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LEGISLATIVE JOURNAL

THURSDAY, JUNE 24, 1993

SESSION OF 1993

177TH OF THE GENERAL ASSEMBLY

No. 47

HOUSE OF REPRESENTATIVES

The House convened at 4:40 a.m., e.d.t.

THE SPEAKER (H. WILLIAM DeWEESE) PRESIDING

PRAYER

The SPEAKER. The prayer will be offered by our colleague, Representative Bishop.

REV. LOUISE WILLIAMS BISHOP, member of the House of Representatives and guest chaplain, offered the following prayer:

Eternal, All-Wise, and Everlasting Father, we thank You for the opportunity to be able to serve our people, and we come to ask Your blessings and to ask Your guidance and to ask Your wisdom and to ask Your strength at this hour.

Bless us to use wise decisions. Bless us with grace, with mercy, with peace, and with endurance.

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, June 23, 1993, will be postponed until printed. The Chair hears no objection.

The Chair thanks Reverend Bishop for helping this morning.

LEAVES OF ABSENCE

The SPEAKER. The Chair notes that Mr. O'DONNELL and Mr. HALUSKA, on the Democratic side, and Mr. BUSH and Mr. WOGAN will be placed on the leave of absence listing for the session commencing at this time. The gentleman, Mr. HECKLER's name will also be added to the leave listing.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—198

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—5

Bush Heckler O'Donnell Wogan
Haluska

RULES SUSPENDED

The SPEAKER. The Chair recognizes the majority leader.

Mr. ITKIN. Mr. Speaker, I move that the rules of the House be suspended momentarily in order that HB 1340, HB 712, and HB 678 will go directly to the calendar after the clerk has read the extracts from the Journal of the Senate.

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

The following roll call was recorded:

YEAS—189

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

Evans Lescovitz Rooney

NAYS—8

Kaiser Levdansky Steelman Vitali
Krebs Mayernik Tigue Williams

NOT VOTING—1

Van Horne

EXCUSED—5

Bush Heckler O'Donnell Wogan
Haluska

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

SENATE MESSAGE

AMENDED HOUSE BILLS
RETURNED FOR CONCURRENCE

The clerk of the Senate, being introduced, returned **HB 678, PN 2103; HB 712, PN 2293; and HB 1340, PN 2292**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

CALENDAR

BILL ON SECOND CONSIDERATION

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

HB 1738, PN 2013.

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader. Mr. ITKIN. Mr. Speaker, I move that HB 1738, PN 2013, be recommitted to the Appropriations Committee.

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

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 1047, PN 1438**, entitled:

An Act amending the act of July 22, 1913 (P. L. 928, No. 441), entitled "Domestic Animal Disease Suppression Law," further defining "domestic animal."

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

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

The question is, shall the bill pass finally?

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

YEAS—197

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

NAYS—0

NOT VOTING—1

Petrarca

EXCUSED—5

Bush	Heckler	O'Donnell	Wogan
Haluska			

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same without amendment.

Mr. CLYMER. Mr. Speaker?

The SPEAKER. Mr. Clymer.

Mr. CLYMER. I am not going to ask for another vote on this bill, but I do want to make mention to the effect that this bill, SB 1047, which we just voted, was very similar to the two proposals that I had put in on February 1 on HB 141 and HB 142.

Had you recognized me, I would have asked that, indeed, since SB 1047 by Senator Stapleton was very similar to the proposals I had made, that I would support the bill, and I would have spoken on the bill to explain exactly what the content of the bill was. I am not sure that we had it in caucus. Both caucuses did talk about it.

I did want to put these remarks for the record that I had a similar bill in and I certainly supported SB 1047. Thank you.

The SPEAKER. Did the gentleman seek recognition? The Chair was not aware of the fact that Mr. Clymer was seeking recognition.

Mr. CLYMER. Yes, I was. Yes. I was way back—

The SPEAKER. The Chair apologizes to the gentleman.

Mr. CLYMER. It is all right. The hour is late. I understand.

POINT OF ORDER

The SPEAKER. The Chair recognizes the sartorially resplendent gentleman from Wyoming County, Mr. Lee.

Mr. LEE. Point of order, Mr. Speaker.

The SPEAKER. Point of order.

Mr. LEE. SB 1047, is it not in the rules that we have to have 24 hours' notice before we vote on any bill, and when was the notice for this bill given?

The SPEAKER. The gentleman is correct. The requisite notice was not given. However, there was no objection made, and the House business went on as usual.

Mr. LEE. I would like to speak on the next bill we might go— I would like to object to any further bills on the calendar that have not been given sufficient notice so that we might appropriately vote to suspend the rules.

If we are going to ignore the rules, I at least want to do it officially, because I am now in my coat and tie, and if I am correct, I think the House should be. Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

RULES SUSPENDED

The SPEAKER. The Chair recognizes the majority leader. Mr. ITKIN. Mr. Speaker, I move that the rules of the House be suspended in order that SB 248 be considered.

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

The following roll call was recorded:

YEAS—183

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

NAYS—15

Carone	Krebs	Maitland	Steelman
Freeman	Lee	Masland	Tigue
Hanna	Levdansky	Mayernik	Vitali
Kaiser	Lynch	Platts	

NOT VOTING—0

EXCUSED—5

Bush	Heckler	O'Donnell	Wogan
Haluska			

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.

BILLS ON THIRD
CONSIDERATION CONTINUED

The House proceeded to third consideration of SB 248, PN 1526, entitled:

An Act amending the act of December 10, 1982 (P.L.1442, No.327), known as the State Capitol Preservation Act, enlarging the scope of the act; and further providing for the Capitol Restoration Trust Fund and operating expenses of the Capitol Preservation Committee.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—197

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

Egolf	Leh	Rohrer	
Evans	Lescovitz	Rooney	DeWeese,
Fairchild	Levdansky	Rubley	Speaker
Fajt	Linton	Rudy	

NAYS—0

NOT VOTING—1

Vitali

EXCUSED—5

Bush	Heckler	O'Donnell	Wogan
Haluska			

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

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

RULES SUSPENDED

The SPEAKER. In order for the business at hand to be conducted, the Parliamentarian advises that we only have two more proposals where the rules would need to be suspended, SB 263 and SB 1018.

The Chair recognizes the majority leader.

Mr. ITKIN. Mr. Speaker, I move that the rules be temporarily suspended in order that SB 263 and SB 1018 can collectively be considered.

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

The following roll call was recorded:

YEAS—178

Acosta	Evans	Linton	Rudy
Adolph	Fairchild	Lloyd	Ryan
Allen	Fajt	Lucyk	Santoni
Argall	Fargo	Manderino	Sather
Armstrong	Farmer	Markosck	Saurman
Baker	Fee	Marsico	Saylor
Barley	Fichter	McCall	Schuler
Battisto	Fleagle	McGeehan	Scrimenti
Bebko-Jones	Flick	McNally	Semmel
Belardi	Gamble	Melio	Serafini
Belfanti	Gannon	Merry	Smith, B.
Birmelin	Geist	Michlovic	Smith, S. H.
Bishop	George	Micozzie	Snyder, D. W.
Blaum	Gerlach	Mihalich	Staback
Boyes	Gigliotti	Miller	Stairs
Brown	Gladeck	Mundy	Steighner
Bunt	Godshall	Murphy	Steil
Butkovitz	Gordner	Nailor	Stern
Buxton	Gruitza	Nickol	Stetler
Caltagirone	Gruppo	Nyce	Stish
Cappabianca	Harley	O'Brien	Strittmatter
Cam	Hasay	Olasz	Sturla
Cawley	Hennessey	Oliver	Surra
Cessar	Herman	Perzel	Tangretti
Chadwick	Hershey	Pesci	Taylor, E. Z.

Civera	Hess	Petrarca	Taylor, J.
Clark	Hughes	Petrone	Thomas
Clymer	Hutchinson	Pettit	Tomlinson
Cohen, L. I.	Itkin	Phillips	Trello
Cohen, M.	Jadlowiec	Piccola	Trich
Colaifella	James	Pistella	True
Colaizzo	Jarolin	Pitts	Tulli
Cornell	Josephs	Preston	Uliana
Corrigan	Kasunic	Raymond	Vance
Cowell	Keller	Reber	Van Home
Coy	Kenney	Reinard	Veon
Curry	King	Richardson	Williams
Daley	Kirkland	Rieger	Wozniak
DeLuca	Kukovich	Ritter	Wright, D. R.
Dempsey	LaGrotta	Roberts	Wright, M. N.
Dermody	Laub	Robinson	Yandrisevits
Donatucci	Lawless	Roebuck	Yewcic
Druce	Lederer	Rohrer	
Durham	Leh	Rooney	DeWeese,
Egolf	Lescovitz	Rubley	Speaker

NAYS—19

Carone	Krebs	Masland	Tigue
Dent	Lee	Mayermik	Vitali
Freeman	Levdansky	Platts	Waugh
Hanna	Lynch	Scheetz	Zug
Kaiser	Maitland	Steelman	

NOT VOTING—1

Laughlin

EXCUSED—5

Bush	Heckler	O'Donnell	Wogan
Haluska			

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.

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **SB 263, PN 1383**, entitled:

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled "The Administrative Code of 1929," providing for the establishment by the Department of Health of residential drug and alcohol treatment programs for pregnant women and mothers and their dependent children; providing for certain training programs; and providing for temporary above-ground refrigerated low-pressure storage regulatory authority.

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

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.
The question is, shall the bill pass finally?

Mr. Lee is recognized.
Mr. LEE. Thank you, Mr. Speaker.
I will be brief.

I plan to oppose this bill, not based upon its content but the process by which it was considered. We, basically, found out we were going to vote this bill about 4 hours ago, and we are talking here not about a House bill that is going to go over into the Senate and we are going to have a chance to look at it over there and discover whether this is going to be a well-thought-out law of Pennsylvania. What we are going to vote right here is going to become the law of Pennsylvania; it is going to be signed by the Governor, and it is embarrassing to me, as a member of this House, the way we conduct business.

Okay, I felt embarrassed that I came onto this House floor and I did not have a jacket and tie on, and the Speaker, quite rightly, pointed out that I should have had a jacket and a tie on. That is fine. I do not want to do anything to embarrass this body. But I think the way the process is conducted this evening, as it is done every evening just before we adjourn, is not the way that the laws of Pennsylvania should be made. I just have to state that once again, and I will have to vote "no" on this bill. Thank you very much.

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

Mr. ZUG. Mr. Speaker, I have an amendment to this bill.

The SPEAKER. Is the amendment in duplication?

Mr. ZUG. Pardon?

The SPEAKER. Is the amendment being duplicated?

Mr. ZUG. The fiscal note has been submitted. I followed what I am supposed to do, sir.

BILL PASSED OVER TEMPORARILY

The SPEAKER. I think it is best if we go over the bill temporarily, Mr. Zug.

Mr. ZUG. Would you like me to submit a copy to the desk of the amendment, sir?

The SPEAKER. I will have to ask the majority leader for his tactical overview at this juncture.

Mr. ZUG. Thank you.

The SPEAKER. The Chair is under the impression that four or five other members are in the same predicament. The gentleman will momentarily yield.

* * *

The House proceeded to third consideration of **SB 1018, PN 1124**, entitled:

An Act amending the act of July 13, 1987 (P. L. 348, No. 67), entitled "Vietnam Veterans Health Initiative Act," extending the expiration date.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—196

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

NAYS—0

NOT VOTING—2

Steil Vitali

EXCUSED—5

Bush Heckler O'Donnell Wogan
Haluska

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same without amendment.

RULES SUSPENDED

The SPEAKER. The Chair recognizes the majority leader.
 Mr. ITKIN. Mr. Speaker, I move that the rules of the House be suspended for the consideration of three resolutions. The gentleman, Mr. Fichter; the gentleman, Mr. Petrone; and the gentleman, Mr. Egolf, have resolutions, and in order for them to be considered, the rules will have to be suspended.

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

The following roll call was recorded:

YEAS—193

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

NAYS—4

Kaiser	Krebs	Mayernik	Vitali
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NOT VOTING—1

Steil

EXCUSED—5

Bush	Heckler	O'Donnell	Wogan
Haluska			

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

RESOLUTIONS

Mr. FICHTER called up **HR 92, PN 1787**, entitled:

A Resolution memorializing Congress to enact legislation to address the disparities in Social Security benefits for "Notch Year Babies."

On the question,
 Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

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

Dermody	Laughlin	Ritter	Wright, D. R.
Donatucci	Lawless	Roberts	Wright, M. N.
Druce	Lederer	Robinson	Yandrisevits
Durham	Lee	Roebuck	Yewcic
Egolf	Leh	Rohrer	Zug
Evans	Lescovitz	Rooney	
Fairchild	Levdansky	Rubley	DeWeese,
Fajt	Linton	Rudy	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—5

Bush	Heckler	O'Donnell	Wogan
Haluska			

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

* * *

Mr. PETRONE called up **HR 122, PN 2042**, entitled:

A Resolution memorializing Congress to amend the Federal Aviation Act of 1958 to allow certain air passenger facility charges to be used for the construction or upgrading of airport access roads and facilities.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

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

Corrigan	Keller	Pitts	Uliana
Cowell	Kenney	Platts	Vance
Coy	King	Preston	Van Horne
Curry	Kirkland	Raymond	Veon
Daley	Krebs	Reber	Waugh
DeLuca	Kukovich	Reinard	Williams
Dempsey	LaGrotta	Richardson	Wozniak
Dent	Laub	Rieger	Wright, D. R.
Dermody	Laughlin	Ritter	Wright, M. N.
Donatucci	Lawless	Roberts	Yandrisevits
Druce	Lederer	Robinson	Yewcic
Durham	Lee	Roebuck	Zug
Egolf	Leh	Rohrer	
Evans	Lescovitz	Rooney	DeWeese,
Fairchild	Levdansky	Rubley	Speaker
Fajt	Linton	Rudy	

NAYS—0

NOT VOTING—1

Vitali

EXCUSED—5

Bush	Heckler	O'Donnell	Wogan
Haluska			

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

* * *

Mr. EGOLF called up **HR 137, PN 2226**, entitled:

A Resolution commemorating the occasion of the bicentennial celebration of Landisburg.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

Acosta	Fargo	Lloyd	Ryan
Adolph	Farmer	Lucyk	Santoni
Allen	Fee	Lynch	Sather
Argall	Fichter	Maitland	Saurman
Armstrong	Fleagle	Manderino	Saylor
Baker	Flick	Markosek	Scheetz
Barley	Freeman	Marsico	Schuler
Battisto	Gamble	Masland	Scrimenti
Bebko-Jones	Gannon	Mayernik	Semmel
Belardi	Geist	McCall	Serafini
Belfanti	George	McGeehan	Smith, B.
Birmelin	Gerlach	McNally	Smith, S. H.
Bishop	Gigliotti	Melio	Snyder, D. W.
Blaum	Gladeck	Merry	Staback
Boyes	Godshall	Michlovic	Stairs
Brown	Gordner	Micozzie	Steelman
Bunt	Gruitza	Mihalich	Steighner
Butkovitz	Gruppo	Miller	Steil
Buxton	Hanna	Mundy	Stern
Caltagirone	Harley	Murphy	Stetler
Cappabianca	Hasay	Nailor	Stish
Carn	Hennessey	Nickol	Strittmatter
Carone	Herman	Nyce	Sturla
Cawley	Hershey	O'Brien	Surra
Cessar	Hess	Olasz	Tangretti
Chadwick	Hughes	Oliver	Taylor, E. Z.

Civera	Hutchinson	Perzel	Taylor, J.
Clark	Itkin	Pesci	Thomas
Clymer	Jadlowiec	Petrarca	Tigue
Cohen, L. I.	James	Petrone	Tomlinson
Cohen, M.	Jarolin	Pettit	Trello
Colafranca	Josephs	Phillips	Trich
Colaizzo	Kaiser	Piccola	True
Cornell	Kasunic	Pistella	Tulli
Corrigan	Keller	Pitts	Uliana
Cowell	Kenney	Platts	Vance
Coy	King	Preston	Van Horne
Curry	Kirkland	Raymond	Veon
Daley	Krebs	Reber	Vitali
DeLuca	Kukovich	Reinard	Waugh
Dempsey	LaGrotta	Richardson	Williams
Dent	Laub	Rieger	Wozniak
Dermody	Laughlin	Ritter	Wright, D. R.
Donatucci	Lawless	Roberts	Wright, M. N.
Druce	Lederer	Robinson	Yandrisevits
Durham	Lee	Roebuck	Yewcic
Egolf	Leh	Rohrer	Zug
Evans	Lescovitz	Rooney	
Fairchild	Levdansky	Rubley	DeWeese,
Fajt	Linton	Rudy	Speaker

NAYS--0

NOT VOTING--0

EXCUSED--5

Bush	Heckler	O'Donnell	Wogan
Haluska			

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

SUPPLEMENTAL CALENDAR C

**BILLS ON CONCURRENCE
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 678, PN 2103**, entitled:

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, providing for landlord ratepayers and tenants, for notice prior to termination of service, for penalties and for remedies; and imposing duties upon owners of rental property.

On the question,

Will the House concur in Senate amendments?

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

YEAS--197

Acosta	Fargo	Lloyd	Ryan
Adolph	Farmer	Lucy	Santoni
Allen	Fee	Lynch	Sather
Argall	Fichter	Maitland	Saurman
Armstrong	Fleagle	Manderino	Saylor
Baker	Flick	Markosek	Scheetz
Barley	Freeman	Marsico	Schuler
Battisto	Gamble	Masland	Scrimenti
Bebko-Jones	Gannon	Mayernik	Semmel
Belardi	Geist	McCall	Serafini
Belfanti	George	McGeehan	Smith, B.

Birmelin	Gerlach	McNally	Smith, S. H.
Bishop	Gigliotti	Melio	Snyder, D. W.
Blaum	Gladeck	Merry	Staback
Boyes	Godshall	Michlovic	Stairs
Brown	Gordner	Micozzie	Steelman
Bunt	Gruitza	Mihalich	Steighner
Butkovitz	Gruppo	Miller	Steil
Buxton	Hanna	Mundy	Stern
Callagirono	Harley	Murphy	Stetler
Cappabianca	Hasay	Nailor	Stish
Carn	Hennessey	Nickol	Strittmatter
Carone	Herman	Nyce	Sturla
Cawley	Hershey	O'Brien	Surra
Cessar	Hess	Olasz	Tangretti
Chadwick	Hughes	Oliver	Taylor, J.
Civera	Hutchinson	Perzel	Thomas
Clark	Itkin	Pesci	Tigue
Clymer	Jadlowiec	Petrarca	Tomlinson
Cohen, L. I.	James	Petrone	Trello
Cohen, M.	Jarolin	Pettit	Trich
Colafranca	Josephs	Phillips	True
Colaizzo	Kaiser	Piccola	Tulli
Cornell	Kasunic	Pistella	Uliana
Corrigan	Keller	Pitts	Vance
Cowell	Kenney	Platts	Van Horne
Coy	King	Preston	Veon
Curry	Kirkland	Raymond	Vitali
Daley	Krebs	Reber	Waugh
DeLuca	Kukovich	Reinard	Williams
Dempsey	LaGrotta	Richardson	Wozniak
Dent	Laub	Rieger	Wright, D. R.
Dermody	Laughlin	Ritter	Wright, M. N.
Donatucci	Lawless	Roberts	Yandrisevits
Druce	Lederer	Robinson	Yewcic
Durham	Lee	Roebuck	Zug
Egolf	Leh	Rohrer	
Evans	Lescovitz	Rooney	DeWeese,
Fairchild	Levdansky	Rubley	Speaker
Fajt	Linton	Rudy	

NAYS--0

NOT VOTING--1

Taylor, E. Z.

EXCUSED--5

Bush	Heckler	O'Donnell	Wogan
Haluska			

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

Ordered, That the clerk inform the Senate accordingly.

* * *

The House proceeded to consideration of concurrence in Senate amendments to **HB 1340, PN 2292**, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, defining "genetic tests"; further providing for information to consumer credit bureau and for rights of the Department of Public Welfare for postsecondary educational costs; providing for publication of delinquent support obligors; further providing for expedited paternity and support procedure; providing for professional licensure sanctions against support delinquents; and further providing for voluntary acknowledgement of paternity.

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

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

Mr. HANNA. Mr. Speaker, earlier Representative Lloyd asked for an explanation of the Senate amendments on some of these bills, and I certainly would ask that we do that at this time.

The SPEAKER. The gentleman is in order.

Mr. PICCOLA. Mr. Speaker?

The SPEAKER. Mr. Piccola is recognized.

Mr. PICCOLA. Mr. Speaker, HB 1340 was amended in the Senate in two regards. First of all and most importantly, I think, both caucuses caucused on SB 508, which is the bill that would reverse the Supreme Court decision known as Blue v. Blue and would permit the awarding of, in certain cases, support for college tuition for children of divorced, separated, or unmarried parents. The provisions of SB 508 have been inserted exactly as they are in SB 508 into HB 1340.

The other change was the deletion from HB 1340 of that section dealing with welfare information to be sent to the consumer credit bureau, and that deletion is contained on pages 2 through 4 of the bill — child support arrears, excuse me.

The SPEAKER. Thank you very much. That is very helpful.

Mr. Saurman is recognized.

Mr. SAURMAN. Thank you, Mr. Speaker.

I rise to oppose and to ask for nonconcurrency in the Senate amendments. This is in fact the Blue v. Blue, and this establishes, in my opinion, two classes of young people — those who belong to a family that is separated, broken by a divorce or separation, and those who are intact families.

Those of us who come from families that are not plagued or bothered or whatever by a divorce situation have no responsibility, no financial responsibility, for an education for our children. But for those who happen to have chosen the wrong mate or for whatever reason have fallen onto hard times and they are now separated, they are going to be held responsible financially for the education of those youngsters who are really major or have reached the age of majority. They are 18 or more; they are in fact no longer the ward of the parent, and it seems to me that this is a bad thing to do. Even though the courts have done it for years, they have done some bad things, and I suppose that it probably originated from the time when 21 was the age of majority and an 18-year-old was still a minor and we just never caught up to that.

