

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

TUESDAY, MAY 7, 1991

SESSION OF 1991 175TH OF THE GENERAL ASSEMBLY

No. 28

### HOUSE OF REPRESENTATIVES

The House convened at 11 a.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:

Gracious God our Father, all of us know of the importance of the law, not only in nature but in our daily dealings with one another. When nature's laws are defied or when our laws are broken, we must pay the consequences. The loud and boisterous demonstration in the rotunda yesterday is but one minor example of the effect the law has on the people of this great Commonwealth.

The Bible reminds us that "The law of the Lord is perfect, converting the soul; the testimony of the Lord is sure, making wise the simple; the statutes of the Lord are right, rejoicing the heart; and the commandment of the Lord is pure, enlightening the eyes."

Cause us, Lord, to discover the spiritual laws that govern our growth in grace and make us to walk therein.

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, May 6, 1991, will be postponed until printed. The Chair hears no objection.

#### HOUSE BILLS INTRODUCED AND REFERRED

No. 1319 By Representative EVANS

An Act making appropriations from the Professional Licensure Augmentation Account and from restricted revenue accounts within the General Fund to the Department of State for use by the Bureau of Professional and Occupational Affairs in support of the professional licensure boards assigned thereto.

Referred to Committee on APPROPRIATIONS, May 7, 1991.

No. 1320 By Representative EVANS

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

Referred to Committee on APPROPRIATIONS, May 7, 1991.

No. 1321 By Representative EVANS

An Act making an appropriation from a restricted revenue account within the General Fund to the Office of Small Business Advocate in the Department of Commerce.

Referred to Committee on APPROPRIATIONS, May 7, 1991.

No. 1322 By Representative EVANS

An Act making appropriations from the Workmen's Compensation Administration Fund to the Department of Labor and Industry to provide for the expenses of administering The Pennsylvania Workmen's Compensation Act and The Pennsylvania Occupational Disease Act for the fiscal year July 1, 1991, to June 30, 1992, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1991.

Referred to Committee on APPROPRIATIONS, May 7, 1991.

No. 1323 By Representative EVANS

An Act making an appropriation from the State Employees' Retirement Fund to provide for expenses of the State Employees' Retirement Board for the fiscal year July 1, 1991, to June 30, 1992, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1991.

Referred to Committee on APPROPRIATIONS, May 7, 1991.

No. 1324 By Representatives STUBAN, FAIRCHILD, JOHNSON, TIGUE, OLASZ, COY, CAPPABIANCA, KOSINSKI, BELARDI, SALOOM, ROBINSON, KASUNIC, STISH, PRESTON, BUNT, MELIO, PESCI, PETRARCA, KRUSZEWSKI, SERAFINI, CORRIGAN, DeLUCA and TRELLO

An Act amending the act of December 22, 1983 (P. L. 327, No. 85), known as the "Auctioneer and Auction Licensing Act," establishing the Auctioneer Recovery Fund; further providing for the disposition of fees; deleting certain bonding requirements; further providing for enforcement and penalties; and making repeals.

Referred to Committee on PROFESSIONAL LICENSURE, May 7, 1991.

**No. 1325** By Representatives ALLEN, GEIST, NAHILL, CLARK, GALLEN, TRELLO, ARGALL, E. Z. TAYLOR, R. C. WRIGHT and BROWN

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), known as the "Public School Code of 1949," providing that the State Board of Education shall require persons seeking certification to have certain training relating to the use and abuse of chemical substances.

Referred to Committee on EDUCATION, May 7, 1991.

**No. 1326** By Representatives STURLA, COY, SCHULER, CARONE, MUNDY, BATTISTO, NYCE, KOSINSKI, FLEAGLE, KUKOVICH, CARLSON, BUSH, ARMSTRONG, NAHILL, GANNON, PISTELLA, LEVDANSKY, MARKOSEK, FREEMAN, BOWLEY, STEELMAN, KING, McNALLY, MERRY, SURRA, NOYE, BLAUM, KASUNIC, CIVERA, BELARDI, LANGTRY, MICHLOVIC, STABACK, STISH, HANNA, MELIO, STETLER, JOSEPHS, RAYMOND, FARMER, McCALL, NICKOL, ARGALL, TRELLO, VEON, KRUSZEWSKI, TANGRETTI, STRITTMATTER, FLICK and RITTER

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 Commonwealth reimbursement for building costs.

Referred to Committee on EDUCATION, May 7, 1991.

**No. 1327** By Representatives PICCOLA, CALTAGIRONE, HECKLER, BLAUM, ARGALL, NOYE, SAURMAN, GERLACH, VROON, MAIALE, ALLEN, SEMMEL, HAGARTY, MELIO, NAILOR, FAIRCHILD, BARLEY and JOHNSON

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

Referred to Committee on JUDICIARY, May 7, 1991.

**No. 1328** By Representative REBER

An Act imposing a tax on manufacturing, producing, transporting or importing certain controlled substances; conferring powers and duties on the Department of Revenue; imposing penalties; and making an appropriation.

Referred to Committee on FINANCE, May 7, 1991.

**No. 1329** By Representatives REBER, KOSINSKI, JAROLIN, TIGUE, GERLACH, NAHILL, ULIANA, BATTISTO, O'BRIEN, BUNT, JOHNSON, VEON, McCALL, TRELLO, KRUSZEWSKI, NOYE and WOGAN

An Act amending the act of June 2, 1915 (P. L. 736, No. 338), known as "The Pennsylvania Workmen's Compensation Act," providing for additional coverage.

Referred to Committee on LABOR RELATIONS, May 7, 1991.

**No. 1330** By Representatives REBER, BUNT, FARMER, HERSHEY, ARMSTRONG, FAIRCHILD and E. Z. TAYLOR

An Act amending the act of December 31, 1965 (P. L. 1257, No. 511), known as "The Local Tax Enabling Act," further providing for restrictions on taxing powers, for the occupational privilege tax, for limitations on the rates of certain taxes for the earned income tax and for suits for collection of taxes; and providing for a municipal services tax.

Referred to Committee on LOCAL GOVERNMENT, May 7, 1991.

**No. 1331** By Representatives REBER, BUNT, SAURMAN, FARGO, FARMER, ARMSTRONG, FAIRCHILD, E. Z. TAYLOR and JOHNSON

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, allowing special tax exemptions for all improved real property and farmland.

Referred to Committee on LOCAL GOVERNMENT, May 7, 1991.

**No. 1332** By Representatives REBER, BUNT, ARMSTRONG, FARMER, HERSHEY, FAIRCHILD and E. Z. TAYLOR

An Act amending the act of May 22, 1933 (P. L. 853, No. 155), known as "The General County Assessment Law," further providing for a special tax exemption for improved real property and farmland.

Referred to Committee on LOCAL GOVERNMENT, May 7, 1991.

**No. 1333** By Representatives REBER, BUNT, SAURMAN, FARMER, ARMSTRONG, FAIRCHILD, E. Z. TAYLOR and JOHNSON

An Act amending the act of May 21, 1943 (P. L. 571, No. 254), known as "The Fourth to Eighth Class County Assessment Law," further providing for a special tax exemption for improved real property and farmland.

Referred to Committee on LOCAL GOVERNMENT, May 7, 1991.

**No. 1334** By Representative REBER

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), known as the "Tax Reform Code of 1971," providing for an exclusion from the Pennsylvania personal income tax of earnings expended to pay the State realty transfer tax.

Referred to Committee on FINANCE, May 7, 1991.

**No. 1335** By Representatives SAURMAN, SEMMEL, FARGO, TANGRETTI, VROON, JAROLIN, HERSHEY, NAHILL, MERRY,

CARN, FARMER, GAMBLE, BUNT,  
GEIST, E. Z. TAYLOR, WOZNAK,  
SCHEETZ, LANGTRY, FLICK, MURPHY,  
TULLI, HASAY, GODSHALL and LEE

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for exceptions to governmental immunity and limitations on damages in actions against local parties.

Referred to Committee on JUDICIARY, May 7, 1991.

**No. 1336** By Representatives WOZNAK, HALUSKA, JOHNSON, CAPPABIANCA, BELARDI, STISH, BATTISTO, SALOOM, GEIST, GIGLIOTTI, BUNT, PESCI, STURLA, JAROLIN, E. Z. TAYLOR, KRUSZEWSKI, CARONE, DERMODY and TRELLO

An Act to promote and encourage the protection, preservation and conservation of locally designated scenic roads.

Referred to Committee on TRANSPORTATION, May 7, 1991.

**No. 1337** By Representatives WOZNAK, HALUSKA, JOHNSON, CAPPABIANCA, BELARDI, STISH, BATTISTO, SALOOM, GEIST, GIGLIOTTI, BUNT, PESCI, STURLA, JAROLIN, E. Z. TAYLOR, KRUSZEWSKI, CARONE, DERMODY and TRELLO

An Act amending the act of June 1, 1945 (P. L. 1242, No. 428), known as the "State Highway Law," providing for the designation of heritage routes.

Referred to Committee on TRANSPORTATION, May 7, 1991.

**No. 1338** By Representatives WOZNAK, CALTAGIRONE, TELEK, ANGSTADT, BLACK, HALUSKA, PISTELLA, JOHNSON and GEIST

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for payment of compensation into an escrow account following a judge's or district justice's conviction of misbehavior in office.

Referred to Committee on JUDICIARY, May 7, 1991.

**No. 1339** By Representatives WOZNAK, CALTAGIRONE, TELEK, ANGSTADT, BLACK, HALUSKA and BARLEY

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

Referred to Committee on STATE GOVERNMENT, May 7, 1991.

**No. 1340** By Representatives SURRA, GEORGE, GIGLIOTTI, VEON, TRELLO, MUNDY, DERMODY, JOSEPHS, CORRIGAN, SERAFINI, MELIO, KRUSZEWSKI,

PETRONE, STEELMAN, KENNEY,  
BELARDI, BATTISTO, BELFANTI,  
BUNT, LaGROTTA, LINTON, KOSINSKI,  
KUKOVICH, COLAIZZO, STEIGHNER,  
PESCI, FREEMAN, STURLA and  
BOWLEY

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," requiring the purchase of postconsumer office paper products by the Department of General Services, Commonwealth agencies, political subdivisions and local school districts.

Referred to Committee on CONSERVATION, May 7, 1991.

**No. 1341** By Representatives SCHEETZ, GEORGE, COLAIZZO, LINTON, PESCI, TIGUE, NICKOL, ALLEN, STABACK, E. Z. TAYLOR, BATTISTO, VEON, BARLEY, BUNT, DEMPSEY, VROON, STISH, SCHULER, TRELLO, ITKIN, FOX, MELIO, LAWLESS, ANGSTADT, D. W. SNYDER, MERRY, STRITTMATTER, GERLACH, LAUGHLIN, BELARDI, CLYMER, HECKLER, STAIRS, SEMMEL, SAURMAN, CLARK, FREEMAN, GEIST, PETRONE, M. N. WRIGHT, MICOZZIE, BILLOW, STEELMAN, G. SNYDER, SERAFINI and HERSHEY

An Act providing for the regulation of water well construction and pump installation; licensing well contractors and pump installation contractors; conferring powers and duties on the Department of Environmental Resources; creating a technical advisory committee; and establishing the Water Well Construction and Pump Installation Account.

Referred to Committee on CONSERVATION, May 7, 1991.

**No. 1342** By Representatives LUCYK, WOZNAK, BATTISTO and STUBAN

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 payments on accounts of approved vocational extension classes and preemployment training.

Referred to Committee on EDUCATION, May 7, 1991.

## HOUSE RESOLUTION INTRODUCED AND REFERRED

**No. 111** By Representative OLIVER

A Resolution amending Rule 43 of the House of Representatives to provide a subcommittee for the State Government Committee.

Referred to Committee on RULES, May 7, 1991.

**BILL REMOVED FROM TABLE**

The SPEAKER. The Chair recognizes the majority leader.  
Mr. DeWEESE. Mr. Speaker, I move that HB 1147 be removed from the table and placed on the active calendar.

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

**BILLS REPORTED FROM COMMITTEES,  
CONSIDERED FIRST TIME, AND TABLED****HB 37, PN 1547 (Amended)**

By Rep. GEORGE

An Act amending the act of January 24, 1966 (1965 P. L. 1535, No. 537), known as the "Pennsylvania Sewage Facilities Act," regulating sewage permits; further providing for the approval or disapproval of official plans or revisions of official plans; regulating moratoriums by the Department of Environmental Resources; and providing for penalties.

## CONSERVATION.

**HB 222, PN 231**

By Rep. GEORGE

An Act excluding the sale of recyclable material from municipal personal property sale restrictions and from the sales tax.

## CONSERVATION.

**HB 416, PN 475**

By Rep. GEORGE

An Act designating Pine Creek and certain tributaries in Tioga County as a component of the Pennsylvania Scenic Rivers System; requiring cooperation and coordination by State agencies in implementing the purposes of the Pennsylvania Scenic Rivers Act; limiting liability; and authorizing the expenditure of moneys to further the purposes of this act.

