

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

MONDAY, APRIL 2, 1990

SESSION OF 1990 174TH OF THE GENERAL ASSEMBLY

No. 22

### HOUSE OF REPRESENTATIVES

The House convened at 1 p.m., e.d.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:

Almighty God, all around us we observe the harmony of Your universe. The sun rises and sets according to Your plan. The seasons come and go in compliance with Your will. The planets move in their paths in accordance with Your design. Your laws written on our hearts decide right from wrong. Your laws are immutable and everlasting, and in keeping them, there is great reward.

Grant then, Lord, that the laws enacted in this legislature will be in consonance with Your will. May we always seek Your truth and translate it into laws that will always advance the interests of this Commonwealth.

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 Wednesday, March 28, 1990, will be postponed until printed. The Chair hears no objection.

### HOUSE BILLS INTRODUCED AND REFERRED

**No. 2415** By Representatives JACKSON, CAWLEY, SCHULER, E. Z. TAYLOR, DISTLER, GODSHALL, MARSICO, FARGO, JAROLIN, DIETTERICK, TIGUE, SAURMAN, MERRY, SERAFINI, STABACK, BATTISTO, JOHNSON, ADOLPH, GEIST and MELIO

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 definition of "compulsory school age."

Referred to Committee on EDUCATION, April 2, 1990.

**No. 2416** By Representatives CORRIGAN, DeWEESE, CAPPABIANCA, STISH, MARKOSEK, DOMBROWSKI, McNALLY, DIETTERICK, BELFANTI, ANGSTADT, PISTELLA, COY, DALEY, LAUGHLIN, VEON, SERAFINI, MORRIS, BATTISTO, J. L. WRIGHT, PESCI, JOHNSON, MELIO, LINTON and ROBINSON

An Act amending the act of August 23, 1967 (P. L. 251, No. 102), known as the "Industrial and Commercial Development Authority Law," further providing for projects eligible for financial assistance; expanding the activities for which bond proceeds may be used; providing for alternative forms of financing using sources of funds other than bond proceeds; further providing for financing by the Pennsylvania Economic Development Financing Authority; and eliminating certain approvals by the secretary.

Referred to Committee on APPROPRIATIONS, April 2, 1990.

**No. 2417** By Representatives BOWLEY, PRESSMANN, VEON, CAPPABIANCA, COLAIZZO, VAN HORNE, BELFANTI, SAURMAN, PISTELLA, LAUGHLIN, CAWLEY, SERAFINI, MORRIS, PESCI, NOYE, JOHNSON, BUNT, GEIST, MELIO, RUDY, MICHLOVIC, RYBAK, HOWLETT and McHALE

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for qualifications of the State Treasurer and Auditor General.

Referred to Committee on STATE GOVERNMENT, April 2, 1990.

**No. 2418** By Representatives KOSINSKI, COHEN, HAYDEN, MELIO, JOSEPHS, MAIALE, LINTON, TRELLO, BILLOW, HUGHES, WOGAN, J. TAYLOR and SERAFINI

An Act providing for a temporary drug cases division of the Court of Common Pleas of Philadelphia County, for an expansion of the number of judgeships in the Court of Common Pleas of Philadelphia County in order to staff the new division, for comprehensive drug-abuse screening of arrestees in any county having a drug cases division, for drug treatment services for persons awaiting trial in any county having a drug cases division,

for eligibility for probation without verdict and disposition in lieu of trial or criminal punishment for drug-dependent defendants in any county having a drug cases division, for mandatory drug-abuse treatment for treatable drug-dependent offenders convicted in any county having a drug cases division; and making repeals.

Referred to Committee on JUDICIARY, April 2, 1990.

**No. 2419** By Representatives KOSINSKI, COHEN, HAYDEN, MELIO, JOSEPHS, MAIALE, TRELLO, BILLOW, HUGHES, WOGAN, J. TAYLOR and SERAFINI

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the number of court of common pleas judges in the First Judicial District and for the divisions of the Court of Common Pleas of Philadelphia County.

Referred to Committee on JUDICIARY, April 2, 1990.

**No. 2420** By Representatives KOSINSKI, HAYDEN, DOMBROWSKI, TRELLO, JOSEPHS, BILLOW, J. TAYLOR, SERAFINI and E. Z. TAYLOR

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for expungement.

Referred to Committee on JUDICIARY, April 2, 1990.

**No. 2421** By Representatives SCRIMENTI, STEIGHNER, PISTELLA, MARKOSEK, CAPPABIANCA, BOYES, MORRIS, DOMBROWSKI, COY, BROUJOS, KOSINSKI, GIGLIOTTI, MERRY, VEON, JOSEPHS, MELIO, RUDY, COLAFELLA and CORRIGAN

An Act establishing the Office of the Great Lakes within the Department of Environmental Resources and designating the office as the lead agency within State Government for the development of policies, programs and procedures to protect, enhance and manage the Great Lakes.

Referred to Committee on CONSERVATION, April 2, 1990.

**No. 2422** By Representatives S. H. SMITH, BATTISTO, LASHINGER, CAWLEY, MORRIS, GEIST, BARLEY, DEMPSEY, PESCI, CARLSON, HERMAN, G. SNYDER, NOYE, FARMER, ANGSTADT, JACKSON, LANGTRY, MELIO, SERAFINI, TRELLO, DIETTERICK, STAIRS, CLYMER, STABACK, CORNELL, LEH, JOHNSON and J. H. CLARK

An Act requiring State officials to notify designated local officials when certain persons are discharged or released from State facilities.

Referred to Committee on JUDICIARY, April 2, 1990.

**No. 2423** By Representatives GIGLIOTTI, MAYERNIK, VROON, PISTELLA, TANGRETTI, RICHARDSON, COLAIZZO, PESCI, KAISER, McNALLY, WOZNIAK, COLAFELLA, VAN HORNE and MARKOSEK

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, further providing for landlord ratepayers and tenants, for notice prior to termination of service, for penalties and for remedies, and for imposing duties upon owners of rental property.

Referred to Committee on CONSUMER AFFAIRS, April 2, 1990.