Mr. Speaker, I would ask for a vote of nonconcurrency. Thank you.

The SPEAKER. The gentleman, Mr. Piccola, for the second time.

Mr. PICCOLA. Mr. Speaker, I would respectfully disagree with the gentleman, Mr. Saurman. First of all, this bill should pass tonight—this morning, I guess—if we are to get this bill to the Governor in time for signature so that the fall tuition obligations can be met by whatever appropriate orders the courts wish to impose in these cases. But more importantly, this bill does not create an absolute right to support and it does

not, more importantly, create any cause of action by children against parents of intact families, and that was one of the things that the House was very concerned about in this issue. They did not want to impose the governmental or court action upon families who are intact and are not dysfunctional.

It does not create an absolute right for support from those dysfunctional families, those families where there is a divorce or separation. It does create, however, a right to have the court review the entire circumstances of the situation — the child's assets, the child's income, the parent's income, the parent's assets, the child's ability to study and perform at a particular school or institution of higher education — and then make a determination what, if any, obligation a parent in that circumstance might have to support the college education only of that particular child.

It basically conforms the law to what it was prior to the Blue decision, and I think we should concur in the Senate amendments.

The SPEAKER. The Chair thanks the gentleman.

Does Mr. Evans seek recognition?

Mr. EVANS. Yes, Mr. Speaker.

I join to concur with Mr. Piccola that we should concur in Senate amendments, first. But secondly, members of the House may recall that when HB 1340 went to the Senate, it was a bill that dealt with paternal support in terms of child support, child payments, and the collection of those payments.

You may also recall that it dealt with suspension of license for nonpayment of support that is 3 months in arrears, publications of names in newspapers for those individuals who are 1 month in arrears, and also clarifying blood tests and DNA (deoxyribonucleic acid).

I stress to you, as you may recall, that it was a part of the self-sufficiency packet. In addition to that, we worked out a joint amendment with the minority leader to insure that individuals pay their child support.

So I would ask that we would concur in Senate amendments. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Mr. Saurman is recognized for the second time.

Mr. SAURMAN. I wonder if Representative Piccola would stand for a brief interrogation.

The SPEAKER. Mr. Piccola indicates that he will. Mr. Saurman may proceed.

Mr. SAURMAN. Mr. Speaker, you described what happens in the dysfunctional family, that the court can come in and look at the circumstances, consider the whole picture, and then make a determination as to whether or not there should be any financial aid. Does the court have that same right in an intact family? Can they come in to my family and ask and look at those conditions and require that I pay for the education of my children?

Mr. PICCOLA. The court does not have that jurisdiction now nor would it have that jurisdiction if this bill becomes law.

Mr. SAURMAN. All right.

That ends my interrogation, Mr. Speaker.

I think that very definitely we have two different classes of action here. We have in the one case the court is able to go in to a dysfunctional family, make this determination, and say that that parent has to pay for the education of that child even though he or she has reached the age of majority, and yet the court does not have that right in the case of an intact family.

We have two separate situations that are being treated differently, and I would challenge, Mr. Speaker, the constitutionality of it except that I think we already have gone through that, and I know that in determining those questions, and particularly with the urgency of the hour and all the rest of it, but I am telling you that we are doing something that is wrong. It is morally wrong to set these two different standards, and whether we do it at 5:20 in the morning or whether we do it at 7 o'clock at night or 4 in the afternoon, it does not make it any different.

Expediently we may have to do this. I think we are doing the wrong thing, and I would still ask for nonconurrence. Thank you.

The SPEAKER. The Chair recognizes Greg Fajt.

Mr. FAJT. Thank you, Mr. Speaker.

I would like to also ask Mr. Piccola if he would stand for a brief interrogation.

The SPEAKER. The gentleman wants to interrogate Mr. Piccola?

Mr. FAJT. Thank you, Mr. Speaker.

Mr. Speaker, is the aptitude of a child taken into account, and where I am going with this is we discussed this bill in caucus and had a fairly heated debate, and the question came up whether a child was accepted at, say, Harvard and also the Community College of Allegheny County, and the court then would make that decision, I assume, as to which school that child will go to. A parent may want that child to go to a school of maybe lesser cost than say a Harvard and yet the court would have the right, pursuant to this bill, to mandate upon that parent that they send that child to Harvard. Could that not happen?

Mr. PICCOLA. I am not sure I completely followed your question, but the ability, willingness, and desire of the student to pursue and complete a course of study is one of the factors contained in the bill, and which is also contained in the case law before the Blue decision, which would be considered by the court before making a determination whether or not any college expenses would be required of a particular parent.

Mr. FAJT. Could it not happen that a parent wanted to send a child to, you know, make it closer, maybe a Penn State. The child wanted to go to Harvard, was accepted at both schools, and the parent supposedly had the financial ability to send the child to Harvard but did not want to spend that kind of money. Could not a court make a determination that that child is better served by going to Harvard and mandate upon that parent to spend the additional money to go to Harvard versus Penn State?

Mr. PICCOLA. The scenario that you have proposed, Mr. Speaker, is possible. However, there are some other factors that the court would look at in making a determination as to

what the dollar amount of the obligation might be. One of those is and the most important one is the financial ability of the parent to contribute toward the college tuition of the relevant school.

Another one which might figure in the scenario that you are proposing is that the court must consider whether there has been any willful estrangement between the parent and the student caused by the student after the student attained majority. Presumably, if the student has not estranged himself or herself from the parent from whom support is being sought, these kinds of decisions could be worked out. If there is estrangement, the court would consider that as a relevant factor.

So I think there are a number of areas that could be considered which will result in a decision that will not impose an undue burden upon the particular parent, and I think the court will be looking at the best interests of the student as a whole.

Mr. FAJT. How many years of postsecondary education is a child, pursuant to HB 1340, entitled to?

Mr. PICCOLA. The bill and the case law prior to Blue provides for the maximum of a 4-year bachelor's degree. It explicitly does not provide for any postgraduate or graduate school support.

Mr. FAJT. Thank you, Mr. Speaker.

Mr. Speaker, if I could speak on the bill, very briefly.

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

Mr. FAJT. As I stated at the outset of my comments, we had a very spirited discussion in caucus on this bill, and I would have to stand here, and I will stand here, and oppose this bill this evening based on some of the same comments that Mr. Saurman had set forth earlier.

We are clearly setting up two classes of people by putting this bill in place, and I know the courts have done that over the years, but I think it is important that everybody here understand, the Supreme Court said to the courts earlier this year that what they did in the past was wrong; that they did not have the legal authority to make those decisions and that it was up to the legislature to make the decision. That is why we have this case right now.

We are saying to a parent that if you have a child that is accepted at Harvard and that child is accepted at Penn State and you only want to spend \$10,000 a year or \$12,000 a year to send that child to school because that is what you have in your budget, the court can come in and say that that child is going to be better served by going to Harvard and you are going to end up paying \$25,000 a year to send that child there, only because you are a divorced or separated parent. If you were an intact family, you could send that child to Penn State and that would be okay, and I think it is important that everybody understands what this bill is about tonight before they cast a vote.

I have no problem with the original intent of HB 1340. I think that is very meritorious, and had it not been for the amendment of the Blue v. Blue decision in HB 1340, I would

vote in favor of it. But otherwise, because of the fact that Blue v. Blue is now in HB 1340, I am going to oppose it. Thank you, Mr. Speaker.

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

Mr. STURLA. Mr. Speaker, will the gentleman, Mr. Piccola, rise for interrogation?

The SPEAKER. Mr. Piccola indicates that he will.

Mr. STURLA. Mr. Speaker, I have a question concerning what are considered financial resources as described on page 6 at the bottom, lines 29 and 30; actually line 29, "the financial resources of both parents."

If in fact there is a divorce and there is a settlement made and 10 years later the child decides they want to go to college, and in that interim the parent has inherited the family farm that has been in the family for generations and generations, is that considered a financial resource and could the child in fact force the one parent to sell the family farm in order to provide education?

Mr. PICCOLA. Mr. Speaker, I would be very reluctant to give you an opinion just based upon the very limited facts that you gave me. You have not told me what the value of the farm is. You have not told me what the value of the other assets is that the parent has other than the farm. Certainly the farm would be a factor. It is unlikely the court would require the parent to sell an asset of that nature, but you have to flesh out the entire case before you can really come to a definitive answer, and you have not really given me a whole lot of facts to back it up.

Mr. STURLA. Mr. Speaker, could we assume, though, that if in fact that person had some, we are not just talking about the liquidity of something; that any asset that you may have that has come into your possession, even after a settlement was made, a divorce settlement was made, would be up for grabs.

Mr. PICCOLA. If the farm was a working farm and it was a farm upon which the parent relied for his or her livelihood, then I think the court would probably shy away from imposing any liability upon the farm. However, if the farm is a— There is a requirement that no undue hardship be placed upon the parent. That is located on the next page, on page 7, line 14. On the other hand, if the farm is just an asset that the parent has that is generating extra income for the parent, it may be something upon which the court might require them to borrow money against in order to finance a portion of the college tuition.

Mr. STURLA. Thank you, Mr. Speaker.

The SPEAKER. The gentleman from Delaware County, Mr. Vitali.

Mr. VITALI. I rise to support HB 1340.

I want to address some of the concerns of Representatives Sturla and Fajt. I think with regard to selling off assets, I practiced in that field for about the past 10 years, and I can tell you, that simply does not happen in the real world. The court is mainly focused in on the income level of each party, and one of the key factors here to keep in mind is there is no undue hardship on the obligor.

I think that, in my practice in the field, the only time assets were ever sold, to my recollection, were egregious cases where support was in arrears for many years and support arrears had risen to the tens of thousands of dollars. I can understand the theoretical concern, but I can tell you, in practice, at least in my county, it is not a practical concern.

Again with regard to the issue of Penn State versus Harvard, again I can understand the theoretical concern, but in the real world, it just does not happen. As with almost every other aspect of the domestic relations field and perhaps the court system in general, the court has the discretion to do equity, to do fairness, and the court takes these factors into consideration. And as a practical matter, the guidelines that the court views in looking at the award of a college student are very much in line with support guidelines of those prior to age 18, and those awards really would not, unless you are dealing with a very wealthy parent, be a Harvard situation.

The court is there to do fairness, and I think the system has functioned very well over the past tens of years under what HB 1340 is attempting to reimplement, and I think a lot of the theoretical concerns you are raising just are not there in practice. So I would support HB 1340.

The SPEAKER. Ms. Steelman is recognized.

Ms. STEELMAN. Thank you, Mr. Speaker.

It is with some regret that I rise to ask my colleagues to join me in refusing to concur with the Senate amendments to HB 1340. It is with a particularly strong sense of regret that I ask this, because HB 1340 actually contains a piece of legislation that I originally introduced earlier in this session as a freestanding bill.

But I see two problems with the bill as it has come back to us. One is the problem that a number of my colleagues have already spoken to. I think that by concurring in this bill we are creating two classes of parents and two classes of children, and I think that that is an inappropriate decision for us to make.

The other problem that I see with this bill is one that is becoming more and more common with legislation introduced in the House or considered by the House, and that is the tendency to pack several different subjects into one bill. Originally you could argue that although this bill dealt with a number of different topics, they were logically tied together. The addition of the Senate amendments has changed this bill to the extent that it is only tenuously correct under the terms of rule 20, that a bill must be confined to one subject. As a matter of fact, a little later on the calendar we will again be considering SB 263, an even more egregious example of this attempt to force topics into the same framework that are actually only barely connected to each other.

I think, therefore, that we ought to reject this bill, both for its deficiencies of content and for its deficiency of form. Thank you.

The SPEAKER. Does the gentleman, Mr. Ryan, seek recognition?

Mr. RYAN. Yes, briefly, at 5:37 in the morning.

Back on February 8—I believe it was February 8—we passed this bill 156 to 44. It was a House bill then. It was a good bill then; it is a good bill now.

The gentleman, Mr. Fajt, made mention of the fact that the Supreme Court had some objections to the law and said certain things with respect to what the courts could or could not do in the application of the law and the obtaining of tuition moneys from a parent, and I think he is wrong. I do not think that is it at all. I think what the court said was, you folks in the legislature have not told us what to do; we are inviting you to tell us what to do, now that you have changed the law and a minor is now a major at age 18. That was the problem that came up with the Supreme Court and that is what, in my judgment, caused all of this. I believe this passed the House twice. I know it passed once 156 to 44. It is time to do something about it.

I read an article in the paper not too long ago, back around the time this passed. There were 80 petitions filed in Montgomery County in the first 2 months, to my recollection, the first 2 months after the Blue case came down in November, and these were cases where, for the most part, fathers were filing petitions so they would not have to pay the tuitions of their children to go to college the following semester, and that is just wrong. It is the wrong thing to do.

We have tuitions coming due this summer; we have children making plans to go back to school this fall, and I think it is wrong for us not to address the issue now. I think it is wrong for us not to go back to the law the way it was for the 30, 40 years that preceded the Blue case until the court got its hands on it last November. I will reserve further comments about the court.

But let us pass it. Let us get out of here today and get on with our summer. We are just ruining the day, we are ruining our health, and no sense ruining the lives of all these young people.

The SPEAKER. Does the gentleman, Mr. Roebuck, seek recognition?

Mr. ROEBUCK. Thank you, Mr. Speaker.

I certainly sympathize with the argument made by the previous speaker. However, I do have concerns about what this says about young people and the obligations of parents to educate young people.

What it says is that if you are in an intact family, a mother and a father, you do not have any obligation in reality to provide a college education, but if by chance your parents divorce, then there is a greater obligation to provide those dollars. I think that is wrong. I think it sends the wrong kind of message.

If a child is an adult at 18, that child is an adult whether their parents are married or not married, whether they are divorced or not divorced. I think that this says very clearly that we are setting up different categories for young people, and I think that is wrong. I think that we ought to look at what we are doing here very carefully. Thank you, Mr. Speaker.

On the question recurring,

Will the House concur in Senate amendments?

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

YEAS—134

Acosta	Druce	Laub	Roberts
Adolph	Durham	Laughlin	Robinson
Barley	Evans	Lederer	Rooney
Battisto	Fairchild	Lee	Rublely
Bebko-Jones	Fee	Levdansky	Rudy
Belardi	Fichter	Linton	Ryan
Belfanti	Fleagle	Manderino	Santoni
Birmelin	Flick	Markosek	Sather
Bishop	Gannon	Masland	Scheetz
Blaum	Geist	Mayernik	Semmel
Brown	George	McCall	Smith, B.
Bunt	Gigliotti	McGeehan	Snyder, D. W.
Butkovitz	Gladeck	McNally	Staback
Buxton	Godshall	Melio	Steighner
Caltagirone	Gordner	Merry	Stetler
Cappabianca	Gruitza	Micozzie	Strittmatter
Carone	Gruppo	Mihalich	Sturla
Cawley	Hanna	Miller	Taylor, E. Z.
Chadwick	Harley	Mundy	Taylor, J.
Civera	Hennessey	Murphy	Thomas
Clark	Herman	O'Brien	Tigue
Cohen, L. I.	Hershey	Olasz	Tomlinson
Cohen, M.	Hess	Oliver	Trich
Colaella	Hughes	Perzel	Tulli
Colaizzo	Itkin	Phillips	Uliana
Cornell	James	Piccola	Van Horne
Cowell	Jarolin	Pistella	Veon
Coy	Josephs	Pitts	Vitali
Curry	Kaiser	Raymond	Williams
Daley	Kasunic	Reber	Wright, D. R.
DeLuca	Keller	Reinard	Zug
Dent	Kenney	Richardson	
Dermody	Krebs	Rieger	DeWeese,
Donatucci	LaGrotta	Ritter	Speaker

NAYS—63

Allen	Gerlach	Nailor	Smith, S. H.
Argall	Hasay	Nickol	Stairs
Armstrong	Hutchinson	Nyce	Steelman
Baker	Jadlowiec	Pesci	Steil
Boyes	King	Petrarca	Stern
Carn	Kirkland	Petrone	Stish
Cessar	Kukovich	Pettit	Surra
Clymer	Lawless	Platts	Tangretti
Corrigan	Leh	Preston	Trello
Dempsey	Lescovitz	Roebuck	True
Egolf	Lloyd	Rohrer	Vance
Fajt	Lucyk	Saurman	Waugh
Fargo	Lynch	Saylor	Wozniak
Farmer	Maitland	Schuler	Wright, M. N.
Freeman	Marsico	Scrimenti	Yandrisevits
Gamble	Michlovic	Serafini	

NOT VOTING—1

Yewcic

EXCUSED—5

Bush	Heckler	O'Donnell	Wogan
Haluska			

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

Ordered, That the clerk inform the Senate accordingly.

* * *

The House proceeded to consideration of concurrence in Senate amendments to **HB 712, PN 2293**, entitled:

An Act authorizing and directing the Department of General Services, with the approval of the Governor and the Secretary of Environmental Resources, to convey to the County of Northumberland, land situate in the City of Shamokin, Northumberland County, Pennsylvania, and to convey to the Redevelopment Authority of Delaware County a tract of land situate in Darby Township, Delaware County, Pennsylvania; authorizing Millersburg Borough, Dauphin County, to sell and convey certain Project 70 lands free of restrictions imposed by the Project 70 Act and providing for use of sale proceeds; and making a repeal.

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

The SPEAKER. Is the gentleman, Mr. Belfanti, in the hall of the House?

Mr. BELFANTI. Thank you, Mr. Speaker.

Mr. Speaker, the Senate amended HB 712, which originally provided for a transfer of land situated in the city of Shamokin to the county of Northumberland. The Senate amended the bill to authorize several other conveyances in other counties and added a clarifying amendment. In addition, the Senate repealed one project located in Allegheny County. In discussion with some of the Senators and the Lieutenant Governor's Office, it is our opinion that that repeal will have no effect either way, so it is therefore my intention to ask the members to vote in the affirmative on concurrence.

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

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

YEAS—196

Acosta	Fargo	Lloyd	Rudy
Adolph	Farmer	Lucyk	Ryan
Allen	Fee	Lynch	Santoni
Argall	Fichter	Maitland	Sather
Armstrong	Fleagle	Manderino	Saylor
Baker	Flick	Markosek	Scheetz
Barley	Freeman	Marsico	Schuler
Battisto	Gamble	Masland	Scrimenti
Bebko-Jones	Gannon	Mayermik	Semmel
Belardi	Geist	McCall	Serafini
Belfanti	George	McGechan	Smith, B.
Birmelin	Gertlach	McNally	Smith, S. H.
Bishop	Gigliotti	Melio	Snyder, D. W.
Blaum	Gladeck	Merry	Staback
Boyes	Godshall	Michlovic	Stairs
Brown	Gordner	Micozzie	Steelman
Bunt	Gruitza	Mihalich	Steighner
Butkovitz	Gruppo	Miller	Steil
Buxton	Hanna	Mundy	Stern
Caltagirone	Harley	Murphy	Stetler
Cappabianca	Hasay	Nailor	Stish
Carn	Hennessey	Nickol	Strittmatter
Carone	Herman	Nyce	Sturla
Cawley	Hershey	O'Brien	Surra
Cessar	Hess	Olasz	Tangretti
Chadwick	Hughes	Oliver	Taylor, E. Z.

Civera	Hutchinson	Perzel	Taylor, J.
Clark	Itkin	Pesci	Thomas
Clymer	Jadlowiec	Petrarca	Tigue
Cohen, L. I.	James	Petrone	Tomlinson
Cohen, M.	Jarolin	Pettit	Trello
Colafella	Josephs	Phillips	Trich
Colaizzo	Kaiser	Piccola	True
Cornell	Kasunic	Pistella	Tulli
Corrigan	Keller	Pitts	Uliana
Cowell	Kenney	Platts	Vance
Coy	King	Preston	Van Horne
Curry	Kirkland	Raymond	Veon
Daley	Krebs	Reber	Vitali
DeLuca	Kukovich	Reinard	Waugh
Dempsey	LaGrotta	Richardson	Williams
Dent	Laub	Rieger	Wozniak
Dermody	Laughlin	Ritter	Wright, D. R.
Donatucci	Lawless	Roberts	Wright, M. N.
Druce	Lederer	Robinson	Yandrisevits
Durham	Lee	Roebuck	Zug
Egolf	Leh	Rohrer	
Fvans	Iescovitz	Rooney	DeWeese,
Fairchild	Ievdansky	Rubley	Speaker
Fajt	Linton		

NAYS—1

Saurman

NOT VOTING—1

Yewcic

EXCUSED—5

Bush	Heckler	O'Donnell	Wogan
Haluska			

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

Ordered, That the clerk inform the Senate accordingly.

RULES SUSPENDED

The SPEAKER. The Chair recognizes the majority leader.

Mr. ITKIN. Mr. Speaker, I move that the rules of the House be suspended so that when the extract from the Journal of the Senate concerning HB 1709 is read, the bill will go immediately to the calendar rather than to the Rules Committee.

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

SENATE MESSAGE

AMENDED HOUSE BILL
RETURNED FOR CONCURRENCE

The clerk of the Senate, being introduced, returned **HB 1709, PN 2369**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

SUPPLEMENTAL CALENDAR D

**BILL ON CONCURRENCE
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 1709, PN 2369**, entitled:

An Act creating the Ben Franklin/IRC Partnership and providing for its powers; establishing the Ben Franklin/IRC Partnership Fund; providing for certification of industrial resource centers, for certification of Ben Franklin technology centers and for certain transfers; and making repeals.

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

The SPEAKER. On that question, the gentleman, Mr. Gordner, is recognized.

Mr. GORDNER. Thank you, Mr. Speaker.

