

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, MAY 14, 1991

SESSION OF 1991 175TH OF THE GENERAL ASSEMBLY

No. 31

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, Your disciples asked You on one occasion to teach them how to pray. We understand that request, for we, too, stand in need of prayer. Teach us to pray when things are going our way and when they are not, when we are up and when we are down, when we are triumphant and when defeated, when we are happy and when sad, when we are strong and when weak, when the sun is shining and when rain clouds block their rays.

Sometimes, Lord, things are heavy, and we cannot articulate or put into words our true feelings; even then, we are comforted, for the Book of Romans reminds us, "Likewise the Spirit also helps our infirmities; for we know not what we should pray for as we ought, but the Spirit itself makes intercession for us with groanings which cannot be uttered."

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 13, 1991, will be postponed until printed.

HOUSE BILLS INTRODUCED AND REFERRED

No. 1390 By Representatives KUKOVICH and COHEN

An Act selecting and designating the square dance as the official folk dance of the Commonwealth of Pennsylvania.

Referred to Committee on STATE GOVERNMENT, May 14, 1991.

No. 1391 By Representatives LAUGHLIN, COWELL, JAMES, MELIO, BELARDI, THOMAS, CAWLEY, VEON, DALEY, PETRONE, PISTELLA, ROBINSON, McCALL, WOZNIAK and SERAFINI

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), known as the "Public School Code of 1949," authorizing the board of public education or the board of school directors to levy different rates of taxation for school purposes on land and on buildings.

Referred to Committee on EDUCATION, May 14, 1991.

No. 1392 By Representatives LAUGHLIN, TIGUE, S. H. SMITH, KOSINSKI, STEIGHNER, J. TAYLOR, PRESTON, BELFANTI, STABACK, JAROLIN, VEON, THOMAS, TRELLO, CAPPABIANCA, JOSEPHS, PISTELLA, ITKIN, MELIO, BELARDI, STURLA, BILLOW, PETRONE, MICHLOVIC and GIGLIOTTI

An Act requiring certain insurance information to be supplied by certain applicants for municipal building permits; and providing for certain waivers and for insurance cancellation.

Referred to Committee on LOCAL GOVERNMENT, May 14, 1991.

No. 1393 By Representatives LLOYD, BOWLEY, JAROLIN, CAPPABIANCA, PETRONE, CARLSON, STUBAN, VROON, MIHALICH, MERRY, HESS, BIRMELIN, TIGUE, JAMES, PESCI, STABACK, HALUSKA, CARONE, TRELLO, MELIO, BILLOW, ROBINSON, BELARDI, ANGSTADT, TELEK, KRUSZEWSKI, McCALL, TANGRETTI and STEELMAN

An Act authorizing the Department of Transportation to conduct a demonstration project for surface upgrading of dirt roads in rural counties; and making an appropriation.

Referred to Committee on APPROPRIATIONS, May 14, 1991.

No. 1394 By Representatives LLOYD, LAUGHLIN, BOWLEY, JAROLIN, CAPPABIANCA, ARGALL, PETRONE, CARLSON, STUBAN, BELFANTI, JADLOWIEC,

BATTISTO, TRICH, MIHALICH,
MERRY, HESS, TIGUE, JAMES, PESCI,
DALEY, DERMODY, STABACK,
HALUSKA, CARONE, HASAY,
STEIGHNER, KUKOVICH, TRELLO,
MELIO, BILLOW, ROBINSON, BELARDI,
GERLACH, RUDY, ANGSTADT, TELEK,
KRUSZEWSKI, PISTELLA, McCALL,
TANGRETTI and STEELMAN

An Act making an appropriation to the Local Government Capital Project Loan Fund.

Referred to Committee on APPROPRIATIONS, May 14, 1991.

No. 1395 By Representatives STAIRS, CARLSON, TRELLO, OLASZ, BUNT, TIGUE, WOZNIAK, VEON, JOHNSON, M. N. WRIGHT, KASUNIC, CARONE, COLAFELLA, ITKIN, BARLEY and PETRONE

An Act amending the act of December 5, 1936 (2nd Sp. Sess., 1937 P. L. 2897, No. 1), known as the "Unemployment Compensation Law," further defining "dependent child."

Referred to Committee on LABOR RELATIONS, May 14, 1991.

No. 1396 By Representatives STAIRS, VROON, FAIRCHILD, CARLSON, TRELLO, HERMAN, JOHNSON, MELIO, CARONE, BARLEY, PETRONE and RUDY

An Act making an appropriation to The Pennsylvania State University for the purpose of studying crop diversification and marketing potential.

Referred to Committee on APPROPRIATIONS, May 14, 1991.

No. 1397 By Representatives ULIANA, TIGUE, BUSH, BELARDI, CLARK, GANNON, HAGARTY, LAUGHLIN, MELIO, PITTS, ARGALL, VEON, HECKLER, HARPER, LEH, M. N. WRIGHT, PERZEL, BARLEY, ARMSTRONG, FARGO, SERAFINI, NAHILL, FAIRCHILD, JOHNSON, DERMODY, DENT, STEELMAN, BUNT, BATTISTO, LAWLESS, LANGTRY, TANGRETTI, THOMAS and DEMPSEY

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for health care expenses in support matters.

Referred to Committee on JUDICIARY, May 14, 1991.

No. 1398 By Representatives KREBS, ARNOLD, SURRA, LLOYD, KRUSZEWSKI, STEELMAN, FLEAGLE, CARONE, HANNA, COY, COLE and HERSHEY

An Act making an appropriation to the Department of Agriculture for deposit in the Animal Health and Diagnostic Commission Fund.

Referred to Committee on APPROPRIATIONS, May 14, 1991.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 118 By Representatives KUKOVICH, EVANS, CAWLEY, DeWEESE, ITKIN, BROUJOS, HARPER, SALOOM, COLAIZZO, KOSINSKI, STUBAN, HERSHEY, PETRARCA, KAISER, TRELLO, NAHILL, DALEY, PESCI, HERMAN, STEIGHNER, DeLUCA, MIHALICH, KRUSZEWSKI, HAYDEN, GEIST, LEVDANSKY, BATTISTO, LINTON, COWELL, FAJT, E. Z. TAYLOR, TIGUE, STABACK, JOHNSON, BELARDI, M. N. WRIGHT, MAIALE, JAROLIN, MELIO, McCALL, STURLA, KASUNIC, CAPPABIANCA, JOSEPHS, DERMODY, MUNDY, RITTER, STEELMAN, PISTELLA, HASAY, PETRONE, LAUGHLIN, GODSHALL, SERAFINI, JAMES, RUDY and MURPHY

A Resolution urging the use of respectful "person first" language in referring to people with disabilities in the vernacular of the Commonwealth.

Referred to Committee on RULES, May 14, 1991.

No. 119
(Concurrent) By Representatives STAIRS, FAIRCHILD, TRELLO, OLASZ, GEIST, MELIO, CARONE, PETRONE and E. Z. TAYLOR

A Concurrent Resolution urging the Governor to appoint a special committee to study problems relating to the different size connections on fire hydrants across this Commonwealth and make recommendations.

Referred to Committee on RULES, May 14, 1991.

SENATE BILLS FOR CONCURRENCE

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

SB 151, PN 151

Referred to Committee on JUDICIARY, May 14, 1991.

SB 348, PN 357

Referred to Committee on PROFESSIONAL LICENSURE, May 14, 1991.

SENATE RESOLUTION FOR CONCURRENCE

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

SR 8, PN 165

Referred to Committee on RULES, May 14, 1991.

BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.

Mr. DeWEESE. Mr. Speaker, I move that the following bills be removed from the table and placed on the active calendar:

HB 369;
HB 840;
HB 876; and
HB 893.

On the question,

Will the House agree to the motion?

Motion was agreed to.

SENATE MESSAGE**ADJOURNMENT RESOLUTION
FOR CONCURRENCE**

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

In the Senate
May 13, 1991

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Monday, June 3, 1991, unless sooner recalled by the President Pro Tempore of the Senate; and be it

RESOLVED, That when the House of Representatives adjourns this week it reconvene on Tuesday, May 28, 1991, unless sooner recalled by the Speaker of the House of Representatives; and be it further

RESOLVED, That when the House of Representatives adjourns the week of May 28, 1991, it reconvene on Monday, June 3, 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.

LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes Mr. Steighner.

Mr. STEIGHNER. Thank you, Mr. Speaker.

Mr. Speaker, I would like to ask for leave for today only for the gentleman from Columbia, Mr. STUBAN.

The SPEAKER. Without objection, leave is granted.
No requests for leaves from the minority.

WELCOMES

The SPEAKER. The Chair is pleased to welcome to the hall of the House Tom Lennox and Joyce Ditka from Allegheny County Community College, who are the guests of Representative Nick Colafella. Will the guests please rise.

The Chair is also pleased to welcome guest pages, who are guests of Representative Jerry Nailor - Heidi Zeigler and Jeremy Olsen. Will they please rise.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—201

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

Donatucci Kukovich Robinson
 ADDITIONS—0
 NOT VOTING—0
 EXCUSED—1

Stuban

WELCOMES

The SPEAKER. The Chair is pleased to welcome to the hall of the House Seneca Valley School District students, guests of Representative Pat Carone.

The nurses from the Abington Memorial Hospital School of Nursing, who are guests of Representative Fox.

These guests are in the balcony. Will they please rise.

BILLS REREPORTED FROM COMMITTEE

HB 554, PN 632 By Rep. EVANS

An Act designating a portion of Hemlock Avenue in the Borough of Kane as Chuck Daly Drive.

APPROPRIATIONS.

HB 1143, PN 1464 By Rep. EVANS

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.

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 554, PN 632; and HB 1143, PN 1464.

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 107, PN 104 By Rep. OLIVER

An Act providing for the observance of May 27 of each year as Rachel Carson Day.

STATE GOVERNMENT.

HB 203, PN 213 By Rep. OLIVER

An Act encouraging caretaker organizations to assume responsibility for restoration and maintenance of historic burial places by limiting liability in connection therewith.

STATE GOVERNMENT.

HB 736, PN 813 By Rep. OLIVER

An Act amending the act of August 5, 1941 (P. L. 752, No. 286), known as the "Civil Service Act," further providing for public notice of examinations and vacancies and for selection and appointment of eligibles.

STATE GOVERNMENT.

HB 878, PN 990 By Rep. OLIVER

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, authorizing a graduated income tax.

STATE GOVERNMENT.

HB 1009, PN 1146 By Rep. OLIVER

An Act requiring the Pennsylvania Historical and Museum Commission to cause the graves of former Governors of Pennsylvania to be decorated with flags on Memorial Day.

STATE GOVERNMENT.

HB 1055, PN 1198 By Rep. EVANS

An Act amending the act of July 11, 1985 (P. L. 209, No. 54), entitled "An act authorizing the incurring of debt for the purpose of financing the Federal share of construction of interstate highways," increasing the debt authorization.

APPROPRIATIONS.

HB 1103, PN 1630 (Amended)

By Rep. OLIVER

An Act establishing the Pennsylvania Heritage Affairs Commission and prescribing its powers and duties; and providing for a director of State folklife programs and the Folklife Advisory Council.

STATE GOVERNMENT.

HB 1256, PN 1629 (Amended)

By Rep. PISTELLA

An Act specifically authorizing collective bargaining between school administrators in school districts of the first class and their public employers; providing for arbitration in order to settle disputes, and requiring compliance with collective bargaining agreements and findings of arbitrators.

LABOR RELATIONS.

SB 145, PN 145 By Rep. OLIVER

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled "The Administrative Code of 1929," providing for alternate security for performance of contracts.

STATE GOVERNMENT.

BILL REPORTED AND REREFERRED TO COMMITTEE ON LABOR RELATIONS

HB 775, PN 852 By Rep. OLIVER

An Act establishing administrative requirements for the Job Service in this Commonwealth.

STATE GOVERNMENT.

WELCOMES

The SPEAKER. The Chair is pleased to welcome to the hall of the House the fifth and sixth grade classes from the Coatesville Area Catholic Elementary School, who are the guests of Representative Elinor Taylor. They are in the balcony.

And Karen Prather and Naomi Prather. Naomi is a guest page today, and they are guests of Representative Curt Bowley. They are to the left of the Speaker.

Will the guests please rise.

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 872, PN 1626 (Amended)

By Rep. COLE

An Act amending the act of April 28, 1937 (P. L. 417, No. 105), known as the "Milk Marketing Law," further providing for expenses of the Milk Marketing Board; and further providing for certain payments.

AGRICULTURE AND RURAL AFFAIRS.

HB 1018, PN 1155

By Rep. GAMBLE

An Act amending the act of July 15, 1976 (P. L. 1036, No. 208), known as the "Volunteer Fire Company, Ambulance Service and Rescue Squad Assistance Act," increasing the borrowing authority limit and eliminating a countersignature.

LOCAL GOVERNMENT.

HB 1107, PN 1257

By Rep. FEE

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, designating the commission as the Pennsylvania Fish and Boat Commission; and further providing for the registration of boats.

GAME AND FISHERIES.

HB 1146, PN 1627 (Amended)

By Rep. COLE

An Act providing for the establishment, operation and administration of the State Food Purchase Program.

AGRICULTURE AND RURAL AFFAIRS.

HB 1344, PN 1628 (Amended)

By Rep. COLE

An Act relating to agriculture and rural youth; creating an Agriculture and Rural Youth Organization Grant Program; imposing duties on the Department of Agriculture; and making an appropriation.

AGRICULTURE AND RURAL AFFAIRS.

CALENDAR

BILLS ON SECOND CONSIDERATION

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

HB 133, PN 1586.

* * *

The House proceeded to second consideration of **HB 152, PN 149**, entitled:

An Act amending the act of March 28, 1984 (P. L. 150, No. 28), known as the "Automobile Lemon Law," extending the act to include leased vehicles and vehicles used for business purposes; changing and adding definitions; providing for the Office of Automobile Lemon Law Actions; regulating new motor vehicle rustproofing; and further providing for remedies under the act.

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 152 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:

HB 661, PN 726.

* * *

The House proceeded to second consideration of **HB 558, PN 635**, entitled:

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, further providing for creditable non-school service.

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 558 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 1159, PN 1323**, entitled:

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, further providing for creditable non-school service.

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 1159 be recommitted to the Appropriations Committee.

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

* * *

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

HB 537, PN 593; HB 538, PN 594; and HB 539, PN 595.

* * *

The House proceeded to second consideration of **HB 541, PN 597**, entitled:

An Act amending the act of June 3, 1937 (P. L. 1333, No. 320), known as the "Pennsylvania Election Code," providing for a procedure for certain electors.

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 541 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 542, PN 627**, entitled:

An Act amending the act of March 30, 1937 (P. L. 115, No. 40), known as "The First Class City Permanent Registration Act," providing for voter registration in first class cities in conjunction with motor vehicle driver's license registration.

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 542 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 543, PN 628**, entitled:

An Act amending the act of April 29, 1937 (P. L. 487, No. 115), known as "The Permanent Registration Act for Cities of the Second Class, Cities of the Second Class A, Cities of the Third Class, Boroughs, Towns, and Townships," providing for voter registration in conjunction with motor vehicle driver's license registration.

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 543 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 545, PN 1287**, entitled:

An Act amending the act of June 3, 1937 (P. L. 1333, No. 320), known as the "Pennsylvania Election Code," providing for voter registration in certain State offices.

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 545 be recommitted to the Appropriations Committee.

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

* * *

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

HB 544, PN 629; and HB 614, PN 1560.

FILMING PERMISSION

The SPEAKER. The Chair grants permission to WJAC-TV for 10 minutes of film on the floor.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1319, PN 1522**, entitled:

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.

On the question,
Will the House agree to the bill on third consideration?
Mr. LLOYD offered the following amendments No. A0815:

Amend Sec. 1, page 1, line 9, by striking out "\$12,136,000" and inserting

\$12,569,000

Amend Sec. 2, page 1, line 16, by striking out "\$1,680,000" and inserting

\$1,742,000

Amend Sec. 2, page 2, line 4, by striking out "\$218,000" and inserting

\$293,000

Amend Sec. 2, page 2, line 10, by striking out "\$116,000" and inserting

\$122,000

On the question,

Will the House agree to the amendments?

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

Mr. LLOYD. Thank you, Mr. Speaker.

Mr. Speaker, this bill is the budget for the Bureau of Professional and Occupational Affairs. It is important to recognize that there is no tax money in this budget. This budget is supported primarily by license fees paid by licensed professionals and also by civil penalties.

What the amendment would do is to add \$513,000 to the budget requested by the Governor so that the bureau would be able to hire the 13 additional staff people which they had requested from the Budget Office to fill vacancies - six professional conduct investigators, three legal assistants, two impaired professional investigators, and two clerk typists.

Now, why is this necessary, and can we afford it? It is necessary for the following reason: Back in 1987 the administration began, with the support of the General Assembly, a program to increase the staff in the bureau in order to eliminate case backlog. Those of us who are on the Professional Licensure Committee have voted for a substantial number of fee increases so that those staff people could be hired. The effect has been that we have, over the 3 years for which we have statistics, raised the number of cases which are closed each year by about 50 percent. The problem is that at the same time the number of new complaints has gone up by about 25 percent. If we are going to make a dent in that backlog, it is necessary for us to provide the amount of staff which the bureau requested.

Now the question, can we afford it? This money comes out of the Professional Licensure Augmentation Account. That account with the Governor's budget will have a \$2.4-million surplus at the end of the next fiscal year. All we are doing is taking about \$500,000 out of that surplus, so there is money to cover this. It is needed. It does not impact on the General Fund.

I would ask for an affirmative vote.

The SPEAKER. The Chair recognizes Mr. Geist.

Mr. GEIST. Thank you, Mr. Speaker.

I would like to affirm the remarks of Representative Lloyd and ask for an affirmative vote on this amendment.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—199

Acosta	Durham	Kukovich	Robinson
Adolph	Evans	LaGrotta	Roebuck
Allen	Fairchild	Langtry	Rudy
Anderson	Fajt	Laughlin	Ryan
Angstadt	Fargo	Lawless	Saloom
Argall	Farmer	Lee	Saurman

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

NAYS—0

NOT VOTING—2

Reinard Tomlinson

EXCUSED—1

Stuban

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

On the question,

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

Mr. EVANS offered the following amendment No. A0803:

Amend Sec. 2, page 2, line 4, by striking out "\$218,000" and inserting

\$281,000

On the question,

Will the House agree to the amendment?

AMENDMENT WITHDRAWN

The SPEAKER. The Chair recognizes Mr. Evans.

Mr. EVANS. I would like to withdraw the amendment, Mr. Speaker. Thank you.

The SPEAKER. The Chair thanks the gentleman. The amendment is withdrawn.

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—200

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

NAYS—0

NOT VOTING—1

Veon

EXCUSED—1

Stuban

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 1320, PN 1523**, entitled:

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

On the question,

Will the House agree to the bill on third consideration?

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

Corrigan	James	Pistella	Williams
Cowell	Jarolin	Pitts	Wilson
Coy	Johnson	Preston	Wogan
DeLuca	Kaiser	Raymond	Wozniak
DeWeese	Kasunic	Reber	Wright, D. R.
Daley	Kenney	Reinard	Wright, M. N.
Davies	King	Richardson	Wright, R. C.
Dempsey	Kosinski	Rieger	
Dent	Krebs	Ritter	O'Donnell,
Dermody	Kruszewski	Robinson	Speaker
Donatucci	Kukovich		

NAYS—0

NOT VOTING—5

Carn	McGeehan	Petrarca	Vroon
Josephs			

EXCUSED—1

Stuban

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 1321, PN 1524**, entitled:

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.

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?

The Chair recognizes Mr. Saurman.
Mr. SAURMAN. Thank you, Mr. Speaker.

Mr. Speaker, I would rise in opposition to this appropriation and would just remark that when we created the public utilities and then we put in place a Public Utility Commission to make sure that the utilities did not overcharge us, for some reason we began to believe that the Public Utility Commission was not performing its job and we put in place a Consumer Advocate's Office to once again make sure that the utilities did not overcharge us. Now we have a Small Business Advocate again to make sure that the public utilities do not overcharge. It seems to me that what we are doing is appropriating money to make sure that we are not overcharged and yet the appropriation is the thing which raises our rates.

I would offer and suggest that we ought not to vote in favor of this and ask you to join me in a "no" vote. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes Mr. Cappabianca.

Mr. CAPPABIANCA. Thank you, Mr. Speaker.

I stand and I totally disagree with the gentleman's remarks. I believe the Small Business Advocate is necessary. It is functioning properly. It is doing what it was intended to do. And I

might remind the gentleman that the funds which budget for the cost of this advocacy are from the utility companies and not from the taxpayers of the Commonwealth, not from our budget.

I would ask for an affirmative vote on HB 1321.

