

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, JANUARY 29, 1992

SESSION OF 1992

176TH OF THE GENERAL ASSEMBLY

No. 6

HOUSE OF REPRESENTATIVES

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

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

REV. CLYDE W. ROACH, Chaplain of the House of Representatives, from Harrisburg, Pennsylvania, offered the following prayer:

Let us pray:

Gracious God our Father, this day we come to You on behalf of the Speaker of this House and the leadership on both sides of the aisle, for we realize that the weight of office can be very heavy and their lives sorely tempted. They stand in need of Your goodness and Your mercy.

Remind them that Your grace is sufficient no matter what may befall them and that they can always reach out to You and You will be there. You have promised to be a shelter in the time of storm and a bridge over deep waters.

We rejoice to know that:

When thru fiery trials their pathway shall lie,
Your grace all sufficient will be their supply.
The flames shall not harm them, You only design
Their dross to consume and their gold to refine.

In Your dear name we pray. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Tuesday, January 28, 1992, will be postponed until printed. The Chair hears no objection.

BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.

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

HB 106;
HB 392;
HB 737;
HB 1263;
HB 1340;
HB 1390;
HB 1802;
HB 1887;
HB 1888;
HB 1902;
HB 1919;
HB 1925;
HB 2010;
HB 2033;
HB 2156;
HB 2169;
HB 2267;
HB 2288;
HB 2289; and
HB 2297.

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

HOUSE BILLS INTRODUCED AND REFERRED

No. 2346 By Representatives McGEEHAN, RITTER, HARPER, GEIST, BLAUM, TIGUE, JOSEPHS, HANNA, ADOLPH, HARLEY, DERMODY, MAIALE, KOSINSKI, WOZNIAK, ARGALL, KENNEY, BATTISTO, TRELLO, KAISER, STABACK, KRUSZEWSKI, MARKOSEK, GAMBLE, VEON, KASUNIC, BELFANTI, J. TAYLOR, BILLOW, PISTELLA, BELARDI, RAYMOND, FLICK and BROUJOS

An Act amending Titles 18 (Crimes and Offenses) and 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, providing for the crime of stalking; providing for penalties; further providing for protective orders and warrantless arrests relative to victim and witness intimidation; and further providing for relief relative to protection from abuse.

Referred to Committee on JUDICIARY, January 29, 1992.

No. 2347 By Representatives DeLUCA, HARPER, M. N. WRIGHT, JOHNSON, STABACK, HALUSKA, KOSINSKI, HASAY, PESCI, VEON, GAMBLE, BILLOW, LAUGHLIN, KRUSZEWSKI, RAYMOND, BUTKOVITZ, CIVERA and PISTELLA

An Act amending the act of September 2, 1961 (P. L. 1232, No. 540), known as the "Model Act for the Regulation of Credit Life Insurance and Credit Accident and Health Insurance," providing for nondiscrimination in credit life or accident and health insurance policies.

Referred to Committee on INSURANCE, January 29, 1992.

No. 2348 By Representatives DeLUCA, JOHNSON, HARPER, STABACK, COLAIZZO, PETRARCA, CARONE, KOSINSKI, GERLACH, PESCI, VEON, SURRA, FAJT, BILLOW, KRUSZEWSKI, GIGLIOTTI, CIVERA, PISTELLA and TOMLINSON

An Act amending the act of June 13, 1967 (P. L. 31, No. 21), known as the "Public Welfare Code," increasing penalties for fraud.

Referred to Committee on HEALTH AND WELFARE, January 29, 1992.

No. 2349 By Representatives DeLUCA, SALOOM, DALEY, SCHEETZ, NOYE, MUNDY, PHILLIPS, ARMSTRONG, STABACK, ADOLPH, TIGUE, FLICK, KOSINSKI, CLARK, CORRIGAN, LAUGHLIN, KRUSZEWSKI, STISH, RAYMOND and WILLIAMS

An Act amending the act of April 23, 1956 (1955 P. L. 1510, No. 500), known as the "Disease Prevention and Control Law of 1955," providing for certain health care providers who have tested positive for the human immunodeficiency virus.

Referred to Committee on HEALTH AND WELFARE, January 29, 1992.

No. 2350 By Representatives DeLUCA, HARPER, KOSINSKI, KRUSZEWSKI, MELIO, VEON, STISH, FAIRCHILD, BELARDI, D. W. SNYDER, KASUNIC, LAUGHLIN, TRELLO, STABACK, DURHAM, GERLACH, COLAFELLA, TRICH, CIVERA, PISTELLA and BILLOW

An Act requiring the Department of Revenue to promulgate budget regulations within one month after passage of the Commonwealth's budget.

Referred to Committee on APPROPRIATIONS, January 29, 1992.

No. 2351 By Representatives E. Z. TAYLOR, MAYERNIK, LANGTRY, LAWLESS, FLICK, JOHNSON, FAIRCHILD, MERRY, HERMAN, NOYE,

JADLOWIEC, FLEAGLE, ARGALL, BARLEY, McHALE, FARMER, CLARK, SEMMEL, BUSH, PITTS, S. H. SMITH, ARMSTRONG, PHILLIPS, GALLEN, STABACK, SCHEETZ, CESSAR, M. N. WRIGHT, MARSICO, GLADECK, BIRMELIN, CARLSON, CLYMER, HERSHEY, FARGO, WOGAN, LEH, GEIST, CORNELL, SAURMAN, GERLACH, KENNEY, MARKOSEK, HAGARTY, NAHILL, STAIRS, STEELMAN, ADOLPH, O'BRIEN and CIVERA

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), known as the "Tax Reform Code of 1971," providing an exemption for new entities.

Referred to Committee on FINANCE, January 29, 1992.

No. 2352 By Representatives MELIO, COY, HARPER, KOSINSKI, LEH, KRUSZEWSKI, COLAIZZO, STISH, CLARK, MICOZZIE, JOHNSON, TANGRETTI, BELARDI, DeLUCA, SAURMAN, NAHILL, O'BRIEN, KENNEY, WOGAN, LAUGHLIN, KASUNIC, TRELLO, STABACK, TIGUE, M. N. WRIGHT, REINARD, CORRIGAN, RUDY, SURRA, HALUSKA, STEELMAN, BILLOW, WILLIAMS, GAMBLE, PESCI, ARNOLD, WOZNIAC, MICHLOVIC, TOMLINSON, McCALL, WAMBACH, DeWEESE, ITKIN and DALEY

An Act prohibiting the release of certain prisoners unless a court order requires otherwise.

Referred to Committee on JUDICIARY, January 29, 1992.

No. 2353 By Representatives BATTISTO, CALTAGIRONE, HECKLER, ITKIN, FARGO, KOSINSKI, NICKOL, JOHNSON, TIGUE, VAN HORNE, STABACK, CARLSON, BILLOW, FAJT, McHALE, PRESTON, BUTKOVITZ, DALEY, FLEAGLE, PISTELLA, OLASZ and RICHARDSON

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

Referred to Committee on JUDICIARY, January 29, 1992.

No. 2354 By Representatives VEON, DeWEESE, COHEN, KUKOVICH, BELARDI, PISTELLA, TRELLO, HARPER, JAROLIN, KOSINSKI, KRUSZEWSKI, GIGLIOTTI, McHALE, JOSEPHS, PRESTON, FEE, D. W. SNYDER, LAUGHLIN and RICHARDSON

An Act providing employees with the right to refuse exposure to hazardous conditions; providing remedies; and conferring powers and duties upon the Department of Labor and Industry.

Referred to Committee on LABOR RELATIONS, January 29, 1992.

No. 2355 By Representatives VEON, RITTER, DeWEESE, KUKOVICH, RUDY, LAUGHLIN, HARPER, JOSEPHS, McNALLY, LUCYK, HERMAN, ITKIN, BELARDI, KRUSZEWSKI, GIGLIOTTI, BUTKOVITZ, BELFANTI, WILLIAMS and RICHARDSON

An Act amending the act of December 5, 1936 (2nd Sp. Sess., 1937 P. L. 2897, No. 1), known as the "Unemployment Compensation Law," providing for unemployment compensation eligibility due to sexual harassment.

Referred to Committee on LABOR RELATIONS, January 29, 1992.

No. 2356 By Representatives VEON, PISTELLA, TIGUE, STURLA, SALOOM, STABACK, CAWLEY, FAJT, D. R. WRIGHT, ITKIN, SURRA, BILLOW, KOSINSKI, KRUSZEWSKI, MELIO, GIGLIOTTI and RICHARDSON

An Act amending the act of July 7, 1980 (P. L. 380, No. 97), known as the "Solid Waste Management Act," further providing for permits.

Referred to Committee on CONSERVATION, January 29, 1992.

No. 2357 By Representatives SAURMAN, CLARK, CLYMER, ARMSTRONG, GALLEN, SCHULER, TIGUE, KING, TRELLO, GLADECK, CARLSON, FARGO, BARLEY, HERSHEY, GEIST, LEH, WOGAN, CORNELL, STETLER, SEMMEL, VAN HORNE, PETRONE, STAIRS, NAHILL and CIVERA

An Act amending the act of June 28, 1947 (P. L. 1110, No. 476), known as the "Motor Vehicle Sales Finance Act," further providing for contracts.

Referred to Committee on TRANSPORTATION, January 29, 1992.

No. 2358 By Representatives ARMSTRONG, HALUSKA, BARLEY, STEELMAN, SEMMEL, NOYE, STAIRS, VROON, CLYMER, SAURMAN, TRELLO, HECKLER, LEH, HERSHEY, SCHEETZ and SCHULER

An Act amending the act of June 10, 1982 (P. L. 454, No. 133), entitled, "An act protecting agricultural operations from nuisance suits and ordinances under certain circumstances," requiring certain potential purchasers of land to be notified that adjacent land is used for agricultural production.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, January 29, 1992.

No. 2359 By Representatives ARMSTRONG, HALUSKA, BARLEY, FAIRCHILD, NYCE, SEMMEL, NOYE, STAIRS, VROON, CLYMER, SAURMAN, D. W. SNYDER, TRELLO, BROUJOS, LEH, HERSHEY and SCHULER

An Act imposing duties upon the Secretary of Agriculture with respect to review of existing and proposed rules and regulations affecting agriculture.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, January 29, 1992.

No. 2360 By Representatives BROUJOS, BARLEY, PESCI, BOYES, MIHALICH, NICKOL, GEIST, TRELLO, SAURMAN, JAROLIN, TIGUE, STEELMAN, HERSHEY, HAYDEN, LAUGHLIN, STABACK, BATTISTO, LUCYK, ACOSTA, KAISER, PISTELLA and DeLUCA

An Act amending the act of May 13, 1915 (P. L. 286, No. 177), known as the "Child Labor Law," further providing for the employment of minors in jobs relating to acting, entertaining and advertising.

Referred to Committee on LABOR RELATIONS, January 29, 1992.

No. 2361 By Representatives VEON, DeWEESE, HAYES, MIHALICH, JOHNSON, NICKOL, CARONE, TIGUE, COY, D. W. SNYDER, SCHEETZ, CESSAR, SURRA, FAJT, G. SNYDER, NAHILL, PESCI, ITKIN, PISTELLA, WILLIAMS, ARGALL, KENNEY, STEIGHNER, BILLOW, SCRIMENTI, RICHARDSON, KOSINSKI, M. N. WRIGHT, KRUSZEWSKI, MELIO, GIGLIOTTI, PRESTON, BELARDI, DURHAM, DeLUCA, FEE, KASUNIC, LAUGHLIN, BELFANTI, OLASZ, RAYMOND and KAISER

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, exempting hazardous materials response team drivers from the commercial driver's license requirements.

Referred to Committee on TRANSPORTATION, January 29, 1992.

No. 2362 By Representatives HAGARTY, HECKLER, ARMSTRONG, NICKOL, PRESTON, TELEK, HERMAN, NAHILL, GEIST, CLARK, PETRARCA, WILSON, STEELMAN, BATTISTO, MELIO, E. Z. TAYLOR, TRELLO, STABACK, BILLOW and TANGRETTI

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, providing for disclosure of an adoptee's background and for a home study preplacement report.

Referred to Committee on AGING AND YOUTH, January 29, 1992.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 246 By Representatives D. R. WRIGHT, PISTELLA, MIHALICH, STABACK, BILLOW, DeLUCA, CESSAR, PESCI, BELARDI, PHILLIPS, SCRIMENTI, TIGUE, STETLER, STURLA, LAUGHLIN, KRUSZEWSKI and STEELMAN

A Resolution directing the Labor Relations Committee to investigate self-insurers in worker's compensation.

Referred to Committee on RULES, January 29, 1992.

No. 247 By Representatives KASUNIC, DeLUCA, F. TAYLOR, DALEY, STUBAN, TRELLO, ROBINSON, KRUSZEWSKI, STISH, KREBS, MARKOSEK, OLASZ, CARONE, SURRA, SCRIMENTI, DeWEESE, BELARDI, HALUSKA, CORRIGAN, COLAIZZO, TRICH, WILLIAMS, WOZNIAK, CARN, CAWLEY, COHEN, BELFANTI, COWELL, REINARD, McCALL, WAMBACH, LAUGHLIN, MELIO, TANGRETTI, VAN HORNE, PISTELLA, PETRONE, LUCYK, LESCOVITZ, GIGLIOTTI, MICHLOVIC, MIHALICH, FEE, GRUITZA, RUDY, COLAFELLA, FREEMAN, STEELMAN, PESCI, VEON, GEORGE and EVANS

A Resolution memorializing the President and Congress to oppose the Rural Health Care Initiative proposed by the Department of Veterans Affairs.

Referred to Committee on RULES, January 29, 1992.

SENATE MESSAGE

JOINT SESSION

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

In the Senate
January 28, 1992

RESOLVED, (the House of Representatives concurring), That the Senate and House of Representatives meet in Joint Session, Wednesday, February 5, 1992, at 11:30 A.M., in the Hall of the House of Representatives for the purpose of hearing an address by His Excellency, Governor Robert P. Casey.

Ordered, That the clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

Resolution was concurred in.

Ordered, That the clerk inform the Senate accordingly.

LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes Mr. Kukovich.

Mr. KUKOVICH. Mr. Speaker, I would like to report a leave of absence for the gentleman from Allegheny County, Mr. MRKONIC.

The SPEAKER. Without objection, leave is granted.

The Chair recognizes Mr. Hayes.

Mr. HAYES. Thank you, Mr. Speaker.

I request a leave for the gentleman from Delaware County, Mr. FREIND, for the day, and the lady from Bucks County, Mrs. WILSON, for the day.