There were five amendments that were made to HB 1709, three of them in committee and two of them just a few hours prior. Two of the amendments were technical in nature, very small, changing something from "Secretary of Commerce and successor" and eliminating "successor." So there were two very technical amendments. There was an amendment to make this act effective in 120 days instead of making it effective immediately.

There was an amendment that dealt with the LDD's, the local development districts. It provides that it would be the policy of the Commonwealth not to duplicate or mandate the delivery of technical and professional economic development services being provided currently or in the future by other economic development agencies. There was an amendment which changes the name from the "IRC/Ben Franklin Partnership" to the "Ben Franklin/IRC Partnership." Finally, there was an amendment that provides for State augmentation of moneys received from the Federal Government for purposes outlined in the bill.

Mr. Speaker, I concur in the amendments that were made to HB 1709. This bill passed this evening by a vote of 48 to 0 over in the Senate. I would ask for your concurrence here this morning.

The SPEAKER. The Chair thanks the gentleman.

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

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

YEAS—197

Acosta	Fargo	Lloyd	Ryan
Adolph	Farmer	Lucyk	Santoni
Allen	Fee	Lynch	Sather
Argall	Fichter	Maitland	Saurman
Armstrong	Fleagle	Manderino	Saylor
Baker	Flick	Markosek	Scheetz
Barley	Freeman	Marsico	Schuler
Battisto	Gamble	Masland	Scrimenti
Bebko-Jones	Gannon	Mayernik	Semmel
Belardi	Geist	McCall	Serafini
Belfanti	George	McGeehan	Smith, B.

Birmelin	Gerlach	McNally	Smith, S. H.
Bishop	Gigliotti	Melio	Snyder, D. W.
Blaum	Gladeck	Merry	Staback
Boyes	Godshall	Michlovic	Stairs
Brown	Gordner	Micozzie	Steelman
Bunt	Gruitza	Mihalich	Steighner
Butkovitz	Gruppo	Miller	Steil
Buxton	Hanna	Mundy	Stern
Caltagirone	Harley	Murphy	Stetler
Cappabianca	Hasay	Nailor	Stish
Carn	Hennessey	Nickol	Strittmatter
Carone	Herman	Nyce	Sturla
Cawley	Hershey	O'Brien	Surra
Cessar	Hess	Olasz	Tangretti
Chadwick	Hughes	Oliver	Taylor, E. Z.
Civera	Hutchinson	Perzel	Taylor, J.
Clark	Itkin	Pesci	Thomas
Clymer	Jadlowiec	Petrarca	Tigue
Cohen, L. I.	James	Petrone	Tomlinson
Cohen, M.	Jarolin	Pettit	Trello
Colafella	Josephs	Phillips	Trich
Colaizzo	Kaiser	Piccola	True
Cornell	Kasunic	Pistella	Tulli
Corrigan	Keller	Pitts	Uliana
Cowell	Kenney	Platts	Vance
Coy	King	Preston	Van Horne
Curry	Kirkland	Raymond	Veon
Daley	Krebs	Reber	Vitali
DeLuca	Kukovich	Reinard	Waugh
Dempsey	LaGrotta	Richardson	Williams
Dent	Laub	Rieger	Wozniak
Dermody	Laughlin	Ritter	Wright, D. R.
Donatucci	Lawless	Roberts	Wright, M. N.
Druce	Lederer	Robinson	Yandrisevits
Durham	Lee	Roebuck	Zug
Egolf	Leh	Rohrer	
Evans	Lescovitz	Rooney	DeWeese,
Fairchild	Levdansky	Rublely	Speaker
Fajt	Linton	Rudy	

NAYS—0

NOT VOTING—1

Yewcic

EXCUSED—5

Bush	Heckler	O'Donnell	Wogan
Haluska			

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

Ordered, That the clerk inform the Senate accordingly.

CALENDAR CONTINUED

CONSIDERATION OF SB 263 CONTINUED

On the question recurring,
Shall the bill pass finally?

DECISION OF CHAIR RESCINDED

The SPEAKER. Without objection, the Chair rescinds its announcement that SB 263 has been agreed to for the third time.

On the question recurring,
Will the House agree to the bill on third consideration?
Mr. ZUG offered the following amendments No. A2647:

Amend Title, page 1, line 23, by striking out “; and providing” and inserting
and

Amend Title, page 1, line 24, by inserting a period after
“programs”

Amend Title, page 1, lines 24 and 25, by striking out “; AND PROVIDING FOR TEMPORARY ABOVE-GROUND” in line 24, and all of line 25

Amend Bill, page 5, lines 20 through 30; page 6, lines 1 through 30; page 7, lines 1 through 15, by striking out all of said lines on said pages and inserting

Section 2. This act shall take effect in 60 days.

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

The SPEAKER. The gentleman, Mr. Zug, is recognized.
Mr. ZUG. Thank you, Mr. Speaker.

I rise to talk about a bill that was originally introduced to deal with pregnant women and getting health screening, and in the Senate they put in an amendment that deals with liquid propane and refrigerated storage facilities. Representative Steelman indicated earlier that we are talking about two completely different areas, but I need to give you a little bit of history on this bill, and I will be brief, knowing what the hour is.

Koch, which is a firm from Wichita, Kansas, built a refrigerated liquid propane storage facility in a small community in Lebanon County called Schaefferstown. The building was constructed without proper approval from the Commonwealth. Pennsylvania currently does not have regulations in place to regulate this type of facility.

A local citizens group took Koch Industries to Commonwealth Court to ask for a delay in operating their facility until Pennsylvania has established proper regulations. The citizens group won this suit, and Koch Industries was asked not to operate until they can comply with L and I (Labor and Industry) regulations which were in the process of being prepared. This bill is a direct attempt by Koch Industries to skirt the proper permitting process that we have in Pennsylvania.

The technology used by Koch in its Schaefferstown plant is not a new technology. That is not why Pennsylvania does not have regulations. The reason Pennsylvania does not have regulations is because of an incident that happened in a surrounding State. In New York in the 1970's, the New York legislature imposed a moratorium on construction of liquid petroleum gas and liquid natural gas facilities after an explosion at a liquid natural gas facility on Staten Island killed more than 20 people. With its close proximity to a residential area and the potential for disaster of even greater magnitude, the New York Assembly has considerably not approved any more regulations to allow this kind of facility.

The technology used in Schaefferstown is not new. It has not improved since the incident in New York where we had numerous people dying.

Pennsylvania does not have another type of facility like this throughout the State. In fact, the Pennsylvania Department of Labor and Industry was not involved in the formulation of this amendment. They were not consulted, did not promote, and were not aware of this proposed legislation.

Let me read a letter from Labor Secretary Tom Foley which will reiterate this very important point, and I read from a letter dated June 9:

“I am responding to your letter of May 28, 1993 regarding the amendment to Senate Bill 263 offered by Senator...Porterfield.

“Please be advised that this office had no prior knowledge of Senator Porterfield's...” amendment. “While the Department knew that Koch Hydrocarbon Company was considering having legislation introduced, your letter of May 28, 1993 was the first indication the Department had of this proposed amendment. To be perfectly clear, we were unaware of the amendment, we did not promote it, or have any involvement with drafting the proposal.

“As I discussed earlier with you, I don't believe this issue should be left to private deliberation.”

This facility in Schaefferstown only has one employee, one hired person. The only benefits in the State of Pennsylvania are—

The SPEAKER. The gentleman, Mr. Zug, is a new colleague. He deserves to have the attention of all of us. This is a debating forum. The gentleman is debating. The gentleman may proceed.

Mr. ZUG. Thank you, Mr. Speaker.

Mr. Speaker, the issue is not a business issue, it is not a NIMBY (not in my backyard) issue, but an issue of safety — safety for the employees working at the Koch plant, safety for the truckdrivers who come there to load propane, and safety for the residents of the Schaefferstown area.

Let us, Mr. Speaker, allow the Department of Labor and Industry to formulate regulations and not let Koch circumvent this very important process that we have in Pennsylvania.

I urge my colleagues to vote for the amendment.

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

Mr. McCALL. Thank you, Mr. Speaker.

Mr. Speaker, with all due respect to the gentleman, Mr. Zug, I would stand at this microphone and respectfully ask the members of this General Assembly to defeat the Zug amendment.

What his language does is strike language from SB 263 that would allow for the operation of a propane storage facility. The facility affected by this language was recently completed at a cost of \$12 million. It is a new, state-of-the-art facility for propane storage, and it was built by Koch Industries. The Department of Labor and Industry and PEMA (Pennsylvania Emergency Management Agency) have essentially overseen and directed the company in its construction, and Koch Industries has met or exceeded every standard in the construction and safety phase of their operation.

But to put this issue into perspective, I know many of the members in this chamber recall, back in 1989 and 1990,

propane supplies were one of the major problems in the eastern and central portion of the United States because of the heating fuel crisis. We had a very abnormally cold winter. The weather was very, very cold, and it forced an abrupt drawdown on our propane storage and other heating fuels. What resulted from that cold weather and from that drawdown of propane was an extreme shortage of propane or just a complete lack of supply of propane. That resulted in sharp increases in consumer prices. Since that time, the Clean Air Act Amendment requirements on motor fuel specifications have resulted in a significant amount of propane storage capacity being converted into butane storage capacity. In fact, the propane storage capacity has not expanded in this Commonwealth; it has diminished significantly.

Just to give you one case—and I will end my debate with this—just to give you one case, there was a million-barrel facility in Marcus Hook that was taken out of service, no longer stores propane; it now stores butane. The Pennsylvania Department of Energy has conducted a study and is encouraging the State to develop additional storage capacity. We need this for our Pennsylvania citizens — our families, farmers, and businesses — and if this amendment goes into this legislation, this facility needs 3 months' lead time to store its propane for the upcoming heating season. If this bill does not go directly to the Governor, we will have to wait another heating season until we can get propane stored at this facility.

I would ask the members of this chamber to vote down the Zug amendment.

The SPEAKER. Sam Smith on the Zug amendment.

Does the gentleman, Mr. Ryan, seek recognition ahead of Mr. Smith?

Mr. RYAN. Please.

Mr. Speaker, I would like to interrogate the gentleman, Mr. McCall.

The SPEAKER. The chairman of the northeast delegation indicates that he will stand for interrogation.

Mr. RYAN. He sounds like a man that knows what he is talking about, but I do not know whether that is so as I listen, and I confess I have not really read this bill all the way through.

As I understand the bill, the little bit that I know about it, this bill is going to allow this company—and I do not even know the name of the company—is going to allow this company to operate without benefit of final permits. Is that right, on a temporary basis?

Mr. McCALL. Yes. It will put in place regulations or temporary regulations by the Department of Labor and Industry as well as regulations from the Associated Petroleum Institute, based on their standards. This will give the Department of Labor and Industry temporary authority to regulate this facility at their discretion.

Mr. RYAN. But it is different from everybody else in Pennsylvania that has a similar facility because they are not under the regulations.

Mr. McCALL. Right. These would be temporary regulations, Mr. Speaker.

Mr. RYAN. I thank the gentleman.

Mr. Speaker, I think we are crazy to not support the Zug amendments. I mean, if we allow a facility like this to open with temporary regulations that we enacted in the Health and Welfare Committee—right; that is where this bill came from, it came from the Health and Welfare Committee; it did not even come from Mines and Energy Management or someplace where they might know something about these matters—and one of these things are touched off, who is going to stand up and raise their hand and say, yeah, I was a “yes” vote? I am not.

The SPEAKER. The Chair thanks the gentleman.

Mr. Smith is recognized on the Zug amendment.

Mr. S. H. SMITH. Just for one question of Mr. McCall.

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

Mr. S. H. SMITH. Mr. Speaker, does this bill provide for any actual grandfathering of any other industries of this nature?

Mr. McCALL. No, it does not, and maybe just to go back to the gentleman, Mr. Ryan, and to answer your question, it does not grandfather anyone. As a matter of fact, I asked that question of the Senator who introduced the legislation in the Senate, to ask if in fact we were grandfathering any facilities, and I will submit this letter for the record, Mr. Speaker, and I will paraphrase very briefly and submit the letter for the record. “No facility operating prior to the adoption of new state regulations will be grandfathered as a result of SB 263 nor is that the intent of the language.”

Also, the language that is contained in SB 263 reflects the Federal standards imposed by the National Fire Protection Association and the Associated Petroleum Institute for those structures, so right now those groups are regulating. They are using those standards to regulate that facility, and those standards will be eliminated once I and I's regulations are imposed. They are currently in the process right now but will take 1 to 2 years. We have a \$12-million facility sitting in Schaefferstown that cannot get propane placed in it because of the lack of those regulations. This will provide for that.

Mr. S. H. SMITH. So it is your understanding that the regulations that the department would officially promulgate are essentially the same temporary regulations that the facility is currently being built under and would be operating under?

Mr. McCALL. That is correct, and mirroring the national standards imposed for these types of facilities.

Mr. S. H. SMITH. Thank you, Mr. Speaker. No further interrogation.

The SPEAKER. Thank you, sir.

LETTER SUBMITTED FOR THE RECORD

Mr. McCALL submitted the following letter for the Legislative Journal:

Senate of Pennsylvania

June 23, 1993

Honorable Keith McCall
Member
House of Representatives
313 South Office Building
Harrisburg, Pennsylvania 17120

Dear Representative McCall:

Thank you for your inquiry concerning the propane storage tank language contained in Senate Bill 263. As the maker of the original amendment in the Senate, I am more than pleased to respond as to the legislative intent of the language.

The sole purpose of the amendment is to place into law "temporary regulations" to govern the construction and operation of these state of the art facilities. When the Department of Labor and Industry promulgates formal state regulations (the process is underway) and they are finally adopted, the new state regulations will supersede those imposed by the language in SB 263. Any facility granted an operating permit prior to the final adoption of the new state regulations must comply with the new regulations as those imposed by this legislation will cease to exist.

No facility operating prior to the adoption of new state regulations will be grandfathered as a result of SB 263 nor is that the intent of the language.

Again, thank you for your inquiry. I respectfully request your full support of the legislation.

Sincerely,
H. Craig Lewis
State Senator

HCL:js

The SPEAKER. Mr. Ryan for the second time on the Zug amendment.

Mr. RYAN. Mr. Speaker, I have a great deal of concern about treating a bill with the potential problems that we could have with it. I do not know, with the possible exception of the majority leader, any of us that have any expertise with super high energy-type equipment. I am certain the Health and Welfare Committee does not. Now, I do not know, but I think we are making a horrible mistake if we go about issuing temporary permits for, I believe the gentleman said millions of gallons of this propane. I forget how much he said, but it is a big amount. Will the gentleman tell me?

Mr. McCALL. Five hundred thousand gallons.

Mr. RYAN. That is a lot.

MOTION TO RECOMMIT

Mr. RYAN. I am going to suggest that an appropriate committee—and I am guessing it is Mines and Energy—take a look at it this summer, and I am going to ask that it be recommitted to the Conservation Committee, which has the responsibility of the old Mines and Energy, and I feel certain that the gentleman, Mr. George, and his committee can look and see. Being familiar with rulemaking, at least through DER (Department of Environmental Resources), it has some familiarity with it, knows how to examine, cross-examine the experts, and at least we would be satisfied that we would have a decent set of regulations to impose on them on a temporary basis. But for our Health and Welfare Committee to impose regulations like this is a gross mistake, and well, that is it.

I am moving that it be recommitted to Mr. George's Committee on Conservation.

The SPEAKER. The gentleman from Delaware County, Mr. Ryan, has moved that this bill be recommitted to the House Conservation Committee.

On the question,

Will the House agree to the motion?

The SPEAKER. On that motion, the gentleman, Mr. Richardson, is recognized.

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

Mr. Speaker, I rise to oppose the motion, and I do so for several reasons.

One, evidently there has not been information shared with the minority leader that this was an Administrative Code bill dealing with pregnant women and drug-and-alcohol-addicted treatment programs for those same pregnant women and mothers with dependent children. Evidently there was an amendment that was attached to this bill that also dealt with the Administrative Code that also dealt with propane gasoline and therefore was tied to the amendment. Therefore, the bill was properly in the House Health and Welfare Committee, and we did appropriately deal with the bill in the committee.

I believe that this particular amendment did in fact have full airing of the Senator who proposed the amendment, who came before our committee at the appropriate time. Questions were asked of the gentleman from the Senate to properly air and view those personal opinions concerning the issue of the propane gas, and it was then the conclusion of that committee that the bill be reported out to this House floor.

Therefore, I believe that other members have been in fact contacted, including the chairperson of the Conservation Committee, and therefore, Mr. Speaker, I would ask that the motion be defeated and we go on and vote SB 263.

The SPEAKER. The gentleman, Mr. Strittmatter, is recognized on the recommittal motion.

Mr. STRITTMATTER. Thank you, Mr. Speaker.

For the benefit of the House, that meeting that the chairman is talking about consisted just of a few minutes of Senator Craig Lewis from Bucks County supporting this amendment. Many of the questions that we had were not able to be answered at that time, and I would please ask that the bill be recommitted. Thank you.

The SPEAKER. The gentleman, Mr. Cohen, is recognized on the recommittal motion.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, I also oppose the motion for recommittal.

The argument that we cannot have a vote on this because it was considered by the Health and Welfare Committee is absolutely absurd. These are Federal standards that were imposed by the National Fire Protection Association and the Associated Petroleum Industries' standards. These are standards backed by the U.S. Department of Energy. These are not standards that are just made up out of nowhere. These are standards backed by the Federal Government. They are backed by the relevant industry group. There is no need for the

Conservation Committee to consider standards that have gone through extensive Federal regulatory processes.

I strongly urge the defeat of this motion.

The SPEAKER. The House will momentarily stand at ease while the sidebar at the minority leader's podium is concluded.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—89

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

NAYS—108

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

Stairs

NOT VOTING—1

EXCUSED—5

Bush	Heckler	O'Donnell	Wogan
Haluska			

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

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—85

Adolph	Fleagle	Maitland	Saurman
Allen	Flick	Masland	Saylor
Argall	Gannon	Merry	Scheetz
Armstrong	Geist	Micozzie	Schuler
Baker	Gerlach	Miller	Semmel
Barley	Godshall	Murphy	Serafini
Boyes	Gruppo	Nailor	Smith, B.
Brown	Harley	Nickol	Snyder, D. W.
Civera	Hasay	Nyce	Stairs
Clark	Hennessey	O'Brien	Steelman
Clymer	Hershey	Perzel	Steil
Cohen, L. I.	Hess	Pettit	Stern
Cornell	Hutchinson	Phillips	Strittmatter
Dempsey	Kenney	Piccola	Taylor, E. Z.
Dent	King	Pitts	Taylor, J.
Druce	Krebs	Platts	True
Durham	Laub	Raymond	Uliana
Egolf	Lawless	Roberts	Vance
Fairchild	Lee	Rohrer	Waugh
Fargo	Leh	Rublely	Wright, M. N.
Farmer	Lynch	Ryan	Zug
Fichter			

NAYS—112

Acosta	Evans	Lloyd	Rudy
Battisto	Fajt	Lucyk	Santoni
Bebko-Jones	Fee	Manderino	Sather
Belardi	Freeman	Markosek	Scrimenti
Belfanti	Gamble	Marsico	Smith, S. H.
Birmelin	George	Mayermik	Staback
Bishop	Gigliotti	McCall	Steighner
Blaum	Gladeck	McGeehan	Stetler
Bunt	Gordner	McNally	Stish
Butkovitz	Gruitza	Melio	Sturla
Buxton	Hanna	Michlovic	Surra
Caltagirone	Herman	Mihalich	Tangretti
Cappabianca	Hughes	Mundy	Tigue
Carn	Itkin	Olasz	Tomlinson
Carone	Jadlowiec	Oliver	Trello
Cawley	James	Pesci	Trich
Cessar	Jarolin	Petrarca	Tulli
Chadwick	Josephs	Petrone	Van Horne
Cohen, M.	Kaiser	Pistella	Veon
Colaifella	Kasunic	Preston	Vitali
Colaizzo	Keller	Reber	Williams
Corrigan	Kirkland	Reinard	Wozniak
Cowell	Kukovich	Richardson	Wright, D. R.
Coy	LaGrotta	Rieger	Yandrisevits
Curry	Laughlin	Ritter	Yewcic
Daley	Lederer	Robinson	
DeLuca	Lescovitz	Roebuck	DeWeese,
Dermody	Levdansky	Rooney	Speaker
Donatucci	Linton		

NOT VOTING—1

Thomas

EXCUSED—5

Bush Heckler O'Donnell Wogan
Haluska

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

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

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

The question is, shall the bill pass finally?

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

YEAS—185

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

Evans	Iescovitz	Robinson	DeWeese,
Fairchild	Levdansky	Roebuck	Speaker
Fajt	Linton	Rohrer	

NAYS—13

Allen	Lee	Saylor	Vance
Argall	Leh	Semmel	Waugh
Armstrong	Saurman	Strittmatter	Zug
Flick			

NOT VOTING—0

EXCUSED—5

Bush	Heckler	O'Donnell	Wogan
Haluska			

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same without amendment.

RULES SUSPENDED

The SPEAKER. The Chair recognizes the majority leader.
Mr. ITKIN. Mr. Speaker, I move that House rule 30 be temporarily suspended in order that HB 84 can be voted upon.

