

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, JUNE 4, 1991

SESSION OF 1991

175TH OF THE GENERAL ASSEMBLY

No. 36

HOUSE OF REPRESENTATIVES

The House convened at 10 a.m., e.d.t.

THE SPEAKER PRO TEMPORE (THOMAS C. CORRIGAN, SR.) 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, as we come to You in prayer, remind us that there is nothing that we can hide from You. You know our innermost thoughts and secrets.

Therefore, O God, deliver us from the error of seeking and expecting You to guide us in our public lives while we shut You out of our private lives. To You they are both the same.

Help us to be the best legislators possible. Give us the courage of our convictions. Let us daily walk with You in lowly paths of service to our fellow man.

Remind us that our opposition has the same cares and struggles as we do and that we have embarked on the same journey to keep this Commonwealth strong and vibrant, and we need each other to do so.

Bless our new legislator-elect, Katherine McHale, and her family. Use her and them to Your honor and glory.

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 pro tempore. Without objection, the approval of the Journal of Monday, June 3, 1991, will be postponed until printed. The Chair hears no objection.

HOUSE BILLS INTRODUCED AND REFERRED

No. 1534 By Representatives WILSON, FARGO, NOYE, TOMLINSON, BOYES, FAIRCHILD, ARMSTRONG, HARPER, JOHNSON, MERRY, ROBINSON,

NAHILL, SAURMAN, E. Z. TAYLOR, TRELLO, KENNEY, KASUNIC, TELEK, PETRONE and ALLEN

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the fee for the issuance of certificate of title.

Referred to Committee on TRANSPORTATION, June 4, 1991.

No. 1535 By Representatives LAWLESS, TRELLO, NAHILL, RAYMOND, BUNT, SAURMAN, JOHNSON, HERSHEY, JAROLIN, ARMSTRONG, FARMER, DeLUCA, M. N. WRIGHT, KOSINSKI, ANGSTADT, ULIANA, D. W. SNYDER, LAUGHLIN, TOMLINSON, HASAY, RICHARDSON, J. TAYLOR, TULLI and MICOZZIE

An Act providing for a freeze on real estate taxes for senior citizens; and providing for reimbursement of local taxing authorities by the Commonwealth.

Referred to Committee on LOCAL GOVERNMENT, June 4, 1991.

No. 1537 By Representatives LEE, HESS, FLEAGLE and CARLSON

An Act amending the act of December 16, 1988 (P. L. 1259, No. 155), known as the "Urban and Rural Teacher Loan Forgiveness Act," further defining the term "eligible rural public school districts."

Referred to Committee on EDUCATION, June 4, 1991.

No. 1538 By Representatives COLAFELLA, VEON, TRELLO, COY, KING, SALOOM, BUNT, TRICH, FAJT, DeLUCA, KOSINSKI, MELIO, CORRIGAN, ROBINSON, NAHILL, BELFANTI, WILLIAMS, THOMAS, BUSH, KASUNIC, RICHARDSON and SCHULER

An Act providing for the licensing of athletic agents; providing for the powers and duties of the State Athletic Commission; and imposing a penalty.

Referred to Committee on STATE GOVERNMENT, June 4, 1991.

No. 1539 By Representatives DALEY, STISH, KOSINSKI, SALOOM and GEORGE

An Act amending the act of June 2, 1915 (P. L. 736, No. 338), known as "The Pennsylvania Workmen's Compensation Act," further providing cost-of-living increase in compensation.

Referred to Committee on LABOR RELATIONS, June 4, 1991.

No. 1540 By Representatives ITKIN, E. Z. TAYLOR, RICHARDSON, THOMAS, JOSEPHS, ROBINSON, STEELMAN, FLEAGLE, KING, STRITTMATTER, COHEN, KUKOVICH, STEIGHNER, NOYE, MELIO, STABACK, OLASZ, FARGO, LLOYD, CAPPABIANCA, VEON, TIGUE, SALOOM, GEIST, COY, TRICH, McCALL, DALEY, BILLOW, HALUSKA, BOWLEY, FAJT, DERMODY, M. N. WRIGHT, MUNDY, HARPER, PESCI, PRESTON, LAUGHLIN, JOHNSON, REBER, JAROLIN, CLARK, WOZNIAK, PETRARCA, FREIND, KOSINSKI, STISH, COLAFELLA, ALLEN, TRELLO, NAHILL, WILLIAMS, HASAY and CORRIGAN

An Act providing for compensation of pharmaceutical providers for certain losses; and conferring powers and duties upon the Department of Public Welfare.

Referred to Committee on HEALTH AND WELFARE, June 4, 1991.

No. 1541 By Representatives ITKIN, ARGALL, WILLIAMS, KUKOVICH, BELARDI, STEIGHNER, NAHILL, KAISER, STISH, SALOOM, VEON, KOSINSKI, VAN HORNE, JOSEPHS, PESCI, PRESTON, McGEEHAN, MELIO, LAUGHLIN, BELFANTI, WOZNIAK, BILLOW, TRELLO, STABACK, THOMAS, JAMES, TRICH and COLAFELLA

An Act amending the act of August 26, 1971 (P. L. 351, No. 91), known as the "State Lottery Law," further providing for the powers and duties of the Secretary of Revenue.

Referred to Committee on FINANCE, June 4, 1991.

SENATE MESSAGE

HOUSE AMENDMENTS CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to **SB 304, PN 1052**.

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
June 3, 1991

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Monday, June 10, 1991, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, That when the House of Representatives adjourns this week it reconvene on Monday, June 10, 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 pro tempore. Are there requests for leaves of absence?

The Chair recognizes Representative Steighner.

Mr. STEIGHNER. Thank you, Mr. Speaker.

Mr. Speaker, I would ask for leave for today only for the gentleman from Philadelphia, Mr. MAIALE.

The SPEAKER pro tempore. Thank you.

Without objection, the leave is granted.

There are no leaves for the Republican Party at this time. Thank you.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—201

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

Boyes	Gerlach	Melio	Stish
Broujos	Gigliotti	Merry	Strittmatter
Brown	Gladeck	Michlovic	Stuban
Bunt	Godshall	Micozzie	Sturla
Bush	Gruitza	Mihalich	Surra
Butkovitz	Gruppo	Mrkonic	Tangretti
Caltagirone	Hagarty	Mundy	Taylor, E. Z.
Cappabianca	Haluska	Murphy	Taylor, F.
Carlson	Hanna	Nahill	Taylor, J.
Carn	Harley	Nailor	Telek
Carone	Harper	Nickol	Thomas
Cawley	Hasay	Noye	Tigue
Cessar	Hayden	Nyce	Tomlinson
Chadwick	Hayes	O'Brien	Trello
Civera	Heckler	Olasz	Trich
Clark	Herman	Oliver	Tulli
Clymer	Hershey	Perzel	Uliana
Cohen	Hess	Pesci	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	O'Donnell,
Dermody	Kruszewski	Robinson	Speaker
Donatucci	Kukovich	Roebuck	

ADDITIONS—1

McHale

NOT VOTING—0

EXCUSED—1

Maiale

**COMMUNICATION FROM
JOINT STATE GOVERNMENT COMMISSION**

The SPEAKER pro tempore. The Chair recognizes Representative Kosinski.

Mr. KOSINSKI. Thank you, Mr. Speaker.

It is my pleasure to transmit to the House through your desk the 1991 Report of the Joint State Government Commission Task Force and Advisory Committee on Decedents' Estates Laws. I shall transmit that over your desk. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

(Copy of report is on file with the Journal clerk.)

STATE GOVERNMENT COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes Representative Oliver for the purposes of announcing a committee meeting.

Mr. OLIVER. Thank you, Mr. Speaker.

Mr. Speaker, the House State Government Committee will hold their meeting tomorrow morning at 9:30 in room 39E. I am hoping that all the members will be there promptly so we can start on time. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

**AGRICULTURE AND RURAL AFFAIRS
COMMITTEE MEETING**

The SPEAKER pro tempore. The Chair recognizes Representative Cole.

Mr. COLE. Thank you, Mr. Speaker.

I would like to make an announcement of a change of time and location of the House Agriculture and Rural Affairs Committee meeting tomorrow morning. It will be held at 9 o'clock instead of 10 o'clock, and the meeting has been changed to room 302B in the South Office Building at 9 a.m. Wednesday. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

SB 850, PN 1248 (Amended)

By Rep. SALOOM

An Act amending the act of April 12, 1951 (P. L. 90, No. 21), entitled, as reenacted, "Liquor Code," deleting the requirement for a certain percentage of wine specialty stores; authorizing the limited exchange of certain hotel licenses for restaurant licenses; providing for special occasion permits including length of validity and for the selling of liquor or malt or brewed beverages at certain boxing and wrestling events, bowling tournaments and bowling contests; and making a repeal.

LIQUOR CONTROL.

ANNOUNCEMENT BY MR. BROUJOS

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

Mr. BROUJOS. Mr. Speaker, I would like to make an announcement. The clean air caucus meeting will be held on Wednesday, tomorrow, at 9:15 in room 460 of the Main Capitol. That is a change from another meeting room. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

CALENDAR

BILLS ON SECOND CONSIDERATION

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

SB 653, PN 1247; and HB 928, PN 1040.

* * *

The House proceeded to second consideration of **HB 1036, PN 1173**, entitled:

An Act regulating credit services organizations; and providing penalties.

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

BILL RECOMMENDED

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

Mr. DeWEESE. Mr. Speaker, I move that HB 1036 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 1075, PN 1757.

* * *

The House proceeded to second consideration of **HB 1448, PN 1749**, entitled:

An Act amending the act of May 17, 1921 (P. L. 682, No. 284), known as "The Insurance Company Law of 1921," providing for optional benefits for the treatment of mental disorders.

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

BILL RECOMMENDED

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

Mr. DeWEESE. Mr. Speaker, I move that HB 1448 be recommitted to the Committee on Appropriations.

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 1058, PN 1753; HB 1275, PN 1462; and HB 1296, PN 1494.

* * *

The House proceeded to second consideration of **HB 1302, PN 1500**, entitled:

An Act amending the act of July 28, 1953 (P. L. 723, No. 230), known as the "Second Class County Code," authorizing the county commissioners in counties of the second class to impose a fee on civil and criminal cases filed in the court of common pleas to help defray the cost of maintaining records.

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

BILL RECOMMENDED

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

Mr. DeWEESE. Mr. Speaker, I move that HB 1302 be recommitted to the Committee on Appropriations.

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 1306, PN 1504; and HB 1308, PN 1506.

* * *

The House proceeded to second consideration of **HB 211, PN 1750**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for the issuance of special registration plates for veterans of the Korean War.

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

BILL RECOMMENDED

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

Mr. DeWEESE. Mr. Speaker, I move that HB 211 be recommitted to the Committee on Appropriations.

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 355, PN 376.

* * *

The House proceeded to second consideration of **HB 555, PN 1751**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the restricted receipts fund and for fees for snowmobiles and ATV's.

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

BILL RECOMMENDED

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

Mr. DeWEESE. Mr. Speaker, I move that HB 555 be recommitted to the Committee on Appropriations.

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

* * *

The House proceeded to second consideration of **HB 822, PN 905**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for judicial review of registration revocations.

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

BILL RECOMMENDED

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

Mr. DeWEESE. Mr. Speaker, I move that HB 822 be recommitted to the Committee on Appropriations.

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

* * *

The House proceeded to second consideration of **HB 979, PN 1752**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing discounts for motor vehicles enrolled in stolen vehicle verification programs.

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

BILL RECOMMENDED

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

Mr. DeWEESE. Mr. Speaker, I move that HB 979 be recommitted to the Committee on Appropriations.

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

* * *

The House proceeded to second consideration of **HB 1288, PN 1486**, entitled:

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

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

BILL RECOMMENDED

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

Mr. DeWEESE. Mr. Speaker, I move that HB 1288 be recommitted to the Committee on Appropriations.

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 1346, PN 1564.

* * *

The House proceeded to second consideration of **HB 1350, PN 1568**, entitled:

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), known as "The Administrative Code of 1929," further providing for certain contracts by the Secretary of Transportation.

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

BILL RECOMMENDED

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

Mr. DeWEESE. Mr. Speaker, I move that HB 1350 be recommitted to the Committee on Appropriations.

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

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1344, PN 1628**, entitled:

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.

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

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

The question is, shall the bill pass finally?

The Chair recognizes the gentleman, Mr. Cole. For what purpose do you rise?

Mr. COLE. To speak on the bill, Mr. Speaker.

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

Mr. COLE. Mr. Speaker, this bill would appropriate approximately \$125,000 to rural youth organizations for the purpose of educational equipment projects, and the main benefactors of this would be two major youth organizations in the rural areas - the FFA (Future Farmers of America) and the 4-H organizations.