The SPEAKER. Without objection, leaves are granted.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—197

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

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

ADDITIONS—1

Acosta

NOT VOTING—0

EXCUSED—3

Freind

Mrkonic

Wilson

REMARKS SUBMITTED FOR THE RECORD

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

Mr. DeLUCA. Thank you, Mr. Speaker.

Mr. Speaker, yesterday we passed HB 2066, and I would like to submit some remarks for the record today on it.

The SPEAKER. The gentleman is in order. The clerk will accept the remarks and have them included in the record.

Mr. DeLUCA. Thank you.

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

HB 2066 is a joint resolution providing for the ratification of the "Madison Amendment" to the U.S. Constitution.

This amendment provides that no law changing salaries for United States Senators and Representatives may take effect until an intervening election has been held. This proposal was originally introduced by James Madison during the Constitutional Convention of 1789.

However, this amendment did not gain the approval of the required 11 States; there were only 8 States of the 11 who approved it.

When drafting the original language, James Madison did not include a deadline, therefore allowing this amendment to exist for over 200 years. To date, this amendment has gained ratification of 35 of the 38 States necessary for approval. North Dakota was the last one to approve it in March of 1991; Florida and Kansas in 1992; and seven other States in 1989.

Mr. Speaker, HB 2066 would put an end to the behind-closed-doors deals that are cut in Washington to boost the salaries of Congress. Since 1987, members of Congress have raised their salaries by nearly 65 percent. That includes a 3.5-percent increase this month - at a time when we are struggling to pull ourselves out of this deepening recession.

Millions of Americans have lost their jobs during this recession, and millions more have been forced to take cuts in pay and benefits just to keep their jobs. For Congress to ignore these facts and vote themselves a pay raise in light of the national economy is a slap in the face to the American public.

My bill would prohibit members of Congress from boosting their salaries during their term of office. Under HB 2066, any change in salaries would not go into effect until an election has intervened. In other words, members of Congress could not vote themselves a raise and take it on the spot. They would have to face their constituents at election time first.

HB 2066 would force Congress to follow the same procedures in place here in Pennsylvania and in 29 other States by ultimately putting the issue before the people for a vote when the incumbent runs for reelection.

My bill is a joint resolution which paves the way for Pennsylvania to join 35 other States in ratifying this constitutional amendment. If ratified, only two more States would be needed to pass this legislation.

ADDITIONS AND DELETIONS OF SPONSORS

The SPEAKER. The Chair acknowledges additions and deletions of sponsorships of bills, which will be submitted for the record.

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

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 1440, PN 1727; and SB 205, PN 1871.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1823, PN 2187**, entitled:

An Act amending the act of June 29, 1953 (P. L. 304, No. 66), known as the "Vital Statistics Law of 1953," further providing for certain records relating to birth and adoption; and making a repeal.

On the question,

Will the House agree to the bill on third consideration?

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader.

Mr. DeWEESE. Mr. Speaker, I move that HB 1823 be placed upon the table.

On the question,

Will the House agree to the motion?

Motion was agreed to.

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader. Mr. DeWEESE. Mr. Speaker, I move that HB 1823 be taken from the table.

On the question,

Will the House agree to the motion?

Motion was agreed to.

* * *

The House proceeded to third consideration of **HB 1309, PN 1507**, entitled:

An Act providing for the observance of the third Friday in September of each year as "Pennsylvania POW/MIA Recognition 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—197

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

NAYS—0

NOT VOTING—1

Acosta

EXCUSED—3

Freind Mrkonic Wilson

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 1752, PN 2099, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further defining the term "abandoned vehicle"; and providing for the removal of vehicles abandoned on the Pennsylvania Turnpike System.

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

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

The question is, shall the bill pass finally?

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

YEAS—195

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

DeLuca	Kasunic	Preston	Williams
DeWeese	Kenney	Raymond	Wogan
Daley	King	Reber	Wozniak
Davies	Kosinski	Reinard	Wright, D. R.
Dempsey	Krebs	Richardson	
Dent	Kruszewski	Rieger	O'Donnell,
Dermody	Kukovich	Ritter	Speaker
Donatucci			

NAYS—0

NOT VOTING—3

Acosta	Lucyk	Wright, M. N.
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EXCUSED—3

Freind	Mrkonic	Wilson
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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 2069, PN 2892**, entitled:

An Act authorizing the Department of Transportation, with the approval of the Governor, to sell and convey to the Borough of Olyphant certain land situate in the Borough of Olyphant, Lackawanna County.

On the question,

Will the House agree to the bill on third consideration?

Mr. STABACK offered the following amendment No. A0252:

Amend Sec. 5, page 3, line 12, by striking out "RECREATIONAL" and inserting municipal

On the question,

Will the House agree to the amendment?

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

Mr. STABACK. Thank you, Mr. Speaker.

Mr. Speaker, the amendment 0252 will simply substitute the term "municipal" for "recreational." Presently the intent of the municipality is to develop this little piece of ground as a rec area, but if that concept deems itself not to be viable, they would like to use it for another municipal project.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—197

Adolph	Durham	Langtry	Roebuck
Allen	Evans	Laughlin	Rudy
Anderson	Fairchild	Lawless	Ryan
Angstadt	Fajt	Lee	Saloom
Argall	Fargo	Leh	Saurman
Armstrong	Farmer	Lescovitz	Scheetz
Arnold	Fee	Levdansky	Schuler
Barley	Fleagle	Linton	Scrimenti
Battisto	Flick	Lloyd	Semmel
Belardi	Foster	Lucyk	Serafini
Belfanti	Freeman	McCall	Smith, B.

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

NAYS—0

NOT VOTING—1

Acosta

EXCUSED—3

Freind	Mrkonic	Wilson
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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

Adolph	Durham	Langtry	Roebuck
Allen	Evans	Laughlin	Rudy
Anderson	Fairchild	Lawless	Ryan
Angstadt	Fajt	Lee	Saloom
Argall	Fargo	Leh	Saurman
Armstrong	Farmer	Lescovitz	Scheetz
Arnold	Fee	Levdansky	Schuler
Barley	Fleagle	Linton	Scrimenti
Battisto	Flick	Lloyd	Semmel
Belardi	Foster	Lucyk	Serafini
Belfanti	Freeman	McCall	Smith, B.

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

NAYS—0

NOT VOTING—2

Acosta McNally

EXCUSED—3

Freind Mrkonic Wilson

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.

RESOLUTIONS

Mr. JOHNSON called up HR 218, PN 2717, entitled:

A Resolution petitioning the Postmaster General of the United States Postal Service to issue a stamp recognizing the 50th Anniversary of the Civil Air Patrol.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—194

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

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

NAYS—0

NOT VOTING—4

Acosta Billow Krebs Micozzie

EXCUSED—3

Freind Mrkonic Wilson

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

* * *

Mr. JAMES called up HR 225, PN 2783, entitled:

A Resolution commending law enforcement officials, including the Sheriff's Department of Philadelphia, for the initiation of the Junior Posse Program to combat drug abuse.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

Adolph	Durham	Langtry	Roebuck
Allen	Evans	Laughlin	Rudy
Anderson	Fairchild	Lawless	Ryan
Angstadt	Fajt	Lee	Saloom
Argall	Fargo	Leh	Saurman
Armstrong	Farmer	Lescovitz	Scheetz

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

NAYS—0

NOT VOTING—1

Acosta

EXCUSED—3

Freind Mrkonic Wilson

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

* * *

Mr. PETRONE called up HR 243, PN 2943, entitled:

A Resolution recognizing Chuck Noll for his career as the Head Coach of the Pittsburgh Steelers.

On the question, Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

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

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

NAYS—0

NOT VOTING—1

Acosta

EXCUSED—3

Freind Mrkonic Wilson

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

* * *

Mr. BUNT called up HR 244, PN 2973, entitled:

A Resolution recognizing January 1992 as "Volunteer Blood Donor Month."

On the question, Will the House adopt the resolution?

The following roll call was recorded:

YEAS—194

Adolph	Durham	LaGrotta	Ritter
Allen	Evans	Langtry	Robinson
Anderson	Fairchild	Laughlin	Roebuck
Angstadt	Fajt	Lawless	Rudy
Argall	Fargo	Lee	Ryan
Armstrong	Farmer	Leh	Saloom
Arnold	Fee	Lescovitz	Saurman
Barley	Fleagle	Levdansky	Scheetz

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

NAYS—0

NOT VOTING—4

Acosta	Battisto	Thomas	Williams
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EXCUSED—3

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

CONCURRENT RESOLUTION

Mr. F. TAYLOR called up **HR 240, PN 2931**, entitled:

A Concurrent Resolution memorializing Congress to enact legislation ensuring health care benefits to retired coal miners.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—191

Adolph	Durham	Langtry	Ritter
Allen	Fairchild	Laughlin	Robinson
Anderson	Fajt	Lawless	Roebuck
Angstadt	Fargo	Lee	Rudy
Argall	Farmer	Leh	Ryan
Armstrong	Fee	Lescovitz	Saloom
Arnold	Fleagle	Levdansky	Saurman
Barley	Flick	Linton	Scheetz

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

NAYS—0

NOT VOTING—7

Acosta	Evans	Taylor, F.	Williams
Davies	Kaiser	Thomas	

EXCUSED—3

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

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

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 1467, PN 2730**, entitled:

An Act amending the act of April 14, 1972 (P. L. 233, No. 64), known as "The Controlled Substance, Drug, Device and Cosmetic Act," further providing for probation without verdict and for certain dispositions.

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

Mr. O'BRIEN offered the following amendments No. A3089:

Amend Sec. 1 (Sec. 17), page 3, line 8, by striking out “, OR IS FOUND GUILTY OF,”

Amend Sec. 1 (Sec. 17), page 3, line 30, by striking out “CASES” and inserting offenses

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

The SPEAKER. On that question, the Chair recognizes Mr. O'Brien.

Mr. O'BRIEN. Thank you, Mr. Speaker. This is merely a technical amendment.

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

Mr. EVANS. Mr. Speaker, may I interrogate the maker of the amendment?

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

Mr. EVANS. Mr. Speaker, have you submitted this for a fiscal note?

Mr. O'BRIEN. Mr. Speaker, I do not believe there is any fiscal impact on this.

Mr. EVANS. You say you do not believe that?

Mr. O'BRIEN. To my knowledge, there is no fiscal impact with this legislation at all.

Mr. EVANS. How do you make that determination, Mr. Speaker?

The SPEAKER. Will the gentlemen approach the desk.

(Conference held at Speaker's podium.)

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

The following roll call was recorded:

YEAS—195

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

Table listing names of members who voted NAYS or NOT VOTING, including Clark, Clymer, Cohen, Colafella, Cole, Cornell, Corrigan, Cowell, Coy, DeLuca, DeWeese, Daley, Davies, Dempsey, Dent, Dermody, Donatucci, Durham, Hughes, Itkin, Jadlowiec, James, Jarolin, Johnson, Josephs, Kaiser, Kasunic, Kenney, King, Kosinski, Krebs, Kruszewski, Kukovich, LaGrotta, Langtry, Oliver, Perzel, Pesci, Petrarca, Petrone, Phillips, Piccola, Pistella, Pitts, Preston, Raymond, Reber, Reinard, Richardson, Rieger, Ritter, Robinson, Trello, Trich, Tulli, Ulfiana, Van Horne, Vance, Veon, Vroon, Wambach, Williams, Wogan, Wozniak, Wright, D. R., Wright, M. N., O'Donnell, Speaker.

NAYS—0

NOT VOTING—3

Table listing names of members who did not vote, including Acosta, Colaizzo, Gallen, Freind, Mrkonic, Wilson.

EXCUSED—3

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?

The Chair recognizes Mr. O'Brien.

Mr. O'BRIEN. Thank you, Mr. Speaker.

Mr. Speaker, HB 1467 is a valuable tool to end the clear abuse of section 17 dispositions and would help put an end to the frustration of the plain legislative purpose; that is, to help rehabilitate first-time drug users.

Under this legislation, defendants would be specifically excluded if they had prior convictions pursuant to the Drug Act. The reason is simple, that section 17 should not be available for repeat drug offenders. Doing so would defeat the purpose of ARD (accelerated rehabilitative disposition).

Defendants with prior convictions for either a misdemeanor or a felony. The principle here is that the persons with serious criminal histories should not be permitted to take advantage of section 17 and thwart its purpose; that is, to give first-time drug abusers a chance.

Persons receiving a prior ARD for a drug or any other violation. These persons should be excluded because they have already taken advantage of the system's one free bite and have abused it.

Persons with multiple offenses who consolidate their pleas. These persons should clearly not receive section 17 dispositions, as they routinely do. This exclusion simply expands the prior conviction exception. Defendants should not be able to make a mockery of section 17 by consolidating sometimes more than three open cases and literally getting off scot-free.

It also excludes serious juvenile offenders and drug offenders and drug dealers.

Mr. Speaker, there is also one other section that would amend section 18 of the Drug Act, which now permits a drug trafficker who has chosen to go to trial and has been duly convicted to receive a suspended sentence and treatment in lieu of criminal punishment. HB 1467 also permits pretrial drug treatment in lieu of criminal trial. Currently a physician recommends a candidate for such disposition, and if the prosecution objects, it must furnish its objections in writing. Our experience has been that these objections are not given serious consideration and undeserving persons are, in some counties, regularly diverted to treatment. The proposed amendment would render an offender ineligible if the Commonwealth files a section 18 objection.

Mr. Speaker, I ask this House to approve this amendment.

MEMBER'S PRESENCE RECORDED

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

CONSIDERATION OF HB 1467 CONTINUED

On the question recurring,
Shall the bill pass finally?

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

YEAS—196

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

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

NAYS—0

NOT VOTING—2

Gannon Micozzie

EXCUSED—3

Freind Mrkonic Wilson

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. For the information of the members, there are three bills left to consider on the calendar. We are waiting for amendments on all three bills, and having investigated the delays over the past few days, we have discovered that Legislative Reference Bureau is turning amendments around somewhere between 1 and 3 hours. The amendments have then been submitted to the members, delivered to the members' offices or, if the House is in session, delivered to the clerk, who then submits to the members, and there is a large gap between the members receiving a finished amendment and their submission of the amendment for circulation.

The reason why the House has been delayed over the past 2 weeks is because we have had to wait for members' amendments, and the reason for that delay has not been the Legislative Reference Bureau but rather has been delayed by the members in having their amendments circulated.

VOTE CORRECTIONS

The SPEAKER. The Chair recognizes Mr. Krebs.

Mr. KREBS. Mr. Speaker, on HR 218 I malfunctioned. I would like to be recorded as voting "yes."

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes Mr. Colaizzo.