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

The following roll call was recorded:

YEAS—177

Acosta	Farmer	Lloyd	Ryan
Adolph	Fee	Lucyk	Santoni
Allen	Fichter	Lynch	Sather
Armstrong	Fleagle	Manderino	Saurman
Baker	Flick	Markosek	Saylor
Barley	Gamble	Marsico	Scheetz
Battisto	Gannon	Masland	Schuler
Bebko-Jones	Geist	McCall	Scrimenti
Belardi	George	McGeehan	Semmel
Belfanti	Gerlach	McNally	Serafini
Bishop	Gigliotti	Melio	Smith, B.
Blaum	Gladeck	Merry	Smith, S. H.
Boyes	Godshall	Michlovic	Snyder, D. W.
Brown	Gordner	Micozzie	Staback
Bunt	Gruitza	Mihalich	Stairs
Butkovitz	Gruppo	Miller	Steighner
Buxton	Hasay	Mundy	Steil
Caltagirone	Hennessey	Murphy	Stern
Cappabianca	Herman	Nailor	Stish
Carn	Hershey	Nyce	Strittmatter
Carone	Hess	O'Brien	Sturla
Cawley	Hughes	Olasz	Surra
Cessar	Hutchinson	Oliver	Tangretti
Chadwick	Itkin	Perzel	Taylor, E. Z.
Civera	Jadlowiec	Pesci	Taylor, J.
Clark	James	Petrarca	Thomas
Clymer	Jarolin	Petrone	Tomlinson
Cohen, L. I.	Josephs	Pettit	Trello
Cohen, M.	Kasunic	Phillips	True
Colafella	Keller	Piccola	Tullj
Colaizzo	Kenney	Pistella	Uliana
Cornell	King	Pitts	Vance

Corrigan	Kirkland	Preston	Van Horne
Curry	Krebs	Raymond	Veon
DeLuca	Kukovich	Reber	Waugh
Dempsey	LaGrotta	Reinard	Wozniak
Dent	Laub	Richardson	Wright, D. R.
Donatucci	Laughlin	Rieger	Wright, M. N.
Druce	Lawless	Ritter	Yandrisevits
Durham	Lederer	Roberts	Yewcic
Egolf	Lee	Robinson	Zug
Evans	Leh	Roebuck	
Fairchild	Lescovitz	Rohrer	DeWeese,
Fajt	Levdansky	Rooney	Speaker
Fargo	Linton	Rubley	

NAYS-16

Daley	Harley	Nickol	Stetler
Dermody	Kaiser	Platts	Tigue
Freeman	Maitland	Rudy	Vitali
Hanna	Mayernik	Steelman	Williams

NOT VOTING-5

Argall	Cowell	Coy	Trich
Birmelin			

EXCUSED-5

Bush	Heckler	O'Donnell	Wogan
Haluska			

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

SENATE MESSAGE

AMENDED HOUSE BILL
RETURNED FOR CONCURRENCE

The clerk of the Senate, being introduced, returned **HB 84, PN 2223**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

SUPPLEMENTAL CALENDAR A

BILL ON CONCURRENCE
IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 84, PN 2223**, entitled:

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, providing for an alternative form of regulation of telecommunications services; providing protection for public utility employees who report a violation or suspected violation of Federal, State or local law; providing protection for such employees who participate in investigations, hearings, inquiries or court actions; and prescribing remedies and penalties.

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

MOTION TO TABLE

The SPEAKER. On that question, the Chair recognizes the gentleman from Philadelphia, Mr. Thomas.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I rise to move that this bill be tabled if possible, and the reason that I ask that it be moved to be tabled is very simple. One—

The SPEAKER. The gentleman's motion to table is on the floor for business at this time. The motion is not debatable.

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

The following roll call was recorded:

YEAS-44

Acosta	Evans	Michlovic	Scrimenti
Bebko-Jones	Freeman	Nickol	Steelman
Belardi	Hughes	Petrarca	Stetler
Blaum	James	Platts	Surra
Cappabianca	Josephs	Richardson	Thomas
Cam	Krebs	Rieger	Tigue
Carone	Kukovich	Ritter	Van Horne
Cawley	Linton	Robinson	Vitali
Cohen, M.	Maitland	Roebuck	Waugh
Daley	Manderino	Rudy	Williams
Dent	McNally	Saylor	Yandrisevits

NAYS-153

Adolph	Farmer	Leh	Ryan
Allen	Fee	Lescovitz	Santoni
Argall	Fichter	Levdansky	Sather
Armstrong	Fleagle	Lloyd	Saurman
Baker	Flick	Lucyk	Scheetz
Barley	Gamble	Markosek	Schuler
Battisto	Gannon	Marsico	Semmel
Belfanti	Geist	Masland	Serafini
Birmelin	George	Mayernik	Smith, B.
Bishop	Gerlach	McCall	Smith, S. H.
Boyes	Gigliotti	McGeehan	Snyder, D. W.
Brown	Gladeck	Melio	Staback
Bunt	Godshall	Merry	Stairs
Butkovitz	Gordner	Micozzie	Steighner
Buxton	Gruitza	Mihalich	Steil
Caltagirone	Gruppo	Miller	Stern
Cessar	Hanna	Mundy	Stish
Chadwick	Harley	Murphy	Strittmatter
Civera	Hasay	Nailor	Sturla
Clark	Hennessey	Nyce	Tangretti
Clymer	Hernan	O'Brien	Taylor, E. Z.
Cohen, I. I.	Hershey	Olasz	Taylor, J.
Colafella	Hess	Oliver	Tomlinson
Colaizzo	Hutchinson	Perzel	Trello
Cornell	Itkin	Pesci	Trich
Corrigan	Jadlowiec	Petrone	True
Cowell	Jarolin	Pettit	Tulli
Coy	Kaiser	Phillips	Uliana
Curry	Kasunic	Piccola	Vance
DeLuca	Keller	Pistella	Veon
Dempsey	Kenney	Pitts	Wozniak
Dermody	King	Preston	Wright, D. R.
Donatucci	Kirkland	Raymond	Wright, M. N.
Druce	LaGrotta	Reber	Yewcic
Durham	Laub	Reinard	Zug
Egolf	Laughlin	Roberts	
Fairchild	Lawless	Rohrer	DeWeese,
Fajt	Lederer	Rooney	Speaker

Fargo	Lee	Rubley	
NOT VOTING—1			
Lynch			
EXCUSED—5			
Bush	Heckler	O'Donnell	Wogan
Haluska			

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

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

The SPEAKER. On the question, the Chair recognizes the gentleman from Philadelphia, Mr. Thomas.

Mr. THOMAS. Thank you, Mr. Speaker.

Comments on concurrence.

Mr. Speaker, I think that this bill is untimely. I think that given the complexity of the issues involved, this House needs more time to really get a handle and be able to make an informed decision with respect to Bell of Pennsylvania's desire to implement a fiber-optic network system.

Secondly, Mr. Speaker, there are some people who will debate the merits of this bill. There are other people who would debate procedurally how this bill even got before the House at almost 6:30 in the morning.

Mr. Speaker, the only issue before the House, because let us be clear, Bell of Pennsylvania does not need statutory authority to move forward with implementation of this system. Let me say that again: Bell of Pennsylvania does not need statutory authority to move forward with implementation of this system. What Bell of Pennsylvania needs and the issue before the House this morning is whether or not we as lawmakers are prepared to bind our constituents and the citizens of Pennsylvania so as to provide Bell of Pennsylvania with collateral so that they can go into the open market and secure the capitalization that is needed in order to implement this system. That is the only issue that is before the House. Bell needs to go into the market. It needs to secure capital in order to do this, and in order to secure that capital, Bell would like to be able to say that they have ratepayers bound to pay for the installation of this system.

So the question before this body on both sides of the aisle is whether or not our constituents are informed enough so that through us we can make an intelligent decision on that question of capitalization — whether the constituents back in our districts are prepared to pay the costs necessary to allow Bell of Pennsylvania to go forward with installation.

Secondly, there is a whole question as to how this started out as HB 4. There was a bill in the Senate. HB 4, as of this date, is sitting in the Appropriations Committee, ready for consideration by the full committee, by both Republicans and Democrats, but because Bell of Pennsylvania felt that members of the Appropriations Committee or members of this General Assembly would raise too many questions about this issue,

they ran over in the Senate, ran over in the Senate, found HB 84, and are now sending it back here for concurrence — not for debate, not for discussion, but sending it back for concurrence.

I submit to you that as lawmakers we have a responsibility to review, investigate, and know what it is that we are binding the financial interests of our constituents to, and the way this bill is coming before the House, we have not had that opportunity.

I could care less whether you vote up or down on the bill. What I do care about is each and every member of this body having an opportunity to make an informed decision, to know whether or not they are functioning in the best interests of the people that we represent and the citizens of Pennsylvania.

Secondly, I raise the whole question of fairness and the whole question of whether or not the benefits, as have been articulated by Bell of Pennsylvania, outweigh the costs that have been associated with this. Some have said that we need to do this now. We are talking about costs which are greater than the annual budget that we pass every year for the Commonwealth of Pennsylvania. Speculative costs indicate that we are talking about installation of a system that is well over \$25 billion, much greater than any budget that we approve or disapprove in this House annually.

So I submit to you, should we be making those kinds of decisions hastily, in a vacuum, and in the absence of input from the people that we represent? You must answer that question, because regardless of what we do, we must go back, we must go back to our respective districts and to the people of Pennsylvania and explain whether or not we made a decision that was in their best interest.

In this bill there is no indication that this system will be tied into the educational system in Pennsylvania so as to increase the knowledge base of our children that are in the educational system. There is nothing in this bill. Some people have speculated that there will be 240,000 jobs generated as a result of this system. I ask one member of this House this morning to provide me and my colleagues with some specific data showing that installation of this system would generate any more than 2,000 to 3,000 jobs. The 240,000 jobs is magic, and in 1993 we can ill afford to believe in magic.

Secondly, Bell talks about the billions of dollars that will come into the Commonwealth of Pennsylvania as a result of this system. I ask any one of my colleagues to show, to put on the table, some data to verify that particular statistic. You cannot put any data on the table. In fact, there is data that will show that installation of this system will actually increase unemployment and underemployment in the Commonwealth of Pennsylvania rather than decrease it. We have no guarantees of employment opportunities. We have no guarantees that our constituents will benefit from the economic alleged benefits associated with this system, and so I submit to you that we can ill afford to make a decision this morning.

As I look around this chamber, half of the people on both sides of the aisle are asleep. Was this the intent? Is this why we are seeing this at 6 o'clock in the morning where you would be nodding off and raising a hand to push a button for

telecommunications and your mind is off in telepace somewhere?

Mr. Speaker, it is time to get serious. The business of lawmaking, the business of service is serious, and it can never be negotiated out in a back room or with a selected number of individuals. The business of the Commonwealth of Pennsylvania, the business of our constituents must always be carried out in an open and informed forum, and so we need to take a hard look at this and make a decision that is in the best interests of our constituents. Thank you.

The SPEAKER. The Chair thanks the gentleman.

Mr. Williams is recognized.

Mr. WILLIAMS. Thank you, Mr. Speaker.

Mr. Speaker, I would like to interrogate the maker of the bill.

POINT OF ORDER

Mr. GLADECK. Mr. Speaker?

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

Mr. GLADECK. Point of order.

Would it be appropriate to be recognized to make a motion at this time?

The SPEAKER. What is the point of order?

Mr. GLADECK. The point of order is, I think we have been here for a long period of time, and I think a lot of us are familiar with the contents of this legislation, and I also think a lot of members have the right to express their point of view in public on the floor. But I think that in the interest of fairness, I think it would be appropriate to, as we have in the past during lengthy legislative sessions, put a limit at this time of day on debate to 2 minutes per member.

The SPEAKER. The gentleman will be in order in a short time.

Mr. GLADECK. Okay.

The SPEAKER. But the gentleman, Mr. Williams, has been recognized and asked for interrogation, and the Chair should not have allowed the indulgence. You will be recognized at the next juncture, however.

Mr. GLADECK. At the appropriate time. Thank you.

The SPEAKER. At the next juncture.

The gentleman, Mr. Williams, asks to interrogate the gentleman, Mr. Wright. The gentleman, Mr. Wright, indicates he will stand for interrogation.

Mr. WILLIAMS. Thank you, Mr. Speaker.

I was only going to speak for 2 minutes, but due to my colleague's encouragement, I will try to prolong it. Thank you.

Mr. Speaker, I would like to know— On HIB 84 there are a number of cosponsors. I would like to know, of those cosponsors which are elicited, who remains a cosponsor?

Mr. D. R. WRIGHT. Mr. Speaker, I am not sure that it is going to be useful for us to engage in the same colloquy that we engaged in in caucus. If you are interested in those persons who have withdrawn their name, the Chief Clerk would have that available to you.

Mr. WILLIAMS. Mr. Speaker, I intend to engage in not only that colloquy but other issues, and I do think it is pertinent to the floor, because I think it is germane to the record, which the public has a right to know what our views are as opposed to in our hidden caucuses, especially with regard to this bill. So, yes, I do intend to pursue the same line of questioning; I do intend to extract the same comments, and I do intend to expose that the level of ignorance on this particular bill is very high.

I would appreciate the patience of the maker of this particular bill and his indulgence as well as his knowledge, because it is pertinent to every Pennsylvanian, not just those that were in that caucus at 3 o'clock this morning.

Mr. D. R. WRIGHT. Mr. Speaker, I have no difficulty at all in you expressing your views about this matter. I guess my concern was that we simply repeat, in stylistic form and a little drama here, what has gone on elsewhere. If you want to express the degree of ignorance that we have about this bill, I think you should express that.

Mr. WILLIAMS. No. I intend to do that not through commentary but through actual fact and through questioning. So my questioning will be along the same line, and hopefully by now we will have some specific answers.

Do you want me to proceed, Mr. Speaker?

The SPEAKER. Does the gentleman address the podium or the gentleman, Mr. Wright? Is the interrogation ongoing?

Mr. WILLIAMS. Yes.

The SPEAKER. The Chair apologizes.

Mr. D. R. WRIGHT. What is your question?

Mr. WILLIAMS. Mr. Speaker, on page 11, line 3, for those members who do not know, there has been a great deal of discussion of the ratchet, the escalator, the fixed rate increase, which has now been moved into this bill in the form of oversight from the PUC and, I guess, suggested guidelines. It is my question, why would these suggested guidelines be placed in this particular bill when it is very well known that the PUC is very capable of defining what rates should be without proposed guidelines?

Mr. D. R. WRIGHT. Mr. Speaker, it seems to me that one of the things that interrogation is for is to elicit information that the speaker does not have. The speaker is fully aware of my response to this question, which was, essentially, that this is an example; it is an illustration. The PUC does not have to follow this example.

As a matter of fact, there are 15 criteria that the PUC must look to as a standard by which they would judge whatever provision they would finally adopt. It seems to me that it is not inappropriate for this General Assembly to indicate, at least by example, what would be one thing that would meet the criteria if it were adopted in this legislation.

Mr. WILLIAMS. Well, given that this is very unique with regard to what we have done in the past, I still do not understand the need. I understand the illustrations; I understand the examples, but I want to know why we picked this particular example as opposed to some others which have been

suggested which might be of a higher cost or those which might be of a lower cost?

Mr. D. R. WRIGHT. Actually, SB 2 provided a quarter a month, \$3 a year. There were people that said, well, he should not have a firm number like that — a quarter. What you really should do is, you should have some kind of an index. We had some consumer advocates who were saying, shame on you for proposing a quarter. What you need is really an index. So we took the advice that was offered to us and provided an index.

Subsequently, legislation was presented which would have provided that index actually as the law, only with the notice and hearing of the PUC, but it would have been part of a mandate, actually, by this legislature. That language has been removed. That is not present. There is nothing in this bill that requires a specific rate increase of any kind, but it does provide an illustration, an example. And it is appropriate that that language that once was "shall" is now "may." This "may" be a standard by which the PUC can judge a particular petition.

Mr. WILLIAMS. Mr. Speaker, I would like to know from the maker of the bill the necessity to do it now and why the urgency at almost quarter to 7 in the morning.

Mr. D. R. WRIGHT. Mr. Speaker, we began about 2 o'clock this morning discussing that issue. Why we are doing it now, I have no better answer than I had in caucus. I have no better answer than some of the leaders had in caucus. We are here. We are here to do business. We have this legislation before us, and I would suggest that those who are opposed to it vote "no" and those who are for it vote "yes" and let us get this issue resolved and get on with it.

Mr. WILLIAMS. Mr. Speaker, I have no intention, no intention, of moving the process forward without public knowledge and without specific answers that the public can extract from this document. So we are not going to sidestep this process, and we can make it painless or we can make it painful. What I would like to do is make it as painless and as straightforward as possible, because certainly the legislation is quite complicated, the technology is quite futuristic, and the answers are quite, quite ambiguous.

So I ask you again, regardless of what was stated in caucus, because, quite frankly, many of us in caucus are still in a quandary as to what the motivation is. So we would like to get clarity on the floor and get a direct answer as to why the need at quarter to 7 in the morning.

Mr. D. R. WRIGHT. With all due respect, Mr. Speaker, the language fails me to resolve your quandary.

Mr. WILLIAMS. I do not understand the answer, Mr. Speaker. I am asking you—

Mr. D. R. WRIGHT. I am saying that I am unable to be more clear than I was in caucus; I am unable to be more clear than I have been on the floor of the House with regard to why this provision is here and why we are discussing this issue at this time.

Mr. WILLIAMS. Mr. Speaker, I appreciate—

Since it is not, I guess, in the sponsor of the bill's area to answer questions forthright, I will thank him for his

cooperation in this effort, and I will make my own comments and make my own observations and extract, as best as I possibly can, what I perceive those motivations were in caucus, what those questions were in caucus, and what those answers were in caucus.

So I thank the maker of the bill, and I will proceed with my comments, Mr. Speaker.

Mr. D. R. WRIGHT. Mr. Speaker, I have no objection to the person stating his view. I do have an objection to his stating my motivation about anything related to this issue.

Mr. WILLIAMS. Mr. Speaker, I have finished my interrogation. I would like to speak on the bill.

The SPEAKER. The gentleman may proceed.

Mr. WILLIAMS. In caucus there were several questions which were asked, one of which dealt with the ratchet removal from the legislation to the PUC. The answer to that question was quite forthright. Yes, there are guidelines. Yes, there are reasons for those guidelines because, frankly, Bell wants and needs a partner to take to the financial market. Yes, our ratepayers will receive some level of debt. We are not quite clear on what that level of debt will be. Yes, it is unique when we go into these kinds of ventures, that when one goes into business, they do not assume a partner for risk. They decide themselves whether they will pursue that avenue.

In this particular area, the answer came back, yes, we are asking for a bit of a different kind of criteria. We are asking that we can build, under the auspices of the public utility, the network, and "bill," if you will, for lack of a better term, the ratepayers at whatever rate we like that to happen, and certainly there will be a debt incurred as a result of that. The freeze for our telephone bills, which was in the previous legislation, has been removed.

I asked the question, will Bell Telephone be able to go back to the PUC and ask for rate increases with regard to that area? The answer was yes.

In the area of competitive activities, I asked, well, if the PUC deems that competitiveness is allowed in certain areas, will profits that are derived from that competitive area be used to pay down the debt? The answer was no.

I then asked, how do we explain to our ratepayers that may in fact have the wire outside their doors but may not be able to pay to get the wiring and the access of the service inside to their homes, how do we explain to them that we are not able to use the profits that Bell would derive from competitive situations to pay for the network or the debts from the network? There was not an answer. In fact, they may come back before the PUC and ask for a rate increase in this area. They are deriving profits on one hand, raising our telephone bills on another hand, and asking for a rate increase with regard to this particular activity on the third hand. I find that, frankly, beyond simple, simple levels of comprehension, just that illustration in and of itself.

I then asked what the penalties were if Bell did not complete the network. The response was, there was a guarantee or some kind of a commitment to 100 percent or universal coverage of the system and that there were regulations in place

that if this did not occur, that the PUC would sunset this and review this in 2 years.

I asked again, well, in 2 years what is the penalty? Again the response, there was no specific penalty within the 2-year period of time, that the actual penalty came at the completion of the network.

I asked then, what kind of control do we have over the process? Again, basically, the answer was, the PUC and the fact that we are reviewing it in 2 years. I then tried to explain to the maker of this bill that in 2 years, 4 years, 6 years, 8 years, the network would be advancing; that the PUC, in fact, former PUC commissioners—let me underscore that—former PUC commissioners, people who are much more expert, resourceful, and knowledgeable in this area than we are, had an understanding that once the network proceeded, the discussions of penalties, if they are not prescribed in law or prescribed within this body of legislation, to be very general, quite expansive, and quite liberal.

I asked, how do we explain the jobs provision of this bill? I daresay that there are not many legislators, with the exception of one who told me they do not watch television tonight, who have not seen the Bell commercial or heard the Bell commercial on the radio — oh, yes, that Bell commercial which talks about 240,000 jobs coming to Pennsylvanians, the 240,000 jobs which is going to resolve the miners. Do you remember those pictures of the miners coming out of the coal mines depressed, trying to figure out what their future was going to be, and all of a sudden this magical statement of 240,000 jobs appeared on the screen and the only roadblock to that were we, legislators, in Harrisburg.

The maker of the bill quoted a prestigious firm, Deloitte & Touche, the PUC study, which was \$2 million, \$2 million — \$1 million of assumptions and \$1 million of guesses and estimates. What was in that body, was in that statement, which Bell felt very comfortable extracting and putting on television and putting on radio, they admit that they are not clear on where the jobs will come. They are clear that there was a formula which was used, a formula which was used to say that the economy would withstand approximately 12,000 jobs per year and they will calculate that in man-years and they will calculate that some more to come up with some conceptual jobs.

So when I asked, well, what do we explain to our constituents back in our districts about, how do they get employed by this, well, the 2,000 to 3,000 jobs of laying the wire would be the net result — the training component, the educational component, the job removal component — because, you see, a lot of people in this room will want to fall asleep, turn their heads, laugh, and pat their buddy on the back as this thing moves forward, but the reality is that there will be segments within our Pennsylvania constituency, not black segments, not Asian segments, not women segments, not Philadelphia segments, not rural segments, but entire segments of Pennsylvania which will be unemployed because of this technology.

