

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, APRIL 7, 1992

SESSION OF 1992

176TH OF THE GENERAL ASSEMBLY

No. 26

HOUSE OF REPRESENTATIVES

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

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

PRAYER

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

Let us pray:

Gracious God our Father, remove from us the doubts and fears that would destroy our faith. We yearn for the kind of faith that makes us strong, the kind that our mothers and fathers possessed when they laid the foundation for this great Commonwealth.

The skepticism and sophistication of our age has blurred our vision and rendered us incapable of dreaming great dreams and accomplishing impossible things.

We pray for a faith that enables us to love and live, that makes us vibrant and strong, that keeps us quietly assured that in the midst of trial and tribulation, You are always there to own and bless us.

We desire a faith that will not shrink though pressed by many a foe, that will not tremble on the brink of any earthly woe.

In Your dear name we pray. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Monday, April 6, 1992, will be postponed until printed. The Chair hears no objection.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2603 By Representatives LLOYD, STEELMAN, BOYES, D. R. WRIGHT, PESCI, PETRONE, NOYE, LAUGHLIN, CAPPABIANCA, KUKOVICH,

JOHNSON, COY, SCHULER, TRELLO, TANGRETTI, DALEY, GEIST, MICOZZIE, FARGO, MELIO, COLE, GODSHALL, COLAFELLA, ARGALL, HARLEY, STEIGHNER, KRUSZEWSKI, SAURMAN, HECKLER, BATTISTO, McCALL, PHILLIPS, FLICK, OLASZ, HANNA, CORRIGAN, PISTELLA, SEMMEL and KOSINSKI

An Act requiring a transfer from the Realty Transfer Tax Account in the General Fund to the Deferred Maintenance Account; and making an appropriation.

Referred to Committee on APPROPRIATIONS, April 7, 1992.

No. 2604 By Representatives LLOYD, PETRARCA, CAPPABIANCA, NOYE, STEELMAN, PESCI, TRELLO, NICKOL, ULIANA, COY, HARPER, FAIRCHILD, NAHILL, PETRONE, FAJT, GERLACH, JOHNSON, SEMMEL, SURRA, KRUSZEWSKI, HECKLER, OLASZ, MIHALICH, COLAIZZO, DONATUCCI, CORRIGAN, PISTELLA, WOZNAK, KING, COHEN, WOGAN, CESSAR and KOSINSKI

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

Referred to Committee on JUDICIARY, April 7, 1992.

No. 2605 By Representatives CORNELL, ARMSTRONG, JOHNSON, MAIALE, HAYES, HALUSKA, NAHILL, TRELLO, TIGUE, BISHOP, KENNEY, FAJT, MELIO, TULLI, BUNT and CIVERA

An Act requiring the labeling of goods sold in this Commonwealth with the country of origin of manufacture.

Referred to Committee on BUSINESS AND COMMERCE, April 7, 1992.

No. 2606 By Representatives CORNELL, GERLACH, ARGALL, ALLEN, BOYES, FAIRCHILD, DALEY, NAHILL, J. TAYLOR, HAGARTY, BELARDI, KENNEY, FOX, STABACK, O'BRIEN, MELIO, MICOZZIE, FARMER, KREBS, MARKOSEK, STEIGHNER, GEIST,

ARMSTRONG, LINTON, SAURMAN, GALLEN, BELFANTI, KASUNIC, CIVERA, ITKIN, BILLOW, HARPER, HASAY, GODSHALL, E. Z. TAYLOR, SERAFINI, SURRA, KING, HECKLER, RICHARDSON, LAUGHLIN, VROON and ADOLPH

An Act providing for control and treatment of Lyme disease; and making appropriations.

Referred to Committee on HEALTH AND WELFARE, April 7, 1992.

No. 2607 By Representatives CORNELL, FARGO, MELIO, ARMSTRONG, BILLOW, NAHILL, CIVERA, NYCE, TRELLO, SERAFINI and JAMES

An Act amending the act of June 26, 1931 (P. L. 1379, No. 348), referred to as the "Third Class County Assessment Board Law," further providing for appointments to the Board of Assessment Appeals.

Referred to Committee on URBAN AFFAIRS, April 7, 1992.

No. 2608 By Representatives CORNELL, CAPPABIANCA, FARGO, NAHILL, COLAIZZO, E. Z. TAYLOR, LAWLESS, GERLACH and SAURMAN

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), known as the "Public School Code of 1949," further providing for filling of vacancies.

Referred to Committee on EDUCATION, April 7, 1992.

No. 2609 By Representatives CORNELL, ARGALL, BOYES, CESSAR, FAIRCHILD, GEIST, NAHILL, PHILLIPS, BELFANTI, DALEY, HANNA, HECKLER, BILLOW, J. TAYLOR, LANGTRY, VROON, TOMLINSON, E. Z. TAYLOR, GIGLIOTTI, HESS, ADOLPH, NOYE, FARGO, FLICK and ROEBUCK

An Act requiring prompt payment to certain contractors and subcontractors; and providing for the payment of interest on late payments.

Referred to Committee on BUSINESS AND COMMERCE, April 7, 1992.

No. 2610 By Representatives CORNELL, NAHILL, SCRIMENTI, CARLSON, NYCE, LAWLESS, BELFANTI, SERAFINI, MELIO, NAILOR, VROON, SAURMAN, TOMLINSON, ARMSTRONG and CORRIGAN

An Act amending the act of July 28, 1953 (P. L. 723, No. 230), known as the "Second Class County Code," providing for appointments by the board of county commissioners in a county of the second class A in certain cases.

Referred to Committee on URBAN AFFAIRS, April 7, 1992.

No. 2611 By Representatives DALEY, CESSAR, CORRIGAN, PHILLIPS, BELARDI, MICOZZIE, F. TAYLOR, PETRONE, PESCI, LAUGHLIN, MRKONIC, LESCOVITZ, HERMAN, JAROLIN, COLAIZZO, TELEK, KING, FREEMAN, STEIGHNER, CARLSON, COLE, BELFANTI, MELIO, ANGSTADT, MAYERNIK, DERMODY, HESS, WILLIAMS, KOSINSKI, PISTELLA, McCALL, KRUSZEWSKI, SERAFINI, NAHILL, ULIANA, TRELLO, JOHNSON, COY, HANNA and RAYMOND

An Act amending the act of July 15, 1976 (P. L. 1036, No. 208), known as the "Volunteer Fire Company, Ambulance Service and Rescue Squad Assistance Act," adding volunteer relief associations.

Referred to Committee on LOCAL GOVERNMENT, April 7, 1992.

No. 2612 By Representatives DALEY, BROWN, BELFANTI, BILLOW, KING, PESCI, GIGLIOTTI, JAROLIN, NOYE, LESCOVITZ, RUDY, GEIST, DENT, McCALL, PETRARCA, TOMLINSON, MELIO, PERZEL, GAMBLE, VROON, JOSEPHS, KRUSZEWSKI, F. TAYLOR, NYCE, D. W. SNYDER, WOGAN, HERMAN, RICHARDSON, KOSINSKI and LEH

An Act amending the act of July 18, 1935 (P. L. 1314, No. 411), entitled, "An act authorizing the utilization of the Pennsylvania State Police Academy for training persons to act as policemen in the political subdivisions of the Commonwealth; prescribing the qualifications for admission of such persons to such school; providing for the payment of certain costs by such students; conferring certain powers upon the Pennsylvania State Police; and making an appropriation," increasing the age limit for veterans who may enter the State Police Academy.

Referred to Committee on STATE GOVERNMENT, April 7, 1992.

No. 2613 By Representatives GERLACH, NICKOL, NOYE, OLASZ, TRELLO, McHALE, HERSHEY, DeLUCA, CLARK, M. N. WRIGHT, E. Z. TAYLOR, HAGARTY, BATTISTO, GEIST, S. H. SMITH, HARLEY, NAHILL, FAJT, RAYMOND, GODSHALL, WOGAN, HASAY and TOMLINSON

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for attachment of income.

Referred to Committee on JUDICIARY, April 7, 1992.

No. 2616 By Representatives BUSH, OLASZ, CARLSON, HANNA, SEMMEL, MELIO, DEMPSEY, CLARK, HECKLER, TOMLINSON and VROON

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

Referred to Committee on JUDICIARY, April 7, 1992.

No. 2617 By Representatives KOSINSKI, KRUSZEWSKI, TRICH, RICHARDSON, JOSEPHS, SALOOM, OLASZ, ITKIN, WOGAN and VROON

An Act amending the act of October 15, 1975 (P. L. 390, No. 111), known as the "Health Care Services Malpractice Act," further providing for health care conciliation panels and for fees; and making a repeal.

Referred to Committee on HEALTH AND WELFARE, April 7, 1992.

No. 2618 By Representatives MERRY, BATTISTO, FARGO, TIGUE, LEE, HANNA, HERSHEY, SCRIMENTI, CLARK, JAROLIN, S. H. SMITH, BUNT, BUSH, E. Z. TAYLOR, D. W. SNYDER, GERLACH and SCHULER

An Act amending the act of December 31, 1965 (P. L. 1257, No. 511), known as "The Local Tax Enabling Act," further providing for the rate of the earned income tax.

Referred to Committee on LOCAL GOVERNMENT, April 7, 1992.

No. 2619 By Representatives MERRY, HAYDEN, KING, BROWN, JADLOWIEC, BOWLEY, SURRA, WOZNIAC and STISH

An Act amending the compact contained in the act of June 5, 1937 (P. L. 1664, No. 348), entitled "An act to ratify and adopt a compact or agreement negotiated by commissioners designated by the Governor of the Commonwealth of Pennsylvania, and commissioners designated by the Governor of the State of Ohio, relative to the development, use, and control of the Pymatuning Lake and the State owned land surrounding said lake for fishing, hunting, recreational, and park purposes," changing provisions relating to the operation of motor boats.

Referred to Committee on GAME AND FISHERIES, April 7, 1992.

No. 2620 By Representatives DeLUCA, CALTAGIRONE, COLAIZZO, KASUNIC, TRELLO, PETRONE, COLAFELLA, GIGLIOTTI, MELIO, LAUGHLIN, COLE, MICHLOVIC, STUBAN, LUCYK, DALEY, PETRARCA, WOZNIAC, F. TAYLOR and JAROLIN

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for sentencing of law enforcement officials for violation of drug laws.

Referred to Committee on JUDICIARY, April 7, 1992.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 298 By Representatives E. Z. TAYLOR, HAGARTY, DeWEESE, SAURMAN, CAPPABIANCA, NYCE, FAJT, HARLEY, KING, CARLSON, TOMLINSON, FARGO, PETRARCA, JOSEPHS, ARGALL, DERMODY, HARPER, TRELLO, GERLACH, FLICK, STAIRS, McHUGH, ITKIN, PITTS, FARMER, LAWLESS, DEMPSEY, WILSON, CLYMER, KENNEY, HERSHEY, TIGUE, COY, ARMSTRONG, CLARK, LAUGHLIN, LANGTRY, PHILLIPS, BUNT, ARNOLD, CAWLEY, BILLOW, PETRONE, BATTISTO, VANCE, NOYE, VROON, GODSHALL, BELARDI, OLASZ, JOHNSON, ACOSTA, STABACK and BROWN

A Resolution memorializing the Governor to proclaim May 1992 as "Celebrate to Live" month in Pennsylvania.

Referred to Committee on RULES, April 7, 1992.

No. 299 By Representatives E. Z. TAYLOR, WOZNIAC, McHUGH, MUNDY, WAMBACH, PESCI, PETRARCA, NAILOR, PITTS, RAYMOND, BILLOW, PETRONE, KREBS, GERLACH, NOYE, FLEAGLE, HERMAN, COY, SCHULER, McHALE, FARMER, LESCOVITZ, HAGARTY, KRUSZEWSKI, NYCE, RUDY, PHILLIPS, FLICK, JOSEPHS, DONATUCCI, ARNOLD, HESS, ITKIN, FAIRCHILD, KENNEY, BARLEY, BELARDI, HARLEY, SAURMAN, CLYMER, BATTISTO, ARMSTRONG, MIHALICH, LAWLESS, DeLUCA, SERAFINI, CORRIGAN, OLASZ, STABACK, ADOLPH, M. N. WRIGHT, CARLSON, VANCE, TIGUE, HAYES, JOHNSON, CAWLEY, FAJT, DEMPSEY, LAUGHLIN, CAPPABIANCA, LANGTRY, STURLA, COLAIZZO, HARPER, GEIST, TRELLO, GIGLIOTTI, MICOZZIE, ANGSTADT, BELFANTI, JADLOWIEC, COWELL, STETLER and KING

A Resolution recognizing the month of May 1992 as "Healthy Baby Month" in Pennsylvania.

Referred to Committee on RULES, April 7, 1992.

No. 300 By Representatives E. Z. TAYLOR, OLASZ, FLICK, FARMER, LAWLESS, KRUSZEWSKI, DEMPSEY, NAHILL,

NYCE, MELIO, WOZNIAK, HERSHEY, HARLEY, TIGUE, COY, SAURMAN, GEIST, KREBS, ARMSTRONG, LAUGHLIN, ADOLPH, JOSEPHS, COLAIZZO, PHILLIPS, KASUNIC, BUNT, ARNOLD, CAWLEY, BILLOW, VROON, HAGARTY, STABACK, M. N. WRIGHT, PESCI, PITTS, CAPPABIANCA, GIGLIOTTI, CORRIGAN, FAJT, DeLUCA, KENNEY, KING, LANGTRY, CARLSON, ULIANA, TOMLINSON, DENT, HERMAN, PETRARCA, RAYMOND, HESS, NOYE, HARPER, TRELLO, BELARDI, GERLACH, ANDERSON, GLADECK, McHUGH, B. SMITH and KOSINSKI

A Resolution designating the month of May 1992 as "Physical Fitness and Sports Month."

Referred to Committee on RULES, April 7, 1992.

No. 301 By Representative BUNT

A Resolution honoring the Borough of Trappe in Montgomery County on the celebration of the 275th Anniversary of the settlement of Trappe.

Referred to Committee on RULES, April 7, 1992.

SENATE MESSAGE

ADJOURNMENT RESOLUTION FOR CONCURRENCE

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

In the Senate
April 6, 1992

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Monday, May 4, 1992, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, That when the House of Representatives adjourns this week it reconvene on Monday, May 4, 1992, unless sooner recalled by the Speaker of the House of Representatives.

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

On the question,

Will the House concur in the resolution of the Senate?

Resolution was concurred in.

Ordered, That the clerk inform the Senate accordingly.

The SPEAKER. For the information of the members, the House is awaiting the completion of the Democratic caucus.

RECESS

The SPEAKER. For the information of the members, there has been a misunderstanding about the schedule, and

the members who are not on the floor believe, however erroneously, that the House is not in session and would not be returning until 12:30, and they are not within the sound of this voice nor are they easily within our reach.

So with apologies, the Chair will now recess until 12:30 p.m., at which time we will begin promptly.

AFTER RECESS

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

THE SPEAKER PRO TEMPORE (JEFFREY W. COY) PRESIDING LEAVES OF ABSENCE

The SPEAKER pro tempore. The Chair is about to receive requests for leaves of absence.

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

Mr. ITKIN. I would like to request a leave of absence today for the gentleman from Greene, the majority leader, Mr. DeWEESE, for this afternoon.