## CONSERVATION.

**HB 1029, PN 1548 (Amended)**

By Rep. GEORGE

An Act amending the act of July 28, 1988 (P. L. 556, No. 101), known as the "Municipal Waste Planning, Recycling and Waste Reduction Act," providing for certain corporate tax credits for machinery and equipment utilizing recycled materials.

## CONSERVATION.

**HB 1105, PN 1255**

By Rep. F. TAYLOR

An Act amending the act of May 6, 1968 (P. L. 117, No. 61), known as the "Site Development Act," extending the expiration of approval authority.

## BUSINESS AND COMMERCE.

**HB 1106, PN 1256**

By Rep. F. TAYLOR

An Act amending the act of July 2, 1984 (P. L. 545, No. 109), known as the "Capital Loan Fund Act," repealing expiration dates for approval of loans or other aid.

## BUSINESS AND COMMERCE.

**HB 1108, PN 1258**

By Rep. FEE

An Act authorizing the Commonwealth of Pennsylvania to join the Interstate Wildlife Violator Compact; providing for the form of the compact; and imposing additional powers and duties on the Governor and the Compact Administrator.

## GAME AND FISHERIES.

**HB 1109, PN 1259**

By Rep. FEE

An Act authorizing the Commonwealth of Pennsylvania to join the Northeast Conservation Law Enforcement Compact; providing for the form of the compact; and imposing additional powers and duties on the Governor and the Compact Administrator.

## GAME AND FISHERIES.

**HB 1156, PN 1314**

By Rep. GEORGE

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for the discard of chemotherapeutic and infectious waste materials.

## CONSERVATION.

**WELCOME**

The SPEAKER. The Chair is pleased to welcome to the hall of the House the McDowell High School honors government class students. Their teacher is Mr. Fran Hayden, who is with them. They are the guests of Representative Boyes. Will the guests please rise.

**LEAVES OF ABSENCE**

The SPEAKER. The Chair recognizes Mr. Steighner.

Mr. STEIGHNER. Thank you, Mr. Speaker.

Mr. Speaker, we would like to ask for leave for today only for the gentleman from Westmoreland, Mr. PETRARCA; the gentleman from Allegheny, Mr. MRKONIC; the gentleman from Philadelphia, Mr. MAIALE; the gentleman from Westmoreland, Mr. VAN HORNE.

The SPEAKER. Without objection, leaves are granted.

The Chair recognizes Mr. Hayes.

Mr. HAYES. Thank you, Mr. Speaker.

I request a leave for the gentleman from Blair County, Mr. JOHNSON, for the day.

The SPEAKER. Without objection, leave is granted.

**BILLS REPORTED FROM COMMITTEES,  
CONSIDERED FIRST TIME, AND TABLED****HB 61, PN 1550 (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 payments to certain merged school districts.

## EDUCATION.

**HB 470, PN 1551 (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 reimbursement for the purchase of buildings.

## EDUCATION.

**HB 626, PN 691**

By Rep. KAISER

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, providing for termination of leases by persons in military service, for implementation of interest rate ceilings, for deferral of motor vehicle insurance and for exceptions to financial responsibility requirements.

## MILITARY AND VETERANS AFFAIRS.

**HB 659, PN 724**

By Rep. KAISER

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for military leaves of absence and continuation of medical insurance coverage.

## MILITARY AND VETERANS AFFAIRS.

**HB 660, PN 725**

By Rep. KAISER

An Act amending the act of October 11, 1972 (P. L. 909, No. 216), known as the "Veterans' Education Act of 1971," further providing for eligibility and financial assistance.

## MILITARY AND VETERANS AFFAIRS.

**HB 800, PN 883**

By Rep. KAISER

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, providing for a Pennsylvania Armed Conflict Service Medal.

## MILITARY AND VETERANS AFFAIRS.

**HB 802, PN 885**

By Rep. KAISER

An Act providing compensation to persons in active service in connection with the Persian Gulf Conflict or certain representatives of such persons; authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania for the payment of compensation for active service in connection with the Persian Gulf Conflict, for the cost of Armed Conflict Service Medals and for the cost of constructing and maintaining a monument or memorial to Pennsylvania's veterans; creating a special fund in the State Treasury to be known as the Persian Gulf Conflict Compensation and Veterans' Bond Fund; making an appropriation; and making this act contingent upon electorate approval of a referendum question for incurring the indebtedness necessary to carry out the purposes of this act.

## MILITARY AND VETERANS AFFAIRS.

**HB 803, PN 886**

By Rep. KAISER

An Act authorizing the incurring of indebtedness, with approval of the electors, for the payment of compensation for service in or in support of the Persian Gulf Conflict, for payment of the cost of armed conflict service medals and for payment of the cost of selecting, designing, constructing and maintaining a patriotic monument or memorial in appreciation of Pennsylvania's veterans.

## MILITARY AND VETERANS AFFAIRS.

**HB 976, PN 1103**

By Rep. KAISER

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania for the payment of compensation to certain veterans; creating a special fund in the State Treasury to be known as the Persian Gulf Conflict Compensation Fund; defining the powers and duties of the Governor, the Auditor General, the State Treasurer and the Board of Finance and Revenue in relation thereto; providing for the payment of interest on and the redemption and refunding of such bonds; and making an appropriation.

## MILITARY AND VETERANS AFFAIRS.

**HB 977, PN 1104**

By Rep. KAISER

An Act providing compensation to certain persons who served in the armed forces of the United States or of any of her allies during Operation Desert Shield or Operation Desert Storm; providing the method of making payment to representatives of persons who, because of death or incapacity, cannot personally receive compensation; imposing certain duties on the Adjutant General; providing penalties; and making an appropriation.

## MILITARY AND VETERANS AFFAIRS.

**HB 1124, PN 1274**

By Rep. KAISER

An Act providing for compensation to veterans of the Persian Gulf Conflict and administration of a compensation program; imposing penalties; and making an appropriation.

## MILITARY AND VETERANS AFFAIRS.

**HB 1125, PN 1275**

By Rep. KAISER

An Act providing for compensation to prisoners-of-war veterans of the Persian Gulf Conflict and administration of a compensation program; imposing penalties; and making an appropriation.

## MILITARY AND VETERANS AFFAIRS.

**HB 1126, PN 1276**

By Rep. KAISER

An Act authorizing the issuance of bonds to fund programs of compensation for veterans and prisoners of war of the Persian Gulf Conflict.

## MILITARY AND VETERANS AFFAIRS.

**HB 1132, PN 1282**

By Rep. KAISER

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, relating to stay of proceedings.

## MILITARY AND VETERANS AFFAIRS.

**SB 222, PN 231**

By Rep. KAISER

An Act designating the fountain in the plaza of the East Wing of the Main Capitol Building in Harrisburg as the War Veterans' Memorial Fountain; and imposing duties upon the Department of General Services.

## MILITARY AND VETERANS AFFAIRS.

**SB 434, PN 720**

By Rep. KAISER

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, providing for the Pennsylvania Freedom Defense Campaign Medal and Ribbon.

## MILITARY AND VETERANS AFFAIRS.

## CALENDAR

## BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1143, PN 1464**, entitled:

An Act amending the act of June 13, 1967 (P. L. 31, No. 21), known as the "Public Welfare Code," providing for training for family day-care providers; providing for an annual State plan for child-care services; further providing for powers and duties of the Department of Public Welfare; and making repeals.

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 1143 be recommitted to the Appropriations Committee.

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

\* \* \*

The House proceeded to second consideration of **HB 251, PN 262**, entitled:

An Act amending the act of June 21, 1939 (P. L. 566, No. 284), known as "The Pennsylvania Occupational Disease Act," further providing for compensation for disability from beryllium poisoning.

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 251 be recommitted to the Appropriations Committee.

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 523, PN 931.**

**MASTER ROLL CALL**

The SPEAKER. The members will please vote on the master roll.

The following roll call was recorded:

**PRESENT—195**

Acosta	Donatucci	Kukovich	Rudy
Adolph	Durham	LaGrotta	Ryan
Allen	Evans	Langtry	Saloom
Anderson	Fairchild	Laughlin	Saurman
Angstadt	Fajt	Lawless	Scheetz
Argall	Fargo	Lee	Schuler
Armstrong	Farmer	Leh	Scrimenti
Arnold	Fee	Lescovitz	Semmel
Barley	Fleagle	Levdansky	Serafini
Battisto	Flick	Linton	Smith, B.
Belardi	Foster	Lloyd	Smith, S. H.
Belfanti	Fox	Lucyk	Snyder, D. W.
Billow	Freeman	McCall	Snyder, G.
Birmelin	Freind	McGeehan	Staback
Bishop	Gallen	McHugh	Stairs
Black	Gamble	McNally	Steelman
Blaum	Gannon	Markosek	Steighner
Bowley	George	Marsico	Stetler

Boyes	Gerlach	Mayernik	Stish
Broujos	Gigliotti	Melio	Strittmatter
Brown	Gladeck	Merry	Suban
Bunt	Godshall	Michlovic	Sturla
Bush	Gruitza	Micozzie	Surra
Butkovitz	Gruppo	Mihalich	Tangretti
Caltagirone	Hagarty	Mundy	Taylor, E. Z.
Cappabianca	Haluska	Murphy	Taylor, F.
Carlson	Hanna	Nailor	Taylor, J.
Carn	Harley	Nickol	Telek
Carone	Harper	Noye	Thomas
Cawley	Hasay	Nyce	Tigue
Cessar	Hayden	O'Brien	Tomlinson
Chadwick	Hayes	Olasz	Trello
Civera	Heckler	Oliver	Trich
Clark	Herman	Perzel	Tulli
Clymer	Hershey	Pesci	Uliana
Cohen	Hess	Petrone	Vance
Colaella	Hughes	Phillips	Veon
Colaizzo	Itkin	Piccola	Vroon
Cole	Jadlowiec	Pistella	Wambach
Cornell	James	Pitts	Williams
Corrigan	Jarolin	Preston	Wilson
Cowell	Josephs	Raymond	Wogan
Coy	Kaiser	Reber	Wozniak
DeLuca	Kasunic	Reinard	Wright, D. R.
DeWeese	Kenney	Richardson	Wright, M. N.
Daley	King	Rieger	Wright, R. C.
Davies	Kosinski	Ritter	
Dempsey	Krebs	Robinson	O'Donnell,
Dent	Kruszewski	Roebuck	Speaker
Dermody			

**ADDITIONS—1**

Nahill

**NOT VOTING—0**

**EXCUSED—6**

Geist	Maiale	Petrarca	Van Horne
Johnson	Mrkonic		

**MEMBER'S PRESENCE RECORDED**

The SPEAKER. The Chair notes the presence of Representative Nahill in the hall of the House. His name will be added to the master roll.

**BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 124, PN 121**, entitled:

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, further providing for dispositions independent of letters.

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	LaGrotta	Rudy
Adolph	Durham	Langtry	Ryan
Allen	Evans	Laughlin	Saloom
Anderson	Fairchild	Lawless	Saurman
Angstadt	Fajt	Lee	Scheetz
Argall	Fargo	Leh	Schuler
Armstrong	Farmer	Lescovitz	Scrimenti
Arnold	Fee	Levdansky	Semmel
Barley	Fleagle	Linton	Serafini
Battisto	Flick	Lloyd	Smith, B.
Belardi	Foster	Lucyk	Smith, S. H.
Belfanti	Fox	McCall	Snyder, D. W.
Billow	Freeman	McGeehan	Snyder, G.
Birmelin	Freind	McHugh	Staback
Bishop	Gallen	McNally	Stairs
Black	Gamble	Markosek	Steelman
Blaum	Gannon	Marsico	Steighner
Bowley	George	Mayernik	Stetler
Boyes	Gerlach	Melio	Stish
Broujos	Gigliotti	Merry	Strittmatter
Brown	Gladeck	Michlovic	Stuban
Bunt	Godshall	Micozzie	Sturla
Bush	Gruitza	Mihalich	Surra
Butkovitz	Gruppo	Mundy	Tangretti
Caltagirone	Hagarty	Murphy	Taylor, E. Z.
Cappabianca	Haluska	Nahill	Taylor, F.
Carlson	Hanna	Nailor	Taylor, J.
Carn	Harley	Nickol	Telek
Carone	Harper	Noye	Thomas
Cawley	Hasay	Nyce	Tigue
Cessar	Hayden	O'Brien	Tomlinson
Chadwick	Hayes	Olasz	Trello
Civera	Heckler	Oliver	Trich
Clark	Herman	Perzel	Tulli
Clymer	Hershey	Pesci	Uliana
Cohen	Hess	Petrone	Vance
Colafella	Hughes	Phillips	Veon
Colaizzo	Itkin	Piccola	Vroon
Cole	Jadlowiec	Pistella	Wambach
Cornell	James	Pitts	Williams
Corrigan	Jarolin	Preston	Wilson
Cowell	Josephs	Raymond	Wogan
Coy	Kaiser	Reber	Wozniak
DeLuca	Kasunic	Reinard	Wright, D. R.
DeWeese	Kenney	Richardson	Wright, M. N.
Daley	King	Rieger	Wright, R. C.
Davies	Kosinski	Ritter	
Dempsey	Krebs	Robinson	O'Donnell,
Dent	Kruszewski	Roebuck	Speaker
Dermody	Kukovich		

