

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, MAY 12, 1992

SESSION OF 1992 176TH OF THE GENERAL ASSEMBLY

No. 31

HOUSE OF REPRESENTATIVES

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

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

PRAYER

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

Let us pray:

O Father, this is a day that You have made. It is Your special gift to us, and we rejoice in it. It is a day that might bring some hard task to our life or some hard trial to our love. We may even grow weary or sad or hopeless, but, Father, our entire life has been one convincing proof of Your goodness to us, and so we are not fearful.

Bread has come to our bodies, thoughts to our minds, and love to our hearts - all because of You. While we stand in the early part of this day, help us to resolve to hold to Your unchanging hand.

We trust You to shine into any gloom of our mind, to stand by us in any trial, and to give us rest at the end of our journey.

On this day, O Lord, may we seek to draw closer to You and to strive to become more like You.

In Your dear name we pray. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Monday, May 11, 1992, will be postponed until printed. The Chair hears no objection.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2647 By Representatives McHALE, BELARDI, STUBAN, CALTAGIRONE, STEIGHNER, KUKOVICH, SAURMAN, NAHILL, CLYMER, BISHOP, VAN HORNE,

STETLER, BUTKOVITZ, PETRONE, KRUSZEWSKI, BATTISTO, VROON, TOMLINSON, WILLIAMS, KING, ADOLPH, BUNT, HERSHEY, CORNELL, GRUPPO, WILSON and McHUGH

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for restraint systems.

Referred to Committee on TRANSPORTATION, May 12, 1992.

No. 2706 By Representatives MELIO, BELARDI, SALOOM, DONATUCCI, NYCE, STEIGHNER, DALEY, GIGLIOTTI, GRUPPO, DeLUCA, F. TAYLOR, CORRIGAN, M. N. WRIGHT, COLAIZZO, LAUGHLIN, TRELLO, OLASZ, TOMLINSON, BILLOW, RICHARDSON and TANGRETTI

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the use of hazard signal lamps.

Referred to Committee on TRANSPORTATION, May 12, 1992.

No. 2707 By Representatives LLOYD, SCRIMENTI, COLAIZZO, PISTELLA, HERMAN, BATTISTO, PESCI, COY, DALEY, KOSINSKI, D. R. WRIGHT, STEIGHNER, JAROLIN, KREBS, CALTAGIRONE, MELIO, WOZNIAK, FARGO, STABACK, LAUGHLIN, STETLER, BELFANTI, BUNT, TANGRETTI, McCALL, FAJT, McNALLY, STEELMAN, MICOZZIE, PRESTON, JOSEPHS, HANNA, VAN HORNE, BOWLEY, SURRA, CESSAR, CIVERA and CAPPABIANCA

An Act amending the act of May 17, 1956 (1955 P. L. 1609, No. 537), known as the "Pennsylvania Industrial Development Authority Act," further providing for nonmanufacturing enterprises.

Referred to Committee on APPROPRIATIONS, May 12, 1992.

No. 2708 By Representatives LLOYD, SCRIMENTI, COLAIZZO, PISTELLA, HERMAN, BATTISTO, PESCI, COY, DALEY, KOSINSKI, D. R. WRIGHT, STEIGHNER,

JAROLIN, KREBS, CALTAGIRONE, MELIO, WOZNIAK, STABACK, LAUGHLIN, STETLER, BELFANTI, BUNT, TANGRETTI, McCALL, FAJT, McNALLY, STEELMAN, MICOZZIE, PRESTON, JOSEPHS, HANNA, VAN HORNE, BOWLEY, SURRA, CESSAR, CIVERA and CAPPABIANCA

An Act amending the act of July 2, 1984 (P. L. 520, No. 105), known as the "Business Infrastructure Development Act," further providing for nonmanufacturing enterprises.

Referred to Committee on APPROPRIATIONS, May 12, 1992.

No. 2709 By Representatives LLOYD, SCRIMENTI, COLAIZZO, PISTELLA, HERMAN, BATTISTO, PESCI, COY, DALEY, KOSINSKI, D. R. WRIGHT, STEIGHNER, JAROLIN, KREBS, CALTAGIRONE, MELIO, WOZNIAK, STABACK, LAUGHLIN, BELFANTI, BUNT, TANGRETTI, McCALL, FAJT, McNALLY, STEELMAN, MICOZZIE, PRESTON, JOSEPHS, HANNA, VAN HORNE, BOWLEY, SURRA, CESSAR, CIVERA and CAPPABIANCA

An Act amending the act of July 2, 1984 (P. L. 545, No. 109), known as the "Capital Loan Fund Act," further defining "capital development project" or "project" and "small business enterprise" and adding a definition of "nonmanufacturing enterprise."

Referred to Committee on APPROPRIATIONS, May 12, 1992.

No. 2710 By Representatives LLOYD, SCRIMENTI, COLAIZZO, MERRY, TIGUE, HERMAN, BATTISTO, PESCI, COY, DALEY, KOSINSKI, D. R. WRIGHT, STEIGHNER, JAROLIN, CALTAGIRONE, MELIO, ALLEN, WOZNIAK, FARGO, LAUGHLIN, BELFANTI, BUNT, TANGRETTI, McCALL, FAJT, McNALLY, STEELMAN, MICOZZIE, PRESTON, JOSEPHS, HANNA, VAN HORNE, BOWLEY, SURRA, CESSAR, CIVERA and CAPPABIANCA

An Act providing for the establishment, implementation and administration of a Community Facilities Assistance Program; establishing a Community Facilities Grant Program; and imposing powers and duties on the Pennsylvania Infrastructure Investment Authority.

Referred to Committee on APPROPRIATIONS, May 12, 1992.

No. 2711 By Representatives STURLA, SCHULER, FAJT, HASAY, CARONE, KOSINSKI, NYCE, TRICH, ARGALL, TIGUE, MELIO, LEVDANSKY, BATTISTO,

NOYE, SAURMAN, KRUSZEWSKI, LEE, GEIST, KASUNIC, LUCYK, NICKOL, FLICK, WOZNIAK, HARLEY, TANGRETTI, BROUJOS, FREEMAN, COY, SALOOM, BILLOW, KING, STETLER and STEELMAN

An Act authorizing wardens and other officials in charge of correctional institutions to establish inmate litter retrieval and collection programs.

Referred to Committee on JUDICIARY, May 12, 1992.

No. 2712 By Representatives CLARK, BUNT, KING, ADOLPH, M. N. WRIGHT, SEMMEL, PHILLIPS, FLEAGLE, TIGUE, NICKOL, CESSAR, ARGALL, DURHAM, COY, DERMODY, FAIRCHILD, STABACK, B. SMITH, CLYMER, PERZEL, ARNOLD, SAURMAN, SERAFINI, FARGO, NOYE, TOMLINSON, KASUNIC, DEMPSEY, JOHNSON, GEIST, RAYMOND, BILLOW, HARPER, BROWN, E. Z. TAYLOR, LAWLESS, ALLEN, STAIRS, MELIO, HECKLER, TANGRETTI, NAILOR, ARMSTRONG, HAYES, FARMER, NAHILL, TELEK, KOSINSKI, WOGAN and MICOZZIE

An Act amending the act of June 11, 1968 (P. L. 149, No. 84), known as the "Volunteer Firemen's Relief Association Act," providing for use of association funds for hepatitis B immunizations.

Referred to Committee on LOCAL GOVERNMENT, May 12, 1992.

No. 2713 By Representatives MICHLOVIC, TIGUE, DeWEESE, LEVDANSKY, VEON, COY, BATTISTO, FAIRCHILD, KUKOVICH, LINTON, McHALE, COLAIZZO, BUTKOVITZ, VAN HORNE, KRUSZEWSKI, FREEMAN, PISTELLA, MARKOSEK, STABACK, JOHNSON, STEIGHNER, BELFANTI, MELIO, TRELLO, LaGROTTA, DALEY, McCALL, STURLA, OLASZ, KING, RICHARDSON, PESCI, SALOOM, JOSEPHS, KOSINSKI, CAPPABIANCA, GIGLIOTTI, F. TAYLOR, ITKIN, MERRY and HALUSKA

An Act amending the act of July 2, 1984 (P. L. 568, No. 113), known as the "Employee-Ownership Assistance Program Act," further providing for prefeasibility assessment funding and for the extension of the final date for approvals.

