

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

**NAYS—0**

Mr. Speaker.

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

Ordered, That the clerk inform the Senate accordingly.

***

The clerk of the Senate, being introduced, returned the following HB 1475, PN 2308, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act making appropriations to the Thomas Jefferson University, Philadelphia.

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

The SPEAKER. Representative Pievsky moves that the House concur in the amendments inserted by the Senate.

The question recurs, will the House concur? Representative Pievsky from Philadelphia is recognized.

Mr. PIEVSKY. The Senate increased the medical school line item for HB 1475 by $100,000, and I would urge concurrence, Mr. Speaker.

The SPEAKER. The motion is to concur. Those voting to concur will vote "aye"; those opposed to concurrence will vote "nay."

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

The SPEAKER. Agreeable to the provisions of the Constitution, the yeas and nays now will be taken.
An Act making appropriations to The Medical College of Pennsylvania, East Falls, Philadelphia.

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

The SPEAKER. Representative Pievsky moves that this House concur in the amendments inserted by the Senate.

The question recurs, will the House concur in those amendments? Representative Pievsky from Philadelphia is recognized.

Mr. PIEVSKY. Mr. Speaker, the Senate increased the medical school in HB 1476 by $150,000, and I would urge concurrence.

The SPEAKER. The motion is to concur. Those voting to concur will vote "aye"; those voting to nonconcur will vote "no."

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

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

YEAS—201

Acosta Donatucci Lashinger Ritter
Adolph Dorr Laughlin Robbins
Allen Durham Lee Robinson
Angstadt Evans Leh Roebuck
Argall Fairchild Lescovitz Rudy
Barley Fargo Levansky Ryan
Battisto Farmer Linton Rybak
Belardi Fee Lloyd Saloom
Belfanti Fleagle Lucy Saurnan
Billow Fick McCall Schett
Birmelin Foster McHale Schuler
Bishop Fox McNally Scrimmi
Black Freeman McVerry Semmel
Blaum Fried Maiale Serafini
Bortner Gailen Maine Smith, B.
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Carlson Haluska Mowery Taylor, R. Z.
Carn Harper Mrkonics Taylor, F.
Cawley Hasay Murphy Taylor, J.
Cessar Hayden Nahill Telek
Chadwick Hayes Nairi Thomas
Civera Hecker 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 Vrano
Cohen Hughes Perzel Vrano
Colalessa Itkin Pisci Wambach
Colaiuzo Jackson Petracca Wass
Cole Jadlowiec Petrone Weston
Cornell James Phillips Williams
Corrigan Jarolin Piccola Wilson
Cowell Johnson Piekewy 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 Yandrieskis
Dempsey Kostinski Reber
Dietricher Kuwokch Weinard Manderino
Distler LaGrotta Richardson Speaker
Dombrowski Langtry Rieger

NAYS—0

NOT VOTING—0

EXCUSED—2

Dininni Letterman

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

Ordered, That the clerk inform the Senate accordingly.

* * *

The clerk of the Senate, being introduced, returned the following HB 1476, PN 2309, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:
The two-thirds majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

* * *

The clerk of the Senate, being introduced, returned the following HB 1479, PN 2353, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act making an appropriations to the Delaware Valley College of Science and Agriculture at Doylestown.

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

The SPEAKER. Representative Pievsky moves that the House concur in those amendments inserted by the Senate, and the question recurs, will the House concur in those amendments?

Mr. PIEVSKY. Mr. Speaker, the Senate increased the operating and maintenance in HB 1482 by $100,000, and I would urge concurrence.

The SPEAKER. The motion is to concur. Those voting to concur will vote “aye”; those voting to nonconcur will vote “no.”

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

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

YEAS—198

Acosta  Donatucci  Langtry  Rieger  Ritter  Robins
Adolph  Dorr  Laughter  Ritter  Robinson  Robinson
Allen  Durham  Laughlin  Ryan
Angstadt  Evans  Lee  Robinson
Argall  Fairchild  Leh  Reobuck
Barley  Fargo  Leskovitz  Rudy
Battisto  Farmer  Levandusky  Ryan
Belardi  Fee  Linton  Rybak  Sallone
Belfanti  Feagle  Lloyd  Saal
Billow  Fick  Luck  Sauman
Birmelin  Foster  McCall  Scheetz  Schuler
Bishop  Fox  McHale  Shuler
Black  Freeman  McNally  Scrimanti
Bortner  Fried  McVerry  Sennel
Bowley  Gullen  Maiale  Serafini
Boyes  Gamble  Maine  Smith, B.
Brandt  Gannon  Markoski  Smith, S. H.
Broujos  Geist  Marsico  Snyder, D. W.
Bunt  George  Mayernik  Snyder, G.
Burd  Gigliotti  Merry  Staback
Burns  Gladcek  Michovic  Stairs
Bush  Godshall  Miccuzio  Steighner

NAYS—0

NOT VOTING—1

Herman

EXCUSED—2

Dininni  Letterman

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

Ordered, That the clerk inform the Senate accordingly.

* * *

The clerk of the Senate, being introduced, returned the following HB 1482, PN 2311, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act making appropriations to the Trustees of the Berean Training and Industrial School at Philadelphia.

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

The SPEAKER. Representative Pievsky moves that the House concur in those amendments inserted by the Senate, and the question recurs, will the House concur in those amendments?

Mr. PIEVSKY. Mr. Speaker, the Senate increased the operating and maintenance in HB 1482 by $100,000, and I would urge concurrence.

The SPEAKER. The motion is to concur. Those voting to concur will vote “aye”; those voting to nonconcur will vote “no.”
On the question recurring, Will the House concur in Senate amendments? The SPEAKER. Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

**YEAS—201**

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**NAYS—0**

**NOT VOTING—0**

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The two-thirds majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in. Ordered, That the clerk inform the Senate accordingly.

The clerk of the Senate, being introduced, returned the following HB 1487, PN 2312, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act making an appropriation to the Pennsylvania College of Podiatric Medicine, Philadelphia.

On the question, Will the House concur in Senate amendments? The SPEAKER. Representative Pievsky moves that the amendments inserted by the Senate be concurred in. The question is, will the House concur in those amendments? On the question, Representative Pievsky from Philadelphia is recognized.