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—198

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

NAYS—2

Saurman	Vroon
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NOT VOTING—1

Noye

EXCUSED—1

Stuban

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 1322, PN 1525**, entitled:

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.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—201

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

Cornell	James	Phillips	Wambach
Corrigan	Jarolin	Piccola	Williams
Cowell	Johnson	Pistella	Wilson
Coy	Josephs	Pitts	Wogan
DeLuca	Kaiser	Preston	Wozniak
DeWeese	Kasunic	Raymond	Wright, D. R.
Daley	Kenney	Reber	Wright, M. N.
Davies	King	Reinard	Wright, R. C.
Dempsey	Kosinski	Richardson	
Dent	Krebs	Rieger	O'Donnell,
Dermody	Kruszewski	Ritter	Speaker
Donatucci	Kukovich	Robinson	

NAYS—0

NOT VOTING—0

EXCUSED—1

Stuban

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 1147, PN 1305**, entitled:

An Act amending the act of July 29, 1953 (P. L. 970, No. 235), referred to as the "Middle Atlantic Interstate Forest Fire Protection Compact Act," authorizing the admission of other states into the compact; and making an editorial change.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—200

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

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

NAYS—0

NOT VOTING—1

Pistella

EXCUSED—1

Stuban

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

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

VOTE CORRECTION

The SPEAKER. For what purpose does the gentleman, Mr. Pistella, rise?

Mr. PISTELLA. I was a little late on the draw on the last bill, HB 1147, Mr. Speaker. I would like to be voted "yes."

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

Mr. PISTELLA. Great. Thank you, sir.

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 804, PN 887**, entitled:

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.

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

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

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

YEAS—201

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

NAYS—0

NOT VOTING—0

EXCUSED—1

Stuban

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.

WELCOMES

The SPEAKER. The Chair is pleased to welcome to the hall of the House Rev. Louis Deboust and the senior citizens of Colebrookdale Chapel, Boyertown, Berks County, who are the guests of Representative Leh. They are in the balcony.

Also, Timothy Smicker and Julie Beveridge, both from Harborcreek in Erie County. They are the guests of Representative Tom Scrimenti. They are to the left of the Speaker.

And also, Ms. Edith Donatucci, who is the guest of Representative Bob Donatucci, is to the left of the Speaker.

Will the guests please rise.

BILLS ON THIRD
CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 1020, PN 1554**, entitled:

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.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—201

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

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

NAYS—0

NOT VOTING—0

EXCUSED—1

Stuban

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.

RESOLUTION

Mrs. TAYLOR called up **HR 114, PN 1585**, entitled:

A Resolution memorializing the Governor to proclaim May 1991 as "Celebrate to Live" month in Pennsylvania.

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—201

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

Chadwick	Hayes	Nyce	Trello
Civera	Heckler	O'Brien	Trich
Clark	Herman	Olasz	Tulli
Clymer	Hershey	Oliver	Uliana
Cohen	Hess	Perzel	Van Horne
Colafiglia	Hughes	Pesci	Vance
Colaizzo	Itkin	Petrarca	Veon
Cole	Jadlowiec	Petrone	Vroon
Cornell	James	Phillips	Wambach
Corrigan	Jarolin	Piccola	Williams
Cowell	Johnson	Pistella	Wilson
Coy	Josephs	Pitts	Wogan
DeLuca	Kaiser	Preston	Wozniak
DeWeese	Kasunic	Raymond	Wright, D. R.
Daley	Kenney	Reber	Wright, M. N.
Davies	King	Reinard	Wright, R. C.
Dempsey	Kosinski	Richardson	
Dent	Krebs	Rieger	O'Donnell,
Dermody	Kruszewski	Ritter	Speaker
Donatucci	Kukovich	Robinson	

NAYS—0

NOT VOTING—0

EXCUSED—1

Stuban

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

DEMOCRATIC CAUCUS

The SPEAKER. The Chair recognizes Mr. Steighner.

Mr. STEIGHNER. Mr. Speaker, there will be a Democratic caucus at 12 o'clock in the majority caucus room; the majority caucus room at 12 o'clock.

INSURANCE COMMITTEE MEETING

The SPEAKER. The Chair recognizes Mr. Murphy.

Mr. MURPHY. Mr. Speaker, I would like to announce that there will be an Insurance Committee meeting in the back of the House at the call of recess on HB 536. Thank you.

JUDICIARY COMMITTEE MEETING

The SPEAKER. The Chair recognizes Mr. Caltagirone.

Mr. CALTAGIRONE. Mr. Speaker, I would like to announce a meeting of the House Judiciary Committee at the call of the recess at the back of the floor of the House.

LIQUOR CONTROL COMMITTEE MEETING

The SPEAKER. The Chair recognizes Mr. Saloom.

Mr. SALOOM. Mr. Speaker, I would like to call a meeting of the House Liquor Control Committee in room 30B, South Office Building, at the call of the recess.

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 246, PN 254

By Rep. GEORGE

An Act amending the act of August 20, 1953 (P. L. 1217, No. 339), entitled "An act providing for payments by the Commonwealth to municipalities which have expended money to acquire and construct sewage treatment plants in accordance with the Clean Streams Program and the act, approved the twenty-second day of June, one thousand nine hundred thirty-seven (Pamphlet Laws 1987), and making an appropriation," further providing for applications for payments by the Commonwealth; and making editorial changes.

CONSERVATION.

RECESS

The SPEAKER. The House will now be in recess until 1:30 p.m.

AFTER RECESS

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

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader. Mr. DeWEESE. Mr. Speaker, I move that HB 1055 be taken from the table and placed on the active calendar.

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

COMMUNICATION FROM GOVERNOR

BILL SIGNED BY GOVERNOR

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

APPROVAL OF HB 1274.

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

May 13, 1991

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

I have the honor to inform you that I have this day approved and signed House Bill 1274, Printer's No. 1549, entitled "AN ACT Amending the act of July 1, 1990 (P.L. , No.7A), entitled 'An act to provide from the General Fund for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and for the public schools for the fiscal year July 1, 1990, to June 30, 1991, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1990; to provide appropriations from the State Lottery Fund, the Pennsylvania Economic Revitalization Fund, the Energy Conservation and Assistance Fund, The State Stores Fund and the Emergency Medical Services Operating Fund to the Executive Department; to provide appropriations from the Judicial Computer System Augmentation Account to the Judicial Department; to provide appropriations from the Motor License Fund for the fiscal year July 1, 1990, to June 30, 1991, for the proper operation of the several departments of the Commonwealth and the Pennsylvania State Police authorized to spend

Motor License Fund moneys; and to provide for the appropriation of Federal funds to the Executive and Judicial Departments of the Commonwealth and for the establishment of restricted receipts accounts for the fiscal year July 1, 1990, to June 30, 1991, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1990,' increasing and decreasing certain appropriations to the Executive Department; and making appropriations from the Hazardous Material Response Fund."

I commend the General Assembly for its approval of this bill which has provided the majority of the supplemental appropriations needed to continue essential state programs. In addition to this bill, however, a number of vital areas require additional legislative authority to continue programs for the remainder of the 1990-91 fiscal year. The most critical of these are: the Department of Corrections which will now run out of authority to spend on June 21; Cash Grants which will now have sufficient authority to carry the program only to June 12; and Medical Assistance-Outpatient which will now have authority to make payments only until June 10. The Vocational Education program must have the additional federal matching funds requested, but not yet appropriated, expended by June 30 or the state will lose all Federal Vocational Education funds, approximately \$41 million.

It is imperative, therefore, that legislative approval be given for all of these programs as promptly as possible, and, in any event, no-later than June 10 to enable the Commonwealth to continue these programs without interruption and also to avoid the loss of substantial federal funds.

Robert P. Casey
Governor

WELCOMES

The SPEAKER. The Chair is pleased to welcome to the hall of the House members of the American Association of Retired Persons from Mercer County, who are the guests of Representative Fargo.

Jody Duda and Lori Brinley, who are the guests of Representative Lawless.

And Matthew Hagarty, who is here with his sixth grade class at Friends' Central School, with their teacher, Michi Tashjian.

Will the guests please rise.

CALENDAR CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1156**, **PN 1314**, entitled:

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

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?

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, over the past month or two or three I have listened attentively to the chairman of the House Appropriations Committee give his definition of the rules that require that a bill go to the Appropriations Committee for a fiscal note. I have listened to the rulings of the Chair. I feel that this particular bill, HB 1156, fits exactly into the situation where it should have been recommitted to Appropriations. In fact, the leaders' calendars yesterday were marked that this bill was to be recommitted to Appropriations, and at this time I would move that it go to Appropriations, because it affects State hospitals; it affects municipal hospitals; it affects governmental landfills and the like.

Accordingly, I move that the bill, together with any amendments that have been offered to date—and I do not believe any have—go to the Appropriations Committee. Thank you, Mr. Speaker.

The SPEAKER. Is the gentleman's motion recommittal or recommittal for a fiscal note?

Mr. RYAN. Well, I would prefer recommittal, but I will allow as how a fiscal note is probably what it should be under the rules. Fiscal note.

The SPEAKER. The Chair thanks the gentleman.

On the question,

Will the House agree to the motion?

The SPEAKER. The Chair recognizes Mr. Evans.

Mr. EVANS. Mr. Speaker, I really thank the minority leader for taking the lead to remind me about rule 19(a), and it is a great pleasure when we can have such a bipartisan relationship. I hope we also have that in the budget, Mr. Speaker.

I would agree with the minority leader that we do need to have this bill recommitted to the Appropriations Committee because it does have fiscal impact. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes Mr. Gamble.

Mr. GAMBLE. Mr. Speaker, I rise to oppose this maneuver, and it appears that the cards are stacked against me.

We are concerned about hospitals and this and that and the other thing, but the reason for this bill, I have a landfill in my district which has been there for 17 years and they dump 1,700 tons of municipal waste every day. Now they want to expand that to include infectious medical waste, and time is very important.

I think we are all here operating on the premonition that the waste is safe, and we have documents to prove that toxic waste is not safe and we also have documents to prove that autoclaving does not always work, and that is the kind of waste that would be dumped in the landfill in Findlay Township in my district.

So I would oppose this motion, because we know that a lot of good bills and a lot of important bills die in the Appropriations Committee, and I would like someone to answer me, in case I am defeated here, when will this bill be voted out of the Appropriations Committee?

The SPEAKER. The Chair recognizes Mr. Evans.

Mr. EVANS. The question, I think, that the gentleman asked me, Mr. Speaker, was when would this bill be voted out of the Appropriations Committee. We are not due back to session until May 28. That will give us more than adequate time to look at the fiscal implications, Mr. Speaker.

Mr. GAMBLE. Is the answer May 28, Mr. Speaker?

Mr. EVANS. I want to look at the fiscal aspect of it, Mr. Speaker, and make some determination on it. I could not tell you exactly if it would be May 28, only because it would depend a great deal upon the legislative schedule.

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

The following roll call was recorded:

YEAS—166

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

NAYS—31

Angstadt	Gamble	Lloyd	Snyder, G.
Blaum	George	Lucyk	Stish
Boyes	Gruitza	McCall	Sturla
Cawley	Hanna	Mundy	Surra
Clark	Jarolin	Murphy	Tangretti
Fairchild	Kaiser	Nickol	Trello
Fee	Leh	Petrone	Veon
Foster	Lescovitz	Smith, S. H.	

NOT VOTING—4

Hughes Petrarca Pistella Van Horne
EXCUSED—1

Stuban

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

* * *

The House proceeded to third consideration of **HB 344, PN 360**, entitled:

An Act amending the act of June 29, 1953 (P. L. 304, No. 66), known as the "Vital Statistics Law of 1953," further providing for the medical certification for death certificates and for referrals to coroners.

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

Mr. COWELL offered the following amendments No. A0807:

Amend Title, page 1, line 13, by inserting after "for" where it appears the first time

local registrars' compensation, for

Amend Bill, page 2, by inserting between lines 1 and 2

Section 2. Section 304 of the act, amended June 24, 1970 (P.L.440, No.149), is amended to read:

Section 304. Registration Districts: Local Registrars' Compensation.—(a) Each local registrar shall be paid a fee of one dollar (\$1) for each certificate transmitted in accordance with the provisions of this act or for each report of no certificates filed during any calendar month. [The Advisory Health Board, by regulation, may establish and from time to time revise, maximum limits upon the aggregate amount of fees to be paid any local registrars during a given period.] The fees prescribed by this section shall be paid by the Commonwealth from funds appropriated to the department.

(b) Local registrars shall issue certificates of death from original certificates of death in their possession upon completion of a period of instruction on the preparation of certificates by representatives of the Division of Vital Records. For each certificate issued, the local registrar shall receive a fee of two dollars (\$2).

(c) A local registrar may not receive an aggregate amount of fees in excess of thirty thousand dollars (\$30,000) in any one calendar year.

(d) Any regulation inconsistent with or contrary to the provisions of this section is superseded.

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

3

Amend Sec. 3, page 3, line 25, by striking out "3" and inserting

4

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

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

Mr. COWELL. Thank you, Mr. Speaker.

Mr. Speaker, under the current law and regulations, vital statistics registrars at the local level are compensated largely by the fees they collect, typically from funeral directors. Under regulations established approximately 20 years ago, an

individual registrar may retain no more than \$20,000 of those fees per year, and out of that they are expected to pay all of their operating costs.

This amendment would increase that maximum that they are able to retain from \$20,000 to \$30,000 per year, and as the fiscal note indicates, that increase would come from the fees they collect, largely from funeral directors. The only cost to the State would be in some additional Social Security costs, and the fiscal note indicates that that would be less than \$10,000 annually.

I would urge adoption of the amendment, Mr. Speaker. Thank you.

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

The following roll call was recorded:

YEAS—201

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

NAYS—0

NOT VOTING—0

EXCUSED—1

Stuban

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

On the question,

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

Mr. SAURMAN offered the following amendments No. A0771:

Amend Bill, page 3, by inserting between lines 24 and 25

Section 3. The act is amended by adding a section to read:

Section 507. Death and Fetal Death Registrations: Pronouncement of Death by a Registered Nurse.—(a) Registered nurses licensed under the act of May 22, 1951 (P.L.317, No.69), known as "The Professional Nursing Law," who, as part of their employment, are involved in direct care of a patient shall have the authority to pronounce death as determined under the act of December 17, 1982 (P.L.1401, No.323), known as the "Uniform Determination of Death Act," under the following circumstances:

(1) In the case of death from natural causes that occurs in the home or place of residence of a patient who is under the care of a physician when the physician is unable to be present within a reasonable period of time to certify the cause of death.

(2) In the case of death from natural causes that occurs in a licensed long-term care facility providing nursing care to two or more patients, unrelated to the nursing home administrator, for a period exceeding twenty-four (24) hours when the attending physician is unable to be present within a reasonable period of time to certify the cause of death.

(b) Registered nurses shall have the authority to release the body of the deceased to a funeral director after notice has been given to the attending physician, when the deceased has an attending physician, and to a family member.

(c) The authority provided under this act shall be limited to currently practicing registered nurses:

(1) Employed in home health care through a home health care agency.

(2) Who are employed or involved in hospice care.

(3) Employed in a long-term care facility.

(d) If circumstances surrounding the nature of death are not anticipated and require a coroner's investigation, the registered nurse shall notify the county coroner, and the authority to release the body of the deceased to the funeral director shall be that of the coroner.

(e) This section provides for the pronouncement of death by registered nurses in accordance with the "Uniform Determination of Death Act," but in no way authorizes a nurse to determine the cause of death. The responsibility for determining the cause of death remains with the physician or the coroner as provided under this act.

(f) (1) Registered nurses and employing agencies of registered nurses acting in good faith and in compliance with the guidelines established by this act and the State Board of Nursing shall be immune from liability claims by reason of pronouncing death.

(2) Nothing contained in this section shall be deemed to impose any obligation upon a registered nurse to carry out the function authorized by this act.

(3) Nothing in this section is intended to relieve a registered nurse of any civil or criminal liability that might otherwise by

incurred for failing to follow the rules and regulations of the State Board of Nursing.

(4) Nothing in this section shall preempt the requirements of the provisions of 20 Pa.C.S. Ch. 86 (relating to anatomical gifts).

Amend Sec. 3, page 3, line 25, by striking out "3" and inserting

4

On the question,

Will the House agree to the amendments?

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

Mr. SAURMAN. Thank you, Mr. Speaker.

Mr. Speaker, this amendment would allow nurses to pronounce death, not to sign a death certificate, in cases where death has been imminent. We have had some real problems with delays and an inhumane situation because the nursing facility is not allowed to release the body to the funeral director.

I would appreciate your support of this amendment.

On the question recurring,

Will the House agree to the amendments?

(Members proceeded to vote.)

VOTE STRICKEN

The SPEAKER. For what purpose does the gentleman, Mr. Itkin, rise?

Mr. ITKIN. Would you strike the vote, Mr. Speaker?

The SPEAKER. The clerk will strike the vote.

The Chair recognizes the gentleman, Mr. Itkin.

Mr. ITKIN. Mr. Speaker, would the gentleman from Montgomery, Mr. Saurman, consent to interrogation on his amendment?

The SPEAKER. Will the gentleman, Mr. Saurman, consent to interrogation? The gentleman indicates that he will. The gentleman may proceed.

Mr. ITKIN. Mr. Speaker, there is some concern on this side of the aisle that this amendment would give registered nurses the authority to declare when a person is dead. Is that a correct statement?

Mr. SAURMAN. I am sorry. To do what, Mr. Speaker?

The SPEAKER. The question is, does the amendment have the legal effect of empowering nurses to declare people dead?

Mr. SAURMAN. To pronounce their death but not to sign their certificate of death.

There is a considerable difference between these two concepts, and our committee, the Health and Welfare Committee, debated this at length, and the legalistic aspect of this whole procedure is the certification. The pronouncement of death is not the thing upon which the legalistic aspect of the death is determined. In our committee we had this discussion, and there is a distinction between certifying death and pronouncing death.

The purpose of pronouncing death is so that the body can be released to the funeral director from the facility where the individual had been living. The certification of the death remains solely with the physician or with the coroner if for any reason there is any indication of anything irregular.

Mr. ITKIN. Mr. Speaker, what happens under the current situation then if nurses do not have this particular authority? How is death pronounced and by whom?

Mr. SAURMAN. Okay. Under the present situation, Mr. Speaker, if someone expires in a hospice situation or a nursing situation, the attending physician must be called from wherever he or she may be. They have to come in and pronounce death before that body can be released to the funeral director. If in fact, as in some cases has to happen, an ambulance is called in order to remove the body and there has been no pronouncement of death, then by law the ambulance or emergency people must come in and proceed with a code zero operation, which is a futile thing. It is inhumane, actually, under those circumstances.

This is something that has been agreed to in terms of the medical profession and the coroner's office and every other group that we have talked to, Mr. Speaker.

Mr. ITKIN. But ultimately, a physician would have to sign the death certificate. Is that correct?

Mr. SAURMAN. Absolutely.

Mr. ITKIN. And how would he make that determination? On the basis of the testimony of the nurse?

Mr. SAURMAN. No, Mr. Speaker. On the basis of his own observations and investigation and knowledge of the case.

Mr. ITKIN. Okay. So at some future time he might examine the body from the place to which it has been removed?

Mr. SAURMAN. Yes, sir.

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

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

Mrs. VANCE. Mr. Speaker, I would like to speak to this issue and one aspect of the nursing home.

In many counties in Pennsylvania, a body may not be removed from a nursing home until a physician has pronounced the patient dead, and in many cases the physician does not arrive for maybe a full day, a day and a half. This is very traumatic for the other residents of a nursing home. They are much aware of this death. This is merely saying that the body can be removed to the funeral home. It is not a certification of death, repeating what Representative Saurman had said. It is really a caring method to use for the residents of nursing homes in many, many cases.

The SPEAKER. The Chair recognizes Mr. Itkin.