**No. 2424** By Representatives BATTISTO, BROUJOS, FARGO, COY, SCHULER, D. R. WRIGHT, NAILOR, KASUNIC, STISH, BELFANTI, SEMMEL, CARLSON, VAN HORNE, TIGUE, ANGSTADT, STABACK, SAURMAN, S. H. SMITH, G. SNYDER, FOX, MERRY, HERMAN, SERAFINI, MORRIS, CLYMER, NOYE, JOHNSON, PESCI, BUNT, TANGRETTI, BARLEY, MELIO, NAHILL, McCALL, DALEY, BILLOW and ADOLPH

An Act amending the act of July 28, 1988 (P. L. 556, No. 101), known as the "Municipal Waste Planning, Recycling and Waste Reduction Act," providing for the sale of recyclable and recycled materials by municipalities.

Referred to Committee on CONSERVATION, April 2, 1990.

### SENATE BILLS FOR CONCURRENCE

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

#### SB 278, PN 285

Referred to Committee on TRANSPORTATION, April 2, 1990.

#### SB 442, PN 2031

Referred to Committee on TRANSPORTATION, April 2, 1990.

#### SB 676, PN 720

Referred to Committee on TRANSPORTATION, April 2, 1990.

#### SB 705, PN 768

Referred to Committee on TRANSPORTATION, April 2, 1990.

#### SB 1113, PN 1337

Referred to Committee on TRANSPORTATION, April 2, 1990.

#### SB 1313, PN 2053

Referred to Committee on LABOR RELATIONS,  
April 2, 1990.

**SB 1432, PN 1876**

Referred to Committee on EDUCATION, April 2, 1990.

**SB 1472, PN 1946**

Referred to Committee on PROFESSIONAL LICEN-  
SURE, April 2, 1990.

**SB 1507, PN 2051**

Referred to Committee on INSURANCE, April 2, 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 calen-  
dar:

SB 684; and  
SB 1131.

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

### SENATE MESSAGE

#### HOUSE BILL CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 704, PN 785**, with information that the Senate has passed the same without amendment.

### BILL SIGNED BY SPEAKER

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

**HB 704, PN 785**

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

### LEAVES OF ABSENCE

The SPEAKER. Are there requests for leaves of absence?  
The Chair recognizes Mr. Itkin.

Mr. ITKIN. Mr. Speaker, I would like to request leaves of  
absence for today's session for the gentleman from Lawrence,  
Mr. FEE; the gentleman from Washington, Mr. COLAIZZO;  
the gentleman from Philadelphia, Mr. PIEVSKY; the gentle-  
man from Armstrong, Mr. PESCI; and the gentleman from  
Allegheny, Mr. CLARK.

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

The Chair recognizes Mr. Hayes.

Mr. HAYES. Thank you, Mr. Speaker.

I request a leave for the gentleman from Dauphin County,  
Mr. DININNI, for the week; the lady from Delaware County,  
Mrs. DURHAM, for the day; the gentleman from  
Montgomery County, Mr. LASHINGER, for the day; and  
the lady from Chester County, Mrs. TAYLOR, for the day.

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

The Chair appoints the gentleman, Mr. Itkin, as Speaker  
pro tempore and asks the gentleman to preside.

### THE SPEAKER PRO TEMPORE (IVAN ITKIN) PRESIDING

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

**HB 1777, PN 2231**

By Rep. TRELLO

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

FINANCE.

**HB 2333, PN 3156**

By Rep. TRELLO

An Act amending the act of July 6, 1984 (P. L. 642, No. 132),  
known as the "Cash Consumer Protection Act," further provid-  
ing for credit card numbers as a condition of acceptance of  
checks.

FINANCE.

**SB 1140, PN 2076 (Amended)**

By Rep. TRELLO

An Act amending the act of December 19, 1988 (P. L. 1262,  
No. 156), entitled "Local Option Small Games of Chance Act,"  
further providing for the conducting of games of chance, the  
organizations which may conduct such games, how, where and by  
whom they may be conducted, referendums, powers of the  
department and penalties.

FINANCE.

### COMMUNICATION

#### LOBBYIST LIST PRESENTED

The SPEAKER pro tempore. The Chair wishes to  
acknowledge at this time receipt from the Secretary of the  
Senate and the Chief Clerk of the House of Representatives of  
the lobbying list as required by the Lobbying Registration and  
Regulation Act.

The following communication was submitted:

Senate of Pennsylvania

April 2, 1990

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

In compliance with Act No. 712 of the 1961 Session and Act No. 212 of the 1976 Session of the General Assembly titled the "Lobbying Registration and Regulation Act," we herewith jointly present a list containing the names and addresses of the persons who have registered from March 1, 1990 through March 30, 1990 inclusive, for the 174th Session of the General Assembly. This list also contains the names and addresses of the organizations represented by these registrants.

Respectfully submitted:  
Mark R. Corrigan, Secretary  
Senate of Pennsylvania  
John J. Zubeck, Chief Clerk  
House of Representatives

(For list, see Appendix.)

### MASTER ROLL CALL

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

The following roll call was recorded:

#### PRESENT—191

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

#### ADDITIONS—0

#### NOT VOTING—1

Acosta

#### EXCUSED—9

Clark, B. D.	Durham	Lashingner	Pievsky
Colaizzo	Fee	Pesci	Taylor, E. Z.
Dininni			

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

#### HB 2362, PN 3199

By Rep. COLE

An Act amending the act of July 13, 1987 (P. L. 348, No. 67), known as the "Vietnam Veterans Health Initiative Act," extending the expiration date.