This is not additional moneys. There is already an account in the Agriculture Department of Federal moneys, and this would be just the interest, not the principal, out of this account. So it would be beneficial to developing leadership in our youth for the future of the Commonwealth of Pennsylvania.

I would urge a "yes" vote.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes Representative Hayes.

Mr. HAYES. Thank you, Mr. Speaker.

I concur completely with everything that the gentleman from Adams, Mr. Cole, said, and I would urge a unanimous vote. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,
Shall the bill pass finally?

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

YEAS—199

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

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

NAYS—0

NOT VOTING—2

Michlovic Murphy

EXCUSED—1

Maiale

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 222, PN 1756**, entitled:

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

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?.....

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

YEAS—201

Acosta	Durham	LaGrotta	Rudy
Adolph	Evans	Langtry	Ryan
Allen	Fairchild	Laughlin	Saloom
Anderson	Fajt	Lawless	Saurman
Angstadt	Fargo	Lee	Scheetz
Argall	Farmer	Leh	Schuler
Armstrong	Fee	Lescovitz	Scrimenti
Arnold	Fleagle	Levdansky	Semmel
Barley	Flick	Linton	Serafini
Battisto	Foster	Lloyd	Smith, B.
Belardi	Fox	Lucyk	Smith, S. H.
Belfanti	Freeman	McCall	Snyder, D. W.
Billow	Freind	McGeehan	Snyder, G.
Birmelin	Gallen	McHugh	Staback
Bishop	Gamble	McNally	Stairs
Black	Gannon	Markosek	Steelman
Blaum	Geist	Marsico	Steighner
Bowley	George	Mayernik	Stetler
Boyes	Gerlach	Melio	Stish
Broujos	Gigliotti	Merry	Strittmatter
Brown	Gladeck	Michlovic	Suban
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.
Carn	Harley	Nailor	Telek
Carone	Harper	Nickol	Thomas
Cawley	Hasay	Noye	Tigue
Cessar	Hayden	Nyce	Tomlinson
Chadwick	Hayes	O'Brien	Trello
Civera	Heckler	Olasz	Trich
Clark	Herman	Oliver	Tulli
Clymer	Hershey	Perzel	Uliana
Cohen	Hess	Pesci	Van Horne
Colafrilla	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	O'Donnell, Speaker
Dermody	Kruszewski	Robinson	
Donatucci	Kukovich	Roebuck	

NAYS—0

NOT VOTING—0

EXCUSED—1

Maiale

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 221, PN 1755**, entitled:

An Act providing for the establishment of a summer foreign language academy program for secondary school students throughout this Commonwealth; and providing for powers and duties of the Department of Education.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

The Chair recognizes the gentleman, Mr. Saurman. Why do you rise?

Mr. SAURMAN. To speak on the bill, Mr. Speaker.

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

Mr. SAURMAN. Mr. Speaker, I would just like to comment. First of all, I certainly concur with the intent of this legislation, but I think that we are prolonging and continuing the same things that we have done consistently, and that is to

put new mandates on our school districts without funding them. We are in a budget crunch now. Our school districts and our taxpayers, our senior citizens particularly, have protested bitterly, and here we are going to add another mandate that is not funded, that is going to create another burden on the local taxpayer.

Mr. Speaker, I would regretfully ask that we get a "no" vote on this until we get the budget situation straightened out; that we do not strangle any further our local school districts. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Battisto.

Mr. BATTISTO. Thank you, Mr. Speaker.

Mr. Speaker, we deliberately made this effective the summer of 1993, and what it does, it provides for one, one pilot academy for 60 students at \$1,000 per student, or \$60,000 in the summer of 1993. It does not affect this year's budget.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Cowell.

Mr. COWELL. Thank you, Mr. Speaker.

Mr. Speaker, furthermore, to add to what Representative Battisto has just said, this legislation does not add any additional costs to school districts. It does not provide any mandate imposed on school districts. What it does is require the Department of Education to establish a summer program, one that hopefully will raise levels of expectation and create additional opportunities for talented youngsters in this Commonwealth. But it needs to be emphasized: it does not impose a mandate; it does not impose any costs on school districts. This is a burden that would be added to the Commonwealth.

I urge that we support this legislation.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes Mr. Davies.

Mr. DAVIES. Thank you, Mr. Speaker.

For all the reasons listed by both Mr. Battisto and Representative Cowell, I support this legislation.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Shall the bill pass finally?

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

YEAS—184

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

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

NAYS—16

Birmelin	Gallen	Lawless	Pitts
Chadwick	Godshall	Nickol	Saurman
Clark	Harley	Noye	Vance
Fairchild	Hershey	Piccola	Wright, M. N.

NOT VOTING—1

Stuban

EXCUSED—1

Maiale

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 SPEAKER (ROBERT W. O'DONNELL) PRESIDING

The SPEAKER. The Chair thanks the gentleman, Mr. Corrigan, for presiding.

FILMING PERMISSION

The SPEAKER. The Chair gives permission to John Sanks, WPVI-TV, for 10 minutes of footage, and Ron Boyer of Service Electric Cable also for filming on the House floor.

**SPECIAL ORDER OF BUSINESS
SWEARING IN OF NEW MEMBER**

The SPEAKER. The Sergeant at Arms will clear the rear of the House. Members will please take their seats. Staff will please clear the aisle. The Sergeant-at-Arms is instructed to clear the back of the House.

Without objection, the House will now take up as a special order of business the swearing in of Representative-elect Katherine McHale. The Chair takes the House's response as an indication of no objection to this order of business.

ELECTION RETURNS PRESENTED

The SPEAKER. The Chair recognizes the Sergeant at Arms.

The SERGEANT AT ARMS. Mr. Speaker, the Secretary of the Commonwealth, Christopher A. Lewis.

The SPEAKER. The Chair recognizes the Secretary of the Commonwealth, the Honorable Christopher A. Lewis.

Mr. LEWIS. Mr. Speaker, I have the honor of presenting the returns for the special election held May 21, 1991, for the office of Representative in the General Assembly in the 133d Legislative District and the certification of compliance with Pennsylvania's campaign expense law.

The SPEAKER. The Chair thanks the Secretary.

The clerk will read the returns.

The following election returns were read:

COMMONWEALTH OF PENNSYLVANIA

TO THE HONORABLE SPEAKER AND MEMBERS OF THE HOUSE OF REPRESENTATIVES OF THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA, GREETINGS:

I have the honor to present the returns of the Special Election for Representative in the General Assembly of the Commonwealth of Pennsylvania held in the One hundred thirty-third Legislative District, as the same has been certified to and filed with my office by the Lehigh County Board of Elections. Katherine McHale, having received the highest number of votes in the Special Election, and having complied with the provisions of Article XVI of the Pennsylvania Election Code pertaining to Primary and Election Expenses, was duly elected a Representative in the General Assembly.

(SEAL)

IN TESTIMONY WHEREOF, I have hereunto set my hand and the seal of my office at the city of Harrisburg, this fourth day of June in the year of our Lord one thousand nine hundred and ninety-one and of the Commonwealth the two hundred and fifteenth.

Christopher A. Lewis
Secretary of the Commonwealth

Commonwealth of Pennsylvania
Department of State

Date: 04/11/91

Bureau of Commissions, Elections
and Legislation
1991 Special Election Ballot
Certification Report
May 21, 1991

Lehigh County

Ballot Position and Election Result Section

Office positions shall appear on ballot in same order as listed

Representative in the General Assembly - District 133

Vote for one

Katherine McHale 523 Eighth Avenue Bethlehem, PA 18018	Democratic	5,214
George Manakos 1410 W. Market Street Bethlehem, PA 18018	Republican	2,404

Special Election
May 21, 1991

Office of the
County Board of Elections
Certification Affidavit

Commonwealth of Pennsylvania

Lehigh County

County of Lehigh) SS: Allentown, PA May 30, 1991

We hereby certify that these pages are the official returns as they appear on record of the votes cast at the Special Election held May 21, 1991.

In witness whereof, we have hereunto set our hands and seal of office this thirtieth day of May, 1991.

David K. Bausch
Charles W. Trubilla
Sally Meminger
County Board of Elections

(SEAL)

ATTEST:
Fay F. Ginther
Clerk

**COMMITTEE TO ESCORT
MEMBER-ELECT**

The SPEAKER. The Chair appoints the majority leader, the gentleman from Greene County, the Honorable William DeWeese, and the minority leader, the gentleman from Delaware County, the Honorable Matthew Ryan, to escort Representative-elect McHale to the well of the House for the purpose of taking the oath of office.

OATH OF OFFICE ADMINISTERED

The SPEAKER. The oath of office required by Article VI, section 3, of the Constitution of Pennsylvania to be taken by members of the General Assembly will be administered by the Honorable Kate Ford Elliott, judge of the Superior Court of Pennsylvania.

JUDGE ELLIOTT. Place your left hand on the Bible, raise your right hand, and repeat after me.

I, Katherine McHale, do solemnly swear that I will support, obey, and defend the Constitution of the United States and the Constitution of this Commonwealth, and that I will discharge the duties of my office with fidelity.

(Member asserted oath.)

JUDGE ELLIOTT. Congratulations, Madam Representative.

Mrs. McHALE. Thank you.

REMARKS BY JUDGE ELLIOTT

JUDGE ELLIOTT. I have just a congratulatory remark, if you will bear with me one moment, because this is a great honor for me to be here, and also I do not think I can get used to not making speeches.

I am honored to be here today to participate in this induction ceremony of Katherine McHale. I am honored not only because Kathy is a friend of mine, and that she very much is, but also because it is an honor to salute a woman who, like so many of the other members of this distinguished body, has made a commitment grounded in great personal sacrifice of service to the people of this Commonwealth.

Both Kathy and Paul have recognized that that commitment is not just an honor but a decided responsibility as well, and that will proudly be their legacy to the next generation of Pennsylvanians through their three children. And for that, I must very personally say thank you for myself, for my family, and for the people of this Commonwealth. Congratulations.

GUESTS WELCOMED

The SPEAKER. For the interest of the members and for the purpose of welcome, the other participants in the ceremony were Paul McHale, Matthew McHale, Mary McHale, and Luke McHale, who are seated to the left of the Speaker.

I would like to note for the record that while the lady, Mrs. McHale, was being sworn in, she had one hand on the Bible, one hand raised to take the oath, and was also holding a baby. I cannot think of a more appropriate metaphor for a remarkable feat for a remarkable lady. Welcome.

REMARKS BY MAJORITY LEADER

The SPEAKER. The Chair recognizes the majority leader.

Mr. DeWEESE. Mr. Speaker, on behalf of the caucus and the House in general, I would like to welcome Kathy. This is one of the few times that I can take the microphone and welcome a member whom I have known over the years. I have been to Paul and Kathy's home and stayed overnight and visited with them in the past, and since Paul and I literally went into the military on the same day, we have had an acquaintanceship that dates back a long time.

I think that Kathy will add—and I do not think that I can supersede the metaphor that you just shared, Mr. Speaker, or the remarks from Judge Elliott—but there is no doubt that our caucus can benefit by the addition of a small business-woman. There is no doubt that our caucus can benefit by the addition of someone whose knowledge about families is as deep and committed and substantial as Kathy's.

I think it is also noteworthy to add for the record that she was commissioned in the middle 1980's as an officer in the

United States Navy and remains there. The military commitment that she and her family have offered is obvious to all of us who are acquainted with her husband and with her family in general. But she is indeed a renaissance woman, and her involvement in this General Assembly will obviously enhance our collective stature. Thank you.

REMARKS BY MINORITY LEADER

The SPEAKER. The Chair recognizes Mr. Ryan.

Mr. RYAN. Thank you, Mr. Speaker.

Welcome aboard, Kathy.

When the majority leader was saying all of the things that you are adding to the caucus, I did not hear him say, and a new tax vote. I was waiting for it. But that will come later, I suppose.

As the leader of the Republicans in this chamber, I welcome you to this side of the aisle. I would like to see you convert and come over on a more formal basis, and I welcome you formally to the magnificent hall of this House.

You have picked a historical year to join the House and our political ranks, for as you know, in the next month or so we are going to offer you a true taste of life as a lawmaker as all of us address this Commonwealth's fiscal needs. You will quickly learn that you must balance your views and the views of your constituents with your personal convictions in order to help balance a budget for the good of 12 million citizens of this Commonwealth.

In addition, you will eventually master the art of crafting legislation designed to advance the causes in which you so firmly believe. To that end, I wish you the very best of luck as you learn to sort through the political rhetoric to uncover the true vital needs of our residents.

Your colleagues and I realize that you are not a stranger to the world of politics; to the contrary. You have stood by the side of a State lawmaker for years, your husband, Paul, who is doing a remarkable job right now in back of me taking care of three kids - almost remarkable. That redhead is getting to him, though, Mr. Speaker.