Mr. ITKIN. Mr. Speaker, we have no objection to the amendment. We were just seeking clarification.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—197

Acosta	Donatucci	Kruszewski	Roebuck
Adolph	Durham	Kukovich	Rudy
Allen	Evans	LaGrotta	Ryan
Anderson	Fairchild	Langtry	Saloom
Angstadt	Fajt	Laughlin	Saurman
Argall	Fargo	Lawless	Scheetz
Armstrong	Farmer	Lee	Schuler
Arnold	Fee	Leh	Semmel

Barley	Fleagle	Lescovitz	Serafini
Battisto	Flick	Levdansky	Smith, B.
Belardi	Foster	Linton	Smith, S. H.
Belfanti	Fox	Lloyd	Snyder, D. W.
Billow	Freeman	Lucyk	Snyder, G.
Birmelin	Freind	McCall	Staback
Bishop	Gallen	McGeehan	Stairs
Black	Gamble	McNally	Steelman
Blaum	Gannon	Maiale	Steighner
Bowley	Geist	Markosek	Stetler
Boyes	George	Marsico	Stish
Broujos	Gerlach	Mayernik	Strittmatter
Brown	Gigliotti	Melio	Sturla
Bunt	Gladeck	Merry	Surra
Bush	Godshall	Michlovic	Tangretti
Butkovitz	Gruitza	Micozzie	Taylor, E. Z.
Caltagirone	Gruppo	Mihalich	Taylor, F.
Cappabianca	Hagarty	Mrkonic	Taylor, J.
Carlson	Haluska	Mundy	Telek
Carn	Hanna	Murphy	Thomas
Carone	Harley	Nahill	Tigue
Cawley	Harper	Nailor	Tomlinson
Cessar	Hasay	Noye	Trello
Chadwick	Hayden	Nyce	Trich
Civera	Hayes	Olasz	Tulli
Clark	Heckler	Oliver	Uliana
Clymer	Herman	Perzel	Van Horne
Cohen	Hershey	Pesci	Vance
Colaafella	Hess	Petrarca	Veon
Colaizzo	Hughes	Petrone	Vroon
Cole	Itkin	Phillips	Wambach
Cornell	Jadlowiec	Piccola	Williams
Corrigan	James	Pistella	Wilson
Cowell	Jarolin	Pitts	Wogan
Coy	Johnson	Preston	Wozniak
DeLuca	Josephs	Raymond	Wright, D. R.
DeWeese	Kaiser	Reber	Wright, M. N.
Daley	Kasunic	Reinard	Wright, R. C.
Davies	Kenney	Richardson	
Dempsey	King	Rieger	O'Donnell,
Dent	Kosinski	Ritter	Speaker
Dermody	Krebs	Robinson	

NAYS—0

NOT VOTING—4

McHugh Nickol O'Brien Scrimenti

EXCUSED—1

Stuban

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

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—200

Acosta	Evans	Langtry	Roebuck
Adolph	Fairchild	Laughlin	Rudy
Allen	Fajt	Lawless	Ryan
Anderson	Fargo	Lee	Saloom
Angstadt	Farmer	Leh	Saurman
Argall	Fee	Lescovitz	Scheetz
Armstrong	Fleagle	Levdansky	Schuler
Arnold	Flick	Linton	Scrimenti

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

NAYS—0

NOT VOTING—1

Carn

EXCUSED—1

Stuban

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

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

FILMING PERMISSION

The SPEAKER. The Chair grants permission to "The People's Business" for recording debate.

WELCOME

The SPEAKER. The Chair is pleased to welcome to the hall of the House sixth grade students from Hutchinson Elementary School in Hopwood, Pennsylvania, who are here as the guests of Representatives Kasunic and Fred Taylor.

**BILLS ON THIRD
CONSIDERATION CONTINUED**

The House proceeded to third consideration of **HB 248, PN 1441**, entitled:

An Act authorizing limited gambling on excursion boats; imposing a tax on adjusted gross receipts from such gambling; requiring licenses; imposing fees; and providing penalties for violations.

On the question,

Will the House agree to the bill on third consideration?

Mr. GIGLIOTTI offered the following amendments No. A0755:

Amend Sec. 2, page 4, by inserting between lines 3 and 4 "Municipality." A city, borough, incorporated town or township, regardless of form of government. The term shall not include counties.

Amend Sec. 2, page 4, lines 4 and 5, by striking out "gambling games on"

Amend Sec. 2, page 4, by inserting between lines 5 and 6 "Valid petition." A petition signed by a number of electors equal to at least 25% of the highest vote cast for any office in the county at the last preceding general election.

Amend Sec. 6, page 7, line 20, by inserting after "for" excursion gambling boat

Amend Sec. 6, page 7, line 22, by striking out "gambling games on"

Amend Sec. 6, page 8, line 3, by striking out "gambling games on"

Amend Sec. 7, page 8, line 12, by striking out "listed" and inserting

designated

Amend Sec. 7, page 8, line 15, by striking out "An applicant" and inserting

A prospective licensee

Amend Sec. 7, page 8, line 25, by inserting after "sell" , lease

Amend Sec. 8, page 9, lines 20 and 21, by striking out "(a) Application form.—A person shall not be issued a license to conduct gambling games on" and inserting

(a) Application form.—

(1) A person shall not be issued a license to operate

Amend Sec. 8, page 9, line 26, by striking out "(1)" and inserting

(2)

Amend Sec. 8, page 9, line 28, by striking out "applicant" and inserting

prospective licensee

Amend Sec. 8, page 10, line 5, by striking out "(2)" and inserting

(3)

Amend Sec. 8, page 10, line 9, by striking out "(3)" and inserting

(4)

Amend Sec. 8, page 10, line 13, by striking out "(a)(1)" and inserting

(a)(2)

Amend Sec. 8, page 10, line 26, by striking out "a gambling game operation on"

Amend Sec. 9, page 11, line 29, by striking out "gambling games on"

Amend Sec. 9, page 13, by inserting after line 30

(10) The statement of intent to apply for a manufacturer's, distributor's or excursion gambling boat operator's license has not been filed or the proper fees have not been paid.

Amend Sec. 9, page 14, line 3, by striking out "game of chance" and inserting

gambling game

Amend Sec. 9, page 14, line 11, by inserting after "commissioners,"

upon adoption of a resolution, or

Amend Sec. 9, page 14, line 15, by inserting after "primary" , municipal

Amend Sec. 9, page 14, lines 29 and 30, by striking out "the" where it appears the second time in line 29, all of line 30 and inserting

60 days from the date of the referendum.

Amend Sec. 9, page 15, line 7, by striking out "municipality" and inserting

political subdivision or the Commonwealth

Amend Sec. 9, page 15, lines 17 through 24, by striking out all of said lines and inserting

(l) Ports of call.—If an excursion boat travels by or through more than one county, the operator of such boat shall schedule at least one port of call in any county in which a county referendum has been approved, provided that there exists the necessary facilities to handle the boat. The commission shall designate such ports of call if the operator fails to do so.

Amend Sec. 11, page 17, line 1, by inserting after "not"

be permitted to

Amend Sec. 12, page 17, line 14, by striking out all of said line and inserting

(a) State admission fee.—

(1) An operator shall collect and

Amend Sec. 12, page 17, line 19, by striking out "(1)" and inserting

(2)

Amend Sec. 12, page 17, line 23, by striking out "(2)" and inserting

(3)

Amend Sec. 12, page 17, line 30, by striking out "(3)" and inserting

(4)

Amend Sec. 12, page 18, lines 13 and 14, by striking out "under this section"

Amend Sec. 13, page 18, line 30, by striking out "annually"

Amend Sec. 13, page 19, line 9, by striking out "Pennsylvania municipal corporation" and inserting

municipality

Amend Sec. 13, page 19, line 11, by striking out "municipal corporation" and inserting

municipality

Amend Sec. 13, page 19, line 12, by striking out "municipal corporation" and inserting

municipality

Amend Sec. 13, page 19, line 14, by inserting after "tax"

, which shall represent the share of the city and county

Amend Sec. 14, page 20, line 3, by inserting after "fixed"

and paid

Amend Sec. 14, page 20, line 4, by striking out "shall be paid" and inserting

the costs thereof shall be borne

Amend Sec. 16, page 20, line 27, by striking out "a gambling excursion" and inserting

an excursion gambling boat

Amend Sec. 16, page 20, line 30, by striking out "a gambling excursion" and inserting

an excursion gambling boat

Amend Sec. 16, page 21, line 7, by inserting after "the"

designated gambling area of an

Amend Sec. 16, page 21, line 8, by striking out "class"

Amend Sec. 19, page 24, lines 26 through 30; page 25, lines 1 and 2, by striking out "The remaining five members shall consist of two members" in line 26, all of lines 27 through 30, page 24, all of line 1 and "the Senate." in line 2, page 25 and inserting Four of the five remaining members shall consist of two members elected to the Senate, one appointed by the Majority Leader of the Senate and one appointed by the Minority Leader of the Senate and two members elected to the House of Representatives, one appointed by the Majority Leader of the House of Representatives and one appointed by the Minority Leader of the House of Representatives.

Amend Sec. 19, page 25, line 4, by striking out "at the pleasure of the Governor"

On the question,

Will the House agree to the amendments?

The SPEAKER. For the information of the members, this debate is being recorded by "The People's Business."

The question is, will the House agree to the amendment? On that question, the Chair recognizes Mr. Gigliotti.

Mr. GIGLIOTTI. Thank you, Mr. Speaker.

This amendment is, since all the public hearings we had and all the committee meetings we had, this is a technical amendment, and I am asking for an affirmative vote.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—188

Acosta	Evans	Lawless	Ryan
Adolph	Fairchild	Lee	Saloom
Allen	Fajt	Lescovitz	Saurman
Anderson	Fargo	Levdanský	Scheetz
Angstadt	Farmer	Lloyd	Schuler
Argall	Fee	Lucyk	Scrimenti
Arnold	Fleagle	McCall	Semmel
Barley	Flick	McGeehan	Serafini
Belardi	Foster	McHugh	Smith, B.
Belfanti	Fox	McNally	Smith, S. H.
Billow	Freeman	Maiale	Snyder, D. W.
Birmelin	Gallen	Markosek	Snyder, G.
Bishop	Gannon	Marsico	Staback
Black	Geist	Mayernik	Stairs
Blaum	George	Melio	Steelman
Bowley	Gerlach	Merry	Steighner
Boyes	Gigliotti	Michlovic	Stetler
Brown	Gladeck	Micozzie	Stish
Bunt	Gruitza	Mihalich	Strittmatter
Bush	Gruppo	Mrkoncic	Sturla
Butkovitz	Hagarty	Mundy	Surra
Caltagirone	Haluska	Murphy	Tangretti
Cappabianca	Hanna	Nahill	Taylor, E. Z.
Carlson	Harley	Nailor	Taylor, F.
Carone	Harper	Nickol	Taylor, J.
Cawley	Hasay	Noye	Telek
Cessar	Hayden	Nyce	Thomas
Chadwick	Hayes	O'Brien	Tigue
Civera	Heckler	Olasz	Tomlinson
Clark	Herman	Oliver	Trello
Clymer	Hershey	Perzel	Trich
Cohen	Hess	Pesci	Tulli
Colaella	Hughes	Petrarca	Uliana
Colaizzo	Itkin	Petrone	Van Horne
Cole	Jadlowiec	Phillips	Vance
Cornell	James	Piccola	Veon
Corrigan	Jarolin	Pistella	Wambach
Cowell	Johnson	Preston	Williams
Coy	Kaiser	Raymond	Wilson
DeLuca	Kasunic	Reber	Wogan

DeWeese	Kenney	Reinard	Wozniak
Daley	King	Richardson	Wright, D. R.
Davies	Krebs	Rieger	Wright, M. N.
Dempsey	Kruszewski	Ritter	Wright, R. C.
Dent	Kukovich	Robinson	
Dermody	LaGrotta	Roebuck	O'Donnell,
Donatucci	Langtry	Rudy	Speaker
Durham	Laughlin		

NAYS—7

Armstrong	Broujos	Godshall	Vroon
Battisto	Gamble	Leh	

NOT VOTING—6

Carn	Josephs	Linton	Pitts
Freind	Kosinski		

EXCUSED—1

Stuban

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

On the question,

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

Mr. GIGLIOTTI offered the following amendments No. A0804:

Amend Sec. 19, page 24, line 22, by inserting before "The"

(a) Creation, composition and terms.—

Amend Sec. 19, page 25, by inserting between lines 6 and 7

(b) Compensation and expenses.—The members of the commission shall be compensated at a rate of \$125 per day and shall receive reimbursement for their actual and necessary expenses while performing the business of the commission. Legislative members shall not be entitled to receive duplicative per diem or expenses by reason of this section.

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes Mr. Gigliotti.

Mr. GIGLIOTTI. Thank you, Mr. Speaker.

This amendment sets a fee for the members of the commission to get paid per diem and expenses while they are hearing meetings around the State for the commission.

The SPEAKER. The Chair recognizes Mr. Murphy.

Mr. MURPHY. Thank you, Mr. Speaker.

Would the maker of the amendment rise for some interrogation?

The SPEAKER. The gentleman indicates that he will. The gentleman may proceed.

Mr. MURPHY. Mr. Speaker, in the notes on the amendment, it says that the amendment sets the compensation of commission members at \$125 per day plus their actual and necessary expenses. So it seems to me what we are doing is paying these commission members \$125 per day plus giving them a per diem. Could you please clarify that, because your statement did not indicate that we were actually paying them a salary.

Mr. GIGLIOTTI. There is no salary for any member of the commission. The \$125 is their per diem. Okay? And the expenses that they would encounter, actual expenses for traveling around the State of Pennsylvania are the expenses.

Mr. MURPHY. This is not clear then. Are they getting \$125 per day plus—

Mr. GIGLIOTTI. Traveling expenses. Right.

Mr. MURPHY. Plus traveling expenses. What are they getting the \$125 a day for then?

Mr. GIGLIOTTI. To be a part of the commission to hear the testimony.

Mr. MURPHY. Mr. Speaker, I consider that to be a salary, and I would rise to oppose this.

I do not think that people who sit on a commission such as this ought to be paid \$125 per day plus necessary expenses, and for that reason I will oppose this amendment. Thank you.

The SPEAKER. Is the gentleman, Mr. Clymer, seeking recognition?

Mr. CLYMER. No, Mr. Speaker, not on this amendment.

The SPEAKER. Is there anyone else seeking recognition?

Mr. GANNON. Yes, here.

Mr. Speaker, I agree with the previous member.

In a careful, not even necessarily a careful reading of this amendment, it does not set any preconditions whatsoever so far as a commission member being compensated at \$125 per day plus his expenses. But there is another problem, and that is with respect to the legislative members, and I am not clear and I would like to ask the prime sponsor of the amendment if he could answer a question or two.

Mr. Speaker—I assume it is the affirmative—the legislative members, their reimbursement for expenses is regulated by House or Senate rules at certain per diems. I believe it is at the Federal rate when you are in right now.

What does this amendment do so far as a legislative member is concerned? Would he receive additional amounts to come up to the \$125 a day in addition to his per diem or would he be limited to his actual legislative per diem even though he was functioning as a member of this commission, and other nonlegislative members of the commission would receive \$125 a day. And the followup is, what about a legislative member if, for example, he was not on legislative business but was on only commission business? Would he receive \$125 a day or would he be limited to whatever our House rules would say or Senate rules would say so far as per diems are concerned?

Mr. GIGLIOTTI. All right. It is his choice. The amendment says that it is either/or. You cannot have them both. So if he is on commission business, if it is a Representative or a Senator, it is his choice whether to take the \$88 or the \$125. Naturally, if it is a member of the House, he is going to take the \$125.

Mr. GANNON. Mr. Speaker, I respectfully disagree with the member's interpretation. The way this reads is that he shall not receive duplicative per diem or expenses. Under our current rules of the House, we can either take our per diem or actual expenses. So this does not offer the latitude that the speaker would say so far as this amendment is concerned.

The SPEAKER. The Chair recognizes Mr. Pistella.

The Chair assumes the gentleman has completed his interrogation.

Mr. GANNON. Yes, Mr. Speaker. Thank you.

The SPEAKER. The Chair recognizes Mr. Pistella.

Mr. PISTELLA. Thank you.

I was wondering if the gentleman, Mr. Gigliotti, would stand for interrogation.

The SPEAKER. The gentleman indicates that he will. The gentleman may proceed.

Mr. PISTELLA. Thank you.

Mr. Speaker, to the best of your knowledge, are there other commissions that would have members that would receive in fact a per diem expense plus travel expenses for doing business as a member of a board or commission for the Commonwealth of Pennsylvania?

Mr. GIGLIOTTI. It is my understanding that every commission established has the same precedent.

Mr. PISTELLA. Is it your information or knowledge that what you are proposing for this particular commission is in fact consistent with some of the other boards and commissions?

Mr. GIGLIOTTI. Exactly the same.

Mr. PISTELLA. So there is really no difference in what you are proposing in terms of a \$125 per diem salary, for lack of a better word, in addition to travel expenses and housing costs if deemed necessary for a member of that commission or board.

Mr. GIGLIOTTI. Exactly right.

Mr. PISTELLA. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—58

Acosta	Evans	Lescovitz	Rieger
Belardi	Fee	Lucyk	Robinson
Belfanti	Gigliotti	McGeehan	Saloom
Billow	Haluska	McHugh	Staback
Bunt	Hanna	Maiale	Steighner
Caltagirone	Harper	Melio	Stish
Cappabianca	Hughes	Mihalich	Thomas
Cohen	Itkin	O'Brien	Trello
Colafella	James	Olasz	Van Horne
Colaizzo	Jarolin	Oliver	Veon
Cowell	Kaiser	Petrarca	Williams
DeLuca	Kenney	Petrone	Wozniak
DeWeese	Kruszewski	Pistella	
Daley	LaGrotta	Preston	O'Donnell,
Dermody	Laughlin	Richardson	Speaker

NAYS—142

Adolph	Durham	Kukovich	Ryan
Allen	Fairchild	Langtry	Saurman
Anderson	Fajt	Lawless	Scheetz
Angstadt	Fargo	Lee	Schuler
Argall	Farmer	Leh	Scriminti
Armstrong	Fleagle	Levdansky	Semmel
Arnold	Flick	Linton	Serafini
Barley	Foster	Lloyd	Smith, B.
Battisto	Fox	McCall	Smith, S. H.
Birmelin	Freeman	McNally	Snyder, D. W.
Bishop	Freind	Markosek	Snyder, G.
Black	Gallen	Marsico	Stairs
Blaum	Gamble	Mayernik	Steelman
Bowley	Gannon	Merry	Stetler
Boyes	Geist	Michlovic	Strittmatter
Broujos	George	Micozzie	Sturla

Brown	Gerlach	Mrkonic	Surra
Bush	Gladeck	Mundy	Tangretti
Butkovitz	Godshall	Murphy	Taylor, E. Z.
Carlson	Gruitza	Nahill	Taylor, F.
Carn	Gruppo	Nailor	Taylor, J.
Carone	Hagarty	Nickol	Telek
Cawley	Harley	Noye	Tigue
Cessar	Hasay	Nyce	Tomlinson
Chadwick	Hayden	Perzel	Trich
Civera	Hayes	Pesci	Tulli
Clark	Heckler	Phillips	Uliana
Clymer	Herman	Piccola	Vance
Cole	Hershey	Pitts	Vroon
Cornell	Hess	Raymond	Wambach
Corrigan	Jadlowiec	Reber	Wilson
Coy	Johnson	Reinard	Wogan
Davies	Josephs	Ritter	Wright, D. R.
Dempsey	Kasunic	Roebuck	Wright, M. N.
Dent	King	Rudy	Wright, R. C.
Donatucci	Krebs		

NOT VOTING—1

Kosinski

EXCUSED—1

Stuban

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. MIHALICH offered the following amendments No. A0756:

Amend Sec. 13, page 19, lines 5 through 14, by striking out all of said lines and inserting

(1) (i) Twenty-five percent of the wagering tax shall be distributed to each county having either a home port or a port of call, based on the ratio of the number of passengers embarking from that port, to the total number of Statewide embarkations during each calendar month.

(ii) Twenty-five percent of the wagering tax shall be distributed to each municipality having either a home port or a port of call, based on the ratio of the number of passengers embarking from that port, to the total number of Statewide embarkations during each calendar month.

(iii) The city and county of Philadelphia shall be entitled to a distributive share under each of the formulas described in subparagraphs (i) and (ii).

Amend Sec. 14, page 19, by inserting between lines 23 and 24

(2) The county and municipality of origin of each passenger admission whether paid, free or complimentary, excluding officials and employees of the operator.

Amend Sec. 14, page 19, line 24, by striking out "(2)" and inserting

(3)

Amend Sec. 14, page 19, line 25, by striking out "(3)" and inserting

(4)

On the question,

Will the House agree to the amendments?

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

Mr. MIHALICH. Mr. Speaker, this amendment can be best explained by an illustration.

At some time in the future, if this legislation passes, there will be several such boats plying the rivers of western Pennsylvania and maybe other parts of the State. Every community will not have the ability to become a port city for one of these boats. I come from a small community along the Monongahela River with very limited river frontage. I have two communities with river frontage in my district there. Down along the river, across the river, we have in Charleroi, Pennsylvania, in another district, a chamber of commerce parking lot that has parking capacity. They have capacity to dock a boat, and there are numerous such places along the river. So if these boats come plying up the river and they want to pick up passengers, I think that the community where the passengers are picked up is entitled to a piece of the action, or at least as much of it as they contribute, which would be determined per capitawise.

There is a mechanism by which it could be readily determined in the accounting procedures that would be established by the commission, the monthly reports that are sent in, it can be determined easily how many people board the boat from a certain location, and then that municipality would be entitled to that portion of the municipal slice of the pie, so to speak.

If I might use one more analogy, Mr. Speaker: This will take some of the hurt away from me when I see one of these busloads of people going to Atlantic City or elsewhere. I wish we could tax or put an entry fee on those.

But in any event, I think this gives the opportunity for many river communities to participate in this program if in fact they become the source of the patrons on this boat. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes Mr. Gigliotti.

Mr. GIGLIOTTI. Thank you, Mr. Speaker.