#### FEDERAL-STATE RELATIONS.

### HOUSE RESOLUTIONS INTRODUCED AND REFERRED

#### No. 292

By Representatives GEORGE, FOX, SAURMAN, DeWEESE, HASAY, BROUJOS, REBER, MAINE, LEVDANSKY, HAYDEN, FREEMAN, WOZNIAK, YANDRISEVITS, S. H. SMITH, PRESSMANN, STISH, LUCYK, GIGLIOTTI, LAUGHLIN, COLAIZZO, ADOLPH, BORTNER, McCALL, DOMBROWSKI, GLADECK, TRELLO, J. TAYLOR, SERAFINI, DeLUCA, SEMMEL, MORRIS, CARLSON, TANGRETTI, BATTISTO, MARSICO, KENNEY, LASHINGER, STABACK, LINTON, PESCI, NAHILL, RAYMOND, DIETTERICK, BELARDI, MOEHLMANN, D. R. WRIGHT, JADLOWIEC, B. SMITH, HERMAN, LANGTRY, TRICH, COWELL, MARKOSEK, BOWLEY, MRKONIC, MICHLOVIC, MURPHY, GAMBLE, J. H. CLARK, HECKLER, NAILOR, HESS, SALOOM, GODSHALL, CESSAR, CAPPABIANCA, KOSINSKI, ARGALL, KUKOVICH, CHADWICK, KONDRICH, COY, GEIST, FAIRCHILD, DISTLER, HERSHEY, JACKSON, G. SNYDER, STEIGHNER, PETRARCA, NOYE, JOSEPHS, McVERRY, SCHULER, FARMER, ANGSTADT, ROBINSON, MELIO, HAGARTY and RUDY

Declaring April 22, 1990, as "Earth Day" and the week of April 22 through April 28, 1990, as "Earth Week" in Pennsylvania.

Referred to Committee on RULES, April 2, 1990.

**No. 293** By Representatives MELIO, CALTAGIRONE, VROON, PISTELLA, NOYE, JOHNSON, MAINE, COY, TANGRETTI, SCRIMENTI, FARGO, PESCI, KOSINSKI, HERMAN, PRESSMANN, JACKSON, GIGLIOTTI, JAROLIN, DeLUCA, LESCOVITZ, KAISER, HALUSKA, DALEY, RUDY, OLASZ, KONDRICH, LINTON, WILSON, SAURMAN, COLAFELLA, ANGSTADT, J. H. CLARK, RYBAK, GODSHALL, CLYMER, CARLSON, HESS, CORRIGAN, HERSHEY, GEIST, BELARDI, PETRARCA and E. Z. TAYLOR

Proclaiming April 6 through 8, 1990, as "Alcohol-Free Weekend" in Pennsylvania.

Referred to Committee on RULES, April 2, 1990.

**No. 294** By Representatives E. Z. TAYLOR, HAYES, MRKONIC, MORRIS, KOSINSKI, DIETTERICK, COY, SALOOM, CESSAR, KASUNIC, VROON, NAILOR, FLEAGLE, JADLOWIEC, TANGRETTI, PISTELLA, DEMPSEY, SCHULER, LEVDANSKY, CHADWICK, LANGTRY, JACKSON, RYBAK, D. W. SNYDER, GODSHALL, HALUSKA, BROUJOS, DISTLER, ITKIN, NOYE, MICOZZIE, CARLSON and McCALL

Memorializing the Governor to proclaim April 9, 1990, as "POW Recognition Day" in Pennsylvania.

Referred to Committee on RULES, April 2, 1990.

### MISS PENNSYLVANIA PRESENTED

The SPEAKER pro tempore. It is the Chair's distinguished privilege today to inform the members that we have a very honored guest, Miss Pennsylvania, Michele Kline, who will be introduced today by two of our members, Rick Geist and Bob Freeman. Would these gentlemen now come to the Speaker's rostrum.

Mr. GEIST. Thank you, Mr. Speaker.

It certainly is a pleasure for me representing the district that hosts Miss Pennsylvania. Michele is a resident of Altoona for this year, and we just think it is super that we have the opportunity to bring her down to meet you.

I would be very remiss though, first of all, if I did not introduce the guests that are with us - her mother, Mrs. Kline, and just absolutely one of the nicest ladies in the whole world, Susan Carothers.

Now I would like to introduce Representative Freeman, who would like to present a House citation, and then we will hear from Miss Pennsylvania.

Mr. FREEMAN. Thank you, Mr. Speaker.

It is indeed a pleasure for me to introduce Miss Michele Kline, the reigning Miss Pennsylvania for 1989. Michele is a very talented individual who has excelled in music, in the arts; an individual who has overcome the handicap of having to have a kidney transplant from her brother, Stan, in her pursuit of her dream and in pursuit of her goals.

It is indeed a pleasure for me to present her today with a citation from the House of Representatives, sponsored by myself and Representative Geist, and without further ado, I would like us to welcome Michele Kline and hear a few words from her.

Ms. KLINE. Thank you very much, Representative Geist, Representative Freeman, Representative Hayes, and ladies and gentlemen of the House. I thank you for your kind consideration and time to listen to my few words that I have for you now.

I would like to say that it has been an honor for me to be a representative of the State in sort in becoming Miss Pennsylvania this year. Two years ago at this time, after my kidney transplant, I never thought I would be the queen of anything, and I worked hard and was able to become Miss Pennsylvania. As a result of becoming Miss Pennsylvania this year, not only have I earned \$22,000 in scholarship to continue the education which I had to discontinue because of my kidney transplant but I have had the opportunity to represent the State of Pennsylvania all throughout the State and throughout the country, championing the cause of organ donation, and I thank you for your kind consideration of signing a proclamation of April 1990 as "Pennsylvania Organ and Tissue Donor Awareness Month." When you see legislation come across the table or you hear people speaking about organ donation, please remember at one time you saw Miss Pennsylvania, Michele Kline, who was allowed to pursue her dream and have renewed quality of life because of the miracle of transplantation.

I thank you for your time.

### PENNSYLVANIA POULTRY QUEEN PRESENTED

The SPEAKER pro tempore. Ladies and gentlemen of the House, it is a double pleasure today. We also have with us Anita Meck who is this year's Pennsylvania Poultry Queen, and she will be introduced by our distinguished colleague from Lancaster, John Barley.

Will John Barley and our guest come to the podium.

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

It is quite a privilege that I come here today to be able to introduce the Pennsylvania Poultry Queen, Miss Anita Meck from Lancaster County. I would like to introduce Anita's father, Ken Meck, who is seated to the left of the Speaker.

