

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

MONDAY, FEBRUARY 8, 1993

SESSION OF 1993

177TH OF THE GENERAL ASSEMBLY

No. 9

HOUSE OF REPRESENTATIVES

The House convened at 1 p.m., e.s.t.

THE SPEAKER (H. WILLIAM DeWEESE) 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, let us never become weary in well-doing, for in due season we shall reap if we faint not. The temptation to let others do it is ever before us; the monotony and tedium of legislating beguiles us and takes away the joy we knew when we ran for office.

Then the chase dominated all of our being, capturing our hearts and our imagination.

Will You not restore unto us that joy. Teach us to seize the moment.

What we can do or dream, we can begin. Or in the words of Your servant, Goethe:

Courage has genius, power and magic in it.
Only engage and then the mind grows heated -
Begin it and the work will be completed.

Hear our prayer, O Lord.

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 Wednesday, February 3, 1993, will be postponed until printed. The Chair hears no objection.

LEAVES OF ABSENCE

The SPEAKER. Are there requests for leaves of absence? The Chair recognizes the gentleman, Mr. Steighner.

Mr. STEIGHNER. Thank you, Mr. Speaker.

Mr. Speaker, I would ask for leave for today only for the gentleman from Berks, Mr. CALTAGIRONE; the gentleman

from Philadelphia, Mr. HUGHES; and the gentleman from Philadelphia, Mr. BUTKOVITZ.

The SPEAKER. Without objection, leaves of absence are granted.

The Chair recognizes the gentleman, Mr. Ryan.

Mr. RYAN. Mr. Speaker, I would request leave for the gentleman, Mr. WOGAN, for the early part of today's session.

The SPEAKER. Without objection, the leave is granted.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—199

Acosta	Fee	Lucyk	Ryan
Adolph	Fichter	Lynch	Santoni
Allen	Fleagle	McCall	Sather
Argall	Flick	McGeehan	Saurman
Armstrong	Freeman	McNally	Saylor
Baker	Gamble	Maitland	Scheetz
Barley	Gannon	Manderino	Schuler
Battisto	Geist	Markosek	Scrimenti
Bebko-Jones	George	Marsico	Semmel
Belardi	Gerlach	Masland	Serafini
Belfanti	Gigliotti	Mayernik	Smith, B.
Birmelin	Gladeck	Melio	Smith, S. H.
Bishop	Godshall	Merry	Snyder, D. W.
Blaum	Gordner	Michlovic	Staback
Boyes	Gruitza	Micozzie	Stairs
Brown	Gruppo	Mihalich	Steelman
Bunt	Haluska	Miller	Steighner
Bush	Hanna	Mundy	Steil
Buxton	Harley	Murphy	Stern
Cappabianca	Hasay	Nailor	Stetler
Carn	Heckler	Nickol	Stish
Carone	Hennessey	Nyce	Strittmatter
Cawley	Herman	O'Brien	Sturla
Cessar	Hershey	O'Donnell	Surra
Chadwick	Hess	Olasz	Tangretti
Civera	Hutchinson	Oliver	Taylor, E. Z.
Clark	Itkin	Perzel	Taylor, J.
Clymer	Jadlowiec	Pesci	Thomas
Cohen, L. I.	James	Petrarca	Tigue
Cohen, M.	Jarolin	Petrone	Tomlinson
Colaella	Josephs	Pettit	Trelo
Colaizzo	Kaiser	Phillips	Trich
Cornell	Kasunic	Piccola	True
Corrigan	Keller	Pistella	Tulli
Cowell	Kenney	Pitts	Uliana
Coy	King	Platts	Van Horne
Curry	Kirkland	Preston	Vance
DeLuca	Krebs	Raymond	Veon

Daley	Kukovich	Reber	Vitali
Dempsey	LaGrotta	Reinard	Waugh
Dent	Laub	Richardson	Williams
Dermody	Laughlin	Rieger	Wozniak
Donatucci	Lawless	Ritter	Wright, D. R.
Druce	Lederer	Roberts	Wright, M. N.
Durham	Lee	Robinson	Yandrisevits
Egolf	Leh	Roebuck	Yewcic
Evans	Lescovitz	Rohrer	Zug
Fairchild	Levdansky	Rooney	DeWeese,
Fajt	Linton	Rubley	Speaker
Fargo	Lloyd	Rudy	
Farmer			

ADDITIONS—0

NOT VOTING—0

EXCUSED—4

Butkovitz	Caltagirone	Hughes	Wogan
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LEAVES CANCELED

Butkovitz	Caltagirone	Wogan
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**HOUSE RESOLUTIONS
INTRODUCED AND REFERRED**

No. 14 By Representatives ALLEN, PHILLIPS, GRUPPO, FICHTER, MARKOSEK, PESCI, DEMPSEY, ULIANA, BELARDI, STETLER, NYCE, ARGALL, TIGUE, M. N. WRIGHT, JOSEPHS, MELIO, FAIRCHILD, OLASZ, MUNDY, STABACK, LUCYK, TRELLO, DENT, CLARK, BROWN, HERSHEY, KING and VEON

A Resolution proclaiming March 1 as Saint David's Day to be observed throughout this Commonwealth.

Referred to Committee on RULES, February 8, 1993.

No. 15 By Representatives STAIRS, PETRONE, SCHULER, MARSICO, FARGO, DENT, GORDNER, DEMPSEY, FARMER, PETRARCA, THOMAS, MELIO, FAIRCHILD, KREBS, NAILOR, CESSAR, PESCI, BELARDI, REBER, JADLOWIEC, FLEAGLE, MUNDY, GIGLIOTTI, STURLA, TIGUE, GODSHALL, VANCE, DALEY, VAN HORNE, ARGALL, HERMAN, BAKER, FLICK, BOYES, HESS, KENNEY, CLYMER, GRUPPO, L. I. COHEN, NYCE, ADOLPH, SAYLOR, TRUE, KAISER, BATTISTO, KASUNIC, SAURMAN, M. N. WRIGHT, BELFANTI, MARKOSEK, ROBERTS, DeLUCA, COLAFELLA, KING, WOZNIAK, HARLEY, DONATUCCI, HASAY, OLASZ, McCALL, CARONE, MILLER, HERSHEY, LAUGHLIN, TRELLO, ROONEY, PERZEL, E. Z. TAYLOR, JOSEPHS, PISTELLA, BUNT, ARMSTRONG, PLATTS, B. SMITH, ROHRER, MASLAND, CAWLEY, DRUCE, STERN, CAPPABIANCA, LYNCH, BARLEY, RAYMOND and PRESTON

A Resolution designating April 1993 as "Pennsylvania Volunteer Appreciation Month."

Referred to Committee on RULES, February 8, 1993.

No. 16 By Representatives BUXTON, KREBS, STETLER, HANNA, TIGUE and MASLAND

A Resolution amending Rule 14 of the Rules of the House of Representatives.

Referred to Committee on RULES, February 8, 1993.

No. 18 By Representatives LESCOVITZ and HASAY

A Resolution establishing a Special Subcommittee on Small Business.

Referred to Committee on RULES, February 8, 1993.

No. 20 By Representatives KENNEY, M. COHEN, LAUB, L. I. COHEN and O'BRIEN

A Resolution urging the Pennsylvania Board of Law Examiners to make reasonable accommodations for the religious practices of persons wishing to take the Pennsylvania Bar Examination.

Referred to Committee on RULES, February 8, 1993.

No. 21

(Concurrent) By Representatives SAURMAN, FLICK, TULLI, STRITTMATTER and STERN

A Concurrent Resolution directing the Joint State Government Commission to study the feasibility of replacing the State Civil Service Commission Merit System with a centralized, coordinated, computer-connected State Personnel System.

Referred to Committee on RULES, February 8, 1993.

FILMING PERMISSION

The SPEAKER. The Chair wishes to advise the members that he has given permission to Bill Hughes of the Press Enterprise to take still photographs on the floor of the House during the proceedings where the Berwick Bulldogs will be recognized.

The Chair also wishes to advise members that he has given permission to Bob Ide of channel 22, WYOU, to film on the floor of the House during the proceedings in which the Berwick football team will be given a citation.

**BERWICK AREA SENIOR HIGH SCHOOL
FOOTBALL TEAM PRESENTED**

The SPEAKER. The Chair recognizes the gentleman from Columbia County, Mr. John Gordner.

Mr. GORDNER. Mr. Speaker, it is a great honor that today I present a group of young men who at the beginning of the season had themselves marked as the number one high school team in the Nation by USA Today. They went through that season, and after 15 wins and a triple-A State championship,

they began and finished the season as USA Today national champions. They are outstanding young men both on and off the field.

Today I present the Berwick Bulldogs, and I would like to first present a citation to coach George Curry, who was named this season as AP Coach of the Year and USA Today Coach of the Year. Congratulations, Coach Curry.

At this time I would also like to introduce two members of that team. First, Chris Orlando, who was named to the Associated Press Big School All-State Team. Congratulations, Chris Orlando. Chris is going to the University of Pittsburgh.

Also, it is my very proud pleasure to introduce Ron Powlus, who was named AP Pennsylvania Big School Player of the Year, Gatorade Circle of Champions National Football Player of the Year, USA Today Player of the Year, and Parade Magazine's Player of the Year. Ron Powlus is going to be quarterback for Notre Dame. Congratulations, Ron.

Ron Powlus is in Representative Hasay's district, and Representative Hasay joins me in congratulating Ron.

Finally, I would like for the young men in the back to stand up, if you will. I am very proud to introduce to you the Berwick Bulldogs national champion high school football team.

RULES COMMITTEE MEETING

The SPEAKER. The Chair would like to call to the attention of the House, there will be an immediate Rules Committee meeting at the desk of the majority leader; an immediate Rules Committee meeting at the desk of the majority leader.

DEMOCRATIC CAUCUS

The SPEAKER. The Chair recognizes the gentleman, Mr. Coy, for the purpose of calling a caucus.

Mr. COY. Thank you, Mr. Speaker.

I would like to call an immediate meeting of the Democratic Caucus in the majority caucus room; an immediate meeting of the Democratic Caucus in the majority caucus room. We expect to return to the floor at 1:45.

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

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

There will be no reason for the Republicans to caucus at this time. If we were going to caucus, about the only item we would caucus on is why that great football player from Berwick would want to go to South Bend, Indiana, and not State College, Pennsylvania. But since he has already made that decision, we at Penn State will accept it, and there is no reason for us to caucus at this time.

The SPEAKER. The Chair thanks the gentleman.

There will be an immediate Democratic caucus; an immediate Democratic caucus. We will all return to the floor at 1:45; 1:45.

RECESS

The SPEAKER. The House stands in recess until 1:45.

RECESS EXTENDED

The time of recess was extended until 2:30 p.m.; further extended until 3:30 p.m.

AFTER RECESS

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

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, Mr. Itkin.

Mr. ITKIN. Mr. Speaker, I move that HB 3 be removed from the table and placed upon the active calendar.

On the question,

Will the House agree to the motion?

Motion was agreed to.

VOTE CORRECTION

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

Mr. DRUCE. I would like to make a correction for the record, please.

The SPEAKER. The gentleman will proceed.

Mr. DRUCE. I would like to be recorded as having voted in the affirmative on amendment A0167 on Wednesday, February 3, to HB 3.

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

Mr. DRUCE. Thank you.

The SPEAKER. The Chair thanks the gentleman.

ADDITIONS AND DELETIONS OF SPONSORS

The SPEAKER. The Chair acknowledges the receipt of additions and deletions of sponsorships of bills.

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

FILMING PERMISSION

The SPEAKER. The Chair wishes to advise the members that the Chair has given permission to John Dickinson of the House Republican video and Bill Martin, the cameraman, to film with audio on the floor of the House during the proceedings of HB 129. House Republican video will be filming HB 129.

LEAVE OF ABSENCE CANCELED

The SPEAKER. The gentleman, Mr. Wogan's name will be added to the master roll; the gentleman, Mr. Wogan of Philadelphia.

REMARKS SUBMITTED FOR THE RECORD

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

Mr. REINARD. Thank you, Mr. Speaker.

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

The SPEAKER. The gentleman will bring his comments to the clerk.

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

Mr. Speaker, it is my privilege to bring to the attention of the Speaker and the Members of the Pennsylvania House of Representatives the names of eight senior youth and three adult youth group advisors: Brent Bauman, Kim Brown, Allison Carlen, Dave Catarious, Dan Minor, Amy Robinson, Jennifer Smith, Scott Woodward, Eric Hill, David Sine, and Joe Smith, senior youth group members of the Addisville Reformed Church.

Whereas these members watched news accounts of the devastation in Homestead, Florida, brought about by Hurricane Andrew. This group responded by organizing an outreach mission to Homestead, Florida, for the purpose of helping residents recover from the disaster. This group spent their Christmas holiday working with residents of that area helping them clean up and recover from the devastation they faced.

Now therefore, Mr. Speaker and the Members of the House of Representatives, it is my privilege to congratulate and place in the Legislative Journal the names of Brent Bauman, Kim Brown, Allison Carlen, Dave Catarious, Dan Minor, Amy Robinson, Jennifer Smith, Scott Woodward, Eric Hill, David Sine, and Joe Smith.

CALENDAR

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 113, PN 140**, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, providing for the cost of postsecondary educational expenses.

On the question,

Will the House agree to the bill on third consideration?

Mr. PICCOLA offered the following amendments No. A0198:

Amend Sec. 1 (Sec. 4321.1), page 1, line 15, by striking out "Parents" and inserting

Divorced or separated parents

Amend Sec. 1 (Sec. 4321.1), page 2, line 2, by inserting after "expenses."

The responsibility to provide for postsecondary educational expenses is a shared responsibility between both parents. The duty of a parent to provide a postsecondary education for a child is not as exacting a requirement as the duty to provide food, clothing and shelter for a child of tender years unable to support himself.

On the question,

Will the House agree to the amendments?

The SPEAKER. The gentleman, Mr. Piccola, is recognized on the amendment.

Mr. PICCOLA. Thank you, Mr. Speaker.

As you know, HB 113 is a bill that will reinstate some right of support from parents to children for the purposes of making payment for higher education - college tuition and the like. This all, of course, came about as a result of the Blue decision recently handed down by the Supreme Court which stated that no such right existed in spite of the fact that the Superior Court over the years had handed down decisions creating such a right.

The amendment that I am going to offer will insure that the statutory right that we are about to create will apply only to parents who are either divorced or separated and to insure that it does not create a right in children who are children in an intact family.

The second part of the amendment adds a couple of additional criteria to the bill which merely track some of the Superior Court cases that have been handed down in this area, specifically that the responsibility to provide postsecondary education is shared between both parents—it is not simply the responsibility of one parent or the other—and that it is not as exacting a requirement as it would be to provide housing, food, and clothing to a minor child.

I would urge the adoption of the amendment.

CONSTITUTIONAL POINT OF ORDER

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

Mr. KUKOVICH. Thank you, Mr. Speaker.

I at this point am not going to debate on the substance of this bill, but I would like to make a motion on constitutionality that if this amendment is adopted, it would be violative of the Equal Protection Act of the 14th Amendment of the U.S. Constitution and of equal protection under the Pennsylvania Constitution.

The SPEAKER. The gentleman, Mr. Kukovich, raises the point of constitutionality on House amendment A0198. The Speaker, under rule 4, is required to submit questions affecting the constitutionality of a bill to the House for decision, which the Chair now does.

On the question,

Will the House sustain the constitutionality of the amendments?

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

Mr. PICCOLA. Thank you, Mr. Speaker.

I would suggest that this amendment is in fact constitutional, and I would do so on two reasons. First of all, on the constitutional level, all the legislature has to do to establish a distinction or a class is to establish a rational basis for that

distinction or that class. In this particular instance, we are talking about child support - support for a child who wants to go on to college. We are saying that that right is only going to exist in terms of litigation—we are talking about terms of litigation—only for those children who are children of families that are divorced or separated. That, in my mind, is a rational basis, and therefore, the equal protection argument raised by the gentleman, Mr. Kukovich, is inapplicable.

Secondly, I would suggest to the House from a point of view of public policy, if the gentleman, Mr. Kukovich, is correct, and I do not think that he is, but if he is correct, then we should not be passing this bill at all, because by what he is saying, there should be no distinction between children of intact families as opposed to children of families that are divorced or separated and that children, no matter what kind of family they come from, have a right to sue their parents for college tuition. And whether or not the courts have ever recognized this argument in the past is not relevant, because what Mr. Kukovich is saying by making this motion, and if he is held to be correct, he is saying that potentially in the future, there is nothing to stop a court from saying that equal protection demands that we uphold the right of a child of an intact family from suing his mother and father for support to go to college, even though that parent or parents happen to believe that that child should earn his own way through college or at least earn part of his way through college or that portion of his college tuition that they determine he should pay for, not what some court is going to pay for.

I think, first of all, on a constitutional basis Mr. Kukovich is wrong, but if he is right, then this whole bill should not be passed. I suggest we should pass this bill with this amendment in it, and I would urge that we vote "yes" on the issue of constitutionality, that this amendment is constitutional.

The SPEAKER. The Chair thanks the gentleman.

PARLIAMENTARY INQUIRY

The SPEAKER. The gentleman, Mr. Gannon, is recognized.

Mr. GANNON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state his point.

Mr. GANNON. This amendment is actually two separate sections, and I would ask the member, Mr. Kukovich, which section of this amendment is he asking us to decide is unconstitutional, and I would like to ask if we could divide the amendment on that question, if it is possible.

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

Mr. KUKOVICH. The motion is made to the language dealing with inserting the language of "Divorced or separated parents."

Mr. GANNON. Mr. Speaker, if we were to decide that that language was unconstitutional, would we then move to the second portion of the amendment?

The SPEAKER. No, not unless there was a motion to divide the amendment.

AMENDMENTS DIVIDED

Mr. GANNON. I would like to make that motion to divide the amendment on the question of the constitutionality.

The SPEAKER. The gentleman, Mr. Gannon, is correct that the amendment is divisible as long as it is divided after the underlined words "Divorced or separated parents."

Mr. GANNON. I agree, Mr. Speaker.

The SPEAKER. The Chair advises that the constitutional question will only be addressed to the first half of the amendment, "Amend Sec. 1," et cetera, down through "Divorced or separated parents."

Mr. GANNON. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question,

Will the House sustain the constitutionality of part 1 of the amendments?

The SPEAKER. On the question of constitutionality, the gentleman, Mr. Kukovich, is recognized.

Mr. KUKOVICH. Mr. Speaker, the issue on constitutionality is equal protection under the law. The way Representative Ryan's bill is drafted, it would apply to all parents evenly. If this amendment would be adopted, I submit you would be making a nonrational basis for dividing out divorced parents from married parents. Setting aside the public policy statement that you would be saying we are encouraging divorces in order to get funding for education for students, the Constitution is clear that you cannot arbitrarily divide people into those kinds of classes. And if there is even an argument that it is constitutional, once we would adopt this language, it will be tied up in court, probably in Federal court, for a long period of time and it would preclude us from addressing this important issue in Pennsylvania.

For both of those reasons I would ask the members to vote that this amendment is not constitutional under the 14th Amendment.

The SPEAKER. On the question of constitutionality, the gentleman, Mr. Daley, is recognized.

Mr. DALEY. Thank you, Mr. Speaker.

I think Mr. Kukovich is absolutely wrong. The question here is constitutionality. The question is, is something that has been done for a number of years, probably for the last 40 years, and recently in *Blue v. Blue* the court decided that it should not be that way and decided to change years of case law and opinion.

Now, the question of constitutionality is based, as Mr. Piccola says, on a rational basis test. The court has applied the rational basis test to this situation for many years. What Mr. Piccola is trying to do is place that distinction for divorced and separated parents. Now, the question will remain, if we do decide that this is unconstitutional and go back to the main issue, and that is Representative Ryan's proposal, without this amendment, in essence that will create an unconstitutional basis as the unconstitutional basis that Mr. Kukovich is arguing for.

So I ask the members to vote for the constitutionality of this amendment. It is a rational basis. That is all that the court will look to in terms of deciding the constitutionality, and I ask for an affirmative vote that it is constitutional.

The SPEAKER. The Chair thanks the gentleman.

On the question of constitutionality, members are allowed to speak only once.

Those who believe that the first part of the amendment is constitutional will vote "aye"; those opposed will vote "no."

On the question recurring,

Will the House sustain the constitutionality of part 1 of the amendments?

The following roll call was recorded:

YEAS—123

Adolph	Fleagle	McGeehan	Scheetz
Allen	Flick	Maitland	Schuler
Argall	Gannon	Markosek	Scrimenti
Armstrong	Geist	Marsico	Semmel
Baker	Gerlach	Masland	Serafini
Barley	Gladeck	Mayernik	Smith, B.
Birmelin	Godshall	Merry	Smith, S. H.
Boyes	Gordner	Micozzie	Snyder, D. W.
Brown	Gruitza	Miller	Stairs
Bunt	Gruppo	Nailor	Steil
Bush	Haluska	Nickol	Stern
Cawley	Hanna	Nyce	Stish
Cessar	Harley	O'Brien	Strittmatter
Chadwick	Hasay	O'Donnell	Tangretti
Civera	Heckler	Perzel	Taylor, E. Z.
Clark	Hennessey	Pesci	Taylor, J.
Clymer	Herman	Petrarca	Tigue
Cohen, L. I.	Hershey	Pettit	Tomlinson
Cornell	Hess	Phillips	True
Cowell	Hutchinson	Piccola	Tulli
DeLuca	Jadlowiec	Pistella	Uliana
Daley	Josephs	Pitts	Van Horne
Dempsey	Kenney	Raymond	Vance
Dent	King	Reber	Vitali
Dermody	Krebs	Reinard	Wogan
Druce	Laub	Robinson	Wozniak
Egolf	Lawless	Rohrer	Wright, D. R.
Fairchild	Lee	Rubley	Wright, M. N.
Fargo	Leh	Rudy	Yewcic
Farmer	Lloyd	Ryan	Zug
Fichter	Lynch	Sather	

NAYS—75

Acosta	Fajt	Linton	Rooney
Battisto	Fee	Lucyk	Santoni
Bebko-Jones	Freeman	McCall	Saurman
Belardi	Gamble	McNally	Saylor
Belfanti	George	Manderino	Staback
Bishop	Gigliotti	Melio	Steelman
Blaum	Itkin	Michlovic	Steighner
Buxton	James	Mihalich	Stetler
Cappabianca	Jarolin	Mundy	Sturla
Carn	Kaiser	Murphy	Surra
Carone	Kasunic	Olasz	Thomas
Cohen, M.	Keller	Oliver	Trello
Colafella	Kirkland	Petrone	Trich
Colaizzo	Kukovich	Platts	Veon
Corrigan	LaGrotta	Preston	Waugh
Coy	Laughlin	Rieger	Yandrisevits
Curry	Lederer	Ritter	

Donatucci	Lescovitz	Roberts	DeWeese,
Durham	Levdansky	Roebuck	Speaker
Evans			

NOT VOTING—2

Richardson	Williams
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EXCUSED—3

Butkovitz	Caltagirone	Hughes
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The majority having voted in the affirmative, the question was determined in the affirmative and the constitutionality of part 1 of the amendments was sustained.

The SPEAKER. Does the gentleman, Mr. Kukovich, desire to withdraw his point of order regarding constitutionality regarding the second part of the amendment?

The gentleman indicates that he does.

LEAVE OF ABSENCE CANCELED

The SPEAKER. The gentleman, Mr. Butkovitz' name will be added to the master roll.

CONSIDERATION OF HB 113 CONTINUED

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—180

Acosta	Fairchild	Levdansky	Rooney
Adolph	Fajt	Linton	Rubley
Allen	Fargo	Lloyd	Rudy
Argall	Farmer	Lucyk	Ryan
Armstrong	Fee	Lynch	Santoni
Baker	Fichter	McCall	Sather
Barley	Fleagle	McGeehan	Saurman
Battisto	Flick	Maitland	Scheetz
Bebko-Jones	Gamble	Markosek	Schuler
Belardi	Gannon	Marsico	Scrimenti
Belfanti	Geist	Masland	Semmel
Birmelin	George	Mayernik	Serafini
Bishop	Gerlach	Melio	Smith, B.
Blaum	Gigliotti	Merry	Smith, S. H.
Boyes	Gladeck	Micozzie	Snyder, D. W.
Brown	Godshall	Miller	Staback
Bunt	Gordner	Mundy	Stairs
Bush	Gruitza	Murphy	Steighner
Butkovitz	Gruppo	Nailor	Steil
Buxton	Haluska	Nickol	Stern
Carn	Hanna	Nyce	Stish
Carone	Harley	O'Brien	Strittmatter
Cawley	Hasay	O'Donnell	Tangretti
Cessar	Heckler	Olasz	Taylor, E. Z.
Chadwick	Hennessey	Oliver	Taylor, J.
Civera	Herman	Perzel	Thomas
Clark	Hershey	Pesci	Tomlinson
Clymer	Hess	Petrarca	Trello
Cohen, L. I.	Hutchinson	Petrone	Trich
Cohen, M.	Itkin	Pettit	True
Colafella	Jadlowiec	Phillips	Tulli
Colaizzo	James	Piccola	Uliana
Cornell	Jarolin	Pistella	Van Horne

Corrigan	Josephs	Pitts	Vance
Cowell	Kaiser	Preston	Vitali
Coy	Kasunic	Raymond	Williams
Curry	Keller	Reber	Wogan
DeLuca	Kenney	Reinard	Wozniak
Daley	King	Richardson	Wright, D. R.
Dempsey	Kirkland	Rieger	Wright, M. N.
Dent	Laub	Ritter	Yewcic
Dermody	Laughlin	Roberts	Zug
Donatucci	Lawless	Robinson	
Druce	Lee	Roebuck	DeWeese,
Durham	Leh	Rohrer	Speaker
Egolf	Lescovitz		

NAYS—20

Cappabianca	Lederer	Platts	Surra
Evans	McNally	Saylor	Tigue
Freeman	Manderino	Steelman	Veon
Krebs	Michlovic	Stetler	Wauh
Kukovich	Mihalich	Sturla	Yandrisevits

NOT VOTING—1

LaGrotta

EXCUSED—2

Caltagirone Hughes

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

On the question,

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

Mr. BUNT offered the following amendments No. A0217:

Amend Title, page 1, line 3, by removing the period after "expenses" and inserting ; further defining "child abuse" and "child-care services"; adding a definition of "caregiver"; and further providing for release of information in confidential reports and for immunity from liability.

Amend Bill, page 2, by inserting between lines 25 and 26

Section 2. The definitions of "child abuse" and "child-care services" in section 6303 of Title 23 are amended and the section is amended by adding a definition to read:

§ 6303. Definitions.

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

"Caregiver." The child's parent or guardian; the child's stepparent; an individual residing in the same home as the child; a paramour of the child's parent, guardian or stepparent; a person who, either by legal authorization or consent of the parent, guardian or stepparent, provides the child with temporary care, supervision or control in lieu of parental care, supervision and control, including, but not limited to, babysitters, day-care staff persons, residential child-care staff persons, and youth groups and sports and activities leaders.

"Child abuse." Serious physical or mental injury which is not explained by the available medical history as being accidental, sexual abuse, sexual exploitation or serious physical neglect of a child under 18 years of age if the injury, abuse or neglect has been caused by the acts or omissions of the child's [parents or by a person responsible for the child's welfare, or any individual residing in the same home as the child, or a paramour of the child's parent] caregiver or sexual abuse or sexual exploitation of a child under 18 years of age caused by any person. No child shall be deemed to be physically or mentally abused for the sole reason

the child is in good faith being furnished treatment by spiritual means through prayer alone in accordance with the tenets and practices of a recognized church or religious denomination by an accredited practitioner thereof or is not provided specified medical treatment in the practice of religious beliefs, or solely on the grounds of environmental factors which are beyond the control of the person responsible for the welfare of the child such as inadequate housing, furnishings, income, clothing and medical care.

"Child-care services." Child day-care centers, group and family day-care homes, foster homes, adoptive parents, boarding homes for children, juvenile detention center services or programs for delinquent or dependent children; mental health, mental retardation and drug and alcohol services for children; services or programs provided in public, private and parochial schools, intermediate units or area vocational-technical schools, including those provided by independent contractors and their employees; and any [other] child-care services which are provided by or subject to approval, licensure, registration or certification by the department or a county social services agency or which are provided pursuant to a contract with these departments or a county social services agency. [The term does not include such services or programs which may be offered by public and private schools, intermediate units or area vocational-technical schools.]

* * *

Section 3. Sections 6318 and 6340(a)(10) of Title 23 are amended to read:

§ 6318. Immunity from liability.

(a) General rule.—A person, hospital, institution, school, facility or agency participating in good faith in the making of a report, cooperating with an investigation or testifying in a proceeding arising out of an instance of suspected child abuse, the taking of photographs or the removal or keeping of a child pursuant to section 6315 (relating to taking child into protective custody) and any official, employee or agent of a child protective service who refers a report to a law enforcement authority pursuant to any provision of this chapter shall have immunity from any civil or criminal liability that might otherwise result by reason of those actions.

(b) Presumption of good faith.—For the purpose of any civil or criminal proceeding, the good faith of a person required to report pursuant to section 6311 (relating to persons required to report suspected child abuse) any official, employee or agent of a child protective service who is required by provisions of this chapter to notify law enforcement of a report received shall be presumed.

§ 6340. Release of information in confidential reports.

(a) General rule.—Reports specified in section 6339 (relating to confidentiality of reports) shall only be made available to:

* * *

(10) Law enforcement officials of any jurisdiction who shall receive from the child protective services reports of abuse in which the [initial review gives evidence] initial inquiry or the investigation into the report raises suspicion that the abuse is [homicide] death, sexual abuse, sexual exploitation or serious bodily injury perpetrated by persons whether or not related to the victim, or child abuse perpetrated by persons who are not family members. [Reports] Such reports shall be made immediately. Written confirmation of oral reports referred to law enforcement officials shall be on forms provided by and according to regulations promulgated by the department.

* * *

Amend Sec. 2, page 2, line 26, by striking out "2" and inserting

4

Amend Sec. 3, page 2, line 28, by striking out "3" and inserting

5

On the question,

Will the House agree to the amendments?

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

Mr. BUNT. Thank you, Mr. Speaker.

Mr. Speaker, amendment 0217 to HB 113 is an amendment similar to the amendment that I attempted to offer to HB 3 last week except for a technical change on page— Well, it would have been page 3. I removed the statutory language which dealt with stalking, and really, it is germane to this bill.

As I relayed to the membership last week, Mr. Speaker, I am attempting to close a loophole in the reporting of sexual abuse on our children. Under current law, Mr. Speaker, only individuals with a specified relationship to the child can be possible perpetrators.

Now, you, Mr. Speaker, and members of the General Assembly know full well that there are other perpetrators other than a child's parents or other individuals who live within the home. This amendment would insure that sexual abuse by anyone, regardless of the relationship, would be covered.

Mr. Speaker, I feel very, very strongly about this legislation. I feel very frustrated, Mr. Speaker, by my inability to successfully introduce this legislation to other bills, and, Mr. Speaker, I think I have had this amendment written to every statutory code that we have available and will continue to do so.

I would strongly urge the members of the House to support this legislation. Thank you.

CONSTITUTIONAL POINT OF ORDER

The SPEAKER. The Chair recognizes Representative Ritter.

Ms. RITTER. Thank you, Mr. Speaker.

The problem that Mr. Bunt intends to address through his amendment is a very serious one, and it deserves the full attention and consideration by this House. It should be addressed.

The purpose of Article III, sections 1 and 3, of the Constitution of Pennsylvania is to insure that each issue does receive full consideration by the General Assembly. So, Mr. Speaker, I would move that this amendment is unconstitutional because it violates Article III, sections 1 and 3, of the Pennsylvania Constitution.

And if I might speak on that motion.

The SPEAKER. Ms. Ritter has raised a point of constitutionality.

On the question,

Will the House sustain the constitutionality of the amendments?

The SPEAKER. On the point of constitutionality, the lady is recognized.

Ms. RITTER. Thank you, Mr. Speaker.

Let me just read for you Article III, sections 1 and 3, and you will see very clearly what the intent of the Constitution is.

First of all, section 1 says, "No law shall be passed except by bill, and no bill shall be so altered or amended, on its

passage through either House, as to change its original purpose." Section 3 says, "No bill shall be passed containing more than one subject, which shall be clearly expressed in its title, except a general appropriation bill or a bill codifying or compiling the law or a part thereof."

Now, only an attorney would tell you that "subject" means title. Most of us recognize the word "subject" as meaning subject.

So very clearly, the subject of the legislation we are discussing now has to deal with the financing of postsecondary education, and that is a very clearly defined subject. And while the subject of Mr. Bunt's amendment is a very serious one and does deserve our complete consideration, it very clearly violates these two sections of the Constitution.

Now, I know very well that this House has operated on this basis for many years, and I was the lead plaintiff in a case that went to the State Supreme Court on this very subject, and the court, through its ruling, said, basically, this is up to the General Assembly to decide. But I do not see how the Constitution can be any clearer in its intent that every subject that comes before this House should have the full and complete consideration of this House through the committee process and not through the amendment process.

So while I am in sympathy with Mr. Bunt's purposes for his amendment and would probably support it if it were offered separately, I do not think it is appropriate to offer it to this bill today without it having the full discussion and consideration that it should have in the committee process. So I would ask the members to vote that this amendment is unconstitutional.