Understand that I believe that the technology is inevitable. I also understand that Europe has a very comprehensive network. I also understand that in Europe the rates of unemployment at 19 percent are due in part to some of this advancement in technology. The PUC study itself states that the rollout of this technology is inevitable, that it is so inevitable that Bell of Pennsylvania can do it without—without—ratepayers' assistance. The only thing that we are doing is paying for an accelerated process; that Pennsylvania, in that study, is in front of the surrounding States. There was much conversation about New Jersey, much conversation about Virginia, much conversation about New York, but the surrounding States, according to the PUC study, Pennsylvania is at the forefront of that.

All that we are asking for is for a partner and a ratepayer. All that is derived out of this activity, all that is derived out of this activity is not a commitment to full employment, not even a commitment to total fiber optics, because as you go through the bill, it discusses broadband. "Broadband" is an expansive term and a term of art which does not necessarily guarantee you a 100-percent fiber-optic network, to which the maker of the bill will admit.

To me, unfortunately, Mr. Speaker, this is a great ploy. It was a good idea. Representative Wright, in his original bill, in his original commitment to the consumer, in his original vision of how Pennsylvania with business and technology and Pennsylvanians working together to move forward into the 21st century and centuries beyond, was right; he was right in the original version. Unfortunately, he, like many people in this hall, he, like many people in this hall, has decided to compromise. They turned a deaf ear to those folks who, quite frankly, do not have the fortitude nor the resources to understand this legislation and will not understand it until the harsh reality comes upon them that that commercial does not have 240,000 jobs, that when they come knocking on my door, your door, or any other door, that we can only point them to points unknown.

The reality is that the heavy-handed lobbying, the 6 a.m. maneuvering, the compromising on specific areas of public policy smacks of the worst public trust that we could come across in a long time. There are many people here who say, well, Tony, this is not workmen's compensation, this is not a moral issue, this is not abortion; this is something that, you know, we will move along; it is something we should get done with. It is not that I do not respect that point of view, but I do not believe that, quite frankly, the people who look at it like that are quite enlightened to the magnitude of what we are talking about.

Japan has changed the whole country based upon American technology. Europe is changing the face of how they do business based upon this technology. Their society is being reshaped based upon this technology, and I daresay Pennsylvania will also be reshaped as a result of this technology.

Why we decide to do something like this at 7 o'clock in the morning, when TV cameras are dim, when reporters are bleary,

and certainly the majority of our membership does not have the faculties to pay full attention to the discussion. Unfortunately, I think that this bill will go by the wayside because, as people have told me, it is greased pretty doggone well. I think it will move forward. I think that lobbyists will get their way. I think Bell Telephone will be before the PUC at some very near future, and I think that, frankly, in about 2 years, 2 years, history will have written that we did not protect the public trust in the manner that we should have protected it.

Unfortunately, Mr. Speaker, this whole deal to me stinks. It stinks of all the things that people suspect of politicians — us turning our backs, us turning our emotions off, us turning our fortitude and our commitment, and us certainly turning our backs on undue influence from interest groups.

Mr. Speaker, I have to say I tried to consider this. I tried to approach this with an open mind because I believe fiber optics and the technology that it represents can be a benefit to my community, but the manner in which people have sidestepped, renegotiated, recommitted, recocked, and avoided the tough questions suggests to me that there is not a full commitment and protection of the consumers of Pennsylvania, and therefore, I will have to vote against this particular legislation, Mr. Speaker. Thank you.

The SPEAKER. The Chair thanks the gentleman.

MOTION TO SUSPEND RULES

The SPEAKER. Does the gentleman, Mr. Gladeck, seek recognition at this time?

Mr. GLADECK. Yes. I would like to make the motion that I described earlier — to limit debate for 2 minutes for the duration of the time. I would like to make a motion to adopt a temporary rule to limit the debate to 2 minutes per member that would wish to speak.

The SPEAKER. The gentleman's correct methodology would be to ask for a suspension of the rules in order for you to adopt the temporary rule.

Mr. GLADECK. I so move.

The SPEAKER. The gentleman, Mr. Gladeck, has moved that the rules of the House be suspended in order that a temporary rule limiting debate to 2 minutes can be adopted.

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

Mr. RICHARDSON. Mr. Speaker?

The SPEAKER. The motion is not debatable. The Parliamentarian advises me that that motion is not debatable.

POINT OF ORDER

Mr. RICHARDSON. Point of order, Mr. Speaker.

The SPEAKER. The point of order should be stated.

Mr. RICHARDSON. Is the leadership allowed to speak on this matter?

The SPEAKER. That has always been the prerogative of the leaders. Yes.

The House will momentarily stand at ease.

While the sidebar is going on, the members should be alerted to something they may only see once or twice or three times in the time that they are here. The stained glass at dawn is exceptionally vivid and you should note the magnificence.

The sidebar has been concluded.

Does the gentleman, Mr. Itkin, seek recognition?

Mr. ITKIN. Mr. Speaker, I yield to Mr. Gladeck.

MOTION WITHDRAWN TEMPORARILY

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

Mr. GLADECK. Mr. Speaker, I would like to temporarily withdraw my motion. Thank you.

The SPEAKER. The gentleman is going to temporarily withdraw his motion to suspend the rules. Therefore, we are operating under our rules.

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

The SPEAKER. The gentleman, Mr. Markosek, is recognized on the concurrence of HIB 84.

Mr. MARKOSEK. Thank you, Mr. Speaker.

I do rise to concur. In fact, I enthusiastically rise to concur.

Mr. Speaker, I think this bill certainly is a much better bill than the one that was voted out of the Consumer Affairs Committee. I happen to sit on that committee. That was a far more difficult and controversial bill. It would seem to me that the changes made in the Senate to the language of HIB 4, which are now incorporated in HB 84, are far more palatable and I think, quite frankly, an easy vote for most of our members.

I think it is interesting, Mr. Speaker, if we take ourselves back in history about 150 years ago, if we could have been one of those men and women at that time who were contemplating the infrastructure of our great State and our great country, the people that were sitting around dreaming up the canals and the coal mines to dig and the steel mills and the roads to build. We have that same opportunity here tonight. We have an opportunity to become one of those people here in 1993 to build the infrastructure of Pennsylvania for the future.

Mr. Speaker, this bill—and it has, I think, been unfairly categorized to be a bill that is for some corporations or some telephone companies—this bill is for the people of Pennsylvania, Mr. Speaker. This bill is for us, but it is not only for us. More importantly, it is not for Joe Markosek; it is for Brandon Markosek, my 6-month-old son. It is not for Sara Steelman; it is for Amy Steelman. It is not for John Wozniak; it is for Michael Wozniak. It is for the 6-month-old baby girl in the Mark Cohen family. It is for the Strittmatter kids, and it is for the Lawless kids. It is for Dick Olasz' grandkids, and it is for Dick Hess' grandkids. That is who this bill is for, Mr. Speaker. It is for the future of Pennsylvania.

We have one of those chances of a lifetime as legislators to vote for a bill—Like all bills that we vote for that do affect the future, I think this one, more than any other, will affect the

future in a positive way. It will build the infrastructure that those kids that I mentioned will be able to work in. They are not going to have the coal mines or the steel mills that we had or our grandparents had. They are going to have to depend on perhaps some infrastructure that does not even exist. But this telecommunications system that this bill will be the catalyst to build will create that system, and again, not so much for us but for our children, our grandchildren, and our posterity.

I would ask the members to join me in this vote for the future of Pennsylvania. Thank you, Mr. Speaker.

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

Mr. McNALLY. Thank you, Mr. Speaker.

I urge that we not concur in IIB 84, in the Senate amendments. I think that this is a very serious mistake that we are making. This is an unprecedented piece of legislation that is being offered here today, and it is being done without adequate input and consideration by this chamber.

I think that when we consider other important votes that we have taken in the past in the wee hours of the morning, we have in fact done that, but it has always been with the imposition of a deadline. Whether it be a budget, an appropriations bill, or a tax bill, the fact of the matter is that we have only bent to this kind of pressure that is imposed on us not by special interest groups but rather by the law itself.

I think that there are a great number of questions that need to be answered about this particular legislation, questions that cannot be answered in the matter of a few hours, when at least I myself have some impaired ability to comprehend what I am reading. I think that, for example, we ought to be asking ourselves about this claim of 240,000 jobs. The fact of the matter is that in a six-volume study done at the direction of the Public Utility Commission by Deloitte & Touche, a highly respected firm, they never once said that this legislation would produce 240,000 jobs by the year 2015. This is a manufactured statistic. In fact, what the report does say on page 39 of the executive summary is that cumulatively between 1993 and 2030, the moderate network modernization scenario can generate an additional 429,000 person-years of employment.

Now, Mr. Speaker, a person-year is not a job. What they have done is they have taken this person-year statistic and reduced it to the year 2015, and one person—for example, any of us—hopefully would have a work career of something on the order of 40 years. What they have done is taken each of those person-years of employment, each of those 40 person-years of employment, and counted each separate year as a separate job. That is not 40 separate jobs, Mr. Speaker. This is a manufactured statistic that has been jammed down the throats of the people of Pennsylvania and this General Assembly, and it is only in the wee hours of this morning that that kind of liar's figure and figures-lic type of rhetoric has finally come to light. It is something that was only brought to my attention minutes ago. I think that that kind of spurious claim is something that requires closer examination by this House of Representatives and that we should not be concurring in amendments by the Senate on the basis of such claims.

Secondly, Mr. Speaker, this bill includes on pages 10 and 11 a requirement that the commission, the Public Utility Commission, after notice and hearing, can approve a petition for alternative regulation only if it is assured "...that the rates for noncompetitive services are just, reasonable and not unduly discriminatory through the use of a price stability mechanism or other alternative form..." et cetera. What this provision goes on to say is it specifies a safe-harbor provision for a specific price stability mechanism, specifically that "...total annual revenues from noncompetitive services to increase or decrease from the previous year's total revenues from noncompetitive services as a result of tariff rate changes based on the annual change in the gross domestic product price index, as calculated by the United States Department of Commerce, minus 2.25% may meet the requirements of this section."

Now, Mr. Speaker, you have heard that because of these weasel words of "may" and "subject to commission approval," that this does not mandate in any way this type of price stability mechanism. But, Mr. Speaker, I will submit to you that this is in fact a safe-harbor provision and that every local exchange telephone company that submits such a petition is going to include in its petition just such a price stability mechanism. What this amounts to, in the lingo of some people in this chamber, is nothing more than a tax increase, but not a tax increase to go to help schoolchildren and the aged and the mentally ill and the mentally retarded and the disabled; it is a tax increase to benefit shareholders of local telephone companies and executives. I do not think that that is right, or if it is, if there are adequate benefits through the modernization of this type of communications system, I would like to be able to examine it more closely. I think that a great many questions still remain.

I have many more questions about the technological impact of this legislation. For example, we do not require fiber-optic networks. Why? Because that would place too much of a financial burden on these local telephone companies when they have to place these networks in rural areas where the people are spread apart. What that means is they are going to be using wireless systems, for example, and in this Deloitte & Touche report it does say that there are both regulatory and technological issues that need to be resolved with respect to these wireless broadband technologies.

Those issues and those questions have not been answered. I do not think that we have been satisfactorily served by this legislation. There are a great many questions that need to be answered. I think that we should not concur and give ourselves more time to review this issue. Thank you.

The SPEAKER. For the second time, Mr. Williams.

Mr. WILLIAMS. Thank you, Mr. Speaker.

Two items just came to my attention. One, the issue of stockholders.

I would daresay that there may be a few stockholders in here this morning, and in fact if they are stockholders, I would suggest that they leave their fingers off the button, because they will derive a direct financial benefit from the process. Apparently that happened with a Senator in the Senate and he

had to disqualify himself. So before we get into checking the votes, I would like people to be aware of that.

The other item is that I have a great deal of respect for Representative Markosek, but he and I differ, not so much on dealing with the future technology but the manner in which we approach this bill. I am personally not anticorporate. I worked many years, happily, with a large corporation and believe that they are of benefit to our society, and certainly Philadelphia County has a great dependence upon a large corporate family of which Bell is a very fine citizen. But it was not I who told Bell to prescribe this bill as a jobs bill. When Mr. Markosek stood on the floor and spoke in heart-wrenching terms about the fact that this bill was not for him or me, it was for his son or many other siblings or offsprings of this body or grandchildren from this body, that is fine and that is probably true. But the hard questions that we do not like to face in this body we turn our ears off to, because, see, everybody was attentive when the commercial went up and the heartstrings were being played, but what happens to somebody else's son who goes to a public school in a certain section of Pennsylvania that has the network outside the school but cannot afford the equipment to get it inside the school and therefore is not prepared for this new age?

Guess what, Mr. Speaker? With all due respect to young Markosek, he has an advantage. His father, his family, just like my family, will insure that our children are the benefactors of this technology. But we are sitting here, and more, our responsibility is greater than our own personal interests, and that is precisely what the point is. Our families are guaranteed, but our responsibility is to that coal miner who is still alive and kicking. Are we to turn our backs on all generations of people who are still alive? Because, see, guess what? That unemployed coal miner is a ratepayer. It is coming out of his pocket. Young Joey? Young Tony? By the time they mature, the network will have been paid for, or certainly they will probably have the income to sustain another rate increase.

So when we play the violins, please tell the whole story. Encourage Bell and encourage everybody else to give the full picture. It is not a rosy one; it is reality, and as our children come of age we need to tell them of one thing, and that is to be responsible citizens. Responsible means to be truthful and forthcoming, and unfortunately, this process of moving this bill has not represented that, and I would not encourage young Joey to follow our example tonight or this morning. I would not encourage my child to follow that example tonight. I would only encourage him to use the technology to be fully open and honest with his compatriots, and if there were something in this bill that would insure those folks who are a little less fortunate, I would be the first to stand up and support it. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman and recognizes Mr. Hughes of Philadelphia.

Mr. HUGHES. Mr. Speaker, my comments come from an individual who has a difficult time handling his calculator. Computers are foreign to me. I cannot program my VCR

(video cassette recorder). Technology is something that I have great difficulty with.

This is great stuff, Mr. Speaker. This is great technology. This is fantastic work. This is something that is clearly necessary for this Commonwealth for us to move forward. As I have described this technology to constituents and other members and other folks whom I have dealt with, I have compared it to the invention of the transistor, the invention of the microchip. A couple of individuals told me that I was on the right track, but in fact it is even more significant than that. It is more like the invention of the automobile, it is that significant in how it will transform society and how we do business in this State and this world.

It is because of that discussion, Mr. Speaker, that I rise to urge the members to vote "no." It is because of the fact that this particular legislation is so significant, is so monumental, is so overwhelming that more time, more light, more discussion, more attention needs to be paid to this particular issue. Dealing with this matter at 7 minutes after 7 on Thursday morning after being up all night and only having limited caucus discussion on this is something that really is unacceptable for an issue that is more important than anything that we will deal with probably in this decade.

Now, are we prepared for this technology? We need to have this technology, but the question remains, are we prepared for it? Are we able and prepared and ready to handle it? And I know that the business community, at least the high-tech, large business community, is ready. They can handle it. In fact, they are already putting it in in their business sector, and we commend them for that. The question that I have to ask, Mr. Speaker, is, have we prepared the masses of this Commonwealth? All of the people who live in this Commonwealth, are we in the process now of preparing them to utilize this technology? I know that we have prepared the business community, as I said, and I look over to my colleague, the country mouse, Mrs. Harley, and as I visited her district and all the big businesses out there, they are prepared for this technology, Mr. Speaker, but are the people who work in rural Pennsylvania, in the farm communities in our Commonwealth and the urban environments in our Commonwealth, are they prepared for this technology?

What are we doing, Mr. Speaker? What are we doing at this time with this legislation in this moment to prepare, to relocate, and to deal with issues of retraining those individuals who are going to be dislocated, out of work, as a result of this technology, because the fact is, the simple fact is that there is going to be a tremendous amount of dislocation that will occur as a result of this technology. And we always understand that when new technology comes on line, there is always going to be dislocation. Unfortunately, we have not learned from the past and prepared for that dislocation when it has happened in the past. We need to learn from the past and not repeat the mistakes of the past and do a job about preparing our people for this new technology.

Will they be trained? Will they be educated? Will they understand how to utilize the technology that will remove them

from the workplace? I do not think so. I see nothing in the provisions of this legislation nor have I heard any extensive discussion in the committee work that has been done on the House side and the deliberations that occurred in the Senate to prepare the Pennsylvania people, regardless of where they live, for what will happen when this technology comes into place.

I fear that we are missing an opportunity, Mr. Speaker, and I do not hear significant enough discussion in the House and in the Senate to prepare us for that. Who is going to deal with the downsized work force? Who is going to educate right now and prepare young people as they go through grade school, as they go through middle school, as they get into high school? Who is going to prepare those children to move into the technology that will be available for them in the new work environment? I hear no discussions about that, Mr. Speaker, and that is what concerns me.

My good friend and colleague, Mr. Markosek, talked about the children, and God bless them; if life lasts and the Lord is willing, my kids are going to be all right. My son, my daughter, they will be all right. By the sheer will of their parents, they are going to be all right. But I am not concerned so much about them as I am concerned about the thousands, in fact millions of children in this Commonwealth who are not going to be prepared if we do not use this opportunity to make sure that we place mechanisms in place to prepare them.

We have not guaranteed that every school in this Commonwealth, Mr. Speaker, will be wired to utilize this technology. Oh, we have brought the technology to the curb of that school, but we have not done anything to take that technology into the school and to provide a mechanism to get the hardware in that school so our children can utilize this technology. We have not done anything like that in this legislation, Mr. Speaker, and we have missed an opportunity. We are missing an opportunity.

Have we gone into other worlds and other places in this Commonwealth, other work environments, to utilize this technology now to prepare the work force of the future? We have not done that; we are missing that opportunity, and I would only say, Mr. Speaker, that as we go forward in this legislation—as this legislation, unfortunately, based on previous votes, will probably become law—that we will miss these opportunities.

History will determine, history will determine whether we have done the right thing with this legislation. I fear that the path that we are going on right now will say that we have missed the boat, that we have taken care of a few but missed an opportunity for the many. I urge the members of this House to vote “no” on this legislation. Thank you, Mr. Speaker.

The SPEAKER. David Richardson is recognized.

Mr. RICHARDSON. Mr. Speaker, thank you very much.

Mr. Speaker, I rise to ask for nonconcurrency in HB 84.

I want to first start off by saying that I am very happy that this House decided not to move to limit debate to members on the floor on this issue since they decided at the leadership level to bring this bill up at this late hour. I am also very glad that we have had an opportunity to hear individual members be

able to put on the record specifically their concerns about the manner in which the process in moving this legislation was done at such a rapid pace, that even the members who are voting for it tonight do not even know what they are voting for.

Yes, I am saying very clearly you have been had; you have been taken; you have been misled; you have been bamboozled. You have been placed in a situation where you think that those who are the high rollers, those that are special interest groups, and those individuals who have said that they do not care whether or not you know what is going on or not, that the deal has been cut, and they do not care whether or not you inform your constituents or not but that it is better for you to be misinformed so that at least those who are pushing the panic button will make us stay here all night for Bell Telephone and for those individuals involved in telecoms across the Commonwealth of Pennsylvania so that a deal can move forward.

There is no deadline needed here tonight and this morning. There is no deadline, because all of those opponents and those individuals who have said that they need this legislation have not yet been able to discern why we are doing it this evening. Other than the fact that there is some concern about whether or not we will be able to compete with New Jersey and New York and surrounding States around Pennsylvania is the only area that I have heard that would even slightly give me an idea that the major concern is based around something that may take place in August and they want to be able to be on the same page. Well, we are coming back in September, from what I understand, and if that be the case, then there is really no rush here this evening. But those individuals who have decided that this \$5-billion-plus project is something that must take place immediately have not gathered any understanding at all as to how it will impact directly on those individual constituents in our communities.

It is ironic that the votes that are already decided upon on this issue, the business interests that have been gathered up on this matter, seemingly it has already been determined that most of those members on the other side of the aisle are going to be solid green and that those individuals that they have been able to hoodwink and bamboozle on this side of the aisle are also going to be placed in the same position, and as a result, they are going to be able to say that they did their deal no matter what other individuals felt or what other individuals felt was important to their constituents.

The other thing is that as we talk about the PUC, it is very ironic that all of the deals that are being cut as to whether or not there will be any determination made by the PUC and the rates that are going to be passed on to our constituents have not been determined as to what is the cost of that, and I raise the question tonight that if they have indicated that this is somewhere around a \$5-billion project that must be voted on tonight, is there a fiscal note? Is there a fiscal note attached to this legislation, and if there is one, what is the fiscal impact of this particular legislation? I have not heard that this evening,

and I do know that there must be some fiscal impact to this particular piece of legislation.

Mr. Speaker, I stand as one individual who has been a member of this House for 21 years. I have never, ever seen anything like this in my life — for us to be pushed into a situation, unlike the budget process where we may have to stay up all night and deal with issues as they relate directly to individuals that may come down on the side of deciding whether or not they are going to be for or against the budget because they may be trying to get something for their constituents in their legislative district or working out something that may be meaningful back home, or whether or not it is a matter of dealing with a particular pay raise and whether or not members can be able to juggle whether or not they can afford to vote for a pay raise in their particular districts and take the hit back home, and we may stay up all night to debate that. But I have never seen a matter that has been discussed for maybe a couple of years, and maybe 3 years, that has been put on the fast track tonight so that we have to vote and get out of here before the Senate and its problems with respect to what may happen next week and place ourselves in a position of following the lead of those individuals in the Senate so we can say that we did something on our own. We are not doing anything on our own tonight, Mr. Speaker; we are doing something for somebody else, and it has placed us in a position. There to struggle; there to win.