Mr. COLAIZZO. I just want to record, for the record, that my switch malfunctioned and I did not vote on the O'Brien amendment, A3089.

The SPEAKER. The Chair recognizes Mr. Lucyk.

Mr. LUCYK. Mr. Speaker, on HB 1752 my vote was not recorded. I would like to be recorded in the affirmative, please.

The SPEAKER. The Chair recognizes Mr. Pesci.

Mr. PESCI. Mr. Speaker, I would like to correct the record on HB 1608, amendment A0166. My button malfunctioned. 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. Battisto.

Mr. BATTISTO. Thank you, Mr. Speaker.

Mr. Speaker, on HR 244 I missed the vote. I would like to be recorded in the affirmative. Thank you.

The SPEAKER. The Chair recognizes Mr. Kaiser.

Mr. KAISER. Mr. Speaker, on HR 240 my vote was not recorded, and I would like to be recorded in the affirmative.

HR 240 RECONSIDERED

The SPEAKER. The Chair is in possession of a motion to reconsider the vote by which HR 240 was adopted.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—193

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

NAYS—0

NOT VOTING—5

Durham	Hughes	Richardson	Steelman
Fee			

EXCUSED—3

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

On the question recurring,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

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

NAYS—0

NOT VOTING—1

Williams

EXCUSED—3

Freind Mrkonic Wilson

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

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

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 1129, PN 2724**, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for increased penalties for shooting at, causing injury to or killing another person.

On the question recurring,

Will the House agree to the bill on third consideration?

(Amendment A2884, offered by Mr. Bowley on January 28, 1992, was withdrawn.)

Mr. BOWLEY offered the following amendments No. A0299:

Amend Sec. 1, page 1, line 6, by striking out "and (b)" and inserting

, (b) and (j)

Amend Sec. 1 (Sec. 925), page 2, by inserting between lines 23 and 24

(j) Title 18 inapplicable.—Title 18 (relating to crimes and offenses) is inapplicable to this title insofar as it relates to:

(1) intent, willfulness of conduct or fines and imprisonment for convictions of summary offenses and misdemeanors; or

(2) criminal records under 18 Pa.C.S. Ch. 91 (relating to criminal history record information) for misdemeanors under 2522(b)(1).

Amend Sec. 1 (Sec. 2522), page 3, line 2, by inserting after "injure"

, or hit and not substantially injure

Amend Sec. 1 (Sec. 2522), page 3, line 5, by inserting after "To"

substantially

On the question,

Will the House agree to the amendments?

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

Mr. BOWLEY. Thank you, Mr. Speaker.

Mr. Speaker, this amendment A0299 attempts to address some of the problems raised yesterday by Representative Lloyd and Representative Godshall. We are keeping the current law as it is. We are changing it though to say that someone who is charged with a misdemeanor under section 2522(b)(1) will now not have a criminal record. This addresses some of the concerns raised by the people on the floor yesterday, and this amendment would replace the amendment that I tried to offer yesterday.

I would ask for an affirmative vote. Thank you.

The SPEAKER. The Chair recognizes Mr. Godshall.

Mr. GODSHALL. Thank you, Mr. Speaker.

I do agree with Representative Bowley that this does clear up some of the concerns which were out there from yesterday, and I agree totally with the amendment. Thank you very much.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—193

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

NAYS—0

NOT VOTING—5

Adolph	Gannon	Micozzie	Mihalich
Durham			

EXCUSED—3

Freind Mrkonic Wilson

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

On the question,

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

Mr. BOWLEY offered the following amendments No. A2915:

Amend Title, page 1, line 3, by removing the period after "person" and inserting and for license revocation.

Amend Sec. 1, page 1, line 6, by inserting after "(b)" , 929(a)

Amend Sec. 1, page 2, by inserting between lines 23 and 24 § 929. Revocation or denial of license, permit or registration.

(a) General rule.—Except as otherwise provided in this title, any hunting or furtaking license, special license or permit or registration granted under the authority of this title may be revoked by the commission when the holder of the license, permit or registration is convicted of an offense under this title or has acted contrary to the intent of the license, special license, registration or permit, with each offense constituting a separate violation subject to separate revocation. The commission may refuse to grant to that person any new license, special license or permit or registration and may deny any privilege granted by these documents for a period not exceeding five years unless otherwise provided in this title. A person whose license, permit or registration is revoked or suspended under a provision of this title requiring mandatory revocation or suspension must, in order to obtain restoration, present evidence of the successful completion of a hunter education course under section 2704(b) (relating to eligibility for license) taken subsequent to the period of revocation.

On the question,

Will the House agree to the amendments?

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

Mr. BOWLEY. Thank you, Mr. Speaker.

Mr. Speaker, amendment 2915 will strengthen the bill in the fact that if a person mandatorily loses his or her hunting license under the Game Code, then he or she would have to take the hunter safety education course over again before they could be issued another hunting license. It strengthens the bill and hopefully will convince those people who violate the Game Code and lose their hunting license that they have to become a safe hunter again before they can get their license back.

I ask for an affirmative vote.

The SPEAKER. The Chair recognizes Mr. Godshall.

Mr. GODSHALL. Thank you, Mr. Speaker.

This was an amendment, I believe, that was distributed earlier, and I have no problem with the amendment either. I think it is a good amendment, and it does strengthen the bill, and I would concur with Representative Bowley.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—198

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

NAYS—0

NOT VOTING—0

EXCUSED—3

Freind Mrkonic Wilson

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

On the question recurring,

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

The SPEAKER. The Chair recognizes Mr. Hasay.

Mr. HASAY. Thank you, Mr. Speaker.

Mr. Speaker, at this time I am withdrawing my amendment. I have had a number of my concerns addressed, and changes are being made through the Pennsylvania Game

Commission. I met with Pete Duncan this morning. A number of those concerns were addressed, and a number of the concerns are going to be addressed in the near future.

So I therefore withdraw the amendment and make my findings to the other members of the House here. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

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

Mr. GODSHALL offered the following amendments No. A0292:

Amend Title, page 1, line 2, by inserting after "Statutes," providing for the establishment of an advisory panel on turkey hunting safety; and

Amend Bill, page 1, lines 6 and 7, by striking out all of said lines and inserting

Section 1. Title 34 of the Pennsylvania Consolidated Statutes is amended by adding a section to read:

§ 326. Advisory Panel on Turkey Hunting Safety.

(a) Establishment.—There is hereby established under the commission the Advisory Panel on Turkey Hunting Safety which shall have the power to conduct a thorough study of all data relating to turkey hunting safety within this Commonwealth and make recommendations to the commission concerning suggested changes in rules and regulations and future research that the commission should conduct.

(b) Membership.—The Advisory Panel on Turkey Hunting Safety shall be composed of:

(1) Two members of the commission appointed by the commission.

(2) The Majority Chairman and the Minority Chairman of the Senate Committee on Game and Fisheries and the Majority Chairman and the Minority Chairman of the House of Representatives Committee on Game and Fisheries or their designees.

(3) Two professionals from independent organizations dealing with hunter safety to be appointed by the Governor.

(4) Four individuals who are affiliated with conservation or sporting organizations to be appointed by the Governor.

(5) Three members of the general public appointed by the Governor.

(c) Organization.—Within 30 days of completion of all appointments, the executive director of the commission shall conduct the initial meeting of the Advisory Panel on Turkey Hunting Safety. The members of the advisory panel shall organize, elect a chairman and vice chairman and such additional officers as may be necessary and begin to conduct the required study.

(d) Expenses.—Members of the Advisory Panel on Turkey Hunting Safety shall be entitled to reimbursement from the Game Fund of reasonable expenses incurred in the performance of their duties.

Section 2. Sections 925(a) and (b) and 2522 of Title 34 are amended to read:

Amend Bill, page 4, line 12, by striking out all of said line and inserting

Section 3. This act shall take effect as follows:

(1) The amendment or addition of sections 326 and 925(a) shall take effect in 60 days.

(2) The amendments of sections 925(b) and 2522 shall take effect after the Pennsylvania Game Commission presents to and receives the approval of the General Assembly, by concurrent resolution, of a comprehensive and expanded hunter safety program.

On the question,

Will the House agree to the amendments?

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

Mr. GODSHALL. Thank you, Mr. Speaker.

CONSTITUTIONAL POINT OF ORDER

Mr. BOWLEY. Point of order, Mr. Speaker.

The SPEAKER. The gentleman will state his point of order.

Mr. BOWLEY. Mr. Speaker, I would like to challenge the constitutionality of this amendment under Article III, section 9, of the Constitution, which deals with action on concurrent orders and resolutions.

I believe this amendment is ill drafted on the second page, section 3, paragraph (2). As the gentleman has drafted the amendment, it says that the General Assembly, by concurrent resolution, would have to approve this report and regulations, but the Constitution requires that any concurrent resolution approved by the General Assembly also be signed by the Governor. This amendment is not drafted properly.

The SPEAKER. The gentleman, Mr. Bowley, raises the point of order that amendment 292 is unconstitutional. The Speaker, under rule 4, is required to submit that question to the House for decision, which the Chair now does.

On the question,

Will the House sustain the constitutionality of the amendments?

The SPEAKER. The gentleman, Mr. Bowley, having spoken on the subject, the Chair recognizes Mr. Gallen.

Mr. GALLEN. Mr. Speaker, I think Mr. Bowley's offering of his unconstitutional motion is untimely. We did not even have a chance to have the maker of the amendment explain it, and I would like to hear what the amendment does. If Mr. Bowley would withdraw until we find out what the amendment does and then offer his motion, I think the House would be more enlightened.

The SPEAKER. A point of order is always appropriately raised, is always in order, even when another member has the floor, so it is one of the rare cases where a member who has the floor can be interrupted. So the gentleman, Mr. Bowley, in the parliamentary sense, is in order.

Mr. GALLEN. I know that, Mr. Speaker, but I am making a request that Mr. Bowley withdraw his motion until the amendment is explained by Mr. Godshall and then offer the motion.

Mr. BOWLEY. Mr. Speaker, I would be willing to do that if then I could raise the point of order again before a vote is taken on the amendment, of course.

The SPEAKER. The gentleman is in order to raise that at any time.

CONSTITUTIONAL POINT OF ORDER
WITHDRAWN

Mr. BOWLEY. Thank you. Then I will withdraw for the short time that Mr. Godshall will address this amendment.

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

The SPEAKER. The Chair returns to Mr. Godshall.
Mr. GODSHALL. Thank you, Mr. Speaker.

We have a problem in this State with accidents pertaining to hunting. We also have a problem in this State with accidents relating to a lot of other activities. What we are addressing today is accidents related specifically to turkey hunting. The bill relates to turkey hunting; the amendment relates to turkey hunting.

Last year we had approximately 300,000 turkey hunters in the woods. There were 53 injuries, 2 unfortunate fatalities, and somewhat less incidence of accidents. Putting this in perspective, I spoke with a local insurance company, and for every 100,000 drivers we have on the road, they can look forward to 7,046 collision accidents, 2,023 injuries as a result of those accidents, and 25 fatalities, speaking from their own records. What I am trying to say is we do have a problem, but when you put it in perspective, you know, it is maybe not as great as some people think it is. We do have fatalities in Little League baseball; we have fatalities with midger football; we have fatalities in skateboarding; we have fatalities in bicycle riding. We also have fatalities and injuries in hunting. It seems that if there is a gun connected with the incident, it becomes more of a major consideration.

Going back just very briefly in the history of this issue, back on January 7, 1991, the Pennsylvania Federation of Sportsmen's Clubs said at a Game Commission meeting—and this is relating to turkey hunting—that, I quote, "It is in everyone's best interest, including the PA. Game Commission's, to spread ownership of the final decision"—affecting turkey hunting safety—"over the group who will have to live with the results." That was the statement of Bonita Hoke from the Pennsylvania Federation of Sportsmen's Clubs.

Then that was followed in March of 1991 with a joint statement. The joint statement was issued by the Allegheny County League of Sportsmen, the Pennsylvania Federation of Black Powder Shooters, the Pennsylvania Rifle and Pistol Association, the Pennsylvania State Fish and Game Protective Association, the Unified Sportsmen of Pennsylvania, the National Rifle Association of America, and the Pennsylvania Federation of Sportsmen's Clubs. What these organizations, the most prominent organizations in the State, requested the Game Commission to do is this: They said, "Our organizations join in recommending that the commission empanel a 'blue ribbon' committee of experts to study the subject of turkey hunting safety." They also said that "Our organizations are in agreement that the Pennsylvania Game Commission needs to be doing more in the area of hunter safety. Hunter safety education is a primarily responsibility of the commission." They have asked for a comprehensive educa-

tion program to be established to combat this rash of accidents.

The Game Commission's response, to date, has been the use of blaze orange, which was against the wishes of the sportsmen, and increase the fines. That has been the response to date. In all truthfulness, they are also looking at an educational program. How comprehensive it is going to be, I have no idea, and what it will entail, I also do not know.

I contend, and I think many of the sportsmen of Pennsylvania contend, that increasing the fines will not curtail accidents, because the fine increase is after the fact. The act has already been committed. Education, as the sportsmen's groups have said, is a solution to this problem.

What I have done with this amendment is I am not going against the increase. What we have done with this bill is to increase the fines, a doubling of the fines and doubling of the penalties. I am also saying with this amendment that we will impanel a blue-ribbon committee, as requested by the sportsmen's groups, and that we will have a comprehensive educational program, again which was asked for by the sportsmen's groups, which would be approved by this body, the Senate, and then signed by the Governor.

That in essence is the amendment. I think it has merit, and I will conclude at this time on the specifics of the amendment.

CONSTITUTIONAL POINT OF ORDER

The SPEAKER. The Chair recognizes Mr. Bowley, who moves that this amendment be found unconstitutional. The question before the House is whether or not this amendment is constitutional.

On the question,

Will the House sustain the constitutionality of the amendments?

The SPEAKER. Is there anyone seeking recognition on that point?

The Chair recognizes Mr. Godshall.

Mr. GODSHALL. Mr. Speaker, could I have a moment to contact the minority leader on this issue? Thank you.

STATEMENT BY MR. BARLEY

The SPEAKER. The Chair would like to suspend consideration of this matter temporarily and requests remarks by the gentleman, Mr. Barley.

Mr. BARLEY. Thank you very much, Mr. Speaker. I appreciate the opportunity to make a few brief remarks about a very important matter that is going to be coming up here in just a few days.