The SPEAKER. On the question of constitutionality, the gentleman, Mr. Lee, is recognized.

Mr. LEE. Thank you, Mr. Speaker.

I am reluctant to rise and talk about the issue of germaneness because we have been dealing with it for several days here in the House, but it is a very important argument that we are debating today, because to a certain extent, I agree with Representative Ritter on this subject. I have always been disturbed by the fact that this House groups together large numbers of different, unrelated amendments and subjects into one different bill. I think every member of this House would like to be able to, when they vote a bill on final passage, be dealing with one subject, and that was clearly, perhaps, the intent of the original drafters of the Constitution.

However, I think the original drafters of the Constitution also had an intent that this body be controlled not by a simple majority of the body, one party or the other, and I think that is the crux of the issue right here. I would like to discuss this whole issue of germaneness as part of our ongoing rules debate, because ultimately, I like the idea of limiting bills to one subject matter, but before I can agree to that, we on this side of the aisle, in the minority, have to have some agreement from your side of the aisle that our ideas, our proposals, are brought up for a vote.

I am sure Representative Bunt's bill will go into committee, and if I could be assured that that bill was going to come out

of committee and be given a full hearing, passed on to the Senate, and he would have some chance to have that go into law, then I would support Representative Ritter's motion, but unfortunately, I have no such assurance. I am almost positive that unless Representative Bunt puts this amendment into this bill at this time, he has absolutely no chance of getting this provision into law.

So therefore, I reluctantly oppose Representative Ritter's motion on constitutionality and would therefore request that the House rule this amendment constitutional with the caveat that our rule reform group can look into specifically this subject when we are talking about the rules of the House. Thank you very much.

The SPEAKER. The Chair thanks the gentleman and recognizes Mr. Piccola on constitutionality.

Mr. PICCOLA. Thank you, Mr. Speaker.

At the risk of having the Speaker do some research and find statements that I made 10 or 15 years ago to the contrary, I would also suggest that the lady is in error in suggesting that this is not a constitutional amendment. If her argument is correct, then the entire Title 23, and perhaps some other titles that we have codified in recent years, is also unconstitutional and invalid. A number of years ago we codified all of the domestic relations law into Title 23, and we put that all in one bill, which dealt with a whole lot of different subject matters, if we buy the lady's argument.

I suggest, Mr. Speaker, that we have in the past said that if you are dealing with a Title 23 subject, you are dealing with the same subject matter as the rest of the bill and that any amendment that amends Title 23 is in fact germane and is in keeping with the Constitution.

I think the lady is in error, and I would suggest also that the amendment is in fact constitutional.

The SPEAKER. The Chair thanks the gentleman and recognizes Mr. Blaum of Luzerne.

Mr. BLAUM. Thank you, Mr. Speaker.

Mr. Speaker, I rise to support Representative Ritter's motion that this amendment is unconstitutional because it deals with an entirely different subject matter, and not only does it deal with an entirely different subject matter, it deals with one of the most important subject matters to come before this House and should be done in a very thoughtful and deliberative way and not by amendment here on the floor of the House.

The amendment has to do with amending our Child Protective Services Law, a law that protects abused kids, and to determine whether or not this is the best forum for this to occur, I think is another reason that the members should take into account.

To the gentleman, Mr. Lee, I would simply say and guarantee that we will have before this House a bill which strengthens the child abuse laws in Pennsylvania, and it would be to that bill, when we bring it before this chamber, it would be to that bill that these amendments would be appropriate.

So I would ask that the members vote "no," that this amendment is not constitutional and should not be offered to

a bill that has something to do with whether or not divorced parents should be obligated to pay college tuition for their kids.

The SPEAKER. The gentleman, Mr. Ryan, is recognized.

Mr. RYAN. Thank you, Mr. Speaker.

Mr. Speaker, if I am not mistaken, I remember last week we went through a parliamentary war of sorts, and my distinct recollection of the outcome was that the Speaker of the House, whether it was by formal ruling or just by simple logic, ruled that what is being attempted right now is perfectly permitted. In fact, I have before me a memorandum from Ivan Itkin, the majority leader, dated February 4, 1993. Now, granted, Mr. Itkin is not the Speaker of the House, but he is urging everyone here—and I am quoting now—"...it is my suggestion that members who have Title 23 amendments consider offering them to House Bill 113...."

Now, I am a little paranoid about the majority leader at the moment, and I thought he did that just to load up my bill, but I see now that he would not do a thing like that to me. He would not love it to death, and what he was doing is he was telling all of these members, if they have something to amend on that particular title, that they should do it to this first available bill.

Now, I am surprised that all of a sudden the majority side—and it is my hope that this is not the majority side doing it, but I am concerned that it would be—is now, all of a sudden, saying no, despite the fact that Mr. Itkin said, bring in your Title 23 amendments; despite the fact that the Speaker last week, in the course of debate on the double-titled bills with the single subject, inferred or went beyond inferring but told us that this is proper, what we are now doing, it looks like a conspiracy again is afoot to keep us from offering amendments, and I sincerely hope I am wrong.

I would ask for an affirmative vote on this particular amendment.

And if anyone, Mr. Speaker, wants a copy of the Itkin memorandum, if you did not read your mail, I have one right here you can look at.

The SPEAKER. On the constitutionality of the amendment, those who vote "aye" will vote that the amendment is constitutional; those who vote "no" will vote that the amendment is not constitutional.

On the question recurring,

Will the House sustain the constitutionality of the amendments?

The following roll call was recorded:

YEAS—116

Adolph	Fichter	Levdansky	Ryan
Allen	Fleagle	Lloyd	Sather
Argall	Flick	Lynch	Saurman
Armstrong	Freeman	McNally	Saylor
Baker	Gannon	Maitland	Scheetz
Barley	Geist	Marsico	Schuler
Birmelin	Gerlach	Masland	Scrimenti
Boyes	Gladeck	Merry	Semmel
Brown	Godshall	Michlovic	Serafini
Bunt	Gordner	Micozzie	Smith, B.

Bush	Gruitza	Miller	Smith, S. H.
Butkovitz	Gruppo	Murphy	Snyder, D. W.
Carone	Harley	Nailor	Steil
Cessar	Hasay	Nickol	Stern
Chadwick	Heckler	Nyce	Strittmatter
Civera	Hennessey	O'Brien	Taylor, E. Z.
Clark	Herman	O'Donnell	Taylor, J.
Clymer	Hershey	Petzel	Tigue
Cohen, L. I.	Hess	Pesci	Tomlinson
Cornell	Hutchinson	Pettit	True
Daley	Itkin	Phillips	Tulli
Dempsey	Jadlowiec	Piccola	Uliana
Dent	Kenney	Pitts	Vance
Druce	King	Platts	Waugh
Durham	Krebs	Raymond	Wogan
Egolf	Laub	Reber	Wozniak
Fairchild	Lawless	Reinard	Wright, M. N.
Fargo	Lee	Rohrer	Yewcic
Farmer	Leh	Rubley	Zug

NAYS—85

Acosta	Fajt	McGeehan	Staback
Battisto	Fee	Manderino	Stairs
Bebko-Jones	Gamble	Markosek	Steelman
Belardi	George	Mayernik	Steighner
Belfanti	Gighiotti	Melio	Stetler
Bishop	Haluska	Mihalich	Stish
Blaum	Hanna	Mundy	Sturla
Buxton	James	Olasz	Surra
Cappabianca	Jarolin	Oliver	Tangretti
Carn	Josephs	Petrarca	Thomas
Cawley	Kaiser	Petrone	Trello
Cohen, M.	Kasunic	Pistella	Trich
Colafrilla	Keller	Preston	Van Horne
Colaizzo	Kirkland	Richardson	Veon
Corrigan	Kukovich	Rieger	Vitali
Cowell	LaGrotta	Ritter	Williams
Coy	Laughlin	Roberts	Wright, D. R.
Curry	Lederer	Robinson	Yandrisevits
DeLuca	Lescovitz	Roebuck	
Dermodoy	Linton	Rooney	DeWeese, Speaker
Donatucci	Lucyk	Rudy	
Evans	McCall	Santoni	

NOT VOTING—0

EXCUSED—2

Caltagirone	Hughes
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The majority having voted in the affirmative, the question was determined in the affirmative and the constitutionality of the amendments was sustained.

FILMING PERMISSION

The SPEAKER. The Chair wishes to advise the members that permission has been given to John Sanks of WPVI to film on the floor during the proceedings of HB 113.

CONSIDERATION OF HB 113 CONTINUED

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

The SPEAKER. The gentleman, Mr. Kukovich, is recognized.

Mr. KUKOVICH. Mr. Speaker, I realize this is maybe a lost cause, but I at least have to put on the record why I am asking for a "no" vote.

I am sure that Representative Bunt is trying to do what he can to address a problem which he perceives in his region, and he thinks that this language will solve that problem. I would submit that this language in this amendment, although well conceived perhaps, will exacerbate the problem.

Earlier during this debate, Representative Blaum talked about legislation to strengthen the Child Protective Services Act. For at least 6, 7, or 8 years, there has been serious work between parties - between the legislative branch, the Governor's Office, and the Attorney General's Office - to come up with a way to deal with the problems out in the counties where they deal with children and youth systems and child welfare. Out there is where the front lines are for preventing child abuse, or more appropriately, reabuse.

Now, the system right now is overwhelmed. It is understaffed; they are underpaid. Representative Bunt's amendment will increase the caseload and will add somewhere close to \$1 1/2 million more to the cost, and currently most counties do not have the funds to meet their statutory mandate. Representative Blaum's legislation would set up a system where the caseload would also be increased but with mechanisms to have risk assessment, prioritization, to give tools and flexibility to the county bureaus to deal with child abuse appropriately. Unfortunately, this process of trying to amend an unrelated bill on the floor, no matter how well intended, is not going to deal with that problem. It is going to make it worse. Our county children and youth agencies cannot handle that. They will not be able to handle this.

One of the aspects of this bill is to deal with teachers. There is legislation in the works separate and apart from child welfare legislation to deal with that process. There is a criminal justice system which currently deals with that process. Last session Representative Stuban, who chaired Aging and Youth; Representative Cowell, who chairs Education; and I and other individuals worked on compromises to deal with this problem. That legislation will be forthcoming.

Also, there is language in here that mandates earlier referral to the law enforcement system. Again, on paper, on the surface, it seems reasonable. In reality, it does not work. The child welfare law is set up to be a family intervention tool. The purpose is to convince families that there is somebody out there who will help them, who will try to help that child. Now, if we are making a public policy decision—and we will by this amendment—saying no, no; we do not want this to be a family intervention tool; we do not want to use our child welfare system to help people, but we simply want to make it a law enforcement tool; we do not want to do anything for people; we want to do something just to people, then that is what this amendment will do, and in troubled families, they will not be as forthcoming to talk about abuse because of the law enforcement system. This flies in the face of progress that has been made across this country and has started to be made in this State.

For all those reasons—and, Mr. Speaker, I could go on with a number of others—we have got to vote “no” on this amendment. I think at some point we have to do what is realistic and what is right, not just what looks short term to be politically pragmatic. At some time we have to act like a deliberative body, make tough decisions, and do the right thing. For those reasons I would ask for a negative vote.

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

Mr. PRESTON. Thank you, Mr. Speaker.

Will the maker of the amendment stand for interrogation?

The SPEAKER. Will the gentleman stand for interrogation?

Mr. BUNT. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. PRESTON. Thank you.

Mr. Speaker, if you could help me out just a little bit and understand, by adding the word “caregiver” as a defined meaning, what would be the particular liabilities to organizations or particular entities covered by your amendment under the description as far as caregivers are concerned?

Mr. BUNT. Mr. Speaker, I had some difficulty understanding the entire question. Could you repeat it, please, for me.

Mr. PRESTON. By adding the word “caregiver” and giving a definition, the different parts that you have included - for an example, whether it is youth groups, sports activities - and then on the other pages when you cover the different parts of units are concerned, my concern is the liabilities of the respective organizations and/or nonprofit or public schools. What would be their liabilities to anybody who was performing the duty of a caregiver?

As an example, this would cover, I take it, baseball coaches, Boy Scouts, other different organizations as compared to youth groups and sports activities?

Mr. BUNT. I do not see where we would have a case of liability, Mr. Speaker. We are talking about the accused, but I do not see any aspect as to liability.

Mr. PRESTON. You have given the definition as far as “caregiver” to include, “but not limited to, babysitters, day-care staff persons, residential child-care staff persons, and youth groups and sports and activities leaders.” Would this include a baseball coach of a Little League team under, say, St. Mary’s School, even if he was a volunteer?

Mr. BUNT. It does not create any civil liability on the part of an employer or volunteer organization.

Mr. PRESTON. Would you define this person as a “caregiver”?

Mr. BUNT. Well, we have tried to define it within the context. Those that are presently included, Mr. Speaker, would be the parent, the guardian, or stepparents. It would also include, but not be limited to, babysitters, day-care staff persons, residential child-care staff persons, youth groups and sports and activity leaders.

Basically, Mr. Speaker, what I do not want to exist is to have a loophole where someone can abuse a child and get away with it in the Commonwealth of Pennsylvania. I think, Mr. Speaker, since 1975, with the opposition of the Education

Association in this Commonwealth, and as Mr. Kukovich indicated, for 6 or 7 years we have been trying to work out some language, Mr. Speaker, to close these loopholes, with the support of this amendment and its language by the law enforcement community; by the district attorney of my county; by the present Attorney General of the Commonwealth of Pennsylvania; by his predecessor, Attorney General LeRoy Zimmerman; by the task forces that have been set up in this Commonwealth to address this problem. A loophole still exists, Mr. Speaker, and it is the loophole that I want to have cleaned up so that one more 9-year-old girl is not blindfolded and sodomized.

Mr. PRESTON. Let me continue and let me try another vein, and maybe I will get an answer this time then.

Let us say that any one of us as far as the legislature or any other parent volunteers to drive a van for, let us say, Sacred Heart School girls basketball team and just volunteers. Now, would I be classified as a “caregiver”?

Mr. BUNT. I believe you would be.

Mr. PRESTON. So in other words, being that I was classified as a “caregiver,” therefore would not the school also be liable for that particular caregiver?

Mr. BUNT. This does not create a civil liability, Mr. Speaker. We are addressing a criminality that may exist, and it may—

Mr. PRESTON. So what you are saying is that anyone who volunteers who would now fall under your amendment and be a caregiver would not form any form of liability under any other organizational structure under the current way that your amendment is drawn.

Mr. BUNT. Mr. Speaker, it would only amend the Child Protective Services Act. That is all this amendment does. It closes up a loophole. That is it.

Mr. PRESTON. Thank you for not answering my question.

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

Mr. BLAUM. Thank you, Mr. Speaker.

Mr. Speaker, I know full well what the gentleman, Mr. Bunt, seeks to do, and I commend him for it. My only point is that this amendment will not do it.

The people whom he lists in his amendment as “caregivers,” if they ever touch a kid and commit an abusive act, their names should be listed in a central registry. But if we are going to have child protective services people, who in all of the counties and in the agencies in these counties are overworked, understaffed, and underpaid, if they have to go out and actually investigate each one of these cases that is currently investigated by law enforcement—and I believe that is where it belongs, with law enforcement—what we have to do—and we are working on it right now and hope to bring it to this House within a few weeks—what we have to do is find out when there is a case which law enforcement investigates, that they have the ability, when they believe that there is an indicated case of child abuse, to put that person’s name - be it a Little League coach, a schoolteacher, a day-care worker, or whatever - that they will be allowed to put that person’s name

on the central registry so they never get to work within 100 miles of any kid. That is what we are about trying to do.

How do we find a way to place in the central registry a name of a person who commits abusive acts against children, at the same time, at the same time, not forcing children and youth services agencies to go and do every one of these investigations? Many of these can be done by law enforcement, are currently done by law enforcement, but the thing is, when there is a case of indicated abuse, that they be able to put the names of these individuals into the central registry regardless of whether or not they get to make their way through the criminal justice system. That, Mr. Speaker, is the tougher way to go; that is the better way to go. We are going to bring that to the House within a few weeks, and this amendment is not.

I know what the gentleman is doing. He wants their name in the central registry, but by forcing all these investigations, by trying to force all these investigations, not only can this not be done but this will never become law in Pennsylvania. What we have to do is find a workable solution, a workable solution, to the loophole which Mr. Bunt correctly points out in Pennsylvania law, and we are about trying to fix that. This amendment does not do it. Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Godshall, of Montgomery County is recognized.

Mr. GODSHALL. Thank you, Mr. Speaker.

First of all, addressing a problem - Mr. Kukovich said that Mr. Bunt was bringing this amendment forward to address a problem that he perceives to be in his district. I would like to say that he does not perceive anything. There is a problem in his district. There is a problem in a lot of districts around the State. It is not a perceived problem. It is a problem of child abuse; it is a problem of children being abused in the schools, and this amendment is what we can do to stop that. That is all it is, what we can do to stop that.

Mr. Blaum said about bringing it to the authorities. Well, unfortunately, right now the school district authorities do not have to take these abuse problems to the law enforcement authorities. That is what this amendment says should happen, and that is what will happen with this amendment.

I ask for a "yes" vote. Thank you.

The SPEAKER. Representative Ritter is recognized.

Ms. RITTER. Thank you, Mr. Speaker.

As I said earlier, the intent of this amendment is a very good one. Everyone here wants to get tough on those who would abuse our children, but I think, as has been already brought up by several other members, there are a lot of serious questions here as to some of the language in this amendment and whether or not the amendment will do what it sets out to do and what other effect it might have.

So again I would argue that this is something that should be discussed in the committee. There has already been a promise from the chair of the committee that legislation to deal with this issue will be coming out of that committee. It might possibly include Mr. Bunt's amendment, or Mr. Bunt's amendment then would be appropriate to be offered on the floor after it has been discussed in the committee. But for us to try to

deal with all of the questions here today and pass something very quickly, that we have not fully realized all the ramifications of it and we are going to pass it very quickly because we want to be tough on child abuse, I think we are making a mistake. We need to deal with this in a thoughtful, rational manner, and we need to deal with it in the committee system.

So I would also ask that the members reject this amendment at this time.

The SPEAKER. The gentleman, Mr. Lawless, is recognized.

Mr. LAWLESS. Thank you, Mr. Speaker.

Mr. Speaker, once again I rise and urge the members to support Mr. Bunt in his amendment. It is an attempt to fix something that needs to be fixed in the Commonwealth, and once again I would ask everyone for a positive vote. Thank you.

The SPEAKER. The gentleman from Somerset, Mr. Lloyd, is recognized.

Mr. LLOYD. Thank you, Mr. Speaker.

Mr. Speaker, would the gentleman, Mr. Bunt, stand for interrogation?

The SPEAKER. Will the gentleman, Mr. Bunt, submit to interrogation? The gentleman indicates that he will.

Mr. LLOYD. Mr. Speaker, when we amend the definition section without all of the other relevant sections of the act, it is a little hard to understand exactly what the ramifications are. But I had the following problem, and I am sure that other members of the House who have 4-H groups in their district had this problem about a year ago, and I want to put the situation and see whether this somehow changes the law.

Mr. Speaker, about a year ago, Penn State began requiring 4-H groups to obtain a clearance from the State Police, just like a schoolteacher has to get before he or she may be hired. Four-H groups in my county and I suspect in some other counties went to their legislators and said, this is going to be a tremendous cost for people who are volunteers. I do not recall exactly how this was resolved, but it was resolved in a way which said that they did not have to get that clearance.

I am concerned and I would like to know whether the change in the definition of "caregiver" to include youth groups and youth group leaders in the definition of "caregiver" is going to trigger a requirement that 4-H groups, Boy Scout groups, and the like, before they may have someone as a leader, are required to have that person submit a clearance from the State Police.

Mr. BUNT. That is correct - recommended by law enforcement.

Mr. LLOYD. Mr. Speaker, on the amendment.

The SPEAKER. On the amendment.

Mr. LLOYD. Mr. Speaker, the gentleman, Mr. Bunt, indicated that in fact the effect of this language would be to require those organizations such as 4-H, the Scouts, and the like to obtain a clearance from the State Police for their leaders. What that means is that if you have, say, 15 children in a 4-H group and their parents are the leaders, they are going to have to go through a State Police clearance process.

Mr. Speaker, I do not think there is anybody on this floor who would countenance any kind of child abuse, and we all want to do things to try to stop that, but if this is in fact going to have the effect of making all of those volunteer organizations with people who are leaders who get no pay whatsoever go through the problems of getting a clearance, I think that is overkill and I think we ought to reject the amendment. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—87

Adolph	Farmer	Marsico	Saurman
Allen	Fichter	Merry	Saylor
Argall	Fleagle	Micozzie	Scheetz
Armstrong	Flick	Miller	Schuler
Barley	Gannon	Nailor	Semmel
Boyes	Geist	Nyce	Smith, B.
Brown	Gerlach	O'Brien	Snyder, D. W.
Bunt	Gladeck	O'Donnell	Steil
Bush	Godshall	Perzel	Stern
Cawley	Gruitza	Pettit	Strittmatter
Cessar	Harley	Phillips	Taylor, E. Z.
Chadwick	Heckler	Piccola	Taylor, J.
Civera	Hennessey	Pistella	Tigue
Clark	Hershey	Pitts	Tomlinson
Cohen, L. I.	Hess	Platts	True
Cornell	Hutchinson	Raymond	Tulli
Dent	Kenney	Reber	Uliana
Druce	King	Reinard	Vance
Durham	Laub	Rohrer	Wogon
Egolf	Lawless	Rublely	Wright, M. N.
Fairchild	Maitland	Ryan	Zug
Fargo	Manderino	Sather	

NAYS—114

Acosta	Fee	Linton	Rudy
Baker	Freeman	Lloyd	Santoni
Battisto	Gamble	Lucyk	Scrimenti
Bebko-Jones	George	Lynch	Serafini
Belardi	Gigliotti	McCall	Smith, S. H.
Belfanti	Gordner	McGeehan	Staback
Birmelin	Gruppo	McNally	Stairs
Bishop	Haluska	Markosek	Steelman
Blaum	Hanna	Masland	Steighner
Butkovitz	Hasay	Mayernik	Stetler
Buxton	Herman	Melio	Stish
Cappabianca	Itkin	Michlovic	Sturla
Carn	Jadlowiec	Mihalich	Surra
Carone	James	Mundy	Tangretti
Clymer	Jarolin	Murphy	Thomas
Cohen, M.	Josephs	Nickol	Trello
Colafiglia	Kaiser	Olasz	Trich
Colaizzo	Kasunic	Oliver	Van Horne
Corrigan	Keller	Pesci	Veon
Cowell	Kirkland	Petrarca	Vitali
Coy	Krebs	Petrone	Waugh
Curry	Kukovich	Preston	Williams
DeLuca	LaGrotta	Richardson	Wozniak
Daley	Laughlin	Rieger	Wright, D. R.
Dempsey	Lederer	Ritter	Yandrisevits
Dermody	Lee	Roberts	Yewcic
Donatucci	Leh	Robinson	
Evans	Lescovitz	Roebuck	DeWeese,
Fajt	Levdansky	Rooney	Speaker

NOT VOTING—0

EXCUSED—2

Caltagirone Hughes

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

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

Mr. REBER offered the following amendment No. A0197:

Amend Sec. 1 (Sec. 4321.1), page 2, by inserting between lines 25 and 26

(d) Parent's obligation.—A parent's obligation to contribute towards the postsecondary educational expenses of a child shall not include payments to the other parent for the child's living expenses at home unless the child resides at home with such parent and commutes to school.

(e) Action to recover expenses.—An action to recover postsecondary educational expenses may be commenced:

(1) by the child if over 18 years of age; or

(2) by either parent on behalf of the child but if the child is over 18 years of age, the child's written consent to the action must be secured.

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

The SPEAKER. The gentleman, Mr. Reber, is recognized.
Mr. REBER. Thank you, Mr. Speaker.

Mr. Speaker, just for a point of clarification for the members, this goes back to the original issue that is before the House in HB 113 relative to the particular domestic relations issue of postsecondary educational expenses. My amendment, Mr. Speaker, I hope will go to further clarify, as Representative Piccola did in the effective adoption of his amendment, relative to the issue surrounding what is postsecondary educational expenses.

This particular amendment, Mr. Speaker, has two particular sections. One goes to attempt to add specificity and specific criteria to the bill as to what postsecondary educational expenses can in fact be ordered by the court, and I would submit that those expenses go to the tuition, the room and board at the school, as well as textual materials and any other related expenses needed during the particular individual child's matriculation during postsecondary schooling.

My amendment, Mr. Speaker, very specifically does not—and again I emphasize—does not include payments to be made to the custodial parent for the child's living expenses at home unless the child himself does reside at home with such parent and commutes to school.

Additionally, Mr. Speaker, I would like to memorialize in the statute what has otherwise been the particular basis for standing in law to bring the action, and that is that an action can be brought or commenced by the child if he is over 18 years of age or by either parent on behalf of the child, but it again has to be done with the written consent of the child. I

believe this particular language memorializes what has heretofore been case law.

I think this goes a long way to very equitably and with specificity delineate what in fact is the parent's obligation under postsecondary expenses, and I do not think it does in any way harm the bill. It is simply an addition to the bill, with specificity setting forth the criteria.

I would urge its adoption.

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

The following roll call was recorded:

YEAS—198

Acosta	Fargo	Lloyd	Rudy
Adolph	Farmer	Lucyk	Ryan
Allen	Fee	Lynch	Santoni
Argall	Fichter	McCall	Sather
Armstrong	Fleagle	McGeehan	Saurman
Baker	Flick	McNally	Saylor
Barley	Freeman	Maitland	Scheetz
Battisto	Gamble	Manderino	Schuler
Bebko-Jones	Gannon	Markosek	Scrimenti
Belardi	Geist	Marsico	Semmel
Belfanti	George	Masland	Serafini
Birmelin	Gerlach	Mayernik	Smith, B.
Bishop	Gigliotti	Melio	Smith, S. H.
Blaum	Gladeck	Merry	Snyder, D. W.
Boyes	Godshall	Michlovic	Staback
Brown	Gordner	Micozzie	Stairs
Bunt	Gruitza	Mihalich	Steelman
Bush	Gruppo	Miller	Steighner
Butkovitz	Haluska	Mundy	Stern
Buxton	Hanna	Murphy	Stetler
Cappabianca	Harley	Nailor	Stish
Carn	Hasay	Nickol	Strittmatter
Carone	Hennessey	Nyce	Surra
Cawley	Herman	O'Brien	Tangretti
Cessar	Hershey	O'Donnell	Taylor, E. Z.
Chadwick	Hess	Olasz	Taylor, J.
Civra	Hutchinson	Oliver	Thomas
Clark	Itkin	Perzel	Tigue
Clymer	Jadlowiec	Pesci	Tomlinson
Cohen, L. I.	James	Petrarca	Trello
Cohen, M.	Jarolin	Petrone	Trich
Colafrella	Josephs	Pettit	True
Colaizzo	Kaiser	Phillips	Tulli
Cornell	Kasunic	Piccola	Uliana
Corrigan	Keller	Pistella	Van Horne
Cowell	Kenney	Pitts	Vance
Coy	King	Platts	Veon
Curry	Kirkland	Preston	Vitali
DeLuca	Krebs	Raymond	Waugh
Daley	Kukovich	Reber	Williams
Dempsey	LaGrotta	Reinard	Wogan
Dent	Laub	Richardson	Wozniak
Dermody	Laughlin	Rieger	Wright, D. R.
Donatucci	Lawless	Ritter	Wright, M. N.
Druce	Lederer	Roberts	Yandrisevits
Durham	Lee	Robinson	Yewcic
Egolf	Leh	Roebuck	Zug
Evans	Lescovitz	Rohrer	
Fairchild	Levdansky	Rooney	DeWeese,
Fajt	Linton	Rubleay	Speaker

NAYS—3

Heckler Steil Sturla

NOT VOTING—0

EXCUSED—2

Caltagirone Hughes

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

On the question recurring,

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

Mr. GERLACH offered the following amendments No. A0206:

Amend Title, page 1, line 3, by removing the period after "expenses" and inserting ; requiring all child day-care centers to have a plan for supervision to institute in the event that a facility person would be under investigation for suspected child abuse; and conferring powers and duties upon the Department of Public Welfare.

Amend Bill, page 2, by inserting between lines 25 and 26 Section 2. Chapter 63 of Title 23 is amended by adding a subchapter to read:

CHAPTER 63
CHILD PROTECTIVE SERVICES

SUBCHAPTER F
CHILD DAY CARE

§ 6391. Definitions.

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

"Child abuse." Serious physical or mental injury which is not explained by the available medical history as being accidental, sexual abuse or sexual exploitation, or serious physical neglect of a child if the injury, abuse or neglect of a child has been caused by the acts or omissions of the child's parent, by a person responsible for the child's welfare, by an individual residing in the same home as the child or by a paramour of a child's parent. A child will not be deemed to be physically or mentally abused for the sole reason that the child is in good faith being furnished treatment by spiritual means through prayer alone in accordance with the tenets and practices of a recognized church or religious denomination by an accredited practitioner or is not provided specified medical treatment in the practice of religious beliefs or solely on the grounds of environmental factors which are beyond the control of the person responsible for the child's welfare, such as inadequate housing, furnishings, income, clothing and medical care.

"Child day-care center." The premises in which care is provided at any one time for seven or more children unrelated to the operator, as licensed and regulated by the Commonwealth.

"County agency." The county children and youth social service agency established under section 405 of the act of June 24, 1937 (P.L.2017, No.396), known as the County Institution District Law, or its successor, and supervised by the Department of Public Welfare under Article IX of the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code.

"Facility person." A staff person, a substitute staff person, a volunteer, a food service person, a janitorial person or another adult who serves in or is employed by a facility.

"Operator." The legal entity or a person designated by the legal entity to serve as the facility director.

§ 6392. Plan for supervision.

(a) General rule.—Within two working days after notification by the county agency that a facility person other than the

operator is under investigation for suspected child abuse, a child day-care center operator shall develop and implement a plan for supervision to follow until such time that the county agency would notify the operator of the completion of the investigation and that a finding has been determined. The plan shall include provisions whereby the center would designate an individual to directly supervise any facility person under investigation, whenever such person is in the presence of children at the center.

(b) Definitions.—As used in this section, the following words and phrases shall have the meanings given to them in this subsection:

“Direct supervision” shall mean to be within a distance of the person under investigation within which direct eye contact would be possible.

§ 6393. Duties and responsibilities of the county agency.

(a) Notice of investigation.—

(1) Upon finding that an individual under investigation for suspected child abuse is a facility person other than the operator at a child day-care center, the county agency shall immediately contact the center operator and provide notification of such investigation.

(2) The county agency shall notify the operator of the completion of the investigation and that a finding has been determined.

(b) Facility operator.—In the event that the facility operator is the individual under investigation for suspected child abuse, the county agency shall develop and implement a plan for supervision at the center within two working days of such finding of an investigation.

§ 6394. Penalty for noncompliance.

Any child day-care center operator who fails to comply with the provisions set forth under section 6392 (relating to plan for supervision) shall be deemed to be out of compliance with conditions for licensure and shall be subject to the suspension or revocation of that license by the licensing authority.

Amend Sec. 2, page 2, line 26, by striking out “2” and inserting

3

Amend Sec. 3, page 2, line 28, by striking out “3” and inserting

4

On the question,

Will the House agree to the amendments?

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

Mr. GERLACH. Thank you, Mr. Speaker.

This amendment amends Title 23 and would allow for a situation for the creation of a plan of supervision in the instances where there has been an alleged child abuse incident occurring in a day-care facility. Currently under our regulations the children and youth services agency should notify the operator of a day-care center when there is an investigation underway for a report of suspected abuse. This would insert that during the pendency of an investigation, the CYS agency would notify the operator of a day-care facility of the pendency of the investigation and while that is going on, would require that the person alleged to be the perpetrator be placed under direct supervision during the pendency of that investigation.

So I ask for the support of this amendment to add to additional protection in those instances where there is child abuse being alleged in our day-care facilities around the Commonwealth.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Kukovich.

Mr. KUKOVICH. Mr. Speaker, I tried to take a look at this amendment very briefly. I see at least three initial problems. One is that it seems to place a different burden on child day-care programs as opposed to all other kinds of child care programs. There is a long list of residential facilities, home facilities, other types of facilities that are not covered under this amendment. So again it sets up two different standards under the law.

Secondly, the language conflicts directly with the existing Child Protective Services Act in terms of confidentiality, because the child day-care workers, if they comply with this law, will be violating the confidentiality privilege of another law. They are going to be placed under two different burdens.

Thirdly, we are creating—and I think the intention is fine—but the amendment is defective in that it will force counties to set up a whole new system, force them to create a brand-new plan to try to monitor certain people who are alleged to have been violators.

I am not even going to comment on the innocent-until-proven-guilty aspect, although it is an aspect, but there is also a problem in that counties are going to have to carry a large fiscal burden that they never did before. We may have to create either a new bureaucracy or heap new burdens on already overworked day-care workers. So either the cost to the counties will be prohibitive, or secondly, you are going to once again break down an already fragile child welfare program. The agencies are not going to be able to handle this new task that is forced on them. In essence, it is one of those so-called mandates that we all complain about so much that we force counties to do without correspondingly giving them the necessary revenues.

With current filings and allegations that go into these bureaus, somewhere around two-thirds of them are unsubstantiated, never proven; people are never found guilty. This burden is going to continue to increase. We cannot continue, no matter how well meaning the language is, we cannot continue to break down the system. That is what this amendment will do.

