

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

TUESDAY, JANUARY 30, 1990

SESSION OF 1990 174TH OF THE GENERAL ASSEMBLY

No. 6

### HOUSE OF REPRESENTATIVES

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

#### THE SPEAKER (ROBERT W. O'DONNELL) PRESIDING 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, grant that we the leadership and members of this House of Representatives remember that we are servants of the good people of Pennsylvania, elected to serve and advance the best interests of our constituency.

We are grateful for having been chosen and ask that You will give us the grace to constantly strive to render unto Caesar that which is Caesar's and unto You that which is Yours.

Grant that we never fail to know the difference but will always give to You the very best that we have, realizing that if we do so, the very best will come back to each of us.

Be Thou in our midst both now and forevermore.  
In Your dear name we pray. Amen.

#### PLEDGE OF ALLEGIANCE

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

#### JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Monday, January 29, 1990, will be postponed until printed. The Chair hears no objection.

#### HOUSE BILLS INTRODUCED AND REFERRED

No. 2254 By Representatives STISH, LEVDANSKY, CORRIGAN, HALUSKA, STUBAN, DALEY, JAROLIN, MAINE and KASUNIC

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the selection of prospective jurors.

Referred to Committee on JUDICIARY, January 30, 1990.

No. 2255 By Representatives RYAN, REBER, DAVIES, CHADWICK, JAROLIN, TELEK, FREIND, SCHULER, JACKSON, WASS, DEMPSEY, LEH, BUSH, B. SMITH, PESCI, FEE, J. L. WRIGHT, CLYMER, STRITTMATTER, HESS, JOHNSON, FARGO, ADOLPH, MICOZZIE, R. C. WRIGHT, GANNON, PETRARCA, BLACK, J. H. CLARK, MARSICO, PICCOLA, WILSON, FARMER, NAILOR, RYBAK, KONDRICH, CARLSON, MELIO, ALLEN, DIETTERICK, BUNT, HERSHEY, SAURMAN, ITKIN, STABACK, BURD, FLICK and FLEAGLE

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, authorizing certain temporary labels or stickers on school buses.

Referred to Committee on TRANSPORTATION, January 30, 1990.

#### SENATE BILL FOR CONCURRENCE

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

SB 1335, PN 1685

Referred to Committee on EDUCATION, January 30, 1990.

#### BILLS REMOVED FROM TABLE

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

HB 1389;  
HB 1756;  
HB 1806;  
HB 1948;  
HB 2055; and  
SB 1324.

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

### SENATE MESSAGE

#### ADJOURNMENT RESOLUTION FOR CONCURRENCE

The clerk of the Senate, being introduced, presented the following extract from the Journal of the Senate, which was read as follows:

In the Senate  
January 29, 1990

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Monday, February 5, 1990, 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, February 5, 1990, 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 concurred in.  
Ordered, That the clerk inform the Senate accordingly.

### COMMUNICATION FROM SPEAKER

The SPEAKER. For purposes of the record, the clerk will read the following communication.

The following communication was read:

Honorable Fred Belardi  
Dear Fred:

This is to advise you that I have appointed you Chairman of the Labor Relations Committee, replacing Representative Mark Cohen, for the remainder of the 1989-90 legislative session.

Sincerely,  
Robert W. O'Donnell  
The Speaker

### LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes the gentleman from Lawrence, Mr. Fee, for leaves of absence.

Mr. FEE. Thank you, Mr. Speaker.

The gentleman from Allegheny, Mr. OLASZ, for today; the gentleman from Centre, Mr. LETTERMAN, for today; and the lady from Philadelphia, Ms. BISHOP, for today.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the minority whip.

Mr. HAYES. Mr. Speaker, I request a leave for the gentleman from Dauphin County, Mr. DININNI, for the day, and the gentleman from Delaware County, Mr. Robert WRIGHT, for the day.

The SPEAKER. The Chair thanks the gentleman.  
Without objection, the leaves of absence are granted.

### CALENDAR

#### BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 2191**, **PN 2919**, entitled:

An Act amending the act of July 1, 1989 (P. L. , No. 3A), known as the "General Appropriation Act of 1989," increasing the appropriation for gypsy moth and other insect and disease control.

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

#### BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.  
Mr. DeWEESE. Mr. Speaker, I move that HB 2191 be recommitted to the Committee on Appropriations for a fiscal note.

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

\* \* \*

The House proceeded to second consideration of **HB 261**, **PN 293**, entitled:

An Act amending the act of August 6, 1941 (P. L. 861, No. 323), referred to as the "Pennsylvania Board of Probation and Parole Law," further providing for grants-in-aid to certain counties.

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

#### BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.  
Mr. DeWEESE. Mr. Speaker, I move that HB 261 be recommitted to the Committee on Appropriations for a fiscal note.

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

\* \* \*

The House proceeded to second consideration of **HB 452**, **PN 2968**, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for retirement of justices, judges and justices of the peace.

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

**BILL RECOMMENDED**

The SPEAKER. The Chair recognizes the majority leader.  
Mr. DeWEESE. Mr. Speaker, I move that HB 452 be recommended to the Committee on Appropriations for a fiscal note.

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

\* \* \*

The House proceeded to second consideration of **HB 2039, PN 2677**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing penalties for certain theft offenses committed during man-made disasters, natural disasters or war-caused disasters.

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

**BILL RECOMMENDED**

The SPEAKER. The Chair recognizes the majority leader.  
Mr. DeWEESE. Mr. Speaker, I move that HB 2039 be recommended to the Committee on Appropriations for a fiscal note.

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

\* \* \*

The House proceeded to second consideration of **SB 417, PN 432**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, establishing an automated fingerprint identification system in the Pennsylvania State Police; and making an appropriation.

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

**BILL RECOMMENDED**

The SPEAKER. The Chair recognizes the majority leader.  
Mr. DeWEESE. Mr. Speaker, I move that SB 417 be recommended to the Committee on Appropriations for a fiscal note.

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

\* \* \*

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

**HB 1841, PN 2369.**

**MASTER ROLL CALL**

The SPEAKER. The Chair is about to take the master roll. Members will proceed to vote.

The following roll call was recorded:

**PRESENT—196**

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

**ADDITIONS—1**

Stuban

**NOT VOTING—0**

**EXCUSED—5**

Bishop Letterman Olasz Wright, R. C.  
Dininni

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Itkin.

Mr. ITKIN. Mr. Speaker, for the benefit of the members and for the record, I would like to indicate that Mr. Olasz'

and Mr. Letterman's failure to be present in the House today are due to continuing medical leaves. Yesterday we failed to recognize that these leaves were not of just a personal nature but were also because of their medical problems. Thank you, Mr. Speaker.

### MEMBER'S PRESENCE RECORDED

The SPEAKER. The Chair recognizes the gentleman, Mr. Stuban, whose name will be added to the master roll.

### WELCOME

The SPEAKER. The Chair welcomes Kevin Cole of Cambridge Springs, who is the guest of Representative Maine. He is located to the left of the Speaker. Will the guest please rise.

### BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

**HB 1944, PN 3010 (Amended)**

By Rep. COWELL

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), known as the "Public School Code of 1949," further providing for the State System of Higher Education to act as both lessor and lessee of property; further providing for maintenance projects and project contracts; further providing for nondiscrimination; and making editorial changes.