NAYS—0

NOT VOTING—0

EXCUSED—6

Geist	Maiale	Petrarca	Van Horne
Johnson	Mrkonic		

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

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

\* \* \*

The House proceeded to third consideration of **SB 304, PN 1052**, entitled:

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

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	LaGrotta	Rudy
Adolph	Durham	Langtry	Ryan
Allen	Evans	Laughlin	Saloom
Anderson	Fairchild	Lawless	Saurman
Angstadt	Fajt	Lee	Scheetz
Argall	Fargo	Leh	Schuler
Armstrong	Farmer	Lescovitz	Scrimenti
Arnold	Fee	Levdansky	Semmel
Barley	Fleagle	Linton	Serafini
Battisto	Flick	Lloyd	Smith, B.
Belardi	Foster	Lucyk	Smith, S. H.
Belfanti	Fox	McCall	Snyder, D. W.
Billow	Freeman	McGeehan	Snyder, G.
Birmelin	Freind	McHugh	Staback
Bishop	Gallen	McNally	Stairs
Black	Gamble	Markosek	Steelman
Blaum	Gannon	Marsico	Steighner
Bowley	George	Mayernik	Stetler
Boyes	Gerlach	Melio	Stish
Broujos	Gigliotti	Merry	Strittmatter
Brown	Gladeck	Michlovic	Stuban
Bunt	Godshall	Micozzie	Sturla
Bush	Gruitza	Mihalich	Surra
Butkovitz	Gruppo	Mundy	Tangretti
Caltagirone	Hagarty	Murphy	Taylor, E. Z.
Cappabianca	Haluska	Nahill	Taylor, F.
Carlson	Hanna	Nailor	Taylor, J.
Carn	Harley	Nickol	Telek
Carone	Harper	Noye	Thomas
Cawley	Hasay	Nyce	Tigue
Cessar	Hayden	O'Brien	Tomlinson
Chadwick	Hayes	Olasz	Trello
Civera	Heckler	Oliver	Trich
Clark	Herman	Perzel	Tulli
Clymer	Hershey	Pesci	Uliana
Cohen	Hess	Petrone	Vance
Colafella	Hughes	Phillips	Veon
Colaizzo	Itkin	Piccola	Vroon
Cole	Jadlowiec	Pistella	Wambach
Cornell	James	Pitts	Williams
Corrigan	Jarolin	Preston	Wilson
Cowell	Josephs	Raymond	Wogan
Coy	Kaiser	Reber	Wozniak
DeLuca	Kasunic	Reinard	Wright, D. R.
DeWeese	Kenney	Richardson	Wright, M. N.
Daley	King	Rieger	Wright, R. C.
Davies	Kosinski	Ritter	
Dempsey	Krebs	Robinson	O'Donnell,
Dent	Kruszewski	Roebuck	Speaker
Dermody	Kukovich		

NAYS—0

NOT VOTING—0

EXCUSED—6

Geist	Maiale	Petrarca	Van Horne
Johnson	Mrkonic		

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

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

WELCOME

The SPEAKER. The Chair is pleased to welcome to the House John Maynard, who is a guest page and the guest of Representatives Nailor and Vance. Will the gentleman please rise.

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of HB 1274, PN 1465, entitled:

An Act amending the act of July 1, 1990 (P. L. , No. 7A), known as the "General Appropriation Act of 1990," increasing and decreasing certain appropriations to the Executive Department; and making appropriations from the Hazardous Material Response Fund.

On the question,

Will the House agree to the bill on third consideration?

Mr. EVANS offered the following amendment No. A0702:

Amend Sec. 12 (Sec. 219), page 16, line 16, by striking out all of said line and inserting

Federal appropriation..... 403,499,000

On the question,

Will the House agree to the amendment?

The SPEAKER. On the amendment, the Chair recognizes Mr. Evans.

Mr. EVANS. Mr. Speaker, the purpose of this amendment is for the purpose of the Federal augmentation around the issue of medical assistance to increase it.

My understanding is it is somewhat of an agreed-to amendment, and that from the other side, they will not have a problem with it. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—194

Table listing names of members who voted 'YEAS' (194 total). Includes Acosta, Adolph, Allen, Anderson, Angstadt, Argall, Armstrong, Arnold, Barley, Battisto, Belardi, Belfanti, Billow, Birmelin, Bishop, Black, Blaum, Bowley, Dermody, Donatucci, Durham, Evans, Fairchild, Fajt, Fargo, Farmer, Fee, Fleagle, Flick, Foster, Fox, Freeman, Freind, Gallen, Gamble, Gannon, Kukovich, LaGrotta, Langtry, Laughlin, Lawless, Lee, Leh, Lescovitz, Levdansky, Linton, Lloyd, Lucy, McCall, McGeehan, McHugh, McNally, Markosek, Marsico, Rudy, Ryan, Saloom, Saurman, Scheetz, Schuler, Scrimenti, Semmel, Serafini, Smith, B., Smith, S. H., Snyder, D. W., Snyder, G., Staback, Stairs, Steelman, Steighner, Stetler.

Table listing names of members who voted 'NAYS' (0 total) and 'NOT VOTING' (2 total). Includes Boyes, Broujos, Brown, Bunt, Bush, Butkovitz, Caltagirone, Cappabianca, Carlson, Carn, Carone, Cawley, Cessar, Chadwick, Civera, Clark, Clymer, Cohen, Colafella, Colaizzo, Cole, Cornell, Corrigan, Cowell, Coy, DeLuca, DeWeese, Daley, Davies, Dempsey, Dent, George, Gerlach, Gigliotti, Gladeck, Godshall, Gruitza, Gruppo, Hagarty, Haluska, Hanna, Harley, Harper, Hasay, Hayden, Hayes, Heckler, Herman, Hershey, Hess, Hughes, Itkin, Jadowiec, James, Jarolin, Josephs, Kasunic, Kenney, King, Kosinski, Krebs, Kruszewski, Mayernik, Melio, Merry, Michlovic, Micozzie, Mihalich, Mundy, Murphy, Nahill, Nailor, Nickol, Noye, Nyce, O'Brien, Olasz, Oliver, Perzel, Pesci, Petrone, Phillips, Piccola, Pistella, Pitts, Preston, Raymond, Reber, Reinard, Richardson, Rieger, Ritter, Robinson, Stish, Strittmatter, Stuban, Sturla, Surra, Tangretti, Taylor, E. Z., Taylor, F., Taylor, J., Telek, Thomas, Tigue, Tomlinson, Trello, Trich, Tulli, Ulijana, Vance, Veon, Vroon, Wambach, Williams, Wilson, Wogan, Wozniak, Wright, D. R., Wright, M. N., Wright, R. C., O'Donnell, Speaker.

NAYS—0

NOT VOTING—2

Kaiser Roebuck

EXCUSED—6

Geist Johnson Maiale Mrkonic Petrarca Van Horne

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

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

(Members proceeded to vote.)

VOTE STRICKEN

Mr. RYAN. Mr. Speaker?

The SPEAKER. The clerk will strike the vote.

The Chair recognizes Mr. Ryan.

Mr. RYAN. Mr. Speaker, would the gentleman, Mr. Evans, I suppose, consent to interrogation?

The SPEAKER. The gentleman indicates he is willing to submit to interrogation. The gentleman may proceed.

Mr. RYAN. Mr. Speaker, can you tell this House where we are going to get the State's share of this appropriation, which I believe to be in the neighborhood of \$166 million, which is a very nice neighborhood, incidentally.

Mr. EVANS. Correct, Mr. Speaker. My understanding, Mr. Speaker, is it is in the range of almost about \$180 million and that basically it would be lapses that the budget director has suggested during the period of time when he initially announced that \$731 million. Those are just lapses that have accumulated.

Mr. RYAN. Would that be the list that was provided by the Budget Office to the various Appropriations Committees?

Mr. EVANS. Yes, it would, Mr. Speaker.

Mr. RYAN. Would this have anything to do with the PIDA (Pennsylvania Industrial Development Authority) money that we have been reading about lately of some \$200 million?

Mr. EVANS. No, Mr. Speaker.

Mr. RYAN. We have not had time for that yet, have we?

Mr. EVANS. No, this would not have anything to do with the PIDA money, Mr. Speaker, because that issue was just decided on Friday past, and that would probably be in a future situation, Mr. Speaker.

Mr. RYAN. I am sure this is not of great interest to you, is not of great interest to you, but I am going to Xerox and send over to you and any of your members and of course the press, if they are interested, a memorandum that was sent out on June 6, 1990, from us, Mr. Pitts, indicating that there were going to be welfare budget deficiencies based on the Governor's budget of \$150 million in medical assistance, \$50 million in cash grants, et cetera, et cetera, and I just think it is something from a historical perspective that you might want for your scrapbook. I will see to it that you get a copy of it, and the press may want a copy, too. Thank you.

Mr. EVANS. Thank you, Mr. Speaker.

I just wanted to make a note that the minority leader really keeps us in tune to historical perspectives of this process but that that is important to know, since we all have our fingerprints on this budget in the first place, so I appreciate when he always reminds us of our fingerprints on this process. Thank you, Mr. Speaker.

The SPEAKER. The Chair and the members, I am sure, appreciate this historical perspective.

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	LaGrotta	Rudy
Adolph	Durham	Langtry	Ryan
Allen	Evans	Laughlin	Saloom
Anderson	Fairchild	Lawless	Saurman
Angstadt	Fajt	Lee	Scheetz
Argall	Fargo	Leh	Schuler
Armstrong	Farmer	Lescovitz	Scrimenti
Arnold	Fee	Levdanskyy	Semmel
Barley	Fleagle	Linton	Serafini
Battisto	Flick	Lloyd	Smith, B.
Belardi	Foster	Lucyk	Smith, S. H.
Belfanti	Fox	McCall	Snyder, D. W.
Billow	Freeman	McGeehan	Snyder, G.
Birmelin	Freind	McHugh	Staback
Bishop	Gallen	McNally	Stairs
Black	Gamble	Markosek	Steelman
Blaum	Gannon	Marsico	Steighner
Bowley	George	Mayernik	Stetler

Boyes	Gerlach	Melio	Stish
Broujos	Gigliotti	Merry	Strittmatter
Brown	Gladeck	Michlovic	Stuban
Bunt	Godshall	Micozzie	Sturla
Bush	Gruitza	Mihalich	Surra
Butkovitz	Gruppo	Mundy	Tangretti
Caltagirone	Hagarty	Murphy	Taylor, E. Z.
Cappabianca	Haluska	Nahill	Taylor, F.
Carlson	Hanna	Nailor	Taylor, J.
Carn	Harley	Nickol	Telek
Carone	Harper	Noye	Thomas
Cawley	Hasay	Nyce	Tigue
Cessar	Hayden	O'Brien	Tomlinson
Chadwick	Hayes	Olasz	Trello
Civera	Heckler	Oliver	Trich
Clark	Herman	Perzel	Tulli
Clymer	Hershey	Pesci	Uliana
Cohen	Hess	Petrone	Vance
Colafella	Hughes	Phillips	Veon
Colaizzo	Itkin	Piccola	Vroon
Cole	Jadlowiec	Pistella	Wambach
Cornell	James	Pitts	Williams
Corrigan	Jarolin	Preston	Wilson
Cowell	Josephs	Raymond	Wogan
Coy	Kaiser	Reber	Wozniak
DeLuca	Kasunic	Reinard	Wright, D. R.
DeWeese	Kenney	Richardson	Wright, M. N.
Daley	King	Rieger	Wright, R. C.
Davies	Kosinski	Ritter	
Dempsey	Krebs	Robinson	O'Donnell,
Dent	Kruszewski	Roebuck	Speaker
Dermody	Kukovich		

**NAYS—0**

**NOT VOTING—0**

**EXCUSED—6**

Geist	Maiale	Petrarca	Van Horne
Johnson	Mrkonic		

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 Mr. Robert Scheipe. He is a former Chief Clerk of the House, who is here as the guest of Representative Rick Cessar. He is to the left of the Speaker. Will the gentleman please rise.

**BILLS ON THIRD  
CONSIDERATION CONTINUED**

The House proceeded to third consideration of **HB 2, PN 1292**, entitled:

An Act providing for the issuance and sale of certain bonds; and further providing for duties of the Pennsylvania Higher Education Assistance Agency.

On the question,  
Will the House agree to the bill on third consideration?  
Mr. DAVIES offered the following amendments No. A0699:

Amend Bill, page 5, by inserting between lines 19 and 20 Section 7. Use of proceeds limited.

Net proceeds from sales of bonds, designated by the issuing officials as college savings bonds, shall be used solely to defray the cost of deferred maintenance on campus buildings of institutions of higher education specified in this section. The bond proceeds are to be proportionally allocated to the State System of Higher Education, the State-related universities and the community colleges based upon full-time equivalent enrollment as determined by the Department of Education.