The SPEAKER pro tempore. Without objection, the request of the gentleman, Mr. Itkin, on behalf of the gentleman, Mr. DeWeese, for leave of absence for today's session for this afternoon will be granted. The Chair hears no objection.

The Chair hears no further requests for leaves of absence.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—198

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.
Belfanti	Gallen	McGeehan	Smith, S. H.
Bilow	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	Strittmatter
Bunt	Gruppo	Michlovic	Stuban
Bush	Hagarty	Micozzie	Sturla
Butkovitz	Haluska	Mihalich	Surra
Caltagirone	Hanna	Mrkonic	Tangretti
Cappabianca	Harley	Mundy	Taylor, E. Z.
Carlson	Harper	Murphy	Taylor, F.

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—3

DeWeese Freind Noye
LEAVES CANCELED—1

Freind

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

HB 1482, PN 1708 By Rep. RICHARDSON

An Act amending the act of December 20, 1985 (P. L. 457, No. 112), known as the "Medical Practice Act of 1985," further providing for the definitions of "clinical clerk" and "foreign medical college"; and further establishing standards for medical training.

HEALTH AND WELFARE.

HB 1633, PN 3443 (Amended)
By Rep. RICHARDSON

An Act providing for assistance in the repayment of certain student loans and for scholarships in relation to the encouragement of physicians to practice medicine in the medically underserved designated shortage areas of this Commonwealth; establishing the Medical Scholarship and Loan Fund Advisory Committee and providing for its powers and duties; establishing the Medical Scholarship and Loan Fund; and making an appropriation to the Pennsylvania Higher Education Assistance Agency.

HEALTH AND WELFARE.

HB 2196, PN 3441 (Amended)
By Rep. GEORGE

An Act amending the act of January 8, 1960 (P. L. 2119, No. 787), known as the "Air Pollution Control Act," adding and amending certain definitions; further providing for the powers and duties of the Department of Environmental Resources, the Environmental Quality Board and the Environmental Hearing Board; further providing for plans and permits; providing for certain fees and civil penalties, for acid control and for hazardous air pollutants; further providing for certain procedures; provid-

ing for compliance; establishing the Compliance Advisory Panel and providing for its powers and duties; further providing for enforcement, for criminal and civil penalties and for the abatement and restraint of violations; and making editorial changes.

CONSERVATION.

HB 2313, PN 3442 (Amended)
By Rep. GEORGE

An Act amending the act of July 28, 1988 (P. L. 556, No. 101), known as the "Municipal Waste Planning, Recycling and Waste Reduction Act," establishing municipal waste management washheds; adding and amending certain definitions; requiring permit conditions for or prohibiting certain facilities; and providing for additional powers and duties of the department.

CONSERVATION.

HB 2594, PN 3394 By Rep. RICHARDSON

An Act relating to rural and inner-city health care; establishing the Bureau of Rural and Inner-City Health Care Services within the Department of Health and providing for its powers and duties; establishing the Rural and Inner-City Health Care Services Advisory Committee and providing for its powers and duties; and making appropriations.

HEALTH AND WELFARE.

VOTE CORRECTION

The SPEAKER pro tempore. For what purpose does the gentleman, Mr. Trich, rise?

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

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

Mr. TRICH. Mr. Speaker, yesterday on HR 293 I was inaccurately listed as a negative vote. I would hope that the record would show that I would be an affirmative vote.

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

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:

HB 2508, PN 3255; SB 1435, PN 1912; and HB 2492, PN 3399.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1391, PN 1616**, entitled:

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

On the question,

Will the House agree to the bill on third consideration?

BILL TABLED

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny County, Mr. Itkin.

Mr. ITKIN. Mr. Speaker, I move that HB 1391, PN 1616, be placed on the tabled calendar.

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

BILL REMOVED FROM TABLE

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

Mr. ITKIN. Mr. Speaker, I move that HB 1391, PN 1616, be removed from the tabled calendar and placed on the active calendar.

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

* * *

The House proceeded to third consideration of **SB 3, PN 2095**, entitled:

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, further providing for definitions, for title to estates of incapacitated persons, for orphans' court jurisdiction, for venue of decedents', minors', and incapacitated persons' estates, for advertising accounts, for orphans' court division trials, for surviving spouses' election, for interpretation of wills, for family exemptions, for eligibility for letters of administration, for grounds for removing personal representatives, for death or incapacity of fiduciaries, for representation of parties in interest, for foreign personal representatives, for appointment of guardians in conveyances, and for guardians' powers and duties and liabilities; establishing a procedure whereby a person may execute in advance a written declaration indicating to a physician the person's desire for a physician to initiate, continue, withhold or withdraw certain life-sustaining medical treatment in the event the person is incompetent and is determined to be in a terminal condition or to be permanently unconscious; providing for pregnancy; providing penalties; further providing for incapacitated persons in terms of statutory scope, of procedure, of appointment of guardians, of guardians' powers, duties and liabilities, of accounting and distribution, and of guardianship support; further providing for implementation of powers of attorney, for durable powers of attorney, for disclaimers by fiduciaries, for trustees' powers, duties and liabilities, for court powers over disposition of real property and for notice in cases of appointment of personal representatives for veterans; adding conforming amendments to Titles 13, 18, 23 and 42; and making technical changes.

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

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

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

(Members proceeded to vote.)

VOTE STRICKEN

The SPEAKER pro tempore. The clerk will strike the board.

The Chair reverts to final passage of the bill.

On the question, the gentlelady from Philadelphia, Ms. Josephs, is recognized.

Ms. JOSEPHS. Thank you, Mr. Speaker.

I just want to make clear for the record why I am voting "no" on this bill. I understand the need for a guardianship bill. I have voted for that separately before, and I will do it again, if need be, separately. I understand that there is some demand for a living will bill, but I cannot put the rights of some people into law at the same time as I trample on the rights of other people.

This bill still contains a clause which does not allow women who are pregnant or who may be pregnant to execute a living will. I think it is morally indefensible and intellectually dishonest to vote for this bill with this clause in it, and I will vote "no." Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentlelady.

On final passage, the gentleman, Mr. Davies.

Mr. DAVIES. Thank you, Mr. Speaker.

For all of the same reasons, I oppose the bill.

The SPEAKER pro tempore. On final passage, the gentleman, Mr. Stuban.

Mr. STUBAN. Thank you, Mr. Speaker.

Mr. Speaker, I rise to support SB 3. I think that all of the organizations across Pennsylvania represented by older Pennsylvanians - AARP (American Association of Retired Persons) and the Council on Aging and all those organizations - support this piece of legislation, so I would ask for an affirmative vote on it.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,
Shall the bill pass finally?

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

YEAS—188

Acosta	Fajt	Lee	Saloom
Adolph	Fargo	Leh	Saurman
Allen	Farmer	Lescovitz	Scheetz
Anderson	Fee	Levdanský	Schuler
Angstadt	Fleagle	Linton	Scrimenti
Argall	Flick	Lloyd	Semmel
Armstrong	Foster	Lucyk	Serafini
Arnold	Freeman	McCall	Smith, B.
Barley	Gallen	McGeehan	Smith, S. H.
Battisto	Gamble	McHale	Snyder, D. W.
Belardi	Gannon	McHugh	Snyder, G.
Belfanti	Geist	McNally	Staback
Billow	George	Markosek	Stairs
Birmelin	Gerlach	Marsico	Steeleman

Bishop	Gigliotti	Mayernik	Steighner
Black	Gladeck	Melio	Stetler
Boyes	Godshall	Merry	Stish
Broujos	Gruitza	Michlovic	Strittmatter
Brown	Gruppo	Micozzie	Stuban
Bunt	Hagarty	Mihalich	Sturla
Bush	Haluska	Mrkonic	Surra
Butkovitz	Hanna	Murphy	Tangretti
Caltagirone	Harley	Nahill	Taylor, E. Z.
Carlson	Harper	Nailor	Taylor, F.
Carone	Hasay	Nickol	Taylor, J.
Cawley	Hayden	Nyce	Telek
Cessar	Hayes	O'Brien	Thomas
Chadwick	Heckler	Olasz	Tigue
Civera	Herman	Oliver	Tomlinson
Clark	Hershey	Perzel	Trelio
Clymer	Hess	Pesci	Trich
Cohen	Itkin	Petrarca	Tulli
Colafrella	Jadlowiec	Petrone	Uliana
Colaizzo	James	Phillips	Van Horne
Cole	Jarolin	Piccola	Vance
Cornell	Johnson	Pistella	Veon
Corrigan	Kaiser	Pitts	Vroon
Cowell	Kasunic	Preston	Wambach
Coy	Kenney	Raymond	Williams
DeLuca	King	Reber	Wilson
Daley	Kosinski	Reinard	Wogan
Dempsey	Krebs	Richardson	Wozniak
Dent	Kruszewski	Rieger	Wright, D. R.
Dermody	Kukovich	Robinson	Wright, M. N.
Donatucci	LaGrotta	Roebuck	
Durham	Langtry	Rudy	O'Donnell,
Evans	Laughlin	Ryan	Speaker
Fairchild	Lawless		

NAYS—5

Bowley	Josephs	Mundy	Ritter
Davies			

NOT VOTING—5

Blaum	Carn	Hughes	Maiale
Cappabianca			

EXCUSED—3

DeWeese	Freind	Noye
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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 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.

STATEMENT BY MINORITY LEADER

The SPEAKER pro tempore. Without objection, under unanimous consent, the gentleman, Mr. Ryan, is recognized.

Mr. RYAN. Thank you, Mr. Speaker.

Mr. Speaker, I just wanted to thank really the members on both sides of the aisle for getting to this living will legislation. I commented one day last week and I know the House majority has from time to time commented that if we put our shoulders to the wheel, we together can get some things accomplished. It is unfortunate that occasionally we have to beat each other over the head in order to reach the point where we can do it.

This particular legislation that we have just passed, the living will legislation, I have been asked to place in the record that it is the same piece of legislation that it was last week. The amendments that were put in in the Appropriations Committee do not in any way affect the living will legislation, so that people who would ordinarily prepare a living will can continue to do so and it is unaffected by the guardianship provisions that were placed in by this later amendment. Apparently there are some few people who were confused as to that. There is no direct relationship between the guardianship provisions and the living will provisions, and I think the record should reflect it. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

STATEMENT BY MR. KUKOVICH

The SPEAKER pro tempore. Under unanimous consent, the gentleman, Mr. Kukovich.

Mr. KUKOVICH. Thank you, Mr. Speaker.

I would like to join in with the minority leader and remind our colleagues that this is one of the times where we can take credit in a bipartisan fashion for accomplishing two very important things.

Pennsylvania is one of the last States without living will legislation. We are one of only six or seven States that does not have limited guardianship. We have not reformed the guardianship laws in something like 45 years.

It is a very positive accomplishment that we have made today, and I am hopeful that when we send this bill over to the Senate, it will break the logjam on some other issues so all of us, House members and Senators, Democrats and Republicans, can take credit for some good things that we are doing for Pennsylvania. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

RULES SUSPENDED

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

Mr. ITKIN. Mr. Speaker, I move that rule 30 be suspended so that when the extract from the Journal of the Senate concerning HB 1467 returns to the House, the bill will appear on the calendar rather than going to the Committee on Rules.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—195

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

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

NAYS—0

NOT VOTING—3

Carn	Hughes	Maiale
		EXCUSED—3
DeWeese	Freind	Noye

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

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate, being introduced, returned HB 1467, PN 3385, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of HB 841, PN 3350, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further defining "emergency vehicle."

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

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

The question is, shall the bill pass finally?

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

YEAS—194

Acosta	Durham	Laughlin	Rudy
Adolph	Evans	Lawless	Ryan
Allen	Fairchild	Lee	Saloom
Anderson	Fajt	Leh	Saurman
Angstadt	Fargo	Lescovitz	Scheetz
Argall	Farmer	Levdansky	Schuler
Armstrong	Fee	Linton	Scrimenti
Arnold	Fleagle	Lloyd	Semmel
Barley	Flick	Lucyk	Serafini
Battisto	Foster	McCall	Smith, B.
Belardi	Freeman	McGeehan	Smith, S. H.
Belfanti	Gallen	McHale	Snyder, D. W.
Billow	Gamble	McHugh	Snyder, G.
Birmelin	Gannon	McNally	Staback
Bishop	Geist	Markosek	Stairs
Black	George	Marsico	Steelman
Blaum	Gerlach	Mayernik	Steighner
Bowley	Gigliotti	Melio	Stetler
Boyes	Gladeck	Merry	Stish
Broujos	Godshall	Michlovic	Strittmatter
Brown	Gruitza	Micozzie	Stuban
Bunt	Gruppo	Mihalich	Sturla
Bush	Hagarty	Mrkonic	Surra
Butkovitz	Haluska	Mundy	Tangretti
Caltagirone	Hanna	Murphy	Taylor, E. Z.
Cappabianca	Harley	Nahill	Taylor, F.
Carlson	Harper	Nailor	Taylor, J.
Carone	Hasay	Nickol	Telek
Cawley	Hayden	Nyce	Thomas
Cessar	Hayes	O'Brien	Tigue
Chadwick	Heckler	Olasz	Tomlinson
Civera	Herman	Oliver	Trello
Clark	Hershey	Perzel	Trich
Clymer	Hess	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	Wilson
DeLuca	Kenney	Reber	Wogan
Daley	King	Reinard	Wozniak
Davies	Kosinski	Richardson	Wright, D. R.
Dempsey	Krebs	Rieger	Wright, M. N.
Dent	Kruszewski	Ritter	
Dermody	Kukovich	Robinson	O'Donnell,
Donatucci	LaGrotta	Roebuck	Speaker

NAYS—0

NOT VOTING—4

Carn	Hughes	Langtry	Maiale
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EXCUSED—3

DeWeese Freind Noye

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 2200, PN 3351**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for issuance and content of driver's license.

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

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

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

YEAS—197

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

DeLuca	Kenney	Raymond	Wogan
Daley	King	Reber	Wozniak
Davies	Kosinski	Reinard	Wright, D. R.
Dempsey	Krebs	Richardson	Wright, M. N.
Dent	Kruszewski	Rieger	
Dermody	Kukovich	Ritter	O'Donnell,
Donatucci	LaGrotta	Robinson	Speaker
Durham	Langtry	Roebuck	

NAYS—0

NOT VOTING—1

Carn

EXCUSED—3

DeWeese Freind Noye

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.

**BILL ON CONCURRENCE
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 626, PN 3323**, entitled:

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

On the question,
Will the House concur in Senate amendments?

The SPEAKER pro tempore. Moved by the gentleman, Mr. Cohen, that the House do concur in the amendments placed in the bill by the Senate.

Mr. VROON. Mr. Speaker?

The SPEAKER pro tempore. On the question, the gentleman, Mr. Vroon.

Mr. VROON. I would like to know what was the concurrence all about, please. Somebody explain it.

The SPEAKER pro tempore. Is the gentleman, Mr. Cohen, prepared to explain the amendments placed in the bill by the Senate?

The Chair recognizes the gentleman from Philadelphia, Mr. Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, these amendments were agreed to unanimously in the State Senate. This was an agreement by the banking community, the National Guardsmen. It changes language to make it simpler for everybody.

I really cannot tell you at this moment in detail what the bill does. If the gentleman wants, we could hold it over for a couple minutes.