Mr. PIEVSKY. Mr. Speaker, the Senate increased the Pennsylvania College of Podiatric Medicine by $100,000, and I would urge concurrence in HB 1487.

The SPEAKER. The motion is to concur. Those voting to concur will vote "aye"; those voting to nonconcur will vote "no."

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

**YEAS—197**

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

Ordered, That the clerk inform the Senate accordingly.

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The clerk of the Senate, being introduced, returned the following HB 1491, PN 2313, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act making an appropriation to the Fox Chase Institute for Cancer Research, Philadelphia, for the operation and maintenance of the cancer research program.

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

The SPEAKER. Representative Pievsky moves that the House concur in the amendments inserted by the Senate. The House concur in the amendments inserted by the Senate. The question is, will the House concur in those amendments?

Representative Pievsky from Philadelphia is recognized.

Mr. PIEVSKY. Mr. Speaker, the Senate increased the Fox Chase Institute for Cancer Research by $53,000 in HB 1491, and I urge concurrence, Mr. Speaker.

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

Ordered, That the clerk inform the Senate accordingly.

* * *

The clerk of the Senate, being introduced, returned the following HB 1496, PN 2314, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act making appropriations to the St. Christopher’s Hospital, Philadelphia.

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

The SPEAKER. Representative Pievsky moves that the Senate amendments to HB 1496 be concurred in. The question is, will the House concur in those amendments?

Representative Pievsky from Philadelphia is recognized.

Mr. PIEVSKY. Mr. Speaker, the Senate increased the line item for the handicapped children’s clinic in HB 1496 by $37,000, and I would urge concurrence, Mr. Speaker.

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

Ordered, That the clerk inform the Senate accordingly.

* * *

The clerk of the Senate, being introduced, returned the following HB 1496, PN 2314, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act making appropriations to the St. Christopher’s Hospital, Philadelphia.

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

The SPEAKER. Representative Pievsky moves that the Senate amendments to HB 1496 be concurred in. The question is, will the House concur in those amendments?

Representative Pievsky from Philadelphia is recognized.

Mr. PIEVSKY. Mr. Speaker, the Senate increased the line item for the handicapped children’s clinic in HB 1496 by $37,000, and I would urge concurrence, Mr. Speaker.

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</table>
The SPEAKER. The motion is to concur. Those voting to concur will vote "aye"; those voting to nonconcur will vote "no."

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

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

YEAS—201

Acosta
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Clark, J. H.
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Davies
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Dietterick
Distler
Dombrowski

Donatucci
Dorr
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Evans
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Fargo
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Fee
Fleagle
Flick
Foster
Fox
Freeman
Freind
Fuglietti
Gladeck
Godshall
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Hughes
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Jadlowiec
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Kukovich
LaGrotta
Langtry

Lasbinger
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Leskovitz
Levinsky
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Snyder, G.

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Smith, S. H.
Taylor, E. Z.
Taylor, F.
Taylor, J.

Van Horne
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Wilson

YEAS—201

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Van Horne
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Williams
Wilson

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

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

YEAS—201

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Ordered, That the clerk inform the Senate accordingly.

* * *

The clerk of the Senate, being introduced, returned the following HB 1503, PN 2315, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act making an appropriation to the Arsenal Family and Children's Center.

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

The SPEAKER. The motion is to concur. Those voting to concur will vote "aye"; those voting to nonconcur will vote "no."

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

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

YEAS—201

Acosta
Adolph
Allen
Angstadt
Argall
Barley
Bartisco
Belardi
Belfanti
Billow
Birmelin
Bishop
Black
Blau
Bortner
Bowley
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Dombrowski

Donatucci
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Fairchild
Fargo
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Fleagle
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Freeman
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Fuglietti
Gladeck
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Jackson
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Snyder, D. W.
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Smith, B.
Smith, S. H.
Taylor, E. Z.
Taylor, F.
Taylor, J.

Van Horne
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Wambach
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Weston
Williams
Wilson

The two-thirds majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.
NAYS—0
NOT VOTING—0
EXCUSED—2

Dininni Letterman

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

Ordered, That the clerk inform the Senate accordingly.

The clerk of the Senate, being introduced, returned the following HB 1510, PN 2316, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act making an appropriation to the Franklin Institute Science Museum.

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

The SPEAKER. Representative Pievsky moves that the House concur in the amendments inserted by the Senate, and the question is now up to the House, will they concur?

Representative Pievsky from Philadelphia is recognized.

Mr. PIEVSKY. Mr. Speaker, the Senate increased HB 1510 by $50,000, and I would urge concurrence, Mr. Speaker.

The SPEAKER. The motion is to concour. Those voting to concur will vote "aye"; those voting to nonconcour will vote "no."

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

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

YEAS—199

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

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

NAYS—2

Blaum McHale
NOT VOTING—0
EXCUSED—2

Dininni Letterman

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

Ordered, That the clerk inform the Senate accordingly.

REPORT OF COMMITTEE
OF CONFERENCE CONSIDERED

Mr. O'DONNELL called up for consideration the following Report of the Committee of Conference on SB 252, PN 1414, entitled:

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), entitled "Public School Code of 1949," further providing for filling vacancies on certain boards of school directors, for group insurance contracts and for property tax assessments in certain school districts; providing for business administrators; further providing for the duties of the State Board of Education; further providing for an economic supplement; further defining "personal income valuation" and "market value/income aid ratio" to expand tax credits for income earned out-of-State; further providing for subsidies; providing for equipment grants; and making editorial changes.

On the question,
Will the House adopt the report of the committee of conference?

The SPEAKER. Representative Cowell from Allegheny County is recognized on that question.

Mr. COWELL. Thank you, Mr. Speaker.

Mr. Speaker, the Conference Committee Report on SB 252 addresses two major issues: First, it provides for the distribution of the ESBE (equalized subsidy for basic education) dollars that are in the General Fund budget; and secondly, it addresses certain special education issues, including a charge to the State Board of Education directing the State Board to promulgate rules and regulations prior to March 1 of 1990 pertaining to special education.

I would urge adoption of the report of the committee on conference.

The SPEAKER. The Chair recognizes Representative Hayes, the minority whip, on the adoption of the conference report.