Referred to Committee on APPROPRIATIONS, May 12, 1992.

No. 2714 By Representatives DONATUCCI, OLIVER, McGEEHAN and HAYDEN

An Act authorizing the Department of Military Affairs and the Department of General Services, with the approval of the Governor, to sell and convey a tract of land, together with the buildings and structures thereto, in the City of Philadelphia, Philadelphia County.

Referred to Committee on STATE GOVERNMENT, May 12, 1992.

No. 2715 By Representatives HECKLER, FAJT, HAGARTY, TRELLO, S. H. SMITH, ITKIN, BOYES, DeLUCA, BARLEY, MELIO, TOMLINSON, STEELMAN, SCHEETZ, STURLA, NOYE, PETRONE, BUNT, E. Z. TAYLOR, HARLEY, D. W. SNYDER, NAHILL and J. TAYLOR

An Act providing for the creation and operation of the Family Court Judges' Commission in the Office of General Counsel and prescribing its powers and duties.

Referred to Committee on JUDICIARY, May 12, 1992.

No. 2716 By Representatives COY, NICKOL, KING, COLAFELLA, TULLI, VAN HORNE, LESCOVITZ, DERMODY, STETLER, STEELMAN and STURLA

An Act providing for joint payment for health care service contractors.

Referred to Committee on INSURANCE, May 12, 1992.

**HOUSE RESOLUTION
INTRODUCED AND REFERRED**

No. 321 By Representatives LLOYD, COLAIZZO, TIGUE, HERMAN, BATTISTO, PESCI, COY, DALEY, KOSINSKI, D. R. WRIGHT, JAROLIN, CALTAGIRONE, MELIO, STURLA, LAUGHLIN, BELFANTI, BUNT, TANGRETTI, McCALL, FAJT, McNALLY, STEELMAN, MICOZZIE, PRESTON, JOSEPHS, HANNA, VAN HORNE, BOWLEY, SURRA, CESSAR, CIVERA and CAPPABIANCA

A Resolution commemorating the 100th Anniversary of the National Conference of Commissioners on Uniform State Laws.

Referred to Committee on RULES, May 12, 1992.

SENATE MESSAGE

**HOUSE BILL
CONCURRED IN BY SENATE**

The clerk of the Senate, being introduced, returned **HB 1797, PN 2150**, with information that the Senate has passed the same without amendment.

LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes Mr. Steighner.

Mr. STEIGHNER. Thank you, Mr. Speaker.

Mr. Speaker, I would like to ask for leave for today only for the gentleman from Allegheny, Mr. GIGLIOTTI; the gentleman from Westmoreland, Mr. PETRARCA; the gentleman from Allegheny, Mr. OLASZ; and the gentleman from Allegheny, Mr. McNALLY.

The SPEAKER. Without objection, leaves are granted.

The Chair recognizes Mr. Hayes.

Mr. HAYES. I request a leave for the gentleman from Bucks County, Mr. Matt WRIGHT, for the day, and the gentleman from Perry County, Mr. NOYE, for the remainder of the week.

The SPEAKER. Without objection, leaves are granted.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—192

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

Daley	King	Rieger	
Davies	Kosinski	Ritter	O'Donnell,
Dempsey	Krebs	Robinson	Speaker
Dent	Kruszewski		

ADDITIONS—2

Murphy Trello

NOT VOTING—0

EXCUSED—7

Durham	McNally	Olasz	Wright, M. N.
Gigliotti	Noye	Petrarca	

CALENDAR

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **SB 1007, PN 2063**, entitled:

An Act amending the act of November 30, 1965 (P. L. 847, No. 356), entitled "Banking Code of 1965," further providing for the duties of the Advisory Commission, for nonconforming loans, for residency requirements of directors or trustees and for the powers of the department.

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

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader. Mr. DeWEESE. Mr. Speaker, I move that SB 1007 be recommitted to the Appropriations Committee.

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

* * *

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

SB 1436, PN 2064; and HB 2139, PN 3447.

* * *

The House proceeded to second consideration of **HB 2479, PN 3500**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, imposing a criminal laboratory user fee; and providing for disposition of revenues generated by the fee.

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

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader. Mr. DeWEESE. Mr. Speaker, I move that HB 2479 be recommitted to the Appropriations Committee for a fiscal note.

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

* * *

The House proceeded to second consideration of **HB 2111, PN 2640**, entitled:

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, further providing for nonintervening military service.

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

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader. Mr. DeWEESE. Mr. Speaker, I move that HB 2111 be recommitted to the Appropriations Committee for a fiscal note.

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

* * *

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

SB 177, PN 186; and SB 1330, PN 1868.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2519, PN 3448**, entitled:

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

On the question,
Will the House agree to the bill on third consideration?
Mr. CLARK offered the following amendment No. A1640:

Amend Sec. 1 (Sec. 1786), page 7, by inserting between lines 8 and 9

(6) An insurer who has issued contract of motor vehicle liability insurance shall, by affidavit, inform the department of the date financial responsibility was terminated and of the subsequent date financial responsibility was obtained.

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

MEMBERS' PRESENCE RECORDED

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

The gentleman, Mr. Murphy's name will be added to the master roll.

CONSIDERATION OF HB 2519 CONTINUED

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

The following roll call was recorded:

YEAS—190

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

NAYS—0

NOT VOTING—4

Hayden	James	Maiale	Williams
--------	-------	--------	----------

EXCUSED—7

Durham	McNally	Olasz	Wright, M. N.
Gigliotti	Noye	Petrarca	

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

On the question,

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

Mrs. TAYLOR offered the following amendment No. A1703:

Amend Sec. 1 (Sec. 1786), page 6, by inserting between lines 6 and 7

(3) The owner or registrant proves to the department that the lapse in financial responsibility coverage was due to the hospitalization in critical condition of the owner or registrant.

On the question,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—187

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

NAYS—0

NOT VOTING—7

Acosta	James	Mrkonic	Veon
Broujos	Maiale	Saurman	

EXCUSED—7

Durham McNally Olasz Wright, M. N.
Gigliotti Noye Petrarca

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

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—194

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Durham McNally Olasz Wright, M. N.
Gigliotti Noye Petrarca

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 2586, PN 3445**, entitled:

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.

On the question,

Will the House agree to the bill on third consideration?

Mr. GANNON offered the following amendments No. A1364:

Amend Bill, page 1, lines 1 through 8, by striking out all of said lines and inserting
Providing for health insurance coverage at an affordable level; imposing powers and duties upon the Insurance Department; providing for a tax credit; and making repeals.

TABLE OF CONTENTS

- Section 1. Short title.
- Section 2. Declaration of policy.
- Section 3. Definitions.
- Section 4. Issuance of low-cost comprehensive health insurance policies permitted.
- Section 5. Qualified trusts.
- Section 6. Coverage.
- Section 7. Notice; payroll deduction.
- Section 8. Discretionary managed-care provisions.
- Section 9. Responsibility of insured.
- Section 10. Disclosure.
- Section 11. Filing and approval.
- Section 12. Tax credit.
- Section 13. Records and reports.
- Section 14. Regulations.
- Section 15. Report.
- Section 16. Construction.
- Section 17. Repeals.
- Section 18. Effective date.

Amend Bill, page 1, lines 11 through 18; pages 2 through 8, lines 1 through 30; page 9, lines 1 through 25, by striking out all of said lines on said pages and inserting

Section 1. Short title.

This act shall be known and may be cited as the Affordable Insurance Measure for Small Business Employees and their Families Act.

Section 2. Declaration of policy.

The General Assembly finds and declares as follows:

- (1) The cost of health insurance coverage is not affordable for many small businesses, their employees, self-employed persons and other individuals.

(2) As a result, approximately 1,000,000 Commonwealth citizens do not have any health insurance coverage.

(3) The cost of health insurance should be reduced for these citizens by:

(i) authorizing the development of new classes of hospital and medical insurance coverage for qualified groups, families and individuals; and

(ii) authorizing the department to develop means to assist in limiting the marketing and administrative costs of certain new classes of insurance coverage.