Sunday, February 2, will be Groundhog Day. It is the day we always look forward to so that we have that brief window of opportunity to see what the weather will be for the rest of the winter. In Lancaster County, down on the banks of the Octoraro Creek between Lancaster and Chester Counties, we have the famous Octoraro Orphie, who will be appearing at the crack of dawn to see for certain whether his shadow will

appear or not, and of course, depending on what he sees, that will determine whether winter will last 4 weeks or 6 weeks.

One thing I can promise is the reliability of Octoraro Orphie. This will be his 84th year, and his forecast has never failed to date. So I will bring you a report next week on what his determination is. In the meantime, stay tuned for the weather forecast.

The SPEAKER. The Chair thanks the gentleman.

CONSIDERATION OF HB 1129 CONTINUED

The SPEAKER. The Chair returns to the issue of constitutionality of the amendment offered by the gentleman, Mr. Godshall.

PARLIAMENTARY INQUIRY

The SPEAKER. The Chair recognizes Mr. Godshall.

Mr. GODSHALL. On a parliamentary inquiry, Mr. Speaker. Is there any opportunity I would have to divide this amendment?

The SPEAKER. At the proper time the gentleman may make that a motion, and we have reviewed the amendment in advance and believe that the amendment is probably divisible if the gentleman selects the right point of division. However, that is not a motion that is appropriately before the House at this time.

So the question recurs of the constitutionality of the amendment. Is the gentleman, Mr. Godshall, seeking recognition on that point?

Mr. GODSHALL. Mr. Speaker, if I withdraw the amendment at this point on the question of unconstitutionality and then immediately ask for a reconsideration for the purpose of dividing, would I be in order?

The SPEAKER. The gentleman is not in a position to withdraw the amendment at this time.

To return to the record, the issue before the House was the constitutionality of the amendment. The Chair recognized Mr. Godshall. Mr. Godshall at that point was seeking counsel. We then went to the weather. We now return to Mr. Godshall.

The Chair appreciates the patience of the House. Mr. Godshall has apparently received his counsel, as have I. The gentleman, Mr. Godshall, has the floor. The issue is constitutionality.

Mr. GODSHALL. Thank you, Mr. Speaker.

At this point I have spoken to a number of individuals on both sides of the aisle, and what I have agreed to do is withdraw this amendment for consideration at a later time, and I am going to clean it up. So I am asking Mr. Bowley to withdraw his constitutionality—I guess he has to withdraw that—and I am going to withdraw the amendment at that time.

The SPEAKER. The Chair recognizes Mr. Bowley.

Mr. BOWLEY. Yes; I withdraw the question of constitutionality, as long as the gentleman is kind enough to withdraw the amendment.

The SPEAKER. The rules do not enforce these arrangements.

CONSTITUTIONAL POINT OF ORDER WITHDRAWN

The SPEAKER. The Chair recognizes Mr. Bowley, who withdraws his point of order.

AMENDMENTS WITHDRAWN

The SPEAKER. The Chair recognizes Mr. Godshall, who withdraws his amendment. The Chair thanks the gentleman.

Mr. GODSHALL. Thank you, Mr. Speaker.

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—197

Acosta	Durham	Langtry	Roebuck
Adolph	Evans	Laughlin	Rudy
Allen	Fairchild	Lawless	Ryan
Anderson	Fajt	Lee	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	Freeman	McCall	Smith, B.
Billow	Gallen	McGeehan	Smith, S. H.
Birmelin	Gamble	McHale	Snyder, D. W.
Bishop	Gannon	McHugh	Snyder, G.
Black	Geist	McNally	Staback
Blaum	George	Maiale	Stairs
Bowley	Gerlach	Markosek	Steelman
Boyes	Gigliotti	Marsico	Steighner
Broujos	Gladeck	Mayernik	Stetler
Brown	Godshall	Melio	Stish
Bunt	Gruitza	Merry	Strittmatter
Bush	Gruppo	Michlovic	Stuban
Butkovitz	Hagarty	Micozzie	Sturla
Caltagirone	Haluska	Mihalich	Surra
Cappabianca	Hanna	Mundy	Tangretti
Carlson	Harley	Murphy	Taylor, E. Z.
Carn	Harper	Nahill	Taylor, F.
Carone	Hasay	Nailor	Taylor, J.
Cawley	Hayden	Nickol	Telek
Cessar	Hayes	Noye	Thomas
Chadwick	Heckler	Nyce	Tigue
Civera	Herman	O'Brien	Tomlinson
Clark	Hershey	Olasz	Trello
Clymer	Hess	Oliver	Trich
Cohen	Hughes	Perzel	Tulli
Colafrilla	Itkin	Pesci	Uliana
Colaizzo	Jadlowiec	Petrarca	Van Horne
Cole	James	Petrone	Vance
Cornell	Jarolin	Phillips	Veon
Corrigan	Johnson	Piccola	Vroon
Cowell	Josephs	Pistella	Wambach
Coy	Kaiser	Pitts	Williams
DeLuca	Kasunic	Preston	Wogan
DeWeese	Kenney	Raymond	Wozniak
Daley	King	Reber	Wright, D. R.
Davies	Kosinski	Reinard	Wright, M. N.

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

NAYS—0

NOT VOTING—1

Belfanti

EXCUSED—3

Freind Mrkonic Wilson

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

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

* * *

The House proceeded to third consideration of **SB 819, PN 871**, entitled:

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, further providing for licenses for senior citizens.

On the question,

Will the House agree to the bill on third consideration?

Mr. FEE offered the following amendments No. A0069:

Amend Title, page 1, line 2, by removing the period after "citizens" and inserting

; and making editorial changes in Titles 18, 30, 42 and 66 relating to the official name of the Pennsylvania Fish and Boat Commission.

Amend Sec. 1, page 1, lines 5 and 6, by striking out all of said lines and inserting

Section 1. The heading of Chapter 3 and sections 2701(b) and 7102(a) and (b) of Title 30 of the Pennsylvania Consolidated Statutes are amended to read:

CHAPTER 3

PENNSYLVANIA FISH AND BOAT COMMISSION

* * *

Amend Bill, page 2, lines 4 through 6, by striking out all of said lines and inserting

§ 7102. Members of commission from Pennsylvania.

(a) Designation and term.—In pursuance of Article III of the compact, there shall be three members (hereinafter called commissioners) of the Atlantic States Marine Fisheries Commission (hereinafter called commission) from this Commonwealth. The first commissioner shall be the executive director of the Pennsylvania Fish and Boat Commission, ex officio, and the term of this commissioner shall terminate at the time he ceases to hold the office of executive director and his successor as commissioner shall be his successor as executive director. The second commissioner shall be a legislator and member of the Pennsylvania Commission on Interstate Cooperation, ex officio, designated by the Pennsylvania Commission on Interstate Cooperation, and the term of this commissioner shall terminate at the time he ceases to hold legislative office or office as a member of the Pennsylvania Commission on Interstate Cooperation and his successor as commissioner shall be named in like manner. The Governor (by and with the advice and consent of the Senate) shall appoint a citizen as a third commissioner who shall have a knowledge of and interest in the marine fisheries problem. The term of this commissioner shall be three years and he shall hold office until his successor is appointed and qualified. Vacancies occurring in the office of this commissioner from any reason or cause

shall be filled by appointment by the Governor (by and with the advice and consent of the Senate) for the unexpired term.

(b) Delegate of executive director.—The executive director of the Pennsylvania Fish and Boat Commission, as ex officio commissioner, may delegate from time to time to any assistant or other subordinate in his agency or office, the power to be present and participate, including voting, as his representative or substitute at any meeting of or hearing by or other proceeding of the commission.

Section 2. Section 5515(d) of Title 18 is amended to read:
§ 5515. Prohibiting of paramilitary training.

(d) Excluded activities.—Nothing contained in this section shall make unlawful any activity of the Game Commission, Fish and Boat Commission, or any law enforcement agency, or any hunting club, rifle club, rifle range, pistol range, shooting range or other program or individual instruction intended to teach the safe handling or use of firearms, archery equipment or other weapons or techniques employed in connection with lawful sports or other lawful activities.

Section 3. Section 3733(a) of Title 42 is amended to read:
§ 3733. Deposits into account.

(a) General rule.—Beginning July 1, 1987, and thereafter, the total of all fines, fees and costs collected by any division of the unified judicial system which are in excess of the amount collected from such sources in the fiscal year 1986-1987 shall be deposited in the Judicial Computer System Augmentation Account. Any fines, fees or costs which are allocated by law or otherwise directed to the Pennsylvania Fish and Boat Commission, to the Pennsylvania Game Commission or to counties and municipalities, to the Crime Victim's Compensation Board, to the Commission on Crime and Delinquency for victim-witness services grants under section 477.15(c) of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, to rape crisis centers, to the Emergency Medical Services Operating Fund or to domestic violence shelters shall not be affected by this subchapter.

Section 4. Section 2709(a) and (b) of Title 66 are amended to read:

§ 2709. Disposition of real property by public utility engaged in railroad business.

(a) Notice.—Before a public utility engaged in a railroad business disposes of real property previously used as a roadbed right-of-way, it must notify the county, city, borough, incorporated town or township in which the real property is located, and it must notify the Department of Transportation, the Pennsylvania Game Commission, the Pennsylvania Fish and Boat Commission and the Department of Environmental Resources. Notifications shall be in writing.

(b) Procedure after notice.—

(1) If a municipality or any authority created by a municipality or group of municipalities makes an offer to purchase the real property within 60 days of receiving notice under subsection (a), the public utility shall accept or reject the offer.

(2) If a municipality or any authority created by a municipality or group of municipalities does not make an offer to purchase the real property within 60 days of receiving notice under subsection (a) or if the public utility rejects the offer of a municipality, the administrative agencies specified in subsection (a) have 60 days to decide on making an offer for the real property. If an administrative agency makes an offer under this paragraph, the public utility shall consider the offer and make a decision on the offer before making other disposition of the property. If more than one administrative agency makes an offer, the public utility shall consider the

offers in the following order: the Department of Transportation, the Department of Environmental Resources, the Pennsylvania Game Commission and the Pennsylvania Fish and Boat Commission.

Section 5. The amendments affecting section 2701(b) of Title 30 shall apply to the license year beginning January 1, 1993, and each year thereafter.

Section 6. This act shall take effect immediately.

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

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

Mr. FEE. Mr. Speaker, this is a technical amendment regarding the name change, and where it appears in here, instead of just Fish Commission, it will say Fish and Boat Commission.

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

The following roll call was recorded:

YEAS—197

Table listing names of members who voted 'YEAS' (197 total). Includes names like Acosta, Adolph, Allen, Anderson, Angstadt, Argall, Armstrong, Arnold, Barley, Battisto, Belardi, Belfanti, Billow, Birmelin, Bishop, Black, Blaum, Bowley, Boyes, Broujos, Brown, Bunt, Bush, Butkovitz, Caltagirone, Cappabianca, Carlson, Carn, Carone, Cawley, Cessar, Chadwick, Civera, Clark, Clymer, Cohen, Colafella, Colaizzo, Cole, Cornell, Corrigan, Cowell, Coy, DeLuca, DeWeese, Daley, Davies, Donatucci, Durham, Evans, Fairchild, Fajt, Fargo, Farmer, Fee, Fleagle, Flick, Foster, Freeman, Gallen, Gamble, Gannon, Geist, George, Gerlach, Gigliotti, Gladeck, Godshall, Gruitza, Gruppo, Hagarty, Haluska, Hanna, Harley, Hasay, Hayden, Hayes, Heckler, Herman, Hershey, Hess, Hughes, Itkin, Jadlowiec, James, Jarolin, Johnson, Josephs, Kaiser, Kasunic, Kenney, King, Kosinski, Krebs, Langtry, Laughlin, Lawless, Lee, Leh, Lescovitz, Levdansky, Linton, Lloyd, Lucyk, McCall, McGeehan, McHale, McHugh, McNally, Maiale, Markosek, Marsico, Mayernik, Melio, Merry, Michlovic, Micozzie, Mihulich, Mundy, Murphy, Nahill, Nailor, Nickol, Noye, Nyce, O'Brien, Olasz, Oliver, Perzel, Pesci, Petrarca, Petrone, Phillips, Piccola, Pistella, Pitts, Preston, Raymond, Reber, Reinard, Richardson, Roebuck, Rudy, Ryan, Saloom, Saurman, Scheetz, Schuler, Scrimenti, Semmel, Serafini, Smith, B., Smith, S. H., Snyder, D. W., Snyder, G., Staback, Stairs, Steelman, Steighner, Stetler, Stish, Strittmatter, Stuban, Sturla, Surra, Tangretti, Taylor, E. Z., Taylor, F., Taylor, J., Telek, Thomas, Tigie, Tomlinson, Trello, Trich, Tulli, Uliana, Van Horne, Vance, Veon, Vroon, Wambach, Williams, Wogan, Wozniak, Wright, D. R., Wright, M. N.

Table listing names of members who did not vote: Dempsey, Dent, Dermody, Kruszewski, Kukovich, LaGrotta, Rieger, Ritter, Robinson, O'Donnell, Speaker.

NAYS—0

NOT VOTING—1

Harper

EXCUSED—3

Table listing names of members who were excused: Freind, Mrkonic, Wilson.

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

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

Mr. REBER offered the following amendments No. A0303:

Amend Bill, page 1, line 2, by removing the period after "citizens" and inserting and nonresidents and tourists.

The General Assembly of the Commonwealth of Pennsylvania finds that the fishing license fees for nonresidents of this Commonwealth should be increased for the purpose of providing the Fish Fund with additional revenues to be used to enhance and improve fishing on or in the waters of this Commonwealth, including the commission's catchable trout and salmon propagation and stocking programs.

Amend Sec. 1, page 1, line 5, by striking out "Section 2701(b)" and inserting

Sections 2701(b) and 2702

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

are

Amend Bill, page 2, lines 4 through 6, by striking out all of said lines and inserting

§ 2702. Nonresident and tourist licenses.

(a) Nonresident licenses.—For the purposes of this chapter any person 16 years of age or older is entitled to a "Nonresident Fishing License" if:

- (1) He is not a bona fide resident of this Commonwealth.
(2) He has applied to an issuing agent or to the commission.

(3) He has paid the issuing agent or the commission a license fee of [\$20] \$25 plus a service fee of 50¢ to the issuing agent.

(b) Tourist licenses.—For the purposes of this chapter any person 16 years of age or older is entitled to a "[Seven] Five Day Tourist Fishing License," valid for a period of [seven] five consecutive days, if:

- (1) He is not a bona fide resident of this Commonwealth.
(2) He has applied to an issuing agent or to the commission.

(3) He has paid the issuing agent or the commission a license fee of [\$15] \$20 plus a service charge of 50¢ to the issuing agent.