Mr. HAYES. Thank you, Mr. Speaker.

I would like to emphasize the same two things that the gentleman from Allegheny, Mr. Cowell, just mentioned. I would like to extend beyond the fact that we are putting a lot of money in ESBE this year to the fact that this will be the first time that almost anyone in this chamber can recall that we have been able to fund our school subsidy formula 100 percent. I do not believe that there are very many educators in Pennsylvania who can recall when a school subsidy formula in our Commonwealth was funded 100 percent according to the statutory promises and provisions of the bill, and so I believe we are witnessing a hallmark in educational history here this evening.

For at least 10 years—moving to the second point—we have had a very, very serious problem with the allocation of money for special education. Solving that problem is not an easy one, but this evening this House of Representatives will go a long way in retiring the obligation which has been accruing for at least 10 years by placing $99 million towards full payment of that debt obligation.

I urge adoption of the Conference Committee Report on SB 252. Thank you, Mr. Speaker.

The SPEAKER. Those in favor of adopting the conference report will vote "aye"; those opposed will vote "no."

On the question recurring,

Will the House adopt the report of the committee of conference?

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

YEAS—199

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Clark, D. F.
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DeWeese
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Dixler
Dombrowski
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O'Donnell
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Petarca
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Phillips
Piccola
Piepzer
Pistella
Pitts
Pressmann
Preston
Raymond
Reber
Reinard
Richardson
Schuler
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Seemel
Seefini
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Smith, B.
Smith, S. H.
Snyder, D. W.
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Staback
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Taylor, E. Z.
Taylor, F.
Taylor, J.
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NAYS—1

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NOT VOTING—1

Vroon

EXCUSED—2

Dininni

Letterman

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the committee of conference was adopted.

Ordered, That the clerk inform the Senate accordingly.

RULES SUSPENDED

The SPEAKER. The Chair recognizes the majority leader.

Mr. O'DONNELL. I move that when HB 1198, HB 1700, and HB 1701 are returned from the Senate, rule 30 will not be operative, and these bills will go directly to the calendar.

On the question,

Will the House agree to the motion?

Motion was agreed to.
SENATE MESSAGE

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

The clerk of the Senate, being introduced, returned HB 1198, PN 2359; HB 1700, PN 2355; and HB 1701, PN 2356, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

SUPPLEMENTAL CALENDAR E

BILLS ON CONCURRENCE IN SENATE AMENDMENTS

The clerk of the Senate, being introduced, returned the following HB 1198, PN 2359, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act providing for the licensing of promoters of professional wrestling exhibitions; imposing a tax on certain receipts; requiring the posting of performance bonds; and providing penalties.

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

The SPEAKER. Representative Linton from Philadelphia moves that the House concur in the amendments inserted by the Senate. The question is, will the House concur in those amendments?

Those voting to concur, as moved, will vote "aye"; those voting to nonconcur will vote "no."

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

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

YEAS—201

Cawley
Cressar
Chadwick
Civera
Clark, B. D.
Clark, D. F.
Clark, J. H.
Clymer
Cohen
Cofala
Colaiazzo
Cole
Cornell
Corrigan
Cowell
Coy
Deluca
DeWeese
Daley
Davies
Dempsey
Dietrich
Dissler
Dombrowski

Hasay
Hayden
Hayes
Heckler
Herman
Hershey
Howlett
Hughes
Iklin
Jackson
Jadlowiec
James
Jarolim
Kasunic
Kennedy
Konrlich
Kosinski
Kukovich
LaGrutta
Langtry

Murphy
Nahill
Naylor
Noye
O'Brien
O'Donnell
Olasz
Oliver
Perzel
Pesci
Petranca
Petrone
Phillips
Piccola
Pievy
Piscella
Pitts
Pressmann
Preston
Raymond
Reinard
Richardson
Rieger

Taylor, J.
Telek
Thomas
Tigue
Trelko
Trich
Van Horne
Veen
Vroom
Wambach
Wass
Weston
Williams
Wilson
Wogan
Wright, D. R.
Wright, J. L.
Wright, R. C.
Yandrisevits
Manderino,
Speaker

NOT VOTING—0

EXCUSED—2

Dininni
Letterman

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

Ordered, That the clerk inform the Senate accordingly.

***

The clerk of the Senate, being introduced, returned the following HB 1700, PN 2355, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

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

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

The SPEAKER. Representative Kaiser from Allegheny moves that this House concur in the amendments inserted by the Senate. The question is, will the House concur in those amendments?

Those voting to concur will vote "aye"; those voting to nonconcur will vote "no."

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

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

YEAS—201

Acosta
Adolph
Allen
Angstadt
Argall
Barley
Battisto
Belardi
Belardi

Donatucci
Dorr
Dunnham
Evans
Fairchild
Fargo
Farmer
Fee
Fele

Lashinger
Laughlin
Lee
Lescovitz
Levansky
Linton
Lloyd
Lucy
McCall

Robbins
Robinson
Robinson
Rudy
Ryan
Rybak
Saloom
Sauman
Scheetz

Stabler

Ritter
Robbins
Robinson
Roebuck
Scribner
Semmel
Serafini
Smith, B.
Smith, S. H.
Snyder, G.

Stabler

Taylor, E. Z.
Taylor, F.
the Senate in HB 1701, and the question is, will the House concur in those amendments?
    Those voting to concur will vote "aye"; those voting to nonconcurrence will vote "no."