Mr. Speaker, I support this amendment.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—124

Acosta	Donatucci	Levdansky	Roebuck
Allen	Evans	Lloyd	Rudy
Anderson	Fajt	Lucyk	Saloom
Argall	Fee	McCall	Saurman
Arnold	Flick	McGeehan	Semmel
Belardi	Foster	McNally	Smith, B.
Belfanti	Fox	Majale	Smith, S. H.
Billow	Freeman	Markosek	Snyder, D. W.
Bishop	George	Mayernik	Snyder, G.
Blaum	Gigliotti	Melio	Staback
Bunt	Gladeck	Michlovic	Steelman
Bush	Gruitza	Mihalich	Steighner
Caltagirone	Haluska	Mrkonic	Stetler
Cappabianca	Hanna	Mundy	Stish
Carn	Harper	Murphy	Sturla
Carone	Hayden	Nahill	Surra
Cawley	Hughes	Nailor	Tangretti
Cessar	Itkin	Nickol	Taylor, F.
Clark	James	O'Brien	Taylor, J.
Cohen	Jarolin	Olasz	Thomas
Colafella	Josephs	Oliver	Tigue
Colaizzo	Kaiser	Pesci	Trello
Cole	Kasunic	Petrarca	Trich
Corrigan	Kenney	Petrone	Van Horne
Cowell	King	Pistella	Veon

Coy	Krebs	Preston	Williams
DeLuca	Kruszewski	Reber	Wozniak
DeWeese	Kukovich	Richardson	Wright, D. R.
Daley	LaGrotta	Rieger	
Davies	Laughlin	Ritter	O'Donnell,
Dempsey	Lee	Robinson	Speaker
Dermody	Lescovitz		

NAYS—73

Adolph	Fargo	Hess	Ryan
Angstadt	Farmer	Jadlowiec	Scheetz
Armstrong	Fleagle	Johnson	Schuler
Barley	Freind	Langtry	Serafini
Battisto	Gallen	Lawless	Stairs
Birmelin	Gamble	Leh	Strittmatter
Black	Gannon	Linton	Taylor, E. Z.
Bowley	Geist	Marsico	Telek
Boyes	Gerlach	Merry	Tomlinson
Broujos	Godshall	Micozzie	Tulli
Brown	Gruppo	Noye	Uliana
Butkovitz	Hagarty	Nyce	Vance
Carlson	Harley	Perzel	Vroon
Chadwick	Hasay	Phillips	Wambach
Civera	Hayes	Piccola	Wilson
Clymer	Heckler	Pitts	Wogan
Cornell	Herman	Raymond	Wright, M. N.
Dent	Hershey	Reinard	Wright, R. C.
Fairchild			

NOT VOTING—4

Durham	Kosinski	McHugh	Scrimenti
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EXCUSED—1

Stuban

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. CLYMER offered the following amendment No. A0753:

Amend Sec. 4, page 4, line 26, by inserting after "Fund." The commission shall allocate a minimum of \$1,000,000 annually to be used for the treatment of compulsive behaviors in accordance with regulations adopted by the commission. The first such allocation shall be made in the first fiscal year commencing one year following the effective date of this act.

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, my amendment simply allocates \$1 million annually to be used for the treatment of compulsive behavior regarding the gambling issue. There are sufficient funds to cover this, and I would urge support for the amendment.

The SPEAKER. The Chair recognizes Mr. Gigliotti.

Mr. GIGLIOTTI. Thank you, Mr. Speaker.

I agree with this amendment, and I support it wholeheartedly.

The SPEAKER. The Chair recognizes Mr. Reber.

Mr. REBER. Thank you, Mr. Speaker.

Mr. Speaker, would the prime sponsor of this amendment stand for brief interrogation?

Mr. CLYMER. Yes.

The SPEAKER. The gentleman indicates that he will. The gentleman may proceed.

Mr. REBER. Thank you, Mr. Speaker.

Parenthetically, I support the amendment also, Mr. Speaker, and I just want to clarify.

The particular fund that is being created by this amendment, would this be available for any and all compulsive gambling that is currently legalized in the Commonwealth of Pennsylvania to enable someone who for all intents and purposes has such an addiction as a result of already existing legalized gambling activities to partake of the benefits of this amendment?

Mr. CLYMER. Thank you, Mr. Speaker.

The commission that will be established to oversee riverboat gambling will have the authority to make that discretion as to how those funds are to be used.

Mr. REBER. Mr. Speaker, do you have any objection, for purposes of legislative intent, to at least suggest that the commission take into consideration all types of compulsive gambling, whether it would be bingo or the lottery that currently is legalized in the Commonwealth, to provide for such treatment for a compulsive gambler?

Mr. CLYMER. I do not.

Mr. REBER. Thank you very much.

Thank you, Mr. Speaker. I support the amendment.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—196

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

Colaifella	Hess	Perzel	Tulli
Colaizzo	Hughes	Pesci	Uliana
Cole	Itkin	Petrarca	Van Horne
Cornell	Jadlowiec	Petrone	Vance
Corrigan	James	Phillips	Veon
Cowell	Jarolin	Piccola	Vroon
Coy	Johnson	Pistella	Wambach
DeLuca	Josephs	Pitts	Williams
DeWeese	Kaiser	Preston	Wilson
Daley	Kasunic	Raymond	Wogan
Davies	Kenney	Reber	Wozniak
Dempsey	King	Reinard	Wright, D. R.
Dent	Kosinski	Richardson	Wright, M. N.
Dermody	Krebs	Rieger	Wright, R. C.

NAYS—4

Battisto
Hasay

McGeehan
O'Donnell,
Speaker

NOT VOTING—1

Mrkonic

EXCUSED—1

Stuban

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

On the question recurring,

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

Mr. CLYMER offered the following amendments No. A0740:

Amend Sec. 19, page 24, line 23, by striking out "seven" and inserting

nine

Amend Sec. 19, page 24, line 23, by striking out "two" and inserting

four

Amend Sec. 19, page 25, line 5, by striking out "one" where it appears the first time and inserting

two

Amend Sec. 19, page 25, line 5, by striking out "one" where it appears the second time and inserting

two

On the question,

Will the House agree to the amendments?

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

Mr. CLYMER. Thank you, Mr. Speaker.

The amendment simply broadens the people who are to sit on the Riverboat Gambling Commission. I have increased it by two. It would be up to the Governor's discretion to add those two additional members, to sort of give it a more geographical balance, and for that reason I ask for support of the amendment.

The SPEAKER. The Chair recognizes Mr. Gigliotti.

Mr. GIGLIOTTI. I do not support this amendment. All this amendment does is create a nine-member commission instead of a seven-member. We went from a five to a seven in committee.

I am asking for a "no" vote on the amendment.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—97

Acosta	Fairchild	Johnson	Saloom
Adolph	Fargo	King	Saurman
Allen	Farmer	Lawless	Scheetz
Angstadt	Fleagle	Leh	Schuler
Argall	Flick	Marsico	Semmel
Armstrong	Foster	Merry	Serafini
Barley	Fox	Micozzie	Smith, B.
Billow	Freind	Nahill	Smith, S. H.
Birmelin	Gallen	Nailor	Snyder, D. W.
Black	Gamble	Nickol	Snyder, G.
Boyes	Gannon	Noye	Stairs
Brown	Geist	Nyce	Strittmatter
Bunt	George	O'Brien	Taylor, E. Z.
Bush	Gerlach	Oliver	Taylor, J.
Carlson	Godshall	Perzel	Telek
Chadwick	Gruppo	Phillips	Tomlinson
Civera	Hagarty	Piccola	Tulli
Clark	Harley	Pitts	Uliana
Clymer	Hayes	Raymond	Vance
Cornell	Heckler	Reber	Vroon
Coy	Herman	Reinard	Wilson
Davies	Hershey	Richardson	Wogan
Dent	Hess	Rieger	Wright, M. N.
Donatucci	Jadlowiec	Ryan	Wright, R. C.
Durham			

NAYS—100

Anderson	Evans	Lee	Roebuck
Arnold	Fajt	Lescovitz	Rudy
Battisto	Fee	Levdansky	Scrimenti
Belardi	Freeman	Lloyd	Staback
Belfanti	Gigliotti	Lucyk	Steelman
Bishop	Gladeck	McCall	Steighner
Blaum	Gruitza	McGeehan	Stetler
Bowley	Haluska	McNally	Stish
Broujos	Hanna	Maiale	Sturla
Butkovitz	Harper	Markosek	Surra
Caltagirone	Hasay	Mayernik	Tangretti
Cappabianca	Hayden	Melio	Taylor, F.
Carr	Hughes	Michlovic	Thomas
Carone	Itkin	Mihalich	Tigue
Cawley	James	Mrkonic	Trello
Cessar	Jarolin	Mundy	Trich
Cohen	Josephs	Murphy	Van Horne
Colaifella	Kaiser	Olasz	Veon
Colaizzo	Kasunic	Pesci	Wambach
Cole	Kosinski	Petrarca	Williams
Corrigan	Krebs	Petrone	Wozniak
Cowell	Kruszewski	Pistella	Wright, D. R.
DeWeese	Kukovich	Preston	
Daley	LaGrotta	Ritter	O'Donnell,
Dempsey	Langtry	Robinson	Speaker
Dermody	Laughlin		

NOT VOTING—4

DeLuca Kenney Linton McHugh

EXCUSED—1

Stuban

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. RYAN offered the following amendment No. A0877:

Amend Sec. 4, page 6, by inserting between lines 19 and 20

(17) To appoint an executive director to hold office at its pleasure. The executive director shall have powers and duties as the commission shall prescribe and shall receive compensation as the commission shall determine. The executive director shall have the authority to employ personnel necessary to carry out the duties of the office. No executive director shall hold office unless he has a minimum of ten years administrative experience. The Pennsylvania State Police must also conduct a thorough background check on the individuals under consideration by the commission for the position of executive director.

(18) To require any applicant for the position of executive director or any other position for which a license is required under this act, to pay the cost of a criminal history record check, as required in 18 Pa.C.S. 9151 (relating to right to access and review) and a record check conducted by the Federal Bureau of Investigations.

On the question,

Will the House agree to the amendment?

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

Mr. RYAN. Thank you, Mr. Speaker.

Mr. Speaker, the bill as it is presently drafted does not make provision for the hiring if the commission would want to hire an executive director. This amendment permits an executive director to be hired and to serve at the pleasure of the commission. There is a requirement that the executive director have a minimum of 10 years' administrative experience and clear a State Police background check.

The SPEAKER. The Chair recognizes Mr. Gigliotti.

Mr. GIGLIOTTI. I agree with the amendment.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—200

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

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

NAYS—1

Battisto

NOT VOTING—0

EXCUSED—1

Stuban

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

On the question recurring,

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

Mr. RYAN offered the following amendment No. A0841:

Amend Sec. 4, page 6, by inserting between lines 19 and 20

(17) To use funds derived from the special account as provided for in this section to acquire such furnishing, equipment, supplies, stationery, books, motor vehicles and any items or equipment it may deem necessary or desirable in carrying out its duties as provided for in this act.

(18) To incur such other expenses, within the limits of available funds, as it may deem necessary.

On the question,

Will the House agree to the amendment?

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

Mr. RYAN. Thank you, Mr. Speaker.

Mr. Speaker, this amendment is a technical amendment. I am told that the bill does not have a provision in it to permit the commission to spend the necessary funds to operate the commission, and this would permit such expenditures.

The SPEAKER. The Chair recognizes Mr. Gigliotti.

Mr. GIGLIOTTI. I agree with the amendment.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—197

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

NAYS—1

Battisto

NOT VOTING—3

Billow Dermody Linton

EXCUSED—1

Stuban

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

On the question recurring,

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

Mr. RYAN offered the following amendment No. A0823:

Amend Sec. 7, page 8, line 23, by striking out "acquire" and inserting purchase

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

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

Mr. RYAN. Mr. Speaker, this amendment imposes on the owner of the enterprise - the riverboat, if you will - the obligation to buy his equipment as opposed to leasing it from a vending machine leasing company. If you recall, when we dealt with the question of the video poker machines, one of the great concerns I had brought about, by my review of Crime Commission reports, dealt with the fact that organized crime was apparently in pretty deep with this portion of the various gambling enterprises, and it is as a slight safeguard, I guess, that I offer this amendment, so that the owner of the riverboat also owns the equipment. It is not owned by anyone of unknown sources.

The SPEAKER. The Chair recognizes Mr. Gigliotti.

Mr. GIGLIOTTI. I agree with the amendment but not in the way he put it. The intention of the bill was always for the boat owners to buy the equipment, but this just clears it up, and I agree with it.

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

The following roll call was recorded:

YEAS—200

Acosta	Evans	Langtry	Roebuck
Adolph	Fairchild	Laughlin	Rudy
Allen	Fajt	Lawless	Ryan
Anderson	Fargo	Lee	Saloom
Angstadt	Farmer	Leh	Saurman
Argall	Fee	Lescovitz	Scheetz
Armstrong	Fleagle	Levdansky	Schuler
Arnold	Flick	Linton	Scrimenti
Barley	Foster	Lloyd	Semmel
Belardi	Fox	Lucyk	Serafini
Belfanti	Freeman	McCall	Smith, B.
Billow	Freind	McGeehan	Smith, S. H.
Birmelin	Gallen	McHugh	Snyder, D. W.
Bishop	Gamble	McNally	Snyder, G.
Black	Gannon	Maiale	Staback
Blaum	Geist	Markosek	Stairs
Bowley	George	Marsico	Steelman
Boyes	Gerlach	Mayernik	Steighner
Broujos	Gigliotti	Melio	Stetler
Brown	Gladeck	Merry	Stish
Bunt	Godshall	Michlovic	Strittmatter
Bush	Gruitza	Micozzie	Sturla
Butkovitz	Gruppo	Mihalich	Surra
Caltagirone	Hagarty	Mrkonic	Tangretti
Cappabianca	Haluska	Mundy	Taylor, E. Z.
Carlson	Hanna	Murphy	Taylor, F.
Carn	Harley	Nahill	Taylor, J.
Carone	Harper	Nailor	Telek
Cawley	Hasay	Nickol	Thomas
Cessar	Hayden	Noye	Tigue
Chadwick	Hayes	Nyce	Tomlinson
Civera	Heckler	O'Brien	Trello
Clark	Herman	Olasz	Trich
Clymer	Hershey	Oliver	Tulli
Cohen	Hess	Perzel	Uliana
Colafella	Hughes	Pesci	Van Horne
Colaizzo	Itkin	Petrarca	Vance
Cole	Jadlowiec	Petrone	Veon
Cornell	James	Phillips	Vroon
Corrigan	Jarolin	Piccola	Wambach
Cowell	Johnson	Pistella	Williams

Coy	Josephs	Pitts	Wilson
DeLuca	Kaiser	Preston	Wogan
DeWeese	Kasunic	Raymond	Wozniak
Daley	Kenney	Reber	Wright, D. R.
Davies	King	Reinard	Wright, M. N.
Dempsey	Kosinski	Richardson	Wright, R. C.
Dent	Krebs	Rieger	
Dermody	Kruszewski	Ritter	O'Donnell,
Donatucci	Kukovich	Robinson	Speaker
Durham	LaGrotta		

NAYS—1

Battisto

NOT VOTING—0

EXCUSED—1

Stuban

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

On the question recurring,

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

Mr. RYAN offered the following amendment No. A0821:

Amend Sec. 9, page 11, line 19, by striking out "rivers, lakes and reservoirs of this Commonwealth." and inserting following Pennsylvania waterways only: Allegheny River, Delaware River, Lake Erie, Monongahela River and Ohio River.

On the question,

Will the House agree to the amendment?

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

Mr. RYAN. Thank you, Mr. Speaker.

Mr. Speaker, as I read through the bill, I became curious as to where these riverboats might operate. I have, for instance, a very nice lake about 2 or 3 miles long, 2 or 3 miles wide, a half a mile from where I live, and I thought somebody could come in with a great big crane and dump one of them in there, and perhaps I would have a riverboat gambling lodge down the creek from me. So I thought, I am sure what was intended was that they be on navigable waters of the Commonwealth, and accordingly, this amendment limits the use of this activity to the Allegheny, Delaware, Monongahela, and Ohio Rivers as well as Lake Erie, and anybody who opposes this amendment, they should identify whatever waterway they live nearby so that I can figure out where else I should have added.

The SPEAKER. The Chair recognizes Mr. Gigliotti.

Mr. GIGLIOTTI. Mr. Speaker, you know, I am happy that Mr. Ryan put in the Allegheny and the Ohio and the Monongahela River because that is where I am from, but you see, I am not an expert on how many lakes and reservoirs. You, the members, know how many are in your area. There is the Schuylkill River; I understand part of the Schuylkill River is navigable.

The choice is yours. You know, I am in favor of it and I am not in favor of the amendment, so do what your conscience tells you. I am just saying to you that there might be some lakes in your area or some reservoirs that are used for recrea-

tion purposes, that there is a possibility for riverboating in your area, so you make the decision.

The SPEAKER. The Chair recognizes Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, I support the Ryan amendment. It makes sense. It lays out very specifically where the riverboats would be allowed to travel, and I support the amendment. That makes a lot of sense with this amendment.

The SPEAKER. The Chair recognizes Mr. Davies.

Mr. DAVIES. Mr. Speaker, would the maker of the amendment answer a question?

The SPEAKER. The gentleman indicates he is willing to be interrogated. The gentleman may proceed.

Mr. DAVIES. Mr. Speaker, is not the lower portion of the Schuylkill River below the Fairmount Dam navigable?

Mr. RYAN. Yes. There are also a number of other rivers in the Commonwealth that I am sure you could navigate on. I just did not happen to add the Schuylkill River. I did not want a riverboat getting in the way of an eight-oared shell.

Mr. DAVIES. No, sir. The shells are above the dam. This is below the dam.

Mr. RYAN. I did not want to use a dam - d-a-m - to break up my amendment.

Mr. DAVIES. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes Mr. Wozniak.

Mr. WOZNIAK. Thank you, Mr. Speaker.

I rise to oppose this amendment. I think the fail-safe mechanism that Representative Gigliotti put in that the local citizenry makes the final decision, I think they have the wisdom and the responsibility to decide if they wish to have riverboat gambling on their waterways.

I do not know what the future will hold 10 years or 20 years down the line, and I think that the way the amendment is crafted, there are many waterways out there that we are not even aware of that might possibly be able to participate in this. Thank you.

The SPEAKER. Is the gentleman, Mr. Tigie, seeking recognition?

Mr. TIGUE. Thank you, Mr. Speaker.

Mr. Speaker, I oppose the amendment and basically from what Mr. Ryan said. We do have a river in our area, the Susquehanna, which could be used for these purposes. If he wants to include it, I will support it. Otherwise, I am against it. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes Mr. Gigliotti.

Mr. GIGLIOTTI. Mr. Speaker, thank you.

Mr. Speaker, you forgot another river in my area. It is the Youghiogheny, so I am opposing this amendment. Thank you.

The SPEAKER. The Chair recognizes Mrs. Harper.

Mrs. HARPER. Thank you, Mr. Speaker.

I oppose this amendment, because I do think that we should leave the route open because we do not know what city might request that this particular boat come into their area and get a piece of the action. Thank you.

The SPEAKER. The Chair recognizes Mr. Ryan.

Mr. RYAN. Mr. Speaker, it might appear that I was being somewhat facetious when I offered that amendment, but honestly, I was not being.

What concerns me is there is really nothing in the bill to guide a commission. When I kiddingly said that the reservoir down the street from me—and it is literally down the street—could take a riverboat, it could. Of course, it is private property, and it would not happen, I would not guess. There is the Susquehanna, the river out here in front of the Capitol. There are any number of places where a boat, a riverboat, could float long enough, I guess, to be untied and qualified as navigating some course of water.

By using these five waterways that I have used in this amendment, by restricting it to these five, what in effect we have done is we have restricted this activity to somewhat our urban areas. We have it in the Pittsburgh area, where the gentleman who is the prime sponsor of this bill initially sought to put it, where there is some history, I believe, with Mr. Connelly, who initiated this in other States and apparently very successfully. The Delaware is certainly in an urban area between New Jersey and Philadelphia. Lake Erie, up along the shore up there, is again urban areas. But once you get beyond that, we have no restraint in this bill. It could be any puddle in Pennsylvania that the commission would see fit to make a decision that, yes, a riverboat will float here, an engine will turn, and we will make this a navigable waterway as far as riverboat gambling goes.

The alternative to this might be to change the definition and say, if it is riverboat gambling like the Old Miss, then let us make sure there are 5 miles or 10 miles or 15 miles of open waterways that these boats can travel on so that you get the full flavor of the old-time riverboat gambling with Bret Maverick at the table.

The SPEAKER. The Chair recognizes Mr. Cessar.

Mr. CESSAR. Thank you, Mr. Speaker.

I rise to oppose the amendment for one reason, and that reason is self-determination by the voters of the county where the referendum will be placed to them for their decision to make whether they want riverboat gambling or not. So I would oppose the amendment.

The SPEAKER. The Chair recognizes Mr. Markosek.

Mr. MARKOSEK. Thank you, Mr. Speaker.

Will the prime sponsor stand for interrogation, please?

The SPEAKER. The sponsor of the bill?

Mr. MARKOSEK. Yes, of the bill.

The SPEAKER. The gentleman, Mr. Gigliotti, indicates he is willing to be interrogated. The gentleman may proceed.

Mr. MARKOSEK. Mr. Speaker, is there a size of the boat, minimum-size boat?