Amend Sec. 7, page 5, line 20, by striking out "7" and inserting

8

Amend Sec. 8, page 6, line 8, by striking out "8" and inserting

9

Amend Sec. 9, page 7, line 5, by striking out "9" and inserting

10

Amend Sec. 10, page 7, line 9, by striking out "10" and inserting

11

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

The SPEAKER. On that question, the Chair recognizes Mr. Davies.

Mr. DAVIES. Thank you, Mr. Speaker.

Mr. Speaker, this amendment addresses one of the things that I spoke to prior when you were considering the bonding issue that we had spoken about. This would take the sale of these particular bonds that will be used as college savings bonds to be used to defray the cost of all the deferred maintenance on the campus buildings of the institutions of higher education in the Commonwealth. Those institutions that would be involved: the one that we own, the State System of Higher Education; those universities, the four State-related universities; and of course, all of the community colleges. The money would be distributed on the basis of full-time equivalent enrollment, and that determination would be made by the Department of Education.

As I stated before, we in the Education Committee for 2 years running have gone over these needs 1 year or 2 years ago. Prior we had gone to all the State-owned and we came up with a figure in excess of \$250 million of need for those repairs. Those repairs are repairs that are necessary to bring those buildings and those facilities and get us ready to move into, of course, the next century. In some of those investigations that we made, we saw a science building that needed complete renovation, as far as its electrical system could not even take the modern equipment that is necessary to upgrade our institutions for science and physics and chemistry and other things that are offered at that particular university.

In addition to that, the next year we went to the State-related and looked at their facilities and almost came up with as much a need.

There has been a national article about the needs, and of course, if we are going to be prepared and move to the 21st century, we want to use those bond issues to get our students there, but we better have institutions that are ready for those

students and ready to take those students in all the changes that we have to make, all the upgradings that we have to make to get us into that next century.

The SPEAKER. The Chair recognizes Mr. Ryan.

Mr. RYAN. Mr. Speaker, you are the principal sponsor of this bill, and I recognize that I am not permitted to interrogate you, and I am wondering if you would yield to whomever I should interrogate on this bill.

The SPEAKER. The Chair requests the gentleman, Mr. Coy, to preside.

### THE SPEAKER PRO TEMPORE (JEFFREY W. COY) PRESIDING

The SPEAKER pro tempore. The gentleman, Mr. O'Donnell, consents to interrogation, and the minority leader may proceed.

Mr. RYAN. Thank you, Mr. Speaker.

Mr. Speaker, I have read the Davies amendments which, frankly, do something that the bill, as far as I can tell, does not do, and that is earmark the funds that would be generated from the sale of the zero coupon bonds.

Now, the analysis that I have from our legal staff—and you may have a different one—has no dollar amounts in it. It apparently is, these bonds would be made available. You would go out, whatever the market happens to be; you buy zero—you, the grandfather; you, the parent—would buy zero coupon bonds for your kids; and 16 years later, 15 years, 18 years later they come due, and it would create a fund for college, which I think is very worthwhile.

In the meantime, however, depending on how many bonds are sold, a fund will be created. Let us assume hypothetically that 100 million dollars' worth of cash receipts are generated by the sale of these bonds. The bill, as I understand it, as you have presented it to the House, does not earmark that \$100 million. So my question—Mr. Davies' amendment does. He said it is going to be used for deferred maintenance on the various colleges. My question to you is, what happens to the \$100 million if the Davies amendment is not adopted?

Mr. O'DONNELL. There is a basic misunderstanding that is being generated by the amendment. The purpose of the bill is to take any debt that is issued by the Commonwealth for any purpose and enable that debt to be marketed in what are called zero coupon bonds, which are a uniquely appropriate form of savings for families that want to buy the bonds. So if the State of Pennsylvania goes out and decides for its general obligations to borrow money and use the proceeds for its general obligations, that is what the proceeds of the bonds are used for, but by designating a certain part of the issue as college savings bond, the bonds will be available in a certain unique form.

The proceeds are to be used for anything proceeds are legitimately used for. There is a separate question about whether you ought to use bond proceeds for this purpose, but this would mean you could not offer college savings bonds unless you offered them for the limited purpose of maintenance and

repair on colleges. And what we are trying to do here is to make all the debt of the Commonwealth, whether it be to rebuild a building or any purpose, to be sold in units that are manageable for people who want to use those bonds for college savings.

Now, the difficulty here is that the concept of a zero bond may be eluding people. When bonds are issued by government, they are tax free, and the person who buys the bond as an investment receives interest each month or each quarter, and the interest is tax free.

There is another kind of a bond called a zero coupon in which you do not receive your interest quarterly. The bond just simply grows in value to a certain number and then you cash it in at the end of that time, so if you wanted to save money for college, you could buy a \$1,000 bond for \$500, but you would not get your \$1,000 for another 10 or 15 years. The bond would ripen into that, and it would be tax free. So if grandma wanted to buy something for the grandkids' education, you could purchase a \$1,000 bond for \$500, because instead of making interest on the bond, it simply grows in value and then you cash it in at college time. And to make that format available, what we need to do is just give the State the legal power to say that when we borrow money to build a new DER (Department of Environmental Resources) facility, we are going to designate part of that bond issue to be used in this zero coupon way, but the proceeds of the bonds are used for the general purposes of State government.

If this amendment is adopted— There is no fund created. The money is used for whatever it is used for. It is used for the general obligations of the State. If this amendment is adopted, you will not be able to do it except for a bond issue that you offer for the limited purpose of maintaining State colleges, which, by the way, I doubt you can do, but I think there will be other commentary on that. So the amendment completely misunderstands, in my opinion, the purpose of the bill. There is no fund created.

The SPEAKER pro tempore. The Chair recognizes Mr. Ryan.

Mr. RYAN. That was very helpful, and I am not being sarcastic. I mean that. I misread the bill. It was my impression as I read it, of course, that it was a brand-new series of bonds that you were suggesting be sold.

Would it be— I do not know just how to handle this now, but if the Davies amendment were added to the bill, would that mean that the next time there was a bond issue there would have to be— Now listen. Do not shake your head yet. Would that mean there would have to be additional bonds sold to accommodate that expenditure or would the law require that an amount be set to cover that expenditure such as a regular capital expenditure bill?

Mr. O'DONNELL. The law would not require that any money whatsoever be devoted to that purpose. What would happen is, the next time bonds are issued, they would be issued just the way they are now and no money would go to the maintenance of colleges and none of the bonds would be able to be used for a college savings bond. What would

happen is, the issuer - the Governor, the Auditor General, Treasurer together - when they issued bonds, they would have to say, we cannot do a college bond program unless the proceeds of the bond are used for the limited purpose of maintaining universities, which means that it is not going to exist. Period. End of story. It is just a basic misunderstanding.

Mr. DAVIES. Mr. Speaker, further interrogation.

The SPEAKER pro tempore. Will the gentleman yield.

Has the gentleman, Mr. Ryan, concluded his interrogation? Thank you.

Why does the gentleman, Mr. Davies, rise?

Mr. DAVIES. To further interrogate the Speaker.

The SPEAKER pro tempore. Will the gentleman, Mr. O'Donnell, stand for further interrogation? The gentleman indicates that he will, and the Chair recognizes the gentleman from Berks, Mr. Davies.

Mr. DAVIES. As I understand it, Mr. Speaker, the only way that bond moneys as such could be dedicated to that would be if we addressed a separate issue to that purpose, and would that issue have to be done for a specific amount and a specific stated time frame? Is that correct as well?

Mr. O'DONNELL. Yes.

#### AMENDMENTS WITHDRAWN

Mr. DAVIES. Mr. Speaker, I withdraw the amendment.

The SPEAKER pro tempore. The gentleman withdraws the amendment.

The Chair returns the gavel to the Speaker of the House.

#### THE SPEAKER (ROBERT W. O'DONNELL) PRESIDING

The SPEAKER. The Chair thanks the gentleman, Mr. Davies, and the gentleman, Mr. Coy.

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 Mr. Saurman.

Mr. SAURMAN. Mr. Speaker, just to clarify in my mind, if someone would—maybe Mr. Evans could, since you are back up there—if someone invests \$500 and at the time the student is ready to go to school there is going to be \$1,000 available but in the meantime that \$500 has been used for general purposes, where does the \$1,000 come from at the time when the student is ready to go to school?

#### THE SPEAKER PRO TEMPORE (JEFFREY W. COY) PRESIDING

The SPEAKER pro tempore. The gentleman, Mr. Saurman, requests that the gentleman, Mr. O'Donnell, stand for interrogation. The gentleman, Mr. O'Donnell, indicates

that he will, and the Chair recognizes Mr. Saurman, who makes the inquiry which the gentleman from Philadelphia will respond to.

Mr. O'DONNELL. The short answer is out of the General Fund. Every year we pay debt service on all our bonds. Part of our budget that we adopt every year is the payment on debt service on all our outstanding bonds.

Mr. SAURMAN. So it would increase the debt service, but it would not in a specific way. It would take some future bond sale that a portion would be used for this so that it would not increase it. It would just divert some of the bond issue.

Mr. O'DONNELL. Yes. This would not increase in any way the amount of bonds outstanding. It would not increase in any way the outstanding debt service on the bonds. It would be the same as the State of Pennsylvania going out this year offering bonds. We are going to do it this year no matter what, and they may be zero coupons for college or they may be in any other format, the proceeds to be used for our purposes; the debt service to be repaid over years.

Mr. SAURMAN. Thank you, Mr. Speaker.

I would just like to make a statement then that I—

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

Mr. SAURMAN. Thank you.

I appreciate that clarification. That was kind of my understanding, but I wanted to have it reaffirmed, and I certainly would vote in support of this bill then. Thank you, Mr. Speaker.

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

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

May I interrogate the maker of the bill?

The SPEAKER pro tempore. The gentleman consents to interrogation. The gentleman, Mr. Lee, will proceed.

Mr. LEE. Thank you very much for your explanation of this whole bill. I think it has cleared a lot of things up for a lot of people here. But I am just curious, why is this bill necessary in order to encourage people to buy bonds? Can I not go out and buy U.S. savings bonds to put away for college? And secondly, is there anything in the bill which would prevent just ordinary investors from buying these bonds for their own purposes, you know, to build a house someday or for whatever reason other than putting a kid through college?

Mr. O'DONNELL. The bill is necessary because it is the opinion of most of the attorneys who have looked at it, including attorneys in the administration, that they do not now have this kind of power to issue this kind of bond, and this clears away any ambiguity.

Could other investors use these bonds? Could you turn the bonds in for some purpose other than college? The answer is yes. This is an investment vehicle that is uniquely suited to certain kinds of investments. If you knew you were going to buy a house 10 years from now and you wanted to put money away, yes, but that is generally not the pattern in the way people buy houses. This kind of long-term investment is uniquely suited to college-type savings.

The original theory of the bill, as it was adopted in Michigan, had an incentive and the original version of the bill had an incentive if you turned the bond in for college purposes. The difficulty with that incentive program is, A, it costs money, and this is a pretty tough budget year, which is why we lost the incentive in the Appropriations Committee; and second, that there are issues about the taxability of that bump, and the IRS (Internal Revenue Service) has come down with conflicting rulings. So for the time being, we have got that out of the picture.

Mr. LEE. Okay. That clears it all up for me. Thank you very much, Mr. Speaker.

On the question recurring,  
Shall the bill pass finally?

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

YEAS—195

Acosta	Donatucci	Kukovich	Rudy
Adolph	Durham	LaGrotta	Ryan
Allen	Evans	Langtry	Saloom
Anderson	Fairchild	Laughlin	Saurman
Angstadt	Fajt	Lawless	Scheetz
Argall	Fargo	Lee	Schuler
Armstrong	Farmer	Leh	Scrimenti
Arnold	Fee	Lescovitz	Semmel
Barley	Fleagle	Levdansky	Serafini
Battisto	Flick	Linton	Smith, B.
Belardi	Foster	Lloyd	Smith, S. H.
Belfanti	Fox	Lucyk	Snyder, D. W.
Billow	Freeman	McCall	Snyder, G.
Birmelin	Freind	McGeehan	Staback
Bishop	Gallen	McHugh	Stairs
Black	Gamble	McNally	Steelman
Blaum	Gannon	Markosek	Steighner
Boyley	George	Marsico	Stetler
Boyes	Gerlach	Mayermik	Stish
Broujos	Gigliotti	Melio	Strittmatter
Brown	Gladeck	Merry	Stuban
Bunt	Godshall	Micozzie	Sturla
Bush	Gruitza	Mihalich	Surra
Butkovitz	Gruppo	Mundy	Tangretti
Caltagirone	Hagarty	Murphy	Taylor, E. Z.
Cappabianca	Haluska	Nahill	Taylor, F.
Carlson	Hanna	Nailor	Taylor, J.
Carn	Harley	Nickol	Telek
Carone	Harper	Noye	Thomas
Cawley	Hasay	Nyce	Tigue
Cessar	Hayden	O'Brien	Tomlinson
Chadwick	Hayes	Olasz	Trello
Civera	Heckler	Oliver	Trich
Clark	Herman	Perzel	Tulli
Clymer	Hershey	Pesci	Uliana
Cohen	Hess	Petrone	Vance
Colafrilla	Hughes	Phillips	Veon
Colaizzo	Itkin	Piccola	Vroon
Cole	Jadlowiec	Pistella	Wambach
Cornell	James	Pitts	Williams
Corrigan	Jarolin	Preston	Wilson
Cowell	Josephs	Raymond	Wogan
Coy	Kaiser	Reber	Wozniak
DeLuca	Kasunic	Reinard	Wright, D. R.
DeWeese	Kenney	Richardson	Wright, M. N.
Daley	King	Rieger	Wright, R. C.
Davies	Kosinski	Ritter	
Dempsey	Krebs	Robinson	O'Donnell,
Dent	Kruszewski	Roebuck	Speaker
Dermody			

NAYS—0  
NOT VOTING—1

Michlovic

EXCUSED—6

Geist           Maiale           Petrarca       Van Horne  
Johnson       Mrkonic

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 646, PN 1142**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for drivers' licenses.