Section 2. This act shall apply as follows:

(1) The amendment of section 2701(b) of the act shall apply to senior resident fishing licenses and senior resident lifetime fishing licenses sold on or after the effective date of this act.

(2) The amendment of section 2702 of the act shall apply to nonresident and tourist licenses sold for the license year beginning January 1, 1993.

Section 3. This act shall take effect immediately.

On the question,

Will the House agree to the amendments?

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

Mr. REBER. Thank you, Mr. Speaker.

Mr. Speaker, this particular amendment relates to the trout and salmon propagation and stocking program issue here in the Commonwealth of Pennsylvania.

As many of the members are aware, the General Assembly was not party to the initial establishment of the trout stamp program in the Commonwealth of Pennsylvania. It was done by the Fish Commission by regulation. At that time it was my feeling and certainly the feeling of a number of members on both sides of the aisle that there should have been some allocation given to an increase in both the nonresident license fee and the tourist license fee to reflect this particular program's institution in the Commonwealth of Pennsylvania to aid our trout and salmon propagation and stocking programs. This particular amendment meets with that type of challenge and consideration and increases only the nonresident and only the tourist license fee \$5 each to aid and assist in the continuation of that particular program.

It is my understanding, in speaking to both the minority and the majority chairmen of the Fish and Game Committees, that they are in agreement with this amendment, and I have also cleared this and actually had the technical language developed by the Fish Commission for this amendment, and they are in agreement.

I would urge your concurrence in this amendment.

The SPEAKER. The Chair recognizes Mr. Merry.

Mr. MERRY. Mr. Speaker, I rise to speak against this amendment. I come from the western part of the State. We have bordering States of Ohio and New York, and I am sure there are five other States that border on Pennsylvania that furnish our potential tourist industry. Tourism is somewhere around number one or number two as the main industry in Pennsylvania, and coming from an area that depends an awful lot on tourism, this is a sensitive issue for me.

Number one, let us recognize that when the trout stamp was created, that was an effort of the Fish Commission to put the supplying of trout—which is, as you know, a put-and-take situation—supplying the trout there on a cost basis. I think largely the \$5 tax provides a good deal of the cost of what the fisherman is apt to take in the way of fish.

Now, this bill has the— My observation is that it is a penalty. We are now going to put a penalty on a nonresident because he wants to fish in Pennsylvania. Now, is this in the best interest of our tourist industry? Tourism provides many thousands of jobs throughout Pennsylvania, and while you can find justification to punish somebody from another State because they are not a voter of yours— You know, you will never hear from the person who objects to this bill, but I think the people back home who have these small businesses that rely on tourism will find one more obstacle in the way of visitors coming into Pennsylvania.

I just think we should not vote a bill of this nature at this time when it has not even gone through the committee process to have it adopted. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes Mr. Jarolin.

Mr. JAROLIN. Thank you, Mr. Speaker.

I am going to stand here in support of this particular amendment. I do quite a bit of fishing in other States besides Pennsylvania, and the licenses in the other States are extremely high compared to Pennsylvania's. If New York wants to fish in Pennsylvania, let them pay for it. If Ohio wants to fish in Pennsylvania, let them pay for it.

I am in full 100-percent support of this amendment. Thank you.

The SPEAKER. The Chair recognizes Mr. Birmelin.

Mr. BIRMELIN. Thank you, Mr. Speaker.

I would echo Representative Merry's sentiments on this. Do you realize that what you are saying is a person can only fish in Pennsylvania if they are a nonresident for a few days and charge you more for it? That is basically what you are doing. A Pennsylvania resident can fish all year long for less. Where is the equity in that?

I represent a portion of the Poconos, and quite frankly, most people, when they see that you are going to charge them more than the people who live there all year and you are only going to give it to them for a few days, they are upset with it and they fish without it. If you really want to generate income, if you really want to do something to help the Fish Commission get more money, make it a cheaper license. I do not see the logic in this. It is almost like we are punishing them to come into Pennsylvania by charging them more to fish here for a few lousy days when we let our own residents fish year round for one lower fee. It just does not make sense.

I think Representative Merry is correct. You are being very detrimental, I think, to the tourist industry, and Pennsylvania, especially in the Poconos that I represent, depends heavily on these tourists. This is just telling them we do not want you here because we are going to try to hit you up with all kinds of fees and try to make it more expensive for you to come here and visit.

I do not think it sends a good message, so I would ask for a "no" vote.

The SPEAKER. The Chair recognizes Mr. Godshall.

Mr. GODSHALL. Thank you, Mr. Speaker.

I do have some sympathy for Mr. Merry's situation. However, probably having fished in at least 25 percent of the States in this country, I do not believe there is any State anywhere that as a nonresident you do not pay more than a resident for a license, whether it is hunting, whether it is fishing, or whether it is stamp.

Last year I fished in three different States, and in every State I paid more than a resident would for that license. I intend to do it again this year. I know I am going to pay more. And Pennsylvania residents are paying in different ways for their own resources. If somebody comes in from out of State, you know, they are going to have to pay a little bit more because they are not footing their share of the bill. I see

nothing wrong with increasing this cost. I believe it is one time more than what it would cost a resident, and at the same time, I paid as much as four, five, and six, and even ten times more than a resident would pay for a license in a similar situation.

I favor the amendment. Thank you.

The SPEAKER. The Chair recognizes Mr. Battisto.

Mr. BATTISTO. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose this amendment. It just so happens tomorrow I am meeting with a small businessman in my district who has a fish and tackle shop. I think one of the points he made to me and he made to the Department of Commerce is that we do not do enough to promote fishing in Pennsylvania, and it seems to me this amendment, which increases the license fee, is only another impediment.

Therefore, I strongly oppose this amendment. Thank you.

The SPEAKER. The Chair recognizes Mr. Merry.

Mr. MERRY. Just a real short message.

I want to point out that remember that already we charge the nonresident a premium for buying his fishing license. His basic fishing license has this premium in it. I am just suggesting that we do not need another disincentive. Once we have got him here, let us treat him equal, because I do feel that this \$5 stamp that we already have is a reimbursement on a fair-share cost of furnishing that trout. Thank you.

The SPEAKER. The Chair recognizes Mr. Davies.

Mr. DAVIES. Thank you, Mr. Speaker.

Would the gentleman stand for one or two questions?

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

Mr. DAVIES. Mr. Speaker, how was the fee or the money for this program first established? How was that put into motion? How was the stamp put into motion?

Mr. REBER. Mr. Speaker, this really does not affect the stamp program itself. The particular fee is an increase of the current fee that is \$20 to \$25 for the nonresident and is an increase of \$15 to \$20 for the tourist license. It does not affect the current stamp program, operation of that program as we know it.

However, I think the legislative intent that I set forth in this is that what we are doing is adding on to the nonresident and the tourist license an additional \$5 to aid and assist, in and among other things, the trout and salmon propagation and stocking programs that are so well known in this State to the point that people come from out of State during our initial opening days, during our stocking days, to take advantage, to take advantage of those things that we do on such a high-tech high scale here in the Commonwealth of Pennsylvania to aid our fishermen, and I think that is the reason and frankly one of the responses I would make to those particular individuals who seem to find some concern on the tourist side.

Believe me, those tourists from New York, New Jersey, Ohio, who are going to come trampling down our streams in their Curt Gowdy-vintage hunting and fishing outfits certainly really packed in with hundreds and hundreds of dollars of equipment that they buy in New York and Ohio, if they want to come in and traipse around on opening day and run

over your constituents' 10-year-old children and take out all the trout so your kids do not have an opportunity, I think they should pay, not our residents.

Vote for the amendment.

Mr. DAVIES. Mr. Speaker—

Mr. REBER. I hope you understood the answer to my question, Mr. Speaker.

Mr. DAVIES. Now, is it within the power of the Fish Commission to increase the value of the stamp currently to do exactly the same thing that you want to do with this increase in fee? Is that a potential solution? If they established the fee on the stamp originally, they could increase that same stamp to get to the—

Mr. REBER. Mr. Speaker, if I can answer your question. I did have conversation to the extent that you are now propounding to me with the Fish Commission. It would be administratively much, much more difficult, a greater bureaucratic nightmare, and possibly an additional expense to administer the actual stamp itself, and it was based upon that conversation and that procedure that this particular method was developed.

Theoretically that could be done. The stamp program, as you are well aware, was established vis-a-vis the regulation process and was not done as a result of enactment by the General Assembly. I think that it should have been, frankly, and I found some trouble with that process and that method, although I agree that the need was there.

I think that this particular concept should be something we deal with as we have in the past with the establishment of the nonresident license and the tourist license, and it is to that extent and with the cooperation of the Fish Commission that we are moving in this direction.

Mr. DAVIES. Now, Mr. Speaker, where in your amendment is there a guarantee that all of these funds will be used for the specific purpose of propagation and some of the other things that you used in your original comments?

Mr. REBER. In the original preamble, "The General Assembly of the Commonwealth of Pennsylvania finds that the fishing license fees for nonresidents of this Commonwealth should be increased for the purpose of providing the Fish Fund with additional revenues to be used to enhance and improve fishing on or in the waters of this Commonwealth, including"—and I emphasize—"the commission's catchable trout and salmon propagation and stocking programs."

It is to that extent and to that intent that this particular revenue enhancement is being proffered today.

Mr. DAVIES. Thank you, Mr. Speaker.

May I make a comment, Mr. Speaker?

The SPEAKER. The gentleman is in order.

Mr. DAVIES. I read the words in the preamble, and I just wish that I had the same confidence that you energized on this thing as far as those expenditures, because I know when I served in that capacity, I always liked to have a little bit more concrete guarantees that that is where the money was actually going to be spent rather than in administrative and other expenses that somehow get entangled into this entire problem. Thank you.

The SPEAKER. The Chair recognizes Mr. Jarolin.

Mr. JAROLIN. Thank you, Mr. Speaker.

You know, this is quite a discussion that has gone on about a paltry \$5 increase in a nonresident fishing license.

However, right now I am holding the New York nonresident fishing license in my hand. The fee that I had paid last year was \$28. For a 5-day nonresident fishing license in New York, it is \$17.50. Hey, what is good for the goose is good for the gander.

Let us vote for this amendment.

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

The following roll call was recorded:

YEAS—157

Adolph	Fee	Linton	Scheetz
Allen	Fleagle	McCall	Schuler
Anderson	Flick	McHugh	Semmel
Argall	Foster	McNally	Serafini
Armstrong	Freeman	Maiale	Smith, B.
Barley	Gamble	Markosek	Smith, S. H.
Belardi	Gannon	Marsico	Snyder, D. W.
Belfanti	Geist	Mayernik	Snyder, G.
Billow	George	Melio	Staback
Black	Gerlach	Michlovic	Stairs
Bowley	Gigliotti	Micozzie	Steelman
Boyes	Gladeck	Mihalich	Steighner
Bunt	Godshall	Mundy	Stish
Bush	Gruppo	Murphy	Strittmatter
Butkovitz	Hagarty	Nahill	Stuban
Caltagirone	Haluska	Nailor	Sturla
Carlson	Harley	Nickol	Surra
Carone	Hasay	Nyce	Tangretti
Cessar	Hayes	O'Brien	Taylor, E. Z.
Civera	Heckler	Olasz	Taylor, F.
Clark	Herman	Perzel	Taylor, J.
Clymer	Hershey	Pesci	Telek
Cohen	Itkin	Petrarca	Tomlinson
Colafella	Jadlowiec	Petrone	Trello
Colaizzo	Jarolin	Phillips	Trich
Cole	Johnson	Piccola	Tulli
Cornell	Josephs	Pistella	Uliana
Corrigan	Kaiser	Pitts	Van Horne
Coy	Kasunic	Preston	Vance
DeLuca	Kenney	Raymond	Veon
DeWeese	Kosinski	Reber	Vroon
Daley	Krebs	Reinard	Wambach
Davies	Kruszewski	Rieger	Wogan
Dempsey	Kukovich	Ritter	Wozniak
Donatucci	LaGrotta	Robinson	Wright, D. R.
Durham	Langtry	Roebuck	Wright, M. N.
Evans	Laughlin	Rudy	
Fairchild	Lawless	Ryan	O'Donnell,
Fajt	Leh	Saloom	Speaker
Farmer	Lescovitz	Saurman	

NAYS—39

Acosta	Carn	Hayden	Merry
Angstadt	Cawley	Hess	Noye
Arnold	Chadwick	Hughes	Oliver
Battisto	Cowell	James	Richardson
Birmelin	Dent	King	Scrimenti
Bishop	Dermody	Lee	Stetler
Blaum	Fargo	Lloyd	Thomas
Broujos	Gallen	Lucyk	Tigue
Brown	Gruitza	McGeehan	Williams
Cappabianca	Hanna	McHale	

NOT VOTING—2

Harper Levdansky

EXCUSED—3

Freind Mrkonic Wilson

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

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—196

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

NAYS—0

NOT VOTING—2

Harper Jarolin

EXCUSED—3

Freind Mrkonic Wilson

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

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

* * *

The House proceeded to third consideration of **HB 1134, PN 1288**, entitled:

An Act amending the act of April 12, 1951 (P. L. 90, No. 21), known as the "Liquor Code," further providing for proper supervision of minors on licensed premises.

On the question,

Will the House agree to the bill on third consideration?

Mr. MIHALICH offered the following amendments No. A0127:

Amend Title, page 1, line 17, by inserting after "for" special occasion permits and for

Amend Bill, page 1, lines 21 through 23, by striking out all of said lines and inserting

Section 1. Section 102 of the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, reenacted and amended June 29, 1987 (P.L.32, No.14), is amended by adding a definition to read:

Section 102. Definitions.—The following words or phrases, unless the context clearly indicates otherwise, shall have the meanings ascribed to them in this section:

* * *

"Fraternal benefit society" shall mean a society as defined in the act of July 29, 1977 (P.L.105, No.38), known as the "Fraternal Benefit Society Code."

* * *

Section 2. Section 408.4(a) of the act is amended to read:

Section 408.4. Special Occasion Permits.—(a) Upon application of any hospital, church, synagogue, volunteer fire company, volunteer ambulance company, volunteer rescue squad, bona fide sportsmen's club in existence for at least ten years, fraternal benefit society that is licensed to do business in this Commonwealth and any affiliated lodge or subdivision of a fraternal benefit society, cultural organization which has been demonstrably active for at least ten years, or the auxiliary of any of the foregoing, and upon payment of a fee of [fifteen dollars (\$15)] thirty dollars (\$30) per day, the board shall issue a special occasion permit good for a period of not more than five consecutive or nonconsecutive days: Provided, however, That the five nonconsecutive days shall be used in a three-month period measured from the date of the first day. Special occasion permits may also be issued to a museum operated by a nonprofit corporation in a city of the third class or a nonprofit corporation engaged in the performing arts in a city of the third class for a period of not more than six nonconsecutive or ten consecutive days at a fee of [fifteen dollars (\$15)] thirty dollars (\$30) per day.