Mr. GIGLIOTTI. Yes, there is.

Mr. MARKOSEK. And what is that minimum size?

Mr. GIGLIOTTI. A 200-passenger boat is the smallest boat that you can put on any lake or river.

Mr. MARKOSEK. Okay. So that is a fairly large boat, which I think would answer the question of the gentleman,

Mr. Ryan, and his concerns that we would have boats all over the place. Since that is a fairly large boat, you would have to have a fairly good size body of water, so therefore, I think that that concern is taken care of, and for that reason I would be opposed to the amendment. Thank you, Mr. Speaker.

—The SPEAKER. The Chair recognizes Mr. Olasz.

Mr. OLASZ. Mr. Speaker, for the purpose of all the swabbies out there, the maker of this amendment or bill, do you understand the difference between a ship and a boat? A boat is something you put on a ship. You cannot put a ship on a boat. So that is for clarification between a boat and a ship. Think about it.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—106

Adolph	Fargo	Kenney	Saurman
Allen	Farmer	King	Scheetz
Angstadt	Fleagle	Lawless	Schuler
Argall	Flick	Lee	Semmel
Armstrong	Foster	Leh	Serafini
Barley	Fox	Levdansky	Smith, B.
Birmelin	Freeman	Linton	Smith, S. H.
Black	Freind	Lloyd	Snyder, D. W.
Boyes	Gamble	McHugh	Snyder, G.
Broujos	Gannon	McNally	Stairs
Brown	Geist	Marsico	Strittmatter
Bunt	George	Merry	Taylor, E. Z.
Bush	Gerlach	Micozzie	Taylor, J.
Butkovitz	Gladeck	Nahill	Telek
Carlson	Godshall	Nailor	Tomlinson
Chadwick	Gruppo	Nickol	Tulli
Civera	Hagarty	Noye	Uliana
Clark	Harley	Nyce	Vance
Clymer	Hayden	O'Brien	Vroon
Cornell	Hayes	Perzel	Wambach
Corrigan	Heckler	Phillips	Wilson
Coy	Herman	Piccola	Wogan
Daley	Hershey	Pitts	Wright, M. N.
Dempsey	Hess	Raymond	Wright, R. C.
Dent	Hughes	Reinard	
Durham	Jadlowiec	Ritter	O'Donnell,
Fairchild	Johnson	Ryan	Speaker

NAYS—93

Acosta	Donatucci	Lescovitz	Robinson
Arnold	Evans	Lucyk	Roebuck
Battisto	Fajt	McCall	Rudy
Belardi	Fee	McGeehan	Saloom
Belfanti	Gallen	Maiale	Scrimenti
Billow	Gigliotti	Markosek	Staback
Bishop	Gruitza	Mayernik	Steelman
Blaum	Haluska	Melio	Steighner
Bowley	Hanna	Michlovic	Stetler
Caltagirone	Harper	Mihalich	Stish
Cappabianca	Hasay	Mrkonic	Sturla
Carn	Itkin	Mundy	Surra
Carone	James	Murphy	Tangretti
Cawley	Jarolin	Olasz	Taylor, F.
Cessar	Josephs	Oliver	Thomas
Cohen	Kaiser	Pesci	Tigue
Colaella	Kasunic	Petrarca	Trello
Colaizzo	Kosinski	Petrone	Trich
Cole	Krebs	Pistella	Van Horne
Cowell	Kruszewski	Preston	Veon
DeLuca	Kukovich	Reber	Williams
DeWeese	LaGrotta	Richardson	Wozniak
Davies	Laughlin	Rieger	Wright, D. R.
Dermody			

NOT VOTING—2

Anderson Langtry

EXCUSED—1

Stuban

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

On the question recurring,

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

Mr. RYAN offered the following amendments No. A0840:

Amend Bill, page 24, lines 26 through 30; page 25, lines 1 through 6, by striking out "The remaining five members shall consist of two members" in line 26, all of lines 27 through 30, page 24; all of lines 1 through 6, page 25 and inserting

The remaining five members shall consist of one to be appointed by the President pro tempore of the Senate, one by the Speaker of the House of Representatives, one by the Minority Leader of the Senate and one by the Minority Leader of the House of Representatives. The remaining member shall be appointed by the Attorney General. The members of the commission shall serve three-year terms, except that the Governor's original appointments shall be one for four years and one for two years. One of the Governor's appointees shall be a certified public accountant with a minimum of ten years experience, who is licensed to practice accountancy in this Commonwealth. The Governor's other appointee shall have comprehensive knowledge of the principles and practice of corporate finance and have a minimum of ten years experience in the field. The Attorney General's appointee shall have a minimum of ten years experience in the field of law enforcement.

Section 20. Qualifications for commission members.

(a) Qualifications enumerated.—The members of the commission shall meet the following requirements:

- (1) The member must be a United States citizen and resident of this Commonwealth.
- (2) The member must not be a member of the General Assembly, or hold any elective or appointed office in Federal, State or local government.
- (3) The member shall not be a member of any committee of any political party or engage in any political party activity.
- (4) The member shall not be pecuniarily interested in any business or organization holding an operator's, distributor's or manufacturer's license under this act or doing business with any person or organization licensed under this act.

(b) Oath of office.—An appointee, before entering upon the duties of commissioner, shall swear that he is not pecuniarily interested in any business or organization holding an operator's, distributor's or manufacturer's license or doing business with any such person or organization. The oath shall be filed in the Office of the Secretary of State.

Section 21. Disqualification.

Any member of the commission shall be removed from office by the Governor for incompetency, misconduct in office, willful neglect of duty or other conduct evidencing unfitness for the office.

Amend Sec. 20, page 25, line 7, by striking out "20" and inserting

22

Amend Sec. 21, page 25, line 11, by striking out "21" and inserting

23

Amend Sec. 22, page 25, line 19, by striking out "22" and inserting

24

On the question,

Will the House agree to the amendments?

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

Mr. RYAN. Thank you, Mr. Speaker.

Mr. Speaker, this amendment restructures the Gambling Commission. Now, as the bill is presently written, there is a provision that the commission consist of seven members - two appointed by the Governor, four legislators appointed by their respective leaders, and the seventh member by the Attorney General.

My amendment will do this: There will be two appointees by the Governor, one of whom shall be a certified public accountant with a minimum of 10 years' experience, licensed to practice accounting in Pennsylvania. The other gubernatorial appointee shall have a comprehensive knowledge of the principles and practice of corporate finance and a minimum of 10 years' experience in that field. The Attorney General's appointee shall have a minimum of 10 years' experience in the field of law enforcement.

The legislative leaders shall not be permitted to appoint a legislator. The last thing in the world we need is to sit on a gambling commission as elected legislative officials. No one is doing you a favor appointing you to sit on one of these commissions. You are far better off appointing a solid citizen to sit rather than an elected official. Now, wait a minute. Hey, Olasz, think about this. Any donation you would ever again get in a campaign, the question would come up, was this because he sits on a gambling commission? Everything that a legislator would do would be suspect, and it is just not right. You are not doing a legislator a favor.

Now, the legislative leaders have a history over the past three or four major bills such as this of making appointments, and they have been good appointments, I believe. We did outside appointments to the convention center. We did outside appointments to the port authority. We shortly will be doing, I believe, outside appointments to the—the Speaker has his fingers crossed; uncross them; you are all right—we shortly will be doing appointments to the Philadelphia authority for their bond issue. We did not appoint other legislators; we appointed outside people. The legislative leader who appoints that person is responsible in a sense for his conduct, so our reputation, Mr. O'Donnell or Mr. DeWeese or myself, our reputation is more or less on the line. But to appoint another legislator is not doing a service to our fellow legislators, in my judgment.

I would ask that you seriously consider adopting this amendment. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes Mr. Gigliotti.

Mr. GIGLIOTTI. You know, my intent and purpose was to create a commission that I thought would be honest and sincere. That is why we put the Attorney General's Office, two from the Governor, and two from the House and two from the Senate. I take offense that the great Matthew Ryan figures that the legislators do not have the qualifications to be on a commission and that it would interfere with their work.

I mean, I agree with this amendment. I mean, if anybody thinks that I want to be a part of this commission for the purpose of passing this bill, I want you all to know, that is not true, and I am going to support this amendment just to prove that point to you. I am in favor of this amendment, although I think that the original intent of the commission was exact. So I am going to support Mr. Ryan's amendment because I believe that we should have a neutral party anyway.

The SPEAKER. Is the gentleman, Mr. Clymer, seeking recognition?

Mr. CLYMER. Yes. Thank you, Mr. Speaker.

I support the Ryan amendment. It makes sense. He is putting into place very qualified personnel to sit on the river-boat gaming commission, and he is also right in removing any doubt that would be clouded if legislators were to be appointed. So I support the amendment and ask for its adoption.

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

The following roll call was recorded:

YEAS—200

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

Dent	Krebs	Rieger	
Dermody	Kruszewski	Ritter	O'Donnell,
Donatucci	Kukovich	Robinson	Speaker
Durham	LaGrotta		

NAYS—0

NOT VOTING—1

DeLuca

EXCUSED—1

Stuban

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. RYAN offered the following amendments No. A0863:

Amend Table of Contents, page 1, line 14, by striking out all of said line and inserting

Section 8. Requirements of license applicant.

Amend Sec. 8, page 9, lines 19 through 30; page 10, lines 1 through 14, by striking out all of said lines on said pages and inserting

Section 8. Requirements of license applicant.

(a) Information.—An applicant to become a licensee, other than a holder of an occupational license, must produce information, documentation and assurances concerning the following:

(1) The full name, residence, date of birth, fingerprints and other personal identifying information as the commission deems necessary.

(2) A copy of the applicant's criminal history record information pursuant to 18 Pa.C.S. Ch. 91 (relating to criminal history record information). The applicant must also include copies of criminal history record information from any other jurisdiction where the applicant resided or had a principal place of business during a ten-year period immediately preceding the filing of the application. Where no such information exists, the applicant must submit a letter so indicating from the respective law enforcement agency.

(3) Information, documentation and assurances concerning financial background and resources as may be required to establish by clear and convincing evidence the financial stability, integrity and responsibility of the applicant. Information under this paragraph includes, but is not limited to, bank references, business and personal income and disbursement schedules, tax returns and other reports filed with governmental agencies and business and personal accounting and check records and ledgers. In addition, the applicant must authorize in writing the examination of all bank accounts and records as deemed necessary by the commission. If a nonpublicly traded corporation has any equitable interest in the applicant, this paragraph applies to all stockholders of the corporation.

(4) Information, documentation and assurances as necessary to establish by clear and convincing evidence the integrity of all financial backers; investors; mortgages; bondholders; and holders of indentures, notes or other evidence of indebtedness, either in effect or proposed, which bears any relation to the excursion gambling boat proposal submitted by the applicant. The integrity of financial sources shall be judged upon the same standards as the applicant. The applicant must produce whatever information, documentation or assurances required to establish by clear and convincing evidence the adequacy of financial resources, both as to the completion of the excursion gambling boat and the operation of the excursion gambling boat.

(5) Information, documentation and assurances required to establish by clear and convincing evidence the applicant's good character, honesty and integrity. Information under this paragraph includes, without limitation, information pertaining to family, habits, character, reputation, criminal and arrest record, business activities, financial affairs, business associates, professional associates and personal associates, covering at least the ten-year period immediately preceding the filing of the application. The applicant must notify the commission of any civil judgments obtained against the applicant pertaining to Federal, State or foreign antitrust or security regulation laws. If the applicant has conducted gaming operations in a jurisdiction which permits such activity, the applicant must produce letters of reference from the gaming or casino enforcement or control agency which specify the experiences of the agency with the applicant, the applicant's associates and the applicant's gaming operation. If the letters are not received within 60 days of request, the applicant may submit a statement under oath that, during the period such activities were conducted, the applicant was in good standing with the appropriate gaming or casino enforcement or control agency.

(6) Information, documentation and assurances as required to establish by clear and convincing evidence that the applicant has sufficient business ability and excursion gambling boat experience as to support the likelihood of creation and maintenance of a successful, efficient excursion gambling boat operation. The applicant must produce the names of all proposed excursion gambling boat employees as they become known, a description of their respective or proposed responsibilities and a full description of security systems and management controls proposed for the excursion gambling boat and related facilities. This paragraph shall not apply to applicants for a distributor's license or a manufacturer's license.

(b) Applicant disqualification criteria.—The commission shall deny a license to any applicant who is disqualified on the basis of any of the following criteria:

(1) Failure of the applicant to prove by clear and convincing evidence that the applicant is qualified in accordance with the provisions of this act.

(2) Failure of the applicant to provide information, documentation and assurances required by this act or requested by the commission; failure of the applicant to reveal any fact which is material to qualification; or supplying information which is untrue or misleading as to a material fact pertaining to the qualification criteria.

(3) The applicant or any person required to be qualified under this act as a condition of licensure has been convicted of, or pleaded guilty or no contest to, any of the following offenses or their equivalent in another jurisdiction:

Section 113(a)(14), (30), (36) or (37) of the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act.

18 Pa.C.S. § 911 (relating to corrupt organizations).

18 Pa.C.S. § 3301 (relating to arson and related offenses).

18 Pa.C.S. § 3302 (relating to causing or risking catastrophe).

18 Pa.C.S. § 3502 (relating to burglary).

18 Pa.C.S. § 3701 (relating to robbery).

18 Pa.C.S. § 3921 (relating to theft by unlawful taking or disposition).

18 Pa.C.S. § 3922 (relating to theft by deception).

18 Pa.C.S. § 3923 (relating to theft by extortion).

18 Pa.C.S. § 3924 (relating to theft of property lost, mislaid, or delivered by mistake).

18 Pa.C.S. § 3925 (relating to receiving stolen property).

18 Pa.C.S. § 3926 (relating to theft of services).

18 Pa.C.S. § 3927 (relating to theft by failure to make required disposition of funds received).

18 Pa.C.S. § 3930 (relating to theft of trade secrets).

18 Pa.C.S. § 3932 (relating to theft of leased property).

18 Pa.C.S. § 3933 (relating to unlawful use of computer).

18 Pa.C.S. § 4101 (relating to forgery).

18 Pa.C.S. § 4104 (relating to tampering with records or identification).

18 Pa.C.S. § 4108 (relating to commercial bribery and breach of duty to act disinterestedly).

18 Pa.C.S. § 4112 (relating to receiving deposits in a failing financial institution).

18 Pa.C.S. § 4302 (relating to incest).

18 Pa.C.S. § 4701 (relating to bribery in official and political matters).

18 Pa.C.S. § 4702 (relating to threats and other improper influence in official and political matters).

18 Pa.C.S. § 4902 (relating to perjury).

18 Pa.C.S. § 4911 (relating to tampering with public records or information).

18 Pa.C.S. § 5111 (relating to dealing in proceeds of unlawful activities).

18 Pa.C.S. § 5301 (relating to official oppression).

18 Pa.C.S. § 5302 (relating to speculating or wagering on official action or information).

18 Pa.C.S. § 5512 (relating to lotteries, etc.).

18 Pa.C.S. § 5513 (relating to gambling devices, gambling, etc.).

18 Pa.C.S. § 6312 (relating to sexual abuse of children).

18 Pa.C.S. § 6314 (relating to sentencing and penalties for trafficking drugs to minors).

(4) The applicant or any person required to be qualified under this act as a condition of licensure has been convicted of, or pleaded guilty or no contest to, any other offense under present Federal or State law which indicates that licensure of the applicant would be inimical to the policy of this act and to excursion gambling boat operations. The automatic disqualification provisions of this paragraph shall not apply with regard to:

(i) any conviction which did not occur within the ten-year period immediately preceding application for licensure and which the applicant demonstrates by clear and convincing evidence does not justify automatic disqualification pursuant to this subsection; or

(ii) any conviction or plea which has been the subject of a judicial order of expungement or sealing.

(5) Current prosecuting or pending charges in any jurisdiction of the applicant or of any person who is required to be qualified under this act as a condition of licensure for any of the offenses enumerated in paragraph (3). At the request of the applicant or the person charged, the commission shall defer decision upon such application during the pendency of such charge.

(6) The pursuit, by the applicant or any person who is required to be qualified under this act as a condition of licensure, of economic gain in an occupational manner or context which is in violation of the criminal or civil public policies of this Commonwealth, if such pursuit creates a reasonable belief that the participation of the person in excursion gambling boat operations would be inimical to the policies of this act or to legalized gaming in this Commonwealth. For the purposes of this paragraph, "occupational manner" or

“context” shall be defined as the systematic planning, administration, management or execution of an activity for financial gain.

(7) The commission by the applicant, or any person who is required to be qualified under this act as a condition of licensure, of any act which would constitute an offense under paragraph (3), even if such conduct has not or may not be prosecuted under the criminal laws of this Commonwealth.

(8) The applicant is a corporation and 10% of the stock of the corporation is subject to a contract or option to purchase at any time during the period for which the license is to be issued, unless the contract or option was disclosed to the commission and the commission approved the sale or transfer during the period of the license.

(9) The applicant has two other licenses issued under this act.

Amend Sec. 8, page 10, line 15, by striking out “(b)” and inserting

(c)

Amend Sec. 8, page 10, line 23, by striking out “(c)” and inserting

(d)

Amend Sec. 8, page 10, line 26, by inserting after “boat.”

The Pennsylvania State Police shall submit the fingerprints of the applicant to the Federal Bureau of Investigation for a background check.

Amend Sec. 8, page 10, line 29, by striking out “(d)” and inserting

(e)

Amend Sec. 8, page 11, lines 4 and 5, by striking out all of said lines and inserting

(f) Offense.—A person who knowingly makes a false statement in connection with the application commits a violation of 18 Pa.C.S. § 4903 (relating to false swearing).

Amend Sec. 8, page 11, line 6, by striking out “(f)” and inserting

(g)

Amend Sec. 8, page 11, line 7, by inserting after “search” by an agent of the commission or law enforcement agency

Amend Sec. 9, page 13, lines 2 through 30; page 14, line 1, by striking out all of lines 2 through 30, page 13, and “(g)” in line 1, page 14, and inserting

(f)

Amend Sec. 9, page 14, line 6, by striking out “(h)” and inserting

(g)

Amend Sec. 9, page 15, line 1, by striking out “(i)” and inserting

(h)

Amend Sec. 9, page 15, line 4, by striking out “(j)” and inserting

(i)

Amend Sec. 9, page 15, line 8, by striking out “(k)” and inserting

(j)

Amend Sec. 9, page 15, line 17, by striking out “(l)” and inserting

(k)

Amend Sec. 9, page 15, line 25, by striking out “(m)” and inserting

(l)

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes Mr. Ryan.

Mr. RYAN. This amendment, in my judgment, is an improvement on the present bill. There are no dramatic changes as such. I just go into a little bit more detail, a little bit more depth. My staff has copied some of the provisions from both New Jersey and Nevada gaming statutes so that there are tighter controls over the licensees, and that is what I am trying to do, and I am making no apology for it. I am trying to protect against the improper influence of organized crime in the gambling operations. A lot of gambling operations are 100-percent legitimate and legal, and we are trying to protect those kinds of people.

This amendment takes the best provisions from New Jersey and Nevada regarding the requirements for casino operators and their licensing. It is going to require the applicants to produce personal background histories, including criminal histories; record checks from Pennsylvania and any jurisdiction where they have ever resided or conducted business during the prior 10 years. So we want to know who these people are that we are licensing, what they have done for the past 10 years.

We want to know all about their financial background and their resources, and we want them to establish by clear and convincing evidence their financial stability, integrity, and responsibility. We want letters of references from any jurisdiction's gambling authority where this applicant has ever been involved in a gambling operation. We want the applicant to establish by clear and convincing evidence the integrity of all of his financial backers, investors, mortgagees, bondholders, holders of notes - the money lenders, the people who put him in business, who gave him the money. We want to know who those people are. We want to know who his stockholders are, and if his stockholders are nonpublic corporations, we want to know who their stockholders are.

The applicant must produce this information, documentation, and assurances and may be required to provide by, again, clear and convincing evidence his good character, honesty, and integrity. He has to show—and this is traditionally in all these States where there is a gambling license allowed—that he has sufficient business ability and experience to establish the likelihood of the creation and maintenance of a successful enterprise.

Now, just as important for the qualification is the importance of disqualification. The bill mandates that the commission shall deny a license to any applicant who is disqualified on the basis of any of the following criteria: Failure of the applicant to provide information required by the act; failure to reveal any fact which is material to the qualifications; failure to supply information, or giving of information which is misleading is also grounds for dismissal. The conviction of the applicant of a number of serious offenses as set forth in the amendment is also an automatic bar to receiving a license, such as RICO (Racketeer Influenced and Corrupt Organizations), theft by deception, and violent crimes. The applicant would also be barred if he were convicted or charged with any similar offense in another jurisdiction.

Finally, in addition to conducting a thorough background check, the Pennsylvania State Police will be required to submit the fingerprints of the applicant to the Federal Bureau of Investigation so that the FBI can conduct a nationwide criminal history record check.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes Mr. Gigliotti.

Mr. GIGLIOTTI. Thank you, Mr. Speaker.