I am sure at times your past role meant supporting Paul's legislative decisions, discussing policies, and actively lending a helping hand during his campaigns. Now you stand before many of us who respected Paul and do respect Paul as a former Representative and admire him for his dedication to his country, and really admire and in some ways I think envy him for his past service and what he was able to accomplish in really a relatively short period of time.

You are before us to take over that role and swear to uphold the Constitution. Therefore, you must be feeling very proud, and rightfully so; in fact, quite honored today as you succeed Paul to help carry on his mission in serving the people of that legislative district, the 133d.

Based on your diversified background in public affairs, active community service, education, and military service, I am sure you will quickly adapt to the world of policy setting, political compromise, public education, and tedious tasks. At

times you will have to tap that energy reserve in order to find the strength to work into the wee hours of the morning.

Today, as you become the 21st female Representative during these legislative sessions in the State House, let me remind you that now more than ever you must accept your new responsibilities with accountability, enthusiasm, dedication, and openmindedness. From this day forward you will be faced with balancing your personal life as a wife and mother with that of promptly responding to those whom you serve and who elected you as their voice in State Government.

As one of your party's famous former Presidents, John F. Kennedy, once stated, "The energy, the faith, the devotion which we bring to this endeavor will light our country and all who serve it - and the glow from that fire can truly light the world."

I sincerely hope you successfully transform all of your energies, faith, and devotion into being an outstanding political servant of this State, one who is capable of listening to your people back home with a compassionate ear, and most importantly, able to contribute to bettering the valuable lives of all of Pennsylvania's men, women, and children.

My very best wishes. Thank you.

The SPEAKER. I would also like to thank Judge Elliott for her help and participation this morning.

MEMBER'S PRESENCE RECORDED

The SPEAKER. The name of the lady, Mrs. McHale, will be added to the master roll.

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 107, PN 104**, entitled:

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

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	Rudy
Adolph	Evans	Langtry	Ryan
Allen	Fairchild	Laughlin	Saloom
Anderson	Fajt	Lawless	Saurman
Angstadt	Fargo	Lee	Scheetz
Argall	Farmer	Leh	Schuler
Armstrong	Fee	Lescovitz	Scrimenti
Arnold	Fleagle	Levdansky	Semmel
Barley	Flick	Lloyd	Serafini
Battisto	Foster	Lucyk	Smith, B.
Belardi	Fox	McCall	Smith, S. H.
Belfanti	Freeman	McGeehan	Snyder, D. W.
Billow	Freind	McHale	Snyder, G.

Birmelin	Gallen	McHugh	Staback
Bishop	Gamble	McNally	Stairs
Black	Gannon	Markosek	Steelman
Blaum	Geist	Marsico	Steighner
Bowley	George	Mayermik	Stetler
Boyes	Gerlach	Melio	Stish
Broujos	Gigliotti	Merry	Strittmatter
Brown	Gladeck	Michlovic	Stuban
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.
Carn	Harley	Nailor	Telek
Carone	Harper	Nickol	Thomas
Cawley	Hasay	Noye	Tigue
Cessar	Hayden	Nyce	Tomlinson
Chadwick	Hayes	O'Brien	Trello
Civera	Heckler	Olasz	Trich
Clark	Herman	Oliver	Tulli
Clymer	Hershey	Perzel	Uliana
Cohen	Hess	Pesci	Van Horne
Colafrilla	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	O'Donnell,
Dermody	Kruszewski	Robinson	Speaker
Donatucci	Kukovich	Roebuck	

NAYS—0

NOT VOTING—1

Linton

EXCUSED—1

Maiale

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 133, PN 1586**, entitled:

An Act requiring certain contracts to be written in plain language; and providing remedies and penalties.

On the question,

Will the House agree to the bill on third consideration?

Mr. NOYE offered the following amendments No. A1010:

Amend Sec. 5, page 3, line 19, by striking out "as much as possible"

Amend Sec. 5, page 3, lines 20 and 21, by striking out "as much as possible"

Amend Sec. 5, page 3, line 24, by striking out "and "warranty." and inserting , "warranty" and "security interest."

Amend Sec. 5, page 4, lines 18 and 19, by striking out "in a larger size than the type used in the rest of the contract"

Amend Sec. 5, page 4, line 23, by striking out "on its front page"

Amend Sec. 5, page 4, line 26, by inserting after "affected" by reason of a security interest or contract

Amend Sec. 6, page 5, line 11, by striking out "specific"

Amend Sec. 6, page 5, line 12, by inserting after "regulation" , commentary

Amend Sec. 8, page 6, line 22, by removing the period after "contract" and inserting or otherwise affected its validity.

(d) Class action prohibited.—Only an individual action may be brought under this act and no class action shall be permitted under this act.

On the question,

Will the House agree to the amendments?

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

Mr. NOYE. Thank you, Mr. Speaker.

Mr. Speaker, I offer this amendment really as a way of clarifying and pointing out some technical changes to the bill that really will help our small business people in Pennsylvania be consistent with what they have to do in other States, particularly those States that surround us.

I do not think these changes are unreasonable. I think the bill already exempts many of the contracts that our consumers must face in the banking and insurance industries. They have been exempted out of the bill, leaving just the retailers and small business people who deal in retail credit.

I believe the sponsor of the bill will accept these amendments on an agreed-to basis, and I offer them really on behalf of all the small businessmen in Pennsylvania who have to deal in this kind of business with their customers. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes Mr. Kukovich.

Mr. KUKOVICH. Thank you, Mr. Speaker.

Just a little background. This bill has been around for 10 years. It has passed this chamber four times now, I believe, each time by a more overwhelming vote.

On this amendment. I am going to vote for this amendment because this bill has been amended many, many times. I think it will be amended many, many more, and I think it will probably make it easier for passage if this amendment is in and the bill goes over.

For those of you who are concerned about consumer protection, it is weakening to this bill. I want that to be clear. It eliminates class actions and changes some things, but I do not think it is overly damaging, and I would ask members to vote in favor of the bill with that one caveat and move this bill on over to the Senate.

The SPEAKER. The Chair recognizes Ms. Josephs.

Ms. JOSEPHS. Thank you, Mr. Speaker.

May I interrogate Mr. Kukovich, please?

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

Ms. JOSEPHS. Mr. Speaker, I am concerned about something I heard you say which I would like you to explain a little

bit more thoroughly for me. This amendment eliminates class actions in what respect?

Mr. KUKOVICH. A couple of the things I am concerned about, two in particular as I read over this amendment, is that it eliminates from the consumer the right to move in a class action. They would still have an individual cause of action but not in a class action.

Now, why that is weakening is that if some contracts are drawn up and a large number of consumers have their rights thwarted because of it but the amount that they could recover individually is very slight, it probably would not pay for them to go into court. Having a class action as a remedy is one that would be obviously protective of consumers. So that is a weakening amendment.

I believe also that in the bill right now there is a mandate that any waiver of consumer rights that affects property that they would own or purchase under this contract, that waiver would have to be clearly shown on the front page. Mr. Noye's amendment does not eliminate the waiver, but it does not necessarily have to be on the front page but somewhere else in the contract, so at least it would be there. For those consumers who do not thoroughly read through the contract, they may not pick up the waiver. So I was concerned from that standpoint.

But again, I think this bill will go through many changes. It has been amended well over 80 times during the course of its travels through both of these chambers, and I think it will be amended again later on the Senate side.

Ms. JOSEPHS. Thank you, Mr. Speaker.

Mr. Speaker, may I make a remark?

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

Ms. JOSEPHS. Because the prime sponsor of this bill has asked for an affirmative vote, I will do that. But I am very disturbed when we eliminate class actions from any type of possible cause of action, not only because it protects consumers but I believe it also protects businesses. I would not like to see a business being hit by many, many different single actions when they could be gathered into one class action and disposed of in a way that the business can go ahead with its ordinary course of making money and providing services or products to the public.

I think eliminating class action is a disservice to both business and consumers. I want to be on record as recognizing that, but I will vote for the amendment. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—195

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	Smith, B.
Belardi	Fox	Lucyk	Smith, S. H.
Belfanti	Freind	McCall	Snyder, D. W.
Billow	Gallen	McGeehan	Snyder, G.
Birmelin	Gamble	McHale	Staback
Bishop	Gannon	McHugh	Stairs
Black	Geist	McNally	Steelman
Bowley	George	Markosek	Steighner
Boyes	Gerlach	Marsico	Stetler
Broujos	Gigliotti	Mayernik	Stish
Brown	Gladeck	Melio	Strittmatter
Bunt	Godshall	Merry	Stuban
Bush	Gruitza	Michlovic	Sturla
Butkovitz	Gruppo	Micozzie	Surra
Caltagirone	Hagarty	Mihalich	Tangretti
Cappabianca	Haluska	Mrkonic	Taylor, E. Z.
Carlson	Hanna	Murphy	Taylor, F.
Carn	Harley	Nahill	Taylor, J.
Carone	Harper	Nailor	Telek
Cawley	Hayden	Nickol	Thomas
Cessar	Hayes	Noye	Tigue
Chadwick	Heckler	Nye	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	Wambach
Cowell	Josephs	Pistella	Williams
Coy	Kaiser	Pitts	Wilson
DeLuca	Kasunic	Preston	Wogan
DeWeese	Kenney	Raymond	Wright, D. R.
Daley	King	Reinard	Wright, M. N.
Davies	Kosinski	Richardson	Wright, R. C.
Dempsey	Krebs	Rieger	
Dent	Kruszewski	Ritter	O'Donnell,
Dermody	Kukovich	Robinson	Speaker
Donatucci			

NAYS—5

Blaum	Hasay	Mundy	Serafini
Freeman			

NOT VOTING—2

Reber	Wozniak
-------	---------

EXCUSED—1

Maiale

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

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—199

Acosta	Durham	Kukovich	Roebuck
Adolph	Evans	LaGrotta	Rudy
Allen	Fairchild	Langtry	Ryan
Anderson	Fajt	Laughlin	Saloom
Angstadt	Fargo	Leh	Saurman
Argall	Farmer	Lescovitz	Scheetz

Armstrong	Fee	Levdansky	Schuler
Arnold	Fleagle	Linton	Scrimenti
Barley	Flick	Lloyd	Semmel
Battisto	Foster	Lucyk	Serafini
Belardi	Fox	McCall	Smith, B.
Belfanti	Freeman	McGeehan	Smith, S. H.
Billow	Freind	McHale	Snyder, D. W.
Birmelin	Gallen	McHugh	Snyder, G.
Bishop	Gamble	McNally	Staback
Black	Gannon	Markosek	Stairs
Blaum	Geist	Marsico	Steelman
Bowley	George	Mayernik	Steighner
Boyes	Gerlach	Melio	Stetler
Broujos	Gigliotti	Merry	Stish
Brown	Gladeck	Michlovic	Stuban
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.
Carn	Harley	Nailor	Telek
Carone	Harper	Nickol	Thomas
Cawley	Hasay	Noye	Tigue
Cessar	Hayden	Nyce	Tomlinson
Chadwick	Hayes	O'Brien	Trello
Civera	Heckler	Olasz	Trich
Clark	Herman	Oliver	Tulli
Clymer	Hershey	Perzel	Uliana
Cohen	Hess	Pesci	Van Horne
Colafella	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	O'Donnell,
Dermody	Kruszewski	Robinson	Speaker
Donatucci			

NAYS—3

Lawless	Lee	Strittmatter
NOT VOTING—0		
EXCUSED—1		

Maiale

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 155, PN 1695**, entitled:

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, providing for rates and disclosures of alternative operator service providers.

On the question,
Will the House agree to the bill on third consideration?
Mrs. DURHAM offered the following amendment No. A1063:

Amend Sec. 1 (Sec. 2906), page 1, line 11, by striking out "at least" and inserting

only

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

The SPEAKER. On that question, the Chair recognizes the lady, Mrs. Durham.

Mrs. DURHAM. Thank you, Mr. Speaker.
My amendment simply limits the jurisdiction of the PUC (Public Utility Commission) to the sections of the bill. Thank you.

The SPEAKER. The Chair recognizes Mr. Wright.
Mr. D. R. WRIGHT. Mr. Speaker, I concur in the amendment.

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

The following roll call was recorded:

YEAS—202

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	McHale	Snyder, G.
Bishop	Gamble	McHugh	Staback
Black	Gannon	McNally	Stairs
Blaum	Geist	Markosek	Steelman
Bowley	George	Marsico	Steighner
Boyes	Gerlach	Mayernik	Stetler
Broujos	Gigliotti	Melio	Stish
Brown	Gladeck	Merry	Strittmatter
Bunt	Godshall	Michlovic	Stuban
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
 NAYS—0
 NOT VOTING—0
 EXCUSED—1

Maiale

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

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—196

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

NAYS—0
 NOT VOTING—6
 Donatucci McGeehan Mrkonic Snyder, D. W.
 Durham McNally
 EXCUSED—1

Maiale

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 369, PN 390**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, exempting certain persons from the requirement that motorcycle riders wear protective headgear.