EDUCATION.

### BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1831, PN 2340**, entitled:

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.

On the question,

Will the House agree to the bill on third consideration?

Mr. CLYMER offered the following amendment No. A0117:

Amend Sec. 1 (Sec. 14), page 2, line 5, by inserting brackets before and after "25%" and inserting immediately thereafter  
30%

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Chair recognizes the gentleman from Bucks, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, the amendment that I propose is a very simple one. It says that the percentage of electors that is needed on a petition to file for small games of chance be increased from 25 percent to 30 percent.

Now, I have done that because obviously the bill now states that municipalities can put in a petition to have small games

of chance each year instead of once every 4 years, and that is a change in the bill. So if we are going to be fair about this entire issue as we make this kind of a change, I think getting 30 percent of the electors is reasonable, and therefore, my amendment.

I would ask the House members to give support. Thank you very much.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Markosek.

Mr. MARKOSEK. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to amendment A0117.

The purpose of HB 1831 is to solve a problem that occurred in my particular district during the last primary election. Two communities in my district voted against the small games of chance referendum, and I have heard since that time and most of the reasons that were given to me that it was voted down was the fact that people simply did not understand exactly what they were voting on. Now, the people in my district who would benefit most from the small games of chance legislation agree that they did not do a good enough job of promoting the issue, and as a result, because of the confusion, small games was voted down.

What HB 1831 does is it allows communities that voted against the measure to have another referendum this spring in this spring's primary, or any other primary. The current law states that you cannot have another referendum for 4 more years. We had a problem last summer where one of our local fire companies was unable to have their fair and lost over \$7,000 because they could not run some of their small games of chance. We have had situations where the local women's club cannot raffle off their afghan because people have complained and said that that is against the law, not that they are necessarily against these raffles but they are saying they are in violation of the law and, technically, they should not do that.

My bill would offer these communities another chance to have another referendum. What Mr. Clymer's amendment does is makes it more difficult for them to do that. He is raising the percentage of voters' signatures needed to get a referendum on the ballot from 25 percent to 30 percent. No other issue in State Government, no other referendum question in State Government, has such a high percentage. In fact, only 5 percent of the total number of voters of the last gubernatorial general election are needed for a boundary change referendum - 5 percent. Mr. Clymer is asking in this for 30 percent. For a home rule charter referendum, only 5 percent of the total number of voters in the last gubernatorial general election are required. Mr. Clymer is asking for 30 percent. To disband a paid fire department and replace it with volunteers, 20 percent of the registered voters are required. Mr. Clymer is asking for 30 percent. My bill requires 25 percent of the highest vote cast for any office in a municipality at the last general election, and Mr. Clymer again is offering his amendment to say 30 percent.

Thirty percent is way high. It is much more than most of the other, or all of the other requirements. In fact, my bill calling for 25 percent I think is high compared to the 5 percent and

the 20 percent on some of the other questions. So I think it is already high enough. In my opinion, his amendment is totally unnecessary.

I would appreciate a negative vote on his amendment and a positive vote for final passage of my bill so the people of my district will have another chance to make this very important decision on their own. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—39

Barley	Fox	Moehlmann	Strittmatter
Birmelin	Geist	Mowery	Taylor, E. Z.
Brandt	Gladeck	Nailor	Thomas
Burns	Godshall	Phillips	Vroon
Carn	Heckler	Pitts	Wilson
Clark, D. F.	Hershey	Reinard	Wright, J. L.
Clymer	Jackson	Saurman	Yandrisevits
Distler	Josephs	Scheetz	
Fargo	Leh	Schuler	O'Donnell,
Fleagle	Miller	Smith, B.	Speaker
Foster			

NAYS—153

Acosta	Donatucci	Langtry	Reber
Adolph	Dorr	Lashinger	Richardson
Allen	Durham	Laughlin	Rieger
Angstadt	Evans	Lee	Ritter
Argall	Fairchild	Lescovitz	Robbins
Belardi	Farmer	Levdanskoy	Robinson
Belfanti	Fee	Linton	Roebuck
Billow	Flick	Lloyd	Rudy
Black	Freeman	Lucyk	Ryan
Blaum	Freind	McCall	Rybak
Bortner	Gallen	McHale	Saloom
Bowley	Gamble	McNally	Scrimenti
Boyes	Gannon	McVerry	Semmel
Broujos	George	Maiale	Serafini
Burd	Gigliotti	Maine	Smith, S. H.
Bush	Gruppo	Markosek	Snyder, D. W.
Caltagirone	Hagarty	Marsico	Snyder, G.
Carlson	Haluska	Mayernik	Staback
Cawley	Harper	Melio	Stairs
Cessar	Hasay	Michlovic	Steighner
Chadwick	Hayden	Micozzie	Stish
Civera	Hayes	Morris	Stuban
Clark, B. D.	Herman	Mrkonic	Tangretti
Clark, J. H.	Hess	Murphy	Taylor, F.
Cohen	Howlett	Nahill	Taylor, J.
Colafiglia	Hughes	Noye	Telek
Colaizzo	Itkin	O'Brien	Tigue
Cole	Jadlowiec	Oliver	Trello
Cornell	James	Perzel	Trich
Corrigan	Jarolin	Pesci	Van Horne
Cowell	Johnson	Petrarca	Veon
Coy	Kaiser	Petrone	Wambach
DeLuca	Kasunic	Piccola	Wass
DeWeese	Kenney	Pievsky	Weston
Daley	Kondrich	Pistella	Williams
Davies	Kosinski	Pressmann	Wogan
Dempsey	Kukovich	Preston	Wozniak
Dietterick	LaGrotta	Raymond	Wright, D. R.
Dombrowski			

NOT VOTING—5

Battisto	Cappabianca	Gruitza	Merry
Bunt			

EXCUSED—5

Bishop	Letterman	Olasz	Wright, R. C.
Dininni			

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

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

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

The question is, shall the bill pass finally?

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

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

The SPEAKER. The gentleman indicates that he is willing to be interrogated, and the gentleman may proceed.

Mr. WASS. Mr. Speaker, will you assure me that the only areas that are covered in your legislation are those that pertain to an election regarding the games of chance?

Mr. MARKOSEK. Yes, Mr. Speaker. HB 1831 just amends the current law which says that you can have a referendum every 4 years. It amends it to say you can have it every year if that municipality desires to have it.

Mr. WASS. And it makes no other changes?

Mr. MARKOSEK. That is correct.

Mr. WASS. Thank you very much.

On the question recurring,  
Shall the bill pass finally?