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

Mr. HAYES offered the following amendments No. A0500:

Amend Sec. 1 (Sec. 1501), page 1, line 10, by inserting after "OR"

                  public  
Amend Sec. 1 (Sec. 1501), page 1, line 12, by striking out "PROPERTY" and inserting "public property"

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

The SPEAKER pro tempore. On the question, the Chair recognizes the gentleman from Huntingdon County, Mr. Hayes.

Mr. HAYES. Thank you, Mr. Speaker.

The gentleman, Mr. Wright, brings to the House a very important bill, HB 646, and he in that bill addresses an important matter which I believe came about because of a very, very unfortunate incident which occurred in his legislative district, and because there is a little bit of wiggle in the law, the gentleman has found it necessary to offer this amendment to the Motor Vehicle Code, and I certainly support the gentleman.

I do believe, so that we protect all segments of our society in what they do in terms of earning their living and that sort of thing, we should further amend HB 646 to be sure that we are including only those properties which are legally defined as public properties, which I believe will take care of the unfortunate incident the gentleman, Mr. Wright, addresses in this legislation but at the same time protect, for instance, those persons who operate farm implements on their farms across Pennsylvania, so that we do not place any undue restrictions on the normal coming and going of those farm implements on private property.

Therefore, I offer this amendment, Mr. Speaker, which will clearly limit the reach of HB 646 to public property.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question, the Chair recognizes the gentleman from Clarion County, Mr. Wright.

Mr. D. R. WRIGHT. Mr. Speaker, I concur with the gentleman, Mr. Hayes, and would urge the adoption of his amendment.

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

(A roll-call vote was taken, but due to a malfunction the vote was not recorded. See later roll call.)

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

Mr. CESSAR offered the following amendments No. A0561:

Amend Bill, page 2, by inserting between lines 2 and 3 Section 2. Section 1502 of Title 75 is amended by adding a paragraph to read:  
§ 1502. Persons exempt from licensing.

The following persons are not required to obtain a driver's license under this chapter:

\* \* \*

(6) Any person operating a snowmobile who is authorized by the provisions of Chapter 77 (relating to snowmobiles and all-terrain vehicles).

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

3

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

The SPEAKER pro tempore. On the amendment, the Chair recognizes the gentleman, Mr. Cessar.

Mr. CESSAR. Thank you, Mr. Speaker.

This is a technical amendment which has been agreed to by the majority chairman.

The SPEAKER pro tempore. On the question, the Chair recognizes the gentleman from Clarion, Mr. Wright.

Mr. D. R. WRIGHT. Mr. Speaker, I agree with the amendment and urge its adoption.

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

The following roll call was recorded:

YEAS—196

Acosta	Donatucci	LaGrotta	Rudy
Adolph	Durham	Langtry	Ryan
Allen	Evans	Laughlin	Saloom
Anderson	Fairchild	Lawless	Saurman
Angstadt	Fajt	Lee	Scheetz
Argall	Fargo	Leh	Schuler
Armstrong	Farmer	Lescovitz	Scrimenti
Arnold	Fee	Levdansky	Semmel
Barley	Fleagle	Linton	Serafini
Battisto	Flick	Lloyd	Smith, B.
Belardi	Foster	Lucyk	Smith, S. H.
Belfanti	Fox	McCall	Snyder, D. W.
Billow	Freeman	McGeehan	Snyder, G.
Birmelin	Freind	McHugh	Staback
Bishop	Gallen	McNally	Stairs
Black	Gamble	Markosek	Steelman
Blaum	Gannon	Marsico	Steighner
Bowley	George	Mayernik	Stetler

Boyes	Gerlach	Melio	Stish
Broujos	Gigliotti	Merry	Strittmatter
Brown	Gladeck	Michlovic	Stuban
Bunt	Godshall	Micozzie	Sturla
Bush	Gruitza	Mihalich	Surra
Butkovitz	Gruppo	Mundy	Tangretti
Caltagirone	Hagarty	Murphy	Taylor, E. Z.
Cappabianca	Haluska	Nahill	Taylor, F.
Carlson	Hanna	Nailor	Taylor, J.
Carn	Harley	Nickol	Telek
Carone	Harper	Noye	Thomas
Cawley	Hasay	Nyce	Tigue
Cessar	Hayden	O'Brien	Tomlinson
Chadwick	Hayes	Olasz	Trello
Civera	Heckler	Oliver	Trich
Clark	Herman	Perzel	Tulli
Clymer	Hershey	Pesci	Uliana
Cohen	Hess	Petrone	Vance
Colaella	Hughes	Phillips	Veon
Colaizzo	Itkin	Piccola	Vroon
Cole	Jadlowiec	Pistella	Wambach
Cornell	James	Pitts	Williams
Corrigan	Jarolin	Preston	Wilson
Cowell	Josephs	Raymond	Wogan
Coy	Kaiser	Reber	Wozniak
DeLuca	Kasunic	Reinard	Wright, D. R.
DeWeese	Kenney	Richardson	Wright, M. N.
Daley	King	Rieger	Wright, R. C.
Davies	Kosinski	Ritter	
Dempsey	Krebs	Robinson	O'Donnell,
Dent	Kruszewski	Roebuck	Speaker
Dermody	Kukovich		

NAYS—0

NOT VOTING—0

EXCUSED—6

Geist	Maiale	Petrarca	Van Horne
Johnson	Mrkonic		

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

On the question recurring,

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

Mr. NOYE offered the following amendments No. A0524:

Amend Title, page 1, line 2, by removing the period after "licenses" and inserting , and for suspension of certificates of inspection stations.

Amend Bill, page 2, by inserting between lines 2 and 3 Section 2. Section 4724 of Title 75 is amended by adding a subsection to read:

§ 4724. Suspension of certificates of appointment.

\*\*\*

(a.1) Exception.—An initial violation or a failure to comply with any of the provisions of this chapter or regulations adopted by the department by a certified mechanic employed by an official inspection station without the authorization, knowledge, or consent of the holder of the certificate of appointment shall not constitute grounds for the suspension of the certificate under subsection (a), but rather shall subject the mechanic to the penalty set forth in section 4726 (relating to certification of mechanics).

\*\*\*

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

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

The SPEAKER pro tempore. On the amendment, the Chair recognizes Mr. Noye.

Mr. NOYE. Thank you, Mr. Speaker.

Mr. Speaker, this is an amendment to the Vehicle Code. It is not an amendment to Mr. Wright's attempt to correct a problem. This attempts to correct another problem with the Motor Vehicle Code as it relates to inspection stations.

Under current law, if the owner of an inspection station happens to be away from the premises and something is done illegally without his knowledge, that individual can lose his license and be put out of existence. There is also a penalty for the mechanic that performed that illegal act.

What this amendment does is specify that if this happens on one occasion, the owner of the inspection station will not be held accountable, that only the mechanic would be held accountable for that - on a first violation.

I urge the adoption of the amendment.

The SPEAKER pro tempore. On the question, the Chair recognizes the gentleman from Clarion, Mr. Wright.

Mr. D. R. WRIGHT. Mr. Speaker, I reluctantly must oppose the amendment offered by the gentleman, Mr. Noye. It is in fact a solution in search of a problem.

Currently, the PennDOT regulations provide for suspension of a station's license when the station owner is without knowledge of the violation and has no way of knowing about the violation. In fact, PennDOT regulations already assign points in lieu of suspension, and what essentially the effect of Mr. Noye's amendment would be would be to have no penalty instead of some form of penalty, and for that reason I must ask for a negative vote on this amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question, the Chair recognizes the gentleman from Luzerne, Mr. Tigue.

Mr. TIGUE. Thank you, Mr. Speaker.

Mr. Speaker, Representative Wright made some valid points. The problem I have with this amendment, and I think everyone should take a close look at it, is that it says, "...failure to comply with any of the provisions of this chapter or regulations adopted by the department...."

That is so broadly worded it would almost allow anyone who owns an inspection station to say to PennDOT or the State Police who do the checking, hey, I did not know they did something, so therefore, you have to let me go. I mean, it just does not make sense.

I can understand Mr. Noye's concern about an incident, a specific incident occurring, but this goes far beyond that. It says, "...any of the provisions of this chapter or regulations...." Therefore, if I own an inspection station, all I have to do is say, hey, I did not know about it; therefore, nothing is going to happen to me; I am going to continue my license, and that runs a gamut of infractions which could occur.

So based on that, I would ask that you defeat this amendment, and I would hope that Mr. Noye would withdraw it and have a tighter amendment drafted. Thank you, Mr. Speaker.

The SPEAKER pro tempore. On the question, the Chair recognizes, for the second time, the gentleman from Perry, Mr. Noye.

Mr. NOYE. Thank you, Mr. Speaker.

Mr. Speaker, what I used as a guideline for this is I used the language from the Vehicle Code that was in effect previously, and that was a lot more wide open than the amendment that I am proposing. This is somewhere in the middle of a compromise between the old Vehicle Code and the current Vehicle Code.

Now, in response to— And I do not believe it is as wide open as you are interpreting it, because first of all, the owner of the station has to be off premises and not knowledgeable and have reason not to know.

In addition, the language remains in the act which says that someone is left in charge and is still responsible for what goes on there. However, you still have a rare occasion when even with someone left in charge, who is not actually doing the work, someone makes a mistake. I do not think it is right that the owner of that service station be put out of business, and that is what you are basically doing on a one-time occurrence.

In response to Mr. Wright's comment that this is a proposal in search of a problem, it is a problem and it exists. I have talked with the department about this on a particular individual situation. They wished they had the latitude to address it. But the way the wording of the present law is, they had no flexibility whatsoever in determining the outcome of this particular case, and that is what I have attempted to do, is give them that flexibility and allow them to punish the person responsible but yet not put a business out of existence for a one-time occurrence.

I urge the adoption of the amendment.

The SPEAKER pro tempore. On the question of whether the House will agree to the amendment, the Chair recognizes the gentleman from Elk, Mr. Surra.

Mr. SURRA. Thank you, Mr. Speaker.

The intent of the inspection laws and the inspection station system is to protect the traveling public in Pennsylvania. There are stations out there where in the trade they call them "lick 'em and stick 'em." You pull them in and you put a sticker on and you pull away.

It is the duty of the owner of the business to make sure that his qualified, certified inspection mechanics do it properly so our highways are traveled by vehicles which have proper braking systems, proper suspension parts, and proper steering systems, lighting, horns, et cetera. I think this amendment would weaken the intent of the law. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—98

Adolph	Fargo	Kenney	Saloom
Allen	Farmer	King	Saurman
Anderson	Fee	Langtry	Scheetz
Angstadt	Fleagle	Lawless	Schuler
Argall	Flick	Lee	Semmel
Armstrong	Foster	Leh	Serafini
Barley	Fox	McHugh	Smith, B.