* * *

Section 3. Section 493(14) of the act is amended to read: Amend Sec. 2, page 4, line 1, by striking out "2" and inserting

4

On the question,

Will the House agree to the amendments?

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

Mr. MIHALICH. Mr. Speaker, this amendment would permit fraternal benefit organizations that are licensed to do business in Pennsylvania by the Insurance Department, that are licensed under the Fraternal Benefit Society Code Act of 1977, it would allow these organizations and subdivisions of these organizations, lodges, to apply for and receive a special occasion permit so that they might have an annual picnic, or if they have annual picnics like a lot of them do, they can do so legally.

What has prompted this amendment at this time and why I believe there is some urgency is, number one, the control board—they are the enforcement officers of the State Police—has become more active and they are enforcing the letter of the law, and there have been numerous picnics that have been knocked off, as they say, at a considerable loss in revenue to those sponsors, because what happens is, even if they do not get a big fine out of it—and they do get some kind of fine out of it—what happens is all of their merchandise is confiscated and they have a loss.

It is because of their enforcing this, and secondly, the second reason for the timeliness of this is the picnic season is not too far away. Should the House adopt this amendment and adopt the bill, it would still have to go over to the Senate, and hopefully the Senate would act in time for these numerous organizations to have, those that want to have, a picnic a year or one function a year in which they want to dispense, either sell or give away, alcoholic beverages and do so legally.

I have a complete list of the organizations here, the benefit societies. It encompasses almost every ethnic group in Pennsylvania: the Polish National Alliance, the Italian Sons and Daughters, the Croatian Fraternal Union, the Bnai Zion, and countless others. These are the ones licensed to do business in Pennsylvania.

There is another provision that a cultural organization which has been demonstrably active for at least 10 years would be so eligible.

Thank you, Mr. Speaker. I would ask for an affirmative vote on this amendment.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—184

Acosta	Durham	Lawless	Robinson
Adolph	Evans	Lee	Roebuck
Allen	Fairchild	Leh	Rudy
Anderson	Fajt	Lescovitz	Ryan
Angstadt	Farmer	Levdansky	Saloom
Argall	Fee	Linton	Saurman
Arnold	Flick	Lloyd	Scrimenti
Battisto	Foster	Lucy	Semmel

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

NAYS—12

Armstrong	Clymer	Hasay	Schuler
Barley	Fargo	Jadlowiec	Strittmatter
Birmelin	Fleagle	Scheetz	Vroon

NOT VOTING—2

Gannon Maiale

EXCUSED—3

Freind Mrkonic Wilson

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

On the question,

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

Mr. COHEN offered the following amendments No. A0286:

Amend Title, page 1, line 17, by inserting after "providing" for administrative law judges, for license districts, for public service licenses, for certain hearings and appeals and

Amend Sec. 1, page 1, lines 21 through 23, by striking out all of said lines and inserting

Section 1. Section 212(c) of the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, reenacted and amended June 29, 1987 (P.L.32, No.14) and amended December 7, 1990 (P.L.622, No.160), is amended and the section is amended by adding a subsection to read:

Section 212. Office of Administrative Law Judge.—***

(c) Administrative law judges shall preside at all [licensing,] citation and other enforcement hearings required or permitted under this act. [An administrative law judge shall recuse himself in a licensing proceeding if the licensee or prospective licensee can demonstrate that the judge has heard an enforcement matter concerning the licensee or prospective licensee. An administrative law judge shall recuse himself in an enforcement proceeding if the person subject to enforcement can demonstrate that the judge has heard a licensing matter concerning the person. Administrative law judges shall inform persons and their counsel of recusal rights under this subsection.]

(h) Nothing in this section or this act shall be construed or intended to change or affect the terms and conditions of employment or the employment security of hearing examiners employed by the board on the effective date of this section.

Section 2. Sections 402, 433 and 464 of the act, amended December 7, 1990 (P.L.622, No.160), are amended to read:

Section 402. License Districts; License Year; Hearings.—

(a) The board shall, by regulation, divide the State into convenient license districts and shall hold hearings on applications for licenses and renewals thereof, as it deems necessary, at a convenient place or places in each of said districts, at such times as it shall fix, by regulation, for the purpose of hearing testimony for and against applications for new licenses and renewals thereof. The board shall hold a hearing on any application for a new hotel, club or restaurant liquor license or the transfer of any such license to a new location, upon the request of any person with standing to testify under subsection (b) if the request is filed with the board within the first fifteen days of posting of the notice of application pursuant to section 403(g). The board [shall] may provide for the holding of such hearings by [administrative law judges, who] examiners learned in the law, to be appointed by the Governor who shall not be subject to the act of August 5, 1941 (P.L.752, No.286), known as the "Civil Service Act." Such examiners shall make a report to the board in each case with their recommendations. The board shall, by regulation, fix the license year for each separate district so that the expiration dates shall be uniform in each of the several districts but staggered as to the State.

(b) Where a hearing is held in the case of an application for a new hotel, club or restaurant liquor license or an application for the transfer of a hotel, club or restaurant liquor license to a new location, the board shall permit residents residing within a radius of five hundred feet of the premises to testify at the hearing. The board and any [administrative law judge] hearing officer thereof shall give appropriate evidentiary weight to any testimony of such residents given at the hearing.

Section 433. Public Service Licenses.—The board may issue public service malt and brewed beverage licenses to a railroad, pullman or steamship company permitting malt or brewed beverages to be sold at retail in dining, club or buffet cars, or the dining compartments of steamships or vessels, for consumption on the trains, steamships or vessels wherever operated in the State, except when standing in stations or terminals within a municipality wherein retail sales are prohibited. Such licenses shall only be granted to reputable persons and for fit places. The board may issue a master license to railroad or pullman companies to cover the maximum number of cars which the company shall estimate that it will operate within the Commonwealth on any one day. Such licensees shall file monthly reports with the board showing the maximum number of cars operated at any time on any day during the preceding month, and if it appears that more cars have been operated than covered by its license it shall forthwith remit to the board the sum of ten dollars for each extra car so operated. The board shall have the power to suspend or revoke any such licenses for cause after granting a hearing

before [an administrative law judge] a hearing examiner to the licensee. Any person aggrieved by the decision of the board in refusing, suspending or revoking any such license may appeal to the Commonwealth Court in the same manner as provided in this article for appeals from refusals of licenses.

Section 464. Hearings Upon Refusal of Licenses, Renewals or Transfers; Appeals.—The board may of its own motion, and shall upon the written request of any applicant for club, hotel or restaurant liquor license, or any applicant for any malt or brewed beverage license other than a public service license, or for renewal or transfer thereof, whose application for such license, renewal or transfer has been refused, fix a time and place for hearing of such application for license or for renewal or transfer thereof, notice of which hearing shall be mailed to the applicant at the address given in his application. Such hearing shall be before [an administrative law judge] a hearing examiner designated by the board. At such hearing, the board shall present its reasons for its refusal or withholding of license, renewal or transfer thereof. The applicant may appear in person or by counsel, may cross-examine the witnesses for the board and may present evidence which shall likewise be subject to cross-examination by the board. Such hearing shall be stenographically recorded. The [administrative law judge] examiner shall thereafter [make a] report, including the [judge's] examiner's recommendation, to the board upon such hearing in each case. The board shall thereupon grant or refuse the license, renewal or transfer thereof. In considering the renewal of a license, the board shall not refuse any such renewal on the basis of the propriety of the original issuance or any prior renewal of such license. If the board shall refuse such license, renewal or transfer following such hearing, notice in writing of such refusal shall be mailed to the applicant at the address given in his application. In all such cases, the board shall file of record at least a brief statement in the form of an opinion of the reasons for the ruling or order and furnish a copy thereof to the applicant. Any applicant who has appeared at any hearing, as above provided, who is aggrieved by the refusal of the board to issue any such license or to renew or transfer any such license may appeal, or any church, hospital, charitable institution, school or public playground located within three hundred feet of the premises applied for, aggrieved by the action of the board in granting the issuance of any such license or the transfer of any such license, may take an appeal limited to the question of such grievance, within twenty days from date of refusal or grant, to the court of common pleas of the county in which the premises applied for is located. Such appeal shall be upon petition of the aggrieved party, who shall serve a copy thereof upon the board, whereupon a hearing shall be held upon the petition by the court upon ten days' notice to the board. The said appeal shall act as a supersedeas unless upon sufficient cause shown the court shall determine otherwise. The court shall hear the application de novo on questions of fact, administrative discretion and such other matters as are involved, at such time as it shall fix, of which notice shall be given to the board. The court shall either sustain or over-rule the action of the board and either order or deny the issuance of a new license or the renewal or transfer of the license to the applicant.

Section 3. Section 493(14) of the act is amended to read: Amend Bill, page 3, by inserting after line 30

Section 4. Section 507 of the act, amended December 7, 1990 (P.L.622, No.160), is amended to read:

Section 507. Hearings on Licenses and Refusals.—(a) The board may of its own motion, and shall upon the written request of the enforcement bureau or of any applicant for license or for renewal thereof whose application for such license or renewal has been refused, fix a time and place for hearing of such application or renewal, notice of which hearing shall be sent to the bureau and to the applicant, by registered mail, at the address given in his application. Such hearing shall be before the board, a member

thereof, or an [administrative law judge] examiner designated by the board.

(b) At such hearing, the board shall present its reasons for its refusal or withholding of such license or renewal thereof or the bureau shall present its objections to the granting or renewal of the license, as the case may be. The applicant may appear in person or by counsel, may cross-examine the witnesses for the board or the bureau, and may present evidence which shall likewise be subject to cross-examination by the board or the bureau. Such hearing shall be stenographically recorded. The [administrative law judge] examiner shall thereafter make a report, including the [judge's] examiner's recommendation, to the board in each case. The board shall thereafter grant or refuse the license or renewal thereof.

(c) Hearings and adjudications pursuant to this section shall be in accordance with 2 Pa.C.S. Ch. 5 Subch. A (relating to practice and procedure of Commonwealth agencies).

Amend Sec. 2, page 4, line 1, by striking out all of said line and inserting

Section 5. This act shall take effect as follows:

(1) The amendment of section 493(14) of the act shall take effect immediately.

(2) The remainder of this act shall take effect June 30, 1992.

On the question,

Will the House agree to the amendments?

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

Mr. COHEN. Mr. Speaker, this amendment seeks to make the Liquor Control Board function in the same way as it functions now when it comes time for license renewals to come up. It keeps them out of the hands of the administrative law judges, who have a very formalistic, often very expensive and complex process, and keeps license renewals in the hands of hearing examiners.

Right now there are 10 part-time hearing examiners. They get paid \$28,000 to \$36,000 a year. They are due to be phased out on June 30. This keeps them on the job. This makes sure they have important work to do, and this makes sure that the Liquor Control Board, the hearing examiner process, will continue to be run in an informal process whereby all people on all sides of any hearing renewal issues can freely express their views on whether licenses ought to be renewed without getting bogged down in a lot of bureaucratic, legally technical motions about who has standing, who does not have standing, whether this is admissible, whether it is not admissible.

I think this is in the interest of all Pennsylvanians. I urge support of this amendment.

The SPEAKER. The Chair recognizes Mr. Taylor.

Mr. J. J. TAYLOR. Thank you, Mr. Speaker.

Mr. Speaker, many of us in this chamber have problems with licensees and protestants from the community, and in Philadelphia it is especially so. I have had on a number of occasions the need to appear in front of a hearing examiner on behalf of the community and can tell you that they are much more responsive to the needs of the community than an administrative law judge could ever be.

We are really trying to keep this system intact to protect the citizens from unneeded problems with liquor licensees, and I would ask for the support of the members. Thank you.

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

The following roll call was recorded:

YEAS—177

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

NAYS—17

Arnold	Lloyd	Merry	Pesci
Cowell	McHale	Mihalich	Richardson
Dent	McNally	Mundy	Scrimenti
Dermody	Markosek	Noye	Strittmatter
Kukovich			

NOT VOTING—4

Broujos	Linton	Maiale	Williams
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EXCUSED—3

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

POINT OF ORDER

Mr. MIHALICH. Mr. Speaker, I raise a point of order.

The SPEAKER. The gentleman is in order.

Mr. MIHALICH. The amendment we just adopted, did it require a fiscal note?

The SPEAKER. The amendment has already been adopted, so the question is no longer in order.

VOTE CORRECTIONS

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

Mr. FOSTER. Mr. Speaker, on amendment A0127 to HB 1134, I erroneously voted in the affirmative. I would like to be recorded in the negative.

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

The Chair recognizes Mr. Jarolin.

Mr. JAROLIN. Thank you, Mr. Speaker.

I was not recorded on the final passage of SB 819. I would like to be recorded in the positive.

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

CONSIDERATION OF HB 1134 CONTINUED

On the question recurring,

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

Mr. SALOOM offered the following amendments No. A0297:

Amend Title, page 1, line 18, by removing the period after "premises" and inserting
; and further providing for sales by distributors and retail dispensers.

Amend Sec. 1, page 1, line 21, by striking out "Section" where it appears the second time and inserting
Sections 441(b), 442(a) and

Amend Sec. 1, page 1, line 23, by striking out "is" and inserting
are

Amend Sec. 1, page 1, by inserting between lines 23 and 24
Section 441. Distributors' and Importing Distributors' Restrictions on Sales, Storage, Etc.—***

(b) No distributor or importing distributor shall sell any malt or brewed beverages in quantities of less than a case of [twenty-four] twelve containers, each container holding seven fluid ounces or more, [or a case of twelve containers, each container holding twenty-four fluid ounces or more,] except original containers containing one hundred twenty-eight ounces or more which may be sold separately: Provided, That no malt or brewed beverages sold or delivered shall be consumed upon the premises of the distributor or importing distributor, or in any place provided for such purpose by such distributor or importing distributor.

Section 442. Retail Dispensers' Restrictions on Purchases and Sales.—(a) No retail dispenser shall purchase or receive any malt or brewed beverages except in original containers as prepared for the market by the manufacturer at the place of manufacture. The retail dispenser may thereafter break the bulk upon the licensed premises and sell or dispense the same for consumption on or off the premises so licensed: Provided, however, That no retail dispenser may sell malt or brewed beverages for con-

sumption off the premises in quantities in excess of [one hundred ninety-two] seven hundred sixty-eight fluid ounces: Provided, further, That no club licensee may sell any malt or brewed beverages for consumption off the premises where sold or to persons not members of the club.