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

YEAS—180

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

Cohen	Hughes	O'Brien	Trello
Colafella	Itkin	Oliver	Trich
Colaizzo	Jackson	Perzel	Van Horne
Cole	Jadlowiec	Pesci	Veon
Cornell	James	Petrarca	Wambach
Corrigan	Jarolin	Petrone	Wass
Cowell	Johnson	Phillips	Weston
Coy	Josephs	Piccola	Wilson
DeLuca	Kaiser	Pievsky	Wogan
DeWeese	Kasunic	Pistella	Wozniak
Daley	Kenney	Pitts	Wright, D. R.
Davies	Kondrich	Pressmann	Yandrisevits
Dempsey	Kukovich	Preston	
Dietterick	LaGrotta	Raymond	O'Donnell,
Dombrowski	Langtry	Reber	Speaker
Dorr	Lashingier		

NAYS—10

Barley	Distler	Scheetz	Vroon
Birmelin	Fargo	Schuler	Wright, J. L.
Clymer	Hershey		

NOT VOTING—7

Battisto	Gruitza	Richardson	Williams
Donatucci	Kosinski	Serafini	

EXCUSED—5

Bishop	Letterman	Olasz	Wright, R. C.
Dininni			

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

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

FILMING PERMISSION

The SPEAKER. The Chair grants permission to Sue Murawski of WTAE for 10 minutes' film time beginning now.

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 1106, PN 1254**, entitled:

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

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

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

The question is, shall the bill pass finally?  
Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

YEAS—196

Acosta	Donatucci	Lashingier	Ritter
Adolph	Dorr	Laughlin	Robbins
Allen	Durham	Lee	Robinson
Angstadt	Evans	Leh	Roebuck
Argall	Fairchild	Lescovitz	Rudy

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

NAYS—0

NOT VOTING—1

Gruitza

EXCUSED—5

Bishop	Letterman	Olasz	Wright, R. C.
Dininni			

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

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

\* \* \*

The House proceeded to third consideration of **HB 1443, PN 2833**, entitled:

An Act prohibiting the use of public or subsidized housing and subsidized mortgage assistance by persons convicted of felonies relating to controlled substances.

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

Mrs. HARPER offered the following amendment No. A0114:

Amend Sec. 1, page 1, line 15, by inserting after "similar" Federal law or

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

The SPEAKER. The Chair recognizes the lady from Philadelphia, Mrs. Harper.

Mrs. HARPER. Thank you, Mr. Speaker.

All this amendment does is bring the bill into compliance with the Federal law as well as the State law.

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

The following roll call was recorded:

YEAS—185

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

NAYS—0

NOT VOTING—12

- Gallen Hughes Maiale Richardson
Gruitza Langtry Miller Trich
Howlett Linton Moehlmann Wozniak

EXCUSED—5

- Bishop Letterman Olasz Wright, R. C.
Dininni

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

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

The Chair recognizes the gentleman from Montgomery, Mr. Saurman.

Mr. SAURMAN. Thank you, Mr. Speaker.

May I interrogate the maker of this legislation?

The SPEAKER. The lady, Mrs. Harper, agrees to interrogation, and the gentleman may proceed.

Mr. SAURMAN. Thank you, Mr. Speaker.

I am concerned with the use of the term "convicted." Is there a time period with regard to that?

Mrs. HARPER. I did not quite hear you.

Mr. SAURMAN. What I am asking, Mr. Speaker, is, someone convicted 10 years ago of drug abuse would be denied this housing opportunity?

Mrs. HARPER. Yes, Mr. Speaker, up to, I think the bill says 15 years - or 20 years.

Mr. SAURMAN. Mr. Speaker, if I may then make a comment.

The SPEAKER. The gentleman is recognized and may proceed.

Mr. SAURMAN. Thank you.

I think this is something that we ought to think about very carefully. There are convictions for many kinds of crimes, and we would hope, at least, that persons who have been convicted who have paid their penalty to society, as we speak of it, would have an opportunity to continue with their lives. If we are speaking of taking someone out of a housing situation because they are dealing, because they are using, because they are disrupting, I would be totally in agreement, but I have a concern with denying someone an opportunity for housing who may even have been an adolescent at the time—or not an adolescent but a young minor or an 18-year-old who now has a conviction and is not going to be allowed this opportunity to be reinstated in society.

I just think that it goes a little bit too far, and for that reason I am afraid that I would have to vote "no" and would just ask that everyone consider what it is that this bill will do to those persons who are in those circumstances where, because of something that they have done in their past, they are now going to be denied an opportunity for reinstatement. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the lady, Mrs. Harper.

Mrs. HARPER. This legislation is aimed at the people that are renting public housing in order to sell drugs. This is not aimed at minor crimes. This is for people that have been convicted of felonies, and it is about time that we stop cuddling these people that have been convicted of felonies and putting them in the projects. We have a lot of families in public housing, and why should these criminals come in there and take over and make it bad for people that are trying to raise their families in this public housing. I know of a lot of people that have rented public housing just to sell drugs, and I am sick and tired of us cuddling these criminals.

The SPEAKER. The Chair recognizes the gentleman, Mr. Saurman.

Mr. SAURMAN. Mr. Speaker, I commend the maker of this legislation and agree that anyone who is using public housing for the purpose of selling, distributing, or using should not be allowed to do it, but I am really concerned about what we do— If we are going to treat people who have been convicted and who have paid a penalty in this fashion, maybe we should make sure that the death penalty is enforced immediately so we do not have recidivism. But we have no way of knowing that this individual is not trying to make something of their life, and I think that this will deny them that opportunity, as the language is written. I would rather see it indicate that if they are using or selling at the moment, they could be taken out of this facility, but to go back 15 years is dangerous, in my opinion. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Thomas.

Mr. THOMAS. Thank you, Mr. Speaker.

May I interrogate the speaker?

The SPEAKER. The gentleman is requesting to interrogate the lady, Mrs. Harper. The lady indicates she will be interrogated. The gentleman may proceed.

Mr. THOMAS. Within the context of HB 1443, is my understanding correct that the tenets of HB 1443 would affect both public housing and subsidized housing?

Mrs. HARPER. I think the bill just says public housing.

Mr. THOMAS. Pardon me?

Mrs. HARPER. Public housing.

Mr. THOMAS. So the subsidized housing language in the bill has been stricken?

Mrs. HARPER. No— Yes, yes.

Mr. THOMAS. I am not clear, Mr. Speaker.

Mrs. HARPER. Mr. Speaker, section 8 has been removed from the bill.

Mr. THOMAS. So this is only limited to public housing?

Mrs. HARPER. That is correct.

Mr. THOMAS. Okay. Now, the removal of this from the bill, I am unable to glean this from your amendment; I am unable to glean from your amendment that subsidized housing has been excluded from this bill.

Mr. RYAN. Mr. Speaker?

The SPEAKER. Has the gentleman concluded his interrogation?

Mr. THOMAS. I am still waiting for clarification.

Mrs. HARPER. I wish we could have a little quiet, Mr. Speaker.

The SPEAKER. Will the lady suspend, please.

Has the gentleman concluded his interrogation?

Mr. THOMAS. Yes. I am still waiting for clarification.

Mr. RYAN. Mr. Speaker?

The SPEAKER. For what purpose does the minority leader rise?

Mr. RYAN. I cannot hear a word of this debate, Mr. Speaker, and I even have a separate speaker phone.

The SPEAKER. The gentleman's point is well taken. The House should be at ease. The gentleman, Mr. Thomas, has the floor. He has asked for a clarification from the lady, Mrs. Harper. The Chair urges the members that are out of their seats to return to their seats so we can have quiet.

The lady may proceed with her answer.

### BILL PLACED ON FINAL PASSAGE POSTPONED CALENDAR

Mrs. HARPER. Thank you, Mr. Speaker.