So for programmatic reasons, for financial reasons, I am asking for a “no” vote.

The SPEAKER. The Chair thanks the gentleman and recognizes Ms. Ritter.

Ms. RITTER. Thank you, Mr. Speaker.

I make the same argument about this amendment that I did about the Bunt amendment. It may be a very good amendment and it may be something that we need to do—and we need to address this situation, there is no question of that—however, this is another amendment that has already had some questions come up about it. It is something that should be discussed in the committee.

Again, the chair has already said that there will be a bill coming out—at least one bill, probably more—coming out of the Aging and Youth Committee that will deal with this issue and that would then be appropriate for this amendment or for this amendment, even better, to be considered in the committee.

So I would again ask my colleagues to vote against this amendment so that it can be addressed in the proper way in the committee so that these questions can be answered before we pass something that we may make some mistakes in. I think we need to consider it more carefully.

The SPEAKER. The Chair thanks the lady and recognizes the gentleman, Mr. Gerlach, for the second time.

Mr. GERLACH. Thank you, Mr. Speaker.

I would like to respond to some of the comments raised by Representatives Kukovich and Ritter.

With regard to Mr. Kukovich, the purpose of this particular amendment dealing with day-care facilities that care for seven or more children is because many other day-care facilities that take care of less children have less staff by which to take care of those children. Therefore, it is not very workable to require the same things of those day-care facilities as would be required under this amendment, if it were enacted, for those that take care of more than seven children and thereby have the staff that they would be able to put an alleged perpetrator under direct supervision in that circumstance.

As to your comments as to confidentiality, there is no problem with confidentiality, since under our current regulations, the operator of a day-care facility is informed by the children and youth services agency now that there is an investigation ongoing. So this does not change the confidentiality provisions of this in any way.

Thirdly, your argument as to the fiscal impact on a children and youth services agency as a result of this enactment is not accurate either, since all a children and youth services agency will have to do, if this is enacted, is to notify the day-care facility operator of the pendency of the investigation. That could be as little as a telephone call or just a letter with a 29-cent stamp to inform them of the pendency of an investigation. So there will be no significant financial impact on a children and youth services agency now if this were to be enacted into law.

As to Ms. Ritter's position, we would like to comment that this is a matter that is needed now. This matter is one that has gained the support of the child advocates. It specifically is a matter that is endorsed by the Pennsylvania Association of Child Care Agencies, and it is a matter that is supported by the Department of Public Welfare.

So it is a matter that is timely; it is a matter that can be voted on now, and I would appreciate your support by an affirmative vote.

The SPEAKER. On the amendment, the Chair recognizes Mr. Kukovich for the second time.

Mr. KUKOVICH. Thank you, Mr. Speaker.

I take the microphone again for two reasons: to respond to one of the maker of the amendment's statements and also to make the record clear, because if this amendment goes in, we will once again be in court. The amendment does not address sections of Title 23 under "Abuse of Family." Specifically, I will put on the record sections 6339 and 6340, which deal with confidentiality of reports and the release of information in confidential reports, which are not addressed by this amend-

ment, so we would have potentially in the law in two different areas two different aspects of dealing with confidentiality. That is not good legislating, and it will cause confusion in the courts.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—100

Adolph	Farmer	Lynch	Saurman
Allen	Fichter	Maitland	Saylor
Argall	Fleagle	Marsico	Scheetz
Armstrong	Flick	Masland	Schuler
Baker	Gannon	Merry	Semmel
Barley	Geist	Micozzie	Serafini
Boyes	Gerlach	Miller	Smith, B.
Brown	Gladeck	Nailor	Smith, S. H.
Bunt	Godshall	Nickol	Snyder, D. W.
Bush	Gruppo	Nyce	Stairs
Cawley	Harley	O'Brien	Steil
Cessar	Hasay	Perzel	Stern
Chadwick	Heckler	Pettit	Strittmatter
Civera	Hennessey	Phillips	Taylor, E. Z.
Clark	Herman	Piccola	Taylor, J.
Clymer	Hershey	Pistella	Tigue
Cohen, L. I.	Hess	Pitts	Tomlinson
Cornell	Hutchinson	Platts	True
Dempsey	Jadlowiec	Raymond	Tulli
Dent	Kenney	Reber	Uliana
Druce	King	Reinard	Vance
Durham	Laub	Rohrer	Waugh
Egolf	Lawless	Rublely	Wogan
Fairchild	Lee	Ryan	Wright, M. N.
Fargo	Leh	Sather	Zug

NAYS—101

Acosta	Fee	Lucyk	Rudy
Battisto	Freeman	McCall	Santoni
Bebko-Jones	Gamble	McGeehan	Scrimanti
Belardi	George	McNally	Staback
Belfanti	Gigliotti	Manderino	Steelman
Birmelin	Gordner	Markosek	Steighner
Bishop	Gruitza	Mayernik	Stetler
Blaum	Haluska	Melto	Stish
Butkovitz	Hanna	Michlovic	Sturla
Buxton	Itkin	Mihalich	Surra
Cappabianca	James	Mundy	Tangretti
Carn	Jarolin	Murphy	Thomas
Carone	Josephs	O'Donnell	Trello
Cohen, M.	Kaiser	Olasz	Trich
Colafella	Kasunic	Oliver	Van Horne
Colaizzo	Keller	Pesci	Veon
Corrigan	Kirkland	Petrarca	Vitali
Cowell	Krebs	Petrone	Williams
Coy	Kukovich	Preston	Wozniak
Cury	LaGrotta	Richardson	Wright, D. R.
DeLuca	Laughlin	Rieger	Yandrisevits
Daley	Lederer	Ritter	Yewcic
Dermody	Lescovitz	Roberts	
Donatucci	Levdansky	Robinson	DeWeese,
Evans	Linton	Roebuck	Speaker
Fajt	Lloyd	Rooney	

NOT VOTING—0

EXCUSED—2

Caltagirone Hughes

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

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

The gentleman, Mr. Saurman, is recognized.

Mr. SAURMAN. Thank you, Mr. Speaker.

I rise in opposition to this legislation.

I would suggest that many of us who are nonlawyers have listened intently today to some legal debate. I would suggest, however, that what we need to do is realize and think back, and if you are like I am, you have had constituents who have come in whose homes have been decimated by the domestic relations situations that we have in our courts now, whose legal fees have taken the money that should have gone and was needed for the home payments, for the food, for the clothing, and yes, the education, and by putting this law back into what used to be, we are opening the doors for further legal fees, further consultations, because every time someone takes a new issue, there are additional costs involved.

Perhaps even more importantly than that, however, let each of us think about what our obligations are with regard to the educational responsibilities of our children, those of us who live in intact families. No one has said that we must send our children to school, and yet we are saying that if you are from a divorced family, the court may require that you have to do that. Why? We had a constitutional discussion before on an amendment. Representative Piccola said in fact if that challenge were upheld, certainly the bill would establish a two-tiered system of requirement of educational provision.

I challenge you to remember that you are going to go back and talk to your constituents who are going to say, if a divorced father or mother has that responsibility, why then do not all fathers and mothers have that responsibility? Are we in fact creating a legal requirement that if the money is there and if certain circumstances exist, that that child will go to college, and I suggest that you are getting into some pretty intimate family decisions that this legislature ought not to be involved in.

I would ask for a "no" vote on HB 113. Thank you.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman, Mr. Fairchild.

Mr. FAIRCHILD. Thank you, Mr. Speaker.

Would the author of the bill stand for a brief interrogation?

The SPEAKER. Will the gentleman, Mr. Ryan, consent to a brief interrogation? The gentleman indicates he will.

Mr. FAIRCHILD. Thank you, Mr. Speaker.

For legislative intent, in the Commonwealth many of the colleges and universities have a program—I think it is referred to as the tuition transfer program—whereby your son or daughter can go to I think it is over 270 colleges or universities that are eligible to transfer students. My question for legislative intent is, would those students who have a parent or a divorced parent fall under the provisions of your bill concerning financial assistance, grants, loans?

Mr. RYAN. Thank you.

Mr. Speaker, this bill really does not address that issue at all. It takes into consideration whether a judge under this bill would take into consideration whether there are grants or scholarships available to the young man or woman who was really the subject of the litigation.

I am not sure that I fully understood your question though.

Mr. FAIRCHILD. Okay.

If I am a student that is going on to postsecondary education and one of my parents works at a university, I would be entitled to pick and choose from a couple hundred different universities to transfer those tuition credits to that university.

My question is, would the judge have to take that fact into consideration when awarding that type of settlement?

Mr. RYAN. Yes. Now, I am saying that as a qualified yes.

If you read the bill, you will find that one of the counts in the bill that the judge is charged with considering is, quote, "other relevant factors." Now, I think that is fourth or fifth in the line; it is sixth—pardon me—and that of course would be very relevant. When a judge is looking to consider whether or not he is going to impose a financial obligation on, for the sake of argument, a man for the higher education of his child, and perhaps he does not have to do that if this young man or young woman went to a school that he or she was permitted to go to without tuition, it certainly would be a relevant factor that the judge could take into consideration.

Now, by the same token, if this young person were—I am making up facts, of course—if this young person were someone who was particularly talented, let us say, in music and of the 200 schools that had scholarships available, none of them had a music curricula, it may be that although it would be relevant, it would not necessarily be persuasive.

Mr. FAIRCHILD. Thank you, Mr. Speaker.

On the question recurring,

Shall the bill pass finally?

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

YEAS—156

Acosta	Farmer	Linton	Rooney
Adolph	Fee	Lucyk	Rubley
Allen	Fichter	Lynch	Rudy
Argall	Flick	McCall	Ryan
Barley	Gamble	McGeehan	Santoni
Battisto	Gannon	McNally	Sather
Bebko-Jones	Geist	Manderino	Scheetz
Belardi	George	Markosek	Schuler
Belfanti	Gigliotti	Masland	Scrimenti
Bishop	Gladeck	Mayernik	Semmel
Blaum	Godshall	Melio	Smith, B.

Brown	Gordner	Merry	Smith, S. H.
Bunt	Gruitza	Michlovic	Staback
Butkovitz	Gruppo	Micozzie	Stairs
Buxton	Hanna	Miller	Steighner
Cappabianca	Harley	Mundy	Steil
Carn	Heckler	Murphy	Stish
Carone	Hennessey	O'Brien	Strittmatter
Cawley	Herman	O'Donnell	Tangretti
Chadwick	Hershey	Olasz	Taylor, E. Z.
Civera	Hess	Oliver	Taylor, J.
Clark	Itkin	Perzel	Thomas
Clymer	Jadlowiec	Petrarca	Tigue
Cohen, L. I.	James	Petrone	Tomlinson
Cohen, M.	Jarolin	Pettit	Trello
Colaella	Josephs	Phillips	Tulli
Colaizzo	Kaiser	Piccola	Uliana
Cornell	Kasunic	Pistella	Van Horne
Corrigan	Keller	Pitts	Veon
Cowell	Kenney	Preston	Vitali
Curry	Kirkland	Raymond	Williams
DeLuca	Kukovich	Reber	Wogan
Daley	LaGrotta	Reinard	Wright, D. R.
Dent	Laub	Richardson	Wright, M. N.
Donatucci	Laughlin	Rieger	Yewcic
Druce	Lawless	Ritter	Zug
Durham	Lederer	Roberts	
Evans	Lee	Robinson	DeWeese,
Fairchild	Lescovitz	Roebuck	Speaker
Fargo	Levdansky		

NAYS—44

Armstrong	Fleagle	Marsico	Steelman
Baker	Freeman	Nailor	Stern
Birmelin	Gerlach	Nickol	Stetler
Boyes	Haluska	Nyce	Sturla
Bush	Hasay	Pesci	Surra
Cessar	Hutchinson	Platts	Trich
Coy	King	Rohrer	True
Dempsey	Krebs	Saurman	Vance
Dermodoy	Leh	Saylor	Waugh
Egolf	Lloyd	Serafini	Wozniak
Fajt	Maitland	Snyder, D. W.	Yandrisevits

NOT VOTING—1

Mihalich

EXCUSED—2

Caltagirone Hughes

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

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

ANNOUNCEMENT BY SPEAKER

The SPEAKER. The Chair would like to announce that at the conclusion of today's voting session, the committees will be reorganized. We will do it expeditiously, and we will do it here in all four corners of the chamber.

PARLIAMENTARY INQUIRY

Mr. RYAN. Mr. Speaker?

The SPEAKER. The gentleman is recognized.

Mr. RYAN. Mr. Speaker, the other day, as one of the last things we did—and I really will bow to the superior wisdom of the Parliamentarian or memory of the Parliamentarian perhaps—my recollection is that we passed over for the day HB 129, and at that time I think we passed it over specifically until today. I am wondering why that has not been called up. That is a point of parliamentary inquiry.

The SPEAKER. We are moving in the direction of normal business, and I anticipate that we will come to HB 129, sir.

Mr. RYAN. I apologize. I thought we were going to start reforming the committees now.

The SPEAKER. No. I only wanted to indicate to the staff members who are within sound of the voice of the Chair that they should linger so that this very important part of business can be taken care of today.

Mr. RYAN. I thank the Speaker, and I apologize.

BILL ON THIRD
CONSIDERATION POSTPONED

The House proceeded to **HB 129, PN 138**, on third consideration postponed, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, requiring a report of certain racial and ethnic groupings; further providing for school tax levies in certain districts of the third class; providing for instructional support, for payments to intermediate units and for special education payments to school districts; and creating a fund for payments to approved private schools.

On the question recurring,

Will the House agree to the bill on third consideration?

The SPEAKER. The gentleman, Mr. Gamble, offers the—
Mr. COWELL. Mr. Speaker?

MOTION TO PLACE BILL ON THIRD
CONSIDERATION POSTPONED CALENDAR

The SPEAKER. The Chair recognizes Mr. Cowell.

Mr. COWELL. Thank you, Mr. Speaker.

Mr. Speaker, I move that we pass over HB 129, which is legislation I have authored, until Monday, March 15.

The SPEAKER. The gentleman moves that HB 129, PN 138, be postponed until March 15.

On the question,

Will the House agree to the motion?

The SPEAKER. On the motion, the gentleman, Mr. Gamble, is recognized.

Mr. GAMBLE. Mr. Speaker, I, of course, would ask you to vote against this motion. There has been a delay and a stall process since last April, and it has all been with the same individual. All we want is the people's voice to be heard here

today by a vote, and the only way we are going to get that vote is to vote down that proposal and vote on the Gamble amendment. Thank you.

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

Mr. RYAN. Mr. Speaker, I could almost echo— I can echo many of the remarks made by the gentleman who preceded me.

There obviously has been a tremendous effort made to resist this bill coming up for public view and public voting. I do not understand it. We went through this last week two or three times. It was a source of embarrassment to go back home and try and explain what happened, why we did not vote on something that is so important to the people of our districts. I mean, it truly was a source of embarrassment. It is the only thing, in my judgment, it is the only thing that they are thinking of right now that is going on in State government: What is OBE (outcome-based education)? What is it all about? It is wrong. We want to know more about it. We want to put it to bed. We want it killed. The Governor wants it killed. Everybody seems to want to be rid of this thing except Mr. Cowell, and he keeps burying it so we cannot vote on it ourselves. Let us put it on the board, see if a majority of us are in favor of it or a majority of us are against it.

I would ask at this time that we vote against the motion to postpone, and of course, only those in their seats would dare vote on something this important.

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

Mr. COWELL. Thank you, Mr. Speaker.

Mr. Speaker, the bill before us deals with special education. Nobody is ducking that issue. It has been controversial in the sense that there are at least a couple of different beliefs here about how we should distribute the available special education dollars. There is the language, of course, that is in the bill which is similar to language already passed by the State Senate, and there, of course, is the Pitts amendment, and there may be other views about how those dollars should be spent, but we do not have an agreement yet.

And one of the reasons for asking for delay on the special education issue is that we ought to have time, now that the courts have intervened with respect to the distribution of special ed dollars for January and February, we ought to have time to try to arrange for an agreement between those members of this House who are concerned about those issues, and those in the Senate, as well as representatives of the Department of Education. That is the issue that is in HB 129, the issue that I sought to address along with a lot of other members in this House when we introduced that bill.

Obviously this is a School Code bill, and so there are a growing number of members who have proposed amendments dealing with a variety of issues.

Representative Ryan just said that we had this debate a couple times last week. We did not. We had this discussion once last week when this House decided, after a tie vote of 97-97 on the motion that I just made, a tie vote; after that the

members decided to postpone the discussion until at least today.

OBE is not the only amendment that has been drafted. There are other amendments that deal with special education. Representative Wogan has an amendment that deals with the Human Relations Commission and apparently busing or integration policies in the Philadelphia School District. We can debate all of those issues if you want to today, including OBE, but let us clarify where things are, Mr. Speaker; let us clarify where things are in terms of the proposed regulations of the State Board.

The State Board of Education has not yet submitted to the legislative committees or to IRRC, the Regulatory Review Commission, its proposed regulations. They have not yet been submitted. And in fact, following a meeting this morning, in which Representative Stairs participated, a meeting with the Governor, a meeting at which there was also in attendance Senator Rhoades and Senator Fattah, the Governor agreed to the suggestion from the four of us that the State Board be directed to not submit anytime soon these proposals because the Governor wants the opportunity to convene a meeting of interested parties to develop alternative language to deal with some of the language, some of the specific proposals and the outcomes that the Governor has expressed some concern about.

The Governor did not say he wants it killed, as Representative Ryan just misspoke. Representative Ryan was wrong when he said that. In fact, the letter that the Governor sent to Secretary Carroll earlier today said, "As I said to you in my letter of January 13, I continue to support the outcomes-based education reform in principle. I believe the action I am requesting today is consistent with achieving that goal."

The action he requested today was that the State Board not submit the proposals until after the Governor has an opportunity to work with interested legislators and other parties to develop alternative language for some of those specific outcomes about which a lot of people in this House and the Senate and across this State have objection. But it is about 5 percent of the package about which some people have objections.

So I have suggested that we pass over HB 129, one, because we do not have an answer on the special education issue and we need not have that answer this week or until March, and secondly, because on the issue of outcomes-based education, we do not have before us, either this full House or our committees or IRRC, a specific proposal from the State Board yet, and the Governor has made it very clear that he intends to lead a process involving legislators that will result in alternative language being approved by the State Board and ultimately submitted to us.

Now, I know that some people will get some satisfaction out of giving speeches about some other language that the State Board has dealt with. Let everybody know, including those who will listen or read about what we do, that some people today may prefer to engage in posturing, but it is useless posturing. It has nothing to do with real proposals, has nothing to do with the regulatory review process, and would be

done at the very time the Governor has said and directed the State Board and his Secretary to not submit the proposals that the State Board had before it earlier in January.

The Governor has clearly indicated his intention and he did so and he outlined a process in the presence of Representative Stairs and immediately prior to me asking Representative Stairs, would this be satisfactory to him, to him personally—because he can speak for no other—but to him as the Republican chairman of the House Education Committee? And his answer was in the affirmative.

Mr. Speaker, I believe that it is still wise for us to pass over HB 129. I think that in March we will be better prepared to deal with special education, and if necessary, we will be in a timely manner prepared to deal with OBE or any State Board regulations through the statutory process. But we should be wise enough to let the Governor provide the leadership that he wants to provide on this issue and we ought to be wise enough to let the regulatory review process work its course so that we have real matter to deal with at that time rather than deal with imaginary problems right now. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman and recognizes Mrs. Durham.

Mrs. DURHAM. Thank you, Mr. Speaker.

Mr. Speaker, I have come to this microphone twice during this legislative session, and I am embarrassed to say once again I am confused. Mr. Cowell says that we should pass over this legislation today because there has been no agreement by some other party. I thought we were elected to make the decisions that set policy for this Commonwealth and not some group in some dark, smoke-filled room.

The SPEAKER. The Chair would speculate that you are against the motion to postpone?

Mrs. DURHAM. Mr. Speaker, last fall I can remember saying to my school board members and to interested constituents, oh, I promise you, when we come back after the election recess, we are going to address special education funding, but we never did. It is now February 8. The House has been in session in January, and we did not address it. Last Wednesday we said we were going to address it. The situation got so bad that our school boards were forced to go to court because we would not face the issue. No matter how you feel about what that formula should be, we should make that decision. If the Governor does not like it, he can veto it. But we should make the decision, not some little group in some room. We were elected to take that responsibility.

Special education funding has been a question for many months. We should earn our pay today, and we should put our vote up no matter how you feel about the formula, but make a decision about it and put your vote up in public and not leave it to some nebulous group somewhere where there has to be an agreement. We make the agreements and we set policy.

Mr. Cowell talks about OBE. My district staff cannot do other work because of phone calls coming in against proposed OBE. Let us give these people an answer.

If the Governor decides that he has a proposal in later months, he can come back to us, but right now the public is

asking us to take a stand. No matter how you feel about OBE, put your vote up today.

Mr. Speaker, for the good of the children of this Commonwealth, I urge us not to pass over this bill today.

The SPEAKER. The Chair thanks Representative Durham.

On the motion to postpone, the Chair recognizes the gentleman, Mr. Olasz.

Mr. OLASZ. Thank you, Mr. Speaker.

I hope you think about it. I hope you thought about it over the weekend. I know Mr. Ryan remembers the song "What a difference a day makes, 24 little hours." Baby, a week sure made a lot of difference—not even a week in this House—because the snake oil is flowing through the aisles again today as it did last week.

If we are going to pick and choose what portions of the Governor's letters we are going to read, I can remember one when I was before the Board of Education that the Governor submitted and was read, and it says, first, I ask that the regulations as presently written be disapproved. What happened to that letter? Another section recommends that the State Board delete the following outcomes from the fiscal form resolutions. What happened to that section?

The SPEAKER. The Chair interrupts the gentleman and asks that he maintain his debate on the motion to postpone.

Mr. OLASZ. Well, Mr. Speaker, I am just following up on some comments that were made regarding the Governor's letter—

The SPEAKER. The gentleman was out of order.

Mr. OLASZ. Well, okay. Let me get back to it.

The SPEAKER. Yes, sir.

Mr. OLASZ. We are talking about money, if you want why I rise against this putting over.

Let the public know what these shenanigans and this game playing is going to cost them. The State of Washington is nowhere near the size of Pennsylvania, yet this great experiment, outcome-based education, the preliminary startup is judged to be \$180 million. At the end of the 6 years, it will be \$1.5 billion. Take that home to your taxpayers and let them think about that, baby.

PARLIAMENTARY INQUIRY

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

Mr. COWELL. Mr. Speaker, point of information.

The SPEAKER. The gentleman will state his point.

Mr. COWELL. On a motion to pass over, what are the parameters of the debate?

The SPEAKER. The debate should have been confined to reasons for or against postponement.

Mr. COWELL. Thank you, Mr. Speaker.

The SPEAKER. On the motion, the gentleman, Mr. Gamble, for the second time.

Mr. GAMBLE. Mr. Speaker, I do want to make a specific point on why we should not postpone this today.

The gentleman has made a point of stating how many amendments have been attached to this special education bill. There is no doubt you are going to have one chance today to vote OBE up or down, because this is such an important bill, the Education Committee cannot shelve it. And maybe tomorrow or the next day or next week you are going to have to do this all over again with the Senate's special education bill if indeed you want to deal with OBE, because the Education Committee, I think you will see, will not let anything else see the light of day.

This bill is a necessity. This amendment, if it is ever to pass, it has got to be today, and then when the Senate bill comes up, again then.

The SPEAKER. The Chair thanks the gentleman and recognizes Dr. King from Mercer County.

Mr. KING. Thank you, Mr. Speaker.

I certainly rise to question the motives of the author of this motion to postpone, who stood in the well of the House just in this last year and in speaking on this topic said it was a shame that the legislature should get in the way of this kind of reform.

Mr. D. R. WRIGHT. Mr. Speaker? Mr. Speaker, a point of order.

The SPEAKER. The gentleman, Mr. Wright, is recognized. However, however, before the gentleman states his point of order, the Chair would politely admonish the gentleman from Mercer that the motives of the gentleman are not appropriate for debate, only the motion to postpone or to not postpone.

Mr. KING. The citizens of Mercer County would like to see a vote on this today.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—71

Acosta	Dermody	Lloyd	Rudy
Battisto	Evans	Lucyk	Santoni
Bebko-Jones	Freeman	McCall	Scrimenti
Belardi	George	McNally	Staback
Belfanti	Gordner	Manderino	Steelman
Bishop	Haluska	Melfio	Steighner
Blaum	Itkin	Mihalich	Stish
Buxton	James	Mundy	Sturla
Cappabianca	Jarolin	Murphy	Surra
Carn	Josephs	Oliver	Thomas
Carone	Keller	Pistella	Tigue
Cawley	Kirkland	Preston	Trich
Cohen, M.	Krebs	Richardson	Veon
Colafrella	Kukovich	Rieger	Wright, D. R.
Colaizzo	Lederer	Ritter	Yandrisevits
Corrigan	Lescovitz	Robinson	
Cowell	Levdansky	Roebuck	DeWeese,
Coy	Linton	Rooney	Speaker
Curry			

NAYS—129

Adolph	Fleagle	McGeehan	Sather
Allen	Flick	Maitland	Saurman
Argall	Gamble	Markosek	Saylor

Armstrong	Gannon	Marsico	Scheetz
Baker	Geist	Masland	Schuler
Barley	Gerlach	Mayernik	Semmel
Birmelin	Gigliotti	Merry	Serafini
Boyes	Gladeck	Michlovic	Smith, B.
Brown	Godshall	Micozzie	Smith, S. H.
Bunt	Gruitza	Miller	Snyder, D. W.
Bush	Gruppo	Nailor	Stairs
Butkovitz	Hanna	Nickol	Steil
Cessar	Harley	Nyce	Stern
Chadwick	Hasay	O'Brien	Stetler
Civera	Heckler	O'Donnell	Strittmatter
Clark	Hennessey	Olasz	Tangretti
Clymer	Herman	Perzel	Taylor, E. Z.
Cohen, L. I.	Hershey	Pesci	Taylor, J.
Cornell	Hess	Petrarca	Tomlinson
DeLuca	Hutchinson	Petrone	Trello
Daley	Jadlowiec	Pettit	True
Dempsey	Kaiser	Phillips	Tulli
Dent	Kasunic	Piccola	Uliana
Donatucci	Kenney	Pitts	Van Horne
Druce	King	Platts	Vance
Durham	LaGrotta	Raymond	Vitali
Egolf	Laub	Reber	Waugh
Fairchild	Laughlin	Reinard	Wogan
Fajt	Lawless	Roberts	Wozniak
Fargo	Lee	Rohrer	Wright, M. N.
Farmer	Leh	Rubley	Yewcic
Fee	Lynch	Ryan	Zug
Fichter			

NOT VOTING—1

Williams

EXCUSED—2

Caltagirone Hughes

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

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

Mr. GAMBLE offered the following amendments No. A0157:

Amend Title, page 1, line 7, by inserting after "providing" for curriculum requirements,

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

Section 4. The act is amended by adding sections to read:
Section 1524. Curriculum Requirements.—(a) The regulations adopted by the State Board of Education in final form on January 14, 1993, relating to student learning outcomes and outcome-based education are null and void. Notwithstanding any other provision of law to the contrary, the Legislative Reference Bureau may not publish the regulations referred to in this subsection in the Pennsylvania Bulletin as a final-form regulation, as defined in section 3 of the act of June 25, 1982 (P.L.633, No.181), known as the "Regulatory Review Act."

(b) The State Board of Education shall not have any authority to promulgate goals or outcomes which deal with values, morals or other affective or nonacademic subjects. As used in this subsection, "affective subjects" means subjects dealing with emotions, feelings, moods, opinions or sentiments.

Amend Bill, page 10, by inserting between lines 19 and 20 Section 10. All acts and parts of acts are repealed insofar as they are inconsistent with this act.

Amend Sec. 10, page 10, line 20, by striking out "10" and inserting

11

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

The SPEAKER. On the question, the Chair recognizes the gentleman from Oakdale, Mr. Gamble.

Mr. GAMBLE. Thank you, Mr. Speaker.

Mr. Speaker, the amendment before the House today is a compromise. It does not outlaw outcome-based education. It does not prohibit the State Board from adopting student learning outcomes. It does not repeal the 15 goals of quality education. Perhaps we will deal with that another day. What it does do, it nullifies the currently proposed student learning outcomes. It sends the State Board back to the drawing board, such as what the Governor wanted to do. It instructs the State Board that if they do intend to come back with any more student learning outcomes in the future, then they shall be academic and not affective.

I could go on with a litany of reasons that you should support this today. I think it has been well discussed and talked about over the months. I stand by the information I have given you and will attempt to answer a few questions.

The SPEAKER. Has the gentleman concluded his remarks? The gentleman indicates he has.

The Chair recognizes the gentleman from Cambria, Mr. Wozniak.

Mr. WOZNIAK. Thank you, Mr. Speaker.

I rise to support the Gamble amendment.

The tin man wanted a heart, the lion wanted courage, the scarecrow wanted a brain, and all Dorothy wanted to do was go home. This thing has been going around and around now for a number of months. What does Woz want? Well, we will get to that point. What does the wizard want?

We have attempted to postpone this issue, and I would think that the majority of this House is not fully aware or sure what all outcome-based education contains at this time. We have the issues of chapters 3, 5, and 6 that deal with the judgments of value. We have the rest of the chapters that deal with learning fundamentals of what our kids should know and not how many hours they put into school.

There are some positive things, I am sure, about outcome-based education, but it has been surrounded now by a decision that came from the bureaucracy down and had very little input from the citizens up. I think there is a lot of disinformation that is out there, and I think although this is only one chamber, we will be sending a message to the administration, to the Department of Education, that all is not fine in Denmark or in Oz and that we need time to take a look at the positive parts of outcome-based education as well as those that are perceived to be the negative.

This chamber should make a statement that we are not at all pleased as to how this operation has come to this point to cause such chagrin within this chamber, and I would request that we take all those different things that those four people

needed, wrap them all up in one, and let us support the Gamble amendment, move forward on this issue, and also address the very complex issue of a fair and equitable special education funding proposal. Thank you.

The SPEAKER. The Chair recognizes Representative Steelman from Indiana County.

Ms. STEELMAN. Thank you, Mr. Speaker.

Well, it is true, we can continue to argue about the facts on outcomes-based education. We can talk about assumptions; we can talk about information that has been shared; we can talk about people's beliefs. But at this point the debate probably has become so confused that it is really too late to talk about things like the Johnson City School District in upstate New York where an outcomes-based education program increased not only average student performance but high level student performance.

So let us not talk about the facts, because after all, each of these outcomes-based programs is different from the other, too, but let us talk about the symbolic meaning of this vote, because it has come to the point where rather than having real meaning, it has a symbolic meaning. We have an opportunity with this vote to send a remarkably large number of symbolic messages to our constituents in Pennsylvania and in fact the people across the United States.

One of the messages that we are sending when we vote "yes" on the Gamble amendment is that if you are a special interest lobbyist, your experience with tax reform is reinforced by this. The more confusion you can create and the more intellectual dishonesty you can engage in, the better your chances are of making your point.

The second message that we are sending is a message to our school districts, and that message says, do not worry about all this talk that has been flying around about making you accountable; we love you just the way you are. We are happy with the job that you are doing, and we do not want you to change a thing.

We are sending a message to the business people who came to the State Board of Education and talked about the problems that they are having trying to hire our high school graduates, and we are going to send them a message that says, you want honest, dependable, competent employees? The House of Representatives suggests that you move your business to Minnesota or you move your business to New York or you move your business to Illinois, but do not stick around here if you expect the schools to do the job you think they ought to do.

We are also sending a message to the people in our districts, a message that says, we do not think, the House of Representatives does not think, that you can plan and organize the curriculum in your own school district; we do not trust you that far.

And finally, we are sending a message to the young people in Pennsylvania who are not now being well served by the school districts, who are struggling and who are giving up, and the message that we are sending them today when we vote "yes" on the Gamble amendment is, we can hurry, but you can

wait. You can wait until you are addicted; you can wait until you are HIV (human immunodeficiency virus) positive; you can wait until you are pregnant or a single mother; you can wait until you are unemployable, and then, then we will put you in a special program at great expense. Then the State will give you job training; it will give you food; it will give you housing; it will give you medical care; it will give you parenting education; and it will give you literacy tutoring, and all this will come with something extra from the State and from the people, and that is a healthy dose of contempt, because you, the children of Pennsylvania, have so singly failed to learn those values that we are about to assert your school should not be required to teach. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentlelady from Indiana County and recognizes Representative Brown from Crawford County.

Mrs. BROWN. Thank you, Mr. Speaker.

The State Board of Education on Thursday, January 14, of this year approved controversial changes to the way that our students in Pennsylvania, our children, are taught. The vote was 16-1 for the reforms, which sent the plans to us, the General Assembly. The board turned down the Governor's suggestion to delete sections of the plan that many parents and many legislators oppose, which will allow teachers to impose values on students and appreciating and understanding others. I do not agree with this sort of teaching.

The plan requires students to master goals or outcomes to graduate instead of spending a set amount of time in the classroom. School districts with input from parents and community leaders will develop their own plans on how to implement the reforms and how to measure a student's progress. These plans need our approval.