It is quite obvious that there is no real concern about those of us who feel that there is no compassionate reason why we are doing this this evening. And even talking to leadership, other than the fact that this was cut a long time ago, in the last 24 hours, to try to deal with saying that we had to do this because we made an agreement for some other bills to get passed, why, they still in fact have placed other members in positions of, now because they got a certain bill, because they got a certain agreement, based on their own selfish interests, not the masses of the people but their selfish interests. And at some point, no matter what we say, we will not know what the impact of this will have on our constituents until further along down the line. Therefore, dialogue and discussion is always agreeable and amenable to us to be able to find out what is really happening for those folks back home, and none of you can tell us.

When I asked directly, what is the impact on my constituency back home, I have not gotten the answer yet. When I asked specifically in the caucus today, can you tell me what will happen if in fact this winds up to be a bad deal, we never got an answer yet. You said that this is what has been told, that we had to do it now, and therefore, we should be satisfied with the answer that is being given no matter what we feel.

So therefore, for many of us, as you talked about the children and the other siblings here today, I was so touched to hear us talk about all the little children who may benefit from this as they grow up. Well, what about the suffering, indigent, locked out, left out, downtrodden individuals that do not have that hope or that glee? What about those individual persons

that do not even know what this deal is and cannot even describe what fiber optics is all about? What about those individual persons that may need some training to even go into understanding future technology and how future technology will have a direct impact on the masses of the people whom we say we are voting in favor of this morning? It is amazing to me that none of that has ever factored in to our reasoning or rationale to make a decision about where we go from here.

And it is clear that I know we do not want to hear that this morning. For some reason we have gone past and beyond anything comprehensible to man or woman to say to our constituents that we have just accepted this no matter what. But I want to see what you are going to say to your newspapers back home — your local newspapers and your local radio and TV stations — about why we voted for this so soon. What about our senior citizens? What about those who really do not understand it? Now, do not tell me they all up here adopted this. They even had a meeting to determine whether or not they even understand this fiber-optics situation or not. For those who try to push that down our throats and say they have adopted this piece of legislation when we have not even had a chance to even see it ourselves other than receiving it on the floor of the House with the Senate amendments in it, it is hogwash, and it is about time that we realize and understand that we have a major responsibility more so to the constituency that we represent than to the special interests that have now gobbled us all up and put us in one shell and said, we got them.

In my conclusion, Mr. Speaker, it is very clear that we do not have any real way of being able to give our protests and our concern at this eleventh hour. The decision has been made, the deal has been cut, the money has been cut up, and the decision for where these things are going to be dealt with all across this Commonwealth has already been determined. When we asked for a delay, asked for this bill to be held until next week or even held until the fall, we were told that we have to do it tonight. When we asked whether or not, because there were some other concerns, we could get together with Bell and other folks to get a clear picture of what this actually is doing to the masses of the people, we were told that the report is out, the studies have been done, they have given us different documents, and therefore, that is the best answer that we can give.

I think that we have been tricked. I believe that we have been placed in a position of embarrassment, and I believe this House of Representatives—and I so predict now—will have a situation in front of us where this issue will come back to haunt us and will be an albatross around our neck and a situation that would indicate very strongly and very clearly that the haste that we make today may be our detriment in the end, and for those of you who may not even be here when it happens, at least it will be recorded in history on this day, June 24, 1993, that I told you so. If in fact we do not clear up our act, we are going to be the laughingstock of Pennsylvania, because there are many individuals in this Commonwealth that clearly understand that what has happened here today is a

situation where there were other individuals who were on this fast track who decided that it does not matter what those of us believe, our concern about real good government in terms of deals that could be made to help deal with future technology, including fiber optics, et cetera.

The other thing is that—and it has not been said, and I think it needs to be shared now—urban, rural, and suburban Pennsylvanians, no matter where you live, every ethnic group of people have a concern about how it will impact in their community. Those who are uneducated and those individuals who are illiterate and those individuals who need an opportunity to understand how this will work, what type of training and workshops are going to be set up to be able to teach the masses of our people? What is going to be set up to help deal with the technology? As we understood and we saw the industrial revolution and we saw other things come into play, people were trained to learn how to deal with the industrial revolution. As we go into modern technology and dealing with fiber optics, is there not an opportunity for us to make sure that we place the educational side of this inside of any package that we are dealing with in order to make sure that the people learn clearly what is going on as opposed to always being left out? Here we had an opportunity to do that, and we have done that almost in every other situation where we have had public hearings to allow people the opportunity of their input.

We have not had an opportunity on HB 84 to have input from the people. We have not heard from consumer groups and others who are out there every day advocating this issue. A gentleman in Philadelphia whose name is Max Weiner, who died as an advocate for consumers, would be outraged and is turning over in his grave today to know that we are taking this issue and not dealing with something that would have an opportunity for us to help deal with making sure people are educated around there. Their consumer protection organization is one of the strongest organizations in the city of Philadelphia and the Commonwealth of Pennsylvania to help deal with issues like this, when it comes to putting special rates on people and the impact that it is going to have on them down in the end.

I just believe that we are doing something wrong. I believe it in my heart, and I believe it in my mind, and when I feel something very strongly about that, I believe that the only place that I can afford the opportunity to be able to share what I feel in my heart and mind is to say it on the floor of this House so that at least the record would indicate our concern over this matter.

Mr. Speaker, I ask those who have already made their minds up to think one moment of reconsideration. Think about the babies, think about the grandmothers, think about those yet unborn, and then think about how we can also be able to do business in a fashion that will make sure that everybody is included and not left out. If we take that into consideration, Mr. Speaker, I believe that we could ask for a delay on this bill until the time comes when we have an opportunity to have full airing and a full opportunity to hear from those individuals

who cannot fend for themselves and want to place a different position on the floor of this House and to our members. It is not right what we are doing. We are doing something wrong.

This is not the time to deal with an issue when many people's minds are cloudy and many people's minds are not clear on why they are doing it, other than the fact that someone told them to do it. I ask you, Mr. Speaker, to take that into consideration and vote "no" to nonconcur on HB 84.

The SPEAKER. The Chair thanks the gentleman and recognizes Mr. Dent.

Mr. DENT. Thank you, Mr. Speaker.

I would like to interrogate the maker of this bill, Mr. Wright, for two questions.

The SPEAKER. The gentleman, Mr. Wright, indicates he will stand for interrogation. Mr. Dent may proceed.

Mr. DENT. Thank you, Mr. Speaker.

As you know, this bill has been debated, discussed, and negotiated for a few years, and my question is specifically this: There were three bills introduced earlier this session — SB 2, HB 4, and also Mr. Lloyd's proposal, the number of which I cannot recall. In your view, which proposal does this legislation most closely reflect?

Mr. D. R. WRIGHT. I believe it most closely reflects the original HB 4. If you asked me to say how much, I guess I would guess about 75 percent of HB 4. The other 25 percent had been negotiated as well as the amendments that had been offered by certain members of the House, several members of the House, which we were able to accommodate in the House bill that you have before you today.

Mr. DENT. My second question concerns language on the bottom of pages 16 and 17, and it has to do with the fact that most of the opponents of this bill have argued that the legislature should not be mandating rate increases, and you apparently have addressed that, and also, on the issue of subsidiaries, you have also seemed to have addressed that, too, on page 17. Have the opponents of this bill had the opportunity to look at that language, and have they concurred in it or grudgingly accepted it, whatever?

Mr. D. R. WRIGHT. To be on the safe side, I think I would say grudgingly accept. There may be those who wish that they could do a little more around the edges, do a little trimming here and there, but even those who were the most ardent opponents of this kind of legislation have come to recognize that this is a solid piece of legislation, and in the main, they support it.

Mr. DENT. Thank you very much.

Mr. D. R. WRIGHT. Thank you.

The SPEAKER. The Chair recognizes Ms. Steelman.

Ms. STEELMAN. Thank you, Mr. Speaker.

My esteemed colleague, the gentleman from Murrysville, encouraged you to vote for HB 84 on behalf of my daughter. As Amy Steelman's Representative in the legislature, however, I feel that I must point out that she would prefer that you not vote for this bill because it actually violates two of her deeply held personal principles.

One of those principles is the value of energetic competition. Amy thinks—and I agree with her—that competition is one of the best ways of improving outcomes, and she would believe, as I do, that this bill, which assumes that there is only one player capable of creating a telecommunications network, is a bill that actually works against competition in the free market to try and provide the highest level of services to consumers.

Amy also believes very strongly in the importance of playing by the rules, and when she is involved in a competition and one of the other players tries to make up rules without reference to the referee and put those rules into action, until the referee actually explains that they are not allowed to do that particular procedure, Amy gets very upset, and I think she would see this bill as an attempt on the part of one of the players in the game of providing telecommunications networks as an attempt to set the rules without reference to an outside referee.

So it is my belief that if we really want to get the best possible results in terms of creating informational networks in the Commonwealth of Pennsylvania, we ought not to worry too much about creating enabling legislation but we should let the free market and free competition do their work. Thank you, Mr. Speaker.

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

Mr. ACOSTA. Thank you, Mr. Speaker.

I have just got to say one thing, and that would be that the next time around, when I have to put a vote to choose my leadership, those of you who are going to make decisions for the rest of this body here, I am going to be very, very cautious. What you have done to us tonight is plain, plain abuse. We should have had discussions on this matter, and we should have been aware of why we are here all night and why we are going to be here probably a few more hours.

I will say that most of the people here are just trying to do a job and trying to do the best that we can, but this kind of issue and this kind of legislation, hidden legislation that you guys do on your own and you guys make deals on your own, should not be placed as open punishment on us.

I will say that we are going to remember all of this. Thank you.

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

Mr. LEVDANSKY. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of free-market economics. I rise and urge a "no" vote on concurrence with amendments to HB 84.

This legislation gives financial incentives to telephone companies when it really is not necessary because the markets for investments are already working. Fiber-optic cable is already being deployed across this Commonwealth, and we have seen that in terms of investment commitments and decisions that have been made by cable TV companies to deploy fiber optics and by Bell Telephone itself, which has already begun deploying fiber optics. Cable and telephone companies have already paid for this deployment through

investor funds or through going to the capital markets and borrowing funds to make those necessary investments. Why should we force ratepayers to pay for investments which really should be paid by the investors or through access to the capital markets?

Over the last 10 years, we have seen technological change being deployed at a rapid rate in the telephone industry and we have also seen personnel costs being reduced in the same industry, so much so that nationwide we have seen a \$3-billion reduction in rates charged to the people who pay for telephone service, yet in that same time period in Pennsylvania, we do not see reductions in rates to our ratepayers that should be enjoyed because of technological change and cost reductions. What in essence has been accomplished in Pennsylvania is that we have in essence been propping up the profit margins of the telephone companies here in Pennsylvania.

The Deloitte & Touche study that was performed for the Public Utility Commission showed in effect that this deployment of fiber optics is already happening. In effect, what we are being urged to do, through accepting HB 84, is to significantly increase the cost to ratepayers to pay for the deployment, which will only marginally impact that deployment of fiber optics that would otherwise happen on its own.

What we are doing here in considering HB 84—and I am sure there are the votes here to pass it—is we are greasing the skids and juicing up the markets in response to the exercise of raw political power by lobbyists and PAC's (political action committees). HB 84 is not on this calendar because of our interest in our children's future. We are voting on it this morning because this General Assembly is being quite responsive to the interest of moneyed interests, not the public interest.

Vote "no." Thank you.

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

Mr. VITALI. Very briefly.

Mr. Speaker, I would urge a nonconcurrence vote on HB 84.

Very quickly, this is a major piece of legislation, and I am not sure whether it ultimately will be a good or a bad bill, but the fact of the matter is, I, along with many other members, am simply not in a position to make an intelligent decision this morning. We recently got the bill, with diminished cognitive skills. A piece of legislation like this requires much more study.

I think leadership has shown a distinct lack of respect for rank-and-file legislators by forcing us to take a vote like this.

The SPEAKER. The gentleman will keep his remarks to the concurrence; the gentleman will keep his remarks to the concurrence debate.

Mr. VITAJI. Beyond that aspect of it, I think that many arguments have been made with regard to this bill by those justifying a "yes" vote that, well, this particular special interest, be it Bell or the newspapers or the cable, has been satisfied. No one is complaining, so it must be okay. But I think we forget the fact that we do not represent those special interests;

we represent the general interest of the people, and I would submit to you that they have not been heard yet.

I think the main problem with this bill as I see it is that the rank-and-file citizen is paying for this, yet he is not the one who is going to receive the benefit of it. Those citizens who will pay by rate increases in their phone bills for the next 30 years are not going to get the benefits of this. Those who will get the benefits of it will be those with specialized use, be it the hospitals or the educational institutions or those with the special needs for this broadband service, not the service of the basic phone line.

It seems to me that this system, this very expensive system, should be funded by investors, private investors—this is our capitalistic society—private investors who will in turn reap their profits by fees paid for people who actually use it.

I think that I agree with Representative Levdansky that this vote is being driven by money, and I think when it is all over and we see where the PAC contributions fall after this, I think it will show that this bill will be the best argument there will be for campaign finance reform.

I urge a nonconcurrency on HB 84.

The SPEAKER. Mrs. Durham is recognized.

Mrs. DURHAM. Thank you, Mr. Speaker.

Mr. Speaker, I strongly urge that we support this legislation.

Earlier speakers have said this is unprecedented. Well, it is not unprecedented. Over 40 other States have already dealt with this issue. New Jersey has already dealt with it; the State of Delaware has already dealt with it. It is about time Pennsylvania deal with this issue and make Pennsylvania viable for the future.

If you look at the Deloitte & Touche study that the PUC commissioned, they tell you some interesting facts. Over 240,000 new jobs will be created, over \$289 million in new tax revenues will be created, and over \$40 billion in personal income will be created.

So for those three reasons, I strongly urge you to support this legislation. Thank you.

The SPEAKER. The gentleman, Mr. Wright, for an observation.

Mr. D. R. WRIGHT. Mr. Speaker, I understand the restlessness of the House. As the prime sponsor of this legislation, I thought there were a number of things that I would do. I would attempt to at least try to inform some people what was in the legislation if they did not know. I would try to respond to some of the objections that had been raised. I would want to tell Amy Steelman, if she were around, that there are strong safeguards with regard to competition in this legislation; there is strong joint venture language in this legislation. But I will not do all of those things. I will just simply say that for my part—and I do not know about you; I just speak for me—this is one of the few opportunities that I have had in this House to feel that I was a part of something of lasting value.

I am reminded of the person who was 90 years old and planting a peach tree, and he was asked why he was doing it,

and he said, I have eaten peaches from trees all my life that I never planted; it is my turn to plant a tree.

You look at this legislation and this 100-percent deployment will be in the year 2015. Some of us, if we are lucky, will be just barely hanging on to life. There is a word that we do not use very often but it has great meaning, and the word is posterity. We have an opportunity tonight to do something of lasting value for posterity.

Mr. Speaker, I move the adoption of concurrence of this HB 84.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House concur in Senate amendments?

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

YEAS—146

Adolph	Farmer	Leh	Rooney
Armstrong	Fee	Lescovitz	Rubley
Baker	Fichter	Lynch	Ryan
Barley	Fleagle	Maitland	Santoni
Battisto	Flick	Manderino	Sather
Belardi	Gamble	Markosek	Saurman
Birmelin	Gannon	Marsico	Scheetz
Bishop	Geist	Masland	Schuler
Boyes	George	Mayernik	Semmel
Brown	Gerlach	McGeehan	Serafini
Bunt	Gigliotti	Melio	Smith, S. H.
Butkovitz	Gladeck	Merry	Snyder, D. W.
Buxton	Gordner	Micozzie	Staback
Caltagirone	Gruitza	Miller	Stairs
Cessar	Gruppo	Mundy	Steighner
Chadwick	Hanna	Murphy	Steil
Civera	Harley	Nailor	Stern
Clark	Hasay	Nyce	Stish
Clymer	Hennessey	O'Brien	Strittmatter
Cohen, L. I.	Herman	Olasz	Sturla
Colaella	Hershey	Oliver	Surra
Colaizzo	Hess	Perzel	Tangretti
Cornell	Hutchinson	Petrone	Taylor, E. Z.
Corrigan	Itkin	Pettit	Taylor, J.
Cowell	Jadlowiec	Piccola	Tomlinson
Coy	Jarolin	Pistella	Trello
Daley	Kaiser	Pitts	Trich
DeLuca	Kasunic	Preston	True
Dempsey	Keller	Raymond	Tulli
Dent	Kenney	Reber	Uliana
Dermody	Kirkland	Reinard	Vance
Donatucci	LaGrotta	Rieger	Veon
Druce	Laub	Roberts	Wozniak
Durham	Laughlin	Robinson	Wright, D. R.
Egolf	Lawless	Roeback	Wright, M. N.
Fajt	Lederer	Rohrer	Yewcic
Fargo	Lee		

NAYS—52

Acosta	Freeman	Michlovic	Stelman
Allen	Godshall	Mihalich	Stetler
Argall	Hughes	Nickol	Thomas
Bebko-Jones	James	Pesci	Tigue
Belfanti	Josephs	Petrarca	Van Horne
Blaum	King	Phillips	Vitali
Cappabianca	Krebs	Platts	Waugh
Carn	Kukovich	Richardson	Williams
Carone	Levdansky	Ritter	Yandrisevits
Cawley	Linton	Rudy	Zug

Cohen, M.	Lloyd	Saylor	
Curry	Lucyk	Scrimenti	DeWeese,
Evans	McCall	Smith, B.	Speaker
Fairchild	McNally		

NOT VOTING—0

EXCUSED—5

Bush	Heckler	O'Donnell	Wogan
Haluska			

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

Ordered, That the clerk inform the Senate accordingly.

RULES SUSPENDED

The SPEAKER. The Chair recognizes the majority leader. Mr. ITKIN. Mr. Speaker, I move that the rules of the House be suspended in order that HB 986, Mr. Fairchild's bill, go immediately to the calendar.

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

The following roll call was recorded:

YEAS—186

Acosta	Evans	Lucyk	Santoni
Adolph	Fairchild	Lynch	Sather
Allen	Fajt	Maitland	Saurman
Argall	Fargo	Manderino	Saylor
Armstrong	Farmer	Markosek	Scheetz
Baker	Fee	Marsico	Schuler
Barley	Fichter	Masland	Scrimenti
Battisto	Fleagle	McCall	Semmel
Bebko-Jones	Flick	McGeohan	Serafini
Belardi	Gamble	McNally	Smith, B.
Belfanti	Gannon	Merry	Smith, S. H.
Birmelin	Geist	Michlovic	Snyder, D. W.
Bishop	George	Micozzie	Staback
Blaum	Gerlach	Mihalich	Stairs
Boyes	Gigliotti	Miller	Steighner
Brown	Gladeck	Mundy	Steil
Bunt	Godshall	Murphy	Stern
Butkovitz	Gordner	Nailor	Stetler
Buxton	Gruitza	Nickol	Stish
Caltagirone	Gruppo	Nyce	Strittmatter
Cappabianca	Harley	O'Brien	Sturla
Carn	Hasay	Olasz	Surra
Carone	Hennessey	Oliver	Tangretti
Cawley	Herman	Perzel	Taylor, E. Z.
Cessar	Hershey	Pesci	Taylor, J.
Chadwick	Hess	Petrarca	Thomas
Civera	Hughes	Petrone	Tomlinson
Clark	Hutchinson	Pettit	Trello
Clymer	Itkin	Phillips	Trich
Cohen, L. I.	Jadlowiec	Piccola	True
Cohen, M.	Jarolin	Pistella	Tulli
Colaifella	Kasunic	Pitts	Uliana
Colaizzo	Kenney	Platts	Vance
Cornell	King	Preston	Van Home
Corrigan	Kirkland	Raymond	Veon
Cowell	Kukovich	Reber	Vitali
Coy	LaGrotta	Reinard	Waugh

Curry	Laub	Richardson	Williams
Daley	Laughlin	Rieger	Wozniak
DeLuca	Lawless	Ritter	Wright, D. R.
Dempsey	Lederer	Roberts	Wright, M. N.
Dent	Lee	Robinson	Yandrisevits
Dermody	Leh	Roebuck	Yewcic
Donatucci	Lescovitz	Rooney	Zug
Druce	Levdansky	Rubley	
Durham	Linton	Rudy	DeWeese,
Egolf	Lloyd	Ryan	Speaker

NAYS—8

Freeman	Josephs	Krebs	Steelman
Hanna	Kaiser	Mayernik	Tigue

NOT VOTING—4

James	Keller	Melio	Rohrer
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EXCUSED—5

Bush	Heckler	O'Donnell	Wogan
Haluska			

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

SENATE MESSAGE

AMENDED HOUSE BILL.

RETURNED FOR CONCURRENCE

The clerk of the Senate, being introduced, returned **HB 986, PN 2289**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

SUPPLEMENTAL CALENDAR B

BILL ON CONCURRENCE
IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 986, PN 2289**, entitled:

An Act amending Titles 74 (Transportation) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, authorizing designation of and regulating outdoor advertising along a scenic byway; further providing for definitions, for correcting certificates of title, for revocation or suspension of operating privilege, for judicial review of licensing, for required financial responsibility, for leaving an unattended child in a motor vehicle, for certification of mechanics, for vehicle widths and weights, for display of unauthorized indicators, for interference with traffic-control devices or signals, for court reports on transmission of funds, for snowmobile and all-terrain vehicle registration exemptions and reciprocity, for snowmobile and all-terrain vehicle penalties and for the allocation of oil company franchise tax revenues to the Pennsylvania Turnpike Commission; regulating certain motor license fund expenditures; and making a repeal.

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

The SPEAKER. The gentleman, Mr. Cessar, will explain the amendments that were incorporated in the Senate.

Mr. CESSAR. Thank you, Mr. Speaker.

We explained the amendments in the Republican caucus, and everybody understood them, and it is my understanding that the Democrats did the same thing, so if there is no explanation necessary, I would now move that we do roll the bill and vote for the bill, HB 986.