On the question,

Will the House agree to the bill on third consideration?

Mr. ANDERSON offered the following amendment No. A0978:

Amend Sec. 1 (Sec. 3525), page 2, by inserting between lines 15 and 16

(3) The provisions of subsection (a) shall not apply to a person operating a motorcycle or motor-driven cycle if the person:

(i) is 21 years of age or older; and

(ii) has, and has had for at least two years, a Class M license.

On the question,

Will the House agree to the amendment?

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

Mr. ANDERSON. Mr. Speaker, I offer this amendment to alleviate some of my concerns.

I feel that the 21 years of age was put into this bill to keep the inexperienced riders from riding without a helmet. I do not feel that the 21 years of age addresses it correctly, and I am asking that it require that the person have had a class M license for at least 2 years.

I would appreciate your support.

The SPEAKER. The Chair recognizes Mr. Veon.

Mr. VEON. Thank you, Mr. Speaker.

Mr. Speaker, I appreciate the gentleman's interest, and I am going to support his amendment. Thank you, Mr. Speaker.

I would ask for an affirmative vote.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—151

Adolph	Fleagle	Lescovitz	Schuler
Allen	Flick	Linton	Semmel
Anderson	Foster	Lloyd	Smith, B.
Angstadt	Fox	Lucyk	Smith, S. H.
Argall	Freeman	McCall	Snyder, D. W.
Armstrong	Freind	McGeehan	Snyder, G.
Arnold	Gamble	McHale	Staback
Barley	Gannon	McNally	Stairs
Battisto	Geist	Markosek	Steelman
Belardi	Gerlach	Mayernik	Steighner
Belfanti	Gigliotti	Merry	Strittmatter
Billow	Gladeck	Michlovic	Sturla
Birmelin	Godshall	Micozzie	Surra
Bishop	Gruitza	Mihalich	Tangretti
Black	Hagarty	Mrkonic	Taylor, E. Z.
Bowley	Haluska	Murphy	Taylor, F.
Boyes	Harley	Nahill	Taylor, J.
Brown	Hayes	Nailor	Telek
Bunt	Heckler	Nickol	Tigue
Caltagirone	Herman	Noye	Tomlinson
Carlson	Hershey	Nyce	Trello
Carn	Hess	Perzel	Trich
Carone	Itkin	Pesci	Tulli
Cessar	Jadlowiec	Petrarca	Uliana
Civera	James	Petrone	Van Horne
Clark	Jarolin	Phillips	Vance
Clymer	Johnson	Pitts	Veon
Cohen	Kenney	Preston	Vroon
Cole	King	Raymond	Wambach
Cornell	Kosinski	Reber	Wilson
DeWeese	Krebs	Reinard	Wogan
Daley	Kruszewski	Rieger	Wozniak
Davies	Kukovich	Ritter	Wright, D. R.
Dent	LaGrotta	Robinson	Wright, M. N.
Dermody	Langtry	Rudy	Wright, R. C.
Evans	Laughlin	Ryan	
Fairchild	Lawless	Saurman	O'Donnell,
Fargo	Lee	Scheetz	Speaker
Farmer			

NAYS—50

Acosta	DeLuca	Josephs	Piccola
Blaum	Dempsey	Kaiser	Pistella
Broujos	Donatucci	Kasunic	Richardson
Bush	Fajt	Leh	Roebuck
Butkovitz	Fee	Levdansky	Saloom
Cappabianca	Gallen	McHugh	Scrimenti
Cawley	George	Marsico	Serafini
Chadwick	Gruppo	Melio	Stetler
Colafiglia	Hanna	Mundy	Stish
Colaizzo	Harper	O'Brien	Stuban
Corrigan	Hasay	Olasz	Thomas
Cowell	Hayden	Oliver	Williams
Coy	Hughes		

NOT VOTING—1

Durham

EXCUSED—1

Maiale

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

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

The Chair recognizes Mr. Merry.

Mr. MERRY. Mr. Speaker, I would like to address my concerns to the final passage of HB 369, which is a bill that would provide an exemption for certain riders of motorcycles.

Now, I wish I was as confident that this bill would fail as the statistics that I have read would indicate, but I have mixed feelings about this bill. On one hand, motorcyclists are asking for the freedom of choice, to not wear a helmet. On the other hand, I have been in hospital wards and I have talked to emergency personnel who have seen the crushed skulls of riders of motorcycles, and they are very concerned.

We have all gotten information from an organization called ABATE (Alliance of Bikers Aimed Toward Education). One of the more recent articles has this quote: "...mandatory motorcycle helmet laws have resulted in no appreciable reduction in motorcycle injuries or fatalities."

I draw your attention to an article that appeared on May 22 in the USA Today. I am going to have to read part of this, so I ask for your understanding: "Motorcycle riders wearing helmets suffered up to 73% fewer fatalities than those not wearing headgear, the General Accounting Office said. And for those wearing helmets, the incidence of head injuries rated 'severe' or worse was up to 85% lower...."

How many of you saw the recent article in the Reader's Digest which asked the question, "Who Needs a Helmet?" It tells a story in there of two riders that were involved in a motorcycle accident. The one with the helmet survived with nothing more than road burns and a knee injury. It goes on to say that "...motorcycle accidents claim some 4000 lives and injure over 100,000. Head injury is the leading cause of death in motorcycle accidents...."

Mr. Speaker, I remember when we voted on seatbelts and I was not paying attention, as many of the members here are not paying attention today. I was one of those that felt that personal freedom was more important than wearing an automobile seatbelt until I saw a friend of mine who just simply turned over at about 15 miles an hour in a pickup truck and was thrown from the pickup and was killed. My problem, and I feel it should be each and every one of your problems as we go back home to witness a new law that would potentially say that a person over 21 does not have to wear a helmet.

I ask you the question here, how many of you ride motorbikes now? How many of you know how inconvenient it is to wear a helmet? A helmet is confining. It reduces your hearing somewhat. There is a little bit of weight on your head that is inconvenient. But falling the 5 feet to the ground on a motorcycle, going anyplace from zero miles per hour to 60 miles per hour, can be fatal. A person is holding onto a pair of handle grips. They generally ride the bike down. If you can imagine what that means, you are holding onto a bicycle and you fall with it. You have no opportunity to put your hands up and to protect yourself from hitting the ground. The result is that as your body hits the ground, your head is thrown more solidly to the ground because of that leverage, and invariably there is severe head injury.

Mr. Speaker, as much as I like the freedom, and I continually talk about the free enterprise system and the matter of choice in this country, I feel that we should vote this bill down. How many of you are aware that while there is further action pending in the Federal Government to take away the mandatory helmet laws throughout the United States, that they are also talking about a stipulation that any State that does not have a mandatory law will lose 3 percent of their Federal transportation money.

If you do not want to look at this from a practical standpoint, let us look at it from the standpoint of fiscal responsibility. There is a very potential possibility that if we were to change our present law, that we will be reducing, we will be eliminating Federal funds that are coming to us for our transportation.

Mr. Speaker, I know my talk has been lengthy. I hope that it has cut through some of the noise that has been here in the House, but it is an important bill, and I feel that we should defeat HB 369 at this time.

The SPEAKER. The Chair recognizes Mr. Tigue.

Mr. TIGUE. Thank you, Mr. Speaker.

Mr. Speaker, as we address this bill once again, as we seem to do each session, the question comes to mind, why are we doing this? Time after time after time, one or two organizations that decide they do not want to wear helmets get a number of people to sponsor a bill. What does it do for society? What should we in Pennsylvania do?

When you talk about freedom, what are we talking about? Freedom to ride and cause injuries that will be paid for not by yourself? Freedom to say, hey, others States have done it, and look at their fatality rates.

According to the Journal of the American Medical Association, head-injury-related fatalities nearly are double in States which do not have mandatory helmet requirements. This is not some organization which just threw statistics together; it is the American Medical Association.

In 1989 Texas went back and adopted a mandatory helmet law. Recently California did the same thing. Why? Very simply because they have looked at statistics. They have looked at costs, both medical costs and the cost of injuries, work-related loss, et cetera.

The point of the matter is, the reasons for mandating helmet wearing when riding motorcycles are innumerable. The reasons for not mandating do not make sense. Thank you.

The SPEAKER. The Chair recognizes Mr. Veon.

Mr. VEON. Thank you, Mr. Speaker.

Mr. Speaker, very quickly and very briefly, I appreciate the concerns expressed by the gentlemen, Mr. Tigue and Mr. Merry. I know that they are genuine concerns and they have genuine opposition.

I would just suggest to the members of the House that for every statistic that Mr. Merry and Mr. Tigue have, I have a whole folder's worth of statistics that proves just the opposite. And I would suggest to the members that this issue has been around a long, long time. It is not really about statistics; it is about philosophy.

I would ask for an affirmative vote and hope that we could keep the debate to a minimum and go with our lifetime, long-held positions on this. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes Mr. Vroon.

Mr. VROON. Mr. Speaker, I hope the people of the House will listen as I make a very brief appeal for the defeat of this law.

The last time we had this law up for consideration in the House, while we were debating it I got a telephone call from my local hospital. The telephone call was from one of my young constituents, in fact a neighbor who lived just two blocks down the road. Here is what he said. He said, Mr. Vroon, will you please vote against that. He said, I am lying here in a hospital very dangerously wounded, very dangerously injured, and if it were not for the fact that I had a helmet on, he said, I would have died instantly in my innocent little accident. He said, do not listen to these people who beg for the privilege of doing as they please.

Now, I wanted to share that with you because if that was your youngster or if that was your brother, if that was a relative of yours, you would be very thankful, too, that he was wearing a helmet.

We passed a seatbelt law here a few years back and I was very active in promoting that seatbelt law, but here we are talking about something that is far more serious. These people do not have automobiles around them. They are completely exposed to the road and to all the obstacles that they can encounter.

I think it is absolutely absurd to give people the privilege of choosing whether or not they want to protect themselves. It is not just their life; it is the life and happiness and the welfare of wives and families and mothers and fathers, and this is an expense on the public going to these scenes of these accidents and peeling a body off the wall of something or other.

I think this is really absurd, and I really think we should defeat this soundly. It makes good sense. Let us vote it down.

The SPEAKER. The Chair recognizes Mr. Herman.

Mr. HERMAN. Thank you, Mr. Speaker.

Mr. Speaker, in 1968 my grandfather bought me a minibike, and with it also came a helmet to protect my cranium. Many of my friends joined me in the youngster sport, if you can say—I was 12 years old and thereafter a young teenager—in riding a minibike around my camp and through the coal strippings. But we all had helmets, and believe me, I have seen many of my friends, my neighbors, crash and burn, including myself, fortunately not too seriously.

But there is absolutely no doubt that wearing a helmet, protective headgear, saved many persons from serious head injury, and those helmets should be worn at all times when driving a motorized two-wheeler.

I can understand those who come to Harrisburg and lobby for the repeal of the mandatory helmet law and want to ride and feel the breeze and the freedom and feel their hair sway in the wind. But believe me, Mr. Speaker, I do not think there is any doubt that with the higher incidence that there is of motorcycle accidents comes with it, also, a greater incidence

of injuries. There is no doubt, and it is very well documented, that helmets do in fact save persons from serious head injury and death.

Mr. Speaker, there is absolutely no reason to pass this law. As with the higher incidence of head injuries that will occur with its repeal, all Pennsylvanians will bear the burden as taxpayers and as those who pay for increased health care costs.

Mr. Speaker, I encourage everyone to vote against passage of HB 369. Thank you.

The SPEAKER. The Chair recognizes Mr. Saurman.

Mr. SAURMAN. Thank you, Mr. Speaker.

Mr. Speaker, I serve on the board of the American Trauma Society, Pennsylvania Division, working with surgeons and working with emergency service personnel, and I would feel that I had betrayed them if I did not stand and ask that you vote "no" on this bill.

Perhaps if from a standpoint of economics we could amend it to say that anyone not wearing a helmet would be totally responsible for the consequences - that is, all of their medical expenses; any subsequent expenses that may be required to help them stay alive; to earn a living; if they are not able to, to put them onto welfare or onto other public doles - but even if that were to happen, Mr. Speaker, I think from a humane standpoint we need to recognize the extent of injury that can occur without a helmet.

We did just pass legislation that indicated the need for helmets in the case of youngsters riding bicycles, and I think that the time will come when we will have to look at them for older persons as well in order that we can promote safety.

One other comment that I would like to make, and that has to do with action that the United States Senate just took. The Senate Environment and Public Works Committee has included mandates for States to have helmet regulations as part of its highway reauthorization legislation, which means that if we were to repeal this, some of our Federal funds for highways could also be in jeopardy, and we ought to be considering that as well.

I would ask for a "no" vote. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes Mr. Sturla.