Birmelin	Freind	Marsico	Smith, S. H.
Black	Gallen	Merry	Snyder, D. W.
Boyes	Gamble	Micozzie	Snyder, G.
Brown	Gannon	Nahill	Stairs
Bunt	George	Nailor	Strittmatter
Bush	Gerlach	Nickol	Taylor, E. Z.
Carlson	Gladeck	Noye	Taylor, J.
Cessar	Godshall	Nyce	Telek
Chadwick	Gruppo	O'Brien	Tomlinson
Civera	Hagarty	Perzel	Tulli
Clark	Harley	Phillips	Uliana
Clymer	Hasay	Piccola	Vance
Cornell	Hayes	Pitts	Vroon
Davies	Heckler	Raymond	Wilson
Dempsey	Herman	Reber	Wogan
Dent	Hershey	Reinard	Wright, M. N.
Durham	Hess	Ryan	Wright, R. C.
Fairchild	Jadlowiec		

NAYS—98

Acosta	Daley	Lescovitz	Roebuck
Arnold	Dermody	Levdansky	Rudy
Battisto	Donatucci	Linton	Scrimenti
Belardi	Evans	Lloyd	Staback
Belfanti	Fajt	Lucyk	Steelman
Billow	Freeman	McCall	Steighner
Bishop	Gigliotti	McGeehan	Stetler
Blaum	Gruitza	McNally	Stish
Bowley	Haluska	Markosek	Stuban
Broujos	Hanna	Mayernik	Sturla
Butkovitz	Harper	Melio	Surra
Caltagirone	Hayden	Michlovic	Tangretti
Cappabianca	Hughes	Mihalich	Taylor, F.
Carn	Itkin	Mundy	Thomas
Carone	James	Murphy	Tigue
Cawley	Jarolin	Olasz	Trello
Cohen	Josephs	Oliver	Trich
Colafella	Kaiser	Pesci	Veon
Colaizzo	Kasunic	Petrone	Wambach
Cole	Kosinski	Pistella	Williams
Corrigan	Krebs	Preston	Wozniak
Cowell	Kruszewski	Richardson	Wright, D. R.
Coy	Kukovich	Rieger	
DeLuca	LaGrotta	Ritter	O'Donnell,
DeWeese	Laughlin	Robinson	Speaker

NOT VOTING—0

EXCUSED—6

Geist	Maiale	Petrarca	Van Horne
Johnson	Mrkonic		

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

On the question recurring,

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

Mr. HERMAN offered the following amendments No. A0459:

Amend Title, page 1, line 2, by inserting after "for" handicapped plates and placards and for

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

Sections 1338(a) and (c)(1) and

Amend Sec. 1, page 1, line 6, by striking out "is" and inserting

are

Amend Sec. 1, page 1, by inserting between lines 6 and 7

§ 1338. Handicapped plate and placard.

(a) Handicapped plate.—On the application of any person who:

(1) does not have full use of a leg or both legs, as evidenced by the use of a wheelchair, walker, crutches, quad cane or other such device;

(2) is blind;

(3) is physically limited by a cardiopulmonary condition, such as severe emphysema or chronic bronchitis, restricting substantially his movements;

(4) does not have full use of an arm or both arms; [or]

(5) has a severe back injury; or

[(5)] (6) is a parent or a person in loco parentis of a person specified in paragraph (1), (2), (3) [or (4)], (4) or (5);

the department shall issue a special registration plate for one passenger car or other vehicle with a registered gross weight of not more than 9,000 pounds, designating the vehicle so licensed as being used by a handicapped person. Special plates for handicapped persons may also be issued for vehicles operated exclusively for the use and benefit of handicapped persons.

\*\*\*

(c) Physician's statement.—

(1) Any person applying for a special plate or parking placard for handicapped persons must present a statement, certified by a physician licensed to practice in this Commonwealth or in a contiguous state, that the handicapped person is handicapped as provided in subsection (a), except that a physician or chiropractor licensed to practice in this Commonwealth or in a contiguous state may certify a severe back injury under subsection (a)(5).

\*\*\*

On the question,

Will the House agree to the amendments?

The SPEAKER pro tempore. On the question, the Chair recognizes Mr. Herman.

Mr. HERMAN. Thank you, Mr. Speaker.

This amendment would amend Title 75, the Vehicle Code, which would provide for an additional requirement for a person to get a handicapped plate or placard on their automobile.

Under current law, the qualifications are the loss of the arms, the legs, being blind, or having a severe cardiopulmonary condition. What this amendment would do would be to add severe back injury to that list of qualifications to get a handicapped plate or placard. They, of course, would have to be attested by a licensed physician or chiropractor in this or a contiguous State.

This amendment has been approved by this General Assembly on previous occasions. I graciously ask for your support again. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question of whether the House will agree to the amendment, the Chair recognizes the gentleman from Clarion, Mr. Wright.

Mr. D. R. WRIGHT. Thank you, Mr. Speaker.

Once again I must reluctantly disagree with my friend from Centre County. There are two issues with this amendment: one is a practical question; the other one is a policy issue. The practical question is that nowhere in the legislation is a back injury defined, and all of us who have had any experience understand that there is a wide range of back injuries, some of which perhaps would not be considered as disabilities.

The second issue is a policy question, and that is that nowhere else in law in Pennsylvania is a chiropractor certified to determine a medical condition for purposes of insurance or for any other purposes. So if we adopt this amendment, we are changing the policy of Pennsylvania with regard to this particular profession.

So for those two reasons, both practical and policy, I would ask that we defeat this amendment.

The SPEAKER pro tempore. On the question of whether the House will agree to the amendment, the Chair recognizes, for the second time, the gentleman, Mr. Herman.

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

Both of those questions can be easily answered to the gentleman's satisfaction, I hope.

If the gentleman would look at the current law, he will also notice that in subsection (3) the law already says that one of the qualifications is that the person is physically limited by a cardiopulmonary condition, such as severe emphysema or chronic bronchitis. That is not defined either, Mr. Speaker, nor is not the full use of a leg or an arm, et cetera. But those qualifications are in fact determined by a licensed physician based on his medical capacity, and because of that, it has become effective under current law.

Therefore, the gentleman's argument that it is not being defined certainly does not apply in this instance since none of the other qualifications which have been useful in the past, neither are they defined as well, but rather we rely on the medical expertise of the licensed physician to determine whether that person meets those qualifications.

Secondly, I would like to address the gentleman's inquiry regarding the licensed chiropractic use. This was deliberately put into this legislation because of the fact that chiropractors do in fact, or many insurance policies, their expertise is relied upon and do allow for persons to be covered under many insurance policies as well as the reception of medicare for injuries of this nature, and certainly they are qualified to determine severe back injuries, and many of our constituents rely on their practices for such determinations.

For those reasons, Mr. Speaker, I would ask that the General Assembly, which has already approved this amendment on two previous occasions unanimously, agree that it should be passed again this afternoon. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman, and on the question recognizes the gentleman from Montgomery, Mr. Fox.

Mr. FOX. Thank you, Mr. Speaker.

I rise in support of the Herman amendment. I believe, based on the constituent contacts most of the House Representatives have had, that this is a logical extension of the handicapped plate to also include severe back injury—it does not say "back injury"; it is "severe back injury"—and the authenticity will be addressed under the physician's statement, and obviously they know what a back injury is.

This is a logical extension of the law, and I ask for an affirmative vote by the body.

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

The following roll call was recorded:

**YEAS—134**

Adolph	Durham	King	Rudy
Allen	Fairchild	LaGrotta	Ryan
Anderson	Fargo	Langtry	Saloom
Angstadt	Farmer	Laughlin	Saurman
Argall	Fee	Lawless	Scheetz
Armstrong	Fleagle	Lee	Schuler
Barley	Flick	Leh	Semmel
Battisto	Foster	Lescovitz	Serafini
Belardi	Fox	Levdansky	Smith, B.
Belfanti	Freeman	Lucyk	Smith, S. H.
Birmelin	Freind	McCall	Snyder, D. W.
Bishop	Gallen	McGeehan	Snyder, G.
Black	Gamble	McHugh	Staback
Boyes	Gannon	Marsico	Stairs
Broujos	George	Merry	Steelman
Brown	Gerlach	Micozzie	Strittmatter
Bunt	Gigliotti	Nahill	Stuban
Bush	Gladeck	Nailor	Sturla
Butkovitz	Godshall	Nickol	Taylor, E. Z.
Carlson	Gruitza	Noye	Taylor, F.
Cawley	Gruppo	Nyce	Taylor, J.
Cessar	Hagarty	O'Brien	Telek
Chadwick	Hanna	Olasz	Tomlinson
Civera	Harley	Perzel	Tulli
Clark	Hasay	Phillips	Uliana
Clymer	Hayes	Piccola	Vance
Cohen	Heckler	Pitts	Veon
Colaella	Herman	Raymond	Vroon
Cornell	Hershey	Reber	Wambach
Daley	Hess	Reinard	Wilson
Davies	Jadlowiec	Rieger	Wogan
Dempsey	Kaiser	Ritter	Wright, M. N.
Dent	Kasunic	Robinson	Wright, R. C.
Donatucci	Kenney		

**NAYS—62**

Acosta	Dermody	Lloyd	Scrimenti
Arnold	Evans	McNally	Steighner
Billow	Fajt	Markosek	Stetler
Blaum	Haluska	Mayermik	Stish
Bowley	Harper	Melio	Surra
Caltagirone	Hayden	Michlovic	Tangretti
Cappabianca	Hughes	Mihalich	Thomas
Carn	Itkin	Mundy	Tigue
Carone	James	Murphy	Trello
Colaizzo	Jarolin	Oliver	Trich
Cole	Josephs	Pesci	Williams
Corrigan	Kosinski	Petrone	Wozniak
Cowell	Krebs	Pistella	Wright, D. R.
Coy	Kruszewski	Preston	
DeLuca	Kukovich	Richardson	O'Donnell,
DeWeese	Linton	Roebuck	Speaker

**NOT VOTING—0**

**EXCUSED—6**

Geist	Maiale	Petrarca	Van Horne
Johnson	Mrkonic		

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

On the question recurring,

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

**AMENDMENT A0524 RECONSIDERED**

The SPEAKER pro tempore. The Chair is in receipt of a reconsideration motion filed by the gentleman, Mr. Noye, and the gentleman, Mr. Foster, who move that the vote by which amendment 0524 to HB 646, PN 1142, was defeated on the 7th day of May be reconsidered.

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

The SPEAKER pro tempore. The House will be at ease for a few moments while we adjust the computer operation.

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

**HB 391, PN 1552 (Amended)**

By Rep. GAMBLE

An Act imposing limitations on the use of eminent domain by municipalities to obtain certain real estate or facilities; providing for certain additional court proceedings; and making certain repeals.

**LOCAL GOVERNMENT.**

**HB 480, PN 539**

By Rep. GAMBLE

An Act amending the act of August 9, 1955 (P. L. 323, No. 130), known as "The County Code," further providing for grants or appropriations to historical societies.

**LOCAL GOVERNMENT.**

**HB 795, PN 1553 (Amended)**

By Rep. GAMBLE

An Act providing for enhanced penalty authority for publicly owned treatment works which are authorized to enforce industrial pretreatment standards for industrial waste discharges.

**LOCAL GOVERNMENT.**

**HB 1020, PN 1554 (Amended)**

By Rep. GAMBLE

An Act amending the act of July 7, 1947 (P. L. 1368, No. 542), known as the "Real Estate Tax Sale Law," further providing for the entry, extension and discharge of tax claims.

**LOCAL GOVERNMENT.**

**VOTE CORRECTIONS**

The SPEAKER pro tempore. The gentleman, Mr. DeWeese, requests that his vote be recorded in the affirmative on HR 108, which was passed on the 23d day of April. The gentleman's remarks will be spread upon the record.

The Chair recognizes the gentleman from Allegheny, Mr. Michlovic. For what purpose does the gentleman rise?

Mr. MICHLOVIC. Thank you, Mr. Speaker.

On the final passage of HB 2, I was inadvertently not recorded. I wish, for the record, to be recorded in favor of the bill. Thank you.

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

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

Mr. KAISER. Mr. Speaker, on amendment A702 to HB 1274, I was not in my seat, and I would like to be recorded in the affirmative. Thank you.

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

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 May 6, 1991

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Monday, May 13, 1991, 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, May 13, 1991, 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.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Lescovitz, for the purpose of an announcement.

Mr. LESCOVITZ. Thank you, Mr. Speaker.

There will be a meeting of the Appropriations Committee after the call of the recess in room 140.

The SPEAKER pro tempore. The gentleman, Mr. Lescovitz, announces a meeting of the Appropriations Committee at the call of the recess in room 140.

CONSIDERATION OF HB 646 CONTINUED

The SPEAKER pro tempore. The Chair restates the question that the gentlemen, Mr. Noye and Mr. Foster, move that the vote by which amendment 0524 to HB 646, PN 1142, was defeated on the 7th day of May be reconsidered.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—192

Table listing names of members who voted YEAS: Acosta, Adolph, Allen, Anderson, Angstadt, Donatucci, Durham, Evans, Fairchild, Fajt, Kukovich, LaGrotta, Langtry, Laughlin, Lawless, Rudy, Ryan, Saloom, Saurman, Scheetz.

Table listing names of members who were present or absent: Argall, Armstrong, Arnold, Barley, Battisto, Belardi, Belfanti, Billow, Birmelin, Bishop, Black, Blaum, Bowley, Boyes, Broujos, Brown, Bunt, Bush, Butkovitz, Caltagirone, Cappabianca, Carlson, Carn, Carone, Cawley, Cessar, Chadwick, Civera, Clark, Clymer, Cohen, Colafella, Colaizzo, Cornell, Corrigan, Cowell, Coy, DeLuca, DeWeese, Daley, Davies, Dempsey, Dent, Dermody, Fargo, Farmer, Fee, Fleagle, Flick, Foster, Fox, Freeman, Freind, Gallen, Gamble, Gannon, George, Gerlach, Gigliotti, Gladeck, Godshall, Gruitza, Gruppo, Hagarty, Haluska, Hanna, Harley, Harper, Hasay, Hayden, Hayes, Heckler, Herman, Hershey, Hess, Hughes, Itkin, Jadlowiec, James, Jarolin, Josephs, Kaiser, Kasunic, Kenney, King, Kosinski, Krebs, Kruszewski, Lee, Leh, Lescovitz, Linton, Lloyd, Lucyk, McCall, McGeehan, McHugh, McNally, Markosek, Marsico, Mayernik, Melio, Merry, Micozzie, Mihalich, Mundy, Murphy, Nahill, Nailor, Nickol, Noye, Nyce, O'Brien, Olasz, Oliver, Perzel, Pesci, Petrone, Phillips, Piccola, Pistella, Pitts, Preston, Raymond, Reber, Reinard, Richardson, Rieger, Ritter, Robinson, Roebuck, Schuler, Scrimanti, Semmel, Serafini, Smith, B., Smith, S. H., Snyder, G., Staback, Stairs, Steelman, Steighner, Stetler, Stish, Strittmatter, Stuban, Sturla, Surra, Tangretti, Taylor, E. Z., Taylor, F., Taylor, J., Telek, Thomas, Tighe, Tomlinson, Trello, Trich, Tulli, Uliana, Vance, Veon, Vroon, Wambach, Williams, Wilson, Wogan, Wozniak, Wright, D. R., Wright, M. N., Wright, R. C., O'Donnell, Speaker.