There is an obvious control of the entire process from beginning to end by the Department of Education. The Erie School District met at Peek'N Peak Resort in New York State to develop their plans and how to implement the reforms and how to measure a student's progress. The State House last year overwhelmingly adopted a nonbinding resolution to halt this plan. I stand before you today to attempt to halt this plan again. This is another State mandate without the State funding.

I am concerned. I stand before you as the State Representative from the 6th District in Crawford County, representing approximately 58,000 constituents, and even more importantly, I stand before you as a parent of two teenagers attending public school in Crawford County. We have heard many times, get involved; we need parental involvement. We have got parental involvement now. I care about the education of our children in this Commonwealth.

I ask my colleagues on both sides of the aisle to join me in voting "yes" on the Gamble amendment to make the student learning outcome-based education null and void and to send it back to the drawing board. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Westmoreland County, Mr. Mihalich.

Mr. MIHALICH. Mr. Speaker, I think few of us in here have any doubts that what finally will come from the Education Board will be different from what was proposed on January 14.

Be that as it may, I would like to interrogate any of the supporters of the Gamble amendment, including Mr. Gamble, or whoever chooses to answer, and the purpose of my interrogation is to further understand for myself, my constituents, and this chamber what terms such as "affective subjects" mean and what "values" mean.

The SPEAKER. Will the gentleman, Mr. Gamble, yield to interrogation? The gentleman indicates that he will, and the gentleman from Westmoreland may proceed.

Mr. MIHALICH. Mr. Speaker, would you say that honesty is an affective subject or a value?

Mr. GAMBLE. Honesty could be an affective subject. Presently it is a behavioral subject in the schools.

Mr. MIHALICH. Then would that be prohibited from being taught in school?

Mr. GAMBLE. No, it would not, as long as there was not testing on it. If a child is proven to be dishonest and he is sent to the superintendent of the schools and he is punished, that is all well and good. But to test him on his honesty is what "affective" is all about, and we are opposed to it.

Mr. MIHALICH. That is not what the amendment reads, Mr. Speaker. We are not talking about catching somebody at thievery or lying or cheating or stealing but being taught that those things are wrong, and you are saying that they could be affective subjects and they should not be taught then under your amendment.

Mr. GAMBLE. No. We are saying that honesty, in the frame that you are putting it in, as part of the affective curriculum would mean to ask the child how he felt about honesty or how he felt about being dishonest, and then there would be a correct answer, but we do not know whose correct answer that would be, whether it would be the Department of Education or the teachers. We do not think it should go that far. We do not think that is right.

Mr. MIHALICH. Mr. Speaker, I am not addressing testing; I am addressing the curriculum and those subjects and ideas that may or may not be taught in school. And I very well can agree with some and maybe not some others, and I would just like to have a clear understanding.

Your amendment does not, as I read it, limit itself to testing. You are talking about teaching subjects in school dealing with emotions, feelings, moods, opinions, or sentiments.

Mr. GAMBLE. How do you test them, Mr. Speaker? How do you know unless you test them? The "affective" is how someone feels or thinks, and the only way you can find out how they feel or think is to test them. And what is a correct answer? On honesty, is it okay to cheat on your taxes but not to steal a quarter out of a desk next to you? By whose standards is it? We are opposed to testing.

Mr. MIHALICH. Mr. Speaker, would you say that patriotism is a valued subject that could be taught in school?

Mr. GAMBLE. I did not hear the first part.

Mr. MIHALICH. Patriotism.

We recite in school the Pledge of Allegiance every day, and I think we recite it not just to mumble the words, but I know my children, myself, and the people that I went to school with recite it, even though it is monotonous, over and over again. We learned the words and then we learned the meaning and it becomes reverent to us. It is an emotional thing.

Mr. GAMBLE. We are not saying that the school cannot teach it. What we are saying is with OBE, the students must demonstrate how they feel, what their mood is, and how they feel, for example, about saluting the flag. It has nothing to do with the Pledge of Allegiance.

Mr. MIHALICH. How would you test them on this, Mr. Speaker, if you are referring to values being tested?

Mr. GAMBLE. That is just the point, Mr. Speaker. How would you test them when there does have to be a demonstration by each student? You cannot test.

Mr. MIHALICH. In your opinion then, you would not teach it if you are not going to test it.

Mr. GAMBLE. No. In our opinion, you would do just as you are doing with it now and you would not make it part of affective outcomes.

Mr. MIHALICH. Well, you are saying that they are not allowed to teach any affective subjects.

Mr. GAMBLE. We are stating that OBE states that every child must demonstrate that they have shown what they know about a certain subject—we are stating that—and that is what it states in the outcomes. But what we are stating is that the Pledge of Allegiance has nothing to do with being tested on whether you think the Pledge of Allegiance should be given or should not be given or you should salute it with your left hand or your right hand. I do not know where this is going.

Mr. MIHALICH. I am at a loss. You say it is an affective subject and your amendment says you are not allowed to teach affective subjects. Now, where are we?

Mr. GAMBLE. You are allowed to teach affective subjects if the child does not have to demonstrate— And you do not teach a child the Pledge of Allegiance; I would think that in the first grade they would know that. If you do not show that they have to demonstrate, then the affective does not kick in.

Mr. MIHALICH. Is it wrong then, Mr. Speaker, to promulgate goals for affective, as the amendment says, for affective subjects? You cannot promulgate goals or outcomes on affective subjects, and if patriotism is a goal, you cannot promulgate it because it is an affective subject.

Mr. GAMBLE. You can still teach it in the school but the State cannot mandate the outcomes.

Mr. MIHALICH. Well, on that point, we will get to whether OBE mandates those outcomes or not. That is another question for later.

Let us talk about, or you can answer yes or no to clear up a lot of questions that I get from a few of my constituents. Does the program as adopted on the 14th of January, does it tell teachers or force teachers to either teach or take courses in

transcendental meditation? That could be a yes-or-no answer, sir.

Mr. GAMBLE. My answer would be "No."

Mr. MIHALICH. Does that program teach, advocate, or in any way teach the practice of homosexuality?

Mr. GAMBLE. It could.

Mr. MIHALICH. Could you elaborate on that and how you think those words and that language could advocate homosexuality?

Mr. GAMBLE. I think it would fall under the category of appreciating and understanding others.

Mr. MIHALICH. I do not want to paraphrase you, but let me see if I can paraphrase your position and you tell me if I am correct. Would you say that it would preach or teach tolerance of lifestyles or— Would you say it teaches tolerance of lifestyles?

Mr. GAMBLE. It could teach tolerance of lifestyles, but it also could be a teaching that goes right into the face of the teaching that the child had in the home, and that is why we are opposed to affective.

Mr. MIHALICH. The tolerance of lifestyles of other peoples is a very— Thank you very much, Mr. Speaker. You have answered my questions.

Tolerance, Mr. Speaker, is what this is all about. Will we tolerate the lifestyles of minorities? And I in no way advocate by my questions the lifestyle of homosexuality, but I think we have to tolerate the lifestyles of minority groups in this country.

There are places in this world, and we can look to Eastern Europe; we can look to Asia, to the Middle East, and see what happens when in schools they teach intolerance. They teach intolerance, and that is why some minorities cannot stand the majorities and some majorities cannot stand the minorities. The cornerstone of this Nation is our Declaration of Independence, and the essence of that is tolerance and recognition of minority groups.

There was a day in this country when Catholics were not tolerated. The tolerance was not there. There was discrimination. Certainly the black community can speak to that as far as tolerance goes to somebody of a different color. In this country and some countries to various degrees, the Jewish people can tell you about tolerance or intolerance, and that is what this revolves around. Will we tolerate minorities who do not violate the laws - our Federal laws, State laws, or local laws - will we tolerate their activities? If you do not think their activities are correct, pass a law against them. But if minority groups, be they minority religious groups, be they racial groups, their lifestyles might be in the minority and might not be accepted by all of us; will we tolerate them in this Nation?

I have personal knowledge of how some schools are being taught, grade schools in Eastern Europe are being taught, where they teach lifestyles of another group which might be ethnically identical to them but their religious practice might be just a little different. They are taught that it is evil and it is wrong. They are indoctrinated in the schools, and when they

become adults, they go out and get their guns and start shooting people.

We in America cannot understand how these problems worldwide are created, because we have been indoctrinated in our schools, fortunately, with the idea of liberty, with the idea of independence and the pursuit of happiness, and if the pursuit of happiness and well-being might involve a lifestyle different than somebody else's, but if it is legal, I think that we have to tolerate it, and that is what this whole subject is about, whether we will tolerate legal activities of minority groups or whether we will not.

Mr. Speaker, I think that these questions should be answered on the floor of this House, and I think everybody here who does not agree with me deserves to be heard. But I think the process has to be served also.

As I pointed out there, I do not think there is anybody in this House who thinks that the proposal that was submitted and adopted by the board on the 14th of January is going to be the final product which will be printed and sent to our Education Committee. We know it is not. Everybody here knows it is not. Why do we not give the committee, the Education Committee, and the regulation process time. We have bounced this around for a year. Another month will not be that difficult to wait. We are not going to miss any deadlines on funding. We are not going to miss any other kinds of deadlines. Why can we not allow the process to work?

Mr. Speaker, I think, as I said earlier, everybody here deserves to be heard on this. Their constituents want to know their opinions. My constituents want to know my opinion, and I have been giving it freely. But I think we have an obligation to the institution, to this institution collectively, to allow the process to work. There are many times it does not work. Somebody says, well, heck, it never works anyway. That is not reason enough not to allow us to pursue the system, pursue the committee structure, and get a better look at this, and at that time let every man and woman in this House be heard and let them give their opinion.

Mr. Speaker, I support the motion to pass over this bill until the 15th of next month.

The SPEAKER. The Chair thanks the gentleman and recognizes Representative Taylor from Chester County.

Mrs. TAYLOR. Thank you, Mr. Speaker.

I had a little difficulty in following the speaker that just finished with his remarks. I would only say that the process is working. The process will work when we, as the elected officials from our districts, have an opportunity to vote on OBE. We did not come this afternoon for a session of learning that one might expect in education 101, the difference between cognitive and affective learning. We came today to represent what our people have been telling us back home, and if you have not heard the message, then I would suggest that you get in touch with your people, because for me, it has been very, very clear. The message is clear: The process will work. The process will work when you and I have an opportunity to vote. It is our job. That is what we get paid for. That is why we sit

around all day for just an opportunity to come in here and vote on a very important amendment.

I suggest to you people that OBE, we could study it and we can talk about it and we can do up one side and down the other, but I will tell you, Mr. Speaker, OBE is the largest, it is probably the granddaddy of all mandates, and if you have not heard from your school boards, you have not heard how much it is going to cost. You have not heard because they say they do not have those figures. You have not heard, but the Education Committee heard. The Education Committee said that to do OBE correctly, it is going to cost money.

And when you talk about local control, let us talk about local control. You are going to say to the locals, okay, you decide, but you cannot do it that way; you have got to send it up to the State, and then we will decide if what you decided was the correct thing to do.

Well, I am telling you right now that as a responsible Representative, who I am sure is not looking at this problem for the first time, you have an opportunity today to do what you were sent here to do, and that is to vote in support of the Gamble amendment.

The SPEAKER. The gentleman, Mr. Preston, of Allegheny County.

Mr. PRESTON. Thank you, Mr. Speaker.

Will the gentleman, Mr. Gamble, stand for interrogation?

The SPEAKER. Will the gentleman, Mr. Gamble, stand for interrogation? The gentleman indicates that he will. Mr. Preston may proceed.

Mr. PRESTON. Thank you very much.

Mr. Speaker, you mentioned several questions concerning whether or not you could test or measure. Are you telling me that it is not possible to test honesty? Are you saying in relationship to your previous statements about testing, are you saying that it is not possible to test for honesty?

Mr. GAMBLE. We feel that honesty, of course, is a very important part of school life, but we do not believe that the affective, which honesty would be, should be tested and a record kept of how honest or dishonest a child is.

Mr. PRESTON. That was not my question.

Are you saying that honesty cannot be tested?

Mr. GAMBLE. We are saying it is not fair to ask a student how he feels about honesty.

Mr. PRESTON. Are you familiar at all with the Gilbert Zimmerman examination or the MMPI, more currently known as the Minnesota Multiphasic Personality Inventory examination?

Mr. GAMBLE. No.

Mr. PRESTON. These are two of the longest test instruments, valid test instruments, and for your information, a valid test instrument is something that has been proved that its content validity is very high and giving a score of over 80 percent. Most of our people, for your information, whether they are police officers and including school students, even all the way down to the steel mill, take these different personality examinations to be able to test for honesty, to be able to test for aggression. They have been using them in the services,

whether they are lieutenants, whether they are teachers, or whether they are students in elementary. I just wanted to let you know that it is also possible to test for honesty, and they have been doing it, sir, since 1934.

Now, along that same line, when you raise these certain questions about a particular type of values, are you saying that within our respective I think it is 501 school districts, that it is not advisable for our students of the future to start being and having a chance to decide what is more right and more wrong and to be able to make a decision for their future?

Mr. GAMBLE. It is not right or wrong that— Say the last part.

Mr. PRESTON. To be able to learn how to make decisions for their future.

Mr. GAMBLE. I think that children should be able to make decisions for the future.

Mr. PRESTON. Do you think that that learning process is measurable, sir?

Mr. GAMBLE. I think that affective should not be taught in the schools, to reiterate what I said earlier, and should not be tested without parental consent.

Mr. PRESTON. In other words, now you are agreeing that it is possible to test for these items versus your previous statements?

Mr. GAMBLE. I am not agreeing that they should be tested for affective.

Mr. PRESTON. No, I did not say "should"; I said that they could be tested.

Mr. GAMBLE. I guess they could be tested, but I would be opposed to it. They should not be tested.

Mr. PRESTON. So in other words, sir, what you are saying is you are opposed to people learning how to be able to make an affective learning process.

Mr. GAMBLE. No. Mr. Speaker, do not put words into my mouth. What I am saying is that we are not doing very good in academics and that we should not be expanding the curriculum to include affective when we have not done well in teaching our children academics.

Mr. PRESTON. Thank you.

Mr. Speaker, may I make a few brief comments?

The SPEAKER. The gentleman is recognized to comment on the amendment.

Mr. PRESTON. I get very concerned that this legislation really does not affect the two representative school districts primarily in Wilkesburg and the city of Pittsburgh, because basically we have already gone beyond this.

I can understand how people may be scared of change. I can understand how people want to have conservative thoughts and even possibly laissez-faire thoughts, and laissez-faire meaning, let us go back to even beyond yesterday; let us go backwards. It is very embarrassing to me personally to see the position in our State from an educational standpoint of how we keep on sliding backwards and how I have continuously heard people say that we do not really need this change or let us put it off.

I hope that these decisions that we are about to make are right, but it really perturbs me, as you heard the gentleman from Westmoreland County talk about, when we get into the international scene. It is very embarrassing to me within the city of Pittsburgh when I watch countries such as France, England, China, Japan, Nationalist China, and the other countries within Africa, where people are actually learning the mores and folkways of here in America, but yet we as a country and we as business people continuously go to these countries and really look like country bumpkins and do not know the way of being able to go around and be able to meet people, to learn their own form of social habits - an own ignorance on our part.

How much longer do we have to always put our head in the hole and not admit that we are backwards in some ways, that Pennsylvania is not really trying to go through change and it is just going along with the change in the election? This is a time of change.

If you want to continue to keep things as they are, if you want to continue to possibly say, well, let us bring back yesterday, it is almost like some people might want to say, let us bring back Ike. Times have gone by. This is today, and we must continue to go tomorrow. It really frightens me when people are always scared of change.

Now, you know, we have been talking about having a change within our educational system for over 3 years. For 3 years people in the educational field - the administrators, the school board members - have been bombarded with, there is going to be a change and try to make a change and make a decision. We have not really done that. It is unfortunate that you want to keep on holding on to yesteryear.

I would like for my child and for your children to be able to understand some of the different things that are going on. You know, Mr. Speaker, I can remember being involved in personnel and having people come to me that had masters' degrees in engineering that did not have the ability for reasoning and cognitive ability to be able to fill out a 4- or 5-page application. Oh, they were great with the computers; they were really great with trying to do all of the logarithms and other different things like that but did not have the ability to be able to do basic reasoning.

You know, it is unfortunate that in this country, and especially in Pennsylvania, what we are doing is teaching people not how to make a decision. We are encouraging people to learn how to work for someone else, and in most cases, they have less education, do not have the training but have learned how to be able to make a decision. In college and within our basic educational system, they do not teach you basic reasoning and do not teach you how to make a decision. Instead, after you come out—and if you think about it, you have seen them—a lot of our children and our youth do not know how to take care of themselves. They have to go out and ask advisers all the way from finance; they have to ask them where they should go for job employment; they have to ask somebody else to write their resume; they have to ask somebody to teach

them how to work the computer; they have to ask somebody, in some cases, how to even work their phone.

It is time that we start teaching people also how to get along with each other; how to be able to manage themselves and how to manage other people. This is very embarrassing to me, but for those of you who still want to keep on to today, go ahead and have it. Let someone else from another country and another State keep on coming into this Commonwealth and telling us what to do; to take over our corporations, to be able to buy them and to be able to take over our weaknesses. That is all we are doing.

Let us take our heads out of the hole. How much longer can we continue to fight change? Let us be about business. Let us make a change and make a decision, and do not worry about what someone else is going to say. Let us go ahead and make a change, and let us defeat the Gamble amendment. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Beaver County, Mr. Veon.

Mr. VEON. Thank you, Mr. Speaker.

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

Mr. Speaker, I think as most of the members in the House here today know, whether or not the Gamble amendment passes, I plan to offer an amendment that would be significantly different than the Gamble amendment. Mr. Speaker, let me say from the outset that I have the greatest respect for the gentleman, Mr. Gamble, and in fact, although I disagree with him on this issue, I think that he deserves a tremendous amount of credit for bringing this issue to the attention of the public, for bringing this issue to the attention of this House, and I daresay that without his efforts, without his work and without his involvement, that much of this debate would not have taken place. In fact, there are some items that Mr. Gamble has put forth that I agree with, but I do not agree with what he has in this amendment, and I rise today in opposition to that amendment.

Mr. Speaker, I think it is important that the members of this House actually read the amendment and make sure that we understand what it says and what it would do, and in my opinion, I differ with the gentleman, Mr. Gamble, in a couple of important ways.

I believe that his amendment is an overreaction to what he perceives is a very important problem and a very important issue, and I think his amendment has this House overreact to what clearly is a very important problem and a very important issue, particularly on the part of his amendment that says "The State Board of Education shall not have any authority to promulgate goals or outcomes which deal with values, morals or other affective or nonacademic subjects. As used in this subsection, 'affective subjects' means subjects dealing with emotions, feelings, moods, opinions or sentiments."

I would agree with the gentleman, Mr. Mihalich, who made some very good points about honesty and patriotism, and I would strongly disagree with the gentleman, Mr. Gamble, who says that his language only deals with the testing of those issues. I do not think that is what his amendment says; I do not

think that would be the effect of his amendment. I believe that in fact his amendment would make it impossible for the State Board or for any school in this Commonwealth to teach anything at all having to do with values, opinions, or moods. I think that is the wrong direction to take for education in the State of Pennsylvania.

Mr. Speaker, as I mentioned, I will have an amendment that clearly takes out those controversial affective, value-oriented regulations and makes it very clear that they will be struck from any regulations offered by the board. I think that is a reasonable way to go and a reasonable compromise.

Mr. Speaker, finally, I know that many members here today have said that we have heard the people; we have had our ears to the ground; we are getting calls; we are getting letters; it is important that we pay attention to those people. Mr. Speaker, that brings to mind for me something that I learned a long time ago as a history student, and reading Winston Churchill, Winston Churchill said in 1941, "I see," he said in a speech to the House of Commons in 1941, "that a speaker at the week-end said that this was a time when leaders should keep their ears to the ground. All I can say is that the British nation will find it very hard to look up to leaders who are detected in that somewhat ungainly posture."

Mr. Speaker, let us stand up. We owe these people our judgment. They send us down here not only to listen to what they say but to have the judgment to make the right decision, and I think this is an issue where we clearly owe them the respect of listening to their opinion but we also owe them our judgment.

I think we ought to defeat the Gamble amendment and support the Veon amendment subsequently. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman and recognizes Representative King.

Mr. KING. Thank you, Mr. Speaker.

I full well know that nothing I say today will change anybody's mind, but certainly the people back in my district would like to hear how I feel in being a part of this august body, and certainly I would like to say that the people of my district will take their thoughts to this august body no matter what my position will be, whether it is my ears to the ground or standing upright. But I will say that they have some true concerns about this. They have concerns as parents, that group of people that have been so ignobly put out of this process, put away from the initiation of these ideas, and have been told to trust us; trust us with your children, and we will turn out a product that you could be justifiably proud of. So they started with their trust many years ago as they put their children on those schoolbuses and trusted that their local school districts would teach their children the academic subjects that were going to find them able to put men on the moon.

We certainly need not to apologize, as other speakers have said today, about our floundering country, the greatest country on this earth. When the world calls us, it is our people who go to the far shores in the Peace Corps and help others raise their food to feed their people. It is our health care and our medi-

cine that heals the sick of the world, and they were taught in our schools, and certainly the values that they took out of their communities were taught across that community structure. It was not forced upon them by the school district or the Pennsylvania education board to tell them what their values would be. Their morals were founded in their churches and on our street corners and in their families.

But what we see here today, while we think from a historical and a personal perspective that we retain local control in our school districts and into our education system, what we are seeing now—and it has become even more obvious—is that this education system has been placed under a progressive federalization from Washington and brought into Pennsylvania by the State Board of Education. In exchange for those Federal dollars which flow, we lose diversity and local control. Our local school boards are told that they will have more, not less but more control of curriculum outcomes, finances, and goals and be able to effectively graduate a student that reflects their communities' values and beliefs.

But upon even the most intermediate-low, cursory review of the regulations, we find evidence of one of the world's oldest con games, the "shall" game. The "shall" game is a game that reinforces the message that conformity to Federal- and State-established values and attitudes is the key to future graduation and future success in life. And what are the "shall" games that I am alluding to here? They are found in the regulations of the State Board of Education of Pennsylvania, chapter 5, "Curriculum," remembering once again that we are told that our school boards will have more, not less, local control.

Section 5.202, "Student learning outcomes." "In designing educational programs, school districts shall provide for the attainment of the student learning outcomes under subsection (g) and any other student learning outcomes which they develop and describe in their strategic plans under § 5.203(c)...."

As we go to (b) under 5.202, it says, "A school district's curriculum shall be designed to provide all students with focused learning opportunities needed to attain these" State "outcomes."

In section (c), it says, "...school districts shall develop outcomes to be attained by students at transition points..." and "These transitional outcomes shall be designed to assure that students are making progress toward attainment of the outcomes needed to graduate from high school," those same outcomes promulgated by the State Board of Education - not your local school board, the State Board of Education. "The school district assessment plan under § 5.203(c)(5) shall include a description of how the transitional outcomes are measured by the district and how information from the school district assessments is used to assist students having difficulty meeting the transitional outcomes."

In section (d), "School districts shall develop standards for assessing the attainment of the outcomes under subsection (g),..." and we read on and on and on. The "shall" game - loss of local control; loss of parental input; loss of the ability of the

local school district to fund their education system; loss of the ability to implement those standards of education that we as America feel are important, that we in Pennsylvania feel important, and that we in Mercer County feel important. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes Bob Freeman.

Mr. FREEMAN. Thank you, Mr. Speaker.

Mr. Speaker, this issue of outcomes-based education reminds me a great deal of the debate we went through on local tax reform. For years we heard from the public how we needed to change our local tax structure, change it in such a way as to shift the burden of local taxes away from a dependency on the property tax and instead move in the direction of taxes based upon the ability to pay.

Well, this House had the courage to take that task up, and we passed a piece of legislation which would have dramatically improved the local tax structure. It went on the ballot, and a very vocal and well-organized minority distorted that proposal out of any possible recognition from what it would have tried to accomplish, and it was voted down, and because of that, we lost probably one of the best opportunities to lower property taxes in this Commonwealth.

Well, today we are talking about outcomes-based education, and for years I and just about everyone in this room, I am sure, has heard from the public that we are graduating kids from our schools who do not have an understanding of the basic skills of reading and writing and mathematics and have not been able to demonstrate their ability to master those ends.

If we allow this proposal to be scuttled in its entirety, we will be repeating history once again. We will be falling away from the task that is before us to improve education. Now, I am under no illusion that the current regulations on outcomes-based education are perfect. There are problems with them, and they must be addressed, and I think that task belongs to our Education Committee - a committee which is ready, willing, and able to take that task up. The Department of Education has not done a splendid job of explaining these regulations, and there are some kinks in those regulations that have to be ironed out. But I am deeply concerned that if we reject today and attempt to improve education by requiring graduating students simply to demonstrate that they have mastered the most basic of educational skills, we are not addressing the key issues of educational reform which are needed in this Commonwealth.

I therefore urge a defeat of the Gamble amendment. Let us let the process work. If, however, that amendment goes in, I urge the support of the Veon amendment to at least retain the basic notions of outcomes-based education as they apply to the important areas of curriculum.

The SPEAKER. The Chair recognizes the gentleman, Representative Leh.

Mr. LEH. Thank you, Mr. Speaker.

May I speak on the issue, please?

The SPEAKER. The gentleman is recognized to speak on the amendment.

Mr. LEH. Thank you, Mr. Speaker.

Mr. Speaker, in my legislative district, I represent two schools that are pilot projects for outcomes-based education. I do not have to tell you that it has created quite a stir in my area, and I am here to just ask you today on behalf of them, on behalf of my constituents, to support the Gamble amendment.

I would like to read you a quote from a psychologist who was given the test that was taken from one of my schools. It was taken by a student, and I guess you could say the student—I do not know how you would judge his honesty, because the student took this test home against the will of the school, but I guess you would have to define “honesty” as being more honest to your parents than honest to your school. The test was sent to a psychologist, a Dr. Steven Kossor. For the stenographer, that is K-o-s-s-o-r. The psychologist looked at the test and examined it, and he wrote back, and I will give you the quote of what he wrote: “Outcomes Based Education...has been used experimentally in 31 states since 1968....” So it is nothing new. “IT’S BAD FOR CHILDREN!” He emphasizes that. “It is against the law everywhere in the US to practice medicine or psychology without a license.... Teacher training is not sufficient to provide adequate understanding or skill in the use of these methods to reasonably protect the public (our children) from harm and it should not be permitted in the classroom.” This is from a professional psychologist, and I know there would be many out there that might think otherwise.

However, I ask each one of you, especially those who understand this issue, who have dealt with it in your own school systems, to really take heart to what a lot of your constituents are asking you. We heard a lot here today about values, honesty, appreciating and understanding others, but we must always understand that words are only words. Honesty is only a word unless it is defined, and it will always be defined by the presuppositional beliefs of a culture. Honesty does not mean the same for everybody, so which definition of “honesty” will be taught in these schools? Which values? Who is going to define the values? That was the key statement made earlier by a previous speaker, simply saying, yes, if OBE is going to be taught as the method in our schools, values will be taught, but whose values are they and who is going to set the standards for those values?

I would just like to remark in closing that OBE, although it is tagged as something new, is really nothing new, and we are not moving away from a traditional basic educational curriculum. Mr. Speaker, we have not taught the basics in public schools in this Commonwealth or this country for 2 1/2 decades, and if we want to reform public education, we need to get back to the basics that taught children, that educated children to be the productive citizens that have made this Nation the greatest Nation on the face of the earth.

I would just like to give you a quote before I leave by our third President, Thomas Jefferson, and I think it is very appropriate for this issue: “To compel a man to furnish contributions of money for the propagation of opinions which he disbelieves is sinful and tyrannical.” That was Thomas Jefferson, third President of the United States.

Mr. Speaker, I would ask my colleagues here to really search their hearts. We need to reform education. The status quo is not acceptable, but neither is outcomes-based education where it deals with the values, the beliefs of children and families in this Commonwealth. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Wright, of Clarion County.

Mr. D. R. WRIGHT. Mr. Speaker, would the gentleman, Mr. Gamble, stand for a few questions?

The SPEAKER. The gentleman from Allegheny County, Mr. Gamble, indicates he will stand for interrogation.

Mr. D. R. WRIGHT. Mr. Speaker, you indicated in your opening remarks that this was a compromise proposal. What did you mean by that? In what sense is this a compromise?

Mr. GAMBLE. Mr. Speaker, our original intent was to state that outcome-based education could not go into effect in Pennsylvania unless it was approved by the General Assembly, and this is a far cry from that.

Mr. D. R. WRIGHT. The compromise is that it cannot go into effect unless it has the approval of the General Assembly? Is that the compromise?

Mr. GAMBLE. No. That was the original proposal. This proposal simply says that we are nullifying the regulations and sending them back to the drawing board of the State Board, and when they come back, to deal with academics only, and if they bring them back, to deal with academics only.

Mr. D. R. WRIGHT. The amendment, as I understand it, would render null and void all of the goals and outcomes, the objectives, that are promulgated in the curriculum requirements, both cognitive and affective.

Mr. GAMBLE. That is correct.

Mr. D. R. WRIGHT. So the effect of your amendment is to abolish the regulations as presented by the Board of Education.

Mr. GAMBLE. We are stating that we disapprove of the learning outcomes and that they should go back to the drawing board, and if they come back, the affective should be out of it.

Mr. D. R. WRIGHT. Let me see if I understand what it is that you object to in these goals and outcomes.

Do you object to the plan statement that achieving the outcomes shall not require students to hold or express particular attitudes, values, or beliefs? Do you object to that statement?

Mr. GAMBLE. It is true that the currently proposed regulations purport to say that students shall not have to hold particular attitudes or values. However, those same regulations also say in section 5.202 that all students shall exhibit initiative, pride in work, and honesty. Those are attitudes and values.

So the regulations are internally contradictory, and besides that, wait until one of your constituents’ children fails a test on initiative.

In addition, Mr. Speaker, the amendment to chapter 5, which was adopted last year, already states that all students must achieve specific language, skills, attitudes, and behaviors. That is the definition of “curriculum.” And so the currently

proposed regulations are in conflict with already existing regulations.

Mr. D. R. WRIGHT. I am going to ask a number of questions, Mr. Speaker. I hope that you will not have a prepared statement for each one.

Mr. GAMBLE. I do.

Mr. D. R. WRIGHT. I am sure you do.

Do you object to the requirement that all students use effective research and information management skills, including locating primary and secondary sources of information with traditional and emerging library technologies?

Mr. GAMBLE. Mr. Speaker, I am not going to get into this line of questioning. I think the sole purpose of this is to prove what Professor Wright knows and what Representative Gamble does not know.

We have made our statement. We are not going to go through all of these 55 outcomes and this, that, and the other thing today. The Department of Education has been remiss in making clear what the program is. We agree that there should be reform, but we do not agree that we should have another experiment like the open classroom. That is why the AFT (American Federation of Teachers) union opposes this. They said, if you—

Mr. D. R. WRIGHT. Mr. Speaker, the gentleman has responded to that particular line of questioning.

Do you object that all students read and use a variety of methods to make sense of various kinds of complex texts?

Mr. GAMBLE. I could give the same answer, if you want, over again. I can read this whole prepared statement that you do not like to hear.

Where are you going with this, Mr. Speaker?

Mr. D. R. WRIGHT. Well, I am wondering what it is that you object to. We have had a lot of generalizations today, high-level generalizations. I am wondering what specifically it is that you object to - if you object, for example, to all students being able to respond orally and in writing to information and ideas gained by reading narrative and informational texts and use the information and ideas to make decisions and solve problems. I would be particularly interested to know whether or not you objected to all students being able to analyze and make critical judgments about all forms of communication - separating fact from opinion, recognizing propaganda, stereotypes, and statements of bias, particularly with regard to the validity of evidence. It would be very interesting to me to know if you object to that. I would gather that you do, from the line of discourse that you have engaged in on this issue, but—

Mr. GAMBLE. Whether I object to that has no bearing on this amendment. And you could spend the night here going to see what I object on and what I do not object on. I will make that same general statement to answer your questions.

Mr. D. R. WRIGHT. But, Mr. Speaker, do you not understand that these things that I am talking about are the things which you are going to eliminate with your amendment?

Mr. GAMBLE. There are several reasons why I had this amendment drafted so as to nullify all 55 student learning outcomes.

Mr. D. R. WRIGHT. Mr. Speaker, you do understand that your amendment will obliterate these objectives if it is adopted tonight, which I believe it will be.

Mr. GAMBLE. It will send the board back to the drawing board, and if they insist on outcomes, outcome-based education, that they come back with outcomes dealing only with academics.

Mr. D. R. WRIGHT. Thank you, Mr. Speaker.

I do not think this line of reasoning is going to be particularly fruitful, except to point out that there are some substantial issues which are being overlooked.

I am as sensitive as anybody in this House to the concerns of my own district, the citizens that I represent, and I recognize that they are sensitive to some of the "value" language in these objectives, and that is why I would support Representative Veon's recommendation tonight that he will make to us. But simply to say that we are going to throw out all of these objectives when there is not a person in this room who has not said we need to do something about public education; we need to improve the instruction in our classrooms; we need to eliminate the process in which a person can graduate from high school as a functional illiterate, we need to do something about that.

I will stand with the gentleman in eliminating, revising, whatever needs to be done to the "value" portions of these, but I will not stand here and vote against an improvement in our education that will require more rigor in the education of our children. And I recognize that this perhaps will pass tonight, but I think we need to make at least a rational decision based upon what will happen to our young people if we do not have higher standards than we have today.