On the question,

Will the House agree to the amendments?

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

Mr. SALOOM. Mr. Speaker, the amendment that I am proposing here would allow the distributors of malt and brewed beverages to sell a case of 12 containers. It would also allow the taverns, the licensed taverns, to sell two cases of beer for takeout, two cases not to exceed 768 ounces.

I ask for an affirmative vote on this legislation.

The SPEAKER. The Chair recognizes Mr. Corrigan.

Mr. CORRIGAN. Thank you, Mr. Speaker.

I rise to oppose this amendment, A0297 to HB 1134. These matters were discussed at length before the Liquor Committee and there is no resolution of these matters. I believe that the vote was something like 18 to 2 in opposition to this amendment. I would think that until the Liquor Committee resolves these issues, we ought to vote "no" on this amendment.

I would encourage each member of the House to tune in to this amendment, pay close attention to it, and I would urge a "no" vote on this amendment. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes Mr. Civera.

Mr. CIVERA. Thank you, Mr. Speaker.

Would the gentleman, Mr. Saloom, stand for a brief interrogation, please?

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

Mr. CIVERA. Mr. Speaker, in your amendment when you increase the ounces that a D distributor can sell, are you speaking of two six-packs, basically, of what is allowed to go out of that distributorship if this amendment were to be passed?

Mr. SALOOM. No. It is not speaking of two six-packs but one 12-pack.

Mr. CIVERA. Okay. So basically, 6 and 6 is 12. It is basically, if you want to get down to it, two six-packs.

Mr. Speaker, with this amendment, is there a reason or a problem with the way malt beverages are being distributed in the Commonwealth? Is this the reason for your amendment, sir?

Mr. SALOOM. Yes, it is.

Mr. CIVERA. That will be all the interrogation. Could I make a statement, Mr. Speaker?

The SPEAKER. The gentleman is in order.

Mr. CIVERA. Mr. Speaker, what this amendment intends to do is to allow, if you follow the distribution of malt beverage in the Commonwealth of Pennsylvania, there is an ID (importing distributor), there is a D (distributor), and then there is a retail license, which is the taverns.

What the gentleman intends to do here is, right now under the law, the taverns are allowed to sell 192 ounces' worth of malt beverage for off-premise consumption. This would allow the beer distributors, the D's, not the ID's, to do the same, and what this would do is it would drastically affect the small businessman, which is the tavern owner.

Things are tough enough as they are right now, and they depend on these types of sales. To allow this to happen—and this has been discussed in the committee many a time, I think on two different occasions—to allow this to happen would then reroute, and we would come back to look at this whole picture as far as the malt beverage distribution in this Commonwealth.

Basically, right at the moment, everybody that is in the malt beverage business gets a piece of the action. This would restructure the entire system to the point that we might see beer in grocery stores and we might see that type of a concept.

I urge the members of the House to pay attention to this amendment and to defeat it. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes Mr. Colaizzo.

Mr. COLAIZZO. Mr. Speaker, I rise to oppose this amendment also.

This amendment will just help to induce the young to have more access to alcohol. The way we have it set up now with the tavern owners, they are very careful in permitting minors to consume alcohol because of the penalty that can be very severe.

The distributors are looking for this. It is just a Band-Aid for them to try to support more sales. We will be hurting our society by voting for this amendment. Please turn it down.

The SPEAKER. The Chair recognizes Mr. Micozzie.

Mr. MICOZZIE. Thank you, Mr. Speaker.

During the committee meeting when we discussed this subject, as was said a little while ago, it was 18 to 2, and the discussions were lengthy. Also, in fact, when we had the public hearings in Philadelphia at City Hall, one of the complaints by almost every speaker was the stop-and-go type of operation. All this would do is it would continue the problems that they are having in the Philadelphia area.

I want to make sure that everybody understands exactly what this amendment says. The local beer distributor, for instance, where they are only allowed to sell one case, would be able to sell half cases, and the local tavern where you can only obtain two six-packs, you would be able to obtain up to two cases. I think it is a problem that was discussed at length in the committee, which I led the fight, and I had the support of both sides of the aisle.

I think, Mr. Speaker, that we should overwhelmingly defeat this amendment. Thank you.

The SPEAKER. The Chair recognizes Mr. Trello.

Mr. TRELLO. Mr. Speaker, I rise to oppose the amendment.

Last year, 1,611 liquor licensees went out of business. Our taverns association, the well-respected businessmen in our community, went out of business. We in this General Assembly must realize that that is an industry just like IBM or West-

inghouse or any other industry and it is being hurt badly, and to pass this amendment would only put another stamp on their tombstone.

So if you respect the small businessmen in your community that are struggling right now, then you will vote "no" on this amendment. Thank you.

The SPEAKER. The Chair recognizes Mr. Jarolin.

Mr. JAROLIN. Thank you, Mr. Speaker.

There have been quite a bit of problems with this particular piece of legislation I am holding in my hand. We have discussed this in the Liquor Control Committee, and it did not meet the acceptance of 95 percent of the legislators that are on the committee.

I would request that either the bill be reconsidered later on in the future, Mr. Speaker, or else, please, vote against this particular amendment. Thank you.

The SPEAKER. The Chair recognizes Mr. Gigliotti.

Mr. GIGLIOTTI. Thank you, Mr. Speaker.

Mr. Speaker, as everybody said today, this is a bad amendment. I am a member of the Liquor Control Committee, and we could not even get a second on this amendment.

I am asking everybody, if you have got bars in your district, they are people, too. We create the laws in the State here, and some of them are hurting our taverns. If you pass this amendment, this amendment will let the beer distributors, the big beer distributors, sell beer away from your taverns.

I say vote "no" on this amendment. Thank you.

The SPEAKER. The Chair recognizes Mr. Mayernik.

Mr. MAYERNIK. Thank you, Mr. Speaker.

I would like to question the maker of the amendment and then make a statement after that.

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

Mr. MAYERNIK. Mr. Speaker, the way I read this and if I understand it correctly, 768 ounces; that is equivalent to how many cases or six-packs, sir?

Mr. SALOOM. That would be two cases of the 16-ounce beer.

Mr. MAYERNIK. And it is your intention to permit the tavern owner to sell two cases of beer from behind the bar then.

Mr. SALOOM. That is correct.

Mr. MAYERNIK. Okay.

I would like to be recognized for a statement, Mr. Speaker.

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

Mr. MAYERNIK. Thank you, Mr. Speaker.

I also rise to speak against this amendment, more for the reason of, when would these people be purchasing two cases of beer? When do you usually find most of the six-packs purchased? Late at night - 11 o'clock, 12 o'clock, 1 o'clock in the morning, 2 o'clock in the morning.

What we are doing is we are now putting more alcohol into the vehicles and the drunk drivers. We have just recently passed legislation in this House of Representatives, Act 160 of 1991, to require all bars and taverns to be vacated a half hour

after legal serving time. What we are doing by permitting this legislation in would say that now you can buy two cases to go. It is bad enough we permit two six-packs to go; now let us get two cases to go. Oh, by the way, let us send somebody else in. Let us get four cases to go.

I do not think that we can afford to let this legislation pass. For the drunk driving laws that we have enacted, it would be contradictory to saving the lives of the people on the road.

I think this is a bad piece of legislation. I would ask for a negative vote on it. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes Mr. Acosta.

Mr. ACOSTA. Thank you, Mr. Speaker.

Mr. Speaker, if I were you, I would just withdraw this amendment. This is a bad one.

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

Mr. SALOOM. Yes, Mr. Speaker.

I am going to leave the amendment stand, and those who wish to vote for the amendment or vote against it may. But let me tell you, you heard two conflicting stories here. You heard that this amendment went down in committee by a vote of 18 to 2. Then you heard somebody else say that this amendment could not even get a second in the committee. Well, you may whistle, but when you go home and you tell your small distributors who have been put out of business by the larger distributors by delivering directly to the taverns, and, of course, you tell those women who want to bring some beer home for their husbands for dinner that they cannot go to a distributor, you tell those women that they cannot go to a distributorship and buy a half a case of beer and they still have to go to those dark, dingy bars to buy their husband a six-pack of beer, they may also, you know, hurt their reputation by doing so. You may see an uprising in this State that they will demand this legislature to pass legislation to sell beer in grocery stores, and we certainly do not want that.

Also, you tell the weekend gentleman who may have a party at his home or some unexpected company on a Sunday afternoon that he cannot buy a case of beer anyplace in this State, and if he were having some company at home, in this legislation he could go to a local tavern and buy up to two cases of beer and have it mixed and carry it out legally.

Mr. Speaker, I ask for an affirmative vote. Thank you.

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

The following roll call was recorded:

YEAS—4			
Boyes	Langtry	Lee	Saloom
NAYS—193			
Acosta	Donatucci	Kukovich	Roebuck
Adolph	Durham	LaGrotta	Rudy
Allen	Evans	Laughlin	Ryan
Anderson	Fairchild	Lawless	Saurman
Angstadt	Fajt	Leh	Scheetz
Argall	Fargo	Lescovitz	Schuler
Armstrong	Farmer	Levdanskoy	Scrimenti
Arnold	Fee	Linton	Semmel
Barley	Fleagle	Lloyd	Serafini
Battisto	Flick	Lucyk	Smith, B.

Belardi	Foster	McCall	Smith, S. H.
Belfanti	Freeman	McGeehan	Snyder, D. W.
Billow	Gallen	McHale	Snyder, G.
Birmelin	Gamble	McHugh	Staback
Bishop	Gannon	McNally	Stairs
Black	Geist	Maiale	Steelman
Blaum	George	Markosek	Steighner
Bowley	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	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	Oliver	Trich
Clymer	Hershey	Perzel	Tulli
Cohen	Hess	Pesci	Uliana
Colaifella	Hughes	Petrarca	Van Horne
Colaizzo	Itkin	Petrone	Vance
Cole	Jadlowiec	Phillips	Veon
Cornell	James	Piccola	Vroon
Corrigan	Jarolin	Pistella	Wambach
Cowell	Johnson	Pitts	Williams
Coy	Josephs	Preston	Wogan
DeLuca	Kaiser	Raymond	Wozniak
DeWeese	Kasunic	Reber	Wright, D. R.
Daley	Kenney	Reinard	Wright, M. N.
Davies	King	Richardson	
Dempsey	Kosinski	Rieger	O'Donnell,
Dent	Krebs	Ritter	Speaker
Dermody	Kruszewski	Robinson	

NOT VOTING—1

Olasz

EXCUSED—3

Freind Mrkonic Wilson

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

On the question recurring,

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

AMENDMENT A0127 RECONSIDERED

The SPEAKER. The Chair is in possession of a reconsideration motion for the vote by which the Mihalich amendment 127 to HB 1134 passed today.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—196

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

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

NAYS—0

NOT VOTING—2

Gladeck Perzel

EXCUSED—3

Freind Mrkonic Wilson

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

On the question recurring,

Will the House agree to the amendments?

The clerk read the following amendments No. A0127:

Amend Title, page 1, line 17, by inserting after "for" special occasion permits and for

Amend Bill, page 1, lines 21 through 23, by striking out all of said lines and inserting

Section 1. Section 102 of the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, reenacted and amended June 29, 1987 (P.L.32, No.14), is amended by adding a definition to read:

Section 102. Definitions.—The following words or phrases, unless the context clearly indicates otherwise, shall have the meanings ascribed to them in this section:

"Fraternal benefit society" shall mean a society as defined in the act of July 29, 1977 (P.L.105, No.38), known as the "Fraternal Benefit Society Code."

Section 2. Section 408.4(a) of the act is amended to read:

Section 408.4. Special Occasion Permits.—(a) Upon application of any hospital, church, synagogue, volunteer fire company, volunteer ambulance company, volunteer rescue squad, bona fide sportsmen's club in existence for at least ten years, fraternal benefit society that is licensed to do business in this Commonwealth and any affiliated lodge or subdivision of a fraternal benefit society, cultural organization which has been demonstrably active for at least ten years, or the auxiliary of any of the foregoing, and upon payment of a fee of [fifteen dollars (\$15)] thirty dollars (\$30) per day, the board shall issue a special occasion permit good for a period of not more than five consecutive or nonconsecutive days: Provided, however, That the five nonconsecutive days shall be used in a three-month period measured from the date of the first day. Special occasion permits may also be issued to a museum operated by a nonprofit corporation in a city of the third class or a nonprofit corporation engaged in the performing arts in a city of the third class for a period of not more than six nonconsecutive or ten consecutive days at a fee of [fifteen dollars (\$15)] thirty dollars (\$30) per day.

Section 3. Section 493(14) of the act is amended to read:

Amend Sec. 2, page 4, line 1, by striking out "2" and inserting

4

On the question recurring,

Will the House agree to the amendments?

The SPEAKER. The House has immediately before it the amendment offered by the gentleman, Mr. Mihalich, which has been read by the clerk.

Will the House agree to the amendment?

On that question, the Chair recognizes Mr. Clymer.

Mr. CLYMER. Mr. Speaker, would the maker of the amendment stand for a brief interrogation?

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

Mr. CLYMER. Mr. Speaker, I think this amendment went through and many members did not fully understand the significance of the vote, and therefore, the reason to reconsider.

Would the gentleman tell me, how many fraternal organizations and their affiliates would benefit from your bill, from this bill that would allow them a permit to have 5 days—is that correct?—5 days of allowing liquor to be sold at a special occasion?

Mr. MIHALICH. I did not count them, but I would say there are about 50 to 55 here that are eligible. How many would take advantage of it, I do not know.

Mr. CLYMER. Okay. Mr. Speaker, the information I have—and I just wanted to verify it—is, there are approximately 90 organizations is what we have come up with, and if each one had an affiliated lodge or subdivision or auxiliary, could it not go over the 250 figure that we are really looking at? Would that be a credible figure?

Mr. MIHALICH. I would say it would be technically possible, but practically it would not happen, sir.

Mr. CLYMER. Okay. Well, he is not sure on that, so I contend that—

Mr. MIHALICH. No; I am very sure on that, sir.

Mr. CLYMER. —I contend that the number of organizations that would have the special occasion permit would be quite significant. Somewhere in the neighborhood of 200 would be eligible to have this special permit.

Now, I just ask the members to reconsider the fact that we are talking about—

The SPEAKER. Has the gentleman concluded his interrogation?

Mr. CLYMER. Yes. I am sorry, Mr. Speaker. I am through with the interrogation. I would like to comment on final passage.

The SPEAKER. The gentleman is in order.

Mr. CLYMER. Thank you, Mr. Speaker.