Mr. STURLA. Mr. Speaker, will the sponsor submit to interrogation?

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

Mr. STURLA. Mr. Speaker, would you please elaborate on the effects of insurance rates on the nonmotorcycling public as a result of this bill?

Mr. VEON. Mr. Speaker, I would have absolutely no idea and could not really give you a very honest or good answer. I would not want to attempt to do that. I would not be able to provide you with good information on that, Mr. Speaker.

Mr. STURLA. Would you believe that it would increase as a result of this?

Mr. VEON. No, Mr. Speaker.

Mr. STURLA. Okay. Thank you.

The SPEAKER. The Chair recognizes Mr. Merry.

Mr. MERRY. Mr. Speaker, I want to shorten it up real quick.

I have been contacted, as you have, by many motorcyclists, and they are all asking for the freedom of riding without a helmet. They do not want to mess their hair. They do want the freedom of the wind blowing through their hair. Do you know that every one of those people who asked for the right, the option, of riding without a helmet actually want to ride without a helmet? They do not want the option of a helmet at all.

My district borders Ohio. Ohio does not require a helmet. I have asked many, many of these motorcyclists, what would you do if you were in Ohio? Would you ever wear a helmet? Of course not; they do not require it.

I am going to finish with just one little short article. When a Massachusetts biker objected to the helmet laws and he took it to court, the Federal judge ruled that the plaintiff, the motorcyclist, is not the only one concerned. From the moment of a motorcycle injury, society picks the victim off the highway, delivers him to the hospital, provides him with hospital care, unemployment compensation, and may assume the responsibilities for him and his family from then on. The impact to society by having motorcyclists be injured is tremendous.

Mr. Veon was not able to answer the question about the insurance. Are you aware that a motorcyclist cannot buy first-party insurance coverage, the way that you do in an automobile? You cannot buy insurance coverage. You have to then resort to your own Blue Cross or your own employer's insurance. There is no such thing as first-party motorcyclist insurance coverage. Of course, if there is an accident, who bears the brunt? It will be the other insurance companies in Pennsylvania; it will be our welfare department; it will be society in general who is going to have increased costs.

It is not responsible for us as legislators to permit this bill to pass, Mr. Speaker. I urge that it be defeated.

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. The Chair recognizes Mr. Perzel.

Mr. PERZEL. Mr. Speaker, I urge final passage and an affirmative vote on HB 369. As a person who owned several motorcycles in the past myself, I think this is basically a freedom-of-choice issue, and I do not think it should be mandated by the State.

I would also like to submit my remarks for the record since it is very difficult to hear even myself talk. Thank you, Mr. Speaker.

The SPEAKER. The gentleman is in order and will submit his remarks for the record.

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

Mr. Speaker, I rise in support of HB 369.

I am sure that most of the members here today have had ample opportunity to consider the arguments on both sides of this issue.

What some of you may not have considered is how very special the occasion of this vote is for those men and women who have worked so hard for so long to bring this issue before us.

This is a shining moment for representative democracy. It shows how a well-organized minority can mobilize and work within our system to address a grievance which threatens their lifestyle.

Helmets are not the issue. We could use all the statistical evidence in support of mandatory helmets for motorcyclists and make the same case for the mandatory use of helmets by automobile drivers, persons who drive golf carts, or people who climb stairs.

Helmets are a symbol of governmental interference with this minority's lifestyle. The same arguments for mandatory helmets could and, indeed, have been advanced to simply ban motorcycles altogether, or perhaps eliminate any or every activity which society views as having inordinate risk.

Do we want to eliminate risk from everything that we do?

Tell that to the immigrants that braved the Atlantic to settle here, the first aviators, the first astronauts, or, indeed, the first legislators who risked their lives and their property to ensure that all of us, including those who may choose to ride motorcycles, may enjoy a different lifestyle without harassment by their elected officials.

I urge my colleagues to make this another day when Pennsylvania returns to its heritage and opens its arms to these unique people called "bikers" and allows them their "freedom of choice" as they enjoy their sport and as they live their lifestyle.

I urge an affirmative vote.

The SPEAKER. The Chair recognizes Mr. Dent.

Mr. DENT. Will the maker of this legislation stand for interrogation?

Mr. Speaker, do you have any statistics from States that do not have helmet laws as far as insects and debris that often hit motorcycle riders when they are riding? I realize that we have protective eye cover in this legislation, but do you have any statistics as far as accidents caused by riders moving at a high rate of speed hit by insects or stones? As one who has ridden on motorcycles, I have noticed this, that often at high rates of speed, insects or rocks can certainly disturb a rider.

Mr. VEON. Thank you, Mr. Speaker.

I appreciate the gentleman's concern, but I really do not have any statistics along those lines at all in any State.

Mr. DENT. Thank you.

The SPEAKER. The Chair recognizes Mr. Surra.

Mr. SURRA. Thank you, Mr. Speaker.

Mr. Speaker, this is a very controversial issue. There are statistics that will support either side. The fact that when you get on a motorcycle and you are traveling at 55 miles an hour, when you fall off, you stand the risk of being severely injured and becoming a burden to society. Are we next going to outlaw motorcycles?

The laws of inertia stand true even if you wear a helmet or if you do not. If you take your head and run it into that wall at 55 miles an hour and you have a helmet on, your brain is going to slam against the inside of your skull at 55 miles an hour.

There are studies that indicate helmets do not affect significantly injuries in motorcycle accidents. There are studies that indicate fullface helmets will cause you to receive a broken neck if you fall off a motorcycle.

I believe it is up to an adult individual to make the choice whether he should or should not wear a helmet, and I would ask for an affirmative vote, Mr. Speaker. Thank you.

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—77

Anderson	George	McNally	Snyder, D. W.
Angstadt	Gerlach	Michlovic	Snyder, G.
Billow	Gigliotti	Mihalich	Stairs
Birmelin	Godshall	Mundy	Steelman
Bishop	Gruitza	Murphy	Sturla
Black	Hanna	Nickol	Surra
Brown	Hasay	Noye	Tangretti
Bunt	Jadlowiec	Nyce	Taylor, E. Z.
Carlson	Kenney	Perzel	Taylor, J.
Carone	King	Pesci	Telek
Civera	Kosinski	Petrarca	Trich
Cohen	Kruszewski	Pitts	Uliana
Cole	Kukovich	Reber	Veon
DeWeese	Laughlin	Ritter	Wogan
Daley	Lee	Robinson	Wozniak
Durham	Leh	Saloom	Wright, D. R.
Evans	Lescovitz	Schuler	
Fairchild	Lloyd	Serafini	O'Donnell,
Fleagle	Lucyk	Smith, B.	Speaker
Foster	McCall	Smith, S. H.	

NAYS—124

Acosta	Davies	James	Preston
Adolph	Dempsey	Jarolin	Raymond
Allen	Dent	Johnson	Reinard
Argall	Dermody	Josephs	Richardson
Armstrong	Donatucci	Kaiser	Rieger
Arnold	Fajt	Kasunic	Roebuck
Barley	Fargo	Krebs	Rudy
Battisto	Farmer	LaGrotta	Ryan
Belardi	Fee	Langtry	Saurman
Belfanti	Flick	Lawless	Scheetz
Blaum	Fox	Levdansky	Scrimenti
Bowley	Freeman	Linton	Semmel
Boyes	Freind	McGeehan	Staback
Broujos	Gallen	McHale	Steighner
Bush	Gamble	McHugh	Stetler
Butkovitz	Gannon	Markosek	Stish
Caltagirone	Geist	Marsico	Strittmatter
Cappabianca	Gladeck	Mayernik	Stuban
Carn	Gruppo	Melio	Taylor, F.
Cawley	Hagarty	Merry	Thomas
Cessar	Haluska	Micozzie	Tigue
Chadwick	Harley	Mrkonic	Tomlinson
Clark	Harper	Nahill	Trello
Clymer	Hayden	Nailor	Tulli
Colafella	Hayes	O'Brien	Van Horne
Colaizzo	Heckler	Olasz	Vance
Cornell	Herman	Oliver	Vroon
Corrigan	Hershey	Petrone	Wambach
Cowell	Hess	Phillips	Wilson
Coy	Hughes	Piccola	Wright, M. N.
DeLuca	Itkin	Pistella	Wright, R. C.

NOT VOTING—1

Williams

EXCUSED—1

Maiale

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill fell.

**HOUSE CONCURRENT
REGULATORY REVIEW RESOLUTION NO. 2
AND VETO MESSAGE**

The SPEAKER. The Chair returns to page 10 of the calendar, HCRRR 2. Without objection, the resolution and veto message will go over for today.

The Chair recognizes the lady, Mrs. Taylor.

Mrs. TAYLOR. Mr. Speaker, I wanted to bring to the attention of the House the fact that the House concurrent regulatory review resolution is on its 10th day. Tomorrow will be the 30th calendar day and on the last reading.

I would like to remind the House that this is the resolution that they voted on on April 23 not to recommit to the Appropriations Committee. It is the resolution that passed the House by 195 to 5 votes. It is the resolution that passed the Senate 47 to 0, and it is here before this House, and I am asking, what are the plans of the majority leader in addressing this question, Mr. Speaker?

The SPEAKER. The Chair construes the lady's remarks not as an objection but as a request to interrogate the majority leader.

Mrs. TAYLOR. That is correct, Mr. Speaker.

The SPEAKER. The majority leader indicates he is willing to be interrogated. The lady may proceed.

Mrs. TAYLOR. Mr. Speaker, I would like to ask if the majority leader has plans for this House to again address HCRRR 2. I again remind the majority leader that this House did pass the resolution 195 to 5 and the Senate has passed it 47 to 0 and that there are many of the veterans and the spouses of the veterans who are very concerned because of the fact that they will not have any spending money at all unless this House again addresses the problem and overrides the Governor's veto, and I am asking for your plans, Mr. Speaker.

The SPEAKER. The question is, what are your plans?

Mrs. TAYLOR. Thank you, Mr. Speaker.

Mr. DeWEESE. My response to the gentlelady from Chester would be that I had no plans regarding this legislation, although I am under the impression that it is the option that you are considering to bring this matter for a vote.

Mrs. TAYLOR. Yes, and I would like to bring that before the members of the House, and if it is appropriate that I do that now, Mr. Speaker, I would like to bring that before the members of the House for a vote.

The SPEAKER. The lady is objecting to passing over HCRRR 2. Is that correct?

Mrs. TAYLOR. That is correct, Mr. Speaker.

The SPEAKER. The lady is in order.

MOTION TO PASS OVER

The SPEAKER. The Chair recognizes the majority leader.

Mr. DeWEESE. Mr. Speaker, I move to pass over HCRRR 2.

On the question,

Will the House agree to the motion?

The SPEAKER. On that motion, the Chair recognizes the majority leader.

Mr. DeWEESE. Mr. Speaker, the motion to pass over is done with some reluctance, but nevertheless, as a fiscal move, it would be prudent for this Assembly to save what our analysts tell us is \$8.3 million per annum. It is also a chance for us to do what Pennsylvania has already done for the residents of our veterans' hospitals, and if our veterans in our veterans' hospitals are being treated one way, it surprises me that there is such a vigorous move to treat our veterans in nursing homes in another way. They are being cared for by moneys expended by the Commonwealth, and in these days of comparative austerity, it would be prudent for us to try again to arrest our spending.

I would also like to share with the gentlelady from Chester that in seven States surveyed - including New York, Ohio, California - these moneys are counted as posteligibility income towards the cost of care.

I realize that this is a comparatively controversial issue—

The SPEAKER. Will the gentleman suspend.

Mr. DeWEESE. Certainly.

The SPEAKER. The gentleman may proceed.

Mr. RYAN. Mr. Speaker?

PARLIAMENTARY INQUIRY

The SPEAKER. For what purpose does the gentleman rise?

Mr. RYAN. A point of parliamentary inquiry.

The SPEAKER. The gentleman is in order.

Mr. RYAN. What is before the House is a motion to pass over. What I am listening to is a debate on the procedure to adopt or not to adopt the concurrent resolution, and I am just assuming that the Speaker of the House is going to allow a further debate on the merits when the majority leader has concluded as opposed to simply the question of passing over or not passing over.

The SPEAKER. Obviously, the matter at hand is the merits of passing over or not passing over this resolution, and the Chair generally affords a wider latitude on those subjects to the leadership, but if the motion fails, then it would be wide open on the merits.

Mr. DeWEESE. Thank you, Mr. Speaker.

I have really concluded my observations, and I would ask that this be passed over.

The SPEAKER. The Chair recognizes Mr. Ryan.