Mr. Speaker, now I know why you are so great.

Everything that Mr. Ryan says is supposed to be in the bill, and if he just wants to run this amendment, I am not going to oppose his amendment because the majority of the stuff is already in the bill. What he is trying to do is clear it up, and I agree with the amendment, so let us run it.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—200

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

NAYS—0

NOT VOTING—1

Pesci

EXCUSED—1

Stuban

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. RYAN offered the following amendments No. A0875:

Amend Sec. 4, page 5, line 14, by striking out all of said line and inserting

refer to the appropriate law enforcement agency.

Amend Sec. 16, page 20, lines 25 through 30; page 21, lines 1 through 8, by striking out all of said lines on said pages and inserting

(a) Prohibited conduct.—Any person who uses a device to assist in any of the following shall be ejected and barred for life from embarking upon an excursion gambling boat:

- (1) Projecting the outcome of the game.
- (2) Keeping track of the cards played.
- (3) Analyzing the probability of the occurrence of an event relating to the gambling game.

(4) Analyzing the strategy for playing or betting used in the game, except as permitted by the commission.

(b) Misdemeanor offenses.—A person commits a misdemeanor of the second degree for any of the following:

- (1) Operating a gambling excursion where wagering is permitted other than in the manner specified by section 9.
- (2) Knowingly permitting a person under 21 years of age to make a wager.

(3) Wagering or accepting a wager at any location outside the excursion gambling boat.

(4) Cheating at a gambling game.

(c) Felony offenses.—A person commits a felony of

Amend Sec. 16, page 22, lines 2 through 11, by striking out all of lines 2 through 10 and "(5)" in line 11 and inserting

(3)

Amend Sec. 16, page 22, line 14, by striking out "(6)" and inserting

(4)

Amend Sec. 16, page 22, line 17, by striking out "(7)" and inserting

(5)

Amend Sec. 16, page 22, lines 22 through 30; page 23, lines 1 and 2, by striking out all of lines 22 through 30, page 22, line 1 and "(10)" in line 2, page 23 and inserting

(6)

Amend Sec. 16, page 23, line 4, by striking out "(11)" and inserting

(7)

Amend Sec. 16, page 23, line 9, by striking out "(12)" and inserting

(8)

Amend Sec. 16, page 23, line 11, by striking out "(13)" and inserting

(9)

Amend Sec. 16, page 23, by inserting between lines 17 and 18

(10) Acting, or employing a person to act, as a shill or decoy to encourage participation in a gambling game.

Amend Sec. 16, page 23, line 18, by striking out "(c)" and inserting

(d)

Amend Sec. 16, page 23, line 22, by striking out "(d)" and inserting

(e)

Amend Sec. 20, page 25, lines 8 through 10, by striking out all of said lines and inserting

The possession of gambling devices and the conduct of gambling activities authorized by this act shall not be considered violations of 18 Pa.C.S. § 5513 (relating to gambling devices, gambling, etc.).

On the question,

Will the House agree to the amendments?

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

Mr. RYAN. Mr. Speaker, this is my last amendment. It is somewhat a technical amendment. It should be acceptable to everyone, I am certain, just like all of my others. I rarely do anything controversial.

This amendment revises areas of the bill which create prohibited activities and new misdemeanor and felony offenses regarding riverboat gambling activities. In other words, we are going to make the language more consistent with the Pennsylvania Crimes Code. We are going to delete certain sections of the code which are offenses under the Crimes Code and make them noncrimes. It will make clear that all of the gambling activity authorized by this bill is exempt from criminal prosecution. In other words, right now if you go out with a riverboat and you start gambling, you are going to be prosecuted for a crime. Now, with this amendment, we are going to say it is not a crime as long as you are doing it under a license as set forth in this bill and in the act.

Finally, it will require that when the commission has evidence of violations of the act, in addition to pursuing appropriate disciplinary action against the licensee, the commission shall refer the information to the appropriate law enforcement agency.

The SPEAKER. The Chair recognizes Mr. McNally.

Mr. McNALLY. Mr. Speaker, would the sponsor of this amendment stand for a brief interrogation?

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

Mr. McNALLY. Mr. Speaker, I am just wondering, when I look at subsection (a), which specifies some prohibited conduct, it says that "Any person who uses a device to assist in any of the following shall be ejected and barred for life from embarking upon an excursion gambling boat:" and then lists four instances of prohibited conduct. I wonder, first of all, how the sponsor of the amendment would anticipate that we would assure that a person who engages in prohibited conduct does not, at some point later on during his life, embark on an excursion gambling boat, and then I wonder what penalty would there be if you did embark on an excursion gambling boat after you had committed one of these four enumerated prohibited conducts.

Mr. RYAN. Well, a lot of what you are referring to is in the bill right now; you understand that.

The conduct that is prohibited— I am from the Philadelphia area and familiar with the Atlantic City casinos, by way

of example. Our newspapers cover the Atlantic City casinos. They talk about card counters or counting cards, and if you get caught doing it, you are barred from the casinos, and that is the prohibited conduct for which they shall be ejected and barred, and believe me, from what I gather, in the Atlantic City casinos, if you are barred, they know it when you walk back through the door. Do not ask me how they do it; I do not know that.

The bill originally had it as a misdemeanor, and now it is just prohibited conduct that bars you from the premises.

Mr. McNALLY. Mr. Speaker, I do not have any problem with the prohibited conduct. I just wonder, as a practical matter, if I, for example, would go on an excursion gambling boat on the Monongahela River and use a device to keep track of the cards played, I might get thrown off the boat that evening, but then next year I might go to the Delaware River or Lake Erie and embark on an excursion gambling boat there, and how would they be any the wiser?

Mr. RYAN. I could only guess that the commission has certain obligations to promulgate rules for card counters and the like under the act as opposed to us taking care of every single little problem. Again I refer you to what they do in Atlantic City, and they seem to do it somewhat successfully. The card counters in New Jersey are prohibited from all of those casinos by the New Jersey Casino Control Commission, and they apparently do it with some success.

Mr. McNALLY. Mr. Speaker, may I make a brief comment?

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

Mr. McNALLY. I suppose I am going to support this amendment, although I think it is not really going to have any effect.

I asked the gentleman, Mr. Ryan, what happens if a person would engage in prohibited conduct and then go later on to embark on an excursion gambling boat. Would they have any criminal penalties levied against them? And I really did not get an answer to that, and I imagine that no penalties would be levied against that individual.

While he cited the example of Atlantic City, it seems to me that it is much easier to keep track of the cheaters in a relatively small area like Atlantic City, whereas in this particular legislation and this scheme, people will be able to cheat in Pittsburgh, and I really do not think that the people in Philadelphia are going to know what kind of misconduct has occurred in Pittsburgh or Lake Erie or Harrisburg or other rivers. So I am just skeptical about the effectiveness of this particular amendment. Thank you.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—197

Adolph	Evans	LaGrotta	Roebuck
Allen	Fairchild	Langtry	Rudy
Anderson	Fajt	Laughlin	Ryan
Angstadt	Fargo	Lawless	Saloom
Argall	Farmer	Lee	Saurman

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

NAYS—4

NOT VOTING—0

EXCUSED—1

Stuban

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 A0821 RECONSIDERED

The SPEAKER. The Chair is in possession of a motion to reconsider the vote by which amendment A0821 to HB 248, PN 1441, was passed today.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—198

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

NAYS—0

NOT VOTING—3

EXCUSED—1

Langtry

Linton

Thomas

Stuban

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

On the question recurring,

Will the House agree to the amendment?

The clerk read the following amendment No. A0821:

Amend Sec. 9, page 11, line 19, by striking out "rivers, lakes and reservoirs of this Commonwealth." and inserting following Pennsylvania waterways only: Allegheny River, Delaware River, Lake Erie, Monongahela River and Ohio River.

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

The SPEAKER. The Chair recognizes Mr. Ryan.

Mr. RYAN. Thank you, Mr. Speaker.

Mr. Speaker, the amendment that is being reconsidered is the amendment that I inserted that limited the use of riverboat gambling to the four rivers and the one lake, Lake Erie. It is my thought that, as I said earlier, these are in urban areas. Additionally, if it becomes necessary to expand after we have had some experience, all you have to do is come back in here and it will be easy, I am sure, to get an adjustment or an amendment through to add your county, if that is what you want, if your county would pass a referendum. But I think it is a mistake, until we have some experience with this, to leave it wide open where every puddle of Pennsylvania is subject to the possibility of a riverboat gambling device.

And the fact that it seats 200 people is not really all that impressive. You look across the river and you can find little boats over there that hold probably 100, 150. Go to Cape May. The Schooner holds more than that. I mean, that is not a lot of people on a boat, 200 people, and it does not take much water to hold it and untie it and run it around in circles and gamble on it.

The SPEAKER. The Chair recognizes Mrs. Harper.

Mrs. HARPER. Thank you, Mr. Speaker.

I oppose the Ryan amendment. I think people should have a freedom of choice. If a county or a city would like to have this riverboat come to their county, I think they should have the opportunity to do that, because we know that we are going to make money from these riverboat trips, and I think everyone should have the opportunity to share in the proceeds from those riverboats. So we should not deny communities that would like to have those boats come into their community.

Plus, a lot of senior citizens will be using these boats strictly for recreational purposes, and I think they should have the opportunity to reach those boats. So I really think that we will be denying certain communities from taking part in these riverboats. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes Mr. Trello.

Mr. TRELLO. Mr. Speaker, I rise to oppose the amendment and for a very good reason. Mr. Ryan has offered a number of good amendments which I supported. Now he is trying to make decisions for people who live on the Youghiogheny. I do not live on the Youghiogheny, but I live near the Youghiogheny. If this is a local option bill, the people on the Youghiogheny should have the decision whether they want riverboat gambling or not, not a member of this General Assembly. It is an exciting river. It is a good river.

I oppose the amendment, because we are depriving the people who live on the Youghiogheny River the right to either oppose or support this amendment.

The SPEAKER. The Chair recognizes Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, we are soon to engage in debate on a very important piece of legislation regarding casino gambling in Pennsylvania. When this bill has been debated elsewhere, they

have made provisions as to where the gambling can take place, and the gentleman, Mr. Ryan, is simply saying let us begin with certain provisions and restrictions on the waterways where these riverboats would be able to travel. As I said before, that makes a lot of sense. It is prudent. It is common sense.

I ask support of the Ryan amendment.

The SPEAKER. The Chair recognizes Mr. Gigliotti.

Mr. GIGLIOTTI. Thank you, Mr. Speaker.

Mr. Speaker, if you want to kill this bill, this is the amendment to vote for.

I am asking you to "no" vote this amendment, please.

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

The following roll call was recorded:

YEAS—100

Adolph	Fargo	Lawless	Semmel
Allen	Farmer	Lee	Smith, B.
Angstadt	Fleagle	Leh	Smith, S. H.
Argall	Flick	Linton	Snyder, D. W.
Armstrong	Foster	Lloyd	Snyder, G.
Barley	Fox	McCall	Stairs
Battisto	Freeman	McHugh	Strittmatter
Birmelin	Freind	Marsico	Taylor, E. Z.
Black	Gannon	Merry	Taylor, J.
Boyes	Geist	Micozzie	Telek
Broujos	George	Nailor	Thomas
Brown	Gerlach	Nickol	Tomlinson
Bunt	Gladeck	Noye	Tulli
Bush	Godshall	Nyce	Uliana
Butkovitz	Gruppo	O'Brien	Vance
Carlson	Hagarty	Perzel	Vroon
Chadwick	Harley	Phillips	Wambach
Civera	Hayden	Piccola	Wilson
Clark	Hayes	Pitts	Wogan
Clymer	Heckler	Raymond	Wright, D. R.
Cole	Herman	Reinard	Wright, M. N.
Coy	Hershey	Ryan	Wright, R. C.
Dempsey	Hess	Saurman	
Dent	Jadlowiec	Scheetz	O'Donnell,
Durham	Johnson	Schuler	Speaker
Fairchild	King		

NAYS—100

Acosta	Dermody	LaGrotta	Richardson
Anderson	Donatucci	Laughlin	Rieger
Arnold	Evans	Lescovitz	Ritter
Belardi	Fajt	Levdansky	Robinson
Belfanti	Fee	Lucyk	Roebuck
Billow	Gallen	McGeehan	Rudy
Bishop	Gamble	McNally	Saloom
Blaum	Gigliotti	Maiale	Scrimenti
Bowley	Gruitza	Markosek	Serafini
Caltagirone	Haluska	Mayernik	Staback
Cappabianca	Hanna	Melio	Steelman
Carn	Harper	Michlovic	Steighner
Carone	Hasay	Mihalich	Stetler
Cawley	Hughes	Mrkonic	Stish
Cessar	Itkin	Mundy	Sturla
Cohen	James	Murphy	Surra
Colafella	Jarolin	Nahill	Tangretti
Colaizzo	Josephs	Olasz	Taylor, F.
Cornell	Kaiser	Oliver	Tigue
Corrigan	Kasunic	Pesci	Trello
Cowell	Kenney	Petrarca	Trich
DeLuca	Kosinski	Petrone	Van Horne
DeWeese	Krebs	Pistella	Veon
Daley	Kruszewski	Preston	Williams
Davies	Kukovich	Reber	Wozniak

NOT VOTING—1

Langtry

EXCUSED—1

Stuban

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

On the question recurring,

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

The SPEAKER. The Chair recognizes Mr. Gallen, who offers the following amendment, which the clerk will read.

Mr. GALLEN. Mr. Speaker, I am not sure if everybody yet has a copy. It is being distributed. It is a simple amendment. It is a one-word amendment.

The SPEAKER. The amendment may not be in order, but the Chair on unanimous consent would ask the gentleman to address the content of the amendment.

Mr. GALLEN. All right. Thank you, Mr. Speaker.

Mr. Ryan already amended this section, which said that the gambling devices had to be purchased, and the wording there is "purchased from a distributor," and this adds "or manufacturer," which allows the gambling devices, whatever they may be, to be purchased directly from a manufacturer and skip the middleman. That is the purpose of the amendment.

The SPEAKER. The Chair recognizes Mr. Gigliotti on unanimous consent.

Mr. GIGLIOTTI. Mr. Speaker, does this have a fiscal note on it? And number two, that is not the only thing this amendment does. Do you want to explain the rest to us?

Mr. GALLEN. That is all it does.

Mr. GIGLIOTTI. What is the "seven" and "nine"?

The SPEAKER. The gentleman, Mr. Gigliotti, is seeking to interrogate the gentleman, Mr. Gallen. The gentleman indicates he is willing to be interrogated. The gentleman, Mr. Gallen, ought to respond.

Mr. GIGLIOTTI. You have got it on section 19, page 24, line 23, striking out "seven" and inserting "nine." What does that mean?

Mr. GALLEN. Well, Mr. Speaker, when you put a simple amendment in, it changes the lines of the bill. That is all. They are just technical, the balance of the amendment. The only gist of the amendment is the words "or manufacturer."

The SPEAKER. Will the gentlemen suspend the debate.

Unanimous consent has been withdrawn.

The gentleman's amendment, should it be offered, would be out of order. The gentleman is seeking to amend certain lines which the gentleman, Mr. Ryan's amendment has taken out of the bill. The Chair refers specifically to the last line of the gentleman's amendment.

The reason for delaying the amendment was that it had not been distributed and therefore was not being able to be read, but in order to expedite the debate, we had asked the gentleman to explain it while it was about to be distributed. It also gave the Chair an opportunity to examine the amendment.

(Conference held at Speaker's podium.)

The SPEAKER. The amendment has been distributed.

The gentleman, Mr. Gallen, offers the following amendment, which the clerk will read.

On the question recurring,

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

Mr. GALLEN offered the following amendments No. A0882:

Amend Sec. 7, page 8, line 24, by inserting after "distributor" or manufacturer

Amend Sec. 19, page 24, line 23, by striking out "seven" and inserting

nine

Amend Sec. 19, page 24, line 23, by striking out "two" and inserting

four

Amend Sec. 19, page 25, line 5, by striking out "one" where it appears the first time and inserting

two

Amend Sec. 19, page 25, line 5, by striking out "one" where it appears the second time and inserting

two

On the question,

Will the House agree to the amendments?

AMENDMENTS DIVIDED

The SPEAKER. The Chair recognizes Mr. Gallen, who moves to divide the amendment after the word "manufacturer" on line 3 and before the word "Amend" on line 4. The amendment is divisible. The amendment is hereby divided.

The gentleman, Mr. Gallen, now offers the first part of the amendment, which would be A0882, beginning with the word "Amend" on line 1, ending with the word "manufacturer" on line 3.

On the question,

Will the House agree to part 1 of the amendments?

The SPEAKER. The Chair recognizes Mr. Gallen.

Mr. GALLEN. Mr. Speaker, this is just an effort to make the bill more simple and also to allow for possible economies by those people who are going to run these gambling excursions. It allows them to buy gambling equipment directly from the manufacturer and skip the distributor.

I move for the adoption of the amendment.

The SPEAKER. The Chair recognizes Mr. Gigliotti.

Mr. GIGLIOTTI. I agree with the amendment.

The SPEAKER. The Chair recognizes Mr. Tigue.

Mr. TIGUE. Thank you, Mr. Speaker.

Mr. Speaker, I would like to interrogate the maker of the amendment, please.

The SPEAKER. The gentleman indicates he is willing to be interrogated. The gentleman may proceed.

Mr. TIGUE. Mr. Speaker, does this mean that the operators or the licensee of the gambling boat could buy from a manufacturer in Pennsylvania only?

Mr. GALLEN. Not necessarily; no. From those people who manufacture gambling devices.

Mr. TIGUE. Okay. But it is illegal to manufacture gambling devices in Pennsylvania.

Mr. GALLEN. Is that a question?

Mr. TIGUE. No. Well, let me— Okay. I will put it in the form of a question.

Do you realize that it is illegal to manufacture gambling devices in Pennsylvania?

Mr. GALLEN. Yes.

Mr. TIGUE. Okay. Well, why would we add— Then what you are doing is you are taking away Pennsylvania business so that someone now can go to a manufacturer from outside the State since we cannot manufacture in Pennsylvania. Is that what you are trying to accomplish?

Mr. GALLEN. No. What I am trying to accomplish is to keep the rackets out of this bill. That is what I am trying to accomplish. I am glad you asked the question.

Mr. TIGUE. Could you explain to me who these rackets are?

Mr. GALLEN. Mr. Speaker, this is an either-or bill. You can purchase from a distributor or manufacturer. It does not say you must purchase from a manufacturer. So it allows latitude.

Mr. TIGUE. Mr. Speaker, I would ask that you defeat this amendment, because if you pass this amendment, you are saying that people would save money by forcing them to buy from manufacturers who only can be outside the State of Pennsylvania. We cannot manufacture gambling devices within the Commonwealth. Therefore, if you would go to a distributor within Pennsylvania, under the current edition of the bill, now you can go out to Illinois, for instance, where you can manufacture gambling devices and buy from Illinois and therefore skip somebody who is licensed as a distributor in Pennsylvania.

This amendment does nothing to help Pennsylvania. If you want to help Pennsylvania, then let us pass a bill saying we can manufacture the devices. That has nothing to do with the legalization of gambling. It is done in other States. Thank you, Mr. Speaker.

The SPEAKER. Is the lady, Mrs. Harper, seeking recognition?

Mrs. HARPER. Thank you, Mr. Speaker.

I rise to oppose this amendment. This is another amendment that is against freedom of choice, where you want to purchase your equipment. Especially, this amendment will cause the companies to take business outside Pennsylvania. We want to keep business in Pennsylvania regardless to what kind of business. So that is why I oppose this amendment. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes Mr. Ryan.

Mr. RYAN. Mr. Speaker, in answer to the gentleman, Mr. Tigues remarks, under this bill, if it is adopted, it is my belief that it would then not be illegal to manufacture in Pennsylvania, because the use of these machines in Pennsylvania would then not be illegal.

Now, going a step further, I agree with the gentleman, Mr. Gallen. The outright purchase from the manufacturers, even

though they are out of State, is not necessarily bad. The purchase from someone in State is not necessarily good.

I will be happy to send back to you copies of the Crime Commission report showing a number of distributors and sellers of this equipment in your area that we are trying to avoid doing business with.

Mr. TIGUE. I would like to see the gentleman show them from my area, because they are not from my area.

Mr. RYAN. Well, you know—

The SPEAKER. The gentleman, Mr. Ryan, has the floor. The gentleman may proceed.

Mr. RYAN. And I think we should do whatever we can do, whatever we possibly can do to deprive the illegal operators of gambling and the criminal element in Pennsylvania from making any more money off us. And if this is one of the ways to do it, let us do it, and if this does not work, then we will find some other way of doing it.

The SPEAKER. The Chair recognizes Mr. Tigues.

Mr. TIGUE. Thank you, Mr. Speaker.

Mr. Speaker, let me say a couple of things on what the previous speaker addressed. First of all, the bill says and currently in Pennsylvania we are supposed to regulate distributors by licensing them. Now, if you are telling me that we cannot control it by licensing and we are going to allow someone in Illinois to determine what we can purchase, how can we regulate someone in Illinois? That is a rhetorical question. Obviously, we cannot. The point is, if you want to legalize the manufacturing of gambling, I am for that, separate from the issue of whether gambling should be extended to other forms currently.