Is the gentleman satisfied with this answer?

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question of concurrence, those voting "aye" will vote to concur; those voting "no" will vote to nonconcur.

On the question recurring,

Will the House concur in Senate amendments?

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

YEAS—197

Acosta	Durham	Langtry	Rudy
Adolph	Evans	Laughlin	Ryan
Allen	Fairchild	Lawless	Saloom
Anderson	Fajt	Leh	Saurman
Angstadt	Fargo	Lescovitz	Scheetz
Argall	Farmer	Levdansky	Schuler
Armstrong	Fee	Linton	Scrimenti
Arnold	Fleagle	Lloyd	Semmel
Barley	Flick	Lucyk	Serafini
Battisto	Foster	McCall	Smith, B.
Belardi	Freeman	McGeehan	Smith, S. H.
Belfanti	Gallen	McHale	Snyder, D. W.
Billow	Gamble	McHugh	Snyder, G.
Birmelin	Gannon	McNally	Staback
Bishop	Geist	Maiale	Stairs
Black	George	Markosek	Steelman
Blaum	Gerlach	Marsico	Steighner
Bowley	Gigliotti	Mayernik	Stetler
Boyes	Gladeck	Melio	Stish
Broujos	Godshall	Merry	Strittmatter
Brown	Gruitza	Michlovic	Stuban
Bunt	Gruppo	Micozzie	Sturla
Bush	Hagarty	Mihalich	Surra
Butkovitz	Haluska	Mrkonic	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	Nyce	Tigue
Cessar	Heckler	O'Brien	Tomlinson
Chadwick	Herman	Olasz	Trello
Civera	Hershey	Oliver	Trich
Clark	Hess	Perzel	Tulli
Clymer	Hughes	Pesci	Uliana
Cohen	Itkin	Petrarca	Van Horne
Colafiglia	Jadlowiec	Petrone	Vance
Colaizzo	James	Phillips	Veon
Cole	Jarolin	Piccola	Vroon
Cornell	Johnson	Pistella	Wambach
Corrigan	Josephs	Pitts	Williams
Cowell	Kaiser	Preston	Wilson
Coy	Kasunic	Raymond	Wogan
DeLuca	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	Roebuck	

NAYS—0

NOT VOTING—1

Lee

EXCUSED—3

DeWeese

Freind

Noye

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

**BILL ON CONCURRENCE
IN SENATE AMENDMENTS
TO HOUSE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to House amendments to **SB 1355, PN 2041**, entitled:

An Act providing for the certification and recertification of assessors; establishing eligibility and training requirements; defining the powers and duties of the State Board of Certified Real Estate Appraisers relating to training, certification and recertification of assessors; and authorizing the board to establish fees.

On the question,

Will the House concur in Senate amendments to House amendments?

The SPEAKER pro tempore. Moved by the gentleman, Mr. Itkin, that the House do concur in the amendments placed by the Senate.

Mr. VROON. Mr. Speaker, can we also have an explanation of this?

The SPEAKER pro tempore. Yes, Mr. Vroon, we will indeed.

The question is, will the House concur in the amendments inserted by the Senate in the bill?

On the question, the gentleman, Mr. Lloyd, is recognized.

Mr. LLOYD. Thank you, Mr. Speaker.

Mr. Speaker, when this bill initially came from the Senate, it transferred the responsibility for the certification of county tax assessors from the State Tax Equalization Board to the Board of State Certified Real Estate Appraisers. The Professional Licensure Committee amended that bill to make sure that all the appropriate disciplinary powers were also extended. The House approved the bill and sent it back to the Senate.

The Senate has further amended the bill in the following way: The authority which had existed for the certification of county assessors expired on St. Patrick's Day, March 17. Because the Senate did not act by that time, the Senate has chosen to reenact the legislation, which means taking all of the House amendments verbatim, putting them into the old law, and reenacting that as a new law.

The Senate also, on the last page of the bill, includes language which ratifies any decisions or actions taken by the State Tax Equalization Board between March 17 and the time that this bill is signed into law.

So, Mr. Speaker, since the Senate is accepting the substantive changes proposed by the House, I would ask that we vote "yes" on the Senate amendments to House amendments.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question of concurrence, those voting to concur will vote "aye"; those voting to nonconcur will vote "no."

On the question recurring,

Will the House concur in Senate amendments to House amendments?

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

YEAS—197

Acosta	Durham	Langtry	Rudy
Adolph	Evans	Laughlin	Ryan
Allen	Fairchild	Lawless	Saloom
Anderson	Fajt	Lee	Saurman
Angstadt	Fargo	Leh	Scheetz
Argall	Farmer	Lescovitz	Schuler
Armstrong	Fee	Levdansky	Scrimenti
Arnold	Fleagle	Linton	Semmel
Barley	Flick	Lloyd	Serafini
Battisto	Foster	Lucyk	Smith, B.
Belardi	Freeman	McCall	Smith, S. H.
Belfanti	Gallen	McGeehan	Snyder, D. W.
Billow	Gamble	McHale	Snyder, G.
Birmelin	Gannon	McHugh	Staback
Bishop	Geist	McNally	Stairs
Black	George	Maiale	Steelman
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	Mrkonic	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	Nyce	Tigue
Cessar	Heckler	O'Brien	Tomlinson
Chadwick	Herman	Olasz	Trello
Civera	Hershey	Oliver	Trich
Clark	Hess	Perzel	Tulli
Clymer	Hughes	Pesci	Uliana
Cohen	Itkin	Petrarca	Van Horne
Colaella	Jadlowiec	Petrone	Vance
Colaizzo	James	Phillips	Veon
Cole	Jarolin	Piccola	Vroon
Cornell	Johnson	Pistella	Wambach
Corrigan	Josephs	Pitts	Williams
Cowell	Kaiser	Preston	Wilson
Coy	Kasunic	Raymond	Wogan
DeLuca	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	Roebuck	

NAYS—1

Mihalich

NOT VOTING—0

EXCUSED—3

DeWeese Freind Noye

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments to the House amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

RESOLUTIONS

Mr. SEMMEL called up **HR 290, PN 3396**, entitled:

A Resolution honoring Kutztown University on its one hundred twenty-fifth anniversary.

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

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

NAYS—0

NOT VOTING—0

EXCUSED—3

DeWeese Freind Noye

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

* * *

Ms. JOSEPHS called up HR 291, PN 3397, entitled:

A Resolution memorializing the Governor to proclaim the eight days of April 26 through May 3, 1992, as "Days of Remembrance of the Victims of the Holocaust."

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

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

NAYS—0

NOT VOTING—0

EXCUSED—3

DeWeese Freind Noye

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

* * *

Mr. GEORGE called up HR 292, PN 3398, entitled:

A Resolution directing the Conservation Committee of the House of Representatives to conduct hearings across this Commonwealth of the commercial incineration of hazardous waste.

On the question,
Will the House adopt the resolution?

Mr. RYAN offered the following amendments No. A1339:

Amend Second Resolve Clause, page 2, line 17, by inserting a period after "Commonwealth"

Amend Resolution, page 2, lines 17 through 24, by striking out "; and be it further" in line 17 and all of lines 18 through 24

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

The SPEAKER pro tempore. On the amendment, the gentleman, Mr. Ryan.

Mr. RYAN. Thank you, Mr. Speaker.

Mr. Speaker, Mr. George and I had a conversation the other day with respect to this resolution, and we agreed that my amendment should be included.

The amendment simply removes from the powers of the committee at this time the ability to issue subpoenas. This is something that we have done as a matter of course over the past several years, and in the event the committee needs a subpoena, it normally today would come back before the House, explain why it needs a subpoena, and offer an amendment to the resolution, and I would ask that this be adopted.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question of the amendment, the Chair recognizes the gentleman from Clearfield County, Mr. George.

Mr. GEORGE. Mr. Speaker, the minority leader is accurate in his assessment. This is an agreed-to amendment. We have agreed on it, and I would hope that we would accept this amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—194

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

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

NAYS—3

Freeman	McHale	Mundy
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NOT VOTING—1

Cole

EXCUSED—3

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

On the question,
Will the House adopt the resolution as amended?

The SPEAKER pro tempore. On the question, the gentleman from Schuylkill County, Representative Lucyk, is recognized.

Mr. LUCYK. Mr. Speaker, would the chairman of the Conservation Committee please stand to answer a question?

The SPEAKER pro tempore. The gentleman, Mr. George, indicates that he will stand for interrogation. The gentleman, Mr. Lucyk, is in order and may proceed.

Mr. LUCYK. Thank you, Mr. Speaker.

When I first saw this resolution and signed on to it, I had questioned Chairman George concerning including in the resolution the investigation of many of the different plants and residual waste facilities that we have across the Commonwealth, and at that time I asked him to include it, and he said we wanted to keep this resolution clean. I would just ask the

chairman of the Conservation Committee at this time if he would be in favor of, without official amendment, but looking into these matters when he takes his committee across the Commonwealth.

Mr. GEORGE. Mr. Speaker, if I may?

The SPEAKER pro tempore. The gentleman is in order to respond.

Mr. GEORGE. We had discussed this matter, and I think that I had apprised you, and I will be willing to stand with that appraisal, that your concern will be handled in this resolution as now provided to be meant.

Mr. LUCYK. I thank the gentleman.

The SPEAKER pro tempore. On the question of the resolution, the gentleman from Montgomery, Mr. Reber.

Mr. REBER. Thank you, Mr. Speaker.

Mr. Speaker, would the distinguished chairman of the House Conservation Committee stand for a brief interrogation?

The SPEAKER pro tempore. The distinguished gentleman is pleased to stand once again. The gentleman, Mr. Reber, is in order and may proceed.

Mr. REBER. Thank you, Mr. Speaker.

Mr. Speaker, I know early in this session this particular body passed a resolution empowering the House Conservation Committee—I guess one could say directing the House Conservation Committee—to move forward with an investigation of the overall operations of DER (Department of Environmental Resources), the manner in which DER is administering and enforcing the statutes of the Commonwealth of Pennsylvania.

If my memory serves me correctly, Mr. Speaker, we have not yet embarked upon a single hearing, and I was wondering if, in the course of this particular investigation in the hearing process, if we will, one, have an opportunity to delve into that particular investigation that has already been authorized by this House, and two, will the time of the committee involved in carrying out the mandates of HR 292 in any way reflect upon a loss of time for the committee to carry out the investigation of DER that has already been mandated?

Mr. GEORGE. Mr. Speaker, I think the gentleman, if asked, would admit that in no way will this resolution impact on a previous resolution and that in most cases these resolutions are put forth because of the request of individual members on both sides of the aisle. And as long as I remain the chairman of this committee, we will always do what we consider to be the best for individual Representatives on both sides of the aisle, because in fact they represent the people in Pennsylvania, and that is what we are all about. In no way will it impact.

As soon as we can get through the summer and into a time period where I feel we will be able to look into the matter of the previous resolution, I would only hope that the gentleman will find his way to coming to those hearings in a manner which would be important to the committee. As he well knows, during the course of the last several months and because of the distance, he has not been able to come to many

of our meetings, and I look forward to him being at those meetings when we do in fact conduct our hearings. Thank you, Mr. Speaker.

Mr. REBER. Mr. Speaker, do I understand the gentleman then is planning on holding hearings pursuant to the DER investigation prior to the hearings to be held on HR 292?

Mr. GEORGE. I did not hear the gentleman, Mr. Speaker.

Mr. REBER. Mr. Speaker, do I understand the gentleman to say that it is his intent to hold hearings on the DER investigation at some time during this upcoming summer recess? Is that my understanding of your response?

Mr. GEORGE. You are completely accurate in that statement.

Mr. REBER. Thank you, Mr. Speaker.

Mr. Speaker, I would only say to the distinguished chairman of the House Conservation Committee that I certainly stand ready to aid and assist him to come up with a particular meeting site or sites so it can be convenient for all members on both sides of the aisle of the committee to be in attendance at what I consider to be probably one of the most important things this House could do during this session, and that is to take a look at DER, take a look at the manner in which they are implementing the mandates which this General Assembly has asked them to carry out.

I thank the chairman of the Conservation Committee for making this commitment to hold those hearings in the upcoming summer months. Thank you very much.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question of the resolution, the gentleman, Mr. Fairchild.

Mr. FAIRCHILD. Thank you, Mr. Speaker.

I am in favor of this resolution. I think it makes an awful lot of sense. All we are doing is taking a look at a problem that all of us know exists.

I would just like to comment on the gentleman, Mr. Reber's comment and say that when you talk about convenience to all, all he has to do is follow where they are planning to suit these things. The industry says that it is convenient to all. So with that in mind, I think it only makes sense that we hold hearings where they say it is convenient to all, and that is all I want to say. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—197

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

Belfanti	Gallen	McGeehan	Snyder, D. W.
Billow	Gamble	McHale	Snyder, G.
Birmelin	Gannon	McHugh	Staback
Bishop	Geist	McNally	Stairs
Black	George	Maiale	Steelman
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	Mrkonic	Taylor, E. Z.
Cappabianca	Harley	Mundy	Taylor, F.
Carlson	Harper	Murphy	Taylor, J.
Carn	Hasay	Nahill	Telek
Carone	Hayden	Nailor	Thomas
Cawley	Hayes	Nickol	Tigue
Cessar	Heckler	Nyce	Tomlinson
Chadwick	Herman	O'Brien	Trello
Civera	Hershey	Olasz	Trich
Clark	Hess	Oliver	Tulli
Clymer	Hughes	Perzel	Uliana
Cohen	Itkin	Pesci	Van Horne
Colaella	Jadlowiec	Petrone	Vance
Colaizzo	James	Phillips	Veon
Cole	Jarolin	Piccola	Vroon
Cornell	Johnson	Pistella	Wambach
Corrigan	Josephs	Pitts	Williams
Cowell	Kaiser	Preston	Wilson
Coy	Kasunic	Raymond	Wogan
DeLuca	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	Roebuck	

NAYS—0

NOT VOTING—1

EXCUSED—3

Petrarca

DeWeese Freind Noye

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

* * *

Mr. ADOLPH called up HR 294, PN 3410, entitled:

A Resolution designating April 1992 as "Tax Accountant's Month."