Section 3. Definitions.

The following words and phrases when used in this act shall have the meanings given to them in this section unless the context clearly indicates otherwise:

“Case characteristics.” Demographic and other relevant characteristics that are considered by the insurer in the determination of premium rates for a small employer. The term excludes claims experienced, health status and duration of coverage since date of issue.

“Children’s preventive health care services.” Physician-delivered or physician-supervised services for eligible dependents from birth through age six, with periodic physical examinations, including medical history, physical examination, developmental assessment, anticipatory guidance and appropriate immunizations and laboratory tests, in keeping with prevailing medical standards.

“Commissioner.” The Insurance Commissioner of the Commonwealth.

“Department.” The Insurance Department of the Commonwealth.

“Employee.” An individual who works a minimum of 30 hours a week for an employer in return for compensation.

“Employer.” A business which, during the immediately preceding calendar year, employed not more than 20 employees who were eligible for coverage under a small business health care benefit plan on at least 50% of the work days of the business.

“Health care supplier.” An entity which is organized for the purpose of arranging for the provision of health care services, including, but not limited to, inpatient, outpatient primary and specialty physician services, diagnostic and emergency care and home health care.

“Insured.” Any individual or group insured under a low-cost comprehensive health insurance policy or a small business health care benefit plan.

“Insurer.” An insurer, health maintenance organization, fraternal benefit society, hospital plan, health services plan corporation or health care supplier offering a low-cost comprehensive health insurance policy or a small business health care benefit plan.

“Low-cost comprehensive health insurance policy.” A policy or subscription contract which an insurer may choose to offer to a qualified individual, qualified family or qualified group.

“Outpatient hospital care.” Surgery, anesthesia, pre-admission testing, diagnostic x-rays and medical and laboratory services.

“Periodic physical examinations.” The routine tests and procedures for the purpose of detection of abnormalities or malfunctions of bodily systems and parts according to accepted medical practice.

“Permitted coverage.” Health or hospitalization insurance coverage under this act, Medicaid, Medicare or the Consolidated Omnibus Budget Reconciliation Act of 1985 (Public Law 99-272, 100 Stat. 82).

“Qualified family.” Individuals who are qualified individuals and who are related to each other by blood, marriage or adoption.

“Qualified group.” A group in which each covered individual or covered dependent within the group is a qualified individual. The term includes less than all employees of an employer. The term excludes a qualified trust.

“Qualified individual.” An individual who is employed in or is a resident of this Commonwealth and who has been without health insurance coverage, other than permitted coverage. The term includes a child newborn to or adopted by an insured after the effective date of a low-cost comprehensive health insurance policy issued to the insured which covers the insured and members of the insured’s family.

“Qualified trust.” A group organized under section 5 in which each covered individual or covered dependent within the group is a qualified individual.

“Similar plans.” Plans which do not materially differ from one another in any of the following respects:

- (1) The set of services covered.
- (2) Utilization management provisions.
- (3) Managed-care network provisions.
- (4) The criteria used by the insurer in underwriting coverage under a plan where variations in the criteria may reasonably be expected to produce substantial variation in the claims costs incurred under the plan.

“Small business health care benefit plan.”

(1) Except as provided in paragraph (2), any of the following:

(i) Any health, sickness or accident insurance policy providing hospital, medical or surgical coverage for sole proprietorships or employers.

(ii) A policy which is a subscriber contract or certificate issued by an insurer to provide hospital, medical or surgical coverage for sole proprietorships or employers.

(iii) A subscriber contract or certificate which is issued by an entity to provide hospital, medical or surgical coverage for employers and which is subject to:

(A) the act of December 29, 1972 (P.L.1701, No.364), known as the Health Maintenance Organization Act;

(B) the act of July 29, 1977 (P.L.105, No.38), known as the Fraternal Benefit Society Code;

(C) 40 Pa.C.S. Ch. 61 (relating to hospital plan corporations); or

(D) 40 Pa.C.S. Ch. 63 (relating to professional health services plan corporations).

(2) The term excludes all of the following:

(i) Accident-only coverage.

(ii) Fixed indemnity coverage.

(iii) Low-cost comprehensive health insurance policies.

(iv) Credit insurance.

(v) Medicare supplements.

(vi) Disability income insurance.

(vii) Coverage issued as a supplement to liability insurance.

(viii) Worker’s compensation or similar insurance.

(ix) Automobile medical payment insurance.

Section 4. Issuance of low-cost comprehensive health insurance policies permitted.

(a) General rule.—Insurers are authorized to issue low-cost comprehensive health insurance policies to qualified individuals, qualified families, qualified trusts and qualified groups.

(b) Prohibition.—An employer is prohibited from canceling a health care policy or subscriber contract for a low-cost comprehensive health insurance policy.

Section 5. Qualified trusts.

Solely for purposes of obtaining low-cost comprehensive health insurance policies, trusts may be formed composed of

qualified individuals, qualified families or qualified groups. Each trust may serve as a master policyholder. Members of qualified groups and members of qualified trusts may join together solely for the purpose of obtaining health insurance coverage under this act.

Section 6. Coverage.

(a) Required.—Low-cost comprehensive health insurance policies offered must provide the following:

(1) Twenty-one days of inpatient hospital surgical and medical coverage and outpatient hospital care coverage per policy year. Intermediate care coverage may be substituted for inpatient hospital care on a four-days-for-each-inpatient-day basis, and home health care may be substituted on a seven-days-for-each-inpatient-day basis.

(2) Coverage for at least four office visits per year for primary care, including well-baby care for covered services rendered by a licensed provider.

(3) Coverage for one mammogram screening per year for females 50 years of age or older and coverage for all medically necessary mammograms.

(4) Medically necessary child immunizations.

(5) Annual, lifetime or other benefit limits in amounts established by the department but which initially shall be not less than \$100,000 as an annual benefit and \$250,000 as a lifetime benefit.

(6) A waiting period as established by the department for transferring from a low-cost comprehensive health insurance policy issued to a qualified individual or qualified family by one insurer to a low-cost comprehensive health insurance policy issued to a qualified individual or qualified family by another insurer.

(7) If the policy covers the insured and members of the insured's family, coverage for newborn children of the insured from the moment of birth and coverage for adopted newborn children and for other adopted children, with prior coverage from the date of the interlocutory decree of adoption. The insurer may require that the insured give notice to its insurer of any newborn child within 90 days following the birth of the newborn child and of any adopted child within 60 days of the date the insured has filed a petition to adopt. The coverage of newborn children or adopted children must not be less than coverage provided for other members of the insured's family.

(8) Such provisions as the department may require for an annual or other deductible or equivalent; patient copayments, including a differential, for nonpreferred providers; annual stop loss amounts; conversion; replacement of prior carrier's coverage; and exclusionary period for preexisting conditions.

(b) Additional offerings.—In a low-cost comprehensive health insurance policy, the insurer may offer for purchase, individually or in combination, all of the following:

(1) Coverage for additional prenatal care, including one prenatal office visit per month during the first two trimesters of pregnancy, two office visits per month during the seventh and eighth months of pregnancy and one office visit per week during the ninth month until term. Coverage for each visit may include necessary and appropriate screening, including history, physical examination and laboratory and diagnostic procedures deemed appropriate by the physician and based upon recognized medical criteria for the risk group of which the patient is a member. Coverage for each office visit may also include prenatal counseling as the physician deems appropriate.

(2) Coverage for obstetrical care, including physicians' services, delivery room and other medically necessary hospital services and services performed by licensed, certified midwives.

(3) Coverage for 21 days of inpatient and outpatient psychiatric treatment and rehabilitative services.

(4) Coverage for cancer chemotherapy and cancer hormone treatments and services.

(5) Benefits for drug and alcohol abuse and dependency.

(6) Coverage for osteopathic services.

(7) Dental coverage.

(8) Pharmaceutical coverage.

(9) Coverage for podiatric services.

(10) Coverage for psychologist services.

(11) Coverage for optometric services.

(12) Coverage for chiropractic services.