I have a citation that I would like to present to Anita, but first I would just like to make a few comments about the poultry industry here in Pennsylvania. I am not certain that we realize from time to time the significance of agriculture

and, particularly today, the importance of the poultry industry.

Of course, we all know that agriculture is the number-one industry in Pennsylvania, and poultry is the second largest agriculture enterprise, so it is extremely significant to us here in Pennsylvania. It is a half-billion-dollar industry in Pennsylvania. Pennsylvania ranks 3d in the United States in egg production; we rank 8th in turkey production and 11th in broiler production. So that is a lot of chicken for Pennsylvania. We are the host State for the largest kosher poultry processing plant, another very significant milestone here for Pennsylvania.

I think as we look at this industry and what it has done to feed our Nation and to feed our people and we stop and realize that in 1950 - 40 years ago - the cost of chicken was 60 cents a pound, and if we would look at that in terms of today's dollars, that would mean that it should cost \$3 a pound, and you know it does not cost anywhere near that today, so the poultry industry has really gone a long ways toward helping to do their part in feeding the United States and the world.

So at this time I had to make those remarks because Anita brought me up to date with all that good statistical information of the poultry industry, and now I would like to present Anita with a citation on behalf of the House of Representatives for all the work she has done promoting the poultry industry in Pennsylvania. So, Anita, at this time if you would step over.

The citation that I have acknowledges the fact that Anita has been promoting the poultry industry here in Pennsylvania and has been reigning as the Poultry Queen for 1989-90. So it is with great pleasure that I present this citation to Anita and wish her the very best in the balance of her reign and also to the poultry industry here in Pennsylvania.

I invite Anita at this time to make a few remarks to the members of the House.

Ms. MECK. Thank you, Representative Barley.

To the gentlemen and ladies on the floor, I would like to say it gives me great pleasure to be here today, and I would just like to thank you for helping the Pennsylvania agriculture and the poultry industry in Pennsylvania to be very successful. We develop a poultry product that has good quality, and we are really proud of it. I just thank you for supporting the agriculture and the poultry industry in Pennsylvania. Thank you.

Mr. BARLEY. At this time Anita would like to present an Easter egg basket to the Speaker of the House.

### WELCOME

The SPEAKER pro tempore. The Chair at this time would also like to acknowledge the presence in the hall of the House of several visitors. The Chair at this time would like to welcome Dianne Brown, Janice Rehm, and Ruth Brown, who are the guests of the Representatives from Beaver County, and these guests are located to the left of the Speaker. Would they rise and be acknowledged.

## CALENDAR

### BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 2228, PN 2973**, entitled:

An Act providing for the review of persons making application for certain permits relating to the disposition of waste; providing for further duties of the Department of Environmental Resources and the Attorney General; and making repeals.

On the question,

Will the House agree to the bill on second consideration?

### BILL RECOMMITTED

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

Mr. DeWEESE. Mr. Speaker, I move that **HB 2228, PN 2973**, be recommitted to the Appropriations Committee for a fiscal note.

On the question,

Will the House agree to the motion?

Motion was agreed to.

\* \* \*

The House proceeded to second consideration of **HB 2262, PN 3026**, entitled:

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), known as "The Administrative Code of 1929," authorizing use of underwater breathing apparatus in State recreation areas.

On the question,

Will the House agree to the bill on second consideration?

### BILL RECOMMITTED

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

Mr. DeWEESE. Mr. Speaker, I move that **HB 2262, PN 3026**, be recommitted to the Appropriations Committee for a fiscal note.

On the question,

Will the House agree to the motion?

Motion was agreed to.

\* \* \*

The House proceeded to second consideration of **SB 867, PN 1329**, entitled:

An Act prohibiting certain conduct with respect to caves; prohibiting the sale of certain minerals; and imposing penalties.

On the question,

Will the House agree to the bill on second consideration?

### BILL RECOMMITTED

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

Mr. DeWEESE. Mr. Speaker, I move that SB 867, PN 1329, be recommitted to the Appropriations Committee for a fiscal note.

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

\* \* \*

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

**SB 1518, PN 2007; HB 2133, PN 3016; HB 502, PN 3264; and HB 1771, PN 2208.**

\* \* \*

The House proceeded to second consideration of **HB 1885, PN 3265**, entitled:

An Act amending the act of November 1, 1971 (P. L. 495, No. 113), entitled, as amended, "An act providing for the compensation of county officers in counties of the second through eighth classes, for compensation of district attorneys in cities and counties of the first class, for the disposition of fees, for filing of bonds in certain cases and for duties of certain officers," further providing for the salary of the coroner.

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

#### **BILL RECOMMENDED**

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

Mr. DeWEESE. Mr. Speaker, I move that HB 1885, PN 3265, be recommitted to the Appropriations Committee for a fiscal note.

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

\* \* \*

The House proceeded to second consideration of **HB 2097, PN 2764**, entitled:

An Act amending the act of July 6, 1984 (P. L. 614, No. 127), known as the "Sheriff Fee Act," further providing for fees, compensation and mileage.

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

#### **BILL RECOMMENDED**

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

Mr. DeWEESE. Mr. Speaker, I move that HB 2097, PN 2764, be recommitted to the Appropriations Committee for a fiscal note.

On the question,

Will the House agree to the motion?  
Motion was agreed to.

\* \* \*

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

**HB 2353, PN 3180; SB 119, PN 119; and SB 725, PN 789.**

\* \* \*

The House proceeded to second consideration of **SB 857, PN 963**, entitled:

An Act amending the act of July 12, 1972 (P. L. 781, No. 185), entitled, as amended, "Local Government Unit Debt Act," further defining "project"; including capital costs as project costs; further providing for small borrowing for capital purposes; providing for self insurance; and further providing for the determination of the useful life of projects.

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

#### **BILL RECOMMENDED**

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

Mr. DeWEESE. Mr. Speaker, I move that SB 857, PN 963, be recommitted to the Appropriations Committee for a fiscal note.