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

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

Billow	Gamble	McHugh	Snyder, G.
Birmelin	Gannon	McNally	Staback
Bishop	Geist	Maiiale	Stairs
Black	George	Markosek	Steelman
Blaum	Gerlach	Marsico	Steighner
Bowley	Gigliotti	Mayermik	Stetler
Boyes	Gladeck	Melio	Stish
Broujos	Godshall	Merry	Strittmatter
Brown	Gruitza	Michlovic	Stuban
Bunt	Gruppo	Micozzie	Sturla
Bush	Hagarty	Mihalich	Surra
Butkovitz	Haluska	Mrkonic	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	Nyce	Tigue
Cessar	Heckler	O'Brien	Tomlinson
Chadwick	Herman	Olasz	Trello
Civera	Hershey	Oliver	Trich
Clark	Hess	Perzel	Tulli
Clymer	Hughes	Pesci	Uliana
Cohen	Itkin	Petrarca	Van Horne
Colafella	Jadlowiec	Petrone	Vance
Colaizzo	James	Phillips	Veon
Cole	Jarolin	Piccola	Vroon
Cornell	Johnson	Pistella	Wambach
Corrigan	Josephs	Pitts	Williams
Cowell	Kaiser	Preston	Wilson
Coy	Kasunic	Raymond	Wogan
DeLuca	Kenney	Reber	Wozniak
Daley	King	Reinard	Wright, D. R.
Davies	Kosinski	Richardson	Wright, M. N.
Dempsey	Krebs	Rieger	O'Donnell,
Dent	Kruszewski	Ritter	Speaker
Dermody	Kukovich	Robinson	
Donatucci	LaGrotta	Roebuck	

NAYS—0

NOT VOTING—1

Levdansky

EXCUSED—3

DeWeese Freind Noye

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

* * *

Mr. TRELLO called up **HR 295, PN 3411**, entitled:

A Resolution honoring Associate Justice Michael A. Musmanno.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

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

Birmelin	Gannon	McHugh	Staback
Bishop	Geist	McNally	Stairs
Black	George	Maiiale	Steelman
Blaum	Gerlach	Markosek	Steighner
Bowley	Gigliotti	Marsico	Stetler
Boyes	Gladeck	Mayermik	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	Nyce	Tigue
Cessar	Heckler	O'Brien	Tomlinson
Chadwick	Herman	Olasz	Trello
Civera	Hershey	Oliver	Trich
Clark	Hess	Perzel	Tulli
Clymer	Hughes	Pesci	Uliana
Cohen	Itkin	Petrarca	Van Horne
Colafella	Jadlowiec	Petrone	Vance
Colaizzo	James	Phillips	Veon
Cole	Jarolin	Piccola	Vroon
Cornell	Johnson	Pistella	Wambach
Corrigan	Josephs	Pitts	Williams
Cowell	Kaiser	Preston	Wilson
Coy	Kasunic	Raymond	Wogan
DeLuca	Kenney	Reber	Wozniak
Daley	King	Reinard	Wright, D. R.
Davies	Kosinski	Richardson	Wright, M. N.
Dempsey	Krebs	Rieger	O'Donnell,
Dent	Kruszewski	Ritter	Speaker
Dermody	Kukovich	Robinson	
Donatucci	LaGrotta	Roebuck	

NAYS—0

NOT VOTING—1

Mrkonic

EXCUSED—3

DeWeese Freind Noye

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

* * *

Mr. McCALL called up **HR 296, PN 3412**, entitled:

A Resolution proclaiming the week of May 2 through 10, 1992, as "American River Cleanup Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—196

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

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

NAYS—0

NOT VOTING—2

Cessar Pistella

EXCUSED—3

DeWeese Freind Noye

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

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 2139, PN 3447 (Amended)

By Rep. MURPHY

An Act amending the act of June 5, 1968 (P. L. 140, No. 78), entitled "An act regulating the writing, cancellation of or refusal to renew policies of automobile insurance; and imposing powers and duties on the Insurance Commissioner therefor," providing for exclusion of certain drivers from coverage.

INSURANCE.

HB 2390, PN 3058

By Rep. MURPHY

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), known as "The Administrative Code of 1929," further providing for medical insurance coverage for survivor-spouses of annuitants; and making a repeal.

INSURANCE.

HB 2453, PN 3446 (Amended)

By Rep. MURPHY

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for insurance fraud; and making an editorial change.

INSURANCE.

HB 2519, PN 3448 (Amended)

By Rep. MURPHY

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for required financial responsibility and for self-insurance.

INSURANCE.

HB 2586, PN 3445 (Amended)

By Rep. MURPHY

An Act amending Title 40 (Insurance) of the Pennsylvania Consolidated Statutes, providing for health insurance reforms and protections to consumers by limiting reasons of cancellation of insurance, coverage for dependent children, contestability, continuation of coverage of consumers in instances of total disability, replacement of group coverage by another insurer in continuity of coverage of the consumers who change groups.

INSURANCE.

HB 2614, PN 3408

By Rep. GAMBLE

An Act amending the act of June 11, 1968 (P. L. 149, No. 84), known as the "Volunteer Firemen's Relief Association Act," further providing for expenditure of funds; providing for cooperation agreements and for volunteer firefighters' money purchase deferred benefit plans.

LOCAL GOVERNMENT.

HB 2615, PN 3409

By Rep. GAMBLE

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for speed timing devices.

LOCAL GOVERNMENT.

STATEMENT BY MR. CESSAR

The SPEAKER pro tempore. For what purpose does the gentleman, Mr. Cessar, rise?

Mr. CESSAR. Mr. Speaker, unanimous consent to make a brief statement.

The SPEAKER pro tempore. The gentleman is in order.

Mr. CESSAR. Thank you, Mr. Speaker.

I make this statement: John Heinz was one of my constituents. He lived in my legislative district, and as we all know, on April 4, 1991, all Pennsylvanians received the shocking news that U.S. Senator John Heinz was killed in a midair collision over an elementary school in Montgomery County.

Over the past few days memorial services for Senator Heinz were held in Pittsburgh and in Washington, DC. John Heinz' reputation as a humanitarian, an environmentalist, and one who listened to the needs of all Pennsylvanians, even the meekest voices, was remembered.

As the Pittsburgh Post-Gazette noted in the editorial "Continuing the Heinz vision," John Heinz was certainly born to a life of privilege, but he was the one who always said that it was his privilege and honor to serve. Therefore, Mr. Speaker, I believe it is only fitting that the Pennsylvania House of Representatives take a moment to remember this great man, John

Heinz, the man we knew and the work that he did for all of us.

The SPEAKER pro tempore. The Chair thanks the gentleman.

In commemoration of the anniversary and in remembrance of the anniversary, the members of the House will rise and all guests will rise for a brief moment of silent meditation.

(Whereupon, the members of the House and all visitors stood in a moment of silence in solemn respect to the memory of the Honorable H. John Heinz III.)

The SPEAKER pro tempore. Members and all guests may be seated.

The Chair thanks the gentleman, Mr. Cessar.

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of HB 2500, PN 3242, entitled:

An Act making appropriations from the Workmen's Compensation Administration Fund to the Department of Labor and Industry to provide for the expenses of administering The Pennsylvania Workmen's Compensation Act and The Pennsylvania Occupational Disease Act for the fiscal year July 1, 1992, to June 30, 1993, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1992.

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

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

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

YEAS—198

Table listing names of members who voted 'YEAS' for HB 2500, including 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, and Carn.

Table listing names of members who voted 'NAYS' for HB 2500, including Carone, Cawley, Cessar, Chadwick, Civera, Clark, Clymer, Cohen, Colafella, Colaizzo, Cole, Cornell, Corrigan, Cowell, Coy, DeLuca, Daley, Davies, Dempsey, Dent, Dermody, Donatucci, Hayden, Hayes, Heckler, Herman, Hershey, Hess, Hughes, Itkin, Jadlowiec, James, Jarolin, Johnson, Josephs, Kaiser, Kasunic, Kenney, King, Kosinski, Krebs, Kruszewski, Kukovich, LaGrotta, Nailor, Nickol, Nyce, O'Brien, Olasz, Oliver, Perzel, Pesci, Petrarca, Petrone, Phillips, Piccola, Pistella, Pitts, Preston, Raymond, Reber, Reinard, Richardson, Rieger, Ritter, Robinson, Telek, Thomas, Tigue, Tomlinson, Trello, Trich, Tulli, Uliana, Van Horne, Vance, Veon, Vroon, Wambach, Williams, Wilson, Wogan, Wozniak, Wright, D. R., Wright, M. N., and O'Donnell, Speaker.

NAYS—0

NOT VOTING—0

EXCUSED—3

DeWeese, Freind, Noye

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 2501, PN 3243, entitled:

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

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

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

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

YEAS—198

Table listing names of members who voted 'YEAS' for HB 2501, including Acosta, Adolph, Allen, Anderson, Angstadt, Argall, Armstrong, Arnold, Barley, Battisto, Belardi, Belfanti, Billow, Birmelin, Durham, Evans, Fairchild, Fajt, Fargo, Farmer, Fee, Fleagle, Flick, Foster, Freeman, Gallen, Gamble, Gannon, Langtry, Laughlin, Lawless, Lee, Leh, Lescovitz, Levdansky, Linton, Lloyd, Lucyk, McCall, McGeehan, McHale, McHugh, Markosek, Maiale, Mersico, Mayernik, Melio, Merry, Michlovic, Micozzie, Mihalich, Mrkonic, Mundy, Murphy, Nahill, Roebuck, Rudy, Ryan, Saloom, Saurman, Scheetz, Schuler, Scrimenti, Semmel, Serafini, Smith, B., Smith, S. H., Snyder, D. W., and 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	Micozzie	Sturla
Butkovitz	Haluska	Mihalich	Surra
Caltagirone	Hanna	Mrkonic	Tangretti
Cappabianca	Harley	Mundy	Taylor, E. Z.
Carlson	Harper	Murphy	Taylor, F.
Carn	Hasay	Nahill	Taylor, J.
Carone	Hayden	Nailor	Telek
Cawley	Hayes	Nickol	Thomas
Cessar	Heckler	Nyce	Tigue
Chadwick	Herman	O'Brien	Tomlinson
Civera	Hershey	Olasz	Trello
Clark	Hess	Oliver	Trich
Clymer	Hughes	Perzel	Tulli
Cohen	Itkin	Pesci	Uliana
Colafella	Jadlowiec	Petrarca	Van Horne
Colaizzo	James	Petrone	Vance
Cole	Jarolin	Phillips	Veon
Cornell	Johnson	Piccola	Vroon
Corrigan	Josephs	Pistella	Wambach
Cowell	Kaiser	Pitts	Williams
Coy	Kasunic	Preston	Wilson
DeLuca	Kenney	Raymond	Wogan
Daley	King	Reber	Wozniak
Davies	Kosinski	Reinard	Wright, D. R.
Dempsey	Krebs	Richardson	Wright, M. N.
Dent	Kruszewski	Rieger	
Dermody	Kukovich	Ritter	O'Donnell,
Donatucci	LaGrotta	Robinson	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—3

DeWeese Freind Noye

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.

SUPPLEMENTAL CALENDAR A

**BILL ON CONCURRENCE
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 1467, PN 3385**, 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 penalties to conform with Federal requirements, for probation without verdict and for certain dispositions.

On the question,
Will the House concur in Senate amendments?

The SPEAKER pro tempore. On the question, the Chair recognizes the gentleman from Philadelphia, Mr. O'Brien. Mr. O'BRIEN. Thank you, Mr. Speaker.

For the information of the members, the amendment that was inserted in the Senate brings this into compliance with the Federal Transportation Appropriation Act. It merely contains the language that was passed unanimously by this House in HB 25, which amends the Drug Act, which presently requires suspension of a driver's license for 90 days for first-time offenders of the Drug Act. This increases the penalty to 6 months. Failure to enact this legislation will result in the loss of \$29 million.

This bill, as I said previously, was passed unanimously by the House. The prime sponsor, Representative Tom Caltagirone, has agreed to this amendment, and I would ask for the support of the members. Thank you.

The SPEAKER pro tempore. Moved by the gentleman, Mr. O'Brien, that the House do concur in the amendments placed in the bill by the Senate.

On the question, those voting to concur will vote "aye"; those voting to nonconcur will vote "no."

On the question recurring,
Will the House concur in Senate amendments?

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

YEAS—197

Acosta	Durham	Laughlin	Rudy
Adolph	Evans	Lawless	Ryan
Allen	Fairchild	Lee	Saloom
Anderson	Fajt	Leh	Saurman
Angstadt	Fargo	Lescovitz	Scheetz
Argall	Farmer	Levdansky	Schuler
Armstrong	Fee	Linton	Scrimenti
Arnold	Fleagle	Lloyd	Semmel
Barley	Flick	Lucyk	Serafini
Battisto	Foster	McCall	Smith, B.
Belardi	Freeman	McGeehan	Smith, S. H.
Belfanti	Gallen	McHale	Snyder, D. W.
Billow	Gamble	McHugh	Snyder, G.
Birmelin	Gannon	McNally	Staback
Bishop	Geist	Maiale	Stairs
Black	George	Markosek	Steelman
Blaum	Gerlach	Marsico	Steighner
Bowley	Gigliotti	Mayernik	Stetler
Boyes	Gladeck	Melio	Stish
Broujos	Godshall	Merry	Strittmatter
Brown	Gruitza	Michlovic	Stuban
Bunt	Gruppo	Micozzie	Sturla
Bush	Hagarty	Mihalich	Surra
Butkovitz	Haluska	Mrkonic	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	Nyce	Tigue
Cessar	Heckler	O'Brien	Tomlinson
Chadwick	Herman	Olasz	Trello
Civera	Hershey	Oliver	Trich
Clark	Hess	Perzel	Tulli
Clymer	Itkin	Pesci	Uliana
Cohen	Jadlowiec	Petrarca	Van Horne
Colafella	James	Petrone	Vance
Colaizzo	Jarolin	Phillips	Veon
Cole	Johnson	Piccola	Vroon
Cornell	Josephs	Pistella	Wambach
Corrigan	Kaiser	Pitts	Williams
Cowell	Kasunic	Preston	Wilson
Coy	Kenney	Raymond	Wogan
DeLuca	King	Reber	Wozniak

Daley	Kosinski	Reinard	Wright, D. R.
Davies	Krebs	Richardson	Wright, M. N.
Dempsey	Kruszewski	Rieger	
Dent	Kukovich	Ritter	O'Donnell,
Dermody	LaGrotta	Robinson	Speaker
Donatucci	Langtry	Roebuck	

NAYS—0

NOT VOTING—1

Hughes

EXCUSED—3

DeWeese Freind Noye

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

RULES SUSPENDED

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny County, Mr. Itkin.

Mr. ITKIN. Mr. Speaker, I move that the rules of the House be suspended so that the House may consider HR's 303 and 304.

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

The following roll call was recorded:

YEAS—197

Acosta	Durham	Langtry	Rudy
Adolph	Evans	Laughlin	Ryan
Allen	Fairchild	Lawless	Saloom
Anderson	Fajt	Lee	Saurman
Angstadt	Fargo	Leh	Scheetz
Argall	Farmer	Lescovitz	Schuler
Armstrong	Fee	Levdansky	Scrimenti
Arnold	Fleagle	Linton	Semmel
Barley	Flick	Lloyd	Serafini
Battisto	Foster	Lucyk	Smith, B.
Belardi	Freeman	McCall	Smith, S. H.
Belfanti	Gallen	McGeehan	Snyder, D. W.
Billow	Gamble	McHale	Snyder, G.
Birmelin	Gannon	McHugh	Staback
Bishop	Geist	McNally	Stairs
Black	George	Maiale	Steelman
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	Mrkonic	Taylor, E. Z.
Cappabianca	Harley	Mundy	Taylor, F.
Carlson	Harper	Murphy	Taylor, J.
Carn	Hasay	Nahill	Telek
Carone	Hayden	Nailor	Thomas
Cawley	Hayes	Nickol	Tigue
Cessar	Heckler	Nyce	Tomlinson
Chadwick	Herman	O'Brien	Trello
Civera	Hershey	Olasz	Trich
Clark	Hess	Oliver	Tulli
Clymer	Hughes	Perzel	Uliana
Cohen	Itkin	Pesci	Van Horne
Colaella	Jadlowiec	Petrarca	Vance
Colaizzo	James	Petrone	Veon

Cole	Jarolin	Phillips	Vroon
Cornell	Johnson	Piccola	Wambach
Corrigan	Josephs	Pistella	Williams
Cowell	Kaiser	Pitts	Wilson
Coy	Kasunic	Preston	Wogan
DeLuca	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	Roebuck	

NAYS—0

NOT VOTING—1

Robinson

EXCUSED—3

DeWeese Freind Noye

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

RESOLUTIONS ADOPTED

The SPEAKER pro tempore. The gentlelady from Chester County, Representative Taylor, calls up HR 303, which will be read by the clerk.