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

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

YEAS—201

Acosta  Donatucci  Lashinger  Ritter
Adolphi  Dorr  Laughlin  Robbins
Allen  Durham  Lee  Robinson
Austria  Evans  Leh  Roebuck
Argall  Fairchild  Lescovitz  Rudy
Barley  Fargo  Ledvinsky  Ryan
Baristo  Farmer  Linton  Rybak
Belardi  Fee  Lloyd  Saloom
Belfanti  Fleagle  Lucy  Saurman
Billow  Flick  McCall  Scheetz
Birmelin  Foster  McHale  Schuler
Bishop  Fox  McNally  Scrimniti
Black  Freeman  McVerry  Semmel
Blum  Fried  Malone  Serafini
Bortner  Gallen  Maine  Smith, B.
Bowley  Gambale  Markosek  Smith, S. H.
Boyce  Gannon  Marsico  Snyder, D. W.
Brandt  Geist  Mayernek  Snyder, G.
Broujos  George  Melio  Staback
Bunt  Gigliotti  Merry  Stairs
Burd  Gladeock  Michilovic  Steighner
Burns  Godshall  Micozze  Stish
Bush  Gruita  Miller  Strittmatter
Caltagirone  Gruppo  Moehmann  Stuban
Cappabianca  Hagarty  Morris  Tangretti
Carlson  Haluska  Mowery  Taylor, E. Z.
Cars  Harper  Mrkonich  Taylor, F.
Cawley  Hasay  Murphy  Taylor, J.
Cesar  Hayden  Nahill  Telik
Chadwick  Hayes  Naylor  Thomas
Civera  Hecker  Nye  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  Vroom
Colaella  Itkin  Pesci  Wambach
Colaiizzo  Jackson  Petarca  Wass
Cole  Jadowiec  Petrone  Weston
Cornell  James  Phillips  Williams
Corrigan  Jarolin  Piccola  Wilson
Cowell  Johnson  Pilsy  Wogan
Coy  Josephs  Pistella  Wozniak
Deluca  Kaiser  Pitts  Wright, D. R.
DeWeese  Kasunick  Pressmann  Wright, J. L.
Daley  Kenney  Preston  Wright, R. C.
Davies  Kondrich  Raymond  Yandrisevits
Dempey  Kosinski  Reber
Dietterick  Kukovich  Reinard  Manderino
Distler  LaGrotta  Richardson  Speaker
Dombrowski  Langtry  Rieger

NAYS—0

NOT VOTING—0

EXCUSED—2

Dininni  Letterman

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

Ordered, That the clerk inform the Senate accordingly.

* * *

The clerk of the Senate, being introduced, returned the following HB 1701, PN 2356, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

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

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

The SPEAKER. Representative Trich from Washington moves that the House concur in the amendments inserted by
Ordered, That the clerk inform the Senate accordingly.

**BILLS SIGNED BY SPEAKER**

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

**HB 1198, PN 2359**

An Act providing for the licensing of promoters of professional wrestling exhibitions; imposing a tax on certain receipts; requiring the posting of performance bonds; and providing penalties.

**HB 1469, PN 2304**

A Supplement to the act of April 1, 1863 (P. L. 213, No. 227), entitled "An act to accept the grant of Public Lands, by the United States, to the several states, for the endowment of Agricultural Colleges," making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated.

**HB 1470, PN 2305**

A Supplement to the act of July 28, 1966 (3rd Sp. Sess., P. L. 87, No. 3), entitled "An act providing for the establishment and operation of the University of Pittsburgh as an instrumentality of the Commonwealth to serve as a State-related university in the higher education system of the Commonwealth; providing for change of name; providing for the composition of the board of trustees; terms of trustees, and the power and duties of such trustees; authorizing appropriations in amounts to be fixed annually by the General Assembly; providing for the auditing of accounts of expenditures from said appropriations; providing for public support and capital improvements; authorizing the issuance of bonds exempt from taxation within the Commonwealth; requiring the chancellor to make an annual report of the operations of the University of Pittsburgh; "making appropriations for carrying the act into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated.

**HB 1473, PN 2306**

An Act making appropriations to the Trustees of the University of Pennsylvania.

**HB 1474, PN 2307**

An Act making appropriations to the Hahnemann University, Philadelphia.

**HB 1475, PN 2308**

An Act making appropriations to the Thomas Jefferson University, Philadelphia.

**HB 1476, PN 2309**

An Act making appropriations to The Medical College of Pennsylvania, East Falls, Philadelphia.

**HB 1479, PN 2353**

An Act making an appropriations to the Delaware Valley College of Science and Agriculture at Doylestown.

**HB 1482, PN 2311**

An Act making appropriations to the Trustees of the Berean Training and Industrial School at Philadelphia.

**HB 1487, PN 2312**

An Act making an appropriation to the Pennsylvania College of Podiatric Medicine, Philadelphia.

**HB 1491, PN 2313**

An Act making an appropriation to the Fox Chase Institute for Cancer Research, Philadelphia, for the operation and maintenance of the cancer research program.

**HB 1496, PN 2314**

An Act making appropriations to the St. Christopher's Hospital, Philadelphia.

**HB 1503, PN 2315**

An Act making an appropriation to the Arsenal Family and Children's Center.

**HB 1510, PN 2316**

An Act making an appropriation to the Franklin Institute Science Museum.

**HB 1700, PN 2355**

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

**HB 1701, PN 2356**

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

**SENATE MESSAGE**

**SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE**

The clerk of the Senate, being introduced, informed that the Senate has adopted the Report of the Committee of Conference on the subject of the differences existing between the two Houses on HB 31, PN 2361.

**SENATE MESSAGE**

**SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE**

The clerk of the Senate, being introduced, informed that the Senate has adopted the Report of the Committee of Conference on the subject of the differences existing between the two Houses on HB 285, PN 2365.

**SENATE MESSAGE**

**SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE**

The clerk of the Senate, being introduced, informed that the Senate has adopted the Report of the Committee of Conference on the subject of the differences existing between the two Houses on HB 1020, PN 2362.
SENATE MESSAGE
SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE

The clerk of the Senate, being introduced, informed that the Senate has adopted the Report of the Committee of Conference on the subject of the differences existing between the two Houses on HB 1373, PN 2363.

SENATE MESSAGE
SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE

The clerk of the Senate, being introduced, informed that the Senate has adopted the Report of the Committee of Conference on the subject of the differences existing between the two Houses on HB 1687, PN 2364.

BILLS SIGNED BY SPEAKER

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

HB 31, PN 2361
An Act amending the act of April 9, 1929 (P. L. 343, No. 176), known as “The Fiscal Code,” requiring the Board of Finance and Revenue to issue written opinions to accompany its decisions; and providing for shares tax appeals.

HB 285, PN 2365
An Act amending the act of March 4, 1971 (P. L. 6, No. 2), known as the “Tax Reform Code of 1971,” providing for imposition of the bank shares tax; ascertaining values; requiring reports; imposing an alternative bank share tax; imposing the title insurance and trust companies shares tax; ascertaining values; imposing an alternative title insurance and trust companies shares tax; excluding certain transactions from the realty transfer tax; delaying the reduction of mutual thrift institution tax; and making repeals.