THE SPEAKER PRO TEMPORE (GREGORY C. FAJT) PRESIDING

The SPEAKER pro tempore. The Chair thanks the gentleman, Representative Wright, and, on the question, recognizes Representative Adolph.

Mr. ADOLPH. Thank you, Mr. Speaker.

I rise to support the Gamble amendment. I will not be quoting Winston Churchill tonight nor will I be quoting lines from the "Wizard of Oz," but, Mr. Speaker, I would like to keep this very simple.

Back in Delaware County we have a simple saying when we teach our kids, when we coach our kids, and that is K-I-S-S, KISS, keep it simple stupid, and that is the message I would like to send the State Board of Education: keep it simple stupid. The easier and the simpler you make it for kids, the better they are.

I remember Representative Cowell informing us last year that the Pennsylvania School Boards Association, the PSEA (Pennsylvania State Education Association), various organizations, were all in support of OBE. Well, the truth of the matter

is, when I went back to Delaware County, the teachers in my district, the school board members, the principals, knew very little about OBE. Now, whether it was their State officers never kept them informed of what was going on.

I understand we had public hearings. I do not know if we ever had a public hearing in Delaware County, but I did attend a forum just recently sponsored by Senator Loeper, and Commissioner Bard from the State Board was there. There were approximately 500 people from Delaware County there as well, with simple questions concerning OBE. It is my opinion that Commissioner Bard did not satisfy those people there that night.

So I would like to send a message back to the State Board of Ed, send them back to the drawing boards with the message that we teach back in Delaware County; that is, to keep it simple stupid. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman from Delaware County and, on the question, recognizes Representative Tulli from Dauphin County.

Mr. TULLI. Thank you, Mr. Speaker.

Just briefly, I want to tell the members that being for the Gamble amendment does not necessarily mean that you are against educational reform. This is simply a way to stop the process right now and get down to business and do some of the educational things that are necessary for this reform to take place.

An important part of this is we need benchmarks to start from, and secondly, we need a system of assessment that would allow us to compare how our school districts are doing. Right now this system is lacking in these two important educational components, and we need to hold, or otherwise, this whole process is going to be coming down on us and be implemented this year. Therefore, I am going to support this amendment as a way to stop the State Board in its drive to implement them shortly. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and next recognizes the gentlelady from Butler County, Representative Carone.

Ms. CARONE. Mr. Speaker, I would appreciate being able to interrogate the sponsor of the amendment.

The SPEAKER pro tempore. Will the sponsor of the amendment stand for interrogation? He will. The lady is entitled to proceed.

Ms. CARONE. Mr. Speaker, as I read your amendment, I see that the State Board cannot promulgate goals and outcomes. Can I presume then that school districts on their own can promulgate goals and outcomes in the affective and the values area?

Mr. GAMBLE. Yes.

Ms. CARONE. Okay.

My second question: Presently, school districts have been using for almost 10 years 12 quality goals. At least two of them address the affective domain, because one of them addresses self-esteem, another addresses self-worth, and there is an ecology one as well.

Does your amendment when passed, if passed, end the present 12 quality goals that are being utilized by all the school systems in Pennsylvania?

Mr. GAMBLE. No, they would not; no, the amendment would not.

Ms. CARONE. Okay.

In hearing that, then it becomes very important—if I may make a point to the Assembly—that we cannot— If you are so opposed to the kinds of things that have been demonstrated as affective or values-laden, then we have at present 12 quality goals, many of which are very affective, and we need to address reform very, very quickly.

The SPEAKER pro tempore. The Chair thanks the lady and next recognizes Representative Nyce.

Mr. NYCE. Thank you, Mr. Speaker.

As a 6-year school director serving a local board and a vocational joint committee, I rise to tell you that the implementation of these new regulations has been done in a completely inadequate manner. These are our public schools. These are not an experiment for the State Board or the Secretary or the Department of Education. The program that has been espoused to us certainly has some worthwhile elements, and I am not opposed to all of them. However, the methods used to implement this program are going to drive it into failure.

The citizens in my district who have contacted me know nothing of what is going to happen in their classrooms, know nothing of the grading systems to be used to evaluate their students, know nothing of the structure in the classroom for remediation and many of the other important things that have to go on in order to educate students.

Now, we can all say there have been many public hearings on this issue. I tend to differ. Public hearings have to be held at a time when the public can attend. As we all know, back in the district it is very important to make ourselves available to the public for input and to hear what their concerns are. The department has done a terrible job of educating not only our staff back in the school districts but our school boards and everyone else, yet this program has been moving ahead. It is like a huge steamroller. It is going to be extremely difficult to stop it.

Now, I believe that we need to get our hands around the program, break out the elements that are not academic, and focus on real reform that will give us the results we need.

I urge all of you to support the Gamble amendment and slow this thing down. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman, Representative Nyce, and next Representative Masland from Cumberland County.

Mr. MASLAND. Thank you, Mr. Speaker.

I rise to support the Gamble amendment.

I am opposed to OBE, but not because I believe that we should not have goals or that we should not have outcomes. Certainly our education process needs them.

I am not opposed to OBE because I fear massive brain-washing. I do not think that will take place.

I am not opposed to OBE because I believe the cost will be prohibitive. Certainly quality education in any form is going to cost something.

There are parts to this plan which I actually find laudable. We need high academic achievers. We need lifelong learners. We need adaptive users of advanced technology. But there are elements in the OBE plan which are questionable at best, and they have been the focus of intense scrutiny and controversy, so intense that neither time nor further explanation will salvage OBE.

I agree with Governor Casey's earlier statements that this continued controversy will destroy the prospect for success. There is no prospect for success for OBE. There is no consensus for OBE. One need only look around this hall at the acrimonious debate we have been engaged in and you can see we have no consensus. A monumental change of this nature in our education system demands a greater consensus and not a mere majority vote.

We need to refocus our goals, our sights, on the America 2000 goals established by the U.S. Department of Education, which do not contain the objectionable parts of OBE. Number one, all children should be ready for school. Number two, we demand a 90-percent graduation rate. Number three, all children should be proficient in math, science, English, history, and geography. We must be first in world math and science. All adults must be literate and able to compete in our work force. And finally, drugs and violence will be out of the school.

Now, Mr. Speaker, Representative Cowell, in his earlier remarks concerning the motion to pass over this issue, alluded to the fact that this vote is really a moot vote; it is really simply a hollow vote. Well, I beg to differ, as some of my colleagues have already.

I have in my hand a pamphlet which my predecessor, the Honorable John H. Broujos, left in the office along with a bunch of other stuff. Some I have thrown out, but I kept this one. I think this will be a collector's item. It is called "An Open House," September 1991 version. Now, I notice a lot of pictures have changed, and I am sure there will be another version coming out shortly, Mr. Speaker, but on page 3, there is a quote from William Penn. He said back in 1682, when this House was formed, "You, Friends, are the people's choice. You'll see what laws are fit to be left out and what to be made...."

This is our decision; this is not a hollow vote. On the contrary, we can give direction to a bureaucracy which, by all, almost all accounts, has bungled this process, has simply blown it. We can admonish them to listen to the citizens of this Commonwealth as we must do.

This vote counts, Mr. Speaker. When I was campaigning, I registered hundreds of people, and each one I told, your vote counts; every single vote is important. If we just look at this as a hollow question, if we just look at this as a moot question and fail to vote meaningfully, we have told our constituents that their votes do not count either, because we will not vote on anything important.

On January 5, when I was sworn in along with the other new members and all of you, you may have noted that those little tote boards up there, the tally sheets, had us in bold. Well, now all the names are in bold, folks, so I welcome you to the club, and I ask you to join me in not making a moot or hollow vote but making a bold vote and sending OBE back to the drawing board.

The SPEAKER pro tempore. The Chair thanks the gentleman from Cumberland County and recognizes the gentlelady from Philadelphia County, Representative Manderino.

Ms. MANDERINO. Mr. Speaker, I would like to ask if the maker of the amendment would rise for interrogation, please.

The SPEAKER pro tempore. The maker of the amendment indicates that he will. The gentlelady may proceed.

Ms. MANDERINO. Thank you, Mr. Speaker.

Mr. Speaker, when the maker of the amendment was interrogated by the gentleman, Mr. Wright, earlier, he indicated that the language that he used in this amendment was crafted this way for several reasons. I would like to know from the maker of the amendment, please, what those reasons were that the language as crafted in the Gamble amendment is so crucial.

Mr. GAMBLE. Mr. Speaker, I have had this amendment drafted so as to nullify all 55 student learning outcomes adopted by the State Board of Education. This is the only way to delay the implementation of outcome-based education. As soon as any one student learning outcome is adopted, as soon as any sentence is adopted and section 5.202 is approved, then OBE becomes fully operational in Pennsylvania. That is why we cannot pick and choose. That provision is contained in the regulations which were adopted last year. Any student learning outcome which makes it through the process, even as an academic subject, triggers the entire mechanism of OBE in all 501 school districts.

Number two, the other reason, Mr. Speaker, is that currently proposed regulations are just plain badly written. Even people who think OBE is a great idea are saying that the 55 student learning outcomes are far too vague and ambiguous to ever be implemented. They do not communicate clearly, in violation of the outcomes contained in section 5.202(g)(1). In short, the outcomes fail to meet the outcomes.

Ms. MANDERINO. Mr. Speaker, on the amendment, please?

THE SPEAKER (H. WILLIAM DeWEESE) PRESIDING

The SPEAKER. The lady is recognized.

Ms. MANDERINO. Thank you.

Mr. Speaker, as the maker of the amendment, Mr. Gamble, has just told us, his intent is to kill off all 55 OBE objectives with his Gamble amendment. That means not only the affective value objectives that he claims to be opposed to but also the academic objectives as well.

We have heard a lot of speeches on the floor of the House today; we have heard a lot of opposition to the values portion of the outcome-based education. I would urge those members

of this caucus that if your concern is for the values aspect of the objectives, your true concern is for the values aspect of the objectives, that you vote against the Gamble amendment because there is a reasonable and very workable alternative in the Veon amendment. However, if your opposition is to kill off any true public education reform, then go ahead and vote with the Gamble amendment, because in my opinion, the Gamble amendment is an attempt by those people who want to stop public education reform in our Commonwealth so that they have the only game on the table to do it with this amendment, and I think those of us who truly care about our citizens, our students, and our constituents who have kids in the public schools should not allow this Gamble amendment to succeed. Thank you.

The SPEAKER. The Chair thanks the lady.

The gentleman, Mr. Olasz, is recognized.

Mr. OLASZ. Thank you, Mr. Speaker.

About an hour ago there was a statement made by Representative Steelman. I wonder if I can interrogate her, please.

Mr. Speaker, you made a statement that other States have fully implemented outcome-based education. I would like to know which States have fully implemented outcome-based education.

The SPEAKER. Ms. Steelman from Indiana County is recognized.

Ms. STEELMAN. I did not make any such statement. I made no statement to the effect that other States have implemented outcomes-based education as it is proposed for Pennsylvania.

Could you be a little bit more explicit about the comment to which you are referring?

Mr. OLASZ. Mr. Speaker, apparently I misunderstood you, because I thought you said that would be the reason, if Pennsylvania did not do it, did not implement this program, that we would be losing thousands of jobs; they would be going to these other States.

Ms. STEELMAN. To expand on my earlier statement, I would say that States that are implementing educational reform are in a better position to compete for jobs than States that are not doing so, and if we are going to dispose of 3 1/2 years' work toward reforming education in Pennsylvania, business people may very well take a lesson from that and look at States that have worked on serious reform.

Mr. OLASZ. I am sorry, Mr. Speaker. I thought you indicated that you knew of States where outcome-based education was already implemented.

That finishes my interrogation. I have a few statements to make, Mr. Speaker.

The SPEAKER. The gentleman is recognized.

Mr. OLASZ. Mr. Speaker, first off, I did not want to get into this argument, but I have to defend my colleague, Mr. Gamble, back when someone challenged him about gay and lesbian rights. I do not believe Mr. Gamble ever brought that into play, but it is a fact that the gay and lesbian groups in Boyertown, in the 12th-grade humanities, children were told

that homosexual lifestyles are normal. That is the furthest point I want to get to on that lifestyle.

My comments deal with this great educational experiment that we are getting into. I have heard no one at this point tell me what the projected cost would be to the Commonwealth of Pennsylvania. I think currently we expend approximately \$5.2 billion annually, but I want to know with this additional cost factor, who is going to pay for it? Where is it going to come from? How many more teachers are we going to need in the system, and how are we going to extend the hours of our students?

For 200 years, over 200 years, we were the leaders of the world. We produced the greatest mathematicians; our farmers were able to feed most of the world; Asians were forced to come into this country to steal our electronic systems. Now we are told that we must change.

I think we better get back and change the style where no one can fail anymore and let us get back to the basics of reading, writing, arithmetic, and learning how to spell, because we have reached the stage in this country where we have to put hamburgers on cash register keys with or without cheese; we have to put pictures of milkshakes on these cash registers; and we force business to go into hundreds of thousands of dollars in additional expense in putting out computerized cash registers because kids cannot make change. Do you want to throw them a curve? Give them the odd number of change and watch them stumble to try to make the adequate change. My parents came from the Old Country, but I will guarantee you my father knew how much change he should get back for a dollar, and that is something I cannot say for the student that we are putting out today.

Do you want to know what parents are concerned about with this change? They do not want their children going to school where they see people urinating in a classroom, in a corner of a classroom. They do not want to go where sawed-off shotguns are carried in the sleeve of their coats. They want some respect.

And, yes, it was not me, but it was Secretary Carroll who told the Democratic Caucus that if certain districts did not measure up to what values they, they, once again, "they," in quotation marks, thought there should be, we might possibly be looking at busing. Is that not a beautiful word for all of you to go home and tell your constituents that we may have to bus from one area to another so they could all have equivalent educations?

But never in this system do I ever hear of testing for the basics, the academic disciplines, and that is what it all comes down to in this room and it all comes down to in the Commonwealth of Pennsylvania and it comes down to in the 50 States in America. Baby, we lost the discipline in the classroom. You think about it and support the Gamble amendment. Thank you.

The SPEAKER. The gentleman from Montgomery County, Mr. Saurman, is recognized.

Mr. SAURMAN. Thank you, Mr. Speaker.

Mr. Speaker, the great virtue of this great country is in the diversification of responses to certain situations that we find ourselves in. It is called individualism - how we prioritize our time, how we feel about ourselves, how we feel about being with others, whether we like to even be with others. Mr. Speaker, these are affective things. These are feelings. These are moods. These are things that set us apart from someone else.

Mr. Speaker, in the educational quality assessment tests that we have seen in the past—and I looked at them—there were over half of them that were affective, and when you looked at the answers, they were multiple choice. It was difficult, difficult as a parent to find the answer that you would want your child to give.

Mr. Speaker, I think that this outcomes-based education, that portion of it that directs itself to the attitudes, to the feelings, to the emotions of our students, will in fact have the effect of cloning our students who will then dance like puppets on the strings from the puppeteers at the State Board of Education. I think that we have a right and a responsibility to protect the individualism, the ability of our children to learn to be themselves, not to be what someone else says, not to be tested by some model.

This process reminds me of taking 501 Piper Cub model kits out to the schools and saying, here, you develop a way to build this kit, but when you give it to us, we want a perfect Piper Cub.

Let us support the Gamble amendment.

The SPEAKER. The gentleman, Mr. Cowell, is recognized.

Mr. COWELL. Thank you, Mr. Speaker.

Mr. Speaker, this has been a fascinating debate. I say with the greatest respect for members that so much that some of you have said, as sincerely as you have said it, as strong as your feelings are, some of the things you have said have absolutely nothing to do with the issue before us.

Your comments and your concerns are well founded in terms of your genuineness and your sincerity, and I understand that those comments and concerns and some of the suggestions you have made reflect an awful lot that you have heard, as I have heard, from constituents who, as parents or as taxpayers or as concerned citizens generally, have questions and sometimes fears about what the State Board's proposals are all about. And there are lots of different ways that elected officials can react to those kinds of concerns and fears and questions. Sometimes people react by providing leadership and trying to educate, trying to inform, and sometimes people react simply by reiterating, mouthing the information or the misinformation that they received.

I think that many of us as legislators and many of us as citizens of this Commonwealth - parents, taxpayers, and others - who have had genuine concerns about this issue ought to be particularly offended by the so-called leaders who have abused us, the so-called leaders who abused their positions of influence and credibility to misinform us, to peddle fear, to peddle bias, to peddle prejudice, rather than to bring people together for a thoughtful discussion of the real issues.

Mr. Speaker, there has been a lot of discussion this afternoon and this evening about outcomes-based education and about restructuring and about report cards and all the issues that we have all heard about for the past several months. Mr. Speaker, those issues, while they are very, very important, do not have a lot to do with the proposal of the State Board of Education.

Mr. Speaker, the proposal of the State Board of Education does not talk about restructuring schools. It does not talk about grades. It does not talk about report cards. It does not talk about teachers meditating in the afternoon. It does not talk about any of the really bizarre stuff that most of us have heard about as genuine fears or concerns expressed by parents and others. The State Board's material has absolutely nothing to do with those kinds of proposals.

One of the gentlemen who spoke earlier said we need to remind the State Board of that adage KISS, keep it simple stupid. That may be more an indictment about us than about the State Board. It may be a statement about our unwillingness as leaders to take complex information and translate it and interpret it as leaders for our community members rather than to simply pander to the misinformation or those who have other kinds of motives.

The gentleman, Mr. King, asked earlier about my motives in asking that we pass over this. My motive, Mr. Speaker, is rather simple. It is to provide an opportunity for more information to be disseminated, and hopefully some additional understanding to occur, and to keep this House from putting itself on record as casting a vote that a lot of people may regret politically someday, but more importantly, casting a vote that sends an awful message across Pennsylvania and across this country about where we stand on education reform and about our willingness as elected officials to take on tough, complex issues. That was my motive and continues to be my motive.

I said a long time ago this legislature ought not to get in the way of legitimate education reform. I continue to believe that. That should not be interpreted to mean we do not have a critical role to play in the process of education reform, but we need to be wise and we need to be constructive in how we play that role and in determining what role we will play.

Mr. Speaker, in a nutshell, what the State Board's proposal is all about is this: If you look at all of our State regulations and all of our laws today that speak to what we want to get back in return for our nearly \$9-billion-a-year annual investment— Mr. Speaker, could we have some attention, please.

The SPEAKER. The House will please come to order. The gentleman merits our attention.

Mr. COWELL. Mr. Speaker, I have listened to a lot of comment this afternoon about people not having enough information.

Mr. Speaker, in a nutshell, what the regulations are all about is a change from a system that currently says, in return for our \$9-billion investment, we as policymakers in this State expect kids to sit in class for 180 days a year - 900 or 990 hours a year - taking a course called math or a course called

science or several courses called math and science and English in order to be able to graduate. That is it. Period. It is irresponsible of us as policymakers, as the chief policymakers in this State, to continue to say that we are satisfied with those kinds of expectations. So what the State Board has proposed is a shift from that very limited set of expectations to a system that would have us, for the first time, try to articulate what we expect students to learn before they can graduate.

Now, there are all kinds of manifestations of OBE as people have liked to debate it, but none of that is found in the State Board regulations. There is not a word about restructuring your classroom. There is not a word about restructuring your curriculum. There is not a word about changing the schedule for the day. There is not a word about report cards. All of those things, as they have always been, would be left to the discretion of locally elected school officials. This in no way is a diminution of their responsibility or their authority. In fact, a lot of people believe that it is an enhancement of the responsibility and the authority of locally elected school officials. That is what this is all about.

These items have been promulgated, proposed, if you will, by folks on the State Board of Education. And I have listened to a lot of discussion over the last several months as though these people on the State Board of Education were some kind of ogres or perverts who were proposing these things. I would ask you just rhetorically, how many of you even know who is on the State Board of Education? Not enough people know; not enough people know as evidenced over in the Senate, even though they vote for their confirmation.

The chairman of the State Board is a Roman Catholic nun. Do you think she would be out promulgating some of the goofiness that we have heard about? Other people on the State Board initially were placed there because of Governor Thornburgh's nomination and others by Governor Casey - all confirmed by the Senate; all with a rich history of education involvement and education experience, and maybe in some cases, even some education expertise.

Mr. Speaker, if we adopt the Gamble amendment, I hope that you will know that you are going on record as opposing goals that say things like "All students use effective research and information management skills, including...primary and secondary sources of information...." That is libraries. Kids ought to learn how to use the libraries and search for information. That "All students use numbers, number systems and equivalent forms...to represent theoretical and practical situations," and there are six other such statements that spell out with some specificity what kind of math skills a student should acquire rather than us being satisfied to say, a kid has to take a course called math.

Mr. Speaker, some of the goals say that "All students develop knowledge of injury prevention and treatment and the ability to respond appropriately in emergency situations." "All students completing a vocational-technical education program exhibit the skills required to succeed in a particular occupation for which they have prepared." Those are the kinds of goals that most of this is about. There are 55 goals, and probably 50

or 51 or 52 of these, without any debate, without any question, are about that kind of approach to describing what we want students to learn rather than being satisfied to say, in return for all this money we give you, we want kids to take a course called math.

Mr. Speaker, it is not surprising, it is not surprising that parents have become fearful of some of this. It is not surprising that members have heard from parents and others about their concerns about what this says or what it might say or how it is going to be interpreted, because we have had some people deliberately provoke the misinformation, deliberately provoke the misunderstanding.

Mr. Speaker, there is this vicious circle going on. We have had some people go out and say, this is about this awful subject matter; call your legislator. And then those people call their legislator and say, this is about this awful subject matter. And then some of you come here and correctly report that your parents are concerned because this is about this awful subject matter. But the primary maker of this motion and maybe the primary peddler of the misinformation is not able to come to this floor and tell us where the real concerns are, is not able to come to the floor and look at 55 outcomes and say, this is why I have a problem or why we have problems.

Mr. Speaker, there is one outcome that people have talked a little bit about, not so much today but in other places. It is that outcome that purports to deal with certain values. It says, "All students work effectively with others, demonstrating respect for the dignity, worth, contributions and equal rights of each person." Somebody over on this side quoted Thomas Jefferson earlier. I think Thomas Jefferson also wrote something that said all men are created equal. That is not much different from that particular learning outcome that the State Board has found a different way of saying; perhaps their way is more wordy, but it is not unlike what Thomas Jefferson said. Mr. Speaker, that is about, as controversial as that has become, that is about black students and yellow students and white students and Vietnamese kids and Italian kids and Irish kids and handicapped kids and fat kids and skinny kids and kids who wear glasses. That is what that is about, and why should we not have the guts to say we do not have a problem with that? Our real problem is not with that kind of language, Mr. Speaker. Our real problem is with the fact that you cannot pick up the newspaper today without reading about kids shooting at one another in school or a lot of other people shooting at one another in the street, verbally or with weapons that really kill.

Mr. Speaker, why as so-called leaders do we not have the gumption to lead? Why do we not have the gumption to help explain?

Mr. Speaker, I said that some people are guilty of promoting the misinformation and peddling the fear. Let me read, Mr. Speaker— Mr. Speaker, this is about something that a lot of you have gotten letters about, so if you really want to know more, I would encourage you to listen up for just a minute or two. And if you do not— Representative Durham, do you have a question to ask?

The SPEAKER. The House will please come to order. Thank you.

Mr. COWELL. Mr. Speaker, I am going to finish what I am going to say today. We can do it in a short time or we can do it in a long time.

Mr. Speaker, there was concern about some of the misinformation that some of us have had reported back to us. I want to share with you something that a member of the General Assembly wrote for purposes of dissemination, primarily to church groups, and I am told this appeared in a number of church bulletins, and understandably, it has been the basis for a lot of the letters that some of us have received. I know it has been the basis for some of the letters that I have received.

It was an article entitled "EDUCATIONAL 'REFORM': GUESS WHO'S AFTER OUR KIDS?" and the article had an advisory at the top of it, one of those parental warnings, "Parental Advisory: This article contains some words which you may prefer NOT to have your children read." It is underlined, and I guess it was boxed a bit, and then it says:

Dear Fellow Pennsylvanian:

How would you like it if your son or daughter came home from school one day and announced,

"Abortion is OK; those babies are unwanted anyway."

"I don't want to hear any more about sin. It lowers my self-esteem."

"We learned how to use condoms today. It was neat. The teacher showed us on a dildo."

"It doesn't matter if I know anything about math. The important thing is that I feel good about myself."

"I flunked a test today because I said that homosexual intercourse was wrong."

And then the article goes on:

This is all part of a plan called "America 2000." It's not some future hypothetical nightmare; it's very much the present reality here in Pennsylvania.

A lot of people thought that was for real. A lot of people thought that kids actually came home and said those things. A lot of people thought that some of what a lot of us would consider to be offensive language was used only because somebody wanted to report the facts.

Mr. Speaker, those are all manufactured lies - all manufactured lies - and what is appalling is that somebody chose to manufacture lies for the purpose of creating fear, for the purpose of creating outrage, for the purpose of creating opposition to something that the State Board was proposing.

Mr. Speaker, it is no wonder that we are receiving letters and phone calls from parents who are outraged about the work of the State Board. They ought to be outraged about those who choose to peddle lies and misinformation and play to their fears and their love of their kids and their concerns about quality education for the sake of promoting their own cause, whatever that might be.

Mr. Speaker, there are some who have argued that we do not want any values taught in our schools. Probably this article

and the manufactured quotes in itself is a compelling argument for us doing a better job teaching about integrity, honesty, and a whole set of values that some people have not acquired along the way.

Mr. Speaker, I expect that the Gamble amendment is going to be approved, but I hope that in the process of voting for it, members will recognize what has been, at least in part, the cause of the calls and the letters you are getting. I hope that members will recognize that in the process of voting to wipe out all of the work of the State Board, you are voting to wipe out 95 percent of what is about math and science and English, and the other 5 percent probably has something to do with Thomas Jefferson and the Declaration of Independence and the thought that all men are created equal. Jim Rhoades, the Republican chairman of the Education Committee in the Senate, made that point very well in his courageous speech in the Senate the other day.

Mr. Speaker, what we will do today will less affect the outcome of the regulatory review process, because as I suggested earlier, the Governor has set a track. The State Board, I believe, will in fact amend its product before we see it again. But what we will do, Mr. Speaker, is allow people to feel good perhaps, allow people to go home and tell some people that they voted one way or the other, and we will in the process send a message to educators and others across this State and across this country that we are not able and willing—maybe just not willing—to handle complex, controversial issues that require some leadership, require some courage.

There is no education reform that happens anywhere in this country without some tough decisions being made and without some leadership being exhibited, and there are faults across the spectrum of players, starting with the Governor through the Department of Education, but certainly landing here today.

Mr. Speaker, the Gamble amendment is an awful statement because it serves no purpose other than political. It is off target, because it would have us be put on record as being against reforms that are 95 percent on target and useful, and it is awful because of the message that it sends that we will cater to those who engage in fear tactics and tactics of misinformation.

Mr. Speaker, I urge that we defeat the Gamble amendment.

The SPEAKER. Those in favor of the amendment—

Mr. GAMBLE. Mr. Speaker, one final statement.

The SPEAKER. The Chair recognizes the gentleman from Allegheny County.

Mr. GAMBLE. I would just like to make a one-moment statement.

To clear the air, we are not against education reform; we are against an experiment. We say that it does not work, and if it does work, when these outcomes go back to the Department of Education, let them prove that outcome-based education does work.

The figures we have put out on the costs have been questioned. Well then, if they are wrong, then tell us what the costs will be.

And finally, Mr. Speaker, we have talked about the process; we have talked about IRRC; we have talked about the administration; we have talked about the Education Committee and the bureaucrats, but in the final analysis, whose kids are these kids? They belong to the parents of Pennsylvania. They do not belong to the government. The kids in Germany in the 1930's and 1940's belonged to the government and they all thought the same.

This is a first step to getting meaningful reform in Pennsylvania. Please vote for my amendment.

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

The following roll call was recorded:

YEAS—139

Adolph	Fleagle	McGeehan	Saurman
Allen	Flick	Maitland	Saylor
Argall	Gamble	Markosek	Scheetz
Armstrong	Gannon	Marsico	Schuler
Baker	Geist	Masland	Semmel
Barley	George	Mayernik	Serafini
Belfanti	Gerlach	Melio	Smith, B.
Birmelin	Gigliotti	Mery	Smith, S. H.
Boyes	Gladeck	Micozzie	Snyder, D. W.
Brown	Godshall	Miller	Staback
Bunt	Gordner	Nailor	Stairs
Bush	Gruitza	Nickol	Steighner
Butkovitz	Gruppo	Nyce	Steil
Carone	Haluska	O'Brien	Stern
Cessar	Hasay	O'Donnell	Stish
Chadwick	Hennessey	Olasz	Strittmatter
Civera	Herman	Perzel	Tangretti
Clark	Hershey	Pesci	Taylor, E. Z.
Clymer	Hess	Petrone	Taylor, J.
Cornell	Hutchinson	Pettit	Tomlinson
Corrigan	Jadlowiec	Phillips	Trello
Coy	Kaiser	Piccola	True
DeLuca	Kasunic	Pistella	Tulli
Daley	Kenney	Pitts	Uliana
Dempsey	King	Platts	Van Horne
Dermody	Krebs	Raymond	Vance
Donatucci	LaGrotta	Reber	Vitali
Druce	Laub	Reinard	Waugh
Durham	Laughlin	Rieger	Wogan
Egolf	Lawless	Roberts	Wozniak
Fairchild	Lee	Rohrer	Wright, M. N.
Fargo	Leh	Rubley	Yandrisevits
Farmer	Lescovitz	Ryan	Yewcic
Fee	Lloyd	Santoni	Zug
Fichter	Lynch	Sather	

NAYS—61

Acosta	Dent	Linton	Rooney
Battisto	Evans	Lucyk	Rudy
Bebko-Jones	Fajt	McCall	Scrimenti
Belardi	Freeman	McNally	Steelman
Bishop	Hanna	Manderino	Stetler
Blaum	Harley	Michlovic	Sturla
Buxton	Heckler	Mihalich	Surra
Cappabianca	Itkin	Mundy	Thomas
Carn	James	Murphy	Tigue
Cawley	Jarolin	Oliver	Trich
Cohen, L. I.	Josephs	Petrarca	Veon
Cohen, M.	Keller	Preston	Wright, D. R.
Colafella	Kirkland	Richardson	

Colaizzo	Kukovich	Ritter	DeWeese,
Cowell	Lederer	Robinson	Speaker
Curry	Levdansky	Roebuck	

NOT VOTING—1

Williams

EXCUSED—2

Callagirono Hughes

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

On the question,

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

Mr. VEON offered the following amendments No. A0172:

Amend Sec. 4 (Sec. 1524), page 1, line 6 (A0157), by inserting after "The"

following

Amend Sec. 4 (Sec. 1524), page 1, lines 9 and 10 (A0157), by striking out "Notwithstanding any other provision of law to the" and inserting

(1) Outcomes relating to appreciating and understanding others.

(2) Outcomes relating to applying knowledge of the human body and the environment to decision-making on health and disease prevention.

(3) Outcomes relating to understanding basic human development and learning as a foundation for caregiving and child care.

(4) Outcomes relating to understanding consumer behavior principles as a foundation for managing available resources to provide for personal and family needs.

(b) Notwithstanding any other provision of law to the
Amend Sec. 4 (Sec. 1524), page 1, lines 15 through 19 (A0157), by striking out all of said lines

On the question,

Will the House agree to the amendments?

The SPEAKER. On the question, the Chair recognizes the gentleman, Mr. Veon.

Mr. VEON. Thank you, Mr. Speaker.

Mr. Speaker, not to prolong this debate, just to make it very simple and clear, my amendment would remove all of the language of Mr. Gamble's amendment and my new language would very simply take out all of those so-called values, affective regulations, from the board's regulations.

That is the essence, and I would ask for an affirmative vote. Thank you.

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

Mr. GANNON. I think the members should be aware, nobody came up and spoke against this amendment, and I want to make it clear that I am against this because this just reverses what we did a few moments ago with the Gamble amendment, and I think the sense of this House is we want to stay with what Representative Gamble asked us to do.