The following resolution was read:

House Resolution No. 303

A RESOLUTION

Designating April 1992 as "Pennsylvania Organ and Tissue Donor Month."

WHEREAS, Organ and tissue transplant has been recognized as a corrective and lifesaving medical procedure; and

WHEREAS, The Commonwealth of Pennsylvania has 12 transplant centers and is recognized as a world leader in organ and tissue transplant; and

WHEREAS, A vital component of the continuation and advancement of organ transplants is the retrieval of donor organs and tissue; and

WHEREAS, Improved surgical techniques and drugs to offset rejection of organs have resulted in a high success rate; and

WHEREAS, Those in need of transplants far exceed the number of organs and amount of tissue available; therefore be it

RESOLVED, That the month of April 1992 be designated as "Pennsylvania Organ and Tissue Donor Month"; and be it further

RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania encourage all Pennsylvanians to carry donor cards and encourage family members and friends to carry donor cards.

Elinor Z. Taylor
Thomas M. Tigue
Patricia H. Vance
John A. Lawless
Elaine F. Farmer
Jerry L. Nailor
Kenneth E. Kruszewski
Thomas W. Dempsey
Charles F. Nahill, Jr.
Robert E. Nyce
Anthony J. Melio
John N. Wozniak

Arthur D. Hershey
 Ellen A. Harley
 Jeffrey W. Coy
 George E. Saurman
 Richard A. Geist
 Edward H. Krebs
 Thomas E. Armstrong
 Susan Laughlin
 William F. Adolph, Jr.
 Babette Josephs
 Anthony L. Colaizzo
 Merle H. Phillips
 Richard A. Kasunic
 Raymond Bunt, Jr.
 Ed Arnold
 Gaynor Cawley
 Andrew Billow, Jr.
 Peter R. Vroon
 Lois Sherman Hagarty
 Richard D. Olasz
 Edward G. Staback
 Matthew N. Wright
 Timothy L. Pesci
 Joseph R. Pitts
 Italo S. Cappabianca
 Frank J. Gigliotti
 Thomas C. Corrigan, Sr.
 Gregory C. Fajt
 Tony DeLuca
 George T. Kenney, Jr.
 David O. King
 Edgar A. Carlson
 Joseph M. Uliana
 Charles W. Dent
 Robert M. Tomlinson
 Lynn B. Herman
 Joseph A. Petrarca
 Ron Raymond
 Fred C. Noye
 Ruth B. Harper
 Fred A. Trello
 Fred Belardi
 Jim Gerlach
 Robert J. Flick
 Daniel L. Anderson
 Connie McHugh
 Bruce Smith
 Gerard A. Kosinski
 Ivan Itkin

On the question,
 Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

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

NAYS—0

NOT VOTING—0

EXCUSED—3

DeWeese Freind Noye

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

* * *

The SPEAKER pro tempore. The gentleman from Chester County, Mr. Gerlach, calls up HR 304, which will be read by the clerk.

The following resolution was read:

House Resolution No. 304

A RESOLUTION

Declaring the month of April 1992 as "Child Abuse Prevention Month" in Pennsylvania.

WHEREAS, Children are our most precious asset; and
 WHEREAS, Each year, child abuse kills several thousand children and inflicts long-term physical, mental and emotional harm on many more children; and

WHEREAS, Child abuse respects no racial, economic or geographic boundary and, in fact, has reached epidemic proportions throughout our nation; and

WHEREAS, Child abuse is a tragedy that can and must be prevented; and

WHEREAS, The elimination of child abuse cannot be achieved without the full support of every responsible and compassionate American; and

WHEREAS, Much remains to be done in order to guarantee that our children have the safe and happy upbringing they deserve; and

WHEREAS, We should cultivate a safe nurturing social environment for our children that promotes strong and loving families and traditional values; and

WHEREAS, As our knowledge about the prevention and treatment of child abuse grows, we must provide support, information and guidance to families in which child abuse may happen; and

WHEREAS, April is designated as "National Child Abuse Prevention Month"; therefore be it

RESOLVED, That the House of Representatives declare the month of April 1992 as "Child Abuse Prevention Month" in Pennsylvania.

Jim Gerlach
 Robert J. Flick
 Arthur D. Hershey
 Leonard Q. Gruppo
 Samuel E. Hayes, Jr.
 Richard J. Cessar
 Howard L. Fargo
 Joseph M. Uliana
 Jess M. Stairs
 Matthew N. Wright
 Charles W. Dent
 Fred A. Trello
 Frank J. Gigliotti
 Tony DeLuca
 Richard D. Olasz
 John N. Wozniak
 David O. King
 Elaine F. Farmer
 Frank Tulli, Jr.
 Thomas E. Armstrong
 Lois Sherman Hagarty
 Thomas W. Dempsey
 Dennis E. Leh
 Jerry Birmelin
 Joseph R. Pitts
 Peter R. Vroon
 Elinor Z. Taylor
 Michael P. McGeehan
 Connie McHugh
 John J. Taylor
 Ron Gamble
 Nicholas A. Colafella

On the question,
 Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

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.
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	Strittmatter

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

NAYS—0

NOT VOTING—0

EXCUSED—3

DeWeese Freind Noye

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

The SPEAKER pro tempore. Without objection, the gentleman, Mr. Gerlach. For what purpose does the gentleman rise?

Mr. GERLACH. Thank you, Mr. Speaker.

On that last resolution, HR 304, there have been some members who have requested that they be able to offer their names as cosponsors of the resolution, so I would request that the resolution be held at the desk so that they can have the opportunity to do that. Thank you.

The SPEAKER pro tempore. The clerk is instructed to leave the resolution sponsored by the gentleman, Mr. Gerlach, at the desk for the remainder of today's session so that members may add their names.

CONDOLENCE RESOLUTION ADOPTED

The SPEAKER pro tempore. We are about to take up a condolence resolution on the death of a former member of the House.

The Sergeant at Arms will close the doors of the House. Members will take their seats.

The clerk will read the resolution.

The following resolution was read:

COMMONWEALTH OF PENNSYLVANIA
THE HOUSE OF REPRESENTATIVES

RESOLUTION

WHEREAS, Former member of the Pennsylvania House of Representatives Blaine C. Hocker of Chambers Hill passed away on March 19, 1992 at the age of eighty-three; and

WHEREAS, Mr. Hocker demonstrated outstanding commitment to the Republican Party as a representative in the state House from 1947-1966. During his distinguished career, which spanned twenty years, he served as chairman of the prestigious appropriations committee and the highway committee. Mr. Hocker also had the distinction, when his last House term expired, of the longest record of service from Dauphin County; and

WHEREAS, Mr. Hocker was a member of the state Constitutional Convention in 1967-1968 and served faithfully on the state Milk Marketing Board. A Coast Guard veteran of World War II, he also generously contributed his time and energy to the Lawnton American Legion Post 998; now therefore be it

RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania note with sadness the passing of Blaine Hocker, a cherished husband, a loyal and respected public servant and a valued community steward; express heartfelt condolences to his wife, Frances E. Baker Hocker; and his sister, Laura Glaser; and be it further

RESOLVED, That a copy of this resolution be transmitted to Mrs. Frances E. Baker Hocker, 5700 Chambers Hill Road, Harrisburg, Pennsylvania 17111.

We hereby certify that the foregoing is an exact copy of a resolution introduced in the House of Representatives by the Honorable Jeffrey E. Piccola and unanimously adopted by the House of Representatives.

Robert W. O'Donnell
Speaker of the
House of Representatives
ATTEST:
John J. Zubeck
Chief Clerk of the
House of Representatives

On the question,
Will the House adopt the resolution?

The SPEAKER pro tempore. Those in favor of the resolution will rise and remain standing as a mark of respect for the deceased former member. Members and all guests will rise.

(Whereupon, the members of the House and all visitors stood in a moment of silence in solemn respect to the memory of the Honorable Blaine C. Hocker.)

The SPEAKER pro tempore. The resolution has been unanimously adopted.

The Sergeant at Arms will open the doors of the House.

LEAVE OF ABSENCE CANCELED

The SPEAKER pro tempore. Without objection, the gentleman, Mr. Freind, will be added to the master roll for the day.

Mr. FREIND. Thank you, Mr. Speaker.

VOTE CORRECTIONS

Mr. FREIND. Mr. Speaker, I was not present in my seat when SB 3 was voted. Had I been present, I would have voted in the affirmative. Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Freind, who asks that his vote be recorded on SB 3. The remarks of the gentleman will be spread upon the record.

For what purpose does the gentleman, Mr. Blaum, rise?

Mr. BLAUM. Thank you, Mr. Speaker.

Mr. Speaker, my switch malfunctioned on SB 3. I would like to be recorded in the affirmative.

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

For what purpose does the gentleman, Mr. Cappabianca, rise?

Mr. CAPPABIANCA. Likewise, Mr. Speaker, my switch malfunctioned and I would like to be recorded in the affirmative on SB 3.

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

CALENDAR CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 1067, PN 1800**, entitled:

An Act amending the act of June 30, 1981 (P. L. 128, No. 43), entitled "Agricultural Area Security Law," further defining "normal farming operations"; further providing for agricultural security areas, for decisions on proposed areas and for agricultural conservation easements; increasing limitation on debt obligations; and making an appropriation.

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

The SPEAKER pro tempore. The gentleman from Lancaster County, Mr. Strittmatter, offers the following amendment, which the clerk will read.

Mr. STRITTMATTER. Mr. Speaker, the amendment has not been brought down from Reference Bureau.

The SPEAKER pro tempore. The Chair is under the impression the gentleman has two amendments. Can you proceed with the one that you have?

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

Mr. STRITTMATTER offered the following amendments
No. A1165:

Amend Sec. 4, page 6, line 27, by striking out "subsection (a) is" and inserting

subsections (a) and (h) are

Amend Sec. 4, page 6, lines 27 and 28, by striking out "a paragraph" and inserting

paragraphs

Amend Sec. 4 (Sec. 14.1), page 12, lines 16 and 17, by striking out "occurring after the effective date of this act"

Amend Sec. 4 (Sec. 14.1), page 12, lines 18 and 19, by striking out "occurring after the effective date of this act"

Amend Sec. 4 (Sec. 14.1), page 12, line 22, by striking out the bracket before "made"

Amend Sec. 4 (Sec. 14.1), page 12, line 22, by striking out "'] allocated"

Amend Sec. 4 (Sec. 14.1), page 12, line 24, by striking out the bracket before "such"

Amend Sec. 4 (Sec. 14.1), page 12, lines 25 and 26, by striking out "'] the allocation made to the county at the start of the period"

Amend Sec. 4 (Sec. 14.1), page 12, line 27, by striking out "of the annual allocation"

Amend Sec. 4 (Sec. 14.1), page 12, line 30; page 13, line 1, by striking out the brackets before and after "for the previous county fiscal year"

Amend Sec. 4 (Sec. 14.1), page 13, lines 2 and 3, by striking out all of line 2 and "allocation was made" in line 3

Amend Sec. 4 (Sec. 14.1), page 13, line 4, by striking out the bracket before "the"

Amend Sec. 4 (Sec. 14.1), page 13, lines 6 through 13, by striking out "'] the purchase of agricultural" in line 6, all of lines 7 through 13 and inserting

This paragraph shall apply only to State moneys allocated to counties during 1989 and 1990 that have not been expended or encumbered by December 31, 1991, and that would otherwise be reallocated by the State board under this paragraph.

(7.1) The first annual allocation to a county under paragraphs (3), (4) and (5)(i) shall continue for three county fiscal years occurring after the effective date of this act, and the second and third such annual allocations shall each continue for two county fiscal years occurring after the effective date of this act. Thereafter each such annual allocation shall be for one county fiscal year. Such annual allocations which have not been expended or encumbered at the end of the period for which they were allocated shall be reallocated in the subsequent county fiscal year to a county which used at least 90% of the allocation made to the county at the start of the period. The reallocation to a county under this paragraph shall be the total amount of the annual allocation available for reallocation under this paragraph multiplied by a percentage equal to the annual appropriation of local moneys appropriated by the county for the purchase of agricultural conservation easements at the start of the county fiscal year in which the annual allocation was made divided by the aggregate of local moneys appropriated by all eligible counties for the purchase of agricultural conservation easements at the start of the county fiscal year in which the annual allocation was made. Money reallocated to a county under this paragraph shall be available for one county fiscal year. Money reallocated to a county under this paragraph that has not been spent or encumbered at the conclusion of one county fiscal year shall be restored to the fund. The reallocation to all eligible counties shall be approved by the State board no later than March 1 of each year in which a reallocation is made.

On the question,

Will the House agree to the amendments?

The SPEAKER pro tempore. On the amendment, the gentleman from Lancaster, Mr. Strittmatter.

Mr. STRITTMATTER. Thank you, Mr. Speaker.

What this amendment would do is to correct what we felt in Lancaster County an inequity of not allocating the funds at the March meeting of the Preservation Board. So we would hope by enactment of this amendment that that would make that very clear and we could go back to the way we had passed

the law originally and not affect the law as written before and as enacted. What this would do is just clarify what we have known this act to be for the past years. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question of the amendment, the Chair recognizes the gentleman from Adams County, Mr. Cole.

Mr. COLE. Thank you, Mr. Speaker.

Mr. Speaker, I would like to rise to not only oppose this amendment but all amendments that are offered to SB 1067 today. What this bill does is provides corrections to the state-wide farmland preservation program, which the voters approved and created in 1988, and the reasons I am opposing all amendments, we need this bill today because the board will be meeting on April 16 to allocate the moneys for this year of the unused funds in the past.

There are 32 counties that have taken part by establishing local farmland preservation boards, so if you do not have this bill clean today, these boards will be unduly receiving less funds than they would if we passed this bill and sent it to the Governor. Local moneys have been matched for State funds by counties such as Bradford, Blair, Montgomery, and Bucks. They have put forth these local funds towards this effort, but if we do not pass this bill today without amendment, they will be penalized for a problem they did not create.

In fact, 12 counties will suffer if this measure should fail or be amended. They are Lehigh, Centre, Bucks, Adams, Lycoming, Mercer, Montgomery, Schuylkill, Susquehanna, Union, Wayne, and York Counties. They will stand to lose moneys in the farmland preservation funds at the April 16 meeting.

There are three counties, however, that will gain a windfall - Lancaster, Chester, and Berks. The preservation board of Berks has notified us. They are in agreement with this bill because it is a fairness bill, and they support it also without amendment. The farmland preservation program is for all of Pennsylvania and not for just a few counties to have a windfall.

I, too, had hoped to offer amendments to this bill but will not because of the expediency to have this bill sent directly to the Governor. So I urge a "no" vote on this amendment and all other amendments that are offered. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Westmoreland County, Mr. Stairs.