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

\* \* \*

The House proceeded to second consideration of **SB 858, PN 964**, entitled:

An Act amending the act of May 2, 1945 (P. L. 382, No. 164), entitled "Municipality Authorities Act of 1945," further defining "project"; defining "local government unit" and "provide financing for insurance reserves"; and providing for financing of insurance reserves.

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

#### **BILL RECOMMENDED**

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

Mr. DeWEESE. Mr. Speaker, I move that SB 858, PN 964, be recommitted to the Appropriations Committee for a fiscal note.

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

\* \* \*

The House proceeded to second consideration of **SB 957**, **PN 2060**, entitled:

An Act amending the act of June 25, 1982 (P. L. 629, No. 178), entitled "An act providing for an annual assessment for the necessary expenses of the association of district attorneys in counties of the first class," further providing for annual assessments for the association of district attorneys.

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

### BILL RECOMMENDED

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

Mr. DeWEESE. Mr. Speaker, I move that SB 957, PN 2060, be recommitted to the Appropriations Committee for a fiscal note.

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

\* \* \*

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

**SB 1273, PN 1585.**

\* \* \*

The House proceeded to second consideration of **HB 2176**, **PN 3266**, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, extending the expiration date of the Pennsylvania Veterans' Memorial Commission; and making an appropriation.

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

### BILL RECOMMENDED

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

Mr. DeWEESE. Mr. Speaker, I move that HB 2176, PN 3266, be recommitted to the Appropriations Committee for a fiscal note.

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

\* \* \*

The House proceeded to second consideration of **HB 228**, **PN 254**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for accidents involving death or personal injury.

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

### BILL RECOMMENDED

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

Mr. DeWEESE. Mr. Speaker, I move that HB 228, PN 254, be recommitted to the Appropriations Committee for a fiscal note.

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

\* \* \*

The House proceeded to second consideration of **HB 1612**, **PN 1891**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, relating to the reduction of certain speed limits.

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

### BILL RECOMMENDED

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

Mr. DeWEESE. Mr. Speaker, I move that HB 1612, PN 1891, be recommitted to the Appropriations Committee for a fiscal note.

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

\* \* \*

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

**HB 1849, PN 2376; and HB 1937, PN 3267.**

\* \* \*

The House proceeded to second consideration of **HB 1995**, **PN 2606**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for markings at deer crossing areas.

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

### BILL RECOMMENDED

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

Mr. DeWEESE. Mr. Speaker, I move that HB 1995, PN 2606, be recommitted to the Appropriations Committee for a fiscal note.



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

\* \* \*

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

**HB 2181, PN 3268.**

\* \* \*

The House proceeded to second consideration of **HB 2253, PN 3269**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for surrender of licenses and registrations and for period of revocation or suspension of operating privilege; and providing for an acknowledgement of suspension or revocation affirmation.

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

### BILL RECOMMENDED

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

Mr. DeWEESE. Mr. Speaker, I move that HB 2253, PN 3269, be recommitted to the Appropriations Committee for a fiscal note.

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

\* \* \*

The House proceeded to second consideration of **HB 2293, PN 3270**, entitled:

An Act providing for the establishment of a Timber Bridge Program within the Department of Transportation.

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

### BILL RECOMMENDED

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

Mr. DeWEESE. Mr. Speaker, I move that HB 2293, PN 3270, be recommitted to the Appropriations Committee for a fiscal note.

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

\* \* \*

The House proceeded to second consideration of **SB 1272, PN 2063**, entitled:

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

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

### BILL RECOMMENDED

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

Mr. DeWEESE. Mr. Speaker, I move that SB 1272, PN 2063, be recommitted to the Appropriations Committee for a fiscal note.

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

\* \* \*

The House proceeded to second consideration of **SB 1368, PN 1735**, entitled:

An Act amending the act of September 30, 1985 (P. L. 240, No. 61), entitled "Turnpike Organization, Extension and Toll Road Conversion Act," further providing for a turnpike interchange at New Cumberland Army Depot.

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

### BILL RECOMMENDED

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

Mr. DeWEESE. Mr. Speaker, I move that SB 1368, PN 1735, be recommitted to the Appropriations Committee for a fiscal note.

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

### BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 8, PN 10**, entitled:

An Act relating to motor vehicle manufacturer-paid repair programs; requiring certain notice of such programs by manufacturers; requiring disclosure by dealers; providing for reimbursements in certain cases; and providing for sanctions.

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

### BILL TABLED

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

Mr. DeWEESE. Mr. Speaker, I move that HB 8, PN 10, be placed on the table.

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

### BILL REMOVED FROM TABLE

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

Mr. DeWEESE. Mr. Speaker, I move that HB 8, PN 10, be taken from the table.

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

\* \* \*

The House proceeded to third consideration of **HB 1655, PN 3052**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further defining the offense of ethnic intimidation to include sexual orientation; and changing the designation of the offense.

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

The SPEAKER pro tempore. 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 Wayne, Mr. Birmelin.

Mr. BIRMELIN. Thank you, Mr. Speaker.

Most of the time on Monday afternoons, we vote bills that are of little consequence and people agree to readily. I would suggest to the members today that they might want to listen a little more carefully to the debate on this bill, because this one is not without controversy. I would also recommend to the members that we do something that we do not very often do around here, and that is to take a look at HB 1655, PN 3052, on your House calendar, because it does something rather important and I think you should be aware of it.

I am rising in opposition to HB 1655. This bill amends section 2710 of our Crimes Code and it adds the definition of "sexual orientation" to a select list of people who are specially favored victims in Pennsylvania. It is an amendment to the ethnic intimidation bill which we passed here, I believe about 2 years ago in the General Assembly, and if you look at the bill, you will see that it removes the term "ethnic intimidation" and replaces it with one described as "bias-related offenses."

I object and oppose this bill for two reasons. First, I think it seeks to create a powerful, symbolic message which places homosexual conduct and the gay lifestyle on the same statutory level with more traditional sexual practices. Secondly,

this bill grants homosexuals special protections and benefits under our criminal law that are not accorded to most of our constituents when they are harassed or assaulted for other reasons.