HB 1020, PN 2362

HB 1373, PN 2363
An Act amending the act of March 4, 1971 (P. L. 6, No. 2), known as the “Tax Reform Code of 1971,” further providing for employment incentive payments; imposing new bank tax credits; providing for limitations and procedures; and requiring reports and evaluations.

SENATE MESSAGE

HB 1687, PN 2364
An Act appropriating and transferring amounts from the State Workmen’s Insurance Fund to the Treasury Department.

SB 906, PN 1035
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.

SB 910, PN 1415

RULES SUSPENDED

The SPEAKER. The Chair recognizes the majority leader.
Mr. O’DONNELL. I move that rule 30 of the House not be operative when SB 274 is returned from the Senate with amendments and that SB 274 go directly to the calendar rather than the Rules Committee.

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

SENATE MESSAGE

AMENDED SENATE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House by amending said amendments to SB 274, PN 1408.
Ordered, That the clerk present the same to the House requesting concurrence.

SENATE MESSAGE

SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE

The clerk of the Senate, being introduced, informed that the Senate has adopted the Report of the Committee of Conference on the subject of the differences existing between the two Houses on SB 910, PN 1415.

SENATE MESSAGE

HOUSE AMENDMENTS CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to SB 472, PN 1413, and SB 790, PN 1127.
### SUPPLEMENTAL CALENDAR F
### BILL ON CONCURRENCE
### IN SENATE AMENDMENTS TO HOUSE AMENDMENTS

The clerk of the Senate, being introduced, returned the following SB 274, PN 1408, with information that the Senate has concurred in the amendments made by the House by amending said amendments in which the concurrence of the House of Representatives is requested:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, creating the Catastrophic Loss Benefits Continuation Fund for payment of certain catastrophic loss benefits; providing for surcharges for certain offenses to provide money for the fund; and further providing for conditions of permits.

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

The SPEAKER. The majority leader moves that the House concur in the amendments inserted by the Senate in the House amendments.

The Chair recognizes the gentleman from Berks, Representative Lloyd, would be happy to elucidate.

Mr. LLOYD. Mr. Speaker, the Senate amended the bill to make clear that once the CAT Continuation Fund has raised enough money to pay off the liability which exists as of the end of 1991, that we will stop putting the money into the Continuation Fund and that money will shift over into the Motor License Fund. That, in effect, is the Senate amendment.

The SPEAKER. Those voting to concur in the Senate amendments will vote “aye”; those voting to nonconcur will vote “no.”

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

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

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

Ordered, That the clerk inform the Senate accordingly.

### SUPPLEMENTAL CALENDAR C CONTINUED
### REPORT OF COMMITTEE OF CONFERENCE CONSIDERED

Mr. O’DONNELL called up for consideration the following Report of the Committee of Conference on HB 1517, PN 2360, entitled:

An Act to provide from the General Fund for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and for the public schools 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; to provide appropriations from the Lottery Fund, the Pennsylvania Economic Revitalization Fund, the Energy Conservation and Assistance Fund, the State Stores Fund and the Emergency Medical Services Operating Fund to the Exe-
utive Department; to provide appropriations from the Judicial Computer System Augmentation Account to the Judicial Department; to provide appropriations 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 and The State Stores Fund moneys; to provide for the appropriation of Federal funds to the Executive and Judicial Departments of the Commonwealth and for the establishment of restricted receipts accounts 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; to provide additional appropriations from the General Fund for the expenses of the Executive Department of the Commonwealth, the public debt and for the public schools for the fiscal year July 1, 1988, to June 30, 1989, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1988; to provide additional appropriations from the Motor License Fund to the Executive Department; to provide for the additional appropriation of Federal funds to the Executive Department of the Commonwealth for the fiscal year July 1, 1988, to June 30, 1989, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1988.

On the question,
Will the House adopt the report of the committee of conference?

The SPEAKER. The majority leader moves that the House adopt the conference report.

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. On the question of adopting the report, the gentleman, Mr. Wambach, from Dauphin seeks recognition and is recognized.

Mr. WAMBACH. Thank you, Mr. Speaker.

In the interest of time, I would like to submit remarks for the record on the conference committee report in regards to the PENNFREE program.

The SPEAKER. The gentleman’s remarks should be submitted for the record and will be printed in the text of the record.

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

Ladies and gentlemen of the House, I just cannot let this moment pass us by. I cannot let it pass unnoticed. This is a proud day for me and all of us. In fact, this is a proud day for the State of Pennsylvania.

We are on the brink of providing major resources for the war on drugs and alcohol in this State. We are on the brink of passing legislation containing a historic commitment to prevention, education, and treatment of drug and alcohol problems, and I am proud.

Over the years as I—no, Mr. Speaker—as we struggled to increase the State’s commitment to this problem, I could see it coming: the accumulation of human tragedy; the outbreak of drug and alcohol problems. They were spurred on by years of Federal neglect.

As Federal support for prevention, education, treatment, and law enforcement dropped, the human toll was quite predictable. Colleagues in the House and Senate, it would have been easy to sell out for quick-fix approaches and popular solutions. These types of solutions are popular with the public but often represent an unsound policy. So I commend you, I commend you for your leadership in developing this balanced legislative approach.

In addition, the hearing process was an impressive display of democracy in action. Governor Casey, members of the Cabinet, the Attorney General, members of the House and Senate, Democrat and Republican, you met eyeball to eyeball with the people of this State. You met with and heard from suffering families, from struggling officers of the law. You heard from counselors and parent groups, and you heard from individuals in recovery from this devastating and preventable disease. The evidence of this is displayed before us in the budget document.

To Governor Casey, I commend him on his leadership, and members of the House and Senate, for the bipartisan effort at work. The work of combating drugs and alcohol will need to go on for a very long time. We can and we must win this battle. We must stay united. I am confident that together, together we will keep our Commonwealth in the forefront of this struggle.

Friends and colleagues, this is indeed a proud day for Pennsylvania.

On the question recurring,
Will the House adopt the report of the committee of conference?