Mr. STAIRS. Thank you, Mr. Speaker.

I also rise to support my colleague on the Democrat side, the chairman of the Agriculture Committee.

I would hope that my colleagues would vote against this amendment and other subsequent amendments that are going to be offered, because farmland preservation is very important to the Commonwealth as well as the agriculture community and any delays in amendments that would take away the

fairness of this legislation would be very detrimental to the farm preservation program. So I would hope that we could be expedient today and vote against all these amendments and pass the bill as it stands and preserve our farmland preservation integrity. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Montgomery County, Mr. Godshall.

Mr. GODSHALL. Thank you, Mr. Speaker.

I concur with Chairman Cole of the Ag Committee that this amendment should be defeated.

What we are doing here is reallocating funds that were not used, dividing them up among 15 counties that have used the funds in the past. What this amendment would do is benefit 3 municipalities, as the chairman said - which would be Berks, Chester, and Lancaster - at the expense of the 12 others that would be benefiting. So you are benefiting 3 and you are taking away from 12 that have also done a good job with agricultural land preservation.

Again, I also urge the defeat of this amendment.

The SPEAKER pro tempore. Does the gentleman, Mr. Pitts, desire recognition?

Mr. PITTS. Yes.

The SPEAKER pro tempore. Does the gentleman, Mr. Strittmatter, care to wait?

Mr. STRITTMATTER. Yes, sir. That is what I was doing, waiting to go last. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Chester County, Mr. Pitts.

Mr. PITTS. Thank you, Mr. Speaker.

I rise to support the Strittmatter amendment. Ag preservation is a very important program in this State, and what has basically happened is those counties that started this program early and have been playing by the rules now are going to see the rules changed in midstream and be penalized. I do not think it is fair for those counties.

I would urge the members to adopt this Strittmatter amendment, and then the bill as it provides will change the rules for everybody on an equal footing. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the amendment, the gentleman from Lancaster, Mr. Sturla.

Mr. STURLA. Mr. Speaker, I rise in support of the Strittmatter amendment. Lancaster County has been on the forefront of agricultural preservation, and to not support this amendment would be a slap in the face to those people who have been working for agricultural preservation in the past. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the amendment, for the second time, the gentleman, Mr. Godshall.

Mr. GODSHALL. Thank you, Mr. Speaker.

I want to make it very clear that there are a lot of other counties besides Chester and Lancaster that have been playing by the rules, and we are being denied through this amendment. These are the affected counties: Adams County, Bucks County, Centre County, Lehigh County, Lycoming County, Mercer County, Montgomery County, Schuylkill County, Union County, Wayne County, and York County. We are the ones that are going to have money taken away from us and given to three other counties, which are Chester and Lancaster and Berks.

It is just sort of fair is fair, and this just plain is not fair. I again urge the defeat of this amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the amendment, the gentleman from Bucks, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to the Strittmatter amendment.

Let me just share some things. In Bucks County we already have four farms already in the program. We have application for four more farms that want to participate as well. What happens is we are in a very high growth area in Bucks County, and if we are denied these funds, perhaps we will lose some of these farms.

So I truly understand the needs of these counties that will certainly receive more dollars, but at the same time, these dollars are very critical to the farm preservation program in Bucks County, and for that reason I would urge a rejection of the amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the amendment, for the second time, the gentleman, Mr. Strittmatter.

Mr. STRITTMATTER. Thank you, Mr. Speaker.

I rise once again to clarify: This is going back to put the law the way it is today. We passed the farmland preservation bill; we set up the rules and regulations; the counties went about their work. We decided that we were going to take advantage of that and try to fulfill what the legislature wanted, and now because of doing a good job and because of doing what we were supposed to do, now to be penalized because somebody says, oh, I see that we can get some more funds, so, yeah, even though you have done this hard work, we are going to take our funds plus part of yours, even though they were the rules that were set up and established by the General Assembly and by the board.

It is not a question of someone losing funds. You did not have these to start with. It is a fact that you are going to be stealing them from Lancaster County and other counties. It is not the fact that by passing this amendment, you are going to lose some of it. It is the fact that by not passing our amendment, you are going to be stealing the funds that really should be going to Lancaster County because of the job we are doing.

There are many programs where one county benefits more than another. This happens to be because Lancaster County is the number-one agriculture county in the State, agriculture being our number-one business, that obviously the numbers would be high for Lancaster County. This is the same that happens when we have first-class cities, bills that affect first-class cities. Obviously, they get a larger take than what we do in Lancaster County. When it comes to highways, the western part of the State many times, when you look at it, got a disproportionate share of dollars because of the need or because of the economic development.

This is the same thing that happens in this formula, except right now what you are saying— We are not coming in and trying to pass an amendment saying, oh, we are trying to change it and trying to take part of your funds away. This is on the other hand. We are trying to take the funds that we are counting on during this program, over many, many years, and just because a bill has passed the Senate, the board decided not to do its job in March. The board decided, when it would normally allocate those funds, to not do that, to wait, to distribute it under this new formula. All we are asking is that the funds be distributed the way they were supposed to be, and then if we want to go into the future with a new formula, that is fine with us. We are all in favor of that. But what happened was, when the bill passed the Senate, the board then decided, oh, we will just hold up and wait for this new funding formula because there will be 12 other counties that are funded.

I think it was really terrible the way the fiscal note was prepared in the fact that it is not a fiscal note. What it is, it is just a piece of paper trying to kill an amendment, with all kinds of subjective clauses and phrases put into it without saying what it does. This is not taking money away. It is very equitable because we are the number-one county in the business of agriculture.

So I would please ask the members— I know that sometimes other counties benefit more than others. In this case, yes, Lancaster County is going to benefit, but we are the number-one agriculture county, and we would ask that we just play by the rules. Otherwise, when we have future amendments or future programs that are over a 3-, 4-, or 5-year distance, there is no reason in the world for any of our counties to act with any kind of certainty that they are going to receive the funds if they act, because what you can do is, oh, every month we are going to put our finger to the wind and see how this program is affecting our counties, and then if not enough of them are helped, well, then we are going to go through and we are going to change the formula.

We just ask for fairness in passing this amendment. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Is Mr. Herman seeking recognition?

The Chair has attempted to give the privilege of speaking last on the question to the prime sponsor of the amendment.

Would the gentleman care to speak?

Mr. HERMAN. Mr. Speaker, very briefly.

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

Mr. HERMAN. I apologize for not letting the prime sponsor of the amendment speak last. I had forgotten or was not aware it was his second time in speaking.

However, I think it should be pointed out for the record that obviously no one is ever going to be totally happy with distribution of funds, but I have to point out that the Strittmatter amendment would take away funds from 12 counties and place those in 3. I could not help but notice also that not only are 12 counties adversely affected but 4 of those would receive no funds - Centre, Mercer, Schuylkill, and Susquehanna.

I believe that it would behoove the membership of the House of Representatives today to listen closely and follow the leadership of the House Republican and Democrat chairmen of the Agriculture Committee in defeating this amendment. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—18

Armstrong	Flick	Pitts	Strittmatter
Barley	Gallen	Raymond	Sturla
Civera	Gerlach	Scheetz	Taylor, E. Z.
Davies	Hershey	Schuler	Vroon
Durham	Leh		

NAYS—181

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

Colaizzo	Jarolin	Pesci	Veon
Cole	Johnson	Petrarca	Wambach
Cornell	Josephs	Petrone	Williams
Corrigan	Kaiser	Phillips	Wilson
Cowell	Kasunic	Piccola	Wogan
Coy	Kenney	Pistella	Wozniak
DeLuca	King	Preston	Wright, D. R.
Daley	Kosinski	Reber	Wright, M. N.
Dempsey	Krebs	Reinard	
Dent	Kruszewski	Richardson	O'Donnell,
Dermody	Kukovich	Rieger	Speaker
Donatucci	LaGrotta	Ritter	

NOT VOTING—0

EXCUSED—2

DeWeese Noye

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?
Mr. LEH offered the following amendments No. A0760:

Amend Sec. 2 (Sec. 5), page 3, line 24, by striking out “shall not” and inserting

may

Amend Sec. 2 (Sec. 5), page 3, line 25, by striking out “any” and inserting

reasonable

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

The SPEAKER pro tempore. The gentleman from Berks County, Mr. Leh.

Mr. LEH. Thank you, Mr. Speaker.

My amendment simply strikes out “shall not” in that section and inserts “may” and also strikes out in the very next line “any” and inserts “reasonable.”

What this would allow is it would allow the local governing body to require a landowner who has applied to be part of the ag security area, it would require the local governing body to request that they pay the application fees as long as they are a reasonable amount. This is something, I think, that makes it more consistent with the present law when we deal with other variances at the local level. The benefactor should be required to pay the fees. This is something, I think, we talk a lot about, not mandating things on the local government bodies, and although this is not a big issue, it might only be a nickel-dime thing but it does set a precedent.

I would request the House’s support. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question, the gentleman from Adams County, Mr. Cole.

Mr. COLE. Thank you, Mr. Speaker.

Mr. Speaker, I do not necessarily disagree with the substance of the gentleman’s amendment, but again I am asking all you who represent the other 64 counties to join with me in having a clean bill in SB 1067, and for that reason alone, I ask for a “no” vote.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The gentleman from Montgomery County, Mr. Godshall.
Mr. GODSHALL. Thank you, Mr. Speaker.

I also really have nothing against this amendment, but I think it is imperative that this legislation get into the hands of the Governor as soon as possible. The minority chairman has already said that he is also asking for no amendments to be added to the legislation so we can move the legislation along. I ask for a “no” vote.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the amendment, for the second time, the gentleman from Berks, Mr. Leh.

Mr. LEH. Mr. Speaker, thank you.

I can appreciate the comments of my two colleagues here. However, I would like to remind the members that this bill just did not come before us today. This bill could have been dealt with almost a week and a half ago. I had my amendment prepared then. It is another last-minute effort that we are asked to vote on something on this House floor to expedite the process, to keep things moving. However, I think my amendment is necessary, and therefore, I still request your support. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Westmoreland, Mr. Stairs.

Mr. STAIRS. Thank you, Mr. Speaker.

As I said a few minutes earlier, I would hope that we could vote against all of the amendments to this bill. Time is of the essence. At the middle of this month, the funds will start to be distributed, and you are going to be holding up the program for amendments that would not significantly alter the bill. So I would hope that we could continue to vote against all the amendments, including this amendment that is presently proposed. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—26

Armstrong	Gallen	Leh	Smith, B.
Barley	Gerlach	Nailor	Strittmatter
Birmelin	Gladeck	Phillips	Sturla
Caltagirone	Heckler	Pitts	Taylor, E. Z.
Carone	Hershey	Scheetz	Vance
Clark	Johnson	Schuler	Vroon
Flick	Lawless		

NAYS—172

Acosta	Durham	Langtry	Ritter
Adolph	Evans	Laughlin	Roebuck
Allen	Fairchild	Lee	Rudy
Anderson	Fajt	Lescovitz	Ryan
Angstadt	Fargo	Levdansky	Saloom
Argall	Farmer	Linton	Saurman
Arnold	Fee	Lloyd	Scrimenti
Battisto	Fleagle	Lucyk	Semmel
Belardi	Foster	McCall	Serafini

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

NOT VOTING—1

Robinson

EXCUSED—2

DeWeese Noye

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?

Mr. B. SMITH offered the following amendments No. A1351:

Amend Title, page 1, line 4, by inserting after "areas" where it appears the second time

, for limitations on certain governmental actions

Amend Bill, page 1, lines 9 through 12, by striking out all of said lines and inserting

Section 1. Section 2 of the act of June 30, 1981 (P.L.128, No.43), known as the Agricultural Area Security Law, amended December 14, 1988 (P.L.1202, No.149), is amended to read:

Section 2. Statement of legislative findings.

It is the declared policy of the Commonwealth to conserve and protect and to encourage the development and improvement of its agricultural lands for the production of food and other agricultural products. It is also the declared policy of the Commonwealth to conserve and protect agricultural lands as valued natural and ecological resources which provide needed open spaces for clean air, as well as for aesthetic purposes. Article VIII, section 2 of the Constitution of Pennsylvania provides that the General Assembly may, by law, establish standards and qualifications for agricultural reserves. Agriculture in many parts of the Commonwealth is under urban pressure from expanding metropolitan areas. This urban pressure takes the form of scattered development in wide belts around urban areas, and brings con-

licting land uses into juxtaposition, creates high costs for public services, and stimulates land speculation. When this scattered development extends into good farm areas, ordinances inhibiting farming tend to follow, farm taxes rise, and hopes for speculative gains discourage investments in farm improvements. Many of the agricultural lands in the Commonwealth are in jeopardy of being lost for any agricultural purposes. Certain of these lands constitute unique and irreplaceable land resources of Statewide importance. It is the purpose of this act to provide means by which agricultural land may be protected and enhanced as a viable segment of the Commonwealth's economy and as an economic and environmental resource of major importance.

It is further the purpose of this act to:

(1) Encourage landowners to make a long-term commitment to agriculture by offering them financial incentives and security of land use.

(2) Protect farming operations in agricultural security areas from incompatible nonfarm land uses that may render farming impracticable.

(3) Assure permanent conservation of productive agricultural lands in order to protect the agricultural economy of this Commonwealth.

(4) Provide compensation to landowners in exchange for their relinquishment of the right to develop their private property.

(5) Leverage State agricultural easement purchase funds and protect the investment of taxpayers in agricultural conservation easements.

(6) Establish two separate and distinct procedures; one for the creation of agricultural security areas and one for the purchase of agricultural conservation easements.

Section 2. The definition of "normal farming operations" in section 3 of the act, amended December 14, 1988 (P.L.1202, No.149), is amended to read:

Amend Sec. 2, page 2, line 13, by striking out "2" and inserting

3

Amend Sec. 3, page 3, line 30, by striking out "3. Section 8" and inserting

4. Sections 8 and 13

Amend Sec. 3, page 4, line 1, by striking out "is" and inserting

are

Amend Sec. 3, page 6, by inserting between lines 24 and 25 Section 13. Limitation on certain governmental actions.

(a) Approval required for condemnation and for certain other actions by an agency of the Commonwealth.—No agency of the Commonwealth having or exercising powers of eminent domain shall condemn for any purpose any land within any agricultural security area which land is being used for productive agricultural purposes (not including the growing of timber) unless prior approval has been obtained in accordance with the criteria and procedures established in this section from the Agricultural Lands Condemnation Approval Board as established in section 306 of the act of April 9, 1929 (P.L.177, No.175), known as "The Administrative Code of 1929." The condemnation approval specified by this subsection shall not be required for an underground public utility facility or for any facility of an electric cooperative corporation or for any public utility facility the necessity for and the propriety and environmental effects of which has been reviewed and ratified or approved by the Pennsylvania Public Utility Commission or the Federal Energy Regulatory Commission[.], unless such facility is an electric supply line meeting the criteria set forth in subsection (b)(2), in which case approval by the Agricultural Lands Condemnation Approval Board shall be required. In addition, all State-funded development projects which might affect land in established agricultural security areas shall be reviewed by the appropriate local agricul-

tural advisory committee and by the Agricultural Lands Condemnation Approval Board. Each reviewing body may suggest any modification to the State-funded development projects which ensures the integrity of the agricultural security areas against nonfarm encroachment.