(13) Coverage for physical therapist services.

(14) Coverage for services of clinical laboratory professionals.

(15) Coverage for services of certified registered nurse, certified registered nurse practitioners, certified enterostomal therapy nurses, certified community health nurses, certified psychiatric mental health nurses and certified clinical nurse specialists acting within the scope of their license.

(c) Discretion of department.—The department shall consider the cost impact and essential nature of each of the requirements in subsections (a) and (b), and the competitive impact of the requirements and may, by regulation, waive required coverage and establish alternative benefit methods to encourage participation of insurers in a manner consistent with meeting the goal of providing minimum basic health services at an affordable price accessible to those eligible for coverage under this act.

(d) Refusals.—

(1) No insurer may refuse to provide coverage to a new employee who was previously insured, who on the date of employment would be eligible for coverage and who on the date of employment had prior coverage which did not lapse for more than 60 consecutive days during the prior 12-month period. Nothing in this paragraph shall require an insurer to provide benefits greater than those provided to a person insured as a standard risk under the small business health care benefit plan or greater than those provided under the employee's prior coverage.

(2) For occupations, no insurer may refuse to offer coverage solely because of the nature of the employer's business. An insurer may charge an additional premium based on the nature of the employer's business, but the total premium may not exceed 150% of the lowest premium which would be charged to that employer under section 11(b) without regard to the nature of the employer's business.

(e) Nonrenewables.—No insurer may nonrenew a low-cost comprehensive health insurance policy or a small business health care benefit plan except for any of the following reasons:

(1) Nonpayment of required premium.

(2) Fraud or misrepresentation related to an attempt to collect benefits by an individual covered by a qualified individual, qualified family, qualified group or qualified trust low-cost comprehensive health insurance policy. In case of a qualified group or qualified trust, the nonrenewal shall apply only to the individual and any person covered as a spouse or dependent of the individual.

(3) Noncompliance with the provisions of the policy or plan, including provisions regarding minimum numbers of or percentages of insureds.

(4) Nonrenewal with respect to all individuals, groups and trusts within this Commonwealth for whom coverage is provided under similar policies.

(f) Exemption.—A low-cost comprehensive health insurance policy may be issued without the provision of the benefits or requirements mandated by Article VI-A of the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, or by regulations promulgated under that act.

(g) Continuation.—A small business health care benefit plan and a low-cost comprehensive health insurance policy must provide for continuation of coverage for any person who has been continuously covered for at least 90 days under a small business health care benefit plan and who thereafter loses coverage by reason of termination of employment, reduction of hours, divorce, attainment of an age specified in the plan, cancellation of the policy by the employer or nonrenewal due to failure to pay required premiums, unless, within 31 days of cancellation or nonrenewal, the employer provides the person medical, surgical or hospital care or benefit coverage or unless nonrenewal is for the reason set forth in subsection (e)(4). The provisions must require the insured to make a written request to the insurer within 31 days of loss of coverage. The premium for any given period must not exceed 135% of the rate that would have been charged with respect to that person had the person been covered as the employee under the policy during the same period. When the policy under which the person was covered has been canceled or nonrenewed, the rates must be based on the rate which would have been charged to the person had the policy continued in force, as determined by the insurer in accordance with standard actuarial principles.

Section 7. Notice; payroll deduction.

(a) Notice.—An employer that does not provide a portion of the cost of health insurance for employees shall provide notice to employees of the existence of the low-cost comprehensive health insurance policy. Notice shall be in a form prepared by the department and may be provided to employees by posting at the place of employment or in any other reasonable manner.

(b) Payroll deduction.—An insured may provide written request to the insured's employer to withhold the amount of premium on a low-cost comprehensive health insurance policy from the insured's pay, along with written instructions for remittance of the premium. Upon request under this subsection, the employer shall withhold the premium and remit the premium payment to the insurer. This subsection shall not apply if the employer would be required to make remittances to more than two different insurers. No employer required to make a remittance of a premium under this subsection is required to make remittances more often than once per month. The Department of Labor and Industry, in cooperation with the department, shall provide a copy of the form of notice under this subsection.

Section 8. Discretionary managed-care provisions.

The insurer may include any of the following managed-care provisions to control the cost of a low-cost comprehensive health insurance policy:

- (1) An exclusion for services that are not medically necessary.
- (2) A procedure for preauthorization by telephone, to be confirmed in writing, by the insurer of any medical service the cost of which is anticipated to exceed a minimum threshold, except for services necessary to treat a medical emergency.
- (3) A preferred panel of providers who have entered into written agreements either directly with the insurer or through an intermediary-prepared provider organization to provide services at specified levels of reimbursement. A written agreement, under this paragraph must contain a provision under which the parties agree that the insured will have no obligation to make payment for any medical service rendered by the provider that is determined not to be medically necessary.
- (4) A provision under which an insured who obtains medical services from a nonpreferred provider shall receive reimbursement only in the amount that would have been received had services been rendered by a preferred provider, less a differential, in an amount to be approved by the department.

(5) Other managed-care and cost-control provisions which, subject to the approval of the department, have the potential to control costs in a manner which does not result in inequitable treatment of an insured under this act.

Section 9. Responsibility of insured.

Except as provided in section 8(3), nothing in this act shall affect the obligation of an insured to pay for medical services rendered to the insured which are not covered by a low-cost comprehensive health insurance policy or a small business health care benefit plan.

Section 10. Disclosure.

(a) Insured.—

(1) Before an insurer issues a low-cost comprehensive health insurance policy, it must obtain from the prospective insured a signed written statement, in a form approved by the department, in which the prospective insured does all of the following:

(i) Certifies as to eligibility for coverage under the low-cost comprehensive health insurance policy.

(ii) Acknowledges the nature of the coverage provided and an understanding of the managed-care and cost-control features of the low-cost comprehensive health insurance policy.

(iii) Acknowledges that, if misrepresentations are made regarding the insured's eligibility for coverage under a low-cost comprehensive health insurance policy, the person making the misrepresentation and any person covered as a spouse or dependent shall forfeit coverage provided by the low-cost comprehensive health insurance policy.

(iv) Acknowledges that the prospective insured, at the time of application for the low-cost comprehensive health insurance policy, was offered the opportunity to purchase health insurance coverage which would have included all mandated benefits or mandated optional benefits required by the laws of this Commonwealth and that the prospective insured rejected such coverage.

(2) A copy of the statement under paragraph (1) shall be provided to the prospective insured at the time of low-cost comprehensive health insurance policy delivery, and the original of such written statement shall be retained by the insurer for the longer of the period of time in which the low-cost comprehensive health insurance policy remains in effect or five years.

(b) Insurer.—Before an insurer issues a low-cost comprehensive health insurance policy, the insurer shall provide the insured with a written disclosure statement containing information the department requires, in a form approved by the department. The disclosure statement shall be separate from the insurance policy or evidence of coverage provided to the insured. The disclosure statement shall contain at least the following information:

(1) An explanation of those mandated benefits or mandated optional benefits not covered by the low-cost comprehensive health insurance policy but which would otherwise be required to be provided under the laws of this Commonwealth.

(2) An explanation of the managed-care and cost-control features of the low-cost comprehensive health insurance policy, appropriate mailing addresses and telephone numbers to be utilized by the insured in seeking information or authorization, a list of any preferred providers then contracting with the insurer and an explanation of the obligations of the providers and the insured with regard to services determined not to be medically necessary.

(3) An explanation of the primary and preventive care features of the low-cost comprehensive health insurance policy.

(c) Misrepresentation.—A material statement made by an applicant for coverage under a low-cost comprehensive health insurance policy or a small business health care benefit plan which falsely certifies as to the applicant's eligibility for coverage under a low-cost comprehensive health insurance policy shall serve as the basis for termination of coverage under the policy.

Section 11. Filing and approval.

(a) Forms.—All forms, including applications, enrollment forms, policies, certificates, evidences of coverage, riders, amendments, endorsements, disclosure forms and marketing communications, used in connection with the sale or advertisement of a low-cost comprehensive health insurance policy or a small business health care benefit plan must be submitted to the department for approval in accordance with applicable statutes and regulations.