Under current law it is a summary offense to strike, to shove, or to make physical contact with another in order to harass, annoy, or alarm that person, or even to threaten to strike that person. Persons who commit this offense are prosecuted before a district justice and are subject to a possible penalty of up to 90 days' imprisonment or a fine of up to \$300 or both.

If this bill were to become law, however, and a person commits an act of harassment because the victim is a homosexual, he will not be prosecuted for a mere summary offense. Instead, he will be prosecuted for a third-degree misdemeanor with its maximum 1-year prison term and/or its fine of up to \$2,500.

Let us take the crime of simple assault. If a person intentionally causes or attempts to cause bodily injury to another, he commits the crime of simple assault. Ordinarily, simple assault is a second-degree misdemeanor; thus, violators are only subject to a potential 2-year prison term and/or potential \$5,000 fine if they injure their victims because they happen to be women or physically handicapped or unpopular or because the perpetrator is motivated by anger, revenge, jealousy, or is simply looking for a little blood sport or side kicks. Only in the case of adults who beat up on little children under the age of 12 do we raise the simple assault penalty to a first-degree misdemeanor. If this bill becomes law, however, and the perpetrator inflicts the exact same injury because the victim is a homosexual, he would commit a first-degree misdemeanor and receive a maximum 5-year prison term rather than the 2-year maximum that would apply in most other cases. Moreover, he would receive a fine of up to \$10,000 rather than the maximum \$5,000 fine that would usually apply.

I stand in opposition to this bill because I reject the notion that homosexuality is entitled to the same special status and preferential treatment that the United States Constitution accords to racial, ethnic, and religious diversity and that Pennsylvania's assault law extends to those categories and to the very young and very old among us. In 1986 the United States Supreme Court expressly ruled that homosexual behavior is not entitled to special constitutional protection as a fundamental right.

I do not believe that we should accord homosexual conduct the legitimacy or status that it seeks through the passage of this legislation. This is not to suggest that those who assault or harass homosexuals should escape criminal prosecution and misconduct for their reprehensible behavior. People who hurt or harass others for this reason should be vigorously prosecuted and fully punished under the same criminal law that applies to everyone else. I believe that homosexual victims are entitled to the same protection accorded to most other Pennsylvania assault-and-harass victims - no more, no less.

I am seeking today, in my opposition and in requesting you to vote "no" on this bill, to preserve the status quo which has

existed in our State for the last 10 years. We do not use our law to single out homosexuals for special punishment or discrimination. On the other hand, we do not and should not use our law to accord homosexuals any special preference or extra protection above and beyond that afforded Pennsylvanians in general.

Pennsylvania does not grant homosexuals the civil rights protection that we do for race, color, religious creed, and other conditions, and I do not believe that we should use HB 1655 or any other bill to tamper with this delicate balance which keeps our law neutral on this controversial and divisive issue of homosexual conduct.

Finally, I also object to this bill because of the use of the term "sexual orientation," which I will point out to you in the bill. The term "sexual orientation" is not defined. Sexual orientation could be broadly interpreted to include anyone who has sexual orientation toward animals, or more importantly, and a far greater concern, toward small children - those that we call pedophiles. I believe that it is objectionable enough to grant such preferential treatment to homosexuals, but it is certainly outrageous to extend this beneficial treatment to pedophiles.

In my view, this bill is part of an agenda to validate a lifestyle that millions of Americans have found to be offensive and contrary to good public policy. I would urge the House members to vote against this bill. Thank you.

The SPEAKER pro tempore. The Chair now recognizes the gentleman from York, Mr. Foster.

Mr. FOSTER. Thank you, Mr. Speaker.

I would likewise rise to join Mr. Birmelin and others in opposing this legislation. It is something that is placed before us on a rather perfunctory afternoon in which these types of things tend to slip through. But let us just think a moment about why we have adopted protection for people based on race, religious background, or national origin. We do that because they are cherished and respected values.

There is every reason for a person to be proud of their race. There is every reason for a person to assume that they will not be persecuted because of their religion. And anyone has a right to be proud of their national origin. We have decided that crimes against such people that are malicious in intent shall have a special degree of prosecution.

But I ask you, does anyone in here wish to equate homosexuality with someone's race or color? Do we wish to give the same protection to homosexuality as we would someone's religion? Do we wish to take someone's national origin and reduce that to the level of homosexuality? I do not think so for one moment, Mr. Speaker, and I hope that everyone in this House will rise up and put this bill down to the defeat that it so richly deserves.

The SPEAKER pro tempore. The Chair now recognizes the gentleman from Montgomery, Mr. Saurman.

Mr. SAURMAN. Mr. Speaker, thank you.

I would like to interrogate the maker of this piece of legislation.

The SPEAKER pro tempore. Does the lady from Philadelphia consent to being interrogated? The lady so consents, and the gentleman from Montgomery may proceed.

Mr. SAURMAN. Thank you, Mr. Speaker.

Mr. Speaker, I am concerned about the definition of "sexual orientation." Under the general title of "Bias-related offenses," I am concerned that this could involve a domestic relations situation, and certainly there is no definition.

I think that I would like to hear some explanation specifically as to what sexual orientation refers to, and I certainly see no evidence of it in the document, but perhaps the speaker could enlighten me.

Ms. JOSEPHS. Thank you, Mr. Speaker.

I would like the legislative history of this bill to show through the Journal that what we mean by sexual orientation is consensual homosexuality or heterosexuality.

Mr. SAURMAN. Thank you, Mr. Speaker.

I suppose that putting it in the history will be helpful, but I would think that it should be written.

### BILL TABLED

Mr. SAURMAN. Mr. Speaker, I would suggest, in fact move, that this bill be tabled so that that language could be corrected.