I would ask the members to vote "no" on this amendment and not reverse what we did a few moments ago. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—74

Acosta	Evans	Lucyk	Rooney
Battisto	Fajt	McCall	Rudy
Bebko-Jones	Froeman	McNally	Santoni
Belardi	Gigliotti	Manderino	Scrimenti
Belfanti	Haluska	Michlovic	Staback
Bishop	Hanna	Mihalich	Steelman
Biaum	Harley	Mundy	Stetler
Cappabianca	Heckler	Murphy	Sturla
Carn	Itkin	Oliver	Surra
Cohen, L. I.	James	Petrarca	Thomas
Cohen, M.	Jarolin	Petrone	Trello
Colafrella	Josephs	Pistella	Trich
Colaizzo	Keller	Preston	Veon
Cowell	Kirkland	Richardson	Vitali
Coy	Kukovich	Rieger	Wright, D. R.
Curry	Laub	Ritter	Yandrisevits
DeLuca	Lederer	Roberts	
Dent	Levdansky	Robinson	DeWeese,
Dermody	Linton	Roebuck	Speaker

NAYS—125

Adolph	Fichter	Lynch	Saurman
Allen	Fleagle	McGeehan	Saylor
Argall	Flick	Maitland	Scheetz
Armstrong	Gamble	Markosek	Schuler
Baker	Gannon	Marsico	Semmel
Barley	Geist	Masland	Serafini
Birmelin	George	Mayernik	Smith, B.
Boyes	Gerlach	Melio	Smith, S. H.
Brown	Gladeck	Merry	Snyder, D. W.
Bunt	Godshall	Micozzie	Stairs
Bush	Gordner	Miller	Steighner
Butkovitz	Gruitza	Nailor	Steil
Buxton	Gruppo	Nickol	Stern
Carone	Hasay	Nyce	Stish
Cawley	Hennessey	O'Brien	Strittmatter
Cessar	Herman	O'Donnell	Tangretti
Chadwick	Hershey	Olasz	Taylor, E. Z.
Civera	Hess	Perzel	Taylor, J.
Clark	Hutchinson	Pesci	Tigue
Clymer	Jadlowiec	Pettit	Tomlinson
Cornell	Kaiser	Phillips	True
Corrigan	Kasunic	Piccola	Tulli
Daley	Kenney	Pitts	Uliana
Dempsey	King	Platts	Van Horne
Donatucci	Krebs	Raymond	Vance
Druce	LaGrotta	Reber	Waugh
Durham	Laughlin	Reinard	Wogan
Egolf	Lawless	Rohrer	Wozniak
Fairchild	Leh	Rubley	Wright, M. N.
Fargo	Lescovitz	Ryan	Yewcic
Farmer	Lloyd	Sather	Zug
Fee			

NOT VOTING—2

Lee	Williams
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EXCUSED—2

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

BILL PASSED OVER

The SPEAKER. HB 129, PN 138, over for the day.

HOUSE SCHEDULE

The SPEAKER. The Chair recognizes the gentleman, Mr. Itkin, the majority leader.

Mr. ITKIN. Mr. Speaker, in conversations with the minority leader, I would like to propose the following course of action.

We had planned to vote and reorganize the House today. In view of the lateness of the hour, I do not think that that is what the majority of the members of this House wish to do at this time. I am proposing that when we finish this evening, after these brief comments, we will then convene tomorrow morning in today's session at 10 a.m. and reorganize the House at that time. We will adjourn today's session tomorrow morning at 10:30 and go into tomorrow's session tomorrow at 10:30 for the purpose of getting prepared to hear the Governor's budget address.

There will be no votes taken tomorrow on the floor. We have told the Governor's Office that we would provide an opportunity for the departments to provide budget briefings to the members.

Consequently, we will then be passing up amendments to this bill, HB 129. It is my plan to bring HB 129 up again on Wednesday as the first order of business and to continue with the amendment process and hopefully resolve this matter to its timely conclusion.

With that, I yield to the minority leader.

The SPEAKER. The Chair recognizes Mr. Ryan.

Mr. RYAN. Thank you, Mr. Speaker.

Mr. Speaker, I concur in the remarks made by the majority leader with one exception. It was my understanding that there would be one vote tomorrow, just moving a bill off the calendar or out of Rules, but there would be no roll-call votes as such, I think is what we discussed, and Wednesday we will as a first order of business, I am assured, come back to HB 129. The reason for breaking now is there are sufficient amendments, in my judgment, to keep us here for 3 or 4 hours, and I am looking at the sponsor of it, and he is shaking his head yes, so I am not off by much. Thank you, Mr. Speaker.

RULES SUSPENDED

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

Mr. LEE. Thank you, Mr. Speaker.

Given the remarks of the majority leader just a moment ago, I would like to move that we suspend rule 15 in order to allow the House to be in recess until after 11 o'clock and come back tomorrow.

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

The following roll call was recorded:

YEAS—195

Acosta	Fichter	Lynch	Santoni
Adolph	Fleagle	McCall	Sather
Allen	Flick	McGeehan	Saurman
Argall	Freeman	McNally	Saylor
Armstrong	Gamble	Maitland	Scheetz
Baker	Gannon	Manderino	Schuler
Barley	Geist	Markosek	Scrimenti
Battisto	George	Marsico	Semmel
Bebko-Jones	Gerlach	Masland	Serafini
Belardi	Gigliotti	Mayernik	Smith, B.
Belfanti	Gladeck	Melio	Smith, S. H.
Birmelin	Godshall	Merry	Snyder, D. W.
Bishop	Gordner	Michlovic	Staback
Blaum	Gruitza	Micozzie	Stairs
Boyes	Gruppo	Mihalich	Steelman
Brown	Haluska	Miller	Steighner
Bush	Hanna	Mundy	Steil
Butkovitz	Harley	Murphy	Stern
Buxton	Hasay	Nailor	Stetler
Cappabianca	Heckler	Nickol	Stish
Carn	Hennessey	Nyce	Strittmatter
Carone	Herman	O'Brien	Sturla
Cawley	Hershey	O'Donnell	Surra
Cessar	Hess	Olasz	Tangretti
Chadwick	Hutchinson	Oliver	Taylor, E. Z.
Civera	Itkin	Perzel	Taylor, J.
Clark	Jadlowiec	Pesci	Thomas
Clymer	James	Petrarca	Tigue
Cohen, M.	Jarolin	Petrone	Tomlinson
Colafella	Kaiser	Pettit	Trello
Colaizzo	Kasunic	Phillips	Trich
Corrigan	Keller	Piccola	True
Cowell	Kenney	Pistella	Tulli
Coy	King	Pitts	Uliana
Curry	Kirkland	Platts	Van Horne
DeLuca	Krebs	Preston	Vance
Daley	Kukovich	Raymond	Veon
Dempsey	LaGrotta	Reinard	Vitali
Dent	Laub	Richardson	Waugh
Dermody	Laughlin	Rieger	Wogan
Donatucci	Lawless	Ritter	Wozniak
Druce	Lederer	Roberts	Wright, D. R.
Durham	Lee	Robinson	Wright, M. N.
Egolf	Leh	Roebuck	Yandrisevits
Evans	Lescovitz	Rohrer	Yewcic
Fairchild	Levdansky	Rooney	Zug
Fajt	Linton	Rubley	
Fargo	Lloyd	Rudy	DeWeese,
Farmer	Lucyk	Ryan	Speaker
Fee			

NAYS—1

Bunt

NOT VOTING—5

Cohen, L. I.	Josephs	Reber	Williams
Cornell			

EXCUSED—2

Caltagirone Hughes

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.

Mr. RYAN. Mr. Speaker?

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

Mr. RYAN. I am reminded that there are a couple of resolutions that have to be voted tomorrow as well, tomorrow morning.

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

Mr. ITKIN. Mr. Speaker, there will be a couple of minor amendments to HR 22, which is the resolution creating the committees. They are minor amendments to make certain corrections of errors in the resolution. In addition, I want to remind the members that they have all gotten copies of that resolution and to keep them for tomorrow's session. Thank you.

RESOLUTIONS REPORTED FROM COMMITTEE

HR 2, PN 3

By Rep. ITKIN

A Resolution declaring the year 1993 as "Paramedic Recognition and Appreciation Year" in Pennsylvania.

RULES.

HR 12, PN 174

By Rep. ITKIN

A Resolution directing the Conservation Committee of the House of Representatives to conduct hearings across this Commonwealth on public and private utility response to emergency situations.

RULES.

HR 14, PN 242

By Rep. ITKIN

A Resolution proclaiming March 1 as Saint David's Day to be observed throughout this Commonwealth.

RULES.

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 185, PN 202

By Rep. ITKIN

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for purchase, consumption, possession or transportation of alcohol by certain persons and for possession of false identification to obtain alcohol.

RULES.

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader. Mr. ITKIN. Mr. Speaker, I move that HB 185 be removed from the table.

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

COMMITTEE APPOINTED

The SPEAKER. Pursuant to HR 17, which was adopted on February 2, 1993, the following Democratic members are appointed to the Select Committee on Rules Review:

Thomas C. Corrigan, Sr.;
Jeffrey W. Coy
(Chairman of the Select Committee);
Frank Dermody;
Robert L. Freeman; and
Anthony H. Williams.

The Republican members are:

J. Scot Chadwick;
Kenneth E. Lee;
Roy W. Cornell; and
Dennis M. O'Brien.

VOTE CORRECTION

The SPEAKER. The gentleman, Mr. Saylor, is recognized. Mr. SAYLOR. Mr. Speaker, on amendment No. A0198 to HB 113, my switch was incorrect and I would like to be recorded in the affirmative.

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

RECESS

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

AFTER RECESS

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

**THE SPEAKER PRO TEMPORE
(FRED A. TRELLO) PRESIDING****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
February 8, 1993

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Monday, March 15, 1993, 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, March 15, 1993, 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.

SENATE MESSAGE**JOINT SESSION**

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

In the Senate
February 8, 1993

RESOLVED, (the House of Representatives concurring), That the Senate and House of Representatives meet in Joint Session, Tuesday, February 9, 1993, at 11:00 A.M., in the Hall of the House of Representatives for the purpose of hearing an address by His Excellency, Governor Robert P. Casey; and be it further

RESOLVED, That a committee of three on the part of the Senate be appointed to act with a similar committee on the part of the House of Representatives to escort His Excellency, the Governor of the Commonwealth of Pennsylvania, to the Hall 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.

RULES SUSPENDED

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

Mr. ITKIN. Mr. Speaker, I move that the rules of the House be suspended to permit immediate consideration of HR 22.

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

RESOLUTION ADOPTED**REPORT OF COMMITTEE ON COMMITTEES**

The SPEAKER pro tempore. The gentleman, Mr. Itkin, calls up HR 22, which will be read by the clerk.

The following resolution was read:

House Resolution No. 22**A RESOLUTION**

Providing for the election of members to the Standing Committees of the House of Representatives.

RESOLVED, That it is recommended that the members of the House named herein be and are hereby elected members of the Standing Committees of this House of Representatives. The Chairmen, Vice Chairmen, Subcommittee Chairmen and Secretaries whose names are included in this report are appointed by the Speaker of the House. The Minority Chairmen, Minority Vice Chairmen and Minority Subcommittee Chairmen whose names are included in this report are appointed by the Minority Leader.

AGING AND YOUTH

Blaum, Kevin, Chairman
Haluska, Edward, Subcommittee Chairman on Aging
Bishop, Louise, Subcommittee Chair on Youth
Stetler, Stephen, Secretary

Curry, Lawrence
Gordner, John
Kasunic, Richard
Krebs, Edward
Ritter, Karen
Rooney, T. J.
Scrimenti, Thomas
Stish, Thomas
Sturla, P. Michael
Williams, Anthony Hardy

Gruppo, Leonard Q., Minority Chairman
King, David O., Minority Subcommittee Chairman on Aging
Dent, Charles W., Minority Subcommittee Chairman on Youth

Baker, Matthew
Herman, Lynn
Laub, Martin
Platts, Todd
Smith, Samuel H.
Taylor, John
True, Katie

AGRICULTURE AND RURAL AFFAIRS

Lloyd, William, Chairman
Rudy, Ruth, Vice Chair
Steelman, Sara, Secretary

Carone, Patricia
Colaizzo, Anthony
Gordner, John
Hanna, Michael K., Sr.
James, Harold
Krebs, Edward
Santoni, Dante
Stish, Thomas
Surra, Dan
Trich, Leo
Yewcic, Thomas

Smith, Bruce, Minority Chairman
Hershey, Arthur D., Minority Vice Chairman

Armstrong, Thomas E.
Bush, Alvin C.

Chadwick, J. Scot
Clark, Daniel F.
Maitland, Stephen R.
Miller, Sheila
Semmel, Paul
Stairs, Jess M.

APPROPRIATIONS

Evans, Dwight, Chairman
Linton, Gordon, Vice Chairman
Kasunic, Richard, Subcommittee Chairman on Capital Budget
Battisto, Joseph, Subcommittee Chairman on Education
Josephs, Babette, Subcommittee Chair on Health and Welfare
Trich, Leo, Secretary

Carn, Andrew
DeLuca, Anthony
Gruitza, Michael
Haluska, Edward
Jarolin, Stanley
LaGrotta, Frank
McCall, Keith
Olasz, Richard
Preston, Joseph
Robinson, William
Staback, Edward
Stetler, Stephen
Tangretti, Thomas
Wozniak, John

Pitts, Joseph R., Minority Chairman
Bush, Alvin C., Minority Subcommittee Chairman on Health and Welfare
Fleagle, Patrick, Minority Subcommittee Chairman on Education
Argall, David C., Minority Subcommittee Chairman on Capital Budget

Adolph, William F., Jr.
Brown, Teresa E.
Bunt, Raymond, Jr.
Farmer, Elaine
Flick, Robert J.
Kenney, George T., Jr.
Schuler, Jere W.
Semmel, Paul

BUSINESS AND ECONOMIC DEVELOPMENT

Lescovitz, Victor J., Chairman
LaGrotta, Frank, Subcommittee Chairman on Economic Development
Olasz, Richard, Subcommittee Chairman on Financial Services and Banking
Preston, Joseph, Subcommittee Chairman on Housing
Mundy, Phyllis, Secretary

Battisto, Joseph
Gordner, John
Kasunic, Richard
Laughlin, Susan
Linton, Gordon
Markosek, Joseph
McCall, Keith
Roberts, Lawrence
Wozniak, John

Hasay, George C., Minority Chairman
Allen, Bob, Minority Subcommittee Chairman on Economic Development
Flick, Robert J., Minority Subcommittee Chairman on Financial Services and Banking
Kenney, George T., Jr., Minority Subcommittee Chairman on Housing
Cessar, Richard J.

Gerlach, James
 Godshall, Robert W.
 Reinard, Roy
 Serafini, Frank A.
 Wright, Matthew N.

CONSERVATION

George, Camille, Chairman
 Wozniak, John, Subcommittee Chairman on Mining
 Stish, Thomas, Secretary

Buxton, Ronald
 Freeman, Robert
 Jarolin, Stanley
 Laughlin, Susan
 Levdansky, David
 Mihalich, Herman
 Steelman, Sara
 Surra, Dan
 Thomas, Curtis
 Vitali, Gregory
 Williams, Anthony Hardy

Reber, Robert D., Minority Chairman
 Smith, Samuel H., Minority Subcommittee Chairman on Mining

Argall, David G.
 Birmelin, Jerry
 Clark, Dan
 Jadowiec, Kenneth M.
 Masland, Albert
 Rubley, Carole
 Scheetz, Terry R.
 Stern, Jerry

CONSUMER AFFAIRS

Wright, David R., Chairman
 Freeman, Robert L., Subcommittee Chairman on Public Utilities
 Michlovic, Thomas, Subcommittee Chairman on Telecommunications
 Rooney, T. J., Secretary

Buxton, Ronald
 DeLuca, Anthony
 Gruitza, Michael
 LaGrotta, Frank
 Laughlin, Susan
 Levdansky, David
 Markosek, Joseph
 McCall, Keith
 Staback, Edward
 Yandrisevits, Frank

Durham, Kathrynann W., Minority Chair
 Jadowiec, Kenneth M., Minority Subcommittee Chairman on Public Utilities
 Semmel, Paul W., Minority Subcommittee Chairman on Telecommunications

Cohen, Lita
 Hershey, Arthur D.
 Lawless, John A.
 Lee, Kenneth E.
 Rubley, Carole
 Tomlinson, Robert M.
 Tulli, Frank, Jr.

EDUCATION

Cowell, Ronald R., Chairman
 Roebuck, James, Subcommittee Chairman on Basic Education
 Robinson, William, Subcommittee Chairman on Higher Education
 Kirkland, Thaddeus, Secretary

Battisto, Joseph
 Carone, Patricia
 Curry, Lawrence
 Daley, Peter

Haluska, Edward
 Krebs, Edward
 Mundy, Phyllis
 Rudy, Ruth
 Steelman, Sara
 Yewcic, Thomas

Stairs, Jess M., Minority Chairman
 Schuler, Jere W., Minority Subcommittee Chairman on Basic Education
 Herman, Lynn B., Minority Subcommittee Chair on Higher Education

Egolf, C. Allan
 Lawless, John A.
 Nyce, Robert E.
 Platts, Todd
 Raymond, Ron
 Taylor, Elinor Z.
 Tulli, Frank

FEDERAL-STATE RELATIONS

Cappabianca, Italo, Chairman
 O'Donnell, Robert, Vice Chairman
 Sturla, P. Michael, Secretary

Acosta, Ralph
 Butkovitz, Alan
 Carone, Patricia
 Dermody, Frank
 Kirkland, Thaddeus
 Mundy, Phyllis
 Ritter, Karen
 Roebuck, James
 Scrimenti, Thomas
 Trich, Leo
 Vitali, Gregory

Saurman, George E., Minority Chairman
 Marsico, Ron, Minority Vice Chairman

Druce, Tom
 Gerlach, James
 Hershey, Arthur D.
 Hutchinson, Scott
 Nickol, Steven R.
 Saylor, Stan
 Tomlinson, Robert M.
 Wright, Matthew N.

FINANCE

Trello, Fred, Chairman
 Van Horne, Terry, Vice Chairman
 Pesci, Timothy, Secretary

Cawley, Gaynor
 Corrigan, Thomas
 DeLuca, Anthony
 Fajt, Gregory
 Gigliotti, Frank
 Mayernik, David
 Melio, Anthony
 Murphy, Thomas
 Staback, Edward
 Stetler, Stephen

Boyes, Karl, Minority Chairman
 Raymond, Ron, Minority Vice Chairman

Dent, Charles W.
 Gannon, Thomas P.
 Hutchinson, Scott
 Nailor, Jerry L.
 Nyce, Robert E.
 Rohrer, Sam
 Saylor, Stan
 Zug, Peter

GAME AND FISHERIES

Fee, Thomas, Chairman
 Gruitza, Michael, Vice Chairman
 Surra, Dan, Secretary

Carone, Patricia
 Colaizzo, Anthony
 Jarolin, Stanley
 Levdansky, David
 Mayernik, David
 McGeehan, Michael Patrick
 Michlovic, Thomas
 Olasz, Richard
 Staback, Edward
 Tigue, Thomas
 Van Horne, Terry

Phillips, Merle H., Minority Chairman
 Godshall, Robert W., Minority Vice Chairman

Baker, Matthew
 Grupp, Leonard Q.
 Hasay, George C.
 Hess, Dick
 Lynch, Jim
 Merry, James R.
 Scheetz, Terry R.
 Smith, Bruce

HEALTH AND WELFARE

Richardson, David, Chairman
 Hughes, Vincent, Subcommittee Chairman on Health
 Ritter, Karen, Subcommittee Chair on Welfare
 Thomas, Curtis, Secretary

Acosta, Ralph
 Bebko-Jones, Linda
 Cawley, Gaynor
 James, Harold
 Josephs, Babette
 Kaiser, Ralph
 Robinson, William
 Steelman, Sara
 Tangretti, Thomas
 Van Horne, Terry

Taylor, Elinor Z., Minority Chair
 Taylor, John, Minority Subcommittee Chairman on Health
 Strittmatter, Jere L., Minority Subcommittee Chairman on Welfare

Clymer, Paul I.
 Fleagle, Patrick
 Harley, Ellen
 King, David O.
 Saurman, George E.
 Vance, Pat
 Waugh, Michael

INSURANCE

Colafella, Nicholas, Chairman
 Colaizzo, Anthony, Vice Chairman
 Yandrisevits, Frank, Secretary

Butkovitz, Alan
 Buxton, Ronald
 Carn, Andrew
 Cawley, Gaynor
 James, Harold
 Josephs, Babette
 Melio, Tony
 Michlovic, Thomas
 Murphy, Thomas
 Rooney, T. J.
 Scrimenti, Thomas

Micozzie, Nicholas A., Minority Chairman

Reinard, Roy, Minority Vice Chairman

Dempsey, Thomas W.
 Durham, Kathrynann W.
 Gannon, Thomas P.
 Gladeck, Joseph M., Jr.
 Godshall, Robert W.
 Nickol, Steven R.
 Sather, Larry
 Uliana, Joseph M.

JUDICIARY

Caltagirone, Thomas, Chairman
 Dermody, Frank, Subcommittee Chairman on Courts
 James, Harold, Subcommittee Chairman on Crime and Corrections
 Manderino, Kathy, Secretary

Carn, Andrew
 Daley, Peter
 Fajt, Gregory
 Gruitza, Michael
 Hughes, Vincent
 Josephs, Babette
 LaGrotta, Frank
 McNally, Christopher
 Ritter, Karen
 Yandrisevits, Frank

Piccola, Jeffrey E., Minority Chairman
 Clark, Dan, Minority Subcommittee Chairman on Courts
 Heckler, David W., Minority Subcommittee Chairman on Crime and Corrections

Birmelin, Jerry
 Cohen, Lita
 Hennessey, Tim
 Masland, Al
 O'Brien, Dennis M.
 Reber, Robert D., Jr.
 Wogan, Christopher R.

LABOR RELATIONS

Belfanti, Robert, Chairman
 DeLuca, Anthony, Vice Chairman
 Levdansky, David, Secretary

Buxton, Ronald
 Daley, Peter
 Freeman, Robert
 Gigliotti, Frank
 Hughes, Vincent
 Kasunic, Richard
 Keller, William
 McGeehan, Michael Patrick
 McNally, Christopher
 Surra, Dan
 Yewcic, Thomas

Gladeck, Joseph M., Jr., Minority Chairman
 Chadwick, J. Scot, Minority Vice Chairman

Armstrong, Thomas E.
 Heckler, David W.
 Lee, Kenneth E.
 Leh, Dennis E.
 Marsico, Ron
 Miller, Sheila
 Piccola, Jeffrey E.
 Strittmatter, Jere L.

LIQUOR CONTROL

Donatucci, Robert, Chairman
 Carn, Andrew, Subcommittee Chairman on Licensing
 Gigliotti, Frank, Subcommittee Chairman on Marketing
 Jarolin, Stanley, Secretary

Acosta, Ralph

Bishop, Louise
 Cawley, Gaynor
 Corrigan, Thomas
 Dermody, Frank
 Keller, William
 McGeehan, Michael Patrick
 Pesci, Timothy
 Roebuck, James
 Stish, Thomas
 Snyder, Donald W., Minority Chairman
 Bunt, Raymond, Jr., Minority Subcommittee Chairman on
 Licensing
 Lawless, John A., Minority Subcommittee Chairman on Marketing
 Allen, Bob
 Civera, Mario J.
 Farmer, Elaine
 Jadlowiec, Kenneth M.
 Kenney, George T., Jr.
 Micozzie, Nicholas A.
 Taylor, John

LOCAL GOVERNMENT

Pistella, Frank, Chairman
 Curry, Lawrence, Subcommittee Chairman on Boroughs
 Tangretti, Thomas, Subcommittee Chairman on Counties
 Melio, Anthony, Subcommittee Chairman on Townships
 Trich, Leo, Secretary
 Colaizzo, Anthony
 Haluska, Edward
 Hanna, Michael
 Mayernik, David
 McNally, Christopher
 Pesci, Timothy
 Roberts, Lawrence
 Vitali, Gregory
 Wozniak, John
 Merry, James R., Minority Chairman
 Armstrong, Thomas E., Minority Subcommittee Chairman on
 Boroughs
 Adolph, William F., Jr., Minority Subcommittee Chairman on
 Counties
 Gerlach, James, Minority Subcommittee Chairman on Townships
 Fichter, John
 Pettit, Al
 Sather, Larry
 Snyder, Donald W.
 Steil, David
 Vance, Patricia H.

MILITARY AND VETERANS AFFAIRS

Lucyk, Edward, Chairman
 Yewcic, Thomas, Vice Chairman
 Bebko-Jones, Linda, Secretary
 Butkovitz, Alan
 Hanna, Michael
 Kaiser, Ralph
 Mayernik, David
 Mihalich, Herman
 Murphy, Thomas
 Pesci, Timothy
 Roberts, Lawrence
 Rooney, T. J.
 Tigue, Thomas
 Thomas, W. Curtis
 O'Brien, Dennis M., Minority Chairman
 Nailor, Jerry L., Minority Vice Chairman
 Dempsey, Thomas W.
 Egolf, C. Allan
 Fairchild, Russell

Hess, Dick
 King, David O.
 Leh, Dennis E.
 Stern, Jerry
 Zug, Peter

PROFESSIONAL LICENSURE

Rieger, William, Chairman
 Lloyd, William, Vice Chairman
 Keller, William, Secretary
 Corrigan, Thomas
 Fajt, Gregory
 Kaiser, Ralph
 Krebs, Edward
 Lederer, Marie
 Mundy, Phyllis
 O'Donnell, Robert
 Preston, Joseph
 Scrimenti, Thomas
 Williams, Anthony Hardy
 Yandrisevits, Frank
 Civera, Mario J., Minority Chairman
 Tomlinson, Robert M., Minority Vice Chairman
 Allen, Bob
 Boyes, Karl W.
 Fairchild, Russell
 Farmer, Elaine
 Herman, Lynn B.
 Uliana, Joseph M.
 Vance, Patricia H.
 Waugh, Michael

STATE GOVERNMENT

Oliver, Frank, Chairman
 Williams, Anthony Hardy, Vice Chairman
 Vitali, Gregory, Secretary
 Bebko-Jones, Linda
 Bishop, Louise
 Butkovitz, Alan
 Freeman, Robert
 Hughes, Vincent
 Kirkland, Thaddeus
 Linton, Gordon
 Michlovic, Thomas
 Roebuck, James
 Rudy, Ruth
 Tangretti, Thomas
 Clymer, Paul I., Minority Chairman
 Lee, Kenneth E., Minority Vice Chairman
 Bunt, Raymond, Jr.
 Harley, Ellen
 Raymond, Ron
 Nickol, Steven R.
 Rohrer, Sam
 Scheetz, Terry R.
 Steil, David
 Strittmatter, Jere L.

TOURISM AND RECREATIONAL DEVELOPMENT

Gamble, Ronald, Chairman
 Fajt, Gregory, Subcommittee Chairman on Arts and Entertainment
 Staback, Edward, Subcommittee Chairman on Recreation
 Mihalich, Herman, Subcommittee Chairman on Travel Promotion
 Lederer, Marie, Secretary
 Battisto, Joseph
 Bishop, Louise
 Curry, Lawrence
 Gigliotti, Frank
 James, Harold
 Keller, William

Manderino, Kathy
 McGeehan, Michael Patrick
 Sturla, Michael
 Serafini, Frank A., Minority Chairman
 True, Katie, Minority Subcommittee Chair on Arts and Entertainment
 Birmelin, Jerry, Minority Subcommittee Chairman on Recreation
 Tulli, Frank, Jr., Minority Subcommittee Chairman on Travel Promotion
 Argall, David G.
 Baker, Matthew
 Lynch, Jim
 Maitland, Steve
 Nailor, Jerry L.
 Smith, Samuel H.

TRANSPORTATION

Petrarca, Joseph, Chairman
 Laughlin, Susan, Subcommittee Chair on Aviation
 Daley, Peter, Subcommittee Chairman on Highways
 Markosek, Joseph, Subcommittee Chairman on Public Transportation
 McCall, Keith, Subcommittee Chairman on Transportation Safety
 Roberts, Lawrence, Secretary
 Battisto, Joseph
 Dermody, Frank
 Melio, Anthony
 Mihalich, Herman
 Olasz, Richard
 Preston, Joseph
 Santoni, Dante
 Tigue, Thomas
 Cessar, Richard J., Minority Chairman
 Fairchild, Russell, Minority Subcommittee Chairman on Aviation
 Leh, Dennis, Minority Subcommittee Chairman on Highways
 Druce, Tom, Minority Subcommittee Chairman on Public Transportation
 Hess, Dick, Minority Subcommittee Chairman on Transportation Safety
 Brown, Teresa E.
 Laub, Martin
 Marsico, Ronald S.
 Pettit, Al
 Phillips, Merle H.

URBAN AFFAIRS

Petrone, Thomas, Chairman
 Acosta, Ralph, Subcommittee Chairman on Cities, Counties - First Class
 McNally, Christopher, Subcommittee Chairman on Cities, Counties - Second Class
 Sturla, Michael, Subcommittee Chairman on Cities - Third Class
 Santoni, Dante, Jr., Secretary
 Kirkland, Thaddeus
 Lederer, Marie
 Manderino, Kathy
 O'Donnell, Robert
 Robinson, William
 Stetler, Stephen
 Thomas, Curtis
 Tigue, Thomas
 Van Horne, Terry
 Wogan, Chris R., Minority Chairman
 Wright, Matthew N., Minority Subcommittee Chairman on Cities, Counties - First Class
 Harley, Ellen, Minority Subcommittee Chair on Cities, Counties - Second Class
 Dempsey, Thomas W., Minority Subcommittee Chairman on Cities, Third Class

Adolph, William F., Jr.
 Dent, Charles W.
 Fichter, John
 Hennessey, Tim
 Schuler, Jere W.
 Uliana, Joseph M.

Richard D. Olasz

On the question,

Will the House adopt the resolution?

Mr. RYAN offered the following amendments No. A0327:

Amend Resolve Clause, page 16, line 11, by striking out "Adolph, William F., Jr.," and inserting
 Gerlach, James,

Amend Resolve Clause, page 16, line 13, by striking out "Gerlach, James," and inserting
 Adolph, William F., Jr.,

On the question,

Will the House agree to the amendments?

Amendments were agreed to.

On the question,

Will the House adopt the resolution as amended?

Mr. RYAN offered the following amendments No. A0317:

Amend Resolve Clause, page 4, line 14, by striking out "Health and Welfare" and inserting
 Capital Budget

Amend Resolve Clause, page 4, line 18, by striking out "Capital Budget" and inserting
 Health and Welfare

On the question,

Will the House agree to the amendments?

Amendments were agreed to.

On the question recurring,

Will the House adopt the resolution as amended?

Resolution as amended was adopted.

THE SPEAKER (H. WILLIAM DeWEESE) PRESIDING

LEAVE OF ABSENCE CANCELED

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

ORGANIZATION OF STANDING COMMITTEES

GROUP I

The SPEAKER. For the purposes of organizing committees, the Aging and Youth Committee, Chairman Blaum and his membership, will meet right here in the Governor's entranceway immediately. Chairman Lloyd, the Agriculture and Rural Affairs Committee will meet right here in the press section; Agriculture and Rural Affairs, in the press section immediately. The Appropriations Committee will organize at this time in the back of the hall of the House, at the Post Office side entrance; the Appropriations Committee, Chairman

Evans and Chairman Pitts and their membership, will organize at the Post Office side at this time. The Business and Economic Development Committee, under Chairman Lescovitz, will meet right now in the back of the hall of the House, near the lounge entrance; Business and Economic Development, in the back of the hall of the House, at the lounge.

This should take approximately 5 minutes.

As soon as the organization has taken place, I would be grateful if Chairman Blaum, Chairman Lloyd, Chairman Evans, and Chairman Lescovitz would come to the microphone and make that pronouncement.

REPORT OF COMMITTEE ON AGING AND YOUTH

The SPEAKER. Does the gentleman, Mr. Blaum, report that the Committee on Aging and Youth is now organized?

Mr. BLAUM. Thank you, Mr. Speaker.

I am happy to report that the Committee on Aging and Youth is organized and ready to do business.

The SPEAKER. The Chair thanks the gentleman.

REPORT OF COMMITTEE ON AGRICULTURE AND RURAL AFFAIRS

The SPEAKER. The gentleman, Mr. Lloyd, is recognized.

Mr. LLOYD. Mr. Speaker, the Agriculture Committee has met, has organized, and is prepared to do business.

The SPEAKER. The Chair thanks the gentleman and believes the gentleman.

REPORT OF COMMITTEE ON APPROPRIATIONS

The SPEAKER. The Chair recognizes the gentleman, Mr. Evans, who reports that the Committee on Appropriations has met and is now organized.

The Chair thanks the gentleman.

REPORT OF COMMITTEE ON BUSINESS AND ECONOMIC DEVELOPMENT

The SPEAKER. The Chair recognizes the gentleman, Mr. Lescovitz, who reports that the Business and Economic Development Committee has met and organized.

GROUP II

The SPEAKER. The House will please come to order as we list group II.

The Committee on Conservation, Chairman Camille George and his committee, will meet right now at the Governor's entranceway. The Committee on Consumer Affairs, Chairman David Wright, will meet right now at the press section. The Chairman on Education, Mr. Cowell, will take his committee membership to the Post Office section in the back of the hall of the House. The Honorable Mr. Cappabianca will take his Federal-State Relations Committee to the back of the hall of the House, near the lounge entrance; Mr. Cappabianca,

Federal-State Relations, near the back of the hall of the House, lounge entrance.

REPORT OF COMMITTEE ON CONSERVATION

The SPEAKER. The Chair recognizes Mr. George.

Mr. GEORGE. Mr. Speaker, the Committee on Conservation has met, organized, and is ready to do business with the House.

The SPEAKER. The Chair thanks the gentleman.

REPORT OF COMMITTEE ON CONSUMER AFFAIRS

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

Mr. D. R. WRIGHT. Mr. Speaker, the Committee on Consumer Affairs is organized and ready to do business.

The SPEAKER. The Chair thanks the gentleman.

REPORT OF COMMITTEE ON EDUCATION

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

Mr. COWELL. Mr. Speaker, the Education Committee is organized and prepared to do business.

The SPEAKER. The Chair thanks the gentleman.

REPORT OF COMMITTEE ON FEDERAL-STATE RELATIONS

The SPEAKER. The Chair recognizes the gentleman, Mr. Cappabianca, who reports that the Committee on Federal-State Relations is organized and ready to do business.