The SPEAKER. The gentleman from Philadelphia, Mr. Richardson, is recognized. For what purpose does the gentleman rise?

Mr. RICHARDSON. To speak on final passage of this conference report.

The SPEAKER. The gentleman is in order on final passage. Mr. RICHARDSON. Mr. Speaker, we have not gotten a copy of the conference committee report, but I would like to say that I think that there are a number of things that need to be expressed as major concerns for some of us who have an interest in what we believe are humanitarian issues facing this budget for this year.

Number one, I want to say that I think that it is very important that we review this HB 1517, for many of us believe that those issues that did affect mental health and mental retardation, particularly as it relates to those concerns, for many of us who sat on the Health and Welfare Committee this year wanted to express some major concerns as it impacted on those individual persons who in fact fell into this category. For whatever reason tonight, it seems to me that we have embarked on a situation where we are voting on a document where we actually have had no input and no real major concerns with respect to those issues that do impact on people whom we are supposed to be giving some service to as legislators. Tonight I want to register my discontent and disheartenment with the fact that this process, for 17 years for myself, has been a situation where we do not have an opportunity to be a part of the political process when it comes down to issues impacting on those persons. So tonight I have a number of issues and concerns that I would like to share for the record.

One, I want to say that as we have been cajoling and arguing and compromising, we have also been forgetting. We have been forgetting that behind each of these numbers that we are looking at tonight is a human being. Year after year we have forgotten that millions of Pennsylvanians turn to us for
help, and I must register my discontent with social service funding in this budget. Yes, the funding is there. Yes, most of the funding for community mental health and mental retardation services has increased and some other social services have gone up from last year. We have even gotten more money than Governor Casey had requested back in February when this whole process started. But as our allocations have risen, so has the cost of heating oil, food, clothing, and so many other necessities. Even with funding increases, social service agencies throughout the State can barely survive, let alone grow.

Look at the people working at these agencies. How we have even been managing a little to retain dedicated, educated, highly trained people is really beyond me. How can a county's mental health and mental retardation agency afford to pay a social worker less than $15,000 a year when the McDonald's down the street is offering more? Many simply cannot compete anymore. The turnover at these agencies is appalling, and it is hurting the clients because they cannot get the personalized help many of them need.

They are the agencies which provide food, clothing, and shelter for thousands upon thousands of poor Pennsylvanians. These are the agencies which insure that thousands of poor people maintain their health and their sanity and their dignity. But when these agencies have to scrape for every penny, when they have to cut back or even deal with the basic provisions of survival, their clients begin to lose hope. A mother, who cannot feed and get food for her children, becomes bitter. A depressed man, who cannot find someone to talk to, becomes angry. When the basic needs of a community are not met, all that anger and all that pain and all that suffering and bitterness begins to spill out into the society in general. When we skim in providing social service agencies, we pay and we pay dearly. We pay in mental illness which has the cost of heating oil, food, clothing, and so many other necessities. Even with funding increases, social service agencies throughout the State can barely survive, let alone grow.

Yes, this State budget includes funding for mental health and mental retardation programs, children and youth agencies, alleviation of some homelessness, and some rape crisis services, but it is survival money, not growth money. With our help the agencies will be able to pay next month's light bill, but they may have to turn away people who need help. They will be forced to establish waiting lists, reduce consultation and education services, and ultimately deny services to the people who desperately need them. We cannot allow this to happen year after year after year and expect someone else to pick up the tab. Society is changing, and our social services must be given the ability to change with it. Social scientists are creating more sophisticated and more humane ways to treat mental health and mental illness and guide people out of poverty, but they are out of reach for most poor Pennsylvanians, simply because their social service agencies cannot afford innovations and most can barely afford to keep their doors open a few hours each day. Mr. Speaker, it is my feeling that the compassion and the feeling for those individuals in this Commonwealth that I fight so very desperately for seemingly have a real serious problem.

For those individuals who do not want to listen, tough, because I think that at some point there have to be those individuals who say the things that we are saying on the floor of this House that do impact on those Pennsylvanians in this Commonwealth no matter how late the process is, to be able to put forth the sincerity and the concern for those individual people who do not have anyone to defend them here on the floor of the House. I am an advocate for the poor. I will continue to be an advocate for the poor, and regardless of whether or not people want to listen or not, I do not care. The press normally does not take into consideration the fact that many times when we stand on the floor of this House fighting against those ills and injustices that impact on our State's poor, that we have a tendency to bypass that altogether.

I heard a few Representatives on the other side of the aisle indicate they were concerned about the working poor. Well, this is an excellent opportunity to register your protest about the concerns that are not in this particular budget. When you look at AIDS (acquired immune deficiency syndrome), homelessness, mental health, mental retardation, when you look at the drug problem and drugs which are filtering into our community, where people are dying every day, teenage pregnancy, our mothers and children out on drugs in our community destroying or wiping out neighborhoods, it is very clear to me that we have done very little in the social service agencies to make sure that we are taking care of the problems for those individuals in this Commonwealth.

Finally, Mr. Speaker, I would say this: As we embark upon the lateness of this hour to determine what we will pass as a budget tonight, which will probably pass overwhelmingly by our colleagues here this evening, it is very clear to me that we still have a mandated responsibility in this Commonwealth to go out and do more for those individuals who do not have anyone to help them in the homeless field, those who are hungry, those who have no shelter, and those who have no clothing, and for us to be able to recognize, but for the grace of God, there go I. Many individuals in this Commonwealth who are one or two paychecks away from poverty themselves need someone to stand up and give compassionate feeling and concern to those individuals who cannot defend themselves.

Tonight, Mr. Speaker, I am appalled at the fact that we have not been a part of the political process; to be able to give our comments and our feelings; who have spent time, effort, energy, such as some of our members who are in fact chairpersons of committees who labor hard with their staffs, who work hard in this Commonwealth and for the House of Representatives and get very little in return for the energy that they have put in in regard to working hard on those issues. To have it circumvented time and time again when subcommittee chairpersons and chairpersons work hard in their committees to help deal with these ills just to have it circumvented by
those individuals who feel that it is not necessary to deal with their chairmen I think is appalling, and I wanted to register those complaints this evening so in fact there would be no mis-

understanding about where we stand on poor people in the Commonwealth of Pennsylvania. Thank you very much, Mr. Speaker.