Mr. RYAN. Mr. Speaker, this is a twofold matter we have before the House. The gentleman, Mr. DeWeese, has asked that the matter be passed over. I think we all deserve an opportunity to see what it is that is being passed over, so I would ask that we keep it on the calendar. This is the last day. This is something that 195 or 197 members of this House passed. This is something that was passed as we were all stirred up, perhaps, in a spirit of patriotism for Desert Storm and our veterans, because it deals with veterans' pensions, and I think we should hear the whole story rather than simply

pass it over and have it die on the calendar, and I, accordingly, would ask that we cast a negative vote.

PARLIAMENTARY INQUIRY

The SPEAKER. On the motion, the Chair recognizes Mr. Gallen.

Mr. GALLEN. Point of parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman is in order and may state his inquiry.

Mr. GALLEN. Is the motion to call the bill up, or is the motion to pass the bill over? That is the question.

The SPEAKER. The appropriate motion is to pass the bill over. At the point at which this matter was reached on the calendar, the Chair attempted to pass it over without objection. The lady, after inquiry of the majority leader, raised an objection. The Chair therefore receded from that announcement and recognized the majority leader, who moved to pass the bill over, which was an appropriate motion.

Mr. GALLEN. So a "no" vote would be not to pass the bill over.

The SPEAKER. Correct.

Mr. GALLEN. Okay. Now, would it then be in order for either me or Mrs. Taylor or Mr. Ryan to call the bill up for a vote?

The SPEAKER. If the motion fails, the bill will be in front of us as an appropriate order of business. We have reached that point on the calendar.

On the question recurring,

Will the House agree to the motion?

(Members proceeded to vote.)

The SPEAKER. For what purpose does the gentleman rise?

Mr. RYAN. Do you have an alarm clock? Does it work?

PARLIAMENTARY INQUIRY

The SPEAKER. For what purpose does the gentleman rise?

Mr. RYAN. Point of parliamentary inquiry.

The SPEAKER. The gentleman will make his inquiry.

Mr. RYAN. How much time is left?

The SPEAKER. Less than 2 minutes.

VOTES CHALLENGED

Mr. RYAN. Is the gentleman, Mr. Acosta, in his seat?

The SPEAKER. The gentleman will suspend.

The gentleman, Mr. Acosta, will stand or have his vote stricken.

Mr. RYAN. The gentleman, Mr. Linton?

The SPEAKER. The gentleman, Mr. Linton, has been stricken.

Mr. RYAN. The gentleman, Mr. Hughes? The gentleman, Mr. Gruitza? The gentleman, Mr. Fred Taylor? The gentleman, Mr. Mayernik? The gentleman, Mr. George? Pardon me. I see the gentleman. The gentleman, Mr. Melio?

The SPEAKER. The gentleman, Mr. Melio, is present.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

-----YEAS—90-----			
Battisto	Dermody	Levdansky	Saloom
Belardi	Evans	Lloyd	Staback
Belfanti	Fajt	Lucyk	Steelman
Billow	Fee	McCall	Steighner
Bishop	Gamble	McHale	Stetler
Bowley	George	McNally	Stish
Broujos	Gigliotti	Markosek	Stuban
Butkovitz	Haluska	Melio	Surla
Caltagirone	Hanna	Michlovic	Surra
Cappabianca	Harper	Mihalich	Tangretti
Carn	Hayden	Mrkonic	Thomas
Carone	Itkin	Murphy	Tigue
Cawley	James	Olasz	Trello
Cohen	Jarolin	Oliver	Trich
Colafiglia	Josephs	Petrarca	Van Horne
Colaizzo	Kaiser	Petrone	Veon
Cole	Kasunic	Pistella	Wambach
Corrigan	Kosinski	Preston	Williams
Cowell	Kruszewski	Richardson	Wozniak
Coy	Kukovich	Rieger	Wright, D. R.
DeLuca	LaGrotta	Robinson	
DeWeese	Laughlin	Roebuck	O'Donnell,
Daley	Lescovitz	Rudy	Speaker

NAYS—105

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

NOT VOTING—7

Acosta	Hughes	Mayernik	Taylor, F.
Gruitza	Linton	Scrimenti	

EXCUSED—1

Maiale

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

Mrs. TAYLOR called up from the postponed calendar the veto message on **HCRRR 2**, entitled:

In the House, May 6, 1991

Disapproving a medical assistance regulation submitted by the Department of Public Welfare.

On the question,

Shall the resolution become effective, the objections of the Governor to the contrary notwithstanding?

The SPEAKER. The question now before the House is, shall HCRRR 2 stand and have effect, the objections of the Governor to the contrary notwithstanding?

Is there anyone seeking recognition on the merits? The Chair recognizes Mr. Ryan.

Mr. RYAN. Mr. Speaker, I am going to yield shortly to the lady, Mrs. Taylor, or the gentleman, Mr. Johnson, because I believe they have superior knowledge with respect to this matter than I do, but my understanding of this is that moneys that now are received or are due to the veterans of Pennsylvania who are in nursing homes are currently being applied to their nursing home costs, and that money is taking the place of—and this part I am not sure of, and I would ask to be corrected if I am wrong—that money is taking the place of Pennsylvania's contribution, essentially, and it just does not seem right that we should be the beneficiary of the pensions of these veterans. This money could be used by them to provide for some small luxuries as they are in these various nursing homes.

These men and women who have served our country over a period of time, either long enough to have gained a pension or have suffered injuries in the course of their service so that they have become entitled to pensions by reason of service-connected disabilities, I think it is just somewhat outrageous that we here in Pennsylvania would take first crack at their pensions instead of using our own money. It is for that reason that I am asking for an affirmative vote at this time and would respectfully request, Mr. Speaker, that either the lady, Mrs. Taylor, or the gentleman, Mr. Johnson, correct me if I have misstated the facts of the matter.

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

Mrs. TAYLOR. Mr. Speaker, I believe that the minority leader has put before us the facts. I wish to thank the members of the House for their courage to address this problem that is before us today.

I probably realize as much as any of you here, after having voted some 14 times on the budget and the taxes of this Commonwealth, voted either for or against, I realize that we have a financial problem, but I do not believe that the members of this General Assembly want to solve that problem on the backs of the veterans and their spouses.

I could relay to you many, many letters, and I will read only a short portion of a letter that was sent to Governor Casey from someone from Philadelphia who is in a nursing home, who is saying to the Governor, I spend a lot of the money that I have left to me through the pension of my husband on books and some personal items.

To take this away from those who are in need of these personal items and in need of some small amenities of life, I think

that that is a cruel gesture. I know this House will stand tall and do what it did before as far as this resolution is concerned, and I certainly urge that we send a message to those who have served our country, to their spouses, and to those who are using this \$30 or so to good use.

THE SPEAKER PRO TEMPORE (THOMAS C. CORRIGAN, SR.) PRESIDING

The SPEAKER pro tempore. The Chair thanks the lady.

The Chair recognizes Representative Johnson.

Mr. JOHNSON. Thank you, Mr. Speaker.

I rise in support of this resolution. We certainly need the veterans to receive this small amount of money which they get. Much of this money is used by the spouse of the veteran who is in a nursing home; some of it is used for the benefit of the veteran, and they certainly deserve it. They have always had it in the past, and I certainly see no reason to change now and take this money away from our veterans who are needy and in nursing homes. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Tigie.

Mr. TIGUE. Thank you, Mr. Speaker.

Once again I have to stand to speak against what seems to be evolving as a veterans' issue, but let us be honest.

A few weeks ago we talked about this, and it was overwhelmingly voted to override the Governor's veto because we thought we were hurting the poor, unfortunate veteran. However, let us take a look at what the Governor and the Federal Government are actually saying should be done.

If I have a military pension, my military pension must be included in the cost of my stay in a nursing home. Do not misunderstand that. What we are talking about is one small area called—and I want to make sure I get the terminology right—the veterans' aid and attendance and household, household, allowance portion of veterans' benefits which go to those people who need extra help. That extra help is to maintain them in their households, to provide things for them that they need that they do not have the money to buy.

Now, what are we saying? We are saying to a small group of people, forget about where money comes from; money is money to the State and to the taxpayer. We are saying, because you receive this certain pension, you do not have to pay your way; we will pay your way for you; we will pick up the difference; you can keep that money.

Where does that money go? Mrs. Taylor would have you believe that the money is used by these poor veterans to provide the necessities. That, I tell you, is not the case. Their necessities are provided for by the nursing home.

I stood on this floor a few weeks ago, and it is the same thing today. I know I am talking against the majority of feelings, but I think it must be said. Lo and behold, the day after I spoke against overriding the Governor the last time, I got a phone call, and let me tell you what the essence of that phone call was. It was from a young woman who said, I

cannot believe you voted to take my uncle's pension away. I explained to her my position. Then she explained to me where her uncle's pension goes. Her uncle is in a nursing home. He does not receive the pension money. The pension money goes to her mother. She was upset because her mother no longer would receive the uncle's pension money. Is that fair? Of course not. Why should someone receive a pension for another person who is in a nursing home while we pick up the difference in pay?

We may have examples—and we probably would have to search far and wide—where this small stipend would mean the difference between someone having a necessity and someone who would not who is in need, but we are not going to find that. We are finding a way to give a group of individuals—I do not care if they are veterans or not veterans—extra money that they should be paying for their own way. We stand and we hear people say, pay your own way; pay your own way; do not take State money. This is what we will be doing if we override the Governor's veto. I am just saying, let us be fair. If we are providing you care and you have the ability to pay, you should pay.

Please do not support the motion to override. Thank you, Mr. Speaker.

THE SPEAKER (ROBERT W. O'DONNELL) PRESIDING

The SPEAKER. The Chair recognizes Mr. Lawless.

Mr. LAWLESS. Thank you, Mr. Speaker.

Mr. Speaker, may I ask the last speaker to rise for interrogation?

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

Mr. LAWLESS. Thank you, Mr. Speaker.

Mr. Speaker, may I ask you how often you visit nursing homes? Have you been to one in the last week? Have you been to one in the last few weeks?

Mr. TIGUE. I have been to one in the last couple of weeks.

Mr. LAWLESS. Okay. Thank you.

May I address the issue, Mr. Speaker?

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

Mr. LAWLESS. I have to tell you people here today on the House floor again, as I spoke earlier on this issue, I visit a nursing home religiously every Friday and Sunday night to see my grandmother. I can tell you, these people need this money. This is not something that they do not need. They have to buy hearing aid batteries. They do not get those as part of their—That is not a necessity that the nursing home gives those people. There are many issues that you and I claim that are necessities as human beings that nursing homes do not issue as necessities.

I have to ask everyone here to support the motion to override. Thank you.

The SPEAKER. The Chair recognizes Mr. DeWeese.

Mr. DeWEESE. I am going to respond and amplify the remarks of the gentleman who won the Silver Star, the gentleman, Mr. Tigue, from Luzerne. And the gentleman, Mr. Lawless, whose relative is in the nursing home, if that relative is a veteran, that veteran would have a pension and that pension would buy the hearing aid batteries.

What we are talking about is aid and attendance benefits, aid and attendance benefits. Now, if these Federal dollars called aid and attendance benefits come to a veteran in Erie or Hollidaysburg or any of the other State hospitals, if these moneys go to these people, they are taken in as a part of the cost of doing business and keeping these unfortunate, usually elderly people alive and as healthy as they possibly can be.

We have already decided in the State of Pennsylvania and in New York and around the United States and California and Ohio and other States to use these moneys and roll them into the cost of taking care of these people. Now, if you want to look back at the Reagan years and you want to look back at the Grace Commission and all you ladies and gentlemen over there want to be fiscally prudent and be leaders and be strong and be bold, you will try to treat the veteran in a nursing home the same way that our veterans are treated at Hollidaysburg and Erie and the other homes. We take these Federal dollars and use these dollars as part of the cost of keeping our poor, elderly veterans. If a veteran in Greene County or Fayette County or Washington County is in a home, these moneys, these aid and attendance benefits moneys, are not rolled into the cost of keeping them. Therefore, Ms. Taylor and others are going to have to raise additional State revenues to try to take care of these people.

It is not that anyone would be maltreated. It is only a matter of fiscal prudence that this Governor's veto be sustained. Thank you.

The SPEAKER. The Chair recognizes Mr. Saurman.

Mr. SAURMAN. Thank you, Mr. Speaker.

Let me just indicate that we are not talking about just State hospitals but any nursing home with regard to this situation. Let me talk about, if I might, necessities and how far pensions go and what are the things that people need to buy in addition, and let us talk about, also, the amount of money, as has been mentioned by Representative Taylor, that we are talking about for every individual, and then let us talk about some of the actions that we take on this House floor - one just today where there is supposedly no fiscal note, but suddenly a program that is going to be run by the State with no fiscal note, no dollars, and I am told that there is no cost to the State or to the schools. Let us be reasonable.

Let us talk about what we owe to our veterans, and there is legislation that has been entered to provide new benefits, new wonderful things for the veterans of the Persian Gulf. These veterans are people who have given in the past, who are in these conditions at the present time because they are suffering, and we want to take away this little bit of additional money. The scenario that was mentioned talked about an uncle or an aunt, and thank heaven there is a relative who will come forward and assist in taking care of these people.