I think I will ask for the bill to be held over until tomorrow, and I will have an opportunity to look at it a little further. I understand that the Judiciary Committee took something out of the bill, but I would like to check that a little further.

The SPEAKER. The bill will be placed on the final passage postponed calendar.

The Chair thanks the lady.

Mrs. HARPER. Thank you.

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

Mr. DAVIES. If I have a question on that particular piece of legislation, do I have to give it to the lady personally so that I could get clarity on it in the interim before we get the bill back?

The SPEAKER. If the gentleman has a question on this piece of legislation or any other, he should wait until that matter is before the House. This bill is no longer before the House.

\* \* \*

The House proceeded to third consideration of **HB 1821, PN 2330**, entitled:

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

On the question,

Will the House agree to the bill on third consideration?

Mr. WASS offered the following amendments No. A0223:

Amend Title, page 1, line 1, by striking out "counties" and inserting

the Pennsylvania Historical and Museum Commission



Amend Sec. 1, page 1, line 5, by striking out "county commissioners" and inserting

Pennsylvania Historical and Museum Commission

Amend Sec. 1, page 1, lines 6 and 7, by striking out "county commissioners of each county" and inserting

Pennsylvania Historical and Museum Commission

Amend Sec. 1, page 1, line 7, by inserting after "flags" to local historical societies

Amend Sec. 1, page 1, line 9, by striking out "the county" and inserting

this Commonwealth

Amend Sec. 2, page 1, line 17; page 2, lines 1 through 3, by striking out "county from moneys in" in line 17, page 1, all of lines 1 through 3, page 2 and inserting

Pennsylvania Historical and Museum Commission

Amend Sec. 3, page 2, lines 5 and 6, by striking out "county commissioners of each county are hereby authorized and directed" and inserting

Pennsylvania Historical and Museum Commission

Amend Sec. 3, page 2, line 6, by removing the comma after "society" and inserting

in each county, is hereby authorized and directed

Amend Sec. 4, page 2, line 15, by striking out "county commissioners" and inserting

Pennsylvania Historical and Museum Commission

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the gentleman from Indiana, Mr. Wass.

Mr. WASS. Thank you, Mr. Speaker.

Mr. Speaker, I do want to congratulate the lady for a fine idea, but I would like very much to change the obligation of her particular legislation from the commissioners' office to the Pennsylvania Historical and Museum Commission. I truly believe that that is where it belongs. They will have access to records that will provide them the information needed. They have a stream of contact with the local historical societies, and I believe that they will do a better job in providing the wishes of our legislator from Centre.

The SPEAKER. The Chair recognizes the lady from Centre, Mrs. Rudy.

Mrs. RUDY. Thank you, Mr. Speaker.

Mr. Speaker, I have no objections to Representative Wass' amendment. Thank you.

The SPEAKER. The Chair thanks the lady.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—196

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

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

NAYS—1

Wright, J. L.

NOT VOTING—0

EXCUSED—5

Bishop	Letterman	Olasz	Wright, R. C.
Dininni			

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

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—192

Acosta	Donatucci	LaGrotta	Rieger
Adolph	Dorr	Langtry	Ritter
Allen	Durham	Lashingner	Robbins
Angstadt	Evans	Laughlin	Robinson
Argall	Fairchild	Lee	Roebuck
Barley	Fargo	Leh	Rudy
Battisto	Farmer	Lescovitz	Ryan
Belardi	Fee	Linton	Rybak
Belfanti	Fleagle	Lloyd	Saloom
Billow	Flick	Lucyk	Saurman
Birmelin	Foster	McCall	Scheetz
Black	Fox	McHale	Schuler
Blaum	Freeman	McNally	Scrimenti

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

NAYS—0

NOT VOTING—5

Caltagirone	Melio	Trello	Weston
Levdansky			

EXCUSED—5

Bishop	Letterman	Olasz	Wright, R. C.
Dininni			

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

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

\* \* \*

The House proceeded to third consideration of **HB 1039, PN 1181**, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, providing for veterans' litigation awards.

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—193

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

NAYS—0

NOT VOTING—4

Broujos	Caltagirone	Cole	Davies
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EXCUSED—5

Bishop	Letterman	Olasz	Wright, R. C.
Dininni			

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

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

\* \* \*

The House proceeded to third consideration of **HB 1894, PN 2427**, entitled:

An Act requiring a clause in public housing leases relating to eviction for the sale or distribution of controlled substances.

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—195

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

NAYS—0

NOT VOTING—2

Acosta Caltagirone

EXCUSED—5

Bishop Letterman Olasz Wright, R. C.  
Dininni

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

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

VOTE CORRECTIONS

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

Mr. DAVIES. On HB 1039, PN 1181, I was out of my seat. I would like to be recorded in the affirmative.

The SPEAKER. The remarks of the gentleman will be spread upon the record.

For what purpose does the gentleman from Allegheny, Mr. Trello, rise?

Mr. TRELLO. Mr. Speaker, I was not in my seat at the time the vote was taken on HB 1821. I would like to be recorded in the affirmative.

The SPEAKER. The remarks of the gentleman will be spread upon the record.

SUBCOMMITTEE MEETING

The SPEAKER. For what purpose does the gentleman from Cambria, Mr. Haluska, rise?

Mr. HALUSKA. Mr. Speaker, I would like to announce a Subcommittee on Aging meeting that will be held immediately after the Youth and Aging Committee meeting tomorrow morning at 10 o'clock in room 140. Thank you.

The SPEAKER. The Chair thanks the gentleman.

HB 1831 RECONSIDERED

The SPEAKER. The Chair is in possession of a reconsideration motion, which the House will now take up. It is moved by the gentleman from Elk, Mr. Distler, that the vote by which HB 1831, PN 2340, was passed on the 30th day of January be reconsidered.

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

The following roll call was recorded:

YEAS—192

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

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

NAYS—0

NOT VOTING—5

Battisto	Caltagirone	Perzel	Wambach
Broujos			

EXCUSED—5

Bishop	Letterman	Olasz	Wright, R. C.
Dininni			

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

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—181

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

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

NAYS—14

Barley	Fargo	Leh	Schuler
Birmelin	Freind	Pitts	Strittmatter
Brandt	Hershey	Scheetz	Vroon
Clymer	Johnson		

NOT VOTING—2

Battisto Harper

EXCUSED—5

Bishop	Letterman	Olasz	Wright, R. C.
Dininni			

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

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

### CONDOLENCE RESOLUTION ADOPTED

The SPEAKER. We are about to take up a condolence resolution on the death of a former member of the House.

The Sergeant at Arms will close the doors of the House.

The clerk will read the resolution.