The SPEAKER. The question is, will the House adopt the conference report? On that question, Representative Harper from Philadelphia is recognized.

Mrs. HARPER. Thank you, Mr. Speaker.

Thank you, Representative Richardson. I agree with every word you said.

You see, all of these bills, I sat there and voted for every one of them, $11.8 million, and not 1 cent for the people that are the worst off in this city, and not only the city but the State; Logan especially. In Philadelphia, Logan, the people are sleeping; children in homes with water in their basements, with sewage backing up in their homes, and not 1 cent for them. And I requested money for them but was completely ignored.

We have in this State a surplus of $200 million, and you mean to tell me you cannot afford to give to poor people that have labored for years to buy homes and now unfortunately by nature or a freak of nature, water is causing their homes to sink; the homes are leaning? People are still living in these imminently dangerous homes waiting and praying and begging for help. And you want to know if I am angry? Yes, I am angry, very angry. It is a disgrace, a disgrace to the State.

I want you to know, I am not one to take it sitting down. I am going to bring these people up here and get some money for them which they deserve. Thank you.

The SPEAKER. Those in favor of adopting the report of the committee of conference will vote "aye"; those opposed, "no."

On the question recurring,

Will the House adopt the report of the committee of conference?

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

YEAS—196

Burd  Gigliotti  Michlovic  Stairs
Burns  Gladeck  Micozzi  Steigmeier
Bush  Godshall  Miller  Stish
Caltagirone  Gruitz  Moehlmann  Strittmatter
Cappaihanna  Gruppo  Morris  Stuban
Carlston  Hagarty  Mowery  Tanzetti
Caro  Haluska  Mronic  Taylor, E. Z.
Cawley  Hasay  Murphy  Taylor, F.
Cesser  Hayden  Nahill  Taylor, J.
Chadwick  Hayes  Nailor  Telek
Clerya  Heckler  Noye  Thomas
Clark, B. D.  Herman  O'Brien  Tigue
Clark, D. F.  Hershey  O'Donnell  Trollo
Clark, J. H.  Hess  Osaz  Trich
Clymer  Howlett  Oliver  Van Horne
Cohen  Hughes  Perzel  Veon
Colafello  Itkin  Pisci  Vroon
Colaiazzo  Jackson  Petrarca  Wambach
Cole  Jadlowiec  Petrone  Wass
Cornell  James  Phillips  Weston
Cottigan  Jarolin  Piccola  Williams
Cowell  Johnson  Plevsky  Wilson
Coy  Josephs  Pistella  Wogan
Delucia  Kaiser  Pitts  Wozniak
DeWeese  Kasunic  Presnall  Wright, D. R.
Daley  Kennedy  Preson  Wright, R. C.
Davies  Kondrich  Raymond  Vandravitis
Dempsey  Kosinski  Reber  R. C.
Dietterick  Kuwovich  Reinard  Manderino
Disler  LaGrotta  Rieger  Speaker
Dombrowski  Lashinger  NAYS—5

Acosta  Langtry  Richardson  Wright, J. L.

NOT VOTING—0

EXCUSED—2

Dininno  Letterman

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the committee of conference was adopted.

Ordered, That the clerk inform the Senate accordingly.

VOTE CORRECTIONS

The SPEAKER. The Chair recognizes Representative Godshall from Montgomery, who spreads upon the record the fact that he wanted to be recorded in the affirmative on concurrence in HB 1429.

Representative Merry from Crawford County is recognized.

Mr. MERRY. Mr. Speaker, on the vote on the Committee of Conference Report on HB 1020, I was inadvertently recorded as voting in the negative, and I wish my vote to show in the positive.

The SPEAKER. The remarks will be spread upon the record.

Representative Black from Venango is recognized.

Mr. BLACK. Mr. Speaker, on the Conference Report on HB 1020, I was recorded in the affirmative. I would like to be recorded in the negative.

The SPEAKER. The Chair recognizes the gentleman from Centre, Representative Herman.
Mr. HERMAN. Thank you, Mr. Speaker.
Mr. Speaker, I was not recorded on HB 1476, and I wish to be recorded in the affirmative on that bill. Thank you very much.

STATEMENT BY MINORITY LEADER

The SPEAKER. The Chair recognizes the minority leader, Matthew Ryan.
Mr. RYAN. Mr. Speaker, while there is still some order, I would like to put on the record that the negotiations that took place this year were not only interesting but I think very productive. The majority leader, who had his first crack at this, did an outstanding job, as did Senate Majority Leader Loeper. He is a far better negotiator of budgets than he is a bettor on the time that it will be adopted. I thank him for his $2.

VOTE CORRECTIONS

The SPEAKER. Representative Clark from Juniata is recognized.
Mr. D. F. CLARK. Mr. Speaker, on the concurrence in Senate amendments to HB 22, my switch failed to activate, and I would like to be voted as concurring with the Senate amendments.
In addition, on the Conference Report on HB 1020, my vote was erroneously recorded in the affirmative, and I wish the record to indicate my vote for HB 1020 in the negative.
The SPEAKER. Those remarks will be spread upon the record.
From Mercer County, Representative Robbins is recognized.
Mr. ROBBINS. Mr. Speaker, on the Conference Report on HB 1020, I was recorded in the affirmative. I would like to be recorded in the negative. And on the Conference Report on SB 910, I was recorded in the negative. I would like to be shown in the affirmative.
The SPEAKER. Those remarks will be spread upon the record.
From Franklin County, Representative Coy is recognized.
Mr. COY. Thank you, Mr. Speaker. To correct the record. On the adoption of the Conference Report on HB 1687, your hand was faster than mine, and I failed to be recorded in the affirmative.
The SPEAKER. The gentleman's remarks will be spread upon the record.
From Mercer County, Representative Fargo is recognized.
Mr. FARGO. Mr. Speaker, on the Conference Report on HB 1020, I was recorded in the affirmative. I would like to be recorded in the negative. And on concurrence in Senate amendments to House amendments to SB 274, I was recorded in the affirmative. I would like to be recorded in the negative. Thank you.