GROUP III

The SPEAKER. The House will please come to order. Group III is now being organized.

The Committee on Finance, Chairman Trello's committee, will meet now at the Governor's entryway. Chairman Fee and the Game and Fisheries Committee will meet now in the press section. Chairman Richardson and the Health and Welfare Committee will meet in the back of the hall of the House, near the Post Office entrance. Chairman Colafella and the Insurance Committee will meet in the lounge entrance area in the back of the hall of the House.

The gentleman, Mr. Cappabianca, is recognized for the second time.

Mr. CAPPABIANCA. Thank you, Mr. Speaker.

I am pleased to report the Federal-State Relations Committee has met, organized, and we are ready for business.

The SPEAKER. The Chair thanks the gentleman.

REPORT OF COMMITTEE ON FINANCE

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

Mr. TRELLO. Mr. Speaker, the Finance Committee is organized and ready to do business.

The SPEAKER. The Chair thanks the gentleman.

REPORT OF COMMITTEE ON GAME AND FISHERIES

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

Mr. FEE. Mr. Speaker, the Game and Fish Committee is organized and ready to do business. Thank you.

The SPEAKER. The Chair thanks the gentleman.

REPORT OF COMMITTEE ON HEALTH AND WELFARE

The SPEAKER. The Chair recognizes the gentleman, Mr. Richardson, chairman of the Health and Welfare Committee, who reports that the committee is organized and ready to do business.

REPORT OF COMMITTEE ON INSURANCE

The SPEAKER. The Chair recognizes the gentleman, Mr. Colafella, chairman of the Insurance Committee, who indicates that his committee is organized.

GROUP IV

The SPEAKER. Group No. IV will now commence to organize.

The Judiciary Committee, Representative Caltagirone, will now meet at the Governor's entryway. Mr. Belfanti and the Labor Relations Committee will now meet in the press section. Representative Donatucci and the Liquor Control Committee will now meet in the Post Office entryway; Representative Donatucci and the Liquor Control Committee will now meet in the Post Office entryway. Local Government, Mr. Pistella, will now meet in the lounge; Mr. Pistella will now meet in the lounge entryway, the Local Government Committee. Major Lucyk and the Military and Veterans Affairs Committee will now meet in the well of the House; Major Lucyk and the Military and Veterans Affairs Committee will now meet in the well of the House. Group IV will please organize.

The gentleman, Mr. Colafella, is recognized for the second time.

Mr. COLAFELLA. Mr. Speaker, the Insurance Committee has met, organized, and is ready to do business.

The SPEAKER. The Chair thanks the gentleman from Beaver County.

REPORT OF COMMITTEE ON LIQUOR CONTROL

The SPEAKER. The gentleman, Mr. Donatucci, is recognized.

The gentleman reports that the committee is organized and ready to do business.

REPORT OF COMMITTEE ON LABOR RELATIONS

The SPEAKER. The gentleman, Mr. Belfanti, is recognized and indicates that the Committee on Labor Relations is organized and ready to do business.

REPORT OF COMMITTEE ON JUDICIARY

The SPEAKER. The Chair recognizes the gentleman, Mr. Caltagirone, who reports that the Committee on Judiciary is organized and ready to proceed.

REPORT OF COMMITTEE ON MILITARY AND VETERANS AFFAIRS

The SPEAKER. The Chair recognizes the proud alumnus of West Point, Mr. Lucyk.

Mr. LUCYK. Thank you, Mr. Speaker.

The Committee on Military and Veterans Affairs is organized and is ready to do business.

The SPEAKER. The Chair proudly thanks the gentleman.

REPORT OF COMMITTEE ON LOCAL GOVERNMENT

The SPEAKER. The Chair recognizes the gentleman, Mr. Pistella, who reports that the Local Government Committee is organized.

GROUP V

The SPEAKER. The Chair will announce at this time group V. The House will please come to order.

Mr. Rieger and the Professional Licensure Committee will now meet at the Governor's entryway. Mr. Oliver and the State Government Committee will now meet in the press section. Mr. Gamble and the Tourism and Recreational Development Committee will now meet at the Post Office entrance. Chairman Petrarca and the Transportation Committee will now meet at the lounge entry in the back of the hall of the House; Transportation, lounge entry. Mr. Petrone and the Urban Affairs Committee will now meet in the well of the House; the Urban Affairs Committee will now meet in the well of the House.

REPORT OF COMMITTEE ON PROFESSIONAL LICENSURE

The SPEAKER. The Chair recognizes the gentleman, Mr. Lloyd, for a report relative to the Professional Licensure Committee.

Mr. LLOYD. Thank you, Mr. Speaker.

Mr. Speaker, on behalf of Chairman Rieger, I would like to report that the Professional Licensure Committee has met, has organized, and is prepared to do business.

The SPEAKER. The Chair thanks the gentleman.

REPORT OF COMMITTEE ON TRANSPORTATION

The SPEAKER. The Chair recognizes the gentleman from Westmoreland County, Mr. Petrarca.

Mr. PETRARCA. Mr. Speaker, the Transportation Committee has met and organized and is ready for business.

The SPEAKER. The Chair thanks the gentleman.

REPORT OF COMMITTEE ON TOURISM AND RECREATIONAL DEVELOPMENT

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

Mr. GAMBLE. Mr. Speaker, the Committee on Tourism and Recreational Development has met, organized, and is ready to do business.

The SPEAKER. The Chair thanks the gentleman.

REPORT OF COMMITTEE ON STATE GOVERNMENT

The SPEAKER. The Chair recognizes the gentleman, Mr. Oliver, who reports that the Committee on State Government is organized and ready to do business.

REPORT OF COMMITTEE ON URBAN AFFAIRS

The SPEAKER. The Chair recognizes the gentleman, Mr. Petrone, who indicates that the Committee on Urban Affairs is organized and ready to proceed.

HOUSE BILLS INTRODUCED AND REFERRED

No. 200 By Representatives RICHARDSON, DeWEESE, CORRIGAN, KUKOVICH, VEON, MIHALICH, MURPHY, PESCI, M. N. WRIGHT, FEE, DALEY, BELFANTI, COLAIZZO, JOSEPHS, McCALL, ROEBUCK, WILLIAMS, CARN, DeLUCA, TANGRETTI, COWELL, SAURMAN, ACOSTA, STABACK, VAN HORNE, MARKOSEK, LESCOVITZ, MELIO, TIGUE, JAROLIN, PRESTON, COLAFELLA, TRELLO, McNALLY, PISTELLA, KASUNIC, FREEMAN, LINTON, ITKIN, TRICH, OLASZ, CAWLEY, LEVDANSKY, PETRARCA, WOZNIAK, GANNON, HALUSKA, BLAUM, BUNT, LAUGHLIN, CIVERA, SCRIMENTI, D. W. SNYDER, HUGHES, BATTISTO, STURLA, THOMAS, EVANS, OLIVER, ROBINSON, STEELMAN, MICHLOVIC, JAMES, HANNA, LaGROTTA, SURRA, GORDNER, ARMSTRONG, KELLER, KING, BUXTON, YEWIC, MANDERINO, CAPPABIANCA, KIRKLAND, BISHOP, LEDERER, O'DONNELL, RITTER, RUDY, PETRONE, GIGLIOTTI, GODSHALL, M. COHEN, GAMBLE and DONATUCCI

An Act amending the act of June 24, 1937 (P.L.2045, No.397), known as The Support Law, abolishing liens and providing for the release therefrom.

Referred to Committee on HEALTH AND WELFARE, February 8, 1993.

No. 225 By Representatives HALUSKA, DeWEESE, TRELLO, CESSAR, FEE, COLAIZZO, MELIO, YEWIC, D. R. WRIGHT, KREBS, KUKOVICH, STURLA, PESCI, GODSHALL, KING, BUSH, STEELMAN, HASAY, CURRY, DALEY, SAURMAN, RITTER, TULLI, YANDRISEVITS, DeLUCA, ROBERTS, BAKER, MUNDY, LEDERER, LUCYK, GEIST, TRICH, STEIGHNER, COY, ITKIN, BELARDI, VEON, M. COHEN, CLYMER, VAN HORNE, COWELL, MAYERNIK, CORRIGAN and EVANS

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for a local school district real property tax credit for owner-occupied residences.

Referred to Committee on FINANCE, February 8, 1993.

No. 226 By Representatives PESCI, SCHEETZ, PETRARCA, ULIANA, MIHALICH, DALEY, BUTKOVITZ, BROWN, DeLUCA, KING, STABACK, PISTELLA, GEIST, LaGROTTA and GERLACH

An Act amending the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act, providing for mandatory minimum sentences for the possession of cocaine-base substances.

Referred to Committee on JUDICIARY, February 8, 1993.

No. 227 By Representatives PESCI, JADLOWIEC, KREBS, PETRARCA, KELLER, FLEAGLE, TRELLO, BAKER, McGEEHAN, LUCYK, MIHALICH, OLASZ, S. H. SMITH, KENNEY, HANNA, GORDNER, M. N. WRIGHT, BELFANTI, DeLUCA, KING, PHILLIPS, BIRMELIN, FAJT, STABACK, HERMAN, WOGAN, MERRY, GIGLIOTTI, WOZNIAK, ROBERTS, GERLACH, SURRA, STERN, ARMSTRONG and COLAFELLA

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, establishing a residency requirement for general public assistance recipients.

Referred to Committee on HEALTH AND WELFARE, February 8, 1993.

No. 228 By Representatives PESCI, D. R. WRIGHT, MIHALICH, GODSHALL, WAUGH, TRELLO, BELARDI, DALEY, BELFANTI and KING

An Act amending the act of January 24, 1966 (1965 P.L.1535, No.537), known as the Pennsylvania Sewage Facilities Act, further providing for the approval or disapproval of official plans or revisions of official plans; regulating moratoriums on the Department of Environmental Resources; and providing for penalties.

Referred to Committee on CONSERVATION, February 8, 1993.

No. 229 By Representatives PESCI, LINTON, KREBS, STISH, MELIO, REBER, THOMAS, FLEAGLE, TRELLO, BAKER, McGEEHAN, LUCYK, MIHALICH,

FAIRCHILD, HERMAN, DURHAM, CARN, LAUGHLIN, JAROLIN, HALUSKA, McCALL, M. N. WRIGHT, SAURMAN, BELFANTI, SCHEETZ, VAN HORNE, FAJT, STABACK, MAYERNIK, PISTELLA, TULLI, MERRY, GIGLIOTTI, OLASZ, WOZNAK, BARLEY, HANNA, TOMLINSON, RAYMOND, GERLACH, CAWLEY, VEON, STERN and ROEBUCK

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, requiring notice of revocation or suspension to be sent by registered or certified mail.

Referred to Committee on TRANSPORTATION, February 8, 1993.

No. 230 By Representatives PESCI, FLICK, MARKOSEK, SCHEETZ, PETTIT, GORDNER, MELIO, REBER, TRELLO, BUSH, CESSAR, BAKER, McGEEHAN, LUCYK, MIHALICH, TIGUE, OLASZ, HERMAN, BUTKOVITZ, CLARK, HESS, KENNEY, LAUGHLIN, SCRIMENTI, BATTISTO, KAISER, MAYERNIK, ARMSTRONG, CORNELL, BELFANTI, KING, WOGAN, LEVDANSKY, JOSEPHS, PISTELLA, PHILLIPS, GIGLIOTTI, RITTER, STAIRS, LaGROTTA, TOMLINSON, B. SMITH, CAWLEY, VEON, STERN and BELARDI

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

Referred to Committee on TRANSPORTATION, February 8, 1993.

No. 231 By Representatives PESCI, TIGUE, PISTELLA, DeWEESE, VAN HORNE, HALUSKA, CAWLEY, DeLUCA, KAISER, NICKOL, TRELLO, ADOLPH and BELFANTI

An Act amending the act of March 30, 1811 (P.L.145, Ch.99), entitled "An act to amend and consolidate the several acts relating to the settlement of the public accounts and the payment of the public monies, and for other purposes," authorizing the deferring of compensation and the establishment of a deferred compensation program for certain employees.

Referred to Committee on LOCAL GOVERNMENT, February 8, 1993.

No. 232 By Representatives PESCI, LINTON, NICKOL, TRELLO, MIHALICH, OLASZ, RUDY, CLARK, KENNEY, LAUGHLIN, SCRIMENTI, JAROLIN, BATTISTO, TIGUE, BELFANTI, RITTER, KING, STABACK, PISTELLA and GERLACH

An Act amending the act of July 31, 1968 (P.L.738, No.233), known as The Pennsylvania Fair Plan Act, further defining "basic property insurance."

Referred to Committee on INSURANCE, February 8, 1993.

No. 233 By Representatives PESCI, FARGO, PETRARCA, REBER, TRELLO, CESSAR, BAKER, BELARDI, LUCYK, MIHALICH, OLASZ, HERMAN, CLARK, LAUGHLIN, JAROLIN, TIGUE, GODSHALL, MAYERNIK, McCALL, GAMBLE, ARMSTRONG, BELFANTI, DeLUCA, STABACK, PISTELLA, E. Z. TAYLOR, STURLA, GERLACH, CAWLEY and KING

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

Referred to Committee on LOCAL GOVERNMENT, February 8, 1993.

No. 234 By Representatives PESCI, D. R. WRIGHT, LEDERER, MIHALICH, PETRARCA, KENNEY, ROONEY, GEIST, VAN HORNE, M. N. WRIGHT, TRELLO, KIRKLAND, DALEY, OLASZ, BUTKOVITZ, RITTER, DONATUCCI, ALLEN, KING and CAWLEY

An Act amending the act of August 14, 1991 (P.L.342, No.36), known as the Lottery Fund Preservation Act, excluding prescription costs from income.

Referred to Committee on AGING AND YOUTH, February 8, 1993.

No. 235 By Representatives PESCI, MARKOSEK, REBER, THOMAS, TRELLO, SURRA, D. R. WRIGHT, McGEEHAN, LUCYK, TIGUE, HERMAN, RUDY, FREEMAN, LAUGHLIN, JAROLIN, BATTISTO, LEH, GAMBLE, BELFANTI, RITTER, DeLUCA, WOZNAK, GERLACH and CAWLEY

An Act prohibiting landfilling of whole waste tires; providing for nuisance abatement, for a study by the Pennsylvania Energy Office and for registration by persons who store or collect waste tires; encouraging use of recycled tires and tire-derived products; providing for a waste tire management fee and for responsibilities of tire retailers and wholesalers and vehicle dealers; establishing a waste tire management fund; providing for waste tire grants; imposing additional powers and duties on the Department of Environmental Resources; and imposing penalties.

Referred to Committee on CONSERVATION, February 8, 1993.

No. 236 By Representatives PESCI, SCHEETZ, PETRARCA, TRELLO, SURRA, CESSAR, MIHALICH, OLASZ, JAROLIN, SAURMAN and PISTELLA

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for tire equipment, for bumpers and for promulgation of vehicle equipment standards.

Referred to Committee on TRANSPORTATION, February 8, 1993.

No. 237 By Representatives FLEAGLE, KING, TIGUE, HECKLER, HALUSKA, GEIST, KREBS, HASAY,

TRELLO, FICHTER, BAKER, BELFANTI, NAILOR, BUNT, LaGROTTA, E. Z. TAYLOR, LEH, MARSICO, CORNELL, FARMER, JAROLIN, RUBLEY, STABACK, STURLA, GERLACH, SAYLOR, MILLER, FAJT, ALLEN, JOSEPHS, L. I. COHEN, TOMLINSON and LYNCH

An Act amending the act of June 1, 1945 (P.L.1242, No.428), known as the State Highway Law, requiring the Department of Transportation to consult and coordinate with municipalities and historic districts prior to certain removal activities.

Referred to Committee on TRANSPORTATION, February 8, 1993.

No. 238 By Representatives FLEAGLE, PETRARCA, CESSAR, GEIST, TRELLO, FARGO, PETTTT, NAILOR, MARSICO, FAIRCHILD, TIGUE, HECKLER, CLARK, ARMSTRONG, STABACK, PHILLIPS, TOMLINSON, CAWLEY, MAITLAND and EGOLF

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for local authorities to appoint temporary personnel to direct traffic at industrial facilities during shift changes.

Referred to Committee on TRANSPORTATION, February 8, 1993.

No. 239 By Representatives CLYMER, GEIST, E. Z. TAYLOR, S. H. SMITH, LAUGHLIN, CORNELL, BIRMELIN, GANNON, LEH, GERLACH, SAURMAN and CIVERA

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further defining "purchase price."

Referred to Committee on FINANCE, February 8, 1993.

No. 240 By Representatives CLYMER, KING, FICHTER, TIGUE, HECKLER, GEIST, GODSHALL, COY, TRELLO, BUNT, TANGRETTI, LEH, CLARK, CAWLEY, ULIANA, MASLAND, LAUGHLIN, SCHULER, MERRY, KASUNIC, TOMLINSON and STERN

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, further providing for the purpose of distributing moneys received as a result of the commission of crime.

Referred to Committee on JUDICIARY, February 8, 1993.

No. 241 By Representatives GRUPPO, HESS, LaGROTTA, STAIRS, REBER, B. SMITH, E. Z. TAYLOR, PESCI, LEH, M. N. WRIGHT, TRELLO, BROWN, CORNELL, DEMPSEY, BAKER, CLYMER, GANNON, ULIANA, MICOZZIE, KENNEY, STABACK, GEIST, SEMMEL, SCHULER, LYNCH, GERLACH, L. I. COHEN, HERMAN, FREEMAN, FLEAGLE, DALEY, PHILLIPS, HASAY, BELARDI, MELIO, JAMES, HALUSKA,

COLAFELLA, BUNT, BELFANTI, MARKOSEK, ADOLPH, KASUNIC, FICHTER, SAURMAN, DeLUCA, DONATUCCI, LAUGHLIN, KING, CIVERA and ALLEN

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing for exclusions from the sale and use tax.

Referred to Committee on FINANCE, February 8, 1993.

No. 242 By Representatives PITTS, FAIRCHILD, TRELLO, BIRMELIN, PETRONE, LEH, FLICK, MERRY, FARMER, FARGO, GEIST, GERLACH, BARLEY, HESS, ARMSTRONG, E. Z. TAYLOR, CLYMER, HERSHEY, CLARK, ALLEN, CIVERA, ADOLPH, DURHAM, RAYMOND, DEMPSEY, TULLI, SAURMAN, CESSAR, PERZEL, SEMMEL, S. H. SMITH, LAWLESS, SERAFINI, BUNT, HASAY, GODSHALL, GLADECK, KING, BAKER, JADLOWIEC, KENNEY, FICHTER, MARSICO, BUSH, NAILOR, M. N. WRIGHT, STERN, MICOZZIE, MASLAND, MAYERNIK, GANNON, CORNELL, STEEL, HUTCHINSON, MILLER, NYCE, ROHRER, DeLUCA, LAUB, TOMLINSON, REINARD, MELIO, PETTTT, CHADWICK, SCHEETZ, BROWN, PLATTS and LYNCH

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for tax increase limitations and spending limitations on the State and its political subdivisions.

Referred to Committee on STATE GOVERNMENT, February 8, 1993.

No. 243 By Representatives DeLUCA, MELIO, TANGRETTI, DERMODY, FAJT, KASUNIC, LEVDANSKY and JAMES

An Act amending the act of December 31, 1965 (P.L.1257, No.511), known as The Local Tax Enabling Act, further providing for collection of taxes.

Referred to Committee on LOCAL GOVERNMENT, February 8, 1993.

No. 244 By Representatives NAILOR, VANCE, TRELLO, MARSICO, KUKOVICH, NICKOL, STEELMAN, FARGO, GEIST, PICCOLA, S. H. SMITH, FLEAGLE, BOYES, M. N. WRIGHT, B. SMITH, E. Z. TAYLOR, WOZNIAK, DEMPSEY, WOGAN, HANNA, FAIRCHILD, CLYMER, COWELL, TULLI, CESSAR, HASAY, CARONE, TOMLINSON, BUNT, DENT, STERN, MASLAND, McCALL, PHILLIPS, STURLA, KING, HERMAN, HESS, KENNEY, OLASZ, COY, SAURMAN, CLARK, LAUGHLIN, FAJT, CAPPABIANCA, CORNELL, FARMER, JAROLIN, STABACK, PLATTS, PETTTT, STRITTMATTER, BUTKOVITZ, ALLEN, CIVERA, SAYLOR, FICHTER, MERRY and EGOLF

An Act requiring the Commonwealth to make certain penalty payments for certain Commonwealth annuitants.

Referred to Committee on STATE GOVERNMENT,
February 8, 1993.

No. 245 By Representatives VANCE, NAILOR, NICKOL, FLEAGLE, DeWEESE, GEIST, TIGUE, TULLI, MARSICO, HALUSKA, HARLEY, TRELLO, B. SMITH, PITTS, M. N. WRIGHT, MUNDY, JAROLIN, PICCOLA, WOGAN, E. Z. TAYLOR, PESCI, STEELMAN, ROONEY, OLASZ, HECKLER, KAISER, DeLUCA, FREEMAN, FLICK, SCHEETZ, HERMAN, BROWN, BATTISTO, FAJT, MASLAND, BELFANTI, SAYLOR, ARMSTRONG, RITTER, KENNEY, DONATUCCI, JOSEPHS, PLATTS and MERRY

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for information to consumer credit bureau.

Referred to Committee on JUDICIARY, February 8, 1993.

No. 246 By Representatives DENT, LESCOVITZ, CESSAR, HESS, MAYERNIK, FARGO, DEMPSEY, COY, B. SMITH, HASAY, PITTS, FAIRCHILD, FLICK, CAWLEY, SATHER, GEIST, BELFANTI, KENNEY, ROONEY, SAURMAN, LaGROTTA, DALEY, NAILOR, E. Z. TAYLOR, LEH, McGEEHAN, MARSICO, BARLEY, TRELLO, BROWN, PHILLIPS, CLYMER, BAKER, ULIANA, STABACK, SAYLOR, PETRARCA, SCHULER, LYNCH, FICHTER, KASUNIC, RITTER, KAISER, SCHEETZ, GERLACH, L. I. COHEN, MELIO, ROBERTS, FAJT, D. W. SNYDER, TRICH, MERRY, TOMLINSON, ALLEN, SERAFINI, STERN and WOZNIAK

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for aggravated assault.

Referred to Committee on JUDICIARY, February 8, 1993.

No. 247 By Representatives L. I. COHEN, HARLEY, CORNELL, PICCOLA, STEELMAN, DENT, S. H. SMITH, TIGUE, STRITTMATTER, PETTIT, KING, TRELLO, CESSAR, OLASZ, MASLAND, E. Z. TAYLOR, HECKLER, SAURMAN, MILLER, HANNA, STABACK, GERLACH, PLATTS, BATTISTO, CLYMER, MERRY, TOMLINSON and STERN

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for rights of accused in criminal prosecutions.

Referred to Committee on JUDICIARY, February 8, 1993.

No. 248 By Representatives FAJT, THOMAS, KREBS, TIGUE, VANCE, LEDERER, MIHALICH, PISTELLA, KUKOVICH, CESSAR, COLAFELLA, KELLER, FAIRCHILD, KENNEY, STABACK, HASAY, STETLER, HALUSKA, CAWLEY, GORDNER, DeLUCA, GERLACH, PESCI, FREEMAN, LINTON, CLARK, SAYLOR, TRELLO, SURRA, RAYMOND,

YANDRISEVITS, BELARDI, TULLI, OLASZ, TANGRETTI, DURHAM, BELFANTI, PRESTON, KASUNIC, SAURMAN, DONATUCCI, JOSEPHS, CARONE, LAUGHLIN, TOMLINSON, ROEBUCK, VEON, LYNCH, TRICH and ADOLPH

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for canceling or refusing to renew insurance policies.

Referred to Committee on INSURANCE, February 8, 1993.

No. 249 By Representatives FAJT, THOMAS, KREBS, KUKOVICH, MUNDY, CESSAR, CORNELL, STEELMAN, GEIST, VAN HORNE, HECKLER, STURLA, GERLACH, TRELLO, SURRA, GIGLIOTTI, BELARDI, KIRKLAND, DALEY, DERMODY, ADOLPH, RUDY, PRESTON, KASUNIC, RITTER, JOSEPHS and VEON

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, providing for accessibility of polls to voters with handicaps and elderly voters.

Referred to Committee on STATE GOVERNMENT,
February 8, 1993.

No. 250 By Representatives D. R. WRIGHT, DeWEESE, BELARDI, VEON, PESCI, BELFANTI, STABACK, DURHAM, LEVDANSKY, SCRIMENTI, FARGO, GODSHALL, MARKOSEK, BUSH, NAILOR, FAJT, HALUSKA, TIGUE, JAROLIN, SAURMAN, TRELLO, KAISER, COLAIZZO, GIGLIOTTI, CLARK, MELIO, MERRY, OLASZ, TOMLINSON, KING, KASUNIC, COLAFELLA, LAUGHLIN and PISTELLA

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, further providing for waters for specific purposes.

Referred to Committee on GAME AND FISHERIES,
February 8, 1993.

No. 251 By Representatives D. R. WRIGHT, MIHALICH, PESCI, COWELL, TIGUE, RUDY, OLASZ, VAN HORNE, TRELLO, PISTELLA, McCALL, VEON and E. Z. TAYLOR

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, providing for health insurance benefits for retired employees.

Referred to Committee on STATE GOVERNMENT,
February 8, 1993.

No. 252 By Representatives D. R. WRIGHT, MIHALICH, STABACK, S. H. SMITH, TIGUE, LEDERER, CLYMER, WOGAN, BIRMELIN, SCHEETZ, KIRKLAND, OLASZ, RUDY, GAMBLE and KING

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 establishment and maintenance of consolidated schools.

Referred to Committee on EDUCATION, February 8, 1993.

No. 253 By Representatives D. R. WRIGHT, GODSHALL, STEIGHNER, BELARDI, PESCI, MIHALICH, DeLUCA, OLASZ, ROONEY, SCRIMENTI, HALUSKA, KREBS, GIGLIOTTI, MICHLOVIC, MELIO, TRELLO, GERLACH, BELFANTI, KASUNIC and PISTELLA

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for report of intention to adopt, for responsibilities of PACE, for consents necessary to adoption and for release of information in confidential reports.

Referred to Committee on AGING AND YOUTH, February 8, 1993.

No. 254 By Representatives D. R. WRIGHT, DeWEESE, BELARDI, PISTELLA, FREEMAN, TRELLO, LEDERER, CURRY, GERLACH, COWELL, THOMAS, CLARK, OLASZ, ROEBUCK, CARN, FEE, JOSEPHS and LAUGHLIN

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, further providing for discontinuance of service.

Referred to Committee on CONSUMER AFFAIRS, February 8, 1993.

No. 255 By Representatives D. R. WRIGHT, STABACK, PESCI, FREEMAN, BELFANTI, TRELLO, OLASZ, LEDERER, ROONEY, CURRY, LEH, KUKOVICH, BUSH, WOGAN, STAIRS, NICKOL, HECKLER, GORDNER, GERLACH, BAKER, CLARK, THOMAS, LAUGHLIN and MERRY

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, further providing for the Pennsylvania State Police Force.

Referred to Committee on STATE GOVERNMENT, February 8, 1993.

No. 256 By Representatives D. R. WRIGHT, DeWEESE, VEON, BELARDI, DeLUCA, STABACK, MIHALICH, DURHAM, TIGUE, FARGO, SCRIMENTI, FAIRCHILD, BELFANTI, JAROLIN, TRELLO, GIGLIOTTI, MELIO, HECKLER, ROEBUCK, JOSEPHS, SAURMAN, M. N. WRIGHT, RAYMOND, OLASZ, RITTER, CAWLEY, FREEMAN, KASUNIC and PISTELLA

An Act relating to motor vehicle manufacturer-paid repair programs; requiring certain notice of such programs by manufacturers; requiring disclosure by dealers; providing for reimbursements in certain cases; and providing for sanctions.

Referred to Committee on CONSUMER AFFAIRS, February 8, 1993.

No. 257 By Representatives CLYMER, MICOZZIE, FARGO, REBER, FARMER, PESCI, FAIRCHILD, CESSAR, DENT, PITTS, PETTIT, FLICK, KENNEY, ADOLPH, BAKER, FICHTER, GANNON, KASUNIC, SAURMAN, CLARK, D. W. SNYDER, MARKOSEK, BROWN, COLAFELLA, HESS, LEH, KING, SCHULER, HARLEY, HALUSKA, HASAY, HERSHEY, LAUGHLIN, TRELLO, OLASZ, MERRY, PERZEL, BUNT, STABACK, E. Z. TAYLOR and TOMLINSON

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, exempting transfers to beneficiaries of individual retirement accounts.

Referred to Committee on FINANCE, February 8, 1993.

No. 258 By Representatives PESCI, HESS, NAILOR, FARGO, NICKOL, MIHALICH, TRELLO, BELFANTI, STABACK, WOZNIAK, MUNDY and CORRIGAN

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, further providing for expenses of nonemployee supervisors.

Referred to Committee on LOCAL GOVERNMENT, February 8, 1993.

No. 259 By Representatives PESCI, NAILOR, MIHALICH, TRELLO, BELARDI, OLASZ, LAUGHLIN, HANNA, TIGUE, PRESTON, WOGAN and ROBERTS

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, further providing for the information to be provided by signers of nomination petitions and papers and by certain affiants.

Referred to Committee on STATE GOVERNMENT, February 8, 1993.

No. 260 By Representatives PESCI, PETRARCA, REBER, THOMAS, TRELLO, D. R. WRIGHT, GIGLIOTTI, TIGUE, DALEY, OLASZ, KENNEY, JAROLIN, BELFANTI, DeLUCA and STABACK

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, requiring final administrative law judge adjudication of all citations within 90 days of issuance.

Referred to Committee on LIQUOR CONTROL, February 8, 1993.

No. 261 By Representatives PESCI, TRELLO, LUCYK, OLASZ, HERMAN, JAROLIN, GODSHALL, McCALL, ARMSTRONG, BELFANTI, HASAY, MERRY, GEIST, GERLACH and CAWLEY

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for points and approved driver improvement schools; and providing for driver improvement courses.

Referred to Committee on TRANSPORTATION, February 8, 1993.

No. 262 By Representatives PESCI, MIHALICH, KELLER, TRELLO, VAN HORNE, KENNEY, TIGUE, STETLER, STABACK, WOGAN, COLAIZZO, ROONEY and WOZNAK

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for licensee advertisements.

Referred to Committee on LIQUOR CONTROL, February 8, 1993.

No. 263 By Representatives PESCI, STISH, MICOZZIE, TRELLO, MIHALICH, DALEY, HERMAN, LAUGHLIN, JAROLIN, GODSHALL, GORDNER, SAURMAN, DeLUCA, PHILLIPS and GERLACH

An Act establishing the Commission on Education Reform and conferring powers and duties upon it relating to studying the public education system of the Commonwealth for purposes of recommending reform; and making an appropriation.

Referred to Committee on EDUCATION, February 8, 1993.

No. 264 By Representatives PESCI, GERLACH, FAJT, FREEMAN, TRELLO, DALEY, VAN HORNE, HERMAN, LAUGHLIN, STEELMAN, TIGUE, PISTELLA, JOSEPHS and STURLA

An Act providing grants for residential drug and alcohol treatment programs for mothers and pregnant women.

Referred to Committee on HEALTH AND WELFARE, February 8, 1993.

No. 265 By Representatives PESCI, STURLA, TRELLO, BELARDI, DALEY, KENNEY, BELFANTI, PISTELLA, JOSEPHS and ROEBUCK

An Act providing for grants by the Secretary of Community Affairs to promote social services for Pennsylvania's ethnic and multicultural communities and to insure that ethnic groups are not discriminated against or prohibited from receiving services because of language barriers, cultural obstacles, lack of education or lack of accessibility to government-related or public social programs.

Referred to Committee on URBAN AFFAIRS, February 8, 1993.

No. 266 By Representatives PESCI, TIGUE, PISTELLA, MUNDY, GODSHALL, STEELMAN, PERZEL, KENNEY, STABACK, GEIST, STETLER, E. Z. TAYLOR, DeLUCA, GORDNER, GERLACH, HERMAN, ULIANA, BELARDI, RITTER, TRELLO, RAYMOND, DALEY, D. W. SNYDER, LAUGHLIN and STURLA

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for preliminary provisions, for reporting suspected child abuse, for powers and duties of the Department of Public Welfare, for organization and responsibilities of child protective service and for miscella-

neous provisions; and imposing powers and duties on the Department of State and various professional licensure boards.

Referred to Committee on AGING AND YOUTH, February 8, 1993.

No. 267 By Representatives PESCI, D. R. WRIGHT, MIHALICH, MAYERNIK, KELLER, PETRARCA, KENNEY, CURRY, M. N. WRIGHT, GORDNER, HERMAN, RAYMOND, ROBERTS, FAJT, OLASZ, DURHAM, DERMODY, ADOLPH, RUDY, MICOZZIE, GAMBLE, RITTER, DONATUCCI, ALLEN, LAUGHLIN, O'BRIEN, CAWLEY, STERN and McCALL

An Act amending the act of August 14, 1991 (P.L.342, No.36), known as the Lottery Fund Preservation Act, regulating maximum annual income for pharmaceutical assistance for the elderly.