(b) Rates.—

(1) Except as provided in paragraph (2), the premiums charged for small business health care benefit plans or for low-cost comprehensive health insurance policies shall be the same for all insureds with similar case characteristics.

(2) An insurer may charge an additional premium for a small business health care benefit plan or for a low-cost comprehensive health insurance policy based upon the claim experience of the insured, the health of individuals covered under the plan or policy and the duration of coverage. If an additional premium is charged under this paragraph, the total premium for the plan or policy may not exceed 200% of the lowest premium charged by the insurer to insureds with similar case characteristics but without the same claim experience, health of covered individuals and duration of coverage.

(3) Subject to the limitations set forth in paragraphs (1) and (2), the percentage increase in the premium rate charged to a small employer may not exceed the sum of:

(i) the percentage change in the new business premium rate for employers with similar case characteristics as measured between the first day of the calendar year in which the new rates take effect and the first day of the prior calendar year; plus

(ii) an adjustment not to exceed 15% annually based on claims experience, health status or duration of coverage; plus

(iii) any adjustment due to changes in the coverage provided or changes in the case characteristics of the employer.

(c) Policy comparison.—The department may require that, as to each low-cost comprehensive health insurance policy approved, the insurer provide a statement of the portion of the rate or premium applicable to the low-cost comprehensive health insurance policy coverage required by this act and such other information as the department may require so that prospective purchasers of policies may have an ability to make a direct comparison of the cost of the benefits within policies of the same class issued by different insurers. The department may include rate comparison or other cost information in the form of a notice, which may be provided by the department to employers.

Section 12. Tax credit.

(a) Employees.—An individual who purchases a low-cost comprehensive health insurance policy or a small business health care benefit plan is entitled to a credit against the tax imposed by Article III of the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in the amount of 2.8% of the premium of the policy. This credit shall apply whether the premium is paid directly to the insurer or indirectly through a contribution to an employer. An individual who pays into a health and welfare fund of a labor organization to purchase health care insurance shall also be entitled to a credit against the tax imposed by Article III of the Tax Reform Code of 1971, in the amount of 2.8% of the payment made into the fund of the organization.

(b) Employers.—An employer who purchases a low-cost comprehensive health insurance policy or a small business health care benefit plan for its employees is entitled to a tax credit as follows:

(1) The credit shall be in the amount of 2.8% of the tax imposed by Article III of the Tax Reform Code of 1971, if the employer is a sole proprietorship, a partnership or an unincorporated association. In the case of a partnership or unincorporated association, the credit shall be divided among the members in proportion to their ownership interests.

(2) The tax credit shall be in the amount of 8.5% of the tax imposed by Article IV of the Tax Reform Code of 1971, if the employer is a corporation.

Section 13. Records and reports.

(a) Records.—An insurer issuing or renewing a low-cost comprehensive health insurance policy or a small business health care benefit plan in this Commonwealth shall maintain separate records of enrollment, claim costs, premium income, utilization and other information as required by the department.

(b) Reports.—An insurer providing a low-cost comprehensive health insurance policy shall furnish an annual report to the department in a form prescribed by the department. The report shall contain information the department requires to analyze the effect of insurance coverage issued under this act. The annual report shall be in a form consistent with the forms adopted by the National Association of Insurance Commissioners.

Section 14. Regulations.

The department may promulgate regulations to administer this act. Regulations shall be consistent with the "Group Coverage Discontinuance and Replacement Model Regulation" of the Model Regulation Service (January 1990).

Section 15. Report.

On January 3, 1995, the department shall submit a report on the implementation of this act to the Secretary of the Senate and the Chief Clerk of the House of Representatives.

Section 16. Construction.

All acts and parts of acts inconsistent with this act are superseded by this act.

Section 17. Repeals.

All acts and parts of acts are repealed insofar as they are inconsistent with this act.

Section 18. Effective date.

This act shall take effect as follows:

(1) Section 14 and this section shall take effect immediately.

(2) The remainder of this act shall take effect in 180 days.

On the question,

Will the House agree to the amendments?

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

Mr. GANNON. Mr. Speaker, I am waiting for the amendment to come over from my office with the fiscal note. I do not believe it has arrived as yet.

The SPEAKER. Is the gentleman referring to amendment 1364?

Mr. GANNON. Yes, Mr. Speaker.

Wait. I think it has arrived.

The SPEAKER. To the best of our knowledge, the amendment has been circulated. It does not appear to have a fiscal note attached.

Will the House agree to the amendment?

On that question, the Chair recognizes Mr. Gannon.

Mr. GANNON. Thank you, Mr. Speaker.

Mr. Speaker, as you know or as the members are aware, the issue of affordable health care insurance has been a raging issue in the Commonwealth of Pennsylvania for some time now, and there have been a number of attempts to address that issue.

The amendment that I am placing before the House will provide affordable health care insurance benefits to those working poor who do not have access to health care insurance now principally because of its high cost and availability. What we are providing here is a fundamental change in the health care insurance program provided in Pennsylvania, and what we have here is a comprehensive basic benefits package providing to the working uninsured, and we are principally focusing on those Pennsylvanians who work for small employers. What we are providing to them is a basic comprehensive package and we are addressing their specific health care needs, the type of insurance that will protect them from a catastrophic financial disaster as a result of a serious illness.

Now, language similar to this amendment was presented to this House a while back, and there was some objection to the amendment at that time. Subsequent to that amendment failing by a very few votes, I spoke to many members of the House, as well as health care providers, health care insurers, and health care consumers, and addressed the specific objections that were raised the last time this proposal was brought before the House. I believe we have addressed every objectionable issue and now we are in an opportunity to go forward to provide the people of Pennsylvania with a low-cost comprehensive basic benefits health insurance program.

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

The SPEAKER. The Chair recognizes Mr. Kukovich.

Mr. KUKOVICH. Thank you, Mr. Speaker.

I would like to remind the members that this issue was debated back on December 11 and defeated. It was similar if not identical to an amendment to the insurance reform provisions contained in HB 20. Representative Murphy's language does some of the similar things, and I would again remind you that the arguments that were made on December 11 hold again today.

This effort has been attempted in a few other States. It does have a track record of not working. The New York Times had reported, whenever this almost identical attempt had been made in Virginia, they predicted that 80,000 businesses would buy into this program. That was not the case. Only 35 businesses bought into it. It has not worked. If for some reason it would work, all I can say is that this amendment greatly cuts back on mandates. There is nothing in this legislation that would prevent businesses, small businesses, for example, from giving up current adequate coverages that they have now and hurting employees even more.

I would also say that since this item was debated 3 or 4 months ago, the State of Maryland had an intensive study done, to the best of my knowledge, the most comprehensive

and inclusive study done on reducing or eliminating mandates, and they showed that the greatest savings by eliminating mandates, which would be about a 7-percent savings, is in the area of maternal health benefits. So what we would be talking about— I am making two arguments, basically. There are a number of others, but I will stick with two. One, businesses are *not going to use this*, and if they do, what they are going to do is hurt women by reducing maternal health benefits, by hurting prenatal care, and by hurting obstetrical care.

Those are the studies; those are the results in the other areas, and because of those reasons alone, I would ask for a negative vote on the amendment.

The SPEAKER. The Chair recognizes Mr. Murphy.

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

Mr. Speaker, there are two issues before us today about health care. One is the issue of affordability. We do need to begin to explore how to make health care more affordable, but the other issue before us is the issue of availability. We also need to recognize that health care, in part because of price but in part because it is not accessible to everybody in Pennsylvania, is not available; 1 1/2 million people are estimated not to have health care in Pennsylvania. Fifty percent of those people are estimated to be children.

This amendment, while attempting to address the affordability issue, takes us the wrong way in the availability issue. It would make health care, particularly as the previous speaker mentioned, to women for prenatal care and other treatments, for psychiatric and drug and alcohol treatment, it would make it less available at a time when it is generally recognized that the prenatal treatment, psychiatric, drug and alcohol treatment are treatments that prevent far more expensive medical problems in the future. This amendment is going the wrong way.