The following resolution was read:

#### COMMONWEALTH OF PENNSYLVANIA THE HOUSE OF REPRESENTATIVES

#### RESOLUTION

WHEREAS, Charles J. Volpe, insurance executive and former member of the Pennsylvania House of Representatives, is being posthumously honored for his distinguished service to the insurance profession and to the Commonwealth; and

WHEREAS, Mr. Volpe, a graduate of Scranton University with a bachelor's degree in education and economics, was the former representative from the 112th Legislative District. The owner of the Volpe Insurance Agency, he was regarded as a specialist in self-insurance administration; and

WHEREAS, Elected to the House of Representatives in 1972, Mr. Volpe was appointed deputy mayor of Scranton in 1976. He also served the city in various other capacities, including chairman of the Scranton Redevelopment Authority and director of the Department of Community Development. Recently a public affairs forum was created in his honor at the University of Scranton; and

WHEREAS, Mr. Volpe is survived by his wife, Eleanor Emiliani Volpe; a son, Charles J., Jr.; three daughters, Lori, Bonnie and Debra Quinn; and three sisters; now therefore be it

RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania salutes the late Charles J. Volpe for his outstanding contributions to Scranton and to the Commonwealth through both his professional career and his many years of public service; respectfully notes that his tireless work on behalf of his fellow citizens will long be remembered and appreciated; and be it further

RESOLVED, That a copy of this resolution be transmitted to Eleanor Emiliani Volpe, 54 Roosevelt Street, Scranton, Pennsylvania 18505.

We hereby certify that the foregoing is an exact copy of a resolution introduced in the House of Representatives by the Honorable Fred Belardi and unanimously adopted by the House of Representatives on the 30th day of January 1990.

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

On the question,  
Will the House adopt the resolution?

The SPEAKER. Members and guests will please rise.

(Whereupon, the members of the House and all visitors stood in a moment of silence in solemn respect to the memory of the Honorable Charles J. Volpe.)

The SPEAKER. The resolution has been unanimously adopted.

The Sergeant at Arms will open the doors of the House

### RULES SUSPENDED

The SPEAKER. The Chair recognizes the majority leader.

Mr. DeWEESE. Mr. Speaker, I move to suspend the rules to permit the immediate consideration of two resolutions, HR 247 and HR 248.

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

### PARLIAMENTARY INQUIRY

The SPEAKER. For what purpose does the gentleman from Erie, Mr. Dombrowski, rise?

Mr. DOMBROWSKI. A point of information, Mr. Speaker.

As long as we are suspending the rules for immediate consideration of these two resolutions, can we suspend the rules so we can add names right now without going through the normal procedure?

The SPEAKER. For the information of the gentleman, there is no need to suspend the rules for the purpose of additions of names since the resolutions are not in print yet, and if the gentleman would like his name added as a cosponsor, he should so indicate to the clerk. The Chair thanks the gentleman.

### RESOLUTIONS ADOPTED

The SPEAKER. The Chair recognizes the gentleman from Northampton, Mr. Rybak, who calls up HR 247, which will be read by the clerk.

The following resolution was read:

#### House Resolution No. 247

#### A RESOLUTION

Recognizing January 30, 1990, the birthday of Franklin Delano Roosevelt, as "Day of the Disabled."

WHEREAS, By Act No. 71 of 1988 the General Assembly of the Commonwealth enacted a law designating January 30 of each year, the birthday anniversary of Franklin Delano Roosevelt, as "Day of the Disabled"; and

WHEREAS, More than 1,000,000 citizens of this Commonwealth are considered to be physically disabled; and

WHEREAS, Through courage and determination, the physically disabled have conquered seemingly insurmountable obstacles to lead successful lives; and

WHEREAS, The physically disabled demonstrate unique character and perseverance in pursuing and attaining their desired goals; and

WHEREAS, These individuals have made noteworthy contributions to their communities, this Commonwealth and the nation; and

WHEREAS, The physically disabled of this Commonwealth deserve recognition by this Commonwealth and its citizens; therefore be it

RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania recognize January 30, 1990, the birthday of Franklin Delano Roosevelt, as "Day of the Disabled" in honor of all of the disabled citizens of Pennsylvania.

William C. Rybak  
Robert Louis Freeman  
John F. Pressmann  
Frank J. Pistella  
Scott Dietterick  
Jerry L. Nailor  
Peter C. Wambach  
Susan Laughlin  
Eugene G. Saloom  
Camille "Bud" George  
Anthony J. Melio  
Michael E. Bortner  
Frank W. Yandrisevits  
Ronald S. Marsico  
Donald W. Snyder  
Frank A. Serafini  
Bob Allen  
Kenneth M. Jadlowiec  
Howard L. Fargo  
Robert D. Robbins  
Ronald E. Black  
Leona G. Telek  
Russ Fairchild  
Ted Stuban  
Merle H. Phillips  
Connie G. Maine  
Robert E. Belfanti, Jr.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—185

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

NAYS—0

NOT VOTING—12

Bortner	Fee	Kukovich	Preston
Burns	Gallen	Melio	Reinard
Dombrowski	Hasay	Pesci	Yandrisevits

EXCUSED—5

Bishop	Letterman	Olasz	Wright, R. C.
Dininni			

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

\* \* \*

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Kosinski, who calls up HR 248, which will be read by the clerk.

The following resolution was read:

House Resolution No. 248

A RESOLUTION

Urging the Governor to declare January 31, 1990, as "Catholic School Appreciation Day."

WHEREAS, Catholic schools in this Commonwealth are celebrating Catholic Schools Week during the period from January 28 to February 3, 1990; and

WHEREAS, Catholic elementary and secondary schools educate approximately 250,000 students in this Commonwealth; and

WHEREAS, Catholic schools instill in our young people a strong foundation of values, enhancing self-esteem, building self-confidence and developing leadership skills; and

WHEREAS, Catholic schools prepare young people to serve others in our society and to accept the challenges they will face as leaders of tomorrow; and

WHEREAS, Catholic schools save State and local government in excess of 500 million dollars annually in school operational costs, not including capital investment; and

WHEREAS, Catholic schools, in educating a quarter of a million students annually with a dropout rate of less than 3% and a postgraduation higher education enrollment rate of 80%, provide young people with solid values and academic skills needed in becoming responsible citizens of this Commonwealth; therefore be it

RESOLVED, That the House of Representatives express congratulations and appreciation to Catholic elementary and secondary schools throughout the Commonwealth on the occasion of Catholic School Week 1990 and urge the Governor to declare January 31, 1990, as "Catholic School Appreciation Day" in this Commonwealth.

- Gerard A. Kosinski
- Joseph A. Steighner
- Kenneth J. Cole
- Jeffrey W. Coy
- Nicholas A. Colafella
- Thomas C. Corrigan, Sr.
- David K. Levdansky
- Anthony M. DeLuca
- Richard A. Kasunic
- Babette Josephs
- Keith R. McCall
- Joseph F. Markosek
- Edward G. Staback
- Paul McHale
- Thomas J. Fee
- Gaynor Cawley
- Thomas M. Tigue
- Allen G. Kukovich
- Frank W. Yandrisevits
- Ted Stuban
- Timothy L. Pesci
- William C. Rybak
- Fred A. Trello
- Thomas A. Tangretti
- John H. Broujos
- Ronald R. Cowell
- Frank J. Gigliotti
- Robert C. Donatucci
- John F. Pressmann
- Richard Hayden
- Edward J. Haluska
- Thomas B. Stish
- Thomas A. Michlovic
- Dennis E. Leh
- George T. Kenney, Jr.
- Nicholas A. Micozzie