PARLIAMENTARY INQUIRY

The SPEAKER. From Philadelphia, Representative Richardson is recognized.
Mr. RICHARDSON. Mr. Speaker, a point of parliamentary inquiry.
The SPEAKER. State the point of parliamentary inquiry.
Mr. RICHARDSON. Mr. Speaker, I would like to know on the final passing of the budget bill, does that mean that the bill, as we have voted on the conference committee report, now has been signed, and does it now have to go back to the Senate to be voted on or does it go straight to the Governor's Office?
The SPEAKER. The Senate has a conference report before it just as the House did. The House has passed the conference report. It is a House bill. There is an assumption that the Senate will be passing the bill. In all likelihood they will; I do not know that they have yet. They may have already passed it; I do not know.
Mr. RICHARDSON. Thank you very much for the inquiry.

VOTE CORRECTIONS

The SPEAKER. Are there any other corrections to the record?
Representative Kaiser from Allegheny County is recognized.
Mr. KAISER. Mr. Speaker, on concurrence in Senate amendments to House amendments to SB 274, my switch malfunctioned, and I would like to be shown as voting in the negative.
The SPEAKER. The gentleman's remarks will be spread upon the record.
The Chair recognizes the gentleman from Chester, Mr. Vroon.
Mr. VROON. Mr. Speaker, I would like to be recorded in the negative on concurrence in Senate amendments to House amendments to SB 274.
The SPEAKER. The gentleman's remarks will be spread upon the record.

ADDITION OF SPONSOR

The SPEAKER. The Chair recognizes Representative Broujos from Cumberland County, who makes a request that he be added as a sponsor on HB 1429.
Those remarks will be spread upon the record, and the clerk will be informed of the request.

SENATE MESSAGE

HOUSE AMENDMENTS
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to SB 316, PN 1411, and SB 519, PN 1406.
The clerk of the Senate, being introduced, presented the following extract from the Journal of the Senate, which was read as follows:

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Monday, September 18, 1989, unless sooner recalled by the President Pro Tempore of the Senate; and be it further
RESOLVED, That when the House of Representatives adjourns this week it reconvene on Monday, September 18, 1989, unless sooner recalled by the Speaker of the House of Representatives.

Ordered, That the clerk present the same to the House of Representatives for its concurrence.

On the question,
Will the House concur in the resolution of the Senate?
Resolution was concur in.

Ordered, That the clerk inform the Senate accordingly.

BILLS SIGNED BY SPEAKER

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

SB 252, PN 1414
An Act amending the act of March 10, 1949 (P. L. 30, No. 14), entitled "Public School Code of 1949," further providing for filling vacancies on certain boards of school directors, for group insurance contracts and for property tax assessments in certain school districts; providing for business administrators; further providing for the duties of the State Board of Education; further providing for an economic supplement; further defining "personal income valuation" and "market value/income aid ratio" to expand tax credits for income earned out-of-State; further providing for subsidies; providing for equipment grants; and making editorial changes.

SB 274, PN 1408
An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, creating the Catastrophic Loss Benefits Continuation Fund for payment of certain catastrophic loss benefits; providing for surcharges for certain offenses to provide moneys for the fund; and further providing for conditions of permits.

SB 316, PN 1411
An Act providing for the establishment of a Family Preservation Program by the Department of Public Welfare; and providing for grants to counties for programs enabling children who would otherwise be subject to out-of-home placement to remain at home.

SB 472, PN 1413
An Act amending the act of May 17, 1921 (P. L. 682, No. 284), entitled "The Insurance Company Law of 1921," providing for requirements relating to minimum capital surplus for certain insurers; increasing capital requirements for certain insurance companies; authorizing stock insurers to establish more than one class or series of shares and to permit different voting rights according to the class of shares; and providing for insurance benefits for cancer chemotherapy and cancer hormone treatments and for mammographic examination.

SB 519, PN 1406
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.

SB 790, PN 1127
An Act authorizing the Board of the Troy Borough Municipal Authority to transfer certain Project 70 lands in Troy Township, Bradford County, to the Department of Transportation for a highway project under certain conditions.

The SPEAKER. Great job by the staff tonight, all of you.

Who has the adjournment motion?

Mr. O'DONNELL. Mr. Speaker, with gratitude and enthusiasm, I move that this House adjourn until September 18, 1989, unless sooner recalled by the Speaker.

The SPEAKER. The Chair will hold in reserve the acceptance of the majority leader's motion until we receive from the Senate word that they have adopted the budget.

SENIATE MESSAGE

The clerk of the Senate, being introduced, informed that the Senate has adopted the Report of the Committee of Conference on the subject of the differences existing between the two Houses on HB 1517, PN 2360.

BILL SIGNED BY SPEAKER

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

HB 1517, PN 2360
An Act to provide from the General Fund for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and for the public schools 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; to provide appropriations from the Lottery Fund, the Pennsylvania Economic Revitalization Fund, the Energy Conservation and Assistance Fund, the State Stores Fund and the Emergency Medical Services Operating Fund to the Executive Department; to provide appropriations from the Judicial Computer System Augmentation Account to the Judicial Department; to provide appropriations 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 and The State Stores Fund moneys; to provide for the appropriation of Federal funds to the Executive and Judicial Departments of the Commonwealth and for the establishment of restricted receipts accounts 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; to provide additional appropriations from the General Fund for the expenses of the Executive Department of the Commonwealth, the public debt and for the public schools for the fiscal year July 1, 1988, to June 30, 1989, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1988; to provide additional appropriations from the Motor License Fund to the Executive Department; to provide for the additional appropriation of Federal funds to the Executive Department of the Commonwealth for the fiscal year July 1, 1988, to June 30, 1989, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1988.

BILLS AND RESOLUTION PASSED OVER

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

JOURNALS APPROVED

The following Journals were approved as printed:

   Wednesday, June 7, 1989; and
   Monday, June 12, 1989.

ADJOURNMENT

The SPEAKER. The Speaker now accepts the motion of the majority leader that this House do now adjourn until Monday, September 18, 1989, at 1 p.m., e.d.t., unless sooner recalled by the Speaker.

   On the question,
   Will the House agree to the motion?
   Motion was agreed to, and at 3:35 a.m., e.d.t., July 1, 1989, the House adjourned.