(b) Approval required for condemnation by a political subdivision, authority, public utility or other body.—

(1) No political subdivision, authority, public utility or other body having or exercising powers of eminent domain shall condemn any land within any agricultural security area for any purpose, unless prior approval has been obtained from Agricultural Lands Condemnation Approval Board and from each of the following bodies: the governing bodies of the local government units encompassing the agricultural security area, the county governing body, and the Agricultural Security Area Advisory Committee.

(2) Condemnation approval by the Agricultural Lands Condemnation Approval Board shall be required for any public utility which seeks to condemn lands within an agricultural security area for the purpose of erecting, establishing or running an above-ground electric supply line designed to carry an aggregate voltage greater than 100,000 volts on or over lands in an agricultural security area.

(3) Review by the Agricultural Lands Condemnation Approval Board and the other indicated bodies shall be in accordance with the criteria and procedures established in this section.

(4) The condemnation approvals specified by this subsection shall not be required for an underground public utility facility or for any facility of an electric cooperative corporation or for any public utility facility the necessity for and the propriety and environmental effects of which has been reviewed and ratified or approved by the Pennsylvania Public Utility Commission or the Federal Energy Regulatory Commission, unless that facility is an electric supply line meeting the criteria set forth in subsection (b)(2), in which case condemnation approval by the Agricultural Lands Condemnation Approval Board shall be required. The foregoing exemptions are applicable regardless of whether the right to establish and maintain such underground or other public utility facility is obtained by condemnation, or by agreement with the owner.

(c) Notice.—

(1) Any condemnor wishing to condemn property the approval for which is required under [this section] subsection (a) or (b)(1) shall at least 30 days prior to taking such action notify each of the [foregoing] bodies whose approval of the proposed condemnation is required that such action is contemplated, and no such condemnation shall be effective until 60 days following the receipt of such notice.

(2) Any condemnor wishing to condemn property for a project meeting the criteria of subsection (b)(2) shall at least 30 days prior to taking action notify the Agricultural Lands Condemnation Approval Board that the action is contemplated, and the condemnation shall not be effective until 90 days following both receipt of the notice and a complete and accurate list of the names and mailing addresses of the proposed condemnor, the owners of land proposed to be condemned and the local government units encompassing all or part of the area proposed to be condemned.

(d) Review by Agricultural Lands Condemnation Approval Board and other bodies.—

(1) Upon receipt of such notice the Agricultural Lands Condemnation Approval Board and the bodies provided for in subsection (b) jointly shall review the proposed condemnation in accordance with the applicable criteria established in paragraph (2).

(2) (i) In the case of condemnation for highway purposes (but not including activities relating to existing highways such as, but not limited to, widening roadways, the elimination of curves or reconstruction, for which no approval is required), in the case of condemnation for purposes of subsection (b)(2) and in the case of condemnation for the disposal of solid or liquid waste material, the Agricultural Lands Condemnation Approval Board or other appropriate reviewing body shall approve the proposed condemnation only if it determines that there is no reasonable and prudent alternative to the utilization of the land within the agricultural security area for the project.

(ii) In all other cases not otherwise specifically provided for, the Agricultural Lands Condemnation Approval Board or other appropriate reviewing body shall approve the proposed condemnation only if it determines that:

(A) the proposed condemnation would not have an unreasonably adverse effect upon the preservation and enhancement of agriculture or municipal resources within the area or upon the environmental and comprehensive plans of the county, municipality and the Commonwealth, or upon the goals, resource plans, policies or objectives thereof; or

(B) there is no reasonable and prudent alternative to the utilization of the lands within the agricultural security area for the project.

(e) Public hearings.—

(1) Within such 60-day period the Agricultural Lands Condemnation Board and other indicated bodies, as appropriate, shall hold a public hearing concerning the proposed condemnation at a place within or otherwise readily accessible to the area. Timely notice of such hearing shall be placed in a newspaper having a general circulation within the area and a written notice shall be posted at five conspicuous places within or adjacent to the area. Individual written notice shall also be given to all local government units encompassing all or part of the area, to the proposed condemnor, and to the owners of the land proposed to be condemned.

(2) Within 90 days following receipt of both notice of a proposed condemnation for a project meeting the criteria set forth in subsection (b)(2) and a complete and accurate list of the names and mailing addresses of the proposed condemnor, the owners of land proposed to be condemned and the local government units encompassing all or part of the area, the Agricultural Lands Condemnation Approval Board shall hold a single public hearing concerning the proposed condemnation. To the extent practicable, the hearing shall be held at a place readily accessible to the persons who would be affected by the proposed condemnation. Timely notice of the hearing shall be placed in at least one newspaper of general circulation within the area containing the property to be condemned. Written notice of the hearing shall be posted at five conspicuous areas within or adjacent to the area. Individual written notice shall be given to all local government units encompassing all or part of the area, to the proposed condemnor and to the owners of the land proposed to be condemned.

(f) Findings and decisions.—

(1) The Agricultural Lands Condemnation Approval Board and other indicated bodies, as appropriate, shall render findings and decisions on or before the expiration of such 60-day period and likewise within such period shall report the same to the proposed condemnor, the local government units affected and any party who files an appearance at such hearing. If the Agricultural Lands Condemnation Approval Board or any other indicated body fails to act within the 60-day period, the condemnation shall be deemed approved.

(2) The Agricultural Land Condemnation Approval Board shall render its findings and decision regarding a project which meets the criteria of subsection (b)(2) on or before the expiration of the 90-day period described in subsection (e)(2). Within this same period, the Agricultural Lands Condemnation Approval Board shall render its findings and decision to the proposed condemnor, the local government units affected and any owner of land proposed to be condemned who filed an appearance at the public hearing. If the Agricultural Lands Condemnation Approval Board fails to act within this 90-day period, the condemnation shall be deemed approved.

(g) Injunctions.—The Agricultural Lands Condemnation Approval Board may request the Attorney General or the bodies may request their solicitor to bring an action to enjoin any such condemnor from violating any of the provisions of this section.

(h) Emergencies excepted.—This section shall not apply to any emergency project which is immediately necessary for the protection of life or property.

Amend Sec. 4, page 6, line 25, by striking out “4” and inserting

5

Amend Sec. 5, page 14, line 22, by striking out “5” and inserting

6

Amend Sec. 6, page 15, line 9, by striking out “6” and inserting

7

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

The SPEAKER pro tempore. On the question, the gentleman, Mr. Smith.

Mr. B. SMITH. Thank you, Mr. Speaker.

This particular amendment is not an amendment to stop any particular transmission line. This is an amendment that offers a safeguard. It offers a step, it offers an important step for agricultural security areas, which now have an exception in the present agricultural security area law. This would be a procedure to be followed, a timetable to be followed, and it provides for at least one public hearing, and very important, a notice of the hearing must appear in the newspaper. There must be five conspicuous notices posted within the agricultural security area or adjacent to it.

One of the problems that I have experienced in this 268-mile transmission line, time after time property owners are not aware that their land is being affected. This would simply provide in agricultural security areas for the Agricultural Lands Condemnation Approval Board to act within 120 days.

As much as I would like to offer an amendment that would go further than this, this amendment does not stop a particular project. As a matter of fact, I happen to live in a borough, so this would not affect my borough or the transmission line that is planned to go through my borough. It is a safeguard; it is a protection that existing law does not currently have.

I ask for your support of this amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question, the gentleman from Adams County, Mr. Cole.

Mr. COLE. Thank you, Mr. Speaker.

Again, for the previous reasons stated, I oppose this amendment. I, too, have that very similar amendment in my hand, which I have withdrawn because, again, I want a clean bill in SB 1067, to send it directly to the Governor’s desk. The Senate will not accept an amended bill and have the time to concur, so I urge a “no” vote on this amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question, the gentleman from Lancaster, Mr. Barley.

Mr. BARLEY. Thank you, Mr. Speaker.

I rise at least to support the concept of this amendment. I think the Ag Lands Condemnation Approval Board serves a very important function, and I really believe that originally it was an oversight that transmission lines were not included in the responsibility that the Ag Lands Condemnation Approval Board had the authority to oversee.

That board is comprised of the Secretary of Agriculture; the Secretary of Transportation; the Secretary of DER (Department of Environmental Resources); a representative from the Governor’s Office, from the particular office of policy and planning; and then there are two farmers who are appointed to that board as well. Really, their responsibility, when we have projects such as this that come before them, is to basically review the project and consider whether there would be a feasible and prudent alternative. If they can find that kind of alternative, they would recommend, of course, that it would be used rather than taking the farmland.

So I think that is very reasonable. I guess my concern is that we are hearing today from the chairman of the House Ag Committee that we want to go with a clean bill, and my concern is that today is the day we have the opportunity to do this, and if we do not do it today, my question is, when will we do it?

So I think knowing how this House of Representatives works and knowing how our schedules are and the difficulty we have in getting legislation before this body, I think today is the day we act on this and we take advantage of the opportunity and we should pass this amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question, the gentlelady from Butler County, Ms. Carone.

Ms. CARONE. Mr. Speaker, this is a piece of legislation amendment that truly can be passed today and sent to the Senate. The Senate is still in session and will be there for over a half hour, and I have seen the magic of legislation being able to move quickly from chamber to chamber. So for those who are concerned that this bill cannot become law, I think that that is a mistake. I appreciate the Honorable Ken Cole, the chairman of the Ag Committee, and the responsibility that he has to get this legislation passed.

I would like to remind the members, as it has been said before by Representative Smith, this is a piece of legislation that farmers deserve to have. As a rural legislator concerned about agriculture, this becomes very important.

Presently a farmer in an ag security area who is going to have his land condemned for a public school system to build a building or for PennDOT to come and take some of his property to build a road or to widen a road, he has one last chance to come before the Condemnation Board to argue that it is detrimental to his farming operations. Ironically, when it comes to utilities, he cannot. Surely there is a mistake there, because a high-voltage tension line and other utilities can cause as much grief for that farmer as the widening of a road.

We have worked hard with the Pennsylvania Farmers' Association and with others to craft this legislation, and there are key persons in the Senate willing to concur with this language. This should not stop the bill from becoming law. It will also be fair to farmers, giving them that opportunity.

Again, everybody should be aware that most farmers do not mind having transmission lines; they make money, so it is on those rare occasions that a farmer would come before the Condemnation Board to seek help.

So if you are a rural legislator or an urban legislator concerned about the rights of farmers, I would encourage you to give us a "yes" vote, and we should not be killing this bill. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentlelady and recognizes the gentleman from York County, Representative Nickol.

Mr. NICKOL. Thank you, Mr. Speaker.

I would like to echo Representative Smith's concerns. I may not be familiar with every area crossed by proposed power lines in this Commonwealth, but I am familiar with one - a proposed line that crosses some of the most productive agricultural land in this Nation, the fruitbelt of northern Adams County, an area of unique beauty, a significant tourist resource of great potential. There are alternative routes to be considered without going through private agricultural lands in this area.

The Smith amendment would open the door to further consideration of the route of the proposed line and assure considerations of its impact on agricultural security areas in the area.

I would like to voice my support for Representative Smith's amendment and encourage everyone to support it as well. Thank you.

The SPEAKER pro tempore. The gentleman, Mr. Stairs.

Mr. STAIRS. Thank you, Mr. Speaker.

I would hope that we could continue to oppose these amendments. Time is of the essence.

One comment on this particular amendment: Highway construction is something that can be detrimental to farmland and farmland preservation, but power lines do not disrupt farming practices like a highway would. So I would hope that the PUC (Public Utility Commission) could regulate this matter and not the Farmland Preservation Board and Condemnation Board.

I hope that we would all vote to oppose this amendment like we have done in the past.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The gentleman, Mr. Godshall.

Mr. GODSHALL. Thank you, Mr. Speaker.

I also rise to oppose this amendment, which would create an additional power for approval or disapproval of a utility line. Right now 14 entities are required to be notified by a utility company and then the PUC makes a decision. This would create an entire other level of bureaucracy which would succeed in delaying the lines, and also the people, the ratepayers, are going to pay for that delay.

You know, again, I oppose this amendment. I contend that not only will this possibly stop the bill from being passed in the Senate, but it will in fact stop the bill from being passed in the Senate, and it is absolutely necessary that we go forward with this bill and send it to the Governor. Thank you.

The SPEAKER pro tempore. On the amendment, for the second time, the gentleman, Mr. Cole.

Mr. COLE. Thank you, Mr. Speaker.

Mr. Speaker, again, I hope that all the 64 counties join with me in opposing this amendment so that we can have it go directly to the Governor. Do not shortchange farm preservation in your counties. Vote "no" on this amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the amendment, for the second time, the gentleman, Mr. Smith.

Mr. B. SMITH. Thank you, Mr. Speaker.

I would like to make two points: One, you have a fiscal note on the bill. It does not create another layer of bureaucracy. The fiscal note is \$50,000. I think that this makes the bill a better bill. I think it makes it a cleaner bill, and I please ask for your support of my amendment. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—42

Armstrong	Foster	Marsico	Snyder, G.
Barley	Freeman	Murphy	Steelman
Carone	Geist	Nailor	Steighner
Cawley	Hanna	Nickol	Stetler
Clark	Heckler	Phillips	Strittmatter
Colafella	Hershey	Piccola	Sturla
Coy	Johnson	Pitts	Taylor, E. Z.
Fairchild	Josephs	Scheetz	Vance
Fargo	Krebs	Schuler	Vroon
Fleagle	LaGrotta	Smith, B.	Wright, D. R.
Flick	Laughlin		

NAYS—155

Acosta	Dent	Lawless	Ritter
Adolph	Dermody	Lee	Robinson
Allen	Donatucci	Leh	Roebuck
Anderson	Durham	Lescovitz	Rudy
Angstadt	Evans	Levdansky	Ryan
Argall	Fajt	Linton	Saloom
Arnold	Farmer	Lloyd	Saurman
Battisto	Fee	Lucyk	Scrimenti
Belardi	Gamble	McCall	Semmel

Belfanti	Gannon	McGeehan	Serafini
Billow	George	McHale	Smith, S. H.
Birmelin	Gerlach	McHugh	Snyder, D. W.
Bishop	Gigliotti	McNally	Staback
Black	Gladeck	Maiale	Stairs
Blaum	Godshall	Markosek	Stish
Bowley	Gruitza	Mayernik	Stuban
Boyes	Gruppo	Melio	Surra
Broujos	Hagarty	Merry	Tangretti
Brown	Haluska	Michlovic	Taylor, F.
Bunt	Harley	Micozzie	Taylor, J.
Bush	Harper	Mihalich	Telek
Butkovitz	Hasay	Mrkonic	Thomas
Caltagirone	Hayden	Mundy	Tigue
Cappabianca	Hayes	Nahill	Tomlinson
Carlson	Herman	Nyce	Trello
Carn	Hess	O'Brien	Trich
Cessar	Hughes	Olasz	Tulli
Chadwick	Itkin	Oliver	Uliana
Civera	Jadlowiec	Perzel	Van Horne
Clymer	James	Pesci	Veon
Cohen	Jarolin	Petrarca	Wambach
Colaizzo	Kaiser	Petrone	Williams
Cole	Kasunic	Pistella	Wilson
Cornell	Kenney	Preston	Wogan
Corrigan	King	Raymond	Wozniak
Cowell	Kosinski	Reber	Wright, M. N.
DeLuca	Kruszewski	Reinard	
Daley	Kukovich	Richardson	O'Donnell,
Davies	Langtry	Rieger	Speaker
Dempsey			

NOT VOTING—2

Freind Gallen

EXCUSED—2

DeWeese Noye

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?