Thomas W. Dempsey  
 John M. Perzel  
 Ron Raymond  
 Dennis M. O'Brien  
 James T. Distler  
 George W. Jackson  
 Karl W. Boyes  
 Richard J. Cessar  
 James L. Wright, Jr.  
 Chris R. Wogan  
 Arthur D. Hers  
 Richard A. Geist  
 David G. Argall  
 Samuel H. Smith  
 Edgar A. Carlson  
 Paul J. Angstadt  
 Jon D. Fox  
 Joseph A. Lashinger, Jr.  
 Jere W. Schuler  
 James H. Clark  
 Paul Wass  
 Raymond Bunt, Jr.  
 Ted V. Kondrich  
 Russ Fairchild  
 Elinor Z. Taylor  
 Robert E. Belfanti, Jr.  
 Bernard J. Dombrowski  
 Fred Belardi  
 Frank J. Pistella  
 George E. Saurman  
 Scott Dietterick  
 Jerry L. Nailor  
 Peter C. Wambach  
 Susan Laughlin  
 Eugene G. Saloom  
 Camille "Bud" George  
 Anthony J. Melio  
 Michael E. Bortner  
 Ronald S. Marsico  
 Frank A. Serafini  
 Ralph Kaiser  
 Bob Allen  
 Kenneth M. Jadlowiec  
 Howard L. Fargo  
 Robert D. Robbins  
 Ronald E. Black  
 Leona G. Telek  
 Jere L. Strittmatter  
 Merle H. Phillips  
 Connie G. Maine  
 Kenneth E. Brandt

On the question,  
 Will the House adopt the resolution?  
 The following roll call was recorded:

**YEAS—189**

Acosta	Donatucci	LaGrotta	Richardson
Adolph	Dorr	Langtry	Rieger
Allen	Durham	Lashinger	Ritter
Angstadt	Evans	Laughlin	Robbins
Argall	Fairchild	Lee	Robinson
Barley	Fargo	Leh	Roebeck
Battisto	Farmer	Lescovitz	Rudy
Belardi	Fee	Linton	Ryan
Belfanti	Fleagle	Lloyd	Rybak
Billow	Flick	Lucyk	Saloom
Birmelin	Foster	McCall	Saurman
Black	Fox	McHale	Scheetz
Blaum	Freeman	McNally	Schuler

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

**NAYS—0**

**NOT VOTING—8**

Caltagirone	Kenney	Staback	Thomas
Cappabianca	Levdansky	Steighner	Wass

**EXCUSED—5**

Bishop	Letterman	Olasz	Wright, R. C.
Dininni			

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

**HB 1039 RECONSIDERED**

The SPEAKER. The Chair recognizes the gentleman from Cumberland, Mr. Broujos, who moves that the vote by which HB 1039, PN 1181, was passed on the 30th day of January be reconsidered.

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

On the question recurring,  
 Shall the bill pass finally?

**VOTE CORRECTIONS**

The SPEAKER. For what purpose does the gentleman from Erie, Mr. Dombrowski, rise?

Mr. DOMBROWSKI. Mr. Speaker, when the vote was taken on HR 247, Representative Fee and I were signing our

names to HR 248. Would you please add us on as affirmative votes.

The SPEAKER. The remarks of the gentleman shall be spread upon the record.

CONSIDERATION OF HB 1039 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—196

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

NAYS—0

NOT VOTING—1

Mowery

EXCUSED—5

- Bishop Letterman Olasz Wright, R. C.
Dininni

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

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

WELCOME

The SPEAKER. The Chair is pleased to welcome to the hall of the House the Upper St. Clair football team, winners of the WPIAL Quad A 1989 football championship. They also won this championship in 1988. They are here as the guests of Representative Langtry. Will the gentlemen please stand.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. This is to remind the members that all candidates and political committees must file the annual expense report in the office of the Secretary of the Commonwealth no later than tomorrow, January 31, 1990. Please be certain to file a copy of the report with your county board of elections.

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 1384, PN 1611 By Rep. PETRARCA

An Act designating a section of Route 66 in Clarion County as the General Thomas L. Kane Memorial Highway.

TRANSPORTATION.

HB 1527, PN 1788 By Rep. PETRARCA

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, exempting recipients of the Congressional Medal of Honor from all title and registration fees.

TRANSPORTATION.

HB 1686, PN 2041 By Rep. PETRARCA

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for removal of vehicle from property and notice to owner and lienholders of abandoned vehicles.

TRANSPORTATION.

HB 1817, PN 2326 By Rep. PETRARCA

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

TRANSPORTATION.

HB 1921, PN 2478 By Rep. PETRARCA

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further defining the term "street rod."

TRANSPORTATION.

HB 2004, PN 2615 By Rep. PETRARCA



An Act designating Interstate Route 90 as the AMVETS Memorial Highway.

#### TRANSPORTATION.

##### HB 2133, PN 3016 (Amended)

By Rep. CALTAGIRONE

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, adding a definition of "newborn child"; further providing for notice of hearings; providing for confidentiality for adoptive parents; providing for the furnishing of counseling to parents whose parental rights are being relinquished; further providing for involuntary termination of parental rights; providing for preplacement investigations and reports; further providing for the contents of reports of intention to adopt; and further providing for preference as to religious upbringing of an adopted child.

#### JUDICIARY.

##### HB 2220, PN 2958

By Rep. PETRARCA

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for tire equipment, for bumpers and for promulgation of vehicle equipment standards.

#### TRANSPORTATION.

### SUBCOMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. DeLuca, for an announcement.

Mr. DeLUCA. Thank you, Mr. Speaker.

The subcommittee on Local Government will be holding a meeting Thursday at 10 o'clock in room 123 - the subcommittee on Local Government. Thank you.

The SPEAKER. The Chair thanks the gentleman.

### TRANSPORTATION COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Westmoreland, Mr. Petrarca, for an announcement.

Mr. PETRARCA. Thank you, Mr. Speaker.

At the call of the recess, there will be a meeting of the Transportation Committee in the back of the House. Thank you.

The SPEAKER. The Chair thanks the gentleman.

### VOTE CORRECTIONS

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

Mr. MERRY. To correct a vote, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. MERRY. My vote on amendment 117 to HB 1831 failed to record. I would like to have the record show that I would have voted in the negative.

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

The Chair recognizes the gentleman from Elk, Mr. Distler.

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

On amendment A117 to HB 1831, my switch malfunctioned. I would like to be recorded in the negative.

The SPEAKER. The remarks of the gentleman will be spread upon the record.

The Chair recognizes the gentleman from Montgomery, Mr. Bunt.

Mr. BUNT. Thank you, Mr. Speaker.

On amendment No. 117 to HB 1831, I wish to be recorded in the affirmative.

The SPEAKER. The remarks of the gentleman will be spread upon the record.

The Chair recognizes the gentleman from Luzerne, Mr. Hasay.

Mr. HASAY. Thank you, Mr. Speaker.

Mr. Speaker, on the vote on HR 247 that was recorded, my electronic voting switch did not function and my vote is not recorded. I wish to be voted in the affirmative. Thank you.

The SPEAKER. The remarks of the gentleman will be spread upon the record.

The Chair recognizes the gentleman from Monroe, Mr. Battisto.

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

The SPEAKER. The gentleman is recognized.