And further, this amendment would permit insurers to discriminate in underwriting of group health insurance coverage based on the health status of participants in a group. That again is going the wrong way. At a time when insurers are attempting to reduce their costs by being more selective, we are forcing people off health insurance when we should be including them in it.

Just the other day there was significant coverage about the breakthroughs in testing for genetic diseases. There have been incredible medical breakthroughs in being able to detect a variety of genetic diseases, but with those medical breakthroughs come very difficult decisions, both ethical decisions and financial decisions. The insurance companies have been responding with the advent of genetic testing by excluding families who show a proclivity for a particular genetic disease even though their child or future children might not have that disease. I do not think that is the way that we want to approach the problem of affordability of health care, by making health care more difficult for individuals and families to get or by excluding very critical coverages.

Earlier General Assemblies mandated these coverages because they believed that they were critical and important

coverages. We should not ignore those and ignore the importance of these coverages and simply throw them out for the sake of affordability.

We can deal with the issue of affordability, but this is not the way, and for that reason, I would urge your opposition to this amendment. Thank you.

The SPEAKER. The gentleman has concluded his remarks.

The Chair recognizes Mr. Evans.

Mr. EVANS. Mr. Speaker, I rise to oppose this particular amendment, and I rise to oppose it on the basis of the fiscal question.

If you look at the fiscal note that we passed out, it has a potential cost of \$5 million to \$16 million. I think that at some point in this House we have to begin to ask ourselves the question, though it may be a nice idea, how is it going to be paid for? It is fantastic, Mr. Speaker, that the maker of this particular amendment is attempting to assure that people have health care, and I am not opposed to that, but the question that has to be asked over and over again is, how is it going to be paid for? I think the question that every member has to ask themselves is, where is the money going to come from to pay for this? Mr. Speaker, the maker of this amendment is looking at the aspect that it sounds good, but what about the question of where it is paid for.

So I would ask that you would be voting against this particular amendment. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes Mr. Gannon.

Mr. GANNON. Thank you, Mr. Speaker.

Mr. Speaker, there is one thing that becomes fairly relevant as I have listened to the debate in opposition to this amendment, and that is that those individuals addressing the issue have not read the amendment.

Now, Representative Kukovich said, well, you go back and the same arguments hold today that we had last time. Well, that is not true. I said earlier in my remarks that I addressed all of the issues that were raised the last time we debated a proposal similar to this. So in order to make myself perfectly clear and to help those of you who have not read the amendment and listening to Representative Kukovich say, well, somebody will cancel their existing insurance and go out and buy this, not, not. Specific language says, "An employer is prohibited from canceling a health care policy or subscriber contract for a low-cost comprehensive health insurance....," and that means that he cannot cancel what he has now to buy this. I said in the beginning of my remarks that we were talking about the three-quarters of the working population in small business who do not have any insurance now, and some of them have the audacity to get up and say, nothing is better than something, and I say, something is better than nothing. The opponents are absolutely wrong.

Now, we also talked about cutbacks and mandates. My goodness, the wisdom of the General Assembly is being questioned here, because we are the ones who put these mandates in place. People of Pennsylvania did not come knocking at our doors. Oh, the special interests did, and they are here knocking at our door right now. The special interests have

been kowtowed to, but the people of Pennsylvania have not been, and now it is time to give something to the people of Pennsylvania and not to the special interests, and we will take a look at those mandates.

Sure, there are some things that we want those insurance carriers to be providing, and we even included those in this bill. For example, I do not think anybody in this room will dispute that we should have coverage for mammography for older women. Breast cancer is a terrible, terrible thing, and we want to make sure they have that benefit and we even included that in this proposal; we even included mammography coverage in this proposal. Then somebody got up and said, well, pregnant women will not be covered; we do not have that. Yes, we do. We do provide maternity care, and in fact, we have gone one step further; we are providing for office visits in this proposal.

Mr. Speaker, this bill stands on the triad of health care, and that is affordability, availability, and quality, and they are the three things that this proposal addresses. These are the three things that we are going to provide to those working uninsured, people who do not have anything right now. We are reaching out to them. We have the opportunity to reach out to them, and we should reach out to them and we should give them something. They should not have to sit home. They should not have to go to work in dread that if they get a serious illness, they will have financial disaster. And there is no family exclusion here. This proposal says employees, working people, and their families. We are extending coverage not only to the individual in the workplace but to his spouse who is working at home and to his children or her children, as the case may be.

As far as the fiscal note is concerned, Mr. Speaker, \$5 million. Now, I know where we can find the \$5 million. We just passed a \$20-million cigarette tax specifically targeted for health care. Now, I know we have another proposal that takes a lot of money out of that, but it does not take it all, and there is enough left over to provide the tax credits that are needed to give the incentive to business to purchase this coverage, to give the small businessman and his employees the break that they need. And incidentally, if we cannot find \$5 million to provide health care insurance to the people of Pennsylvania, then this is a sick Assembly. It is only \$5 million. We can find money for a lot of other things, but if we cannot find something for this need, then there is something seriously wrong.

Mr. Speaker, I urge a "yes" vote on this amendment.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—94

Adolph	Fairchild	Kenney	Rudy
Allen	Fargo	King	Ryan
Anderson	Farmer	Langtry	Saurman
Angstadt	Fleagle	Lawless	Scheetz
Argall	Flick	Lee	Schuler
Armstrong	Foster	Leh	Semmel
Barley	Freind	McCall	Serafini
Birmelin	Gallen	McHugh	Smith, B.
Black	Gannon	Marsico	Smith, S. H.

Bowley	Geist	Merry	Snyder, D. W.
Boyes	Gerlach	Micozzie	Snyder, G.
Brown	Gladeck	Nahill	Stairs
Bunt	Godshall	Nailor	Strittmatter
Bush	Gruppo	Nickol	Taylor, E. Z.
Carlson	Hagarty	Nyce	Taylor, J.
Cessar	Harley	O'Brien	Telek
Chadwick	Hasay	Perzel	Tomlinson
Civera	Hayes	Phillips	Tulli
Clark	Heckler	Piccola	Uliana
Clymer	Herman	Pitts	Vance
Cornell	Hershey	Raymond	Vroon
Davies	Hess	Reber	Wilson
Dempsey	Jadlowiec	Reinard	Wogan
Dent	Johnson		

NAYS—99

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

NOT VOTING—1

Cole

EXCUSED—7

Durham	McNally	Olasz	Wright, M. N.
Gigliotti	Noye	Petrarca	

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. 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	Dermody	Kukovich	Roebuck
Adolph	Donatucci	LaGrotta	Rudy
Allen	Evans	Langtry	Ryan
Anderson	Fairchild	Laughlin	Saloom
Angstadt	Fajt	Lawless	Saurman
Argall	Fargo	Lee	Scheetz
Armstrong	Farmer	Leh	Schuler
Arnold	Fee	Lescovitz	Scrimenti

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Durham	McNally	Olasz	Wright, M. N.
Gigliotti	Noye	Petrarca	

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 996, PN 1123**, entitled:

An Act amending the act of June 23, 1931 (P. L. 932, No. 317), known as "The Third Class City Code," further providing for collection of sewer, lighting and water charges.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader.

Mr. DeWEESE. Mr. Speaker, I move that HB 996 be placed upon the table.

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

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.
Mr. DeWEESE. Mr. Speaker, I move that HB 996 be taken from the table and placed on the active calendar.

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

**BILL ON CONCURRENCE
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 536, PN 3451**, entitled:

An Act providing for health insurance coverage of children; and conferring powers and duties on the Department of Health and the Insurance Department.

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

The SPEAKER. The gentleman, Mr. DeWeese, moves that the House concur in the amendments inserted by the Senate.

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

The Chair recognizes Mr. DeWeese.

Mr. RYAN. Mr. Speaker?

The SPEAKER. For what purpose does the gentleman rise?

Mr. RYAN. Mr. Speaker, I wonder if I might have the attention of our caucus, at least.

We have not caucused on HB 536. I understand that the majority leader is now going to explain what took place in the Senate. The amendments that were placed in this bill in the Senate, I believe, passed the Senate unanimously or with 47 votes. I am not sure whether there were any negative votes or not. I believe there were no negative votes. However, when it left the House, it did leave with a number of negative votes, about 35 or 45—49 negative votes when it left the House, most of them Republican negative votes.