Mr. STRITTMATTER offered the following amendments
No. A1356:

Amend Title, page 1, line 5, by inserting after "easements"
; further providing for limitations on eminent
domain

Amend Sec. 3, page 3, line 30, by striking out "Section 8"
and inserting

Sections 8 and 13(a) and (b)

Amend Sec. 3, page 4, line 1, by striking out "is" and insert-
ing

are

Amend Sec. 3, page 6, by inserting between lines 24 and 25
Section 13. Limitation on certain governmental actions.

(a) Approval required for condemnation and for certain other actions by an agency of the Commonwealth.—No agency of the Commonwealth having or exercising powers of eminent domain shall condemn for any purpose any land within any agricultural security area which land is being used for productive agricultural purposes (not including the growing of timber) unless prior approval has been obtained in accordance with the criteria and procedures established in this section from the Agricultural Lands Condemnation Approval Board as established in section 306 of the act of April 9, 1929 (P.L.177, No.175), known as "The Administrative Code of 1929." The condemnation approval specified by this subsection shall not be required for an underground public utility facility or for any facility of an electric cooperative corporation or for any public utility facility the

necessity for and the propriety and environmental effects of which has been reviewed and ratified or approved by the Pennsylvania Public Utility Commission or the Federal Energy Regulatory Commission. However, any public utility that files an application or letter of notification with the Pennsylvania Public Utility Commission pursuant to 52 Pa. Code Ch. 57, Subch. G (relating to commission review of siting and construction of electric transmission lines) shall serve a notice of its filing on the Agricultural Lands Condemnation Approval Board in the manner specified in 52 Pa. Code § 57.74(c) (relating to filing and service of application and notice of filing) in the case of an application or in the manner specified in 52 Pa. Code § 57.72(d)(3) (relating to form and content of application) in the case of a letter of notification, and the board shall be entitled to all notifications of hearings and to the right of intervention in such hearings as specified in 52 Pa. Code § 57.75 (relating to hearing and notice) as if it had been expressly listed as a notice recipient in 52 Pa. Code § 57.74(c). In addition, all State-funded development projects which might affect land in established agricultural security areas shall be reviewed by the appropriate local agricultural advisory committee and by the Agricultural Lands Condemnation Approval Board. Each reviewing body may suggest any modification to the State-funded development projects which ensures the integrity of the agricultural security areas against nonfarm encroachment.

(b) Approval required for condemnation by a political subdivision, authority, public utility or other body.—No political subdivision, authority, public utility or other body having or exercising powers of eminent domain shall condemn any land within any agricultural security area for any purpose, unless prior approval has been obtained from Agricultural Lands Condemnation Approval Board and from each of the following bodies: the governing bodies of the local government units encompassing the agricultural security area, the county governing body, and the Agricultural Security Area Advisory Committee. Review by the Agricultural Lands Condemnation Approval Board and the other indicated bodies shall be in accordance with the criteria and procedures established in this section. The condemnation approvals specified by this subsection shall not be required for an underground public utility facility or for any facility of an electric cooperative corporation or for any public utility facility the necessity for and the propriety and environmental effects of which has been reviewed and ratified or approved by the Pennsylvania Public Utility Commission or the Federal Energy Regulatory Commission, regardless of whether the right to establish and maintain such underground or other public utility facility is obtained by condemnation, or by agreement with the owner. However, any public utility that files an application or letter of notification with the Pennsylvania Public Utility Commission pursuant to 52 Pa. Code Ch. 57, Subch. G (relating to commission review of siting and construction of electric transmission lines) shall serve a notice of its filing on the Agricultural Lands Condemnation Approval Board in the manner specified in 52 Pa. Code § 57.74(c) (relating to filing and service of application and notice of filing) in the case of an application or in the manner specified in 52 Pa. Code § 57.72(d)(3) (relating to form and content of application) in the case of a letter of notification, and the board shall be entitled to all notifications of hearings and to the right of intervention in such hearings as specified in 52 Pa. Code § 57.75 (relating to hearing and notice) as if it had been expressly listed as a notice recipient in 52 Pa. Code § 57.74(c).

On the question,

Will the House agree to the amendments?

The SPEAKER pro tempore. On the amendment, the gentleman from Lancaster, Mr. Strittmatter.

Mr. STRITTMATTER. Thank you, Mr. Speaker.

This amendment will go right along with the other amendment in the fact that it will not set up the bureaucracy that some people are concerned about. This will provide for the notification of the board at any time that there would be a public taking.

I believe that this would go far in helping improve the bill, and I would ask for your favorable consideration. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question, the gentleman, Mr. Cole.

Mr. COLE. Mr. Speaker, I urge a "no" vote on the amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendments?

(Members proceeded to vote.)

VOTE STRICKEN

The SPEAKER pro tempore. The clerk will strike the board. The clerk will strike the board.

The wrong amendment number was posted on the board. The correct amendment number Mr. Strittmatter offered is amendment 1356. The clerk will post that.

Is that correct, Mr. Strittmatter?

The gentleman, Mr. Strittmatter.

Mr. STRITTMATTER. Yes, sir?

The SPEAKER pro tempore. Is the amendment correct, the one that is posted at this point?

Mr. STRITTMATTER. Yes, sir.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Mr. STRITTMATTER. The one thing I would like to point out—

The SPEAKER pro tempore. The gentleman is recognized on amendment 1356.

Mr. STRITTMATTER. Thank you, Mr. Speaker.

The reason we are trying to do this is just, you know, for the fairness issue, the fact that we did play along with the rules of the game and now all of a sudden we are going to be hurt by people looking at the formula and saying, oh, yes, we can change this and take from somebody else.

I just, you know, point out what the chairmen of the committees were saying, well, all 64 other counties, but they only talk about 12 that would be gaining by raiding the 3 counties. So I would please ask the other counties not to be lulled into the thought that you are going to have some windfall at the expense of the three counties. Yes, there are 12 counties that are going to get a windfall, but not 64 counties. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—18

Armstrong	Freeman	Pitts	Strittmatter
Barley	Gallen	Scheetz	Sturla
Carone	Gerlach	Schuler	Taylor, E. Z.
Davies	Hershey	Steighner	Vroon
Flick	Leh		

NAYS—179

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

NOT VOTING—2

Bishop	Freind
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EXCUSED—2

DeWeese	Noye
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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?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—188

Acosta	Durham	Laughlin	Roebuck
Adolph	Evans	Lawless	Rudy
Allen	Fairchild	Lee	Ryan
Anderson	Fajt	Leh	Saloom
Angstadt	Fargo	Lescovitz	Saurman
Argall	Farmer	Levdansky	Scrimenti
Arnold	Fee	Linton	Semmel
Battisto	Fleagle	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	Gannon	McHugh	Staback
Black	Geist	McNally	Stairs
Blaum	George	Maiale	Steelman
Bowley	Gigliotti	Markosek	Steighner
Boyes	Gladeck	Marsico	Stetler
Broujos	Godshall	Mayernik	Stish
Brown	Gruitza	Melio	Stuban
Bunt	Gruppo	Merry	Sturla
Bush	Hagarty	Michlovic	Surra
Butkovitz	Haluska	Micozzie	Tangretti
Caltagirone	Hanna	Mihalich	Taylor, E. Z.
Cappabianca	Harley	Mrkonic	Taylor, F.
Carlson	Harper	Mundy	Taylor, J.
Carn	Hasay	Nahill	Telek
Carone	Hayden	Nailor	Thomas
Cawley	Hayes	Nickol	Tigue
Cessar	Heckler	Nyce	Tomlinson
Chadwick	Herman	O'Brien	Trello
Civera	Hess	Olasz	Trich
Clark	Hughes	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	Preston	Wilson
Coy	Kenney	Raymond	Wogan
DeLuca	King	Reber	Wozniak
Daley	Kosinski	Reinard	Wright, D. R.
Davies	Krebs	Richardson	Wright, M. N.
Dempsey	Kruszewski	Rieger	
Dent	Kukovich	Ritter	O'Donnell,
Dermody	LaGrotta	Robinson	Speaker
Donatucci	Langtry		

NAYS—9

Armstrong	Gerlach	Pitts	Schuler
Barley	Hershey	Scheetz	Strittmatter
Flick			

NOT VOTING—2

Freind	Murphy
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EXCUSED—2

DeWeese	Noye
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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 return the same to the Senate with the information that the House has passed the same without amendment.

RULES SUSPENDED

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

Mr. ITKIN. Mr. Speaker, I move that rule 30 of the House be suspended so that when HB 1174 and the extract from the Journal of the Senate contained therewith be returned from the Senate, that the bill go immediately to the calendar rather than the Committee on Rules.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—197

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

NAYS—0

NOT VOTING—2

Carone	Nahill
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EXCUSED—2

DeWeese Noye

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

SENATE MESSAGE

AMENDED HOUSE BILL
RETURNED FOR CONCURRENCE

The clerk of the Senate, being introduced, returned **HB 1174, PN 3418**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. There will be no further votes taken on the floor of the House of Representatives for this day's session. The members are free to leave.

ANNOUNCEMENT BY MR. FREEMAN

The SPEAKER pro tempore. For what purpose does the gentleman, Mr. Freeman, rise?

Mr. FREEMAN. To remind members of a meeting.

The SPEAKER pro tempore. The gentleman is in order. The gentleman, Mr. Freeman.

Mr. FREEMAN. Thank you, Mr. Speaker.

Mr. Speaker, I just want to remind the members of the House select committee on land use and growth management that we are meeting this afternoon in room 39E of the East Wing. It should be a very brief meeting, but I urge all the members of the select committee on land use and growth management to please attend.

VOTE CORRECTION

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

Mr. HERSHEY. Thank you, Mr. Speaker.

To correct a vote.

The SPEAKER pro tempore. The gentleman is in order.

Mr. HERSHEY. On SB 1067, amendment A0760, I voted in the affirmative. I wish to vote in the negative.

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

COMMITTEE MEETING CANCELED

The SPEAKER pro tempore. The gentleman, Mr. Cowell.

Mr. COWELL. Thank you, Mr. Speaker.

Mr. Speaker, I want to announce that the meeting of the House Education Committee scheduled for tomorrow, Wednesday, is canceled.

The SPEAKER pro tempore. The Chair thanks the gentleman.

VOTE CORRECTIONS

The SPEAKER pro tempore. The gentelady, Mrs. Taylor. Mrs. TAYLOR. Mr. Speaker, the record shows that I voted in the affirmative on SB 1067. I would like to be recorded in the negative.

The SPEAKER pro tempore. The remarks of the gentelady will be spread upon the record.

The gentleman, Mr. Gerlach.

Mr. GERLACH. Thank you, Mr. Speaker.

On amendment 0760 to SB 1067, I was recorded in the affirmative. I would like to be recorded in the negative on that. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman. The remarks of the gentleman will be spread upon the record.

For what purpose does the gentleman, Mr. Richardson, rise?

Mr. RICHARDSON. Mr. Speaker, on SB 3 my switch was inoperative. I was recorded in the affirmative. I would like to be recorded in the negative, please.

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

The desk of the House will remain open. Members are reminded, when the adjournment motion is offered, it will be until Monday, May 4, at 1 o'clock p.m.

For what purpose does the gentleman, Mr. Hughes, rise?

Mr. HUGHES. Mr. Speaker, to correct the record on SB 3. My switch was recorded not voting, and I would like to be recorded in the negative, sir.

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

The Chair returns the gavel to the Speaker of the House, Representative O'Donnell.

THE SPEAKER (ROBERT W. O'DONNELL)
PRESIDING

SENATE MESSAGE

HOUSE AMENDMENTS
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to **SB 3, PN 2095; SB 40, PN 2039; SB 1040, PN 2091; and SB 1331, PN 2009.**

BILLS SIGNED BY SPEAKER

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

HB 626, PN 3323

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

HB 1467, PN 3385

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 penalties to conform with Federal requirements, for probation without verdict and for certain dispositions.

SB 3, PN 2095

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, further providing for definitions, for title to estates of incapacitated persons, for orphans' court jurisdiction, for venue of decedents', minors', and incapacitated persons' estates, for advertising accounts, for orphans' court division trials, for surviving spouses' election, for interpretation of wills, for family exemptions, for eligibility for letters of administration, for grounds for removing personal representatives, for death or incapacity of fiduciaries, for representation of parties in interest, for foreign personal representatives, for appointment of guardians in conveyances, and for guardians' powers and duties and liabilities; establishing a procedure whereby a person may execute in advance a written declaration indicating to a physician the person's desire for a physician to initiate, continue, withhold or withdraw certain life-sustaining medical treatment in the event the person is incompetent and is determined to be in a terminal condition or to be permanently unconscious; providing for pregnancy; providing penalties; further providing for incapacitated persons in terms of statutory scope, of procedure, of appointment of guardians, of guardians' powers, duties and liabilities, of accounting and distribution, and of guardianship support; further providing for implementation of powers of attorney, for durable powers of attorney, for disclaimers by fiduciaries, for trustees' powers, duties and liabilities, for court powers over disposition of real property and for notice in cases of appointment of personal representatives for veterans; adding conforming amendments to Titles 13, 18, 23 and 42; and making technical changes.

SB 40, PN 2039

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, reenacting certain provisions relating to the Philadelphia Municipal Court; and further providing for limitations on compulsory arbitration.

SB 1040, PN 2091

An Act authorizing and directing the Department of General Services, with the approval of the Governor, to convey the Monocacy Battlefield in Frederick, Maryland, to the United States of America; authorizing the conveyance of Ashland State General Hospital to the Ashland Area Community Hospital, Incorporated, for the purpose of operating a hospital or other health care facility on the site; authorizing the conveyance of Coaldale State General Hospital to the Carbon Schuylkill Community Hospital, Incorporated, for the purpose of operating a hospital or other health care facility on the site; and making repeals.

SB 1331, PN 2009

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, providing for the commission to order the acquisition of small water and sewer utilities; providing for approval of utility Clean Air Act implementation plans; and further providing for gas pipeline safety violations.

SB 1355, PN 2041

An Act providing for the certification and recertification of assessors; establishing eligibility and training requirements; defining the powers and duties of the State Board of Certified Real Estate Appraisers relating to training, certification and recertification of assessors; and authorizing the board to establish fees.

The SPEAKER. For the information of the visitors, the House has concluded its business for the day so you continue to be welcome in the back with your guide. And I understand the impression. The reason why none of the members are on the floor is because we have completed the business of the day and we are just taking care of some parliamentary matters, so you ought to feel free and welcome.

BILL SIGNED BY SPEAKER

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

SB 1067, PN 1800

An Act amending the act of June 30, 1981 (P. L. 128, No. 43), entitled "Agricultural Area Security Law," further defining "normal farming operations"; further providing for agricultural security areas, for decisions on proposed areas and for agricultural conservation easements; increasing limitation on debt obligations; and making an appropriation.

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 Representative Murphy.

Mr. MURPHY. Mr. Speaker, I move that this House do now adjourn until Monday, May 4, 1992, at 1 p.m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 2:45 p.m., e.d.t., the House adjourned.