Mr. BATTISTO. I was out of my seat on the final passage of HB 1831. If I had been in my seat, I would have liked to have been recorded in the negative. Thank you.

The SPEAKER. The remarks of the gentleman will be spread upon the record.

The Chair recognizes the gentleman from Butler, Mr. Steighner.

Mr. STEIGHNER. Thank you, Mr. Speaker.

Mr. Speaker, when the vote was taken on HR 248, my switch was inoperable. Had it been working, I would have voted in the affirmative.

The SPEAKER. The Chair thanks the gentleman. His remarks will be spread upon the record.

The Chair recognizes the gentleman from Allegheny, Mr. DeLuca.

Mr. DeLUCA. Thank you, Mr. Speaker.

On that previous announcement, I want to make it clear that that is the Subcommittee on Counties for Local Government. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Lackawanna, Mr. Staback.

Mr. STABACK. A correction of the record, Mr. Speaker.

I inadvertently failed to vote on HR 248. I would like the record to show me in the affirmative.

The SPEAKER. The remarks of the gentleman will be spread upon the record.

The Chair recognizes the gentleman from Cambria, Mr. Wozniak.

Mr. WOZNIAK. Thank you, Mr. Speaker. To correct the record.

On amendment A0114 to HB 1443, the Speaker is locking out the board very quickly and I did not have an opportunity to vote in the affirmative. So I would appreciate if that would be placed in the record.

The SPEAKER. There will be no more votes for today. The Chair requests the courtesy of the members. For those members who are leaving the chamber, please leave quietly.

### BILLS AND RESOLUTIONS PASSED OVER

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

### STATEMENT BY MR. WASS

The SPEAKER. The Chair recognizes the gentleman from Indiana, Mr. Wass, without objection.

Mr. WASS. Thank you, Mr. Speaker.

Mr. Speaker, today I wish to spend a few moments with you about my concerns with what I consider is a crisis here in Pennsylvania.

Mr. Speaker, the representatives of the State System of Higher Education reported that for the 1989-90 school year, the 14 universities denied admission to thousands of applicants, many of them termed very qualified, because of inadequate space. As applications are considered for the academic year which begins in September 1990, it appears likely that the number of rejections will increase further.

Many students already enrolled in the SSHE universities study in crowded or otherwise inappropriate classrooms and laboratories and live in inadequately maintained housing facilities. Others are forced to live in off-campus housing which may be even less desirable. Faculties are often assigned inadequate facilities for office work, counseling students, or conducting research. Expensive equipment, Mr. Speaker, is inefficiently used because of inadequate facilities. These circumstances, if ignored much longer, will inevitably shape a State university system that will be physically shabby in appearance, excessively costly because of lack of timely investments, noncompetitive to the outstanding faculty, and unable to serve tens of thousands of qualified Pennsylvanians who look to the State-owned system for access to affordable quality higher education.

Mr. Speaker, these problems and the grave risks they pose exist because the Commonwealth has failed to adequately support the facility needs of the State System of Higher Education. If we are to respond positively to these challenges, policymakers in this administration and the legislature must make commitments to larger appropriations for maintenance and renovation projects, a significant infusion of State funds to expand capacity of our universities, and a change in State laws to enable the managers of the universities to more efficiently utilize the resources at their disposal.

In Pennsylvania the problem seems pervasive throughout the Commonwealth's public and private higher education communities. Across the State the costs for maintaining and renovating the physical plants of the Commonwealth's extensive system of public and private colleges, combined with the potential expense for necessary new educational and auxiliary facilities, add up to billions of dollars.

Mr. Speaker, the pressing need for the construction of new facilities is due in part to growing interest and increasing participation in postsecondary education in the Commonwealth. Obviously, the continued enrollment growth across the State is essentially viewed as a positive step forward. But, Mr. Speaker, as we seek those and encourage those to seek higher education, why would we do that when we today, this very day, are turning away 15,000 students? Fifteen thousand students cannot enter our universities.

Since its inception in 1983, the State System of Higher Education, the Commonwealth's system of 14 State-owned universities, has recognized the mounting seriousness of the situation and has vigorously lobbied for additional State funding for deferred maintenance projects - those maintenance projects which have been postponed primarily for financial reasons. However, despite some funding increase for deferred maintenance over the years, the 14 SSHE universities continue to accumulate a backlog of repair and renovation projects, now estimated at \$205 million.

It is my view that the Commonwealth has made an extraordinary investment in these institutions and now bears a special responsibility for the continuing needs of these universities. In fact, university officials frequently indicated during the committee's campus visits that an alarming number of qualified applicants are being turned away due to the space constraints. For many of the State-owned universities, inadequate housing poses a severe threat to the potential growth of the institution.

Some of the factors which caused a need to expand and renovate facilities include the requirements of physically handicapped members of the university community and regulatory requirements for the treatment and disposal of asbestos and hazardous waste.

Presently the SSHE system receives from the Commonwealth a separate annual appropriation of \$3.8 million for deferred maintenance purposes. Collectively the institutions are expected to fully match these State funds. In fact, however, they go far beyond this requirement and are actually spending approximately \$20 million annually for deferred maintenance projects. Despite this significant expenditure for deferred maintenance needs, the backlog continues to grow, according to the SSHE officials, with the current backlog amounting to approximately \$205 million.

Poor-quality construction, coupled with a long history of neglect in the areas of daily maintenance and repair, has limited the useful life of numerous SSHE buildings. As part of this process of neglect, deferred maintenance projects, accumulating over the years, have added heavily to the long-term costs which today threaten to drain university budgets. The legislature further considered using a special bond issue to finance major renovations and construction projects to insure appropriate educational facilities for current enrollment levels and to increase enrollment capacity where it is deemed appropriate.

Mr. Speaker, the taxpayers before us bought the land; they built the buildings; they put good equipment in the buildings and hired the best educators, and today, Mr. Speaker, 15,000

young people are locked out of our universities annually. Those before us believed that an education was the answer.

Mr. Speaker, at the National Democratic Convention, the Governor of this State told the Nation that in Pennsylvania, jobs were the number-one priority. Mr. Speaker, it is not possible; it is not possible to have meaningful jobs in Pennsylvania when you have a record of 47th in funding of education.

Mr. Speaker, we boast of the Sunny Day funds, the PIDA (Pennsylvania Industrial Development Authority) funds, the Ben Franklin Partnership funds. The Governor is pictured making large check presentations and promises of dollars, Mr. Speaker, to industry and business for new buildings, for expansion of buildings, and for the purchase of new equipment, and yet, Mr. Speaker, yes, on our own campuses we have buildings with leaking roofs, cracked walls, and antiquated equipment; dormitories that are unacceptable; classrooms in basements where pipes and waterlines are exposed. We saw them, Mr. Speaker. HR 159 put us out into the universities. We saw the classrooms in the basements. We saw the dormitories that were unfit for our young people to live in. We saw the makeshift offices for our professors as they prepare to educate our young people.

We heard and read about the "Capitol for a Day." Great; that is a great idea for a "Capitol for a Day," and our administrators went out and they talked to the people, but, Mr. Speaker, did they visit the crowded jails; did they visit the welfare rolls? Mr. Speaker, if they had, they would have found that the majority of the people at these places - the crowded jails and the welfare rolls - are people who are uneducated.