The SPEAKER. Mr. Petrarca is recognized.

Mr. PETRARCA. I concur with Rick Cessar.

The SPEAKER. The Chair thanks Joe Petrarca.

On the question recurring,

Will the House concur in Senate amendments?

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

YEAS—197

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

NAYS—0

NOT VOTING—1

Josephs

EXCUSED—5

Bush	Heckler	O'Donnell	Wogan
Haluska			

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

Ordered, That the clerk inform the Senate accordingly.

Ms. JOSEPHS. Point of order, Mr. Speaker.

My switch is totally malfunctioning, and I would like to vote orally, if I may.

The SPEAKER. The gentlelady will be recognized for a voice vote each time.

RULES SUSPENDED

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

Mr. RYAN. Mr. Speaker, I move that the rules of the House be temporarily suspended in order that HB 1515, HB 1718, HB 1721, and HB 1303 be considered.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—184

Acosta	Fairchild	Lynch	Sather
Adolph	Fajt	Maitland	Saurman
Allen	Fargo	Manderino	Saylor
Argall	Farmer	Markosek	Scheetz
Armstrong	Fee	Marsico	Schuler
Baker	Fichter	Masland	Scrimenti
Barley	Fleagle	McCall	Semmel
Battisto	Flick	McGeehan	Serafini
Bebko-Jones	Gamble	Melio	Smith, B.
Belardi	Gannon	Merry	Smith, S. H.
Belfanti	Geist	Michlovic	Snyder, D. W.
Birmelin	George	Micozzie	Staback
Bishop	Gerlach	Mihalich	Stairs
Blaum	Gigliotti	Miller	Steighner
Boyes	Gladeck	Mundy	Steil
Brown	Godshall	Murphy	Stern
Bunt	Gordner	Nailor	Stetler
Butkovitz	Gruitza	Nickol	Stish
Buxton	Gruppo	Nyce	Strittmatter
Caltagirone	Harley	O'Brien	Sturla
Cappabianca	Hasay	Oliver	Surra
Carone	Hennessey	Perzel	Tangretti
Cawley	Herman	Pesci	Taylor, E. Z.
Cessar	Hershey	Petrarca	Taylor, J.
Chadwick	Hess	Petrone	Thomas
Civera	Hughes	Pettit	Tomlinson
Clark	Hutchinson	Phillips	Trello
Clymer	Itkin	Piccola	Trich
Cohen, L. I.	Jadlowiec	Pistella	True
Cohen, M.	James	Pitts	Tulli

Colafella	Jarolin	Preston	Uliana
Colaizzo	Kasunic	Raymond	Vance
Cornell	Keller	Reber	Van Horne
Corrigan	Kenney	Reinard	Veon
Cowell	King	Richardson	Vitali
Coy	Kirkland	Rieger	Waugh
Curry	Kukovich	Ritter	Williams
Daley	LaGrotta	Roberts	Wozniak
DeLuca	Laub	Robinson	Wright, D. R.
Dempsey	Laughlin	Roebuck	Wright, M. N.
Dent	Lawless	Rohrer	Yandrisevits
Dermody	Lederer	Rooney	Yewcic
Donatucci	Leh	Rubley	Zug
Druce	Lescovitz	Rudy	
Durham	Linton	Ryan	DeWeese,
Egolf	Lloyd	Santoni	Speaker
Evans	Lucyk		

NAYS—10

Freeman	Krebs	Mayernik	Steelman
Hanna	Lee	Platts	Tigue
Kaiser	Levdansky		

NOT VOTING—4

Carn	Josephs	McNally	Olasz
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EXCUSED—5

Bush	Heckler	O'Donnell	Wogan
Haluska			

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.

VOTE CORRECTIONS

The SPEAKER. The Chair recognizes the gentlelady from Philadelphia, Ms. Josephs.

Ms. JOSEPHS. Mr. Speaker, I wish to be in the affirmative on that vote.

The SPEAKER. The Chair apologizes to the lady. Representative Babette Josephs' vote on suspension of the rules will be in the affirmative.

Ms. JOSEPHS. Thank you, Mr. Speaker.

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

Mr. HUGHES. Mr. Speaker, the issue is correction of the record.

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

Mr. HUGHES. On HB 1706, PN 1918, final passage, Mr. Speaker, my switch malfunctioned. I was recorded in the "yes" and should have been recorded in the negative.

The SPEAKER. The Chair thanks the gentleman.

CALENDAR CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **IIB 1515, PN 2296**, entitled:

An Act providing for the assessment of real property subject to an agricultural conservation easement.

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

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

The question is, shall the bill pass finally?

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

YEAS—192

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

NAYS—0

NOT VOTING—6

Bishop	Carn	Manderino	Thomas
Butkovitz	Linton		

EXCUSED—5

Bush Heckler O'Donnell Wogan
Haluska

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

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

* * *

The House proceeded to third consideration of **HB 1718, PN 1996**, entitled:

An Act authorizing the Township of Lower Merion, Montgomery County, to sell and convey certain Project 70 lands free of restrictions imposed by the Project 70 Land Acquisition and Borrowing Act.

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

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

The question is, shall the bill pass finally?

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

YEAS—197

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

Cowell	Kenney	Preston	Van Horne
Coy	King	Raymond	Veon
Curry	Kirkland	Reber	Vitali
Daley	Krebs	Reinard	Waugh
DeLuca	Kukovich	Richardson	Williams
Dempsey	LaGrotta	Rieger	Wozniak
Dent	Laub	Ritter	Wright, D. R.
Dernody	Laughlin	Roberts	Wright, M. N.
Donatucci	Lawless	Robinson	Yandrisevits
Druce	Lederer	Roebuck	Yewcic
Durham	Lee	Rohrer	Zug
Egolf	Lch	Rooney	
Evans	Lescovitz	Rubley	DeWeese,
Fairchild	Levdansky	Rudy	Speaker
Fajt	Linton	Ryan	

NAYS—0

NOT VOTING—1

Olasz

EXCUSED—5

Bush Heckler O'Donnell Wogan
Haluska

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

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

* * *

The House proceeded to third consideration of **HB 1721, PN 1999**, entitled:

An Act amending Title 37 (Historical and Museums) of the Pennsylvania Consolidated Statutes, further providing for specific powers and duties.

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

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

The question is, shall the bill pass finally?

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

YEAS—198

Acosta	Fargo	Lloyd	Ryan
Adolph	Farmer	Lucyk	Santoni
Allen	Fee	Lynch	Sather
Argall	Fichter	Maitland	Saurman
Armstrong	Fleagle	Manderino	Saylor
Baker	Flick	Markosek	Scheetz
Barley	Freeman	Marsico	Schuler
Battisto	Gamble	Masland	Scrimenti
Bebko-Jones	Gannon	Mayernik	Semmel
Belardi	Geist	McCall	Serafini
Belfanti	George	McGeehan	Smith, B.
Birmelin	Gerlach	McNally	Smith, S. H.
Bishop	Gigliotti	Melio	Snyder, D. W.
Blaum	Gladeck	Merry	Staback
Boyes	Godshall	Michlovic	Stairs

Brown	Gordner	Micozzie	Steelman
Bunt	Gruitza	Mihalich	Steighner
Butkovitz	Gruppo	Miller	Steil
Buxton	Hanna	Mundy	Stern
Caltagirone	Harley	Murphy	Stetler
Cappabianca	Hasay	Nailor	Stish
Carn	Hennessey	Nickol	Strittmatter
Carone	Herman	Nyce	Sturla
Cawley	Hershey	O'Brien	Surra
Cessar	Hess	Olasz	Tangretti
Chadwick	Hughes	Oliver	Taylor, E. Z.
Civera	Hutchinson	Perzel	Taylor, J.
Clark	Itkin	Pesci	Thomas
Clymer	Jadlowiec	Petrarca	Tigue
Cohen, L. I.	James	Petrone	Tomlinson
Cohen, M.	Jarolin	Pettit	Trello
Colafrilla	Josephs	Phillips	Trich
Colaizzo	Kaiser	Piccola	True
Cornell	Kasunic	Pistella	Tulli
Corrigan	Keller	Pitts	Uliana
Cowell	Kenney	Platts	Vance
Coy	King	Preston	Van Home
Curry	Kirkland	Raymond	Veon
Daley	Krebs	Reber	Vitali
DeLuca	Kukovich	Reinard	Waugh
Dempsey	LaGrotta	Richardson	Williams
Dent	Laub	Rieger	Wozniak
Dermody	Laughlin	Ritter	Wright, D. R.
Donatucci	Lawless	Roberts	Wright, M. N.
Druce	Lederer	Robinson	Yandrisevits
Durham	Lee	Roebuck	Yewcic
Egolf	Leh	Rohrer	Zug
Evans	Lescovitz	Rooney	
Fairchild	Levdansky	Rublely	DeWeese,
Fajt	Linton	Rudy	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—5

Bush	Heckler	O'Donnell	Wogan
Haluska			

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

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

**THE SPEAKER PRO TEMPORE
(GREGORY C. FAJT) PRESIDING**

BILL ON FINAL PASSAGE POSTPONED

The House proceeded to consideration on final passage postponed of **HB 1704, PN 2265**, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for protective material required.

On the question recurring,
Shall the bill pass finally?

The SPEAKER pro tempore. On the question, the Chair recognizes the gentleman, Mr. Scheetz.

Mr. SCHEETZ. Thank you, Mr. Speaker.

Would the maker of the bill stand for a question?

The SPEAKER pro tempore. Will the gentleman, Mr. Levdansky, submit to interrogation? He indicates he will. The gentleman may proceed.

Mr. SCHEETZ. Mr. Speaker, would you clarify something. On page 2, the language in the "General rule" paragraph, would you explain to me, since this language is going into a bill, a piece of legislation, does this mean that it completely strips the Game Commission of their use of, well, in this case, fluorescent orange in any particular part of the game laws?

Mr. LEVDANSKY. No. This bill specifically supersedes the Game Commission regulation on blaze orange for turkey hunting only, and what we are doing is amending a section of the Game and Wildlife Code which specifically states exemptions for other uses of blaze orange.

Mr. SCHEETZ. Well, then as far as on page 3, section 1, you remove every other suggestion of blaze orange in the Game Code. As far as section 141.41(2), that refers to blaze orange used in deer hunting, and the same way with the other one, it refers to blaze orange used in archery hunting. So you are reinstating it then in the general rule as far as the use of blaze orange.

Mr. LEVDANSKY. No. Mr. Speaker, we are not rescinding the mandated use of blaze orange for big game hunting, for deer hunting, for bear hunting, et cetera, all-year groundhog. We are not rescinding that. We are simply rescinding the regulation that the Game Commission promulgated and adopted pursuant to the required fluorescent orange for turkey hunting.

Mr. SCHEETZ. Okay. Well, then answer this question, if you will: Since we removed the use of blaze orange for the turkey hunters, does that mean that sometime along the line, if there is a need to reinstate it, it has to be done through legislation?

Mr. LEVDANSKY. Yes. Actually what we did, Mr. Speaker, is put into statute a requirement to wear 100 square inches of blaze orange for the spring and the fall turkey hunting, superseding the regulation that the Game Commission adopted. Some would argue that the Game Commission adopted that regulation, and some would challenge the authority of the Game Commission to promulgate such a regulation in effect. There was previously a court challenge based on the fact that the Game Commission is, under law, responsible for setting seasons' bag limits and methods of hunting, and it was argued that the blaze orange requirement for big game, for example, was established in statute and any blaze orange requirement for any form of hunting ought to be done in statute rather than in regulation.

Mr. SCHEETZ. So your answer basically is, yes, in relation to turkey hunting, it would have to be done through legislation.

Mr. LEVDANSKY. Yes. My belief, Mr. Speaker, is that any requirement for blaze orange for any form of hunting is required in statute and can be done through statute but not through regulation, but that is my interpretation.

Mr. SCHEETZ. Well, what kind of determination, since you are the author of this legislation, would you decide— Now, last year accidents as a result of turkey hunting, of course, were down. Of course, you know, in that respect, I know you would answer, well, the harvest was down also. But supposing we remove or do what this bill is calling for and next year there is a whole host of shootings once again, would you take it upon yourself to decide that, well, maybe we ought to go back to this regulation that the Game Commission has suggested and only used for 1 year?

Mr. LEVDANSKY. Well, Mr. Speaker, the regulation that the Game Commission adopted that required 100 square inches of blaze orange to be worn while you are moving in the forest, the adoption of that regulation and the implementation of it for this past spring turkey hunting resulted in only about five or six turkey hunting accidents. That regulation promulgated and adopted by the Game Commission is exactly the language that I have in my bill. So if that language was effective as a regulation, it ought to be equally effective as language in a statute.

Mr. SCHEETZ. But you do not require it after you are at the site and doing the actual still hunting and calling?

Mr. LEVDANSKY. Correct. Correct. While you are in a stationary position calling, you will not be required to wear blaze orange while you are in a stationary calling position. You will be required to wear the 100 square inches of orange while you are moving.

Mr. SCHEETZ. Okay. I understand that fact, and I still would question the fact that most of the accidents, I think, happen while the calling is being done, and if in fact there are a lot of shootings next year, I just feel that the legislature should not be in a position to revisit this particular issue and decide, well, maybe if 10 people get shot, we will readdress the issue.

That is the end of my interrogation, Mr. Speaker. I have a short statement.

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

Mr. SCHEETZ. My concern, Mr. Speaker, is that maybe we are meddling in something here that really the legislature should not be involved with. My concern is that at the whim of any legislator's desire, we dip into the Game Commission regulations and decide, well, we are going to change that particular issue. I think it is something that possibly it would be best if we kept our hands off and not had 203 different decisions out there as far as how the Game Commission ought to do their operation. Thank you, Mr. Speaker.

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

Mr. PHILLIPS. Thank you, Mr. Speaker.

I rise to support HB 1704.

We have to remember that the wearing of orange, with the exception of the wearing of orange for turkey hunting, is in statute, and if we pass this bill, it would put it in statute. What we are doing is we are making spring turkey hunting and fall turkey hunting come under the same requirement and that is

the wearing of 100 square inches while moving. So I would ask for your support of HB 1704. Thank you.

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

Mr. GODSHALL. Thank you, Mr. Speaker.

I also rise and ask for concurrence and a favorable vote on HB 1704.

I would like to just mention very briefly that all requirements of blaze orange usage by hunters are in statute at this point. The only one that is not in statute is the turkey hunting requirement which the Game Commission took on their own when they passed the regulation. So we are not changing any laws. We are putting in statute the turkey hunting blaze orange requirement the same as all other blaze orange requirements are presently in statute.

This is a vote for the sportsmen of Pennsylvania, and I ask for a favorable vote. Thank you.

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

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

I would like to call the House's attention to several things relating to this issue that have not been brought out. The archery season for deer overlaps with small game season this year for the first time. You are going to have people in the woods with 250 square inches and then you are going to have the turkey hunters and the archery hunters with 100 square inches of fluorescent orange. You are establishing a double standard, and I think you are also establishing a dangerous precedent.

I would urge that you vote "no" on this HB 1704. Thank you.

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

Mr. LEVDANSKY. Thank you, Mr. Speaker.

Mr. Speaker, I am going to keep my remarks very brief, because I know we all want to get the heck out of here and blaze orange is not probably the most important thing that we have considered over the last 24 hours or so.

But just in response specifically to Mr. Smith's concern relative to the wearing of blaze orange during the 2 weeks of overlap for archery hunting, what Mr. Smith, I think, is not aware of is that the Game Commission adopted a regulation to require the wearing of 250 square inches of blaze orange during the overlap archery season for this year. However, what few people realize is that that regulation was improperly advertised and has been deemed to be an invalid regulation. So if this bill does not pass, there will be absolutely no requirement to wear blaze orange in this archery season. So if you are really concerned about safety during archery season, you will vote for it. Thank you.

On the question recurring,
Shall the bill pass finally?

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

YEAS—193

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

NAYS—3

Scheetz	Smith, B.	True
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NOT VOTING—2

Cohen, L. I.	Vitali
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EXCUSED—5

Bush	Heckler	O'Donnell	Wogan
Haluska			

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.

VOTE CORRECTION

The SPEAKER pro tempore. The Chair recognizes Representative Cohen.

Mrs. COHEN. Thank you, Mr. Speaker.

My switch malfunctioned, and I was not recorded as voting. I would like to be recorded as voting in the affirmative on the last measure.

The SPEAKER pro tempore. The Chair recognizes that and will have your remarks spread upon the record.

Mrs. COHEN. Thank you very much, Mr. Speaker.

SUPPLEMENTAL CALENDAR E

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1303, PN 1553**, entitled:

An Act amending the act of May 22, 1951 (P.L.317, No.69), known as The Professional Nursing Law, further providing for refusal, suspension or revocation of licenses.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—198

Acosta	Fargo	Lloyd	Ryan
Adolph	Farmer	Lucyk	Santoni
Allen	Fee	Lynch	Sather
Argall	Fichter	Maitland	Saurman
Armstrong	Fleagle	Manderino	Saylor
Baker	Flick	Markosek	Scheetz
Barley	Freeman	Marsico	Schuler
Battisto	Gamble	Masland	Scrimenti
Bebko-Jones	Gannon	Mayernik	Sommel
Belardi	Geist	McCall	Serafini
Belfanti	George	McGeehan	Smith, B.
Birmelin	Gerlach	McNally	Smith, S. H.
Bishop	Gigliotti	Melio	Snyder, D. W.
Blaum	Gladeck	Merry	Staback
Boyes	Godshall	Michlovic	Stairs
Brown	Gordner	Micozzie	Steelman
Bunt	Gruitza	Mihalich	Steighner
Butkovitz	Gruppo	Miller	Steil
Buxton	Hanna	Mundy	Stern
Caltagirone	Harley	Murphy	Stetler
Cappabianca	Hasay	Nailor	Stish
Carn	Hennessey	Nickol	Strittmatter
Carone	Herman	Nyce	Sturla
Cawley	Hershey	O'Brien	Surra
Cessar	Hess	Olasz	Tangretti
Chadwick	Hughes	Oliver	Taylor, E. Z.
Civera	Hutchinson	Perzel	Taylor, J.
Clark	Itkin	Pesci	Thomas
Clymer	Jadlowiec	Petrarca	Tigue
Cohen, L. I.	James	Petrone	Tomlinson
Cohen, M.	Jarolin	Pettit	Trello

Colafella	Josephs	Phillips	Trich
Colaizzo	Kaiser	Piccola	True
Cornell	Kasunic	Pistella	Tulli
Corrigan	Keller	Pitts	Uliana
Cowell	Kenney	Platts	Vance
Coy	King	Preston	Van Horne
Curry	Kirkland	Raymond	Veon
Daley	Krebs	Reber	Vitali
DeLuca	Kukovich	Reinard	Waugh
Dempsey	LaGrotta	Richardson	Williams
Dent	Laub	Rieger	Wozniak
Dermody	Laughlin	Ritter	Wright, D. R.
Donatucci	Lawless	Roberts	Wright, M. N.
Druce	Lederer	Robinson	Yandrisevits
Durham	Lee	Roebuck	Yewcic
Egolf	Leh	Rohrer	Zug
Evans	Lescovitz	Rooney	
Fairchild	Levdanský	Rubley	DeWeese,
Fajt	Linton	Rudy	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—5

Bush	Heckler	O'Donnell	Wogan
Haluska			

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.

RULES SUSPENDED

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

Mr. ITKIN. Mr. Speaker, I move to suspend the rules so that we may consider HR's 155 and 147.

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

The following roll call was recorded:

YEAS—192

Acosta	Farmer	Maitland	Sather
Adolph	Fee	Manderino	Saurman
Allen	Fichter	Markosek	Saylor
Argall	Fleagle	Marsico	Scheetz
Armstrong	Plick	Masland	Schuler
Baker	Freeman	Mayernik	Scrimenti
Barley	Gamble	McCall	Semmel
Battisto	Gannon	McGeehan	Serafini
Belardi	Geist	McNally	Smith, B.
Belfanti	George	Melio	Smith, S. H.
Birmelin	Gerlach	Meny	Snyder, D. W.
Blaum	Gigliotti	Michlovic	Staback
Boyes	Gladeck	Micozzie	Stairs
Brown	Godshall	Mihalich	Steelman
Bunt	Gordner	Miller	Steighner
Butkovitz	Gruitza	Mundy	Steil
Buxton	Gruppo	Murphy	Stern
Caltagirone	Harley	Nailor	Stetler
Cappabianca	Hasay	Nickol	Stish

Carn	Hennessey	Nyce	Stittmatter
Carone	Herman	O'Brien	Sturla
Cawley	Hershey	Olasz	Surra
Cessar	Hess	Oliver	Tangretti
Chadwick	Hughes	Perzel	Taylor, E. Z.
Civera	Hutchinson	Pesci	Taylor, J.
Clark	Itkin	Petrarca	Thomas
Clymer	Jadlowiec	Petrone	Tigue
Cohen, L. I.	James	Pettit	Tomlinson
Cohen, M.	Jarolin	Phillips	Trello
Colafella	Josephs	Pistella	Trich
Colaizzo	Kasunic	Pitts	True
Cornell	Keller	Platts	Tulli
Corrigan	Kenney	Preston	Uliana
Cowell	King	Raymond	Vance
Coy	Kirkland	Reber	Van Horne
Curry	Krebs	Reinard	Veon
Daley	Kukovich	Richardson	Vitali
DeLuca	LaGrotta	Rieger	Waugh
Dempsey	Laub	Ritter	Williams
Dent	Laughlin	Roberts	Wozniak
Dermody	Lawless	Robinson	Wright, D. R.
Donatucci	Lederer	Roebuck	Wright, M. N.
Druce	Lee	Rohrer	Yandrisevits
Durham	Lescovitz	Rooney	Yewcic
Egolf	Levdanský	Rubley	Zug
Evans	Linton	Rudy	
Fairchild	Lloyd	Ryan	DeWeese,
Fajt	Lucyk	Santoni	Speaker
Fargo	Lynch		

NAYS—4

Hanna	Kaiser	Leh	Piccola
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NOT VOTING—2

Bebko-Jones	Bishop
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EXCUSED—5

Bush	Heckler	O'Donnell	Wogan
Haluska			

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.