The question is, do we want to say you may be able to save money—and some of these people may be good, some may be bad; I am not refuting that—but do you want to say that you are going to take an industry which we are trying to, whatever term you want to put on it, allow in Pennsylvania and they can go and they can save money by buying out of State or do we want to keep business within the Commonwealth? That is all I am saying.

If Mr. Ryan is correct, and I do not believe he is, that you can start manufacturing this in Pennsylvania, I would be for this amendment. However, I do not think you do that. You say you may buy from a licensee or a manufacturer.

I asked the question of Mr. Gallen, within the Commonwealth or outside? He answered, it does not matter. He also answered that he realized that manufacturing of gambling devices is illegal. Now, if you can tell me how that can be turned around between the two people who are on the same side, explain it to me.

All I am saying is, if we can manufacture them, that is fine. If we cannot, defeat the amendment.

The SPEAKER. The Chair recognizes Mr. Ryan.

Mr. RYAN. Mr. Speaker, I believe we can manufacture. The gambling devices are under section 5513 of 18 Purdon's, and we are showing that in this bill, one of the amendments that was placed in the bill says "The possession of gambling devices and the conduct of gambling activities authorized by

this act shall not be considered violations of 18 PA.C.S. § 5513 (relating to gambling devices, gambling, etc.).” We are legalizing it under this act. And even if we did not, what is wrong with allowing the merchants of Pennsylvania to buy direct, particularly if they feel that it is the safer thing to do?

On the question recurring,
Will the House agree to part 1 of the amendments?

The following roll call was recorded:

YEAS—102

Adolph	Durham	James	Ryan
Allen	Fairchild	Jarolin	Saloom
Anderson	Fargo	Johnson	Saurman
Argall	Farmer	King	Scheetz
Armstrong	Fleagle	Langtry	Schuler
Barley	Flick	Lawless	Semmel
Battisto	Foster	Lee	Smith, B.
Birmelin	Fox	Leh	Smith, S. H.
Black	Freeman	Lloyd	Snyder, D. W.
Blaum	Freind	McHugh	Snyder, G.
Broujos	Gallen	Marsico	Stairs
Brown	Gannon	Merry	Stelman
Bunt	Geist	Micozzie	Strittmatter
Bush	Gerlach	Nahill	Taylor, E. Z.
Butkovitz	Gladeck	Nailor	Telek
Carlson	Godshall	Nickol	Tomlinson
Cessar	Gruppo	Noye	Tulli
Chadwick	Hagarty	Nyce	Uliana
Civera	Harley	O'Brien	Vance
Clark	Hasay	Phillips	Vroon
Clymer	Hayes	Piccola	Wambach
Cornell	Heckler	Pitts	Wilson
Coy	Herman	Raymond	Wogan
Davies	Hershey	Reber	Wright, M. N.
Dempsey	Hess	Reinard	Wright, R. C.
Dent	Jadlowiec		

NAYS—98

Acosta	Evans	Linton	Robinson
Angstadt	Fajt	Lucyk	Roebuck
Arnold	Fee	McCall	Rudy
Belardi	Gamble	McGeehan	Scriminti
Belfanti	George	McNally	Serafini
Billow	Gigliotti	Maiale	Staback
Bishop	Gruitza	Markosek	Steighner
Bowley	Haluska	Mayernik	Stetler
Boyes	Hanna	Melio	Stish
Caltagirone	Harper	Michlovic	Sturla
Cappabianca	Hayden	Mihalich	Surra
Carn	Hughes	Mrkonic	Tangretti
Carone	Itkin	Mundy	Taylor, F.
Cawley	Josephs	Murphy	Thomas
Cohen	Kaiser	Olasz	Tigue
Colafella	Kasunic	Oliver	Trello
Colaizzo	Kenney	Perzel	Trich
Cole	Kosinski	Pesci	Van Horne
Corrigan	Krebs	Petrarca	Veon
Cowell	Kruszewski	Petrone	Williams
DeLuca	Kukovich	Pistella	Wozniak
DeWeese	LaGrotta	Preston	Wright, D. R.
Daley	Laughlin	Richardson	
Dermody	Lescovitz	Rieger	O'Donnell,
Donatucci	Levdansky	Ritter	Speaker

NOT VOTING—1

Taylor, J.

EXCUSED—1

Stuban

The question was determined in the affirmative, and part 1 of the amendments was agreed to.

AMENDMENTS WITHDRAWN

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

Mr. GALLEN. Mr. Speaker, I withdraw the balance of the amendment.

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

The Chair recognizes Mr. Gigliotti.

Mr. GIGLIOTTI. Thank you, Mr. Speaker.

Mr. Speaker, today we are going to vote on riverboat gambling and probably set history today. Let me give you— You heard a lot of amendments that we passed, and I hope Matt Ryan takes that into consideration and votes for the bill on final passage, that we supported his amendments because we agree with the amendments to make it tougher and restrict the bill.

But let me tell you what I had in my mind for riverboat gambling. There are four crucial points of riverboat gambling in the State of Pennsylvania. The first point is that it will create economic development and bring jobs to the riverfront properties, because every development that has riverboat gambling now— And I want to tell you that Missouri yesterday passed it, so that will be the fourth State in the Union that has riverboat gambling. It will project— In Davenport, Iowa, they projected 350 million dollars' worth of economic development, 7,000 jobs, and a revenue for their State, their county, and their cities.

Think of this bill not as a gambling bill but as an entertainment bill, too, because if I wanted to make it strictly casino-type gambling, I would have made 100 percent of the boat to be used for a casino. Right now the bill says 50 percent of the boat is for gambling, gaming, and the other 50 percent is for entertainment. That means when you purchase a ticket to get on the boat—now, keep this in mind; you have got to purchase a ticket to get on the boat—there are only so many people that will fit on the boat, depending on the size of the boat, and 50 percent of the people can gamble and 50 percent of the people can enjoy a good dinner, see a great show, a sort of entertainment riding up and down in my area - the Ohio, the Allegheny, and the Monongahela.

Now, the most important part of this legislation is that everybody in this chamber today has bus trips leaving on a weekly and daily basis to Atlantic City, and I have not heard anybody saying there is something wrong with that. Well, what is wrong with that, Mr. Speaker, is that that is Pennsylvania money going to New Jersey every day of the week, 7 days a week. And if you do not believe me, I know there are a

lot of you who visit Atlantic City. Do like I did. I brought my wife to Atlantic City to count the cars from Pennsylvania, and you will be surprised how many Pennsylvania license plates are in Atlantic City. At least 60 percent.

Mr. Speaker, I am asking you— The most important thing about this legislation is that we are not going to decide it here today. I am asking you to give me an affirmative vote and let the people of the State decide by referendum whether they want it in their areas. That is all I am asking you, is give me a vote so the people of the State can decide. Thank you.

The SPEAKER. The Chair recognizes Mr. Gamble.

Mr. GAMBLE. Mr. Speaker, I rise with a degree of reluctance to oppose this legislation, because we are all gamblers at heart. There have been wagers made between Philadelphia and Pittsburgh. There have been wagers on statewide elections over in this area somewhere. Many of our family play bingo. Most of us have been to the casinos and most of us have been to the racetracks. And another reason that I have a deal of reluctance is that my good friend, Frank Gigliotti, believes that this is the answer to a great promotion idea for Pittsburgh and other communities, and I know how hard that he has worked. But I must oppose this legislation because there will be trouble, trouble, trouble in every river city that has this in Pennsylvania if this passes.

I sometimes stand back and look at this General Assembly in absolute amazement. This Commonwealth, as we well know when we were in caucus today, is severely weakened. We do not have enough money to fund drug rehab nor enough money to fund alcohol rehab or enough money to fund our senior citizen programs or do we have enough money to fund almost every program. Our young unwed females are having babies at record rates. The teenagers are ravaged by drug and alcohol, and we are in a deep recession.

Over the past decade the have-nots have grown in great numbers, and the disparity between the rich and the poor has grown. Today Pennsylvania is not a healthy Commonwealth. Today we have serious financial and social problems, and what do we do in the General Assembly to stabilize this State? Over in the Senate they are still kicking around a bill that promotes booze and alcohol and will put it on every corner with free enterprise liquor stores, and today we have this bill to legalize riverboat casino gambling.

The Senate booze bill will go a long way in the wrong direction with the teen drinking problems in Pennsylvania and the short funding of those alcohol programs. And this casino bill is designed, tailor-made, for the have-nots, for the poor, for the lower middle income, for the \$5 bettor, if you will. And who are those \$5 bettors? The same folks who line up every day to play the lottery that supports our senior citizen programs - the unemployed, the welfare, and the low-income working men and women.

So what would happen if this was to become law? I only ask you to look at the headlines in yesterday's Patriot, "Programs gut lottery fund," "Projected state lottery deficits," and you turn the page and it tells you more about the plight of the senior citizen program. Only sure bet on the lottery is that

something has got to give. The lottery offers something for just about everyone, but sales are lagging. We would undercut these very senior citizen programs even more if this bill passes today, because there are only so many \$5 bettors; there are only so many gambling dollars to go around. We are headed in the wrong direction.

Last year this General Assembly took another step in the wrong direction when you legalized off-track betting. So you say, well, the people wanted off-track betting and the people want casino riverboat gambling. You know and I know that we do not approve of everything that the people want, and if we did, for example, we would not have the seatbelt law nor would we have the motorcycle helmet law. And the reason that we disagree with our constituency from time to time is that fortunately we have all the information from both sides and unfortunately they do not.

Let us look at the bottom line, a biweekly news article. What percent of the bettors who play the horses over a long period of time win? What percent of your constituents, when you voted for this last year, what percent of them have a chance? Right here on the first page, less than 1 percent. That is a real proconsumer bill that you passed last year.

We checked everywhere on statistics for casino gambling, what are the chances? And everywhere we checked—we checked with LORL (Legislative Office for Research Liaison)—it was difficult to get a direct answer. But the direct answer was finally, almost zero are your chances of winning at casino gambling over the long haul.

In other words, it is about 99 1/2 to 1 that you can win over the long haul. That would be like the sponsor of this bill, Gigliotti, fighting Tyson, about 99 1/2 to 1. Who would you bet on?

The casinos, let us face it, folks—and this is a casino on the river—do not pay your airfare, your busfare, put you up in the best hotels, and feed you because they want you to have a good time. They do that because they want your money, and they get it.

What is puzzling to me—and I do not mean this in a derogatory manner—is that some of you beating the drums here for business have a lousy batting average, if you will just look at your baseball card, when it comes to business. But all at once you have always been on the side of the consumer and have fought the good fight for the consumer. But when it comes to gambling business, you are on the other side.

I think that by passing this today, we in effect are throwing the consumer to the wolves by virtue of those statistics that I have just given you.

By the figures from the Appropriations Committee, how did they arrive at all these millions of dollars? It is predicated that every man and woman that gets on the boat will lose an average of \$59, an average of \$59, and that is proof of the pudding. Fifty-nine dollars equates into helplessness and despair for many in this Commonwealth that we seem to like to fight for on certain occasions, and \$59 is that much less that the lottery could be receiving each week or each visit that you go to the riverboat to do your gambling.

The next time your senior citizens are bused into town, do not forget to tell them that the legislature undercut their programs last year with offtrack betting where they did not have a chance, and if we do this today, tell them that we liked it so well that we did it again this year.

In closing, I ask you all to read the story about Atlantic City, and do not say that it cannot happen here.

Bob Blakey is the director of the Notre Dame University Institute of Organized Crime. He said that "Organized crime, without access to ownership or management of a casino, would try to gain control through union."

Malcolm Lazin in 1983, chairman of the Pennsylvania Crime Commission, said that indeed the mob has infiltrated Las Vegas and Atlantic City and will go wherever there are huge pots of money.

Former Governor Askew of Florida stated that "Casinos will attract the mob like blood attracts sharks."

Governor Cuomo stated, "Anyone who denies the influence of organized crime in casino gambling is just not being realistic."

There is one glaring parallel between Pennsylvania and New Jersey, Atlantic City and perhaps Pittsburgh. The Parade magazine reported that Governor Brendan Byrne signed the gambling law in 1977, and he said, I have said it before and I will repeat it again: Organized crime, keep your filthy hands out of New Jersey; keep out of our State. That warning was in vain.

In Pennsylvania, Attorney General Ernie Preate recently indicated that legalized gaming in this city—and I assume it is Pittsburgh—would not be like the others. The commission will be tough and very regulated, and organized crime that has existed in other cities will not be the case here. This will be legal; this will be clean.

Now back to New Jersey, Mr. Speaker. In the 6 years following the Governor of New Jersey's speech, 40 mob murders occurred as various crime families in New York and Philadelphia fought over the spoils generated by the gambling bonanza. We are not immune. Then the New Jersey Governor stated, the State of New Jersey has got to assume now that organized crime will continue its effort to corrupt the casino industry in this resort city of Atlantic City.

So there is a condensed story of what happened in Atlantic City, and do not say that it cannot happen here.

Mr. Speaker, if this bill passes and the casinos float up and down the three rivers in Pittsburgh, it will give a whole new meaning to the name Pittsburgh Pirates. You can count on that.

Circus magnate P. T. Barnum said it best. He said, there is a sucker born every minute. What he meant was that all of us are suckers because we have all bet. We have all gambled to some degree. We need only the temptation to prove that we are those suckers. Riverboat gambling is the ultimate temptation here today.

I ask you, do not be a sucker. It is wrong; it is wrong; it is wrong for Pennsylvania. Vote "no."

The SPEAKER. The Chair recognizes Mr. Melio.

Mr. MELIO. Thank you, Mr. Speaker. I promise to be brief.

As a suburban legislator, I feel it is vital for this Commonwealth to seek new ways to increase revenues for our local governments. During these economically troubled times, when the word "taxes" is heard in conversation on a regular basis, it is especially important to concentrate our focus on ways to increase revenues.

This bill would not only bolster State income but county and municipal budgets alike. In creating a Riverboat Gambling Commission, this legislature has the ability to increase revenues while establishing safeguards to insure that abuses will not occur. This measure allows each county to decide whether riverboat gambling shall be allowed in their waterways. It does not force any county to accept riverboat gambling if the voters say no.

Projections indicate that more than \$80 million in tax revenues could be generated in 1 year as the result of riverboat gambling. Since local and county governments would each get 25 percent of that total, the increase in their revenues would be substantial.

I encourage my colleagues to vote with me in favor of HB 248. I rise in support. Thank you very much.

The SPEAKER. The Chair recognizes Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Would the prime sponsor of the bill stand for interrogation?

The SPEAKER. The gentleman indicates that he will. The gentleman may proceed.

Mr. CLYMER. Thank you.

Mr. Speaker, on page 4, line 4, we have the information about an operator of a riverboat gambling operation. Does that riverboat gambling operator necessarily have to be a Pennsylvanian?

Mr. GIGLIOTTI. No.

Mr. CLYMER. In other words, he could be from New York, New Jersey, Delaware, Maryland?

Mr. GIGLIOTTI. Yes.

Mr. CLYMER. And then if he is approved to have a riverboat on one of the tributaries in the Commonwealth, then he obviously earns that profit—is that correct?—that he will secure.

Mr. GIGLIOTTI. Yes.

Mr. CLYMER. So then good Pennsylvania money can go to New Jersey and New York and Delaware and Maryland. You do not have to answer that; that is a comment for the members here.

As has been mentioned previously, there is a minimum of 200 passengers for each riverboat. Is that correct?

Mr. GIGLIOTTI. That is correct.

Mr. CLYMER. But there is no maximum. In other words, we could have on the Delaware a riverboat that would have 1,500 or 2,000. Is that correct?

Mr. GIGLIOTTI. That is correct.

Mr. CLYMER. Okay. And the design of the riverboat really does not have to be fashioned after the Belle of Memphis with the smokestack and the paddle wheel; it could be any kind of a ship that would be approved for 200. Is that correct?

Mr. GIGLIOTTI. That is correct.

Mr. CLYMER. Now, if an out-of-State riverboat did not have a liquor license, which could be a possibility, and they wanted to get one—they could not get one from their own State—could they get one from the Commonwealth of Pennsylvania?

Mr. GIGLIOTTI. What did you say, a liquor license?

Mr. CLYMER. A liquor license to be used on the boat. That is correct.

Mr. GIGLIOTTI. Well, if they passed all the requirements and they developed the waterfront properties and they invested their money in Pennsylvania land, if they pass all the scrutiny from the State troopers, yes, they could get a license.

Mr. CLYMER. Okay. Thank you.

If a riverboat received the proper authority and was able to go out into the river, though it had a passenger rate of 200, they could still go out if they only had 50 or 100 or 150. Is that correct?

Mr. GIGLIOTTI. That is correct, but there would be no gambling at dockside. The boat has to be moving.

Mr. CLYMER. Yes. Well, that is what I mean. The boat is on the riverway but it has a capacity of 100 people. That would still be an excursion.

Mr. GIGLIOTTI. That is right.

Mr. CLYMER. Going on to page 13 where we have information about the persons who are able to make such applications. Section (9), line 29, on page 13 says the applicant can have no more than two licenses under this act. Is that correct?

Mr. GIGLIOTTI. That is correct. Any individual or corporation is only allowed to have two licenses.

Mr. CLYMER. Okay. But if I were to have two licenses, could my brother have a license?

Mr. GIGLIOTTI. If he is associated with you, the answer is no. Again, that is a gray area. The commission will make the final decision on that. But the answer to your question is no, he would not be allowed.

Mr. CLYMER. Well, I do not see it in the bill, but that is something we can debate later on.

How about a nephew or a niece?

Mr. GIGLIOTTI. The answer is the same; the answer would be no. If you have an individual or a corporation, if your nephew or niece is any member of that corporation, the answer is no.

Mr. CLYMER. Again, I do not see that spelled out, but we can debate that.

Mr. GIGLIOTTI. Well, it is.

Mr. CLYMER. Going on to an owner of the riverboat. Suppose I had a license, one license, and I had a brother who had a license, and then there was a corporation in which I was a minority stockholder. Could I be part of that, a minority stockholder of that corporation that now had a third license?

Mr. GIGLIOTTI. No.

Mr. CLYMER. So what you are saying is that if you have a license, one license, you cannot be part of a corporation which would want to seek a license of a riverboat. As a minority—

Mr. GIGLIOTTI. It is either-or, Mr. Speaker.

Mr. CLYMER. I do not see that in the bill, but maybe I have overlooked something.

But if I were a member of a corporation and that corporation that had no other license wanted to have a license, could I then be part of that corporation, having a license?

Mr. GIGLIOTTI. Let me see if I understand your question. You are saying that if you are an individual and you have a license granted to you by the commission—

Mr. CLYMER. Yes; that is correct.

Mr. GIGLIOTTI. —now you are going to join a corporation and you want another license?

Mr. CLYMER. That is correct.

Mr. GIGLIOTTI. You are allowed to have the two.

Mr. CLYMER. Yes; I can have two.

Mr. GIGLIOTTI. Yes.

Mr. CLYMER. What about a niece or a nephew that joins a corporation. Could they be part of a—

Mr. GIGLIOTTI. No. If your name is on it, the answer to that is no.

Mr. CLYMER. For a niece or a nephew?

Mr. GIGLIOTTI. For a niece or a nephew, your mother, your father; whatever the case may be.

Mr. CLYMER. I do not see that in the bill, and probably we can—

Continuing, Mr. Speaker—

Mr. GIGLIOTTI. Mr. Speaker, what is your point?

Mr. CLYMER. Well, I am saying that this bill is flawed by saying the applicant can only have two licenses—

The SPEAKER. Will the gentleman suspend.

The purpose of the exchange is interrogation by the gentleman, Mr. Clymer. If the gentleman, Mr. Clymer, will propound his questions, the gentleman, Mr. Gigliotti, can answer them.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, let me preface my next question by advising the membership that in Atlantic City at the 12 casinos that they have, underage people who tried to get in in 1990, 226,000, 226,000 were prevented from going into the casinos; 31,800 were ejected—they were in the casinos—and 1,800 were thrown out because they were actually gambling.

Now, my question is, do we have some kind of an enforcement control program that these riverboats are going to put in place to make sure that this does not happen when they go out to sea?

Mr. GIGLIOTTI. Yes, Mr. Speaker. There is a commission that we all voted on today that will establish the rules and regulations on every boat operator in the State.

Mr. CLYMER. Thank you, Mr. Speaker.

As I continue, on page 10 where it says "Tourism," it says, "Before a license is granted, an operator of an excursion

gambling boat shall work with the Department of Commerce to promote tourism....” That is not very clear. Do you mean that they are to go and work with the Department of Commerce to get information and brochures and other letters that people can gamble on a certain river on certain riverboats? Is that what you are saying?

Mr. GIGLIOTTI. Would you repeat that question? I am sorry.

Mr. CLYMER. Page 10 in section (d) where it says “Tourism,” it says that before a license is granted, an operator of an excursion gambling boat is to go and talk with the people at the Department of Commerce to promote tourism in this Commonwealth. Does that mean that they go and say, we have available on a certain river X number of riverboats and we want that information to get out to all the people in Pennsylvania?