Mr. Speaker, we need to override this veto to show that we indeed do have respect for and honor for and regard for not only those veterans who served but for those members of the family who continue to care and continue to need this small pittance in order to provide the things that may not be necessary in terms of food, clothing, and medical care, but in terms of decent living are certainly required.

I would ask for a "yes" vote on this motion to override. Thank you.

The SPEAKER: The Chair recognizes Mr. Lawless.

Mr. LAWLESS. Thank you, Mr. Speaker.

Mr. Speaker, I would just like to address the majority leader's comment as to whether my grandmother uses her veteran's pension. In fact, yes, she is a widow of a World War I veteran.

I would also like to say that I am somewhat confused as a new member here on the House floor, and that being that yesterday I heard the majority leader speak on the fact that he needed our side of the aisle to help out with supporting the middle class and not taking things away from the middle class. These people who are in nursing homes who use these funds are not middle class. These people need these funds.

So if we are to remain consistent with yesterday's speech, I would suggest that we vote in favor of the override. Thank you.

The SPEAKER: The Chair recognizes Mr. Gallen.

Mr. GALEN. Mr. Speaker, I would like to read to you a letter which I received very recently from a clergyman in my district. He says:

Dear Mr. Gallen:

My sister had a stroke about seven years ago and is paralyzed on one side. Since then she has been in a nursing home. She has spent all her savings, including the proceeds from the sale of her house, for her nursing home care. She is now on Medicaid; and both she and I are most grateful for this wonderful help from the state.

Her only income is from Social Security and a widow's pension from the Veterans Administration. All of her Social Security check goes to the nursing home. Until recently, only a large portion of her VA pension went to the nursing home; the VA has a provision that part of the amount is designated as "Aid and Attendance" which was for the recipient's personal use; in my sister's case, this amounted to \$239. This allowed enough leeway for her to buy Christmas and birthday gifts, to set aside something for burial expenses, and to buy such things as cigarettes. (Yes, I know she shouldn't smoke; but it's hard to convince an 81-year-old, especially when that's her only form of recreation.)

The County Assistance Office, however, informed us that beginning in March 1991 the "Aid and Attendance" portion was to be turned over to the nursing home. This means that my sister (and others like her) has zero dollars for her own use.

I realize that the Commonwealth of Pennsylvania is having financial difficulties; its efforts to reduce expenses are in the paper constantly. But must the state take away the last dollar of poor widows? Must defenseless people in our society be reduced to penury?

Instead of taking away all the "Aid and Attendance" portion of the VA pension, can't some of it be reserved for the personal use of the recipient?

I'll appreciate your help in this matter.

Well, now is the time for me to help her, and I hope all of you will, too. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes Mr. King.

Mr. KING. Thank you, Mr. Speaker.

I would like to go on record with reading a list of fiscal requirements that the Governor has felt necessary to employ on behalf of balancing his budget through the last several years. As we heard this morning at a prayer breakfast, we owe something to even the least of us. We know that this is economically driven by the executive branch; let there be no doubt about that on the record.

In 1988-89 there was a \$110-million transfer from the SWIF (State Workmen's Insurance Fund) Fund. Fiscal year 1989-90: \$75-million transfer from the Workmen's Self-Insurance Program to the General Fund; transfer of 17 million additional dollars from the SWIF to the Motor License Fund; the use of \$20 million from SWIF to replace the General Fund payments; extraordinary transfer of the Liquor Control Board's profits; postponing payment of \$135.3 million or 25 percent of the appropriation due to the School Employees' Retirement Fund; \$41-million transfer from the Unemployment Compensation Trust Fund to the General Fund; \$140-million one-time windfall from the local tax reform. I continue to the fiscal year 1990-91: a transfer of \$217 million; payment of \$125 million.

Mr. Speaker, the list goes on and on. I find it unconscionable that the Governor now asks to reach into the pockets of these most needy people - our veterans, our veterans' spouses. Think of it - taking money out of those poor people's pockets. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes Mrs. Taylor.

Mrs. TAYLOR. Mr. Speaker, my comments will be short, because I just want to respond to one thing that Representative Tigue said, and that is that, sure, our veterans want to pay their way, and you better believe they have. And now, for that little bit of spending money for them or for their spouse, we are taking a negative look.

I think that the members of this Assembly will do the right thing. They did the right thing before and they will do the right thing again.

I would like to read some of— This is just a short list of those who support this override: the Action Alliance of Senior Citizens of Greater Philadelphia, the Pennsylvania Association of Non-Profit Homes for the Aging, the Association of Retarded Citizens, Coalition of High Volume Medical Assistance Hospitals, The Children's Hospital of Philadelphia.

You probably could name on one hand maybe those who might be against this resolution, and I suggest you all remember the folks back home when you put your vote up today.

The SPEAKER: The Chair recognizes Mr. Black.

Mr. BLACK. Thank you, Mr. Speaker.

Would either the majority leader or Representative Tigue stand for a brief period of interrogation?

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

Mr. BLACK. Mr. Speaker, do you know the number of veterans involved, and can you tell me the dollar figures that this will bring to the Commonwealth?

Mr. TIGUE. I do not know the number of veterans involved, but my understanding is that it would cost the Commonwealth around \$8 million.

Mr. BLACK. We are saying it would cost the Commonwealth \$8 million if we did not recover this money?

Mr. TIGUE. Yes.

Mr. BLACK. Then can I ask the majority leader to tell me the number of veterans who are involved?

The SPEAKER. Has the gentleman completed his interrogation of Mr. Tigue?

Mr. BLACK. Yes.

I would like the answer to the first question. Maybe the majority leader can answer that.

The SPEAKER. The gentleman is asking how many veterans are involved.

Mr. DeWEESE. Staff tells me that there are 4,300 involved.

Mr. BLACK. 4,300?

Mr. DeWEESE. That is what I am told, sir.

Mr. BLACK. Thank you very much.

The SPEAKER. The Chair recognizes Mr. Coy.

Mr. COY. Thank you, Mr. Speaker.

I simply cannot help but point out a little disparity in some of the comments that I hear today and the comments that were made by fiscal conservatives 2 weeks ago. We were considering an override of the Governor's measure 2 weeks ago. The bill then was the closure of State hospitals and a State school for veterans' children. I heard folks stand up 2 weeks ago and make remarks about, well, we need to be fiscally conservative here. We need to really watch what we are doing here. We need to not take the control away from the Governor, who needs to make these decisions. I heard comments like that over across the aisle from many different folks. Now, not from everybody. We had some votes over there, and I appreciate the ones who did, and some on our side, too.

But the truth of the matter is it sort of depends on how the thing packages, does it not; how it will look in a brochure. Does it not really depend on that? Is that not what we are sort of talking about here today? Is that not what this sort of comes down to, that it is convenient one day to wrap yourself in the flag and talk about veterans on this issue, but when we are talking about another issue with regard to veterans or State hospitals and those needy people, then we have got to stand up and be fiscally conservative?

You know, it is just a little— It concerns me that we are not speaking clearly all the time on this issue. Regardless of how you are going to vote on this override or regardless of how you voted the last 2 weeks on the override then, the issue seems to be a little bit the same. You are concerned about veterans, veterans' children, poor people, people who are in

nursing homes. Those people who are in the State hospitals in Representative Belfanti's district and others on the State floor are just as poor in many cases and needy as the veterans being pointed out today, but it just does not seem to package the same way, does it?

I think it is worthwhile thinking about that issue, thinking about how we framed it 2 weeks ago when we wanted to be fiscally—some of us—wanted to be fiscally conservative and, as I said 2 weeks ago, some of the Governor's newfound friends. Now today we are in a different circumstance. We are on a different issue, and all of a sudden we see the same issue differently. I wonder how the votes will add up today. I wonder if they will be the same as they were 2 weeks ago when we were talking about veterans' children and now we are talking about veterans in nursing homes.

All I am saying to you is what I said 2 weeks ago: Just wait till it happens in your district; just wait till it comes in your district; just wait till it happens to you, and all of a sudden you will feel differently about the issue, I guarantee you. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes Mrs. Harper.

Mrs. HARPER. Thank you, Mr. Speaker.

I would just like to ask Representative Tigue or the majority leader a question. First of all, I would like to say that my brother was a veteran and his wife receives a pension and she is not asking for any more money. I would like to know if this extra money is given on the person's income, a person who is very needy, or is this money given across the board?

The SPEAKER. The gentleman, Mr. Tigue, will respond.

Mr. TIGUE. My understanding is that the money that we are talking about, this assistance pension, is given primarily because a doctor or medical personnel from the Veterans' Administration has determined that someone needs extra money to assist them and provide them with the medical need. It has nothing to do with the other parts of a pension. So in your sister-in-law's case, her pension would be used for a nursing home or anything else anyway.

The SPEAKER. The Chair recognizes Mr. Johnson.

Mr. JOHNSON. For a number of years the veterans' organizations have put out little red flowers called poppies. They carry the theme "Forget me not," "Forget me not," and I suggest that is what we are doing today here on the House floor.

For years the veterans have gotten this money and nobody said anything about it, and now all at once we have to take it away from them. I say, let us forget them not and vote to keep this money where it has gone all these years. We could afford it in the past. I am sure we can afford it in 1991. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes Mr. Saurman.

Mr. SAURMAN. Thank you, Mr. Speaker.

Mr. Speaker, I would have to raise some objections to the analogy that was made to fiscal conservatives and the issue that we talked about in the past. What those of us are saying with that regard is that this body is too large, too busy, too uninformed to make the kinds of decisions that are made with

regard to a specific facility as to whether it is functioning economically or whether it is not.

In this instance we are talking about figures that are very clearly in front of us. We are talking about it at a sum of money that is made available to the veterans. It is as clear to us as it is to the administration or to anyone else, and we can make that decision and it has nothing to do with fiscal conservatism. It has to do with an obligation that already is being paid and in this instance would be taken away.

So I do not think the analogy holds water, and I would again ask for a "yes" vote on the override.

The SPEAKER. The Chair recognizes Mr. Tigue.

Mr. TIGUE. Thank you, Mr. Speaker.

Mr. Speaker, in the last hour or half hour or however long it has been, we have heard a lot of patriotic speeches; we heard a lot of things about veterans which are good to hear.

However, we are getting far astray from what is going on here. I have heard the Governor blamed. I have heard conservatives blamed. I have heard nonveterans blamed, but the point is that HCFA, the Health Care Financing Administration, are the ones at the Federal level who mandate this. They have told Pennsylvania that you must use this when you are calculating someone's share of providing their own care. Most other States, and I am not sure how many, or maybe all of the other States already do this.

One of the gentlemen I respect here is Mr. Johnson, and he just spoke previous to me, and one thing he said was about let us give them the money to spend. But let me tell you something. We already have a dual system. The dual system is that in veterans' homes—and Mr. Johnson knows about Hollidaysburg—they must pay this pension to the home. So in Pennsylvania, if you go into a veterans' home, a State-owned, operated, supported veterans' home, this money goes to your care.

HCFA has said Pennsylvania must get in line with the other States and this money should be used for the care of those people in nursing homes. What I am saying is to support the Governor, because the Governor is saying in order for us to avoid being penalized, we must come in compliance with what HCFA has dictated.

If we want to put blame on it, and I do not, somebody better start looking at the Federal Government. The point is, we either comply with what they say or we pay a penalty. The money, as I mentioned in the answer to a question posed by Representative Harper, this money is only for those people who have been determined to have needs because of physical problems. It is not for spending money; it is not to give to their relatives; it is not for anything except providing them specialized care, and that was determined by a medical team in the Veterans' Administration.

Now all of a sudden we are saying, these people who are coming to a nursing home, do not keep their money. Let us let them have the money and let us have the taxpayers— And many of the taxpayers are veterans. This has nothing to do with veterans. It has to do with fairness.

When we do a needs test, Representative Lawless mentioned his grandmother. I am sure they use her Social Security in determining her needs and it goes to her pay in the nursing home. If the nursing home provides the care, they should receive the money that comes to that individual for that individual's care. That money should not go to someone else.

So I ask you, it is fine to say this is a veterans' issue. It is not a veterans' issue. It is an issue of fairness. It is an issue of saying, if you have the assets like everyone else, we have to include them when we provide you with services. Thank you, Mr. Speaker.

The SPEAKER. The Chair urges the members to attend to their vote carefully and to understand the consequences of their vote.

Those in favor of the resolution becoming effective will vote "aye"; those in favor of sustaining the Governor's veto will vote "no."

On the question recurring,

Shall the resolution become effective, the objections of the Governor to the contrary notwithstanding?