Referred to Committee on AGING AND YOUTH, February 8, 1993.

No. 268 By Representatives NICKOL, OLASZ, PERZEL and CLARK

An Act amending the act of December 31, 1965 (P.L.1257, No.511), known as The Local Tax Enabling Act, prohibiting a tax officer from charging certain fees or commissions; imposing a penalty against employers who fail to remit to taxing authorities taxes that have been withheld; and further providing for the collection of taxes from the Commonwealth.

Referred to Committee on LOCAL GOVERNMENT, February 8, 1993.

No. 269 By Representatives NICKOL, OLASZ, FARGO, TRELLO, PERZEL, SCHULER, PLATTS, CLARK, BELFANTI and ARMSTRONG

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing exceptions to assessments and collection.

Referred to Committee on FINANCE, February 8, 1993.

No. 270 By Representatives KUKOVICH, JAROLIN, MIHALICH, DALEY, GIGLIOTTI, LUCYK, CLYMER, FEE, RUDY, COLAIZZO, COWELL, STEELMAN, TIGUE, MARKOSEK, ROBERTS, HESS, BELFANTI, OLASZ, HANNA, HALUSKA, YANDRISEVITS, HASAY, STEIGHNER, McCALL, TRELLO, LAUGHLIN, STABACK, JOSEPHS, PISTELLA, LaGROTTA, B. SMITH, SATHER, SURRA, CAPPABIANCA, HERMAN, PESCI and VEON

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, further providing for cost-of-living increases to annuitants.

Referred to Committee on STATE GOVERNMENT, February 8, 1993.

No. 271 By Representatives GLADECK, ULIANA, GODSHALL and BUNT

An Act amending the act of May 2, 1929 (P.L.1518, No.452), referred to as the Elevator Regulation Law, further providing for rules and regulations.

Referred to Committee on LABOR RELATIONS, February 8, 1993.

No. 272 By Representatives GLADECK, FARGO, TIGUE, MIHALICH, MAYERNIK, COLAFELLA, HALUSKA, GODSHALL, CARONE, GEIST, MARKOSEK, NICKOL, OLASZ, TRELLO, DeLUCA, SAURMAN, LaGROTTA, KENNEY, FLICK, LEH, CLARK, FARMER, CAWLEY, JAROLIN, STABACK, GERLACH, KASUNIC, O'BRIEN and TOMLINSON

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for restriction of operating privileges for liquor offenses.

Referred to Committee on JUDICIARY, February 8, 1993.

No. 273 By Representatives GLADECK, FARGO, TIGUE, MIHALICH, MAYERNIK, COLAFELLA, HALUSKA, GODSHALL, CARONE, GEIST, MARKOSEK, NICKOL, OLASZ, TRELLO, DeLUCA, SAURMAN, LaGROTTA, KENNEY, FLICK, LEH, CLARK, FARMER, CAWLEY, JAROLIN, STABACK, GERLACH, KASUNIC, O'BRIEN and TOMLINSON

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for revocation or suspension of operating privileges.

Referred to Committee on TRANSPORTATION, February 8, 1993.

No. 274 By Representatives STAIRS, DALEY, CLARK, TRELLO and KING

An Act amending the act of December 19, 1984 (P.L.1140, No.223), known as the Oil and Gas Act, further providing for well location restrictions.

Referred to Committee on CONSERVATION, February 8, 1993.

No. 275 By Representatives ULIANA, DEMPSEY, STETLER, DENT, FREEMAN, BLAUM, ROONEY, RITTER, HENNESSEY, WOZNIAK, JAROLIN and STURLA

An Act amending the act of December 14, 1988 (P.L.1192, No.147), known as the Special Ad Hoc Municipal Police and Firefighter Postretirement Adjustment Act, further providing for modifications in amount of postretirement adjustment.

Referred to Committee on LOCAL GOVERNMENT, February 8, 1993.

No. 276 By Representatives KING, FAIRCHILD, FARGO, ROBINSON, KREBS, BROWN, TRELLO, PESCI, NICKOL, GERLACH, DeLUCA, M. N. WRIGHT, SAURMAN, CORNELL, JAROLIN, STABACK,

SCHULER, RICHARDSON, BATTISTO, NYCE, ALLEN, MERRY and TOMLINSON

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further defining "dependent."

Referred to Committee on FINANCE, February 8, 1993.

No. 277 By Representatives KING, HESS, REBER, PESCI, JAROLIN, GODSHALL, BAKER, BROWN, KASUNIC, HALUSKA, SAURMAN, DeLUCA, SCHULER, LAUGHLIN, TRELLO, COLAFELLA, E. Z. TAYLOR, GERLACH, LYNCH and HUTCHINSON

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

Referred to Committee on GAME AND FISHERIES, February 8, 1993.

No. 278 By Representatives KING, HALUSKA, REBER, NAILOR, JADLOWIEC, FAIRCHILD, TULLI, TIGUE, BOYES, HANNA, LAUGHLIN, TRELLO, JOSEPHS, ARMSTRONG, GERLACH, BUNT, LYNCH and RICHARDSON

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, providing for a Public Health Dentist within the Department of Health.

Referred to Committee on HEALTH AND WELFARE, February 8, 1993.

No. 279 By Representatives KING, JADLOWIEC, FARGO, CESSAR, D. R. WRIGHT, GRUITZA, BOYES, STEELMAN, HARLEY, TRELLO, MERRY, E. Z. TAYLOR, ALLEN, LYNCH, NYCE and HUTCHINSON

An Act amending the act of June 30, 1992 (P.L. , No.8A), known as the General Appropriation Act of 1992, providing an appropriation to the McKeever Environmental Learning Center.

Referred to Committee on APPROPRIATIONS, February 8, 1993.

No. 280 By Representatives KING, CLARK, FARGO, REBER, NAILOR, PESCI, CESSAR, PETRARCA, GRUPPO, ADOLPH, HALUSKA, M. N. WRIGHT, HARLEY, GERLACH, MILLER, LAUGHLIN, TRELLO, MERRY, COLAFELLA, STABACK, E. Z. TAYLOR, ARMSTRONG, BUSH, FAIRCHILD, PITTS, HERMAN, KREBS, HECKLER, BAKER, HESS, ARGALL and BROWN

An Act providing for the prevention, detection, treatment and follow-up of cases of hepatitis B among firefighters, paramedics, emergency medical technicians, ambulance attendants, first responders and health professionals; and making an appropriation.

Referred to Committee on HEALTH AND WELFARE, February 8, 1993.

No. 281 By Representatives LAWLESS, SCHEETZ, REBER, TRELLO, GLADECK, OLASZ, DENT, CLYMER, FLICK, LEH, STABACK, KING, WOGAN, E. Z. TAYLOR and CAWLEY

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing for the filing of inheritance tax returns and for the time for payment of inheritance and estate taxes.

Referred to Committee on FINANCE, February 8, 1993.

No. 282 By Representatives OLASZ, DeWEESE, CESSAR, WOGAN, MICOZZIE, CALTAGIRONE, COY, PETRARCA, ITKIN, GRUPPO, TRELLO, LEH, MELIO, LUCYK, DERMODY, D. W. SNYDER, BELFANTI, MERRY, STABACK, GAMBLE, GODSHALL, JAROLIN, ROEBUCK, DALEY, PISTELLA, D. R. WRIGHT, FAJT, BUXTON, PRESTON, FREEMAN, HASAY, O'BRIEN, J. TAYLOR, BUNT, REINARD, MIHALICH, HALUSKA, BELARDI, FARMER, TOMLINSON, VAN HORNE, ADOLPH, DeLUCA, McCALL, COLAIZZO, YANDRISEVITS, KASUNIC, MARSICO, LaGROTTA, BOYES, GANNON, KENNEY, GIGLIOTTI, FLEAGLE, MARKOSEK, WOZNIAK, CAWLEY, ALLEN, M. N. WRIGHT, HENNESSEY, BROWN, LEDERER, KELLER, KIRKLAND, ROONEY, ROBINSON, CLARK, PETRONE, BAKER, FICHTER, WILLIAMS, SANTONI, OLIVER, FEE, GEORGE, MUNDY, EVANS, CIVERA, STEIGHNER, COLAFELLA, VEON, RITTER, ULIANA, PESCI, SURRA, E. Z. TAYLOR, CORRIGAN and JAMES

An Act providing for pharmaceutical services in health insurance policies and employee benefit plans and for the rights of pharmacists and persons enrolled in health insurance plans and employee benefit plans; and imposing penalties.

Referred to Committee on HEALTH AND WELFARE, February 8, 1993.

No. 283 By Representative FAJT

An Act prohibiting the Department of Transportation from widening a road in Allegheny County.

Referred to Committee on TRANSPORTATION, February 8, 1993.

No. 284 By Representatives VEON, TANGRETTI, RUDY, BELARDI, BELFANTI, ACOSTA, COLAFELLA, LAUGHLIN, YANDRISEVITS, SCRIMENTI, HALUSKA, REBER, STEELMAN, GORDNER, PESCI, HERMAN, JAROLIN, COLAIZZO, STISH, KREBS, LEVDANSKY, DeLUCA, YEWIC, TIGUE, GIGLIOTTI, McGEEHAN, TULLI, HESS, STERN, BUNT, STABACK, BUSH, D. R. WRIGHT, TRELLO, LaGROTTA, KASUNIC, BLAUM, FAJT, ROBERTS, ROONEY, FAIRCHILD, MIHALICH, SAURMAN, BATTISTO, CLARK, CESSAR,

BUXTON, PISTELLA, MELIO, GERLACH, HASAY, CAWLEY, SURRA, DERMODY, MUNDY, FREEMAN, STURLA and BAKER

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for an investment tax credit program.

Referred to Committee on FINANCE, February 8, 1993.

No. 285 By Representatives O'BRIEN, PICCOLA and CALTAGIRONE

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

Referred to Committee on JUDICIARY, February 8, 1993.

No. 286 By Representatives STEELMAN, SCHEETZ, MIHALICH, BATTISTO, KREBS, ROBERTS, TIGUE, TANGRETTI, HANNA, FREEMAN, TRICH, STEIL, LAUGHLIN, D. W. SNYDER, COLAFELLA, HARLEY, LaGROTTA, JOSEPHS, TRELLO, MUNDY, CARONE, PISTELLA and DRUCE

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for a Legislative and Congressional Reapportionment Bureau for the purpose of reapportioning and redistricting the Commonwealth of Pennsylvania.

Referred to Committee on STATE GOVERNMENT, February 8, 1993.

No. 287 By Representatives KUKOVICH, THOMAS, DeWEESE, SATHER, DeLUCA, BLAUM, MARKOSEK, BELFANTI, HECKLER, FLEAGLE, STABACK, FARGO, NAILOR, DALEY, LEVDANSKY, FAJT, VAN HORNE, McNALLY, TIGUE, VANCE, JOSEPHS, TULLI, ARGALL, MIHALICH, BATTISTO, KIRKLAND, PESCI, CLARK, RITTER, STEELMAN, MELIO, CAWLEY, PRESTON, VEON, FREEMAN, SCHULER, MUNDY, RICHARDSON, LAUGHLIN, PISTELLA, TRICH, FAIRCHILD, WILLIAMS and STURLA

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.

Referred to Committee on AGING AND YOUTH, February 8, 1993.

No. 288 By Representatives BIRMELIN, STABACK, SCRIMENTI, HALUSKA, COLAIZZO, HERSHEY, LaGROTTA, TRELLO, CLARK, E. Z. TAYLOR, CAWLEY, LAUGHLIN and WILLIAMS

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for markings at deer crossing areas.

Referred to Committee on TRANSPORTATION, February 8, 1993.

No. 289 By Representatives SCHULER, VANCE, STAIRS, TIGUE, KREBS, FARGO, KING, GERLACH, COY, COWELL, STEELMAN, SAURMAN, CLARK, SEMMEL, HANNA, TOMLINSON, LAUGHLIN, SCHEETZ, BATTISTO, ALLEN, KIRKLAND, HERSHEY, MERRY and RITTER

An Act amending the act of October 15, 1980 (P.L.950, No.164), known as the Commonwealth Attorneys Act, classifying the State System of Higher Education as an independent agency entitled to appoint and fix the compensation of legal counsel.

Referred to Committee on EDUCATION, February 8, 1993.

No. 290 By Representatives SCHULER, NAILOR, HERSHEY, REBER, PITTS, STABACK, SCHEETZ, STRITTMATTER, DALEY, MICOZZIE, HASAY, ULIANA, MIHALICH, KREBS, CORNELL, ALLEN, TOMLINSON, PESCI, TRELLO, OLASZ, PHILLIPS, NICKOL, STURLA, BARLEY, LaGROTTA, BUNT, VANCE, CAPPABIANCA, LAUGHLIN and ARMSTRONG

An Act providing for the preservation of historic burial places and tombs, monuments and gravestones; and imposing penalties.

Referred to Committee on TOURISM AND RECREATIONAL DEVELOPMENT, February 8, 1993.

No. 291 By Representatives LESCOVITZ, BELFANTI, LaGROTTA and OLASZ

An Act relating to group insurance; describing permitted policies and restrictions thereon; prescribing standard policy provisions; and making repeals.

Referred to Committee on INSURANCE, February 8, 1993.

No. 292 By Representatives LESCOVITZ, BELFANTI, LaGROTTA, OLASZ and VEON

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, further providing for group accident and sickness insurance.

Referred to Committee on INSURANCE, February 8, 1993.

No. 293 By Representatives LESCOVITZ, BELFANTI, LaGROTTA, OLASZ, COLAFELLA, BATTISTO and VEON

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, further providing for group policies.

Referred to Committee on INSURANCE, February 8, 1993.

No. 294 By Representatives LESCOVITZ, LaGROTTA and OLASZ

An Act amending the act of May 17, 1921 (P.L.789, No.285), known as The Insurance Department Act of one thousand nine hundred and twenty-one, further providing for group policies.

Referred to Committee on INSURANCE, February 8, 1993.

No. 295 By Representatives LESCOVITZ, LaGROTTA, OLASZ and VEON

An Act amending the act of May 17, 1921 (P.L.789, No.285), known as The Insurance Department Act of one thousand nine hundred and twenty-one, further providing for certificates of authority to do business; prohibiting certain advertisements; and imposing penalties.

Referred to Committee on INSURANCE, February 8, 1993.

No. 296 By Representatives LESCOVITZ, LaGROTTA and OLASZ

An Act amending the act of May 11, 1949 (P.L.1210, No.367), referred to as the Group Life Insurance Policy Law, further providing for types of policies, for policies issued to employers or trustees of employer funds, for policies issued to creditors, for policies issued to unions and for policies issued to trustees of joint funds; and providing for policies issued to associations.

Referred to Committee on INSURANCE, February 8, 1993.

No. 297 By Representatives LESCOVITZ, LaGROTTA and OLASZ

An Act amending the act of June 11, 1947 (P.L.551, No.247), known as The Fire, Marine and Inland Marine Rate Regulatory Act, further providing for rate filings.

Referred to Committee on INSURANCE, February 8, 1993.

No. 298 By Representatives LESCOVITZ and OLASZ

An Act amending the act of June 11, 1947 (P.L.538, No.246), known as The Casualty and Surety Rate Regulatory Act, further providing for rate filings.

Referred to Committee on INSURANCE, February 8, 1993.

No. 299 By Representatives LESCOVITZ, BATTISTO, PESCI, COLAIZZO, OLASZ, GIGLIOTTI, CESSAR, PRESTON, VEON, LAUGHLIN and DALEY

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the authority to issue permits and for weighing and measurement of vehicles.

Referred to Committee on TRANSPORTATION, February 8, 1993.

No. 300 By Representatives LESCOVITZ, DALEY, PESCI, COLAIZZO, GIGLIOTTI, CESSAR and PRESTON

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for motorized pedalcycles and motor-driven cycles, for handicapped and veteran registration plates and placards, for motorcycle protective equipment and for inspection certificates.

Referred to Committee on TRANSPORTATION, February 8, 1993.

No. 301 By Representatives LESCOVITZ, BATTISTO, DALEY, PESCI, COLAIZZO, GIGLIOTTI, CESSAR, PRESTON and PISTELLA

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, increasing the penalty for certain violations related to size, weight and load restrictions.

Referred to Committee on TRANSPORTATION, February 8, 1993.

No. 302 By Representatives LESCOVITZ, DALEY, PESCI, COLAIZZO, GIGLIOTTI, PRESTON and VEON

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for ineligibility for licensing, for reports on mental or physical disabilities and for determination of incompetency.

Referred to Committee on TRANSPORTATION, February 8, 1993.

No. 303 By Representatives LESCOVITZ, BELFANTI, TIGUE, FAJT, TRELLO, PRESTON, COWELL, CORRIGAN, COLAIZZO and COY

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 payments to school districts; and providing for the merger of school districts.

Referred to Committee on EDUCATION, February 8, 1993.

No. 304 By Representatives LESCOVITZ, PESCI, BELFANTI, HALUSKA, TRELLO, SAURMAN, COLAIZZO and COY

An Act prohibiting compensation change during a municipal official's term.

Referred to Committee on LOCAL GOVERNMENT, February 8, 1993.

No. 305 By Representatives LESCOVITZ, BELFANTI, TRELLO, COY and COLAIZZO

An Act empowering the boards of commissioners of counties to modify the amount of fees collected by county row officers for the costs of providing certain products and services; providing for petitions to the courts of common pleas in the case of disputes; providing for public meetings and official actions through ordinance adoption; and repealing inconsistent acts.

Referred to Committee on LOCAL GOVERNMENT, February 8, 1993.

No. 306 By Representatives LESCOVITZ, PESCI, ULIANA, BELFANTI, HALUSKA, TRELLO, BATTISTO and COLAIZZO

An Act amending the act of March 3, 1978 (P.L.6, No.3), known as the Steel Products Procurement Act, further defining "steel products" to include electrical and electronic equipment.

Referred to Committee on BUSINESS AND ECONOMIC DEVELOPMENT, February 8, 1993.

No. 307 By Representatives LESCOVITZ, PESCI, HALUSKA and TRELLO

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for pre-employment honesty testing.

Referred to Committee on JUDICIARY, February 8, 1993.

No. 308 By Representatives LESCOVITZ, PESCI, HERMAN, TIGUE, BELFANTI, HALUSKA, TRELLO, BATTISTO, TRICH, KASUNIC, GORDNER, COY and COLAIZZO

An Act establishing a rural community-based economic development program; providing for the creation of rural investment seed capital funds; providing for duties of the Department of Commerce; and making an appropriation.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, February 8, 1993.

No. 309 By Representatives LESCOVITZ, PESCI, LAUGHLIN, COLAIZZO, HALUSKA, SEMMEL, TRELLO, BATTISTO, PRESTON and BLAUM

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing for exclusions from the sales and use tax.

Referred to Committee on FINANCE, February 8, 1993.

No. 310 By Representatives LESCOVITZ, PESCI, LAUGHLIN, COLAIZZO, BELFANTI, HALUSKA, COLAFELLA, TRELLO and E. Z. TAYLOR

An Act amending the act of November 24, 1976 (P.L.1163, No.259), entitled "An act relating to the prescribing and dispensing of generic equivalent drugs," further providing information on drug labels.

Referred to Committee on HEALTH AND WELFARE, February 8, 1993.

No. 311 By Representatives LESCOVITZ, LAUGHLIN, COLAIZZO, SEMMEL, TRELLO and GORDNER

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for killing game or wildlife to protect property.

Referred to Committee on GAME AND FISHERIES, February 8, 1993.

No. 312 By Representatives LESCOVITZ, LAUGHLIN, COLAIZZO, STETLER, FARGO, TRELLO, SAURMAN, BATTISTO and PRESTON

An Act regulating private prisons; providing for contracts between the Commonwealth and counties and private contractors, for approval by the Attorney General and for the licensing and inspection of private prisons by the Department of Corrections.

Referred to Committee on JUDICIARY, February 8, 1993.

No. 313 By Representatives LESCOVITZ, PESCI, LAUGHLIN, KUKOVICH, COLAIZZO, MUNDY, BELFANTI, FAJT, TRELLO and GORDNER

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the sentencing procedure for murder of the first degree.

Referred to Committee on JUDICIARY, February 8, 1993.

No. 314 By Representatives BIRMELIN, BATTISTO, HALUSKA, MARKOSEK, HANNA, FARGO, CLYMER, STABACK, MERRY, BUSH, OLASZ, TRELLO, SCHEETZ, FAJT, E. Z. TAYLOR, CAWLEY, ARMSTRONG, STERN, CESSAR and KING

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, further defining "contract carrier by motor vehicle."

Referred to Committee on CONSUMER AFFAIRS, February 8, 1993.

No. 315 By Representatives DeLUCA, M. N. WRIGHT, NYCE, STABACK, MELIO, RAYMOND, MIHALICH, ROEBUCK, STISH, PESCI, CESSAR, MERRY, HANNA, REBER, CARN, FAJT, FAIRCHILD, VEON, OLASZ, RUDY, BARLEY, KASUNIC and GIGLIOTTI

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for notifying drivers of suspensions by certified mail; requiring drivers to return suspended driver's licenses in person or by certified mail; providing for notification of cancellation of automobile insurance; further providing for termination of assigned risk policies; and increasing the fee and authorizing an additional fee for reinstatement of a suspended driver's license.

Referred to Committee on TRANSPORTATION, February 8, 1993.

No. 316 By Representatives DeLUCA, SCHULER, STAIRS, LaGROTTA, DRUCE, GIGLIOTTI, OLASZ, ALLEN, TOMLINSON, ARMSTRONG, VEON, BELARDI, KASUNIC, COLAFELLA and PETRARCA

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for the crime of auto piracy.

Referred to Committee on JUDICIARY, February 8, 1993.

No. 317 By Representatives KUKOVICH, DeWEESE, MIHALICH, PETRARCA, TANGRETTI, VAN HORNE, MARKOSEK, KASUNIC, DALEY,

STABACK, JOSEPHS, STAIRS, WOGAN, KAISER, MAYERNIK, PESCI and COLAIZZO

An Act mandating all county boundaries be frozen as they appear in official tax maps as of 1973.

Referred to Committee on LOCAL GOVERNMENT, February 8, 1993.

No. 318 By Representatives KUKOVICH, DeWEESE, MIHALICH, PETRARCA, TANGRETTI, VAN HORNE, MARKOSEK, KASUNIC, DALEY, STABACK, JOSEPHS, STAIRS, WOGAN, KAISER, MAYERNIK, PESCI and COLAIZZO

An Act prohibiting a county of the second class from imposing taxes on certain individuals.

Referred to Committee on LOCAL GOVERNMENT, February 8, 1993.

No. 319 By Representatives M. N. WRIGHT, FARGO, PITTS, GEIST, BARLEY, CORNELL, HECKLER, TOMLINSON, CORRIGAN, ALLEN, HERSHEY, PHILLIPS, KING, ULIANA, BROWN, B. SMITH, OLASZ, MARKOSEK, DEMPSEY, MASLAND, LaGROTTA, FAJT, KELLER, BAKER, STABACK, KAISER, SCHULER, MERRY, LYNCH, SCHEETZ and WOGAN

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

Referred to Committee on JUDICIARY, February 8, 1993.

No. 320 By Representatives M. N. WRIGHT, GEIST, BUSH, FLEAGLE, LYNCH, KING, KENNEY, WOZNAK, TRELLO, MAYERNIK, OLASZ, THOMAS, DALEY, BELFANTI and LAUGHLIN

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for a deduction for job-seeking expenses.

Referred to Committee on FINANCE, February 8, 1993.

No. 321 By Representatives SAURMAN, FLICK, CARONE, MERRY, WOZNAK, STRITTMATTER, HERSHEY, FARGO, LYNCH, KING and E. Z. TAYLOR

An Act establishing within the Department of Public Welfare the Welfare-to-Work Program; providing for selection of counties; establishing voluntary advisory boards; providing for funding, for program eligibility and for plans and reports; and making an appropriation.

Referred to Committee on HEALTH AND WELFARE, February 8, 1993.

No. 322 By Representatives SAURMAN, CARONE, GODSHALL, MERRY, WOZNAK, FLICK,

STRITTMATTER, FARMER, MASLAND and
E. Z. TAYLOR

An Act amending the act of August 6, 1941 (P.L.861, No.323), referred to as the Pennsylvania Board of Probation and Parole Law, providing for a literacy requirement as a condition of eligibility for parole; and making editorial changes and an appropriation.

Referred to Committee on JUDICIARY, February 8, 1993.

No. 323 By Representatives SAURMAN, FLICK,
KING and E. Z. TAYLOR

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 the termination of contracts, for causes for suspension, for salaries, for sabbatical leave and for exceptional children; and providing for curriculum and regulatory relief.

Referred to Committee on EDUCATION, February 8, 1993.

No. 324 By Representatives SAURMAN,
GODSHALL, FLICK, HERSHEY, KING and
E. Z. TAYLOR

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, abolishing the State Board of Education and transferring its powers and duties to the Department of Education.

Referred to Committee on EDUCATION, February 8, 1993.

No. 325 By Representatives SAURMAN, NAILOR,
FLICK, STRITTMATTER, ARGALL, FARMER, CLARK,
KENNEY, STERN and KING

An Act providing for the establishment of a Spending Affordability Committee.

Referred to Committee on STATE GOVERNMENT,
February 8, 1993.

No. 326 By Representatives SAURMAN, KREBS,
NAILOR, FLICK, STRITTMATTER, ARGALL, CLARK,
WOGAN, KENNEY, STERN, LYNCH and E. Z. TAYLOR

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for the consideration of, differences in, signing of, origination of and approval of bills.

Referred to Committee on STATE GOVERNMENT,
February 8, 1993.

No. 327 By Representatives SAURMAN, KREBS,
NAILOR, FLICK, STRITTMATTER, ARGALL, KENNEY,
LYNCH and KING

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, authorizing the use of the indirect initiative and referendum as powers reserved to the people.

Referred to Committee on STATE GOVERNMENT,
February 8, 1993.

No. 328 By Representatives SAURMAN, ALLEN,
FLICK, STRITTMATTER, CLARK, KENNEY and KING

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, requiring surplus funds available at the end of a fiscal year to be applied to debt service.

Referred to Committee on APPROPRIATIONS, February 8, 1993.

No. 329 By Representatives SAURMAN, NAILOR,
FLICK, TULLI, STRITTMATTER, WOGAN, KENNEY,
STERN, FARGO and E. Z. TAYLOR

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

Referred to Committee on JUDICIARY, February 8, 1993.

No. 330 By Representatives SAURMAN, REBER,
MERRY, WOZNIAK, FLICK, STRITTMATTER,
ARGALL, CLARK and FARGO

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for vehicle registration by telephone.

Referred to Committee on TRANSPORTATION, February 8, 1993.

No. 331 By Representatives SAURMAN, ITKIN,
GODSHALL, REBER, MERRY, ALLEN, FLICK,
STRITTMATTER, HERSHEY, FARGO and KING

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for operating privileges; and making a repeal.

Referred to Committee on TRANSPORTATION, February 8, 1993.

No. 332 By Representatives SAURMAN, FLICK,
HERSHEY, LYNCH and E. Z. TAYLOR

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for declaration of individual responsibility.

Referred to Committee on STATE GOVERNMENT,
February 8, 1993.

No. 333 By Representatives LESCOVITZ and
D. W. SNYDER

An Act reenacting and amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, adding, revising and deleting provisions relating to townships of the second class.

Referred to Committee on LOCAL GOVERNMENT, February 8, 1993.

No. 334 By Representatives D. R. WRIGHT, DeWEESE, M. COHEN, COY, DeLUCA, LLOYD, STABACK, FREEMAN, PESCI, MIHALICH, LaGROTTA, VAN HORNE, KASUNIC, FAIRCHILD, GORDNER, BEBKO-JONES, LEDERER, TIGUE, TRELLO, KUKOVICH, PISTELLA, GODSHALL, STEELMAN, GEIST, OLASZ, LYNCH, CLARK, DALEY, BATTISTO, GIGLIOTTI, BELFANTI, CARN, JOSEPHS and RAYMOND

An Act providing for the fair reporting of information about finances and character of individuals; regulating the collection and use of the information; establishing remedies; imposing penalties; and conferring powers and duties on the Attorney General.

Referred to Committee on CONSUMER AFFAIRS, February 8, 1993.

No. 335 By Representatives D. R. WRIGHT, VEON, BELARDI, PESCI, STABACK, SCRIMENTI, BATTISTO, NAILOR, J. TAYLOR, JAROLIN, MIHALICH, CARONE, TRELLO, GIGLIOTTI, CLARK, MICOZZIE, CESSAR, MELIO, CAWLEY, COLAFELLA, LAUGHLIN, PISTELLA, KIRKLAND and PETRARCA

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for drivers' licenses.

Referred to Committee on TRANSPORTATION, February 8, 1993.

No. 336 By Representative THOMAS

An Act amending the act of June 30, 1992 (P.L. , No.8A), known as the General Appropriation Act of 1992, amending certain State appropriations to various components of the executive branch.

Referred to Committee on APPROPRIATIONS, February 8, 1993.

No. 337 By Representatives VITALI, GEORGE, DeWEESE, LEVDANSKY, HESS, RUDY, SAYLOR, CAWLEY, FAIRCHILD, STURLA, FREEMAN, KASUNIC, KREBS, MIHALICH, SURRA, MUNDY, LaGROTTA, SCRIMENTI, PLATTS, MELIO, RUBLEY, KIRKLAND, ARGALL, TRELLO, KUKOVICH, HALUSKA, BAKER, VAN HORNE, HECKLER, BUTKOVITZ, ADOLPH, LAUGHLIN, TIGUE, CARONE, ROEBUCK, KELLER, MANDERINO, STABACK, JOSEPHS, COLAIZZO, STEELMAN, ITKIN, CAPPABIANCA and HENNESSEY

An Act regulating toxic materials used in packaging and components thereof; and providing for additional duties of the Department of Environmental Resources, for certain procedures, for remedies and enforcement and for civil and criminal penalties.

Referred to Committee on CONSERVATION, February 8, 1993.

No. 338 By Representatives REBER and GEORGE

An Act amending the act of June 23, 1982 (P.L.597, No.170), known as the Wild Resource Conservation Act, further providing for the Wild Resource Conservation Board.

Referred to Committee on CONSERVATION, February 8, 1993.

No. 339 By Representatives WOGAN, BUTKOVITZ, KENNEY, McGEEHAN, O'BRIEN, J. TAYLOR, TOMLINSON, CLYMER, MICOZZIE, REINARD, LAUB, GAMBLE, PERZEL, GLADECK, GEIST, FARGO, OLASZ, DALEY, SAURMAN, HERSHEY, SCHEETZ, GODSHALL, LEH, TRELLO, ARGALL, CIVERA, ADOLPH and RAYMOND

An Act prohibiting the Commonwealth and its departments, boards and commissions from imposing obligations or responsibilities upon school boards with respect to pupil assignment and transportation.

Referred to Committee on EDUCATION, February 8, 1993.

No. 343 By Representative EVANS

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, eliminating the transfer of funds to the Enforcement Officers' Retirement Account; providing for the transfer of funds remaining in the account; and providing for the transfer of excess funds transferred to the Enforcement Officers' Benefit Account in the State Employees' Retirement Fund.

Referred to Committee on APPROPRIATIONS, February 8, 1993.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 19 By Representatives SAURMAN, CARONE, GODSHALL, MERRY, WOZNIAK, FLICK, STRITTMATTER, FARMER and CLARK

A Resolution memorializing Congress to implement the Electronic Delivery of Benefits program Statewide.

Referred to Committee on FEDERAL-STATE RELATIONS, February 8, 1993.

No. 26 By Representatives PITTS, COLAIZZO, E. Z. TAYLOR, KREBS, MIHALICH, MARKOSEK, KAISER, MAITLAND, REBER, FARMER, STABACK, SEMMEL, LYNCH, L. I. COHEN, BATTISTO, ARMSTRONG, HENNESSEY, ZUG, SAYLOR, HERSHEY, BELARDI, LAUB, PETTIT, CAWLEY, FAIRCHILD, M. N. WRIGHT, PETRARCA, ROHRER, BROWN, FICHTER, TRELLO, STAIRS, LESCOVITZ, FARGO, OLASZ, HESS, MASLAND, GANNON, COY,

DEMPSEY, PESCI, DeLUCA, SAURMAN, FAJT,
CORNELL, CAPPABIANCA, DENT, STRITTMATTER,
KING, CESSAR, GEIST, GERLACH, HARLEY, DALEY,
LAUGHLIN, RUBLEY, NYCE, KASUNIC, WOZNIAK,
CIVERA and TOMLINSON

A Resolution designating the week of March 14 through 21, 1993, as "Space, Satellite and Technology Week" in Pennsylvania in recognition of the educational activities planned to make educators aware of the classroom benefits gained from space exploration and satellite technology.

Referred to Committee on RULES, February 8, 1993.

SENATE BILL FOR CONCURRENCE

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

SB 267, PN 369

Referred to Committee on EDUCATION, February 8, 1993.

SENATE RESOLUTION FOR CONCURRENCE

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

SR 9, PN 325

Referred to Committee on HEALTH AND WELFARE, February 8, 1993.

BILLS PASSED OVER

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

ADJOURNMENT

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

Mr. STISH. Mr. Speaker, I move that this House do now adjourn until Tuesday, February 9, 1993, at 10:50 a.m., e.s.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 10:49 a.m., e.s.t., February 9, 1993, the House adjourned.