The SPEAKER pro tempore. The gentleman from Montgomery moves that HB 1655, PN 3052, be placed upon the table. This is a nondebatable motion.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—137

Adolph	Dempsey	Kaiser	Robbins
Allen	Dietterick	Kasunic	Rudy
Argall	Distler	Kondrich	Ryan
Barley	Dombrowski	Langtry	Saloom
Battisto	Donatucci	Laughlin	Saurman
Belardi	Dorr	Lee	Scheetz
Belfanti	Fairchild	Leh	Schuler
Billow	Fargo	Lescovitz	Semmel
Birmelin	Farmer	Lloyd	Serafini
Black	Fleagle	Lucyk	Smith, B.
Bortner	Flick	McCall	Smith, S. H.
Bowley	Foster	McVerry	Snyder, D. W.
Brandt	Fox	Markosek	Snyder, G.
Broujos	Freind	Marsico	Staback
Bunt	Gallen	Mayernik	Stairs
Burd	Gamble	Merry	Steighner
Burns	Gannon	Micozzie	Stish
Bush	Geist	Miller	Strittmatter
Caltagirone	George	Moehlmann	Stuban
Carlson	Gladeck	Mowery	Tangretti
Cawley	Godshall	Mrkonic	Taylor, F.
Cessar	Gruppo	Nahill	Taylor, J.
Chadwick	Hagarty	Nailor	Telek
Civera	Haluska	Noye	Trello
Clark, D. F.	Harper	O'Brien	Van Horne
Clark, J. H.	Hasay	Perzel	Vroon
Clymer	Hayes	Petrarca	Wass
Colafella	Heckler	Petrone	Weston
Cole	Herman	Phillips	Wilson
Cornell	Hershey	Piccola	Wogan
Corrigan	Hess	Pitts	Wozniak
Coy	Jackson	Raymond	Wright, D. R.

DeLuca	Jadlowiec	Reber	Wright, J. L.
Daley	Johnson	Reinard	Yandrisevits
Davies			

## NAYS—52

Angstadt	Hughes	Maine	Roebuck
Bishop	Itkin	Melio	Rybak
Blaum	James	Michlovic	Scrimenti
Boyes	Jarolin	Murphy	Thomas
Cappabianca	Josephs	Olasz	Tigue
Carn	Kenney	Oliver	Trich
Cohen	Kosinski	Pistella	Veon
Cowell	Kukovich	Pressmann	Wambach
DeWeese	LaGrotta	Preston	Williams
Evans	Levdansky	Richardson	Wright, R. C.
Freeman	Linton	Rieger	
Gigliotti	McHale	Ritter	O'Donnell,
Hayden	McNally	Robinson	Speaker
Howlett	Maiale		

## NOT VOTING—3

Acosta	Gruitza	Morris
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## EXCUSED—9

Clark, B. D.	Durham	Lashingier	Pievsky
Colaizzo	Fee	Pesci	Taylor, E. Z.
Dininni			

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

\* \* \*

The House proceeded to third consideration of **HB 1817, PN 2326**, entitled:

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

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

**BILL TABLED**

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

Mr. DeWEESE. Mr. Speaker, I move that HB 1817, PN 2326, be placed upon the table.

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

**BILL REMOVED FROM TABLE**

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

Mr. DeWEESE. Mr. Speaker, I now move that HB 1817 be taken from the table and placed back on the active calendar.

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

**APPROPRIATIONS COMMITTEE MEETING**

The SPEAKER pro tempore. The Chair recognizes the gentleman from Erie, Mr. Cappabianca. For what purpose does the gentleman rise?

Mr. CAPPABIANCA. Mr. Speaker, immediately upon the call of recess, there will be an important meeting of the Appropriations Committee in the majority caucus room, and I would like to advise members of both sides to attend this meeting - majority caucus room immediately upon the call of recess. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and wishes to advise the members of the Appropriations Committee that there will be a meeting of the committee in the majority caucus room upon the recess of the House.

**WELCOME**

The SPEAKER pro tempore. The Chair now would like to extend the welcome of the House to Dr. Sandra Levy and Thomas Nimick, Jr., who are here on behalf of the Pittsburgh Cancer Institute. They are the guests of members from western Pennsylvania, and they are located to the left of the Speaker. Would the lady and gentleman rise, please.

**VOTE CORRECTION**

The SPEAKER pro tempore. The Chair now recognizes the gentleman from Allegheny, Mr. Markosek. For what purpose does the gentleman rise?

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

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

Mr. MARKOSEK. Thank you, Mr. Speaker. I rise to correct the record.

Last week we voted HB 2258. I was indicated as not being voted. I would like the record to show that I voted in the affirmative. Thank you, Mr. Speaker.

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

**STATEMENT BY MR. GALLEN**

The SPEAKER pro tempore. The Chair now recognizes the gentleman from Berks, Mr. Gallen.

Mr. GALLEN. Mr. Speaker, I rise to make a brief statement under unanimous consent.

The SPEAKER pro tempore. Without objection, the gentleman is in order and may proceed.

Mr. GALLEN. Mr. Speaker, HB 1655 which was just placed on the table, I think it is a disgrace that this House considers a piece of legislation like this, and I would hope that our committees - both the Appropriations Committee and the Judiciary Committee - would use better discretion than to allow these turkeys out of committee. Thank you, Mr. Speaker.

## CONSERVATION COMMITTEE MEETING

The SPEAKER pro tempore. The Chair now recognizes the gentleman from Clearfield, the distinguished chairman of the House Conservation Committee, Mr. George.

Mr. GEORGE. Mr. Speaker, I would like to call a committee meeting of the Conservation Committee, April 3, Tuesday morning, at 10:30 a.m. in room 39E.

The SPEAKER pro tempore. There will be a meeting of the Conservation Committee tomorrow morning at 10:30 in room 39E.

## BILLS AND RESOLUTIONS PASSED OVER

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

## DEMOCRATIC CAUCUS

The SPEAKER pro tempore. The Chair now recognizes the gentleman from Philadelphia, Mr. Cohen.

Mr. COHEN. Mr. Speaker, after the House Appropriations Committee meets in the majority caucus room, there will be a House Democratic caucus. I would suggest that members be available for caucus at 2:30 and be in the House Democratic caucus room at that time.

In addition to the regular caucus agenda, there will also be a report from Ron Cowell on the PHEAA (Pennsylvania Higher Education Assistance Agency) funding situation, and the House Democratic Information Office requests people be there to be photographed for an informational brochure they are putting out.

## REPUBLICAN CAUCUS

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Noye.