The following roll call was recorded:

YEAS—171

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

NAYS—29

Battisto	Fajt	Lucyk	Stetler
Bishop	Hanna	McHale	Tigue
Broujos	Harper	McNally	Veon
Butkovitz	Hayden	Michlovic	Williams
Cappabianca	James	Mihalich	
Colafella	Kruszewski	Oliver	O'Donnell,
DeWeese	Kukovich	Rieger	Speaker
Evans	LaGrotta	Robinson	

NOT VOTING—2

Mayernik Mrkonic

EXCUSED—1

Maiale

The SPEAKER. On the question of the resolution becoming effective, the objections of the Governor to the contrary notwithstanding, the "ayes" are 171; the "nays," 29. Two-thirds of all members elected having voted in the affirmative, the resolution is adopted, and the clerk will inform the Senate accordingly.

REMARKS SUBMITTED FOR THE RECORD

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

Mr. REINARD. Mr. Speaker, I would like to submit some comments for a matter of record.

The SPEAKER. The gentleman is in order and will submit his comments for the record.

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

Mr. Speaker, it is my privilege to bring to the attention of the Speaker and the Members of the Pennsylvania House of Representatives the name of Robert Pitkofsky, a student in my legislative district, who has submitted to me an essay on the War in the Persian Gulf.

Mr. Speaker, I would like to submit to the members of the House of Representatives the following essay entitled "From the Backyard of a Madman..."

Iraq first invaded and took over Kuwait, a tiny country, to the south, last August. The United States responded with major action by moving troops to the Persian Gulf region. Those troops stayed put, through failed diplomacy, hot days in the desert heat, just waiting...waiting for that one call to action that only the commander-in-chief of the United States can offer, President George Bush. Finally, a deadline was established, January 15, 1991, by which Iraq must unconditionally leave Kuwait to avoid military force. Major diplomatic efforts started. Secretary James A. Baker, III, went to meet Iraqi Foreign Minister Aziz in Switzerland but no progress was made. In a last ditch effort, United Nations Secretary Perez De Cuellar went to talk to Iraqi leaders but he came back without any progress. Nations braced themselves for war. President Saddam Hussein readied his forces for war. The Allied forces staged a massive attack against the capital of Iraq, Baghdad, and surrounding Iraqi military installations. The attack that night was a great success. Our country was in euphoria as the stock market shot up over one hundred ten points. Then came the SCUDS...

Iraq's President Hussein decided to try to bring Israel into the war. All of the people of the world could see what his intent was. The Arabs have historically been major enemies of the Israelis. Whenever the small Jewish state has done something unacceptable to Arab thinking, Israel has been attacked from all sides. President Hussein has attempted to break up the huge Arab section of the fragile coalition. In order to do so, Mr. Hussein has launched Russia-made SCUD long range missiles at Tel Aviv, the country's largest city. There is one thing to note about the philosophy of the Israeli defense. Israel doesn't play games. Traditionally, whenever there has been an attack from an Arab neighbor, Israel has retaliated with her huge powerful Air Force. The United States saw what Iraq was trying to do. After the first malicious attack on Israel, Baker called Israeli Prime Minister Shamir to persuade him to resist retaliation against Iraq. I do not know how much longer Israel can or should hold out. I fear for the people of my homeland and for what lies ahead for the tiny state.

My personal opinion on this topic is very simple. I am greatly burdened with anger, contempt, and pure malice against Iraq. Israel is not involved in this terrible war. No madman should start an Israeli-Arab war over this conflict. If Hussein thinks that this is going to help out his cause, he is, as President Bush said, "dead wrong." Naked aggression cannot be tolerated in today's society. Any country that acts in this manner could be likened to Nazi Germany if not stopped in time. I am also very impressed by the restrained Israeli response to the SCUD attacks. I can see President Bush's side as we do not want a madman turning this conflict into a holy war. I trust that the strong Allied forces will do the best possible job and end this conflict as soon as possible.

Personal Note: May the brave troops over in the Persian Gulf region come home quickly and safely from the backyard of a madman...and may Israel continue to shine in the war-stricken Middle East.

Mr. Speaker, it is my pleasure to place in the Legislative Journal the name of Robert Pitkofsky, and his essay entitled "From the Backyard of a Madman..."

VOTE CORRECTION

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

Mrs. DURHAM. Thank you, Mr. Speaker.

I would like to be recorded in the affirmative on HB 155. I was out of my seat and was not recorded. Thank you.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The Chair recognizes Mr. Evans for an announcement.

Mr. EVANS. Mr. Speaker, at the recess of the House, I would like to call a House Appropriations Committee meeting in the majority caucus room. I would like to have all members attend, please. Thank you.

AGING AND YOUTH COMMITTEE MEETING

The SPEAKER. The Chair recognizes Mr. Stuban for an announcement.

Mr. STUBAN. Thank you, Mr. Speaker.

Mr. Speaker, at the call of the recess, I would like to call a meeting of the Aging and Youth Committee at the back of the House.

VOTE CORRECTIONS

Mr. STUBAN. Also, on HB 221 I was not in my seat when the vote was called. 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. Fargo.

Mr. FARGO. Thank you, Mr. Speaker.

On HB 369, PN 390, I was recorded in the negative. I would like to have my vote recorded in the affirmative. Thank you.

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

ANNOUNCEMENT BY MR. LESCOVITZ

The SPEAKER. The Chair recognizes Mr. Lescovitz.

Mr. LESCOVITZ. Mr. Speaker, the southwest Democratic caucus will meet in room 418B at 12:30. Thank you.

ANNOUNCEMENT BY MR. WILLIAMS

The SPEAKER. The Chair recognizes Mr. Williams.

Mr. WILLIAMS. Mr. Speaker, the Philadelphia delegation will be meeting promptly, promptly, at 12:30 in the majority caucus room, room 140; that is all Philadelphia delegation members. Thank you, Mr. Speaker.

VOTE CORRECTION

The SPEAKER. The Chair recognizes Mr. Wozniak.

Mr. WOZNIAK. Thank you, Mr. Speaker.

On amendment 1010 to HB 133 I would like to be placed in an affirmative vote.

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

HEALTH AND WELFARE COMMITTEE MEETING

The SPEAKER. The Chair recognizes Mr. Richardson.

Mr. RICHARDSON. Mr. Speaker, there is an immediate meeting of the House Health and Welfare Committee in the rear of the House. I would like to announce that right now.

VOTE CORRECTIONS

Mr. RICHARDSON. Also, I would like to correct the record, Mr. Speaker.

Had I been in my seat on May 29, 1991, for the vote on HB 840, PN 1589, regarding the amendment to Title 75 of the Pennsylvania Consolidated Statutes, further providing for funeral processions, I would have voted in the affirmative.

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

The Chair recognizes Mr. Michlovic.

Mr. MICHLOVIC. Thank you, Mr. Speaker.

For a correction of the record on HB 1344, I would like to be recorded in the affirmative.

ANNOUNCEMENT BY MR. MICHLOVIC

Mr. MICHLOVIC. Also, I would like to announce a meeting of the Allegheny County Democratic delegation in Ivan Itkin's office at 1 o'clock this afternoon. Thank you, Mr. Speaker.

ANNOUNCEMENT BY MR. McCALL

The SPEAKER. The Chair recognizes Mr. McCall.

Mr. McCALL. Thank you, Mr. Speaker.

There will be a meeting of the northeast delegation of the Democratic Caucus in room 418A at 12:30.

VOTE CORRECTIONS

The SPEAKER. The Chair recognizes Mr. McGeehan.

Mr. MCGEEHAN. Mr. Speaker, on HB 155 my vote was not recorded, and 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. Tangretti.

Mr. TANGRETTI. Thank you, Mr. Speaker.

To correct the record on final passage of HB 369, I was recorded in the affirmative, and I wish to be recorded in the negative. Thank you.

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

The Chair recognizes Mr. Gruppo.

Mr. GRUPPO. Thank you, Mr. Speaker.

I just wanted to correct a vote on amendment A0978 to HB 369. I had voted in the affirmative and I wanted to vote in the negative. I inadvertently voted incorrectly on that. Thank you.

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

CONSERVATION COMMITTEE MEETING

The SPEAKER. The Chair recognizes Mr. George.

Mr. GEORGE. Mr. Speaker, I would like to call a meeting of the Conservation Committee at 9:30 a.m. Thursday morning, room 39E, sir.

ANNOUNCEMENT BY MR. WAMBACH

The SPEAKER. The Chair recognizes Mr. Wambach.

Mr. WAMBACH. Thank you, Mr. Speaker.

Mr. Speaker, the central Pennsylvania Democratic caucus will be meeting at 12:30 in room 512E. Thank you, Mr. Speaker.

VOTE CORRECTIONS

The SPEAKER. The Chair recognizes Mr. Petrarca.

Mr. PETRARCA. Mr. Speaker, on HB 661 I was not recorded. I would like to be recorded in the affirmative. Thank you.

The SPEAKER. The Chair recognizes Mr. Gamble.

Mr. GAMBLE. Mr. Speaker, I failed to vote on HB 246. 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. McNally.

Mr. McNALLY. Thank you, Mr. Speaker.

On HB 155 my switch was inoperative. I would like to be registered as voting in the affirmative. Thank you.

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND RECOMMITTED TO COMMITTEE ON RULES

HB 170, PN 176 By Rep. CALTAGIRONE

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

JUDICIARY.

HB 247, PN 255 By Rep. CALTAGIRONE

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, increasing liability of parents for acts of children.

JUDICIARY.

HB 713, PN 790 By Rep. CALTAGIRONE

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, prohibiting the possession of a firearm or other dangerous weapon in a court facility.

JUDICIARY.

HB 754, PN 831 By Rep. RICHARDSON

An Act amending the act of December 8, 1959 (P. L. 1718, No. 632), entitled, as amended, "An act providing for the payment of the salary, medical and hospital expenses of employes of State penal and correctional institutions, State mental hospitals, Youth Development Centers, County Boards of Assistance, and under certain conditions other employes of the Department of Public Welfare, who are injured in the performance of their duties; and providing benefit to their widows and dependents in certain cases," extending the act to include employees of the Pennsyl-

vania Board of Probation and Parole's institutional and field operations; further providing for salary and benefit payments; and making an editorial change.

HEALTH AND WELFARE.

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

SB 303, PN 1251 (Amended)

By Rep. CALTAGIRONE

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing immunity to program administrators and supervisors.

JUDICIARY.

REPORT OF COMMITTEE ON COMMITTEES

The SPEAKER. The Chair is in receipt of the following report from the Committee on Committees, which the clerk will read.

The following report was read:

Committee on Committees
Supplemental Report

In the House of Representatives
June 4, 1991

Resolved, that

Representative Kathy McHale is elected a member of the Consumer Affairs, Federal-State Relations, and Military and Veterans Affairs Committees vice Representative Paul McHale resigned.

Respectfully submitted,
Thomas A. Michlovic
Chairman
Committee on Committees

On the question,

Will the House adopt the resolution?

Resolution was adopted.

RECESS

The SPEAKER. This House is now in recess until the call of the Chair.

AFTER RECESS

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

RULES SUSPENDED

The SPEAKER. The Chair recognizes the majority leader.

Mr. DeWEESE. Mr. Speaker, I move that the rules be suspended to permit HB 1536 to go immediately to the calendar without reference to the Rules Committee.

On the question,

Will the House agree to the motion?

Motion was agreed to.

**BILL REPORTED FROM COMMITTEE
AND CONSIDERED FIRST TIME**

HB 1536, PN 1797

By Rep. EVANS

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, 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; to provide appropriations from the State Lottery Fund, the Pennsylvania Economic Revitalization Fund, the Energy Conservation and Assistance Fund, the Hazardous Material Response 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, 1991, to June 30, 1992, for the proper operation of the several departments of the Commonwealth and the Pennsylvania State Police authorized to spend Motor License Fund moneys; to provide for the appropriation of Federal funds to the Executive and Judicial Departments of the Commonwealth and for the establishment of restricted receipts accounts for the fiscal year July 1, 1991, to June 30, 1992, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1991.

APPROPRIATIONS.

**BILL REPORTED FROM COMMITTEE,
CONSIDERED FIRST TIME, AND
RECOMMITTED TO COMMITTEE ON RULES**

HB 1470, PN 1810 (Amended)

By Rep. STUBAN

An Act providing for the preservation of the State Lottery Fund; further providing for pharmaceutical assistance for the elderly; further providing for transportation assistance to the elderly; providing for pharmaceutical purchasing; conferring powers and duties upon the Department of Aging, the Department of Revenue, and the Department of Transportation; imposing penalties; and making repeals.

AGING AND YOUTH.

BILL SIGNED BY SPEAKER

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

SB 304, PN 1052

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

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

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

Mrs. McHALE. Mr. Speaker, I move that this House do now adjourn until Wednesday, June 5, 1991, at 10 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 3:54 p.m., e.d.t., the House adjourned.