—and that is that we indeed have a problem of alcoholism in this Commonwealth, in this Nation. I do not have to, for the members of this General Assembly, with the numerous articles that have been written saying that alcohol is the number-one drug that we are contending with and we spend millions and millions of dollars in rehabilitation—and I do not oppose that; that is fine—and we lose the cost in lost working hours and ruined lives and families; also, it takes its toll upon this Commonwealth and this Nation, and it just does not make a lot of sense to expand the flow of alcohol under these kinds of circumstances.

Though I recognize the good intentions of the prime sponsor of this amendment, I appeal to the members of this General Assembly to reconsider this amendment and the impact it will have and the message it does send to the youth of our Commonwealth. And by the way, the recent studies that have been concluded on alcoholism in this Commonwealth and this Nation put the youth at risk.

So I just urge that we vote in the negative on reconsideration. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes Mr. Mihalich.

Mr. MIHALICH. Mr. Speaker, the speaker's concerns are well founded if he looks at total numbers, but let us look at the practical aspect of this.

I do not know what the statewide numbers are, but let us talk about those organizations that are eligible now, which would run into the tens of thousands that are eligible right now. Do they all apply? Certainly not. Let me give you an illustration. There are 127 fire companies in Westmoreland County. I know from firsthand knowledge that there are not 10 of them that apply for a special occasion permit for a picnic off of their premises somewhere.

I am a member of several ethnic organizations, and in Westmoreland County there are 17 SNPJ (Slovene National Benefit Society) lodges, for instance, and I know that there are not more than two special occasion permits requested every year. I belong to the Polish National Alliance and I attend their county council meetings from time to time, and I do not think last year that any of the lodges in western Pennsylvania applied for one at all.

So if you take the raw numbers here and multiply to get a potential, you are not talking about a lot of things. A lot of people do not do this. The ones that do, some of them use it as

a fundraiser. Some of them do not even sell; they give the beer away at the picnics. And of course, you know that the law does not say you are not allowed to sell it; the law says you are not allowed to dispense it.

So for these reasons I think the gentleman's concerns, they are genuine enough in his mind and they would be genuine if you multiply the highest potential number that would apply for these special occasion permits, but certainly it is not reasonable to expect that to happen.

And you know that these special occasion permits are not given away lightly. They must be applied for 30 days ahead of time, and field investigators go out, look the premises over, and check the sponsors or the people who are requesting this special occasion permit.

So I cannot conceivably understand why we could expect any problems from this, and I would appreciate an affirmative vote on this amendment. Thank you, sir.

The SPEAKER. The Chair recognizes Mr. Trello.

Mr. TRELLO. Mr. Speaker, the sale of alcoholic beverages in this State is legal. Organizations that want to apply for a special occasion permit is law, and I do not see any reason why I should deny the Sons of Italy, the Polish Falcons, the Irish clubs, any ethnic fraternal organization the right to apply for a special occasion permit. Until such time as alcoholic beverages are illegal in this State, I do not see any reason why these fraternal organizations should not be allowed the permit to have alcoholic beverages at their picnic.

To defeat this amendment would deny those fraternal organizations to have a little bit of something at their picnic that everybody else enjoys. I support the amendment. Thank you.

The SPEAKER. The Chair recognizes Mr. Linton.

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

Would the prime sponsor stand for a brief period of interrogation?

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

Mr. LINTON. Thank you very much.

Just listening to the debate that was just entered in the record, I have one question to ask regarding cultural organizations. I am curious as to what in fact constitutes a "cultural organization." That definition seems to be fairly vague and broad for me, and I am concerned that some organizations which are not licensed, which are not under the purview of any specific restrictions by this Commonwealth, could actually be classified as a "cultural organization" that has been active for 10 years. Could you expound upon that for me?

Mr. MIHALICH. I think the board would have to write the guidelines for that. The reason I inserted that was because I am aware of three organizations that had problems last year—had serious problems—that depend on very, very large once-a-year fundraisers. One of them is the Duquesne University Tamburitzans. It is a cultural group. It has been in existence for 50 years. They tour worldwide. They have a major once-a-year fundraising event, and I think the guidelines for that would be further clarified by the board if it were necessary.

Mr. LINTON. I have no problems with the other provisions of the bill, and I also think that we do allow very reputable organizations to purchase alcohol in the Commonwealth, and rightfully so. I do have a concern, however, about the definition of what constitutes a "cultural organization." I know there are some that are reputable, some that we know that we should provide this opportunity to, but I am concerned—

The SPEAKER. Has the gentleman concluded his interrogation?

Mr. LINTON. Yes, I have, Mr. Speaker.

The SPEAKER. Then the gentleman is in order.

Mr. LINTON. —but I am concerned about the broadness of this terminology and whether or not some organizations that we in the Commonwealth may not want to have this privilege may in fact be able to so have with the lack of definition to the term. So therefore, I would have to oppose the amendment. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, the issue is not legality but controlling the number-one abuse substance in the United States and in Pennsylvania, and just very quickly let me give you some facts.

In the Philadelphia Inquirer in its December 17, 1989, issue: Alcohol in the United States causes 200,000 deaths each year. Excessive drinking costs \$117 billion in medical costs and lost work hours. Thirteen percent of the adult population is addicted; and birth defects, 5,000 cases a year.

So that is the issue, and I would ask for a negative vote.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—172

Acosta	Evans	Lee	Ryan
Allen	Fairchild	Leh	Saloom
Anderson	Fajt	Lescovitz	Saurman
Angstadt	Farmer	Levdansky	Scrimenti
Argall	Fee	Lloyd	Semmel
Arnold	Flick	Lucyk	Serafini
Battisto	Freeman	McCall	Smith, B.
Belardi	Gallen	McGeehan	Smith, S. H.
Belfanti	Gamble	McHale	Snyder, D. W.
Billow	Gannon	McHugh	Snyder, G.
Bishop	Geist	McNally	Staback
Black	George	Maiale	Stairs
Blaum	Gerlach	Markosek	Steelman
Bowley	Gigliotti	Marsico	Steighner
Broujos	Gladeck	Mayernik	Stetler
Bunt	Godshall	Melio	Stish
Bush	Gruitza	Merry	Stuban
Butkovitz	Gruppo	Michlovic	Sturla
Caltagirone	Hagarty	Micozzie	Surra
Cappabianca	Haluska	Mihalich	Tangretti
Carlson	Hanna	Mundy	Taylor, E. Z.
Carn	Harley	Nahill	Taylor, F.
Cawley	Harper	Nailor	Taylor, J.
Cessar	Hasay	Nickol	Telek
Chadwick	Hayden	Nyce	Thomas
Civera	Heckler	O'Brien	Tigue
Clark	Herman	Olasz	Tomlinson
Cohen	Hughes	Oliver	Trello
Colafella	Itkin	Perzel	Trich
Colaizzo	James	Pesci	Tulli
Cole	Jarolin	Petrarca	Uliana
Cornell	Johnson	Petrone	Van Horne

Corrigan	Josephs	Piccola	Vance
Cowell	Kaiser	Pistella	Veon
Coy	Kasunic	Preston	Wambach
DeLuca	Kenney	Raymond	Williams
DeWeese	Kosinski	Reber	Wogan
Daley	Krebs	Reinard	Wozniak
Davies	Kruszewski	Rieger	Wright, D. R.
Dempsey	Kukovich	Ritter	Wright, M. N.
Dent	LaGrotta	Robinson	
Dermody	Langtry	Roebuck	O'Donnell,
Donatucci	Laughlin	Rudy	Speaker
Durham	Lawless		

NAYS—26

Adolph	Clymer	Jadlowiec	Pitts
Armstrong	Fargo	King	Richardson
Barley	Fleagle	Linton	Scheetz
Birmelin	Foster	Murphy	Schuler
Boyes	Hayes	Noye	Strittmatter
Brown	Hershey	Phillips	Vroon
Carone	Hess		

NOT VOTING—0

EXCUSED—3

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

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—192

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

Civera	Hershey	Olasz	Trich
Clark	Hess	Oliver	Tulli
Cohen	Hughes	Perzel	Ufiana
Colafiglia	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	Wogan
DeLuca	Kasunic	Preston	Wozniak
DeWeese	Kenney	Raymond	Wright, D. R.
Daley	King	Reber	Wright, M. N.
Davies	Kosinski	Reinard	
Dempsey	Krebs	Richardson	O'Donnell,
Dent	Kruszewski	Rieger	Speaker
Dermody	Kukovich		

NAYS—6

Clymer	Lloyd	Schuler	Strittmatter
Fleagle	Scheetz		

NOT VOTING—0

EXCUSED—3

Freind	Mrkonic	Wilson
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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.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. The attention of the members is requested for an announcement concerning the filing of petitions.

Because the Pennsylvania Constitution indicates that the old reapportionment plan for the House and Senate remains in effect until the Supreme Court acts finally on appeal, and the Supreme Court has not acted finally on the appeals that were heard on Saturday, the filing date has now arrived. So there is some measure of confusion or ambiguity about the effectiveness and the legality of certain signatures that would be obtained between the filing day of January 28 and the last day on which the court will act.

Mr. HAYES. Circulating date, Mr. Speaker, not the filing date. The date to circulate petitions.

The SPEAKER. Thank you.

The question arises about filing in the sense that if you file—correct—if you file with petitions that were circulated and petitions obtained—thank you—between January 28 and the day on which the court finally acts, there is a measure of uncertainty as to the legality of those signatures.

Therefore, the advice that is being offered generally is that as you circulate your petitions, you only circulate them in those areas which are common to both old districts and new districts; second, that if you could refrain from filing your petitions until the Supreme Court has acted, which may be as early as next week, that would also be considered good advice.

There are several other legal questions that arise, particularly as to signatures obtained now and by circulators who live in a new part of the district that is not currently in the district.

Those questions cannot be resolved in this conversation, but so that you are aware of that difficulty, the advice that is being offered is that you ought not file your petitions until the Supreme Court acts, first; second, that you ought to be wary of signatures that are obtained from residents outside the common areas of the new and old district by circulators that are other than residents of that common area.

For further kind of advice on the subject, the Chair would urge you to get counsel.

HOUSE SCHEDULE

The SPEAKER. The Chair recognizes Mr. Hayes.

Mr. HAYES. Mr. Speaker, since we are on reapportionment and we are on schedules and that sort of thing, would you provide some guidance as to what our schedule here in the House of Representatives will be the remainder of today and this week? As best you can.

The SPEAKER. We anticipate recessing rather than adjourning until the call of the Chair because of the possibility of some procedural activities that would have to go on without the full membership being on the floor. Those activities would not take place on anything substantive, nor would they take place without the approval of both leaderships.

It is not anticipated that we will return to voting session on reapportionment until next Monday, but the Chair would at this point defer to the majority whip.

Mr. ITKIN. Mr. Speaker, it is our intention to move that this House recess to the call of the Chair. It does not look like the Senate, in the next few minutes or even few hours, will send us a reapportionment bill to act on. However, we have sent one to them, and we are hoping that the Senate will act expeditiously. If the need arises that we believe that we can act and agree to a reapportionment plan before Monday, we will certainly call you back, but it looks like now that we will recess to the call of the Chair. Members ought to be cautioned that you might be called back, but our best assessment is that you will probably come back on Monday.

Mr. HAYES. Thank you, Mr. Speaker.

The SPEAKER. There will be no further votes cast today.

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 1279, PN 3019 (Amended)

By Rep. GAMBLE

An Act amending the act of June 24, 1931 (P. L. 1206, No. 331), known as "The First Class Township Code," further providing for the employment of police officers and paid operators of fire apparatus.

LOCAL GOVERNMENT.

HB 1949, PN 3020 (Amended)

By Rep. GAMBLE

An Act amending the act of June 24, 1976 (P. L. 424, No. 101), referred to as the "Emergency and Law Enforcement Personnel Death Benefits Act," further defining eligibility for benefits.

LOCAL GOVERNMENT.

HB 2264, PN 3021 (Amended)

By Rep. GAMBLE

An Act amending the act of June 24, 1976 (P. L. 424, No. 101), referred to as the "Emergency and Law Enforcement Personnel Death Benefits Act," providing for benefit coverage during mutual aid assistance.

LOCAL GOVERNMENT.

SB 401, PN 1878 (Amended)

By Rep. GAMBLE

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, relating to laws that require political subdivisions to spend funds.

LOCAL GOVERNMENT.

SB 973, PN 1879 (Amended)

By Rep. GAMBLE

An Act amending the act of July 31, 1968 (P. L. 805, No. 247), entitled, as reenacted and amended, "Pennsylvania Municipalities Planning Code," extending the act to counties of the second class; further providing for the term of members of the planning commission, for the number of members constituting a quorum of the commission, for powers and duties of the planning agency, for compliance by counties, for special encroachment permits, for the jurisdiction of the county planning agency, for the contents of subdivision and land development ordinances, for approval of plats, for completion of improvements, for recording of plats, for preventive remedies, for the transportation capital improvements plan, for classifications, for municipal curative amendments, for transferable development rights, for membership, organization and jurisdiction of the zoning hearing board and for time limitations for filing proceedings with the board; and making repeals.

LOCAL GOVERNMENT.

VOTE CORRECTIONS

The SPEAKER. The Chair recognizes Mr. Belfanti.

Mr. BELFANTI. Mr. Speaker, will we be afforded the opportunity to make corrections to the record?

The SPEAKER. The gentleman is in order.

Mr. BELFANTI. Thank you, Mr. Speaker.

When the vote was taken on HB 1129, my switch failed to operate. I would like to be recorded in the affirmative.

The SPEAKER. The Chair recognizes Mr. Anderson.

Mr. ANDERSON. Mr. Speaker, I would like to correct the record. On HB 595 on final passage, on Tuesday, January 28, my switch malfunctioned. I was not recorded. I would like to be recorded in the affirmative.

The SPEAKER. The Chair recognizes Mr. Billow.

Mr. BILLOW. Mr. Speaker, I would like to have an affirmative vote on HR 218, please.

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

The Chair recognizes Mr. Arnold.

Mr. ARNOLD. Mr. Speaker, on HB 1608 I was not in my seat. I would like to be recorded as a "yes." Also, on HR 245 I would like to be recorded as a "yes." Thank you, Mr. Speaker.

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

Is there any further business to be brought before the House?

RECESS

The SPEAKER. The House will now recess until the call of the Chair.

AFTER RECESS

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

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. Telek.

Mrs. TELEK. Mr. Speaker, I move that this House do now adjourn until Monday, February 3, 1992, at 1 p.m., e.s.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 10:59 p.m., e.s.t., the House adjourned.