Mr. NOYE. Thank you, Mr. Speaker.

Republicans will caucus immediately upon the adoption of the recess.

The SPEAKER pro tempore. The Chair thanks the gentleman.

## RULES COMMITTEE MEETING

The SPEAKER pro tempore. The Chair now recognizes the majority leader, who calls for a Rules Committee meeting at the majority leader's desk. All members of the Rules Committee are urged to go to the majority leader's desk.

There will be no further roll-call votes, and the members may leave the floor of the chamber at this time.

## REMARKS SUBMITTED FOR THE RECORD

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

Mr. Speaker, it is my privilege to bring to the attention of the Speaker and the Members of the Pennsylvania House of Representatives the name of Andrew S. Brunt, who has recently been awarded Scouting's highest honor — Eagle Scout.

Mr. Speaker, on April 1, 1990, Andrew S. Brunt will be officially recognized in an induction ceremony as an Eagle Scout.

Mr. Speaker, I would like to read to the Members of the House of Representatives the following Citation of Merit honoring Andrew S. Brunt:

WHEREAS, Andrew S. Brunt has earned the Eagle Award in Scouting. This is the highest award that Boy Scouts can bestow and as such represents great sacrifice and tremendous effort on the part of this young man. He is a member of Troop #399, Montgomeryville, Pennsylvania.

NOW THEREFORE, The House of Representatives of the Commonwealth of Pennsylvania congratulates Andrew S. Brunt on the occasion of his being honored with the Eagle Scout Award, commends him on the outstanding work he has done to earn this coveted honor, and wishes him continued success in the future.

Mr. Speaker, it is my pleasure that I place in the Legislative Journal the name of Andrew S. Brunt.

## RESOLUTIONS REPORTED FROM COMMITTEE

### HR 268, PN 3290

By Rep. DeWEESE

Requesting the Pennsylvania Game Commission to direct immediate attention to relieving the effects of deer overpopulation on the Commonwealth's growing crops, timber and horticultural resources, to execute a deer "hot-spot" management plan in six months, and to periodically report the success of this action to the House Game and Fisheries Committee.

### RULES.

### HR 282, PN 3250

By Rep. DeWEESE

Designating the month of May 1990 as "Retired Steelworkers Month" in Pennsylvania.

### RULES.

### HR 285, PN 3253

By Rep. DeWEESE

Urging the Secretary of Commerce to institute a "Century Business Recognition Program" to honor Pennsylvania businesses.

### RULES.

### HR 287, PN 3291

By Rep. DeWEESE

Designating the week of April 22 through 28, 1990, as "Consumers' Week in Pennsylvania."

### RULES.

### HR 288, PN 3292

By Rep. DeWEESE

Directing the House Education Committee to tour and hold a public hearing at the Scotland School for Veterans' Children.

### RULES.

### HR 289, PN 3293

By Rep. DeWEESE

Directing a House select committee to investigate the effect that the divestiture of State general hospitals has had and will have on the health care system in the Commonwealth.

### RULES.

**HR 290, PN 3294** By Rep. DeWEESE  
Designating April 1990, as "Pennsylvania Volunteer Appreciation Month."

RULES.

**HR 292, PN 3308** By Rep. DeWEESE  
Declaring April 22, 1990, as "Earth Day" and the week of April 22 through April 28, 1990, as "Earth Week" in Pennsylvania.

RULES.

**HR 293, PN 3309** By Rep. DeWEESE  
Proclaiming April 6 through 8, 1990, as "Alcohol-Free Weekend" in Pennsylvania.

RULES.

**HR 294, PN 3310** By Rep. DeWEESE  
Memorializing the Governor to proclaim April 9, 1990, as "POW Recognition Day" in Pennsylvania.

RULES.

### VOTE CORRECTION

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

Mrs. HARPER. Thank you, Mr. Speaker.

Mr. Speaker, on the motion to table HB 1655, my switch malfunctioned. I would like to be recorded in the negative. Thank you.

The SPEAKER pro tempore. The lady's remarks will be spread upon the record.

### BILLS REREPORTED FROM COMMITTEE

**HB 232, PN 3311 (Amended)**  
By Rep. CAPPABIANCA

An Act providing for the regulation of the production and handling of ice; licensing ice plants; imposing duties on the Department of Environmental Resources; and providing for civil penalties.

APPROPRIATIONS.

**HB 1059, PN 3312 (Amended)**  
By Rep. CAPPABIANCA

An Act prohibiting landfilling of whole waste tires; providing for nuisance abatement; requiring permits for waste tire collectors and processors; encouraging use of recovered rubber and retread tires by State agencies; providing for a waste tire management fee and responsibilities of tire retailers and wholesalers; establishing a waste tire management fund; providing for waste tire grants; imposing additional powers and duties on the Department of Environmental Resources; imposing penalties; and making repeals.

APPROPRIATIONS.

**HB 1983, PN 3053** By Rep. CAPPABIANCA

An Act amending the act of August 22, 1953 (P. L. 1344, No. 383), known as "The Marriage Law," increasing fees to provide funding for domestic violence victims.

APPROPRIATIONS.

**SB 1310, PN 2046** By Rep. CAPPABIANCA  
An Act amending Title 15 (Corporations and Unincorporated Associations) of the Pennsylvania Consolidated Statutes, clarifying the fiduciary obligations of directors of corporations and other associations; clarifying certain definitions; adding provisions relating to control-share acquisitions; and providing for disgorgement by certain controlling shareholders following attempts to acquire control of certain corporations, for severance compensation for employees terminated following certain control-share acquisitions and for the effect of business combination transactions on labor contracts.

APPROPRIATIONS.

### 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:

**SB 1310, PN 2046; HB 1983, PN 3053; HB 1059, PN 3312; and HB 232, PN 3311.**

### ADJOURNMENT

The SPEAKER pro tempore. The Chair now recognizes the gentleman from Allegheny, Mr. Gigliotti.

Mr. GIGLIOTTI. Mr. Speaker, I move that this House do now adjourn until Tuesday, April 3, 1990, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 2:43 p.m., e.d.t., the House adjourned.