CALENDAR CONTINUED

RESOLUTIONS

Mr. CESSAR called up HR 147, PN 2276, entitled:

A Concurrent Resolution requesting the Commonwealth's representative on the Northeast Ozone Transport Commission to not endorse a petition in favor of certain program mandates and providing for notice to the Commonwealth of any actions by NOTC which may affect the Commonwealth.

On the question,
Will the House adopt the resolution?

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER pro tempore. On that question, the Chair recognizes Mr. Cessar.

Mr. CESSAR. Thank you, Mr. Speaker.

I submit comments for the record and additional cosponsors. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman for his brevity.

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

This resolution is an effort to make certain that the will of this General Assembly is carried out without interference from outside sources.

The Northeast Ozone Transport Commission was established by the Clean Air Act to evaluate regionwide cooperation in solving our ground-level ozone problem in the Northeast. It is merely an advisory group.

The commission has one representative from each State — a DER Deputy Secretary in Pennsylvania's case. It is charged with evaluating strategies, NOT lawmaking.

Now, we have learned that at their last meeting, the Ozone Transport Commission established an ad hoc subcommittee to study petitioning the EPA to force all States in the region to adopt a low-emission vehicle program, better known as a "California" car.

Several States in the region have tried to adopt the LEV on their own but have been met with court rulings overturning their efforts. This subcommittee is an effort to end-run our States' lawmaking bodies in the region.

Last year in this chamber, we passed an emissions bill which set up a committee to study whether Pennsylvania should adopt a "California" car. The work of this committee will not be completed until August. At the time of its completion, a report will be sent to the Governor and the General Assembly.

My resolution asks our Pennsylvania representative to the commission to vote against an EPA petition, and further requests that this General Assembly be kept notified of the Northeast Ozone Transport Commission's subsequent proposals.

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

The following roll call was recorded:

YEAS—195

Acosta	Fargo	Lucyk	Ryan
Adolph	Farmer	Lynch	Santoni
Allen	Fee	Maitland	Sather
Argall	Fichter	Manderino	Saurman
Armstrong	Fleagle	Markosek	Saylor
Baker	Flick	Marsico	Scheetz
Barley	Gamble	Masland	Schuler
Battisto	Gannon	Mayernik	Scrimenti
Bebko-Jones	Geist	McCall	Semmel
Belardi	George	McGeehan	Serafini
Belfanti	Gerlach	McNally	Smith, B.
Birmelin	Gigliotti	Melio	Smith, S. H.
Bishop	Gladeck	Merry	Snyder, D. W.
Blaum	Godshall	Michlovic	Staback
Boyes	Gordner	Micozzie	Stairs
Brown	Gruitza	Mihalich	Steelman
Bunt	Gruppo	Miller	Steighner
Butkovitz	Hanna	Mundy	Steil
Buxton	Harley	Murphy	Stern
Caltagirone	Hasay	Nailor	Stetler
Cappabianca	Hennessey	Nickol	Stish
Carn	Herman	Nyce	Strittmatter
Carone	Hershey	O'Brien	Sturla
Cawley	Hess	Olasz	Surra
Cessar	Hughes	Oliver	Tangretti
Chadwick	Hutchinson	Perzel	Taylor, E. Z.
Civera	Itkin	Pesci	Taylor, J.

Clark	Jadlowiec	Petrarca	Thomas
Clymer	James	Petrone	Tigue
Cohen, L. I.	Jarolin	Pettit	Tomlinson
Cohen, M.	Kaiser	Phillips	Trello
Colafrella	Kasunic	Piccola	Trich
Colaizzo	Keller	Pistella	True
Cornell	Kenney	Pitts	Tulli
Corrigan	King	Platts	Uliana
Cowell	Kirkland	Preston	Vance
Coy	Krebs	Raymond	Van Home
Curry	Kukovich	Reber	Veon
Daley	LaGrotta	Reinard	Waugh
DeLuca	Laub	Richardson	Williams
Dempsey	Laughlin	Rieger	Wozniak
Dent	Lawless	Ritter	Wright, D. R.
Dermody	Lederer	Roberts	Wright, M. N.
Donatucci	Lee	Robinson	Yandrisevits
Druce	Leh	Roebuck	Yewcic
Durham	Lescovitz	Rohrer	Zug
Egolf	Levdansky	Rooney	
Evans	Linton	Rubley	DeWeese,
Fairchild	Lloyd	Rudy	Speaker
Fajt			

NAYS—0

NOT VOTING—3

Freeman	Josephs	Vitali
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EXCUSED—5

Bush	Heckler	O'Donnell	Wogan
Haluska			

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

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

* * *

The SPEAKER pro tempore. The gentleman, Mr. Geist, calls up HR 155.

The following resolution was read:

House Resolution No. 155

A RESOLUTION

Directing the Department of Transportation to study the cost of establishing a second daily "Pennsylvanian" passenger train.

WHEREAS, The "Pennsylvanian" is a daily passenger train operated by Amtrak with financial support generated through funding granted by the General Assembly to the Department of Transportation and serves Commonwealth residents with stops in Pittsburgh, Greensburg, Latrobe, Johnstown, Altoona, Tyrone, Huntingdon, Lewistown, Harrisburg, Lancaster, Downingtown, Paoli, Ardmore, Philadelphia, Trenton, NJ, Princeton Junction, NJ, New Brunswick, NJ, Metropark, NJ, Newark, NJ, and New York City, NY; and

WHEREAS, The "Pennsylvanian" is Amtrak's most successful State-supported train. Ridership has more than doubled, increasing from 83,109 in fiscal year 1980-1981, its first full year of operation, to 198,000 in fiscal year 1990-1991; and

WHEREAS, The "Pennsylvanian" has generated a profit of \$1.8 million in 1989-1990; and

WHEREAS, Passengers now traveling west by Amtrak to Pittsburgh generally must spend two nights in Pittsburgh before

returning to their originating city because there is no eastbound afternoon train departure from Pittsburgh; and

WHEREAS, It is generally conceded by transportation experts that in travel markets where there are increase in the frequency of services, there is geometrical increases in the demand for that service; and

WHEREAS, On its journey between Philadelphia and Pittsburgh, the "Pennsylvanian" travels through 13 counties, eight of which fail to meet the minimum standards established by the Clean Air Act for ozone and carbon monoxide; the levels of carbon monoxide and ozone in these counties range in severity from marginal to severe; and

WHEREAS, The Federal Intermodal Surface Transportation Efficiency Act of 1991 requires that highway transportation improvements projects initiated by either the State or local governments address the mitigation of traffic congestion and comply with the objectives of the Clean Air Act; and

WHEREAS, Both Amtrak and public transit provide an alternative to travel by internal combustion engine-driven private auto, the chief source of ozone and carbon monoxide, thereby reducing pollution from intercity travel; and

WHEREAS, Amtrak has agreed to provide a second "Pennsylvanian" whenever the Department of Transportation agrees to bear the Commonwealth's estimated share of costs; and

WHEREAS, Amtrak's president, W. Graham Claytor, was quoted in a recent trade publication as saying that an additional train frequency on this corridor was one of the corporation's goals for the spring of 1992; and

WHEREAS, Any new or rebuilt locomotives for this additional service could be constructed in Pennsylvania at facilities in Erie, Altoona or Mountain Top; and

WHEREAS, Amtrak has reported to Congress that it desires additional Pennsylvania service from New York to Harrisburg via Allentown/Bethlehem, Reading, Lebanon and Hershey as one of 13 corridors it has evaluated; and

WHEREAS, Amtrak's board of directors has approved an expenditure of \$2.6 million in capital costs to build a track connection at New Castle, which could extend the "Pennsylvanian" to Cleveland; and

WHEREAS, Amtrak and North Carolina have recently agreed on increased service between the cities of Raleigh and Charlotte, with all equipment acquired by and refurbished with funds from the state, despite having a smaller population density than Pennsylvania; and

WHEREAS, Amtrak has informed the Department of Transportation that this estimated cost is between \$693,000 and \$796,000 for the operation of a second train; therefore be it

RESOLVED, That the House of Representatives direct the Department of Transportation to study and report to the General Assembly what additional State funding is needed to cover the capital and operational costs of a second daily "Pennsylvanian" in the New York, Philadelphia, Harrisburg and Pittsburgh travel corridor and the New York, Allentown/Bethlehem, Harrisburg, Pittsburgh corridor.

Richard A. Geist
Joseph A. Petrarca
Michael R. Veon
Jere W. Schuler
Fred A. Trello
Thomas A. Tangretti
James R. Roebuck, Jr.
Anthony J. Melio
Daniel F. Clark
Sara G. Steelman
Nicholas A. Colafella
Ellen A. Harley
Patricia Carone
Robert L. Freeman
Ronald R. Cowell
David W. Heckler
Richard D. Olasz
Robert C. Donatucci

Ron Gamble
Arthur D. Hershey
Timothy L. Pesci
Christopher K. McNally
Frank Dermody
Ralph Kaiser
David J. Mayernik
Teresa E. Brown
Gregory C. Fajt
Frank J. Pistella
Dick L. Hess
Babette Josephs
Charles W. Dent
Richard J. Cessar
Allen G. Kukovich
Ivan Itkin
John M. Perzel
Susan Laughlin
Peter J. Daley II
Italo S. Cappabianca
Karl W. Boyes
Edward G. Staback
Jeffrey W. Coy
Anthony L. Colaizzo
Joseph F. Markosek
Camille "Bud" George
Kathrynann W. Durham
Joseph M. Uliana
George C. Hasay
William Russell Robinson
Dan A. Surra
Thomas C. Petrone
William F. Adolph, Jr.
Thomas W. Dempsey
Merle H. Phillips
Edward H. Krebs
Thomas J. Fee
Frank J. Gigliotti
Anthony M. DeLuca
Phyllis Mundy
Richard A. Kasunic
Thomas P. Gannon
Thomas M. Tigie
Edward J. Lucyk
Samuel H. Smith
P. Michael Sturla
Herman Mihalich
Terry E. Van Horne
Thomas J. Scrimenti
George T. Kenney, Jr.
Carole A. Rubley
Jess M. Stairs
Bob Allen
Elinor Z. Taylor
Katie True
Larry O. Sather
David K. Leviansky
Marie A. Lederer
Robert W. Godshall
Raymond Bunt, Jr.
Lita Indzel Cohen
Ron Raymond
Joseph Preston, Jr.
Jerry A. Stern
Timothy F. Hennessey
Ruth C. Rudy
Robert E. Nyce
T. J. Rooney
Albert W. Pettit
Ronald I. Buxton
Keith R. McCall
Dennis E. Leh
Robert E. Belfanti, Jr.

John N. Wozniak
Thomas A. Michlovic

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

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

NAYS—0

NOT VOTING—1

Druce

EXCUSED—5

Bush	Heckler	O'Donnell	Wogan
Haluska			

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

STATEMENT BY MAJORITY LEADER

The SPEAKER pro tempore. The Chair recognizes the majority leader, Ivan Itkin.

Mr. ITKIN. I want to thank the membership of the House for their excellent performance. It just shows that we can sometimes disagree without being disagreeable. It has been a very productive session we have had this spring, and I wish you a fond farewell and look forward to seeing you in September.

I would also like to thank the minority leader for his great patience and consideration.

The SPEAKER pro tempore. For the information of the members, there will be no further votes, and I wish all of you a safe trip home.

The Chair recognizes the gentleman, Mr. Strittmatter.

Mr. STRITTMATTER. Thank you, Mr. Speaker.

I would also like to thank the staff very much for their long, long hours and especially our guest page, who lasted through the 2 days, Brandon Redden. I would like to congratulate him and all the staff. Thank you very much.

The SPEAKER pro tempore. The Chair thanks the gentleman and finds those remarks very palatable.

BILLS ON THIRD
CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 1350, PN 2030**, entitled:

An Act reenacting and amending the act of July 8, 1986 (P.L.408, No.89), known as the Health Care Cost Containment Act, amending the title; further providing for legislative policy, for the Health Care Cost Containment Council and its powers and duties, for data submission and collection, for data dissemination and publication, for health care for the medically indigent, for mandated health benefits, for access to council data, for special studies and reports, for enforcement and penalties, and for contracts with vendors; eliminating provisions on appropriations; providing for reporting; further providing for termination; and making editorial changes.

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

BILL RECOMMENDED

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

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

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

* * *

The House proceeded to third consideration of **HB 1678, PN 1880**, entitled:

An Act providing for the review of financial solvency of insurers; and establishing the Insurance Monitoring and Activities Augmentation Account.

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

BILL RECOMMITTED

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

Mr. ITKIN. Mr. Speaker, I move that HB 1678 be recommitted to the Appropriations Committee.

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

* * *

The House proceeded to third consideration of **SB 508, PN 1518**, entitled:

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

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

BILL RECOMMITTED

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

Mr. ITKIN. Mr. Speaker, I move that SB 508 be recommitted to the Judiciary Committee.

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

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER pro tempore. The Chair recognizes the gentleman from Washington County, Mr. Trich.

Mr. TRICH. Thank you, Mr. Speaker.

I would like to offer remarks for the record, please.

The SPEAKER pro tempore. It is appropriate to do that and please present them to the well of the House.

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

I urge my fellow House members to approve HB 84 by casting a positive vote for concurrence.

This newly amended telecommunications bill will achieve a number of goals. The advanced technology will certainly prove beneficial in the medical field, education, and entertainment, to

name just a few. And perhaps most important of all, it will create jobs, thousands of badly needed jobs, for Pennsylvanians.

I applaud Representative Wright and others who have worked extremely hard to craft a bill that is more acceptable, even to the former opponents of this measure, including the PUC and senior citizen groups. This revised bill makes it possible, even attractive, for the cable TV industry and the print media to enter into joint efforts. That, too, in my estimation, is good news.

For all these reasons, once again I urge a "yes" vote on concurrence.

HOUSE BILLS INTRODUCED AND REFERRED

No. 1947 By Representatives PRESTON, KUKOVICH, HENNESSEY, LAUGHLIN, JOSEPHS, ACOSTA and CARN

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for distribution of controlled substances forfeitures in cities of the second class.

Referred to Committee on JUDICIARY, June 24, 1993.

No. 1948 By Representatives PRESTON, MELIO, KUKOVICH, LAUGHLIN, JOSEPHS, ACOSTA and CARN

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for distribution of controlled substances forfeitures in cities of the second class.

Referred to Committee on JUDICIARY, June 24, 1993.

No. 1949 By Representatives PRESTON, ACOSTA and CARN

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for distribution of controlled substances forfeitures in cities of the second class.

Referred to Committee on JUDICIARY, June 24, 1993.

No. 1950 By Representatives PETRARCA, CESSAR, McCALL, VEON, GODSHALL, TANGRETTI, DALEY, KUKOVICH, SATHIER, LESCOVITZ, GEIST, OLASZ, PETTI, PRESTON, DERMODY, PESCI, WOZNIAK, HESS, HERSHEY, BATTISTO, PETRONE, VAN HORNE, SANTONI, SAURMAN and LAUGHLIN

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for revocation or suspension of operating privilege, for revocation of habitual offender's license and for occupational limited license; and providing for probationary license.

Referred to Committee on TRANSPORTATION, June 24, 1993.

No. 1951 By Representatives BUXTON, PETRARCA and CESSAR

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for use of "Miscellaneous Motor Vehicle Business" registration plates.

Referred to Committee on TRANSPORTATION, June 24, 1993.

No. 1952 By Representatives GANNON, RAYMOND, ADOLPH, CIVERA, REBER, PICCOLA and LEE

An Act amending the act of October 15, 1980 (P.L.950, No.164), known as the Commonwealth Attorneys Act, imposing additional limitations on consent decrees.

Referred to Committee on JUDICIARY, June 24, 1993.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 85, PN 478; HB 143, PN 1201; HB 1009, PN 1551; HB 1010, PN 1552; HB 1281, PN 2135; and HB 1609, PN 1817**, with information that the Senate has passed the same without amendment.

SENATE MESSAGE

HOUSE AMENDMENTS CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to **SB 970, PN 1517; and SB 1098, PN 1525**.

BILLS SIGNED BY SPEAKER

The Chair gave notice that the Speaker had signed the following bills:

HB 85, PN 478

An Act authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Corrections, to convey a tract of land in Lower Allen Township, Cumberland County, Pennsylvania, to Lower Allen Township.

HB 143, PN 1201

An Act authorizing and directing the Department of Corrections, with the approval of the Governor, to convey to The Pennsylvania State University a tract of land situate in Benner Township, Centre County, Pennsylvania.

HB 678, PN 2103

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, providing for landlord ratepayers and tenants, for notice prior to termination of service, for penalties

and for remedies; and imposing duties upon owners of rental property.

HB 712, PN 2293

An Act authorizing and directing the Department of General Services, with the approval of the Governor and the Secretary of Environmental Resources, to convey to the County of Northumberland, land situate in the City of Shamokin, Northumberland County, Pennsylvania, and to convey to the Redevelopment Authority of Delaware County a tract of land situate in Darby Township, Delaware County, Pennsylvania; authorizing Millersburg Borough, Dauphin County, to sell and convey certain Project 70 lands free of restrictions imposed by the Project 70 Act and providing for use of sale proceeds; and making a repeal.

HB 986, PN 2289

An Act amending Titles 74 (Transportation) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, authorizing designation of and regulating outdoor advertising along a scenic byway; further providing for definitions, for correcting certificates of title, for revocation or suspension of operating privilege, for judicial review of licensing, for required financial responsibility, for leaving an unattended child in a motor vehicle, for certification of mechanics, for vehicle widths and weights, for display of unauthorized indicators, for interference with traffic-control devices or signals, for court reports on transmission of funds, for snowmobile and all-terrain vehicle registration exemptions and reciprocity, for snowmobile and all-terrain vehicle penalties and for the allocation of oil company franchise tax revenues to the Pennsylvania Turnpike Commission; regulating certain motor license fund expenditures; and making a repeal.

HB 1009, PN 1551

An Act amending the act of October 5, 1978 (P.L.1109, No.261), known as the Osteopathic Medical Practice Act, further providing for the State Board of Osteopathic Medicine and for penalties; and regulating the practice of respiratory care practitioners.

HB 1010, PN 1552

An Act amending the act of December 20, 1985 (P.L.457, No.112), known as the Medical Practice Act of 1985, further providing for the State Board of Medicine; and regulating the practice of respiratory care practitioners.

HB 1281, PN 2135

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, providing special occasion permits for fraternal benefit societies; and providing for legal opinions.

HB 1340, PN 2292

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, defining "genetic tests"; further providing for information to consumer credit bureau and for rights of the Department of Public Welfare for postsecondary educational costs; providing for publication of delinquent support obligors; further providing for expedited paternity and support procedure; providing for professional licensure sanctions against support delinquents; and further providing for voluntary acknowledgement of paternity.

HB 1609, PN 1817

An Act amending the act of July 2, 1984 (P.L.553, No.110), known as the Engineering School Equipment Act, further provid-

ing for reallocation of unused funds and for the expiration of the act.

HB 1709, PN 2369

An Act creating the Ben Franklin/IRC Partnership and providing for its powers; establishing the Ben Franklin/IRC Partnership Fund; providing for certification of industrial resource centers, for certification of Ben Franklin technology centers and for certain transfers; and making repeals.

SB 970, PN 1517

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further defining "court"; extending the authorization for transfers to the Catastrophic Loss Benefits Continuation Fund from the Workers' Compensation Security Fund; further providing for suspension or revocation of vehicle business registration plates, for revocation or suspension of operating privilege, for issuance and content of driver's license, for an exemption from certain fees, for certification of mechanics, for snowmobile and all-terrain vehicle registration exemptions, for judicial review and for reports by courts; and making repeals.

SB 1052, PN 1524

An Act reenacting and amending the act of July 8, 1986 (P. L. 408, No. 89), entitled "Health Care Cost Containment Act," changing the title; further providing for legislative policy, for the Health Care Cost Containment Council and its powers and duties for data submission and collection, for data dissemination and publication, for health care for the medically indigent, for mandated health benefits, for access to council data, for special studies and reports, for enforcement and penalties and for contracts with vendors; eliminating provisions on appropriations; providing for reporting; further providing for termination; and making editorial changes.

SB 1098, PN 1525

A Supplement to the act of (P.L. , No.), entitled "Capital Budget Project Itemization Act for 1993-1994," itemizing public improvement projects, furniture and equipment projects, transportation assistance projects, flood control projects and redevelopment assistance projects to be constructed or acquired or assisted by the Department of General Services, the Department of Environmental Resources, the Department of Community Affairs or the Department of Transportation, together with their estimated financial costs; authorizing the incurring of debt without the approval of the electors for the purpose of financing the projects to be constructed or acquired or assisted by the Department of General Services, the Department of Environmental Resources, the Department of Community Affairs or the Department of Transportation; stating the estimated useful life of the projects; authorizing certain waivers; making appropriations; and making repeals.

RECESS

The SPEAKER pro tempore. The House will now stand 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 (KAREN A. RITTER) PRESIDING

BILLS AND RESOLUTIONS PASSED OVER

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

BILLS RECOMMENDED

Pursuant to House rule 71, **HB 1096, PN 1190; HB 1100, PN 1194; and HB 1101, PN 1195**, having been listed on the House calendar for 15 consecutive legislative days, were automatically recommitted to the Committee on State Government.

ADJOURNMENT

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

Mr. ITKIN. Madam Speaker, I move that this House do now adjourn until Monday, June 28, 1993, at 1 p.m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

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

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