Mr. GIGLIOTTI. Mr. Speaker, I cannot find the line. Are you talking about on page 10, line 9?

Mr. CLYMER. Twenty-nine. Line 29, section (d), where it says “Tourism” at the very bottom.

Mr. GIGLIOTTI. This has been eliminated by a previous amendment.

Mr. CLYMER. Whose amendment eliminated that?

Mr. GIGLIOTTI. Mr. Ryan’s.

Mr. CLYMER. I do not think it was. I do not have that marked down. What amendment eliminated that particular section?

Mr. GIGLIOTTI. I stand corrected. It was not eliminated. Your question is why we want to have tourism stands on the boat? To promote the State of Pennsylvania, because we anticipate a lot of tourism traffic in the State of Pennsylvania, which is our second highest resource. We ask that there be a stand put on the boat to sell the State, to pass out literature. There have never been any objections to it. I do not understand why you have objections to it.

Mr. CLYMER. Well, my question is, would there be a payment made by the people who own these riverboats? Are they going to give X number of dollars to tourism or is this going to be free? This is going to be free advertising, is that what you are telling me?

Mr. GIGLIOTTI. Well, I am not telling you that. I am telling you that that is an area that the commission will make the decision on.

Mr. CLYMER. Also, on page 12 we have this high profile kind of support for the bill where the commission shall develop standards to assure that a substantial amount of all resources and goods that are going to be used on these boats come from Pennsylvania. Would you be able to tell me that if a riverboat from out of State came in, how are they going to use Pennsylvania goods, furniture, medicine? How is that going to take place? I tried to figure that out and no one could give me a good answer on that.

Mr. GIGLIOTTI. Mr. Speaker, I am not an expert on what you are talking about here. But by chance, hypothetically, if an out-of-town boat comes into Pennsylvania and develops a riverfront property, he will be bound by the laws of the State of Pennsylvania.

Mr. CLYMER. Going on to page 16, a very important issue that says, “...the commission may adopt rules allowing additional wagers consistent with generally accepted wagering options in the games of twenty-one and dice.” Now, this means that while the \$5 maximum and the \$200 loss limit is in place, there is an exception to that where it regards the games of 21 and dice. Could you explain to me what those increases will be? That is on page 16, lines 19 through 21.

Mr. GIGLIOTTI. Mr. Speaker, I am not going to answer any more questions. We are filibustering here. We are wasting members’ time.

We did everything we could to discuss this bill today. It is either going to be a “yes” vote or a “no” vote. I am not going to be interrogated anymore. Thank you.

Mr. CLYMER. Mr. Speaker, I will continue my interrogation. Can I do that? Thank you.

The SPEAKER. I am sorry. Will the gentleman repeat his request.

Mr. CLYMER. May I continue my interrogation even though there is to be no response?

The SPEAKER. No. The gentleman is in order and may make remarks, but interrogation is no longer in order.

Mr. CLYMER. Who wants to volunteer? Would Jerry Birmelin want to stand for interrogation?

The SPEAKER. Perhaps we can move quickly through this. Is there any member of the House that would be inclined to be interrogated by the gentleman, Mr. Clymer, at this point? Hearing none, the gentleman is in order if he wants to make remarks.

Mr. CLYMER. Yes, I will. I will make remarks at this particular time, and that is a wise suggestion and I accept that suggestion.

Mr. Speaker, one of the things that I have concern with is when the big gambling boat is docked, the bill says that there shall not be any gambling while the excursion gambling boat is docked “unless,” and that is the exception to the rule, and I tell you today that that gambling boat can come in, pick up 150 passengers—it is a 200-limit boat—it can go a quarter mile out to sea, and the sea captain can say, adverse weather conditions; we better go back to the dock. He can go back to the dock and they can continue playing their casino gambling under that provision of the law.

Another important part of the bill that I think must be addressed is the fact that this bill provides that 50 percent of the square footage shall be used for gambling. Whether it is a one-level or two-level deck, 50 percent. That is very interesting, because in the State of Iowa they have allotted 30 percent for gambling and in the casinos in Atlantic City it is 30 percent, but we are going to have 50 percent used for gambling.

Now, the bill does not specify, Mr. Speaker, if there is a ratio. In other words, the slots, slot machines or the video poker machines that are legalized, there is no ratio of 20 to 1 or 30 to 1. You can do anything you want, and I will tell you this, that the video poker and the slot machines are very popular and very profitable. So there will be nothing to pro-

hibit a person coming in, having a \$200 limit, the smallest size available, and crowding that 50 percent with nothing but slot machines, and that is something that I think we should all consider.

And we should also consider the fact that how many slot machines could we get on a riverboat? The gentleman has said in an analysis that he has released to the General Assembly that he expects the average to be 500 passengers on an average riverboat. Well, how many slot machines would that take? I submit that will take between 350 to 450 slot machines if they have very few tables.

Now, compare that 350. If you take the very minimum level, the Claridge, which is one of the smallest casinos in Atlantic City, has around 1,200 slot machines, and we are saying to one riverboat it can have possibly 350. And if we go further to the prime sponsor of the bill, he expects 20 boats having limits of 500 passengers on these rivers in Pennsylvania. That is casino gambling that certainly would epitomize what they have in Atlantic City.

Mr. Speaker, I will end my remarks for now and I will speak again later on. Thank you.

The SPEAKER. The Chair recognizes Mr. Battisto.

Mr. BATTISTO. Thank you, Mr. Speaker.

Mr. Speaker, I had prepared one question on one area of this bill, and I would just ask the Representative if he would please answer it. Even though he said he was finished with interrogation, I was not going to nitpick throughout the bill, but I do have an honest question to ask, and I do not know the answer to it or I would not ask.

The SPEAKER. Perhaps the gentleman should offer his question and then—

Mr. BATTISTO. Could we get the attention of the prime sponsor of the bill?

The SPEAKER. The Chair requests the gentleman, Mr. Gigliotti, to listen to the gentleman's question. The gentleman may proceed with his question.

Mr. BATTISTO. Mr. Speaker, I had prepared only one question on one area of the bill, and I really am concerned about it. The question centers around the area where you say that losses will be kept to no more than \$200 per person. Is that not true?

Mr. GIGLIOTTI. That is right.

Mr. BATTISTO. Now, my honest question is, how are you going to control that?

Mr. GIGLIOTTI. Okay. There are three or four different ways, but let me tell you how I interpret it. Of course, the final decision is going to be left up to the commission.

You have to buy a ticket to get on the boat, number one. The ticket has a number on it. You have to take the ticket and change the ticket for tokens. There is no cash on the boat. That number is put into a computer. That computer now gives you a \$200 credit. You can take up to \$200, and once your \$200 is exhausted, you are done. That is how I interpret it.

Mr. BATTISTO. You mean I cannot purchase \$200 more? Is there something that will tell—

Mr. GIGLIOTTI. No. No; not unless you got another ticket.

Mr. BATTISTO. All right. Let me ask this question then. The same area; same area. Obviously there will be at least two or three excursions a day, I guess. If you are in business to make money, you would do that. There is nothing that prohibits me from taking two or three excursions. Is that true?

Mr. GIGLIOTTI. That is true.

Mr. BATTISTO. Okay. What about, for example, if three of us would go aboard and I exhausted my \$200, I certainly could borrow chips from my other two buddies, could I not?

Mr. GIGLIOTTI. That is true.

Mr. BATTISTO. So then in reality, I could possibly lose \$400 or \$500 or \$600. If I borrowed it, I would pay it back to them some other time, supposedly.

Mr. GIGLIOTTI. That is hypothetically.

Mr. BATTISTO. Yes; I understand that.

I am not going to ask any more questions. I want to address some things in the bill.

Representative Gamble touched upon every area that I had intentions of talking about, but I am going to stress just a couple of things.

Mr. Speaker, over the years since 1983 I have heard people on this side and that side both, mostly on this side, say that they certainly were opposed to casino gambling. Oh, they wanted to approve small games of chance but that is all, or they wanted to approve offtrack betting, and believe me, if we approve that, I do not want anything else; I am opposed to casino gambling. Well, guess what, Mr. Speaker? We have come to a point where we are actually approving, if we vote for this bill, casino gambling in Pennsylvania. If you look at the list of things that are allowed, everything that is allowed in a casino will be allowed on a boat. And frankly, it is simply a matter of going from on boat to on land, because this is just one more step by those proponents who began many years ago after 1977 to try to push big-time gambling in Pennsylvania and all over the East. This is just part of an overall plan, and frankly, we are out-and-out approving casino gambling if we vote for this bill, no doubt about it.

The second very important point made by Mr. Gamble, and it is very important, and we should all understand this: While Representative Stuban is working on some kind of stabilization legislation to curtail the losses of the lottery, we sit here and talk about trying to approve a bill that would undoubtedly, undoubtedly fleece a great deal of money from the lottery. There is no doubt about that. The lottery has been stagnated at \$1.5 billion for a number of years. Let us face it. We have saturated the ability of people to pay for gambling. And the fact is, if you want to take more than they can afford to pay, then legalize this bill, because this simply will rob money from the Lottery Fund, no doubt about it.

The third point is, we have embarked on really what I would say is immoral public policy, and I am not simply discussing morality, but the fact of the matter is, we are trying to make gambling more and more accessible. And there is no doubt about it, study after study indicates that the more

accessible you make gambling, the more prone people are to engage in legal gambling that you have legalized and certainly illegal gambling, because you make gamblers out of people who were not gamblers before.

The fact is, we are embarking on a very dangerous and bad public policy for this State. We ought not to be imitators. We ought not to jump in when Iowa jumps in or jump in when Illinois jumps in. We ought to be individualists and understand it is good public policy to try to push economic development, but this certainly is not economic development if we simply take money from people and engage in money exchange games.

I strongly urge everybody to vote against this bill. Thank you, Mr. Speaker.

BILL PLACED ON FINAL PASSAGE POSTPONED CALENDAR

The SPEAKER. The Chair recognizes the gentleman, Mr. Gigliotti, for the purpose of a motion.

Mr. GIGLIOTTI. Thank you, Mr. Speaker.

I am going to make a motion to hold this bill on final passage, because there were a lot of amendments put into the bill today. We are going to wait until the bill is reprinted, and I am asking for a motion to put it on the calendar for final passage postponement.

The SPEAKER. The gentleman has moved to place this bill on the final passage postponed calendar.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—179

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

Clark	Hughes	Oliver	Uliana
Cohen	Itkin	Perzel	Vance
Colafella	Jadlowiec	Pesci	Veon
Colaizzo	James	Petrarca	Wambach
Cole	Jarolin	Phillips	Williams
Cornell	Josephs	Piccola	Wilson
Cowell	Kaiser	Pistella	Wogan
Coy	Kasunic	Pitts	Wozniak
DeLuca	Kenney	Preston	Wright, D. R.
DeWeese	King	Raymond	Wright, R. C.
Daley	Kosinski	Reinard	
Dempsey	Kruszewski	Richardson	O'Donnell,
Dent	Kukovich	Rieger	Speaker
Dermody			

NAYS—18

Carone	Fox	Krebs	Saurman
Clymer	Freind	Lawless	Van Horne
Corrigan	Harley	Nahill	Vroon
Davies	Heckler	Saloom	Wright, M. N.
Fleagle	Johnson		

NOT VOTING—4

Petrone	Reber	Taylor, J.	Trello
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EXCUSED—1

Stuban

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

RULES SUSPENDED

The SPEAKER. The Chair recognizes Mr. Itkin.

Mr. ITKIN. Mr. Speaker, I move that the rules be suspended to permit immediate consideration of HR 120.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—175

Acosta	Dent	LaGrotta	Rudy
Adolph	Dermody	Langtry	Ryan
Allen	Donatucci	Laughlin	Saloom
Anderson	Evans	Lee	Saurman
Angstadt	Fairchild	Leh	Schuler
Argall	Fajt	Levdansky	Scrimenti
Armstrong	Fargo	Linton	Semmel
Arnold	Farmer	Lloyd	Smith, B.
Barley	Fee	Lucyk	Smith, S. H.
Battisto	Fleagle	McCall	Snyder, D. W.
Belardi	Flick	McGeehan	Snyder, G.
Belfanti	Foster	McNally	Staback
Billow	Freeman	Maiale	Stairs
Birmelin	Freind	Markosek	Steelman
Bishop	Gallen	Marsico	Steighner
Black	Gamble	Mayernik	Stetler
Blaum	Gannon	Melio	Stish
Bowley	Geist	Merry	Strittmatter
Broujos	George	Michlovic	Sturla
Brown	Gerlach	Mihalich	Surra
Bunt	Gladeck	Mrkonic	Tangretti
Bush	Godshall	Mundy	Taylor, E. Z.
Butkovitz	Gruppo	Murphy	Taylor, J.
Caltagirone	Hanna	Nahill	Telek
Cappabianca	Harley	Nailor	Thomas
Carlson	Harper	Nickol	Tigue
Carn	Hayden	Noye	Tomlinson
Cawley	Hayes	Nyce	Trello
Cessar	Heckler	Olasz	Trich
	Herman	Oliver	Tulli

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

NAYS—2

Fox Kruszewski

NOT VOTING—24

Boyes	Hagarty	Lescovitz	Reber
Civera	Haluska	McHugh	Scheetz
Clark	Hasay	Micozzie	Serafini
Durham	Kasunic	O'Brien	Taylor, F.
Gigliotti	Kenney	Perzel	Veon
Gruitza	Lawless	Raymond	Wright, R. C.

EXCUSED—1

Stuban

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

RESOLUTION ADOPTED

The SPEAKER. The gentleman, Mr. Cohen, calls up HR 120, which will be read by the clerk.

The following resolution was read:

House Resolution No. 120

A RESOLUTION

Designating May 14, 1991, as "Israel Independence Day" in Pennsylvania.

WHEREAS, After World War II, thousands of Jewish refugees who survived Hitler's genocide of six million Jews immigrated to British-held Palestine, their ancestral home where thousands of other Jews lived for more than 2,000 years; and

WHEREAS, The British withdrew from Palestine on May 13, 1948; and

WHEREAS, The State of Israel was established on May 14, 1948, as a Western-style democracy; and

WHEREAS, The State of Israel began its existence by extending its hand of peace to all neighboring states calling for good neighborliness, cooperation and mutual helpfulness with the independent Jewish nation; and

WHEREAS, The State of Israel is prepared to contribute its share in a common effort for the advancement of peace in the Middle East; and

WHEREAS, Since its establishment, the continued existence of Israel has been challenged by its Arab neighbors despite Israel's willingness to find a peaceful solution to regional problems, and the 1977 peace treaty with Egypt is an example of such willingness; and

WHEREAS, Israel's military strength, cultural vitality, and political, economic and social ties to the United States are a continuing source of pride and inspiration to the 360,000 Jews of Pennsylvania; and

WHEREAS, There is a special kinship between the governments and peoples of Israel and the United States; and

WHEREAS, Israel was victimized by Iraqi SCUD missile attacks during the war in the Persian Gulf, and these attacks resulted in tragic loss of life and extensive property damage; and

WHEREAS, The Israel government acceded to the request of the government of the United States not to immediately retaliate against the Iraqi missile attacks so that the military coalition allied against Iraq would not be threatened; therefore be it

RESOLVED, That the House of Representatives hereby designate May 14, 1991, as "Israel Independence Day" in Pennsylvania.

Mark B. Cohen
 Italo S. Cappabianca
 Ted Stuban
 Eugene G. Saloom
 Charles W. Dent
 Kenneth J. Cole
 H. William DeWeese
 Phyllis Mundy
 George E. Saurman
 Peter R. Vroon
 Joseph M. Uliana
 Robert Louis Freeman
 Victor John Lescovitz
 Gaynor Cawley
 Joseph A. Steighner
 David G. Argall
 Thomas C. Petrone
 Jon D. Fox
 Thomas E. Armstrong
 Ronald S. Marsico
 Joseph F. Markosek
 P. Michael Sturla
 John N. Wozniak
 Edgar A. Carlson
 Edwin G. Johnson
 Fred C. Noye
 George T. Kenney, Jr.
 Joseph W. Battisto
 Arthur D. Hershey
 Richard A. Geist
 Peter J. Daley II
 Timothy L. Pesci
 Ronald R. Cowell
 Edward G. Staback
 Gerard A. Kosinski
 Michael R. Veon
 Anthony L. Colaizzo
 Tony DeLuca
 Thomas W. Dempsey
 Ruth B. Harper
 Fred A. Trello
 Chris R. Wogan
 Anthony J. Melio
 Alvin C. Bush
 Thomas B. Stish
 Richard D. Olasz
 Bob Allen
 Michael P. McGeehan
 Charles F. Nahill, Jr.
 Babette Josephs
 Andrew Billow, Jr.
 Jim Gerlach
 Lois Sherman Hagarty
 Robert E. Belfant, Jr.
 John M. Perzel
 Alan L. Butkovitz
 Fred Belardi

Dennis M. O'Brien
 Thomas J. Scrimenti
 Susan Laughlin
 Frank J. Pistella
 William Russell Robinson
 Paul I. Clymer
 Frank J. Gigliotti
 Frank A. Serafini
 Sara G. Steelman

On the question,
 Will the House adopt the resolution?

The following roll call was recorded:

YEAS—199

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

NAYS—0

NOT VOTING—2

Hanna Wambach

EXCUSED—1

Stuban

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

The SPEAKER. The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, I hate to be the one to bring the bad news to some of the members, but any of you who have checked out of your hotels better check back in. It is my understanding that we are in session tomorrow. Is that right, Mr. Speaker?

The SPEAKER. That is correct. The House will be in session.

Mr. RYAN. I saw some of the people leaving the floor.

The SPEAKER. The House will be in session tomorrow.

REPUBLICAN CAUCUS

The SPEAKER. The Chair recognizes Mr. Noye.

Mr. NOYE. Thank you, Mr. Speaker.

Mr. Speaker, for the Republican members before you disappear, there will be a Republican caucus tomorrow morning at 10 o'clock, a Republican caucus at 10 o'clock, and we would appreciate your attendance. Thank you.

ANNOUNCEMENT BY MR. COHEN

The SPEAKER. The Chair recognizes Mr. Cohen.

Mr. COHEN. Thank you.

Mr. Speaker, two announcements.

First, for anybody who is interested in cosponsoring HR 120, which we just passed unanimously, I would ask that it be available for signing for any additional member who wants to sign it.

DEMOCRATIC CAUCUS

Mr. COHEN. Secondly, there will be a House Democratic caucus tomorrow. It will be called off the House floor. It will continue the subject of today's caucus. I urge all members who are interested to be present.

VOTE CORRECTIONS

The SPEAKER. The Chair recognizes Mr. Nickol.

Mr. NICKOL. Mr. Speaker, on the Saurman amendment A0771 to HB 344, my switch malfunctioned. I would like to be recorded in the positive.

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

The Chair recognizes Mr. Hershey.

Mr. HERSHEY. To change a vote, Mr. Speaker. Thank you.

On amendment A0755 to HB 248, I voted in the affirmative. I wish to vote in the negative.

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

The Chair recognizes Mr. Wambach.

Mr. WAMBACH. Thank you, Mr. Speaker.

Mr. Speaker, my switch did not record on HR 120, the Cohen resolution. I would like to be recorded in the affirmative.

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

The Chair recognizes Mr. Saurman.

Mr. SAURMAN. Thank you, Mr. Speaker.

Mr. Speaker, on the motion to postpone, my switch malfunctioned. I was recorded in the negative, and I would like to be recorded in the positive.

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

The Chair recognizes Mr. Hanna.

Mr. HANNA. Thank you, Mr. Speaker.

I apologize; I missed the vote on HR 120. I wish to be recorded in the affirmative.

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

The Chair recognizes Mr. Noye.

Mr. NOYE. Thank you, Mr. Speaker.

The record indicates that I was not recorded on HB 1321. Had the record been correct, I would have voted in the affirmative.

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

The Chair recognizes Mr. Bunt, who indicates that his switch malfunctioned on amendment A0804, and he wishes to be recorded in the negative.

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 17, PN 8

By Rep. CALTAGIRONE

An Act amending the act of October 7, 1976 (P. L. 1090, No. 218), known as the "Protection From Abuse Act," further providing for the granting of emergency relief.

JUDICIARY.

HB 536, PN 1633 (Amended)

By Rep. MURPHY

An Act providing for health insurance coverage of children; and conferring powers and duties on the Department of Health.

INSURANCE.

BILL AND VETO MESSAGE REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.

Mr. DeWEESE. Mr. Speaker, I move that HB 244 and the veto message be taken from the table and placed on the active calendar.

On the question,

Will the House agree to the motion?

Motion was agreed to.

BILLS AND RESOLUTION PASSED OVER

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

ADJOURNMENT

The SPEAKER. The Chair recognizes Mr. Surra.

Mr. SURRA. Thank you, Mr. Speaker.

I move that this House do now adjourn until Wednesday, May 15, 1991, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 4:04 p.m., e.d.t., the House adjourned.