So I suggest that you listen to the description of the amendments by the gentleman, Mr. DeWeese. If you have any problems, I would simply interrogate him, and if we still have further problems, we will just have to caucus on it.

The SPEAKER. The Chair recognizes Mr. DeWeese.

Mr. DeWEESE. Mr. Speaker, the Senate amendments clarified the definition of "health insurance policies" to exclude, quote, "specified disease policies" and to limit the application for certain individual policies. The Senate also added a section to clarify the intent of the act regarding its application to Pennsylvania residents. We supported both of these changes and urge concurrence on the bill.

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

YEAS—194

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Durham	McNally	Olasz	Wright, M. N.
Gigliotti	Noye	Petrarca	

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 AS AMENDED**

The House proceeded to consideration of concurrence in Senate amendments to the following **HB 2529, PN 3565**, as further amended by the House Rules Committee:

An Act amending the act of August 4, 1991 (P. L. 484, No. 7A), known as the "General Appropriation Act of 1991," providing additional appropriations from the General Fund; and increasing and adding certain Federal appropriations for Executive Departments funded through the General Fund and the Lottery Fund.

On the question,

Will the House concur in Senate amendments as amended by the Rules Committee?

The SPEAKER. It is moved by the gentleman, Mr. Evans, that the House concur in the amendments inserted by the Senate.

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

Those in favor of concurrence will vote "aye"; those opposed, "no."

On the question recurring,

Will the House concur in Senate amendments as amended by the Rules Committee?

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

YEAS—194

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

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Durham	McNally	Olasz	Wright, M. N.
Gigliotti	Noye	Petrarca	

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

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

ANNOUNCEMENT BY MR. COLE

The SPEAKER. The Chair recognizes the gentleman, Mr. Cole, for an announcement.

Mr. COLE. Thank you, Mr. Speaker.

Mr. Speaker, I rise this morning on behalf of the Keystone Ice Cream Association to invite members to join in the first annual Capitol ice cream party. It is being held until 1 p.m. in back of the plaza of the Capitol.

For the record, Pennsylvania ranks second in the country for ice cream production and first for ice cream consumption. I am pleased to join my colleague, Representative Jess Stairs, in being the cosponsor of this event, and we invite you all back to the back of the Capitol to enjoy the ice cream.

DEMOCRATIC CAUCUS

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

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, I would like to call a House Democratic caucus at 2 p.m.; 2 p.m., House Democratic caucus. I urge the attendance of all Democratic members.

APPROPRIATIONS COMMITTEE MEETING

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

Mr. EVANS. Mr. Speaker, I would like to ask that members of the Appropriations Committee meet in the majority caucus room in the next 5 minutes. Thank you, Mr. Speaker.

RULES COMMITTEE MEETING

The SPEAKER. The Chair recognizes the majority leader, who announces a meeting of the Rules Committee at the close of session today.

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 2003, PN 3582 (Amended)

By Rep. STUBAN

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for grounds and petitions for involuntary termination.

AGING AND YOUTH.

HB 2405, PN 3581 (Amended)

By Rep. STUBAN

An Act providing for the establishment of the Human Services Development Fund and for its administration and operation; and imposing additional powers and duties on the Department of Public Welfare.

AGING AND YOUTH.

SB 196, PN 2188 (Amended)

By Rep. STUBAN

An Act requiring coroners and medical examiners to perform autopsies and investigations in certain cases; and requiring review.

AGING AND YOUTH.

The SPEAKER. For the information of the members, there will be no more votes held today. The House will be in recess and then adjourn later this afternoon, but no more votes will be held.

VOTE CORRECTION

The SPEAKER. The Chair recognizes Mr. Lucyk. Mr. LUCYK. To correct the record, Mr. Speaker.

On May 6 I was called away from my desk when HR 317 was voted. I would like to be voted in the affirmative. Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 389, PN 417

By Rep. OLIVER

An Act amending the act of June 18, 1974 (P. L. 359, No. 120), referred to as the "Municipal Police Education and Training Law," further defining "police officer," "police department" and adding a definition.

STATE GOVERNMENT.

HB 2449, PN 3177

By Rep. OLIVER

An Act authorizing and directing the Department of General Services, with the approval of the Department of Corrections and the Governor, to grant and convey to the Township of Cresson land situate in the Township of Cresson, Cambria County, Pennsylvania.

STATE GOVERNMENT.

HB 2509, PN 3580 (Amended)

By Rep. OLIVER

An Act authorizing the Department of General Services, with the approval of the Governor, to sell and convey a certain lot or tract of land situate in the City of Erie, Erie County, Pennsylvania.

STATE GOVERNMENT.

HB 2561, PN 3342

By Rep. OLIVER

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for legislative reapportionment.

STATE GOVERNMENT.

HB 2562, PN 3343

By Rep. OLIVER

An Act providing for a Legislative and Congressional Reapportionment Bureau for the purpose of reapportioning and redistricting the Commonwealth of Pennsylvania.

STATE GOVERNMENT.

HB 2595, PN 3395

By Rep. OLIVER

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for absentee voting.

STATE GOVERNMENT.

HB 2652, PN 3487

By Rep. OLIVER

An Act amending the act of June 3, 1937 (P. L. 1333, No. 320), known as the "Pennsylvania Election Code," further providing for the compensation of election officers.

STATE GOVERNMENT.

SB 1329, PN 1543

By Rep. OLIVER

An Act designating May 15th as "Peace Officers Memorial Day" in Pennsylvania; designating that week of May during which May 15th occurs as "Police Week" in Pennsylvania; and requiring that the flags of the United States and this Commonwealth be flown at half-mast on May 15th.

STATE GOVERNMENT.

SB 1405, PN 1869

By Rep. OLIVER

An Act authorizing and directing the Department of Transportation, with the approval of the Governor, to sell and convey two tracts of land situate in the Township of Upper Gwynedd, Montgomery County, Pennsylvania, to the Wissahickon Valley Watershed Association, Inc.

STATE GOVERNMENT.

VOTE CORRECTION

The SPEAKER. The Chair recognizes Mr. Kosinski. Mr. KOSINSKI. Correction of the record, Mr. Speaker. On HB 1136, voted last Wednesday, May 6, I was not recorded. My vote in the affirmative makes it unanimous.

RESOLUTION REPORTED FROM COMMITTEE

HR 302, PN 3478

By Rep. DeWEESE

A Resolution proclaiming the week of May 10 through 16, 1992, as "Traditional Family Appreciation Week" in Pennsylvania.

RULES.

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

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

For the information of the clerks, we anticipate returning to the House at 2:30.

BILLS SIGNED BY SPEAKER

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

HB 536, PN 3451

An Act providing for health insurance coverage of children; and conferring powers and duties on the Department of Health and the Insurance Department.

HB 1797, PN 2150

An Act amending the act of December 15, 1982 (P. L. 1266, No. 287), entitled "An act conferring limited residency status on military personnel and their dependents assigned to an active duty station in Pennsylvania," further providing for rates of tuition for certain military personnel and their dependents.

RECESS

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

AFTER RECESS

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

SENATE MESSAGE

SENATE CONCURRENCE IN HOUSE RESOLUTION

The clerk of the Senate, being introduced, informed that the Senate has concurred in **HR 308, PN 3491**.

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 2603, PN 3584 (Amended)

By Rep. EVANS

An Act requiring a transfer from the Realty Transfer Tax Account in the General Fund to the Deferred Maintenance Account.

APPROPRIATIONS.

HB 2668, PN 3515

By Rep. EVANS

A Supplement to the act of April 1, 1863 (P. L. 213, No. 227), entitled "An act to accept the grant of Public Lands, by the United States, to the several states, for the endowment of Agri-

cultural Colleges," making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated.

APPROPRIATIONS.

HB 2669, PN 3516

By Rep. EVANS

A Supplement to the act of July 28, 1966 (3rd Sp. Sess., P. L. 87, No. 3), known as the "University of Pittsburgh—Commonwealth Act," making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated.

APPROPRIATIONS.