NAYS—0

NOT VOTING—4

Table listing names of members who did not vote: Cole, Levdansky, Michlovic, Snyder, D. W.

EXCUSED—6

Table listing names of members who were excused: Geist, Johnson, Maiale, Mrkonic, Petrarca, Van Horne.

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

On the question recurring,

Will the House agree to the amendments?

The clerk read the following amendments No. A0524:

Amend Title, page 1, line 2, by removing the period after "licenses" and inserting , and for suspension of certificates of inspection stations.

Amend Bill, page 2, by inserting between lines 2 and 3 Section 2. Section 4724 of Title 75 is amended by adding a subsection to read:

§ 4724. Suspension of certificates of appointment.

\*\*\*

(a.1) Exception.—An initial violation or a failure to comply with any of the provisions of this chapter or regulations adopted by the department by a certified mechanic employed by an offi-

cial inspection station without the authorization, knowledge, or consent of the holder of the certificate of appointment shall not constitute grounds for the suspension of the certificate under subsection (a), but rather shall subject the mechanic to the penalty set forth in section 4726 (relating to certification of mechanics).

\* \* \*

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

3

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

The following roll call was recorded:

YEAS—120

Adolph	Dermody	Kenney	Reinard
Allen	Durham	King	Ryan
Anderson	Fairchild	LaGrotta	Saloom
Angstadt	Fargo	Langtry	Saurman
Argall	Farmer	Laughlin	Scheetz
Armstrong	Fee	Lawless	Schuler
Barley	Fleagle	Lee	Semmel
Belfanti	Flick	Leh	Serafini
Birmelin	Foster	Lescovitz	Smith, B.
Black	Fox	McCall	Smith, S. H.
Boyes	Freind	McHugh	Snyder, D. W.
Brown	Gallen	Marsico	Snyder, G.
Bunt	Gamble	Mayernik	Stairs
Bush	Gannon	Melio	Strittmatter
Caltagirone	George	Merry	Tangretti
Carlson	Gerlach	Micozzie	Taylor, E. Z.
Cawley	Gigliotti	Nahill	Taylor, J.
Cessar	Gladeck	Nailor	Telek
Chadwick	Godshall	Nickol	Tomlinson
Civera	Gruppo	Noye	Trello
Clark	Hagarty	Nyce	Tulli
Clymer	Haluska	O'Brien	Uliana
Colafella	Harley	Olasz	Vance
Cornell	Hasay	Perzel	Veon
Cowell	Hayes	Petrone	Vroon
Coy	Heckler	Phillips	Wambach
DeLuca	Herman	Piccola	Wilson
Davies	Hershey	Pitts	Wogan
Dempsey	Hess	Raymond	Wright, M. N.
Dent	Jadlowiec	Reber	Wright, R. C.

NAYS—76

Acosta	Evans	Lloyd	Scriminti
Arnold	Fajt	Lucyk	Staback
Battisto	Freeman	McGeehan	Steelman
Belardi	Gruitza	McNally	Steighner
Billow	Hanna	Markosek	Stetler
Bishop	Harper	Michlovic	Stish
Blaum	Hayden	Mihalich	Stuban
Bowley	Hughes	Mundy	Sturla
Broujos	Itkin	Murphy	Surra
Butkovitz	James	Oliver	Taylor, F.
Cappabianca	Jarolin	Pesci	Thomas
Carn	Josephs	Pistella	Tigue
Carone	Kaiser	Preston	Trich
Cohen	Kasunic	Richardson	Williams
Colaizzo	Kosinski	Rieger	Wozniak
Cole	Krebs	Ritter	Wright, D. R.
Corrigan	Kruszewski	Robinson	
DeWeese	Kukovich	Roebuck	O'Donnell,
Daley	Levdansky	Rudy	Speaker
Donatucci	Linton		

NOT VOTING—0

EXCUSED—6

Geist Johnson	Maiale Mrkonic	Petrarca	Van Horne
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The question was determined in the affirmative, and the amendments were agreed to.

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

VOTE RETAKEN ON AMENDMENT A0500

The SPEAKER pro tempore. The Chair informs the House that amendment A500 to HB 646, introduced by the gentleman, Mr. Hayes, was not properly recorded, and the members will need to revote that amendment.

There is no need for a motion for reconsideration. We will proceed immediately to the revote on the amendment.

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

The SPEAKER pro tempore. On the question, the Chair recognizes the gentleman from Clarion, Mr. Wright.

Mr. D. R. WRIGHT. I am sorry, Mr. Speaker. I was mistaken about which amendment we were— I was being confused here and I was confused about this particular amendment.

I support the amendment. I am sorry, sir.

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

The following roll call was recorded:

YEAS—196

Acosta	Donatucci	LaGrotta	Rudy
Adolph	Durham	Langtry	Ryan
Allen	Evans	Laughlin	Saloom
Anderson	Fairchild	Lawless	Saurman
Angstadt	Fajt	Lee	Scheetz
Argall	Fargo	Leh	Schuler
Armstrong	Farmer	Lescovitz	Scriminti
Arnold	Fee	Levdansky	Semmel
Barley	Fleagle	Linton	Serafini
Battisto	Flick	Lloyd	Smith, B.
Belardi	Foster	Lucyk	Smith, S. H.
Belfanti	Fox	McCall	Snyder, D. W.
Billow	Freeman	McGeehan	Snyder, G.
Birmelin	Freind	McHugh	Staback
Bishop	Gallen	McNally	Stairs
Black	Gamble	Markosek	Steelman
Blaum	Gannon	Marsico	Steighner
Bowley	George	Mayernik	Stetler
Boyes	Gerlach	Melio	Stish
Broujos	Gigliotti	Merry	Strittmatter
Brown	Gladeck	Michlovic	Stuban
Bunt	Godshall	Micozzie	Sturla
Bush	Gruitza	Mihalich	Surra
Butkovitz	Gruppo	Mundy	Tangretti
Caltagirone	Hagarty	Murphy	Taylor, E. Z.
Cappabianca	Haluska	Nahill	Taylor, F.
Carlson	Hanna	Nailor	Taylor, J.
Carn	Harley	Nickol	Telek
Carone	Harper	Noye	Thomas
Cawley	Hasay	Nyce	Tigue
Cessar	Hayden	O'Brien	Tomlinson
Chadwick	Hayes	Olasz	Trello
Civera	Heckler	Oliver	Trich
Clark	Herman	Perzel	Tulli

Clymer	Hershey	Pesci	Uliana
Cohen	Hess	Petrone	Vance
Colaifella	Hughes	Phillips	Veon
Colaizzo	Itkin	Piccola	Vroon
Cole	Jadlowiec	Pistella	Wambach
Cornell	James	Pitts	Williams
Corrigan	Jarolin	Preston	Wilson
Cowell	Josephs	Raymond	Wogan
Coy	Kaiser	Reber	Wozniak
DeLuca	Kasunic	Reinard	Wright, D. R.
DeWeese	Kenney	Richardson	Wright, M. N.
Daley	King	Rieger	Wright, R. C.
Davies	Kosinski	Ritter	
Dempsey	Krebs	Robinson	O'Donnell,
Dent	Kruszewski	Roebuck	Speaker
Dermody	Kukovich		

NAYS—0

NOT VOTING—0

EXCUSED—6

Geist	Maiale	Petrarca	Van Horne
Johnson	Mrkonic		

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

On the question recurring,

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

Bill as amended was agreed to.

The SPEAKER 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?

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

YEAS—192

Acosta	Donatucci	LaGrotta	Rudy
Adolph	Durham	Langtry	Ryan
Allen	Evans	Laughlin	Saloom
Anderson	Fairchild	Lawless	Saurman
Angstadt	Fajt	Lee	Scheetz
Argall	Fargo	Leh	Schuler
Armstrong	Farmer	Lescovitz	Scrimenti
Arnold	Fee	Levdansky	Semmel
Barley	Fleagle	Lloyd	Serafini
Battisto	Flick	Lucyk	Smith, B.
Belardi	Foster	McCall	Smith, S. H.
Belfanti	Fox	McGeehan	Snyder, D. W.
Billow	Freeman	McHugh	Snyder, G.
Birmelin	Freind	McNally	Staback
Bishop	Gallen	Markosek	Stairs
Black	Gamble	Marsico	Steelman
Blaum	Gannon	Mayernik	Steighner
Bowley	George	Melio	Stetler
Boyes	Gerlach	Merry	Stish
Broujos	Gigliotti	Michlovic	Strittmatter
Brown	Gladeck	Micozzie	Stuban
Bunt	Godshall	Mihalich	Sturla
Bush	Gruitza	Mundy	Surra
Butkovitz	Gruppo	Murphy	Tangretti
Caltagirone	Hagarty	Nahill	Taylor, E. Z.
Cappabianca	Haluska	Nailor	Taylor, F.
Carlson	Hanna	Nickol	Taylor, J.
Carn	Harley	Noye	Telek
Cawley	Harper	Nyce	Tigue
Cessar	Hasay	O'Brien	Tomlinson
Chadwick	Hayden	Olasz	Trello
Civera	Hayes	Oliver	Trich
Clark	Heckler	Perzel	Tulli

Clymer	Herman	Pesci	Uliana
Cohen	Hershey	Petrone	Vance
Colaifella	Hess	Phillips	Veon
Colaizzo	Hughes	Piccola	Vroon
Cole	Itkin	Pistella	Wambach
Cornell	Jadlowiec	Pitts	Williams
Corrigan	James	Preston	Wilson
Cowell	Jarolin	Raymond	Wogan
Coy	Josephs	Reber	Wozniak
DeLuca	Kaiser	Reinard	Wright, D. R.
DeWeese	Kasunic	Richardson	Wright, M. N.
Daley	Kenney	Rieger	Wright, R. C.
Davies	King	Ritter	
Dempsey	Kosinski	Robinson	O'Donnell,
Dent	Kruszewski	Roebuck	Speaker
Dermody	Kukovich		

NAYS—1

Linton

NOT VOTING—3

Carone	Krebs	Thomas

EXCUSED—6

Geist	Maiale	Petrarca	Van Horne
Johnson	Mrkonic		

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.

RULES SUSPENDED

The SPEAKER pro tempore. The Chair recognizes the majority leader, Mr. DeWeese.

Mr. DeWEESE. Mr. Speaker, I move that the rules of the House be temporarily suspended so that the House may consider two resolutions.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—192

Acosta	Donatucci	Langtry	Ryan
Adolph	Durham	Laughlin	Saloom
Allen	Evans	Lawless	Saurman
Anderson	Fairchild	Lee	Scheetz
Angstadt	Fajt	Leh	Schuler
Argall	Fargo	Lescovitz	Scrimenti
Armstrong	Farmer	Levdansky	Semmel
Arnold	Fee	Linton	Serafini
Barley	Fleagle	Lloyd	Smith, B.
Battisto	Flick	Lucyk	Smith, S. H.
Belardi	Foster	McCall	Snyder, D. W.
Belfanti	Fox	McGeehan	Snyder, G.
Billow	Freeman	McHugh	Staback
Birmelin	Freind	McNally	Stairs
Bishop	Gallen	Markosek	Steelman
Black	Gamble	Marsico	Steighner
Blaum	Gannon	Mayernik	Stetler
Bowley	George	Melio	Stish
Boyes	Gerlach	Merry	Strittmatter
Broujos	Gigliotti	Michlovic	Stuban
Brown	Gladeck	Micozzie	Sturla
Bunt	Godshall	Mihalich	Surra
Bush	Gruitza	Mundy	Tangretti
Butkovitz	Gruppo	Murphy	Taylor, E. Z.
Caltagirone	Hagarty	Nahill	Taylor, F.