A few years ago, Mr. Speaker, we cried out; we cried out for more security. We had an incident that we could not accept here at the Capitol, and, Mr. Speaker, I remember as if it was yesterday. They had a meeting, a joint meeting, to get additional dollars for security, and rightfully so, rightfully so. Who are these people; who are these people that we are trying to secure ourselves from? Is it somebody that was landed here by a UFO? Was it some foreign country invading us? No, Mr. Speaker; it is not that type of people. It is our young people, Mr. Speaker - our young people who have been neglected, neglected an education.

Mr. Speaker, we have appropriated \$300 million for additional jail cells. Mr. Speaker, we have appropriated \$100 million for farmland preservation, and we have provided millions of dollars for sewer and water, and those are good things; those are good things. But, Mr. Speaker, my concern is regarding the report by the Education Committee on HR 159. Will it lay on the shelves? Will we see it again?

I call upon the Speaker of this House of Representatives, and I appreciate his comments in his speech to us the other day when he said he is also concerned about the 15,000 young people that cannot enter our universities. The Governor, in his state of the State message, Mr. Speaker, said that he is concerned about additional dollars for education, and I take much comfort in that. But, Mr. Speaker, are these promises or will it happen? Will we see in the future that our State institutions are properly funded? Mr. Speaker, I hope so.

Thank you for your time.

### STATEMENT BY MR. COWELL

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Cowell.

Mr. COWELL. Thank you, Mr. Speaker.

Mr. Speaker, I just wanted to quickly follow up on the comments very appropriately made by Representative Wass. Unfortunately, there is practically nobody in this hall to hear the important remarks that he has made about the need to adequately fund our State System of Higher Education and, in fact, all of our public institutions of higher education in this Commonwealth. The points that Representative Wass made, though, need to be the subject of a very thorough policy debate in this Commonwealth during the coming months. Most of the points that he made and many others, in fact, were included in the HR 159 report, which was approved by the House Education Committee 2 weeks ago and distributed several days ago to all the members of this House of Representatives.

In that report we spoke to the issue of inadequate facilities for existing faculty and for existing student enrollments. We also spoke very specifically about the fact that the State System universities this past year rejected some 18,500 applications from students across this Commonwealth, many of whom were deemed to be qualified applicants by the presidents and other representatives of the institutions with whom we spoke. This is indeed a very serious problem. Some members of our Education Committee have also raised the point that other public institutions, particularly our community colleges, are now reaching a point where future ability to increase capacity, future ability to increase their enrollment numbers, is seriously in question.

We need as a legislature, we need as an administration, we need as a group of policymakers in this Commonwealth, to, in a broad sense, discuss these very critical questions: Are we in fact going to be able to accommodate in our public institutions all of those young people and, in fact, students of all ages whom we have tried to convince to consider post-secondary education? Those percentages are up now. We have a larger percentage of recent high school graduates than ever before seriously interested in pursuing their education, and the question now is whether we are going to be able to accommodate them; whether we are going to have space, adequate space and appropriate space, in our public institutions.

About an hour ago, on behalf of the Education Committee, I reported a bill that was approved earlier today by the House Education Committee which speaks to the question of certain authorities of the State System of Higher Education. As was commented by members of the Education Committee this morning, that legislation, if it is enacted and signed by the Governor, in fact will expand the ability, enhance the ability, of the State System to use some of its own resources to deal with this very important issue. But as Representative Wass appropriately suggested, as policymakers ultimately responsi-

ble for this system of education, particularly at budget time, we are going to need to wrestle with some of the ongoing questions, some of the very fundamental questions: How much financial support will we indeed provide to our State System of Higher Education and the other public institutions of higher education in this Commonwealth?

I think Representative Wass and I and other members of our committee and certainly all members of this legislature remain committed to the concept of increasing access to post-secondary education for the citizens of Pennsylvania. A challenge for us now will be to determine how we can do that, how we can make the concept of access a reality for qualified young men and women or in fact students of all ages who want to enroll in our public institutions, and all of us are going to have to work on that issue, particularly during this budget session but certainly for several years in the future as well. Thank you, Mr. Speaker.

#### STATEMENT BY MR. NOYE

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

Mr. NOYE. Thank you, Mr. Speaker.

I would like to call to the attention of the chairman of the Education Committee, who just spoke, that he has in his possession a piece of legislation that, I think, is a compromise to solving this particular problem.

We all recognize that the Commonwealth is experiencing a severe cash crunch right at the present moment, and so the outlook for long-range funding in any large amount, as is needed and as was so eloquently pointed out by Representative Wass, is going to be very, very difficult at this particular time. However, I had introduced a piece of legislation with a lot of the members in this House last year which addresses this issue and allows for these State institutions to solicit funding from the private sector, and once they are able to acquire 50 percent of the funding, whether it be for maintenance purposes or for new building purposes, it allows them to move up on the Chancellor's list for immediate consideration and really cuts in half the cost of what is projected as our needs.

I would encourage the chairman of the Education Committee to take a hard look at that bill as a compromise to see if we cannot get some movement forward. There are institutions in this Commonwealth that are able to attract large sums of capital investment from the private sector as donations to the universities. They cannot attract the huge numbers which allow them to go out and just build a building, but they are able to meet some of those costs, and I think this is a way to meet the immediate need until the State improves this financial condition and can move forward on the full scale that we need to move forward on.

Thank you, Mr. Speaker.

#### VOTE CORRECTION

The SPEAKER. The Chair recognizes the gentleman from Armstrong, Mr. Pesci.

Mr. PESCI. Mr. Speaker, on HR 247 I would like to be recorded in the affirmative.

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

The Chair recognizes the gentleman from Allegheny, Mr. Cowell.

Mr. COWELL. Thank you, Mr. Speaker.

I just want to acknowledge the suggestion that was made by Representative Noye. I am aware of that legislation. It has received some discussion, and certainly we want to do all that we can to encourage our institutions to identify other resources which might help complement some of the public dollars that we are able to make available.

But one thing that we would have to look very carefully at is whether or not we want to be in a position of determining for the system what its priorities would be. One thing that the legislature has generally tried to do since the creation of the State System is to encourage the State System itself, through the Chancellor's office and through the Board of Governors' office, to take all of the requests from the 14 institutions and advise the legislature and advise the administration which projects really indeed represent the priorities of the State System.

I would want us to be cautious about in any way compromising that process that seems to be working fairly well now. Both the system officials as well as our legislative leaders and the Governor's Office have indicated that that has been more satisfactory than the process that existed in earlier years where everybody tried to find their favorite legislator to introduce their amendment on the floor and somebody else ultimately made the decision anyway. But indeed we will look more closely at the legislation that Representative Noye suggested.

Thank you, Mr. Speaker.

#### BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 2255, PN 3015

By Rep. PETRARCA

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, authorizing certain temporary labels or stickers on school buses.

TRANSPORTATION.

#### ADJOURNMENT

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

Mr. STISH. Mr. Speaker, I move that this House do now adjourn until Wednesday, January 31, 1990, at 11 a.m., e.s.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 12:13 p.m., e.s.t., the House adjourned.