HB 2670, PN 3517

By Rep. EVANS

A Supplement to the act of November 30, 1965 (P. L. 843, No. 355), known as the "Temple University—Commonwealth Act," making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated.

APPROPRIATIONS.

HB 2671, PN 3518

By Rep. EVANS

A Supplement to the act of July 7, 1972 (P. L. 743, No. 176), known as the "Lincoln University—Commonwealth Act," making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated.

APPROPRIATIONS.

HB 2672, PN 3519

By Rep. EVANS

An Act making appropriations to the Trustees of the Berean Training and Industrial School at Philadelphia.

APPROPRIATIONS.

HB 2673, PN 3520

By Rep. EVANS

An Act making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown.

APPROPRIATIONS.

HB 2674, PN 3521

By Rep. EVANS

An Act making an appropriation to the Johnson Technical Institute of Scranton.

APPROPRIATIONS.

HB 2675, PN 3522

By Rep. EVANS

An Act making an appropriation to the Williamson Free School of Mechanical Trades in Delaware County.

APPROPRIATIONS.

HB 2676, PN 3523

By Rep. EVANS

An Act making an appropriation to the Fox Chase Institute for Cancer Research, Philadelphia, for the operation and maintenance of the cancer research program.

APPROPRIATIONS.

HB 2677, PN 3524

By Rep. EVANS

An Act making appropriations to the Wistar Institute-Research, Philadelphia.

APPROPRIATIONS.

HB 2678, PN 3525 By Rep. EVANS
An Act making an appropriation to the Central Penn Oncology Group.

APPROPRIATIONS.

HB 2680, PN 3527 By Rep. EVANS
An Act making an appropriation to St. Francis Hospital, Pittsburgh.

APPROPRIATIONS.

HB 2681, PN 3528 By Rep. EVANS
An Act making appropriations to St. Christopher's Hospital, Philadelphia.

APPROPRIATIONS.

HB 2682, PN 3529 By Rep. EVANS
An Act making an appropriation to the Lancaster Cleft Palate.

APPROPRIATIONS.

HB 2683, PN 3530 By Rep. EVANS
An Act making an appropriation to the Pittsburgh Cleft Palate.

APPROPRIATIONS.

HB 2685, PN 3532 By Rep. EVANS
An Act making an appropriation to the Burn Foundation, Philadelphia.

APPROPRIATIONS.

HB 2686, PN 3533 By Rep. EVANS
An Act making an appropriation to the Rehabilitation Institute of Pittsburgh.

APPROPRIATIONS.

HB 2687, PN 3534 By Rep. EVANS
An Act making an appropriation to the Beacon Lodge Camp.

APPROPRIATIONS.

HB 2688, PN 3535 By Rep. EVANS
An Act making an appropriation to the Arsenal Family and Children's Center.

APPROPRIATIONS.

HB 2689, PN 3536 By Rep. EVANS
An Act making an appropriation to the Museum of the Philadelphia Civic Center for maintenance and the purchase of apparatus, supplies and equipment.

APPROPRIATIONS.

HB 2690, PN 3537 By Rep. EVANS
An Act making an appropriation to the Afro-American Historical and Cultural Museum for operating expenses.

APPROPRIATIONS.

HB 2691, PN 3538 By Rep. EVANS
An Act making an appropriation to the Everhart Museum in Scranton.

APPROPRIATIONS.

HB 2693, PN 3540 By Rep. EVANS

An Act making an appropriation to the Academy of Natural Sciences.

APPROPRIATIONS.

HB 2694, PN 3541 By Rep. EVANS
An Act making an appropriation to the Carnegie-Mellon University for the Carnegie Museum of Natural History and the Carnegie Science Center.

APPROPRIATIONS.

HB 2695, PN 3542 By Rep. EVANS
An Act making an appropriation to the Franklin Institute Science Museum.

APPROPRIATIONS.

HB 2696, PN 3585 (Amended) By Rep. EVANS

An Act to provide from the General Fund for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and for the public schools for the fiscal year July 1, 1992, to June 30, 1993, for certain institutions and organizations, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1992; to provide appropriations from the State Lottery Fund, the Pennsylvania Economic Revitalization Fund, the Energy Conservation and Assistance Fund, the Hazardous Material Response Fund, The State Stores Fund, the Emergency Medical Services Operating Fund and the Milk Marketing Fund to the Executive Department; to provide appropriations from the Judicial Computer System Augmentation Account to the Judicial Department; to provide appropriations from the Motor License Fund for the fiscal year July 1, 1992, to June 30, 1993, for the proper operation of the several departments of the Commonwealth and the Pennsylvania State Police authorized to spend Motor License Fund moneys; and to provide for the appropriation of Federal funds to the Executive and Judicial Departments of the Commonwealth and for the establishment of restricted receipts accounts for the fiscal year July 1, 1992, to June 30, 1993, for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1992, and for the transfer of certain funds.

APPROPRIATIONS.

HB 2701, PN 3552 By Rep. EVANS
An Act making an appropriation from the Public School Employees' Retirement Fund to provide for expenses of the Public School Employees' Retirement Board 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.

APPROPRIATIONS.

HB 2702, PN 3553 By Rep. EVANS
An Act making an appropriation from the State Employees' Retirement Fund to provide for expenses of the State Employees' Retirement Board for the fiscal year July 1, 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.

APPROPRIATIONS.

BILL REPORTED AND REREFERRED TO COMMITTEE ON GAME AND FISHERIES

SB 1536, PN 1886 By Rep. EVANS

An Act providing for the adoption of a capital budget for the Pennsylvania Fish and Boat Commission.

APPROPRIATIONS.

BILLS REREPORTED FROM COMMITTEE

HB 754, PN 831 By Rep. EVANS

An Act amending the act of December 8, 1959 (P. L. 1718, No. 632), entitled, as amended, "An act providing for the payment of the salary, medical and hospital expenses of employes of State penal and correctional institutions, State mental hospitals, Youth Development Centers, County Boards of Assistance, and under certain conditions other employes of the Department of Public Welfare, who are injured in the performance of their duties; and providing benefit to their widows and dependents in certain cases," extending the act to include employees of the Pennsylvania Board of Probation and Parole's institutional and field operations; further providing for salary and benefit payments; and making an editorial change.

APPROPRIATIONS.

HB 1312, PN 1510 By Rep. EVANS

An Act requiring public employees who are not members of a collective bargaining unit to contribute a fair share fee; establishing payment, notice, objection and reporting procedures; imposing penalties; and making repeals.

APPROPRIATIONS.

HB 2332, PN 3583 (Amended)

By Rep. EVANS

An Act amending the act of November 22, 1978 (P. L. 1166, No. 274), referred to as the "Pennsylvania Commission on Crime and Delinquency Law," further providing for powers and duties of the commission.

APPROPRIATIONS.

SB 748, PN 1379 By Rep. EVANS

An Act amending the act of May 17, 1921 (P. L. 789, No. 285), entitled, as amended, "The Insurance Department Act of one thousand nine hundred and twenty-one," further providing for the licensing and regulation of agents and brokers; and imposing penalties.

APPROPRIATIONS.

SB 850, PN 1248 By Rep. EVANS

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

APPROPRIATIONS.

BILLS ON SECOND CONSIDERATION

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

HB 754, PN 831; HB 1312, PN 1510; HB 2332, PN 3583; SB 748, PN 1379; and SB 850, PN 1248.

BILLS REMOVED FROM TABLE

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

HB 2603;
HB 2668;
HB 2669;
HB 2670;
HB 2671;
HB 2672;
HB 2673;
HB 2674;
HB 2675;
HB 2676;
HB 2677;
HB 2678;
HB 2680;
HB 2681;
HB 2682;
HB 2683;
HB 2685;
HB 2686;
HB 2687;
HB 2688;
HB 2689;
HB 2690;
HB 2691;
HB 2693;
HB 2694;
HB 2695;
HB 2696;
HB 2701; and
HB 2702.

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

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 O'Brien.

Mr. O'BRIEN. Mr. Speaker, I move that this House do now adjourn until Wednesday, May 13, 1992, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 2:35 p.m., e.d.t., the House adjourned.