Cappabianca	Haluska	Nailor	Taylor, J.
Carlson	Hanna	Nickol	Telek
Carn	Harley	Noye	Thomas
Carone	Harper	Nyce	Tigue
Cawley	Hasay	O'Brien	Tomlinson
Cessar	Hayden	Olasz	Trello
Chadwick	Hayes	Oliver	Trich
Civera	Heckler	Perzel	Tulli
Clark	Herman	Pesci	Uliana
Clymer	Hershey	Petrone	Vance
Cohen	Hess	Phillips	Veon
Colaella	Hughes	Piccola	Vroon
Colaizzo	Jadlowiec	Pitts	Wambach
Cole	James	Preston	Williams
Cornell	Jarolin	Raymond	Wilson
Corrigan	Josephs	Reber	Wogan
Cowell	Kaiser	Reinard	Wozniak
Coy	Kasunic	Richardson	Wright, D. R.
DeLuca	Kenney	Rieger	Wright, M. N.
Daley	King	Ritter	Wright, R. C.
Davies	Kosinski	Robinson	
Dempsey	Krebs	Roebuck	O'Donnell,
Dent	Kruszewski	Rudy	Speaker
Dermody	LaGrotta		

NAYS—0

NOT VOTING—4

DeWeese	Itkin	Kukovich	Pistella
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EXCUSED—6

Geist	Maiale	Petrarca	Van Horne
Johnson	Mrkonjac		

A majority of the members elected to the House having voted in the affirmative, the question was determined in the affirmative and the motion was agreed to.

**RESOLUTIONS ADOPTED**

The SPEAKER pro tempore. The gentleman from Philadelphia, Mr. Linton, calls up HR 112, which will be read by the clerk.

The following resolution was read:

**House Resolution No. 112**

**A RESOLUTION**

Declaring May 5, 1991, as "Jacob Lawrence Day" in the Commonwealth of Pennsylvania.

WHEREAS, Jacob Lawrence was born in Atlantic City, New Jersey, in 1917 and spent his early years in Easton, Philadelphia and Harlem; and

WHEREAS, As a teenager, he studied under recognized African-American artists and came into contact with the leaders of Harlem's intellectual community; and

WHEREAS, His paintings reflect the African-American experience, with special emphasis placed on scenes from 19th century American history and the Black experience; and

WHEREAS, In the late 1930's, Jacob Lawrence painted two series of pictures depicting scenes from the lives of 19th century African-American heroes, Frederick Douglass and Harriet Tubman; and

WHEREAS, On May 4, 1991, the Philadelphia Museum of Art will present the Frederick Douglass and Harriet Tubman series of paintings together in their entirety for the first time; and

WHEREAS, Jacob Lawrence will make a rare public appearance on Sunday, May 5, 1991, at the Philadelphia Museum of Art; and

WHEREAS, Jacob Lawrence is an internationally acclaimed artist and national cultural treasure; therefore be it  
RESOLVED, That the House of Representatives declare May 5, 1991, as "Jacob Lawrence Day" in the Commonwealth of Pennsylvania.

Gordon J. Linton  
Vincent Hughes  
David P. Richardson, Jr.  
Robert Louis Freeman  
James R. Roebuck

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—195

Acosta	Donatucci	Kukovich	Roebuck
Adolph	Durham	LaGrotta	Rudy
Allen	Evans	Langtry	Ryan
Anderson	Fairchild	Laughlin	Saloom
Angstadt	Fajt	Lawless	Saurman
Argall	Fargo	Lee	Scheetz
Armstrong	Farmer	Leh	Schuler
Arnold	Fee	Lescovitz	Scrimenti
Barley	Fleagle	Levdansky	Semmel
Battisto	Flick	Linton	Serafini
Belardi	Foster	Lloyd	Smith, B.
Belfanti	Fox	Lucyk	Snyder, D. W.
Billow	Freeman	McCall	Snyder, G.
Birmelin	Freind	McGeehan	Staback
Bishop	Gallen	McHugh	Stairs
Black	Gamble	McNally	Steelman
Blaum	Gannon	Markosek	Steighner
Bowley	George	Marsico	Stetler
Boyes	Gerlach	Mayermik	Stish
Broujos	Gigliotti	Melio	Strittmatter
Brown	Gladeck	Merry	Suban
Bunt	Godshall	Michlovic	Sturla
Bush	Gruitza	Micozzie	Surra
Butkovitz	Gruppo	Mihalich	Tangretti
Caltagirone	Hagarty	Mundy	Taylor, E. Z.
Cappabianca	Haluska	Murphy	Taylor, F.
Carlson	Hanna	Nahill	Taylor, J.
Carn	Harley	Nailor	Telek
Carone	Harper	Nickol	Thomas
Cawley	Hasay	Noye	Tigue
Cessar	Hayden	Nyce	Tomlinson
Chadwick	Hayes	O'Brien	Trello
Civera	Heckler	Olasz	Trich
Clark	Herman	Oliver	Tulli
Clymer	Hershey	Perzel	Uliana
Cohen	Hess	Pesci	Vance
Colaella	Hughes	Petrone	Veon
Colaizzo	Itkin	Phillips	Vroon
Cole	Jadlowiec	Piccola	Wambach
Cornell	James	Pistella	Williams
Corrigan	Jarolin	Pitts	Wilson
Cowell	Josephs	Preston	Wogan
Coy	Kaiser	Raymond	Wozniak
DeLuca	Kasunic	Reber	Wright, D. R.
DeWeese	Kenney	Reinard	Wright, M. N.
Daley	King	Richardson	Wright, R. C.
Davies	Kosinski	Rieger	
Dempsey	Krebs	Ritter	O'Donnell,
Dent	Kruszewski	Robinson	Speaker
Dermody			

NAYS—0

NOT VOTING—1

Smith, S. H.

## EXCUSED—6

Geist                   Maiale                   Petrarca                   Van Horne  
Johnson               Mrkonic

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

\* \* \*

The SPEAKER pro tempore. The gentleman from Allegheny, Mr. Olasz, calls up HR 113, which will be read by the clerk.

The following resolution was read:

**House Resolution No. 113**

**A RESOLUTION**

Designating May 7, 1991, as "Tourism Day" in Pennsylvania; and urging all individuals involved in the tourist trade to join the celebration.

WHEREAS, The tourist trade brought over 13 billion dollars worth of business into this Commonwealth last year; and

WHEREAS, Over 250,000 people are employed by the tourist industry within this Commonwealth; and

WHEREAS, The tourist industry is one of Pennsylvania's leading growth industries, second only to agriculture; and

WHEREAS, Millions of people travel to Pennsylvania every year to take advantage of this Commonwealth's many attractions; therefore be it

RESOLVED, That the House of Representatives designate May 7, 1991, as "Tourism Day" in Pennsylvania and urge all individuals involved in the tourist trade to join in the celebration.

Richard D. Olasz  
Chris R. Wogan  
Timothy L. Pesci  
Samuel E. Hayes, Jr.  
Jeffrey W. Coy  
Jere W. Schuler  
Elaine F. Farmer  
John E. Barley  
Edward G. Staback  
Patrick E. Fleagle  
Howard L. Fargo  
Edgar A. Carlson  
Michael K. Hanna  
Ronald S. Marsico  
Eugene G. Saloom  
Kenneth J. Cole  
Italo S. Cappabianca  
Joseph F. Markosek  
Anthony J. Melio  
Alvin C. Bush  
Robert E. Belfanti, Jr.  
Dick L. Hess  
Matthew N. Wright  
Jerry L. Nailor  
Keith R. McCall  
Ed Arnold  
Fred Belardi

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

## YEAS—194

Acosta	Dermody	Kukovich	Rudy
Adolph	Donatucci	LaGrotta	Ryan
Allen	Durham	Langtry	Saloom
Anderson	Evans	Laughlin	Saurman
Angstadt	Fairchild	Lawless	Scheetz
Argall	Fajt	Lee	Schuler
Armstrong	Fargo	Leh	Scrimenti
Arnold	Farmer	Lescovitz	Semmel
Barley	Fee	Levdansky	Serafini
Battisto	Fleagle	Lloyd	Smith, B.
Belardi	Flick	Lucyk	Smith, S. H.
Belfanti	Foster	McCall	Snyder, D. W.
Billow	Fox	McGeehan	Snyder, G.
Birmelin	Freeman	McHugh	Staback
Bishop	Freind	McNally	Stairs
Black	Gallen	Markosek	Steelman
Blaum	Gamble	Marsico	Steighner
Bowley	Gannon	Mayernik	Stetler
Boyes	George	Melio	Stish
Broujos	Gerlach	Merry	Strittmatter
Brown	Gigliotti	Michlovic	Suban
Bunt	Gladeck	Micozzie	Sturla
Bush	Godshall	Mihalich	Surra
Butkovitz	Gruitza	Mundy	Tangretti
Caltagirone	Gruppo	Murphy	Taylor, E. Z.
Cappabianca	Hagarty	Nahill	Taylor, F.
Carlson	Haluska	Nailor	Taylor, J.
Carn	Hanna	Nickol	Telek
Carone	Harley	Noye	Thomas
Cawley	Harper	Nyce	Tigue
Cessar	Hasay	O'Brien	Tomlinson
Chadwick	Hayes	Olasz	Trello
Civera	Heckler	Oliver	Trich
Clark	Herman	Perzel	Tulli
Clymer	Hershey	Pesci	Uliana
Cohen	Hess	Petrone	Vance
Colafella	Hughes	Phillips	Veon
Colaizzo	Itkin	Piccola	Vroon
Cole	Jadlowiec	Pistella	Wambach
Cornell	James	Pitts	Williams
Corrigan	Jarolin	Preston	Wilson
Cowell	Josephs	Raymond	Wogan
Coy	Kaiser	Reber	Wozniak
DeLuca	Kasunic	Reinard	Wright, D. R.
DeWeese	Kenney	Richardson	Wright, M. N.
Daley	King	Rieger	Wright, R. C.
Davies	Kosinski	Ritter	
Dempsey	Krebs	Robinson	O'Donnell,
Dent	Kruszewski	Roebuck	Speaker

**NAYS—0**

**NOT VOTING—2**

Hayden                   Linton

**EXCUSED—6**

Geist                   Maiale                   Petrarca                   Van Horne  
Johnson               Mrkonic

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

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

Mr. OLASZ. Mr. Speaker, unless otherwise indicated, I would ask that all members' names be applied to the resolution.

The SPEAKER pro tempore. Mr. Olasz, the Chair informs the House that the policy of the House is that members need

to inform the clerk of their desire to have their names added to the resolution, and they may do so by visiting the resolution clerk, and the Chair invites all members of the House who are interested in cosponsoring the resolution to do that.

Mr. OLASZ. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Lescovitz, who once again calls a meeting of the Appropriations Committee in room 140 immediately upon the call of recess.

There are no further votes to be taken by the House in this day's session.

The Chair does wish to remind the members of the House that the House will convene tomorrow morning at 11 o'clock and votes will be taken at that time.

### RECESS

The SPEAKER pro tempore. The House will be in recess pending receipt of reports of committee.

### AFTER RECESS

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

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

**HB 1319, PN 1522** By Rep. LESCOVITZ

An Act making appropriations from the Professional Licensure Augmentation Account and from restricted revenue accounts within the General Fund to the Department of State for use by the Bureau of Professional and Occupational Affairs in support of the professional licensure boards assigned thereto.

APPROPRIATIONS.

**HB 1320, PN 1523** By Rep. LESCOVITZ

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

APPROPRIATIONS.

**HB 1321, PN 1524** By Rep. LESCOVITZ

An Act making an appropriation from a restricted revenue account within the General Fund to the Office of Small Business Advocate in the Department of Commerce.

APPROPRIATIONS.

**HB 1322, PN 1525** By Rep. LESCOVITZ

An Act making appropriations from the Workmen's Compensation Administration Fund to the Department of Labor and Industry to provide for the expenses of administering The Pennsylvania Workmen's Compensation Act and The Pennsylvania Occupational Disease Act for the fiscal year July 1, 1991, to June 30, 1992, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1991.

APPROPRIATIONS.

### BILLS REREPORTED FROM COMMITTEE

**HB 68, PN 1558** (Amended)

By Rep. LESCOVITZ

An Act designating a certain bridge in Troy Township, Bradford County, Pennsylvania, as the John Burgess Bridge.

APPROPRIATIONS.

**HB 219, PN 228**

By Rep. LESCOVITZ

An Act designating a certain bridge on Pennsylvania Route 45 in Northumberland and Union Counties as the Judge Herbert W. Cummings/Judge Harold M. McClure Memorial Bridge.

APPROPRIATIONS.

**HB 804, PN 887**

By Rep. LESCOVITZ

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), known as "The Administrative Code of 1929," providing for the continuation of medical insurance coverage for survivor-spouse annuitants.

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:

**HB 68, PN 1558; and HB 219, PN 228.**

### BILLS REMOVED FROM TABLE

The SPEAKER pro tempore. The Chair now recognizes the gentleman, Mr. DeWeese, 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 1319;  
HB 1320;  
HB 1321; and  
HB 1322.

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

### BILLS AND RESOLUTIONS PASSED OVER

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

### ADJOURNMENT

The SPEAKER pro tempore. The Chair now recognizes the gentleman from Dauphin, Representative Tulli.

Mr. TULLI. Mr. Speaker, I move that the House do now adjourn until Wednesday, May 8, 1991, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.